

## The 2020 Autonomous Bougainville Government General Election: Part 2

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This second In Brief in a two-part series on Bougainville's first general election after the 2019 referendum examines the election results as well as some issues surrounding the conduct of the election. The election was generally accepted to have been [well-planned and successfully administered](#) despite limited resources and COVID-19 pandemic restrictions. That said, a few matters remain before the court of disputed returns regarding allegations of misconduct. These In Briefs are based on the author's interviews with scrutineers and observers in Buka between 12 August and 23 September 2020.

### Key results for winning candidates

While 70 per cent of the winning candidates were first-time members of the House of Representatives (MHRs), the rest had been members of the ABG's prior three houses.<sup>1</sup> Two candidates have served consecutively from the first to the current (fourth) parliament. The president's seat was won by Ishmael Toroama, the former Bougainville Revolutionary Army (BRA) supreme commander, also a first-time politician at any level of government.<sup>2</sup> Toroama gained 48,766 final votes in a contest with 25 candidates.<sup>3</sup> Ministerial portfolios were allocated to seven returning MHRs and five new members, two of whom are women. Only one of the 16 women candidates won a seat. Of all candidates, one male candidate won at the primary count, while the rest went through the limited preferential voting (LPV) system's elimination processes outlined in Part 1 of this In Brief miniseries. The gender balance of a male speaker and female deputy, a trend since the ABG was first established, is retained in this fourth house.

### Allegations of misconduct during the election

Perhaps the most serious of allegations made of election-related misconduct was a claim of pre-marked ballot papers, where the three choices on four different ballots (presidential, constituency, ex-combatant and women representatives) were already marked before the ballots were issued to voters at the polling stations. This allegedly resulted from the tampering of ballot boxes according to scrutineers of various candidates

(Interviewee 4). Other allegations of tampering were made. One involved a police officer who was suspended, while two others were investigated concerning alleged collusion between polling officials and candidates or their supporters (Interviewee 5). Another related to polling allegedly conducted over the weekend (Saturday 15 and Sunday 16 August 2020), which is against the Bougainville Elections Act (2014, amended). There were also alleged incidents of polling being conducted in ungazetted locations. Other allegations included incidents of double voting by some voters in different locations within their constituencies (Interviewee 6). Concerns were also raised about [factors limiting women's](#) full and free participation in the elections.

In an attempt to boost voters' participation, this election adopted an approach used in the 2019 independence referendum whereby people could cast their votes in a constituency other than that of their residence. The rationale was to allow people to vote when not in their home constituencies during polling for reasons beyond their control. For example, this made voting possible for people from the South and Central regions who were attending Buka General Hospital. In these cases the referendum roll was used as a supplementary roll. To some extent this posed a risk for undetected double or triple voting if people could successfully remove ink from their marked fingers — inked when casting their votes — and could easily move from one polling location to another, for example from their constituency to the town where the referendum roll was used.

Bougainvilleans based in six PNG provinces (National Capital District, East New Britain, West New Britain, Eastern Highlands, and Morobe) were also allowed to vote. The limitation to only six of PNG's 23 provinces was due to funding constraints.

### Challenges in electoral processes

There were various challenges encountered with the general election rules and more specifically the LPV system. In terms of general electoral rules, there was one case of the placement of candidates' photos against the wrong name on the ballot paper for Haku constituency candidates. The Bougainville Electoral Commission decided that the names superseded the photos,

so votes cast against names were deemed the correct vote (Interviewee 5). Other challenges were the withdrawal of one candidate for personal (non-election-related) reasons, the death of another during the campaign period and the death of a further candidate before the commencement of counting. This was somewhat of a distraction to both the voters and management of the electoral system, particularly during the counting, especially given that the LPV system was used, which in most cases necessitates lengthy procedural elimination processes.

A significant challenge to the LPV system was an impasse where two candidates who were second runners-up, both obtained 1069 votes during elimination. This was resolved in a way consistent with the Bougainville Elections Act (2014, amended) section 138(1)(g), where the names of the two candidates were each placed in an envelope and one drawn from an empty box; the one drawn out first was the one eliminated (Office of the Bougainville Electoral Commissioner 2020). Even though this was done according to Bougainville's electoral laws, some critics argued this method was random picking and so demeaned the majoritarian rule of democracy. One option suggested by critics was to go back to the primary counts of these two candidates and eliminate the one with less votes (Interviewee 7).

In both the referendum and the 2020 general election, Bougainvilleans outside Bougainville were able to vote in selected locations. Provisional voting used for the referendum was not used for the election.<sup>4</sup> While voter turnout for the referendum was high, with 181,067 votes cast, the 2020 election had a lower turnout with 148,727 votes.<sup>5</sup> In the referendum only 1096 votes were deemed informal, while this election had 3159 informal votes. The reason for this increase in informal votes could be because the referendum had only two choices, so it was simpler for the voter to fill in the ballot form correctly. The 2020 election presented many choices for the voter so was more complicated. For example, the presidential seat had 25 candidates.

## Conclusion

There is a possible trend emerging that Bougainvilleans tend to choose leaders who live within Bougainville, regardless of their level of education and experience. This was evident in the election results where all the winning candidates were from within Bougainville. Such sentiments were reflected even in the first ABG house when the late Joseph Kabui ousted John Momis, a Bougainvillean politician of iconic status, who resigned from the PNG national parliament to contest the first ABG presidential seat in 2005, winning by a margin of more than 13,000 votes.

The high number of candidates for the presidential seat reflects the way the LPV system operates in PNG, delivering a legitimate winner with a mandate lower than the expected

50% + 1. The incident of the tie in scores of two candidates during eliminations was a challenge to the LPV system. The application of law to address the tie was proclaimed to be undemocratic by some. This may indicate the need for improvements in the LPV system. The death of a candidate is an inevitable possibility for any election, but the withdrawal case was unique, which may indicate a need for inclusion control mechanisms in electoral laws to uphold free and fair elections. The transposition of photos and names of two candidates so that they were mismatched, poses questions about the effectiveness of electoral preparations by officials.

## Author notes

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## Endnotes

1. Unless otherwise indicated, all figures and candidate details are taken from [Office of the Bougainville Electoral Commissioner](#) (OBEC) records.
2. The previous president, Father John Momis, had reached his term limit.
3. This winning figure, being less than 50% + 1 of the total number of votes cast, is to be expected in the Papua New Guinean context where a large number of candidates are on the ballot. The national average mandate was 33% for the 2007 PNG elections (see May et al. 2013:200).
4. A provisional vote is when a voter casts their vote at a polling place away from their home location and their name does not appear on the roll. These votes are later admitted after ensuring that the names are on the master roll.
5. This figure was obtained by the author from OBEC. Elsewhere, the figure of 149,965 has been recorded.

## References

- May, R.J., K. Wheen and N. Haley 2013. Assessing the Shift to Limited Preferential Voting. In R.J. May, R. Anere, N. Haley and K. Wheen (eds). *Election 2007: The Shift to Limited Preferential Voting in Papua New Guinea*. Boroko and Canberra: National Research Institute and SSGM, ANU, 193–205.

