

2017 PNG NATIONAL ELECTION

24 JUNE -14 JULY 2017

**REPORT
OF THE MELANESIAN SPEARHEAD GROUP (MSG)
OBSERVER GROUP**



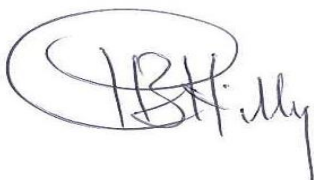
ACKNOWLEDGEMENT

The MSG Observer Group (MSGOG) would like to express its appreciation to everyone who had assisted them in undertaking the observer mission to observe the 2017 Papua New Guinea National Election (2017 PNGNE).

Firstly, the MSGOG would like to express their sincere gratitude to the Government of Papua New Guinea for the invitation to the MSG to participate in observing the 2017 PNGNE. Secondly, the MSGOG would also like to thank the Papua New Guinea Election Commission (PNGEC) for the accreditation which enabled the MSGOG to undertake the observation of the elections. Thirdly, the MSGOG was indeed very grateful to all the stakeholders for the courtesies accorded to them, in particular from the electoral and polling officials, the scrutinizers, the Royal Papua New Guinea Constabulary and the voters whom the Group met and talked to throughout the election period. Special appreciation to the Royal New Zealand Police who assisted the team that was deployed to observe the election in the Autonomous Region of Bougainville (AROB).

Furthermore, the MSGOG would also like to express its most profound gratitude to their respective Governments for the trust placed upon them to undertake the mission and for the financial support provided to enable their participation.

Finally, the MSGOG was grateful to the MSG Secretariat for their assistance with the logistics and administrative matters and for the warm hospitalities and courtesies that were extended to them during the observation period. This mission would not have been possible without the support and assistance of all the people and institutions mentioned and for that the MSGOG was indeed truly grateful.

A handwritten signature in black ink, appearing to read 'FBH Hilly', enclosed within a hand-drawn oval.

Sir Francis Billy Hilly,

Chair of the MSGOG

EXECUTIVE SUMMARY

1. The MSG Observers Group (MSGOG) to the 2017 Papua New Guinea National Elections (2017 PNGNE) visited PNG from 16 June – 14 July 2017. The observer mission was undertaken upon the request by the PNG Government. The Chair of MSG and Prime Minister of Solomon Islands, Hon. Manasseh Damukana Sogavare welcomed the invitation of the PNG Government and directed the Secretariat to mobilise the MSGOG. The Mission was undertaken in accordance with the Terms of Reference (TOR) to observe the elections. The MSGOG's findings will be submitted to the PNG Government. This report will also be submitted to the MSG Leaders' Summit for consideration and endorsement.
2. The MSGOG was led by Sir Francis Billy Hilly, former Prime Minister of Solomon Islands. The following were members of the MSGOG: Sir Ratu Epeli Nailatikau former President of Fiji, Mr Martin Tete, Chairman of Vanuatu Electoral Commission, Mr Rence Sore, Special Secretariat to the MSG Chair and Mr. Aisea Wainiqolo, Fijian Elections Office. The MSGOG was supported by Staff of the Secretariat Mr Ilan Kiloe, Mr Stanley Wapot, Mr Epineri Seibouma and Ms Mothy Sisi. The members of the MSGOG were granted accreditation on 21 June 2017 by the Papua New Guinea Electoral Commission (PNGEC).
3. The Financial support provided by the respective MSG Governments allowed the members of the MSGOG to carry out their mandate in a satisfactory manner. The MSGOG was also grateful for the hospitalities extended to them by the PNG Government before, during and after the elections. The team was also well supported by the MSG Secretariat staff throughout their stay in PNG as well as during the observation period.
4. The PNGEC with assistance from the United Nations Development Programme (UNDP) conducted a briefing for all observers on 21 June 2017. The MSGOG also conducted several briefing sessions on the 19th and 23rd June 2017 prior to the elections before being deployed to polling stations in the Autonomous Region of Bougainville (AROB), East New Britain, National Capital District (NCD) and East Central electorates.
5. The general observation of the MSGOG was that the outcomes of the 2017 PNGNE were embraced by the citizens of PNG but with many challenges. In all polling stations visited by

the MSGOG teams, there was an atmosphere of dissatisfaction with many voters complaining about their names missing from the Common Electoral Roll. The MSGOG also came across reports on manipulation of the electoral rolls and double voting by voters who claimed to have voted twice after erasing the ink that was used to mark voters 'little finger of the left had before voting.

6. The MSGOG also observed significant delays in the opening on polling days and the apparent confusion over certain election processes that resulted in a number of inconsistencies. During the counting process there was no proper schedule given to the observers as the counting was delayed in most of the counting venues visited by the team in the NCD electorates.
7. The MSGOG also noted reports in the media on voter intimidation and the use of money (Money Politics) to influence voters.
8. Despite the challenges, the various Polling Stations visited by MSGOG were manned with committed polling officials performing their duties even in challenging circumstances. There was an overwhelming presence of scrutineers and election observers which allowed for appropriate scrutiny. Voter turn-out also needed to be addressed as it appeared there was no enthusiasm by voters to participate in casting their votes. There are however more rooms for improvement to the voting system and the overall conduct of the elections that will be covered in the recommendations section of this report.
9. The MSGOG had fully endorsed the recommendations put forward in the report and trusts that they will be fully considered by the PNG Government to improve the conduct of future elections.
10. Overall, the MSGOG found that the 2017 PNGNE was successfully conducted and that the Group was encouraged by the manner in which the elections were conducted under difficult situations. The MSGOG noted the importance of having observer missions as part of MSG's efforts towards strengthening the systems of governance in the region under the auspices of the MSG 2038 Prosperity for All Plan.

THE REPORT OF MSGOG TO 2017 PAPUA NEW GUINEA NATIONAL ELECTION

1. Introduction

This report recorded the observations of the MSG Observer Group (MSGOG) during the 2017 Papua New Guinea National Elections (2017 PNGNE). A number of recommendations will be submitted to the Government of PNG with the hope that they will be of assistance to the PNG Electoral Commission (PNGEC) for the conduct of future elections.

The report is divided into four (4) parts. Part 1- the introduction to the Observations; Part 2 - the background political system in PNG and the basic requirements under the electoral laws of PNG; Part 3 - the observations of members of the MSGOG and an account of the election; Part 4 - the final part of the report and the recommendations.

1.1 Invitation by the Government of Papua New Guinea

On 8th February 2017, the Government of PNG extended an invitation to the MSG to participate in observing the 2017 PNGNE. The invitation was conveyed to the Office of the Chair and Prime Minister of Solomon Islands, Hon. Manasseh Damukana Sogavare for his consideration. The Chair accepted the invitation and directed the Secretariat to mobilize the MSGOG and to coordinate members' participation in the observer mission. A copy of the invitation letter is attached as *Annex I*.

1.2 Members of the MSGOG

The MSGOG was led by Sir Francis Billy Hilly, former Prime Minister of Solomon Islands. The other members of the team were Sir Ratu Epeli Nailatikau, former President of Fiji, Mr. Martin Tete, Chairman of Electoral Commission Vanuatu, Mr. Rence Sore Secretary to the MSG Chair's Office and Mr Aisea Wainiqolo, Fijian Elections Office. The MSGOG was supported by the Secretariat Staff consisting of Mr Ilan Kiloe, Mr Stanley Wapot, Mr Epineri Seibouma and Ms Mothy Sisi.

This is the third time in the history of the MSG that members participated as Observers in a member country's election. The first two observer missions were undertaken in the 2014 Fiji Election and the 2016 Snap Election in Vanuatu. The experiences gained from these previous observation missions proved to be helpful. The MSGOG also benefited from the wealth of experience amongst its members in particular with the participation of a former Prime Minister of Solomon Islands and a former President of Fiji. This made the task a lot easier to undertake even under challenging circumstances.

The Members of the MSGOG arrived in Port Moresby on 16 and 17 June 2017, a week before the polling began. The PNGEC assisted by the United Nations Development Programme (UNDP) conducted briefing sessions for all observer groups from 19-22 June 2017. Apart from the MSGOG, there were observers from the Commonwealth Secretariat, Pacific Islands Forum Secretariat, European Union, Australian High Commission, New Zealand High Commission, US Embassy and the Australian National University. The Secretariat was also able to conduct a number of short briefings for the MSGOG prior to the polling.

1.3 Scope of Observation

The limited resources available to mobilize the MSGOG to a large extent dictated the scope of the elections observation as reflected in this report. The MSGOG limited their observation to selected electorates in PNG while at the same time endeavored to cover areas of distinct geographical locations to allow for a broad comparison. The MSGOG also had a specific Terms of Reference (TOR) that guided their observation on the Election. A copy of the TOR is attached as *Annex II*. The MSGOG observation was also guided by the Code of Conduct for Elections provided by the PNGEC. A copy of the Code of Conduct is attached as *Annex III*.

1.4 Distribution of the MSGOG

The MSGOG was divided into two (2) teams to observe the election in the National Capital District (NCD), East Central Province, Autonomous Region of Bougainville (AROB) and East

New Britain. The election observation was limited to these particular constituencies due to the limited time and funding support available. The table below shows the distribution of members of the MSGOG to the 3 constituencies visited. The 4 groups were supported by Staff of the Secretariat. The Secretariat's role was to assist with the observation of polling stations, note taking and to provide administrative and logistical support as required.

Table 1: MSGOG Teams

Team	Members	Deployment Area
MSGOG Team 1	1. Sir Ratu Epeli Nailatikau 2. Mr. Rence Sore 3. Aisea Wainiqolo 4. Epineri Seibouma 5. Mothy Sisi	National Central District (Port Moresby) East Central Province
MSGOG Team 2	1. Sir Francis Billy Hilly 2. Ilan Kiloe 3. Stanley Wapot	Buka, AROB East New Britain Province

1.5 Observation Forms

Observation forms with a set questionnaire were distributed to each of the members of the observation teams to fill out during the actual observation. There were different sections in the form as follows:

- 1) polling station environment
- 2) authorized persons
- 3) opening of polling stations
- 4) polling process
- 5) number of voters
- 6) closing of polling stations.

Members of the observer team recorded their observations under each section. The forms were then collated and the results were tabulated and compiled in this report. A copy of the observation form is attached as *Annex IV*.

1.6 Media

The media played a crucial role during the elections and ensured that voters were always able to freely make informed choices. The Mission observed that the media was very active in the days leading up to the elections as well as during the elections creating awareness on the different aspects of the election processes. These included TV stations such as the EMTV and NBC, the Post Courier, radio stations as well as and including regional news agencies. The Mission also noted that there was active participation by PNG citizens via the social media.

1.7 Statements by MSGOG

The Chairman of the MSGOG issued a statement prior to the elections applauding the PNG Government for the extensive preparations for the elections and the anticipated outcome of the elections. The MSGOG also released an Interim Statement after the voting commending the Government and the people of PNG for the conduct of the Election. Copies of the statements are attached as *Annex V* and *Annex VI* respectively.

2. Background

2.1 Brief Political profile of Papua New Guinea

The Independent State of Papua New Guinea obtained Independence on September 16, 1975. It has a parliamentary democracy with a single chamber legislature comprised of Hundred and Eleven (111) Members of Parliament elected to a five (5) years term. The country adopted the Limited Preferential Vote (LPV) System in 2002 to elect Members of Parliament. Previously a first-past-the-post system was used. The Constitution of Papua New Guinea is the Supreme law of the country. There are about six hundred (600) dialects and languages spoken in PNG. There

are three distinct arms of Government, the Executive, the Legislature and the Judiciary in a Westminster style of government

The Queen is the Head of State of PNG and is represented by a Governor-General (GG) in the country. The GG is nominated by parliament and serves for a term of six (6) years. The current GG is His Excellency Bob Dadae who was elected in May 2017.

The Prime Minister is the head of Government as Chairman of the National Executive Council (NEC) who is elected by Parliament from among its members by secret ballot. The leader of the majority party or majority coalition is usually elected Prime Minister by Parliament from among its members. Parliament can only hold votes of no confidence in the Prime Minister after serving more than eighteen (18) months in Parliament and at least 12 months before the date of the next election.

The politics in PNG is diverse and often characterised by fluid coalitions. Allegiances are fragile and Members of Parliament often change parties more than once during the life of a parliament. The country has successfully conducted elections in the past and this is the 11th parliamentary election in PNG. The last Parliamentary elections were held in August 2012. Peter O'Neill's Peoples National Congress Party (PNCP) won 27 of the 111 seats while the second largest bloc, the Independents secured sixteen (16) seats. When the new parliament assembled on 3 August 2012, Peter O'Neill was elected as the Prime Minister (PM), with the support of 93 members.

The Judicial Arm consists of the District Courts, the Magistrates' Court, the Supreme Court and the Court of Appeal. The Chief Justice is appointed by the GG after consultation with the Prime Minister and the Leader of the Opposition. The Court of Appeal is the highest appellate court in PNG.

Papua New Guinea has 22 provinces namely, Autonomous Region of Bougainville (AROB), Central, Enga, East New Britain, Eastern Highlands, East Sepik, Gulf, Hela, Jiwaka, Madang, Manus, Milne Bay, Morobe, National Capital District (NCD), New Ireland, Oro, Simbu, Southern Highlands, Western, Western Highlands, West New Britain, and West Sepik. Each

province has a provincial government headed by a political head the Governor (MP) and a top bureaucrat called the provincial Administrator supported by local level governments (LLGs) headed by Presidents. By custom, Chiefs exercise customary authority either through a matrilineal or patrilineal structure at village, community and provincial levels.

2.2 The Legal Framework

The laws that govern National elections in PNG are the *National Constitution of the Independent State of Papua New Guinea* and the *Organic Law on National and Local-Level Government Elections (2006)* and the *Integrity of Political Parties and Candidates (2003)*.

The Constitution stipulates under section 50 the right to vote as the fundamental right of all PNG citizens who is 18 years old and above based on the system of universal, adult, citizen suffrage” for all citizens. A citizen of PNG and who is 25 years shall be eligible to stand for election to Parliament. The notion of “*free and fair*” election is clearly embedded in the electoral laws of PNG. To be able to freely choose their representatives into Parliament in a democratic manner without fear or influence by competing parties or their supporters.

Section 101 of the Constitution established the Parliament with a single Chamber legislature consisting of Members of Parliament (MP) voted in open electorates as well as provincial electorates. This means that in one visit to the polling station voters who are eligible vote in all open electorates in each Province for an MP for the Open electorate in the first ballot paper and are also required to vote in a second ballot paper for an MP for Provincial Governor in the Regional Electorate. PNG has a multi-party system where no one Party has ever formed a Government on its own. As a result, Political Parties are required to negotiate to form a coalition government.

The Organic Law on National and Local-Level Government Elections (2006) and the Integrity of Political Parties and Candidates (2003) set out detail matters and processes for the conduct of elections as well as matters relating to candidacy and political parties. Significant amendments were made to these laws prior to the election in 2007, particularly the introduction of the LPV

System replacing the first-past-the-post electoral system. The LPV system required voters to choose three preferences in order from among the nominated candidates and write down their names or corresponding number in the ballot papers.

Basic key elements under electoral laws that are of interest to the MSGOG and were taken into consideration during the observation of the overall conduct of elections are summarized in the table below.

Table 2: Key elements under various election laws in PNG

Issues	The Law
(1) Right to Vote for persons 18 years and older	<p>Section 50 Constitution states: “the right to vote and stand for public office”</p> <p>Section 51 (1) Organic Law on National and Local-Government Elections states: All persons who have a right to vote under Section 50 of the Constitution who comply with the requirements of Part VII for enrolment for an electorate are entitled to enrolment.</p>
(2) Updating of Common Electoral Roll	<p>Section 46 Organic Law on National and Local-Government Elections states:</p> <p>A new Roll for an electorate shall be prepared whenever the Electoral Commission, by notice published in the National Gazette, directs.....The entries in an existing Roll may, at the discretion of the Electoral Commission, be transferred to a new Roll without the need for the persons whose names are in the transferred entires to make any further claim for enrolment.</p>
(3) Bribery & Undue Influence	<p>Section 21 Organic Law on National and Local-Government Elections states: “VOIDING ELECTION FOR ILLEGAL PRACTICES. (1) If the National Court finds that a candidate has committed or has attempted to commit bribery or undue influence, his election, if he is a successful candidate, shall be declared void”</p>

(4) Polling Station	<p>Section 43 Organic Law on National and Local-Government Elections states: “The Electoral Commission may, by notice published in the National Gazette or in a newspaper circulating in the electorate.....<u>No polling place shall be abolished after the issue of the writ and before the time appointed for its return.</u>”</p>
(5) Polling Schedules & adherence to Polling Schedules and times	<p>Section 115 Organic Law on National and Local-Government Elections states: “As far as possible, polling booths <u>shall be open in accordance with the polling schedule,</u> and the Returning Officer and presiding officers shall take all such action as is necessary or desirable for that purpose, whether expressly authorized by this Law or not.</p>
(6) Voter identification	<p>Section 71 Organic Law on National and Local-Government Elections states: “The Electoral Commission may establish and manage a system to identify voters entitled to vote. (2) A system of identification established under Subsection (1) may take any one or more of the following forms: –</p> <ul style="list-style-type: none"> (a) manual finger print system; (b) <u>computer recorded</u> and recognized finger print system; (c) computer recorded and recognized palm recognition system; or (d) <u>computer, electronic or other photogenic system.</u>
(7) Double Voting & Falsely personating a person	<p>Section 51 (2) - Organic Law on National and Local-Government Elections states “<u>All persons whose names are on the Roll for an electorate shall...vote at elections of a member for the electorate,</u> but no person <u>is entitled to vote more than once at an election,</u> or at more than one election held at the same time”.</p> <p>Section 191 (6) Organic Law on National and Local-Government Elections states; “Falsely personating a person to secure a ballot paper to vote to which the personator is not entitled, or personating any other person for the purposes of voting are liable for</p>

	imprisonment for two years.
(8) Scrutineers	<i>section 127 of the Organic Law on National and Local-Government Elections</i> states: “Scrutineers may be appointed by candidates to represent them at polling places during the polling, but so that not more than one scrutineer, other than relieving scrutineers, shall be allowed to each candidate at each polling booth or subdivision of a polling booth on any one day.”
Day of Voting	<i>Section 79 of the Organic Law on National and Local-Government Elections:</i> The date fixed for the <u>commencement of the polling period shall be a Saturday</u> and shall be not less than eight weeks not more than 11 weeks after the date of the writ
(a) Commencement of Polling	
(b) Sunday & Public Holidays	<i>Section 130 of the Organic Law on National and Local-Government Elections:</i> (b) <u>the poll shall open at each polling place at 8 a.m. on each day (other than a Sunday or a public holiday)</u> during the period for taking the poll at that polling place, and shall not close until all electors present in the polling booth at 6 p.m. and desiring to vote, have voted.

2.3 The Electoral Commission

The PNG Electoral Commission (PNGEC) was established pursuant to Section 5 of the Organic law as the institution responsible for the conduct of the elections. The PNGEC is headed by the Electoral Commissioner (EC) appointed by the Head of State to a term of six (6) years acting on the advice of the Appointment Committee. The Appointment Committee consist of the Prime Minister or Minister so appointed, the Leaders of opposition or Deputy Leader, Chairman of Parliamentary Committee and Chairman of Public Service Commission.

The PNGEC is responsible for the overall conduct of elections and to administer the supervision and the registration of voters. The Electoral Commissioner shall by Notice in the National Gazette appoint the Returning Officer (RO) for each electorate. Pursuant to section 16 of the

Organic Law National and Local Government elections, the Electoral Commissioner can also request public servants in government offices to assist with the running of elections.

2.4 Time Line of Electoral Events

The time line of events provided to the MSGOG by the Department of Foreign Affairs of PNG and PNGEC is as shown in the table below commencing with the issuance of the Election Writ to the return of the Writ on 24 July.

Table 3: Timeline of events for the 2017 National Elections

Dates	Activities
20 April 2017	Election writs issued
27 April 2017	Close of Nominations - seven (7) days of nominations
	Campaign period
24 June - 8 July 2017	Two weeks of polling
24 July 2017	dates of the return of writs

3. Election Observation Report

The election observation report is divided into various parts and corresponds to the electorates visited by MSGOG Team 1 and Team 2 during polling and counting.

3.1 RIGO CENTRAL

(a) Polling Station Environment

The MSGOG Team 1 observed polling in the following regions:

- 1) Rigo Central where the team observed polling at the Sabuia, Manugoro, Gomore, Kwalimurubu, Gidobada and Kwikila Town Polling Stations; and

2) Rigo Coastal where the team observed polling at the Gunugau, Ginigolo, Gabagaba Polling Stations.

The polling venues in the Rigo Central were strategically located and were accessible by voters. The atmosphere in the polling venues were generally calm, peaceful, and the voters were cordial and patient throughout the polling periods even though there were long lines of voters waiting to cast their votes. Posters of candidates were displayed within the 100 meters from the polling stations. Securities in all polling stations were generally sufficient and gave the atmosphere a secure and conducive environment for voting.

Prior to the voting, Officials were introduced to the scrutineers by the Presiding Officer and the process of election were explained before the ballot boxes' numbers for both Open and Regional seats together with four outer seal and inner seal numbers were announced. Color coding, first ballot paper book number and the sequences of number of ballot papers in each book were also announced.

At the completion of each ballot book, scrutineers were informed and were also informed of the new ballot book serial number and ballot papers number sequences contained therein. Useful information regarding candidates' photos, their names and individual boxes were displayed outside the perimeter of the polling stations and also in each polling booths for voters to choose from. Polling was conducted in the open mostly under mango trees.

(b) Opening and Election Materials

Most polling stations did not open on time (8am) which may be seen to impact on the timing of voting and consequently on the right to vote. On the first day, the polling began at 11:00am at one station whilst another polling station opened at 12:00pm. Since the polling commenced on Saturday, voters who were Seventh Day Adventist (SDA) had issues participating in the voting.

(c) Election Roll

The team observed that there were voters who were not able to vote as their names were not on the electoral roll. This included those who had voted in previous elections. Almost one in every twenty voters came out feeling betrayed by the authorities that their names were not in the roll. People who voted in the last election were affected and they could not comprehend as to how new voters who had turned eighteen just before the polling dates were able to vote. Again the integrity of fairness in the exercise of democratic rights and for fair and free elections could be compromised.

(d) Polling Process

The polling venue was well organized. Strings were used to indicate the boundaries of the polling venue with a voter entry to cast votes and the exit after casting votes. Officials table were also well organized beginning from the voters roll register where voters initially had to check their names, the inking table where the voter had to dip the little finger of the left hand, the ballot paper issuing table, the casting booth and to the ballot boxes where ballot papers were to be placed.

Officials were always vigilant about the names on the roll and the left little finger to ensure that voters did not vote twice. There were no incidents observed of anyone who attempted to vote twice in the Rigo Central. Assistance was given to those who needed them but by relatives or anyone available and not by the Polling Officials. Generally, the team observed that whilst the elderly and persons of disabilities needed assistance to go through the process of obtaining ballot papers, it was the young first time voters who actually needed assistance in marking the ballot papers. Either it was due to their being illiterate or the lack of awareness by the authorities.

(d) People with disabilities

The polling venues in the Rigo Central were placed strategically to cater for people with disabilities. However consideration should be given to those who are bedridden. It was observed that relatives of bedridden voters had sought assistance from the polling officials but to no avail.

(e) Scrutineers

Scrutineers have an important role to play in the process of fair and free elections, however they need to be aware of their responsibilities and their work area in the whole context of the polling process. They should not interfere with the voting processes. A scrutineer in one of the polling stations was actually sitting next to and sharing the table with the roll checker to check on names of voters.

(f) Polling Staff/Officials

The MSGOG team observed and noted the insufficient number of staffs in the Rigo Central polling stations. The MSGOG Team 1 had been following two Rigo Central Polling teams. Clearly it was obvious that the polling staffs were tired and exhausted given the long hours of duty for a period of five days. The polling often had to cater for a thirty minutes lunch break where polling had to be completely stopped. Whether this was allowable or not, the MSGOG was concerned that the time out would affect the voting time and the fairness to the voters come closing time.

(g) Closing

On day one of polling, one of the polling stations closed at 5.30 pm even though the polling began very late in the day at about 11:00am. All the polling stations observed were very vigilant on the closing time at 6:00pm. However, the MSGOG team was concerned about the time that was missed due to the late opening in the morning that was not considered at the closing. Whether this would affect the results of the elections or not, or whether it would raise issues on

the lack of time allowed for voters to vote or not, due consideration for such lost time would assist in determining the fairness of the election to the voters to exercise their right to vote.

3.2 RIGO COASTAL

(a) Polling Station Environment

The MSGOG Team 1 observed polling in the following polling stations in the Rigo Coastal Areas:

- 1) Gunugau Polling Station: voters from Gunugau village were accommodated in this polling station.
- 2) Ginigolo Polling Station: consisting of the following Villages – Ginigolo and Gunugau.
- 3) Gabagaba Polling Station: Voters particularly from the village of Gabagaba were accommodated at this polling station.

The team observed that polling stations were accessible to voters and that most of them had been used in the previous elections. The overall process was conducted peacefully with the presence of scrutineers and election observer groups. Security was not an issue as there were security personnel from the Defence Forces on the ground to ensure a free and safe polling process. The colour coding of ballot papers and ballot boxes assisted voters to demarcate the Open seats from the Regional seats accordingly. Polling officials were eager to assist voters who required assistance and ensured that there was flow in the polling process.

Posters of candidates who were contesting the various constituencies were available to the voters to check before they proceeded to cast their votes. Even though there were some disgruntled voters who could not find their names in the common roll, the overall process was deemed to be transparent.

(b) Opening of Voting Stations and Election Materials

The team observed that most of the Polling Stations did not open at 8am as gazetted and the opening was entirely dependent on the polling team's arrival at the polling station. Given the fact that the polling teams arrived late, it was noted that the polling officials took their time to setup the polling stations. Most of the polling stations had sufficient election materials for the entire

polling process and there were adequate polling booths setup to cater for the respective number of voters in each polling station.

(c) The Electoral Roll

The electoral roll played a pivotal role in any election process as it determined whether a voter was able to exercise his/her constitutional right to vote. Missing names on the electoral roll was a repeated concern experienced by the team in almost all the polling stations that were visited. Some voters were frustrated to find out that their names were not on the electoral roll and were deprived from voting even though they had voted in the 2012 elections.

The verification of voters was an issue that the team observed as the majority of the voters did not show any form of identification, only verbal, to confirm their voter details in order to proceed to cast their votes. Also through the observation process it was interesting to note that some voters who had not been allowed to vote during their first attempt were later allowed to cast their votes when they returned later on in the day.

(d) Polling Process

The team noted that the overall polling station layout was well organised which allowed the flow of voters coming in to cast their votes. Procedures were generally adhered to by the polling officials and there was a standard process observed by the team at all the polling stations. In terms of accessibility, most of the polling stations were accessible to the voters except for the Ginigolo polling station which was a concern for disabled and elderly voters to access as they had to climb a hill which was quite steep.

It was pleasant to witness the presence of scrutineers being allowed to scrutinise the process as per the provision in the law. Throughout the process, the team observed that scrutineers interfered too often with the Presiding Officer's on small procedural matters which were handled well by the Presiding Officer.

There were minor irregularities observed relating to the management of the voting process particularly the one-hour lunch breaks for polling officials. Some polling teams took breaks for one hour whilst other teams took 30 minute breaks which brought the process to a complete stop.

It was observed that there was quite a large number of voters who had to be assisted to cast their votes which showed a lack of awareness by the PNGEC.

(e) People with disabilities

The team observed very few people with disabilities casting their votes through the assistance of their relatives and the Presiding Officer. Most of the polling stations were accessible to people with disabilities and they were given the privilege to proceed to the front of the queue when they arrived in the polling stations.

(f) Closing of Polling Stations

Most of the polling stations closed on time and the team observed that there was a standard process followed by the polling teams for the close of polls. The Presiding Officer called out the serial numbers of the ballot papers and the seals to the scrutineers to note as it would be verified during the opening of polling stations the following day which ensured accountability and transparency of the process.

3.3 NATIONAL CAPITAL DISTRICT (NCD)

(a) Polling Station Environment

The MSGOG Team 1 also observed a polling station in the National Central District (NCD);

1. Coronation School Polling Station
2. Apex Park: Voters from the Suburb of Boroko, were accommodated in this polling station.

One-day polling in the NCD was scheduled to be held on Tuesday 27th June 2017 but was deferred to Friday 30th June 2017. The reason advised by the PNGEC was that the delay was caused by the non-payment of polling official allowances. This was an internal issue that should have been sorted out well before the start of elections. Most of the voters were frustrated to know of the delay as they had prepared themselves to cast their votes on the day and some had to wait in the early morning hours for polling to open. It was fortunate that no major incidents or

violence broke out as a result of the delay of the polls as this affected the credibility of the election process.

(b) Opening of Voting Stations and Election Materials

The team arrived at Apex Park around 8:30am and observed that there were four polling stations being setup by the polling officials. Polling officially opened at 9:20am and the voters were assigned to their respective polling stations according to their surnames. Some voters found it hard to look for their polling station but were directed by the polling officials accordingly.

(c) The Electoral Roll

The team observed that some names of voters were missing from the common roll. This was a common issue that occurred in all the polling stations that were visited. Some voters became frustrated given that they were deprived of their right to vote as they were eager to cast their votes after waiting for 5 years. A very emotional voter proclaimed that he had no say to the democracy of PNG and would have to wait for 10 years to then exercise his constitutional right to vote.

Proper verification of voter details on the common roll was an issue as the majority of the voters did not provide any form of identification to the polling officials to verify their voter details. This was an issue which should be taken seriously and addressed by the PNGEC as it could create major problems to the electoral process in future elections.

(d) Polling Process

The team noted that the four polling stations were strategically setup to cater for the voter numbers. The distribution of voters to respective polling stations according to their surnames really assisted in terms of the flow of polling.

The team observed that there were two voters who attempted to vote twice but were denied by the inker official as he could clearly see the ink marks on the little finger of their left hand despite their attempts to fully remove the indelible ink. The Presiding Officer and the Police officers witnessed the scene but did not take any action to apprehend the two voters as it was a

serious electoral offence and would affect the conduct of a credible election. In this case, both the Presiding Officer and the Police officers did not uphold the law or may have lacked the knowledge of the provisions in the law as mentioned which is truly unfortunate.

From the same issue stated above, it could be clearly noted that the verbal voter verification mechanism to check the common roll was infringed by the two voters who attempted to vote twice as they had already gone past the person in charge of checking the common roll. Since the voters were not required to produce any form of identification, except verbal, for verification of voter details, it was an opportunity for them to attempt at voting twice.

The team encountered a situation at Coronation School Polling where the voters stormed the vehicle and demanded to check ballot papers and cash money from the members of the MSGOG. This happened even though the vehicle and team members were properly identified as “International Observers”.

(e) People with disabilities

The team noted that all the four polling stations were accessible to people with disabilities.

(f) Closing of Polling Stations

Polling at Apex Park closed at 6:00pm as scheduled and the Presiding Officers and polling officials were able to adhere to the procedures in place pertaining to the closing of polls. There were no major issues raised by the scrutineers in terms of verifying the serial numbers of both the ballot papers and the ballot box seals.

3.4 AUTONOMOUS REGION OF BOUGAINVILLE (AROB)

(a) Polling Station environment

The MSGOG Team 2 observed polling in the following polling stations in the Autonomous Region of Bougainville (AROB):

- 1) Malasang Polling Station: consisting of the following villages – Beloli, Munkoto, Pemanan, Spukakil, Malasang primary school, Kubese and Banbanga.
- 2) Hangan Polling Station: consisting of the following Villages – Solopala, Tanasala, Pokus Wosetein, Kona Sopolu and Matia.
- 3) ChinChin Polling Station: consisting of the following villages – Sia, Tahetahe primary school, Tahetahe, Chinchin and Holosanpeis.
- 4) Hoko Polling station: consisting of the following villages – Tsili, Mogu, Hoko and Tukue.
- 5) Hutjena consisting of the following villages – Hutjena high school, Police barracks, Hutjena residential area and Tsonmona.

The team observed that the polling stations were generally located in the local areas, in places that had been previously used as polling stations and were accessible to the voter. There was a peaceful atmosphere around the Polling Stations. It was also observed that the Police played an important role in maintaining security and were present in all of the Polling Stations visited. The team also noted useful election awareness materials such as list of names and pictures of Open electorate and Regional candidates, ballot paper colour coding (blue ballot/regional seat yellow ballot/open seat) and voting instructions, prepared by the PNGEC that were clearly displayed at the Polling Stations. Polling Officials also took the time during the opening of the voting to explain the procedures for voting. However, in one polling station, the team observed that there were few political campaign materials available within the 100m radius of the polling venues visited but they were quickly removed.

(b) Opening of Voting Stations and Election Materials

The team observed that most of the Polling Stations did not open until 10am or 11am especially on the first day of the polling. There was no reason given for the delay. This was eventually resolved. The Polling Officials appeared capable and confident but at the same time courteous in the exercise of their duties. There were short queues outside all the Polling Stations, which were managed in an orderly manner by polling officials. Overall, the team did not notice any serious logistical or administrative challenges during the openings.

(c) The Electoral Roll

The electoral roll is an important part of the voting system. Voters were normally identified with their names on the roll before they could vote. This was done verbally. There was no other form of identification.

The team observed that in most polling stations many voters did not have their names on the electoral roll and so were prevented from voting. It would be difficult to identify the voters since there were no electoral registration cards used. Polling officials told the people whose names were not on the 2017 roll that they were unable to vote, however, they would check with PNGEC Port Moresby on the possibility of using the 2012 or the preliminary roll to allow them to vote. It was later learned that the alternative of using the preliminary roll was not possible before the end of polling time because of the time required for clearance from PNGEC and the redeployment of the election teams. The team noted that while efforts may have been made to update the electoral roll, there was an urgent need to improve the current system.

(d) Polling Process

The team noted that the polling officials were in sufficient numbers and displayed good knowledge of the voting and counting procedures and that they demonstrated adequate levels of competence and understanding of their roles and responsibilities. At each polling station visited, the team consulted with the Presiding Officers, political observers or scrutineers and voters to identify any concerns about voting irregularities. The team noted that the agreed procedures were generally adhered to.

It was further noted that at times matters were dealt with based on consensus instead of the uniform application of the process such as the case of team 55 at Hutjena and Hangan using just one ballot box to store both Open and Regional votes that had been cast while the other teams used two separate boxes consistently – one for the blue ballot paper (regional) and one for the yellow ballot paper (open electorate)

Overall it was observed that processes at the Polling Stations were adhered to and that there was no sign of any intimidation or apparent electoral misconduct. The overwhelming presence of Political and Election Observers allowed for appropriate scrutiny. Only minor irregularities were

observed particularly relating to the management of the voting process. The various stages of the voting process were not properly signposted. The team also noted the necessity of using indelible ink to mark voters' little finger of the left hand before casting of ballot papers.

On accountability of the ballot papers, the team noted that most polling teams did not disclose the starting and closing serial numbers of the ballot papers at a polling station during one polling day. It appeared many groups of scrutineers were unaware of the need to record and monitor ballot paper serial numbers for proper accounting during the counting process. Some scrutineers queried the ballot paper serial numbers and were advised by polling officials that they would not disclose the serial numbers. The proper procedure was to disclose the ballot box seal numbers and the ballot paper serial numbers.

(f) People with disabilities

The team observed very few people with disabilities who were able to exercise their constitutional right to vote. In some of the Polling Stations, they were assisted by the polling officials. It would be even better for appropriate facilities to be provided to allow people with disabilities to vote.

(g) Closing of Polling Stations

Most of the Polling Stations closed on time before proceeding on to the counting of votes. It was also noted that Polling Officials complied with closing procedures by allowing voters in the queues at closing time to vote. The counting procedures in Polling Stations observed by the team were generally professional and thorough.

3.5 EAST NEW BRITAIN

(a) Polling Station environment

The MSGOG Team 2 observed polling in two polling stations in the East New Britain province on June 30, 2017.

- 1) Korere Polling Station: consisting of Korere I and Korere II villages
- 2) Takekel Polling Station: consisting of the following locations – Vunakanau Secondary School, Tomaringa Police Barracks, and Vunakanau village, and Vunakau plantation.

The team observed that the polling stations were located in a neutral and central location within the ward areas. There was a peaceful atmosphere at the stations and the voting queues were very orderly. Police kept watch quietly at the polling station to ensure everything went well according to the election administration process and there were no problems.

(b) Opening of Voting Stations and Election Materials

According to the people and scrutineers, the polling stations opened on time at 8am in the morning and closed at 6pm. Election materials were clearly displayed to assist voters to complete their three (3) voting preferences at the polling stations. At the Takekel polling station, candidate campaign posters were displayed all around the polling station in addition to the election education materials.

(c) The Electoral Roll

The team observed that in most polling stations many voters did not have their names on the electoral roll and so were prevented from voting. It would be difficult to identify the voters since there were no electoral registration cards used. The polling station at Takekel had the largest number of missing names according to reports by the scrutineers who estimated that hundreds of people did not have their names on the roll and were told by the PNGEC officials that they could not vote. The team noted that while efforts may have been made to update the electoral roll, there was a very urgent need to improve the current system.

(d) Polling Process

The team noted that the polling officials were in sufficient numbers and displayed good knowledge of the voting and counting procedures and that they demonstrated adequate levels of competence and understanding of their roles and responsibilities. At each polling station visited, the team consulted with the Presiding Officers, political observers or scrutineers and voters to identify any concerns about voting irregularities.

(f) People with disabilities

The team observed very few people with disabilities who were able to exercise their constitutional right to vote. In some Polling Stations they were assisted by the polling officials. It would be even better for appropriate facilities to be provided to allow people with disabilities to vote.

(g) Closing of Polling Stations

The polling stations that were visited by the team in ENB closed on time. It was also noted that Polling Officials complied with closing procedures by allowing voters in the queues at closing time to vote before verifying the ballot box numbers and ballot paper number. The counting procedures in Polling Stations observed by the team were generally professional and thorough.

3.6 COUNTING AND DECLARATION OF FINAL RESULTS

(a) Counting Venue Environment

The MSGOG observed the Counting in Rita Flynn Courts, Sir John Guise Stadium and Kilakila Primary School. Counting in all venues were scheduled to open at 6am in the morning commencing from 5th July 2017. The MSGOG also observed during the counting period long unexplained delays before the official counting started – in several instances well over two to three days (Rita Flynn Courts) and in one case well over six days (Sir John Guise Stadium).

It appeared that there was confusion over certain election counting processes which may have resulted in the delays. Counting in Rita Flynn Courts for instance was scheduled to be held on Wednesday 5th July 2017 at 6am but did not proceed as planned for some unknown reasons and was only opened at 9pm on Thursday 7th July 2017.

(b) Counting Schedule

The PNGEC did not provide a counting schedule to the election observer groups to confirm the planned counting schedules in the different counting venues. The team noted that there was no proper plan for the commencement of the count straight after polling or as soon as possible.

(c) Continuous deferral of Opening of Counting

The Counting at Rita Flynn Courts was scheduled to be open on Wednesday 5th July 2017 at 6am. The team went to the Counting Centre before 6am and was advised by the security officers that they were unclear as to when Counting would start and the team were advised to go back to the hotel. The team attempted to visit the Counting Centre again several times but experienced the same scenario. Counting started around 9pm on Thursday and the team was able to observe counting at Rita Flynn Courts on Friday 7th July 2017. The deferment of the count had a direct impact on the credibility of the election process as a whole.

(d) Security Checks

The team noted that every time the team visited the counting venues, security personnel conducted their checks even though the vehicles were clearly labelled with stickers stating International Observers. The team did encounter unprofessional and a bad experience when harassed by the Police Officers to get out of the vehicles as they needed to check the vehicles before allowing them to go into the counting venues. The Police Officers unprofessional behavior were uncalled for and there was no respect given to International Observers to freely conduct their responsibilities in a peaceful environment.

(e) Counting Process

The team observed that the Counting Process was very slow partly due to the scrutineers interfering with the counting process. There was no control in the counting centre as scrutineers kept raising their queries throughout the counting process and could not be controlled by the Counting Manager and the Police personnel present in the Count Centre.

(f) Declaration of Final Results

The declaration of the Final result is attached as *Annex VII*.

4. Conclusions & Recommendations

4.1 Conclusion

Based on its findings and observation and cognisant of the challenges that the PNGEC were faced with in conducting the 2017 PNGNE, the MSGOG noted that the election was concluded peacefully in a manner that enabled the majority of PNG citizens to exercise their right to vote. There are however many rooms for improvements and hopefully the recommendations put forward in this report will assist the government in the conduct of future elections.

The MSGOG wishes to express its dissatisfaction on the irregularities of the overall conduct of the election in particular the security situation, delays in the counting process, and failure to comply with the schedule time for the counting process.

4.2 Recommendations

The MSGOG offers the following recommendations for consideration by the PNG Government:

Enforcement of Electoral Laws	The MSGOG observed that PNG had comprehensive Electoral Laws however, these laws needed to be enforced by those responsible. Appropriate training for law enforcers and awareness programs should be a top priority for the Government.
Common Electoral Roll	PNGEC should revise the system of registration of voters to ensure an accurate common roll is in place come the next elections.
Procedures for Voting	There needs to be Standard Operating Procedures for the conduct of elections. Use of separate ballot boxes and ballot papers needs to be clarified according to the law for officials to follow when conducting elections. It appeared that officials were operating based on consensus instead of uniform application of the process.
Polling Schedule and Time	PNGEC should ensure that polling are conducted on the days scheduled and gazetted to ensure a free, fair and credible elections;

Voter identification	PNGEC needs to introduce the voter identification card system to address the inaccuracy of the common roll and for the verification of individual eligible voters, as per the Law.
Indelible Ink	There is a need to use Indelible Ink as per the law. Any other ink would be illegal. The Commission is also encouraged to use plastic transparent ballot boxes and numbered seals as per international practice.
Electronic System	It is highly recommended that an electronic system is setup that allows for remote operation and voter support. Such a system can be effective in PNG considering the total population and geographical set up of the country.
Ballot paper	PNG may wish to adopt the simple single page ballot paper system for both the Open Electorate and Provincial Governor seat to minimize wastage and cost of producing ballot papers. The single ballot paper can be marked easily by the voter and it will achieve the same outcome.
Polling Official	<p>Training for Returning officers (RO), ARO and all Polling Officials needs to be prioritized to allow them to undertake the responsibilities effectively and based on the law.</p> <p>Polling officials needs to have proper identification. This is critically important and was missing in every station visited. The name tag for instance will allow persons to identify and file complaints properly when the need arose. All record books should be properly developed to correctly document the process.</p>
The Counting Process	<p>PNGEC to ensure there is a counting schedule in place and should be strictly adhered to;</p> <p>Security personnel to respect the observer groups to freely conduct their responsibility during any elections;</p> <p>A review of the entire process of counting is necessary and counting</p>

	officials to be firm in their decisions especially in controlling scrutineers' behavior.
Results	There is a need to declare the results of elections on the return of all the writs as per the schedule time in this case 24 July 2017. (The MSGOG noted that the deadline for the return of writs had been extended to 28 July but also further noted that counting in four (4) electorates are continuing after the extension of the deadline)
Previous Election reports	Give immediate attention and consideration to the recommendations of past Observer reports.