PRIORITIES FOR A FREE AND FAIR ELECTION
An NRI Issues Analysis

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ACRONYMS

ACE  Administration and Cost of Elections
ANU  Australian National University
ARO  Assistant Returning Officer
AusAID  Australian Agency for International Development
CS  Correctional Services
DFID  Department for International Development
DRC  Democratic Republic of Congo
EHP  Eastern Highlands Province
EMB  Elections Management Body
ESP  Electoral Support Program
EPG  Eminent Persons Group
EU  European Union
FPTP  First-Past-the-Post
GoPNG  Government of Papua New Guinea
IDEC  Interdepartmental Elections Committee
LLG  Local-level Government
LPV  Limited Preferential Voting
MP  Member of Parliament
NA  National Alliance
NCD  National Capital District
NGI  New Guinea Islands
NGO  Non-Governmental Organisation
NGP  New Generation Party
NRI  National Research Institute
OLIPPAC  Organic Law on the Integrity of Political Parties and Candidates
OLNLLGE  Organic Law on National and Local-level Government Elections
PIF  Pacific Islands Forum
PNC  People’s National Congress
PNG  Papua New Guinea
PNGDF  Papua New Guinea Defence Force
PNGEC  Papua New Guinea Electoral Commission
PNGP  Papua New Guinea Party
PPP  People’s Progress Party
RPNGC  Royal Papua New Guinea Constabulary
SBS  Special Broadcasting Service
SHP  Southern Highlands Province
SSGM  State Society and Governance in Melanesia
TIPNG  Transparency International Papua New Guinea
UN  United Nations
UNDP  United Nations Development Program
EXECUTIVE SUMMARY

The 2007 National General Elections were a considerable improvement from the 2002 Elections, where extensive malpractice and violence were experienced. In 2007, the mobilisation of security was superior, as was thewhole-of-government coordination across agencies and stakeholders under the new Interdepartmental Elections Committee (IDEC). Voter awareness on the Limited Preferential Voting (LPV) system covered an unprecedented number of citizens, particularly in rural areas. Polling day was mostly calmer, and unlike the 2002 Elections, all seats were declared.

However, it was evident that the electoral roll continued to be seriously abused and undermined in the 2007 Elections. In addition, there was a widespread absence of a secret ballot, and in a number of electorates, it is apparent that the results were influenced and interfered with during the polling and counting processes. These issues have beset elections in the past and will continue to do so without the commitment of leaders and policy makers to major reform.

The need for a watertight voter registration and identification system emerges as the most significant priority for PNG. A new common roll was developed for the 2007 Elections, and although it contained 1.4 million fewer names, it remained vulnerable to manipulation and administrative inaccuracy at every stage of the enrolment and verification process. This report suggests that it wasn’t necessarily a new common roll that was required, but a new system of voter registration and identification to end multiple voting, prevent the attempted manipulation of the roll, and minimise administrative errors. The arguments for a biometric voter registration and identification system that collects photos, fingerprints, and other data are compelling. A pilot study on the feasibility of biometrics and the use of such systems elsewhere is an urgent priority. This would be the first step towards getting a voter registration implementation plan in place, by 2010, ready for the 2012 Elections.

The second priority that is identified is the need to make a ‘safe, single and secret ballot’ the central theme of the 2012 Elections. This would create an objective for all agencies, stakeholders, and citizens to collectively work towards. Giving ‘a safe, single and secret ballot’ the same level of emphasis that was given to LPV in 2007, would create a greater level of demand for more orderly and safe polling. It would also provide a clear objective for the operational plans for the key coordinating agencies. To be successful, this strategy would need the full support of Papua New Guinea’s current political leaders.

The third and fourth priorities are essentially about greater safeguards for the electoral process as a whole. They focus on improving security and the conduct of the count, to reinforce every stage of the electoral process. Security at the 2007 Elections, particularly in the Highlands Region, was excellent. As the role of security personnel grows, it will become necessary to develop a National Security Framework, in order to maximise the involvement of different agencies and ensure that their roles are clear. The development of an Elections Security Tool Kit and Training Program would create a standard resource that can continue to be refined with every election. Ensuring that the
size of the security mobilisation is adequate for the level of threat in key electorates is essential, as is ensuring the real and/or perceived independence of security personnel.

Formalising the use of electronic counting, so that its usage is directed by law in certain predetermined circumstances, such as recounts, close results, and by-elections resulting from disputed results, is also required. At present, electronic counting is permitted by law but can be applied with some discretion. The choice to use — or not use — electronic counting should not be a political one. Many countries have also used electronic data entry systems during manual counting. This should be piloted in PNG.

In addition to these priority areas, a set of key electoral issues where further reform is needed to bring greater fairness and integrity to the PNG electoral system has been identified. These issues require further detailed analysis, and include.

- the need for a review of the Organic Law on the Integrity of Political Parties and Candidates (OLIPPAC), citing ongoing problems with the integrity of political parties and candidates;
- improving the impact of the new LPV voting system by reducing the number of candidates, and further analysis and awareness;
- the need for further research on the policy options for increasing women’s representation in parliament;
- the need to expand future civic engagement strategies for voter awareness and domestic observation.

Other countries are achieving significant improvements in electoral management as part of major packages of reform, which are supported by a growing body of international expertise. An analysis of these programs would be valuable for PNG.

In many cases, the National Research Institute intends to take up these vital policy issues as part of our ongoing Election Studies Program, collaborating, wherever possible, with key stakeholders.

In other nations, it is often a crisis of governance that delivers the impetus to undertake a substantial reform of electoral systems, which was the case in Bangladesh and Sierra Leone. Papua New Guinea has not descended into such a crisis and has achieved a level of political stability that is a credit to the country, its people, and its leaders. However, a political crisis should not necessarily be the catalyst for moving the electoral reform process forward.

The recommendations in this report are designed to be ambitious. Some are expensive and would probably require external funding and support. All are achievable with the basic preconditions of political will on the part of leaders, and the commitment to reform by all stakeholders.
PRIORITY RECOMMENDATIONS

These recommendations are limited to a small number of high-priority proposals that are considered to be essential for free and fair elections in 2012.

1. **Implement a new system of voter registration and voter identification for the 2012 Elections.**

   This system should be supported by:
   - an immediate pilot study on the feasibility of a biometric system, informed by the experience of such systems elsewhere in the world; and
   - an implementation plan for voter registration, to be in place by the beginning of 2010.

2. **Make a ‘Single, Safe and Secret Ballot’ the central theme for the 2012 Elections.**

   This central theme should be:
   - uniform across all official election messages and all forms of public awareness; and
   - coordinated under the leadership of the Interdepartmental Elections Committee to ensure this theme guides the 2012 operational plans of all relevant agencies and stakeholders.

3. **Develop a National Security Framework for the 2012 Elections.**

   This framework should encompass:
   - an Elections Security Tool Kit, which would include a national set of standards for the conduct of security forces in relation to election offences, examples of best practice, and examples of successful contingency plans,
   - a nationally consistent training program; and
   - operational strategies that scope the potential security needs of each electorate and determine the levels of deployment. Flexible solutions could then combine the use of mobile polling teams, mixing of local authorities and external security personnel in areas that are particularly vulnerable to threat.

4. **Formalise electronic counting and electronic data entry as an additional check on electoral integrity.**

   This priority should be supported by:
   - legislative changes to the Organic Law on National and Local-level Government Elections (OLNLLGE) to direct the use of electronic counting in certain predefined instances; and
   - the pilot usage of a digital data entry system for the manual count. This is to provide greater safeguards for the manual count, and would require relevant training of counting and data entry officials.
In addition to the four priority recommendations, there are also other significant issues that are identified in this report that will involve more long-term structural reform, and require more detailed policy analysis. In many cases these issues will be taken up by the National Research Institute. They include:

1. **A major review of the OLIPPAC (see Section 5 of this report).**

   This should address the following issues, amongst other things:
   - which aspects of the law are not being adequately enforced and whether the Registrar of Political Parties has the necessary resources to be effective,
   - the impacts positive, negative or neutral impacts of the current law on regulating the actions of independent candidates and political parties during the formation of government; and
   - how to improve the incentive structures within the law, to further strengthen political parties.

2. **Careful investigation on how to reduce the number of candidates in order to improve LPV (see Section 3 of this report).**

   This sensitive and complicated issue requires further policy analysis to consider:
   - international research on electoral system reform relevant to a PNG context;
   - an analysis of the policy options that are available, including introducing the statutory declaration of criminal records to the nomination procedure, further analysis on the grounds for disqualification of nomination, a process of review before candidate nominations are finalised, and the need to collect citizen signatures or public endorsements by nominating candidates; and
   - international human rights norms and conventions.

3. **Improving women’s representation (see Section 4 of this report).**

   Research into the policy options and practical considerations would need to consider:
   - the creation of a set of popularly-elected, reserved seats for women candidates and/or the creation of multi-member districts with quota systems, among other options; and
   - ways to generate greater public acceptance and awareness of the roles of women in political life.

4. **Developing a research framework on elections management (see Section 2 of this report).**

   This could be a partnership between the National Research Institute and the PNG Electoral Commission. The framework could consider:
   - international options used to strengthen the internal controls of Election Management Bodies, pertaining to finance, data, human resources and so on, and examples of multi-stakeholder coordination; and
• domestic issues such as ensuring that the funding and resources match the task at hand, are in place throughout the electoral cycle, and are efficiently disbursed and evaluated.

5. **Strengthening citizen participation in elections (see section 6 of this report).**

Further analysis should focus on assessing:
• different approaches to voter awareness, nationally and internationally, and their suitability for different contexts;
• the coordination responsibilities of the various stakeholders in relation to the different aspects of voter awareness;
• the balance between research and observation in the arrangements and intended outcomes for domestic observation; and
• how Papua New Guinea can successfully scale up domestic observer presence in the future.
INTRODUCTION

This report identifies and evaluates the key issues that underpin free and fair elections in Papua New Guinea (PNG). By implication, these are also issues that are central to the evolution of a stable and representative democratic system in PNG. This report is intended to be read as a ‘health check’ on these issues in order to mark a path towards future reform.

The report is arranged around six thematic sections:
- One Person One Vote;
- Elections Management;
- The Impact of LPV;
- Women’s Representation and Participation;
- Political Parties, Independent Candidates and the OLIPPAC; and
- Citizens and Elections.

From these sections, four high priority recommendations emerge that require urgent attention before the 2012 Elections. In addition, and under specific section themes, the report also identifies where further policy analysis is required to underpin future structural reform.

It is the intention of the National Research Institute to ensure that these findings constitute a platform for the design of our future research and policy analysis, in collaboration with other stakeholders in PNG, while at the same time offering a road map for reform for policy makers and stakeholders.

Political Overview, 2002–2007

The previous elections in 2002 were described as the worst ever in the political history of Papua New Guinea (May 2003; Standish 2007). There was murder, hijacking of ballot-boxes, burning of ballot-papers, double and multiple voting, disruption of polling, and in some parts of the Highlands Region, a general breakdown of law and order. There were six failed elections declared by the former Electoral Commissioner, Reuben Kaiulo, all of which were in the Highlands Region.

Therefore, the 2007 Elections can be seen in light of the desire of many stakeholders, as well as the wider public, not to have the events of 2002 repeated. Novel approaches, including a whole-of-government coordination of elections through a newly established Interdepartmental Elections Committee, a greatly increased security presence, and the decision to produce a new roll can be seen as policy responses to the problems experienced during the 2002 Elections.

In addition, the 2007 Elections were also influenced by public sector reforms which began around the mid-1990s and continued into the new millennium. Two such reforms were the initiatives of the Morauta government (1999–2002). First, was the introduction of the Organic Law on the Integrity of Political Parties and Candidates (OLIPPAC), which was applied for the first time in the 2002 Elections. Second, was the new Limited
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Preferential Voting (LPV) system, which had been used in previous by-elections, but not at a national general election. In addition, late amendments were also made to the Organic Law on National and Local-level Government Elections (OLNLLGE) to significantly change ballot-papers, among other things, just before the 2007 Elections.

Unfortunately, given the strong desire to see reform and improvement, there was much that remained unchanged in the 2007 Elections. The new electoral roll is the most pertinent example. The new roll proved to be unsuccessful in preventing the incidence of multiple voting and was corruptible at every stage of the registration and verification process. This should provide pause for reflection on the adequacy of the current registration process and the need to take a much more ambitious approach. Likewise, some of the other new legislative and policy related initiatives have their limitations. LPV is one initiative that is increasing mandates for MPs, but is not the silver-bullet for improving governance, particularly in terms of improving women’s representation in parliament. These issues are explored in greater detail later in this report.

This analysis is also intended to situate itself in light of an ongoing reform process in PNG to promote the development of a fair and honest electoral process. The report commences with what is judged the most significant issue — the need for a new system of voter registration and voter identification.

A Note on Sources

This Issues Analysis report draws upon many of the detailed studies of Papua New Guinean elections undertaken in recent years, including for example, the Commonwealth-Pacific Islands Forum (PIF) Assessment Team in 2007, the 2004 Ladley et al. Report on three by-elections, and the analyses of academics, such as Alphonse Gelu, Ron May and Bill Standish, among others.

The National Research Institute (NRI) has also been involved in other major 2007 Elections studies projects, which have supplied much of the data for this report. The NRI was a co-coordinator of the 2007 Domestic Observation Study, with Dr. Nicole Haley, which was tabled with the Interdepartmental Elections Committee in July 2008 and supported by the Australian Government’s Electoral Support Program (ESP Phase 2). The NRI also commissioned a range of academic researchers to analyse electoral issues in key electorates. That publication will be available later in 2009, and will be jointly published with the Australian National University.

The electoral data used in Section 3 have been compiled from 105 electorates for which data had either been supplied to NRI by the PNG Electoral Commission (PNGEC) where results were available on the PNGEC website, or where results were made available to individual researchers in the course of domestic observations. Where multiple sources of data were available, results often tended to be contradictory. As a rule, this paper relied on results drawn from the official forms 66A and 66B, where available. These are judged to be the most accurate as they are forms filled out during the counting process. Where these forms were not accessible, the secondary sources that this report relied upon are noted in Appendix A. The accuracy of the results in these instances
is dependent on the accuracy of the secondary sources. The NRI intends to ensure that a full analysis of results is conducted after definitive data are available for all electorates.
SECTION 1: ONE PERSON, ONE VOTE

To guarantee the principle of one person, one vote, a new voter registration process is the only option for PNG. The objective should not simply be a new common roll *per se*, but a new process of voter registration and identification that eliminates the avenues for intentional manipulation and unintentional administrative error.

Arguments for a biometric system — which collects photos, fingerprints or other biometric data — are compelling, and a pilot study of the feasibility of biometrics for PNG should be an immediate priority. For a new voter registration process to be successful, an implementation plan needs to be in place before 2010, to allow enough time for the most accurate and thorough registration of voters across the country to be conducted.

The 2007 electoral roll had 1.4 million fewer names than the previous version which had, quite correctly, been deemed unviable by the PNGEC. Although action to improve the roll was necessary, it can also be seen as a case of attempting a cure — a new roll — before taking the necessary preventative measures to stop the registration process from being manipulated. As the following findings attest, the new roll appears to be just as vulnerable to manipulation and mistakes as the previous one, at just about every stage of the enrolment process.

To do nothing is to admit now that the 2012 Elections will not be free and fair. Simply updating the current roll will not fix the problems of duplicated names and multiple-voting, or remove the current major inaccuracies, particularly in the Highlands Region, where many wards are significantly inflated.

Evidence shows that biometrics can work in challenging political environments. Bangladesh, which has 80 million voters, has seen the rate of inaccuracy within its electoral roll fall from 20 percent to two percent. This has been through careful planning and the collection of photographs, fingerprints and signatures for voter identification. Among other things, it boosted public confidence in the Bangladesh Electoral Commission. This was achieved with a package of multi-donor funding (DFID 2008). Nigeria and the Democratic Republic of Congo (DRC) are also examples of countries that use biometric systems. The DRC, in particular, shares similar geographic and infrastructural challenges to PNG.

Most importantly, forward planning is required to reregister the population, taking into account rural and illiterate populations, and the potential for abuse by public officials, candidates, their supporters, and in some cases, Members of Parliament (MPs). This reform will need the political will to foster a fair process, including a much larger funding commitment from government throughout the electoral cycle, as well an increased level of donor funding.

The following section identifies where the roll is continuing to be either manipulated, or is failing to guarantee the principle of one person, one vote. It draws on the analysis of the 2008 Domestic Observation Report (Haley and Anere 2008), the Commonwealth-PIF Assessment Report (2007), and individual researchers who documented key electorates
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for the forthcoming joint NRI-ANU publication. Collectively these reports reveal the seriousness of the situation and the need for major action.

**The Enrolment Process**

The decision to register voters again, although necessary, came too late in the electoral cycle, commencing at the beginning of 2006. As a result, there was not enough time for any thorough verification and updating of the common roll before the election in July 2007.

The enrolment process was conducted by district officials who travelled from village to village to enrol voters, accompanied by enumerators. These officials were engaged by, and funded through, the PNGEC. After enrolment, the lists were then checked by the district supervisors and sent to Port Moresby for the printing of preliminary rolls.

At this stage in the process, there were frequent allegations regarding the partisanship of local officials. In Madang, it was reported that a candidate appeared to have access to voter enrolment and was enrolling students who they had bribed with cash and gifts (Matbob 2009). In Chuave, it was noted that the councillors who conducted the enrolment and verification exercises did so according to their affiliation to candidates and their ethnic background (Gari 2009). The Commonwealth-PIF Assessment Report (2007:8) also noted that sitting members seemed to be accessing and inflating the roll in their districts. The team observed that in one sitting member’s village the roll went from 2 800 names to 10 000.

Where it is likely that enrolment officials are partisan, local knowledge should be tempered by external monitoring. This needs to be addressed in the planning of voter registration, and in particular, the human resource strategies, so that officials from outside the districts that are being enrolled are involved. Digital mechanisms to preserve the integrity of enrolment data must be in place so that once voters provide their personal details, that information cannot be unlawfully accessed or altered. Currently, there are too many opportunities for officials, at different times, to make modifications to the enrolment lists.

Other problems that were noted by observers and researchers were the inadequate notice for the visits of enrolment teams to villages, and the lack of effort to follow-up absentees. The most significant criticism focused on the failure of enrolment teams to reach rural and remote villages, and the fact that teams, in their haste to complete their task, spent only 30 minutes in each village (Susub 2007). This resulted in delays and much dissatisfaction on polling day (Haley and Anere 2008:19). In the Vudal Ward on the Gazelle Peninsula, a further reregistration exercise took place in March 2007, when it was discovered by election observers that the population of Vudal University campus, among others, was not enrolled (Ningakun 2007).

Different approaches to voter registration occur in different political contexts. Some countries consider voter registration a citizen’s responsibility and do not place a premium on inclusive registration, while others deem it to be essential (ACE Electoral Knowledge Network 2009). In PNG, where elections are major events for citizens, the extra
investment in as wide as possible registration is essential to guarantee electoral integrity and public acceptance of results. A successful enrolment process should set clear objectives for the coverage of rural areas in the planning process. This should ensure that the enrolment of the hard-to-reach voters and the most contested electorates take a higher priority. Effective planning needs to be informed by successful strategies that are used elsewhere. For example, in Bangladesh, door-to-door notification was conducted seven days ahead of the opening of registration centres to capture biometric data. This initial contact involved the scoping of hard-to-reach voters, which would require return visits by the registration teams (Bangladesh Electoral Commission 2008).

In the interest of cost-effective voter registration for the 2012 Elections, the PNGEC could work in conjunction with the Census Division of the National Statistical Office during the population census in 2010. The whole-of-government approach to the 2007 Elections, through the IDEC, provides a sound basis for the PNGEC to work closely with census officials, and utilise the census as an opportunity to conduct joint planning.

Verification

In early 2007, the electoral rolls were sent back out to the districts for verification and updating, a process which was managed by returning officers (Unage 2008:3). One criticism of the roll verification process was that voters had to travel to district headquarters to participate in verification, making it very difficult for voters outside district centres to ensure that they were properly registered. In Oro Province, the roll was only displayed at the provincial headquarters, in Popondetta. Here, the topography and lack of transport were significant inhibiting factors for voters to verify their names (Susub 2009).

Enrolment and verification teams need to seek more assistance from local stakeholders to assist them to access hard-to-reach communities in rural and remote areas. These include businesses, university administrations, and especially churches and village elders. This was certainly a feature of the 2007 Elections in urban centres, where public and private sector organisations were targeted to encourage employees to enrol. These networks were underutilised in rural areas.

However, there were many places where the re-enrolment was a success. The Domestic Observation Report presents a survey of 180 voters in Port Moresby which revealed that 73 percent had filled out the Claim for Enrolment Forms (Haley and Anere 2008:19). In Yangoru-Saussia and Abau, enrolment was considered satisfactory (ibid.). In Manus, the re-enrolment and verification process was also successful, however, some problems remained where people were enrolled under different names and in different electorates (Dalsgaard 2009). Again, biometrics could effectively mitigate against human and administrative error.

In the longer term, a useful opportunity to trial the accuracy and veracity of the electoral roll is during local-level government elections. In local elections, voter turnout seems to exceed the national average of around 70 percent. There is also relative peace and order and a greater likelihood of a secret ballot. If local-level government elections
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took place two years before the general election it would provide an ideal opportunity for the PNGEC to verify the accuracy of the roll.

**Use of the Roll on Polling Day**

The most serious concern in many electorates, particularly in the Highlands Region, was that the roll was not used on polling day. The PNGEC’s directives in the General Election Guide are that voters are to proceed to the polling table to have their names checked and marked, and the indelible ink put on their fingers, at which time they proceed to the polling table to cast their vote (GoPNG 2006:6).

However, in Chuave, voters simply lined up and were called up as the ‘next man or meri’ (Gari 2009). This line-up voting was common in the Highlands Region and also noted in the recent Komo-Margarima by-election (Komo-Margarima Domestic Observation Team 2008). In one extreme case in Enga Province, some families received certain numbers of ballot-papers and senior family members collected and filled them in for all the family members on the roll (Gibbs 2009).

The Haley and Anere Domestic Observation Report (2008) has amassed a substantial amount of detail on roll irregularities in the Highlands Region that seriously challenges the integrity of results in a number of wards. These are summarised in Table 1.

In 2007, electoral rolls were produced for each ward for the first time. As the Commonwealth-PIF Election Assessment Team (2007:7) noted, a ward-by-ward roll is certainly more manageable from an administrative perspective. However, it meant that there was no ‘master roll’ to enable the checking of duplicate names. This is an urgent concern, given the number of people observed voting in several wards and polling stations — particularly where indelible ink was not used or was allegedly removed by voters.

Just getting the enrolment done in the established timeframe took precedence over ensuring public involvement, and the best possible coverage of the population — a process which is essential for eliminating concerns about bias.

The biggest incentive for a well-planned re-enrolment exercise is the public confidence that can be generated for the PNGEC, which would help with all other aspects of electoral administration. It is for this reason that a new voter registration process is seen as the highest priority issue for electoral reform in PNG.
Table 1: The Domestic Observation Report and the Highlands Region

<table>
<thead>
<tr>
<th>Problem Description</th>
<th>Percentage/Lack of Information</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ineligible to enrol</td>
<td>50.2%</td>
</tr>
<tr>
<td>Villages and hamlets assigned to the wrong wards</td>
<td>2 426 (23.4%)</td>
</tr>
<tr>
<td>Underaged voters enrolled with fictitious birth dates</td>
<td>1 197 (11.6%)</td>
</tr>
<tr>
<td>Did not meet residency requirement</td>
<td>744 (7.2%)</td>
</tr>
<tr>
<td>Duplicate entries</td>
<td>664 (6.4%)</td>
</tr>
<tr>
<td>Deceased voters</td>
<td>243 (2.3%)</td>
</tr>
<tr>
<td>Eligible citizens did not appear on the electoral roll</td>
<td>735 (7.2%)</td>
</tr>
</tbody>
</table>

It was also noted that the ward rolls for the remaining three LLGs in the Koroba-Lake Kopiago Electorate appear equally problematic.

In addition, the report notes that underenrolment was a problem in Southern Highlands Province. In some cases this seems to have arisen as a result of administrative errors, while in others, certain candidates successfully managed to disenfranchise their opponents, with whole families and clans being placed in the wrong wards or left off the roll completely. Supporters of particular candidates also had difficulty gaining access to Claim for Enrolment Forms. Speculation and claims of bribery were common in Koroba-Lake Kopiago, Tari-Pori, Imbonggu, and Kagua-Erave Electorates (ibid.:21).

Finally, the report noted that each of the observer teams in the Highlands Region reported problems with the verification exercise. Verification rolls were not displayed in the districts or the wards and, in most cases, were not seen prior to polling day. In Southern Highlands and Western Highlands Provinces, they were only displayed in the provincial headquarters and then only for a very short period — a few days in each case. This allowed little opportunity for public scrutiny of the rolls. There were also claims of political interference at the verification stage, particularly against Assistant Returning Officers (AROs) in the Southern Highlands’ electorates (ibid.).
SECTION 2: ELECTIONS MANAGEMENT

Effective election management is acknowledged as a formidable task anywhere in the world. High expectations are placed upon the national Election Management Body (EMB) — in this case the Papua New Guinea Electoral Commission (PNGEC) — and these expectations are often inadequately resourced.

Moreover, electoral commissioners have remarked that administration and planning can be brought undone if there is an ‘anything goes’ attitude among the voting public to electoral rules (Kaiulo 2002). It has been stated that in PNG, ‘[b]reaking the law for the benefit of the ethnic community is heroic and mandatory’ (Gari 2009). This places substantial pressure on local officials to permit, commit, or turn a blind eye to electoral irregularities and fraud.

The recommendations of this report are designed to address aspects of election management in order to:

- build a demand for effective elections administration through a national campaign for a safe, single, and secret ballot;
- safeguard the polling process by examining how technology, better security measures, and other coordination and control mechanisms can reduce avenues for electoral corruption and ensure a safe and secure election; and
- utilise the best international experience of elections management in challenging political contexts.

The following section draws on the various studies of the 2007 Elections, to outline the weaknesses in elections administration and management that have been documented. Together, they present a strong case for making elections management a high priority for electoral reform. However, this section also notes that there were major successes in 2007 upon which a new approach can be grafted.

Whole-of-Government Approach

The improvement from the 2002 Elections can be attributed to new ‘whole-of-government approach’ to administration and planning in the lead-up to the 2007 Elections. To facilitate this approach, the Interdepartmental Elections Committee (IDEC) was set up by an Act of Parliament in 2006. It comprises key government stakeholders, including the Electoral Commission, the Electoral Support Program (Phase 2), the Department of Finance, the Police, the Government Printing Office, the Department of Provincial and Local Government Affairs, the Office of the Chief Secretary, and the Registrar of Political Parties. The National Research Institute is also represented, as are civil society organisations.

The IDEC considered a range of issues including the printing of ballot-papers and candidate posters, funding, security, deployment of polling officials, communication, transport, and the management and coordination of election observations.
Papua New Guinea Defence Force (PNGDF) spokesperson Lt. Col. S.F. Diro, who was the commander of security operations, attributed the success of the combined police-army operations, especially in the Highlands Region electorates, to the whole-of-government approach (Diro 2008). The approach ensured that there was constant exchange of information and cooperation between the police and army personnel in providing logistics and other support for polling officials.

The membership of, and participation in the IDEC was intended to be of the highest level — senior government officials — in the relevant agencies. Sustaining that high-level participation throughout the election cycle should be an important focus for the years ahead, to give IDEC the political clout that it needs.

The IDEC’s decision-making process allowed for its determinations to be conveyed to Provincial Election Steering Committees, where information from the provinces was also able to flow upwards to the IDEC, at the national level. Building upon and strengthening these flows of communication should also be a focus of attention.

The IDEC is uniquely placed to articulate ambitious objectives for elections, such as the single, safe, and secret ballot, and plays a central role in sustaining the commitment required in the period between elections.

Security

The 2007 security mobilisation involved three agencies — the Royal Papua New Guinea Constabulary (RPNGC), Correctional Services (CS) and the Papua New Guinea Defence Force (PNGDF) (Baki 2007).

Without question, improved security can be seen as a defining factor of the 2007 Elections. ‘Security forces were observed to be better behaved than in past elections. They were also observed to work very long hours, with little rest, and to conduct themselves professionally in the main’ (Haley and Anere 2008:39).

At the same time, domestic observers noted breakdowns in security in a number of electorates. Observers in the Ijivitari Open Electorate noted occasions where police stepped outside their mandates to act as arbiters or even as counting officials (Susub 2007). Elsewhere in Western Highlands Province, the security situation was observed to be variable due to the fact that polling commenced before security forces arrived (Haley and Anere 2008:40). In Eastern Highlands Province, a TV documentary crew were told that the police were being paid by a number of candidates (‘As it Happened’, SBS Documentary 2008).

Given the significance of security for the general conduct of elections, to improve on these gains would involve a greater clarification of the role of security forces in relation to enforcement, and a national training program to develop a universal understanding of the role of the different security forces in relation to the perpetration of electoral offences (Haley and Anere 2008).
To facilitate this training, the development of an Election Security Tool Kit has been recommended for similar situations in other countries (Fischer 2002:29), which could be a means of enabling security forces to respond in uniform ways, in order to reduce and/or stop unacceptable behaviour, especially in relation to the enforcement of a single, safe, and secret ballot. If such a Tool Kit were successfully implemented, it would have the advantage of ensuring that nationally consistent information is used by all security forces. The handbook produced by RPNGC was very useful (Haley and Anere 2008:41), and could be developed and expanded.

The Haley and Anere Report (ibid.:10) stated that there should be early deployment of security — particularly in risk areas such as the Highlands Region — which would allow for effective reconnaissance. As that report and the Ladley et al. Report (2004) have recommended, this could be facilitated by instituting mobile polling. Situations where polling commenced without the necessary security in place must be avoided. In addition, this report suggests paying deliberate attention to getting the right combination of local and external security (police and military), to ensure that there is a perception that the security forces are free of partisanship. Randomised mobilisations could be a consideration here.

These two elements — appropriate size of mobilisation, and appropriate levels of independence — should be the focus of operational strategies, as stated in the priority recommendations, and should be funded appropriately. Finally, an expanded observer presence should provide the civilian compliment to security plans, especially on polling day.

Polling

Polling processes, although more orderly than in the 2002 Elections, still vary widely across the country. Many diverge substantially from official procedures. In some cases in the Highlands Region, official procedures were substituted with ‘line-up’ voting, where the roll is completely discarded and voters simply cast their ballot in turn, with no attempt at voter identification. In addition, breakdowns in procedure included the failure to apply the indelible ink, and widespread failure to enforce a secret ballot or to enforce gender segregated voting. Adherence to procedures also tended to decline over the course of polling days, particularly as local polling officials were pressured by voters and candidate supporters.

Another major problem is the location of polling booths. Unage (2008:8) found that, in the Eastern Highlands Provincial Electorate, of the 12 LLGs, there was an average of 2.6 polling teams for each of the 261 wards. The proximity allowed voters to cast votes multiple times in different places. In Southern Highlands Province there were also seven polling places at Koroba Station within a five-minute walk of each other, and voters were observed moving backwards and forwards between them. One electoral official explained to domestic observers that three polling stations were moved from their gazetted locations to ‘make it easier for voters to move between’ (Haley and Anere 2008:39).
In Yangoru-Sausia, observers noted that there was frequent fighting, underaged voting and almost a complete lack of secret voting. In the Kwarabri area, observers counted 42 schoolboys and schoolgirls casting votes and noted incidents where parents endorsed the voting of their children or voted in their name (Gesch and Paol 2009).

Some polling areas were set up outside when school buildings were clearly available as alternatives — which would have increased security and crowd control (Commonwealth-PIF Elections Assessment Team 2007:15).

Creating a unifying theme for the 2012 Elections — one that the whole country is working towards — is important; that is, a national campaign for a single, safe, and secret ballot. This ambitious recommendation recognises that the successful administration of polling day will make or break an election.

Making LPV the central theme of the 2007 Elections certainly contributed to the smoothness of the introduction of the new voting system. Giving ‘a safe, single, and secret ballot’ that same level of national significance, with public awareness and unified messaging starting early in the electoral cycle, would create a greater level of demand among citizens for more orderly and safer polling.

In regards to elections management and coordination, the PNGEC and the IDEC will need to be major advocates for getting the resources, strategic planning and commitment in place in order to deliver upon this objective on polling day. Political commitment to this theme by Members of Parliament, and in particular to making these resources available is also essential.

**Ballot-Papers**

A major change which occurred at very short notice was a new format for the ballot-paper. This occurred after amendments were made to the OLNLLGE. In order to reduce the very large size of ballot-papers, the names and photos of candidates were removed, leaving just the space to record three preferences. Candidates’ photos and other biodata were displayed on posters around polling booths. In many cases, these appeared just two days before voting started. Voters were required to write either the candidates’ names or code numbers (which were displayed on the posters) next to the numbers ‘1’, ‘2’ and ‘3’ on the ballot-papers. Any other writings or marks would invalidate the ballot-papers.

It appears that most people voted with relative ease and this is reflected in the relatively low levels of informal votes. However, with high levels of voter assistance, it is difficult to tell for certain whether illiterate or semi-literate voters were disadvantaged by the new system.

A concern of many voters was distinguishing between the provincial and open ballot-papers, which had very slight colour differences (Haley and Anere 2008:36). This should be rectified in the ballot design for 2012, to ensure that the two papers are not confused.
Counting

Counting, under the new LPV system, has become considerably more complicated, with the process of excluding the candidates with the lowest number of votes and reallocating their preferences. In the Yangoru-Sauussia Electorate, ‘[c]ounting was dispute-ridden and was barely kept on the rails, with many objections from scrutineers for candidates’ (Gesch and Paol 2009).

However, the complicated nature of the counting process may be as much a blessing as a curse. Many observers noted that officials were not sufficiently trained in counting (Gari 2009; Unage 2009). This, combined with exhaustion and the sheer complexity of the exclusion process, considerably lengthened the time required to complete the count. However, Unage (ibid.:8) suggests that the complicated nature of LPV counting could make it harder (although not impossible) for officials to distort the process during the count, because of the rechecking of ballot-papers that is required in the exclusion process.

The count is a major point of vulnerability to electoral corruption, even if the polling itself is free and fair. This was the case in the 2007 Kenyan National Elections (EU Election Observer Mission 2008).

Electronic counting should provide a more effective check and balance, if its use is mandated in particular instances including close results, recounts, and by-elections that result from election disputes. A more expensive option is to mandate an electronic count for every electorate within a set time period, after the manual count.

At present, the option to use electronic counting is inconsistent. This has led to public statements that the option of using electronic counting is becoming politicised.¹ There are logistical ramifications of electronic counting, including power supply, and the insurance and transportation costs of the expensive machinery, which would certainly need to be a planning consideration. However, unless electronic counting is mandated in predetermined instances, these accusations will continue to reduce confidence in the electoral process.

Apart from electronic counting, simple measures to safeguard the manual count could be used. By digitising the data entry system for Forms 66A and 66B, it is possible to control arithmetic errors and balance the number of ballot-papers against the returns from the polling booth. Measures to ensure that the returns from polling booths are effectively recorded, is a recommendation of the Haley and Anere report (2008). This process would cut down the avenues for manipulating the count, and would require specialised training for counting officials. A pilot program where digitised data entry is applied in some electorates in the 2012 Elections would be an important step.

¹ Electronic counting was first called for and then withdrawn in the Western Highlands Provincial recount, leading some parties to suggest in the media that the choice to use it had been ‘politicised’ (Post-Courier, 5 November 2008).
Financial Management

Despite some improvements, effective planning in the 2007 Elections was also constrained by financial management, both in the timely release of funds and the controls placed on expenditure. The arrival of essential election supplies, the payment of electoral officials and the PNGDF, and the conduct of awareness by the PNGEC were disrupted or delayed as a result of the late release of funds (Haley and Anere 2008:32).

There has been some improvement in the total funding that has been provided during the electoral cycle, but the PNGEC remains poorly resourced between elections, where major funding allocations are required — particularly in relation to voter registration. The budget allocation for this financial year (2009) is well below what is required for the Electoral Commission to adequately resource the necessary preparations for free and fair elections.

<table>
<thead>
<tr>
<th>Year</th>
<th>2005</th>
<th>2006</th>
<th>2007</th>
<th>2008</th>
<th>2009</th>
</tr>
</thead>
<tbody>
<tr>
<td>Amount</td>
<td>28 453 000</td>
<td>39 330 000</td>
<td>120 102 000</td>
<td>82 767 000</td>
<td>18 377 000</td>
</tr>
</tbody>
</table>

Source: GoPNG (2008)

Elections are expensive and have frequently involved national governments, with a range of donors, in order to meet the resource needs of safe elections. This was the case in the Democratic Republic of Congo, Nigeria, and Tanzania. It is likely that the recommendations of this report would also imply a scaling up of donor support, particularly if it is possible to draw in examples of best-practice from elsewhere.

At the same time, the scaling up of funding must be in the context of the best possible internal controls within a government agency. Within the law and justice sector in PNG, many government agencies are undergoing integrity reviews in order to ensure that they have the safeguards in place to support successful anti-corruption and fraud strategies (GoPNG 2007:4). This could be an option for the Electoral Commission as well, to build up its internal systems.
SECTION 3: THE IMPACT OF LPV

It is important to be realistic about what the new LPV system can or cannot achieve. In the first instance, this means addressing what can be done to strengthen the new voting system. In this respect, this report draws attention to guaranteeing a secret ballot, limiting candidate numbers, and developing voter awareness strategies.

This report also stresses what will not be achieved by LPV in terms of improved governance and leadership, and it emphasises the need to be frank about the limitations of the system. Electoral engineering is not a silver bullet to governance problems. The system alone is only going to have a limited impact on improving the quality of candidates, the reasons why voters make their choices, and the quality of the MPs who are elected, in the context of the high-stakes political culture in PNG.

Among other things, LPV was intended to address the strong tendency in PNG to vote along clan lines. In a society that is quite ethnically fragmented, many candidates have been contesting elections under a first-past-the-post (FPTP) system, knowing that it is possible to win a seat in parliament with a very small percentage of votes, sometimes just a couple of thousand (May 2003). This is later reflected in uneven service delivery within districts and provinces, where state resources are allocated with short-term electoral motives, rather than long-term plans for economic and social development (Trawen 2006:2).

It is on this basis that commentators such as Reilly (2002:159) have argued that the LPV system is a good choice for PNG. The system is designed to encourage and influence candidates to attract votes from groups other than their own. Furthermore, in a situation where much pressure is placed on clan members (particularly women) to ‘bloc vote’ for the clan’s preferred candidate, LPV is intended to offer voters second and third options, should their first choice be eliminated from the election race. Candidates are encouraged to campaign more widely for the additional votes that are available to them.

From the outset, it is important to note that the effects of the change to LPV will only become apparent over a couple of national elections. However, it is already emerging that more could be done to create a better enabling environment for the new system. LPV is hampered by the large number of candidates, an imperfect understanding and negative use of the system by candidates and voters, and the lack of a secret ballot.

Guaranteed Secret Ballot

The lack of a secret ballot is a significant obstacle to the free choice of voters to select three preferences. Across the country, this was a widespread complaint captured by the observer reports (Haley and Anere 2008:34; Commonwealth-PIF Election Assessment Report 2007:16; Transparency International 2007a:12). This was particularly the case in the Highlands Region. The lack of a secret ballot, in the context of immense pressure to vote with the clan, means that voters cannot use their three preferences as they wish, to express their individual choices.
The task of the security forces and polling officials should be to guarantee a secret ballot, with clear sanctions for any failure to adhere. All polling areas need to be designed and set up with this objective in mind. The importance of a secret ballot also needs to be emphasised in any voter awareness programs, and observers across the country should play a role in monitoring this aspect of the election. It is for this reason that this report recommends that a safe, single, and secret ballot becomes a central theme for the 2012 Elections.

In reality, the provision of a secret ballot is complicated by the level of assistance that is required by many semi-literate and illiterate voters. The current guidelines allow a voter to be accompanied to the polling booth if they request it (GoPNG 2006). This was widely abused (Haley and Anere 2008:8).

Effective voter assistance can be achieved without the need for a voter to be accompanied to the ballot-box. Among many options, this could involve allowing voters to take a mock ballot into the booth with predetermined choices.

More Accommodative Campaigning

One argument for adopting LPV was that it would improve governance by encouraging more accommodative and cooperative campaigning. This argument envisaged a situation where candidates would work together to engage in the swapping of preferences, thus minimising the head-to-head conflict among candidates (Standish 2006:197).

In this respect, there is evidence that LPV is encouraging candidates in a number of electorates to cooperate over preferences. However, two electorates where preferences significantly affected the election results — Western Highlands Provincial and Ijivitari Open — have been subject to fierce dispute in the courts. In many other electorates, the flow of preferences in the electoral data shows no distinct evidence of any successful strategic alliances.

Strategic campaigning has taken a couple of different forms. In some cases, candidates appeared to be working together to try to oust the sitting member, which was a successful tactic noted in East New Britain (Kinkin 2009) and an unsuccessful tactic in East Sepik (May 2009). In Madang, a number of candidates waged an ultimately successful *votim asples* campaign, which focused less on getting a particular candidate

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2 In the Western Highlands Provincial Electorate, Paias Wingti led the count until the exclusion of third-placed candidate, Wai Rapa. When the 37 486 votes of Wai Rapa were redistributed, a large number of those votes (23 876) flowed to Tom Olga, placing him in front of Paias Wingti. In Ijivitari, no clear winner had emerged by the 33rd exclusion, with all remaining five candidates with tallies of between 3 991 and 3 206 votes. After the exclusion of the next candidate, Benson Garui, the eventual winner, David Arore gained a large number of preference votes (1 632), which was sufficient to place him well in front. Susub (2009) notes that the two candidates were relatives from the same area. At the time of writing, the Ijivitari Electorate is subject to a recount and the Western Highlands Provincial Electorate result has been annulled.
elected than on getting an *asples* (local origin) as opposed to a *kam man* (outsider origin) candidate elected (Matbob 2009). Other examples have involved candidates working more closely with those from the same local area or church group. Susub (2009) noted that the flow of preferences in Ijivitari Open followed localised ethnic allegiances, rather than crossing ethnic boundaries. Indeed *votim asples* campaigns may be cooperative, but their ethnocentric foundations may, over time, be damaging where they increase rivalry between larger groups. It is fair to assume that cooperative and strategic campaigning will increase as candidates and voters better understand the process. Candidates can observe ‘what works’ elsewhere, and may even try to access electoral data to help plan their strategies.

The PNGEC, universities, and research institutions such as NRI play an important role in ensuring that electoral data are transparent, and that analysis is communicated to the electorate. In the longer term, this will improve the voters’ and candidates’ understanding of how votes are treated in the counting process. However, the change to LPV does not necessarily create more ethical and acceptable behaviour in elections. Unfortunately, around the world, candidates who are more strategic do not always necessarily make honest leaders.

**Increased Mandates**

A major expectation of LPV was that it would improve governance outcomes by increasing the mandates of candidates. An increased mandate; that is, a greater proportion of the vote, is judged to be a desirable governance outcome because it demonstrates that an MP has been able to gather support beyond his or her immediate ethnic grouping or core vote. The expectation is that, in return, the MP would return services to the electorate which recognises that broad support, rather than a narrow electoral base of clan members and allies.

Although a clear mandate does not necessarily create a good leader, provinces that struggle with service delivery, such as Oro and some parts of the Highlands Region, have historically had MPs with very low mandates. This report takes the position that increased mandates play an important role in improving the quality of governance.

Table 3 shows that under the LPV system, the mandates for parliamentarians could be considered stronger than under the first-past-the-post system. Once preferences are distributed under the LPV counting system, only 15 percent of all candidates are winning seats with what this report considers to be low mandates, that is, under 20 percent of the vote. This would seem to be a big reduction from the 50 percent or more of candidates with low mandates in the past three elections under the FPTP system.

At the top end of the scale, 30 candidates (28.8%) in 2007 won seats with mandates of more than 40 percent of allowable ballots. This is compared to five candidates under the 2002 FPTP system. However, under preferential voting systems, increased mandates

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3 The average primary vote for MPs in the Oro Provincial seat has been eight percent across the past four elections.
are a statistical inevitability because there are many more votes (in terms of second and third preferences), available to each candidate than under the FPTP system.

Table 3: Comparative Mandates across Four Elections, 1992–2007

<table>
<thead>
<tr>
<th>Year</th>
<th>... less than 10% of the vote</th>
<th>... between 10% and 20% of the vote</th>
<th>... between 20% and 30% of the vote</th>
<th>... between 30% and 40% of the vote</th>
<th>... between 40% and 50% of the vote</th>
<th>... more than 50% of the vote</th>
</tr>
</thead>
<tbody>
<tr>
<td>1992</td>
<td>9 (8.3%)</td>
<td>45 (41.3%)</td>
<td>32 (29.4%)</td>
<td>15 (13.8%)</td>
<td>3 (2.8%)</td>
<td>5 (4.6%)</td>
</tr>
<tr>
<td>1997</td>
<td>16 (14.8%)</td>
<td>45 (41.7%)</td>
<td>33 (30.6%)</td>
<td>8 (7.4%)</td>
<td>2 (1.9%)</td>
<td>4 (3.7%)</td>
</tr>
<tr>
<td>2002</td>
<td>21 (19.8%)</td>
<td>40 (37.7%)</td>
<td>23 (21.1%)</td>
<td>17 (16.0%)</td>
<td>4 (3.7%)</td>
<td>1 (0.6%)</td>
</tr>
<tr>
<td>2007</td>
<td>0</td>
<td>16 (15.2%)</td>
<td>30 (28.6%)</td>
<td>29 (27.6%)</td>
<td>22 (21.2%)</td>
<td>8 (7.7%)</td>
</tr>
</tbody>
</table>


The real question needs to focus on the extent to which they improved from the FPTP system, and whether that actually entails more representative mandates. This is a much harder question to answer and it is clear that in many electorates the mandates are not significantly larger. The most significant factor preventing larger mandates is the extent of exhausted ballots occurring in many electorates, which are caused primarily by large candidate numbers.

**Exhausted Ballots**

Exhausted ballots occur when the three candidates who are selected by a voter have all been eliminated in the counting process before a winner is determined. That vote is deemed ‘exhausted’ because it no longer counts towards the final results. The winner attains a majority of the votes left in the count, but it is far from a majority when all the exhausted ballots are taken into consideration (see Appendix A).

In a limited preferential system, as opposed to a full preferential system (where a voter must list every candidate in preference order), a certain number of exhausted ballots are to be expected. However, in the 2007 Elections, the proportion of exhausted ballots was as high as 74 percent in the Daulo Open Electorate, and averaged 40 percent across the 105 electorates for which results were available for analysis.

At this stage, it is difficult to determine what would be a ‘normal’ or ‘reasonable’ amount of exhausted ballots in PNG. However a national average of 40 percent is very high. In 16 electorates, 50 percent of all voters did not pick one of the three most popular candidates as any of their preferences on their ballot-papers. In these cases, the extent of

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4 The electorates are Daulo Open, Oro Provincial, Karimui-Nomane Open, Kerowagi Open, Lufa Open, Kainantu Open, Tewai-Siassi Open, Wosera-Gawi Open, Sohe Open, Alotau Open, Okapa Open, Ijivitari Open, Kikori Open, West Sepik Provincial, Henganof Open and Sinasina-
exhausted ballots suggests that the voters’ second and third preferences are not coalescing around candidates with broad support across their electorates.

There are many factors that may contribute to the number of exhausted ballots. This includes the tactic of negative campaigning, where candidates advise voters to give their second and third preferences to rabis (rubbish) candidates in order not to benefit rivals (Standish 2004; Haley and Anere 2008; Gibbs 2009;), where candidates are unsure as to how their three preferences are treated in the count (Standish 2004; Gari 2009), and the ongoing practice of vote-splitting candidates contesting elections (Gesch and Paol 2009).

In order to reduce the occurrence of these practices, more needs to be done at a community level to ensure that voters understand how the LPV counting process works, and that any lack of understanding is not manipulated. However, the biggest factor contributing to exhausted ballots, and by implication lower mandates, is the number of candidates contesting seats.

**Numbers of Candidates**

The trend of very high numbers of candidates has grown sharply in the past 20 years, and has continued to remain very high in the 2007 Elections where 2 759 candidates contested office.\(^5\)

The large number of candidates has a connection with high levels of exhausted ballots. Of the 22 electorates where more than 60 percent of votes were exhausted in the count, the average number of candidates contesting the seat was 41. By contrast, of the 22 electorates where fewer than 20 percent of votes were exhausted, the average number of candidates was 13.

This report argues that the reduction in the number of candidates would have several benefits, including helping to strengthen the impact of the LPV system. It would also make electoral administration easier, allow voters a chance to better know and make decisions about all the candidates standing in their electorates, and make the counting procedure easier.

To do this successfully would require a multi-faceted approach, and firm safeguards to prevent the exclusion of women and marginalised voters. The limitation of candidate numbers is complicated, and must adhere to international norms concerning the rights of all citizens to stand for office. However, there may be scope to make the nomination process more discriminating towards committed candidates. The approach needs further careful analysis and could involve options including:

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Yonggamugl Open. This statistic is calculated using the number of exhausted votes with three or more candidates left in the count.

\(^5\) This is down by a very small amount, from 2 832 in 2002.
The Impact of LPV

- requiring the collection of signatures and/or public endorsements by candidates, which might be useful to dissuade non-serious, vote-splitting candidates from standing;
- the need for statutory declarations of past and pending convictions, which is a feature of the Indian Electoral system (Government of India 2009);
- including more instances of criminal offences which would disqualify a candidate from standing for office;
- increasing the length of time (currently three years) that a candidate must wait, after being found guilty of an electoral offence, until they can stand again for elected office; or
- increasing nomination fees, as proposed in the Ladley et al. Report (2004), which are an effective, yet crude, method. A serious disadvantage of this could be the discrimination against women and other marginalised groups who already struggle to pay the current K1 000 fee.

The disqualification of candidates on the grounds of criminality is a complicated issue. This discussion focuses on reducing candidate numbers, and not on mechanisms to improve the quality of candidates, although this is certainly a consideration. However, political systems step into dangerous territory when using past criminality as the grounds for exclusion. Most seem to expect that other mechanisms for candidate preselection, such as the policies of political parties, should exclude convicted criminals. However, some countries, like PNG, exclude candidates on the basis of specific offences, such as electoral offences. All of these considerations should be part of a focused analysis of policy options.

Differences across the Country

Many of these problems are not uniform across the country, as key seats, provinces and regions face certain challenges. As more and more observations are conducted and electoral data are collected, the information should be used to improve awareness and information dissemination strategies. The Highlands Region clearly faces specific challenges that are greater than those in the Islands Region. Within the Southern Region, awareness strategies could look at mobilising resources that may be available in the NCD to Oro and Western Provinces.

Table 4 shows the differences in the electoral data, in terms of the strength of candidate mandates and the numbers of candidates. A potentially useful project would involve the development of a database to build up a better understanding of the electoral dynamics of the different seats, provinces and regions, over time. This would enable future policy initiatives to specifically address problems with key seats, particularly where ethnic conflict is a big factor.

Interestingly, clear differences are emerging between provincial and open seats under the LPV system. The nature of the contest in the provincial seats, even with greater ethnic diversity within electorates, appear more removed from immediate local loyalties, and therefore the contests are less fragmented by multiple candidacies than open seats. Of the available results, the average percentage of exhausted ballots in provincial seats
was 25.6 percent but rose to 43 percent for open seats. This meant that the mandates for provincial MPs — averaging at 40.8 percent — were much higher than the average for open seats, which was 30.1 percent.

Table 4: Comparative Statistics, by Region

<table>
<thead>
<tr>
<th>Features</th>
<th>Momase</th>
<th>Islands</th>
<th>Southern</th>
<th>Highlands</th>
</tr>
</thead>
<tbody>
<tr>
<td>Average Winning Mandate</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Lowest</td>
<td>31.3% Tewai-Siassi (17.3%)</td>
<td>39.7% Talasea (24.3%)</td>
<td>32.4% Oro Prov. (16.6%)</td>
<td>31.1% Daulo (13.1%)</td>
</tr>
<tr>
<td>Highest</td>
<td>Aitape Lumi (51.6%)</td>
<td>East New Britain Prov. (51.0%)</td>
<td>Moresby North-West (50.9%)</td>
<td>Kandep (69.0%)</td>
</tr>
<tr>
<td>Average No. of Candidates</td>
<td>25</td>
<td>14</td>
<td>29</td>
<td>28</td>
</tr>
<tr>
<td>Lowest</td>
<td>Kabwum (9)</td>
<td>Manus Prov. (7)</td>
<td>NCD Prov. (7)</td>
<td>Ialibu-Pangia (7)</td>
</tr>
<tr>
<td>Highest</td>
<td>Madang Open (44)</td>
<td>Talasea (32)</td>
<td>Oro Prov. (69)</td>
<td>Kainantu (53)</td>
</tr>
<tr>
<td>Average of Exhausted Ballots</td>
<td>41.5% Aitape-Lumi (0%)</td>
<td>26.1% East New Britain Prov. (4.8%)</td>
<td>43.2%* Moresby North-West (7.5%)</td>
<td>43.7% Kandep, Mt. Hagen &amp; Ialibu-Pangia (0%)</td>
</tr>
<tr>
<td>Lowest</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Highest</td>
<td>Tewai-Siassi (66.1%)</td>
<td>Talasea (51.6%)</td>
<td>Oro Prov. (71.8%)</td>
<td>Daulo (74.2%)</td>
</tr>
<tr>
<td>Source:</td>
<td>See Appendix A. This table is based on results for 105 electorates available at March 2009 (Missing: Goilala, Komo-Margarima, Kagua-Erave, and Baiyer-Mul).</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Notes:</td>
<td>*Figures for NCD Electorate were not included in this average because the seat was declared before a majority was reached and therefore the numbers of exhausted ballots would be incorrect.</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

In the longer term, multiple provincial members might be a consideration to minimise the intense and highly localised winner-takes-all contests for seats in parliament. Combined with gender quota systems, this would certainly assist with the objective of advancing women’s representation in PNG. However, the costs of successful campaigning in provincial seats are much higher, as candidates must naturally appeal to a wider electorate.

Informal Votes

Many claims about what LPV can do in terms of more accommodative campaigning are based on the assumption of perfect knowledge of the system. However, this is certainly not the case. Given the enormity of the changeover to the LPV system, it is a credit to the unprecedented awareness raising that was conducted across the country that most voters were able to make their three selections correctly. This is particularly so given the late legislative changes to the ballot-paper, whereby candidate’s photos were removed and voters were required to write out their choices.
On the one hand, the level of informal votes was low, at a national average of 2.1 percent, varying from 0.3 percent in Kande p and Jimi Open, to 5.7 percent in NCD Provincial. On the surface this indicates that most voters were reasonably able to cope with the new system. However, the very low levels of informal ballots in some electorates are to be treated with scepticism, given the high levels of assisted voting, bloc voting, and the lack of secret ballot across the country. In the Islands Region, where polling tends to be more orderly, the average number of informal votes was 3.3 percent. This was higher than the results available for the Highlands Region, which averaged 1.3 percent, where assisted voting and bloc voting are more common. Informal votes do not give the full picture of voter awareness.

Given the untrustworthiness of informal votes as an indicator, there is still some concern that the new ballot-paper disadvantages illiterate and semi-literate voters. If a secret ballot is guaranteed, then it would be possible to look at the levels of informal voting at specific polling booths to ascertain the impact, if any, of making voters write out their choices on the ballot-papers.

The Effect of Preferences on Election Outcomes

In 2007, there were 21 candidates who would have been victors under the old, first-past-the-post system, but were overtaken as preferences flowed to other candidates. The significance of this for the long term evolution of PNG’s political system is difficult to determine, however, certain interesting trends in the use of preferences are emerging which will be important to watch in the future.

Of those 21\(^6\), seven were sitting members (see Table 5). One reason for this is suggested by Kinkin (2009), who observed that in the Kokopo, Gazelle and Rabaul electorates, many candidates appeared to be working together to strategically starve the sitting members of preferences. This phenomenon could be positive, if it unseats poorly performing MPs who, nonetheless, have a dominant core of supporters. However, it also leaves candidates with a high profile and who can be easily identified as likely winners, vulnerable to the same tactic. This is another indication that while LPV could produce more strategic candidates, it will not necessarily make them better leaders.

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\(^6\) Indeed there may be others, however in this respect, NRI is limited by the availability of full results. In addition to the seven electorates in Table 5, these include: Erie Ovak Juvire (Okapa Open), Viviso Seravo (Henganofi Open), Philemon Wass Korowi (Tambul-Nebilyer Open), Jerry Singirok (Sumkar Open), Benson Garui (Ijivitari Open), Leonard Luma (Kiriwina-Goodenough Open), Dokta Fabian Pok (North-Wahgi Open), Roy Rena Roliinga (Dei Open) , Ron Ganarafo (Daulo Open), Fred Aikung (Tewai-Siassi Open), Lisia Ilabeni (Alotau Open), Soroi M. Eoe (Kikori Open), Joe Tavasa (West New Britain Provincial), Bob Lisio (Kandrian-Gloucester Open), Bob Sinclair (Morobe Provincial).
Table 5: Sitting Members Who Lost their Seats on Preferences

<table>
<thead>
<tr>
<th>Electorate</th>
<th>Winning Candidate</th>
<th>Winner’s % of the Primary Vote</th>
<th>Leader after Primary Vote</th>
<th>Sitting Member</th>
<th>Leader’s % of the Primary Vote</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bulolo Open</td>
<td>Sam Basil</td>
<td>14%</td>
<td>John Muingnepe</td>
<td>John Muingnepe</td>
<td>17%</td>
</tr>
<tr>
<td>Gazelle Open</td>
<td>Malakai Tabar</td>
<td>17%</td>
<td>Sinai Brown</td>
<td>Sinai Brown</td>
<td>19%</td>
</tr>
<tr>
<td>Kokopo Open</td>
<td>Patrick Tammur</td>
<td>21%</td>
<td>Rabbie Namaliu</td>
<td>Rabbie Namaliu</td>
<td>25%</td>
</tr>
<tr>
<td>Western Highlands Provincial*</td>
<td>Tom Olga</td>
<td>17%</td>
<td>Paias Wingti</td>
<td>Paias Wingti</td>
<td>22%</td>
</tr>
<tr>
<td>Goroka Open</td>
<td>Thompson Harokaqveh</td>
<td>9%</td>
<td>Bire Kimesopa</td>
<td>Bire Kimesopa</td>
<td>12%</td>
</tr>
<tr>
<td>Nawae Open</td>
<td>Timothy Bonga</td>
<td>9%</td>
<td>Wesley Zurenoc</td>
<td>Wesley Zurenoc</td>
<td>12%</td>
</tr>
<tr>
<td>Central Bougainville Open</td>
<td>Jim Miringtoro</td>
<td>14%</td>
<td>Samuel Akoitai</td>
<td>Samuel Akoitai</td>
<td>23%</td>
</tr>
</tbody>
</table>

Source: Table developed from Form 66B from relevant electorates and declared results available on the PNGEC Website.

Note: *Now facing a by-election.

By analysing preference flows, it is possible to see how different candidates won their seats. Some MPs continued to improve their position on preferences. These include the members for Tari-Pori (James Marabe), and Milne Bay (John Luke). Their respective votes, and the votes of their closest rivals, are shown in Table 6. Both MPs received the most preference votes (see column 3) and the most primary votes (see column 2). By contrast, there were other candidates who had a very strong primary vote, but did not perform as strongly on preferences. They included Sir Michael Somare and Dame Carol Kidu.

Table 6: The Role of Preferences

<table>
<thead>
<tr>
<th>Placing</th>
<th>Candidate</th>
<th>Electorate</th>
<th>Primary Vote</th>
<th>Preferences Received</th>
<th>Final Votes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Winners in primary vote who improved their position on preferences</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Winner</td>
<td>James Marabe</td>
<td>Tari-Pori</td>
<td>6 248</td>
<td>6 827</td>
<td>13 075</td>
</tr>
<tr>
<td>Runner up</td>
<td>Tom Tomiabe</td>
<td></td>
<td>5 495</td>
<td>3 691</td>
<td>9 186</td>
</tr>
<tr>
<td>Winner</td>
<td>John Luke</td>
<td>Milne Bay</td>
<td>22 156</td>
<td>16 778</td>
<td>38 934</td>
</tr>
<tr>
<td>Runner up</td>
<td>Titus Philemon</td>
<td></td>
<td>15 951</td>
<td>12 659</td>
<td>28 610</td>
</tr>
<tr>
<td>Winners of the primary vote who saw preferences flow against them</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Winner</td>
<td>Sir Michael Somare</td>
<td>East Sepik</td>
<td>60 653</td>
<td>14 640</td>
<td>75 293</td>
</tr>
<tr>
<td>Runner up</td>
<td>Moses Murray</td>
<td></td>
<td>27 743</td>
<td>39 694</td>
<td>67 437</td>
</tr>
<tr>
<td>Winner</td>
<td>Dame Carol Kidu</td>
<td>Moresby Sth</td>
<td>9 475</td>
<td>2 459</td>
<td>10 815</td>
</tr>
<tr>
<td>Runner up</td>
<td>Justin Tkatchenko</td>
<td></td>
<td>7 598</td>
<td>3 217</td>
<td>11 933</td>
</tr>
</tbody>
</table>

Source: Table developed from Form 66B from the relevant electorates.
Not much is known about certain electorates, because of the lack of availability of the full results for many electorates. The unavailability of data reduces confidence in the integrity of the elections and the process itself. The PNGEC had a good system for publishing results, as they became available, on its website. However, the rapid communication of these final results to Port Moresby was not effected in many instances.

In summary, LPV needs to be better understood by voters. Its advantage — the ability to make three choices, which can often be based on competing allegiances — can only be achieved with a genuine secret ballot and more manageable contests with fewer candidates. However, in the long term, electoral engineering instruments such as voting systems are not likely to create better leaders, or change the reasoning behind voters’ choices, on their own. This is done by methods of genuinely engaging citizens in elections and increasing the avenues for their participation in political life more generally.
SECTION 4: WOMEN’S REPRESENTATION AND PARTICIPATION

Two major policy discussions are relevant to this section of the report. The first focuses on the representation of women in terms of seats in parliament. The report argues that significant structural reform is required to increase women’s representation in Parliament, because the current structure of the PNG political system, even with LPV, makes it very difficult for women to win seats. The current advocates for reform in the women’s movement and elsewhere need support to achieve this type of reform. The second policy discussion focuses on the participation of women in the PNG elections as voters, supporters and as candidates. The two issues are interlinked, but in many ways need to be treated as distinct policy problems.

By separating these issues, it is possible to see that LPV may contribute to a better enabling environment for women’s participation, which would be further strengthened by enforced gender segregated voting and a guaranteed secret ballot. However, as a system, LPV is not a solution to improving women’s representation.

Women’s Representation in Parliament

One woman, the incumbent Dame Carol Kidu, was successful in gaining a seat in parliament in the 2007 Elections and polled an impressive 35.5 percent of first preferences in the South Moresby Open seat. However, incumbency and a very credible parliamentary record did not avert a strong showing by the second placed candidate, particularly after the redistribution of preferences. The second placed candidate, Justin Tkatchenko, gained 28.5 percent of the primary vote, reduced Dame Kidu’s lead on redistribution of preferences, and ultimately gained 48 percent of allowable ballots at the declaration (Post-Courier, 24 July 2007). This result suggests that high-profile female candidates, like their male counterparts, can be vulnerable under LPV, to strategic candidates who campaign successfully for second and third preferences.

A number of other female candidates were strong contenders in their respective electorates, with many gaining more than 10 percent of votes after redistribution of preferences. The candidates include Julie Soso Akeke (Eastern Highlands Provincial), Mary Kamang (Madang Provincial), Josephine Morova (Kerema Open), Maureen Ambo (Ijivitari Open), Donna Hall (Bulolo Open), Janet Sape (NCD Provincial), Margaret Bacca (Esa’ ala Open), Elizabeth Bade (East Sepik Provincial), and Mary Karo (Moresby South) (Haley and Anere 2008:50).

Elizabeth Bade, in particular, was quite successful in attracting preferences in the East Sepik Provincial Electorate, where she campaigned in opposition to the sitting member and Prime Minister, Sir Michael Somare. Before her exclusion, Bade had received 2704 redistributed votes to Somare’s 2104.

In this instance, LPV was certainly a means whereby female candidates may receive preferences from those people who gave their primary vote to others. However, it is usually a low primary vote that sees women excluded from the count well before they can amass enough preferences to remain in the race. LPV will improve women’s chances, but a strong primary vote is still essential for electoral success.
The high stakes in PNG elections may mean that although women could poll strongly in future elections, they may still only gain narrow 2nd, 3rd, or 4th places. These are good results, but will not put more women in parliament. This is a challenge faced by minor parties in other countries where electoral systems are based on single member districts. Minor parties may poll 10 percent of the popular vote across a whole country, and yet not win a single seat in parliament.

The future options for increasing women’s representation must become national issues for discussion. The current moves under s.102 of the Constitution to include three nominated women in parliament is an important start, but it is not the ultimate solution to increasing women’s representation. It is urgent that PNG properly considers the best information on the policies and practices applied elsewhere for the increasing the representation of women in parliament, and increasing the status of women in political life more generally.

Unfortunately, there is a narrow range of available electoral options to increase women’s representation under a preferential, single-member-district voting system. As it has been argued, ‘[t]he electoral systems that make the implementation of quotas more difficult are those that use small electoral districts with candidate-centred voting and decentralised nomination procedures’ (Larserud and Taphorn 2007). The PNG voting system has all three of these aspects.

One solution could be a tier of reserved seats for women, in addition to, or instead of, men — the latter being politically very difficult to attain as noted by Okole et al. (2003:68). However, in the longer term, some consideration could also be given to a more significant restructure that might consider multi-member districts with gender quotas. This could be linked to a review of electoral boundaries, which is an urgent but politically sensitive task, due to a major pragmatic issue. MPs are unlikely to agree to the abolition of their own seats, through a redrawing of electoral boundaries, in the interests of the ‘greater good’. Hence, the failure of many boundaries commission proposals in the past (Reilly 2002:21). A starting point is a systematic study of the issues, which could lead to the development of a long-term strategy to increase women’s representation in parliament.

Women’s Participation as Candidates and Voters

Improving women’s participation in elections tends to involve a more diverse array of strategies and policy options. This can range from legislative measures under the integrity law to create incentives for political parties to endorse women, to a broader focus on training and empowering women to run for office or participate in elections as officials and/or observers. These strategies have the capacity to increase women’s representation in the longer term, while in the shorter term they contribute to opening the sphere of participation in what is generally acknowledged to be a male domain. Although the evaluation of these strategies is beyond the scope of this report, this section notes some of the phenomena emerging from the recent elections.

Women’s participation is certainly improving, aided no doubt by a growing focus on voter awareness, which is led in many cases by women’s groups such as Meri I Kirap
Sapotim and Kup Women for Peace. Although more women are standing for elections, it is important to remember that these improvements are from a low baseline.

One major step to strengthening the participation of women is the guarantee of a secret ballot and gender-segregated polling across the country. Many women stated that they were encouraged by the prospect of gender-segregated polling, however, the enforcement across the country was inconsistent \(\text{(ibid.):34}\).

Where gender-segregated polling occurred, for example, in Ijivitari, Mount Hagen, and Chuaue, women were observed to vote freely, and gender-segregated polling was well received. However, it was a mixed success in other parts of the country. Gender-segregated polling allows women a greater degree of freedom in their electoral choices as well as improves their safety at the polling-booth. The big challenge will be to ensure that it is applied across the entire country.

The Domestic Observer Report noted that, particularly in the Highlands provinces, women appeared to have more freedom to come out and vote because of the increased security presence, and that the mood and sentiment of women was optimistic (Haley and Anere 2008:52). Observers also recorded that women were reasonably well represented in polling and counting teams, and by many anecdotal accounts, much better represented than in previous elections. In Simbu Province, a woman was appointed assistant returning officer (ARO) for the first time ever, and head counts in the counting rooms in Karamui-Nomane, Kundiawa-Gembol and Simbu Provinces revealed that women made up between 25 percent and 50 percent of staff \(\text{(ibid.):51}\).

The employment of greater numbers of female electoral officials will only improve this situation, and should be a part of the human resource strategies for the training and recruiting of electoral officials.

**Women and Political Parties**

Another question asked of the 2007 Elections is whether women benefited from any increased political party support, derived from s.83 of the OLIPPAC. The OLIPPAC offers a financial incentive of a refund of 75 percent of party expenses if a female candidate gains more than 10 percent of the vote.

According to the candidate lists that were received from the parliamentary library, of the 101 women who stood for election, 42 were endorsed by political parties and 59 stood as independents. For two political parties, women accounted for 15 percent of their total candidates. They were the People’s Action Party \(6/40\) and Melanesian Alliance Party \(4/26\) \(\text{(see Section 5, Table 7)}\). Both of these parties had influential women within their party structures — Janet Sape and Carol Kidu, respectively (Sepoe 2009). It is also clear that the major parties, such as National Alliance and Pangu, are not willing to endorse female candidates, particularly where there is a reasonable chance of winning a seat with a male candidate who is perceived to be more popular. The greater incentive is the perceived likelihood of a candidate’s success, deriving from popularity and traditional leadership archetypes, rather than any financial incentives, which may be offered under the OLIPPAC \(\text{(ibid.)}\).
Roles of Women in Elections

Another issue that was considered by Sepoe (*ibid.*) and Haley and Anere (2008:51) is that women played supporting roles in campaigns by preparing and distributing food and providing hospitality. Sepoe (2009), in particular, is concerned that this reinforces an ongoing supportive — rather than a proactive — role on the part of women.

Another interesting observation of the recent Komo-Margarima by-elections was that many women have as much of a win-at-all-costs mentality in support of clan leaders as their male counterparts (Komo-Margarima Domestic Observation Team 2008).

In Madang, a very popular female candidate withdrew from the race, as part of a broader strategy to reduce the number of local candidates running, in order to consolidate a bloc of votes (Matbob 2009). This is an interesting example of the complex political allegiances that many women have. As Sepoe (2009) notes, women in PNG are ‘divided by religion, culture, age, education, socioeconomic class, and rural-urban divide. This could possibly explain why women voters are not voting for women candidates, or even contesting against each other’.

An emerging trend, that has possibly been encouraged by the increased focus on awareness campaigns — which are very often through women’s groups — is the development of a ‘watchdog’ type role for women at election time. Organisations that conduct awareness are emerging as trusted sources of information, as well as informal watchdogs of electoral disruption, as was the case with the Kup Women for Peace (Hinton et al. 2009). As women’s engagement in governance and awareness activities increase, it may be that this ‘watchdog’ role contributes to increasing women’s participation in the political process.

Women’s participation as candidates will be improved by ensuring that they have greater confidence to stand in elections, and are better equipped to campaign as part of broader strategies to empower women. However, other considerations could be made to level the playing field in terms of what is permitted during the campaign period. The Ladley *et al.* Report (2004) is an advocate of pursuing mechanisms for restricting campaign expenditure. This would require a huge amount of political will to enforce.

A truly democratic political system should be inclusive of diverse styles of leadership and forms of decision making. The system should have mechanisms to ensure that these different leadership styles have political representation.
SECTION 5: POLITICAL PARTIES, INDEPENDENT CANDIDATES, AND THE OLIPPAC

The Organic Law on the Integrity of Political Parties and Candidates (OLIPPAC) needs to be reviewed. Although it has ensured a degree of political stability during the five-year parliamentary term, it is not achieving its main goal — improving the integrity of those candidates standing for elections, either as independent candidates or as candidates endorsed by political parties.

One-person parties, dummy candidates, vote-splitters, and large numbers of independent candidates (who are often covertly associated with parties) still proliferate. The horse-trading still continues during the formation of government, with candidates leveraging their support against promises of perks and privileges. Candidates are running for election, and in some cases winning, despite histories of criminality and corruption.

The 2007 Elections were the second to be conducted since the passage of the OLIPPAC in 2001. It is now timely to conduct this kind of review.

One important aim should be to recalibrate the incentive structures within the law to move further towards stabilising the party system. More needs to be done to make the development of larger parties a more attractive option and to limit the ‘free agents’ — particularly independents — who currently have a legal window to leverage themselves the best deal during the formation of government.

Another aim should be to ensure effective enforcement of those areas of the law regarding the responsibilities of political parties. This also has implications for improving the resources available to the Registrar and the Integrity of Political Parties and Candidates Commission.

The review of the OLIPPAC legislation could provide an opportunity to consider the question of improving women’s representation. Women did not figure prominently in party endorsements in 2007, despite the financial incentives that were offered under the OLIPPAC. The OLIPPAC can be a better vehicle for improving women’s representation in conjunction with its broader goals of strengthening political parties.

Independent Candidates

In 2007, some 1 478 out of 2 759 candidates stood as independents. Twenty went on to win seats in parliament, and 17 chose to join political parties in the lead-up to the election of the Prime Minister and Speaker. Thirteen of those joined the National Alliance Party. This is permissible under s.69 of the OLIPPAC, which gives the freedom to independent candidates to join political parties in the period before the election of the Speaker.

The tendency of successful independent candidates to join political parties immediately after the elections is a serious phenomena. It reveals major integrity issues, not only with independent candidates, but also political parties. The parties can use independent candidates as the means of increasing their numbers in parliament through...
the ‘back-door’. The choice which is granted to independents to join political parties undermines the specific measures to regulate political parties under the OLIPPAC.

Evidence is emerging that political parties are either covertly supporting or creating unofficial arrangements with certain independent candidates, even in contests against their own party-endorsed candidates, in order to increase their odds of winning a seat. This directly undermines s.54 of the OLIPPAC, which prohibits political parties from making double endorsements. In these instances it is virtually impossible to monitor the covert endorsement of independents. Unless actual evidence of law-breaking can be produced, there is nothing to stop an independent candidate, once elected, from joining the party of his or her choice.

As for independent candidates themselves, this can also be seen as a calculated deception of the voting public. Independents can leave their political affiliation open until they are elected, and can leverage the best outcome for themselves during the formation of government. An important part of that motive is to secure perks and privileges, including ministerial portfolios.

There are good reasons why some people choose to run as independent candidates in any political system. This can be because they believe certain issues are not being addressed by the political parties, or because they are excluded from the party system, which, in PNG, is very male dominated. Independent candidacy needs to be an option in PNG’s democracy. However, it needs to be regulated in order to close the current loophole in the law that undermines other aspects of the OLIPPAC legislation. A review would need to consider the kinds of limitations that should apply to independent candidates, after they are elected to parliament.

**Formation of Government**

It is apparent that s.63 of the OLIPPAC concerning the formation of government is not an effective tool to address the post-election horse-trading which has been typical of past elections. Parties that were opposed to Michael Somare’s National Alliance set up a rival camp in Kokopo in 2007 to attempt to get enough MPs to join with them. This group included Sir Julius Chan and the Peoples Progress Party (PPP), Sir Mekere Morauta and the PNG Party, and Bart Philemon’s newly formed New Generation Party (NGP), among others. This group appealed instead to s.69 of the Constitution, which allows an Opposition to organise and promote an alternative government should their opponents be incapable of securing the numbers required, to justify the validity of their actions. Although s.63 of the OLIPPAC may have further clarified the law in relation to the formation of government, the horse-trading to form a majority looks set to continue.

**Strengthening of Political Parties**

Gelu (2009) notes that through policy support from the National Research Institute (NRI), there was an increased focus on policy platforms by some parties at the national level. The Pangu Pati, New Generation Party, Melanesian Liberal Party, National Party, PNG Country Party, People’s Freedom Party, PNG Party, and People’s National Congress, all participated in a seminar initiative organised by the NRI to present their
Priorities for a Free and Fair Election

policy platforms (*ibid.*:2009). The development of party policies could be seen as an impact of the OLIPPAC in terms of recognising parties as national political institutions which are stakeholders in promoting good governance, development, and political stability.

However, the lack of influence of political parties at the local level does not appear to be changing. Although the National Alliance has been able to successfully campaign on the basis of its record as a party, how much stems from the national recognition of the Prime Minister, Sir Michael Somare, remains to be seen. The declining fortunes of parties such as Pangu, and the inability of strong opposition parties to emerge suggest that populism combined with local electoral issues, as opposed to policy platforms of parties, still appeal to most voters.

Table 7 shows the numbers of candidates endorsed by the various political parties. Most of the established parties endorsed large numbers of candidates (30 or more), with a view to securing enough seats to gain the leverage necessary to bargain with the party invited to form government. Only one political party, the National Alliance (NA), has a strong national presence with 27 of the 109 parliamentary seats. Since 2002, NA has emerged as the only dominant party and has climbed from 8 to 18 to 27 seats over the past three elections, particularly as the fortunes of the Pangu Pati, PNG’s first political party have declined. Pangu won 21 seats in 1992 compared to five in 2007. The other parties won fewer than 10 seats each. In PNG, it is candidates who win seats for parties, not parties that win seats for candidates (*King* 1989).

Despite the institutional obligations placed on parties by the OLIPPAC, the law does not effectively create a link between voters and political parties, especially at the grassroots level. The link between political parties and female candidates is also very weak, as suggested in Table 7 (see column 4). The OLIPPAC recognises parties as stakeholders in promoting values of good governance, but it is not fostering linkages between the parties, voters, and women.

In 2007, eight leaders of political parties lost their seats, including Sir Rabbie Namaliu, Paias Wingti, Hami Yawari, Michael Mas Kal, Moi Avei, Peter Yama, Bire Kimisopa, and Sam Akoitai (*Gelu* 2009). The suggestion that is made in s.3 of this report is also pertinent here — that some high profile candidates may be vulnerable, particularly where rivals can successfully deny them preferences.

Thirty-four political parties contested the 2007 Elections, down from 43 in 2002. This may be an indication that there are fewer incentives to form new parties. However, there are other indications that the law is not preventing new political parties from springing up with the sole interest of contesting the elections. *Gelu* (*ibid.*.) notes a number of cases where new, small parties were formed to contest the 2007 Elections. Dr Allan Marat was expelled from the PPP, despite being the former leader. He formed the Melanesian Liberal Party and was re-elected. The Rural Development Party of Moses Maladina (who was expelled from the People’s Action Party), and the PNG Conservative Party of Hami Yawari were also cited as examples (*ibid.*).
Table 7: Performance of Political Parties

<table>
<thead>
<tr>
<th>Party*</th>
<th>Leader</th>
<th>Total Candidates Endorsed</th>
<th>Female Candidates</th>
<th>Seats Won</th>
<th>Independents Joining Parties</th>
</tr>
</thead>
<tbody>
<tr>
<td>National Alliance</td>
<td>Michael Somare</td>
<td>91</td>
<td>2</td>
<td>27</td>
<td>13</td>
</tr>
<tr>
<td>Independents</td>
<td></td>
<td>1478</td>
<td>59</td>
<td>20</td>
<td>**3</td>
</tr>
<tr>
<td>PNG Party</td>
<td>Mekere Morauta</td>
<td>66</td>
<td>1</td>
<td>8</td>
<td></td>
</tr>
<tr>
<td>People’s Action Party</td>
<td>Gabriel Kapris</td>
<td>40</td>
<td>6</td>
<td>6</td>
<td></td>
</tr>
<tr>
<td>Pangu Pati</td>
<td>Rabbie Namaliu</td>
<td>83</td>
<td>2</td>
<td>5</td>
<td></td>
</tr>
<tr>
<td>People’s Democratic Movement</td>
<td>Paias Wingti</td>
<td>55</td>
<td>1</td>
<td>5</td>
<td></td>
</tr>
<tr>
<td>United Resources Party</td>
<td>Sam Akoitai</td>
<td>26</td>
<td>0</td>
<td>5</td>
<td>1</td>
</tr>
<tr>
<td>People’s Progress Party</td>
<td>Byron Chan</td>
<td>74</td>
<td>2</td>
<td>4</td>
<td>1</td>
</tr>
<tr>
<td>Rural Development Party</td>
<td>Moses Maladina</td>
<td>62</td>
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<td>51</td>
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<td>49</td>
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<td>33</td>
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Source: *The National, 7 August 7 2007; Office of Registrar of Political Parties, 29 October 2008; Candidates list from the National Parliamentary Library; Gelu (2009).

Notes: *Other smaller parties not listed include: People’s Freedom Party, PNG First Party, PNG Green Party, Yumi Reform Party, People’s Heritage Party, National Front Party, True Party, Pan Melanesian Congress, Star Alliance and Christian Democratic Party, and People’s Resources Awareness Party. These parties endorsed candidates but did not win any seats.
**One of these three independents was James Yali, whose election victory was annulled. A new Member, Kiap Niuro Toko Sapia, was elected in a by-election in December 2007 and soon after, pledged his support to the NA.
One-man political parties remain a source of instability and weaken the development of strong party structures, particularly where schisms emerge between party members. Politicians still seem to be moving freely between old and new parties, depending on their shifting allegiances. This may improve their personal political position, but it is to the detriment of the future of the parties themselves.

Alliance Building as a Campaign Strategy

One feature of the 2007 Elections was the formation of alliances between some political parties in the period between March and June 2007. The idea behind this campaign strategy involved maximising the numerical strengths of like-minded parties. A major alliance was formed between the New Generation Party and the PNG Party. The respective leaders, Bart Philemon and Sir Mekere Morauta, publicly announced their alliance at the start of the campaign period. Not to be outdone, the National Alliance and its coalition partners announced their commitment to each other as the campaigning began.

The strategy of alliances required arrangements where certain parties would not endorse opposing candidates in the electorates where their alliance partners had endorsed candidates. For example, National Alliance’s partners decided not to put candidates to contest the East Sepik Provincial seat, where the incumbent MP was Sir Michael Somare. Some arrangements can be viewed with suspicion, because in some electorates, certain parties gave an undertaking not to endorse candidates but were reported in the press to have supported independent candidates (Gelu 2009).

For example, in the Kokopo Electorate, a number of parties that decided not to put candidates against Sir Rabbie Namaliu, were said to be supporting certain independents. In this instance, it was claimed that the eventual winner was supported by the National Alliance Party (The National, 19 April 2007). Elsewhere around the country, the practice of these covert arrangements was evident. This practice breaches s.54 of the OLIPPAC, which states that parties should not endorse more than one candidate in an electorate.

Finally, in the 2007 Elections there was a 61 percent turnover rate of sitting MPs with 67 candidates either entering parliament for the first time, or winning back seats that were lost in previous elections. This is an increase from the very low numbers of incumbents winning their seats in 2002.

Table 8: Retention and Turnover Rates of MPs in PNG Elections

<table>
<thead>
<tr>
<th>Year</th>
<th>No. of Sitting MPs Returned</th>
<th>Retention (%)</th>
<th>No. of New MPs</th>
<th>Turnover %</th>
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<td>42</td>
<td>63</td>
<td>58</td>
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<td>1997</td>
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<tr>
<td>2002</td>
<td>24</td>
<td>22</td>
<td>85</td>
<td>78</td>
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<tr>
<td>2007</td>
<td>42</td>
<td>39</td>
<td>67</td>
<td>61</td>
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Source: Anere, R. February 2009.
There remains a weak link between political parties and voters. Therefore, it is imperative that a review of the OLIPPAC is undertaken to establish those areas of the law that have been lacking in enforcement, and those that have not produced outcomes of greater integrity.
SECTION 6: CITIZENS AND ELECTIONS

This section is intended to stimulate discussion and further research to inform future civic engagement strategies in Papua New Guinea, particularly in relation to voter awareness and domestic observation. Voter awareness and domestic observation are ways that civil society — and in particular women — can be active participants in free and fair elections.

Distinguishing the different aspects of voter awareness — from the dissemination of the basic information needs of voters (particularly on LPV) to awareness on broader themes of honest leadership and democratic institutions — will be an important development for the future. Both aspects are necessary, but experience shows that they require different approaches and timing. Likewise, domestic observation is a very positive new dynamic that can improve the integrity of elections, while at the same time it can engage and empower citizens. However, its ultimate objectives and intended outcomes could be better understood.

Voter awareness and civic education emerged as very important in the 2007 Elections, which were motivated in part, by the need to disseminate information about the change to LPV. This was a major challenge in a country with high levels of illiteracy, geographic isolation, limited mass media access and enormous linguistic diversity. Successful voter awareness can be seen as a contributing factor to the success of the introduction of LPV, which is a comparatively complex voting system.

Voter awareness also addresses a much wider mandate concerning the distance between voters’ attitudes and beliefs, and democratic institutions and norms. Policy solutions to this gap have focused significantly on electoral engineering as a means of changing voters’ behaviour. However, there are major limitations as to what institutional reforms can deliver. It is often the case that they simply overlay, rather than change existing attitudes, resulting in the institutions themselves becoming distorted. Citizen engagement becomes more and more central to bridging the gap between democratic institutions and the people. It is very important that this becomes a two-way conversation where culture also informs institutions.

Awareness in the 2007 Elections took several forms and was undertaken by a wide range of stakeholders, from the mass media campaigns that were coordinated by the PNGEC, to the activities of national NGOs such as Transparency International and Caritas, and many local groups such as the Kup Women for Peace. The civil society awareness was significantly supported by the Australian Government’s Electoral Support Program, Phase 2 (ESP2).

Voter awareness in the 2007 Elections had a number of innovative elements. The involvement of civil society groups to deliver awareness-raising saw activities in rural areas reach voters who are beyond the contact of the mass media. This involved drama activities such as mock elections and house-to-house visits with voters.

The Domestic Observers Report presented the results of the survey of voters about their exposure to voter awareness, across 18 electorates. The survey revealed the
effectiveness of the face-to-face involvement of civil society in rural areas, with voters responding that it was more comprehensive, reached a greater number of voters, and used more accessible methods such as mock elections for illiterate voters. Only in the NCD did the face-to-face methods seem to be less effective (Haley and Anere 2008:28).

By contrast, the awareness that was conducted by election managers and supported by the PNGEC was described as limited, with officials and trainers ill-prepared, and sometimes reluctant, to answer questions. In many electorates this kind of awareness was limited to the display of posters and distribution of leaflets (ibid.).

However, in other cases the mass communications, which were funded by the PNGEC, were described as very effective — particularly the use of radio. In Goroka, information about the elections occupied prime time slots on popular radio on a daily basis, in the lead-up to polling day (Unage 2009).

In many cases, successful outcomes were influenced by the capacity of the groups themselves. Groups such as Meri I Kirap Sapotim, Transparency International, and Caritas had a pre-existing capacity to implement such ambitious programs. In some instances, the resources that these groups produced were relied upon in the absence of readily available material from the Electoral Commission (Ferguson 2009). However, in other cases there were reports where civil society groups failed to conduct the work they were trained for (Susub 2007), or where groups simply did not have the capacity to run awareness programs and required an enormous amount of training and support from donors (Ferguson 2009).

These examples suggest that different methods of voter awareness are applicable in different contexts, depending on the levels of literacy, mass media access, and civil society’s capacity in certain areas. This experience should be utilised in the design of future awareness programs, ensuring that the more interactive methods are targeted where mass media is limited.

Overall, one of the major successes of voter awareness was the way that LPV was communicated to voters as a central theme of the 2007 Elections. It gave the new voting system a level of prominence that certainly contributed to its successful implementation. This strategy should be applied in the future to other themes that are important to future PNG elections.

In the Elections in 2012, it is suggested that a single, safe, and secret ballot become the overarching theme of election communications and planning. This theme would need to be carried across all forms of voter awareness and be supported by civil society.

However, more also needs to be done to reinforce and improve the public’s understanding of the LPV voting system. If a genuine secret ballot is to be effectively enforced, then voters will be even more reliant on good information about how to vote successfully.

In relation to LPV, awareness should also address some of the common misunderstandings about the voting system, particularly the fear that voters may in some
way be jeopardising their candidates by giving preferences to rivals, and the lack of knowledge about how one’s vote is treated in the counting process.

Election managers, returning officers and presiding officers are crucial sources of information on polling day. The failure to provide effective information impairs the perceptions of the neutrality of these officials and leaves voters vulnerable to being manipulated. The combination of greater training of officials, ensuring that awareness resources used by election managers are mobilised early, is imperative.

However, increasing the different resources that are available to assist voters in a neutral way, especially in remote areas with low literacy, is also important. Enabling and utilising the use of mock ballots or mobile phones at the ballot-box could all be considerations. Other resources to help strengthen the capacity of the representatives of the PNGEC (most of whom are temporary employees) to assist voters are also necessary. Safe information areas that are near polling booths, where voters can gather the information they need before proceeding to the polling centre, could also be an option.

In addition, a better understanding of LPV at a national level will be generated by the publicity and analysis of electoral results and data. This puts the onus on the Electoral Commission, the media and institutions such as NRI and others to disseminate this analysis as to how the LPV system affects the outcomes of elections. Over time, this is helpful for voters to make their decisions, as well as being helpful for candidates to better plan and conduct their campaigns in the context of the preferential system.

Targeting the Values of Voters

Voter awareness is not just about providing information. It has to be ‘interconnected with wider goals of building respect for ‘fair play’ in all parts of the ‘legitimacy cycle’; that is, anti-corruption, stability of government, and building appropriate and transparent relationships between MPs and constituents’ (Ladley et al. 2004:5). Transparency International (PNG) makes the specific point in its evaluation of voter awareness that, while voters tended to be more concerned with how to vote, even the most basic concepts of democracy such as the role of MPs or the consequences of committing electoral offences, are not well understood (TIPNG 2007b:5).

However, the timeliness of activities that address broader value-based questions is quite different. As TIPNG has reported, in the period in the lead-up to elections, voters are more interested in just getting the information they need to vote, and therefore broader themes need to be a focus much further out from elections (ibid.).

It is also important to look at how other countries have achieved widespread communication of value-based issues. Other countries have had particular success, such as with serialised radio and TV dramas (Population Media Centre 2008), which may be applicable where there is media coverage.

International donors are interested to see ongoing attention given to civic engagement over the course of the political cycle, not just in the year preceding elections. In this context, greater clarity concerning the framework of civil society involvement in voter
Citizens and Elections

Awareness is necessary. This needs to focus on where civil society can be an invaluable arm to disseminate election-specific messages and can work in coordination with the Electoral Commission to ensure that awareness is delivered effectively.

However, NGOs can work as part of government or donor programs, or desire to operate independently. Therefore a longer-term goal should be looking at how these different avenues for NGO activities are supported. There is a role for a range of donors including AusAID and UNDP to support this long-term goal.

While a great deal of emphasis is placed on creating a demand for free and fair elections among citizens, less emphasis is placed on a two-way conversation with voters on what they consider to be the place of custom, tradition, and local practices in elections.

Elections in PNG, as with anywhere in the world, do not have to lose their unique flavour. An interesting and useful project could focus on what citizens believe is important and appropriate behaviour at election time. This could lead to the development of mechanisms that give expression to the cultural elements which make electoral contests so significant to the people of PNG, while at the same time, clarifying what is lawful and what is unlawful behaviour. One very important question would be, ‘do the institutions themselves need to change to better respond to cultural practices?’

Improving Domestic Observation

Formal domestic observation was conducted for the first time in the 2007 Elections. Observers added another very important level of civic engagement in the elections. As watchdogs, they are crucial for applying upward pressure on institutions to improve the integrity of elections and ensure accountability in the electoral process. They also provided a non-threatening complement to formal security forces on election day. It has been argued that, ‘[e]lection observation is one of the most transparent and methodical ways to promote and encourage democracy and human rights’ (OSCE: 2005:5). Observers are particularly important in countries where there is reduced trust in the electoral process.

Scaling up the domestic observer presence for the next general elections should be an important goal. In doing so, the domestic observation framework would need to be extended so that a diverse range of civil society can participate effectively as ‘poll-watchers’. More needs to be learned about successful observer missions elsewhere. Other democracies, such as Kenya, have had observer mobilisations of up to 17 000 poll-watchers (EU Election Observer Mission 2008:30) — a scale far exceeding PNG — which could still be a long-term target. An expanded framework could consider the secondment of teachers or other professionals around polling day, even with the support of small stipends, in addition to academics, university students, churches and civil society networks, so that there is as wide as possible coverage of polling centres.

One of the challenges acknowledged in the Haley and Anere Domestic Observation Report (2008:15) and by Transparency International (2007a) is the capacity of domestic observers who do not have a background in research to effectively collect data.
Domestic observers are involved in gathering data on the various aspects of elections. However, in almost all large-scale domestic observer missions in other countries, observers are not professional researchers. A larger domestic observation component would need to simplify data collection responsibilities so that observers can operate more effectively as monitors, and ensure that the data they collect are viable for analysis.

The research component still remains important and a greater understanding of appropriate methodologies is required that manages this combination of professional researchers and other observers. Research bodies such as the National Research Institute, in collaboration with national and overseas universities can play a leading role in the coordination of observation-based research, particularly in evaluating how to improve observation in the future. However, as with civil society voter awareness, the scaling up of domestic observation requires coordination across a diverse range of participants.
SECTION 7: CONCLUDING REMARKS

Elections are extraordinarily complex undertakings. They mark an intense level of interaction between the State and local political cultures (Anere 2000). A unifying message for a single, safe, and secret ballot is vital to build a national sense of shared responsibility to preserve the integrity of the 2012 Elections.

The principle of one person, one vote is fundamental to the success of this strategy. Nothing short of a new voter registration system is required. This, combined with formalising greater checks and balances in the counting process, including electronic counting and developing a nationally consistent security framework, will be a major step towards the achievement of free and fair elections in PNG.

Finally, improving PNG’s electoral system still requires careful and detailed policy analysis. The areas that this report identifies includes a review of the OLIPPAC, making LPV more effective by reducing the number of candidates, increasing women’s representation in parliament, improving elections management, and increasing the involvement of civil society and domestic observations in elections.

The National Research Institute aims to make these issues priorities within its ongoing Election Studies Program.
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Priorities for a Free and Fair Election


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APPENDIX A: 2007 GENERAL ELECTION RESULTS

The following keys were used to indicate the source of the results:

(1) Data taken from copies of Forms 66A and 66B obtained by NRI.
(2) Data taken from the tables of results for the four regions supplied by the Electoral Commission, with additional calculations made where appropriate or where inaccuracies were detected by NRI.
(3) Data taken from declared results published on the Electoral Commission Website
(4) Other: Kerema Open: Figures from Sepoe (2009), Kompium-Ambum Open: Figures collected by domestic observers.

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<th>Electorate</th>
<th>Winner</th>
<th>Total Allowable Ballot Papers</th>
<th>Winner’s % of the Primary Vote</th>
<th>No. of Candidates</th>
<th>% of Exhausted Ballots</th>
<th>Mandate of MP at Declaration*</th>
<th>LPV Majority</th>
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## Priorities for a Free and Fair Election

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## Appendix A: 2007 General Election Results

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<th>Winner’s % of the Primary Vote</th>
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<th>LPV Majority</th>
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*Declarations are for the purposes of this table, the percentage of the vote is calculated based on the total number of votes cast rather than the number of registered voters.
## Priorities for a Free and Fair Election

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<th>Winner</th>
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<th>Winner’s % of the Primary Vote</th>
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<th>% of Exhausted Ballots</th>
<th>Mandate of MP at Declaration*</th>
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### Highlands Region

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<td>Kerowagi Open (1)</td>
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</tbody>
</table>

**General Notes:** *The data in the column labelled ‘Mandate of MP at declaration’ is reached by calculating the total votes for an MP as a proportion of the total allowable ballots. The LPV Majority is instead calculated the total votes for an MP as a proportion of the live ballots remaining. **n/a: signifies that accurate data was not available.*
Electorate-specific Notes:

1. Electorate was subject to recount at time of writing.
2. It appears from these results that both Malcolm Kela Smith and Powes Parkop had their victories declared before obtaining a majority of live votes.
3. These results are from the initial count. A subsequent recount took place as a result of a court order.
4. Sir Arnold Amet’s victory was annulled after the petitioner, Peter Yama alleged illegal practices. Amet was however later reinstated after a judicial review.
5. Election annulled and seat later won at by-election by Kiap Niuro Toko Sapia
6. Peter Waranaka’s victory was annulled after he was found guilty of one instance of bribery. Waranaka was however later re-instated after Waranaka sought a judicial review.
7. Election annulled and by-election to be called
9. Currently before the courts, where the petitioner Alfred Manase has alleged there was illegal conduct
10. See Note 2.