



Bougainville Referendum OBSERVATION REPORT



Funded by the
European Union

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- Bougainville Referendum Commission
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Cover Image

TIPNG Observer interviewing a voter in Central Bougainville

Transparency International Papua New Guinea
**Bougainville Referendum
Observation Report**



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GLOSSARY OF TERMS

Accreditation – an administrative procedure by which a person or an entity is approved by the Bougainville Referendum Commission to carry out a specific activity in connection with the referendum. Different stakeholders apply for accreditation from the BRC to obtain a document or pass giving them access to various locations such as polling places or count centres.

Ballot Paper Security Features – specific security features which may include water marks, seals and individual numbering which are included to prevent the fraudulent copying of ballot papers. The ballot security features are part of the ballot paper design determined by the BRC.

Certified list of voters – roll of eligible voters in a designated voting district that has been certified by the Returning Officer for that voting district as an accurate record of the eligible voters in that voting district.

Constituency – see Voting District. The area inside Bougainville to be used to administer the conduct of the referendum. There will be one Assistant Returning Officer per Autonomous Bougainville Government constituency to oversee the enrolment and polling activities for that constituency.

Joint Supervisory Body (JSB) – the group established to make decisions as required by law regarding Bougainville’s autonomous arrangements, including the Bougainville Referendum. Membership comprises the two chief secretaries, the Prime Minister of PNG and the President of the Autonomous Region of Bougainville.

Observer – a person who does not represent any position and who can observe the referendum process including enrolment, delivery of ballot boxes for scrutiny, scrutiny and recounts according to BRC policy. The observer must be a member of a registered observer group (domestic or international), and wear identification at all times.

Offence – any illegal act intended to modify the result of the referendum. This includes tampering with the ballot papers, multiple voting, bribery and personation and is punishable by a penalty of a fine or imprisonment.

Polling – the process of collecting votes whereby each voter marks a ballot paper and put into a ballot box. Alternative: voting.

Polling Booth – the area inside a polling place in which voters enter, have their names marked off the certified list of voters, receive their ballot papers, mark their ballot papers, and deposit their ballot papers into the ballot box.

Polling Officials – a Returning Officer, an Assistant Returning Officer or a person appointed to the polling team such as the Presiding Officer, Assistant Presiding Officer, Poll Clerk, Ballot box guard, Door Keeper. Alternative: polling Temporary Referendum Worker.

Polling Place – a geographic location where polling takes place. The polling place is identified by the Assistant Returning Officer for the voting district and gazetted in the polling schedule.

Polling Period – the period for the first and last days of polling which are specified in the writ for the referendum, and includes any extension granted.

Polling Schedule – the timetable that outlines the dates and locations of polling. The polling schedule must be gazetted and publicly displayed.

Polling Team – the team of polling officials employed to work at a polling place for the conduct of the poll. This may include the following: Presiding Officer, Assistant Presiding Officer, Polling Clerk, Ballot box Guard, Door Keeper. The size of the team is determined

according to the specific requirements of the area.

Postal Voting (PV) – an option for voters who are otherwise unable to attend a polling place. Postal voters must apply in person or in writing and they will be provided their ballot papers for completion. The postal voting certificate is a legal form.

Presiding Officer (PO) – the person appointed by the Returning Officer to manage the polling team and who has responsibility for overseeing the polling in specified polling places.

Recognised Interest Groups (RIG) – any group which seeks to promote a position on the Bougainville Referendum and is approved to do so by the BRC. A RIG may appoint scrutineers to observe various processes such as polling and scrutiny.

Referendum Journal – the book of forms to be completed by the Presiding Officer for each polling team as an official record of the polling. The Referendum Journal includes an account of the number of voters and the receipt and the distribution of ballot papers.

Referendum Roll – the roll compiled for the conduct of the Bougainville Referendum. There is one roll for each voting district, and only those voters whose names are on the roll for a voting district are entitled to vote in the referendum. It is mandatory that all eligible persons enrol.

Returning Officer (RO) – the person appointed by the BRC to manage the referendum for each voting district and is responsible for the conduct of the referendum for the voting district to which they are assigned.

Scrutineer – an agent of a Recognised Interest Group or an Interested Party who is entitled to observe various processes during the referendum such as polling and counting.

Secrecy envelope – envelope provided to a voter making a declaration vote, provisional vote or a postal vote for placing a marked ballot paper inside. The sealed secrecy envelope is placed inside a declaration envelope, provisional or postal voting envelope which is sealed before placing this into a ballot box.

Voting District – a defined geographical area within or outside Bougainville which is the unit for the compilation of the roll, the conduct of polling and the reporting of results. Alternative terminology for other electoral events: district, electorate, constituency.

Writ – the authority given by the Head of State to the BRC to conduct the referendum. The writ stipulates the dates for the issue of the writ, the cut-off date for amendments to the rolls, the first and last dates of polling and the date for the return of the writ.

LIST OF ABBREVIATIONS

| | |
|--------------|--|
| ABG | Autonomous Bougainville Government |
| ARO | Assistant Returning Officer |
| AROB | Autonomous Region of Bougainville |
| BPA | Bougainville Peace Agreement |
| BRC | Bougainville Referendum Commission |
| GoPNG | National Government of Papua New Guinea |
| NEC | Papua New Guinea National Executive Council |
| OLPB | Organic Law on Peacebuilding in Bougainville-Autonomous Bougainville Government and Bougainville Referendum 2002 |
| PNGEC | Papua New Guinea Electoral Commission |
| PPQ | Polling Place Questionnaire |
| TRW | Temporary Referendum Worker |
| VS | Voter Survey |

1. FOREWORD

On behalf of the Board and Management of Transparency International PNG (TIPNG), I am pleased to present this Report detailing our Observation of the Bougainville Referendum in 2019.

As a local chapter of the global Transparency movement, TIPNG has a mandate to inform and empower people in Papua New Guinea to take action against corruption. We are a membership-based organisation, supported by Individuals and Organisations who wish to see a country free from corruption across all sectors and localities.

This Report is in line with TIPNG's efforts to ensure the integrity of electoral processes in Papua New Guinea through fielding domestic observers. However, the historic occasion of the Bougainville Referendum, while electoral in nature, is markedly distinct. This distinction is notable in three areas; firstly, the historical context of the Bougainville Conflict and subsequent Peace Agreement, secondly a referendum has options (in this case) instead of candidates and lastly, the outcome of this Referendum leads to further deliberation by the national Parliament.

While TIPNG is acutely aware of these considerations, the scope of this report is guided by our experience with the National Elections, i.e. was the Referendum Free, Fair & Safe and does the result reflect the will of the Bougainvillean people. In that regard, we hope you find the report to be insightful and useful.

This Report, and indeed the entire TIPNG Bougainville Referendum Observation Project, was made possible with funding from the European Union, to whom we are grateful. We are thankful to all our 11 volunteer observers, particularly from our external partners: the Integrity of Political Parties and Candidates Commission (IPGCC), the PNG National Research Institute (NRI), the Public Service Commission (PSC) and the University of Papua New Guinea (UPNG). We acknowledge the institutional support received from the Bougainville Referendum Commission, the United Nations and other fellow Observer Groups. Lastly, we thank all the voters, in the Bougainville Referendum who gave our observers their time and thoughts.



Peter Aitsi, MBE
Board Chair - Transparency International Papua New Guinea

2. EXECUTIVE SUMMARY

The Bougainville Referendum is one of the three pillars of the Bougainville Peace Agreement (BPA), which was signed by Bougainville and the PNG National Government (GoPNG) leaders on 30 August 2001. This report presents findings of TIPNG's observation of the Referendum which was held in 2019.

TIPNG was accredited by the Bougainville Referendum Commission (BRC) as a domestic PNG observer group. The TIPNG observation team was comprised of volunteers from: academia, independent constitutional bodies, TIPNG Staff and TIPNG Directors, who possessed relevant knowledge of electoral processes.

The purpose of the observation was to report whether: Bougainvilleans were free to exercise their right to vote, if the Referendum process was fair to all voters; and to see if polling was safe from violence. These observation results fed into an overall assessment as to whether the Referendum outcome credibly reflects the will of Bougainvillean voters.

There were two survey forms that TIPNG observers used in the field: the first survey form, systematically evaluated polling stations and officials; and the second form that collected the views of voters. In total, nine TIPNG observers participated in the field work during the week of polling from 23 to 28 November 2019 in North and Central Bougainville. There were 28 polling places observed and 163 voters interviewed by TIPNG observers.

Quantitative results from both observers and voters demonstrated a high degree of freedom of expression and the exercising of voters' rights. Additionally, a substantial majority of observers deemed the referendum process was very fair. A sole incident in Central Bougainville and bias of a polling official at one polling place in North Bougainville are not considered to be reflective of the overall high degree of fairness observed.

There were significantly high percentages of reports by TIPNG observers that voters and polling officials were not subject to intimidation or bribery, as recorded by 93% and 71% respectively. These findings were also supported by the voter surveys where 99% of respondents never felt threatened to select a particular option.

TIPNG's overall evaluation based on observation data both quantitatively and qualitatively reflected that the Bougainville Referendum was free, fair & safe and credibly reflected the will of voters.

[Section 3](#) outlines the context of the Referendum; explains observation principles and good practices; describes TIPNG's previous experience with observations and why TIPNG has undertaken observation of the Bougainville referendum.

[Section 4](#) provides the framework of how the observation activity was implemented. It also articulates the three key questions that were the basis of the final assessment.

[Section 5](#) presents the quantitative and qualitative results clustered according to the three thematic areas captured in the two measuring instruments.

[Section 6](#) examines the results and concludes on TIPNG's final evaluation of the referendum process and outcome.

3. CONTEXT OF OBSERVATION



Photo 1: A traditionally-attired woman, casting her vote in North Bougainville

The Bougainville Referendum was a historical event that involved years of preparation, consultation and negotiation between the Government of Papua New Guinea (GoPNG) and the Autonomous Region of Bougainville (AROB).

This report presents results of Transparency International PNG's (TIPNG's) observation of the Referendum in two Regions of Bougainville, and assesses whether the Referendum was free, fair and safe. The report can be used in the deliberations between the respective governments and key stakeholders on the most appropriate way forward for the Bougainvillean people after the Referendum.

3.1 The Bougainville Referendum

The Bougainville Referendum is one of the three pillars of the Bougainville Peace Agreement (BPA), which was signed by Bougainville and the Papua New Guinea (PNG) National Government leaders on 30 August 2001. It is captured in both the PNG National Constitution and the Bougainville Constitution (Independent State of Papua New Guinea, 2004).

A referendum is a common democratic process used to decide on a question or issue; it is like an election, but instead of candidates there is a question to vote on (Bougainville Referendum Commission, 2019b). The question was agreed by both the GoPNG and the Autonomous Bougainville Government (ABG). It asked of voters: "Do you agree for Bougainville to have Greater Autonomy or Independence?" (Bougainville Referendum Commission, 2019b)

The BPA outlines the arrangements towards achieving peace and political settlement following the decades-long civil war in Bougainville. The two other pillars of the BPA are Autonomous Governance arrangements and Weapons Disposal.

On 24 January 2017, the Bougainville Referendum Commission (BRC) was established. This independent body was set up by consultation between GoPNG, ABG, PNG Electoral Commission and the Bougainville Electoral Commission. (Bougainville Referendum Commission, 2019a).

The two options, agreed by both GoPNG and the ABG (Bougainville News, 2018), were defined as:

1. Greater autonomy: A negotiated political settlement that provides for a form of autonomy with greater powers than those currently available under constitutional arrangements.

2. Independence: An independent nation state with sovereign powers and laws, recognised under international law and by other sovereign states to be an independent state, separate from the State of Papua New Guinea.

The Referendum roll was developed from previous National Election rolls and the 2015 ABG Election rolls. The updates enabled both resident and non-resident Bougainvillean voters to take part in the Referendum. The outcome of the Referendum is non-binding and will be used for further discussions between the ABG and GoPNG after it is presented to the National Parliament (Bougainville Peace Agreement, 2001).

3.2 Principles of Observation

Independent observation of elections, and by extension referenda, plays a critical role in enhancing the democratic electoral process and deterring fraud (Council of Europe Parliamentary Assembly, 2010). International standards on elections and referendums allow observers to evaluate these processes. The criteria used will determine whether a democratic electoral process was followed and whether violations were encountered, recorded and reported. The scope of work for observers can cover the entirety of an election or referendum or can be during the polling process.

The Venice Commission's Guidelines on the Code of Good Practice in Electoral Matters and Referendums (2016) require that both international and national observers should be given the widest possible right to participate in an election observation exercise. Observers should have freedom of movement, be neutral and follow the principle of non-interference. Observers may come from international organisations, government bodies, or civil society groups. Observers may choose to observe the polling process or they may observe over a longer period

from the updating of the electoral roll to the declaration of the results.

In line with international good practice for observation, the BRC developed a Code of Conduct for Observers that also included all applicable laws in PNG and Bougainville. Observers of the Bougainville Referendum had to be accredited by the BRC, but operated independently from the BRC (Bougainville Referendum Commission, 2019b).

3.3 TIPNG Elections Observation

TIPNG has had significant engagement in the past with both electoral observation and the electoral reform process in PNG. TIPNG observed the National Elections in 2007, 2012 and 2017 as well the 2013 Local Level Government Election. There were over 400 individual TIPNG volunteers that observed the 2017 National Elections across the country. These volunteers observed the conduct of polling and counting to determine if the process was free, transparent, democratic and fair based on national legislation and according to national and international standards.

The TIPNG Electoral Observation reports have provided support for legislative changes such as the introduction of the Limited Preferential Voting. These reports also highlighted areas of weakness in the system and led to calls to improve on issues such as Voter Identification.

Additionally, under the Organic Law on National and Local Level Government Elections TIPNG has had a nominee serving on the Electoral Advisory Committee (EAC), a body which advises the Electoral Commissioner on whether an election should be classified as 'failed'.

The conduct of recent National Elections in Papua New Guinea has been regarded by observers as sub-standard (TIPNG, 2017; Australian National University, 2018; May, 2012). This electoral trend in PNG also fed into concerns (Woodbury, 2015; Bell and McVeigh, 2018; Regan, 2019) about the conduct of the Bougainville referendum.

TIPNG observed the Bougainville Referendum to provide an independent assessment of the result's credibility and to demonstrate that citizens can contribute to enhancing the integrity of democratic processes.

4. TIPNG OBSERVATION PROCESS



Photo 2: TIPNG Bougainville Referendum observers at a BRC briefing in Port Moresby.

4.1 Objective of Observation

The TIPNG Observation was an activity under the Bougainville Referendum Observation (BRO) project funded by the European Union. The objective of the Observation activity was to answer the following questions:

1. Were citizens free to exercise their right to vote?

Free - for the purpose of this report, 'free' is defined as creating an environment that promotes free speech and freedom of expression. Freedom is respecting each individual's right to make their own informed choice. The BRC (2019b) identified that ensuring the freedoms of each citizen's rights are generally the responsibility of the community.

2. Was the process fair?

Fair - is making the process inclusive so all eligible people of Bougainville can vote; whether they are disabled, illiterate, in hospital, young or old, man or woman. It is ensuring voters understand the process and the options before them, and that the process is transparent.

BRC (2019b) acknowledged that ensuring a fair process is generally their responsibility.

3. Were the polling areas safe from violence?

Safe - is the state of being free from danger or threat. This is particularly important given the high mortality associated with recent elections in PNG, coupled with the risk of post-conflict violence and the capacity of police in both PNG and Bougainville.

Answers to these three thematic questions supports the overall assessment by TIPNG of the Bougainville Referendum and whether its result credibly reflects the will of Bougainvilleans.

4.2 Recruitment of TIPNG Observers

TIPNG received observer status through an application process set by the BRC. After receiving accreditation, TIPNG invited volunteers from academia, independent constitutional bodies, TIPNG Staff and TIPNG Directors to apply as observers. The following volunteers were selected

by TIPNG and accredited by the BRC to be Observers:

1. Dr Alphonse Gelu, Integrity of Political Parties and Candidates Commission (IPPCC)
2. Dr Fiona Hukula, National Research Institute (NRI)
3. Ms Mary Fairio National Research Institute (NRI)
4. Mr Tobert Torato, Public Service Commission (PSC)
5. Prof John Luluaki, University of Papua New Guinea (UPNG)
6. Ms Lelebo Betuela, TIPNG
7. Ms Marlene Delis, TIPNG
8. Mr Yuambari Haihuie, TIPNG
9. Mr Samson Kandata, TIPNG
10. Ms Arianne Kassman, TIPNG
11. Mr Richard Kassman, TIPNG

Each observer was required to sign the BRC Code of Conduct whereby they agreed to high standards of impartial behaviour and conduct during observation.

4.3 TIPNG Observer Training

TIPNG trained the 11 observers in Port Moresby using the TIPNG Observer Manual that was based on the guidelines in the BRC Referendum Handbook (2019b). The Handbook describes the ethical principles for observers and outlines the Bougainville Referendum processes. It is a useful tool that is consistent with the international observation standards detailed in Section 3.2.

The observer training was based on material in the TIPNG Observer Manual and BRC Referendum Handbook which ensured that participants acquired the necessary knowledge and understood the various sections of the two measuring instruments.

4.4 Observation Survey Instruments

There were two survey forms developed from prior National Election TIPNG observation to capture information in the field. Firstly, a questionnaire that systematically evaluated polling stations and officials; and the second

collected the views of voters. Both instruments are attached as Annex A and Annex B respectively in this report.

The Polling Place Questionnaire (PPQ) had 45 questions across three sections. PPQ's were designed to provide an overall picture of the polling process and factors that were readily observable at the polling place. It included questions on the opening, polling and the closing processes.

The voter survey (VS) had seven questions that were divided into two sections. Each TIPNG Observer Manual booklet contained three PPQs and 12 voter surveys; two males and two females would be interviewed at each polling place. Voter surveys capture voters' own subjective perceptions. The questions sample attitudes about specific actions that could have occurred and the extent to which the voters think this makes the referendum process free, fair and safe.

4.5 Observation Schedule and Plan

Nine observers participated in the field work during the week of polling from 23 to 28 November 2019 in the two Regions of North and Central Bougainville. The polling places visited are outlined in Table 1 below.

One PPQ was completed for each polling place and the nine observers were each instructed to conduct four voter surveys (two female and two male) at each polling place. A team of two was assigned to conduct observations at each polling place. TIPNG also developed an internal risk management strategy to identify and mitigate potential and perceived risks.

Upon return to Port Moresby, the data from the measuring instruments were collated and the original copies were electronically scanned and saved. This information, along with reports gathered from a rapid desktop review, was used in the final analysis and presentation of the BRO report.

Table 1: Polling places visited by the TIPNG Observation team.

| DATE | POLLING VENUE | WARD | CONSTITUENCY | REGION |
|----------------|------------------------------|----------------|--------------|---------|
| 23 November | 1. United Church | Buka Town West | Tsitlato | North |
| | 2. Hutjena (Stage) | Hutjena | | |
| 25 November | 3. Malamala | Gogohe 2 | Hagogohe | |
| | 4. Resource Centre | Tahetahe 2 | Tsitlato | |
| | 5. Hanpan Chapel | Ieta | | |
| 26 November | 6. Taktakata | Hahalis 1 | Halia | |
| | 7. Basbi | Hahalis 2 | Tsitlato | |
| | 8. Bel Isi Stage | Buka Town West | | |
| | 9. Kuskus Field | Airport/Ieta | | |
| | 10. Hangan Com Stage | Hangan 1 | | |
| | 11. Piraku Chapel | Longahan 2 | Eivo/Torau | |
| | 12. Rorovana 2 | Rorovana 2 | | |
| 13. BRC Office | Arawa 4 | North Nasioi | | |
| 27 November | 14. Rorovana 3 | Rorovana 3 | Eivo/Torau | Central |
| | 15. Pakia | Upper Pinenari | Ioro | |
| | 16. Itakara Village | Apiatei West | North Nasioi | |
| | 17. Manuana | Kerei West | | |
| | 18. Marimari Chapel | Arawa 2 | | |
| | 19. Arawa Motors Beach Front | Arawa 6 | Haku | |
| | 20. Tanakobu | Lontis 2 | | |
| | 21. Suni Chapel | Sing 1 | | |
| | 22. Sohano Soccer Field | Sohano | | |
| 27 November | 23. Roha Harvest Centre | Malasang 3 | Tsitlato | North |
| | 24. Garama (Hauswin) | Lonahan 3 | | |
| | 25. Guava C/Hall | Domana | | |
| 28 November | 26. Kobuan | Kerei East | North Nasioi | Central |
| | 27. PNG Power Beach Front | Kerei West | | |
| | 28. Arawa Urban LLG Office | Arawa 4 | | |
| | | | | |

4.6 Considerations

The TIPNG Observation initially aimed to cover 10 percent of the 800 polling stations (Bougainville Referendum Commission, 2019a) in Bougainville. This target was adjusted down, due to the logistical considerations of travelling between the scheduled polling places and the limited number of observers to collect data.

4.7 Risk Management

During the TIPNG Training, all observers were issued contacts of nearest Police Stations, Health

Centres, BRC contact points and the TIPNG Office and staff contacts to communicate any unexpected events.

A ground coordinator was included in the observer team to give directions for the polling venues and with the advantage of local knowledge liaised with observers with regard to the estimated times and distances for the next polling stations.

5. RESULTS FROM TIPNG OBSERVATION



Photo 3: Women Voters looking at a BRC information poster in Central Bougainville.

This section will provide the results to the questions in the Voter Survey (VS) and Polling Place Questionnaire (PPQ) used by TIPNG Observers. For analysis, the results have been grouped as Overall, Procedural and along the three thematic areas Free, Fair and Safe.

5.1 Overall Findings on Polling

5.1.1 PPQ: Was the Polling done Properly?

From TIPNG's 19 polling place observations, 58% had the overall assessment that the Referendum was 'very fair and all processes were followed' with the remaining 42% rated the Referendum as 'mostly fair although sometimes the proper process was not followed'.

From 16 polling places, 15 observers noted that people were happy that a TIPNG observer was present. Only one observer indicated that people did not understand TIPNG's observation role.

Overall, TIPNG's observers had a positive impression of polling places as noted by their recorded comments:

1. "transparency in handling of postal voting"

2. "Seemed like a festive day, the member bought all market goods sales and everyone present were fed fruits, juice, betelnuts"

5.1.2 VS: Surveys by Location & Gender

A total of 163 voter surveys were conducted; 96 in North Bougainville and 67 in Central Bougainville. In terms of gender, 53% of the respondents were female and 47% were male.

Table 2: Gender of Voters Surveyed by Region

| Region | Female | Male | Total |
|------------|--------|------|-------|
| North B. | 54 | 42 | 96 |
| Central B. | 32 | 35 | 67 |
| Total | 86 | 77 | 163 |

One male respondent remarked that he was, "excited that voting for [my] destiny and people are all voting at own will without being told what to vote for".

5.2 Results of Polling Procedure

5.2.1 PPQ: Polling Timing & Journal

TIPNG Observers spent an average of two hours at each polling place, with the shortest time of 35 minutes and the longest period of 3 hours and 50 minutes. The number of ballot papers received at a polling place ranged from 750 ballot papers (15 books) to 2,100 ballot papers (42 books).

At the polling places observed by TIPNG, a majority (64%) followed the best practice of recorded information in the referendum journal while only one polling place did not follow this procedure. Over half (54%) of the polling places observed during the opening session showed the ballot box as being empty before voting commenced, and all 13 polling places applied and recorded ballot box seals.

With regards to overall adherence to the procedural aspects of polling, TIPNG's Observers noted the following:

1. *"Peaceful and transparent. Good communication and co-operation between polling officials, security, scrutineers and observers"*
2. *"People who voted were not guided to enter or exit where supposed to be. They just entered where exit supposed to be"*
3. *"There was opening ceremony and polling started at around 9:30 am."*

5.2.2 PPQ: Polling Officials & Inking

A significant indicator from the observation was that 93% of polling places enabled their voters to freely go to the polling clerk when they were ready to vote.

Furthermore, in terms of following the process, most (71%) of the polling places 'always' checked voters' hands for ink; and 82% of polling places 'always' had the ballot papers signed by the presiding officer before giving to each voters.

However, there were minor instances where processes were not followed, for instance, a TIPNG observer noted at one polling station that:

"3 people did not ink [sic] finger but voted and then ink finger after voting"

Overall, our Observers noted at the majority (75%) of polling places that there was 'always' adequate access to and cooperation from BRC polling officials.

5.2.3 PPQ: Access for Women Voters

The PPQ also captured data on whether there were affordances for women during the referendum polling. A significant number of polling places did not have separate entrances and polling booths for women (Figure 1). While this result finding is concerning, one observer did note a women's representative in North Bougainville who had specifically requested that there should be one entrance used by both men and women.

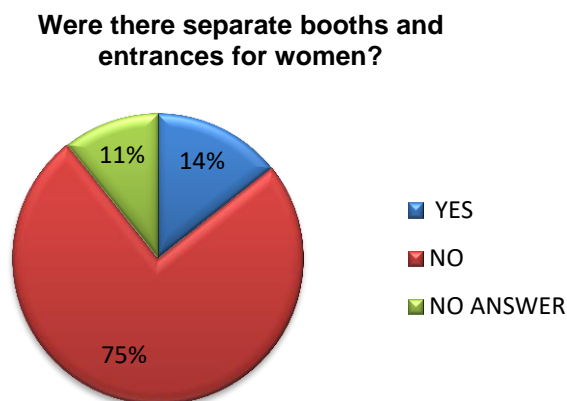


Figure 1. Percentage of Polling Places with separate entrances for women.

5.2.4 PPQ: Polling Place Supplies

TIPNG Observers had to check if the Polling Places had sufficient supplies. The results (Table 3) are generally high, however there could have been more information to aid voters.

Table 3: Summary of whether there were sufficient Polling Place supplies (<50% >50%)

| | Information posters? | Ballot papers? | Finger marking ink? | Polling staff? | Voting booth? |
|------------------|----------------------|----------------|---------------------|----------------|---------------|
| YES | 54% | 93% | 79% | 75% | 79% |
| NO | 39% | | 14% | | |
| NO ANSWER | 7% | 7% | 7% | 25% | 21% |

The overwhelming majority (90%) of polling places were compliant and observed to ‘always’ use the certified roll list. Of the polling places that used the certified roll, 96% ‘always’ identified each voter by asking their name before checking off the roll. Only 4% of polling places recorded ‘mostly’ identifying voters by asking their name, with one of the TIPNG observers noting that:

“People did not check names on roll, polling officials seem to recognise them as they enter and marked the name off, without asking them to confirm names”

5.2.5 PPQ: Close of Polling & Ballot Box

Of the polling places observed by TIPNG, seven (four in Central and three in North Bougainville) were observed up till the closing of the venue. 71% of polling places completed the remainder of the ballot account form; while observations at 29% of polling places did not answer the question. Similarly, 71% polling places recorded the number of unused ballots. All polling places adequately sealed ballot boxes once polling was complete. 86% of the polling places had secure arrangements to transport the ballot boxes and ballots after polling ended.

5.2.6 VS: Preparedness of Polling Officials

A key result commending the efforts of the BRC was that 97% of voters surveyed said that their voting was ‘never’ hindered by the preparedness of polling officials (e.g. starting late). Nevertheless, where there were minor quibbles, overall voter sentiment was celebratory as reflected in the following feedback from two respondents:

1. *“Polling officials came late at 8 am, when they said 7:30 am...No problem so far, because most people are not working and have time to vote”*

2. *“Mi yet youngpla mangi na mi hamamas olsem referendum em i rot gut tasol. Mi hamamas lo vote”*

5.3 Thematic Results: Free

5.3.1 PPQ: Voting Rights & Secrecy

While this was a major issue in the National Elections, the majority (79%) of TIPNG observations did not witness any individual voting on behalf of another person without their consent. At almost all polling places, TIPNG observers did not see an individual or small group filling many ballot papers.

However, one polling place in Central Bougainville was observed to have violated this trend. A male individual with a BRC cap (but lacking the BRC uniform) was observed standing next to the polling booth and checking the votes cast on ballots by voters: a clear breach of the secrecy of the vote. While it appears to be an anomalous case, this one incident is concerning.

Can people vote without others seeing their vote?

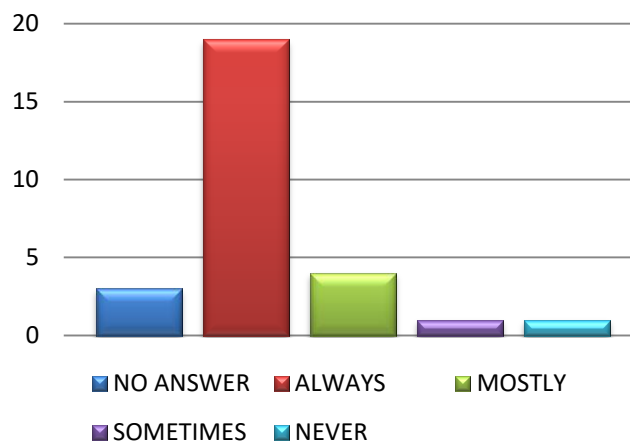


Figure 2: Observations on secrecy of voting across 28 polling places. 68% of observations noted that voters were ‘always’ able to vote in secret.

5.3.2 PPQ: Rights of Women Voters

Observations at 79% of polling stations reported that women were ‘always’ able to vote freely and without interference; Furthermore, observers noticed the higher number of female voters and the influential role of women in the community at two different polling places in Central Bougainville:

1. *“There were more female than male voters. Mostly young men did not want to cast their votes”*
2. *“Polling was held under a [female community leader’s] house...she said that the usual community meeting place also in her area is too small for [the] polling team to set up, so that they set up the polling under [her] the house.”*

5.3.3 VS: Bribery and Voter Intimidation

All 163 voters surveyed said that they were not offered or asked for a bribe if they voted for a particular option – while this is a subjective assessment it is nevertheless resounding.

Figure 3 presents the overwhelming evidence that almost all voters by their own account were able to vote in secret. Furthermore, 99% of respondents were ‘never’ in a situation where someone used their ballot paper without their permission. Again, while anomalous, it is notable that 1% in Central Bougainville stated that ‘sometimes’ voters were not able to vote as someone had used their ballot paper. One respondent articulated his experience as *“Mi feelim free na hamamas stret lo kam vote”*.

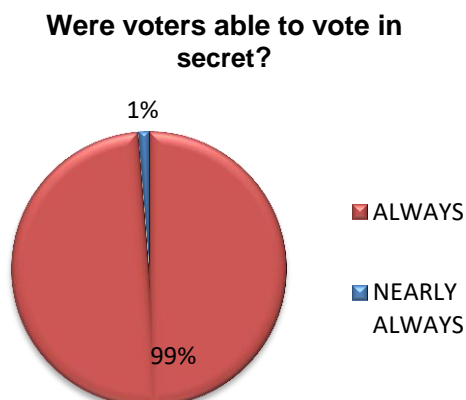


Figure 3. Percentage of voters that was free to exercise their right to vote in secret.

5.4 Thematic Results: Fair

5.4.1 PPQ: Accessibility of Polling Place

At 65% of the polling places, TIPNG observers assessed that ‘none’ of the voters travelled more than one hour to the polling place. This is a good indication that there were sufficient polling places, reasonably spaced out and accessible for able-bodied voters.

Furthermore, 12 polling places recorded observations of illiterate/disabled persons choosing their own voter. TIPNG observers said this occurred ‘always’ or ‘mostly’ at 92% of polling stations: a clear indication that fairness was not compromised for accessibility.

5.4.2 PPQ: Registered Interest Groups

Observations at 79% of polling places indicated that Registered Interest Groups as scrutineers were ‘always’ able to see what was happening, and 14% recorded scrutineers as ‘mostly’ able to see what was happening. Additionally, for scrutiny, almost all (90%) of the polling stations observed by TIPNG never had ballot boxes taken away from the polling place during the hours of polling.

5.4.3 PPQ: Accuracy of Referendum Roll

Voting services were provided for individuals whose names were not found on the referendum roll, but who claimed to be eligible to vote in a particular constituency. 50% of observations noted that that they ‘never’ witnessed such a situation and 25% had witnessed it a few times. This can be taken as an indication that either the roll update exercise was not as thorough as it could have been or that the polling places observed by TIPNG (mostly semi-urban and accessible by road) were predisposed to voters not from that area trying to cast their vote.

5.4.4 PPQ: Impartiality of Polling Officials

A key consideration in assessing the fairness of polling is the impartiality of BRC officials. At 79% of polling places TIPNG observers said that polling officials were ‘always’ or ‘mostly fair; a minority of 3% of polling places had polling officials rated by TIPNG Observers as being ‘never’ fair (n.b. at 18% of polling station TIPNG Observers could/did not provide an assessment).

When considering overall whether the Referendum was fair to voters, TIPNG observers' recollections were overall in the affirmative, as captured in the verbatim remarks below:

1. *"Local Member told us he made sure all polling officials were from his ward-polling team, scrutineers, hired bus, police, CS Officer present"*
2. *"The presiding officer went to the houses of 3 people then returned and gave three names to be checked on the roll. He then took 3 ballot papers and accompanied by a police officer and scrutineer, left to ensure the incapacitated were able to vote. He returned within five to ten minutes."*

5.4.5 VS: Were Votes Taken Away?

When questioned by TIPNG observers, 99% of voters said that there was 'never' a situation where voters were not able to vote because someone used their ballot paper without their permission. Only 1% reported that this occurred 'sometimes'. The following are two voters' comments in that regard:

1. *"Lo lukluk blo mi, mi feelim osem referendum em i fair na ibin ron gut tasol."*
2. *"All old people and [the] disabled were assisted and even brought papers to those who can't walk"*

5.5 Thematic Results: Safe

5.5.1 PPQ: Intimidation and Bribery

Overwhelmingly TIPNG observers responded 'no' when asked if voters were intimidated or bribed at the polling stations they observed (Figure 5). The two responses of 'yes' were from the aforementioned incident witnessed at a polling place in Central Bougainville and the other incident was reported as experienced by a voter to a TIPNG observer in North Bougainville.

Was there evidence of voter intimidation or bribing?

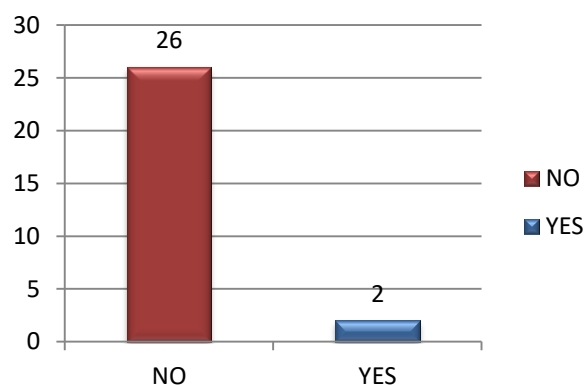


Figure 4. Number of observations where voter intimidation or bribery was evident

Additionally, TIPNG observers at most (71%) polling places recorded no descriptions of polling officials being intimidated or bribed. The only exception was one polling place in North Bougainville that showed complicity in the polling officials' conduct.

5.5.2 PPQ: Police and Security Personnel

An area of concern from previous Observation of National Elections by TIPNG was the provision and conduct of Police and Security Personnel. Fortunately, in Bougainville the results were on the whole positive. For 82% of polling places it was observed they had sufficient security personnel. Furthermore at 82% of polling places, TIPNG observers reported that police and security forces were 'always' or 'mostly' impartial. As one of the TIPNG Observers reported, *"Generally the polling was peaceful."*

5.5.3 VS: Did voters feel threatened?

A significant portion (99%) of respondents said that they were 'never' threatened if they did not vote a particular option; only 1% indicated that they were 'sometimes' threatened. The statements from two voters below support this finding:

1. *"Ward recorders and officials did their part. Everyone was able to vote. Every process was followed and started on time. Awareness prepared everyone."*
2. *"Everyone is free and happy. They waited a long time to exercise their right to vote."*

6. ASSESSMENT OF THE BOUGAINVILLE REFERENDUM



Photo 4: Community welcoming Polling Officials in an Opening Ceremony

6.1 Were citizens free to vote?

Quantitative results under the 'Free' theme from both observers and voters demonstrated a high degree (all between the ranges of 79%-99%) of freedom of expression and exercising of voters rights. Moreover, there were several cases where respondents openly expressed the option they voted for to observers during voter survey interviews.

There was only one polling place in Central Bougainville that exhibited a serious deficiency of the secrecy of voting, whereby a man from the community was watching the votes being cast at the ballot booth. In some instances, this individual was filling in the ballot for voters.

6.2 Was the polling process fair?

The majority of the results under the 'Fair' theme indicated that the observers thought the referendum process was fair. Nevertheless, half of the observations did not answer the question related to disabled and illiterate voters choosing their own helper, but this could have been

attributed to the fact that not all polling places observed had a disabled or illiterate voter present. The sole incident in Central Bougainville and the polling official bias at one place in North Bougainville are not reflective of the overall high degree of fairness observed.

Furthermore, the inclusiveness of the Referendum polling is also validated by the results from the voter surveys, of which 53% of the respondents were female. The Referendum roll also had equal numbers of men and women voting (Bougainville Referendum Commission, 2019c). Similar to the 2017 National Elections Observations (Transparency International, 2017), there was a high percentage of polling places that did not provide separate entrances and booths for women voters.

However, women in Bougainville are not subject to the sociocultural barriers to participation in decision-making commonly experienced by women in other parts of PNG. Bougainville women have also been actively involved in the peace process (Carl and Garasu, 2002 and Hakena, 2001) and the ABG (2017) has recognised the importance of promoting equal representation and women in more visible leadership positions.

6.3 Were polling areas safe?

There were significantly high percentages of reports that voters and polling officials were not subject to intimidation or bribery, which were recorded by 93% and 71% of observers respectively. Over half of those interviewed were pleased that TIPNG observers were present; only 4% did not understand the role of the observers. Moreover, the observers were all welcomed and did not encounter any hostility or violence - in fact, most polling places possessed a sense of celebration by communities as polling commenced. This was reflected in the voter surveys where 99% of respondents never felt threatened to select for a particular option.

6.4 Is the outcome credible?

The voter surveys results indicate that an overwhelming 99% of respondents under all three themes were in support of the Referendum being a free, fair and safe process. While observers noted procedural issues, such as the inadequate provision of provisional votes, the vast majority of the voters deemed the Referendum as a privilege and opportunity to exercise their democratic right. Additionally, the

voter turnout of 85% is high (Bougainville Referendum Commission, 2019c) when compared with international standards and the highest of any electoral process in PNG.

6.5 Overall Assessment

Due to the instance of an observed electoral violation and of other minor procedural issues, it cannot be said that the Referendum was entirely without incident, even if they were considered to be anomalous. The minor procedural issues, particularly in the polling places in rural areas, are likely to be ascribed to under-resourcing or insufficient training of polling officials.

In comparison to the outcomes of the previous TIPNG National Elections Observations in 2012 and 2017, the Bougainville Referendum credibly reflects the choice of the majority of voters. The evidence gathered, both in quantitative and qualitative data, strongly suggests that the Referendum outcome accurately reflects the will of a significant majority of the voters in the Bougainville districts observed.



Photo 5: TIPNG Observer thanking voter at the end of the survey

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ANNEXES

Annex A: Sample Polling Place Questionnaire

SECTION 1 OPENING

1. Observer Name & No: _____ [_____]
2. Name of Region (District): _____
3. Name of Polling Venue: [_____]
4. Name of Community Government (LLG): [_____]
5. Name of Ward: [_____]
6. Time you arrived: _____
7. Time you departed: _____
8. Time Polling Place opened: _____ *(The time the polling place opened is when the first ballot was issued.)*
9. How many ballot papers received for use in this polling place? _____
(You can ask the Presiding Officer this. It is recorded by the Presiding Officer at the beginning of the day.)
10. Was the information recorded in the referendum journal? Yes No
11. Was the ballot box shown as being empty before voting started? Yes No *(Tick one that applies.) (Only answer this and the next question if you were there during the opening.)*
12. Before voting started were ballot box seals applied and recorded? Yes No

SECTION 2 POLLING - Read the following questions now but answer them after you have completed observing

13. How many voters had to walk/travel more than one hour to get to this polling place?
None Some Many All *(Tick the one box that applies.) Note that here we are ONLY talking about people who are voting in one place. We do not mean the time it took to vote to second location to vote.*
14. Did this polling place have enough:
Information posters: Yes No Ballot papers: Yes No
Finger Marking Ink: Yes No Polling Staff: Yes No
Voting Booths: Yes No Security Personnel: Yes No
15. Were scrutineers able to see everything at the polling place? (Except, how people voted)
Never Sometimes Mostly Always *(Tick the one box that applies.)*
16. Was the ballot box ever taken away or hidden during polling? Yes No
If yes, why? Weather Fights Ballot box full Unknown Other
17. Was the certified list of voters (roll) used? Never Sometimes Mostly Always
18. If the Roll's used -Was each voter identified by questioning before their name was checked off the roll? Never Sometimes Mostly Always
19. If the Roll was used - Did voters come up to the polling clerk in the order they were listed in the ward roll OR were they free to come up whenever they were ready during the time the polling place was open? *(Tick just one)*
 Voters often or always came up in the order of the ward roll
 Voters often or always could come up whenever they were ready to vote
20. Were the fingers of voters checked for signs of ink at some time before being given a ballot paper and having ink put on their finger? Never Sometimes Mostly Always
21. Was ink put on voter's fingers after voting? Never Sometimes Mostly Always
22. Are ballot papers signed by the presiding officer just before giving each one to the voter?
Never Sometimes Mostly Always
23. How many times did you witness someone who said they were not able to vote because they were not on the roll but claimed to be living in the ward for a long time and having enrolled or voted in elections previously? *(If people make this claim record their names and the wards they live in.)*
Never A few times Many times Very many times
24. Did anybody vote on behalf of someone else without their agreement or without that person being present? (e.g. Husband voting for wife)
Never A few times Many times Very many times

25. Did you ever see a person or a small group filling out many ballot papers? Yes No
26. Did you ever see a voter receiving ten or more ballot papers? Yes No
27. Can people vote without others being able to see what they voted for? (Secret Voting)
Never Sometimes Mostly Always

28. Were illiterate/disabled voters choosing their own helpers?
Never Sometimes Mostly Always

If the same helper is being used over and over again the helper was probably not chosen by the voter. To be able to answer this question you will need to ask the voters if they chose their helper. It is probably better to do this after they have voted and their helper is not there.

29. Were women able to vote freely and without interference?
Never Sometimes Mostly Always

30. Were there separate polling booths or entrances to polling places for women?
Yes No

31. Was there any evidence of intimidation/bribing of voters? Yes No
Did you personally witness this or was it reported to you? (Tick one)

This is a recommendation to Presiding Officers.

Describe what happened and how many people effected and who they were? e.g. women

32. Were the polling officials impartial/fair? Never Sometimes Mostly Always
(When you are impartial it means you do not favour one group or person)

33. Was there any evidence of intimidation/bribing of Polling Place Officials? Yes No
Describe what happened?

Did you personally witness this or was it reported to you? (Tick one)

34. Were the police and any other security forces impartial/fair?
Never Sometimes Mostly Always

35. Did you have adequate access and the cooperation of Polling Officials?
Never Sometimes Mostly Always

36. What comments did you receive from others about your role as an observer? (Tick as many as appropriate)
No comment It made no difference My role was not understood
It caused problems & made polling less orderly It meant that polling was more orderly
People were happy that TIPNG observer was there

SECTION 3 CLOSING

37. Time voting stopped at this Polling Place [_____] (Closing is when the last ballot was issued.)
(Only answer this and the next 4 questions if you were there during the closing.)

38. Was the remainder of ballot account form filled in? Yes No

(You can only answer this and the next question if you saw the ballot account form. Otherwise leave blank.)

39. Was the number of unused ballots recorded? Yes No

40. Were ballot boxes adequately sealed after closing of the polling? Yes No

41. Were adequately secure arrangements made for the transport of the ballot boxes and ballots at the end of polling? Yes No

Important – Answer this Question

42. Overall, given what you saw and thinking about the questions above –

Do you think the referendum process you saw in this polling place was: (Tick just one!!)

- Very fair and all the proper processes were applied
- Mostly fair although sometimes the proper processes were not followed
- Mostly unfair and proper processes were not followed
- Very unfair and proper processes were not followed.

Don't confuse peaceful elections with fair elections. Although there may be no fighting, if the proper processes are not followed....e.g. the roll is not used or supporters control the voting then it is definitely not fair.

Other comments:

Annex B: Sample Voter Survey

Section 1 Electorate _____
Ward Name & No: _____
Name & No. of Polling Place: [_____] [_____]

You only need to fill in this section if you photocopied this

Section 2

Say: I am a referendum observer from TI PNG. I would like to ask you some questions about the referendum. I will not ask you how you voted. I will not be recording your name. {If they agree... }

Say: I want to know if you think this referendum was fair or not. I will describe some situations that sometimes happen. I will ask you how often these things happened. If you think they happened many times, or nearly always, I will ask if it meant that you thought the elections here were overall – Fair, OR Partly Fair OR Mostly Unfair. Here is the first situation:

1. People were offered or asked for a bribe if they voted for a particular option.
 - a) How often did you see this happen? Never Sometimes Many Times Nearly Always
(tick only one) *(If Many Times or Nearly Always, ask the next question)*
 - b) Did this mean the referendum here was: Fair Partly Fair Mostly Unfair (tick only one)
2. People were threatened if they did not vote for a particular option.
 - a) How often did you see this happen? Never Sometimes Many Times Nearly Always
(tick only one) *(If Many Times or Nearly Always, ask the next question)*
 - b) Did this mean the referendum here was: Fair Partly Fair Mostly Unfair (tick only one)
3. People were not able to vote secretly.
 - a) How often did you see this happen? Never Sometimes Many Times Nearly Always
(tick only one) *(If Many Times or Nearly Always, ask the next question)*
 - b) Did this mean the referendum here was: Fair Partly Fair Mostly Unfair (tick only one)
4. People were not able to vote at all because someone used their ballot paper without permission.
 - a) How often did you see this happen? Never Sometimes Many Times Nearly Always
(tick only one) *(If Many Times or Nearly Always, ask the next question)*
 - b) Did this mean the referendum here was: Fair Partly Fair Mostly Unfair (tick only one)
5. People cannot vote because the polling officials are not ready. (Late start etc.)
 - a) How often did you see this happen? Never Sometimes Many Times Nearly Always
(tick only one) *(If Many Times or Nearly Always, ask the next question)*
 - b) Did this mean the referendum here was: Fair Partly Fair Mostly Unfair (tick only one)
6. Other (describe)

 - a) How often did you see this happen? Never Sometimes Many Times Nearly Always
(tick only one) *(If Many Times or Nearly Always, ask the next question)*
 - b) Did this mean the referendum here was: Fair Partly Fair Mostly Unfair (tick only one)
7. Is the voter Male Female

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