



## **PACIFIC ISLANDS FORUM SECRETARIAT**

### **SOLOMON ISLANDS NATIONAL ELECTIONS 2014 REPORT OF THE PACIFIC ISLANDS FORUM ELECTION OBSERVER TEAM**

#### **INTRODUCTION**

In May 2014 the Pacific Islands Forum was invited by the Government of Solomon Islands to observe the 2014 Solomon Islands national elections, which were held on 19 November. Consistent with the values and objectives of the *Biketawa Declaration* (2000) the Pacific Islands Forum Secretariat was pleased to accept the invitation.

2. Through the *Biketawa Declaration*, Pacific Islands Forum Members, including the Solomon Islands, have committed to the principles of good governance, including upholding democratic processes and institutions, and the liberty of the individual to contribute to framing the society in which they live, through free, fair and democratic political processes. Independent and impartial observation of elections is an important aspect of a free, fair and democratic political process, and which could also reaffirm the transparency and credibility of elections.

3. The Pacific Islands Forum Election Observer Team (the Forum Team) comprised Father Charles Vatu, Principal Electoral Officer of Vanuatu as Team Leader; Papali'i Malietau Malietoa, Electoral Commissioner of Samoa; Mr Sakiusa Rabuka, Pacific Islands Forum Representative to Solomon Islands and two Forum Secretariat officials (the list of members is attached at **Annex 1**). The Team deployed from 10–25 November 2014 and met with Government representatives; the Solomon Islands Electoral Commission; civil society; faith-based organisations; political parties and independent candidates; the Regional Assistance Mission to Solomon Islands; development partners; and members of the diplomatic corps based in Honiara.

4. This report documents the Forum Team's observations and assessments of the conduct of the 2014 national elections and the legal and institutional architecture and processes which frame and guide the conduct of national elections in Solomon Islands. The views and experiences of the wide range of stakeholders consulted, particularly of Solomon Islands citizens, were also taken into consideration.

5. The Forum Team deployed across Guadalcanal and visited Malaita, and was able to observe all aspects of the elections in rural and urban areas – the pre-polling environment, the opening of polls, casting of votes, closing of polling, the count and the declaration of final results.

## **CONTEXT**

6. Solomon Islands has an estimated population of 609,883, which is predominantly Melanesian (about 95%) although there are also Polynesian, Micronesian, Chinese and European communities. The total land area is 28,370 square kilometres spread across 1.34 million square kilometres of sea area. The majority of the population (80 percent) lives in rural areas and is engaged in subsistence cultivation. While English is the official language of the Solomon Islands, there are 63 distinct languages, with numerous local dialects. Solomons Pijin is the lingua franca for the majority of people.

7. Between 1998 and 2003, the Solomon Islands experienced a period of internal conflict, commonly referred to as “the tensions” or the “ethnic tensions.” During those years, around 20,000 settlers on Guadalcanal were evicted from their homes, hundreds were killed and much of the country’s infrastructure was destroyed. On 5 June 2000, the elected government was overthrown, leading to a severe breakdown in standards of political governance. Elections were held in December 2001, but conflict continued in North Malaita, rural Guadalcanal and, to a lesser degree, in the Western Province.

8. In July 2003, the Regional Assistance Mission to Solomon Islands (RAMSI) arrived, endorsed by Pacific Island Forum Leaders under the terms of the Biketawa Declaration. RAMSI succeeded in disarming and arresting militants and restoring stability and has remained in the Solomon Islands since, continuing its work in law and order but also expanding to provide broader assistance with the restoration of key institutions of governance. Since the deployment of RAMSI there have been two general elections, on 5 April 2006 and 4 August 2010, both of which were observed by international observers, including the Pacific Islands Forum.

## **THE 2014 NATIONAL ELECTIONS**

9. The Forum Team commends the Solomon Islands Electoral Commission (SIEC) for its achievement in conducting a national election in the given timeframe noting the considerable challenges it faced, particularly with regard to the geographical spread, the rugged terrain of Solomon Islands and the infrastructure and logistical challenges across much of the country.

10. While the Forum Team observed institutional weaknesses with regard to the conduct of the 2014 elections (which observations are elaborated in paragraphs 34-50 below), it did not observe any systematic fraud or attempts to pervert the electoral process. In general the team observed that polling officials were impartial and transparent in facilitating the voting process, as were counting officials in the conduct of the count, although the Team did note reports of isolated incidences of inappropriate activities by some polling officials.<sup>1</sup>

11. The Forum Team was pleased to see that domestic electoral observers as well as registered polling agents and scrutineers of candidates were allowed unimpeded access (within the legal guidelines) to observe polling and counting processes across all the stations visited by

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<sup>1</sup>In one province a polling official tried to steal a ballot box while it was being transported to the Counting Centre, while in another location polling officials attempted to withhold ballot boxes until they were paid.

the team, and were treated courteously by SIEC polling officials and security personnel. The Forum Team also did not observe any systematic intimidation of voters or concerted attempts by state apparatus to influence voters' decisions, although the Team did receive many firsthand reports of inducement by candidates and intimidation and threats against candidates from supporters of rival candidates.

12. The Forum Team congratulates the Solomon Islands Government, SIEC and related agencies on the peaceful and orderly manner in which the 2014 national elections were carried out. The Team also highly commends the Royal Solomon Islands Police Force (RSIPF) for its role in maintaining law and order and facilitating the peaceful, orderly and transparent conduct of electoral processes across the country with support from the Correctional Services of Solomon Islands. The Regional Assistance Mission to Solomon Islands (RAMSI) and the regionally representative Participating Police Force are also highly commended for their support to the RSIPF and the overall electoral process.

13. On the basis of its observations and wide ranging consultations, the Forum Team believes that several processes and procedures in the pre-polling, polling and post polling period could have been better and more efficiently managed. In particular the Forum Team believes that the entire process would have benefited from a longer preparation period, particularly for the registration of voters, and the grooming and sustainable capacity development of SIEC permanent staff as well as contracted polling and counting officials, to ensure consistency in the implementation of procedures, for both the polling and post-polling periods. The Forum Team believes this would have significantly increased the efficiency and timeliness of electoral processes, which are also aspects of free and fair elections.

### **Pre-polling – registration**

14. The Forum Team commends the Solomon Islands Government and the SIEC on the adoption and implementation of the Biometric Voter Registration (BVR) system which has been hugely successful in cleaning the roll, improving its accuracy and assisted in weeding out multiple registrations, as the system only accepts the first registration of the voter. In addition, the capture of biometric data by the system, which is re-produced on the roll for each polling station, significantly minimises the potential for fraudulent voting practices. The Forum Team was also pleased to note safeguards developed by the SIEC to verify voter identity in case of uncertainties with facial recognition, (namely the need for the voter to provide specific personal information), which would also minimise the possibility of disenfranchising genuine/eligible voters.

15. The Forum Team noted additional benefits of the BVR system include the capacity to produce reports of disaggregated data according to age, gender, distribution of voters across constituencies, and the rates of voter turnout at each polling station, which information would be very useful for informing future elections planning and preparations. The Team however noted several issues pertaining to the rollout of the BVR which could be strengthened.

16. In particular, it was noted that the SIEC had planned to register all eligible voters between 3 March and 5 April 2014 (which date was extended to 18 April following the floods in

Honiara), in effect giving it a period of five weeks to create a completely new register of voters in a country with limited infrastructure and where more than 80 percent of the populace resides in rural and difficult to access areas. The process for registering voters had also changed from past practice, where SIEC officials would visit every house to register voters, to the establishment of central registration stations to which voters had to travel in order to register. The Forum Team acknowledges that due to the equipment required (particularly access to sources of electricity) it would not be possible for registration teams to travel to individual households, as it did in previous elections.

17. The Forum Team was informed by many interlocutors that although the BVR was a positive development and a step in the right direction, the period for registration was too short, which combined with the change in mode of registration, created issues of accessibility to the registration centres and resulted in many people not being able to register. One Honiara resident attempted three times to register but due to the long queues and the fact she had to return to work, gave up in the end. Another Honiara resident (who worked for the SIEC) was too busy at work to take time off to register and also missed out (which apparently was the case for many SIEC workers). The Team also heard of other instances where people did not have bus fares or were simply apathetic about making the extra effort to travel to the registration centre. 287,567 voters were registered for the 2014 elections. Rough estimates given to the team of the number of unregistered eligible voters ranged from 15 percent -50percent.<sup>2</sup>

18. It was noted that no official proof of age is required to register as a voter, other than to sign a declaration attesting to the veracity of one's claim. The Forum Team acknowledges there is not a strong culture of registering births (and deaths) in Solomon Islands, and not everyone would have birth certificates. However, it was noted that the churches do maintain systems of recording births and deaths, which would probably be the most accurate and up to date, and which could be used to strengthen the electoral process by verifying the eligibility of potential voters.

### **Recommendation 1:**

19. The Pacific Islands Forum Election Observer Team proposes for the consideration of the Solomon Islands Electoral Commission that:

- (a) amendments be made to the Electoral Act to enable an annual registration period from January to April; and
- (b) regular awareness raising and civic education be undertaken by the Commission in partnership with civil society and faith based organisations, between elections, in order to ensure the maximum utility of the open registration period.

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<sup>2</sup> The SIEC estimates that up to 85 percent of the voting age population was registered under the BVR, while other interlocutors' estimates range from 50-70 percent.

## **The poll**

20. The Forum Team observed the opening of polls, casting of votes and close of polls in polling stations in the Northeast Guadalcanal, Central Guadalcanal, Northwest Guadalcanal, East Honiara, Central Honiara and West Honiara constituencies.

21. The Forum Team observed in the stations visited that the opening of polls commenced 19 November on time at 7am and was carried out in an orderly and transparent manner with Presiding Officers inviting elections observers and candidates' agents to witness up-close the sealing of the boxes. Presiding Officers clearly called out and registered the serial numbers on each of the seals following which candidates' agents were asked to verify that the numbers recorded were the same as on the seals, then sign the reconciliation sheet.

22. For the poll itself, the team observed that all stations had posters and clear signage informing voters of the steps required for casting their votes, and polling officials were cooperative and readily answered questions of voters. All the polling stations visited were well set up with demarcated areas for registered candidates' agents and observers with a clear view of the entire polling station.

23. The process followed, as witnessed by the Forum Team members, commenced with the verification of the voter from the roll after which indelible ink was applied to the left little finger. The Presiding Officer then wrote the voter identification number on the stub of the ballot paper, signed the bottom (his/her 'official mark'), detached the ballot from the booklet and issued it to the voter. In some stations Presiding Officers also called out the names of the voters before issuing the ballots. The voting process was well managed, orderly, and incident free, although Forum Team members did note that in the stations observed only 1 polling official was assigned to facilitate assisted voting where ideally two officials should be assigned for transparency purposes, particularly with illiterate voters.

24. The Forum Team noted that while out-of-constituency registration was undertaken, out-of-constituency voting was not permitted. This meant that a considerable proportion of the population, particularly in the urban areas, had to travel to their constituencies to vote at some inconvenience and cost. Additionally the Forum Team was informed that candidates often provided transport for voters.

25. Polls closed at 5pm, 19 November in almost all locations across the country in line with past practice, although the polling period was extended by 2 hours (with the consent of the Electoral Commissioner) in one Province due to the long queues. The Forum Team observed that the closing of polls were conducted in a highly transparent manner, with candidates' agents and observers again invited to witness up-close the sealing of the ballot boxes and verify the reconciliation of ballot papers, following which the ballot boxes were transported to police stations for safekeeping overnight prior to the count.

26. The only issues of concern observed by the Forum Team was that the vast majority of polling agents and security personnel deployed on polling day could not exercise their constitutional right to vote as voters were allocated specific polling stations and in most cases

polling officials and security personnel were deployed away from their own constituencies.<sup>3</sup> In addition, although 19 November was declared a public holiday the Team observed that several private businesses in Honiara remained opened and the ability of Solomon Island staff to take leave to vote was at the discretion of employers. Many more Solomon Islanders living and studying overseas, and those that were out of the country during the registration period, were similarly disenfranchised of their right to vote.

27. It is estimated that more than 3,500 polling and security officials could not cast their votes – the SIEC had engaged an additional 3,200 polling officials for the election while the Royal Solomon Islands Police Force deployed 1,032 officers, and the Correctional Services deployed 168 Corrections Officers. Only a very small number of these officers and officials would have been able to vote. The number of Solomon Islanders studying or working overseas who were not able to vote is not known.

## **Recommendation 2:**

28. The Pacific Islands Forum Election Observer Team proposes for the consideration of the Government of Solomon Islands that amendments be made to the Electoral Act to allow pre-poll voting, postal voting and out-of-constituency voting. This will enable voting by polling officials, essential services personnel and Solomon Islanders who will not be in the country on the day of polling and voters living away from their constituencies.

## **The count**

29. The Forum Team observed the count in 5 counting stations in Honiara. Team members also visited Malaita and observed the count at the 7 counting stations in Malaita.

30. The key observation by Forum Team members from observing counting across 12 counting stations was the lack of consistency applied in the procedures for counting, with individual stations adopting their own counting methods. While the Forum Team did not observe any inappropriate practices during the counting, which was conducted in a highly transparent manner across all the stations observed, the uncertainty by Returning Officers in the early stages on how to proceed resulted in confusion in several stations, and in the opinion of the Team, led to inefficiencies and unnecessary delays in the count. Based on the Teams observations and assessment it would appear that either the Returning Officers and counting officials received inadequate training or that there was not sufficient uptake and/or retention of the training.

31. It is noted that the training provided by the SIEC for Presiding Officers and Returning Officers was held for one week a week before polling to ensure it remained fresh in the minds of the trainees. Unfortunately, from the Team's observations, the timing did not meet the objective of ensuring retention and demonstrates the need for longer, more in depth training, including practice runs on how to conduct the count, which could be supplemented by refresher training a week before polling.

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<sup>3</sup>Although the SIEC tried to ensure polling officials were deployed outside their constituencies, Forum Team members observed one station where the Presiding Officer cast the final vote, albeit in a very open and transparent manner, requesting observers to verify his eligibility to vote and his identification card.

32. The Forum Team was also advised that while Presiding Officers and Returning Officers were engaged and trained by the SIEC, they were given responsibility to engage and train polling and counting officials in their respective stations. The Forum Team notes that this is consistent with Section 4 (2) of the *Electoral Act*, and although it did not observe any impropriety by polling and counting officials, it is a matter of concern that Presiding Officers and Returning Officers may “...appoint such fit and proper persons to assist in the conduct of the elections as [they] may deem expedient.” Section 12 of the Act also gives the Registration Officer, who will be appointed by the SIEC, the power to “...appoint such number of persons as may be necessary.”

33. The Forum Team is of the view that this *carte blanche* given to the Registration Officer and Returning Officers to appoint their own staff, without minimum eligibility guidelines can call into question the neutrality of registration and polling officials and thereby the integrity of the polls. While the Forum Team recognises and commends the professionalism and impartiality of the 2014 national elections polling officials, the Team believes that in future, the use of public servants (particularly teachers) or a national recruitment drive would facilitate a more transparent process, and minimise the possibility of allegations arising of undue influence by polling officials.

### **Recommendation 3:**

34. The Pacific Islands Forum Election Observer Team recommends for the consideration of the Solomon Islands Electoral Commission that:

- a) all Returning Officers and Counting Officials are regularly and uniformly trained on the polling process, particularly the counting to ensure confidence and familiarity with counting procedures; and
- b) clear policies and guidelines are developed, to supplement the Electoral Act, for the recruitment of temporary polling and counting officials to include minimum eligibility requirements and remove any doubt as to the neutrality of polling and counting officials.

## **THE INSTITUTIONAL FRAMEWORK AND ENABLING ENVIRONMENT FOR CONDUCTING ELECTIONS IN SOLOMON ISLANDS**

35. National elections in Solomon Islands are conducted in accordance with Constitutional provisions and the *National Parliament Electoral Provisions Act 2013*, as amended (the Act). In 2014 the National Parliament also passed the *Political Parties Integrity Act 2014* which governs the registration, administration and regulation of political parties, and under which any parties wishing to contest the elections must be registered. In the past political parties were registered under the *Charitable Trusts Act 1996*.

## **Independence of the Solomon Islands Electoral Commission**

36. The Electoral Commission is established under section 57 of the Constitution and has general responsibility for the conduct of national elections. The Commission consists of the Speaker of Parliament as Chair and two other members appointed by the Governor-General. The day to day operations of the Commission is managed by the Chief Electoral Officer who comes under the Permanent Secretary for Home Affairs. The Commission is in effect a division in the Ministry of Home Affairs and receives its budgetary allocations through that Ministry.<sup>4</sup> At the time of the 2014 national elections, the Commission had a permanent staff of 8, paid from the recurrent budget, supplemented by 5 technical advisers funded by development partners.

37. The Forum Team noted that in keeping with past elections, the Solomon Islands Government bore the brunt of the cost for the election, having provided SBD 42 million from the recurrent budget, including for the implementation of the BVR system.<sup>5</sup> The Forum Team congratulates the Government for consistently taking responsibility for and ownership of national elections through the allocation of funds, which allocations the Team noted are very large. However, the Forum Team notes that the Electoral Commission receives minimal funding *in between* elections, most of which is spent on administration costs, including salaries. There is very little (if any) funding for activities and programming, particularly for civic awareness.

38. The Forum Team believes that the independent conduct of national elections underpins democratic good governance and as such, the institutions responsible for the conduct of elections should be empowered to work in a manner and environment that is free of any external influence, including the *perception* of external influence, and furthermore, is adequately resourced with both funding and personnel, to ensure its independent operations. Maintaining an adequate level of funding in between elections will also help with updating the voter roll and the ability of the Commission to respond quickly and efficiently to unforeseen circumstances, particularly by-elections.

### **Recommendation 4:**

39. The Pacific Islands Forum Election Observer Team proposes for the consideration of Solomon Islands Government that:

- a) the Solomon Islands Electoral Commission be re-established as an independent Commission, separate from the Office of the Speaker of Parliament and the Ministry of Home Affairs;
- b) the position of Chief Electoral Officer be upgraded to Permanent Secretary level, and be given full budgetary responsibility for the operations of the Commission; and
- c) the Commission is allocated sufficient funding annually from the national budget to maintain the electoral role, build capacities, up skill, and adequately remunerate and maintain its staff.

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<sup>4</sup> The Chief Electoral Officer ranks six levels below the Permanent Secretary.

<sup>5</sup> Technical assistance was also received from donors including the European Union, the United Nations, Australia and New Zealand.

## **Registration of voters in constituencies and constituency boundaries**

40. The eligibility requirements to register as an elector, namely to be a citizen who has attained the age of 18 years, is set out in section 55 of the Constitution. No Solomon Islander is entitled to be registered in more than one constituency or “in any constituency in which he is not ordinarily resident.”

41. In line with section 54 of the Constitution the Solomon Islands is divided into 50 electoral constituencies. The Constituency Boundaries Commission has responsibility to review the boundaries at least once every ten years and make recommendations as to the number and boundaries of constituencies, to conform to the principle of equal number of inhabitants (or as nearly equal as practicable) for each constituency.

42. In the 2014 national elections, the Forum Team noted disparities in the size of constituencies, with the smallest constituency, Shortland Islands, having 2,512 voters, and the largest constituency, Central Honiara, having 13,528 voters. The vast majority of constituencies (25 of the 50) had between 5,000-7,000 voters, while 17 constituencies had less than 5,000 voters, 5 constituencies had between 7,000-10,000 voters, and 3 constituencies had more than 10,000 voters.

43. The Forum Team notes that the registered number of constituents does not reflect the ‘ordinarily resident’ population of those constituencies, with an estimated 84 percent of Solomon Islanders having registered to vote away from their ordinary place of residence. The Team notes that not only is it unconstitutional to register in a locality where a voter is not ordinarily resident, but that many candidates engage in a form of gerrymandering by transporting voters to their constituencies to inflate the roll in their favour. Although the Team spoke with several candidates who expressed dissatisfaction with the inducement and transportation of voters *en masse*, it is a practice that is widespread across Solomon Islands and considered to be the norm. In the Team’s opinion it is a practice that has definite implications on the results of elections.

44. The Forum Team noted that in February 2010 the Constituency Boundaries Commission recommended creating 17 additional constituencies – 4 for Malaita, 3 each for Guadalcanal and Western Province and 1 each for the remaining 6 provinces plus Honiara. This proposal however was not accepted for a variety of reasons including the financial implications of implementing the proposal. The Forum Team believes that if the residential requirements for registering as a voter in a particular constituency are adhered to, the disparity in the sizes of constituencies will probably be even greater, necessitating the need for the review of constituency numbers and boundaries. Either way the boundaries need to be reviewed to reflect changes in population growth and spread, and in keeping with constitutional requirements.

### **Recommendation 5:**

45. The Pacific Islands Forum Election Observer Team recommends for the consideration of the Solomon Islands Government that:

- a) the residential requirements for registration in a particular constituency are enforced to conform with constitutional requirements and minimise the possibility of candidates seeking unfair advantage through the artificial inflation of rolls; and
- b) constituency boundaries are reviewed to ensure more equitable distribution of constituents, ensuring that any review is undertaken in parallel with in-depth and comprehensive awareness raising by the Constitutional Boundaries Commission and the Electoral Commission to educate the public of the need for fair and equal (or as nearly equal as practicable) representation.

### **Civic awareness and responsibilities**

46. During the course of its consultations a recurring issue noted by the Forum Team was the apathy by many Solomon Islanders regarding the elections and the significance of every vote in shaping the political landscape of the country, and thus its future. This general indifference was attributed to a lack (or loss) of trust in politicians and the political system in general and/or difficulties in accessing the registration and voting process, compounded by the fact that the registration process required more effort than previously.

47. While the Forum Team notes that voting is not compulsory in Solomon Islands, it believes that elections are an essential component of democracy as the mechanism for realising the choice of leadership by the majority of the population, and as such, eligible voters should have regular access to accurate information to empower them to make informed choices. The SIEC has the responsibility to ensure the education and awareness of eligible voters of their civic rights. Ongoing civic education and public awareness conducted in partnership or complemented/supplemented by civil society and faith based organisations will increase penetration and reach and help voters understand the significance of each vote, to make better and informed choices and hold their elected representatives to account.

### **Recommendation 6:**

48. The Pacific Islands Forum Election Observer Team recommends for the consideration of the Solomon Islands Electoral Commission and the Solomon Islands Government respectively that:

- a) widespread and regular civic awareness activities are undertaken, particularly in rural and remote areas where the majority of the population lives, to educate people and raise awareness on the significance of democratic and electoral processes; and
- b) the Solomon Islands Electoral Commission receives adequate funding from the recurrent budget, to undertake widespread and regular civic awareness programmes.

### **The influence of the Constituency Development Fund (CDF) on elections**

49. The Constituency Development Fund was established in the 1980s to facilitate small and medium scale development and entrepreneurial programmes, initially at a sum of SBD 100,000 per Member of Parliament per year, although it has been gradually increased over the years. In 2013 Parliament passed the *Constituency Development Funds Act*, which formally brought the management of the funds under the direction of Members and significantly increased the

allocations for MPs. As at September 2014 the annual allocations for each MP amounted to about SBD 8 million a year while the entire CDF was estimated to account for 62 percent of the 2014 Development Budget (projected at SBD 641.1million). The CDF also provides an SBD 400,000 terminal grant for MPs at the end of the Parliamentary term.

50. During the course of its consultations the issue of the Constituency Development Fund was raised repeatedly with the Forum Team, in particular the unfair advantage it gave sitting MPs and the risk it presented for the entrenchment of incumbencies. There were also many allegations of misuse of the public funds for political patronage.<sup>6</sup> The Forum Team noted that 35 out of 50 or 70 percent of newly elected Members were incumbents compared to less than 50 percent previously, although whether this was due to the CDF (or some other factor or combination of factors) is a matter for more robust research.

51. Be as it may, the Forum Team believes that the amount of the terminal grant given under the CDF does accord an unfair advantage to incumbent MPs wishing to contest elections, notwithstanding the SBD 50,000 limit on campaigning, or anti-bribery laws, which incur minimal penalties and are difficult to enforce anyway.<sup>7</sup> In addition, the loose guidelines regulating expenditure under the CDF can be abused for political patronage.

#### **Recommendation 7:**

52. The Pacific Islands Forum Election Observer Team proposes for the consideration of the Solomon Islands Government that:

- a) the Constituency Development Fund Act be amended to bring the management of the fund under the control of relevant government agencies, to reduce possibility of misuse of the Fund for political patronage; and
- b) the enabling regulations for the implementation of the Constituency Development Fund Act be developed and promulgated as soon as possible.

#### **The representation of Women**

53. The Forum Team noted that of the 447 candidates contesting the election, 26 were women, only one of whom was successful, Ms Freda Tuki Soria Comua of Temotu Province. In the immediate past elections of 2010 and 2006, there were 25 and 26 women candidates respectively, none of whom were successful in national elections.<sup>8</sup> The Forum Team warmly congratulates Ms Comua on her milestone achievement of winning election into Parliament notwithstanding the considerable odds against her.

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<sup>6</sup> Although the CDF Act provides general guidelines for the use of the funds the enabling regulations have not yet been promulgated. In addition, a report by the Bills and Legislation Committee on the CDF Bill expressed concern that the Bill was not consulted and would not provide adequate administrative and governance mechanisms for the disbursement of public funds.

<sup>7</sup> The Team was advised that following the 2010 elections 18 petitions were raised with the Commission, only one of which was successful.

<sup>8</sup> Following the conviction and sentencing of successful candidate Jimmy Lusibaea in 2010, his wife Vika Lusibaea successfully contested the by-election for his seat, and was the incumbent MP for Malaita in the 2014 elections.

54. Noting the inherently disadvantaged position of women candidates in contesting elections, namely the lack of access to resources and cultural and community perceptions of the role of women, the Forum Team is of the view that creating a more enabling environment for women would maintain a minimum number of women representatives in Parliament. The Team noted that precedents of specially allocated seats for women already exist in the Pacific, in Bougainville and Samoa, which could be drawn on and modified accordingly to the context of Solomon Islands.

55. The Forum Team commends the Ministry of Women, Youth, Children's & Family Affairs for its ongoing efforts to empower and train women to increase the representation of women in Parliament, including in partnership with development partners, UN Women, UNDP, the Secretariat of the Pacific Community, the European Union, the Forum Secretariat and others. The Team noted that the sole successful female candidate, Ms Freda Comua, was one of 20 female candidates who attended the "Transformative Leadership Programme" training conducted by UN Women in 2014.

#### **Recommendation 8:**

56. The Pacific Islands Forum Election Observer Team recommends for the consideration of the Solomon Islands Government that the necessary legal reforms be implemented to reserve a minimum number of Parliamentary seats for women, whether within the present allocation or through the introduction of new seats, drawing where applicable from experiences in other Pacific jurisdictions.

#### **Political Parties Integrity Act 2014**

57. The Political Parties Integrity Act (PPIA) was adopted by Parliament in May 2014 to register and regulate all parties wishing to contest national elections in the future, including the 2014 elections. The objective of the PPIA was to prevent party hopping during a Parliamentary term and thereby try to introduce some stability into Government. Since gaining independence in 1978, the Solomon Islands has seen 15 changes of Prime Minister, with an average tenure of 2 years and four months. The shortest Prime Ministerial term was 8 days for Snyder Rini and the longest was 5 years for Sir Allan Kemakeza.

58. It is still early yet to test the utility of the PPIA, however noting that only political parties can form Government, the Forum Team believes that given time and opportunity the PPIA could lead to greater stability in Government and the development and strengthening of party politics and ideologies.

## **SUMMARY OF RECOMMENDATIONS**

### **59. Recommendation 1:**

The Pacific Islands Forum Election Observer Team proposes for the consideration of the Solomon Islands Electoral Commission that:

- (a) amendments be made to the Electoral Act to enable an annual registration period from January to April; and
- (b) regular awareness raising and civic education be undertaken by the Commission in partnership with civil society and faith based organisations, between elections, in order to ensure the maximum utility of the open registration period.

### **60. Recommendation 2:**

The Pacific Islands Forum Election Observer Team proposes for the consideration of the Government of Solomon Islands that amendments be made to the Electoral Act to allow pre-poll voting, postal voting and out-of-constituency voting. This will enable voting by polling officials, essential services personnel and Solomon Islanders who will not be in the country on the day of polling and voters living away from their constituencies.

### **61. Recommendation 3:**

The Pacific Islands Forum Election Observer Team recommends for the consideration of the Solomon Islands Electoral Commission that:

- a) all Returning Officers and Counting Officials are regularly and uniformly trained on the polling process, particularly the counting to ensure confidence and familiarity with counting procedures; and
- b) clear policies and guidelines are developed, to supplement the Act, for the recruitment of temporary polling and counting officials to include minimum eligibility requirements and remove any doubt as to the neutrality of polling and counting officials.

### **62. Recommendation 4:**

The Pacific Islands Forum Election Observer Team proposes for the consideration of Solomon Islands Government that:

- a) the Solomon Islands Electoral Commission be re-established as an independent Commission, separate from the Office of the Speaker of Parliament and the Ministry of Home Affairs;
- b) the position of Chief Electoral Officer be upgraded to Permanent Secretary level, and be given full budgetary responsibility for the operations of the Commission; and
- c) the Commission is allocated sufficient funding in the annual budgets to build capacities, up skill, and adequately remunerate its workforce.

63. **Recommendation 5:**

The Pacific Islands Forum Election Observer Team recommends for the consideration of the Solomon Islands Government that:

- a) the residential requirements for registration in a particular constituency are enforced to conform with constitutional requirements and minimise the possibility of candidates seeking unfair advantage through the artificial inflation of rolls; and
- b) constituency boundaries are reviewed to ensure more equitable distribution of constituents, ensuring that any review is undertaken in parallel with in depth and comprehensive awareness raising by the Constitutional Boundaries Commission and the Electoral Commission to educate the public of the need for fair and equal (or as nearly equal as practicable) representation.

64. **Recommendation 6:**

The Pacific Islands Forum Election Observer Team recommends for the consideration of the Solomon Islands Electoral Commission and the Solomon Islands Government respectively that:

- a) widespread and regular civic awareness activities are undertaken, particularly in rural and remote areas where the majority of the population lives, to educate people and raise awareness on the significance of democratic and electoral processes; and
- b) the Solomon Islands Electoral Commission receives adequate funding from the recurrent budget, to undertake widespread and regular civic awareness programmes.

65. **Recommendation 7:**

The Pacific Islands Forum Election Observer Team proposes for the consideration of the Solomon Islands Government that:

- a) the Constituency Development Fund Act be amended to bring the management of the fund under the control of relevant government agencies, to reduce possibility of misuse of the Fund for political patronage; and
- b) the enabling regulations for the implementation of the Constituency Development Fund Act be developed and promulgated as soon as possible.

66. **Recommendation 8:**

The Pacific Islands Forum Election Observer Team recommends for the consideration of the Solomon Islands Government that the necessary legal reforms be implemented to reserve a minimum number of Parliamentary seats for women, whether within the present allocation or through the introduction of new seats, drawing where applicable from experiences in other Pacific jurisdictions.

## CONCLUSION

67. It is the opinion of the Forum Team that:
- the Solomon Islands Electoral Commission did an exemplary job in holding the 2014 national elections within the tight timelines and challenging circumstances it was given to work in;
  - polling officials conducted themselves in a professional and impartial manner;
  - voters were able to exercise their civic rights freely, without intimidation, and in secret;
  - there were shortcomings, particularly with regard the inducement of voters, however, it is clear that the results of the elections reflect the will of the people; and
  - the democratic process in Solomon Islands would benefit from in-depth, regular and sustained civic education and awareness raising.

## ACKNOWLEDGEMENTS

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  - the Solomon Islands Electoral Commission for facilitating accreditation processes and taking time to meet with the Team despite a very heavy schedule;
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Pacific Islands Forum Election Observer Team  
7 April 2015

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