

SPECIAL PARLIAMENTARY COMMITTEE ON 2022 GENERAL ELECTIONS

COMMITTEE REPORT



”

For free, safe and fair
elections for the future

”

2023



+675 327 7785



elections22committee.parliament@gmail.com



Papua New Guinea
Parliament House
Waigani

NATIONAL PARLIAMENT OF PAPUA NEW GUINEA



REPORT TO PARLIAMENT: INQUIRY INTO THE 2022 NATIONAL GENERAL ELECTIONS

Special Parliamentary Committee on 2022 General Elections

November 2023

TABLE OF CONTENTS

LIST OF TABLES AND FIGURES	iii
ACRONYMS AND ABBREVIATIONS	iv
FOREWORD BY THE COMMITTEE CHAIRMAN	vi
TERMS OF REFERENCE	vii
MEMBERS OF THE COMMITTEE	viii
EXECUTIVE SUMMARY	1
Recommendations for Immediate Action by Parliament and Government	1
Summary of Committee Recommendations and Expected Outcomes	2
Prioritising the Election Reform Activities	14
Committee Endorsement of the Report and its Recommendations	14
1. INTRODUCTION	15
1.1. Background	15
1.2. Establishment of the Special Parliamentary Committee on 2022 General Elections	17
1.3. Committee Inquiry Process	17
1.4. Public Hearings	18
1.5. Regional Consultations	19
1.6. Written Submissions to the Committee	25
1.7. Desktop Review of Election Observation Reports	25
1.8. Consultation Visit to Australia	26
1.9. Budget and Expenditure Report	26
1.10. Structure of the Report	29
2. FRAMING, SELECTION AND PRIORITISING OF THE RECOMMENDATIONS	30
2.1. Sources of Information for Recommendations	30
2.2. Framing and Selection of the Recommendations	30
2.3. Prioritising the Recommendations for Implementation	31
3. ELECTION ADMINISTRATION: ISSUES AND RECOMMENDATIONS	32
3.1. Expected Outcomes for Election Administration	32
3.2. Establishment of a Parliamentary Standing Committee on Electoral Matters	33
3.3. Election Administration by PNG Electoral Commission	34
3.4. Administrative Coordination Mechanism	37
3.5. Election Planning and Execution Issues	39
3.6. Election Administration at Sub-National Level	42
3.7. Conclusion	44
4. ELECTION PROCESS: ISSUES AND RECOMMENDATIONS	45
4.1. Expected Outcomes for Election Process	45
4.2. The Electoral Roll	45
4.3. Campaigning	49
4.4. Voting or Polling	51
4.5. Counting or Scrutiny	59
4.6. Declarations	61
4.7. Disputed Returns Process	63
4.8. Code of Conduct for Political Parties, Candidates and Voters	64
4.9. Conclusion	64
5. ELECTION FUNDING: ISSUES AND RECOMMENDATIONS	65
5.1. Expected Outcomes on Election Funding	65
5.2. Key stakeholders involved in Election Funding	66
5.3. Budget Process	66
5.4. Election budget submissions and allocation	67
5.5. Procurement Issues	73
5.6. Election Funding and Procurement Issues: Subnational Perspectives	76
5.7. Election Expenditure Reporting	77

5.8.	Recommendations by Treasury Department	79
5.9.	Conclusion.....	82
6.	ELECTION SECURITY: ISSUES AND RECOMMENDATIONS	83
6.1.	Expected Outcomes on Election Security	83
6.2.	Election Security Administration	84
6.3.	Election Security Manpower and Deployment.....	84
6.4.	Illegal Practices and Penalties.....	86
6.5.	Electoral Offences and Penalties under the OLNLGE.....	87
6.6.	Offences under the <i>Criminal Code Act</i> or <i>Summary Offences Act</i>	91
6.7.	Affiliation of Certain Security Personnel to Politicians	93
6.8.	Laying of Complaints for Electoral Offences	94
6.9.	Election Security Coding.....	94
6.10.	Collaboration and Coordination in Election Security Operations.....	96
6.11.	Phases of Security Operations	97
6.12.	Support of Bilateral Partners to PNGDF	98
6.13.	Illegal Firearms and Threats on Security	99
6.14.	Monitoring and Control of Firearms owned by PNGDF	100
6.15.	Weapons in the Hands of Criminals.....	100
6.16.	Conduct of Disciplined Forces During Elections	101
6.17.	Election Security Intelligence Apparatus	101
6.18.	Conclusion.....	102
7.	CROSS-CUTTING MATTERS AND RECOMMENDATIONS	103
7.1.	Behaviour of Voters and Candidates	103
7.2.	Election Logistics.....	105
7.3.	Training and Support for Electoral Officers and Security Personnel	105
7.4.	Electoral Corruption and Transparency	105
7.5.	Legal Reforms	107
7.6.	Political Representation for Women	107
7.7.	Conclusion.....	108
8.	ELECTORAL CYCLE AND PRIORITISATION OF REFORM ACTIVITIES	109
8.1.	Ideal Electoral Cycle and Link to the Report’s Recommendations	109
8.2.	Prioritisation of Election Reform Activities	111
9.	SUMMARY AND CONCLUSION.....	114
	REFERENCES.....	115
	APPENDICES	118
	Appendix 1: Public notice about the inquiry.....	118
	Appendix 2: Letter from Committee Chairman to Electoral Commissioner.....	119
	Appendix 3: Letter from Committee Chairman to Police Commissioner	120
	Appendix 4: Letter from Committee Chairman to PNGDF Commander	121
	Appendix 5: Letter from Committee Chairman to PNGCS Commissioner.....	122
	Appendix 6: Letter from Committee Chairman to WHP Administrator.....	123
	Appendix 7: Summary of desktop study.....	125
	Appendix 8: Letter of invitation from Committee Chairman to NRI.....	126
	Appendix 9: Letter of invitation from Committee Chairman to TIPNG	127
	Appendix 10: Letter of invitation from Committee Chairman to INA.....	128
	Appendix 11: List of meetings of the Committee	129
	Appendix 12: Links to online committee documents/resources.....	130

LIST OF TABLES AND FIGURES

List of Tables

Table 1: Witnesses from Southern Region who appeared before the Committee	20
Table 2: Witnesses from Highlands Region who appeared before the Committee	21
Table 3: Witnesses from Momase Region who appeared before the Committee	23
Table 4: Witnesses from NGI Region who appeared before the Committee	24
Table 5: List of participants who provided written submissions	25
Table 6: Expenditure on Call for Submissions	27
Table 7: Expenditure on public hearings	27
Table 8: Expenditure of regional consultations	28
Table 9: Expenditure of consultation visit to Canberra, Australia	28
Table 10: Budget bids and approval for 2022 NGE (K'million)	68
Table 11: Budget bids and allocation for 2022 NGE (K'million)	69
Table 12: Disbursement of election funding in 2022 (K'million)	70
Table 13: Expenditure summary of 2022 NGE-PNGEC (K'million)	78
Table 14: Electoral offences and punishments per OLNLGE, 1997	88
Table 15: Adequacy of penalties for electoral offences	89
Table 16: Electoral cycle and reference to recommendations in this report	110
Table 17: Prioritisation of election reform activities and timeframes	112

List of Figures

Figure 1: Incidence of omission of names on electoral roll (2012, 2017 and 2022 NGEs)	46
Figure 2: Incidence of free voting by women voters, 2012, 2017 and 2022 NGEs	52
Figure 3: Ideal electoral cycle	109

ACRONYMS AND ABBREVIATIONS

ABG	Autonomous Bougainville Government
ADF	Australian Defence Force
AEC	Australian Electoral Commission
AGO	Auditor General’s Office
ANU	Australian National University
APJSCEM	Australian Parliament Joint Standing Committee on Electoral Matters
ARO	Assistant Returning Officer
AROB	Autonomous Region of Bougainville
ATF	Authority To Transfer
CACC	Central Agencies Coordination Committee
CCTV	Closed Circuit Television
CLRC	Constitutional and Law Reform Commission
CPC	Constitutional Planning Committee
DICT	Department of Information and Communications Technology
DJAG	Department of Justice and Attorney General
DNPM	Department of National Planning and Monitoring
DoF	Department of Finance
DoT	Department of Treasury
DPLGA	Department of Provincial and Local-level Government Affairs
DPM	Department of Personnel Management
EAC	Election Advisory Committee
ECB	Electoral Boundaries Commission
EHP	Eastern Highlands Province
EMB	Electoral Management Body
ENBP	East New Britain Province
ESP	East Sepik Province
FBO	Final Budget Outcome
FRAGO	Fragmented Order
GDP	Gross Domestic Product
GoPNG	Government of Papua New Guinea
HMPNGS	His Majesty’s Papua New Guinea Ship
ICAB	Information and Civil Awareness Branch
ICAC	Independent Commission Against Corruption
ICT	Information and Communication Technology
ID	Identification of voters (physical card or biometrics)
IDEA	Institute for Democracy and Electoral Assistance
IDEC	Inter Departmental Election Committee
IFMS	Integrated Financial Management System
INA	Institute of National Affairs
IPPCC	Integrity of Political Parties and Candidates Commission
JSTF	Joint Security Task Force
LPV	Limited Preferential Voting
MBP	Milne Bay Province
MEC	Ministerial Economic Committee
MOA	Memorandum of Agreement
MOMASE	Morobe, Madang, Sepik region
MP	Member of Parliament
MYEFO	Mid-Year Economic and Fiscal Outlook
NASC	National Security Advisory Council
NBC	National Broadcasting Corporation

NCD	National Capital District
NCDC	National Capital District Commission
NEC	National Executive Council
NGE	National General Election
NGI	New Guinea Islands
NGO	Non-Governmental Organisation
NID	National Identity Card
NIO	National Intelligence Organisation
NIP	New Ireland Province
NPC	National Procurement Commission
NRI	National Research Institute
NSO	National Statistical Office
OC	Ombudsman Commission
OLIPPAC	Organic Law on Integrity of Political Parties and Candidates
OLNLGE	Organic Law on National and Local-level Government Elections
OLPGLG	Organic Law on Provincial Governments and Local-level Governments
OSCA	Office of Security Coordination and Assessment
PEM	Provincial Election Manager
PESC	Provincial Election Steering Committee
PFMA	Public Finance Management Act
PM&NEC	Prime Minister and National Executive Council (Department)
PNG	Papua New Guinea
PNGCS	PNG Correctional Service
PNGDF	Papua New Guinea Defence Force
PNGEC	Papua New Guinea Electoral Commission
PPC	Provincial Police Commander
PRO	Provincial Returning Officer
PSCEM	Parliamentary Standing Committee on Electoral Matters
PSMA	Public Services (Management) Act
PWD	Person With Disability
RO	Returning Officer
RPNGC	Royal Papua New Guinea Constabulary
SBC	Strategic Budget Committee
SHP	Southern Highlands Province
SPC	Special Procurement Committee
SPCGE	Special Parliamentary Committee on 2022 General Elections
SSO	State Solicitor's Office
TEW	Temporary Election Worker
TIPNG	Transparency International Papua New Guinea
TOR	Terms of Reference
TWG	Technical Working Group of SPCGE
UPNG	University of Papua New Guinea
WHP	Western Highlands Province
WNBP	West New Britain Province
WSP	West Sepik Province

FOREWORD BY THE COMMITTEE CHAIRMAN

Free, Fair and Safe Elections are the cornerstone of any functioning democracy. In Papua New Guinea (PNG), while the people continue to show strong interest in electing their representatives, the lack of adherence to the established systems and processes; and behaviour of officials, candidates and supporters has continued to undermine public confidence in the electoral system and process, and hence affected public confidence in the election outcomes over recent elections.

The Marape-Rosso Government recognised the need to build people's confidence in the electoral process and the results of elections, by ensuring that the elections are fair and free. This is vital not only for the effective functioning of Parliament but also for all the public institutions that have been set up to govern in the interest of the people.

Significantly, this is the first time in the country's 48-year history that a Parliamentary Committee has been set up to review and make appropriate recommendations to improve PNG's electoral processes and the subsequent outcomes.

This Special Parliamentary Committee on 2022 General Elections was therefore appointed by the 11th Parliament to identify the shortcomings observed in recent elections and to recommend appropriate improvements so that public confidence and trust in the election system, processes and outcomes can be restored. I thank the Parliament for appointing me and members of my Committee to take on this work.

On behalf of my Committee, I thank and acknowledge various parties that have contributed to the work of the Committee, which has culminated in this report. They include institutions, groups and individuals that were consulted during the public hearing and regional consultations, and an overseas consultation visit to Australia.

Finally, I acknowledge the technical assistance provided by a Technical Working Group (TWG) set up by my Committee comprising the National Research Institute (NRI), Transparency International PNG (TIPNG), Institute of National Affairs (INA) and the Parliamentary Committee Secretariat. In addition, the contributions of an eminent persons' and expert group during the validation workshop is duly acknowledged.

.....
Hon. Allan Bird, MP

Chairman, Special Parliamentary Committee on 2022 General Elections
Governor for East Sepik

TERMS OF REFERENCE

The Committee shall inquire into and report on the conduct of the 2022 National General Election under four Terms of Reference (TOR) and cross-cutting matters:

- TOR 1: The powers, functions, and responsibilities of the Electoral Commission and related matters;
- TOR 2: The process involved in the conduct of the General Elections with the focus on updating the Common Roll, campaigning, voting, counting, declarations, Disputed Returns process and related matters;
- TOR 3: Expenditures of electoral funds and related matters;
- TOR 4: The security provided by the Royal Papua New Guinea Constabulary, Papua New Guinea Defence Force, Papua New Guinea Correctional Service and related matters; and
- Cross-cutting matters: In addition to the above four TORs, the Committee shall also inquire into and report on any election related matters where the Committee considers appropriate.

In conducting its work, the Committee shall have powers to send for persons, papers and records, and to meet from place to place to act.

SPECIAL PARLIAMENTARY COMMITTEE ON 2022 GENERAL ELECTIONS
COMMITTEE MEMBERS



Hon. Allan Bird, MP
Governor for East Sepik
CHAIRMAN



Hon. Sir Puka Temu, MP
Member for Abau
DEPUTY CHAIRMAN



Hon. Elias Kapavore, MP
Member for Pomio
Committee Member



Hon. Robert Naguri, MP
Member for Bogia
Committee Member



Hon. Jacob Maki, MP
Member for Mul-Baiyer
Committee Member



Hon. Kieth Iduhu, MP
Member for Hiri Koiari
Committee Member



Late Hon. Steven Pim, MP
Member for Dei
Committee Member



Hon. Saki Soloma, MP
Member for Okapa
Committee Member



Hon. Charlie Benjamin, MP
Governor for Manus
Committee Member

¹ During the course of the Committee's inquiry, one of its members passed on, the Late Hon Steven Pim, Member for Dei Open. The Committee expresses its deep gratitude to the contributions of the late Member to the Committee's work.

EXECUTIVE SUMMARY

Despite the opportunity given for the election of representatives to Parliament, evidence over the past elections and the recent 2022 National General Elections (NGE) has shown that there are serious issues that must be addressed in relation to election administration; election process; election funding; election security; and other related matters.

Considering the ongoing election issues in the past elections and especially in the 2022 NGE, the Parliament established a Special Parliamentary Committee on 2022 General Elections (SPCGE) to investigate and report back to Parliament on the issues that have been plaguing the national elections in Papua New Guinea (PNG) and to make recommendations to address such issues. This report captures the issues and recommendations based on the work of the Committee through five public hearings; four regional consultations; and a total of 24 written submissions received from institutions and individuals.

The members of the SPCGE express their deep appreciation to the Parliament for the opportunity to serve on the Committee through their appointments on this Bi-Partisan Special Parliamentary Committee. It is indeed a timely intervention by the Parliament to consult and make recommendations, through this Committee, to reform the electoral system and process in order to restore public trust and confidence in the electoral system and processes.

The Committee also expresses its gratitude to all the participants who were involved in the inquiry including national institutions; provincial governments and administrations; civil society; and private citizens. Moreover, the Committee thanks the Technical Working Group (TWG) comprising the National Research Institute (NRI), Transparency International PNG (TIPNG) and Institute of National Affairs (INA) supported by the Parliamentary Committee Secretariat. All the service providers to the Committee during its consultation work are also duly acknowledged.

The Committee had four explicit Terms of Reference (TOR) relating to election administration; election process; election funding; and election security. In addition, the Committee was required to inquire into any other item or matter relating to the elections, which was taken as TOR 5 in this report.

This Report has seventy (70) recommendations, organised into five groups to reflect the TOR. The number of recommendations for each of the five groups is as follows:

- 14 recommendations for election administration (i.e. Recommendation 1 to 14);
- 23 recommendations for election process (i.e. Recommendation 15 to 37);
- 8 recommendations for election funding (i.e. Recommendation 38 to 45);
- 17 recommendations for election security (i.e. Recommendation 46 to 62); and
- 8 recommendations under other election matters (i.e. Recommendation 63 to 70).

In developing the recommendations, certain criteria are used, as presented in Section 2 of the report.

Recommendations for Immediate Action by Parliament and Government

In the Committee's view, the 70 recommendations are important and should be implemented. However, there are some recommendations that are urgent and need immediate action by relevant stakeholders including the Government. These priority recommendations are those that meet the following criteria. First are those that need to be done to ensure that the next General Election in 2027 is a significant improvement from the 2022 NGE. Second are recommendations aimed at addressing the chronic problems or the root causes of election problems. The final criteria are those recommendations that will take a shorter time period to implement.

Using the above criteria, there 28 Recommendations for Immediate Implementation, which are presented below under seven thematic areas:

- ***Scrutiny and reform of election administration:*** In the area of election administration, there is a need for scrutiny and reform of the PNGEC. Scrutiny should be provided via the establishment of a Parliamentary Standing Committee on Electoral Matters (*Recommendation 1*) to ensure that the PNGEC and all key stakeholders in election administration play their mandated role effectively and efficiently. In terms of reform of the PNGEC, it is imperative that internal accountability systems within PNGEC must be strengthened (*Recommendation 2*) and consideration be given to increase the number of Electoral Commissioners to 5 for more informed and better decision-making (*Recommendation 3*). The formal set up of an administrative coordination body such as the IDEC is also vital as per *Recommendation 5*.
- ***Effective planning and implementation:*** Election planning by PNGEC must commence 4 years before the election year (*Recommendation 9*) and the plan must be implemented without fear or favour of outside influences to change the plan unnecessary (*Recommendation 8*). The polling dates must also be decided 4 years before the election year to provide the benchmark target for election planning (*Recommendation 29*).
- ***Electoral roll update and Voter ID:*** Once there is strong political and administrative leadership and effective election planning and implementation, then the first thing that must be addressed is electoral roll update and Voter ID (per *Recommendations 10; 13; 14; 15; 16; and 17*).
- ***Education and awareness:*** There must be effective education and awareness on elections to make voters understand the importance of the election and to conduct themselves ethically (*Recommendations 32 and 51*).
- ***Timely and adequate election funding and procurements:*** The inadequate and late disbursement of funding was a major bottleneck to the 2022 NGE and previous elections. Therefore, there is a need for timely budget submissions and allocation of funding during the 5-year election cycle so procurement of goods and services for the elections can be done on time (*Recommendations 38-42*).
- ***Strong collaboration and accountability among security agencies:*** There is a need for security agencies to work together in planning and implementing the security plans and be accountable for their actions (*Recommendations 46 and 47*) as well as on intelligence matters (*Recommendations 50 and 62*).
- ***Priority cross-cutting matters:*** There is a need for implementation of cross-cutting matters such as addressing electoral corruption (*Recommendations 67 and 68*); legal reform (*Recommendation 69*); and introduction of reserved seats for women (*Recommendation 70*).

Summary of Committee Recommendations and Expected Outcomes

There are 70 recommendations in total and they are listed below, sorted by TOR area. For each TOR area, the recommendations are listed, followed by the expected outcomes at the end.

Recommendations on Election Administration (TOR 1)

There are 14 recommendations under TOR 1 (i.e. *Recommendations 1 to 14*) which are presented and discussed in Section 3 of the report. The recommendations are listed as follows:

- **Recommendation 1:** *The Committee recommends that Parliament establishes a Parliamentary Standing Committee on Electoral Matters (PSCEM) to provide ongoing scrutiny into PNG electoral matters and ensure accountability of the PNGEC and relevant election stakeholders on the planning, administration and execution of elections to ensure credible election outcomes, within the mandates of these institutions. The terms of reference of the Standing Committee should not allow it to direct or manage the affairs of the PNG Electoral Commission.*
- **Recommendation 2:** *The Committee recommends that it is imperative to establish mechanisms of accountability internally within the PNGEC so that it is not exposed externally to be undermined by other interests. The mechanisms shall be led by an internal office or committee to oversee the PNGEC's performance management system; oversee corporate governance and budgeting; oversee investigations; oversee corruption prevention activities; and oversee and monitor the Commission's governance and risk and control frameworks. To determine the above, a capacity assessment of the operations of the PNGEC be performed by a multi-agency group and report submitted to the PSCEM. The multi-agency group shall comprise of key government agencies and independent external experts on election administration.*
- **Recommendation 3:** *The Committee recommends that the number of electoral commissioners be increased by law from one (1) to five (5) with specialisations in areas such as constitutional law, election laws and regulations, politics and governance, finance, security and intelligence (within the 5-person Commission); so that decisions that are made are well-informed and made collectively with the interest of the country at the heart of each decision. To facilitate the above, amendments be made to Section 5 and other relevant Sections of the OLNLGE. The appointment of commissioners should be merit based and via an independent process. The tenure of the commissioners should be coordinated so as to maintain continuity of the office before, during and after a NGE. The 5-person Commission shall be headed by a Chief Electoral Commissioner.*
- **Recommendation 4:** *The Committee recommends that the powers, roles and responsibilities of each electoral officer category as defined in the OLNLGE and relevant regulations must be assigned and implemented properly with clear expectations, demarcations and their mandates in law to ensure that important decisions are made, as and when required, so that the election process is conducted effectively and efficiently to achieve the desired outcomes. Demarcation of roles and responsibilities should also flow to the security teams and Temporary Elections Workers (TEWs) at both the national and sub-national levels, who are playing important supporting roles in the election process.*
- **Recommendation 5:** *The Committee recommends that the Inter Departmental Election Committee (IDEC) be mandated by law as an administrative coordination mechanism, via an amendment to the OLNLGE and relevant affected legislation to which the members of IDEC are subjected to, so as to impartially assist the PNGEC and other stakeholders in coordinating resources and assets during planning and execution of the elections. Within this mandate of IDEC, it should not be legislated to co-opt powers of the PNGEC in administering elections, rather it should ensure whole-of-government support and coordination of elections, and be empowered to ensure continuity of government, in the form of assisting the caretaker cabinet, during the National General Elections. The Chief Secretary as the Chairman of IDEC shall compel action from relevant government officers through powers vested upon him or her via the relevant legislation.*
- **Recommendation 6:** *The Committee recommends that the IDEC membership be amended to include at least two representatives from civil society to provide inclusiveness in election coordination.*

- **Recommendation 7:** *The Committee recommends that under IDEC as the Election Administrative Coordination Mechanism, a communication strategy be developed specifically on election matters. The protocols should be clearly defined so that there is a clear line of communication when issues emerge regarding the administration and conduct of the elections, starting with the 2027 National General Election.*
- **Recommendation 8:** *The Committee recommends that the OLNLGE be amended to make it mandatory for the PNGEC to ensure that an election plan is produced and implemented without fear or favour from outside influence, and avoid unnecessary changes. The election planning process must be more transparent by making the plan public, and in the event of any necessary changes, which must be consistent with law, such changes must be published on the PNGEC website and published in the media outlets for the public's information. In addition, the election plan must include inputs from other stakeholders in the elections, in addition to the PNGEC.*
- **Recommendation 9:** *The Committee recommends that the election planning by the Electoral Commission must start at least four years before the election year so that all the coordination issues, logistical issues, funding issues, and capital investment issues are addressed well before the election year. In conjunction with this advanced planning, it must be embedded in the OLNLGE that the Government of the day must approve and release the required annual funding through the annual budget process to the key election stakeholders to carry out all the necessary and required preparatory activities. The funding that is released must be made public.*
- **Recommendation 10:** *The Committee recommends that voter registration and updating of the electoral roll must be done annually, starting the year after the previous election and up to six months before the issue of writs to ensure that the majority, if not all, eligible voters are registered to vote in the elections. The updating shall include addressing all areas relating to the electoral roll preparation such as enrolment forms, roll display, objection, finalisation and dissemination.*
- **Recommendation 11:** *The Committee recommends that in the administrative and planning process, the PNGEC must institute sustained training and support programs on elections that are rolled out annually for electoral officials, TEWs, security personnel, starting four years before the election year. This is necessary to clarify expectations and identify roles and responsibilities and the mandates in law that govern the electoral officials, TEWs and security teams.*
- **Recommendation 12:** *The Committee recommends that the PESC mechanism must be strengthened by timely provision of budget, timely appointment of members and training, and a clear Terms of Reference that is developed 4 years before the elections and implemented. The PESC must also submit and be held accountable for post-election reports to the IDEC including financial reports for public funds used in the provinces for elections. The PESC must coordinate its work with the IDEC. The Chairman of the PESC shall be the Provincial Administrator, who should only assist but not usurp the role of the Provincial Election Manager.*
- **Recommendation 13:** *The Committee recommends that the OLNLGE be amended to include the Provincial Election Manager (PEM) as an "Electoral Officer" and the PEM be authorised through the roles and functions of the position to provide continuous oversight and supervise all electoral roll processes within the province within the five-year election cycle, as recommended by the PNGEC.*

- **Recommendation 14:** *The Committee recommends that provisions be made in the National Election Regulations to give effect to Section 19(4) and (5) of the OLNLGE for the Returning Officer to work with, and not be directed by, persons or Committees such as the Ward Development Committee to support the PNGEC in its work of updating the electoral roll (per Recommendation 10) and other defined activities relating to the conduct of elections.*

The 14 recommendations under TOR 1 are aimed at achieving the following five expected outcomes:

- **Expected Outcome 1:** That Parliament scrutiny is provided to hold the PNGEC and other relevant stakeholders accountable for their performance, as far as the planning and implementing of elections is concerned in PNG. Section 126(6) of the National Constitution stipulates that “*The Electoral Commission is not subject to direction or control by any person or authority.*” That is, an independent Electoral Commission is crucial to the good governance of elections in PNG. With this independence, it is expected that the Electoral Commission will deliver effective and credible elections. However, while the independence of the PNGEC is maintained, there is a need to hold the Commission accountable for its actions in order to ensure that the elections are administered effectively and efficiently. The accountability mechanism is by way of the Parliamentary Standing Committee ensuring that the PNGEC is performing its mandated role effectively and efficiently.
- **Expected Outcome 2:** That the primary election administration agency, the PNGEC is effective and efficient in its role to ensure that the election process and results are credible and achieved on time in compliance with the relevant laws and regulations.
- **Expected Outcome 3:** That the agencies supporting the PNGEC in election administration, both at the national and subnational levels, are effective and efficient in their roles to ensure that the PNGEC delivers on its constitutional mandate to conduct the elections effectively and efficiently.
- **Expected Outcome 4:** That there is strong and effective collaboration between PNGEC and supporting institutions to ensure the expected outcome of the election process is achieved on time and on budget.
- **Expected Outcome 5:** That the issues observed during election observation by independent observation groups are addressed by the key election administrative agencies, in particular, the PNGEC.

In Section 3 of the report, under each of the 14 recommendations, reference is made to specific outcomes for TOR 1 that the recommendation is expected to achieve or address.

Recommendations on Election Process (TOR 2)

There are 23 recommendations under TOR 2 (i.e. *Recommendations 15 to 37*) which are presented and discussed in Section 4 of the report. They are listed here, as follows:

- **Recommendation 15:** *The Committee recommends that for the 2027 General Elections, a new electoral roll needs to be developed by the end of 2024 and validated with the 2024 census data in 2025 and updated in 2026 in time for the 2027 Elections. In 2026, a periodic check should be done twice to make sure the electoral roll is well updated.*

- **Recommendation 16:** *The Committee recommends that consistent with Section 71A of the OLNLGE, an appropriate voter identification (ID) system must be instituted to identify all eligible voters (i.e. citizens aged 18 years and above). The voter ID can take any form described in Section 71A. In the long run, the NID Card system with its fingerprint technology be used as the primary ID for voter identification. For the 2027 NGE, subject to the roll out of the National ID, other ID form may be used such as Driver's License, Passport, Work ID or Photo ID issued by the PNGEC. The maintenance and disclosure of the voter ID must comply with Sections 71B and 71C of the OLNLGE.*
- **Recommendation 17:** *Consistent with Section 19(5) of the OLNLGE, the Committee recommends that as part of voter registration and electoral roll update, the Ward Record Book be used for validating the electoral roll. This should be done by Returning Officers and Ward Recorders in the Provinces with the oversight of the PNGEC. Strong mechanisms be put in place in the OLNLGE to protect the integrity of this process of electoral roll update and validation at the Ward Level (i.e. guard against any manipulation of the electoral roll update process at the Ward level).*
- **Recommendation 18:** *The Committee recommends that whilst every effort must be made to protect intending candidates against arbitrary discrimination to stand for public office via nomination to contest the elections, the relevant requirements such as mandatory completion of Form 24 for proper scrutiny of intending candidates and the requirement for public servants (officers) to resign at least 12 months before the issue of writs to contest the elections (per the amended Section 55 of the PSMA and DPM Circular Instruction No.27/2021), must be met to protect the integrity of the candidate nomination process, which is an integral part of the electoral system.*
- **Recommendation 19:** *The Committee recommends that strong measures be put in place under the OLNLGE and relevant laws such as the Anti-Money Laundering and Proceeds of Crime Act to ensure that campaign finance is subject to auditing to determine whether such funds were spent within the framework of the law.*
- **Recommendation 20:** *The Committee recommends that media freedom must be maintained during the elections to ensure reporting of the election issues for public consumption and transparency of the process and this includes media being able to enter and transmit information from counting rooms. After the elections, media freedom should be maintained by ensuring that campaign finance data, including audit reports, should be made freely available online to the public.*
- **Recommendation 21:** *The Committee recommends that the planning, design and printing of ballot papers must be closely linked to the electoral roll update information to ensure that the number of ballot papers is equal to the number of voters in the electoral roll. The PNGEC must ensure that this is done as part of its administration of the election.*
- **Recommendation 22:** *The Committee recommends that roving polling be maintained as the primary method of polling and that centralised polling may be considered if and only if roving polling cannot be done due to unavoidable circumstances and on the condition that it is logistically and financially feasible to conduct centralised polling for the electorate or part of that electorate in question, while guaranteeing reasonable access to all affected voters in the jurisdiction.*
- **Recommendation 23:** *The Committee recommends that the PNGEC plan for and conduct a pilot study in 2024 on the use of biometric technology for voter registration, voting and counting to assess the costs and benefits with clear recommendations for its potential adoption and use for the PNG Election system. The biometric technology be audited and the results of the pilot study be evaluated independently by a reputable private firm to ascertain its merits.*

- **Recommendation 24:** *The Committee recommends that the photo-roll system be used in selected Local-level Government areas in the 2024 Local-level Government Elections to assess its merits and consider for use in future National General Elections.*
- **Recommendation 25:** *The Committee recommends that the LPV system be maintained but make it work better by addressing the issues of implementation during the whole election process.*
- **Recommendation 26:** *The Committee recommends that consistent with Section 150 of the OLNLGE, during counting, one scrutineer each for all candidates must be allowed to be present at the counting venue. In addition, the law must allow for election observers and the media to be present at counting venues. This will ensure that there is transparency in the process and reduce the incidences of electoral fraud and violence caused by ill-feeling and suspicions.*
- **Recommendation 27:** *The Committee recommends that the full process of determining the electoral boundaries per Section 35-42 of OLNLGE must be completed at least a year before the issue of writs to allow for timely incorporation of the new electorates into the administration, logistical and security planning for the elections.*
- **Recommendation 28:** *The Committee recommends that a thorough assessment be done by an independent team under the PSCEM on the merits and practicality of the number of days required for polling for each electorate to ensure that the logistics and costs of conducting polling are properly determined for implementation during the election period. The assessment results must be included in the election plan and any special procedure for polling be captured consistent with Section 82A (Use of Special procedures in Elections) of the OLNLGE.*
- **Recommendation 29:** *The Committee recommends that the date of polling for an upcoming election referred to in Section 79 of the OLNLGE must be decided upon and gazetted in March of the year after the previous election. The polling date will then provide the benchmark to work backwards in terms of planning and implementing the required activities and investments prior to and during the election year. The polling date shall be consistent with the provisions of Section 105 of the Constitution.*
- **Recommendation 30:** *The Committee recommends that voting arrangements and logistics must include provisions for gender-sensitive and inclusive polling procedures. Having dedicated lines for women voters during polling in the 2022 NGE was a positive aspect of the election process that must be maintained and expanded with separate lines for voters with special needs and equipped with the appropriate infrastructure and equipment.*
- **Recommendation 31:** *The Committee recommends that the design of the ballot papers must have a clear distinction between the ballot paper for regional seats and those for open seats so that voters can cast their votes on the correct ballot papers. This is due to the fact that the ballot paper is the most important document that captures the votes or choices of voters, hence its design and use is of critical importance to the success of an election.*
- **Recommendation 32:** *The Committee recommends that education and awareness on counting under the LPV system must be done effectively in order for voters to understand the impact it has on the final result. This awareness must be done effectively by the PNGEC's Information and Civic Awareness Branch (ICAB) as part of its work on election education and awareness per Recommendation 51, starting from four years before the election year.*
- **Recommendation 33:** *The Committee recommends that the PNGEC must address administrative factors that cause delays in polling, counting and declaration so that polling, counting and declarations are done on time and writs are returned on time, consistent with*

the legal provisions in the OLNLGE, in particular, Section 80 (Date of return of writs) and Section 175 (Return of writs). For the impact of natural factors like the weather on polling, consideration could be given for adjusting the polling dates to appropriate time periods during the election year, but within the legal requirements for return of writs.

- **Recommendation 34:** *The Committee recommends that the PNGEC develop a clear set of criteria on what constitutes a successful election, which shall be used in determining the success or otherwise of an election result for a seat. The PNGEC shall issue a public statement on the criteria before the election year, as part of its education and awareness programs.*
- **Recommendation 35:** *The Committee recommends that Section 175 1A(b) of the OLNLGE regarding Special Circumstance Declaration be repealed to avoid the provision being abused and manipulated for political or administrative convenience. Instead, if an election process is not complied with for a successful election per the criteria referred to in Recommendation 34, then the election for the seat must be declared as failed and a by-election shall be held.*
- **Recommendation 36:** *The Committee recommends that there must be clear criteria for election petitions with a filtering process so that only genuine cases proceed to the Court of Disputed Returns. This can be done via an amendment to Section 208, Subsection (a) of the OLNLGE where the “facts relied on” must be clearly spelled out in law under this Subsection. If a case is criminal under the Criminal Code and/or Summary Offences Act, then such matters can be litigated under those relevant laws.*
- **Recommendation 37:** *The Committee recommends that parties, candidates and voters must adhere to the Code of Conduct developed by the PNGEC and IPPCC in the upcoming 2027 National General Election and future elections.*

The 23 recommendations under TOR 2 are aimed at achieving the following six expected outcomes:

- **Expected Outcome 1:** That the electoral roll is up to date and inclusive of all eligible voters so that all eligible voters have the opportunity to cast their votes at election time.
- **Expected Outcome 2:** That there is free, fair and peaceful nomination of candidates and campaigning by all eligible candidates and their supporters.
- **Expected Outcome 3:** That there is free, fair, transparent and peaceful voting/polling under the LPV polling system.
- **Expected Outcome 4:** That the counting of votes is done under the established principles of the LPV counting system in a peaceful environment.
- **Expected Outcome 5:** That the declaration of results for every seat is credible and return of writs are submitted on time consistent with the law.
- **Expected Outcome 6:** That the incidence of disputed returns is minimised through the high credibility of the election process outcomes (i.e. per *Expected Outcome 1 to 5*) and that if there is any disputed return, the process of dealing with the matter is done effectively and efficiently so that the people are not denied their representation in Parliament for a long period of time due to lengthy disputed returns process.

In Section 4 of the report, under each of the 23 recommendations, reference is made to a specific outcome/s for TOR 2 that the recommendation is expected to achieve or address.

Recommendations on Election Funding (TOR 3)

There are 8 recommendations under TOR 3 (i.e. *Recommendations 38 to 45*) which are presented in Section 5 of the report and listed as follows:

- **Recommendation 38:** *The Committee recommends that the budget appropriations for the general elections must be done annually, commencing 4 years before the election year. This will ensure that there is smooth transition into the election year and that the costs for the election year are manageable, instead of lumping all costs during the election year. To ensure timely provision of funding for elections, there must be effective compliance with annual budget submissions by the PNGEC and support institutions per Section 51 of the PFMA; timely disbursement/payments of the appropriated funds by Treasury and Finance Departments per Section 53 of the PFMA; and effective procurement systems via the Special Procurement Committees of the relevant institutions.*
- **Recommendation 39:** *The Committee recommends that the procurement systems for the Disciplinary Forces (RPNGC, PNGDF and PNGCS) for the elections be synergised by establishing Special Procurement Committees for all the three Disciplinary Forces with clear procurement guidelines. The procurement guidelines must have control measures in place, consistent with the National Procurement Act, Public Finance Management Act and Financial Instructions, to ensure that funds are spent within budget and properly acquitted according to sound financial management practices. The three agencies should also cooperate and coordinate resources to ensure effective use of the funds under the auspices of the Joint Security Task Force (JSTF).*
- **Recommendation 40:** *The Committee recommends that the IDEC as the Election Administrative Coordination body for Government, should ensure that the election work plans and budget plans by the PNGEC and relevant election agencies (such as the RPNGC, PNGDF, PNGCS, and PESCs) are completed and funded starting from the year after the previous election (i.e. 4 years before election year), whilst prioritising especially funding that is required for preparatory activities.*
- **Recommendation 41:** *The Committee recommends that funding for the PNGEC must be given annually, starting 4 years before the election year and this must be done in consideration of Sections 51 and 53 of the PFMA and Section 225 of the National Constitution which requires that operations of Constitutional Offices (including PNGEC) are funded through the appropriation bills approved by Parliament. Moreover, PNGEC's Special Procurement Committee must apply a competitive bidding procurement system to ensure that the procured goods and services for the elections are of acceptable quality and standards.*
- **Recommendation 42:** *The Committee recommends that since the subnational institutions are better placed to understand the specific problems of election planning and implementation in each province, more autonomy should be granted to the provinces for election planning and procurement and by implication more funding should be provided to the provinces annually for the four years before the election, through the PESCs. To ensure financial and administrative compliance, the IDEC and relevant national agencies, such as the Department of Treasury, Department of Finance and Auditor General's Office (AGO), should provide the necessary coordination and scrutiny for the acquittal and reporting of election funds.*
- **Recommendation 43:** *The Committee recommends that the PNGEC must plan and publish critical election dates such as campaign period, counting (scrutiny), and issue and return of writs, which must all be aligned to the polling dates per Recommendation 29. This will assist in security planning and cashflow planning to fund the election activities.*

- **Recommendation 44:** *The Committee recommends that funding support to state agencies and public offices from donor partners must be coordinated well to ensure that such support adds value to the election activities and not a duplication of particular activities; and that the focal point for donor funding be vested with the Department of National Planning and Monitoring (DNPM), consistent with the goals and principles in the 2015 PNG Development Cooperation Policy. Donor funding should then be added to the GoPNG allocation to consolidate the funding for the elections.*
- **Recommendation 45:** *The Committee recommends that compliance on submission of expenditure reports by the PNGEC and relevant agencies must be improved by making it mandatory for the expenditure report to be submitted within six months after the Return of Writs for the election and the expenditure reports must be audited by the AGO within one year of receipt of the report, as authorised by Section 214, Subsections (2) and (3) of the Constitution. Failure to submit on time be made an offence under the Leadership Code Act 1976 and if the delay is criminal in nature then penalties under the Criminal Code shall apply.*

The 8 recommendations under TOR 3 are aimed at achieving the following four expected outcomes:

- **Expected Outcome 1:** That adequate funding is provided to fund the activities related to election preparation and conduct based on credible budget submissions by the relevant agencies.
- **Expected Outcome 2:** That the election funds are provided in a timely manner spread over the 4-year period prior to the election year for election preparation and in the election year for election conduct, based on an approved election plan that must be drafted within six months of the return of writs for the preceding election.
- **Expected Outcome 3:** That the election funds are spent during the 5-year cycle according to the approved budget guidelines and procurement provisions to ensure that there is maximum positive impact on the election process and administration.
- **Expected Outcome 4:** That the uses of election funds are effectively accounted for and reported through Election Expenditure Reports within the timeframe provided for in the relevant laws and regulations.

In Section 5 of the report, under each of the 8 recommendations, reference is made to specific outcome/s for TOR 3 that the recommendation is expected to achieve or address.

Recommendations on Election Security (TOR 4)

There are 17 recommendations under TOR 4 (i.e. *Recommendations 46 to 62*) which are presented in Section 6 of the report and listed as follows:

- **Recommendation 46:** *The Committee recommends that the security agencies, led by the Police, be highly strategic in their planning and must execute their operational plans effectively and efficiently to address security matters, within the budget, human resource, and time constraints. This is particularly so, considering the Police Commissioner's view that having a certain number of security personnel (whether 12,000 or 20,000) is not a sufficient condition to address the security issues but more importantly how the elections are delivered and the behaviour of the people.*

- **Recommendation 47:** *The Committee recommends that Electoral Officials and security personnel involved in the conduct of the elections must enforce the election laws effectively and be accountable in their actions to set the standard for voters and candidates to reduce unethical behaviour by the voting public and candidates. To do this, every person involved in the administration of the election must sign a code of conduct before being involved in the election administration activities and failure to do so will attract a penalty.*
- **Recommendation 48:** *The Committee recommends that the severity of punishments for electoral offences under Section 191 of the OLNLGE be increased and also be effectively enforced by the PNGEC, Police and the Courts. The increase should constitute an increase in monetary fines and an increase in prison terms per Table 15. Effective enforcement should constitute better coordination between the PNGEC, Police and citizens for reporting and prosecution of electoral offences within the justice system of PNG.*
- **Recommendation 49:** *The Committee recommends that the list of electoral offences under Section 191 of the OLNLGE be updated to incorporate offences under Part 2 of the PNG Cybercrime Code Act 2016 (Offences and Penalties), as applicable to election activities.*
- **Recommendation 50:** *The Committee recommends that all security agencies (RPNGC, PNGDF, PNGCS, NIO, and OSCA) be required by law to coordinate and consolidate their intelligence information in the form of an integrated intelligence task matrix to ensure that proper planning is done to act in time to mitigate potential areas of risk and trouble or violence prior to, during and after elections. To achieve this, relevant amendments be made in the OLNLGE to account for the creation and use of intelligence information during elections.*
- **Recommendation 51:** *The Committee recommends that as part of promoting ethical conduct for the elections and peaceful and safe elections, the Information and Civic Awareness Branch (ICAB) of the PNGEC must carry out its election awareness activities on key aspects of the elections annually during the 5-year election cycle to convince the voters, candidates and supporters to conduct themselves ethically for matters relating to the elections.*
- **Recommendation 52:** *The Committee recommends that the Police must effectively enforce the penalties for crimes committed under the Criminal Code and Summary Offences Acts during elections to deter such acts, by applying appropriate incentives and penalties on the conduct of Police personnel.*
- **Recommendation 53:** *The Committee recommends that in order to guard against collusion between MPs and security personnel, the integrity of the JSTF operations for elections must be maintained by ensuring that security personnel conduct themselves in a transparent and ethical manner, by rewarding good conduct and penalising bad conduct. Incentives can involve promotion or financial incentives within the guidelines of each of the security agencies. Penalty for bad behaviour shall, in the first instance, be penalised under Criminal Code if the behaviour is criminal in nature or demotion or discipline under the relevant provision of the Police Act, where the JSTF members are bound by.*
- **Recommendation 54:** *The Committee recommends that an integrated security coding system (based on the RPNGC and PNGDF coding systems) be developed and used as a planning and risk management tool by the JSTF to ensure that the perceived risks associated with planning and conducting the elections are planned for and mitigated for the 2027 NGE and onwards. As a planning tool, the coding system can be used to estimate the level of risk and allocate resource requirements in the security plan. As a risk management tool, the coding system can be used to devise prevention measures and implement them to mitigate election-related security issues.*

- **Recommendation 55:** *The Committee recommends that a joint agencies' agreement for key election stakeholders (PNGEC, PNGDF, RPNGC, and PNGCS) be signed and implemented starting 4 years before the election year so that there is a clear Terms of Reference on areas of collaboration amongst the agencies as well as demarcation on what needs to be done, who should be responsible for what, and resource requirements. This will provide clarity on collaboration and what each agency's role is and what resources are needed at any given time in the process of planning for and conducting the elections.*
- **Recommendation 56:** *The Committee recommends that the OLNLGE and regulations or policies in the election security space must clearly define the powers of the security agencies and PNGEC, so that there is synergy in the management of the election process and security matters.*
- **Recommendation 57:** *The Committee recommends that the security agencies led by the Police and in alignment with the PNGEC's key messages, develop a consolidated security communications strategy to regularly inform the general public of the election security issues and the need for candidates, voters and the general to contribute to peaceful elections through good behaviour. The communication strategy should also include the penalties for illegal activities relating to the conduct of elections under the OLNLGE, Criminal Code and Summary Offences Act.*
- **Recommendation 58:** *The Committee recommends that the value of in-kind support by development partners to security agencies be provided to the Department of National Planning and Monitoring (DNPM) as the focal point to capture the full value of support provided by development partners and assist in election planning and implementation and determination of the total cost of the elections.*
- **Recommendation 59:** *The Committee recommends that in order to ensure a peaceful environment for elections, the Police effectively enforce the penalties for offences under the Firearms Act 1978 (Part XI) to deter offences such as possession of firearms under the influence of liquor (s.57); carrying firearm exposed to view in public place (s.58); discharge of firearms (s.59); threat to use firearm (s.60); and unauthorised possession of ammunition (s.65A) by empowering the police officers to carry their duties without fear or favour.*
- **Recommendation 60:** *The Committee recommends that the JSTF should be strengthened with human and financial resources to be more effective in determining the origins of weapons, the perpetrators, and the types of weapons and ammunitions; and profiling them so they can do intelligence-led operations to arrest the alleged offenders to face justice.*
- **Recommendation 61:** *The Committee recommends that the relevant provisions of the Police Act, in particular, Section 125(2) be effectively applied by the RPNGC to govern the conduct of all members of the JSTF during the elections to ensure that security personnel conduct themselves ethically in their line of duty in providing security services for the elections.*
- **Recommendation 62:** *The Committee recommends that the OLNLGE be amended to include a provision for ensuring that all agencies involved in the intelligence space (i.e. Police, military, PNGCS, NIO, and OSCA) work together so that intelligence can be easily accessed and used to make timely decisions to address law and order issues/threats and make elections better. Intelligence here denotes intelligence-related information, its analysis and assessments and dissemination to higher authorities for timely interventions.*

The 17 recommendations under TOR 4 are aimed at achieving the following four expected outcomes:

- **Expected Outcome 1:** That the election process is conducted in a peaceful and safe environment largely through the good conduct of all stakeholders involved in the elections with only a facilitative role by security agencies led by the Police.
- **Expected Outcome 2:** That each security agency is effective and efficient in delivering its mandated responsibilities.
- **Expected Outcome 3:** That there is effective coordination amongst the security agencies and election administration agencies to ensure that the election security plans are achieved before, during and after elections.
- **Expected Outcome 4:** That election-related violence and/or deaths is minimised as much as possible or eliminated altogether.

In Section 6 of the report, under each of the 17 recommendations, reference is made to specific outcomes for TOR 4 that the recommendation is expected to achieve or address.

Recommendations on Cross-cutting matters

There are 8 recommendations under cross-cutting matters (i.e. *Recommendations 63 to 70*) which are presented in Section 7 of the Report and they are listed as follows:

- **Recommendation 63:** *The Committee recommends that as much as possible, the elections must be delivered according to the OLNLGE and relevant regulations so that people do not have a valid reason to be unruly. Those committing crimes during elections should be prosecuted and penalised according to the law.*
- **Recommendation 64:** *The Committee recommends that the JSTF must plan for and remove all non-licensed firearms from the general public before the next general elections in 2027.*
- **Recommendation 65:** *The Committee recommends that in order to improve the planning and execution of logistics for the elections, the Special Procurement Committee for the PNGEC must ensure that it procures the necessary logistical requirements on time and that the respective personnel are equipped to implement the plan for logistics.*
- **Recommendation 66:** *The Committee recommends that the PNGEC and security agencies conduct training for electoral officials, TEWs and security force members annually commencing four years before the elections so that during the election year, all are fully trained and carry out their roles within the allotted time and budget. Besides the training on electoral matters, basic intelligence skills training (or intelligence awareness training) should be given to all PNGEC staff and all security force members so they are able to identify information of value and pass that up through the system. This process and system will help intelligence analysts at Headquarters in Port Moresby and in provincial capitals to see the full picture on the ground to plan their own operations.*
- **Recommendation 67:** *The Committee recommends for the alignment of the OLNLGE with the recently developed anticorruption legislation namely, the ICAC legislation and the Whistleblower legislation. In addition, the proposed amendment through the Organic Law on the Integrity of Political Parties and Candidates (OLIPPAC), which has been recommended and tabled by the Integrity of Political Parties and Candidates Commission (IPCC) a number of times, be passed by Parliament.*

- **Recommendation 68:** *The Committee recommends that the Police investigate, arrest and prosecute electoral officials involved in corruption during the 2022 NGE to send a strong message that electoral corruption will not be tolerated. This can be coordinated through a Memorandum of Agreement between the Police and PNGEC.*
- **Recommendation 69:** *The Committee recommends that a comprehensive review of all election-related laws in the Constitution and other laws be carried out by the CLRC to investigate and recommend areas for legal reform with the aim of making the elections better. As part of the review, a comprehensive study be done on election offences and crimes under the OLNLGE, Criminal Code, Summary Offences Acts and other relevant laws and regulations, in order to determine the adequacy of the current penalties and recommend appropriate changes. The review shall include the offences and penalties in Table 15 of this report.*
- **Recommendation 70:** *The Committee recommends that the National Parliament pass a constitutional amendment, supported by amendments to relevant organic laws, to introduce 22 reserved seats for women in the National Parliament, following similar approaches made by the Autonomous Bougainville Government (ABG), Motu-Koita Assembly and other international examples, and in the long term, institute a minimum requirement that a certain percentage of candidates endorsed by political parties be women.*

The 8 recommendations under cross-cutting matters are aimed at ensuring the overall efficient conduct and transparency of the elections.

Prioritising the Election Reform Activities

The Committee is fully aware, based on the magnitude of the issues associated with the elections that have come out during its inquiry, that reforming the electoral system and administration will take time. Therefore, in Section 8 of the report, information is provided in relation to the electoral cycle and the prioritising of the election reform initiatives in order to kickstart the reform activities for the road towards achieving an effective and effective electoral system for better electoral outcomes.

In summary, the Committee believes that the issues highlighted in this report and recommendations are a very important step forward in addressing the issues and restoring the public’s confidence in the electoral process and outcomes, the cornerstone of our democracy.

Committee Endorsement of the Report and its Recommendations

This Report and its recommendations are endorsed by the Members of the Special Parliamentary Committee on 2022 General Elections.

Signed for and on behalf of the Committee:

.....

Hon. Allan Bird, MP
 Chairman
 Governor for East Sepik Province

1. INTRODUCTION

In Papua New Guinea (PNG), despite the opportunity given for the election of representatives to Parliament, evidence over the past elections and the recent 2022 National General Elections (NGE) has shown that there are serious issues that must be addressed in relation to election administration, election process, election funding, election security, and other related matters that are cross-cutting in nature.

Considering the ongoing election issues in the past elections and especially in the 2022 NGE, the PNG Parliament established the Special Parliamentary Committee on 2022 General Elections (SPCGE) in September 2022 to inquire into and report back to Parliament on the issues that have been plaguing the national elections in PNG and to make recommendations to address such issues.

This report captures the issues and recommendations based on the work of the Committee through five public hearings; four regional consultations; twenty-four written submissions received from institutions and/or individuals; and a consultative visit to Australia.

This Introductory section introduces the report to set the scene for the remaining parts of the report. Subsection 1.1 provides relevant background information. Subsection 1.2 presents information on the establishment of the SPCGE. Subsection 1.3 describes the process for the Committee's inquiry. Subsection 1.4 lists the public hearings that the Committee conducted while Subsection 1.5 describes the regional consultations that the Committee conducted. Subsection 1.6 lists the written submissions received and Subsection 1.7 describes the desktop report that was carried out. Subsection 1.8 provides a brief on the overseas consultation visit to Canberra, Australia. Subsection 1.9 presents the expenditure report for the Committee and Subsection 1.10 presents the structure of the report.

1.1. Background

The Constitutional Planning Committee (CPC) Report (1974) recommended a unitary system of Government for Papua New Guinea (PNG) which involves the power of the central government being shared with and exercised by the subnational governments. Within this system of Government, there are three principal arms, as per *Section 99(2)* of the *Constitution* (Government of Papua New Guinea, 1975):

- (a) the National Parliament, which is an elective legislature with, subject to the Constitutional Laws, unlimited powers of law-making; and
- (b) the National Executive; and
- (c) the National Judicial System, consisting of a Supreme Court of Justice and a National Court of Justice, of unlimited jurisdictions, and other courts.

Section 99(3) of the *Constitution* stipulates that the respective powers and functions of the three arms shall be kept separate from each other.

Within the adopted system of Government is the electoral system which is based on the following provisions of the Constitution: *Section 105 (General Elections)*; *Section 106 (By-elections)*; *Section 125 (Electoralates)*; *Section 126 to 130A (on electoralates, elections and political parties)*; and relevant provisions under *Section 221-225* relating to the Electoral Commission. Based on these Constitutional provisions, the *Organic Law on National and Local-level Government Elections (OLNLGE) 1997* (Government of Papua New Guinea, 1997) was enacted, to which a majority of the electoral issues in this report makes reference to.

Governance refers generally to government as well as its systems, processes, constitution and laws related to governmental matters. One of the important aspects of the democratic process is the people's right to elect representatives to the Parliament. In PNG, they are given the opportunity to

elect their representatives every five years and that opportunity is provided through the ballot paper. This opportunity is a very vital part to PNG's democracy, as enshrined in the National Constitution.

Following Independence, the national elections have been held every five years since 1977. The national elections are one of the key mechanisms by which citizens can demand accountability and transparency of public office holders. Over time, election observation teams have observed a notable deterioration in the quality of the preparation, conduct, and delivery of the elections (for example, Transparency International PNG, 2022; Goro and Sanida, 2023; Haley and Zubrinich, 2018).

Changing the electoral processes in PNG calls for a reform of the electoral process, whereby, every stakeholder (including the election oversight and scrutiny, election administrators, candidates and voters) must play a role. The key reform areas include the following:

- *Legal*: involving the amendment of the constitution, electoral law, and/or related rules and regulations to enhance the integrity, relevance and adequacy of the legal framework within which the PNGEC operates. This may include institutional reform of the PNGEC itself.
- *Administrative*: the introduction within PNGEC of new strategies, structures, policies, procedures and technical innovations to enable it to implement its legal responsibilities and deliver its services more efficiently, effectively and sustainably. These could include policies and practices on issues such as procurement, financial integrity or employment; making informed voting accessible to groups such as women, those living in remote areas and persons with disabilities; or introducing new technology for services such as voting, voter registration or electoral logistics.
- *Political*: changes that take place in the political environment, such as creating a more effective and transparent framework for PNGEC's funding and accountability.

Elections are a constitutionally guaranteed and guided process that should be promoted and protected by all sectors of society. The peaceful transition of power, through a free, fair and safe electoral process is a hallmark of any successful democracy, and citizens are right to expect nothing less than this standard. The key to achieving this is an independent, impartial and professional Electoral Management Body (EMB) and an informed and engaged public.

Sadly, despite the opportunity given for the election of representatives to Parliament in PNG, evidence over the past elections and the recent 2022 National General Elections (NGE) has shown that there are serious issues that must be addressed in relation to election administration; election process; election funding; election security; and other related electoral matters. These were the reasons why the SPCGE was established.

The serious election issues have been well-documented in various election observation reports for past elections and the 2022 NGE. A sample of the issues by the observation reports relating to the 2022 NGE, include the following. The Transparency International Papua New Guinea (TIPNG) Observation Report (Transparency International PNG, 2022) concluded that "the 2022 NGE has continued the trend of deterioration in the quality of elections in PNG, that was evident across the preparation, conduct, and the delivery of the election" (p.4). The NRI Observation Report for 2022 NGE (see Goro and Sanida, 2023) concluded that "the constant shifting of dates and delay in preparing the common roll, polling stations, and polling dates, casts doubts on the integrity of the elections in PNG" (p.50). The Commonwealth Observer Mission for the 2022 NGE (The Commonwealth, 2022) observed that "the highly centralised structure of the Electoral Commission presents many overwhelming challenges in the effective delivery of the election" (p.3).

Considering the ongoing election issues observed in the past elections and especially in the 2022 NGE, the Parliament established the SPCGE to investigate and report back to Parliament on the issues that have been plaguing the national elections in PNG and the recommendations to address such issues. This report captures the issues and recommendations based on the work of the Committee through its public inquiries, regional consultations, and from written submissions and election observation reports. Other relevant literature was also used to substantiate or validate information in the report.

1.2. Establishment of the Special Parliamentary Committee on 2022 General Elections

Consistent with *Sections 118 to 121 of the Constitution of the Independent State of Papua New Guinea*, Parliamentary Committees are set up by Parliament to inquire into major fields of the activities of the National Government. The Parliamentary Committees can be established by the Constitution or Acts of Parliament or Standing Orders of Parliament or Resolution of Parliament (National Parliament of PNG, 2023). According to the information on PNG Parliamentary Committees (National Parliament of PNG, 2023), currently, there are three types of ongoing Parliamentary Committees: Public Accounts Committee, Standing Committees and Permanent Committees. In addition, Parliament also establishes Special Committees with specific functions as and when the need arises during a term of Parliament.

Through a Standing Order, the Special Parliamentary Committee on the 2022 National General Elections (SPCGE) was established by the Parliament on Friday 2 September 2022. The key mandate of the Committee was to conduct an inquiry into key aspects of the election including election administration, election process, election funding, election security, and related matters or cross-cutting matters.

It is a strong hope of the Committee that the findings in this report will contribute to bringing real reforms in the electoral system of PNG so that the people's confidence in the electoral system is restored, and that free, fair, transparent, and safe elections becomes a reality.

The membership of the SPCGE is as follows:

- Hon. Allan Bird, MP, Governor of East Sepik Province, Chairman;
- Hon. Sir Puka Temu, CMG, KBE, MP, Member for Abau Open, Deputy Chairman;
- Hon. Elias Kapavore, MP, Member for Pomio Open;
- Hon. Robert Naguri, MP, Member for Bogia Open;
- Hon. Jacob Maki, MP, Member for Mul-Baiyer Open;
- Hon. Keith Iduhu, MP, Member for Hiri-Koiari Open;
- Late Hon. Steven Pim, MP, Member for Dei Open;
- Hon. Saki Soloma, MP, Member for Okapa Open; and
- Hon. Charlie Benjamin, MP, Governor for Manus.

1.3. Committee Inquiry Process

The SPCGE employed five strategies to gather evidence to address its TOR. Firstly, five public hearings were conducted in Port Moresby. Secondly, four regional consultations were held in the four regions. Thirdly, the Committee invited written submissions. The notice for the written submissions and the public hearings and regional consultations is provided in Appendix 1. Fourth, the Committee invited NRI, TIPNG and INA to produce a desktop review report on election observations. Finally, the Committee undertook a consultation visit to Canberra, Australia and consulted relevant stakeholders. These five sources of information gathering are elaborated further in Sections 1.4 to 1.8.

This report and its recommendations are informed by analysis of the relevant information gathered from the sources mentioned above.

In addition to the invitation to provide a desktop review report on election observation, the NRI, TIPNG and INA were also invited by the SPCGE to provide technical assistance to the Committee, as a Technical Working Group (TWG), in terms of the write-up of this Committee Report. The respective letters of invitation are provided in Appendix 8, Appendix 9 and Appendix 10. The technical assistance was done in collaboration with the Parliamentary Committee Secretariat.

The Committee had 7 meetings where it discussed the progress of its work with inputs from the TWG. These meetings are listed in Appendix 11.

1.4. Public Hearings

Five public hearings were conducted by the Committee in Port Moresby where national institutions, civil society and individuals appeared before the Committee to give evidence. The details of these hearings are as follows.

- Public Hearing 1 was held on 21 February 2023 at State Function Room, Parliament House, Port Moresby, where the following national institutions and witnesses appeared before the Committee:
 - Papua New Guinea Electoral Commission (PNGEC) represented by Mr Simon Sinai, Electoral Commissioner; Mr John Kalamoroh, Deputy Electoral Commissioner; and Mrs Margaret Vagi, Director, Operations.
 - Institute of National Affairs (INA) represented by Mr Paul Barker, Executive Director; and Mr Yauka Liria, Senior Projects Officer.
 - Royal Papua New Guinea Constabulary (RPNGC) represented by the Police Commissioner, Mr David Manning.
- Public Hearing 2 was held on 22 February 2023 at State Function Room, Parliament House, Port Moresby, where the following national institutions and witnesses appeared before the Committee:
 - Papua New Guinea Defence Force (PNGDF) represented by the Commander of the Defence Force, Major General, Mark Goina.
 - Papua New Guinea Correctional Service (PNGCS), represented by the PNGCS Commissioner, Mr Stephen Pokanis.
 - National Statistical Office (NSO) represented by the National Statistician, Mr John Igitoi.
 - Department of Finance (DoF) represented by Secretary Dr Ken Ngangan.
 - Department of Treasury (DoT) represented by Mrs Napa Hurim, Deputy Secretary, Budget Operations and First Assistant Secretary, Mr Hans Margis.
 - Department of Provincial and Local-level Government Affairs (DPLGA) represented by Mr Joseph Warus, Acting Secretary; Mr Larson Thomas, Acting Deputy Secretary; and Mr Ken Gaso, Director, Local-level Governments.
- Public Hearing 3 was held on 23 February 2023 at State Function Room, Parliament House, Port Moresby, where the following national institutions and individuals appeared before the Committee:
 - PNG Council of Churches represented by Reverend Roger Joseph, General Secretary.

- Former Electoral Commissioner and Private Citizen, Mr Reuben Kaiulo.
 - Lawyer and Private Citizen, Mr. Nemo Yalo.
 - Transparency International Papua New Guinea (TIPNG) represented by Board Director, Mr Richard Kassman;
 - The National Research Institute (NRI) represented by the Director, Dr Osborne Sanida.
 - Children and Youth Representative represented by Mr Morris Ikui.
 - IY Foundation represented by Mr Mark Meninga.
 - Political Science Strand, University of Papua New Guinea (UPNG) represented by Mr Russel Kitau, Tutor.
- Public Hearing 4 was held on 13 March 2023 at State Function Room, Parliament House, Port Moresby. The hearing was a follow up for selected national institutions where the following appeared before the Committee:
 - PNG Electoral Commission (second appearance) represented by Electoral Commissioner, Mr Simon Sinai.
 - Royal PNG Constabulary (second appearance) represented by Police Commissioner, David Manning.
 - Department of Finance (second appearance) represented by Mr Steven Nukuitu, Deputy Secretary, Operations; and Ms Marlene Philip, Assistant Secretary, Trust Accounting Branch.
 - Public Hearing 5 was held on 19 June 2023 at State Function Room, Parliament House, Port Moresby, to interview the National Intelligence Organisation (NIO) and PNGEC (3rd appearance). The NIO was represented by Mr Terence Frawley, Director General, and two of his officers: Mr James Togel, Deputy Director-General and Mr David Dooner, Acting Director, Strategic Intelligence. PNGEC was represented by Electoral Commissioner, Simon Sinai; Deputy Electoral Commissioner, John Kalamoroh; and Mrs Margaret Vagi, Director, Operations.

The detailed record of the public five public hearings are contained in three Parliament Hansard transcripts. The first transcript captures Hearing 1 to Hearing 3 due to the consecutive days of the hearings (i.e. 21-23 February 2023), while Hearing 4 and 5 are contained in two separate transcripts. The key messages from the public hearings are used in different parts of this Committee Report, as applicable. Copies of the respective Hansard transcripts for the five public hearings are available from the Parliamentary Services via the online access link provided in Appendix 12.

For the public hearings, the key election stakeholders were specifically invited by the Committee to appear before the Committee via written invitation letters. Copies of the invitation letters are provided in the appendices: Appendix 2 (PNGEC), Appendix 3 (RPNGC), Appendix 4 (PNGDF), and Appendix 5 (PNGCS).

1.5. Regional Consultations

Four Regional Consultations were held in Port Moresby (for Southern Region), Mt Hagen (for Highlands Region), Lae (for Momase Region), and Kokopo (for New Guinea Islands Region). The detailed record of the regional consultations is contained in four Parliament Hansard transcripts. The key messages from the regional consultations are used in different parts of this Committee Report, as

applicable. Copies of the respective Hansard transcripts for the four regional consultations are available from the Parliamentary Services via the online access link provided in Appendix 12.

To compel or facilitate attendance at the regional consultations, the Committee sent written invitation letters to the provincial administrations with copy to relevant election stakeholders at the subnational level in all provinces. Appendix 6 provides a letter of invitation from the Committee Chairman to the Western Highlands Provincial Administrator, as a sample for invitation letters to the subnational government and administration

A record of witnesses who appeared before the Committee at the four Regional Consultations is provided in the following sub sections.

1.5.1. Southern region consultations

The first Regional Consultation was for Southern Region and was held from 20-21 April 2023 at State Function Room, Parliament House, Port Moresby. The table below presents the institutions and witnesses by Province who appeared before the Committee and the day of consultation when each witness appeared before the Committee (Day 1 = 20/04/23 and Day 2 = 21/04/23).

Table 1: Witnesses from Southern Region who appeared before the Committee

Province and Institution	Witness Name and Position	Day of Appearance
Central Province:		
Central Provincial Government/Administration	Mr. Francis Koaba, Provincial Administrator	Day 1
PNGEC	Mr. Peter Maliafeope, Elections Manager, Central Province	Day 1
Provincial Police	Did not attend	Not applicable
Other Witnesses:	Did not attend	Not applicable
Gulf Province:		
Gulf Provincial Government/Administration	Mr. Navai Kevari, Provincial Administrator	Day 2
PNGEC	Mr. Tore Poevare, Election Manager	Day 2
Provincial Police	Mr. Jeffery Lem, PPC	Day 2
Other Witnesses:		
Church	Mr. Wari Eho'o, Church Representative	Day 2
Ward Council	Mr. Posa Torea, Ward Councillor	Day 2
Milne Bay Province (MBP):		
Milne Bay Provincial Government/Administration	Mr. Ashan Numa, Acting Provincial Administrator	Day 1
PNGEC	Mr. Ivan Maraka, Returning Officer	Day 1
Provincial Police	Chief Inspector Benjamin Kua, PPC	Day 1
Other Witnesses:		
Election Candidates	Ms. Joyce Grant, Candidate, Kiriwina-Goodenough Open	Day 1
	Ms. Jennifer Rudd, Candidate, Milne Bay Regional Seat	Day 1

Table 1 continued.

Province and Institution	Witness Name and Position	Day of Appearance
National Capital District (NCD):		
National Capital District Commission (NCDC)	Mr. Ravu Frank, City Manager	Day 1
PNGEC	Mr. Kila Ralai, Elections Manager, NCD	Day 1
Provincial Police	Senior Inspector David Terry, Officer to NCD/Central Commander	Day 1
Other Witnesses:	Did not attend	Day 2
Northern Province:		
Northern Provincial Government/Administration	Did not attend	Day 2
PNGEC	Ms. Daisy Hombagani, Election Manager	Day 2
Provincial Police	Chief Inspector Ewai Segi, PPC	Day 2
Other Witnesses:		Day 2
Former Candidates	Mrs. Jean Parkop, Candidate, Northern Regional	Day 2
	Ms. Phoebe Sangetari, Candidate, Northern Regional	Day 2
Western Province:		
Western Provincial Government/Administration	Did not attend	Day 2
PNGEC	Did not attend	Day 2
Provincial Police	Did not attend	Day 2
Other Witnesses:	Did not attend	Day 2

Source: Committee Inquiry Transcript for Southern Region

1.5.2. Highlands region consultations

The second Regional Consultation was for the Highlands Region and was held from 27-28 April 2023 at Highlander Hotel, Mt Hagen, Western Highlands Province (WHP). The table below presents the institutions and witnesses by Province who appeared before the Committee and the day of consultation when each witness appeared before the Committee (Day 1 = 27/04/23 and Day 2 = 28/04/23).

Table 2: Witnesses from Highlands Region who appeared before the Committee

Province and Institution	Witness Name and Position	Day of Appearance
Chimbu Province:		
Chimbu Provincial Government/Administration	Did not attend	Not applicable
PNGEC	Mr Tom Sine, Provincial Election Manager	Day 1
Provincial Police	Mr John Joseph, Staff Officer-PPC Chimbu	Day 1
Other Witnesses:	Did not attend	Not applicable
Eastern Highlands Province (EHP):		
EHP Government/Administration	Mr Simon Parak, Provincial Administrator	Day 2
	Mr Joe Kubu, Provincial Data Coordinator	Day 2
PNGEC	Mr Baffic Rasowe, Returning Officer, Goroka Open	Day 2

Table 2 continued.

Province and Institution	Witness Name and Position	Day of Appearance
EHP: continued		
Provincial Police and Regional Command	Mr Rigga Negi, Highlands Divisional Commander, RPNGC, Eastern End	Day 2
	Mr James Sipa, PPC EHP	Day 2
Other Witnesses:	Did not attend	Not applicable
Enga Province:		
Enga Provincial Government/Administration	Ms Serah Sipani, Provincial Legal Officer	Day 1
PNGEC	Mr Anthon Iamau, Provincial Election Manager	Day 1
Provincial Police	Snr Inspector. Richard Koki, Rural Commander	Day 1
Other Witnesses:		
Provincial Council of Women	Ms Sabeth Yengis, Representative	Day 1
Hela Province:		
Hela Provincial Government/Administration	Did not attend	Not applicable
PNGEC	Did not attend	Not applicable
Provincial Police	Did not attend	Not applicable
Other Witnesses:	Did not attend	Not applicable
Jiwaka Province:		
Jiwaka Provincial Government/Administration	Did not attend	Not applicable
PNGEC	Ms Rosie Pandihau, Provincial Election Manager	Day 1
Provincial Police	Did not attend	Not applicable
Other Witnesses:	Did not attend	Not applicable
Southern Highlands Province (SHP):		
SHP Government/Administration	Did not attend	Not applicable
PNGEC	Did not attend	Not applicable
Provincial Police	Mr Joseph Puri, Provincial Police Commander	Day 2
Other Witnesses:	Did not attend	Not applicable
WHP:		
WHP Government/Administration	Mr Pius Mon, Provincial Planner	Day 1
PNGEC	Mr Philip Telape, Provincial Election Manager	Day 1
	Mr Tom Kiap, Assistant Provincial Returning Officer	Day 1
Provincial Police	Acting PPC WHP	Day 1
Other Witnesses:	Did not attend	Not applicable

Source: Committee Inquiry Transcript for Highlands Region

1.5.3. Momase region consultation

The third Regional Consultation was for Momase Region, which was held from 4-5 May 2023 at Lae International Hotel, Lae, Morobe Province. The table below presents the institutions and witnesses by Province who appeared before the Committee and the day of consultation when each witness appeared before the Committee (Day 1 = 04/05/23 and Day 2 = 05/05/23).

Table 3: Witnesses from Momase Region who appeared before the Committee

Province and Institution	Witness Name and Position	Day of Appearance
East Sepik Province (ESP):		
East Sepik Provincial Government/Administration	Mr Samson Torovi, Provincial Administrator	Day 1
PNGEC	Mr James Piapia, Provincial Election Manager	Day 1
	Mr Richard Kaiban, Assistant Election Manager	Day 1
Provincial Police	Did not attend	Not applicable
Other Witnesses:	Did not attend	Not applicable
Madang Province:		
Madang Provincial Government/Administration	Did not attend	Not applicable
PNGEC	Mr Sponsa Navi, Provincial Election Manager	Day 2
Provincial Police	Did not attend	Not applicable
Other Witnesses:	Did not attend	Not applicable
Morobe Province:		
Morobe Provincial Government/Administration	Mr Bruten Max, Provincial Administrator	Day 1
PNGEC	Mr Kissu Lucas, Deputy Provincial Administrator	Day 1
	Mr Simon Soheke, Provincial Election Manager	Day 1
	Ms Fredah Joses, Assistant Election Manager	Day 1
	Mr Keteng Ondop, Returning Officer, Kabwum Open	Day 1
	Mr Bamun Bange, Returning Officer, Nawaeb Open	Day 1
Provincial Police	Mr Jacob Singura, PPC Morobe	Day 1
Other Witnesses:		
Former Candidates	Mr Don Sawong, Candidate, Kabwum Open	Day 1
	Mr Tae Gwambeleke, Candidate, Bulolo Open	Day 2
	Ms Debbie Kais, Candidate, Huon-Gulf Open	Day 2
Morobe Disable Agency	Mr Ben Hipom, President	Day 1
	Ms Idah Dail, Women's Representative	Day 1
Morobe Council of Women	Ms Alewee Michael, President	Day 2
Private Citizens	Ms Nellie McLay, Community Leader, Lae City	Day 2
	Ms Carol Yawing, Former Ward 2 Councillor, Lae City	Day 2
Lutheran Church	Mr Steven Mol, Lutheran Church Representative	Day 2
West Sepik Province (WSP):		
West Sepik Provincial Government/Administration	Mr Conrad Tilau, Provincial Administrator	Day 2
PNGEC	Ms Salote Kai, Provincial Election Manager	Day 2
Provincial Police	Did not attend	Not applicable
Other Witnesses:	Did not attend	Not applicable

Source: Committee Inquiry Transcript for Momase Region

1.5.3. New Guinea Islands (NGI) region consultation

The final Regional Consultation was for New Guinea Islands (NGI) Region, which was held from 11-12 May 2023 at Gazelle International Hotel, Kokopo, East New Britain Province (ENBP). The table below presents the institutions and witnesses by Province who appeared before the Committee and the day of consultation when each witness appeared before the Committee (Day 1 = 11/05/23 and Day 2 = 12/05/23).

Table 4: Witnesses from NGI Region who appeared before the Committee

Province and Institution	Witness Name and Position	Day of Appearance
Autonomous Region of Bougainville (AROB):		
AROB Administration	Did not attend	Not applicable
PNGEC	Mr Justin Pantumari, AROB Election Manager	Day 2
Bougainville Police Service	Did not attend	Not applicable
Other Witnesses:	Did not attend	Not applicable
ENBP:		
East New Britain Provincial Government/Administration	Mr. Boniface Gerep, Deputy Governor	Day 2
	Ms Beverly Aquila, Women's Rep, Provincial Assembly	Day 2
	Mr Levi Mano, Acting Provincial Administrator	Day 1
PNGEC	Mr Joap Voivoi, Provincial Election Manager,	Day 1
	Ms Theresa Sam, Assistant Provincial Election Manager	Day 1
Provincial Police	Mr Januarius Vosivai, PPC ENBP	Day 1
Other Witnesses:		
Rabaul Urban Local-level Government	Mr Changol Manoai, Mayor	Day 1
Callan Services for Persons With Disability (PWD)	Mr Emmanuel Melchior, Representative	Day 1
Former Election Candidates	Ms Laniette Aua, Candidate, ENB Regional	Day 2
	Ms Kathleen Midal Kunai, Candidate, Gazelle Open	Day 2
	Ms Margaret Sova, Candidate, ENB Regional	Day 2
	Ms Theonila Wat, Candidate, Gazelle Open	Day 2
	Ms Rosemary Sovek, Candidate, ENB Regional	Day 2
Vunairoto Ward	Ms Anazin Zao, Ward Member	Day 2
Private Citizen	Mr Arthur Luluai	Day 2
Raluana Local-level Government	Mr Tiolam Wawaga, President	Day 2
Manus:		
Manus Provincial Administration	Mr Oka Nungu, Acting Provincial Administrator	Day 2
PNGEC	Mr Poyap Ponau, Deputy Chairman, Provincial Election Steering Committee	Day 2
	Ms Terry Yohang, Provincial Returning Officer	Day 2
Provincial Police	Did not attend	Not applicable
Other Witnesses:	Did not attend	Not applicable
New Ireland Province (NIP):		
NIP Administration	Did not attend	Not applicable
PNGEC	Ms Annette Bais, Provincial Election Manager	Day 1
Provincial Police	Did not attend	Not applicable
Other Witnesses:	Did not attend	Not applicable
West New Britain Province (WNBP):		
West New Britain Provincial Government/Administration	Did not attend	Not applicable
PNGEC	Ms Emily Kelton, Provincial Election Manager	Day 1
Provincial Police	Did not attend	Not applicable
Other Witnesses:	Did not attend	Not applicable

Source: Committee Inquiry Transcript for NGI Region

1.6. Written Submissions to the Committee

The fourth method of sourcing information was through written Submissions based on Call for Written Submissions by the Committee (see Appendix 1 for copy of public notice about the inquiry including Call for Written Submissions). Copies of written submissions are available online via the link provided in Appendix 12.

Twenty-eight (28) written submissions were received but only 24 met the Committee TOR: 11 submissions from institutions and groups, and 13 submissions from individuals, including one joint submission by two persons. Out of the 24 parties that submitted written submissions, 13 also appeared before the Committee during the public hearings. The written submissions referred to here are those that have been submitted via email and/or hand-delivered to the Committee Secretariat. Those that relate to the regional consultations are captured under the Hansard transcripts for the regional consultations.

The key messages from some of the written submissions are used in different parts of this Committee Report, as applicable. The list of the 24 submissions is provided in Table 5 below.

Table 5: List of participants who provided written submissions

Submissions by institutions/groups	Submissions by Individuals
1. PNG Electoral Commission (PNGEC)*	1. Dr. Lesley Clark and Ms. Charmaine Rodrigues
2. PNG Defence Force (PNGDF)*	2. Dr. Thomas Webster
3. PNG Correctional Service (PNGCS)*	3. Major Winnis Leo (Rtd)
4. Department of Treasury (DoT)*	4. Mr. Gabriel Minoga
5. Department of Finance (DoF)*	5. Mr. Morris Ikui
6. National Statistical Office (NSO)*	6. Mr. Nemo Yalo*
7. Transparency International PNG (TIPNG)*	7. Mr. Patilias Gamato
8. National Research Institute (NRI)*	8. Mr. Reuben Kaiulo*
9. Inter Departmental Election Committee (IDEC)*	9. Mr. Sumasy Singin
10. Political Science Strand, UPNG*	10. Mr. Thomas Abe
11. Youth Coalition*	11. Mr. Vincent Manukayasi
	12. Mr. Wape Pundiap
	13. Ms. Cathryn Buis

**Also appeared before the Parliamentary Committee during the Public Hearings.*

1.7. Desktop Review of Election Observation Reports

For the desktop study, the election observation reports for the 2022 NGE and past elections form the basis for the information. The desktop study focused on observation reports published by NRI; TIPNG; INA; and Australian National University (ANU). Recommendations from the observation reports are used throughout this Committee Report, as applicable. A summary of the desktop study is provided in Appendix 7 and the online link to the full report is also provided in Appendix 7 as well as in Appendix 12.

The key findings and recommendations from published election observation reports provides evidence based information as per observations by the above-mentioned organisations on the 2022 NGE and past elections. This adds value to the Committee's inquiry by validating or contrasting issues and recommendations received during the public inquiries.

1.8. Consultation Visit to Australia

The Committee visited Canberra, Australia from 4 to 9 September 2023 to consult relevant election-related stakeholders. The stakeholders included:

- Australian Parliamentary Joint Standing Committee on Electoral Matters (APJSCEM);
- Australian Electoral Commission (AEC);
- Some Members of Parliament;
- Australian National University (ANU); and
- Institute for Democracy and Electoral Assistance (IDEA).

The APJSCEM is multi-partisan, which was established under a resolution of appointment passed by both the House of Representatives and the Senate (Parliament of Australia, 2023). The Committee is chaired by Hon Kate Twaites, Federal Member for Jagajaga. The key mandate of the APJSCEM is to inquire into and report on such matters relating to electoral laws and practices and their administration as may be referred to it by either the House of the Parliament or a Minister. In its work, the APJSCEM normally interviews the AEC, academics, and civil society regarding the conduct of elections and ways to improve it. During the consultation, a member of the APJSCEM made a point that democracy is challenging and the confidence in the ballot and electoral roll is of utmost important.

The consultation with the AEC was very useful where the Committee discussed with the Deputy Electoral Commissioner, Mr Jeff Pope and his officers. Mr Pope made the point that the APJSCEM is an important part of the Australian elections. As part of the process for elections in Australia, AEC makes submissions to the APJSCEM. The APJSCEM looks at the issues and advises the AEC. The APJSCEM also provides the opportunity or avenue for AEC to bring issues for consideration and the APJSCEM is the driver for legal reforms. In relation to PNG, Mr Pope stated that the AEC has been collaborated with the PNGEC for 25 years (i.e. since 1998), especially in terms of advice on roll update, roll cleansing, procurement advice and manuals and videos. Mr Pope's final remark was that in order to address electoral matters, the causal factors must be determined first and solutions can then be tailor-made to address these factors.

For MPs, the SPCGE had an informal meeting with the Australia-PNG MPs group and Minister Pat Conroy, Minister responsible for International Development and the Pacific.

The meeting with the ANU involved a presentation by Professor Nicole Haley and Dr. Tiago Opperman from the Department of Pacific Affairs. The consultation revolved mainly around ANU's election observation work and in particular on the 2022 election observation with a focus on mapping the election data. The meeting also made strong points for improving polling by removing one day polling and focusing on roving polling teams and removing centralised polling. The work of the ANU in election observations is also captured in the desktop study referred to in Section 1.7 of this report.

Finally, for the meeting with IDEA, the Committee consulted Mr Simon Spinelli particularly on various aspects of elections and electoral reforms. The work of IDEA is vital with respect to global evidence on electoral reform, which PNG can learn from.

1.9. Budget and Expenditure Report

This subsection presents the budget and expenditure for the work of the Committee. Following the endorsement of the inquiry plan by the Committee, a funding of K5 million was requested. At the time of finalising and submitting this report, out of the K5 million requested, only K2 million was given with the first payment of K1 million, followed by another payment of K1 million.

With the funding of K2 million the Committee proceeded to conduct its inquiry. The inquiry consisted of the following activities. First was the Call for Submissions, followed by public hearings, regional hearings, and a consultation visit to Australia. A total of K1,064,523.64 was spent on the conduct of the inquiry with a balance of K935,476.36, part of which will be used to settle costs for technical assistance provided by NRI and INA.²

The total expenditure of K1,064,523.64 comprised the following four areas:

- Call for Submission: K34,311.20
- Public Hearings: K127,078.85
- Regional Hearings: K654,203.25
- Consultation trip to Australia: K248,930.34

The details of expenses for the four expenditure areas are provided in subsections 1.9.1 to 1.9.4

1.9.1. Call for submissions

The Call for Submissions provided an avenue for the Committee to advertise the inquiry and request for written submissions from interested individuals and groups. The advertisements, that went for two weeks, were placed in both the Post Courier newspaper and the National newspaper. The table below provides the record of expenses on advertising the call for submissions.

Table 6: Expenditure on Call for Submissions

Newspaper	Amount (K)	Dates of Advertisement in 2023
Post Courier	19,096.00	Mon, 30 Jan; Wed, 1 Feb; Fri 3 Feb; Mon 6 Feb; Wed 8 Feb; Fri 10 Feb.
The National	15,215.20	Mon 30 Jan; Wed 1 February; Friday 3 February; Mon 6 February; Wednesday 8 February; Friday 10 February.
Total	34,311.20	

1.9.2. Public hearings

As per Section 1.4, a total of five public hearings were conducted by the Committee. These public hearings were for the Committee to ask questions and seek clarifications from key stakeholders, such as the PNGEC, RPNGC, PNGDF and PNGCS, and private citizens, on the conduct of the 2022 General Elections. The table below shows the expenses related to the conduct of the five public hearings.

Table 7: Expenditure on public hearings

Activity	Amount (K)	Particulars
Airfares	13,084.40	Return airfares for committee members to attend the public hearings.
Accommodation	47,025.00	Accommodation for committee members for 5 days, Monday 20 to Friday 24 February 2023 at Airways Hotel, Port Moresby.
Spidertek PNG Ltd	66,978.45	Livestreaming of public hearing proceedings for 3 days: Tue 21 Feb 2023 (K40,083.45); Wed 22 Feb 2023 (K14,410.00); and Thu 23 Feb 2023 (K12,485.00).
Total	127,078.85	

² Given the nature of the roles it plays, the TIPNG respectfully requested the Committee for exclusion from the payments.

1.9.3. Regional hearings

As per Section 1.5, the Committee conducted four regional consultations in the four regions of the country. The regional hearings were for the Committee to meet with the election officials at the subnational level who were involved in the conduct of the 2022 NGE. The Regional Hearings were conducted subsequently in Port Moresby for Southern Region; Mt Hagen for the Highlands Region; Lae for the Momase Region; and Kokopo for the NGI Region. The table below provides the record of expenses for the regional hearings.

Table 8: Expenditure of regional consultations

Item	Amount (K)	Particulars
Airfares	77,785.60	Airfares for committee members and staff.
Allowances	52,800.00	K28,800 for allowances for 9 committee members. However, MPs who did not travel had their allowances returned. Secondly, K24,000 for allowances for 15 staff comprising National Parliament, NRI, INA and TIPNG.
Incidental Allowances	40,000.00	Funds used for contingencies during the regional hearings: K20,000 for Highlands region; K10,000 for Momase region; and K10,000 for NGI region.
Accommodation	261,057.65	Accommodation for committee members and staff: K117,092.80 for Highlands region @ Highlander Hotel; K64,848.50 for Momase region @ Lae International Hotel; and K79,116.35 for NGI region @ Gazelle International Hotel.
Spidertek PNG Ltd	146,755.00	Payments for ICT services at regional hearings: K23,685 for Southern region; K34,122 for Highlands region; K46,191 for Momase region; and K42,757 for NGI region.
Vehicle Hire	25,805.00	Nation Wide Hire car was used for three regional hearings for K20,800 and Mobile Hire car for NGI region for K5,005.
Stationery	50,000.00	Committee stationery supply, publicity and ICT equipment (i.e. external hard drives for saving audios and videos) from Theodist Limited.
Total	654,203.25	

1.9.4. Expenses on consultation visit to Australia

As per Section 1.8, the Committee visited Canberra, Australia from 4 to 9 September 2023 to consult relevant election-related stakeholders. The table below provides the record of expenses for the consultations in Australia.

Table 9: Expenditure of consultation visit to Canberra, Australia

Item	Amount (K)	Particulars
Airfares	111,468.40	Airfares for MPs and support staff
Allowances	101,946.90	Allowances for MPs and support staff
Accommodation	35,515.04	Accommodation for MPs and support staff
Total	248,930.34	

1.10. Structure of the Report

Following the Introduction in Section 1, the rest of the Report is organised under eight sections, as follows:

- Section 2 presents the criteria for the framing, selection and prioritisation of the recommendations;
- Section 3 discusses the issues and recommendations on Committee TOR 1 on election administration;
- Section 4 discusses the issues and recommendations on Committee TOR 2 on election process including electoral roll, campaigning, voting/polling, counting/scrutiny, declarations, disputed returns process, and code of conduct;
- Section 5 discusses the issues and recommendations on Committee TOR 3 on election funding;
- Section 6 discusses the issues and recommendations on Committee TOR 4 on election security;
- Section 7 discusses the issues and recommendations on cross-cutting matters;
- Section 8 presents the electoral cycle and prioritisation of reform activities; and
- Section 9 concludes the report.

2. FRAMING, SELECTION AND PRIORITISING OF THE RECOMMENDATIONS

This section provides the methodology for framing, selection and prioritisation of the recommendations as presented in this report. Subsection 2.1 provides a brief on the information sources making cross references to Subsections 1.4 to 1.8 of the Report. Subsection 2.2 provides the criteria for the framing and selection of the recommendations under the Committee TOR. Subsection 2.3 presents the criteria for prioritising the recommendations.

2.1. Sources of Information for Recommendations

The recommendations in this report are based on information that have been gathered for the Committee's TOR. In particular, the main issues and recommendations are presented for each TOR area in Section 3 to Section 7. The information used to derive the recommendations were gathered from the views of institutions and/or individuals consulted by the Committee during the inquiry.

For each TOR area, selected information from the different sources are provided to appreciate the different perspectives on the particular election matter. The process of gathering the different sources of information were presented in Subsection 1.4 to 1.8 of the Introduction Section of the Report.

2.2. Framing and Selection of the Recommendations

The framing of a recommendation is based on the notion that for every problem, there is an expected outcome or solution. A problem is defined broadly as the difference between the current situation and the desired situation. That is, if there is a gap between the current situation (what is) for a particular election area and the desired situation (what ought to be), then there is a problem which needs a solution or outcome to address the problem. Once a problem or gap is determined, then an action or strategy is recommended to arrive at the solution, which is the recommendation. In the report, there are 70 recommendations.

The 70 recommendations contained in the report were derived based on the following criteria. First is that in the information gathered from the various sources (as presented in Subsections 1.4 to 1.8), there were explicit recommendations provided by the parties consulted. Secondly, the Committee framed or developed the recommendations based on analysis of the information at hand. In sections 3 to 7, for each recommendation presented, the Report makes the distinction between the recommendations that are based on explicit recommendation from the information sources and recommendations based on the Committee's analysis of the information.

To guide the framing and selection of recommendations under each TOR area, we present the expected outcomes for the TOR area under the first subsection. For example, under "Election Administration" (TOR 1) in Section 3, subsection 3.1 presents the expected outcomes desired for effective and efficient election administration that will deliver the desired election outcomes for PNG.

To be certain, not all recommendations from the gathered information could be incorporated in this Report so the Committee has attempted to capture the key recommendations for each TOR area. Moreover, the Committee intends that addressing the electoral issues should be an ongoing task, not limited to the conclusion of this report. This ongoing task will be considered under the role of the Parliamentary Standing Committee on Electoral Matters (under *Recommendation 1*), where the Committee is expected to hold to account the key stakeholders involved in election administration and execution led by the PNGEC, to ensure that election issues and recommendations by various parties over time into the future are attended to and resolved. Another key role of the Standing Committee is to provide an avenue for civil society and the public to make submissions on electoral

matters for consideration in making improvements to the electoral system. The Standing Committee will use such information to hold to account the key players in election administration and execution.

2.3. Prioritising the Recommendations for Implementation

The Report has a total of 70 recommendations. Due to resource constraints and time constraints, not all recommendations can be implemented together and in a short space of time. Therefore, some prioritisation of the recommendations is needed. In this regard, a criterion is used to prioritise the recommendations as follows.

- **Criteria 1: Time bound** – recommendations that need to be implemented in the short-term prior to or for the 2027 National General Elections are considered as priority.
- **Criteria 2: Importance for addressing the root cause of election issues** – recommendations that are aimed at addressing the root cause of election issues are also considered as priority.

Based on the above criteria, the Committee considered that out of the 70 recommendations, 28 were considered to be priority for immediate implementation under the following thematic areas:

- **scrutiny and reform of election administration:** Four recommendations (i.e. Recommendations 1, 2, 3 and 5);
- **effective planning and implementation:** Three recommendations (i.e. Recommendation 9, 8 and 29);
- **electoral update and Voter ID:** Six recommendations (i.e. Recommendations 10, 13, 14, 15, 16, and 17);
- **education and awareness:** Two recommendations (i.e. Recommendations 32 and 51);
- **timely and adequate election funding and procurements:** Five recommendations (i.e. Recommendations 38-42);
- **strong collaboration and accountability among security agencies:** Four recommendations (i.e. Recommendations 46, 47, 50 and 62); and
- **priority cross-cutting matters:** Four recommendations (i.e. Recommendations 67, 68, 69 and 70).

These priority recommendations are highlighted in the Executive Summary. Amongst the 28 recommendations for immediate action, 15 recommendations relating to institutional, process and legal reform are prioritised with timeframes and key actors/implementers, and these are presented and elaborated on in Table 17 in Section 8.2 of this report.

3. ELECTION ADMINISTRATION: ISSUES AND RECOMMENDATIONS

This section reports on the first TOR for the Committee, which is on election administration. In particular, the Committee was required to inquire into the powers, functions, and responsibilities of the Electoral Commission and related matters. Subsection 3.1 presents the expected outcomes for TOR 1. Subsection 3.2 presents the need for scrutiny of the PNGEC and relevant agencies through establishment of a Parliamentary Standing Committee on Electoral Matters (PSC EM). Subsection 3.3 discusses the issues relating to PNGEC as the primary election administration agency. Subsection 3.4 discusses administrative coordination mechanism. Subsection 3.5 presents issues relating to election planning and execution. Subsection 3.6 presents views on election administration at sub-national level. The final Subsection (3.7) concludes the discussion on TOR 1.

3.1. Expected Outcomes for Election Administration

The effective and efficient administration of the elections is important in determining the credibility of the election process and results. This subsection provides the key expected outcomes for election administration in PNG so that the elections can be administered and managed in a way that the election process and results are credible.

There are five expected outcomes, as far as election administration is concerned, which are:

- **Expected Outcome 1:** That Parliament scrutiny is provided to hold the PNGEC and other relevant stakeholders accountable for their performance, as far as the planning and implementing of elections is concerned in PNG. *Section 126(6)* of the *Constitution* stipulates that “The Electoral Commission is not subject to direction or control by any person or authority.” That is, an independent Electoral Commission is crucial to the good governance of elections in PNG. With this independence, it is expected that the Electoral Commission will deliver effective and credible elections. However, while the independence of the PNGEC is maintained, there is a need to hold the Commission accountable for its actions in order to ensure that the elections are administered effectively and efficiently. The accountability mechanism is by way of the Parliamentary Standing Committee ensuring that the PNGEC is performing its mandated role effectively and efficiently.
- **Expected Outcome 2:** That the primary election administration agency, the PNGEC is effective and efficient in its role to ensure that the election process and results are credible and achieved on time in compliance with the relevant laws and regulations.
- **Expected Outcome 3:** That the agencies supporting the PNGEC in election administration, both at the national and subnational levels, are effective and efficient in their roles to ensure that the PNGEC delivers on its constitutional mandate to conduct the elections effectively and efficiently.
- **Expected Outcome 4:** That there is strong and effective collaboration between PNGEC and supporting institutions to ensure the expected outcome of the election process is achieved on time and on budget.
- **Expected Outcome 5:** That the issues observed during election observation by independent observation groups are addressed by the key election administrative agencies, in particular, the PNGEC.

The above expected outcomes serve as the basis for the Committee to use to measure and analyse the issues relating to election administration in PNG per its TOR 1.

3.2. Establishment of a Parliamentary Standing Committee on Electoral Matters

The first issue is the need for Parliamentary scrutiny on electoral matters, via a Parliamentary Standing Committee, to hold hearings and inquiries to ensure that election issues and recommendations from this report and observation reports from past elections and future elections are implemented by relevant Government Agencies during each 5-year election cycle so that real changes are made to improve the elections, rather than talking about the same issues at every election. This recommendation is made based on the following rationale.

First is that considering the continuous election issues, it was vital for Parliament to intervene and set up the SPCGE to review the election issues and make recommendations to Parliament to make the 2027 National General Elections and future elections better. However, since Special Parliamentary Committees are only established for a certain period and given the importance of addressing the election issues in the short and long term, it is vital that a Parliamentary Standing Committee is established to provide the political drive to address the ongoing issues at each 5-year electoral cycle. Once established by Parliament, the Standing Committee shall provide scrutiny and ensure that the PNGEC and support institutions such as RPNGC, PNGDF and PNGCS, are accountable for their actions.

Second is that the majority of the issues relating to election administration, election process, election funding, and election security are ongoing issues that have been observed and reported over many years by independent Election Observers such as NRI, TIPNG, INA, and international observers including the ANU, European Union Mission, Commonwealth Observer Group, Pacific Islands Forum Secretariat, and Melanesian Spearhead Group. The election reports are well documented and publicly available. The establishment of a Parliamentary Standing Committee can provide the avenue for evidence-based recommendations to be adopted and implemented for better electoral outcomes after each election, similar to this Committee Report where, the SPCGE requested for Desktop Study on election observations to be included as one of the information sources.

Finally, the PNGEC itself has been providing its election reports to Parliament over the years with recommendations but adoption and implementation of recommendations by successive governments has been poor, as evidenced by the continued occurrences of election issues. In its written submission to the SPCGE (PNG Electoral Commission, 2023), the PNGEC stated that the establishment of the SPCGE provides a window of opportunity for the PNGEC to present some of the key election issues that it has been confronted with in the past and have persisted to today. To minimise the risk of politicians using the standing committee to undermine the independence of the PNGEC, the terms of reference of the Standing Committee should not allow it to direct or manage the affairs of the PNG Electoral Commission but only play a scrutiny role over it.

Recommendation 1: *The Committee recommends that Parliament establishes a Parliamentary Standing Committee on Electoral Matters (PSC EM) to provide ongoing scrutiny into PNG electoral matters and ensure accountability of the PNGEC and relevant election stakeholders on the planning, administration and execution of elections to ensure credible election outcomes, within the mandates of these institutions. The terms of reference of the Standing Committee should not allow it to direct or manage the affairs of the PNG Electoral Commission.*

Recommendation 1 will achieve Expected Outcome 1 for TOR 1 (Election Administration) because the establishment of a permanent parliamentary committee will provide the scrutiny mechanism for PNGEC and relevant election stakeholders to ensure that such institutions are performing their mandated roles in election administration.

3.3. Election Administration by PNG Electoral Commission

This section presents the key issues relating to PNGEC as the primary election administrative agency.

3.3.1. Constitutional role of the PNG Electoral Commission

The mandated role of the PNG Electoral Commission is based on relevant provisions of the Constitution; the *Organic Law on National and Local-level Government Elections 1997 (OLNLGE)*; legislation; and subordinate legislation. By virtue of *Section 126(1)* of the *Constitution*, PNGEC is the mandated institution responsible for conducting elections for Parliament under the *OLNLGE*. In performing its key mandate, the PNGEC is not subject to direction or control by any person or authority (per *Section 126[6]* of the *Constitution*).

According to *Section 15* of the *OLNLGE*, the PNGEC is the primary election administration agency as an independent Constitutional Office mandated with the prime function to organise and conduct all elections for the Parliament and the legislative arms of the Local-level Governments. In particular, the PNGEC is responsible for the planning and implementation of the key components of the election cycle in PNG which includes conducting awareness; preparing an electoral roll; accepting nominations; conducting polling; conducting the counting; administering the issue and return of writs; and managing the election petitions.

In support of the constitutional provisions are the *National Election Regulations*, which also guide the operations of the PNGEC.

3.3.2. Conduct of the PNGEC

Transparency International PNG (2022) observed that while some polling places and electoral commission staff showed great dedication, and tried to consistently apply the correct procedures, on too many occasions others have not. The observations indicate that the electoral administration and management leave much to be desired and that the PNGEC has much of the resources and desire to do much better. The administrative issues resulting in unfair elections can be addressed through the effective application of existing electoral laws by the PNGEC in the first instance and legal system thereafter, as required.

Recommendation 2: *The Committee recommends that it is imperative to establish mechanisms of accountability internally within the PNGEC so that it is not exposed externally to be undermined by other interests. The mechanisms shall be led by an internal office or committee to oversee the PNGEC's performance management system; oversee corporate governance and budgeting; oversee investigations; oversee corruption prevention activities; and oversee and monitor the Commission's governance and risk and control frameworks. To determine the above, a capacity assessment of the operations of the PNGEC to be performed by a multi-agency group and report submitted to the PSCM. The multi-agency group shall comprise of key government agencies and independent external experts on election administration.*

Recommendation 2 will contribute to achieving Expected Outcome 2 of TOR 1 (Election Administration) because establishing internal accountability mechanisms within PNGEC based on capacity diagnostics will contribute to PNGEC becoming more effective and efficient in its role as the primary agency for election administration.

3.3.3. Conduct of the Electoral Commissioner

During the inquiry, one of the main issues raised was the conduct of the Electoral Commissioner including the decisions on special declarations and lack of engagement by the Electoral Commissioner with other agency heads at the national and subnational levels to address issues relating to the election process.

During the first Public Hearing (on 20 Feb 2023), the Committee Chairman made the point that if we have five Commissioners with equal votes, it will not be a one-man decision but a collective decision, which is more informed-decision making and beneficial. The point was also echoed by the Chairman of IDEC when he was interviewed.

In its election observation report, TIPNG recommended for increasing the number of Commissioners from 1 to 3 or 5 for the reason that having a larger number of members will provide broader representation, whereas a smaller number can facilitate discussion and decision making (Transparency International PNG, 2022). Having an uneven number makes it easier to make simple majority vote decisions.

The NRI Observation Report for 2022 NGE (see Goro and Sanida, 2023) recommended for at least 3 to 5 electoral commissioners through a change in law so that decisions are made by a Chief Electoral Commissioner with the commissioners, which will be more informed than having one person making decisions.

The Constitutional and Law Reform Commission (CLRC) Report (2019) recommended increasing the number of commissioners to three, with one Chief Electoral Commissioner and two commissioners, who should exercise their powers collectively. The report recommended that the Chief Electoral Commissioner can continue to be appointed by the Electoral Commission Appointments Committee while the two commissioners are appointed by the Public Service Commission.

Evidence from the consultations and observation reports points to the need to have more than one Electoral Commissioner so that decisions can be made by a group of Commissioners, rather than one person. In appointing the Commissioners, there must be representation from Civil Society Organisations and other external entities to prevent the appointing authority from simply appointing its cronies as Commissioners.

Recommendation 3: *The Committee recommends that the number of electoral commissioners be increased by law from one (1) to five (5) with specialisations in areas such as constitutional law, election laws and regulations, politics and governance, finance, security and intelligence (within the 5-person Commission), so that decisions that are made are well-informed and made collectively with the interest of the country at the heart of each decision. To facilitate the above, amendments be made to Section 5 and other relevant Sections of the OLNLGE. The appointment of commissioners should be merit based and via an independent process. The tenure of the commissioners should be coordinated so as to maintain continuity of the office before, during and after a NGE. The 5-person Commission shall be headed by a Chief Electoral Commissioner.*

Recommendation 3 contributes to fulfilling Expected Outcome 2 of TOR 1 (Election Administration) because increasing the number of commissioners at PNGEC will contribute to better decision-making that will in turn contribute to the PNGEC becoming more effective and efficient in its role as the primary election administration agency.

The composition of the 5 commissioners should not be on a regional basis (i.e. 4 commissioners each responsible for a region) with the fifth Chief Commissioner, as this may lead to parochial interests. Consideration must also be given to the need for a quorum in such a way that the Chief Commissioner cannot push through an agenda, or that the Commission can be deemed to have met with vacancies or acting appointees.

3.3.4. Powers, roles and responsibilities of different electoral officers

Pursuant to *Section 3(1)* of the *OLNLGE*, “electoral officer” includes the following officials: Electoral Commissioner, Returning Officer, Presiding Officer, Substitute Presiding Officer, Assistant Presiding Officer, Poll Clerk, Interpreter, and Doorkeeper. Each electoral officer plays a vital role for the conduct of elections, using their relevant powers and functions under the *OLNLGE* and *National Election Regulations*.

During the consultations, the IDEC Chairman made the point that an important area in election administration is how the powers and functions of the different electoral officers (at national and subnational levels) are assigned to ensure that the election process and outcomes are credible. That is, the powers and functions must be assigned to the electoral officers such that it speaks to the efficiencies that are required to conduct elections at a full phase so that important decisions are made as and when they are required to be made.

The disconnect in how the powers and functions are exercised between different categories of electoral officers’ results in ineffective planning and execution of the elections. Therefore, the work by electoral officers must be done effectively during the planning phase, starting the year after the previous election, and up to the election year. These officers must work as a team and be impartial in their roles.

As an example, in his written submission to the SPCGE as a private citizen, Dr Thomas Webster stated that counting remains problematic and drawn out in most cases taking more than two weeks, and some lasting even months. Problems relate to suspected and real attempts at circumventing the proper counting of ballot papers cast and putting them in the correct tray. In such circumstances, scrutineers may call frequently for checks to ensure accuracy of ballots. In other cases, refusal by electoral officials to respond to sometimes genuine cases, leads to drawn out arguments and delays in counting.

Ideally, electoral officials are impartial in their roles and responsibilities. However, in many instances, that is not the case. One of the factors is the interference by candidates into the appointment of election officials, particularly the returning officers. The law is clear that the Electoral Commission is the only mandated institution to appoint electoral officials. However, in PNG, sometimes the candidates or politicians interfere in the appointments. When this occurs, the election officials cannot be impartial and perceptions of this non-impartiality by other candidates and supporters leads to harassment and electoral violence.

Recommendation 4: *The Committee recommends that the powers, roles and responsibilities of each electoral officer category as defined in the OLNLGE and relevant regulations must be assigned and implemented properly with clear expectations, demarcations and their mandates in law to ensure that important decisions are made, as and when required, so that the election process is conducted effectively and efficiently to achieve the desired outcomes. Demarcation of roles and responsibilities should also flow to the security teams and Temporary Elections Workers (TEWs) at both the national and sub-national levels, who are playing important supporting roles in the election process.*

Recommendation 4 contributes to fulfilling Expected Outcome 2 of TOR 1 (Election Administration) because having clear expectations, demarcations and mandates for the different electoral officials, security personnel and TEWs, will contribute to better election administration outcomes led by PNGEC and the subsequent positive effect on the election process and results.

3.4. Administrative Coordination Mechanism

3.4.1. IDEC as an ad hoc election coordination mechanism

As per the relevant provisions of the *Constitution* and *OLNLGE*, the PNGEC is an independent Constitutional Office mandated to conduct the elections in PNG. In an ideal situation where the election system is working effectively and efficiently, with the given resources, the PNGEC would conduct the elections successfully with relevant support from other agencies and the Election Advisory Committee (EAC). *Section 96* of the *OLPGLG* provides for the establishment of an EAC, which serves as an integrity mechanism (not an oversight or coordinating mechanism) to ensure that decisions by the Electoral Commissioner are independently informed by credible experts.

Given the ongoing election issues relating to election administration, election process, election funding and election security, the Inter Departmental Election Committee (IDEC) has been playing an ad hoc coordination role for elections for administrative convenience. The IDEC operates on an ad-hoc basis because it is not established by law. The IDEC was established in 2006 in preparation for the 2007 National General Elections (Anere and Wheen, 2009). Since then, historically, the IDEC was formed before the elections were conducted at the discretion of the Government of the day to coordinate and build into the election planning, resourcing, and to ensure the smooth conduct of the general elections. The IDEC's role is based on the need to have an internal election coordination mechanism to take responsibility to coordinate the inter-departmental involvement in election planning and conduct.

At the public inquiry, the Chairman of IDEC acknowledged that the IDEC does not have overarching powers nor any powers to direct or impose certain requirements on the process. As far as the primary responsibility of delivering the elections is concerned, the PNGEC is tasked with this role in line with its constitutional mandate. However, when there are observed inefficiencies, the IDEC has served as an administrative mechanism to address the issues.

For legal matters relating to the conduct of elections, they should be addressed by the PNGEC in collaboration with the Department of Justice and Attorney General, while the Court of Disputed Returns deals with disputes on election results.

The current composition of the IDEC includes: Electoral Commissioner; the Chief Secretary to Government; heads of the disciplinary forces (RPNGC, PNGDF and PNGCS); Secretaries for Departments of Treasury, Justice and Attorney-General, Provincial and Local-level Government Affairs, and Personnel Management; and other agencies on the invitation of the Committee Chairman. For the 2022 NGE, the NRI and TIPNG were invited to sit on the IDEC as observers.

3.4.2. Formal establishment of an administrative coordination mechanism

Considering the problems observed during the elections relating to election administration, election process, election funding, and election security, that the IDEC has observed and tried to deal with within the ad-hoc arrangement, the IDEC chairman recommended that IDEC be provided a mandate that is prescribed in law so that it is able to have a permanent operation in terms of the IDEC processes. Within this mandate, the independence of the PNGEC should be protected, consistent with its

constitutional mandate; but as and when it matters, the IDEC could assist the Electoral Commissioner in terms of some of administrative coordination.

A report by Anere and Wheen (2009) found that “the 2007 National General Elections were a considerable improvement from the 2002 Elections, where extensive malpractice and violence were experienced. In 2007, the mobilisation of security was superior, as was the whole-of-government coordination across agencies and stakeholders under the new Interdepartmental Elections Committee (IDEC)” (p.1). Going forward, providing a formal mandate for IDEC as an administrative coordination mechanism can strengthen the role of the PNGEC and other key election stakeholders in coordinating resources and assets, and planning and reporting for the elections.

- **Recommendation 5:** *The Committee recommends that the Inter Departmental Election Committee (IDEC) be mandated by law as an administrative coordination mechanism, via an amendment to the OLNLGE and relevant affected legislation to which the members of IDEC are subjected to, so as to impartially assist the PNGEC and other stakeholders in coordinating resources and assets during planning and execution of the elections. Within this mandate of IDEC, it should not be legislated to co-opt powers of the PNGEC in administering elections, rather it should ensure whole-of-government support and coordination of elections, and be empowered to ensure continuity of government, in the form of assisting the caretaker cabinet, during the National General Elections. The Chief Secretary as the Chairman of IDEC shall compel action from relevant government officers through powers vested upon him or her via the relevant legislation.*

Recommendation 5 will contribute to the achievement of Expected Outcomes 2, 3 and 4 of TOR 1 (Election Administration) because having a legal mandate for the IDEC as an administrative coordination mechanism will contribute to improving the role of PNGEC as the primary election administration agency (Outcome 2); improving the roles of other election stakeholders (Outcome 3); and improving the collaboration between PNGEC and supporting institutions for better election outcomes (Outcome 4).

Recommendation 6: *The Committee recommends that the IDEC membership be amended to include at least two representatives from civil society to provide inclusiveness in election coordination.*

Recommendation 6 will contribute to the fulfilment of Expected Outcomes 3 and 4 for TOR 1 (Election Administration) because the involvement of civil society in election coordination via IDEC will bring a sense of inclusiveness and contribute to better outcomes for election administration by PNGEC (Outcome 3) and better collaboration by all stakeholders including civil society for better election outcomes (Outcome 4).

3.4.3. Line of communication between IDEC and key stakeholders and accountability

A key problem that arose during consultations was that there was a lack of a clear channel for IDEC to communicate to relevant authorities to ensure that the authorities are well aware of the problems relating to the elections and address the issues on time.

During the inquiry, the IDEC Chairman and heads of security agencies (RPNGC, PNGDF and PNGCS) reported that there were issues with communicating with the Electoral Commissioner. At one point, the IDEC Chairman and some members of the IDEC had to go to the Electoral Commissioner’s office to address an urgent matter relating to the election process. There were also issues with procurement matters which indicated communication issues between IDEC and the National Procurement Commission.

Recommendation 7: *The Committee recommends that under IDEC as the Election Administrative Coordination Mechanism, a communication strategy be developed specifically on election matters. The protocols should be clearly defined so that there is a clear line of communication when issues emerge regarding the administration and conduct of the elections, starting with the 2027 National General Election.*

Recommendation 7 contributes to fulfilling Expected Outcomes 3 and 4 of TOR 1 (Election Administration) because having a clear line of communication between all members of IDEC will contribute to making the support institutions more effective and efficient in their roles (Outcome 3) and better understanding and collaboration between PNGEC and support institutions leading to better election outcomes (Outcome 4).

3.5. Election Planning and Execution Issues

Good election planning and its effective implementation is vital for the success of an election. However, there have been major issues relating to election planning and execution. Some of these issues are as follows.

3.5.1. Transparency of election planning

Based on consultations, election observation reports, written submissions to SPCGE, and media reports, it was clear that there was a lack of transparency in election planning and execution, hence affecting the effectiveness of the coordination and execution of the elections. At the consultations, the heads of security agencies stated that the election plan by the PNGEC was changing which was a key factor that affected the administration of the elections and security arrangements. The IDEC also raised concerns on the changing nature of the election plan, especially in relation to changing the Issue of Writs and Return of Writs and other aspects of the election process.

There were multiple instances where the Electoral Commissioner provided dates for the elections, which were reported by the media, but were not accompanied by any gazette to give effect to the media announcements. This culminated in the Governor General reportedly acting independently of the Electoral Commissioner's recommendation and issuing the writs, following two deferrals for the 7 new electorates, and subsequently following the death of the Deputy Prime Minister in a motor vehicle accident on the eve of the election period (Radio New Zealand, 2022). The fixing of election dates is prescribed by law, to give certainty for planners, and confidence for voters and candidates. The absence of a fixed election schedule severely undermined the integrity of the elections.

Considering the evidence presented, any changes to the election plan must be communicated by the Electoral Commission to the key election stakeholders and the public, with clear reasonable reasons for such changes free from external influence, including political influence. There must be a more coordinated and transparent approach to election planning and implementation.

Recommendation 8: *The Committee recommends that the OLNLGE be amended to make it mandatory for the PNGEC to ensure that an election plan is produced and implemented without fear or favour from outside influence, and avoid unnecessary changes. The election planning process must be more transparent by making the plan public, and in the event of any necessary changes, which must be consistent with law, such changes must be published on the PNGEC website and published in the media outlets for the public's information. In addition, the election plan must include inputs from other stakeholders in the elections, in addition to the PNGEC.*

Recommendation 8 contributes to fulfilling Expected Outcome 4 of TOR 1 (Election Administration) because the impartial production and implementation of the election plan and transparency on any legal changes thereafter, are vital for the PNGEC and all stakeholders to work together to achieve better election outcomes through the implementation of the election plan.

3.5.2. Timely planning for elections

Timely planning for the election is important to ensure that the required activities are done on time with the given resources. However, during the consultations, it was pointed out by the PNGDF Commander that election planning was very late and not properly coordinated using a whole-of-government approach.

A national event such as the national general elections is complex and requires timely planning to ensure its success. Moreover, the behaviour and conduct of the people have changed towards compromising the elections due to the ineffective running of the elections by the authorities. Therefore, the timely and proper planning is key to delivering an effective and efficient election and this planning must be done well in advance of the election year. To ensure timely planning for the elections, the funds for the planning and preparation for elections must be disbursed in a timely manner (Pacific Islands Forum Secretariat, 2017).

Another issue which affected the planning time for the 2022 NGE was the late decision on the creation of the seven new electorates, which led to poor election planning as it resulted in election ballots having to be re-printed as well as readjustment of election administrative processes.³ Hence, going forward, any decision on creating new electorates must be done well in advance of the election year.

Recommendation 9: *The Committee recommends that the election planning by the Electoral Commission must start at least four years before the election year so that all the coordination issues, logistical issues, funding issues, and capital investment issues are addressed well before the election year. In conjunction with this advanced planning, it must be embedded in the OLNLGE that the Government of the day must approve and release the required annual funding through the annual budget process to the key election stakeholders to carry out all the necessary and required preparatory activities. The funding that is released must be made public.*

Recommendation 9 contributes to fulfilling Expected Outcomes 2 and 3 of TOR 1 (Election Administration) because advanced planning by the PNGEC and mandatory annual election funding allocation for all election stakeholders will contribute to PNGEC being more effective and efficient in its role (Outcome 2) and contribute to supporting institutions being more effective and efficient in their mandated roles for the conduct of the elections (Outcome 3).

3.5.3. Planning for and updating of the electoral roll

In order for the elections to run smoothly, there must be proper planning and update of the electoral roll. This was a recurring theme during the Committee's consultations and in election observation reports (see Transparency International PNG, 2022; Goro and Sanida 2023). The integrity of the elections depends on the integrity of the electoral roll. This point was also emphasized by the relevant agencies during the Committee's consultation in Australia.

³ The 7 new electorates that were created just before the 2022 NGE were: Delta Fly Open (Western Province); Hiri-Koiari Open (Central Province); Popondetta Open (Northern Province); Nakanai Open (Western New Britain Province); Komo-Hulia Open (Hela Province); Porgera-Paiela Open (Enga Province); and Wau-Waria Open (Morobe Province).

Voter registration and updating of the electoral roll must be a continuous process and in any given 5-year electoral cycle, electoral planning must commence a year after the previous election year and continue until the next elections.

An updated electoral roll will ensure that the country goes into the elections with confidence that the majority of eligible voters have been registered in time to vote and with sufficient time for the Roll to be displayed for public scrutiny. When eligible voters on polling day suddenly find out that their names are not on the electoral roll, it exacerbates instability and volatility of the elections.

Recommendation 10: *The Committee recommends that voter registration and updating of the electoral roll must be done annually, starting the year after the previous election and up to six months before the issue of writs to ensure that the majority, if not all, eligible voters are registered to vote in the elections. The updating shall include addressing all areas relating to the electoral roll preparation such as enrolment forms, roll display, objection, finalisation and dissemination.*

Recommendation 10 will contribute to fulfilling Expected Outcome 2 of TOR 1 (Election Administration) because the annual registration of voters and update of the electoral roll will ensure that the PNGEC is equipped with a credible electoral roll to conduct the elections and also be effective and efficient in its key mandate of election administration.

3.5.4. Sustained training and support programs

When planning for and administering the elections, it is important to include sustained training and support programs for the key election stakeholders so that electoral officials, TEWs and security personnel are well-trained to perform their duties. In this regard, the election administration body should provide oversight and drive such training and support programs.

Recommendation 11: *The Committee recommends that in the administrative and planning process, the PNGEC must institute sustained training and support programs on elections that are rolled out annually for electoral officials, TEWs, security personnel, starting four years before the election year. This is necessary to clarify expectations and identify roles and responsibilities and the mandates in law that govern the electoral officials, TEWs and security teams.*

Recommendation 11 will contribute to achieving Expected Outcomes 2, 3 and 4 of TOR 1 (Election Administration) because the sustained annual training and support programs will contribute to improving PNGEC's performance (Outcome 2); support agencies becoming more effective and efficient in their roles (Outcome 3); and fostering strong and effective collaboration between PNGEC and the supporting agencies (Outcome 4).

3.5.5. The role of IDEC in election planning and coordination

Throughout the consultation, there was general support for an inter-agency planning team to assist in the election planning process. If the IDEC is legally mandated to be the administrative coordination mechanism per Recommendation 5, then one of its important roles is the coordination of election planning via a whole-of-Government approach.

3.6. Election Administration at Sub-National Level

3.6.1. Provincial Election Steering Committee (PESC)

Each province has a Provincial Election Steering Committee (PESC). The PESC has a similar approach to the IDEC, in that it involves coordination of government to support the PNGEC at the subnational level. As such, the PESC has similar governance concerns of encroachment into the powers of the PNGEC, that could best be addressed to having more clear reporting templates that links it back into the coordination being done by the IDEC at the national level. Ultimately, the PESC and the IDEC should work at the behest of the PNGEC to assist with implementation of activities aligned with the overall electoral cycle.

In its written submission to the SPCGE, TIPNG emphasised the need to strengthen election accountability mechanisms such as the PESC, which can be achieved by the following strategies or interventions.

- PESC Terms of References must be developed and signed with funding at the provincial level for planning meetings during the 4 years before the elections;
- Design and carry out best-practice training so that members of the PESC are aware and equipped;
- Effectively establish and strengthen PESC in other provinces and PESC provincial reports must be submitted in a timely and coordinated manner;
- Develop an effective coordinating PESC mechanism to oversee the 22 provincial PESC coordination bodies;
- Formalise strategic partnerships with members of the PNGEC's Election Outreach Network based on a clear communications plan; and
- Make TEW recruitment under PESC oversight.

During the regional consultations, there were also issues raised by the participants. Some examples include the following. In WNBPN, the Election Manager, Emily Kelton, reported that the lack of funding was a key factor that constrained the work of the PESC for WNBPN. For example, they had all the election awareness material but the lack of funding for transportation impeded their work. In SHP, the PPC, Joseph Puri, reported that it was very difficult to establish the PESC due to delays in identifying members to be on the Committee. He highlighted that the PESC is supposed to be disseminating information for the Electoral Commission and to the candidates and election officials on the ground. No other body or person should be doing this, whether it is security forces or politicians in the government. Also, for reporting, the PESC should be empowered in the provinces to filter and pass any information it is collecting from the polling areas and counting centres.

Recommendation 12: *The Committee recommends that the PESC mechanism must be strengthened by timely provision of budget, timely appointment of members and training, and a clear Terms of Reference that is developed 4 years before the elections and implemented. The PESC must also submit and be held accountable for post-election reports to the IDEC including financial reports for public funds used in the provinces for elections. The PESC must coordinate its work with the IDEC. The Chairman of the PESC shall be the Provincial Administrator, who should only assist but not usurp the role of the Provincial Election Manager.*

Recommendation 12 will contribute to achieving Expected Outcome 3 of TOR 1 (Election Administration) because the strengthening of the PESC mechanism will contribute to effective election administration at the sub-national level leading to better election process and outcomes.

3.6.2. Provincial Election Managers

The Provincial Election Manager (PEM) is a delegate of the PNGEC at the provincial level with the same status as other senior officers of the PNGEC such as the Deputy Electoral Commissioners and Branch Directors, whose main role is to assist the Electoral Commissioner (PNG Electoral Commission, 2023). The role of the PEM is visible during the election year. During other years, the role of the PEM is obscure because, according to the PNGEC, technically, the PEM does not perform a legal function in the election process, like the Returning Officer. There is no specific mention of PEM in the *OLNLGE* and *National Election Regulations*, like the Returning Officer.

In its written submission, the Electoral Commission (PNG Electoral Commission, 2023) recommended that the Election Manager or the Assistant Election Manager be authorised to provide continuous oversight and supervise all electoral roll processes within the province within a five-year cycle, not just during election years. The activities that can be undertaken by the Election Manager during the five-year election cycle include:

- a) election awareness;
- b) recruitment of TEWs;
- c) provincial election training;
- d) boundaries determination;
- e) electoral roll update;
- f) provincial procurement and storage;
- g) nominations;
- h) logistics;
- i) polling;
- j) counting; and
- k) return of all field returns.

The Committee concurs with the PNGEC on giving mandate to the PEM to provide continuous oversight and supervise all electoral roll processes within the province within a five-year cycle and not just during election years. This is captured in Recommendation 13.

Recommendation 13: *The Committee recommends that the OLNLGE be amended to include the Provincial Election Manager (PEM) as an “Electoral Officer” and the PEM be authorised through the roles and functions of the position to provide continuous oversight and supervise all electoral roll processes within the province within the five-year election cycle, as recommended by the PNGEC.*

Recommendation 13 will contribute to Expected Outcome 2 of TOR 1 (Election Administration) because having the PEMs for all provinces perform as electoral officers throughout the 5-year election cycle will contribute to improving the effectiveness and efficiency of the PNGEC in delivering on its key mandate.

3.6.3. Assistance provided to Returning Officers

Based on the written submission by the PNGEC (PNG Electoral Commission, 2023), there is a need to strengthen the work of PNGEC at the Ward Level, through the Returning Officer. As per *Section 19(1)* of the *OLNLGE*, the Returning Officer is empowered to seek the assistance of individuals or groups or committees to plan for the updating of the voter roll and conduct of elections.

The PNGEC must be visible at the Ward Level when carrying out the following important functions:

- a) creating or updating an electoral roll;
- b) identifying persons to serve as enrolment agents, polling officers and counting officers;
- c) drawing up polling schedules; and
- d) assisting in election awareness programs within the Ward.

The Committee agrees that there is a need to strengthen the work of the PNGEC at the ward level because the ward contains the baseline information for updating the electoral, which is the key information required for a successful election.

Recommendation 14: *The Committee recommends that provisions be made in the National Election Regulations to give effect to Section 19(4) and (5) of the OLNLGE for the Returning Officer to work with, and not be directed by, persons or Committees such as the Ward Development Committee to support the PNGEC in its work of updating the electoral roll (per Recommendation 10) and other defined activities relating to the conduct of elections.*

Recommendation 14 will contribute to meeting Expected Outcome 4 of TOR 1 (Election Administration) because the collaboration between Returning Officers and Ward Development Committees for electoral roll update will contribute to strengthening the overall collaborative efforts between PNGEC and support agencies to meet the expected outcomes of the elections.

3.7. Conclusion

During the inquiry, the main election administration issue was that the PNGEC was not working effectively internally and there was a lack of collaboration by all election stakeholders in administering the elections. In this section of the report, the election administration issues were discussed with 14 recommendations.

The Committee commends the recommendations for endorsement by Parliament and implementation by relevant stakeholders in order to make election administration more effective and efficient. In particular, it is the Committee's view that the PNGEC must be reformed to strengthen its independence and made more effective in fulfilling its role with the support of an administrative coordinating mechanism such as the IDEC so that a concerted effort is provided to ensure that the outcomes of the elections are achieved for the benefit of Papua New Guineans.

At the political level, it is strongly recommended that a Parliamentary Standing Committee on Electoral Matters be established to provide continuous scrutiny over the quality of elections in PNG. The Standing Committee will also provide an avenue for public submissions on issues relating to elections from time to time in order to address the issues through a whole-of-Government approach.

4. ELECTION PROCESS: ISSUES AND RECOMMENDATIONS

This section reports on the second TOR for the Committee, which is on election process. Election process refers to the process involved in conducting an election from start to finish. Specifically, TOR 2 required the Committee to inquire into the following aspects of the election process: common roll update; campaigning; voting or polling; counting/scrutiny; declarations; disputed returns process; and code of conduct. The effectiveness and efficiency of the election process is of utmost importance because it determines the success or otherwise of the election as well as the legitimacy of the results.

This section of the report is organised under the following subsections. In Subsection 4.1, we present the expected outcomes that are needed in the election process based on the established principles. The different parts of the election process (as mentioned above) and the key issues with each of them are then presented in Subsection 4.2 to 4.8. The final Subsection (4.9) concludes the discussion on TOR 2.

4.1. Expected Outcomes for Election Process

As the core foundation of any democracy, citizens expect and demand that any election process must be effective, efficient, and credible so that the results are accepted within Papua New Guinea and the international community. In particular, the following are the expected outcomes for each of the components of the election process:

- ***Expected Outcome 1:*** That the electoral roll is up to date and inclusive of all eligible voters so that all eligible voters have the opportunity to cast their votes at election time.
- ***Expected Outcome 2:*** That there is free, fair and peaceful nomination of candidates and campaigning by all eligible candidates and their supporters.
- ***Expected Outcome 3:*** That there is free, fair, transparent and peaceful voting/polling under the LPV polling system.
- ***Expected Outcome 4:*** That the counting of votes is done under the established principles of the LPV counting system in a peaceful environment.
- ***Expected Outcome 5:*** That the declaration of results for every seat is credible and return of writs are submitted on time consistent with the law.
- ***Expected Outcome 6:*** That the incidence of disputed returns is minimised through the high credibility of the election process outcomes (i.e. per *Expected Outcome 1 to 5*) and that if there is any disputed return, the process of dealing with the matter is done effectively and efficiently so that the people are not denied their representation in Parliament for a long period of time due to lengthy disputed returns process.

4.2. The Electoral Roll

During the consultations, the Committee noted that electoral roll issues were the number one issue raised by the respondents. In particular, the issue of names missing on the electoral roll where a lot of people were denied their democratic right to participate in voting. This subsection presents the key issues and recommendations relating to the electoral roll.

According to the PNGEC Report to the Committee (PNG Electoral Commission, 2023), in the 2022 NGE, a total of 5.7 million voters were registered and participated in the elections. The regional composition was as follows: 2.6 million voters (46% of total) in the Highlands Region; 1.3 million voters (23%) in the Momase Region; 1.1 million voters (19%) in the Southern Region; and 0.7 million

voters (12%) in the NGI Region. These figures have not been internally audited or independently verified at the time of writing.

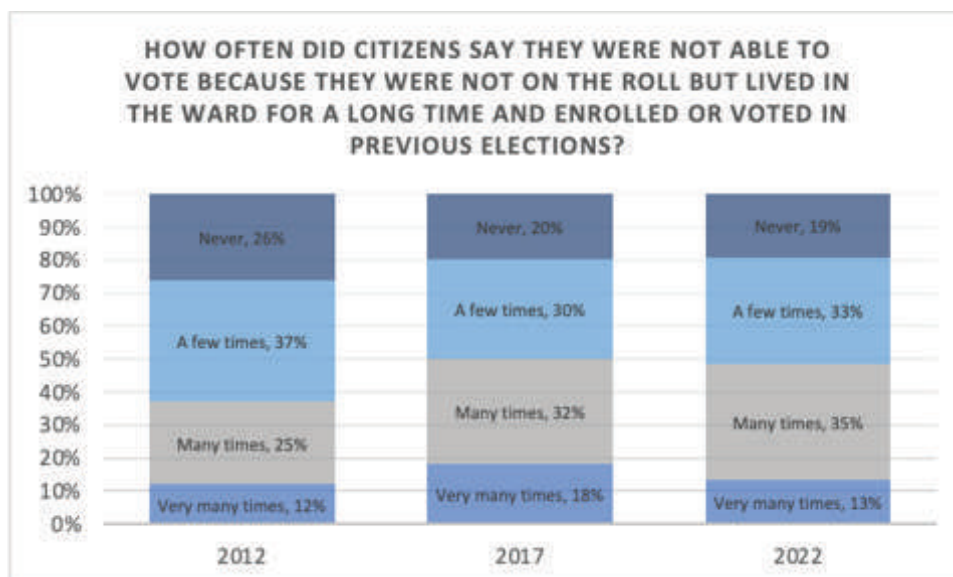
4.2.1. Electoral roll issues

Evidence from election observation

Electoral roll discrepancies and inaccuracies are a widespread issue across the country. Election observers found that in many instances, citizens who came to vote did not find their names on the electoral roll, and many of them reported that they had voted in the recent past national elections.

Figure 1 presents the incidence of omission of name on the electoral roll reported by TIPNG for the 2012, 2017 and 2022 National General Elections. The statistics shows that more often than not, citizens said they were not able to vote because they were not on the electoral roll in the 2022 NGE and previous two elections.

Figure 1: Incidence of omission of names on electoral roll (2012, 2017 and 2022 NGEs)



Source: TIPNG Election Observation Reports, 2012, 2017 and 2022

The TIPNG report also showed occurrences of mixed names or where someone had voted using another person’s name. Generally, the 2022 observation found flaws in the electoral roll that were similar in nature to 2017 and 2012. The continued inaccuracies in the roll have directly contributed to election fraud, including double voting, underage voting, bloc voting, and using other people’s names to vote.

Finding from public inquiry

According to the Electoral Commissioner, Simon Sinai, the issue of the electoral roll needs to be fixed and corrected, listed out and that the people need to be prepared to cast their vote. That is, according to law, the PNGEC must prepare an electoral roll at least six months before the next general elections. Before any other operation can take place, the electoral roll must be fixed first and the voting population must be prepared in order to get into elections.

Mr Sinai, in his presentation to the Committee, said many attempts have been made to update the roll but no perfect roll exists. He added that there is a need to prepare budgets and carry out awareness in various districts, electorates, council wards and Local-level Governments to collect information and

to identify the voting population of citizen aged 18 years plus. In addition, roll cleansing must be done to justify or qualify the voters. Mr Sinai raised a concern that updating the Electoral Roll 3 to 6 months before the elections is totally impossible because as there is lack of capacity in terms of manpower. Therefore, there is need for funding to ensure enough manpower to update the common roll well in advance of the election date.

The Electoral Commissioner stated that there is a need to start discussing and updating the electoral roll from now in order to get something closer to accurate. Verifications can then be done and voters identified properly; for instance, going from village to village and spending 30-60 days and checking against the list, confirming and enrolling. After this, there is need for awareness where eligible voters are asked to come in and check if they are registered on the common roll. In that way, people who may have missed out on the door-to-door visits can get registered and those who are registered can confirm their registration. In the Electoral Commissioner's view, a periodic check two or three times a year can be done to make sure the electoral roll is well updated.

The IDEC Chairman, in his presentation to the Committee, stated that the IDEC raised grave concerns at its meeting when the 2007 roll was announced as the base roll that was going to be used because it became quite clear that a lot of voters would not be in those rolls coupled with the concern that the update was just being done a couple of weeks before polling commenced. The IDEC Chairman further emphasised that the electoral roll issue is the number one election issue. He stated that the Electoral Roll in 2022 was clearly flawed as many eligible voters did not have the opportunity to cast their vote. This was a bad record for PNG's democracy considering that the empowerment of people is the foundation upon which the system of government is built and therefore to deny that opportunity to one person is not ideal.

Recommendation 15: *The Committee recommends that for the 2027 General Elections, a new electoral roll needs to be developed by the end of 2024 and validated with the 2024 census data in 2025 and updated in 2026 in time for the 2027 Elections. In 2026, a periodic check should be done twice to make sure the electoral roll is well updated.*

The implementation of Recommendation 15 will contribute to fulfilling Expected Outcome 1 of TOR 2 (Election Process) because the advanced updating of the electoral roll for the 2027 NGE will contribute to having all eligible voters getting the opportunity to cast their votes during the 2027 NGE.

Recommendation 15 is specifically for the 2027 NGE. For updating of the electoral roll in general, see Recommendation 10.

4.2.2. Voter Identification (ID)

Voter Identification (ID) is vital during the electoral roll update and during polling. During the electoral roll update, voters must use genuine IDs to register themselves. Voters need to be properly identified so they can then be called by their names to cast their votes during polling with an appropriate ID. An appropriate ID system or a system of IDs must be used to identify a voter during electoral roll update and during polling.

Recommendation 16: *The Committee recommends that consistent with Section 71A of the OLNLGE, an appropriate voter identification (ID) system must be instituted to identify all eligible voters (i.e. citizens aged 18 years and above). The voter ID can take any form described in Section 71A. In the long run, the National ID Card system with its fingerprint technology be used as the primary ID for voter identification. For the 2027 NGE, subject to the roll out of the National ID, other ID form may be used such as Driver’s License, Passport, Work ID or Photo ID issued by the PNGEC. The maintenance and disclosure of the voter ID must comply with Sections 71B and 71C of the OLNLGE.*

Recommendation 16 contributes to meeting Outcome 1 of TOR 2 (Election Process) because creating and effectively managing the voter ID system will contribute to better electoral roll update and provide the opportunity for voters to cast their votes at election time.

4.2.3. Ward record book and the electoral roll

During the consultations, a recurring theme in the context of updating of the electoral roll was the potential use of the Ward Record Book. That is, in some provinces (such as New Ireland, Milne Bay, East New Britain and East Sepik) the Ward Record Book is well established. The Ward Record Book contains the key demographic information of people living in each Ward. The information contained in the Ward Record Book can be used to verify or validate the electoral roll.

The IDEC was informed of an approach by New Ireland Provincial Administration on the eve of polling where they had a register of a Ward Record Book that the Provincial Government claimed could have provided an alternative option to address the alleged deficiencies in the PNGEC electoral roll. The Electoral Commissioner had the powers to make a decision on such proposals but did not. In hindsight, there is a need to have some compatibility between the *OLPGLG* and the *OLNLGE* to make sure that demographic data collected at the ward level are consolidated and used collaboratively as part of the whole-of-Government approach to addressing development issues in the country.

The above must be balanced with the constitutional expectation that eligible voters (citizens aged 18 and above) must be registered to cast their vote. That is, it is the responsibility of eligible voters to register to vote in their electorate. Furthermore, there is also the risk that Provincial Administrations might further politicise the process of voter enrolment, particularly in provinces and communities that are more prone to higher rates of political and electoral corruption. This risk can be addressed having a relevant accountability mechanism in place.

Considering the Ward Data System and the power of the returning officer to appoint or seek assistance of individuals or groups in the electoral roll update and conduct of elections (under *Section 19 of the OLNLGE*), it would be a step in the right direction for the Returning Officers to engage with persons at the Ward Level to ensure that the electoral roll update is done effectively so that every eligible voter is included in the final roll at election time to exercise their democratic right to cast their vote.

The idea is to have the Ward Record Book as a mechanism to verify the names in the Electoral Roll, while the Roll is being updated separately by the relevant Electoral Officer. That is, while the registration of voters is being done, there must be a mechanism to verify or validate the names in the Electoral Roll and the Ward Record Book can be used for that purpose, with clear guidelines to ensure that the integrity of the process is maintained.

Recommendation 17: *Consistent with Section 19(5) of the OLNLGE, the Committee recommends that as part of voter registration and electoral roll update, the Ward Record Book be used for validating the electoral roll. This should be done by Returning Officers and Ward Recorders in the Provinces with the oversight of the PNGEC. Strong mechanisms be put in place in the OLNLGE to protect the integrity of this process of electoral roll update and validation at the Ward Level (i.e. guard against any manipulation of the electoral roll update process at the Ward level).*

Recommendation 17 contributes to meeting Outcome 1 of TOR 2 (Election Process) because the use of the Ward Record Book to validate the electoral roll via collaboration between Returning Officers and Ward Recorders will contribute to better electoral rolls and provide opportunity for all eligible voters to cast their votes at the election.

4.3. Campaigning

In elections, campaigning is the act of presenting party or candidate policies to convince voters to vote for them. The official campaign period for the 2022 NGE went for around 8 weeks from 12 May 2022 to 8 July 2022.

4.3.1. Political party registration and conduct

Freedom of association is a constitutional right, and citizens have the right to freely associate both as interest groups but also as political parties that can then be registered with the registry of political parties. Registration of political parties gives them a legal status and gives them certain protection and access to contest elections and public funds. The same registration process applies to all political parties at all levels and rejection of a registration application has to be based on objective criteria, with a mechanism for appealing against such rejection. This protects political parties from discrimination and ensures equal access to the electoral process for all qualified candidates. Plurality as such, should be welcomed in any democracy, as it leads to better development of ideas and representation within a free society.

In terms of the conduct of political parties, candidates, scrutineers and supporters, the Committee is aware that there is Code of Conduct Handbook (PNG Electoral Commission, 2022) that sets out written guidelines to govern the conduct of election stakeholders during the nominations, campaign, polling, scrutiny (counting) and after elections. The Handbook was developed by the IPPCC with the support of the PNGEC. It is envisaged that political parties, candidates, scrutineers and supporters adhere to expected conduct to ensure that the elections are conducted successfully with credible outcomes.

4.3.2. Nomination of candidates

The National Constitution also allows for the right to stand for public office, and that is a right that should not be arbitrarily diminished through the setting of an eligibility criteria beyond soundness of mind and lack of a current criminal conviction that has to be served. The registration of candidates for election confirms the candidate's intention to contest a specific election. The legal framework clearly specifies the registration procedures and the grounds for rejection of a registration application are based on objective criteria, with avenues of appeal.

One's history, social background, or educational attainment should not be a factor in terms of one's rights to represent the views of one's fellow citizens in an electorate. In principle, this protects candidates against arbitrary discrimination, and the interests of the citizenry as a whole. As it stands, Parliament has a demographic trend of mostly male, mostly urban, and mostly tertiary-educated

leaders, so the introduction of a further test of office would only serve to limit democratic participation.

Having stated the above, there were issues experienced on the ground relating to the nomination of candidates, which must be heeded. In a written submission to the Committee, Mr Vincent Manukayasi, a Returning Officer from one of the electorates in National Capital District lamented the lack of proper screening of candidates using Form 24. Form 24 is supposed to allow for proper scrutiny of a candidate's background prior to nominating. However, Mr Manukayasi stated that for the Moresby North East seat, there was no proper scrutiny of the intending candidates, hence in his view there were too many nominations in the Moresby North-East Open seat with 76 candidates. The screening process for candidates must be more stringent going forward.

One other issue is the enforcement of the public service rule that any public servant intending to contest an election must resign at least 12 months before the issue of writs per *Section 55 (amended)* of the *Public Services (Management) Act 1995* (PSMA) (Government of Papua New Guinea, 1995a) and *DPM Circular Instruction No.27/2021* (Department of Personnel Management, 2021).

Recommendation 18: *The Committee recommends that whilst every effort must be made to protect intending candidates against arbitrary discrimination to stand for public office via nomination to contest the elections, the relevant requirements such as mandatory completion of Form 24 for proper scrutiny of intending candidates and the requirement for public servants (officers) to resign at least 12 months before the issue of writs to contest the elections (per the amended Section 55 of the PSMA and DPM Circular Instruction No.27/2021), must be met to protect the integrity of the candidate nomination process, which is an integral part of the electoral system.*

Recommendation 18 contributes to meeting Expected Outcome 2 of TOR 2 (Election Process) because ensuring that the relevant requirements of candidate nomination through mandatory completion of Form 24 and resignation of public servants prior to nomination are met will contribute to the integrity of the nomination process.

4.3.3. Campaign finance

Financing of election campaigns is necessary, but if it is not adequately regulated and monitored, money may also be a means for powerful special interests to exercise undue influence and derail the election process. There are two issues in this regard. The first is that there is no ceiling on election campaign expenditure for political parties and candidates. Second is that there is no requirement for the Integrity of Political Parties and Candidates Commission (IPPC) to make public, the financial returns of the parties.

In its written submission to the Parliamentary Committee, the representative from the Youth Coalition highlighted that most often than not, money-politics fuels election-related violence and corruption in PNG. Large suspicious transactions at all financial institutions throughout the country during the election period, which would normally have been reported to Bank of Papua New Guinea's Financial Intelligence Unit, need to be properly investigated for breaches of *Anti-Money Laundering and Counter Terrorist Financing Act 2015* and *Proceeds of Crime Act 2005* by relevant State Agencies, including unexplained large campaign financing of Political Parties to be subjected to such an investigation

Recommendation 19: *The Committee recommends that strong measures be put in place under the OLNLGE and relevant laws such as the Anti-Money Laundering and Counter Terrorist Financing Act 2015 and Proceeds of Crime Act 2005 to ensure that campaign finance is subject to auditing to determine whether such funds were spent within the framework of the law.*

Recommendation 19 contributes to meeting Expected Outcome 2 of TOR 2 (Election Process) because strong measures to ensure that campaign finance is subjected to proper auditing within the law will contribute to free and fair campaigning and integrity of the campaign process.

4.3.4. Role of the media

A free media enables information to reach citizens and voters, and protects the electoral process from political capture. However, there are concerns raised that media outlets during the 2022 NGE were limited, for instance counting venues in the National Capital District and across the country did not allow the media to enter with their phones and cameras to record proceedings. Furthermore, official press statements were not being released regularly on issues that needed clarification and the Electoral Commissioner was not consistent in conducting press conferences as had been the case in 2017. These conditions weakened the media's ability to fulfil its role in the electoral process.

- **Recommendation 20:** *The Committee recommends that media freedom must be maintained during the elections to ensure reporting of the election issues for public consumption and transparency of the process and this includes media being able to enter and transmit information from counting rooms. After the elections, media freedom should be maintained by ensuring that campaign finance data, including audit reports, should be made freely available online to the public.*

Recommendation 20 contributes to all expected outcomes of TOR 2 (Election Process) by ensuring dissemination of information by the media to the public as well as contributing to the integrity of the election process.

4.4. Voting or Polling

Polling is the process where voters cast their votes using the relevant election method, in this case the LPV system. During the consultations, the committee listened to various views on voting or polling and recommendations. These are summarised in this subsection.

4.4.1. Voting/polling process

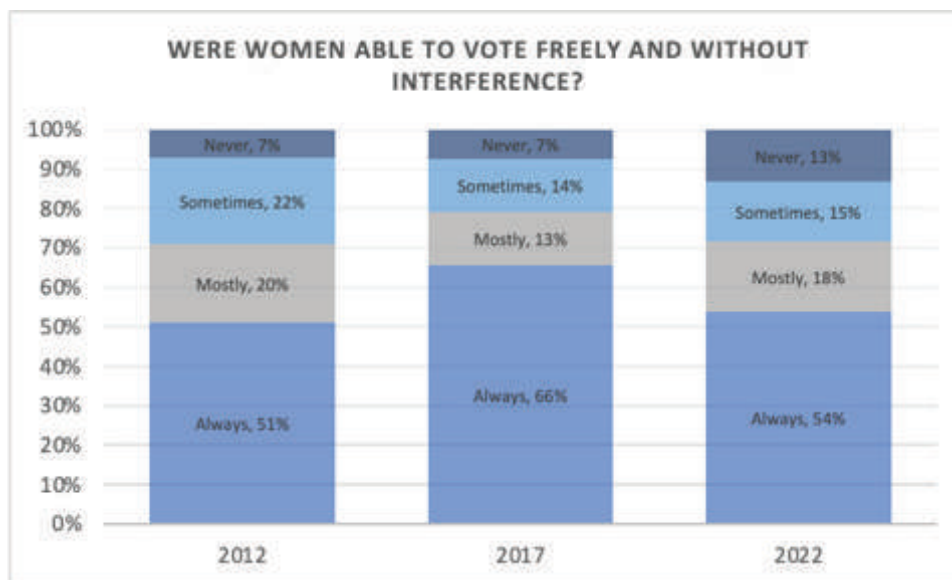
Evidence from election observation reports

Election observers witnessed people voting multiple times, people voting without names being checked, underage voting, and vote selling and buying (e.g. see Goro and Sanida 2023; Transparency International PNG, 2022). In a number of instances, citizens missed out on voting because their names were not on the roll. People voting using other peoples' names occurred all over the country in the 2022 national election.

TIPNG has observed that corruption within the electoral process impacts women and marginalised groups the most, which undermines democratic participation. Having separate polling booths or entrances for women has been a positive development to enable women to vote for their preferred candidates. However, women continue to be influenced and intimidated during polling.

Figure 2 presents the incidence of free voting by women in the 2012, 2017 and 2022 NGEs as reported by TIPNG in its observation reports (Transparency International PNG, 2012, 2017, and 2022). As can be seen from the data, there is a high incidence of interference in voting by women as indicated by the percentage of respondents who answered either “never”, “sometimes” and “mostly” when asked whether there was incidence of free voting by women voters (i.e. around 49% in 2012 NGE; 34% in 2017 NGE; and 46% in 2022 NGE).

Figure 2: Incidence of free voting by women voters, 2012, 2017 and 2022 NGEs



Source: TIPNG election observation reports (2012, 2017 and 2022)

Although separate lines were set up for women voters and other vulnerable groups, in many instances, they were not able to freely exercise their right to vote. In some electorates, TIPNG observed that men as the head of the family make decisions and influence women’s votes. For example, bloc voting was common and accepted in Highlands Provinces. Bloc voting happens when a decision is made for a group (bloc) of voters to elect or vote for only their preferred candidates.

TIPNG also stated that it is unclear how many ballot papers were actually dispersed to the designated polling stations, and how many were actually used during voting. There were more widespread reports of burning of ballot papers in the Highlands and also some coastal areas, notably in Morobe. There were also claims of excessive numbers of ballot papers in circulation prior to polling as well at polling locations and allegations of tampering by voters and scrutineers.

Recommendation 21: *The Committee recommends that the planning, design and printing of ballot papers must be closely linked to the electoral roll update information to ensure that the number of ballot papers is equal to the number of voters in the electoral roll. The PNGEC must ensure that this is done as part of its administration of the election.*

Recommendation 21 contributes to achieving Expected Outcome 1 and 3 of TOR 2 (Election Process) because linking the preparation of the ballot papers with electoral roll update will contribute to a credible updated electoral roll (Outcome 1) and free, fair and transparent polling commensurate with the ballot information (Outcome 3).

Moreover, TIPNG observed that persistent electoral violence during successive National General Elections has hindered voters from exercising their right to vote. Causes of violence included citizens’ dissatisfaction with their inability to participate in elections, and with the perception that election processes were not being followed, including roll discrepancies, non-impartial polling officials, late

start to voting, delayed counting, and unconstitutional declaration of certain seats. Relevant recommendations relating to addressing election violence and security are covered in Section 6 of the Report.

4.4.2. Method of polling

Historically, the method of polling used in PNG has been roving polling, where teams conduct polling from one polling station (as defined in the election schedule) to another across the electorate. However, in recent elections, centralised polling has been used, especially for electorates in the Highlands Region.

Centralised polling occurs when voting takes place in a central location (e.g. in Local-level Government headquarters) as opposed to roving method of polling. This implies concentrating the security and concentrating the voting in one place. Observers have raised the concern that centralised polling tends to be anti-democratic, particularly in the highlands, as it limits participation from marginalised communities and individuals, including women and persons living with disability as there are often large violent crowds at centralised contested polling areas.

PNGEC views

In his presentation to the SPCGE, the Electoral Commissioner was in support of centralising polling, whereby for a particular Local-level Government, polling be done at its own chamber and the people from all Wards in the Local-level Government go to the chamber and cast their votes. This way, police manpower is concentrated in one area and not stretched out. In terms of time, the Electoral Commissioner suggested that under centralised polling, people be given thirty days or sixty days polling to allow them to come and cast a vote.

The Electoral Commissioner elaborated that before polling, voters are put on the portal and issued an ID card. Once issued with an ID card, the voters come to the centralised location and are free to vote because the environment is locked out by police and the polling teams are in there. When the voter gets into the centralised polling area they are free to vote as no one can see you or intimidate you. The voter is called in and provides his/her ID and when identified by the portal roll, the voter can cast his/her vote without being intimidated or influenced by any factor.

RPNGC views on centralised polling

During consultation, the Police Commissioner was asked by the Committee Chairman, Hon Allan Bird to provide his view on the centralised polling method. The Police Commissioner responded that while the merits of centralised polling are acknowledged, it will still have an element of risk because you would have tribal enemies converging on a single point (central location) and this would be problematic for everyone, let alone the security forces. This view is somewhat opposite of PNGEC view on the subject matter.

Summary

In summary, in most places around the country, where there is general compliance to the laws (i.e. little to no security issues) and given the sparse spread of the population due to the geographical nature of the country (implying huge logistical issue to bring people to one single location for centralised polling), roving polling method be maintained. Centralised polling may be considered if and only if roving polling could not be done due to unavoidable circumstances and on the condition that it is logistically and financially feasible to conduct central polling for the area.

Recommendation 22: *The Committee recommends that roving polling be maintained as the primary method of polling and that centralised polling may be considered if and only if roving polling cannot be done due to unavoidable circumstances and on the condition that it is logistically and financially feasible to conduct centralised polling for the electorate or part of that electorate in question, while guaranteeing reasonable access to all affected voters in the jurisdiction.*

Recommendation 22 contributes to meeting Outcome 3 of TOR 2 (Election Process) because the use of roving polling is democratic and more convenient and limiting the use of centralised polling to a case-by-case basis will contribute to better polling outcomes.

4.4.3. Biometric voting system

According to Wolf (2017), “Biometrics involves the measurement and analysis of unique physical or behavioural characteristics, especially as a means of verifying and identifying an individual” (p.1). In the context of a biometric voting system, voters are registered and identified based on their biometric characteristics such as fingerprints or facial or iris recognition. Voting and counting are then implemented using biometric technology. The main aim of the biometric voting system is to eliminate identity theft and voting fraud and to ensure that the “one person, one vote” principle for a democratic, free and transparent election is achieved.

Views from consultations

During the consultations, there was general support for biometric voting as a long-term solution to the election issues faced in PNG.

The Electoral Commissioner stated that a biometric system may be considered for the future because biometrics will require some in-depth check, by checking all the systems and whether people can trust the system. Everybody must learn to trust the system as to how its outcome will be. In addition, time is needed for doing awareness and understanding the process.

The IDEC Chairman stated that the IDEC did discuss biometric voting where it was recognised that PNG is challenged in terms of connectivity. The IDEC also recognised that the base document that would allow normal polling or electronic polling will still be the electoral roll. Therefore, the matter still remains as to how to build and update the electoral roll and ensure its integrity. It is equally important to discuss the forms of IDs that will facilitate the process, one which could potentially be electronic IDs. The other option would be to look at parts of the country that could go into that direction and look at developing the mechanisms to deal with that.

Recommendation 23: *The Committee recommends that the PNGEC plan for and conduct a pilot study in 2024 on the use of biometric technology for voter registration, voting and counting to assess the costs and benefits with clear recommendations for its potential adoption and use for the PNG Election system. The biometric technology be audited and the results of the pilot study be evaluated independently by a reputable private firm to ascertain its merits.*

Recommendation 23 contributes to meeting Outcomes 1, 3 and 4 of TOR 2 (Election Process) because the pilot study will provide useful lessons and considerations for voter registration and electoral roll (Outcome 1); better polling outcomes (Outcome 3); and credible counting or scrutiny outcomes (Outcome 4).

4.4.4. Photo-roll voting

A system that is short of biometric voting is the photo-roll option whereby a voter is registered with a photo identification. This is consistent with *Section 77 of the National Election Regulations* (PNG Electoral Commission, 2023).

During consultations, the Electoral Commissioner stated that a better option would be the photo-roll option which has been tested at Kupiano and also in Keasu in Moresby North West, Gerehu. The Commissioner qualified that in order to make the photo roll system work, the best strategy is for personal visitations by PNGEC officials to the villages and house-to-house survey. However, this requires a lot of time. Voter enrolment is then done by issuing ID or just one paper card, which will be the Voter ID. For voters that already have an ID on the electoral roll, that ID will be converted into a voter ID that will be issued at the time of voting. Mr. Sinai said PNGEC is expecting to progress the Photo-Roll system.

The Committee noted the recommendation by the Electoral Commissioner on the use of the Photo-roll system. However, considering that the work on the National Census (which involves house and village visitations) has not been able to be done properly on a timely basis as well as the high costs, more work is needed on the photo-roll option to fully grasp its effectiveness.

Recommendation 24: *The Committee recommends that the photo-roll system be used in selected Local-level Government areas in the 2024 Local-level Government Elections to assess its merits and consider for use in future National General Elections.*

Recommendation 24 contributes to meeting Outcomes 1 and 3 of TOR 2 (Election Process) because the use of a photo-roll system in the Local-level Government elections will provide an avenue to making improvements in voter registration and electoral roll (Outcome 1) and improving polling outcomes (Outcome 3).

4.4.5. Limited Preferential Voting (LPV) system

In post-Independence times, the first use of the LPV system was during six by-elections after the 2002 NGE (Standish, 2006).⁴ However, in terms of use at a full General Election, the 2007 NGE was the first General Election to use the LPV system as opposed to the First-Past-the-Post system (Anere and When 2009). Under the LPV system in PNG, voters rank candidates from 1 to 3, which are then counted through a process of elimination until a winner is declared.

Views from public inquiry

The Electoral Commissioner stated that the current LPV system has been used for some time now and the advantages and disadvantages are known. He emphasised that in the old system (i.e. *First-Past-the-Post*) there were a lot of problems (such as election violence) and LPV was adopted to give an opportunity to the people to vote in a more peaceful environment. With the LPV system, there are three options for voters to cast their votes and that worked very well because it has cut down on a lot of election violence. However, in terms of polling and counting, the LPV system requires a lot of work to manage the process. Nevertheless, the Electoral Commissioner thinks that the LPV system helped in many ways giving the opportunity and cutting down on potential problems and troubles that were faced by the people. There are different views about LPV but for the Electoral Commission, it

⁴ The five electorates to use the LPV system in the by-elections after the 2002 NGE were: Abau Open; Angalimp-South Wahgi Open; Chimbu Regional; Yangoru-Saussia Open; Moresby North-East Open; and Wabag Open.

prefers to manage the elections under the LPV system because it feels safe with running elections under the LPV system.

Recommendation 25: *The Committee recommends that the LPV system be maintained but make it work better by addressing the issues of implementation during the whole election process.*

Recommendation 25 contributes to meeting Expected Outcomes 3 and 4 of the TOR 2 (Election Process) because making improvements to the implementation of the LPV system will contribute to better polling outcomes (Outcome 3) and better counting outcomes (Outcome 4).

When asked by the Committee (through Hon Jacob Maki) to provide his views on the effectiveness of the LPV system and whether he had a strategy he could put for consideration and implementation in the 2027 elections, the Police Commissioner responded as follows. On the question of LPV versus the *First-Past-the-Post* system, in his personal view as a citizen (not as the Police Commissioner) was that there are some significant issues that are impeding the rights of having fair representation, which must be taken into consideration for decision-makers in the transition to the LPV system.

The *First-Past-the-Post* system was far quicker. With the LPV system, there is a process of elimination before the final result is arrived at. Many would argue that the LPV system is far more encompassing in engaging the wishes and desires of a particular electorate as to who their leader should be. As far as security is concerned, the current LPV system takes a long period of time when counting commences to declaration and return of writs. During elections, anything that takes a long period of time to do can build frustrations. The constant starting, suspending and restarting of counting creates a lot of ill-feeling as well as suspicions as to whether or not the counting has been conducted as transparently as they would like.

Recommendation 26: *The Committee recommends that consistent with Section 150 of the OLNLGE, during counting, one scrutineer each for all candidates must be allowed to be present at the counting venue. In addition, the law must allow for election observers and the media to be present at counting venues. This will ensure that there is transparency in the process and reduce the incidences of electoral fraud and violence caused by ill-feeling and suspicions.*

Recommendation 26 contributes to meeting Expected Outcome 4 of TOR 2 (Election Process) because allowing candidates' scrutineers, election observers and media in counting rooms for transparency will contribute to credible counting outcome in a peaceful and secure environment.

4.4.6. Polling period

The polling period is the time between the end of campaigning and the start of counting. Usually, the polling period is around two weeks with the use of one-day polling. For the 2022 NGE, while the polling eventually occurred from 9-22 July 2022, the polling schedule was not finalised and circulated until the week of polling – depriving citizens the opportunity to appeal as provided for in *Section 116* of the OLNLGE. In addition to this, the following provides some issues and recommendations relating to the polling period or schedule in the 2022 NGE.

Electoral Boundaries and Polling Schedule: views from election observation

Parliament is elected from single member electorates, which have not significantly changed since 1977. However, the population has shifted over time, with some areas growing faster than others, and other areas growing slowly, or declining. Some areas are under-represented, while other electorates

in some large rural seats are over represented. Inequalities arising from the present electoral boundaries need to be addressed to ensure equal representation for all citizens.

However, the exercise of setting electoral boundaries, per *Section 36 of the OLNLGE*, must be informed by electoral data, which in turn must be based on credible census data. There is also a prescribed process for consultation, feedback, and finalisation of the electoral boundaries – which includes display of maps of the proposed electoral boundaries. It is not clear if the legally required process for creation of electoral boundaries was fully complied with. The timing for setting of electoral boundaries in the 2022 NGE, just a few weeks prior to the issue of writs, should not be repeated. Due to the closeness of their establishment to the commencement of the election, the need to incorporate the 7 new electorates into the 2022 NGE workplan and execution, undermined security and logistical planning. This impacted the campaign period, polling schedule, and printing of ballot papers.

The determination of the electoral boundaries is the responsibility of the Electoral Boundaries Commission (ECB) per *Section 26 of the OLNLGE*. The membership of the Boundaries Commission comprises the following:

- the Electoral Commissioner, as Chairman;
- the Surveyor General;
- the National Statistician; and
- three other persons (one of whom must have experience in conducting an inquiry) appointed by the Head of State, on advice of the Electoral Commission.

In 2021, the composition of the ECB was as follows, per report in the media (Fairparik, 2021): Mr Simon Sinai, Electoral Commissioner as Chairman; John Igitoi (National Statistician); Chris Manda (Surveyor-General); Francis Kaigarua (DPLGA); John Kalamoroh (Deputy Electoral Commissioner); McDonald Nale (private lawyer); and Karo Lelai (private lawyer).

Recommendation 27: *The Committee recommends that the full process of determining the electoral boundaries per Section 35-42 of OLNLGE must be completed at least a year before the issue of writs to allow for timely incorporation of the new electorates into the administration, logistical and security planning for the elections.*

Recommendation 27 will contribute to meeting all the six Expected Outcomes for TOR 2 (Election Process) because confirming the electoral boundaries in advance will contribute to ensuring that all the requirements for the whole election process for the new electorates can be met on time. This will in turn contribute to the overall integrity of the elections for the country.

Views from public consultations

During consultations, the views from stakeholders centred around delays in polling and the question of the number of days of polling; that is, whether it is one day polling or multiple days of polling. The IDEC Chairman stated that although it was important to conduct the one-day polling, records from the 2022 NGE showed that polling in many places required more than one day. Unexpected administrative issues that come up need to be provided for in planning and address the inefficiencies that are inherent in these places. For example, the election schedule may have withdrawal of security forces and ballot papers at a particular time but the reality on the ground requires more time than what has been planned and scheduled for.

Recommendation 28: *The Committee recommends that a thorough assessment be done by an independent team under the PSCEM on the merits and practicality of the number of days required for polling for each electorate to ensure that the logistics and costs of conducting polling are properly determined for implementation during the election period. The assessment results must be included in the election plan and any special procedure for polling be captured consistent with Section 82A (Use of Special procedures in Elections) of the OLNLGE.*

Recommendation 28 will contribute to meeting Expected Outcome 3 of TOR 2 (Election Process) because ensuring the appropriate number of days for polling for each electorate will lead to proper planning and execution of polling.

Recommendation 29: *The Committee recommends that the date of polling for an upcoming election referred to in Section 79 of the OLNLGE must be decided upon and gazetted in March of the year after the previous election. The polling date will then provide the benchmark to work backwards in terms of planning and implementing the required activities and investments prior to and during the election year. The polling date shall be consistent with the provisions of Section 105 of the Constitution.*

Recommendation 29 will contribute to meeting all six expected outcomes of TOR 2 (Election Process) because the advanced decision on the polling date will provide the guide for advanced planning and implementation of the different aspects of the election process and outcomes.

4.4.7. Voters with special needs

In an election, every registered eligible voter must be given the opportunity to vote. For persons with special needs, special attention is required to ensure that they are enrolled and have the opportunity to vote.

Views from consultations

During the consultations, the Committee Chairman emphasised the point that all eligible voters, including persons with special needs, should be registered on the common roll and be able to go and cast their vote. In ENBP, representatives for persons with special needs were interviewed during the consultations and they provided the challenges of registering and voting. For example, transport was an issue for those physically handicapped such as the elderly, expectant mothers, and persons with disability.

The IDEC Chairman when interviewed, stated that voters with special needs must get the opportunity to cast their votes so there is a need to dedicate polling facilities for women and people with disabilities. It is important to have those facilities to make it convenient for those faced with challenges coming to vote.

Recommendation 30: *The Committee recommends that voting arrangements and logistics must include provisions for gender-sensitive and inclusive polling procedures. Having dedicated lines for women voters during polling in the 2022 NGE was a positive aspect of the election process that must be maintained and expanded with separate lines for voters with special needs and equipped with the appropriate infrastructure and equipment.*

Recommendation 30 will contribute to meeting Expected Outcome 1 and 3 for TOR 2 (Election Process) by ensuring that all eligible voters with special needs are registered (Outcome 1) and get to exercise their democratic right to vote (Outcome 3).

4.4.8. Ballot papers

A ballot paper is a form which a voter fills out to exercise his or her democratic right to vote in an election. The democratic right to vote is based on being registered in the electoral roll. The ballot paper contains key information about the candidate and his/her party affiliation. In the current LPV system used in PNG, the ballot paper has provision for selecting and ranking three candidates from 1 to 3.

Views from Consultations

In PNG, a voter has to complete two sets of ballot papers during polling: one for the Provincial seat (or Governor's seat) and the other for the Open Electorate seat. In this regard, the IDEC Chairman stated that there is a need to ensure that ballot papers for open and regional seats are clearly differentiated in order to reduce incidences of informal votes.

The Electoral Commission Submission Report (PNG Electoral Commission, 2023) also highlighted that most criticism in the elections has been made against the colour of the regional and open seats, where voters confused the two ballots and marked their choice for the Regional seat under the Open seat ballot, vice versa.

Recommendation 31: *The Committee recommends that the design of the ballot papers must have a clear distinction between the ballot paper for regional seats and those for open seats so that voters can cast their votes on the correct ballot papers. This is due to the fact that the ballot paper is the most important document that captures the votes or choices of voters, hence its design and use is of critical importance to the success of an election.*

Recommendation 31 will contribute to meeting Expected Outcome 3 and 4 of TOR 2 (Election Process) because a clear distinction between the Regional and Open Seat ballots will lead to better polling (Outcome 3) and better counting outcomes (Outcome 4).

At the public inquiry, the Police Commissioner stated that for the voting process itself, in the few elections after Independence, the ballot papers and boxes were used extensively and continue to do so. He added that where possible, there needs to be more seriousness shown around how the elections are delivered, especially during the voting.

The Commissioner further stated that alternative voting systems rely on technology or electronic voting systems and these can be made available all across the country or in a specific targeted area like urban centers. This would be a good start where the focus is on delivering voting. But ballot papers can be used in the rural areas where there is no stable internet connection. These are the many options that are subject to many discussions since the last election and the previous elections as well.

4.5. Counting or Scrutiny

Counting is the part of the election process where votes are counted to determine the winner under the LPV System since 2007 NGE and the *First-Past-the-Post* System before that. The word scrutiny is also used to mean counting of votes. The integrity of counting is crucial to the credibility of the elections. More often than not, counting is more closely scrutinised and disputed than any other part of the election. This subsection presents the key issues and recommendations aimed at improving the counting process so that public trust and confidence is brought back on counting in the elections in PNG.

4.5.1. Perceptions on counting under LPV system

Views from public consultations

During the Committee's interviews, the Electoral Commissioner stated that for counting under the LPV system, a lot of awareness is needed. That is, people must know the power of the three (3) choices under LPV and people need to understand as to what the LPV system is and how the power works and transfers from 1st preference to 2nd and 3rd preferences. The idea for the LPV system was to get candidates contesting the same area to give the 1st preference to his/her relative and the 2nd preference to the leader that is preferred and if he/she does not, then go to the third.

Recommendation 32: *The Committee recommends that education and awareness on counting under the LPV system must be done effectively in order for voters to understand the impact it has on the final result. This awareness must be done effectively by the PNGEC's Information and Civic Awareness Branch (ICAB) as part of its work on election education and awareness per Recommendation 51, starting from four years before the election year.*

Recommendation 32 will contribute to meeting Expected Outcome 4 of TOR 2 (Election Process) because education and awareness on the LPV counting system will lead to better understanding of the system and its impact on the election results, hence leading to less disputes.

4.5.2. Views on centralised counting

Under a centralised counting framework, the ballot boxes and papers are brought to a central location such as the Local-level Government chamber or provincial headquarters and votes are counted there. Just like centralised voting, the logistics are concentrated in one location and the counting takes place and results declared. This allows for more control in the election system instead of leaving it loose where people have easy access to the ballot boxes and causing problems.

Views from public consultations

The Electoral Commissioner stated that given the presence of police and people in the centralised Local-level Government area, the counting can be done there after polling. In the 2022 NGE, this approach was tried because of time constraints. That is, the PNGEC advised for counting to proceed according to Local-level Governments. In 2027, this approach can be adopted but done properly. The counting can be done by Local-level Governments for both the Open seat and Provincial seat. However, to make this work, people must take ownership.

Unlike his views on centralised polling, the Police Commissioner was in support of centralised counting, which is already in practice, where counting was done in the headquarters of the provinces, rather than districts. Mr Manning strongly suggested to the Electoral Commission that counting should be centralised so RPNGC is no longer required to have 80 to 100 officers travelling to an electorate to provide security for counting. Centralising the counting was where RPNGC saw better use of its limited resources, but unfortunately for centralised polling, the Commissioner does not think PNG is ready for that yet.

An important point to note is that when counting is carried out, be it centralised counting or otherwise, representatives of political parties and candidates and election observers must be allowed to be present during this process.

Consistent with *Section 148(2)* of the *OLNLGE*, counting shall be held within the electorate where the election was held. However, pursuant to *Section 148(3)* of the *OLNLGE*, the Returning Officer can also appoint a counting venue outside the electorate such as provincial headquarters, if circumstances make it difficult for counting within the electorate. Considering the security and logistical reasons provided by the Police Commissioner, the head of election security management and leadership, centralised counting is within the law and can be adopted as and when circumstance demand, as per *Subsection 148(3)* of the *OLNLGE*.

4.6. Declarations

Declaration of results is probably the most anticipated part of the election process because that is when the winner of each seat is declared or revealed. The declared winner is obviously elated, as are his or her supporters. However, for candidates that lose, different emotions arise, with some being satisfied that they gave their best in the race while others do not accept the results and sometimes resort to violence. In this subsection, the report highlights some key issues relating to declaration of election results in PNG.

In the 2022 NGE, out of the 118 writs issued, 117 writs were returned with one electorate declared as failed (Lagaip Open). Of the 117 writs returned, one seat had a deceased candidate declared the winner according to law (i.e. North Bougainville Open). At the time of writing, a by-election has been completed for the North Bougainville Open with a member declared. The Lagaip Open Seat was in the process of counting.

After the elections, four other electorates went to by-elections for different reasons. They include Wewak Open and Maprik Open (due to their member passing on after winning the election); Kabwum Open (vacant via Court of Disputed Returns); and Madang Open (due to dismissal from office of the incumbent under the Leadership Code).

4.6.1. Delays in declarations

During the consultations, a common issue raised in terms of declarations is the delay in declaration of result for certain electorates. For example, the NCD Regional seat was one of the first to commence polling and counting but one of the last ones to be declared. The delays for the seat are well documented. Another example was that for the East Sepik Regional seat, the incumbent was the first to reach the absolute majority mark (50%+1) but it was delayed for five days for a declaration because some candidates had taken control of the counting room. The overall impact was that the return of writs was delayed and went beyond the date gazzetted.

The main factors for delays are funding delays for counting officials; candidate and scrutineer protests due to lack of reliable access to accurate information; and weather patterns that are subject to nature.

Recommendation 33: *The Committee recommends that the PNGEC must address administrative factors that cause delays in polling, counting and declaration so that polling, counting, and declarations are done on time and writs are returned on time, consistent with the legal provisions in the OLNLGE, in particular, Section 80 (Date of return of writs) and Section 175 (Return of writs). For the impact of natural factors like the weather on polling, consideration could be given for adjusting the polling dates to appropriate time periods during the election year, but within the legal requirements for return of writs.*

Recommendation 33 contributes to meeting Expected Outcome 3, 4 and 5 of TOR 2 (Election Process) because by addressing the causes of delay in polling, counting and declarations, this will lead to better outcomes for polling (Outcome 3), counting (Outcome 4) and declarations (Outcome 5).

4.6.2. Views on validity of declarations

According to the PNGEC (PNG Electoral Commission, 2023), out of the 118 writs issued (for the 118 seats), 117 were returned in August 2022. This means that only one seat was declared as failed (i.e. Lagaip Open seat) due to violence, voter intimidation, and destruction of ballot boxes and ballot papers. However, during the consultations, there was a general perception that declarations for many other seats should have been failed. Mr Reuben Kaiulo, former Electoral Commissioner, appearing as a private citizen, reported that in the 2002 National General Election, he failed six seats.

Ideally, the elections should be conducted with integrity and transparency and according to law so that the results are valid and accepted by all parties. If not then the elections must be declared failed. *Section 97(2)* of the *OLNLGE* stipulates that “an election shall be deemed to have failed if no candidate is nominated or returned as elected”. However, this provision does not provide specific criteria for failing an election.

In its written submission to the SPCGE, TIPNG recommended for the development and sharing of a clear expected standard of what constitutes a successful election so that a failed election can be assessed objectively. This task should be done by the PNGEC as part of its planning for the elections and awareness programs.

Recommendation 34: *The Committee recommends that the PNGEC develop a clear set of criteria on what constitutes a successful election, which shall be used in determining the success or otherwise of an election result for a seat. The PNGEC shall issue a public statement on the criteria before the election year, as part of its education and awareness programs.*

Recommendation 34 will contribute to meeting Expected Outcome 2 and 5 of TOR 2 (Election Process) because having a clear set of criteria for the success or otherwise of an election will ensure that there is credibility in the decisions on candidate nomination (Outcome 2) and declaration of results (Outcome 5).

4.6.3. Special circumstance declarations

There was significant concern and public outcry during the 2022 NGE regarding the Electoral Commissioner’s declaration of three seats under special circumstances: Southern Highlands Regional, Markham Open, and Kabwum Open. The electoral commission’s submission to the SPCGE did not provide specific reasons as to why the special declarations were made, except the violence related issues reported publicly. In its report (PNG Electoral Commission, 2023), the PNGEC only said “several of the declarations and return of writs were done so under special circumstances arrangements as determined by the Electoral Commissioner” (p.3). At the public hearing, former Electoral Commissioner, Mr Reuben Kaiulo stated that Special circumstance declaration was abused in the past so the criteria for special circumstance declarations needs to be clearly defined.

The relevant legal provision is *Section 175 1A(b)* of the *OLNLGE* which states that “in special circumstances, the Electoral Commissioner may declare a result based on information concerning scrutiny and other information provided by the Returning Officer or an Assistant Returning Officer”. However, the law is silent on the specific criteria to be used by the Electoral Commissioner to make special declarations. This may leave the current provision to abuse by Electoral Commissioners.

Recommendation 35: *The Committee recommends that Section 175 1A(b) of the OLNLGE regarding Special Circumstance Declaration be repealed to avoid the provision being abused and manipulated for political or administrative convenience. Instead, if an election process is not complied with for a successful election per the criteria referred to in Recommendation 34, then the election for the seat must be declared as failed and a by-election shall be held.*

Recommendation 35 will contribute to meeting Expected Outcome 5 and 6 of TOR 2 (Election Process) because having specific criteria for special circumstance declaration brings credibility to declarations (Outcome 5), thus reducing the incidence of disputed returns (Outcome 6).

4.6.4. Regional summaries

For issues on declaration raised in the regional consultations, the following were observed. In the Southern Region, the main issue was delays in declaration due to disputes by candidates and scrutineers. There were no special circumstance declarations. However, violence and unease was observed in the multi-ethnic seats in NCD.

For the NGI Region, in general, declarations were done peacefully to the extent that in one seat (Rabaul Open), the declared member won by only 3 votes (i.e. 5,192 to 5,189 for the runner up) and there was no violence. The seat was later challenged through the established legal process and a new member was declared after the court found that a technical issue (mathematically) had affected the initial result. The main issue in the region was delayed declaration: for example, the Nakanai Open seat (due to disputes with multiple signatures on the ballot papers) and the two seats in Manus (due to candidates and scrutineers voicing concerns on a daily basis).

The Momase Region was also generally peaceful. However, violence marred two electorates in Morobe Province (Kabwum Open and Markham Open), which eventually got declared by the Electoral Commissioner on Special Circumstances under *Section 175 1A(b)* of the OLNLGE. The Kabwum special circumstance declaration was apparently on the recommendation of the Morobe Provincial Elections Steering Committee as reported by Mr Simon Soheke, Provincial Election Manager, Morobe Province.

The problems with declaration were more profound in the Highlands Region particularly the electorates in the western part of the Region in Southern Highlands Province, Hela Province and Enga Province. That is, there were delays in declarations which were due to counting delays (because of disputes) and also issues relating to violence. When making his presentation, the Provincial Police Commander for SHP lamented that “after declarations, you would anticipate destructions, damages, and disturbances may arise.” This is a worrying observation because it appears that trouble is expected after a declaration. This wrong mindset must be addressed by all stakeholders.

4.7. Disputed Returns Process

According to *Section 206* of the OLNLGE, “the validity of an election or return may be disputed by petition addressed to the National Court and not otherwise”. Based on this provision, after the 117 Writs were returned, a total of 102 petitions were filed in the Court of the Disputed Returns (PNG Electoral Commission, 2023). With some of the seats attracting more than one petition, the total number of seats affected by petitions was 80 or 68% of the 117 Writs returned.

As per *Section 206* of the OLNLGE, losing candidates have a democratic right to lodge election dispute petitions but the question that needs to be asked is whether the petitions are genuine and have strong grounds because evidence has shown that in a majority of cases, the petitions are unsuccessful.

This implies that there must be proper criteria used to assess each petition before being progressed through the Court of Disputed Returns.

Recommendation 36: *The Committee recommends that there must be clear criteria for election petitions with a filtering process so that only genuine cases proceed to the Court of Disputed Returns. This can be done via an amendment to Section 208, Subsection (a) of the OLNLGE where the “facts relied on” must be clearly spelled out in law under this Subsection. If a case is criminal under the Criminal Code and/or Summary Offences Act, then such matters can be litigated under those relevant laws.*

Recommendation 36 addresses Expected Outcome 6 of TOR 2 (Election Process) because having clear criteria for election petitions with a filtering process will lead to only credible petitions being brought to the Court of Dispute Returns and hence cut down on time and resources used in dealing with election petitions.

4.8. Code of Conduct for Political Parties, Candidates and Voters

In preparation for the 2022 NGE, the PNGEC in collaboration with the IPPCC developed and launched a Code of Conduct Handbook for political parties, candidates, scrutineers and voters (PNG Electoral Commission, 2022). The aim of the Code of Conduct was “to ensure the integrity of the electoral process, foster a peaceful campaign environment and promote the orderly conduct of elections” (p. 4). The key features of the handbook included: general principles; conduct at nomination period; conduct during the election campaign; conduct during election day; conduct during counting and tabulation of results; and post-election conduct.

Recommendation 37: *The Committee recommends that parties, candidates and voters must adhere to the Code of Conduct developed by the PNGEC and IPPCC in the upcoming 2027 National General Election and future elections.*

Recommendation 37 will contribute to all six Expected Outcomes of TOR 2 (Election Process) because the achievement of the expected good outcomes relating to the election process (per Outcome 1 to 6) require good conduct by the parties, candidates and voters.

4.9. Conclusion

The election process encompasses the common roll update, campaigning, voting or polling, counting/scrutiny, declaration, and the disputed returns process. In this report, various issues and recommendations have been provided under each of the election process aspects. It is recommended that the Parliament approves the recommendations for implementation that so that in the 2027 NGE and future elections, there will be less number of petitions due to the fact that the election results are based on a highly credible election process and outcome.

5. ELECTION FUNDING: ISSUES AND RECOMMENDATIONS

This section presents the issues and recommendations related to the third TOR, which is on election funding. The amount and timely appropriation of funding for elections is important for ensuring that all materials and services required for the elections are procured on time. Funding or the lack of it and the delays in disbursing such funds have been a constant election issue in PNG.

This section of the report covers the following:

- Subsection 5.1 presents the expected outcomes that are needed in order for election funding to have a positive impact on the election process and administration.
- Subsection 5.2 presents the key stakeholders involved in election funding.
- Subsection 5.3 presents the Government budget process to provide the context on election funding.
- Subsection 5.4 provides information on election budget submission and allocation and the issues that come with these.
- Subsection 5.5 discusses procurement issues for the elections.
- Subsection 5.6 discusses subnational perspectives on election funding and procurement.
- Subsection 5.7 reports on the election expenditure reporting by those entrusted with the election funding.
- Subsection 5.8 discusses specific recommendations by the primary agency for government funding, the Department of Treasury.
- Subsection 5.9 concludes the report on election funding.

5.1. Expected Outcomes on Election Funding

As far as the elections are concerned, the key outcomes expected in terms of election funding are as follows:

- ***Expected Outcome 1:*** That adequate funding is provided to fund the activities related to election preparation and conduct based on credible budget submissions by the relevant agencies.
- ***Expected Outcome 2:*** That the election funds are provided in a timely manner spread over the 4-year period prior to the election year for election preparation and in the election year for election conduct, based on an approved election plan that must be drafted within six months of the return of writs for the preceding election.
- ***Expected Outcome 3:*** That the election funds are spent during the 5-year cycle according to the approved budget guidelines and procurement provisions to ensure that there is maximum positive impact on the election process and administration.
- ***Expected Outcome 4:*** That the uses of election funds are effectively accounted for and reported through Election Expenditure Reports within the timeframe provided for in the relevant laws and regulations.

The above should be used as the criteria for planning and assessing election funding.

5.2. Key stakeholders involved in Election Funding

The primary agency responsible for government finances is the Department of Treasury, which is mandated to provide sound and practical fiscal policy and structural policy advice to the Government. That advice must lead to improving the lives of all citizens. As far as elections are concerned, the Department of Treasury is the lead agency for the allocation of funding for financing the elections in collaboration with the Department of Finance. Therefore, the Department of Treasury plays a pivotal role in the success of elections in this country, and indeed the success of the overall delivery of public services in the country.

Based on the Committee's consultation, the key stakeholders for election funding include the following: PNGEC, which is responsible for making budget submissions to the Government (via Department of Treasury) and spending the bulk of the election funding; disciplinary forces for making submissions on security budget and spending; and Treasury and Finance Departments for issuing warrants and managing the reporting and accountability of election funding.

For national Government funding, ultimately, in terms of budget allocation and approval, the Executive Government and Parliament are the main stakeholders because the funding for elections is part of the budget that the Government develops which eventually gets presented to Parliament for approval at the budget session in November of each year.

At the subnational level, the Committee was made aware during regional consultations that the Provincial Governments/administrations provide funding for the elections, in particular to fill in gaps where there was shortage of funding from the national government or based on the need to prepare well in advance of the elections.

In addition to government funding, the Committee was made aware during consultations that donor agencies or development partners also play a role in election funding either via direct funding support to relevant government agencies or donations in kind, which are funded by them. This mainly applies for support to the security agencies: RPNGC, PNGDF and PNGCS. Donor funds were given directly to these agencies as the Department of Treasury reported that no donor funding for elections went through the Treasury Department.

5.3. Budget Process

During the public hearing, the representative from the Department of Treasury, Mrs Napa Hurim, Deputy Secretary responsible for budgets, presented the budget process to provide the background and context on how much funding was given for the 2022 NGE.

The following presents the budget process for any given financial year (January-December) based on information presented by the Treasury at the hearing as well as relevant published documents:

- *Stage 1 (Preparatory work)*: At the Treasury Department level, the budget preparation starts as early as January. Agencies are not informed of progress until sometime in the middle of the year; however, the technical work commences as soon as the fiscal year starts in January.
- *Stage 2 (Submission of Work and Procurement plans)*: The Treasury Department issues three circulars asking all agencies to provide their work and procurement plans.
- *Stage 3 (Release of the Final Budget Outcome [FBO] report)*: On the 31st of March each year, the Treasury releases the FBO report for the previous year. For example, in March 2023, the FBO report for 2022 is published.
- *Stage 4 (Release of the Mid-Year Economic and Fiscal Outlook [MYEFO] report)*: On 31 July each year, the Treasury Department is required to publish the MYEFO report, that gives a mid-year update of the performance of the economy and implementation of the Budget for that year. This is a requirement pursuant to *Section 9* of the *Fiscal Responsibility Act 2006*.

- Stage 5 (Issuance of Budget Circulars): the budget circular is issued after the MYEFO is published, that is after July.
- Stage 6 (GDP Forecasting and quarterly budget reviews): The Department does three rounds of GDP forecasting and three rounds of quarterly budget reviews, two that are paper-based and one face-to-face where agencies discuss with Treasury, the review of the current year's budget.
- Stage 7 (Formulation of the Budget Strategy Paper): The FBO and MYEFO feed into the formulation of the following year's budget. For example, the 2021 FBO report (released in March 2022) and the 2022 MYEFO report (released in July 2022) would have contributed to the formulation of the Budget for 2023 (handed down in November 2022).
- Stage 8 (Submission of Budget Bids): All government entities submit their budget bids in August of each year for consideration to the Department of Treasury for recurrent budget and Department of National Planning and Monitoring (DNPM) for capital budget. When the bids are submitted, they are consolidated through a screening process for presentation to the Strategic Budget Committee (SBC).
- Stage 9 (Consideration and recommendation by the SBC): The budget bids go before the SBC which is comprised of the Deputy Secretaries of key Central Agencies: DoT; DoF; DNPM; Department of PM&NEC; and Department of Personnel Management (DPM). Deputy Secretary for Treasury is the chair of SBC. The SBC then makes recommendations to the Central Agencies Coordination Committee (CACC).
- Stage 10 (Consideration and recommendation by the CACC): The budget with recommendations by the SBC goes before the CACC which is made up of Secretaries of the key central agencies mentioned above and the Committee is chaired by the Chief Secretary. The CACC considers the budget and recommends to the Ministerial Economic Committee (MEC).
- Stage 11 (Consideration and recommendation by the MEC): The budget and recommendations by the CACC goes before the MEC which is made up of Economic Ministers. The MEC is chaired by the Treasury Minister. The MEC then recommends the budget to the National Executive Council (NEC) chaired by the Prime Minister.
- Stage 12 (Approval by the NEC): The NEC considers, amends and approves the budget for presentation to Parliament for passing.
- Stage 13 (Passing of Budget Bills by Parliament): The NEC-approved budget is presented in the Parliament in November each year, in the form of budget bills. Once presented, opportunity is given for debate on the budget and reply by the Opposition a week later. The budget bills are then passed by Parliament.
- Stage 14 (Certifying of Budget Bills by Head of State): Once Parliament has passed the budget bills, they are then certified by the Head of State (Governor General) for them to become law for implementation.

The budget process is presented here so that the discussion on election funding issues can be put into context.

5.4. Election budget submissions and allocation

For the Committee to fulfil its terms of reference, it was crucial that the Department of Treasury provide the election budget submission, allocations and expenditure. This section of the Committee's report provides this budgetary information based on a written submission from Secretary of Treasury, Mr Andrew Oaeko, dated 13 March 2023.

5.4.1. Budget bids

The following table presents the budget bids or submissions by relevant stakeholders and approval by the NEC around October 2021.⁵

Table 10: Budget bids and approval for 2022 NGE (K'million)

No.	Agency	Bid amount (K'm)	SBC Recom. (K'm)	CACC Recom. (K'm)	MEC Recom. (K'm)	NEC Approved (K'm)
1	PNGEC	682.57	311.30	311.30	311.30	311.30
2	RPNGC	194.28	155.20	155.20	155.20	155.20
3	PNGDF	98.89	72.80	72.80	72.80	72.80
4	PNGCS	54.58	11.60	11.60	11.60	11.60
5	NBC	21.00	10.00	10.00	10.00	10.00
6	SSO	3.00	3.00	3.00	3.00	3.00
7	OC	2.50	2.50	2.50	2.50	2.50
8	Reserved Allocation		33.60	33.60	33.60	33.60
	Total	1,056.82	600.00	600.00	600.00	600.00

Source: Department of Treasury written submission dated 13 March 2023

Five key points are worth noting from the information presented in the table above. First is that the total estimated election cost by the relevant agencies (per the bids) was more than K1 billion out of which only about 57% or K600 million was approved by the NEC based on recommendation by SBC, CACC and MEC.

The second observation is that the Treasury reported that the PNGEC submitted its budget bid of K682.57 million only on 20 August 2021 after “so many follow up emails and phone calls”. The late submission of the budget bid by the PNGEC, the constitutionally mandated administrator/coordinator of the election, was not ideal. Recommendations 38 and 41 address this matter.

The third observation is that, except for the State Solicitor’s Office and Ombudsman Commission, budget bids for the other agencies were cut substantially. This raises a question of whether the shortfall in the approved budget against the submissions had adversely affected the operations of the election or whether the initial bids were overly inflated by these agencies whose bids were cut substantially.

The fourth point is that as expected, the PNGEC, the main agency, was appropriated more than half of the budget (i.e. 52% or K311.3 million) followed by the lead security agency, RPNGC at K155.2 million.

The final point is that at the SBC and onwards, a reserved allocation of K33.6 million (not part of original bid) was provided for, which can be seen as mitigating the cuts in the agency bids. This amount was eventually distributed (see next subsection for details).

⁵ PNGEC = PNG Electoral Commission; RPNGC = Royal PNG Constabulary; PNGDF = PNG Defence Force; PNGCS = PNG Correctional Service; SSO = State Solicitors Office; OC = Ombudsman Commission.

It is to be noted that according to Treasury, the funding information provided excludes donor funding support for which the Department does not have information on because donor funding for the elections were submitted directly to recipients and not through the Department of Treasury.

5.4.2. Budget bids and allocation

According to the Treasury submission, following the initial bids and approval by NEC, the budget was then appropriated under Division 207 – Treasury and Finance Miscellaneous under Appropriation Level 13117. The respective amounts were then disbursed to the relevant agencies to fund the election activities under their jurisdictions. The break-up of the election funding is presented in the table below.

Table 11: Budget bids and allocation for 2022 NGE (K'million)

No.	Agency	2022 Bid (K'm)	Initial approved (K'm)	Allocation of Reserved funds (K'm)	Additional funds from other sources (K'm)	Total Funding (K'm)	% of total election funding
1	PNGEC	682.57	311.3	-	-	311.3	44.7%
2	RPNGC	194.28	155.2	22.0	63.0	240.2	34.5%
3	PNGDF	98.89	72.8	3.27	29.83	105.9	15.2%
4	PNGCS	54.58	11.6	-	3.0	14.6	2.1%
5	NBC	21.0	10.0	-	-	10.0	1.4%
6	SSO	3.0	3.0	-	-	3.0	0.4%
7	OC	2.5	2.5	-	-	2.5	0.4%
8	OSCA	-	-	1.0	-	1.0	0.1%
9	IDEC	-	-	1.1	-	1.1	0.2%
10	NIO	-	-	2.5	-	2.5	0.4%
11	IPPCC	-	-	1.0	-	1.0	0.1%
12	DICT	-	-	2.73	-	2.73	0.4%
13	Reserved Allocation		33.6				
	Total	1,056.82	600.0	33.6	95.83	695.83	100.0%

Source: Compiled from Department of Treasury written submission dated 13 March 2023

Based on the information in the above table, the following can be observed. First is that the total allocated budget was higher by K95.83 million (or 16%) from the initial approved amount of K600 million. This amount represents additional funding to the three disciplinary forces, with the RPNGC getting the bulk of it (K63 million), followed by PNGDF (around K30 million).

The second observation is that five additional agencies were included in addition to the 7 original agencies (see Table 1). The additional five agencies were the Office of Security Coordination and Assessment (OSCA) at the Department of Prime Minister and NEC; Inter Departmental Election Committee (IDEC); National Intelligence Organisation (NIO); Integrity of Political Parties and Candidates Commission (IPPCC); and Department of Information and Communication Technology. The third observation is that the K33.6 million reserved allocation was allocated with the highest component of K22 million going to RPNGC. The rest of it was allocated to PNGDF and the five additional agencies mentioned above.

The final observation is that after the allocation of the additional funding and reserved allocation, the PNGEC's share of the funding fell to 45% (as opposed to more than 50% in the initial approved budget) followed by RPNGC (35%) and PNGDF (15%) while the rest of the allocation shares were below 5%.

5.4.3. Disbursement of funds

The K695.83 million (revised) total funding for the election was disbursed from February 2022 to October 2022. The disbursement agency and dates are provided in the table below, as provided by the Department of Treasury.

Table 12: Disbursement of election funding in 2022 (K'million)

No.	Agency	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
1	PNGEC		100		50		120	41.3						311.3
2	RPNGC		111		14.2	35	20	10	20		30			240.2
3	PNGDF		50		10	12.8	20	13.1						105.9
4	PNGCS			11.6				3						14.6
5	NBC			10										10
6	SSO			3										3
7	DICT							2.73						2.73
8	OC			2.5										2.5
9	NIO				2.5									2.5
10	IDEC						1.1							1.1
11	OSCA				1									1
12	IPPC				1									1
	Total		261	27.1	78.7	47.8	161.1	70.3	20	-	30	-	-	695.83

Source: Department of Treasury written submission dated 13 March 2023

Based on the disbursement information in the table above, the following points are of concern. First is that disbursing the bulk of funding for the election during the election year is not ideal for conducting timely preparations. Ideally, the funds should be planned for and disbursed in the prior years, especially those earmarked for preparations such as common roll update and security preparations. During consultations, most of the agencies did express that the late disbursement of funding was a major area of concern. Recommendations 38-42 are aimed at addressing this matter.

The second point is that at the sub national level, there was a general sentiment that the national funding did not get to the provinces on time or it was insufficient; hence provincial governments had to chip in to fill the gaps. This raises the question of how the funding from national agencies was used especially from the PNGEC and RPNGC, which have subnational offices or functions.

The third point is that in addition to the traditional security agencies of RPNGC, PNGDF and PNGCS, two other security-related agencies (NIO and OSCA) were also given funding, taking the total funding for security to K364.2 million or 52% of the total election budget. However, during consultations, the Committee noted that big lapses in election security was a major concern. The late disbursement of

funding, as mentioned earlier, was a contributing factor. However, even for the funding that was given, the question remains as to how effective was the coordination of election security.

The final point is that other agencies that were given funding besides PNGEC and security related agencies, need to report on the use of the funding received in terms of how the funding has contributed to improving the election in 2022. During the consultations, the Treasury Department reported that the reporting and acquittal of election funding was poor. *Section 4* of the *PFMA* states that a departmental head who fails to submit a financial report, when required to do so, is guilty of an offence. The reporting and acquittal of election funding must be improved going forward.

5.4.4. Issues on election budget submission and appropriation

Timing of funding disbursement

The overall viewpoint during the consultations was that the disbursement of election funding was very late. As a case in point, the Committee Chairman asked the Police Commissioner when the funds arrived for the RPNGC. The Commissioner responded that the Police had two funding requirements. The first one was for the preparation of the election, which included activities such as planning conferences and financial management conferences for senior officers of the force, in particular, the Provincial Police Commanders. The role of the Provincial Police Commanders is twofold: (1) to deliver operational plans for the elections; and (2) to manage funding that is given to them with an appropriate level of financial management skills.

The second part of the required funding was for the deployments for the election process itself. The Police Commissioner stated that there were significant delays in the release of this funding. Hence, the RPNGC was unable to meet its deadlines and timelines with one of the key activities skipped; that is, the pre-election operations.

Chairman Bird asked when the RPNGC actually received the funds (i.e. when the funds hit the accounts). When Chairman Bird asked the same question earlier to the Electoral Commission, they said they received their first K40 million in February 2022. Mr Manning responded that in general, funding for 2022 NGE was received unusually late compared to other previous elections.

The delays in disbursement of election funding supports the recommendations in this report on the need to ensure that election funding is sought for and provided well in advance of the election year, starting from the first year after the return of writs for the previous election.

Investment funding for elections

It was evident during consultations that investment funding for the elections must be provided well in advance of the election year, starting from the year after the previous election. The PNGDF Commander, Major General Goina strongly recommended that for any national event such as the national elections, investment must be done well in advance so that equipment can be procured on time to help the Government deliver on the task on time. This strong recommendation was made on the basis that funding for PNGDF came in quite late and it was struggling to get all these things for the operations.

As an example, due to late funding and procurement, some PNGDF vehicles came in after the election had concluded. In addition to the need for advance investment, investments must be done yearly so that at election year, the cost is minimal because all the requirements by the PNGEC, PNGDF, Police, PNGCS, and other relevant players would have been addressed well in advance. This will ensure that the transition into the conduct of the election activities (during the election year) is smooth and delivered as required and expected by the Government and the people.

Recommendation 38: *The Committee recommends that the budget appropriations for the general elections must be done annually, commencing 4 years before the election year. This will ensure that there is smooth transition into the election year and that the costs for the election year are manageable, instead of lumping all costs during the election year. To ensure timely provision of funding for elections, there must be effective compliance with annual budget submissions by the PNGEC and support institutions per Section 51 of the PFMA; timely disbursement/payments of the appropriated funds by Treasury and Finance Departments per Section 53 of the PFMA; and effective procurement systems via the Special Procurement Committees of the relevant institutions.*

Recommendation 38 will contribute to meeting Expected Outcome 1 and of TOR 3 (Election Funding) because the annual provision of funding for the elections, starting 4 years before the election year, will ensure adequacy of the funding and timely funding.

Budget and expenditure, and administrative arrangement for Defence Force

An issue was raised during the public hearing regarding the budget and expenditure arrangement for the PNGDF. Deputy Chairman Temu commented that one advantage for the PNGDF in terms of budget and expenditure could be the administrative arrangement where there is a Department of Defence led by a Secretary and the Defence Force led by the Commander. That is, the Department Secretary makes sure that things are done on time and according to the requirements of the law while the Commander focuses on the operations, making sure that the country is safe. That arrangement does not exist with the Police. A question was asked to the Commander as to what the situation might be if there was no Department and Secretary, which would be similar to the Police and PNGCS.

The Commander responded that the Defence Force has a hierarchy and structure which is respected and utilised to ensure that policy and files are taken care of by the Secretary. However, in his view, the arrangement has some disadvantages as well. For example, it takes a longer process when the Commander is making decisions without any visibility of funds. For the 2022 NGE, the Commander had a more hands-on approach in that he took control of funds and directed their allocation. Sir Puka acknowledged that but commented that somebody has to manage it while the Commander is directing it. Mr Goina responded that the Secretary has to manage it and that is why the delivery of the support to the Defence Force is currently ongoing. But in his experience, with the recurrent budget, there are some difficulties when the Commander is working through the Secretary to carry out orders.

Recommendation 39: *The Committee recommends that the procurement systems for the Disciplinary Forces (RPNGC, PNGDF and PNGCS) for the elections be synergised by establishing Special Procurement Committees for all the three Disciplinary Forces with clear procurement guidelines. The procurement guidelines must have control measures in place, consistent with the National Procurement Act, Public Finance Management Act and Financial Instructions, to ensure that funds are spent within budget and properly acquitted according to sound financial management practices. The three agencies should also cooperate and coordinate resources to ensure effective use of the funds under the auspices of the Joint Security Task Force (JSTF).*

Recommendation 39 will contribute to meeting Expected Outcome 3 and 4 of TOR 3 (Election Funding) because the use of Special Procurement Committees will facilitate the procurement process consistent with the necessary guidelines (Outcome 3) as well as managing the accounting of the funds and preparation and submission of expenditure reports on time (Outcome 4).

Election budget coordination

A key theme emanating from the hearings was that election budgets are done in silos and they are not coordinated. An election budget should be a one-off budget for all and it should go by priority areas at the strategic level and at the operational level. Also, the budget should be planned for and submitted for annual allocation, starting four years before the election year. Recommendation No.39 (regarding synergy in procurement systems for security agencies) addresses the issue of election budgets being done in silos. The need for advanced budgeting supports Recommendation No.38.

Decision-making process for the election budget

The decision-making process for the election budget and funding affects the operations of the election. During the hearings, the SPCGE Chairman asked the IDEC Chairman as to who influences the decision-making process for the budget. The IDEC Chairman responded that IDEC plays only a coordinating role in the submission of budgets to Government. Each of the state agencies were required to submit their budget and their requirements, through the normal budget process. With all these arrangements, the Committee noted that election preparations that was supposed to come in 2021 did not come due to funding constraints. This is a very important lesson which must be addressed for future elections.

Recommendation 40: *The Committee recommends that the IDEC as the Election Administrative Coordination body for Government, should ensure that the election work plans and budget plans by the PNGEC and relevant election agencies and stakeholders (such as the RPNGC, PNGDF, PNGCS and PESCs) are completed and funded starting from the year after the previous election (i.e. 4 years before election year), whilst prioritising funding that is needed for preparatory activities.*

Recommendation 40 will contribute to meeting Expected Outcomes 1 and 2 of TOR 3 (Election Funding) because effective coordination by IDEC for election work plans and budget starting the year after the previous election will ensure adequacy of funding for elections (Outcome 1) and timely provision of election funding (Outcome 2).

5.5. Procurement Issues

During the Committee's consultations, procurement issues were a major concern mentioned by the PNGEC and security agencies. Procurement is vital for the elections because the timely procurement of goods and services is required for an effective and efficient election. This subsection presents some of the procurement issues and recommendations.

5.5.1. The need for timely procurement of goods and services

During the hearing, there was general consensus that the procurement of goods and services were delayed due to the delays in the disbursement of funding for elections. The PNGEC and security agencies stated that a lot of their procurements occurred quite late or they were not able to bring certain essential items that were required for election on time. The IDEC Chairman reported that the effectiveness and timeliness of procurement depended on the budgets in place for the conduct of the elections. A lot of the budgetary requirements for 2021 were not provided so a lot of planning and implementation could not proceed.

Recommendations 38 to 42 of this report aim to address the delays in procurement by: (1) ensuring that budget appropriations for the election are provided starting 4 years before the elections (Recommendation 38); (2) setting up Special Procurement Committee of security agencies to ensure efficiency in procurement processes (Recommendation 39); (3) effective administrative coordination by the IDEC for election work plans and budgets annually (Recommendation 40); advance funding for the PNGEC (Recommendation 41); and advance funding to provincial election stakeholders (Recommendation 42).

5.5.2. Role of the National Procurement Commission

As per the *National Procurement Act 2018*, the National Procurement Commission (NPC) is the mandated body to oversee procurement operations for all public and statutory bodies. Given the procurement bottlenecks reported by the key election stakeholders, the NPC needs to be actively involved in election-related procurements and the IDEC must ensure that the NPC plays its role effectively and efficiently so that procurement issues are addressed.

At the hearing, the Committee questioned the IDEC Chairman on the NPC and the influence of IDEC on it and the IDEC Chairman responded that procurement was indeed an important matter; however, IDEC did not have full visibility of the procurement processes. That the IDEC was useful for issues that were visible to it. Going forward, it is expected that IDEC will be more proactive if it is legally mandated as the election coordination mechanism, as per Recommendation 5.

5.5.3. Procurement by PNGEC

Based on the written submission by the PNGEC (PNG Electoral Commission, 2023), for the 2022 NGE, a Special Procurement Committee (SPC) was established within the PNGEC to deal with urgent procurement matters for the PNGEC. This Committee was established under the auspices of the NPC with a threshold of K5 million and Certification of Capacity obtained from the Department of Treasury.

The PNGEC SPC was chaired by the Deputy Electoral Commissioner (John Kalamoroh) with five members: two members from PNGEC (Francis Dakeni and Nalamo Bouauka); a representative from State Solicitor's Office (Lillian Vevara); a representative from Department of Finance (Stephen Nukuitu); and a representative from the NPC (Frank Hare). The PNGEC SPC approved the procurement of the following goods and services: additional ballot boxes, provincial helicopter charters, and CCTV for selected counting sites. The PNGEC submission stated that the contracts for the above goods and services were awarded to the suppliers using the Single Source Procurement approach as provided for by *Section 68(7)* of the *National Procurement Act 2021* due to the urgent nature of the contract and the legal and strict time bound activities of the election (PNG Electoral Commission, 2023).

During the hearing, the IDEC Chairman stated that in terms of PNGEC procurement matters, if the Electoral Commissioner was on top of matters (including procurement), then the IDEC Chairman would have no visibility. But if there were issues that he had concerns with, he contacted the relevant officers on matters of the Budget. An example would be cases where there were delays in the release of warrants for electoral rolls for the purposes of making sure that funds are remitted to the provinces.

Based on the information at hand, there are two main issues for PNGEC procurement. First is the untimely funding mentioned earlier to the PNGEC such that even if a Special Procurement Committee was in place, procurement could not be done on time in the absence of funding. Second is the issue of direct sourcing of supplies through the Single Source Procurement approach in that the chosen supplier may not be the best supplier. For example, it was clear when the Committee interviewed the

PNGEC that the CCTV contractor did not do a good job during the election and to this day, the access to the CCTV footage taken during the elections remains unclear.

Section 225 of the Constitution compels the National Government and relevant government institutions to act within their legal powers to ensure that constitutional institutions (of which PNGEC is a part of) and constitutional office holders (of which the Electoral Commissioner is a part of) are resourced well in order for them to effectively perform their functions.

Recommendation 41: *The Committee recommends that funding for the PNGEC must be given annually, starting 4 years before the election year and this must be done in consideration of Sections 51 and 53 of the PFMA and Section 225 of the National Constitution which requires that operations of Constitutional Offices (including PNGEC) are funded through the appropriation bills approved by Parliament. Moreover, PNGEC's Special Procurement Committee must apply a competitive bidding procurement system to ensure that the procured goods and services for the elections are of acceptable quality and standards.*

Recommendation 41 will contribute to meeting Expected Outcome 1 and 2 of TOR 3 (Election Funding) because annual funding and an effective Special Procurement Committee for PNGEC will ensure adequacy of funding for PNGEC (Outcome 1) and timely disbursement and use of the funds (Outcome 2).

5.5.4. Procurement by PNGDF

During the consultations, the PNGDF Commander highlighted a procurement problem where vehicles meant for election operations only arrived after the elections due to delays in procurement. The IDEC Chairman was asked why IDEC did not get on top of the NPC process to which he responded that it was surprising that certain procurements have just arrived. If he had known that there were some outstanding procurements, there was a mechanism to follow through. For instance, when there was a need to coordinate between Customs and the Australian High Commission on the delivery of ballot papers and to deal with the storage of the papers when they are delivered on shore, IDEC played a role in coordinating those by conversation with relevant action officers.

Considering the procurement issues, there is a need to establish Special Procurement Committees for election purposes, as applied in the case of the PNGEC. The PNGDF Commander stated that in the case of the Defence Force, the specialist equipment for procurement is only meant for the military which are very specific and the Defence Force does tests on the equipment itself and based on the tests, it then determines the best equipment for use. In particular, PNGDF's procurement is such that based on tests, only one equipment source is selected, hence only one quote is needed.

Previously, there was a Defence Tenders Board and all the Force's needs were processed through that Board. However, since that Board was disbanded, they have had to go through the normal national procurement process with the result that it takes longer to bring in ammunition, weapons and other specialist equipment that are needed for the Force. Considering this, the Commander recommended that the Defence Tenders Board be brought back to make the procurement more effective and efficient. The Committee agrees with this recommendation which has been incorporated under Recommendation 39. In addition, PNGDF's procurement issues were badly affected by the late arrival of required funds, thus timely budgetary support from the executive government throughout the whole election process/cycle is extremely important as captured in Recommendation 38.

5.5.5. Procurement by PNGCS

The PNGCS also faces a similar issue with the PNGDF in that procurement is not within the PNGCS Commissioner's control, hence the issue of delays in procurement. The Commissioner stated that there are big-ticket logistical items that should be purchased three or four years in advance and that should be discussed by the national and subnational election planning and steering committees in order to decide and include in the election budget. In the elections, logistics and mobilisation for big-ticket items were not in place and this comes back to tendering, which requires strategic planning. As in the case of procurement for PNGDF, Recommendation 39 addresses the need for Special Procurement Committees for the Disciplinary forces, including PNGCS.

5.6. Election Funding and Procurement Issues: Subnational Perspectives

At the subnational level, the main issues encountered were as follows. First was that in most of the provinces, there was insufficient funding from the National Government, either via the PNGEC or other relevant agencies like the security agencies, especially the Police, which has operations in the subnational areas. The following are examples of shortfalls in funding (i.e. submission versus receipts) that the Committee was informed of during the regional consultations:

- MBP: submitted for K1 million but only received K500,000.
- NCD: submitted for K10 million but only received K4 million.
- WNBP: submitted for K4 million but only got K1.2 million.
- AROB: submitted for K8.7 million but only received K1 million.
- Madang Province: submitted for K8.5 million but only received K3.6 million.

The second common issue was that funding was provided late to the provinces. Given this, most provincial governments had to step in and provide some funding. For example, in order to fund the election preparations, the East New Britain Provincial Government had to provide upfront funding in the absence of funding from the PNGEC.

The third issue was that procurement of goods and services was late. Considering this, more autonomy should be given to the provinces in terms of procurement of goods and services at the subnational level, rather than centralising it at PNGEC headquarters or Police headquarters.

Having said the above, considering the constitutional and independent role of the PNGEC to conduct the elections and the Government administrative coordination mechanism via IDEC and the PESCs, and to avoid political interference in the election process, the PESCs must be strengthened as the entity in charge of managing the elections in the provinces.

Recommendation 42: *The Committee recommends that since the subnational institutions are better placed to understand the specific problems of election planning and implementation in each province, more autonomy should be granted to the provinces for election planning and procurement and by implication more funding should be provided to the provinces annually for the four years before the election, through the PESCs. To ensure financial and administrative compliance, the IDEC and relevant national agencies, such as the Department of Treasury, Department of Finance and Auditor General's Office (AGO), should provide the necessary coordination and scrutiny for the acquittal and reporting of election funds.*

Recommendation 42 will contribute to meeting all the four Expected Outcomes of TOR 3 (Election Funding) because by delegating election planning and procurement to the provinces with annual funding, it will ensure adequacy of funding for elections (Outcome 1) and timely funding (Outcome 2); and by ensuring proper oversight and scrutiny by IDEC, Treasury, Finance and AGO, funds will

be spent according to budget guidelines and procurement provisions for optimum impact on election process (Outcome 3) and effective acquittal and reporting of funds spent (Outcome 4).

5.7. Election Expenditure Reporting

In its submission to the Committee, the Treasury Department claimed, with grave concern, that election expenditure reporting by the relevant agencies was very poor and Recommendation No.45 in this Report aims to address this issue. In Subsection 5.7.1, we present expenditure information as submitted by the PNGEC to the SPCGE. Then in subsection 5.7.2, we present a summary of funds allocated to other agencies for which there were no expenditure reports.

5.7.1 Expenditure report summary for PNG Electoral Commission

The PNG Electoral Commission (PNGEC) was allocated K311.3 million (about 45% of the total GoPNG funding for 2022 NGE). As per Table 12, funding for PNGEC was received in four tranches: K100 million in February 2022; K50 million in April 2022; K120 million in June 2022; and K41.3 million in July 2022. As mentioned earlier in this report, the funding was received only in the election year and there was no record of funding received for the election preparation in the prior years. This supports the earlier recommendations on the need to provide funding well in advance of the election year and on an annual basis.

In terms of the spending by the PNGEC, the following presents the expenditure summary based on a report submitted by the Electoral Commission to the Parliamentary Committee on 19 June 2023 (PNG Electoral Commission, 2023).

Based on the PNGEC report, out of the K311.3 million, 67.5% (or K210 million) was deposited into a Trust Account at the Bank of Papua New Guinea. As at 2 February 2023, K209,211,581 has been expended with a balance of K788,419 left in the Trust Account. The report stated that this balance is to be used for the remaining Authority to Transfer (ATF) for Provincial Returning Officer (PRO), Assistant Returning Officers (ARO) and Returning Officers (RO) vehicle hires in the provinces for the 2022 NGE.

The balance of the funds (after subtracting the K210 million deposited into the Trust Account) was K101.3 million, which was retained in the Integrated Financial Management System (IFMS) with the expenditure managed by the PNGEC. In terms of spending for the funds in the Trust Account, the PNG Electoral Commission (2023) Report (p.32) showed that as at 2 February 2023, K209,211,581 or 99.6% of the funds had been spent with the balance of K788,419 kept for payment of the remaining vehicle hire costs.

For the funds in the IFMS, the information from the table in page 32 showed that all the funding (K101.3 million) had been spent by 31 December 2022. However, on page 34 of the report, it showed a balance of K210,375 with K101,089,625 spent. Therefore, there is inconsistency in PNGEC's reporting of the funds retained in the IFMS.

Given the spending from both the Trust Account and IFMS, out of the K311.3 million allocated to PNGEC, the total spending was K310.3, with a balance of just under K1 million remaining. Based on the information provided on pages 33 and 34 of the PNGEC Report, a summary of expenditure was compiled and is provided in Table 13 (K'million rounded to 2 decimal places). The items are grouped under 24 categories and sorted by the amount of spending from the highest to lowest. The table also includes the percentage share of expenditure for each item (see last column).

Some key observations from Table 13 are as follows. First is that the top four expenditure items (with double digit percentage shares) are: polling *Kundupe*, funds to provinces, transport, and allowances.

The second point is that given that the Provinces were allocated around 29% of the PNGEC funding (K59.6 million), it can be inferred that the bulk of the election funding for the PNGEC (71%) was controlled from the national headquarters. Going forward, given that most of the electorates in PNG are located in the sub-national areas, more funding should be allocated to the provinces.

The third point is that there needs to be clarity on the largest item (*Kundupe*). In the report, there was “*Kundupe*” and “*Polling Kundu Pei*”. Fourth is that there was a tax expense of over K18 million (9% of total expenditure) for Goods and Services Tax, which the report said was not factored in at the initial budget proposal and hence affected the funding level available for paying for the election operation. This is poor budgeting practice because in any budget estimate, possible tax implications must be factored in.

Finally, two particular items need further investigation or clarification: (1) item number 12, that is simply called “Big Ticket” and (2) item 24 (credit/payment returned). That is, what is the “Big Ticket” item that cost K2.6 million and what is the nature of returned funds totalling K6 million? As pointed out by Committee Member Hon. Keith Iduhu at the hearing on 19 June 2023, the transactions listing submitted in the report were not very clear nor properly framed.

Table 13: Expenditure summary of 2022 NGE-PNGEC (K'million)

No.	Item Description	Amount (K'million)	% of total
1	Kundupe	78.96	38%
2	Funds to Provinces	59.63	29%
3	Transport	56.47	27%
4	Allowances (travel+others)	51.95	25%
5	Tax	18.18	9%
6	Logistics	9.26	4%
7	Printing	7.11	3%
8	Election Materials	6.79	3%
9	Other	4.00	2%
10	Office Fleet/storage/rentals	3.67	2%
11	Legal Cost	3.47	2%
12	Big Ticket	2.64	1%
13	Awareness	2.37	1%
14	Freight	2.09	1%
15	Accommodation/meals	2.02	1%
16	Workshop+training	1.85	1%
17	Rental	1.65	1%
18	Consultancy	1.55	1%
19	Fuel	1.35	1%
20	Catering	0.69	0%
21	Cash Advance	0.49	0%
22	Venue Hire	0.24	0%
23	Security	0.04	0%
24	Credit/payment returns	-6.18	-3%
	Total	310.30	100%

Source: Compiled using PNG Electoral Commission Report, 2023

5.7.2 Non-availability of election expenditure reports by other agencies

Out of the total funding of K695.83 million allocated by the Government, 44.7% (K311.3 million) went to PNGEC and the remaining K384.53 million (or 55.3%) went to the other election stakeholder agencies (see Table 12) including:

- RPNGC (K240.2 million);
- PNGDF (K105.9 million);
- PNGCS (K14.6 million);
- NBC (K10 million);
- SSO (K3 million);
- DICT (K2.73 million);
- OC (K2.5 million);
- NIO (K2.5 million);
- IDEC (K1.1 million);
- OSCA (K1 million); and
- IPPCC (K1 million).

At the time of writing, no detailed expenditure reports were available for the above allocations. Going forward, expenditure reporting for election funding must be addressed as per Recommendation 45.

5.8. Recommendations by Treasury Department

The Committee asked the representatives from Treasury at the hearing about specific recommendations for improving election funding for the 2027 NGE and future elections. That is, as a key Government agency, what were the recommendations by the Department of Treasury to the Committee to improve funding of elections? Moreover, what timeframe would the Treasury Department recommend to the Parliament to prepare for the 2027 NGE? Also, at the hearing, a point was made that the 2024 National Budget should have a component for 2027 NGE and the Treasury Department should give its input because of all the complaints about lack of funding; delays in funding; and officials and service providers not being paid.

At the Public Hearing, the Deputy Secretary Mrs Napa Hurim was directed by the Committee to inform the Department to provide its recommendations in writing to the Committee. In response to the directive by the Committee, the Treasury Department Secretary, Mr Andrew Oaeke, submitted a written submission dated 13 March 2023 which included six recommendations. These recommendations are summarised below.

5.8.1. Procurements within a 5-year election cycle

As its first recommendation, the Treasury Department recommended that the preparations and procurements for a particular National Election should happen within the 5-year election cycle. The specific context of this recommendation was:

- (a) Every year, the budget is constrained under competing priorities. To bulk-fund activities for the elections during the election year (as is the current practice) is very challenging. Having funds spread over a number of years (i.e. multiyear budgeting) enables a good number of activities to be planned out properly and funded over the years. This will enable all relevant stakeholders to consult and work collaboratively with overlapping roles.
- (b) Multiyear budgeting will allow sufficient time to undertake consultations and revise plans or scope of activities.

- (c) Set up Special Procurement Committees and secure necessary approvals and formally engage suppliers following proper procurement process.
- (d) Allow more awareness and information to be disseminated to the public so they know and understand their basic right to vote.
- (e) Electoral roll updating should occur over the 5-year period so funding for this activity should be included in the annual budget for the five years.
- (f) Multiyear budgeting also enables monitoring agencies to track progress of activities and the respective expenditures over the period leading up to the Election year.
- (g) There is wider visibility and transparency which allows the Government to match the level of funding to the associated activity and corresponding expenditure.
- (h) Time enables flaws and loopholes to be identified and processes to be strengthened which in turn raises the level of compliance that then gives credibility to the budget process and funding can be substantiated through the course.

The above recommendation by the Treasury is incorporated in the respective recommendations in this Report (see Recommendation 38 to 42).

5.8.2. Need for regular IDEC meetings

As its second recommendation, the Treasury Department recommended that IDEC meetings should be held regularly throughout the 5-year period prior to the election and not just in the election year. IDEC should also follow up on election planning. In this report, there are three key recommendations that relate to IDEC and its function in elections. They are Recommendation No.5 (legal mandate of IDEC); Recommendation No.7 (IDEC communication strategy); and Recommendation No.40 (IDEC role in election work plans and budgets).

5.8.3. Advanced publication of critical election dates

For its third recommendation, the Treasury Department recommended that the PNGEC must plan and publish critical election dates well in advance of the election year so this can assist in security planning and cashflow planning to fund the election activities. The current practice of delays by the PNGEC in issuing and publishing various election related dates are a cause for concern because this negatively affects the whole election administration and process. The Committee agrees with the recommendation.

The most critical date that effects the election planning is the need for advanced announcement of the polling dates, which has been addressed under Recommendation 29. The other critical events for the which the dates must be decided upon and made publicly available are: issue and return of writs, campaign period, and counting period.

Recommendation 43: *The Committee recommends that the PNGEC must plan and publish critical election dates such as campaign period, counting (scrutiny), and issue and return of writs, which must all be aligned to the polling dates per Recommendation 29. This will assist in security planning and cashflow planning to fund the election activities.*

Recommendation 43 will contribute to meeting all four Expected Outcomes of TOR 3 (Election Funding) because deciding on and publishing the election dates particularly the polling dates 4 years before the election year will ensure timely budgeting and adequate funding annually (Outcome 1 and 2); proper spending of funds according to budget for the 5-year election cycle (Outcome 3); and timely planning and acquittal of election funding (Outcome 4).

5.8.4. Coordination of development partners' support

For its fourth recommendation, the Treasury Department recommended that all bilateral and donor funding support must be coordinated well so that information on the level of funding and the purpose can be received by a focal point and shared. Treasury recommended that the PNGEC be that focal point. Treasury noted that the status quo is that agencies were liaising directly with donor partners and there is lack of information on the level of funding and what these funding were used for.

The Committee noted the need to coordinate donor partners support to ensure that the funding is used well for election activities. However, in terms of focal point, the Department of National Planning and Monitoring (DNPM) should play that role consistent with its mandate under the *2015 Papua New Guinea Development Cooperation Policy* (Department of National Planning and Monitoring, 2015). Donor funding should be consolidated with the GoPNG funding to fund the elections. The PNGEC, security agencies and subnational agencies prepare and submit budgets to the Treasury for GoPNG funding and to DNPM for donor funding.

Recommendation 44: *The Committee recommends that funding support to state agencies and public offices from donor partners must be coordinated well to ensure that such support adds value to the election activities and not a duplication of particular activities; and that the focal point for donor funding be vested with the Department of National Planning and Monitoring (DNPM), consistent with the goals and principles in the 2015 PNG Development Cooperation Policy. Donor funding should then be added to the GoPNG allocation to consolidate the funding for the elections.*

Recommendation 44 will contribute to meeting Expected Outcome 1 of TOR 3 (Election Funding) because incorporating donor funding into the GoPNG funding through the normal channel will increase the level of funding support for the elections.

5.8.5. Early ministerial input for elections

For its fifth recommendation, the Treasury Department recommended that ministerial input for elections needs to occur earlier so that the different requirements of election planning and conduct are appreciated including associated funding requirements. This will ensure that sufficient funding is set aside and protected from reductions at the various budgetary stages through to Parliament. The recommendation is noted and as part of the advanced budgeting and allocation of funding in the relevant recommendations earlier, ministerial input will play an important part.

5.8.6. Timely submission of election expenditure reports

The final recommendation was that each agency or institution in receipt of election funding must comply with the reporting and accountability requirements including the timely submission of Election Expenditure Reports. The current experience is that reporting compliance is poor and to date (i.e. at the time of report submission), Treasury had not received any election expenditure report for the 2022 NGE from all participating agencies. More awareness on financial responsibilities of agency heads is needed to raise compliance.

The Committee agrees with the recommendation from Treasury because during the Hearings, it was evident that many of the concerned institutions were not providing their expenditure or acquittal reports. Hence, going forward, compliance for relevant agencies in providing expenditure reports for elections on time, must be a priority. To compel compliance, relevant penalties need to be applied under the *Leadership Code (Alternative Penalties) Act 1976* (Government of Papua New Guinea,

1976) for heads of agencies and under the Criminal Code should the cause of delays in submitting expenditure reports be criminal in nature.

Recommendation 45: *The Committee recommends that compliance on submission of expenditure reports by the PNGEC and relevant agencies must be improved by making it mandatory for the expenditure report to be submitted within six months after the Return of Writs for the election and the expenditure reports must be audited by the AGO within one year of receipt of the report, as authorised by Section 214, Subsections (2) and (3) of the Constitution. Failure to submit on time be made an offence under the Leadership Code Act 1976 and if the cause of the delays in submitting expenditure reports is criminal in nature, then penalties under the Criminal Code shall apply.*

Recommendation 45 will contribute to meeting Expected Outcome 4 for TOR 3 (Election Funding) because making the submission of expenditure reports obligatory within 6 months after elections and having stringent requirements for auditing with penalties for non-compliance, will improve the level of compliance for timely submission of election expenditure reports.

5.9. Conclusion

Timely budget submissions and appropriations for elections and timely disbursement of the funds is vital for the success of the elections. However, during the Committee's inquiry, it was evident that funding was given very late which meant that procurements were done very late. This led to poor planning and execution of the elections. Given this, the Committee has provided relevant recommendations to improve the funding and procurement of goods and services for the 2027 NGE and future elections, in terms of providing sufficient funding annually, starting 4 years before the elections.

6. ELECTION SECURITY: ISSUES AND RECOMMENDATIONS

This section presents the issues, findings and recommendations on the fourth TOR of the Committee, which is on election security and related matters. In the context of elections, the key role of the security agencies is to provide a secure environment for the election process (as presented in Section 4) to occur.

The key security-related areas covered in this section include:

- expected outcomes on election security (Subsection 6.1);
- election security administration (Subsection 6.2);
- election security manpower and deployment (Subsection 6.3);
- illegal practices and penalties in relation to the conduct of elections (Subsection 6.4);
- electoral offences and penalties under the OLNLGE (Subsection 6.5);
- offences under the criminal code and summary offences acts (Subsection 6.6);
- affiliation of some security personnel to politicians (Subsection 6.7);
- laying of complaints for electoral offences (Subsection 6.8);
- election security coding (Subsection 6.9);
- collaboration and coordination in election security operations (Subsection 6.10);
- phases of security operations (Subsection 6.11);
- support of bilateral partners to PNGDF (Subsection 6.12);
- illegal firearms and threats on security (Subsection 6.13);
- monitoring and control of firearms owned by PNGDF (Subsection 6.14);
- weapons in the hands of criminals (Subsection 6.15);
- conduct of disciplined forces during elections (Subsection 6.16); and
- election security intelligence apparatus (Subsection 6.17).

Having discussed the election security issues (per the above areas) and recommendations, Subsection 6.18 concludes.

6.1. Expected Outcomes on Election Security

In the 2017 NGE, the ANU documented 204 election-related deaths (Haley and Zubrinich, 2018), and it appears that there were similar numbers in 2022, including a mother of 4 who was reported to have been shot in Port Moresby by Police responding to electoral protests. Ideally, in a democracy, voters are supposed to participate in a free, fair, transparent and secure election system. Security agencies should only play a facilitative role to support the Electoral Commission and ensure electoral laws are enforced.

However, in the context of PNG, election security issues have become major constraints to the election process such as the National General Elections. The National Elections are now requiring increasing resources for security operations in parallel with democratic processes. This undermines the Constitutional intent for PNG to be a democracy, and as such, there is a need for electoral reforms to ensure that the electoral process and environment is such that free and fair elections happen on the good conduct of all stakeholders involved in the elections.

Within this national context, the key expected outcomes for election security are as follows:

- ***Expected Outcome 1:*** That the election process is conducted in a peaceful and safe environment largely through the good conduct of all stakeholders involved in the elections with only a facilitative role by security agencies led by the Police.

- **Expected Outcome 2:** That each security agency is effective and efficient in delivering its mandated responsibilities.
- **Expected Outcome 3:** That there is effective coordination amongst the security agencies and election administration agencies to ensure that the election security plans are achieved before, during and after elections.
- **Expected Outcome 4:** That election-related violence and/or deaths is minimised as much as possible or eliminated altogether.

6.2. Election Security Administration

The responsibility of managing and dealing with internal security matters rests with the RPNGC (“The Police”), which is mandated to provide internal security as per the *Police Act 1998* (Government of Papua New Guinea, 1998). As far as the election is concerned, traditionally, it was largely the Police that has been providing security in direct support to the electoral process as well as to the Electoral Commission, the primary agency responsible for conducting elections. However, in recent elections including the 2022 NGE, there has been an increase in support from the PNGDF and the PNGCS. This is an indication of the increasing security challenges that the elections present to the constabulary.

The PNGDF was established under the *Defence Act 1974 (as amended)* (Government of Papua New Guinea, 1974a) consistent with *Section 202* of the *Constitution*, and is responsible for the defence of the country, its people and national interest against external threats. With regard to the elections, PNGDF’s involvement is guided by *Section 20* of the *Defence Act 1974*, and *Section 202* and *Section 204* of the *Constitution*, that gives legal effect to *Call-Out* of the PNGDF in aid to civil power, in this case the RPNGC. Emanating from this, an NEC decision is made to give effect to that *Call-Out* to support the civil power and to support the elections. Based on that, the following authorisations are then given to PNGDF by way of the *National Gazette* and the plans from the Electoral Commission and the orders issued by the Police Commissioner. From that, the PNGDF derives its concept of operation and its orders are written to support the Police for the Elections.

The functions of the PNGCS are provided for under the *Correctional Service Act* of 1995 (Government of Papua New Guinea, 1995b). The Act in turn, is based on the following provisions in the National Constitution: *Section 188 (Establishment of the State Services)*; *Section 207 (Special Provisions relating to Disciplined forces)*; and *Section 208 (Protection of members of Disciplined Forces)*. In terms of its role in the elections, the role of PNGCS is similar to PNGDF where PNGCS Officers work under the command of the Police Commissioner, which is consistent with *Section 124* of the *Police Act 1998* on Appointment of Special Constables.

6.3. Election Security Manpower and Deployment

Manpower is critical to the delivery of election security in PNG due to the history of escalating election-related violence and violations of the election process. While the Police may have been the primary entity providing security support to the PNGEC in the past, this has changed due to the growing scale and scope of electoral issues. The Defence Force and PNGCS are becoming increasingly involved. This view was emphasised by the Police Commissioner and the heads of PNGDF and PNGCS during the Committee’s public hearings.

6.3.1. Manpower and deployment for RPNGC

As alluded to earlier, the RPNGC is the main agency responsible for providing security support for the elections. In terms of personnel, the Police Commissioner stated that RPNGC went into the elections with a low number of personnel. As a result, the constabulary had to draw on PNGDF and PNGCS personnel to assist. The police numbers have been declining due to the absence of constant recruitment and it was a significant concern for the Police Commissioner as to how the RPNGC was going to deliver the elections on a nationwide scale with the lowest possible numbers they had.

Given the security issues, the Committee emphasised that Police are on the frontline so something must be done to improve the situation. The Police Commissioner made a statement that in reality, there will never be sufficient manpower to deliver good elections, whether it is the Police or military or correctional services. That is, whether it is 12,000 or 20,000 personnel by 2027, it will still not be a sufficient condition to address the security issues because it is not the number of security personnel, per se, that is the problem but how the elections are delivered and the behaviour or conduct of the people. People must understand that the electoral process is for them and it is in their interest, hence there must be minimal disruptions, including criminal activities.

The Commissioner stated that recruitment for new members of the Police Force has commenced. However, whatever the number, the Force must do better and maximise its efficiency and effectiveness during elections, within the resource constraints.

Recommendation 46: *The Committee recommends that the security agencies, led by the Police, be highly strategic in their planning and must execute their operational plans effectively and efficiently to address security matters, within the budget, human resource, and time constraints. This is particularly so, considering the Police Commissioner's view that having a certain number of security personnel (whether 12,000 or 20,000) is not a sufficient condition to address the security issues but more importantly how the elections are delivered and the behaviour of the people.*

Recommendation 46 will contribute to meeting Expected Outcome 2 of TOR 4 (Election Security) because better strategic planning and effective execution of operational plans by security agencies will contribute to the security agencies becoming more effective and efficient in delivering on their mandated responsibilities relating to the conduct of the elections.

The lack of police manpower was also raised by the Electoral Commissioner at the public hearing where he said that for the 2022 NGE, there was not enough police manpower so work had to be done from District to District.

As a general issue on security personnel, the IDEC Chairman stated that the number of security personnel for elections are not that great and that is an important challenge when scheduling polling. The PNGEC needs to ensure that a particular location is secured and immediately move the numbers to different parts of the country, to make sure that those areas are also secured. Moreover, when the number of security personnel is constrained, it becomes a big challenge to make sure that all parts of the country and the polls are secured so that people are able to participate freely in the democratic process.

6.3.2. Manpower and deployment for Defence Force personnel

Based on information submitted by the PNGDF to the Committee, the deployment of all the Defence Force elements was divided into three areas. The main effort was for the highlands region where 560 personnel were deployed. In Momase and NGI regions, 440 personnel were deployed. Some areas were not included in the operations order but at the request of the PESCs. These included East Sepik, West Sepik, Western, Manus, NCD and Central provinces. For these, initially 500 personnel were allocated but given the security situations in those provinces, PNGDF was forced to increase the force size to 1,000 personnel. So, for the first time after the Bougainville crisis, 2,000 military personnel were deployed to support the Police in the 2022 Election operations. This was a significant undertaking and gives credence to the view that elections in PNG are increasingly becoming security operations.

In terms of land element, most of the deployments were up in the highlands, especially in Hela, Enga, Western Highlands, Jiwaka and Chimbu provinces, which were supported by specialist forces in those provinces with Intelligence and logistics. Other provinces that received support from the PNGDF land element included New Ireland, West New Britain, Morobe, Oro and East New Britain.

The maritime support played a very key part given the location of some provinces and electorates in a wide maritime area of the country. To support the conduct of elections in maritime provinces, the following Navy vessels were deployed: HMPNGS Rokus Lokinap (West New Britain and Morobe); HMPNGS Agwi (New Ireland and East New Britain); and HMPNGS Lakekamu (Milne Bay).

The air element was a very concerned area for the PNGDF and that is where the support of bilateral partners was very important.

6.3.3. Manpower and deployment for PNGCS personnel

PNGCS Commissioner, Mr Pokanis, reported that the PNGCS deployed 614 officers to assist with the 2022 NGE. These officers participated actively with the Police, the Electoral Commission and also where Defence establishments were and with officers from the subnational level. About 300 PNGCS officers were deployed to the highlands by the orders of the Police. Overall, about 38 percent of the total PNGCS personnel were deployed for the 2022 NGE.

6.4. Illegal Practices and Penalties

As per *Section 178, Subsection (1)* of the *OLNLGE*, the following constitute illegal practices at elections, subject to *Subsection (2)*:

- (a) “publishing an electoral advertisement, handbill or pamphlet or issuing an electoral notice (other than the announcement by advertisement in a newspaper of the holding of a meeting) without the name and address of the person authorizing the publication or issue being printed at the foot of it;
- (b) printing or publishing a printed electoral advertisement, handbill or pamphlet (other than an advertisement in a newspaper) without the name and place of business of the printer being printed at the foot of it;
- (c) printing, publishing or distributing an electoral advertisement, notice, handbill, pamphlet or card containing a representation of a ballot-paper or a representation apparently intended to represent a ballot-paper, and having on it any directions intended or likely to mislead or improperly interfere with an elector in or in relation to the casting of his vote;

- (d) printing, publishing or distributing an electoral advertisement, notice, handbill, pamphlet or card containing an untrue or incorrect statement intended or likely to mislead or improperly interfere with an elector in or in relation to the casting of his vote;
- (e) willfully informing an elector during the polling period that he is not enrolled or entitled to be enrolled for a particular electorate, or is not entitled to vote, when as a fact he is enrolled or entitled to be enrolled, or is enrolled or entitled to be enrolled for that electorate, or is entitled to vote, as the case may be;
- (f) obstructs, damages or interferes with a public street or road with the intention to interfere with the conduct of an election; and
- (g) assaulting or threatening to assault a Returning Officer, Assistant Returning Officer, Presiding Officer, other polling officer or police officer assisting in an election; and
- (h) inciting or encouraging, whether publicly or otherwise, disturbances to interfere in an election.”

Subsection 2 of Section 178 of the OLNLGE states that “Nothing in Subsection (1)(c) or (d) prevents the printing, publishing or distributing of a card not otherwise illegal, which contains instructions on how to vote for a particular candidate, so long as those instructions are not intended or likely to mislead an elector in or in relation to the casting of his vote.”

In terms of the penalty for illegal practice, *Subsection 3 of Section 178 states that “A person guilty of an illegal practice is liable to a penalty of a fine not exceeding K1,000.00 or imprisonment for a term not exceeding six months.”*

6.5. Electoral Offences and Penalties under the OLNLGE

Electoral offences are captured in both the *OLNLGE* and the *Criminal Code Act, 1974* (Government of Papua New Guinea, 1974b).

There are two tenets regarding offences committed in relation to the elections. First is that nothing in the *OLNLGE* “*shall derogate or be deemed to derogate from the provisions of the Criminal Code, but a person is not liable to be prosecuted or punished both under the OLNLGE and under the Criminal Code for the same offence*” (*Section 205, OLNLGE*). The second is that for offences committed under the *Criminal Code Act* and *Summary Offense Act*, anyone (i.e. all citizens) have the right to lay a complaint; but for electoral offenses, only the electoral commissioner and his representatives should lay a complaint for investigation. This was stated by the Police Commissioner during the inquiry.

In this subsection, we state the issues relating to electoral offences under the *OLNLGE* while in Subsection 6.6, we shall discuss offences under the *Criminal Code*. Under the *OLNLGE*, electoral offences and penalties are stipulated under *Section 191*, which are reproduced in Table 14 below, with added text in italics for clarity.

Table 14: Electoral offences and punishments per OLNLGE, 1997

No.	Offence	Punishment
1	Voting more than once at the same election	K400.00 or imprisonment for three months
2	Wagering (<i>or betting</i>) on the result of an election	K400.00
3	Willfully defacing, mutilating, destroying or removing a notice, list or other document affixed by a Returning Officer or by his/her authority	K200.00
4	Knowingly making a false statement in a claim, application, return or declaration, or in answer to a question under this Law (<i>OLNLGE</i>).	Imprisonment for two years.
5	Any contravention of this Law for which no other punishment is provided.	K500.00
6	Falsely personating a person to secure a ballot paper to which the personator is not entitled to, or personating any other person for the purpose of voting.	Imprisonment for two years.
7	Fraudulently destroying or defacing a nomination paper or ballot paper.	Imprisonment for two years
8	Fraudulently putting a ballot paper or other paper into a box.	Imprisonment for two years
9	Fraudulently taking a ballot paper out of a polling booth.	Imprisonment for two years
10	Taking a ballot paper out of a polling booth	K500.00 fine
11	Forging, or uttering knowing to be forged, a nomination paper or ballot paper	Imprisonment for two years
12	In a polling booth during polling, misconducting himself, or failing to obey the lawful directions of the presiding officer.	K200.00 fine or imprisonment for one month.
13	Supplying ballot papers without authority	Imprisonment for six months.
14	Unlawfully destroying, taking, opening, or otherwise interfering with ballot boxes or ballot papers.	Imprisonment for six months.

Source: Section 191 of OLNLGE

The penalties for electoral offences appear to be dated and inadequate in the current context. If the penalties are to have any impact on reducing electoral offences under the *OLNLGE*, then they have to be both increased (i.e. made harsher) and effectively implemented.

Recommendation 47: *The Committee recommends that Electoral Officials and security personnel involved in the conduct of the elections must enforce the election laws effectively and be accountable in their actions to set the standard for voters and candidates to reduce unethical behaviour by the voting public and candidates. To do this, every person involved in the administration of the election must sign a code of conduct before being involved in the election administration activities and failure to do so will attract a penalty.*

Recommendation 47 will contribute to meeting Expected Outcome 1, 3 and 4 of TOR 4 (Election Security) because the effective enforcement of election laws and accountable actions by electoral officials and security personnel will contribute to a peaceful and safe environment for elections (Outcome 1); effective implementation of security plans (Outcome 3); and reduction of election-related human casualties (Outcome 4).

In addition to the need for effective enforcement of the current laws, there is also a need to consider amendments to the punishments or penalties for certain aspects of the offences under *Section 191* of the *OLNLGE* in order to make them applicable to the current times. Table 15 provides the list of offences and punishments (derived from Table 14) and the Committee's views on whether the

particular penalty be maintained or amended and the justification for the decision to amend or maintain.

Table 15: Adequacy of penalties for electoral offences

No.	Offence	Punishment	Maintain or amend	Justification
1	Voting more than once at the same election	K400.00 or imprisonment for three months	Increase the monetary fine to K5,000.00 and prison term to 2 years.	Double or multiple voting is a major election issue; hence it must be deterred with harsher penalty.
2	Wagering (<i>or betting</i>) on the result of an election	K400.00	Increase fine to K2,000.00	To deter potential occurrence. Fine is sufficient as betting involves money so a monetary penalty is an appropriate deterrent.
3	Willfully defacing, mutilating, destroying or removing a notice, list or other document affixed by a Returning Officer or by his/her authority	K20.00	Increase fine to K1,000.00	Current fine is too light and authority of the PNGEC must be respected, hence increase in fine. Punishment by a prison term is heavy.
4	Knowingly making a false statement in a claim, application, return or declaration, or in answer to a question under this Law (<i>OLNLGE</i>).	Imprisonment for two years.	Maintain prison term and add monetary fine of K5,000.00.	Making false claims should be seen as a serious offence, hence a prison term or a fine be applied.
5	Any contravention of this Law for which no other punishment is provided.	K500.00	Penalty be subject to the gravity of the offence. As part of Recommendation 69, 'other offences' under <i>OLNLGE</i> should be clearly defined with appropriate penalty.	By law, a penalty is subject to the nature and magnitude of the crime committed. Hence, since the crime is not specific, the penalty should be left to the proposed legal reform exercise under Recommendation 69.
6	Falsely personating a person to secure a ballot paper to which the personator is not entitled to, or personating any other person for the purpose of voting.	Imprisonment for two years.	Increase prison term to 5 years.	Impersonating to fraudulently obtain ballot paper (the most important document in an election) should be seen as an extremely serious offence, hence the prison term should be increased by 3 years (to 5 years).

Table 15 continued

No.	Offence	Punishment	Maintain or amend	Justification
7	Fraudulently destroying or defacing a nomination paper or ballot paper.	Imprisonment for two years	Increase prison term to 4 years.	Again, the ballot paper is the document where the right to vote is recorded, hence fraudulently destroying or defacing it is as a serious issue and should be punished with increased prison term.
8	Fraudulently putting a ballot paper or other paper into a box.	Imprisonment for two years	Maintain	As a fraud issue, the prison penalty is sufficient and be maintained.
9	Fraudulently taking a ballot paper out of a polling booth.	Imprisonment for two years	Maintain	As a fraud issue, the prison penalty is sufficient and be maintained.
10	Taking a ballot paper out of a polling booth	K500.00 fine	Increase fine to K2,000.00	Although not fraudulently, the act of taking ballot papers out of the polling should be discouraged by increasing the fine amount.
11	Forging, or uttering knowing to be forged, a nomination paper or ballot paper	Imprisonment for two years	Increase prison term to 5 years.	Forgery should be seen as a serious offence and especially forgery of the two important documents (ballot paper and nomination paper), prison term be increased as a deterrent.
12	In a polling booth during polling, misconducting himself, or failing to obey the lawful directions of the presiding officer.	K200.00 fine or imprisonment for one month.	Increase fine to K1,000.00 and prison term to 1 year.	The voting process (polling) and facilities and conduct of all involved is vital for the election's success. Hence, misconduct during polling should be deterred by increasing the fine and prison term.
13	Supplying ballot papers without authority.	Imprisonment for six months.	Increase prison term to 2 years.	Illegally supplying ballot papers should be seen as a serious offence, hence prison term be increased as a deterrent.
14	Unlawfully destroying, taking, opening, or otherwise interfering with ballot boxes or ballot papers.	Imprisonment for six months.	Increase prison term to 2 years.	The unlawful actions to tamper with ballot boxes can undermine the integrity of the election process, hence, the prison term be increased as a deterrent.

Source: Compiled using Section 191 of OLNLGE

As per Table 15, in the view of the Committee, in general, the current penalties are not adequate to deter the offenders so the penalties should be made harsher and implemented effectively, without fear or favour as per Recommendation 48. Going forward, the information in Table 15 shall be subject to the legal review and amendment, per Recommendation 69.

Recommendation 48: *The Committee recommends that the severity of punishments for electoral offences under Section 191 of the OLNLGE be increased and also be effectively enforced by the PNGEC, Police and the Courts. The increase should constitute an increase in monetary fines and an increase in prison terms per Table 15. Effective enforcement should constitute better coordination between the PNGEC, Police and citizens for reporting and prosecution of electoral offences within the justice system of PNG.*

Recommendation 48 will contribute to meeting Expected Outcomes 1 and 4 of TOR 4 (Election Security) because increasing the severity of penalties for electoral offences and effectively enforcing them will contribute to a peaceful and safe environment for elections (Outcome 1) and reduce election-related human casualties (Outcome 4).

Another issue is that the list of offences must be updated to include new areas such as offences committed via ICT platforms with reference to the *Cybercrime Code Act 2016* (Government of Papua New Guinea, 2016).

Recommendation 49: *The Committee recommends that the list of electoral offences under Section 191 of the OLNLGE be updated to incorporate offences under Part 2 of the PNG Cybercrime Code Act 2016 (Offences and Penalties), as applicable to election activities.*

Recommendation 49 will contribute to meeting Expected Outcome 1 and 4 or TOR 4 (Election Security) because in the context of the ICT age and cybercrime risk, incorporating cybercrime offences into the *OLNLGE*, as they relate to elections, will contribute to deterring election-related cybercrime and ensure a peaceful and safe election environment (Outcome 1) and reducing election-related human casualties or harm that may be caused by the use of ICT (Outcome 4).

6.6. Offences under the *Criminal Code Act* or *Summary Offences Act*

Some of the offences committed during elections are criminal in nature and must be punished under the *Criminal Code Act 1974* or *Summary Offences Act 1977* (Government of Papua New Guinea, 1977). Offences under the *Criminal Code* are more serious than those under the *Summary Offences Act*.

Under the *Criminal Code*, there are a number of provisions; for example, *Section 299 (Wilful murder)*; *Section 300 (murder)*; *Section 302 (Manslaughter)*; *Section 303 (Killing on provocation)*; *Section 304 (Attempted murder)*; *Section 305 (Accessory after the fact to murder, etc)*; *Section 306 (Written threats to kill)*; *Section 308 (Urging, etc., unlawful killing)*; and *Section 309 (Failure to report killing or intended killing)*. Each of these offences have penalties attached to them and if and when they occur in relation to the elections, they should be penalised accordingly. Unfortunately, the enforcement of the criminal laws is poor in PNG.

Election-related violence and deaths is a major issue in PNG elections. According to a report done under the National Democratic Institute (see Kitau, Yangin, Kakarere, Pamu, Okole, Milli and Kabuni, 2022), the 2022 NGE showed an acceleration from ethnic violence to electoral violence, whereby the elections are influenced along tribal and ethnic lines; that in turn, created tribal fights, killings, and disruptions to basic government services, most notably in Kabwum, Markham, Porgera, Enga, Mendi, and the National Capital District.

As a democratic process, the elections should not involve loss of lives, whether it is the members of security forces or election officers or voters or the public in general. Unfortunately, the trend is that the elections are increasingly becoming security operations rather than as democratic processes because of the threat of and actual violence and deaths. At the inquiry, the Police Commissioner reported that the Police had to deploy more manpower and resources to deliver what should be a democratic process that everyone should deliver as efficiently, effectively and responsibly as possible.

In terms of specific incidents during the 2022 NGE, during the Public Hearings, the Committee raised concerns and questions about the security lapses that happened in four places: Markham, Mendi, NCD and Kabwum, where there was election-related violence resulting in death. The Committee also raised concerns on the need for security agencies to bring to justice those involved in the criminal acts and the role of intelligence to prevent such unfortunate incidents.

The Police Commissioner reported that there were significant lessons learnt from the four specific incidents. Mendi was a high-risk situation and the Police did have an intelligent task matrix that highlighted the hotspots of the possible areas for Police to mitigate the risks. The Kabwum and Markham electorates were not on high risk or medium risk (because Morobe Province was not a perceived high-risk province), so the incidents were unexpected. The NCD electorates were a security challenge because of the dense, multi-cultural, and multi-ethnic population. Considering these issues reported by the Police Commissioner, going forward the lessons learnt must be incorporated into the security planning for the 2027 NGE and future elections to mitigate the security risks. Commissioner Manning also reported that the investigations into the Markham and Kabwum cases have been addressed with some arrests made while criminal proceedings were still going on for the Mendi case.

The Police Commissioner further elaborated that in the course of the investigations, more incidents were reported for which the Police was doing its best to address. Going forward, voters should be educated on the need for ethical conduct in the elections as a democratic process. But changing the attitudes and mindset of the candidates and/or their supporters is a big challenge. Nevertheless, there is a need to ensure that the integrity of the electoral process is protected; so, there should be stronger penalties under the electoral laws (per Recommendation 48) to ensure that the candidates and their supporters behave and conduct themselves in a lawful and ethical manner.

Recommendation 50: *The Committee recommends that all security agencies (RPNGC, PNGDF, PNGCS, NIO, and OSCA) be required by law to coordinate and consolidate their intelligence information in the form of an integrated intelligence task matrix to ensure that proper planning is done to act in time to mitigate potential areas of risk and trouble or violence prior to, during and after elections. To achieve this, relevant amendments be made in the OLNLGE to account for the creation and use of intelligence information during elections.*

Recommendation 50 will contribute to achieving the four Expected Outcomes of TOR 4 (Election Security) because the consolidation of intelligence information through an integrated intelligence matrix will lead to better decision-making on addressing security matters and hence achieve peaceful and safe elections (Outcome 1); achieve efficiency and effectiveness in security agencies' work (Outcome 2); better implementation of security plans (Outcome 3); and reduction in election-related human casualties (Outcome 4).

Recommendation 51: *The Committee recommends that as part of promoting ethical conduct for the elections and peaceful and safe elections, the Information and Civic Awareness Branch (ICAB) of the PNGEC must carry out its election awareness activities on key aspects of the elections annually during the 5-year election cycle to convince the voters, candidates and supporters to conduct themselves ethically for matters relating to the elections.*

Recommendation 51 will contribute to achieving Expected Outcome 1 and 4 of TOR 4 (Election Security) because effective awareness during the 5-year election cycle will disseminate vital information for stakeholders' understanding of the importance of elections, thus contributing to peaceful and safe elections (Outcome 1) and reduction in election-related human casualties (Outcome 4).

Recommendation 52: *The Committee recommends that the Police must effectively enforce the penalties for crimes committed under the Criminal Code and Summary Offences Acts during elections to deter such acts, by applying appropriate incentives and penalties on the conduct of Police personnel.*

Recommendation 52 will contribute to Expected Outcome 1, 2 and 4 of TOR 4 (Election Security) because effective enforcement of penalties for crimes under the *Criminal Code* and *Summary Offences Acts* as a deterrent to crime, will contribute to peaceful and safe elections (Outcome 1); Police being seen as effective in delivering on its mandate (Outcome 2); and reduction in election-related human casualties (Outcome 4).

6.7. Affiliation of Certain Security Personnel to Politicians

Another matter that has security implications is the perception that certain policemen are closely affiliated with certain leaders such that in the election process, they communicate with each other and may collude that can result in negative consequences for the electoral process. This affiliation may be in the form of politicians purchasing assets with either public or personal funds for Police and also perceived collaboration during the election process itself, which undermines the integrity of the election.

For example, during the Public Hearing, one Committee Member gave an account where, when the ballot boxes were at the Police Station, his scrutineers had to sleep there for 24 hours with the Police personnel because of the concern that the police may be siding with the other leaders that were competing against him and change the ballot boxes in the police station. Those were the type of concerns raised.

Another example is when some candidates buy vehicles for the Police Force. The Police Commissioner was asked to provide his views on the matter and he responded that any assets bought and donated by any sitting Member of Parliament (MP) should be done with genuine reasons and intent to assist the Police to deliver services. There should be no expectation for Police to provide favour to the leader during elections. Unfortunately, the Commissioner lamented that there are certain policemen that have misplaced loyalty to sitting MPs.

The Police Commissioner recommended that one way to stop policemen from collaborating with MPs was to move Police personnel to other locations/provinces during elections. However, the lack of financial resources cannot allow for uplifting of 100 or 200 police personnel in one command and swapping them with police personnel from another province. Considering this, there should be greater emphasis on the integrity of the operations. A major operation like the national elections demands that members of the JSTF must behave in a transparent and ethical manner during the election period.

To encourage transparent and ethical behaviour by the security forces during the elections, members of the JSTF must be either incentivised for good conduct or penalised for bad conduct. Incentives can involve possibility for promotion or financial incentives within the guidelines of each of the security agencies. Penalty for bad behaviour includes the possibility of demotion or discipline under the Code of Conduct for the JSTF.

With regards to the purchase of assets for the Police by politicians, the Police Commissioner stated that when public money is used to buy public assets such as police vehicles, it is a public property and not personal property.

Recommendation 53: *The Committee recommends that in order to guard against collusion between MPs and security personnel, the integrity of the JSTF operations for elections must be maintained by ensuring that security personnel conduct themselves in a transparent and ethical manner, by rewarding good conduct and penalising bad conduct. Incentives can involve promotion or financial incentives within the guidelines of each of the security agencies. Penalty for bad behaviour shall, in the first instance, be penalised under Criminal Code if the behaviour is criminal in nature or demotion or discipline under the relevant provision of the Police Act, where the JSTF members are bound by.*

Recommendation 53 will contribute to meeting Expected Outcome 2 of TOR 4 (Election Security) because the integrity of JSTF operations through transparent and ethical behaviour of security personnel will contribute to effective and efficient operations of security agencies.

6.8. Laying of Complaints for Electoral Offences

During the Public Hearing, a concern was raised by the Committee as to who is responsible for laying the complaints for electoral offences and criminal acts relating to elections. That is, who in particular, should be representing the people and become the complainant so the Police can investigate the cases. When cases are left unattended, it creates a perception that the crimes are acceptable or that the authorities are weak and cannot address the issues. For the upcoming 2027 NGE, if the electoral offences from the 2022 NGE are not resolved before the 2027 NGE, it would reinforce the perception that the electoral or criminal offences are acceptable and perpetrators could resort to committing the same offences in the 2027 NGE.

The Police Commissioner responded that for offences committed under the *Criminal Code* and *Summary Offences Act*, anyone (i.e. the public) have the right to lay a complaint, but for electoral offenses, only the Electoral Commissioner his/her their representatives should bring a complaint for investigation. This allows the Police to separate the responsibilities of ordinary citizens and those who are responsible for delivering the elections. This then allows the Police to concentrate on the task of delivering the elections itself. The investigation task force is taking on both the criminal complaints as well as those complaints that sit under offences in the *OLNLGE*.

6.9. Election Security Coding

One of the interventions used by security agencies, particularly the RPNGC and PNGDF, for the elections was security coding to categorise the level of risk for electorates in the country. For the RPNGC, the Police Commissioner reported that in 2017, there were some electorates that were in green (low risk), some in amber (medium risk), and some in red (high risk). However, in 2022, most of the electorates were in the red, and those who were rated green before were now in amber; and that included NCD, Kokopo and Alotau. The Commissioner's view was that security issues are getting worse and more expensive to maintain; however, the election process must be protected. He stressed that the electoral process will deteriorate further if security issues are not addressed.

The Police Commissioner recommended biometrics as an option that should be explored and used because it can speed up the whole electoral process for most electorates so the Police can concentrate on the difficult electorates. In the 2017 NGE, the “red zones” were mostly in the Highlands Region, which made it easier for the Police to concentrate the resources there. However, for the 2022 NGE, “red zones” were spread across the country so it was very challenging for the Police to deliver a safe and secure election. With the lessons learnt in the 2022 NGE, the Police should ensure that it devises new strategies to improve security for the electoral process.

The Committee was appreciative of the Police’s security coding system for different electorates in the country because these can be shown to the people to relay the message. That is, using the coding system, people can be shown that security issues have worsened, because in 2017 many provinces were yellow, some were red and the rest were green; but in 2022, almost every province has a “red area”.

For the PNGDF, the Commander presented that they had a security coding system where “red dots” indicated the areas which intelligence picked up and identified as having an increase in arms. PNGDF does the assessments on an annual basis through the Force’s intelligence by monitoring the trafficking of arms from the border of Indonesia and PNG, and in some cases along the sea border with the Solomon Islands and Australia.

The build-up of arms is an indication that the policing of PNG’s international borders as well as internal policing are weak. The type of arms being smuggled in were mainly factory-made weapons and most end up in the tribal fights in the Highlands Region. The arms build-up has been an ongoing concern for PNGDF. Because of the lack of collaboration between security agencies (Police, Defence and the intelligence community), the profiling of persons responsible and types of weapons that are coming through have not been done. But on the ground, the evidence is clear that when there are incidents of tribal fights, the weapons are shown and used.

These weapons that are smuggled in are illegal and have the potential to cause serious internal security issues. Therefore, there is a need for collaboration among relevant security agencies to ensure that intelligence information is shared so they can work together to address the security threats.

Recommendation 54: *The Committee recommends that an integrated security coding system (based on the RPNGC and PNGDF coding systems) be developed and used as a planning and risk management tool by the JSTF to ensure that the perceived risks associated with planning and conducting the elections are planned for and mitigated for the 2027 NGE and onwards. As a planning tool, the coding system can be used to estimate the level of risk and allocate resource requirements in the security plan. As a risk management tool, the coding system can be used to devise prevention measures and implement them to mitigate election-related security issues.*

Recommendation 54 will contribute to achieving all four Expected Outcomes of TOR 4 (Election Security) because using an integrated security coding system as a planning and risk management tool will contribute to peaceful and safe elections (Outcome 1); more effective and efficient operations of security agencies (Outcome 2); better implementation of election security plans (Outcome 3); and reduction in election-related human casualties (Outcome 4).

6.10. Collaboration and Coordination in Election Security Operations

Following from the preceding section, one significant issue is the need for greater collaboration in the security space, both at the leadership and at the operational level relating to the coordination and movement of ballot boxes to ensure that there are conducive environments to vote, and collection of the ballot boxes and the process of counting the votes.

The Police Commissioner stated that the lack of collaboration between the security agencies has become quite problematic, starting from the time spent in preparation and leading up to the actual deployment of personnel and during voting, counting and declaration. There has to be greater collaboration to ensure that the security support to the PNGEC is effective and efficient, and that the electoral process is fair, accountable and transparent. Greater collaboration amongst security agencies and with PNGEC will ensure that the elections can be delivered in a safe and secure environment.

The PNGDF Commander also highlighted the lack of coordination amongst the security agencies to deal with the high-risk areas shown by the red dots (i.e. increase in arms), as a major concern. The National Security Advisory Committee (NSAC) is supposed to be the coordination body for security matters for the country, including election security. Within the NSAC mechanism, there is a need for the heads of security agencies to do more to ensure information coordination amongst themselves so that they can inform the Government correctly. At the moment, there is a lack of coordination and collaboration amongst the security agencies. As a result, there is no profiling on people that are responsible, the type of weapons and ammunition that is coming in.

The PNGCS Commissioner raised the issue that for the three disciplined forces, there was no preparation done before the election, so there was an absence of joint election preparation, training and mobilisation. The consequence of this was that when it came to monitoring who is eligible to vote, it was quite difficult for the members of the disciplinary forces to assist officers of the Electoral Commission and those appointed by the Electoral Commissioner to support the election process. He added that the lack of inter-agency collaboration resulted in a lack of concerted efforts to address the election issues.

Recommendation 55: *The Committee recommends that a joint agencies' agreement for key election stakeholders (PNGEC, PNGDF, RPNGC, and PNGCS) be signed and implemented starting 4 years before the election year so that there is a clear Terms of Reference on areas of collaboration amongst the agencies as well as demarcation on what needs to be done, who should be responsible for what, and resource requirements. This will provide clarity on collaboration and what each agency's role is and what resources are needed at any given time in the process of planning for and conducting the elections.*

Recommendation 55 will contribute to achieving Expected Outcome 3 of TOR 4 (Election Security) because a joint agencies' agreement will facilitate more effective coordination between the key election stakeholders and lead to effective implementation of security plans for the elections.

Recommendation 56: *The Committee recommends that the OLNLGE and regulations or policies in the election security space must clearly define the powers of the security agencies and PNGEC, so that there is synergy in the management of the election process and security matters.*

Recommendation 56 will contribute to Expected Outcomes 2 and 3 of TOR 4 (Election Security) because a clear definition of the powers of the security agencies and PNGEC will contribute to improved effectiveness and efficiencies of security agencies (Outcome 2) and improved coordination amongst the election stakeholders for effective implementation of election security plans (Outcome 3).

Another area where strong collaboration is needed is communications. The Police Commissioner stated that communication was important to inform people about the role of the police during the elections. The Police took it upon itself to conduct awareness to inform the people that the Police was there to make sure that the elections succeed. The aim was to ensure that there is greater collaboration and coordination in how the Police plans, prepares, and deploys its personnel for the elections. However, the provision of security for the elections has become extremely challenging due to the increasing issues relating to the election process.

Recommendation 57: *The Committee recommends that the security agencies led by the Police and in alignment with the PNGEC's key messages, develop a consolidated security communications strategy to regularly inform the general public of the election security issues and the need for candidates, voters and the general to contribute to peaceful elections through good behaviour. The communication strategy should also include the penalties for illegal activities relating to the conduct of elections under the OLNLGE, Criminal Code and Summary Offenses Act.*

Recommendations 57 will contribute to achieving Expected Outcomes 1, 2 and 4 of TOR 4 (Election Security) because having an effective communications strategy for the security agencies as part of election education and awareness will drive home the key message relating to election security and contribute to a safe and peaceful election environment (Outcome 1); assist in better performance of security agencies (Outcome 2); and reduce election-related human casualties (Outcome 4). The security communications strategy should also be done in collaboration with the general election education and awareness by the PNGEC's ICAB.

The Police Commissioner also raised the point that going forward, there is a need for significant reforms in how things are done for the conduct of the 2027 NGE or it will be extremely challenging for those who are tasked with providing security and securing the electoral process. Chairman Bird stated that it was quite concerning to hear the perspective from the Police Commissioner (as head of security for the elections) that without significant reform it would be extremely challenging for those tasked with providing security.

6.11. Phases of Security Operations

In prior elections, there was a pre-election operation, election operation and post-election operation by the Police. However, in the 2022 NGE, it was observed that there was not much of the pre-election operations. Police were deployed mainly during the election time, and in light of this, the Committee, through Hon. Robert Naguri, asked the Police Commissioner during the inquiry as to the reasons why there were no pre-election operations conducted. In his response, Commissioner Manning agreed with the observation and explained that the key factor why there was no robust pre-election operation was that the funds for that particular operation were not forthcoming or did not come on time and that RPNGC felt that the funds that they had was best utilised to train the personnel and prepare them for the elections itself. The lateness in election funding is confirmed by the dates of disbursements of the K240.2 million funding for RPNGC (see Table 12).

For PNGDF, Commander Goina informed the Committee that the initial activity was the preliminary operation where they conducted the pre-deployment training, followed by the shaping phase, which is very important to ensure that the conditions are set for the elections before conducting the main operations. The main part of the operations – the elections – then occurred in June and July. Once the main phase is in operation, the personnel were reorganised to make sure that those that were not required in the operation are returned to their respective units where they reset, retrain and reorganise for further tasking. Since the PNGDF was required to continue to support the Police up until 31 December 2022, it had to also issue a Fragmented Order (FRAGO) to make sure that it continues to provide the support to the Police, post-national elections up until 31 December 2022.

6.12. Support of Bilateral Partners to PNGDF

During the Public Hearings, it was clear that the support of bilateral partners was vital to the security operations. The PNGDF Commander stressed that PNG is not completely linked by roads and this is a challenge that is faced at every election. In addition, the vast maritime area makes it very challenging to conduct the elections. In this regard, the support of bilateral partners was very important, especially in the logistics area. The Commander acknowledged the support of Australia who through the Australian Defence Force (ADF), planned well in advance, almost three to four years in advance to provide support to PNGDF via the provision of three aeroplanes and two helicopters. In addition to the two helicopters that it provided, the ADF also hired another two helicopters for PNGDF to use of which during the course of the operations, were allocated to the Electoral Commission to use because it needed air transport support and in particular helicopters.

The PNGDF Commander also reported that the ADF had a plan that was two-to-three years in advance to support the election operations. Their capability investment to support the PNGDF was K45 million, which was exclusive of their air transport support. This K45 million was the value of support for the provision of vehicles, field equipment, uniforms and ammunition. Other partners such as New Zealand, USA and Britain, also supported PNGDF with pre-development training to make sure that PNGDF personnel were properly trained to take on the responsibility of conducting security operations.

In summary, Commander Goina stated that under the Defence Cooperation Program, the ADF provided logistics, vehicles, uniforms, body vests, and helicopters to support PNGDF in addition to those provided by the Royal Air Force. This gives an indication of the kind of bilateral support that was given to prepare PNGDF for the 2022 NGE.

Recommendation 58: *The Committee recommends that the value of in-kind support by development partners to security agencies be provided to the Department of National Planning and Monitoring (DNPM) as the focal point to capture the full value of support provided by development partners and assist in election planning and implementation and the determination of the total cost of the elections.*

Recommendation 58 will contribute to meeting Expected Outcome 3 on TOR 4 (Election Security) because capturing the value of in-kind support by development partners through DNPM will contribute to effective coordination by stakeholders in providing support for implementation of security plans.

6.13. Illegal Firearms and Threats on Security

A major security issue stressed at the Public Hearings was the threats brought on by illegal firearms. These illegal firearms are not only a threat during elections but also a threat for the general security of the people in everyday life. The following presents some of the key concerns relating to illegal firearms and recommendations to address them.

6.13.1. Security space jurisdiction

One of the issues relating to dealing with illegal firearms is in terms of whose jurisdiction it was to deal with weapons coming in from outside the country. *Section 12(5) of the Criminal Code* gives effect to the Code to have extra-territorial effect to enforce the application of *Offence (Overseas) Act 1984*.

At the inquiry, the PNGDF Commander stated that initially, it is the PNGDF's responsibility to ensure that our borders are secured on both land and sea. However, because of the rugged terrain and the insufficient number of patrols conducted along the border, there are gaps that appear and people come through those gaps to bring in arms. *Section 69(b) of the Criminal Code Act* classifies smuggling of firearms by persons in groups of 6 or more as being considered as a serious offence and carries a penalty of imprisonment of terms not exceeding seven years. When the weapons enter the country, it is the responsibility of the RPNGC to deal with the perpetrators, pursuant to *Section 202(a) of the Constitution*.

6.13.2. Perpetrators of firearms smuggling

With the increasing cases of illegal firearms being smuggled into the country, the Committee posed a question to the PNGDF Commander as to who were the major perpetrators of the movement of the firearms. A follow up question was whether people were preparing for the national election by amassing firearms.

The Commander did not provide a specific answer to the first question but on the second question, he responded that in his view, weapons access is based on demand and where they can be used. He elaborated that the National General Election is a very contested event in PNG and every candidate spends huge amounts of money to participate in the elections and in some parts of the country, weapons are a tool to force voter behavior.

Recommendation 59: *The Committee recommends that in order to ensure a peaceful environment for elections, the Police effectively enforce the penalties for offences under the Firearms Act 1978 (Part XI) to deter offences such as possession of firearms under the influence of liquor (s.57); carrying firearm exposed to view in public place (s.58); discharge of firearms (s.59); threat to use firearm (s.60); and unauthorised possession of ammunition (s.65A) by empowering the police officers to carry their duties without fear or favour.*

Recommendation 59 will contribute to meeting Expected Outcome 1 and 2 of TOR 4 (Election Security) because the effective enforcement of offences relating to firearms will contribute to a peaceful and safe environment for elections (Outcome 1) and reduce election-related violence and deaths (Outcome 4).

6.14. Monitoring and Control of Firearms owned by PNGDF

Another important area in security is the control of firearms issued by the PNGDF for its own military purposes. The concern was that PNGDF firearms could fall into the wrong hands which can have serious adverse consequences. Commander Goina stated that based on the lessons that PNGDF has learnt, its security system has control of all PNGDF armories where all ammunition and weapons are kept, monitored and controlled. For those that are going out on operations, the Defence Force is now doing complete and detailed ammunition checks and weapons-return on a fortnightly basis so that the ammunitions are not sold for money to warring tribes, or weapons being given away. There is a tighter control around that so the Defence Force is very comfortable with its control of all weapons and ammunitions.

As an example, there were allegations of some PNGDF personnel selling ammunitions in Enga Province. Given this, the Commander commissioned a high-level investigation that went up to Enga and did a full stocktake of all ammunitions, including weapons. From that finding, all PNGDF ammunitions were accounted for, including the weapons.

6.15. Weapons in the Hands of Criminals

Another security issue was the weapons that are in the hands of criminals, which is a big challenge for all security agencies. From a military perspective, Commander Goina recommended a military solution to the matter where a state of emergency is declared and a province is blocked with total control by the military who can go in there, do the job and come out. That is, if the people prefer and request for a hard knock deal for a particular district or province that has that number of weapons, then the military can go in there, take total control of the province or electorate and deal with the matter. This means that all the administration loses power and PNGDF takes control of everything and it will run the district or province and will deliver the effect that the government is seeking to achieve and then set the conditions and transition back to the civil administration and then pull out.

However, as it stands, that cannot be done because Police is the lead agency and PNGDF can only play a support role. The PNGDF cannot go out and operate on its own for domestic security matters as it is against the law for the Defence Force to go and do operations without the presence of policemen. That is how PNGDF is operating and is always trying to make sure that it abides by law and all soldiers' actions are dictated by police when addressing internal law and order issues, including during elections.

Recommendation 60: *The Committee recommends that the JSTF should be strengthened with human and financial resources to be more effective in determining the origins of weapons, the perpetrators, and the types of weapons and ammunitions; and profiling them so they can do intelligence-led operations to arrest the alleged offenders to face justice.*

Recommendation 60 will contribute to achieving Expected Outcome 1 and 4 of TOR 4 (Election Security) because increasing human and financial resources to address weapons and perpetrators will contribute to a peaceful and safe environment for elections (Outcome 1) and reduce election-related violence and deaths (Outcome 4).

6.16. Conduct of Disciplined Forces During Elections

A further concern is the conduct of security personnel and the need for accountability mechanisms to deal with bad conduct. The PNGCS Commissioner recommended that legislation should be enacted by Parliament and it should be activated at any national or provincial election of leaders. This piece of legislation should govern the conduct of the disciplined forces' members who come under the command of the Police Commissioner during the election period. During the elections, the disciplined forces participating in the elections must come under the command of the Police Commissioner.

Recommendation 61: *The Committee recommends that the relevant provisions of the Police Act, in particular, Section 125(2) be effectively applied by the RPNGC to govern the conduct of all members of the JSTF during the elections to ensure that security personnel conduct themselves ethically in their line of duty in providing security services for the elections.*

Recommendation 61 will contribute to addressing Expected Outcome 2 of TOR 4 (Election Security) because the effective enforcement of *Section 125(2)* of the *Police Act* will contribute to improving the conduct of members of the JSTF which will in turn lead to security agencies becoming more effective and efficient in delivering on their mandated responsibilities.

6.17. Election Security Intelligence Apparatus

Intelligence plays an important role in ensuring effective security operations and the election operations in general, because information gathered through the intelligence apparatus is vital for making informed-decisions to address a particular issue or matter. The following presents key issues on election security intelligence and recommendations to improve security intelligence for the 2027 NGE and future elections.

In the Public Hearings, the PNGDF Commander and Police Commissioner gave similar grave concerns about the elections. The biggest concern was that the future security challenges are linked to citizens' behaviour, conduct and attitude, and destruction of property and lives, that makes the national general election a high security risk. Commander Goina stated that he expected things to get worse. Chairman Bird said that this was alarming and therefore, the PNGDF and the Police Force need to have a working intelligence apparatus to address the security risks.

Commander Goina recommended that there should be a centre where all the information can be collected and consolidated. At present, each agency has its own intelligence information but that information is not brought together under the JSTF mechanism. The NIO and OSCA should serve as the conduit for consolidation of the intelligence information. For this to happen, the NIO and OSCA must collaborate and work effectively.

Recommendation 62: *The Committee recommends that the OLNLGE be amended to include a provision for ensuring that all agencies involved in the intelligence space (i.e. Police, military, PNGCS, NIO, and OSCA) work together so that intelligence can be easily accessed and used to make timely decisions to address law and order issues/threats and make elections better. Intelligence here denotes intelligence-related information, its analysis and assessments and dissemination to higher authorities for timely interventions.*

Recommendation 62 will contribute to meeting Expected Outcome 2 and 3 of TOR 4 (Election Security) because collaborative work by security agencies on intelligence will make the agencies more effective and efficient in delivering on their mandates (Outcome 2) as well as more effective implementation of security plans (Outcome 3).

6.18. Conclusion

In an ideal world, as a democratic process, the PNGEC would conduct the elections in a safe and secure environment, based on electoral laws being followed by all stakeholders. In such a safe and secure environment based on adherence to the laws by the people, the security agencies will play a very minimal role to support the PNGEC. However, in PNG, the elections are becoming more as security operations, rather than as democratic processes because of the threat of violence caused by voters and opportunists. Considering this, the root causes of electoral violence must be addressed. These include election conflicts, land matters and even personal grievances. It is imperative that the security agencies work together and in collaboration with the PNGEC to effectively plan for and implement strategies to address the root causes of violence using recommendations presented in this section of the Report (i.e. Section 6). It is the Committee's hope that the implementation of the recommendations in Section 6 of the report will address the security matters in PNG so that the elections can be conducted in a safe and secure environment to contribute to credible election outcomes.

7. CROSS-CUTTING MATTERS AND RECOMMENDATIONS

This section discusses issues that are cross-cutting in nature with recommendations. They are cross-cutting in the sense that addressing these matters will lead to better outcomes for the other areas covered in the specific TORs for the committee (i.e. TOR 1 to TOR 4 presented in Sections 3 to 6). In addition, some of the matters discussed in this section have been mentioned in the preceding sections but elaborated in this section from a cross-cutting viewpoint.

These areas covered in this section include:

- behaviour of voters and candidates (subsection 7.1);
- election logistics (subsection 7.2);
- training and support for electoral officers and security personnel (subsection 7.3);
- electoral corruption and transparency (subsection 7.4);
- legal reforms (subsection 7.5); and
- political representation for women (subsection 7.6).

The last subsection (7.7) concludes the discussion on cross-cutting issues.

7.1. Behaviour of Voters and Candidates

7.1.1. Behaviour of the population

During the Hearing, a concern was raised that people's negative behavior and conduct during elections was a serious matter that must be addressed. The root cause of the negative behaviour is something that leaders at all levels should endeavour to address. People's unruly behavior poses a huge security challenge to the security forces and most importantly the innocent people who get caught because of the behavior of unruly voters such as burning down and hijacking of ballot boxes. Negative behavior is not acceptable and must be seriously looked into and addressed at all levels.

The PNGDF Commander mentioned that negative behaviour by people gives a concerning signal especially to the security force members. He stated that it should not come to a point where security forces have to engage with members of the public in a fight. What is needed is for people to behave correctly so that eligible voters can go and cast their votes freely without cohesion. The behaviour of people from the 2012, 2017 and 2022 elections has changed dramatically towards the negative. If not addressed, the 2027 national election is likely to be worse.

In hindsight, people may have reason to be unruly as the elections were not conducted properly as admitted to by the PNGEC. So, the best way of addressing the people's concerns is not to escalate conflict but to deliver better elections.

7.1.2. Issues relating to support for candidates

Oftentimes, the culture of voters or communities showing strong support for candidates during elections lead to unruly voter behaviour. In this regard, the PNGDF Commander stated that from experience, voter behaviour up in the highlands is the most high-risk area for PNGDF, especially security wise. The Commander recommended that it was incumbent on all the candidates to ensure that their supporters conduct themselves ethically, in order to ensure a free, fair and transparent election.

If there were laws broken by candidates who have been as elected leaders, some measures need to be taken to make sure that, that kind of conduct and behaviour should not continue because innocent lives are being lost. People are being killed and properties are being destroyed, because of supporters trying to get their candidate to win.

Chairman Bird asked Mr Goina's view as to what he thought would be motivating the violent and aggressive behaviour in order to win a democratic seat in Parliament illegally. Mr Goina responded that there are places that vote peacefully and places where it is a completely different matter altogether. From his experience, voting behaviour is centred on the support that the leader would provide to that particular village or tribe. Because of that, they mobilise themselves into tribal groups or community groups to support that particular candidate and unfortunately, sometimes that behaviour leads to harming others.

7.1.3. Election law implementation and voter behavior

The Police Commissioner stated that ideally, the elections should have very minimum involvement of other parties besides the Electoral Commission. That is, elections should be largely the responsibility of the Electoral Commission and the security agencies just provide some assistance to facilitate the election process in terms of providing security or a response to a particular incident. However, this is not the case in PNG, where high involvement of security forces is needed due to the volatile environment during elections.

Chairman Bird stated that PNG has regressed in terms of how voters behave at elections. In the past people were much more compliant going into elections, but not today. So, there is a need to make sure the elections are safe for women and other vulnerable groups to have the right to vote without intimidation and all the associated risks during the election process. Chairman Bird added that the elections cannot continue to be like going to war because it is a democratic process. The PNG situation is such that a lot of security is provided to protect a few ballot boxes.

Recommendation 63: *The Committee recommends that as much as possible, the elections must be delivered according to the OLNLGE and relevant regulations so that people do not have a valid reason to be unruly. Those committing crimes during elections should be prosecuted and penalised according to the law.*

7.1.4. Voter behaviour and firearms

One specific area of voter behaviour that the Committee raised concern was the access to and use of firearms during elections. When firearms get to the hands of ordinary people, lives are threatened during the election process. People with firearms appear to be very powerful and they won't worry about the disciplined forces.

Recommendation 64: *The Committee recommends that the JSTF must plan for and remove all non-licensed firearms from the general public before the next general elections in 2027.*

The PNGDF Commander stated that voter behaviour continues to pose a huge risk, not only to the security forces but also other voters that are going out there to cast their votes. He stressed that candidates need to control their supporters, who are driven by money or promises. Addressing voter behaviour requires a consolidated approach where the government, churches and NGOs work together.

7.2. Election Logistics

In terms of logistics, because of the remoteness in many areas, the Electoral Commissioner recommended doubling the number of polling officials or creating incentives like increasing their allowances. For the next election, a five-year plan is needed as highlighted in previous recommendations on election planning and common roll update.

The Electoral Commissioner highlighted that logistics was a big issue and he lamented that attitude problems were causing logistical problems. For example, one-day polling has been tried in the Highlands Region to stop or minimise the practice of double or multiple voting and fighting that often happens when polling is done for a number of days. PNGEC does not have the helicopters, ships, and all the vehicles that it needs so it has had to hire them. Moreover, the Electoral Commissioner raised a concern that some helicopter companies are not willing to assist because of the risk associated with tribal fighting during the election.

Considering the logistics problems in the elections, the PNGEC needs to plan well in advance of the elections and procure appropriate equipment and human resources for use during the elections. This work should be done in collaboration with all the support agencies.

Recommendation 65: *The Committee recommends that in order to improve the planning and execution of logistics for the elections, the Special Procurement Committee for the PNGEC must ensure that it procures the necessary logistical requirements on time and that the respective personnel are equipped to implement the plan for logistics.*

7.3. Training and Support for Electoral Officers and Security Personnel

In terms of training and support, the IDEC Chairman emphasised the need to have a very focused training and support for the Electoral Commission. During the consultations, it was evident that in many areas, training for electoral officers and TEWs was being done only during the election period, which is not ideal at all. In addition, appropriate training should be provided to security force members who will be involved in elections so they are full aware of their roles during the elections.

Recommendation 66: *The Committee recommends that the PNGEC and security agencies conduct training for electoral officials, TEWs and security force members annually commencing four years before the elections so that during the election year, all are fully trained and carry out their roles within the allotted time and budget. Besides the training on electoral matters, basic intelligence skills training (or intelligence awareness training) should be given to all PNGEC staff and all security force members so they are able to identify information of value and pass that up through the system. This process and system will help intelligence analysts at Headquarters in Port Moresby and in provincial capitals to see the full picture on the ground to plan their own operations.*

7.4. Electoral Corruption and Transparency

The abuse of entrusted power for personal gain (i.e. corruption) is a key factor, if not the main factor, for the continuous maladministration of the national elections. Almost all of the issues discussed in this report could be tied back to the tensions between personal political interest and national and constitutional interests.

Considering the negative impact of corruption on the electoral process, the integrity and transparency of the election process are very important if the election results are to be credible. That is, candidates must be voted to public office through a transparent election process devoid of corruption or

suspicious of corruption. There is no worse political issue than having public officials who obtain public office through corruption, either knowingly or unknowingly, via a corrupt election administrative system.

During the inquiry, issues were raised regarding the negative impact of corruption on the election process. These were mentioned at the public hearings, written submissions and observation reports. As an example, in TIPNG's 2022 Election Observation Report (Transparency International PNG, 2022), it quoted one of its observers observing the North Wahgi seat as follows: "*Women made different lines to cast their votes and men made a different line to cast their votes but brought money around and bribed people and that's the corruption in the polling area.*"

At the regional consultations, when commenting on the elections in Enga Province, the Enga Election Manager stated that "*it is the leaders themselves that go around trying to get themselves elected through bribery, corruption and through intimidation of voters and that is a problem that arises in the Enga Province, but generally Engans are peace-loving people.*"

An example of a recent court case relating to corrupt practices during elections is: The case of *Peter Isoaimo v Paru Aihi & PNGEC* [2012] PGNC 391; N4921 (National Court of Papua New Guinea, 2012). In this case, the first respondent (who was the sitting member) was found guilty of bribery under *Section 103* of the *Criminal Code Act* and *Section 215* of the *OLNLGE*. In particular, the candidate used a sporting event to make his political speech and gave cash to one of the tournament organizers. In another instance, the candidate announced during his election campaign that he had brought money to the village and distributed cash and cheques to various electors in order to induce them to procure his return at the forthcoming election. The Courts found guilty him and the election was declared void.

Another example is the case of *Isi Henry Leonard v Gordon Wesley & PNGEC* [2014] PGNC 368; N6522 (National Court of Papua New Guinea, 2014). In this case, the successful candidate for Samarai-Murua Open Electorate was found guilty of bribery, breaching *Section 103* of the *Criminal Code Act* and *Section 215* of the *OLNLGE*, thus voiding that election.

In the written submissions, there were several mentions of corruption. One was stated by the Youth Representative who said, "*money-politics fuels election-related violence and corruption in this country.*" Considering the issue of corruption, TIPNG recommended the alignment of the *OLNLGE* with the recently developed anticorruption legislation namely: *Independent Commission Against Corruption (ICAC) legislation and the Whistleblower legislation*. In addition, the proposed amendments through the *Organic Law on the Integrity of Political Parties and Candidates*, which has been recommended and tabled by the IPPCC for a number of times, should be passed by Parliament. Any legal amendment should be made with relevant public consultation.

A number of parties during the public hearings and consultations at both the national and subnational levels strongly recommended that the police should investigate, arrest and prosecute electoral officials alleged to have engaged in corruption during the 2022 NGE. This will send a clear message that electoral corruption will not be tolerated.

Recommendation 67: *The Committee recommends for the alignment of the OLNLGE with the recently developed anticorruption legislation namely, the ICAC legislation and the Whistleblower legislation. In addition, the proposed amendment through the Organic Law on the Integrity of Political Parties and Candidates (OLIPPAC), which has been recommended and tabled by the Integrity of Political Parties and Candidates Commission (IPPCC) a number of times, be passed by Parliament.*

Recommendation 68: *The Committee recommends that the Police investigate, arrest and prosecute electoral officials involved in corruption during the 2022 NGE to send a strong message that electoral corruption will not be tolerated. This can be coordinated through a Memorandum of Agreement between the Police and PNGEC.*

7.5. Legal Reforms

The IDEC Chairman highlighted the need to look at legal reforms to amend the constitution or the OLNLGE to quarantine funding and resourcing. In addition, the provisions of the OLNLGE that relates to setting and extending dates for the issuance and return of writs and any grey areas should be clarified. During the conduct of the election, the IDEC Chairman said the IDEC became very concerned about overshooting all constitutional time within the conduct of the elections. That is, the election process must be conducted within the provisions of the law and the Constitution. These includes declaration of members and formation of government that must be done within the framework of the constitution. These areas require clarity so that future elections be conducted within the constitutional provisions.

A number of legal reform initiatives having been recommended in the previous sections of this Report. The Committee is also aware that the Constitutional and Law Reform Commission (CLRC) conducted a review of the *OLNLGE* in 2019, the report of which was presented to Parliament. In addition, the Committee is also aware that the DJAG presented an Issues Paper at the IDEC Summit on Elections in May 2023 covering proposed areas of legal reforms. Considering this, in addition to the legal reforms recommended in this Parliamentary Committee Report, a comprehensive review should also be done on the Constitutional Laws and all election-related regulations to recommend legal reforms to address the election matters raised in this report. *Constitutional Laws of PNG* comprise the *National Constitution* and the *Organic Laws* (Ghai and Regan, 1988).

Recommendation 69: *The Committee recommends that a comprehensive review of all election-related laws in the Constitution and other laws be carried out by the CLRC to investigate and recommend areas for legal reform with the aim of making the elections better. As part of the review, a comprehensive study be done on election offences and crimes under the OLNLGE, Criminal Code, Summary Offences Acts and other relevant laws and regulations, in order to determine the adequacy of the current penalties and recommend appropriate changes. The review shall include the offences and penalties in Table 15 of this report.*

7.6. Political Representation for Women

The need for equitable gender participation in the political arena remains a big concern in PNG. The issue can be seen from two perspectives. First is the need to ensure that every woman has the opportunity to cast her vote and be part of the electoral process. When making election plans, the administrative agencies need to make sure it is safe for women to exercise their democratic right to vote without intimidation. The separation of lines for polling for women in the 2022 NGE was a very important and positive intervention and this must be maintained for future elections. However, within this context, in certain areas where block voting is rampant, where men are in charge, women are still denied their rights to freely cast their votes. This must be addressed by employing relevant strategies such as education and awareness for the respect of every voter's right to vote freely.

The second perspective of women's participation is the need for equitable participation of women as candidates and Members of Parliament. Women are very important in any society but they are grossly under-represented in Parliament and hence, political decision-making. During the public hearings, written submissions and election observation, there was a clear sentiment that political representation of women must be increased. In the 2022 NGE only two women won the elections. Another woman

won the By-election for the North Bougainville seat which brings the total seats won for women to 3, which is only 2.5% of the 118 seat Parliament.⁶

Reverend Roger Joseph, representing the PNG Council of Churches, stated that Political Parties should feel responsible and should make a ruling across the board that 50 per cent of their candidates must be women, as a way to increase the number of women being elected into the Parliament. The Reverend also made the point that sometimes women are not supporting women candidates. That is, women may say that they want to see a woman voted to Parliament but when it comes to voting they have their own politics and tarnish the women candidates.

From the interview with Mr Paul Barker of the INA and a written submission by Dr Lesley Clark and Ms Charmaine Rodrigues, a point was made that there are already examples in PNG of attempts to incorporate political participation of women through introduction of reserved seats for women. The examples are the Autonomous Bougainville Government (ABG) and Motu-Koita Assembly where reserved seats have been implemented. The Clark and Rodrigues submission also recommended that 10% of candidates endorsed by parties be women for the 2027 NGE and that this be increased to 30% for the 2032 NGE and subsequent elections.

The matter on the need for gender balance in political representation was also made in various election observations reports over time (see for example: The Commonwealth 2017; Transparency International PNG, 2022; Goro and Sanida, 2023; Fairio, Kaut-Nasengom and Keimelo, 2020).

Recommendation 70: *The Committee recommends that the National Parliament pass a constitutional amendment, supported by amendments to relevant Organic Laws, to introduce 22 reserved seats for women in the National Parliament, following similar approaches made by the Autonomous Bougainville Government (ABG), Motu-Koita Assembly and other international examples, and in the long term, institute a minimum requirement that a certain percentage of candidates endorsed by political parties be women.*

7.7. Conclusion

In addition to the specific TOR areas of election administration (TOR 1); election process (TOR 2); election funding (TOR 3); and election security (TOR 4), the Committee was also required to inquire into other related matters or cross-cutting matters. These other matters are covered in this Section (7), which covered the following areas:

- behaviour of voters and candidates;
- election logistics;
- training and support for PNGEC officials;
- electoral corruption and transparency;
- legal reforms; and
- gender participation in elections.

Eight recommendations are made in this Section on cross-cutting matters (i.e. Recommendation 63 to 70) and it is the Committee's strong view that the adoption and implementation of these will lead to better electoral outcomes, in addition to the recommendations under the four specific TORs (in Sections 3 to 6 of the report).

⁶ The members are: Hon Rufina Peter, Regional Member and Governor for Central Province; Hon Kessy Sawang, Member for Rai Coast Open; and Hon. Francesca Semoso, Member for North Bougainville Open.

8. ELECTORAL CYCLE AND PRIORITISATION OF REFORM ACTIVITIES

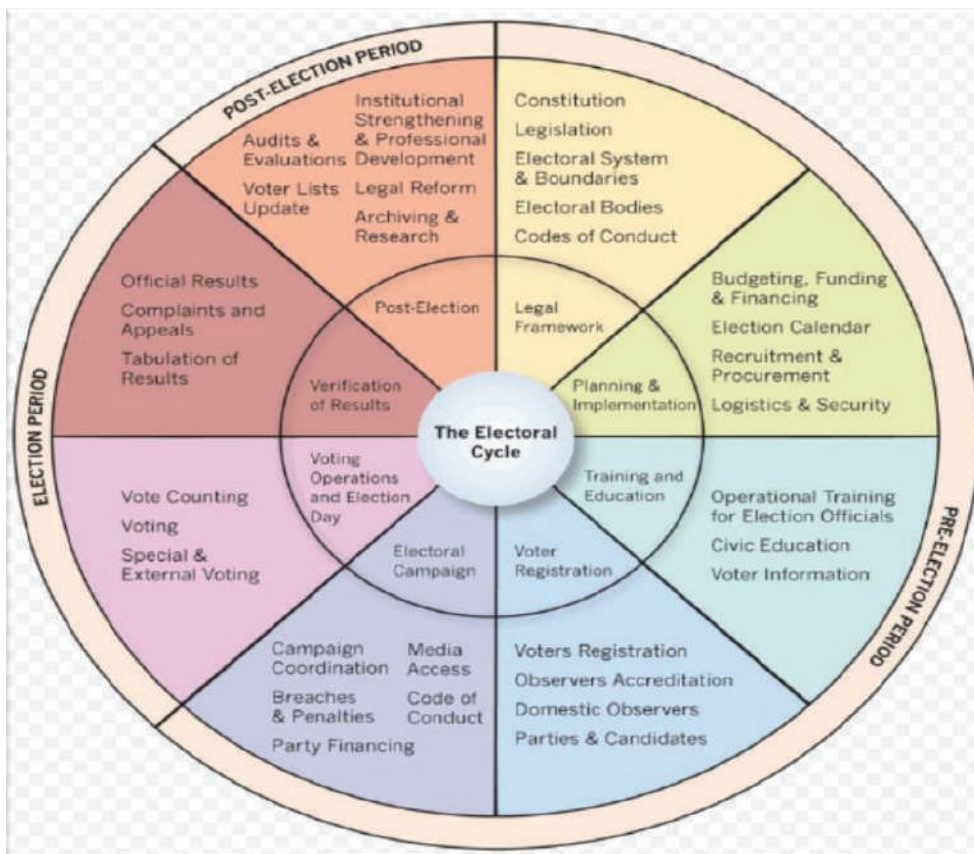
The recommendations presented in Sections 3 to 7 in this report were sorted according to the TOR areas. These recommendations were then summarised in the Executive Summary with reference to the expected outcomes under each TOR.

This section focuses on two important areas to assist in the implementation of the recommendations of the report. Subsection 8.1 provides an ideal electoral cycle with key electoral activities that must be resourced and implemented effectively during a given electoral cycle so that the desired outcomes of the election can be achieved, where the election of Members of Parliament is done according to law and on time and on budget. Section 8.2 then presents a matrix focusing on priority election reform activities emanating from the report’s recommendations. The recommendations referred to in this subsection is a subset of the priority recommendations presented in the executive summary.

8.1. Ideal Electoral Cycle and Link to the Report’s Recommendations

The elections must be seen as a cycle where there is preparation during the pre-election period to the actual conduct of the election (i.e. election year or period) and the post-election period for reporting on the elections and getting ready to prepare for the next elections. There are different lengths of electoral cycles around the world, depending on the length of each term of Parliament adopted by the different democratic nations. However, the key phases and activities within each electoral cycle are similar. A diagrammatic form of an ideal electoral cycle information is presented in Figure 3 below which was extracted from the 2017 report by the PNGEC to the Parliament (PNG Electoral Commission, 2017). It shows the three phases of the cycle and the main activity and specific activities for each phase of the cycle.

Figure 3: Ideal electoral cycle



Source: PNG Electoral Commission, 2017

Considering the ideal electoral cycle and activities (Figure 3), Table 16 presents the same information (i.e. in Columns 1 to 3) with an additional Column 4 to indicate references to how this Committee report has addressed the issues in the context of PNG via the recommendations.

Table 16: Electoral cycle and reference to recommendations in this report

Cycle Phase	Main Activity	Specific Activities	Relevant recommendation in this report
Pre-Election Period	Legal framework	<ol style="list-style-type: none"> 1. Constitution 2. Legislation 3. Electoral system and boundaries 4. Electoral bodies 5. Codes of conduct 	The legal framework for elections in PNG are contained in the PNG Constitution, OLNLGE and relevant Acts and regulations. In this report, any amendments to the legal framework are contained in the different recommendations under the different TORs areas.
	Planning and implementation	<ol style="list-style-type: none"> 1. Budgeting, funding and financing 2. Election calendar 3. Recruitment and procurement 4. Logistics and security 	This report recommends timely budgeting and funding (<i>Recommendations 38 and 41</i>); timely announcement of election calendar (<i>Recommendations 29 and 43</i>); timely and strategic recruitment and procurement (<i>Recommendation 46</i>); and better and timely preparation of logistics and security (per recommendations under security matters).
	Training and education	<ol style="list-style-type: none"> 1. Operational training for election officials 2. Civic education 3. Voter information 	This report recommends better and timely training of election officials (<i>Recommendations 11, 12 and 66</i>) and timely and better civic education and awareness for voters (<i>Recommendations 32 and 51</i>).
	Voter registration	<ol style="list-style-type: none"> 1. Voters' registration 2. Observers accreditation 3. Domestic observers 4. Parties and candidates 	This report recommends better ID system and timely registration for voters (<i>Recommendations 16</i>) and better preparation of ballot papers to distinguish ballots for open and regional seats (<i>Recommendation 21</i>).
	Electoral campaign	<ol style="list-style-type: none"> 1. Campaign coordination 2. Breaches and penalties 3. Party financing 4. Media access 5. Code of conduct 	This report recommends that campaign finance be audited (<i>Recommendation 19</i>); media must be given access to report on election activities, especially counting (<i>Recommendation 26</i>); parties, candidates and voters must adhere to code of conduct (<i>Recommendation 37</i>); and breaches of election offences be penalised severely (<i>Recommendation 48</i>).

Table 16 continued.

Cycle Phase	Main Activity	Specific Activities	Relevant recommendation in this report
Election Period	Voting operations and election day	<ol style="list-style-type: none"> 1. Voting 2. Vote counting (scrutiny) 3. Special and external voting 	Recommendations to improve voting process and operations are provided in Section 4 of the report.
	Verification of results	<ol style="list-style-type: none"> 1. Official results 2. Complaints and appeals 3. Tabulation of results 	Recommendations to address issues relating to the declaration of results and disputed returns process are provided in Sections 4.6 and 4.7 of the report.
Post-Election Period	Post-Election	<ol style="list-style-type: none"> 1. Audits and evaluations 2. Voter lists updates 3. Institutional strengthening and professional development 4. Legal reform 5. Archiving and research 	<ul style="list-style-type: none"> • AGO to audit election expenditure within 1 year after election period (<i>Recommendation 45</i>). • Voter roll update to commence 1 year after previous election (<i>Recommendation 10</i>). • Establishment of PSCEM (<i>Recommendation 1</i>) and reform of PNGEC (<i>Recommendations 2 and 3</i>) and strengthening of IDEC (<i>Recommendation 5</i>). • Various legal reform initiatives are recommended through the report as well as the need for comprehensive review of all election-related laws per <i>Recommendation 69</i>. • Archiving and research to be incorporated in the work of the PSCEM, PNGEC and IDEC.

Source: Committee compilation

8.2. Prioritisation of Election Reform Activities

Out of the 28 recommendations highlighted for immediate implementation or action in the Executive Summary, 15 recommendations are further prioritised under reform activity areas and captured in Table 17 in this Subsection. The timely and effective implementation of these priority reform activities are crucial to achieving better electoral outcomes envisaged in this report. It is to be noted that some reform activities may only be partially completed by 2027 thus will need continuity plans.

On this note, it is vital for the PSCEM to be established (per Recommendation 1 of this report) so that it can support reforms and scrutinise preparations in line with this report, but not to influence or direct the PNGEC. Further prioritisation and sequencing of priority reform activities would be necessary based on anticipated ‘political calls’.

The list of reform activities in Table 17 revolve around the following thematic areas. First is the institutional reform (i.e. Areas 1 to 5 in Table 17), where the PSCEM needs to be established; PNGEC needs to be reformed and strengthened internally; IDEC needs to be legally strengthened/mandated;

and a MOA signed between the security agencies to strengthen their collaboration in so far as the election security is concerned.

Once the institutional reforms are done, then the key election issues of identification of voters (either via photo ID or biometrics); electoral roll update at the ward level; and appropriate funding mechanisms must be addressed (i.e. Areas 6 to 8 in Table 17).

The last reform activity in Table 17 (i.e. Area 9) is the legal reform program that must commence within 2024 in conjunction with the establishment of the PSCCEM to do a comprehensive review of all election laws to ensure that the election administration, election process, election funding, election security, and other relevant areas are effective and efficient to achieve the outcomes intended in this report, in the short, medium and long term.

Table 17: Prioritisation of election reform activities and timeframes

No.	Reform activity	Recommended timeframe	Lead agency	Other key agencies	Remarks
1	Establish PSCCEM per <i>Recommendation 1</i>	Early 2024	Parliament	DJAG	Subject to Parliament procedure.
2	Create 5 Electoral Commissioners (<i>per Recommendation 3</i>)	Legal amendment be done in 2024	DJAG PM&NEC	SPCGE PNGEC CLRC	This will entail relevant legal amendments per Item 9.
3	Strengthen IDEC (<i>per Recommendation 5</i>)	Legal amendment be done in 2024.	PSCCEM	IDEC PNGEC	This would entail identifying, defining and demarcating IDEC's roles & functions vis-a-vis PNGEC's roles (and Electoral Commissioner's roles) within the overall electoral system of PNG.
4	Reform and improve internal systems of PNGEC (<i>per Recommendation 2</i>)	Multi-agency group be set by first quarter of 2024 and capacity assessment be done by end of 2024.	PNGEC PSCCEM	IDEC	The multi-agency group to do the capacity and performance assessment can be established by the Parliamentary Committee after the presentation of Report to Parliament and the assessment to be done by June 2024.
5	Security Forces Elections' Partnership MOA (<i>per Recommendation 68</i>)	Sign MOA in 2024 and commence implementation.	RPNGC	PNGDF PNGCS IDEC PSCCEM	Police to take lead as it is the "mandated authority" for all policing matters in the country. Elections' security operations can be deemed as a "major policing operation".
6	Biometric or Photo-ID Pilot Study in 2024 (<i>per Recommendations 16 and 24</i>)	To be done in 2024 during Local-level Government elections.	PSCCEM PNGEC	IDEC	The study results should inform a decision on the option to use biometric or photo-roll for 2027 NGE.
7	Update Ward Rolls (<i>per Recommendations 14 and 17</i>)	Annually starting in 2024	PNGEC DPLGA	PSCCEM IDEC	Start with provinces with demonstrated capability.

Table 17 continued.

No.	Reform activity	Recommended timeframe	Lead agency	Other key agencies	Remarks
8	Funding mechanisms to support elections' 5-year cycle, especially, the required "preparatory activities" in the lead-up years prior to the conduct of general elections (<i>per recommendations relating to the need for timely funding, including Recommendations 9, 38, 40, 41 and 42</i>).	Address legal requirement or imperative in 2024 and apply annually thereafter.	PM&NEC PSCM	DoF DoT	The aim is to provide a "legal imperative or mandate" for NEC and DoT and DoF to find required funds (in tranches) and disburse to PNGEC to continue its "preparatory activities" over the intervening years.
9	Legal Reform Program (<i>per Recommendation 69</i>)	Work to commence once PSCM is established.	PSCM CLRC DJAG	PNGEC IDEC	Work to be carried out by Secretariat assisting the PSCM in collaboration with DJAG and CLRC.

Source: Committee compilation

9. SUMMARY AND CONCLUSION

This report is based on the public inquiry conducted by the Special Parliamentary Committee on 2022 General Elections, after it was established by the PNG Parliament in September 2022. The Committee had four explicit TORs and one implicit for a total of five TORs.

The report has 9 sections, capturing the following:

- Section 1: Introduction;
- Section 2: Framing, selection and prioritising of recommendations;
- Section 3: Election administration: issues and recommendations;
- Section 4: Election process: issues and recommendations;
- Section 5: Election funding: issues and recommendations;
- Section 6: Election security: issues and recommendations;
- Section 7: Cross-cutting matters: issues and recommendations;
- Section 8: Electoral cycle and prioritisation of reform activities; and
- Section 9: Summary and conclusion.

The information used in this report was gathered using the following five approaches: public hearings; regional consultations; written submissions; desktop review; and consultation visit to Australia. Using the information gathered and the framework for developing the recommendations (per Section 2), a total of 70 recommendations were developed aimed at making improvements in election administration, election process, election funding, election security, and cross-cutting areas. Out of the 70 recommendations, some are priority areas for immediate implementation by the Government and relevant stakeholders, which are listed in the Executive Summary.

The work of reforming the election administration, process, funding and security will take time that will go beyond the current term of Parliament. Considering this, a matrix guide is presented in Section 8.2 on prioritising the election reform activities. The priority reform activities focus on reform areas that can be commenced and completed within the current term of Parliament, especially from 2024 to 2027. Implementation of other recommendations may also commence after the approval of the report but done progressively by the relevant agencies led by the PNGEC under the scrutiny of the PSCM, should the Committee be established by Parliament, per Recommendation 1.

In conclusion, it is the Committee's strong belief and conviction that the issues highlighted in this report and recommendations are vital in restoring the public's confidence in the electoral process and outcomes, the cornerstone of our democracy. Therefore, the Committee strongly commends this Report to Parliament for debate and passing.

REFERENCES

- Anere, R. and Wheen, K. (2009). *Priorities for a Free and Fair Election: An NRI Issues Analysis*, (NRI Discussion Paper No.107). Port Moresby: The National Research Institute.
- Constitutional and Law Reform Commission. (2019). *Review of the Organic Law on National and Local-level Government Elections: Restoring Integrity of the Systems (Vol. 1)*. Port Moresby: Constitutional and Law Reform Commission.
- Constitutional Planning Committee. (1974). *Papua New Guinea Constitutional Planning Committee Report 1974*. Port Moresby: Government Printer.
- Department of National Planning and Monitoring. (2015). *Papua New Guinea Development Cooperation Policy*. Port Moresby: Department of National Planning and Monitoring.
- Department of Personnel Management. (2021). *DPM Circular Instruction No.27/2021: Procedures for Public Officers Wishing to Contest the 2022 National General Election*. Port Moresby: Department of Personnel Management.
- Fairio, M., Kaut-Nasengom, S. and Keimelo, C. (2020). *Challenges and critical factors affecting women in the 2017 National Elections: Case of Lae and Huon Gulf*. (NRI Discussion Paper No.178). Port Moresby: The National Research Institute.
- Fairparik, C. (2021). Commission reactivated to review electoral boundaries, <https://www.thenational.com.pg/commission-reactived-to-review-electoral-boundaries/>, accessed 29 October 2023.
- Ghai, Y.P. and Regan, A.J. (1988). *The Constitutional Arrangements for Decentralisation in Papua New Guinea*, (IASER Discussion Paper No.56). Port Moresby: Institute of Applied Social and Economic Research.
- Goro, J. and Sanida, O. (eds). (2023). *The 2022 National General Elections Observation Study: The Case of Seven Electorates in the Highlands Region*. (NRI Other Publication No.3), Port Moresby: The National Research Institute.
- Government of Papua New Guinea. (1974a). *Defence Act 1974*. Port Moresby: Government of Papua New Guinea.
- Government of Papua New Guinea. (1974b). *Criminal Code Act 1974*. Port Moresby: Government of Papua New Guinea.
- Government of Papua New Guinea. (1975). *Constitution of the Independent State of Papua New Guinea*. Port Moresby: Government of Papua New Guinea.
- Government of Papua New Guinea. (1976). *Leadership Code (Alternative Penalties) Act 1976*. Port Moresby: Government of Papua New Guinea.
- Government of Papua New Guinea. (1977). *Summary Offences Act 1977*. Port Moresby: Government of Papua New Guinea.
- Government of Papua New Guinea. (1995a). *Public Services (Management) Act 1995*. Port Moresby: Government of Papua New Guinea.
- Government of Papua New Guinea. (1995b). *Correctional Service Act 1995*. Port Moresby: Government of Papua New Guinea.
- Government of Papua New Guinea. (1997). *Organic Law on National and Local-level Government Elections 1997*. Port Moresby: Government of Papua New Guinea.
- Government of Papua New Guinea. (1998). *Police Act 1998*. Port Moresby: Government of Papua New Guinea.

- Government of Papua New Guinea. (2016). *Cybercrime Code Act 2016*. Port Moresby: Government of Papua New Guinea.
- Haley, N. and Zubrinich, K. (2018). *2017 Papua New Guinea General Elections: Election Observation Report*. Canberra: Australian National University.
- Kitau, R., Yangin, R., Kakarere, M., Pamu, O., Okole, M., Milli, G. and Kabuni, M. (2022). The openness and transparency of election data in Papua New Guinea: Qualitative assessment on the 2022 National General Election. [https://www.ndi.org/sites/default/files/2022%20PNG%20Elections%20Data%20Openness%20and%20Transparency%20Assessment%20\(English\).pdf](https://www.ndi.org/sites/default/files/2022%20PNG%20Elections%20Data%20Openness%20and%20Transparency%20Assessment%20(English).pdf), accessed 05 September 2023.
- National Court of Papua New Guinea. (2012). *Peter Isoaimo v Paru Aihi & PNGEC* [2012] PGNC 391; N4921., <http://www.paclii.org/cgi-bin/sinodisp/pg/cases/PGNC/2012/391.html>, accessed 12 November 2023.
- National Court of Papua New Guinea. (2014). *Isi Henry Leonard v Gordon Wesley & PNGEC* [2014] PGNC 368., <http://www.paclii.org/cgi-bin/sinodisp/pg/cases/PGNC/2014/368.html>, accessed 12 November 2023.
- National Parliament of PNG. (2023). Work of Parliamentary Committees. <https://www.parliament.gov.pg/work-of-parliamentary-committees>, accessed 5 March 2023.
- Pacific Islands Forum Secretariat. (2017). Pacific Islands Forum election observer report: 2017 Papua New Guinea National Elections. <https://www.forumsec.org/wp-content/uploads/2017/11/Forum-Election-Observer-Report-Papua-New-Guinea-2017.pdf>, accessed 15 August 2023.
- Parliament of Australia. (2023). Joint standing committee on electoral matters. [parlihttps://www.aph.gov.au/Parliamentary_Business/Committees/Joint/Electoral_Matters](https://www.aph.gov.au/Parliamentary_Business/Committees/Joint/Electoral_Matters), 20 November 2023.
- PNG Electoral Commission. (2017). *Papua New Guinea Electoral Commission Report to the Tenth National Parliament on the Conduct of the 2017 National Election*. Port Moresby: Papua New Guinea Electoral Commission.
- PNG Electoral Commission. (2022). Code of conduct for political parties, candidates and party scrutineers and supporters (2022 National Elections). <https://www.pngec.gov.pg/wp-content/uploads/2022/05/CodeOfConduct-Booklet.pdf>, accessed 15 September 2023.
- PNG Electoral Commission. (2023). *Review of the 2022 National General Elections: Submission to the Special Parliamentary Committee*. Submitted to the Special Parliamentary Committee on 2022 General Elections during public hearing in Port Moresby.
- Radio New Zealand. (2022). Former PM speaks out about election delays. <https://www.rnz.co.nz/international/pacific-news/467371/former-pm-speaks-out-about-png-election-delays>, accessed 21 October 2023.
- Standish, B. (2006). Limited Preferential Voting in Papua New Guinea: Some Early Lessons. *Pacific Economic Bulletin*, 21(1).
- The Commonwealth. (2017). *Papua New Guinea National Election June-July 2017: Report of the Commonwealth Observer Group*. London: Commonwealth Secretariat.
- The Commonwealth. (2022). “Interim Statement by His Excellency Baron Waqa, Former President of Nauru and Chairperson of the Commonwealth Observer Group Papua New Guinea National General Election 25 July 2022”. https://production-new-commonwealth-files.s3.eu-west-2.amazonaws.com/s3fs-public/2022-07/PNG%20COG%202022%20-%20Preliminary%20Statement.pdf?VersionId=16_GnPY8Fhmk6rJGGXRyFRRUqWYiLqmD_, accessed 10 September 2023.

- Transparency International PNG. (2012). *TIPNG Observation Report: The 2012 National Parliamentary Elections*. Port Moresby: Transparency International PNG.
- Transparency International PNG. (2017). *TIPNG Observation Report: 10th National Parliamentary Elections 2017*. Port Moresby: Transparency International PNG.
- Transparency International PNG. (2022). *TIPNG Domestic Election Observation Report 2022*. Port Moresby: Transparency International PNG.
- Wolf, P. (Ed.) (2017). *Introducing Biometric Technology in Elections*. Stockholm: International Institute for Democracy and Electoral Assistance.

APPENDICES

Appendix 1: Public notice about the inquiry



PUBLIC NOTICE

PARLIAMENTARY INQUIRY INTO THE 2022 GENERAL ELECTIONS

The Special Parliamentary Committee on the 2022 General Elections will inquire into the conduct of the 2022 General Elections. When conducting the inquiry the Committee will inquire into;

1. the powers, functions and responsibilities of the Electoral Commission and related matters;
2. the process involved in the conduct of the general election, with focus on the updating of the common roll, campaigning, voting, the counting, declarations, disputed returns process and related matters.
3. the expenditure of electoral funds, and related matters
4. the security provided by the Royal PNG Constabulary, the PNG Defence Force and the PNG Correctional Institution Services and related matters

Written submission

Written submissions addressing the Committee's Terms of Reference are now invited from interested individuals and groups. Submissions are due by Wednesday 15th February 2023 and should be addressed to:

Chairman

Special Parliamentary Committee on 2022 General Elections
PNG National Parliament,
Post Office, Parliament House, Waigani
Email: parliamentelectionscommittee@gmail.com

Public Hearings

There will be public hearings scheduled for Tuesday 21st to Thursday 23rd February 2023. The public hearings will be stream live through the NBCTV and TVWan. Key Government departments responsible for conduct and operations of the General Elections will appear before the Committee.

Regional Consultations

The Committee will be conducting regional consultations in all four regions in the country. The Committee will consult with provincial and districts election officers, church representatives, community and women, leaders and youths on the conduct of the general elections. These consultations will be undertaken between Tuesday 28th March and Friday 7th April this year.

For details of the regional consultations and other information about the work of the Committee, please contact the Parliament Elections Committee Secretariat by:

Phone: 3277785/3277781

Email: parliamentelectionscommittee@gmail.com

Hon. Allan Bird, MP
Chairman & Governor for East Sepik

Appendix 2: Letter from Committee Chairman to Electoral Commissioner



COMMITTEE MEMBERS

Hon. Allan Bird, MP
Chairman & Governor East
Sepik

Hon. Sir Puka Temu, MP
Deputy Chair & Member for
Abau

Hon. Keith Iduhu, MP
Member for Hiri Koiari

Hon. Elias Kapavore, MP
Member for Pomio

Hon. Robert Naguri, MP
Member for Bogia

Hon. Saki Soloma, MP
Member for Okapa

Hon. Charlie Benjamin, MP
Governor for Manus

Hon. Jacob Maki, MP
Member for Mul-Baiyer

Hon. Steven Pim, MP
Member for Dei

SPECIAL PARLIAMENTARY COMMITTEE ON 2022 GENERAL ELECTIONS

19th January 2023

Mr. Simon Sinai
Electoral Commissioner
Election Haus, Frangipani Street
P O Box 5348
Boroko
NCD

Dear Mr Sinai,

SUB: ATTENDANCE TO THE PARLIAMENTARY COMMITTEE PUBLIC HEARINGS

I am writing on behalf of the Special Parliamentary Committee on the 2022 General Elections to invite you to attend the Committee's public hearing. This Committee was established by Parliament to review the conduct of the 2022 General Elections. The Electoral Commission has been identified as key stakeholder in this inquiry therefore, your attendance is very important.

The purpose of the public hearings is to review the conduct of key government departments and agencies that are responsible for delivering the 2022 general elections. The public hearings will be held on Tuesday 21 February to Thursday 23 February and your appearance before the Committee is on Tuesday 21 February. The Committee is keen to hear from you regarding the role of the Electoral Commission, before the elections, during the elections, and the preparations for the 2027 general elections.

Please confirm your attendance at your earliest convenience. If you cannot attend at the time proposed or have any questions, please contact Mr Werner Cohill or Ms Ruth Alex at the Parliamentary Committee Secretariat on email elections22committee.parliament@gmail.com or on telephone 3277785 and 3277781.

Your sincerely,

HON. ALLAN BIRD, MP
Chairman & Governor for East Sepik

Appendix 3: Letter from Committee Chairman to Police Commissioner



COMMITTEE MEMBERS

Hon. Allan Bird, MP
Chairman & Governor East Sepik

Hon. Sir Puka Temu, MP
Deputy Chair & Member for Abau

Hon. Keith Iduhu, MP
Member for Hiri Koiari

Hon. Elias Kapavore, MP
Member for Pomio

Hon. Robert Naguri, MP
Member for Bogia

Hon. Saki Soloma, MP
Member for Okapa

Hon. Charlie Benjamin, MP
Governor for Manus

Hon. Jacob Maki, MP
Member for Mul-Baiyer

Hon. Steven Pim, MP
Member for Dei

SPECIAL PARLIAMENTARY COMMITTEE ON 2022 GENERAL ELECTIONS

19th January 2023

Mr. David Manning
Police Commissioner
Police Headquarters
P O Box 85
Konedobu
NCD

Dear Mr Manning,

SUB: ATTENDANCE TO THE PARLIAMENTARY COMMITTEE PUBLIC HEARINGS

I am writing on behalf of the Special Parliamentary Committee on the 2022 General Elections to invite you to attend the Committee's public hearing. This Committee was established by Parliament to review the conduct of the 2022 General Elections. The RPNG Constabulary has been identified as a key stakeholder in this inquiry therefore, your attendance is very important.

The purpose of the public hearings is to review the conduct of key government departments and agencies that are responsible for delivering the 2022 general elections. The public hearings will be held on Tuesday 21 February to Thursday 23 February and your appearance before the Committee is on Tuesday 21 February. The Committee is keen to hear from you regarding the security and logistical support provided during the elections, and the preparations for the 2027 general elections.

Please confirm your attendance at your earliest convenience. If you cannot attend at the time proposed or have any questions, please contact Mr Werner Cohill or Ms Ruth Alex at the Parliamentary Committee Secretariat on email elections22committee.parliament@gmail.com or telephone 3277785 and 3277781.

Your sincerely,

HON. ALLAN BIRD, MP
Chairman & Governor for East Sepik

Appendix 4: Letter from Committee Chairman to PNGDF Commander



COMMITTEE MEMBERS

Hon. Allan Bird, MP
Chairman & Governor East
Sepik

Hon. Sir Puka Temu, MP
Deputy Chair & Member for
Abau

Hon. Keith Iduhu, MP
Member for Hiri Koiari

Hon. Elias Kapavore, MP
Member for Pomio

Hon. Robert Naguri, MP
Member for Bogia

Hon. Saki Soloma, MP
Member for Okapa

Hon. Charlie Benjamin, MP
Governor for Manus

Hon. Jacob Maki, MP
Member for Mul-Baiyer

Hon. Steven Pim, MP
Member for Dei

SPECIAL PARLIAMENTARY COMMITTEE ON 2022 GENERAL ELECTIONS

19th January 2023

Major General Mark Goina
Commander PNG Defence Force
Free Mail Bag
Boroko
NCD

Dear Commander,

SUB: ATTENDANCE TO THE PARLIAMENTARY COMMITTEE PUBLIC HEARINGS

I am writing on behalf of the Special Parliamentary Committee on the 2022 General Elections to invite you to attend the Committee's public hearing. This Committee was established by Parliament to review the conduct of the 2022 General Elections. The PNG Defence Force has been identified as key stakeholder in this inquiry therefore, your attendance is very important.

The purpose of the public hearings is to review the conduct of key government departments and agencies that are responsible for delivering the 2022 general elections. The public hearings will be held on Tuesday 21 February to Thursday 24 February and your appearance before the Committee is on Tuesday 21 February. The Committee is keen to hear from you regarding the security and logistical support during the elections, and the preparations for the 2027 general elections.

Please confirm your attendance at your earliest convenience. If you cannot attend at the time proposed or have any questions, please contact Mr Werner Cohill or Ms Ruth Alex at the Parliamentary Committee Secretariat on email elections22committee.parliament@gmail.com or on telephone 3277785 and 3277781.

Your sincerely,

HON. ALLAN BIRD, MP
Chairman & Governor for East Sepik

Appendix 5: Letter from Committee Chairman to PNGCS Commissioner



COMMITTEE MEMBERS

Hon. Allan Bird, MP
Chairman & Governor East
Sepik

Hon. Sir Puka Temu, MP
Deputy Chair & Member for
Abau

F. Keith Iduhu, MP
Member for Hiri Koiari

Hon. Elias Kapavore, MP
Member for Pomio

Hon. Robert Naguri, MP
Member for Bogia

Hon. Saki Soloma, MP
Member for Okapa

Hon. Charlie Benjamin, MP
Governor for Manus

Hon. Jacob Maki, MP
Member for Mul-Baiyer

Hon. Steven Pim, MP
Member for Dei

SPECIAL PARLIAMENTARY COMMITTEE ON 2022 GENERAL ELECTIONS

19th January 2023

Mr. Stephen Pokanis
Commissioner
PNG Correctional Services
Kinhil Kramer Building
P O Box 6889
Boroko
NCD

Dear Commissioner,

SUB: ATTENDANCE TO THE PARLIAMENTARY COMMITTEE PUBLIC HEARING

I am writing on behalf of the Special Parliamentary Committee on the 2022 General Elections to invite you to attend the Committee's public hearing. This Committee was established by Parliament to review the conduct of the 2022 General Elections. The PNG Correctional Services has been identified as key stakeholder in this inquiry therefore, your attendance is very important.

The purpose of the public hearings is to review the conduct of key government departments and agencies that are responsible for delivering the 2022 general elections. The public hearings will be held on Tuesday 21 February to Thursday 23 February and your appearance before the Committee is on Tuesday 21 February. The Committee is keen to hear from you regarding the security and logistical support during the elections, and the preparations for the 2027 general elections.

Please confirm your attendance at your earliest convenience. If you cannot attend at the time proposed or have any questions, please contact Mr Werner Cohill or Ms Ruth Alex at the Parliamentary Committee Secretariat on email elections22committee.parliament@gmail.com or on telephone 3277785 and 3277781.

Your sincerely,

HON. ALLAN BIRD, MP
Chairman & Governor for East Sepik

Appendix 6: Letter from Committee Chairman to WHP Administrator



SPECIAL PARLIAMENTARY COMMITTEE ON 2022 GENERAL ELECTIONS

11th April 2023

Mr. Joseph Mangibal
Provincial Administrator
Western Highlands Provincial Government
Post Office Mt. Hagen
Western Highlands Province

Dear Provincial Administrator,

**RE: REGIONAL CONSULTATIONS BY THE SPECIAL PARLIAMENTARY COMMITTEE
ON 2022 GENERAL ELECTIONS**

I write on behalf of the Special Parliamentary Committee on 2022 General Elections to inform you that the Committee will be holding regional consultations as part of its inquiry into the conduct of the 2022 General Election, in Mt Hagen from Thursday 27th April to Friday 28th April, at the Highlander Hotel.

By way of this letter, the Committee will be meeting with the following groups and individuals:

1. Election Steering Committees from all seven provinces in the Highlands region.
2. Two male candidates and one female candidate from Western Highlands
3. Women's representatives from Western Highlands
4. Church representatives from Western Highlands
5. Youth representatives from Western Highlands

A program for the consultative meeting is attached for your information.

This Committee has been established by Parliament to review the conduct of the 2022 General Elections. The Committee has commenced its inquiry with public hearings in Port Moresby in February and March this year. The regional consultations are part of the Committee's inquiry to consult with key stakeholders in provinces to get their views and recommendations on the conduct of the 2022 national elections and elections in general.

If you have questions or require further information, you can contact Werner Cohill and Ruth Alex on email committee@parliament.gov.pg or on telephone 3277784 and 3277781 respectively.

I thanked you in advance for your participation.

Yours sincerely,



for

HON. ALLAN BIRD, MP
Committee Chair & Governor for East Sepik

Cc: **Hon. Wai Rapa, MP**
Governor for Western Highlands

Mr. David Manning
Police Commissioner
Royal PNG Constabulary

Mr. Simon Sinai
Chief Electoral Commissioner
PNG Electoral Commission

Mr. Stephen Wusik
Provincial Administrator
Jiwaka Province

Mr. Ailen Los
Provincial Administrator
Eastern Highlands Province

Mr. Sandis Tsaka
Provincial Administrator
Enga Province

Mr. Sebastian Kee
Provincial Administrator
Chimbu Province

Mr. Jerry Sonk
Provincial Administrator
Southern Highlands Province

Mr. Marago Dagoba
Provincial Administrator
Hela Province

Appendix 7: Summary of desktop study

Following the appointment of the Special Parliamentary Committee on the 2022 General Election (SPCGE) by Parliament on Friday 2nd September 2022, the SPCGE was immediately tasked with conducting an inquiry into four (4) specific Terms of Reference (TORs) which generally investigated the function and effectiveness of the PNG Electoral Commission, the process by which the 2022 General Election was delivered, the expenditure of electoral funds, and the security provided by the three main branches of the PNG Disciplinary Forces.

While the SPCGE's primary methods of inquiry included a round of public consultations held in each of the four regions of PNG, it was apparent that the serious deficiencies raised during these consultations included many which also featured prominently in previous elections (i.e., ineffective voter registration, lack of civic education and awareness, inadequate funding, inappropriate and/or vague legislation, etc.). While many of these issues have been identified and documented previously, efforts to resolve them have been materially ineffective, as many of these issues have persisted through several different administrations and multiple attempts at electoral reform over the years. Any efforts to effectively address these issues must therefore be well informed of the context and legacy of General Elections in PNG.

Therefore, to ensure that their recommendations to Parliament are well informed by a strong evidentiary basis, the SPCGE invited the PNG National Research Institute (PNG NRI), Transparency International PNG (TIPNG) and the Institute of National Affairs (INA) to provide a consolidated desktop review of all existing election reports from the last 20 years.

The findings of this consolidated review underscore several problem areas that have persisted over the past two decades of elections. Among the most significant of these are:

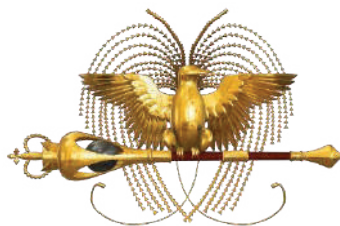
- The Electoral Roll Update/Voter Registration
- Election Funding
- Integrity of the Voting/Polling Process
- Civic Education & Awareness
- Electoral Laws
- The Recruitment & Training of Election Officials
- Conduct of Candidates
- Public Safety and Security

Along with the findings from the desktop review, this report also presents strong recommendations that have been put forward by the PNG NRI, TIPNG, and INA. These highlight practical solutions for each of the issues identified, including measures for stronger electoral legislation, better preparation/coordination, and an earlier start for planning and preparations in the five (5) year election cycle.

The full Desktop Study Report can be accessed at:

<https://committees.parliament.gov.pg/submissions/departmental/desktopReviewnri-tipng-ina.pdf>

Appendix 8: Letter of invitation from Committee Chairman to NRI



NATIONAL PARLIAMENT

SPECIAL PARLIAMENTARY COMMITTEE ON 2022 GENERAL ELECTIONS

25th November 2022

Dr. Osborne Sanida

Director

PNG National Research Institute

PO Box 5854, Boroko, NCD

Dear Dr. Sanida,

RE: INVITATION TO PROVIDE RESEARCH AND TECHNICAL SUPPORT TO THE SPECIAL PARLIAMENTARY COMMITTEE ON 2022 GENERAL ELECTIONS

I write on behalf of the Special Parliamentary Committee on 2022 General Elections to formally invite the PNG National Research Institute to assist the Committee through research and technical support. This invitation is with the understanding that your assistance will enable the Committee to effectively carry out its inquiry into the review of the conduct of the 2022 National General Election under its Terms of Reference.

In addition to the National Research Institute, the Committee will be working with Transparency International PNG and the Institute of National Affairs during the course of the inquiry being undertaken. As a Special Committee with a specific purpose to inquire into and report to Parliament on the recently held general elections, we would depend on your research and technical support with direction and assistance from the Committee Secretariat from the National Parliament.

Further arrangements on your engagement shall be considered by the Committee due course subject to your acceptance of this engagement.

I look forward to the research and technical support that will be provided to support the work of the Committee.

Yours sincerely,

HON. ALLAN BIRD, MP

Committee Chairman

& Governor for East Sepik

Appendix 9: Letter of invitation from Committee Chairman to TIPNG



SPECIAL PARLIAMENTARY COMMITTEE ON 2022 GENERAL ELECTIONS

25th November 2022

Mr. Peter Aitsi, MBE

Chair

Transparency International PNG

PO Box 591, Port Moresby, NCD

Dear Mr. Aitsi,

RE: INVITATION TO PROVIDE RESEARCH AND TECHNICAL SUPPORT TO THE SPECIAL PARLIAMENTARY COMMITTEE ON 2022 GENERAL ELECTIONS

I write on behalf of the Special Parliamentary Committee on 2022 General Elections to formally invite Transparency International PNG to assist the Committee through research and technical support. This invitation is with the understanding that your assistance will enable the Committee to effectively carry out its inquiry into the review of the conduct of the 2022 National General Election under its Terms of Reference.

In addition to Transparency International PNG, the Committee will be working with PNG National Research Institute and the Institute of National Affairs during the course of the inquiry being undertaken. As a Special Committee with a specific purpose to inquire into and report to Parliament on the recently held general elections, we would depend on your research and technical support with direction and assistance from the Committee Secretariat from the National Parliament.

Further arrangements on your engagement shall be considered by the Committee in due course subject to your acceptance of this engagement.

I look forward to the research and technical support that will be provided to support the work of the Committee.

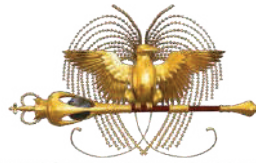
Yours sincerely,

HON. ALLAN BIRD, MP

Committee Chairman

& Governor for East Sepik

Appendix 10: Letter of invitation from Committee Chairman to INA



NATIONAL PARLIAMENT

SPECIAL PARLIAMENTARY COMMITTEE ON 2022 GENERAL ELECTIONS

25th November 2022

Mr. Paul Barker

Executive Director

Institute of National Affairs

PO Box 1530, Port Moresby, NCD

Dear Mr. Barker,

RE: INVITATION TO PROVIDE RESEARCH AND TECHNICAL SUPPORT TO THE SPECIAL PARLIAMENTARY COMMITTEE ON 2022 GENERAL ELECTIONS

I write on behalf of the Special Parliamentary Committee on 2022 General Elections to formally invite the Institute of National Affairs to assist the Committee through research and technical support. This invitation is with the understanding that your assistance will enable the Committee to effectively carry out its inquiry into the review of the conduct of the 2022 National General Election under its Terms of Reference.

In addition to the Institute of National Affairs, the Committee will be working with PNG National Research Institute and Transparency International PNG during the course of the inquiry being undertaken. As a Special Committee with a specific purpose to inquire into and report to Parliament on the recently held general elections, we would depend on your research and technical support with direction and assistance from the Committee Secretariat from the National Parliament.

Further arrangements on your engagement shall be considered by the Committee in due course subject to your acceptance of this engagement.

I look forward to the research and technical support that will be provided to support the work of the Committee.

Yours sincerely,

HON. ALLAN BIRD, MP

Committee Chairman

& Governor for East Sepik

Appendix 11: List of meetings of the Committee

<p><u>Meeting No.1</u> Day: Tuesday 29th November 2022 Time: 1pm – 2pm Venue: B2 Conference Room</p> <p><i>Committee Members Present</i> Hon. Allan Bird, MP Hon. Sir Puka Temu, MP Hon. Robert Naguri, MP Hon. Elias Kapavore, MP Hon. Keith Iduhu, MP Hon. Jacob Maki, MP Late Hon. Steven Pim, MP</p>	<p><u>Meeting No.5</u> Day: Monday 26 June 2023 Time: 10am – 12noon Venue: B2 Conference Room</p> <p><i>Committee Members Present</i> Hon. Allan Bird, MP Hon. Sir Puka Temu, MP Hon. Robert Naguri, MP Hon. Keith Iduhu, MP</p>
<p><u>Meeting No.2</u> Day: Wednesday 18 January 2023 Time: 10am – 12noon Venue: B1 Conference Room</p> <p><i>Committee Members Present</i> Hon. Allan Bird, MP Hon. Sir Puka Temu, MP Hon. Robert Naguri, MP Hon. Keith Iduhu, MP Hon. Jacob Maki. MP</p>	<p><u>Meeting No.6</u> Day: Thursday 28 September 2023 Time: 10am – 12noon Venue: B2 Conference Room</p> <p><i>Committee Members Present</i> Hon. Allan Bird, MP Hon. Sir Puka Temu, MP Hon. Robert Naguri, MP Hon. Keith Iduhu, MP</p>
<p><u>Meeting No.3</u> Day: Monday 20 February 2023 Time: 10am – 12noon Venue: B2 Conference Room</p> <p><i>Committee Members Present</i> Hon. Allan Bird, MP Hon. Sir Puka Temu, MP Hon. Robert Naguri, MP Hon. Keith Iduhu, MP Hon. Jacob Maki, MP</p>	<p><u>Meeting No.7</u> Day: Monday 20th November 2023 Time: 10am – 12noon Venue: B2 Conference Room</p> <p><i>Committee Members Present</i> Hon. Allan Bird, MP Hon. Sir Puka Temu, MP Hon. Elias Kapavore, MP</p>
<p><u>Meeting No.4</u> Day: Thursday 23 March 2023 Time: 10am – 12noon Venue: B2 Conference Room</p> <p><i>Committee Members Present</i> Hon. Allan Bird, MP Hon. Sir Puka Temu, MP Hon. Robert Naguri, MP Hon. Keith Iduhu, MP Hon. Jacob Maki, MP</p>	

Appendix 12: Links to online committee documents/resources

In addition to information submitting in Appendices 1 to 11, the Committee also has other resources that are linked to this report and that are available for the public.

Public Hearings and Regional Consultations

The records of the public hearings and the regional consultations may be accessed at:

<https://committees.parliament.gov.pg/publicationResources.html>

Written Submissions

The records of written submissions by the National Departments, Provinces and the public are available on the following link:

<https://committees.parliament.gov.pg/publicationResources.html>

Desktop Review Report

The desktop review report on election observation by NRI, TIPNG and INA is available at the following link:

<https://committees.parliament.gov.pg/submissions/departmental/desktopReviewnri-tipng-ina.pdf>

Committee Interim Report

The Interim Report as presented by the Committee Chairman, Hon Allan Bird to Parliament on Thursday, 5 October 2023 is available at the following link:

<https://committees.parliament.gov.pg/files/InterimReport2022NGE.pdf>

