



International Foundation
for Electoral Systems

**Election FAQs: Autonomous Region
of Bougainville, Papua New Guinea**
2021 Community Government Elections
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Asia-Pacific

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When is Election Day?

Community government elections are scheduled for Nov. 22, 2021, across the Autonomous Region of Bougainville. This follows a deferral from Oct. 18 due to delays in electoral materials delivery.

Why are these elections important?

These will be the second community government (CG) election for Bougainville's 441 wards since the CG Act was passed in 2016. The establishment of CGs is the latest step in the evolution of local government following the Crisis, a 10-year period of violent instability from 1988 to 1998. The CGs replace the Council of Chiefs and Council of Elders systems in a progression from rule by traditional chiefs to democratically accountable local leaders.

The CG Act is progressive in terms of women's participation. Each ward has gender parity with voters electing one man and one woman to represent them. Each of Bougainville's 47 CGs consists of several wards, whose elected ward members then select a chair and deputy chair by secret ballot. In the 2017-2018 CG elections, 45 of the 47 CG chairs were male. In accordance with the CG Act, the sex of the chair must alternate with each election. Therefore, elected ward members following the second CG elections will select 45 female CG chairs. This level of women's representation in elected office is unprecedented in Papua New Guinea and the Pacific Islands region.

The Office of the Bougainville Electoral Commissioner (OBEC) has made efforts to increase election participation among women and persons with disabilities. A radio drama, *Mi Tu Nap Sanap* (I Can Contest) encourages women to run in the upcoming CG elections. OBEC voter awareness posters feature a diverse group of women, including young women and women with disabilities, encouraging them to run as candidates. The OBEC has also conducted outreach to recruit more women, youth and persons with disabilities to serve as temporary election workers.

The OBEC will implement single-day polling for the first time across wards instead of multi-day polling period. This is a significant operational milestone for OBEC, although a few remote areas such as the Atolls will still have multi-day polling.

What is the government and electoral system?

The Autonomous Region of Bougainville is a representative democracy with a 40-member House of Representatives made up of 33 open constituencies. The House of Representatives has a president and reserves three regional seats for women and three for former combatants.¹ Within the constituencies are 47 community governments (CGs), each with one to 15 wards. Voters in each ward elect two representatives (one man and one woman), and CG chairs and deputy chairs are selected through the pool of ward representatives.

¹ Article 55 of the Constitution of the Autonomous Region of Bougainville.

Ward representatives are elected through a first past the post system. Each voter fills out two ballots: one for the male representative and one for the female representative.

Since each ward elects both a male and a female representative, the CG elections will consist of 882 individual elections. One implication of this complexity is that each polling team is issued generic ballot papers on which the deputy assistant returning officer or delegate must write the names of the candidates in that ward before polling starts.

Who is eligible to run as a candidate?

Candidates must be listed on the voter roll for the ward in which they wish to contest. They must have the support of at least two people on the same voter roll, and they must be acting of their own free will.

To be on the voter roll, a person must be:

- At least 18 years of age;
- A Bougainvillean, defined in the Constitution² as someone who is a member of a Bougainvillean clan by birth or adoption, married to a member of a Bougainvillean clan or a child of a member of a Bougainvillean clan;
- A citizen of Papua New Guinea;
- A person whose right to vote has not been removed by a court;³ and
- A resident in the ward for at least six months prior to Election Day.

Potential candidates have had an opportunity to update their registration through the voter roll update.

What is the process for nominating candidates and the campaign timeline?

On Sept. 23, Commissioner George Manu announced that the nomination period would run from Sept. 28 through Oct. 2. Aspiring candidates filled out a form they received from the Assistant Returning Officer (ARO) or delegate, including the name to appear on the ballot paper. They also attested their eligibility and had the form witnessed. At the close of nominations, the ARO or delegate conducted a drawing to determine the order of candidates on the ballot.

The campaign period extends from Oct. 3 to Nov. 21, the day before the election.

What is the level of women's representation?

Three provisions in the Community Government (CG) Act guarantee women's representation. Section 6(1)(b) requires that one of the two elected ward representatives be a woman.⁴ Section

² Article 7 of the Constitution of the Autonomous Region of Bougainville.

³ This restriction may impact persons with intellectual or psychosocial disabilities and is not compliant with the United Nations Convention on the Rights of Persons with Disabilities.

⁴ Section 6(1)(b) of the Community Government Act.

15(5) requires that those holding the CG chair and deputy chair positions be of different sexes. Section 15(6) requires that the sex of the person holding each of those positions must alternate from one election to the next.⁵

During the first CG elections, 67 wards were uncontested, with only one candidate. This problem was most pronounced in the races for women's seats in urban wards, where 43 percent of races were unopposed. For example, none of the races for female seats in any of Arawa's urban wards were competitive.

To address this issue, IFES, in partnership with the Office of the Bougainville Electoral Commissioner, has been raising awareness through conversations with stakeholders and the production of a radio drama, *Mi Tu Nap Sanap* (I Can Contest).

What is the election management body? What are its powers?

Article 106 of the Constitution of the Autonomous Region of Bougainville establishes the position of electoral commissioner, tasks the commissioner with conducting elections in accordance with the applicable electoral laws and establishes the commissioner's independence.⁶ The Office of the Bougainville Electoral Commissioner (OBEC) comprises the secretariat. Neither the commissioner nor OBEC has the power to issue regulations. This power is retained by the Bougainville Executive Council,⁷ which comprises the president and ministers. The budget for OBEC and funding for each electoral event is allocated by the Autonomous Bougainville Government.

How is the election management body protecting the elections and voters from COVID-19?

Following an outbreak of COVID-19 in the Autonomous Region of Bougainville and across Papua New Guinea earlier in 2021, the Office of the Bougainville Electoral Commissioner (OBEC) procured personal protective equipment for polling and counting staff with the assistance of Australia's Department of Foreign Affairs and Trade. Other measures that OBEC adopted to mitigate the spread of COVID-19 include social distancing, provision of hand sanitizer for voters and disinfection of pens used to mark ballots. Misinformation about COVID-19 and vaccine hesitancy are prevalent in the region, and the World Health Organization reports Bougainville's vaccination rate as the lowest in Papua New Guinea.

Who can vote in these elections?

To be eligible to vote in these elections, a person must be listed on the roll for the ward in which she or he wishes to vote.⁸ Voters' details are added to the voter roll as soon as their claim for enrollment form is received. The deadline to submit these forms is Nov. 22.

⁵ Section 15(6) of the Community Government Act.

⁶ Article 106 of the Constitution of the Autonomous Region of Bougainville.

⁷ Article 233 of the Bougainville Elections Act 2007.

⁸ Article 110 of the Constitution of the Autonomous Region of Bougainville.

To be listed on the roll, a person must be:

- At least 18 years of age;
- A Bougainvillean, defined in the Constitution⁹ as someone who is a member of a Bougainvillean clan by birth or adoption, married to a member of a Bougainvillean clan or a child of a member of a Bougainvillean clan;
- A citizen of Papua New Guinea;
- A person whose right to vote has not been removed by a court;¹⁰ and
- A resident in the ward for at least six months prior to the day of polling.

How are voters registered and how many registered voters are there?

The base roll for the community government (CG) elections is the 2020 Bougainville general elections voter roll, which lists 222,333 registered entries and is the most inclusive to date.

To update the rolls for the CG elections, the Office of the Bougainville Electoral Commissioner (OBEC) is trialing an innovative approach aimed at promoting sustainability and local-level ownership. Ward recorders work with the Department of Community Government to maintain records at the ward level; and their communities trust them more than outsiders. Ward recorders post copies of the voter rolls in a public place where voters can check their details. Members of the public can make claims for new enrollments, amend entries and lodge objections against the inclusion of ineligible voters. Ward recorders make manual changes to the roll based on these updates in time for the CG elections. Following polling, the rolls will be returned to OBEC so the changes can be included in a digital roll update before being printed and returned to ward recorders. Thus, the total number of voters on each ward's roll will not be known until the update concludes on Nov. 22.

Rolls were printed and distributed to wards on Aug. 24 and will remain largely in place until the day before the elections.

What provisions are in place that support the equal rights of women, persons with disabilities and other marginalized groups?

If a voter requires assistance to vote, the presiding officer of the polling station will permit a person chosen by the voter to assist them. The law provides for a penalty of 200 kina (approximately \$57 USD) or a three-month jail sentence if the assistant discloses how the voter voted or attempts to influence the voter in any way.¹¹

For the community government elections, in some wards the Office of the Bougainville Electoral Commissioner will pilot an express voting compartment/lane for persons with physical disabilities, older persons, pregnant or nursing women and persons with low vision. The express voting compartment/lane will be marked with the international disability symbol.

⁹ Article 7 of the Constitution of the Autonomous Region of Bougainville.

¹⁰ This restriction may impact persons with intellectual or psychosocial disabilities. It does not comply with the United Nations Convention on the Rights of Persons with Disabilities.

¹¹ Article 115 of the Constitution of the Autonomous Region of Bougainville.

Are there provisions for voters living in other parts of Papua New Guinea or abroad, or working away from their home area?

For the community government elections, voters are expected to vote in the ward in which they ordinarily reside. However, voters registered in wards in the Atolls district will be able to vote at a special polling venue in Buka town. This is due to the large Atolls diaspora residing in Buka and the difficulty and expense of travelling to and from the Atolls.

Who can observe during Election Day? How can they get accreditation?

There are no provisions in the Community Government Act or associated regulations regarding observers or candidate agents. In practice, candidates are present during polling and counting (along with members of the public) and thus have opportunity to raise issues with polling officials as they see them. The Office of the Bougainville Electoral Commissioner is prepared to issue accreditations to any interested observers.

What are election offenses?

The Bougainville Community Government (Elections and Other Matters) Regulations 2016 lists eight electoral offenses and their sanctions. The offenses are primarily concerned with voter impersonation, violations of secrecy and failure to follow the instructions of the returning officer. Penalties range from 500 Papua New Guinean kina (approximately \$142 USD) to six months in jail.

How are votes counted and tabulated?

The community government elections use the first past the post electoral system to determine the winner of each ward seat. Immediately after polls close, the deputy assistant returning officer (DARO) or delegate will pack all polling materials and prepare the polling venue for counting.

The first step of the counting process is to reconcile the number of ballots issued with the number of ballots in the box. Ballot papers are sorted into two piles: one for the men's race and one for the women's race, and placed face down and in bundles of 10. This step is a safeguard against ballot box stuffing; ballots will be recounted if a discrepancy is detected. If any ballot papers cannot be accounted for, the DARO or delegate will record the discrepancy in the reconciliation form. If the discrepancy is considered significant, the DARO or delegate will explain the situation to scrutineers before proceeding with the count.

Following reconciliation, scrutiny commences by checking each ballot paper for formality. It will be deemed informal if the voter's intention is not clear, if the voter wrote in the name of someone who is not a candidate, if the voter cannot be identified or if the DARO or delegate did not initial the reverse side.

Formal ballot papers are then sorted into piles according to the candidate selected. The ballot papers for each candidate are then counted and re-checked for formality.

Finally, the DARO or delegate fills in the provisional results form with the number of votes each candidate won and announces the results to those assembled.

When and how are the chairs and deputy chairs selected?

The results of the elections for male and female ward members will remain provisional until any electoral disputes are settled. Once results are declared final, which must take place by Jan. 21, the Office of the Bougainville Electoral Commissioner's responsibility for the community government (CG) elections ends. All the duly elected ward members for a Community Government area then meet to select by secret ballot the Chair and Deputy Chair of the Community Government from among the winners of the ward elections. According to the law, this should take place at the first meeting of the CG following the elections. A public service officer designated by the secretary of the Department of Community Government conducts the secret ballot. In the past, each CG manager took on this role. There is no legally mandated timeframe for this meeting to take place.

How will election disputes be adjudicated?

Aggrieved parties can file for a review of an election within 14 days of the announcement of provisional results. The review must then be conducted within 60 days. Reviews are conducted by the electoral commissioner, who for this purpose has the powers of a returning officer to, for example, recount ballots. The commissioner also has the power to question anyone who he or she suspects has knowledge of the matter. Refusal to answer the commissioner's questions may result in a fine of 2,000 Papua New Guinean kina (approximately \$570 USD) or six months' imprisonment.

Resources

- [Bougainville Community Government Act of 2016](#)
- Bougainville Community Government (Elections and Other Matters) Regulations 2016
- [Bougainville Elections Act 2007](#)
- [Constitution of the Autonomous Region of Bougainville](#)
- International Foundation for Electoral Systems' Frequently Asked Questions on [*Elections in the Autonomous Region of Bougainville, Papua New Guinea: 2020 General Elections*](#)

Disclosure

These FAQs reflect decisions made by the Bougainville elections authorities as of November 17, 2021, to the best of our knowledge. This document does not represent any International Foundation for Electoral Systems policy or technical recommendations.