

VANUATU SNAP ELECTION

22 JANUARY, 2016

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



ACKNOWLEDGEMENT

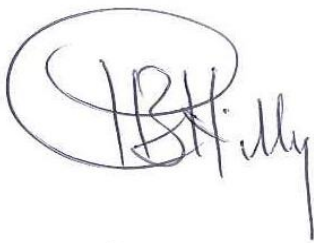
This mission would not have been possible without the support and assistance of a number of people and institutions. The MSG Observer Group (MSGOG) would therefore like to express its appreciation to everyone who has assisted them in undertaking this important mission.

Firstly, the MSGOG would like to express their sincere gratitude to the Government of Vanuatu for the initial invitation to the Chair of MSG to observe the 2016 Snap Elections in Vanuatu.

Secondly, the MSGOG would also like to thank the Vanuatu Electoral Office (VEC) for the accreditation which enabled the MSGOG to undertake the observation of the elections. Similarly, the MSGOG is very grateful to all the stakeholders for the courtesies accorded to them, in particular from the electoral and polling officials, political party agents, Vanuatu Mobile Force, Police and voters who they encountered whilst in Vanuatu.

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

Finally, the MSGOG is grateful to the MSG Secretariat for assisting with the logistics and administrative matters and for the warm hospitalities and courtesies extended to them during the observation period.

A handwritten signature in black ink, appearing to read 'F. Hilly', enclosed within a hand-drawn oval. The signature is written in a cursive style.

Sir Francis Billy Hilly,

Chair of the MSGOG

EXECUTIVE SUMMARY

1. The MSG Observers Group (MSGOG) to the 2016 Vanuatu Snap General Elections visited Vanuatu from 21- 24 January as requested by the Chair of MSG and Prime Minister of Solomon Islands, Hon. Manasseh Damukana Sogavare who welcomed an invitation by the Government of Vanuatu to participate as Observers during the Vanuatu elections scheduled for 22 January 2016. The Mission was undertaken in accordance with the Terms of Reference (TOR) to observe the elections. The draft TOR was discussed and cleared by the Government of Vanuatu. The MSGOG's findings will be submitted to the Government of Vanuatu. 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), His Excellency Francis Agwi (PNG High Commissioner to New Zealand), Mr. Reuben Kaiulo (Former Electoral Commissioner of Papua New Guinea), Mr. Phillipe Ajapunya (Member of the Political Bureau of the Front de Liberation Nationale Kanak et Socialiste, FLNKS), Mr. Mohammed Saneem (Supervisor of Elections of Fiji), Mr. Rence Sore (Secretary to the MSG Chair's Office, Solomon Islands) and Mr. Navneel Sharma (Chief Administrative Officer to the Minister, Ministry of Foreign Affairs of Fiji). The members of the MSGOG were granted accreditation on 21 January 2016 by the Vanuatu Electoral Commission (VEC).
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 Government of Vanuatu before, during and after the elections. The team was also well supported by the MSG Secretariat staff throughout their stay in Vanuatu as well as during the observation period.
4. The VEC conducted a briefing for all observers on 20 January 2016. The MSGOG also conducted several briefing sessions on the 20th and 21st January 2016 prior to the elections before being deployed to polling stations in the Efate Rural, Port Vila and Luganville constituencies.

5. The general observation of the MSGOG is that the outcomes of the 2016 Snap Elections in Vanuatu were embraced by the citizens of Vanuatu with an atmosphere of calm that enabled the people to freely exercise their right to vote. The various Polling Stations visited were manned with competent, professional and committed officers performing their duties efficiently even in challenging circumstances. There were no significant irregularities observed during the voting and the preliminary counting process. There was also no intimidation or apparent electoral misconduct during the conduct of the elections. The overwhelming presence of political and election observers allowed for appropriate scrutiny. Nevertheless, there is room for improvement to the voting system and the overall conduct of the elections that will be covered in the recommendations section of this report. Voter turn-out also needs to be addressed as it was less than 50% at most of the polling stations.
6. The MSGOG found that the 2016 Snap Elections in Vanuatu was credible and that the Group was encouraged by the positive manner in which the elections were conducted. 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.

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1. INTRODUCTION

This report records the observations of the MSG Observer Group (MSGOG) during the 2016 Snap Elections in Vanuatu. A number of recommendations will be submitted to the Government of Vanuatu with the hope that they will be of assistance to the Vanuatu Electoral Commission (VEC) in improving the election systems.

The report is divided into five (5) parts. Part 1 provides the background to the electoral system and governance of Vanuatu; Part 2 highlights some basic requirements under electoral laws of Vanuatu; Part 3 provides information on the MSGOG and the polling stations visited; Part 4 draws on the observations of members of the MSGOG and provides an account of election day; Part 5 which is the final part of the report contains recommendations that will hopefully assist the Government of Vanuatu with future elections.

1.1 Request by Government of Vanuatu

On 30th December 2015, the caretaker Prime Minister of Vanuatu, Hon. Sato Kilman Livtuvanu, requested the Chair of MSG and Prime Minister of Solomon Islands, Hon. Manasseh Damukana Sogavare, through NV.045/MFAICET/15 for a MSG observer Team to observe the Snap Elections in Vanuatu on the 22nd January 2016. The MSG Chair accepted the request and formally wrote to other MSG Leaders informing them of the need to coordinate membership participation. The MSG Secretariat was therefore tasked to coordinate members' participation in the observer mission.

1.2 Composition of the MSGOG

The MSGOG was led by Sir Francis Billy Hilly, a former Prime Minister of Solomon Islands. The other members of the team are Sir Ratu Epeli Nailatikau (Former President of Fiji), His Excellency Francis Agwi (PNG High Commissioner to New Zealand), Mr. Reuben Kaiulo (Former Electoral Commissioner of Papua New Guinea), Mr. Phillipe Ajapunya (Member of the Political Bureau of the Front de Liberation Nationale Kanak et Socialiste (FLNKS), Mr. Mohammed Saneem (Supervisor of Elections of Fiji), Mr. Rence Sore, (Secretary to the MSG Chair's Office) and Mr. Navneel Sharma (Chief Administrative Officer to Minister of Foreign Affairs of Fiji).



Figure 1: MSGOG Group Photo

The MSGOG was supported by the Secretariat Staff. This is the second time in the history of the MSG that members participated as Observers in a member country's election. The first observer mission was undertaken during the 2014 Fiji Elections and the experiences gained from that particular mission proved to be helpful. The MSGOG also benefited from the wealth of experience amongst its members with the presence of Senior Statesmen and current and former Heads of Electoral Commissions in member countries. This made the task a lot easier to undertake even under challenging circumstances.

2. BACKGROUND

The Republic of Vanuatu obtained independence on 30 July 1980 from a Condominium Government by France and Britain. It has parliamentary democracy with a single chamber legislature comprised of 52 member Parliament, elected to a four-year term by universal adult suffrage. The *Constitution* of the Republic of Vanuatu is the Supreme law of the country. Vanuatu has a combined common law system incorporating British, French and customary law. There are three (3) official languages in Vanuatu; *the Bislama, English and French languages*. The different arms of Government consists of the Executive, the Legislature and the Judiciary.

The *Executive Arm* is made up of:

(1) *Head of State (President)* The President of the Republic of Vanuatu is elected for a five-year term through secret ballot by an electoral college comprising members of Parliament and the Presidents of Vanuatu's six Provincial Governments. The current President, His Excellency Reverend Womtelo Baldwin Lonsdale, was elected on 22 September 2014.

(2) *Head of Government: (Prime Minister)* who is elected following legislative elections, the leader of the majority party or majority coalition is usually elected Prime Minister by Parliament from among its members. The Prime Minister is elected by Parliament from among its members by secret ballot.

(3) *Cabinet: Council of Ministers* appointed by the Prime Minister, responsible to Parliament.

The *Legislative Arm (Parliament)* has 52 seats with members elected by popular vote to serve four-year terms. The National Council of Chiefs called the '*Malvatumauri*' is comprised of Custom Chiefs elected by their peers. The role of the '*Malvatumauri*' is to advise Parliament on all matters relating to custom and to may make recommendations for preservation and promotion of Vanuatu culture and languages.

The Judicial Arm consists of the Island Courts, the Magistrates' Court, the Supreme Court and the Court of Appeal. The Chief Justice is appointed by the President after consultation with the Prime Minister and the Leader of the Opposition. The Court of Appeal is the highest appellate court comprising of 2 or more judges from the Supreme Court.

In addition, Vanuatu has six (6) Provinces namely Malampa, Penama, Sanma, Shefa, Tafea and Torba provinces. By custom, Chiefs exercise customary authority within local communities and the Malvatumauri have a constitutional role at village, island and Provincial levels.

2.1 Political Events

On October 2015, the Supreme Court of Vanuatu convicted and sentenced fourteen (14) Members of Parliament to prison terms ranging from 3-4 years. These include the then Deputy Prime Minister Moana Carcasses, Speaker of Parliament, Marcellino Pipite, and Foreign Minister Serge Vohor. The other Ministers convicted are Lands Minister Paul Telukluk, Public Works Minister Tony Nari, Youth and Sports Minister Tony Wright, Climate Change Minister Thomas Laken, Sebastien Harry, Jonas James, John Amos, Steven Kalsakau, Silas Yatan, Arnold Prasad, Jean Yvees Chabot and Finance Minister Willie Jimmy.

As a result, a political impasse ensued. The President called on both sides, the Government and the Opposition to form a Government of National Unity to continue to govern the country till the next general elections due in the 2nd half of 2016. Despite the call by the President and after numerous meetings between the Government and the Opposition, they were unable to agree on a Government of National Unity. On 24 November 2015, the President, acting on the recommendation of the Council of Ministers (CoM) dissolved Parliament and called for a Snap Election.

2.2 Dissolution of Parliament

The *Constitution* of Vanuatu governs every aspects of the administration of the country including the various arms of the national government. It has clear and unambiguous provision governing the life of the Parliament and dissolution.

In exercising the powers conferred to him by Section 28 (3) and (4) of the *Constitution*, the President acting on the advice of CoM opted to dissolve Parliament. The *Constitution* requires that elections be held not earlier than 30 days and not later than 60 days after any dissolution. In compliance with this requirement the President declared 22 January 2016 as the polling day for the Snap Election.

The President also declared Friday 22nd January as a national public holiday to allow all eligible citizens of the country to vote. Copies of the Declarations on dissolution of the Parliament and the Public Holiday are attached as **ANNEX I & II** to this report.

2.3 Election of Members of Parliament

The election of Members of Parliament is governed by the *Constitution* and the *Representation of the People Act (CAP 146) (RPA)*. Section 17 of the *Constitution* provides that Parliament shall consist of members elected on the basis of universal suffrage of 18 years, through an electoral system which includes an element of proportional representation so as to ensure fair representation of different Political Groups and opinions.

Furthermore, the Constitution states that a citizen of Vanuatu who is at least 25 years of age shall be eligible to stand for election to Parliament. Vanuatu 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.

2.4 Election Administration

The Vanuatu Electoral Commission (VEC) established pursuant to Section 18 of the *Constitution* is the institution responsible for the conduct of the elections. The VEC consists of a chairman and two members appointed by the President of the Republic acting in accordance with the advice of the Judicial Service Commission (JSC). In addition, the Principal Electoral Officer (PEO) is appointed pursuant to Section 19 of

the *Constitution* is required to assist the Commission in the administration and overall conduct of the elections. The Commission and the PEO are responsible for the overall conduct of elections and to administer the supervision and the registration of voters.

2.5 Electoral list and Electoral Card

All Vanuatu citizens aged 18 years or over are eligible to register and vote. The PEO however has the powers to remove names of any persons from the electoral list if for any reason he considers that that person should not be registered in a particular constituency. A person whose name has been removed from the electoral list may appeal against such removal within 48 hours of notification.

Province Of :Sanma				Election Date: 25/04/200	
Constituency Of :Luganville:				Election Name:Luganvil Municip:	
Sheet Row	E.TOWN HALL	Sheet Row		Sheet Row	
1	1 MAIHAMAN, DICK	3	3 JEAN BAPTISTE, KATHYA	5	4 MAURICE, WILLIAM
1	2 MANSSEN, ROEL	3	4 JEAN BAPTISTE, BRUNO	5	5 MAURICE, LISSING
1	3 POMINA, CELINE	3	5 JEAN BAPTISTE, MARIE CLAUDE	5	6 MATHIAS, TARI A.
1	4 RASEN, JAMES	3	6 JOSEPH, FRED	5	7 MATHIAS, VANESSA
1	5 NINA, ELIZABETH	3	7 TOA, ESTHER	5	8 BOE, DONALD
1	6 DANIEL, AVOCK ASI	3	8 TOA, ALBERT	5	9 BOE, VIVIAN
1	7 DANIEL, KELLY OLLIE	3	9 TOA, MICHAEL	5	10 BOE, LILIROSE
1	8 NOEL JUDAH, DANIEL	3	10 TOA, ETIANA	5	11 MOLI, ELIZABETH
1	9 RASEN, ELLENA	3	11 TOA, ELIZABETH	5	12 MOLI, BRADLEY
1	10 TALLIS, SHIRLEY	3	12 TOA, SAM	5	13 MOLI, BEARDSLEY
1	11 MOSES, REUBEN	3	13 TOA, SHIRLEY	5	14 MOLI, JUSTIN
1	12 VUKE, SOLOMON	3	14 SIVIHI, JOSE	5	15 GEORGE, EVER
1	13 DORO, EVENGELINE	3	15 TOA, BRIDLEY	5	16 EDWIN, JEANETTE
1	14 WAEN, STEWARD	3	16 RARUA, PAMELA	5	17 EDWIN, APRIMEN
1	15 JULLUN, STEPHANIE	3	17 RARUA, AMOS	5	18 WILLIAM, KALO
1	16 TOA, RODNEY	3	18 ROVETTE, FREDERIC	5	19 JAMES, APIE
1	17 JOE, ANDRE	3	19 TOKA, SENE	6	1 TABI, BENUEL
1	18 JOE, TOKA	3	20 TOKA, MARA	6	2 MARTHA, JOY
1	19 JOE, KIKI	4	1 FATU, SILAS	6	3 BETA, NATASHA
1	20 TIESE, MOISE	4	2 FATU, LOIS	6	4 WORLY, CHRISTIAN
2	1 JOE, MERIAM	4	3 AMALMBUI, MOLI	6	5 BENNET, JOHN
2	2 ESIKAH, CAROL	4	4 TALASIA	6	6 KOKOLI, JOEL
2	3 ABOCK, TIMOTHY	4	5 BILL, JULES	6	7 LOYD, JOHN
2	4 JOE, ALON	4	6 BILL, MARIE FRANCE	6	8 SAM, LINNETH
2	5 HUNGAI, LOREN	4	7 BILL, JOHN	6	9 STEPHENS, MARGARETH
2	6 MAHIT, JONAS	4	8 BANI, RUTH	6	10 LALOYER, CLAUDIE
2	7 MAHIT, LINA	4	9 WOKALE, ISABEL	6	11 LALOYER, CHRISTIANE
2	8 MAHIT, SAMUEL	4	10 WOKALE, JULIANA	6	12 BISSON, JOHN
2	9 DAVID, API	4	11 TARAUMAL, EXLEY	6	13 WILLIE, LUKE
2	10 DAVID, MACREEN	4	12 RAVO	6	14 WILLIE, JACOB
2	11 MANN, JACOB	4	13 TARAUMAL, MOLI	6	15 WILLIE, BERNARD
2	12 MANN, JOYCE	4	14 TARAUMAL, HUGUETTE	6	16 WILLIE, BRIGITTE
2	13 NAMBO, O'NAM	4	15 TARAUMAL, TENSLEY	6	17 WILLIE, LUSY
2	14 TIMOTHY, FRANK	4	16 BAULOLOS, MANUELA	6	18 WILLIE, PHILEMON
2	15 PHILIBERT, PAUL	4	17 TAMATA, PEDRO	6	19 GEORGE, WILSON
2	16 MOLI, LILIAN	4	18 RAVO, EFFNETTE	6	20 GEORGE, ANNIE
2	17 CHARLEY, KATHRIAN	4	19 CLIFF, PETER	7	1 GEORGE, DANNY
2	18 JEAN BAPTISTE, LINDA	4	20 CLIFF, FLORENCE	7	2 GEORGE, LESLEY
2	19 JEAN BAPTISTE, CHARLINE	4	1 TAKASI, MARIE	7	3 STEVENS, GEORGE M.
2	20 BIBI, AUDREY	4	2 LEONA, ANTHONY	7	4 STEVENS, ONLINE
3	1 ALICK, DAVID	5	1 LEONA, LINDA	7	5 STEVENS, ERICKSON
3	2 ALICK, MARY	5	2 TOA, JEFFERY	7	6 STEVENS, GEORGE K.
		5	3 TOA, LESIEL	7	ANDREW, WINNA

Print Date:18/04/2007

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Figure 2: Sample Electoral list

The electoral list is usually made available for inspection by the public and any person who is eligible to vote but does not have his or her name on the list may apply to the VEC for the inclusion of his or her name. Once a person is registered and listed in the Electoral List, he or she is issued with an electoral card.

EXAMPLE

IDENTITY / IDENTITÉ		REGISTRATION / INSCRIPTION	
Name <i>Nom</i>	NINA	Registration Area No. <i>No. de la Zone d'Inscription</i>	02
First Name <i>Prénom</i>	ELIZABETH	Registration Area Name <i>Nom de la Zone d'inscription</i>	LUGANVILLE
Sex/Marital Status <i>Sexe/Situation de famille</i>	F MARRIED	Polling-Station Letter/Name <i>Indicatif / Nom du Bureau de Vote</i>	E TOWN HALL
Date of Birth <i>Date de naissance</i>	1958	Sheet No. / Individual No. <i>No. de Feuille / No. Individuel</i>	1 5
Father's Name <i>Nom du Père</i>	ABOCK	Date of Registration <i>Date d'Inscription</i>	18/04/06
Mother's Name <i>Nom de la Mère</i>	ROSINA	Signature: <i>Registration Officer / Agent</i>	SS
Place of Birth <i>Lieu de naissance</i>	TAHI	VOTING DATE / DATES DES SCRUTINS	
Place of Origin <i>Lieu d'Origine</i>	PAAMA	1.	2.
Occupation <i>Profession</i>	HOUSE / WIFE	3.	4.
Usual Residence <i>Résidence habituelle</i>	SARAKATA	5.	6.
Residence there since <i>Y réside depuis</i>	1981		
Citizenship No. <i>No. de citoyenneté</i>	—		

Figure 3: Sample Electoral Card

The total number of registered voters recorded for the Snap Election is 200,159, representing an increase of 7,527 voters since the last General Elections in 2012. The statistics on the total registered voters per constituency is shown in Table 1 below.

NAMES OF CONSTITUENCIES	TOTAL REGISTERED VOTERS	TOTAL REGISTERED VOTERS	NUMBER OF POLLING STATION
	2014	2015	
1. TORRES	2.285	2,346	12
2. BANKS	3.661	3,742	18
3. SANTO	24.685	25,861	65
4. MALO/AORE	3.351	3,620	8
5. LUGANVILLE	11.583	13,167	14
6. MALEKULA	15.905	17,141	35
7. PAAMA	924	998	6
8. AMBRYM	5.123	5,537	15
9. PENTECOST	11.812	12,402	22
10. AMBAE	8.037	8,414	22
11. MAEWO	2.463	2,637	11
12. EFATE	29.824	30,479	29
13. EPI	3.905	3,905	20
14. TONGOA	1.991	2,095	8
15. SHEPHERDS	1.129	1,183	6
16. PORT VILA	36.771	37,315	12
17. TANNA	24.958	26,558	36
18. SOUTH OUTER ISLANDS	2.697	2,759	11
TOTAL	191.104	200,159	350

Table 1: Total Registered Voters and Polling Stations by Constituency

* The MSGOG was only able to visit the Efate, Port Vila and Luganville constituencies as shown in Table 2

Voters were only able to cast their ballots in the Polling Station to which they were registered. The Register of Voters was divided into Voter Lists for each Polling Station. The Voter List for each Polling Station contained the names of voters, their voter numbers and their assigned Polling Stations. Voters who used alternative methods such as the proxy voting were also allowed to do so.

The RPA also allows any person to petition the PEO if he considers that his name has been wrongly omitted from an Electoral List and may submit such evidence and declarations to the PEO as he considers appropriate for him to be listed. The PEO after receiving a petition and considers it reasonable for the petitioner's name should be included, he shall register the petitioners name in the electoral list and issue him with an electoral card.

In contrast, the PEO may remove the name of any person from the electoral list if for any reason he considers that the person should not be registered and shall notify the person concerned of such removal without delay. The PEO may require a person whose name has been removed from an electoral list to surrender to him any electoral card issued to him.

A person whose name has been removed from an electoral list may lodge an appeal against such removal to the VEC. Such appeal shall be made within 48 hours of notification of removal to any registration officer. The Registration Officer who receives an appeal is required to forward it without delay to the VEC. The VEC may either dismiss an appeal or order the reinstatement of the appellant's name in the electoral list. Its decision shall not be questioned in any court.

2.6 Timeline of Electoral Events

The following is a timeline of the electoral events from December 2015 to January 2016

24 November 2015	President dissolve parliament
10 December 2015	President declare 22 January 2016 as Election Day
10 December 2015	President declare 22 January 2016 as national Public Holiday
6 January 2016	Official Candidate list published pursuant to Order 1
10 January 2016	Official Candidate list published pursuant to Order 2
7 January 2016	Campaign commences
19 January 2016	Campaign ends
22 January 2016	Election Day: polling and Counting
Within 21 days after an election	Official Declaration of Election Day results
Not later than 21 days after an election	Parliament convened to form Government

2.7 Electoral Petition

The validity of electing a person to Parliament may be questioned by way of an election petition. Every election petition is to be heard by the Supreme Court. An election petition may be presented by a person

who is registered to vote at the election to which the petition relates and or a person claiming himself to have been a candidate at such election.

The time limitation for lodging an election petition is 21 days. This means a petitioner can only lodge an election petition within 21 days of the publication in the Gazette of the results of the election to which the petition relates. A petition will not be valid if it is lodged after the required period of time. The grounds for declaring an election void is clearly stipulated under Section 61 of the RPA and include the following:

- a) bribery, treating, undue influence or other misconduct or circumstances whether extensively prevailed that have affected the result of the election;
- b) breach or non-compliance with the provisions of this the Constitution and RPA;
- c) the candidate was at the time of his election a person not qualified or disqualified for election; or
- d) there was such irregularity in the counting of the votes as may reasonably be supposed to have affected the result of the election.

On hearing a petition the Supreme Court may declare the election null and void, declare a candidate other than the person whose election is questioned as duly elected or dismiss the petition and declare that the person whose election is questioned was duly elected.

3. Distribution of MSGOG Members to Polling Stations

Despite the short notice, members of the MGSOG arrived in Port Vila between 17-21 January 2016, a few days before the Election Day. The VEC conducted a briefing for all observer groups on the 21 January 2016. Apart from the MSGOG, there were observers from the Commonwealth Secretariat, Pacific Islands Forum Secretariat, European Union (EU), British High Commission, Australian High Commission, New Zealand High Commission, US Embassy and the Chinese Embassy.



Figure 4: Briefing for all Observer Groups at the Melanesian Hotel

The Secretariat was also able to conduct a number of short briefings prior to the Election Day. The MSGOG has a specific Terms of Reference (TOR) that guided their observation on the Snap Election. In particular, the TOR of the Mission was limited to the following:

- (1) Observe Parties' and Candidates' conduct of campaigns;
- (2) Observe the management of polling stations before, during and post ballot;
- (3) Observe Election Day procedures, the casting, storage, security, transportation and counting of ballots;

- (4) Assess the performance of the media in its coverage during the official campaign period, including the right of access and equitable coverage for political parties and candidates;
- (5) Assess the organisation of the election consistent with the laws of Vanuatu and measured against international election standards (UN);
- (6) Monitor post-election development including the tabulation process and publication of final result; and
- (7) Provide a full report with an executive summary summarising observations and recommendations to the Senior Officials Meeting (SOM) and the Foreign Affairs Ministers Meeting (FMM) for their consideration and onward transmission to the Leaders for their endorsement prior to submission to the Government of Vanuatu.

A copy of the TOR for the MSGOG is attached as **ANNEX III**.

On the Election Day the MSGOG was divided into four (4) groups to observe election in Efate Rural, Port Vila and Lunganville constituencies. The election observation was limited to these particular constituencies due to the limited time and funding support available. There were also plans to observe elections in Tanna, but due to the cancellation of flights there were no observers sent to observe elections in Tanna. **Table 2** 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, talking notes and provide administrative and logistical support as required.

Teams & Constituency visited	Members	No of Polling Stations visited
MSGOG 1 – Port Vila (Urban)	Sir Ratu Epeli Nailatikau Mr. Navneel Sharma Mr. Phillipe Ajapunya Secretariat: Henry Sanday	11
MSGOG 2 – Efate (Rural)	Mr. Mohammed Saneem Mr. Rence Sore	7
MSGOG 3 Efate (Rural#2)	Mr. Reuben Kaiulo Secretariat: Molean Kilepak(ADG)	10
MSGOG 4 – Lunganville	Sir Francis Billy Hilly H.E Francis Agwi Secretariat: Ilan Kiloe	7

Table 2: Members of the MSGOG and polling stations visited

For the constituencies and polling stations visited, the total number of registered voters are as shown in Table 3 below. In summary, the Efate Constituency had 30, 479 registered voters, the Port Vila Constituency had 37,315 registered voters and the Luganville Constituency had 13, 167 registered voters. Table 3 also indicates the total number of polling stations in each constituency and includes a comparison of the total registered voters in 2014 and 2015.

NAMES OF CONSTITUENCIES	TOTAL REGISTERED VOTERS	TOTAL REGISTERED VOTERS	NUMBER OF POLLING STATION
	2014	2015	
EFATE	29.824	30,479	29
PORT VILA	36.771	37,315	12
LUGANVILLE	11.583	13,167	14
TOTAL	78,178	80,961	55

Table 3: Constituencies and Polling Stations

The following Polling Stations in Port Vila Constituency were visited by **MSGOG Team 1**:



- NTM
- Vila North
- Anglican Church
- APTC Hospitality School
- Town Hall
- Dumbea Hall
- Chiefs Nakamal
- Anamburu
- Beverly Hills
- Fresh Wota School

Copy of the Map of Port Vila constituency is attached as **ANNEX IV**.

MSGOG Team 2 visited the following polling stations in the Efate Rural Constituency:



- Paunagisu
- Malatia
- Ulei
- Mangaliliu
- Catholic Mission
- Mele
- Black Sands

The following Polling Stations in the Efate Rural Constituency were visited by **MSGOG Teams 3**:



- Onesua School
- Ekipe
- Epao
- Pangpang
- Eton
- Rentapao
- Enam
- Erakor
- Vila City College

A copy of the Map of Efate Constituency is attached as **ANNEX V**.

The following Polling Stations in Luganville Constituency were visited by **MSGOG Team 4**:



- Town Hall
- Sarakata Primary School
- Saint Michel A
- Saint Michel B
- Santo Youth Center
- College De Santo
- Capuis Stadium
- Solway Kindergarten
- Agriculture College

A copy of the map of Luganville constituency is attach as **ANNEX VI**.

It should also be noted that each of the teams spent an average of 1 hour in each of the Polling Stations.

3.1 Observation Forms

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

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

Members of the observer team recorded their observations under each sections. 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 VII**.

3.2 Media

The role of the media during elections is crucial and the media must ensure that voters make informed choices. The Mission observed that the media was very active in the days leading up to the elections creating awareness of the different candidates and parties contesting the election. In particular, Radio Vanuatu, FM 107, FM 98, FM 96, Vanuatu Broadcasting Television Corporation (VBTC), Daily Post, the Independent and the Vanuatu Times including regional news agencies. The Mission also noted that there was active participation of Ni-Vanuatu via social media.

3.3 Statements by MSGOG

The Chairman of the MSGOG issued a statement prior to the elections calling on all Vanuatu citizens to participate in the polls. The MSGOG also released a Preliminary Statement after the voting commending the Government and the people of Vanuatu for the successful conduct of the Snap Election. Copies of the statements are attached as **ANNEX VIII & ANNEX IX** respectively.



Figure 8: Press Release by the Chair of the MSGOG

4. Election Day Report

4.1 Polling Station Environment



The MSGOG observed that the polling stations were generally located in locally known areas, places where polling was done previously and hence accessible to the voter. There was peaceful atmosphere around the Polling Stations. It was observed that there was no political campaign material available or any unauthorised personnel within the 100m radius of the polling venues visited. It was also observed that the Police and Vanuatu Mobile Force played an important role in maintaining security and were present in all of

the Polling Stations visited. The MSGOG also noted useful election awareness materials prepared by the VEC that were clearly displayed at the Polling Stations.



Figure 8: Awareness Material

4.2 Opening of Voting Stations and Election Materials

The MSGOG teams observed the opening of voting in the following polling stations:

- i. MSGOG Team 1: Anamburu, Beverly Hills, Fresh Wota School, APTC Hospitality School

- ii. MSGOG Team 2: Paunagisu and Malatia
- iii. MSGOG Team 3: Onesua School
- iv. MSGOG Team 4: Youth Center Santo, Town Hall, College De Santo

The MSGOG observed that most of the Polling Stations opened on time (7.30am) and that the Presiding Officers and Polling Officials were capable, professional and courteous in the exercise of their duties. There were queues outside all the Polling Stations, which were managed in an orderly manner by polling officials. There were two Polling Stations in which the shortage of staff and of election materials prevented them from opening on time. This was quickly resolved. Overall, the MSGOG did not notice any serious logistical or operational challenges during the openings.

4.3 The Electoral Roll



The electoral roll is an important part of the voting system. Voters are issued with electoral cards at the registration time and these cards are produced to the Polling Officers at the Polling Stations as proof that the bearers have been registered to vote in a particular area. It was noted that prior to the elections, the VEC had acknowledged that the voters list needed urgent revision and updating. MSGOG notes that while efforts

may have been made to update the electoral roll, there is an urgent need to improve the current system.

4.4 Polling Process

The Observers 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 Observers consulted with the Presiding Officers, Political Observers and voters to identify any concerns about voting irregularities. The MSGOG 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.

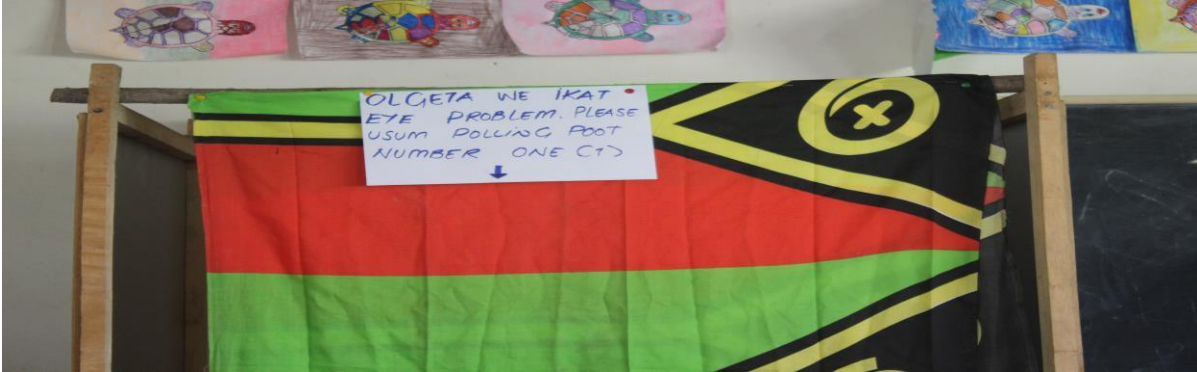
Overall it was observed that processes at the Polling Stations were adhered to and that there was no sign of any intimidation or apparent electoral misconduct. The overwhelming presence of Political and Election Observers allowed for appropriate scrutiny. Only minor irregularities were observed particularly relating to management of the voting process. The various stages of the voting process needs to be signposted. The MSGOG also noted the necessity of using indelible ink to mark voters' thumbs after casting of ballot papers.

4.5 People with disabilities

The MSGOG observed with great interest the number of people with disabilities who were able to exercise their constitutional right to vote. They were ably assisted by the polling officials. In some Polling Stations, appropriate facilities were provided to allow disabled people to vote.



Figure 7: Facilities for voters with eyesight problem



The elderly and infirm as well as pregnant women received special attention and were given priority to vote.

4.6 Closing of Polling Stations and preliminary Counting

The MSGOG teams observed the closing of voting in the following Polling Stations:

- i. MSGOG Team 1: Anamburu, Chiefs Nakamal, NTM and Dumbea Hall
- ii. MSGOG Team 2: Black Sand and Mele Village
- iii. MSGOG Team 3: Erakor main village
- iv. MSGOG Team 4: Youth Center Santo, Sarakata Primary School and College De Santo

Most of the Polling Stations closed on time before proceeding on to 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 MSGOG were generally professional and thorough. Overall, while the observers did not witness anything that could have had a negative impact on the counting process, it was noted the counting process appeared slow and time consuming and that there is a need to simplify the counting system.

4.7 Final counting and verification of results

The MSGOG did not observe the process of transfer of the ballot boxes to the Electoral Commission for final counting hence was unable to ascertain the security controls. Observers were only allowed to witness the closing and preliminary counting of votes in their areas of deployment.

The MSGOG requested permission from VEC to observe the official counting of the votes but was barred from carrying out this important aspect of the Snap Election which is now the accepted fundamental norm in all elections. The MSGOG was thus unable to make an assessment on the final counting and verification process. It is therefore the view of MSGOG that in future, Observers need to be present during the entire counting process including the verification of final results at the VEC Office.

It took 1 week after the closing of the polling for the VEC to declare the final Official Results which is attached as **ANNEX X**.

5. CONCLUSION & RECOMMENDATIONS

5.1 Conclusion

Based on its findings and observation and cognisant of the challenges that the VEC were faced with in conducting the 2016 Snap Election, the MSGOG noted that the election was conducted peacefully in a manner that enabled Vanuatu citizens to exercise their right to vote freely. There are however rooms for improvements and hopefully the recommendations put forward in this report will go a long way to assist the government achieved that.

5.2 Recommendations

The MSGOM offers the following recommendations for consideration by the Government of Vanuatu:

<i>Standard Operating Procedures</i>	There needs to be Standard Operating Procedures for all polling officials to follow when conducting elections. It appears that officials were operating based on consensus instead of uniform application of the process. There may be a need to also use signposts to indicate the different stages of the elections process which is easy to follow.
<i>Polling materials</i>	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.
<i>Electoral Roll</i>	The Electoral Roll needs to be reviewed and updated on a regular basis and if such an effort is made, it is recommended that an electronic system is setup that allows for remote operation and voter support. Such a system can be effective in Vanuatu considering the division of the Country into constituencies which are relatively small.
<i>Ballot paper</i>	Vanuatu may wish to adopt the simple single page ballot paper system 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. Single Ballot Papers are easier to manufacture and is cost effective. It also allows the possibility of centralized counting.

Polling Officials' Name tags	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 arise. All record books should be properly developed to correctly document the process.
The Counting Process	<p>The counting process can be simplified considerably to avoid potential complaints. The current system appears to be archaic and inefficient. If however the current system is retained, it is suggested that the staff open all ballots, sort the votes by candidate and then count per candidate. The party agents can be allowed to stand close to the counting table to observe and exercise their rights should they wish to. It is important to first count the number of ballots in the box and compare against the turnout before proceeding with count.</p> <p>There is also a need for transparency with the handling and counting of ballot papers.</p> <p>Elections Observers should be allowed to observe the counting and verification process at the VEC.</p>
Results	The VEC must confirm Unofficial Results sooner to dispel any fear of delay or suspicion. It also expels any anxiety that may be caused from waiting for the final official results.
Low Voter turn-out	Intensify efforts at voter education and awareness to address the issue of low voter turnout.
Previous Election reports	Give immediate attention and consideration to the recommendations contained 9 th General Election Report of 30 October 2013.
MSG's role in Members National Election	The MSG role in election observations is formally incorporated into the MSG structure to support members' national elections.