

# **DESKTOP REVIEW REPORT**

## **REVIEW OF ISSUES AND RECOMMENDATIONS FROM ELECTION OBSERVATION REPORTS**

**Report Prepared for the Special Parliamentary Committee on  
2022 General Elections**

**By**

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November 2023

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## ACRONYMS AND ABBREVIATIONS

ANU	Australian National University
CSO	Civil Society Organization
DPLGA	Department of Provincial and Local-level Government Affairs
EAC	Election Advisory Committee
EOSR	Election Observation Study Report
ESP	Electoral Support Program
HQ	Headquarters
IDEC	Inter-Departmental Election Committee
INA	Institute of National Affairs
JSTF	Joint Security Task Force
LLG	Local Level Government
LPV	Limited Preferential Voting
NCD	National Capital District
NEC	National Executive Council
NGE	National General Election
NGO	Non-Governmental Organization
NID	National Identification Card
NSO	National Statistical Office
OLIPPAC	Organic Law on Integrity of Political Parties and Candidates
OLNLLGE	Organic Law on National and Local Level Government Elections
PESC	Provincial Election Steering Committee
PM	Prime Minister
PNG	Papua New Guinea
PNGEC	Papua New Guinea Electoral Commission
PNGNRI	Papua New Guinea National Research Institute
RO	Returning Officer
SPCGE	Special Parliamentary Committee on 2022 General Elections
TEW	Temporary Election Workers
TIPNG	Transparency International PNG
ToR	Terms of Reference

## EXECUTIVE SUMMARY

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.

## **1. INTRODUCTION**

In September 2022, the Parliament of Papua New Guinea (PNG) established a 9-member Special Parliamentary Committee on 2022 General Elections (SPCGE) chaired by Hon Allan Bird, Governor for East Sepik Province. The Committee's terms of reference involve inquiring into the election matters relating to election administration, election process, election funding, election security and any other matters that the Committee considers relevant to its terms of reference.

As part of its work, the Committee invited the PNG National Research Institute (PNGNRI); Transparency International PNG (TIPNG); and Institute of National Affairs (INA) to provide technical assistance in terms of write up of the main report and providing a desktop report on key issues observed in the 2022 National General Elections and past elections.

This desktop review report is to fulfil the second part of the work requested by the SPCGE. Using a desktop review approach, this report provides analysis of key issues, key findings, and key recommendations from the election observations reports from 2002 to 2022 by PNGNRI, TIPNG, INA, and other relevant observation reports on the PNG elections.

### **1.1. Objective of the Desktop Review**

The review is driven by following related objectives:

- First, is to provide an analysis of a real-time observational account of how the National Elections have been conducted since 2002.
- Second, is to determine whether the trends of anomalies and issues from 2022 NGE were different from the previous elections. The aim is to determine whether the overall conduct of the election has improved or regressed over the 20 years of elections from the problems identified in the previous elections.
- Finally, to inform the work of the SPCGE in terms of providing recommendations from the observation reports for its consideration in its report to Parliament.

### **1.2. Alignment to the TOR of the SPCGE**

The report captures issues, findings and recommendations that will be useful for the terms of reference for the SPCGE, in particular issues relating to election administration, election process, election funding, election security and relevant cross-cutting matters.

### **1.3. Scope of the Review**

The review looks at observation reports from the 2002 National General Elections and up to the 2022 National General Elections. The main focus is on observation reports by NRI, TIPNG, INA and other relevant institutions like the Australian National University (ANU), which has been a long-time observer of the elections in PNG.

### **1.4. Use of this Report**

This report was prepared for the use of SPCGE in its inquiry on electoral matters. The recommendations of this report are based on independent observations by the relevant organisations mentioned above. It is hoped that the SPCGE and relevant Government institutions will consider and adopt the relevant recommendations for the purpose of improving the conduct and outcomes of the National Elections in PNG.

## **1.5. Structure of the Review Report**

Following the Introduction, the Review Report has six other sections as follows:

- Review method (Section 2);
- Desktop review by PNGNRI;
- Desktop review by TIPNG;
- Desktop review by INA;
- Main findings; and
- Main recommendations.

## **2. REVIEW METHOD**

### **2.1. Method of data collection**

The method used to collect data for this report was to carry out a desktop review of election reports and specific survey data. The review systematically analysed all the observation reports from the last five NGEs, from 2002 up to 2022. These observation reports were conducted by PNGNRI, TIPNG, and ANU for the last five National General Election Observations. The review also included INA's analysis of survey data collected by PNGEC related to the 2007 NGE. On this basis, the report has identified key issues, findings and recommendations related to the preparations and conduct of elections, which are provided as an annex to the main report of the SPCGE.

### **2.2. Compilation of Information**

Information for the report was compiled by PNGNRI, TIPNG, and INA using an agreed template to create three similarly-structured desktop review reports. Each institution's respective desktop review report was then consolidated in this main review report in Sections 3 to 5.

### **2.3. Method of Analysis**

The information was analysed on two levels. First, for each institution's desktop review report, the respective observations reports were reviewed and analysed and information was then captured under the following: introduction, analysis of issues, key findings based on the analysis, recommendations based on the key findings, and conclusion (reported here in Sections 3 to 5). Second, a combined analysis was carried out across the three review reports. Based on this, the overall main findings and main recommendations are then reported in Section 6 and Section 7 of this consolidated review report, respectively.

## **3. DESKTOP REVIEW BY PNG NATIONAL RESEARCH INSTITUTE**

### **3.1. Introduction**

The PNG National Research Institute (PNG NRI), formerly the Institute of Applied Social and Economic Research (IASER), was originally established as the New Guinea Research Unit (NGU) of the Australian National University (ANU) in the early 1960s. In this context, PNG NRI has been involved in observation, study and research of elections and political processes since the first Legislative Assembly Elections were held in 1964. Apart from Election Reports and Joint Publications produced in PNG or overseas by its staff, PNG NRI has played a prominent role in the country's political development, including providing policy recommendations to Government.

As the lead research institute in Papua New Guinea (PNG), the primary role of the PNG National Research Institute (PNG NRI) is to carry out independent research and analysis on a wide range of public policy issues and then offer policy prescriptions on how public policy might be developed and carried out in response to different policy challenges. The PNG NRI 2022 Election Observation Study Report (EOSR) and other Election Observation Reports by PNG NRI with reference to reports by TIPNG and ANU provide the basis for this section of the overall Desktop Review which will inform the Report of the Special Parliamentary Committee on 2022 General Elections (SPCGE).

### **3.2. Analysis of Key Election Issues**

#### ***Electoral roll***

Voter registration through the Electoral Roll establishes the eligibility of citizens (18+ years old) to vote in an election. A National Household Census was conducted in 2000 by the National Statistical Office (NSO). The electoral roll was then updated in 2001 to be used in the 2002 National General Election (NGE). In a report by May et al, (2011), it was found that the 2002 electoral roll was heavily inflated and corrupted. In the subsequent elections from 2007 to the 2022 NGE, there has never been any proper update of the electoral roll which remains problematic and unresolved. The NRI domestic observation report of 2007 also observed the inaccuracy of the electoral roll as one of the issues (Haley and Anere, 2009).

The legitimacy of the electoral process can be challenged when there are questions over the accuracy and integrity of the electoral roll with issues such as double voting, ghost names and non-registration of eligible voters. The 2017 Election Observation by the ANU points to serious electoral roll defects, which continue to be highly problematic, disenfranchising scores of eligible citizens across the country (Haley and Zubrinich, 2018). The same problem has also been reported by other observation teams including Transparency International Papua New Guinea (TIPNG, 2017) and the National Research Institute in its Domestic Observation Report (Haley and Anere, 2009). There were widespread electoral deficiencies and inaccuracies across the country reported by TIPNG (2022) and NRI in its Report of 2022 Domestic Election Observation (Goro and Sanida, 2023). The continuous **disenfranchising** of voters has led to scores of other problems including the control, block, distributive and ‘Tanim Box’ voting in the Highlands (Goro and Sanida, 2023).

Because the roll was defective, in 2022 the PNG NRI observed in many locations that community leaders and groups of young men took over the voting at the polling places. The women and elderly people in the communities often did not vote but stood helplessly observing the community leaders and groups of young men took control of the polling. Many voters in certain coastal villages were turned away because their names were not on the roll, but at the same time, the reports also observed that people just lined up to vote and completed the ballot papers in the Highlands whenever there was any deficiency in the electoral roll. In the previous NGE, Haley and Zubrinich (2018) also found that there was no opportunity for voters to do a ‘**roll look up**’ before it was finalized, printed and sent to the respective wards.

#### ***Recruitment and training of officials***

Recruiting and preparing officials for the elections is important for the better outcomes of the electoral process. The reports by Haley and Anere (2009) and subsequent reports by other observation teams pointed to lack of proper recruitment and training of electoral officials. The NRI 2022 Election Observation Report (Goro and Sanida, 2023) also revealed that the appointment of temporary or casual electoral officials contributed directly to problems at the polling including officials’ alignment to candidates and sitting members of parliament or even political influence in the appointment of electoral officials. The late recruitment and training resulted in electoral officials not sure of their

roles and responsibilities. Many of them were just sent there to guard the ballot boxes. The electoral office at the sub-national levels complained that the PNG Electoral Commission Headquarters controlled all the process, although the process was to be facilitated at the sub-national levels.

The late release of funds by the Treasury was also a major concern in the 2022 elections. Therefore, recruiting and training of officials including the important Returning Officers were left to the end. In most cases, these officials were sent to the field without proper training to conduct elections and sometimes left to the people to decide what to do when situations arise. According to Haley and Anere (2009), most officials were not trained to conduct proper elections in previous years, as well.

In the NRI 2022 Election Observation Report (Goro and Sanida, 2023), it was also revealed that people took control of the polling because the officials' appointment was politically influenced. Even in the Scrutiny, it was evident that officials could not answer the questions raised by the scrutineers but just told the scrutineers to register their issues in the courts of Disputed Returns. This is not new; in fact, there has always been a high number of Disputed Returns after every election since 2002.

### ***Demographic challenges***

The population of PNG is spread across a wide geographical area with limited or poor road and sea transport infrastructure. This means that the delivery of important election materials to polling locations within tight timeframes is extremely difficult, as reported in an overview of the 2007 election in Papua New Guinea (May et al, 2011). The report also cited that a majority of critical supplies, such as ballot papers, electoral rolls, candidate posters, voting forms, labels, and seals, were dispatched by air transport. Large items were sent by sea-freight where time permitted. In 2007, certain transport companies slowed down the election process by not delivering critical supplies to destinations on time.

In the 2007 ANU Election Report (Haley and Zubrinich, 2018), the late receipt of funds and the amount received affected preparations in many aspects from awareness to polling and scrutiny. However, there was clear evidence of early preparations on essential items like the printing of ballot papers, ballot boxes, and indelible ink. The NRI 2022 Election Observation Study (Goro and Sanida, 2023) also reported late arrival of ballot papers at the polling locations in the Highlands which affected polling as voters were under pressure to complete polling before the place got dark. In some polling locations, it was observed that people resolved to line up and vote or shared the ballot papers among the clans to vote for their candidates.

In all the previous election reports, issues in electoral processes were most evident in the Highlands, including in the electoral roll update and in the appointment of polling and counting officials. Allegations of political interference were most prevalent in the Highlands, as reported by both the ANU 2017 Election Observation Report (Haley and Zubrinich, 2018) and the 2022 NRI Election Observation Report Study (Goro and Sanida, 2023).

### ***Civic education and awareness***

A voter awareness campaign is a key element to successful election outcomes. The Election Report by Haley and Anere (2000) revealed that there was insufficient voter awareness and education. Comprehensive election education and awareness on the voting process, using radio, television, and the press, did not reach many remote parts of the country because the services were not available. It appears that the PNGEC will always struggle in this area as long as there is a poor communications infrastructure.



The ANU Report (Haley and Zubrinich, 2018) found that there was modest election awareness and elector education in the leadup to the 2017 National General Election. The 2022 Observation Report by the PNG NRI (Goro and Sanida, 2023) highlighted that the lack of education on voters contributed to a lot of problems during the campaign, polling and scrutiny.. Also in the 2022 elections, TIPNG observed that some citizens did not realize they needed to register to vote in order to exercise the right to vote (TIPNG 2022).

### ***Election security operations deployment***

It is very important to have proper security operations planning and deployment, especially in the highly volatile Highlands Region. The report by Haley and Anere (2009) observed that security deployment and 2007 NGE was less violent as the new Limited Preferential Voting was introduced through the OLNLLGE in 2002. There was also high investment in security in 2007 NGE and the disciplinary forces were well disciplined and better behaved compared to previous elections.

The 2017 NGE deployed a large Joint Forces operations of nearly 11,000 security personnel throughout the country compared to 8,500 security forces in 2012 NGE (Haley and Zubrinich, 2018). At that time, the 2017 operations were the biggest and police used brutal force, including the use of excessive force in the Highlands Region where security personnel driving their vehicles at speed into crowds in order to disperse those who had gathered, and in several locations security personnel were observed firing either warning shots or shots directly into gathered crowds. Civilian deaths resulted in Southern Highlands, Hela, Enga and Gulf provinces.

Despite this heavy-handedness, security personnel proved largely unable to deter voting irregularities or to prevent serious election-related violence (Haley and Zubrinich, 2018). Two policemen were shot by civilians in Enga and died instantly. At the scrutiny or the counting centres, it was reported that police continued to employ heavy-handed harassment of scrutineers, local observers, counting officials and, in some cases, the public.

NRI (Goro and Sanida, 2023) reported for the 2022 NGE that there was an absence of security personnel at multiple polling sites across the Highlands. This enabled mob control of the polling by illegal bloc and control voting, double and multiple voting, sharing and distribution ballot papers amongst the community leaders and even voting at ungazetted polling places. Further to this NRI observed in 2022 that there was widespread illegality, notably in form of threats and intimidation at the polling places where the elderly and female voters were disenfranchised.

### ***Election funding***

The election reports since 2002 revealed that funds have not been budgeted and disbursed on a timely basis in relation to the election cycle, and also have not been sufficient to run elections properly. PNGEC's books have been in the red since the 2002 NGE, with PNGEC still owing monies to the service providers. Whilst some funding was released by the Treasury prior to the 2017 NGE, the sub-national levels did not receive enough funding to carry out their awareness (Haley and Zubrinich, 2018). Moreover, while funding was made available, there was not enough funding given to the sub-national levels. The issue with delayed funding seems to be consistent in subsequent elections from 2002 to 2022.

The recent regional consultations in the provinces by the SPCGE revealed that most funds were expended at the PNGEC Headquarters and provinces did not receive sufficient funds for their programs. The funds received were kept and spent mostly by the headquarters while at the sub-national levels, provincial administrations and governments assisted with some money on operations,

especially paying for the police allowances, accommodation and fuel. This was reported at all the 2023 regional consultations.

### ***Polling issues***

Polling continues to be problematic in PNG general elections, especially in the Highlands region. Consecutive reports of election observations (Haley and Anere, 2009; Haley and Zubrinich, 2018; Goro and Sanida, 2023; TIPNG, 2017; and TIPNG, 2022) have pointed to polling irregularities including ‘tanim box’; control; block and distributive voting; double and multiple voting; non-use of indelible ink; and non-use of the electoral roll at the polling place. The sharing of extra ballot papers and voting for deceased relatives and family members in absentia was also observed in the Highlands region. The NRI observation of polling for the upper Highlands region found that it remained highly volatile in 2022 as the candidates and supporters used threats and intimidation to take control of the polling even in the presence of the security personnel. There was also a notable discrepancy between the number of votes and number of eligible voters according to the electoral roll.

In some polling places, the ballot papers were less than the number of voters while other polling places were getting more ballot papers than the number of voters. This also contributed to a lot of polling related problems. The other main issue was the level of distrust among the polling officials by the voters as reported by Haley and Zubrinich (2018). The reports of the past elections and last election showed no improvement in the irregularities including lack of enforcement against election offence by responsible authorities. The 2022 Election Observation by NRI (Goro and Sanida, 2023) revealed that the polling process was not followed in the Highlands region. Instead, the community leaders and supporters made the decision of how many ballot papers were to be given to candidates. To make matters worse was the fact that where there were police and heavy security presence, there were still candidates observed in the polling booths, marking their own votes.

The reports by TIPNG (2022) and NRI (Goro and Sanida, 2023) pointed out gross corrupt practices during the polling, including bribery, vote buying, and double, multiple and bloc voting. Other past election observations also noted similar foul play in 2002, 2007, 2012, 2017, and 2022; there is a trend of worsening levels of electoral outcomes.

The 2017 Observation by ANU (Haley and Zubrinich, 2018) revealed that the ‘Money Politics’ in the Highlands was the biggest factor of corrupt polling. Observation by Fario et al, (2020) also found similar trends in the 2017 NGE in Huon Gulf Electorate of the Morobe Province. Money and other material politics like pigs, food, and free rides on candidates’ vehicles continued to play big roles in the polling as revealed by the NRI Observation (Goro and Sanida, 2023).

The TIPNG Observation Report for 2022 NGE (TIPNG, 2022) also pointed to high polling irregularities, far worse compared to other past elections. Double voting, under-aged voting, voting using other people’s names, ghost names voting, sharing of ballot papers and block voting all contributed to election fraud. It was observed by both TIPNG and NRI Observers that most polling places did not use the electoral rolls and indelible ink.

### ***Issues relating to election scrutiny or counting***

The final stage of the electoral process is the scrutiny or counting to decide the winner. This stage is very important to administer properly because it verifies if procedures have been followed or if irregularities have occurred and it gives legitimacy to the government for the next five years. The result of an election process is the declaration of the winner by the Returning Officers of the respective electorates. The writs are then returned to the Head of State before the closing date. Returning Officers are appointed by the PNG Electoral Commissioner. The past observations (Haley and Anere, 2009

and Haley and Zubrinich, 2018) noted that scrutiny for the previous elections were better than that of the 2017 NGE.

In addition, delays in returning writs have caused problems such as delays in the opening of Parliament, and in the declaration of seats. In the most recent NGE, TIPNG (2022) and NRI (Goro and Sanida, 2023) noted that counting was very slow in most of the centres and rushed to complete the preferential votes which caused a lot of problems towards the end. The 2022 NGE for Southern Highlands Regional, Kabwum Open and Markham Open electorates in Morobe were all declared under ‘Special Circumstance’. The delay in return of writs in 2022 was far worse than previous elections in the scope of this review, as revealed by TIPNG (2022) and NRI Report (Goro and Sanida, 2023).

The NRI Report revealed that there were ‘double infringements’ where ballot boxes from certain places were moved to the counting room for counting which were set aside. There was also inconsistency of signatures at the back of the ballot papers and some ballot papers have names and numbers not corresponding to the name. In such situations, names superseded numbers but the question of different signatures on the ballot had no clear explanations.

TIPNG’s report (2022) raised serious concerns about the delay in returning the writs in time for government formation across the country. The report further revealed that this delay impacted the commencement of the 11th Parliament on the 9th of August with the first sitting to elect the Prime Minister, proceeding while several seats were yet to be declared. This situation arose in part due to the setting of the date of the Return of Writs to coincide with the constitutional deadline of having an election by the 5th Anniversary of the previous Return of Writs; meaning there was no room for error, even as errors arose. While the experiences and circumstance of each election is different, the 2022 NGE had been the worst with one electorate of Lagaip Open declared as failed while others were declared a day before the formation of the government and NCD Regional Seat was declared well after the government was formed, although it was one of first seats to go into polling.

### ***Integrity of the electoral process***

From the reviews and analysis of the election observation reports, the preparation and administration of national elections in PNG have been compromised in the last five elections or even the last ten elections. The legislative house (Parliament) is important and the highest constitutional office in the land. PNGEC as the constitutional office needs to prepare in advance and administer general elections in the country properly so that the result is acceptable. It is very important that people respect the process and respect the outcome. The honorable house needs to be protected as the house of making laws and upholding the integrity of the Parliament at all times when we go to the general elections.

### **3.3. Key Findings**

Based on the analysis of the issues, the key findings are as follows:

- There is a lack of proper updating and verification of the electoral roll;
- There is a lack of timely preparations for the elections;
- There is a lack of proper coordination in civic education and awareness for elections;
- Funding for elections is not given on time which results in delays in election preparation and in addition, the funding given is often inadequate;
- Identification of voters is not done properly, hence the democratic principle of “one person one vote” cannot be achieved;

- There are persistent delays in counting in every election, thus leading to delays in declaration of results and return of writs; and
- The provision on declaration of results based on special circumstances is susceptible to abuse by the electoral commissioners using their discretion, which defeats the purpose of elections as a democratic process.

### **3.4. Key Recommendations**

Considering the key findings from the desktop reviews, the following recommendations are made.

#### ***Update and verification of electoral roll***

The electoral roll must be updated and verified by NID or verification by Village Court Officials, councillors, pastors and Village Recorders with penalty for default, in order to ensure integrity of the electoral roll. There is a need for a new electoral roll to be updated using the new 2024 National Census. There needs to be collaboration of the inter-agencies from NSO, DPLGA, NID/Civil Registry to work together with the PNGEC to come up with a new electoral roll for all electorates in PNG. Public reading or ‘Roll Look up’ is key to avoid omission and errors in the roll. This means, the electoral roll must be prepared annually starting 4 years before the election year.

#### ***Need for proper recruitment of electoral officials***

The PNGEC needs to work with the managers at the sub-national levels to identify and recruit proper, educated and people of good standing in the communities to become electoral officials. The use of full time public servants as election officials is recommended with the Returning Officers (ROs) to be persons of good moral standing and senior public servants as the ROs are key to make declarations or write reports in the event of ‘Special Circumstance’. All recruited officials must be trained to understand election laws and how to run elections in a safe, free and fair environment.

#### ***Need for timely preparation of the elections***

The election cycle does not end after the general election. The preparation for the next election should commence immediately after the formation of the government due to the challenges in terms of infrastructure, terrain, transport and funding. The PNGEC and relevant election stakeholders should not wait until one year before the election to submit the budget for funding. There is a need for a proper five-year budget supported by activity plans and the Government must be obliged to allocate the annual funding through the Department of Treasury.

#### ***Need for strong collaboration in civic education and awareness on elections***

The PNGEC headquarters needs to work together with other agencies like education department, Community Development, Religion and Youth, DPLGA, Churches and other civil society organizations to do early awareness to the communities to understand the importance of democracy and the integrity of the electoral system. People need to be aware that when there is no integrity in the process, their leader who is voted does not have the integrity and real mandate. Such civic education and awareness is very important to change the people’s mindset and behavior towards voting.

#### ***Need for adequate and timely financing of the elections***

Adequate and timely financing of elections is important to improve the process. This includes funding for PNGEC and related stakeholders such as the Joint Security Task Force (JSTF) members. Besides funding for PNGEC, adequate and timely financing should also be provided to the JSTF members to prepare for their deployment. The pre-election security operations are very important. Therefore, funding must be released early to prepare for their deployment.

### ***Proper voter identification system must be developed***

There is a need to invoke and enforce S71A, Part 8A of the OLNLLGE to use a proper identification system to be able to vote. The entire process comes down to polling day. Security at polling needs to be increased and voters need to produce a valid identification form to vote once only. One person, one vote is the number one pillar of democracy.

### ***Improve timely counting time by counting primary at LLG counting centres***

There needs to be counting by LLG at the Central Counting Centre for all the primary votes and complete the quality checks by LLG before putting the votes together to commence elimination. This is to avoid delay in counting. There is also a need to shorten the campaign period and give more time to counting, that is to increase from two weeks to three weeks for counting and campaign period to be reduced to 7 weeks.

### ***Repeal the Special Circumstance provision in the OLNLLGE***

The provision of Special Circumstance in the OLNLLGE needs to be repealed together with the s96c to activate Election Advisory Committee (EAC) up to six months before the election and six months after the election to deal with special circumstances. In the absence of this, the application of Special Circumstance becomes controversial. Further legal advice from State Solicitors will improve those provisions.

## **3.5. Conclusion**

In conclusion, the analysis of the election observation reports from 2002 to 2022 reveals serious deficiencies in the planning, preparation and administration of elections in PNG which severely questions the integrity of the process and the outcomes. The trends show increasing abuse of the process by both voters and officials. Therefore, serious attention must be given now to addressing the issues using the recommendations in this review report as well as others in the specific observation reports. This needs to be done to correct the process or the process will fail in the next 10 years.

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## 4. DESKTOP REVIEW BY TRANSPARENCY INTERNATIONAL PNG

### 4.1. Introduction

National Elections have been held every five years since 1977 and are one of the key mechanisms by which citizens can demand accountability and transparency of public office holders. TIPNG has observed the 2007, 2012, 2017 and 2022 National General Elections as well as the 2013 Local Level Government (LLG) Elections, 2019 Bougainville Referendum and 2021 Moresby North West by-election. Over time, our observation teams have evidenced a notable deterioration in the quality of the preparation, conduct, and delivery of the elections.

Changing this calls for a reimagining of the electoral process whereby we are all engaged in reforms. 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 the hallmark of any successful democracy, and citizens are right to expect nothing less than this standard. Key to achieving this is independent, impartial and professional electoral management and an informed and engaged public.

TIPNG is working alongside other domestic and international observers and state agencies, such as the National Research Institute, on post-election analysis to further inform reforms for electoral integrity in Papua New Guinea.

To this end, this brief report identifies key issues and main findings from TIPNG's observation of the past three general elections. Based on our observations, this report makes immediate recommendations for reforms to be implemented by 2027, as well as long term recommendations to make elections work better. The three immediate recommendations that are expanded on in this report are:

- Expand the electoral commission** from just one commissioner, to 3 or 5 commissioners.
- Increase roll transparency** by making it publicly available online and at no cost.
- Fund elections annually**, as per the electoral cycle.

Key issues TIPNG identified during the 2022 National General Election (NGE) included frequent instances of roll inaccuracy; lack of enforcement against election offences, non-compliance with Constitutional requirements; disruptions in the conduct of the ballot counting; confusion on the declaration of seats; and widespread election-related violence. These and a number of other concerns were witnessed in the 2012, 2017 and 2022 NGEs.<sup>1</sup> These are summarised in subsections 4.2 to 4.14.

### 4.2. Analysis of Key Election Issues

#### *Electoral laws*

Despite the introduction of the Limited Preferential Voting (LPV) voting system in the 2007 national election to address problematic electoral practices such as bloc voting, multiple voting, double voting, intimidation and influence, these issues have continued. TIPNG's electoral observations data show that the problem is not the electoral law itself, but the lack of voter education and understanding. Also, there seems to be very little if any follow up or deterrence when electoral laws are ignored or

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<sup>1</sup> The data from TIPNG's polling place observations are reported in the charts here as a percentage of responses and may vary slightly from the percentages in the full reports, which include non-responses.

violated. For example, the electoral law requires the display of rolls for verification in a timely manner, but this did not happen in most electorates during the 2022 NGE.

Furthermore, political party, campaign and elections finance legislation is essential for elections integrity and public trust. The Organic Law on the Integrity of Political Parties and Candidates (OLIPPAC) regulates the access by registered political parties to financial contributions for election purposes. However, there are no limits on the amount of contributions, there are no spending limits for political parties or candidates, and there is no definition of a campaign expense.

As a result of this and weak implementation of OLIPPAC, the views of members are susceptible to either monetary rewards or political benefits from associating with the ruling party, or the Government. Funding for campaigns is not adequately regulated at present and historically has often involved clientelism, a form of bribery where corporations or companies provide funding to candidates or parties for favour when they win, for example, favourable licensing requirements in the forestry sector.

### ***Election administration***

The PNGEC has a critical role in setting the standard for conducting free and fair elections. The performance of the electoral commission and its staff will have a large impact on the way candidates, their supporters and voters react. While some polling place and electoral commission staff have shown great dedication and tried to consistently apply the correct procedures, on too many occasions others have not. The observations show us that 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 application of existing electoral laws. It is therefore imperative to establish mechanisms of accountability internally within the PNGEC, that do not expose it externally to being undermined by other interests.

### ***IDEC and PESC roles and functions***

The Inter-Departmental Election Committee (IDEC) is an inter-governmental mechanism that is intended to support the electoral commissioner and state agencies to prepare for the next election. It conducts field visits to provinces and it provides the government with budget estimates, possible legislative changes and operational reforms. This mechanism is necessary for government agencies to support the conduct of elections after the end of term of Parliament, to assist for instance a caretaker cabinet, the PM, and the speaker as the sole constitutional office holders that last remain in office during the electoral period.

The IDEC is therefore the key national coordinating body that can impartially assist the electoral commission in coordinating resources and assets. In seeking to strengthen the integrity of elections, the IDEC can reinforce activity planning and financial reporting through its coordinating mechanisms. However, the IDEC should not be legislated to co-opt powers of the PNGEC in administering elections, rather it should be empowered to ensure continuity of government under a caretaker arrangement during the NGE.

The Provincial Election Steering Committee (PESC) is a mechanism that was introduced in 2012 by the PNGEC following poor conduct of the elections. The intent behind the PESC is to structure coordination amongst the prime actors involved in the successful conduct of elections. TIPNG observed the 2021 Moresby North West By-Election as a Member of the NCD Provincial Election Steering Committee (PESC). Of great concern is that civil society participation in the Terms of Reference (ToR) for the PESC was removed in a 2022 update, and as such TIPNG had to request the



NCT PESC for the inclusion of TIPNG in civil society representation within that body through the form of an invitation letter.

The PESC has a similar approach to the IDEC, in that it involves coordination of government to support the PNGEC, through the provincial electoral manager in the provinces. 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 link its 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.

### ***Appointment and recruitment of electoral officials***

As seen by the late appointment of the Electoral Commissioner in the 2022 NGE, appointments are an institutional weak point that could be manipulated to undermine the integrity of elections integrity. There were also legal challenges by politicians following alleged fraudulent gazettes of appointments of returning electoral officials. If the PNGEC's institutional independence from political interference is not restored, legislative and reform of the elections will not increase public confidence in the integrity of the elections.

### ***Electoral boundaries and polling schedule***

Parliament is elected from single member electorates, which have not significantly changed since 1977. 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, and 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.

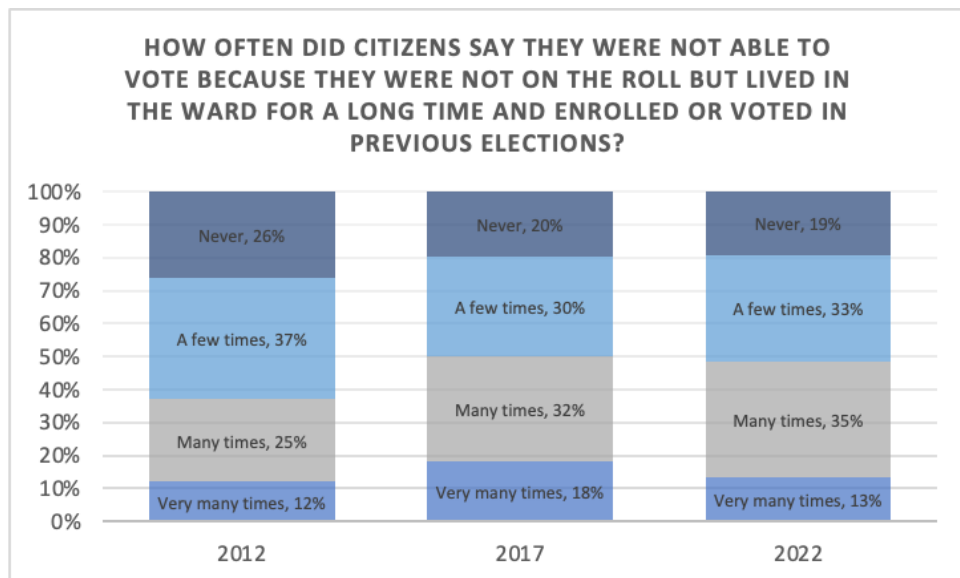
However, the exercise of setting electoral boundaries must be informed by electoral data, itself based on credible census data. The setting of electoral boundaries in the 2022 NGE just a few weeks prior to the issue of writs, is an example that should not be replicated. The 7 new electorates in the 2022 NGE undermined security and logistical planning, due to the closeness of their establishment to the commencement of the election. This impacted the campaign period, polling schedule, and printing of ballot papers.

### ***Education and awareness***

There is a lack of public awareness on voter registration, the display of rolls, the 'Roll Look Up' app, how to vote in the LPV system, and the importance of ballot secrecy. Many voters are also unaware of their rights to appeal decisions relating to their registration. With regard to elections-related violence, the public needs greater awareness of the importance of respecting the rule of law, before, during and after the elections so that elections are free of violence. Youth are particularly receptive to civic awareness programmes and share knowledge with their families and communities.

### ***Electoral roll***

Electoral roll discrepancies and inaccuracies are a widespread issue across the country. TIPNG observed that in a number of instances, citizens who came to vote did not find their names on the electoral roll, and many of these reported to TIPNG that they had voted in the last national election.



*Source: TIPNG (2012, 2017 and 2022)*

There were also occurrences of mixed names or where someone else had voted using their names. 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.

***Political party registration***

Freedom of association is a constitutional right, and citizens have the ability 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 protections 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.

***Candidate registration***

The constitution also allows for a 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.

***Election campaign***

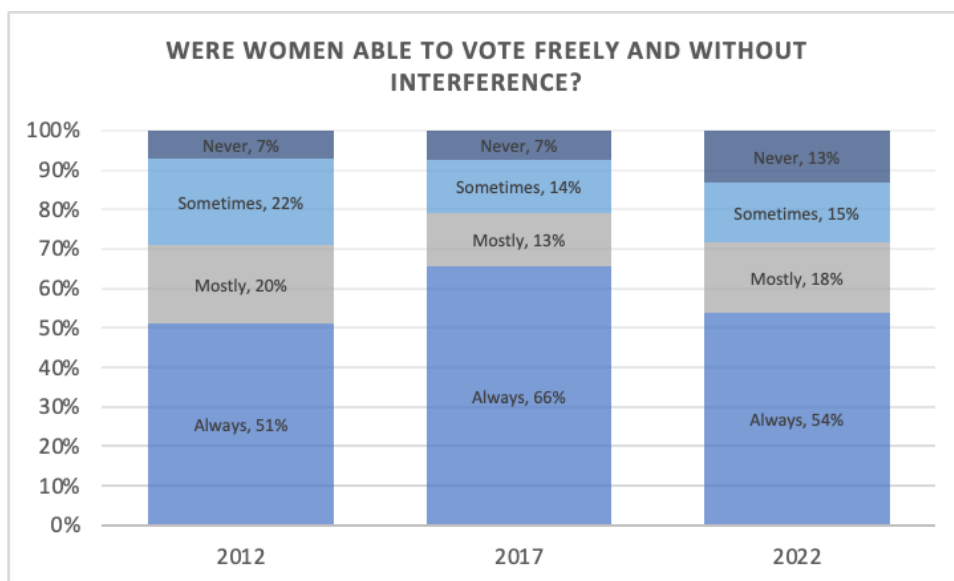
Financing of elections campaigns is necessary, but if it is not adequately regulated and monitored, money may also be a means for powerful special interests to exercise undue influence, and capture the policy process. There is a lack of campaign expenditure ceilings for political parties and candidates, and a lack of requirements for the Integrity of Political Parties and Candidates Commission to make public the financial returns of the parties and of its audit report.

A free media enables information to reach citizens and voters, and protects the electoral processes from political capture. However, 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.

***Voting/polling process***

TIPNG elections observers witnessed people voting multiple times, people voting without names being checked, underage voting, vote selling and buying. As mentioned above, 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.

TI PNG 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.



Source: TIPNG (2012, 2017 and 2022)

Women and other vulnerable citizens in many instances were not able to exercise freely 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 Eastern Highlands Province.

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 claims of

excessive numbers of ballot papers in circulation prior to polling as well at polling locations and allegations of tempering by voters and scrutineers.

Moreover, 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, impartiality of polling officials, late start to voting, delayed counting, and unconstitutional declaration of certain seats.

### ***Counting***

TIPNG observed disturbances in the conduct of the ballot counting in the most recent as well as previous General National Elections. TIPNG's observation data captures voters' views after they have cast their votes relating to the conduct of counting. While the scrutineers fielded by candidates invariably are blamed by politicians, PNGEC personnel and the wider public for the delays in counting, it is also evident from the litany of issues identified by TIPNG and other observer groups that scrutineers do often have valid grounds for the procedural concerns they express. These concerns could be alleviated through greater transparency and clear enforcement of electoral laws when counting violations are reported.

The administration of elections and the setting of the dates impacts the ability for counting to happen. In 2022, we saw that counting happened simultaneously in provinces where some polling was ongoing in other provinces, so for instance the PM's counting was completed before some of the other electorates had concluded their polling. This creates a governance risk whereby those that are counted and declared earlier then have the ability to influence the outcome of the elections for the other electorates that are still being counted.

### ***Election results***

TIPNG has observed a continuing degradation in terms of electoral processes. The 2022 NGE saw the Prime Minister re-elected and at the same time, continued the trend in electoral turnover rates of incumbent seats, with almost 50% of turnover of seats, but with a higher rate of seats being retained. The introduction of 7 new electorates may have impacted the calculation of this rate.

While the results may indicate that the processes have improved, a closer look shows that this may be not as representative of democratic participation as one would hope. In areas with no disputes there may have been greater collusion between the provincial administrators and electoral managers, resulting in the incumbent retaining their seat, so it is difficult to use some of the outliers in terms of the elections to be able to judge whether the elections themselves were successful.

Historically in PNG, governments have changed not at the ballot box but through processes in the floor of Parliament, such as a vote of no confidence. Government change during elections could be taken to be an indicator of democratic health through the peaceful transfer of power.

Of note, two women, Rufina Peter and Kessy Sawang, gained seats in the National Parliament, the eighth and ninth women to be elected. The election of women candidates into public office is a welcome change from the previous Parliament. However, both of the female candidates that contested and won the elections were only able to do so in coastal areas, and again there was overall lower female candidate participation in this election as a percentage of the total candidates that contested elections as compared to 2017.

### ***Issue and return of writs***

The deferral of the return of writs has constitutional implications on the periodicity of the national general elections that will need to be resolved before the next election. The return of writs was required by 5 August 2022. However, it was pushed back to 12 August for political convenience, to allow sufficient time for the remaining undeclared seats to be declared.

### 4.3. Key Findings

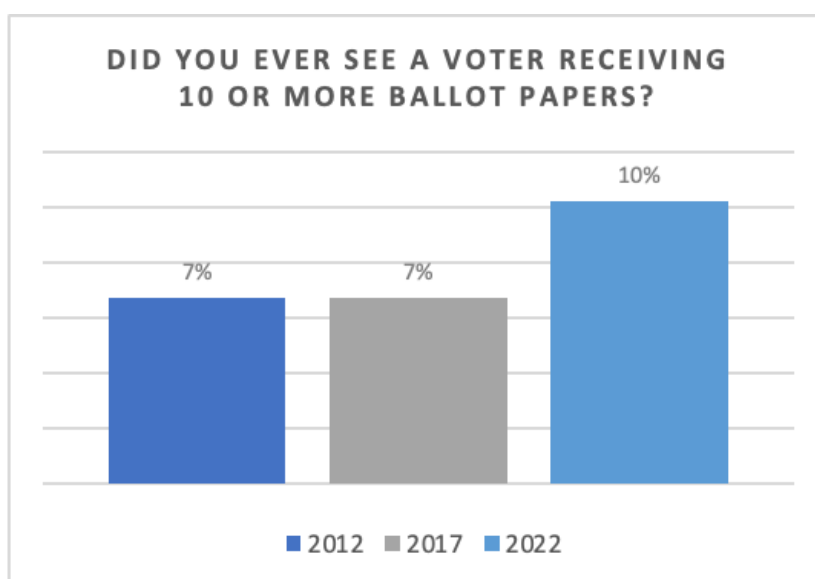
The election laws in PNG including the Organic Law on National and Local Level Government Elections, Integrity of Political Parties and Candidates provide the guidelines to conduct elections with integrity and transparency. However, instances of bribery, roll inaccuracy, intimidation and violence are still widespread. A culture of impunity is enabling extensive shortcomings in the electoral process. Our three main findings are highlighted here: (1) One Person, One Vote, (2) Voter Participation and (3) Integrity of the Electoral System.

#### *One person, one vote*

The expectation for elections in Papua New Guinea is that they are free, fair and safe, and while this is true, more fundamentally the expectation is that given these conditions there will be One Person, One Vote. This unfortunately was not the case for the entire country with 11% of polling places observed by TIPNG not using the electoral roll with this rising as high as 46% of observed polling places in the Highlands Regions. This was not exclusively a Highlands problem, or limited to rural areas.

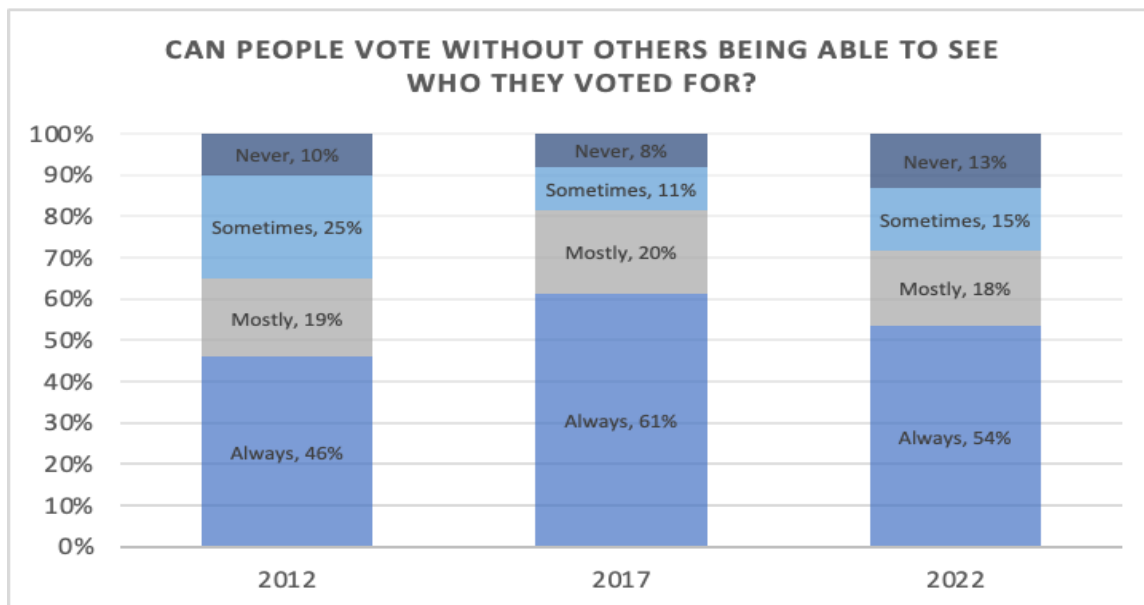
In 12% of the TIPNG polling place observations, there were instances where many ballot papers were marked by one person or a small group of people. These incidents are witnessed during cases where bloc voting took place. In a majority of locations (84.6%) observers reported that the scenario was not witnessed at the polling places. Nonetheless, it is very concerning for the 12.3% polling stations where it occurred. This was also the case in 2017 and 2009. No election is considered to be truly fair if votes are being cast by one person and/or a minority group. The driver behind this issue is Highlands region, where in 2022 it was witnessed in a remarkably high 62.1% of the polling places observed.

Related to this, TIPNG observers also witnessed instances of individual voters getting more than 10 ballot papers, with a slight increase in 2022, as illustrated below.



Source: TIPNG (2012, 2017 and 2022)

Voting in secret is a prerequisite in achieving a free and fair election. Observations were made to establish whether people were able to vote without others seeing who they voted for. In the past two national elections, over half reported that people voted in secret. However, it is problematic that in 12.6% of polling sites observed in 2022, people never voted in secret. Fundamentally, no electoral commission should say an election was conducted freely and fairly when there is evidence of people not voting in secret.



Source: TIPNG (2012, 2017 and 2022)

### ***Voter participation***

The second thematic area of recommendations relates to voter participation in the elections. At this juncture, it is important to clarify a common point of misunderstanding that often leads to confusion at polling stations during the elections. It is often assumed that as long as a citizen is at least 18 years old at the time of polling, and has been resident in the polling area for more than 6 months, they have an automatic right to vote. However, citizens first have to register to vote, in order to exercise their right to vote. Voter registration is therefore essential to the integrity of voter participation.

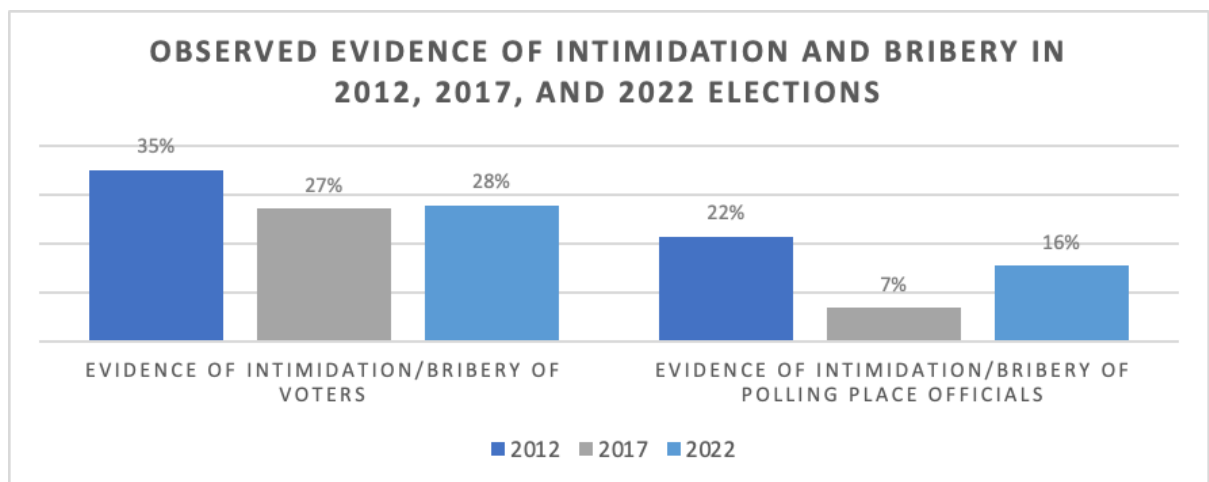
During TIPNG’s 2022 Election Observation it was found that the use of other voter’s names is a recurring issue. This enables further illegal practices like underage voting and double voting. As a result, genuine voters miss out and are denied their right to vote. It is highly concerning that in 78.3% of the polling places observed by TIPNG, at least some eligible voters were not able to vote in this election because of flaws in the electoral roll. These results are similar to the observations in the 2017 election where the same was observed at 77.3% of polling places.

Timely and accurate updating, monitoring and verifying of the electoral roll is crucial to the successful conduct of the elections. The electoral roll should be supported by the conduct of a National Census every 10 years. The last National Census was conducted in 2011, and the 2021 census has been deferred to 2024. This has worsened the inaccuracies of the roll, including the issue of names not being on the roll, names of those voting in the last election being removed, and mixed names.

### ***Integrity of the electoral system***

In 2022 corruption was rife in the conduct of the General Elections, and our observer reports capture this. Nationally, while just over two thirds (68.3%) of TIPNG observers reported no sightings of any sort of bribery and intimidation of voters and it is still concerning that nearly a third (27.9%) reported occurrences of bribery and intimidation of voters during polling. This was very similar to the 2017 observations and an improvement since 2012 (see chart below). However, the continued prevalence of voters being intimidated/bribed during polling is widespread and unacceptable.

It is essential for persons facilitating polling to maintain neutrality in order to deliver a fair and free election. Observers were instructed to note evidence of polling officials and security personnel taking sides or showing signs of favoritism towards any one particular candidate that could compromise their impartiality during polling. In 2022, polling officials in 15.5% of the locations observed were never impartial when conducting the polling. The regional breakdown shows particular concern in the Highlands, where 46.4% of locations observed reported evidence of bribery and intimidation of officials. This is consistent with the 2017 and 2012 reports by TIPNG.



Source: TIPNG (2012, 2017 and 2022)

It is also of great concern to see that in 31.4% of the locations observed, security personnel were never impartial, while 13.7% were only sometimes impartial. Notably, the Highlands, which had more policing than other regions in 2022, seems to have had more reports of neutrality. This could be indicative of the security planning for the Highlands elections and the presence of the Police Commissioner in the region during polling and counting.

Aside from the field data collected from TIPNG Observers, there were also several instances of constitutional norms being eroded with the timing of the elections, and compliance with the requirements in the Organic Law. This has also impacted key legal requirements such as the display of the electoral roll and polling schedule for objection and verification. The late formation of the Electoral Advisory Committee in 2017 worsened with no operationalisation in 2022 leading to legal uncertainty as to the declaration of failed elections. This constitutional laxity continued into 2023 for instance with the lack of adherence to the timing requirements for the conduct of the LLG Elections.

#### 4.4. Key Recommendations

Based on the findings of TIPNG Elections Observations, the following are the main recommendations for the Special Parliamentary Committee to consider.

##### *Immediate reforms*

TIPNG supports the following reform measures to be carried out as a priority, before the 2027 general elections.

**Expand the electoral commission** from just one commissioner, to 3 or 5 commissioners. The electoral legal framework specifies the number of members. Having a larger number of members may provide broader representation, whereas a smaller number can facilitate discussion and decision making. Having an uneven number makes it easier to make simple majority vote decisions.

**Increase roll transparency** by making it publicly available online and at no cost. The Voter Look-Up system is a positive development, and access and use of the system should be increased, including by women and people in rural areas.

**Fund elections annually**, as per the electoral cycle. TIPNG supports this as long as independence of PNGEC is not undermined by quasi-oversight powers given to IDEC.

As an integral part of these reforms, voter education will enhance the impact of the reforms and build greater trust in government. Targeting youth to raise awareness and educate them on the role of the commission, how to register and access the roll, and how elections are financed will amplify outreach efforts, because youth will share messaging with family and community members.

### *Long term reforms*

In the long term, TIPNG supports solutions that will strengthen the capacity and professionalism of electoral institutions, make it easier for eligible citizens to register to vote, prevent violence and enhance security, and ensure electoral justice and dispute resolution.

In particular, the Special Parliamentary Committee on Elections could:

**Strengthen the Electoral Commission's** accountability mechanisms within existing levels of independence, in order to strengthen the integrity of elections, e.g. through the timely establishment and equipping of the Electoral Advisory Committee.

**Align the Organic Law** with recently developed anti-corruption legislation, notably the Organic Law on Independent Commission Against Corruption and the Whistle-blower Act on protected disclosures.

**Support amendments** to the Organic Law on the Integrity of Political Parties and Candidates.

## **4.5. Conclusion**

Administrative failings during the 2022 NGE by the PNG Electoral Commission (PNGEC), as the constitutionally mandated electoral management body, have diminished public trust in the institution to historic lows. Worse still, the same failings have widened avenues for corrupt actors to abuse compromised electoral processes for self-gain.

The governance risk of undermining existing electoral requirements under the guise of easing electoral administration, can be mitigated by ensuring that legislative remedies only occur within the PNGEC and not externally through other agencies or arms of government. For instance, increasing integrity in the PNGEC by strengthening internal decision-making through the expansion of commissioners, is preferable to increasing integrity through external compulsion, e.g. by giving oversight powers of PNGEC to a body like IDEC.

The PNGEC must be supported properly and fully to plan and deliver the 2027 NGE and mitigate the failures seen in the 2022 NGE. Reform must be driven by the PNGEC, but supported by a wider



coalition within government, the legislature, the judiciary, disciplined forces, civil society and development partners.

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## 5. DESKTOP REVIEW BY INSTITUTE OF NATIONAL AFFAIRS

### 5.1. Introduction

The Institute of National Affairs (the “INA”) was invited by the PNG Electoral Support Program (ESP) Phase 2 (which is an integral part of PNGEC), in 2007, to undertake an analysis and evaluation of the survey data collected by PNGEC related to the 2007 NGE.

The data at PNGEC was collected by the ESP through a series of workshops and interviews undertaken throughout the country with a view to identifying and addressing weaknesses in the elections management system.

This current desktop study, done for the SPCGE, attempts to *extract the key elements from that PNGEC study, as seen below*. This is done with the sole aim of informing the SPCGE’s work.

### 5.2. Analysis of Key Election Issues

#### *Electoral laws*

Not fully respected in the 2007 NGE as also was the case for 2002 NGE as there were many reports of intimidation and threats to election officials by candidates and supporters as well as bribery cases or attempts made to bribe election officials. 45% interviewees in the survey witnessed or heard of threats and intimidation. And 58% heard or witnessed bribery offers made to election officials (*Electoral Survey Report: Data analysis on the PNG Electoral Support Program Phase 2 by the Institute of National Affairs, 2007, Port Moresby; paragraph numbers 20, 21, 26, 27.2.1*).

#### *Election administration*

The survey showed 21% of the election observers were critical of overall management of election affairs and called for significant improvement across all sections of the administration of elections (*ibid, paragraph number 25*). Many PNGEC staff did not respond to questionnaires on ‘election administration’ but most that did were critical of what they experienced and called for significant improvement (*ibid; paragraph numbers 25.1-25.3.3*).

Specific areas listed by responders as requiring significant improvement were: planning, logistical coordination, better training of electoral staff including TEW by competent trainers, timely release of funds by Department of Treasury; and also timely transfer of election operational funds by HQ PNGEC to subnational and field offices (*ibid; paragraph numbers 25, 27, 28*).

Evaluation results: Overall, 33% of interviewees rated the election process as “good” while 27% rated it as “poor” or “very poor”; 64% of Election Observers rated it as “poor or very poor” (*ibid; paragraph numbers 27, 28*).

24% of the Election Observers called for *independent entities* to take charge of election administration, e.g. NGOs, Churches, CSOs (by implication also international entities like International CSOs, internationally contracted election management teams, etc.). This view came through from all the regions where the 41 Observers were deployed. Many PNGEC headquarters staff and staff in many provincial administrations who were interviewed in the survey also shared this sentiment (*ibid; paragraph numbers 5.1-5.2.5, 27, 28*).

Majority of interviewees from all regions called for LLGs/wards to prepare/update electoral rolls (*ibid; paragraph numbers 6, 7, 25, 27, 28*).

Late arrival of funding and subsequent late start on all preparatory work was experienced by all regions. (*ibid*; paragraph numbers 6, 19, 27, 28).

Relationship with suppliers of goods & services: Majority felt it was well managed or ‘OK’ except on the issue of “debt settlement” (*ibid*; paragraph numbers 22, 27, 28).

Things to improve in future elections: Most indicated 2007 NGE as ‘better’ compared with 2002 NGE. However, for future elections, there were areas requiring significant improvement: timely funding, well-run awareness, electoral roll updates, transparent selection of election officials, better coordination of security (with security forces), and better training of election staff by competent trainers (*ibid*; paragraph numbers 14, 22, 27, 28).

### ***Appointment and recruitment of officials***

Observers called for more transparent selection and appointment of election officials. Above 50% called for transparent and significantly improved process for advertising, selecting, recruiting and training of election officials i.e. Returning Officers, Election Managers, etc (*ibid*; paragraph numbers 12.1-12.3.3; 27, 28.2.1 on ‘things to improve’).

### ***Electoral boundaries and polling schedule***

‘Electoral boundaries’ were not covered in the survey and the subsequent evaluation report. On polling, the majority interviewed from all regions were satisfied that officials understood well what they had to do at polling time. But the majority also called for better prepared and coordinated training of electoral/polling staff to be delivered by competent trainers (*ibid*; paragraph numbers 14.1-14.3.3).

### ***Electoral Public Awareness***

23% of responders rated it as ‘poorly carried out’. Also concerns over ‘who’ conducted the awareness; nearly all calling for involvement of CSOs for this role. However, most recognized the important role played by awareness programs (*ibid*; paragraph numbers 8.1-8.3.3, 9.1-9.3.3-10.1-10.3.3, 11.3.1-3.3, 27, 28).

### ***Electoral Roll***

53% of Election Observers called for “external involvement” for preparation of election rolls, especially to involve CSOs, NGOs and Churches (*ibid*; paragraph numbers 6.1-6.2.1, 6.3.2-3; 7.1-7.3.3). This call was further backed up by many staff at HQ PNGEC and provincial administrations (*ibid*; paragraph numbers 6.2-6.2.3, 6.3.2-3; 7.1-7.3.3, 27, 28).

### ***Candidate Registration***

On nomination of candidates, many responders from all regions appeared satisfied with the current process except some called for increase in fees, nominations to be conducted at district headquarters and more awareness on nomination process (*ibid*; paragraph numbers 15.1-15.3.3)

### ***Election Campaign (finance and media)***

A large section of the survey population (30% in some areas and up to 50% in other areas) declined to comment on financial matters when they were interviewed. No specific reasons were given for declining.

However, a large section of responders expressed concern on how funds were managed, including the late release of funds from Treasury to PNGEC and subsequent late disbursement to subnational field offices. They called for significant improvement in this area (*ibid; paragraph numbers 19; 28.3.1-3*).

‘Media’ was not specifically covered in the original PNGEC survey. Any reference to the media may be found under ‘election awareness’.

### ***Voting/Polling***

Majority of responders from all regions expressed concerns regarding the noted deficiencies of the electoral rolls at polling time in many polling stations across the country. Even many staff of HQ PNGEC concurred with this view (*ibid, paragraph numbers 8.1-8.3.3*). Majority of responders from all regions called for significant improvement in this area. They also suggested engagement of the local wards and LLGs for electoral roll updating work which must be done continuously each year (*ibid*). 90% of HQ PNGEC attributed this situation to ‘inadequate preparation’ (*ibid; paragraph numbers 8.3.2, 27, 28*)

Timely delivery of election materials (including polling materials) required significant improvement (*ibid; paragraph numbers 28.2.3, 28.3.1-3*)

### ***Counting***

‘Counting’ in itself was not covered in the survey report which was one of the major deficiencies and anomalies of the initial PNGEC survey. Thus, omitting a critical area of election administration. However, references to it may be found under ‘key problems’ and ‘key solutions’ at the end of the report (*ibid; 27, 28*).

### ***Election Results***

This was another major area which was omitted in the survey report presumably as it was not covered in the original survey. Again, a major flaw in the initial PNGEC survey planning.

### ***Issue and Return of Writs***

This was another major area which was omitted in the report presumably as it was not covered in the original survey. Again, another major flaw in the original survey design and planning by HQ PNGEC.

## **5.3. Key Findings**

State the main findings from the analysis of issues discussed in Section 5.2 are as follows:

- Need for strong awareness programs.
- Engagement of ‘external entities’ (CSOs, NGOs and Churches) to run awareness programs.
- Engagement of ‘external entities’ (CSOs, NGOs and Churches) to conduct roll updating work.
- Continuous updating of the electoral roll each year.
- Laws were disrespected in many places by many candidates and supporters.
- Appointments of election officials were not properly done.

- Funds from Treasury came very late into PNGEC which subsequently impacted on the rest of the election administration country-wide.
- Training of election staff including temporary election workers (TEW) were not competently conducted.
- Poor and unprofessional planning and coordination of logistics.

#### 5.4. Key Recommendations

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- Support the PNGEC's information and awareness branch, and consider the possibility of engaging 'external entities' (CSOs, NGOs and Churches) for awareness programs
- Consider the possibility of engaging 'external entities' (CSOs, NGOs and Churches) for roll updating work.
- Carry out continuous updating of the electoral roll each year.
- Enact and administer "tougher laws" to deter election offences.
- Enact a law to compel Treasury to release required election preparation and administration funds into PNGEC in a timely manner (over specified time-points over the election cycle).
- Deploy competent entities and training teams to carry out the necessary training of election staff including TEWs. This function could be outsourced.
- Provide competent training to PNGEC officials for better management of elections including better planning and coordination of election logistics.

#### 5.5. Conclusion

Many findings from this survey and the evaluation report affirm and strongly validate the findings from the SPCGE Public Hearings and also the findings by the Technical Working Committee from its other desktop studies of other past elections prepared by different entities.

Legally compelling or obligating Treasury (and the NEC?) to make *timely* financial releases (*in tranches*) to enable PNGEC to carry out its core preparatory activities. This is an *imperative* if the future is to see significant change. Otherwise the past will simply replay itself.

Legally compelling or obligating Treasury (and the NEC?) to make *timely* financial releases to enable PNGEC to carry out its core NGE administration and operational activities. This is an *imperative* if the future is to see significant change. Otherwise the past will simply replay itself. (In sub-paragraphs 18.2 and 18.3, 'preparatory activities' and 'NGE administration and operational activities' are differentiated to mean distinctly different activities at different time-points in the election cycle).

#### References

Institute of National Affairs. (2007). *Data Analysis on the PNG Electoral Support Program Phase 2 Survey, 2007*, Port Moresby: Institute of National Affairs.

## 6. MAIN FINDINGS

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

Electoral Roll Update/Voter Registration. There is a lack of timely and accurate updating, monitoring and verification of the electoral roll, which underpins the successful conduct of elections. A number of observed polling places did not use the electoral roll in 2022, and a great majority of the observed polling places at least some eligible voters were not able to vote because of flaws in the electoral roll (TIPNG 2022). These issues have persisted over time. Additionally, the 2021 National Census, which is necessary to update the electoral roll, has been deferred to 2024.

Election Funding. Funds from the Treasury were provided very late to the PNGEC in the 2022 National General Election. This, in turn, negatively impacted the rest of the election administration across the country. Historically, funding for elections has not been disbursed in a timely manner, which results in delays in election preparation and a lack of preparedness in the polling process. Moreover, the funds budgeted and given are often inadequate.

Integrity of the Voting/Polling Process. At the polls, a significant number of voters are denied their right to vote due to issues such as papers being marked by one person or a small group of people, bloc voting, double voting and use of other voters' names. Electoral observation teams have witnessed citizens not voting in secret, and voters being intimidated or bribed during polling. In some locations observed, polling officials as well as security personnel did not maintain neutrality.

Civic Education & Awareness. There is a demonstrated lack of public awareness on voter registration, the display of rolls, the 'Roll Look Up' app, how to vote in the LPV system, and the importance of ballot secrecy. Many voters are also unaware of their rights to appeal decisions relating to their registration. With regard to elections-related violence, the public needs greater awareness of the importance of respecting the rule of law, before, during and after the elections.

Electoral Laws. The electoral legislation provides a sound underlying framework for the electoral institutions and the electoral process and ensures the independence of the PNGEC. Major legal and policy reforms over the years have addressed some issues but the legal framework has yet to make provisions to strengthen the transparency of PNGEC's work, and enhance its internal accountability.

The review highlights a number of related areas of concern, including the recruitment and training of election officials, the conduct of candidates, and public safety and security.

## **7. KEY RECOMMENDATIONS**

A number of 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. Key recommendations for immediate reforms are summarized below.

Increase roll transparency by making it publicly available online and at no cost. Increase the use of the Voter Look-Up system, including by women and people in rural areas.

Fund elections annually, as per the electoral cycle, while maintaining the PNGEC's independence. These funds should also be released on a timely basis by Treasury.

**Professionalise polling administration** by training and supporting those on the ground—election officials, election observers and the police—to be able to resolve or record any issues that arise.

Increase voter awareness, especially youth, to enhance the impact of the reforms. Educate voters especially on how to register and access the roll, “one person, one vote” and how to vote.

Expand the electoral commission by amending the electoral law specifying the number of electoral commissioners from one to three or five, to increase accountability and effectiveness.