

Chapter 6

Conclusions and Recommendations

Conclusions

The 2012 election in Papua New Guinea saw some progress and some setbacks in the country's efforts to strengthen its democracy. Some of the benchmarks for democratic processes were met, but significant challenges remain to achieve the efficient and effective management of elections that ensures maximum franchise for citizens, appropriate and consistent electoral practices for the exercise of that franchise, and a strong culture of democracy throughout the country.

The legal framework in PNG provides the necessary foundation for democratic elections, and a concerted effort was made by the Papua New Guinea Electoral Commission, and others involved with the election, to afford the people of Papua New Guinea the opportunity credibly to express their will. Many were able to do so.

Nevertheless, several serious concerns need to be addressed for the future.

The increase in 'money politics' during the election campaign was widely noted and reported to the Group. Gift-giving has always been a feature of election campaigning in PNG, and is arguably part of the culture. Nevertheless, the very significant amounts of money now involved, and the many reports of direct bribery on a large scale, undermine the integrity of the democratic process. Stronger measures should be taken to counter this trend.

There were unfortunate problems with aspects of election management. The process was beset by delays, often for avoidable reasons. Crucially, problems with the quality and management of the electoral roll led to significant numbers of citizens missing out on their opportunity to vote. There were multiple causes of this, and reform is needed on a number of levels to improve the voter registration and roll management system. This should be an urgent priority for the new government and electoral authorities immediately following the 2012 election.

There were significant variations in the practices of voting around the country. In most coastal and islands locations, voters were able to exercise their votes freely and in secret. In the Highlands and parts of Momase, however, the Group observed a great many serious breaches of democratic practice. There was no secrecy of the ballot in most of the polling stations visited in parts of the Highlands. There were also many cases of polling staff, scrutineers or candidates filling in the ballots of voters (usually in public); multiple voting; 'bloc' voting; and other unlawful practices. We were also concerned by reports of intimidation by candidates or their supporters in certain places.

A major remaining obstacle to democracy in Papua New Guinea is widespread, deeply-rooted discrimination against women. The Group strongly emphasises the need to accelerate efforts to establish a legal framework, and other measures, to address the very uneven playing field for women's political participation.

The counting process was beset by disputes and delays, but was conducted in a transparent and diligent manner. The improved system for transmission and publication of progressive results helped increase the transparency of the count and public confidence in it.

The achievement of a largely peaceful poll defied many predictions, and was a credit to the excellent work of many members of the security forces. There were some cases of allegedly partisan behaviour by police and military, however, which must be swiftly addressed. The Group also abhors those incidents of election-related violence and disruption which did occur, particularly where lives and livelihoods were lost.

The Commonwealth Observer Group urges all Papua New Guineans to continue exercising patience and respect for the democratic process. The final results, formation of government, and any necessary legal matters arising from the election, should be completed in a timely, lawful and peaceful way.

The next parliament of Papua New Guinea will face formidable opportunities and challenges in the life of this young nation. The Group emphasises the importance of good leadership in the next five years, including through responsible and accountable leaders who enjoy the confidence of their people.

The Group hopes that the recommendations below can assist in strengthening the election process in Papua New Guinea in future. The Group urges the Commonwealth and other international partners to provide the Papua New Guinea Electoral Commission, and other relevant stakeholders, with whatever support they may request in order to do so.

Recommendations

Electoral framework and election administration

- The parliament of Papua New Guinea should give due respect to the principle of equal suffrage in considering the recommendations of the next Boundaries Commission review, which should proceed as scheduled in 2013 with all necessary support for its work.
- Action should be taken by the new government and the PNGEC as an urgent priority, immediately following the conclusion of the 2012 elections, to review and strengthen the voter registration system and the management of the electoral roll for future elections. This should include the incorporation of an appropriate form of voter identification into the enrolment process and the roll, and better measures for collection, checking and verification of enrolment details before and during polling.

- A review should be conducted of the support and reform needed to strengthen the effectiveness of election management by the PNG Electoral Commission, including through possible restructuring, and refining the arrangements for decentralisation.
- The Electoral Commissioner should make use of the Elections Advisory Committee established under the law to advise and assist him on election-related matters, including by convening regular meetings of the Committee.
- The PNGEC should ensure that adequate and timely training of election officials is undertaken, preferably no later than two weeks before polling commences.
- Efforts should be accelerated with urgency to establish a legal framework and other measures, compliant with CEDAW and international good practice, to ensure greater gender balance in Parliament in time for the 2017 elections.
- The new government should continue and expand dedicated programmes to train and support female candidates, and allocate clear and adequate budgetary resources to educate voters throughout the country and throughout the 2012–2017 election interval on the equal rights of women and men to participate in public life, and the benefits to society as a whole from gender balance in leadership and decision making.

Election campaign and media

- Parliament should strengthen laws relating to the regulation and transparency of candidate financing. This needs to be coupled with more active enforcement of such laws, including by building the IPPCC's capacity to monitor and regulate campaign financing. Real redress for bribery and vote buying as election offences is also required.
- Media houses should introduce policies or guidelines on election coverage. Media industry bodies, working with partners such as the PNG Media Workers' Association and other agencies, should develop and encourage PNG media houses to agree upon a code of conduct on election coverage.
- Consistent and ongoing education on the electoral and registration process should be provided to all stakeholders, from voters to polling staff, scrutineers, observers, candidates and security personnel, in order to promote greater awareness of rights, practices, and legal requirements.
- Government should ensure the availability of civic education which encourages voting based on parties'/candidates' policies rather than personal relationships and clan affiliation. There is a need to foster greater demand for candidates with integrity, whose work does not stop once polling is over. The IPPCC and others are doing good work in this area, which should be continued and scaled up.

Voting, counting and results

- 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.