



Review of Electoral Laws (Temporary Special Measures) Submission

29 October 2018

1. This joint submission is made by the following organisations working to promote women's leadership in Papua New Guinea (PNG) and the Autonomous Region of Bougainville: Voice for Change, Eastern Highlands Family Voice, Nazareth Centre for Rehabilitation, Wide Bay Conservation Association, and Bougainville Women's Federation. These organisations are members of *Our Voice*, which is a campaign working to increase the representation and effective participation of women in decision-making at the local level in five countries across Asia and the Pacific, including Papua New Guinea.¹

Organisations contributing to this Submission

Voice for Change is a women's human rights organisation working in Jiwaka Province to empower and mobilise rural women to take leadership in addressing gender-based violence and increasing women's economic empowerment. They coordinate the Jiwaka Women Human Rights Defenders Network, building capacity to lead responses to and prevent violence against women at the community level.

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Eastern Highlands Family Voice (EHFV) is recognised as a leading organisation in Eastern Highlands Province working on Family and Sexual Violence. They provide critical counselling, referral and case management services to women and families experiencing violence. They also work with local communities to promote gender equality and human rights, advocate against abuse and violence, and create social behaviour change.

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The Nazareth Centre for Rehabilitation (NCFR) was created by the Congregation of Sisters of Nazareth in 2001, in response to the need for post-conflict rehabilitation and peace building in communities in Bougainville. NCFR provides refuge and counselling services for women and children survivors of Family and Sexual Violence, as well as to provide leadership skills training for women and young leaders in rural communities, awareness and advocacy for gender equality. Their network of Women Human Rights Defenders and Male Advocates reaches all 13 districts of Bougainville.

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Wide Bay Conservation Association (WBCA) works to strengthen recognition of women as traditional custodians and as equal leaders in their communities. WBCA works to empower local communities, especially women, to have control over decisions about their land and resources. They are supporting women candidates to run for LLG elections for the first time in East Pomio District.

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Bougainville Women's Federation (BWF) is the peak representative body for the women of the Autonomous Region of Bougainville; that works for the empowerment of women, ensuring that women's voices are heard in decision-making at all levels of society. BWF holds a unique position of influence in all matters concerning gender equality and the participation of women in Bougainville's development.

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2. We commend the Constitutional and Law Reform Commission (CLRC) for launching this review of electoral laws in PNG. This submission focusses on the aspects of the review relating to women's representation at national and local levels, with a particular emphasis on consideration of the introduction of a temporary special measure (TSM). It was developed at a joint meeting of senior representatives from all five organisations on 20 August 2018.
3. This submission addresses each of the questions developed by CLRC to guide submission content, as well as providing additional input in relation to TSMs to support women's leadership at the local level. It draws on the experiences of our organisations working to increase women's civil and political leadership in PNG. This submission is structured in four parts:
 - (1) PART ONE focusses on temporary special measures to increase women's representation in PNG and proposes three options for the consideration of the CLRC. This section responds to the first three questions posed by the CLRC, namely:
 - Should women be elected or nominated into the National Parliament?
 - How many seats should the women representatives in Parliament occupy?
 - What role will the woman representative in Parliament play alongside current governors?
 - (2) PART TWO considers women's representation in decision making in Papua New Guinea including the current barriers to women's political representation and the leadership qualities which we believe all candidates for election should demonstrate. This section responds to Questions 4 and 5 posed by the CLRC, namely:
 - What kind of leadership qualities would you like to see in women candidates?
 - What do you think is stopping women from getting into Parliament?
 - (3) PART THREE recommends other broader measures which could be implemented to support women's full and meaningful participation in decision making.
 - (4) PART FOUR includes a summary of all recommendations made in this submission.

INTRODUCTION: WOMEN'S RIGHT TO PARTICIPATE IN DECISION-MAKING

4. Women's equal participation in decision making is provided for in the *Constitution of the Independent State of Papua New Guinea*. National Goal 2 on Equality and Participation calls for equal participation by women citizens in all political, economic, social and religious activities and the creation of political structures that will enable effective, meaningful participation by all people. Clause 50 of the Constitution provides that all citizens have the right, and shall be given a reasonable opportunity to take part in the conduct of public affairs; to vote for, and to be elected to, elective public office; and to hold public office and to exercise public functions. Clause 55 (1) provides for the equality of all citizens irrespective of race, tribe, place of origin, political opinion, colour, creed, religion or sex. Importantly, 55(2) specifically allows for the introduction of temporary special measures - providing for the making of laws for the advancement of females.
5. The Sustainable Development Goals, agreed to by the PNG Government in 2015, contain a specific target in relation to women's participation in decision making under SDG 5 on gender equality and women's empowerment. Under Target 5.5, Governments have committed to ensure women's full and effective participation and equal opportunities for leadership at all levels of decision-making in political, economic and public life. This target is supported by two indicators: the proportion of seats held by women in national parliaments and local governments (5.5.1) and the proportion of women in managerial positions (5.5.2). Target 16.7 also calls for countries to "ensure responsive, inclusive, participatory and representative decision-making at all levels", including by ensuring women's inclusion.
6. Women's right to full and effective participation in decision making is also clearly stated in international human rights agreements and frameworks, including the Convention on the Elimination of all forms of Discrimination against Women (CEDAW), ratified by the PNG Government in 1995, the Beijing Platform for Action and the Pacific Leaders Gender Equality Declaration, endorsed by the PNG Government in 2012.²
7. Unfortunately, despite PNG's numerous commitments to gender equality, PNG is now one of only five countries in the world who have no female membership in Parliament (alongside Yemen, Qatar, Micronesia and Vanuatu).³ Women have been contesting in national elections in PNG since 1972, with numbers of women candidates increasing over the years. However, women's participation as candidates has remained staggeringly low at around 3% of the total candidates, with only one female contesting for every twenty-eight males in elections between 2002 and 2012.⁴ Only seven women have been elected to PNG Parliament over 40 years.⁵ The 2012 elections saw three women elected to national parliament, however at the 2017 elections, a record number of women contested but not one woman was elected to any of the 111 seats.⁶
8. Women's equal and meaningful participation in all levels of decision making, and in both formal and informal spaces, is first and foremost a question of fairness and equality. Women have a right to participate in decisions that affect their lives. The meaningful participation of women is also critical to make sure the needs and priorities of women are being heard and represented in policy decisions. Women and men can share the responsibilities of leadership and work together to solve problems and create solutions that will benefit their communities.

Amplifying and advancing women’s leadership can also change attitudes towards gender equality. One woman leader can show a whole generation of future female leaders what is possible.⁷

PART ONE: TEMPORARY SPECIAL MEASURES THROUGH ELECTION OR APPOINTMENT

Specific CLRC questions

Q.1: Should women be elected or nominated into the National Parliament?

Q.2: How many seats should the women representatives in Parliament occupy?

Q.3: What role will the woman representative in Parliament play alongside current governors?

9. PNG’s Vision 2050, developed by the National Strategic Plan Taskforce, already calls for preparation of a legislative framework for ‘the reserve of seats for women in the National Parliament’, as well as provincial and local-level governments.⁸ The Pacific Leaders Gender Equality Declaration 2012 included support for the use of temporary special measures to increase women’s representation. The Commonwealth Observer Group, in its report on the PNG 2017 elections, also recommended that the PNG Government consider strengthening its efforts to increase women’s representation in parliament, including through implementation of TSMs.⁹
10. The CLRC’s questions to guide submissions clearly recognise that some form of temporary special measure might be useful in promoting women’s political participation in PNG. PNG already has considerable experience with TSMs, with the Eighth National Parliament attempting to implement appointed reserved seats for women from 2008-10, and then debating legislation to enact 22 elected reserved seats for women from 2010-12. Unfortunately, these efforts were not successful, and while 3 women were successfully elected to the Ninth Parliament in 2012, in 2017 PNG made global headlines by electing a legislature comprised only of male MPs. This, coupled with the history of PNG since independence which has seen only a total of seven women elected over the course of 10 legislatures, strongly suggests something more needs to be done.
11. Before proceeding to discuss what TSM approaches may be most suitable for PNG, it is worth reflecting more generally on TSMs and how and why they work. TSMs are temporary rules put in place to create opportunity for women in decision making positions and most commonly include some form of special women’s quotas, such as reserved seats or political party women candidate quotas.¹⁰ The term “Temporary Special Measures” comes from Article 4 of the Convention on the Elimination of All forms of Discrimination against Women (CEDAW), which states that “adoption by States Parties of temporary special measures aimed at accelerating de facto equality between men and women shall not be considered discrimination...” Use of TSMs is further recommended under CEDAW Committee General Recommendation No. 5 and General Recommendation No.25. A critical element of their usage is that they are supposed to be “temporary”, which means that, as and when equality is achieved, they should be removed. This may require some form of sunset clause to be included in any TSM legislation or constitutional amendment, or for some form of review process to be put in place to assess whether and when TSM’s have fulfilled their objective.

12. Prior to 1995, only a small number of countries had quotas for women. However by 2015, quotas have spread across the world, existing in one form or another in more than 120 countries.¹¹ Evidence supports the effectiveness of TSMs in increasing women's political leadership, when used as part of a broader comprehensive approach.¹² Of the 47 countries in the world with 30% or more women's participation in national parliaments, 41 countries (85%) use at least one form of quota system.¹³ Increasing the numbers of women in parliament can impact on attitudes towards the value of women's leadership. Research conducted in 70 countries showed a significant relationship between the number of women in parliament and public attitudes to women in politics.¹⁴ A new study just published in the *Journal of Economic Behaviour & Organization*, which studied 125 countries, also found there is less corruption in countries where more women are MPs.¹⁵
13. In the Pacific, there has been a strong push for TSMs. In a close island state to PNG, Timor-Leste introduced legislated candidate quotas in 2006 and women now make up 32.3% of the national parliament.¹⁶ The French Pacific territories of New Caledonia and French Polynesia are also subject to the same quotas as the French legislature and each have consistently elected more than 40% women into their legislatures due to compulsory political party quotas for women. In Samoa, a minimum 10% quota was introduced which requires that the National Parliament always have at least 5 women MPs (see paras 20-25 below). In Vanuatu, seats have been reserved for women at local levels. Most notably in PNG, the Autonomous Region of Bougainville reserved three seats for women in the National Parliament and more recently amended their local government law to require the election of one woman and one man to each local council (see paras 26-28 below).

International lessons from implementing quotas

- The introduction of any form of quota requires significant political will and support from women's networks and movements.
- To have impact, quotas need to be designed to take account of the institutional context, i.e. the electoral and political party systems in place.
- To be effective, quotas require clearly defined legislation or political party rules, and must include sanction for non-compliance.
- There needs to be a strong political commitment to their implementation, as well as effective monitoring.¹⁷

14. We have considered the advantages and disadvantages of a variety of temporary special measures which could be introduced in the PNG context and wish to put forward three options for the consideration of the CLRC. Overall, we prefer the use of elections to select women MPs, and support some form of TSM to ensure a minimum number of women are always elected at both national and sub-national levels.

Option One: Convert 22 existing national provincial seats to elected women-only reserved seats

15. Reflecting on previous efforts to introduce reserved seats in PNG, we strongly support the proposal debated by the Eighth Parliament to reserve 22 seats for women with one seat per province, plus one for the National Capital District and one for the Autonomous Region of Bougainville.¹⁸ Women could also contest open seats in addition to these 22 seats.

16. Noting the Local Level Government (LLG) reforms that are currently being designed, and concerned at the cost implications of creating an additional 22 seats, we strongly recommend that the role of provincial governor and provincial MP could be separated, with Governors acting as the senior Administrator (Premier) of each province but no longer sitting in Parliament. The existing Governor's seats could then be retained and reserved for women. This would see 22 seats reserved for women (19.8%) without the need to introduce additional seats. Women in reserved seats would also receive District Service Improvement Program (DSIP) grants, but this would be cost neutral as Governors/Premiers would not receive these funds, which have been reserved for National MPs.
17. The voting system would be the same as currently used for the seat of Provincial Governor, namely, that all voters in a province would vote for the seat using the Limited Preferential Voting (LPV) system. (We propose that Premiers would be elected as part of the LLG elections (rather than national elections).) The elected woman MP would represent the province. LLG reforms would need to integrate the provincial woman MPs into the LLG system, as appropriate.
18. The amendment to the Constitution necessary to create such provincial reserved seats for women was passed in 2012. However, amendment to the Organic Law on Provincial Governments and Local Level Governments and/or the Organic Law on Elections will likely be necessary and would likely require a super-majority (75% of MPs) in the National Parliament.
19. We believe this option provides a cost effective method for introducing reserved seats for women and is relatively straightforward to implement, as it would require amendment to the relevant Organic Law by the National Parliament, but no additional redrawing of boundaries. It guarantees a 19.8% increase in the number of women in the National Parliament, It also provides an opportunity for women to develop their campaigning skills, as they will still be required to reach out to the voters that will need to elect them. These skills could then be used to run in open seats in later electoral cycles. This model will also encourage political parties to more actively identify and support women candidates, as it will be in their interests to bring in these elected women to their own parties. This could also have important internal benefits for political parties, who themselves will need to become more gender sensitive.

Recommendation 1a: *22 seats, elected by all voters, reserved for women – one seat per province, plus one for the National Capital District and one for the Autonomous Region of Bougainville. Alongside this reform, the role of provincial governor and provincial MP should be separated, with (i) Governors acting as the senior Administrator (Premier) of each province but no longer sitting in Parliament; and (ii) existing Governor's seats converted to reserved seats for women.*

Option Two: Introduce a minimum quota of elected women's seats ("Safety Net" Model)

20. Alternatively, we propose that the CLRC examine the option of introducing the Samoa-style "safety net" model. In the Samoan model, the minimum level of women's representation in parliament is set at five seats (10% for the Samoan Parliament's total of 50 seats). If less than five women are elected in any general election, additional female MPs are appointed until the minimum quota of 5 women MPs is met. These additional members are selected by identifying the unsuccessful female candidates who gained the highest percentage of the vote in their

constituencies. This model was introduced in Samoa by constitutional amendment in June 2013.¹⁹ It should be noted that Samoa has a relatively small voting population compared to PNG, which may make this option easier to apply, as the size of electorates is generally more comparable and the percentages easier to determine.

21. We propose that the CLRC examine whether a similar model could be introduced in PNG. Guidance on CEDAW suggests that TSMs should aim to see a minimum of 30% women elected to the legislature. Option 1 would result in approximately 20% elected women. We recommend that if PNG supports the introduction of 20% women's seats, Option 1 should be used to elect them. However, if 20% is seen as too high, the 'safety net' option could be used to set a minimum level of women's representation in parliament - 10% of the 111 seats in the National Parliament, namely 11 seats.
22. We propose that the 11 seats reserved under this model should be based on a regional allocation, with a number of seats reserved to each of the four regions of PNG, in accordance with the population size of each region.²⁰ For example, a regional allocation could see elected women's seats created as follows:
 - 4 seats for Southern region (including National Capital District)
 - 3 seats for Highlands region
 - 2 seats for Mamose region, and
 - 2 seats for the PNG Islands region.
23. These elected reserved seats would only be filled if the minimum number of women per region was not reached in the open election. If the minimum number was not reached, the number of seats necessary to reach the minimum number would then be filled by the unsuccessful woman/women candidates in that region who gained the highest percentage of the vote in their constituencies.
24. Guidelines would need to be developed to guide the distribution of reserved seats by region and how they are filled. For example:
 - Because PNG uses the LPV system, a decision would need to be made whether the percentages used to decide which woman filled a seat was to be determined using only first preferences, or at the conclusion of the counting of all votes;
 - We recommend that guidelines specify that two women from the same province cannot both fill regional reserved seats. This could result in over-representation of particular provinces in the National Parliament and could also create tensions between the communities of different provinces if such allocations looks to unfairly benefit a province;
 - Guidelines would also need to address the relationship between the women elected through this quota and the existing constituency MP (because a woman from the same constituency would fill a reserved seat for the region), including how the DSIP grants are allocated. We recommend that women in reserved seats should be eligible for District Service Improvement Program (DSIP) grants and that these grants are spread across the region rather than being tied to a specific constituency.
25. This model guarantees a minimum number of women in parliament and has the benefit that all female candidates are running in the same process as their male counterparts, so they are not seen to be getting 'special treatment' through reserved seats. Additionally, the provisions are only triggered if women's representation falls short of 10 %, so the costs associated with increasing the number of seats may not result.

Recommendation 1b: *A safety net model, based on the Samoan model, is introduced with a minimum level of women's representation in parliament set at eleven seats (10 %). We propose that this should be based on a regional distribution, with a number of reserved seats by region depending on the population size in each region and guidelines developed to guide the distribution.*

Option Three: Elected reserved seats at the local level

26. The current CLRC review looks specifically at electoral reform, with the questions regarding women's representation focusing specifically on the National Parliament. However, evidence shows that many national MPs work their way up through the system from the local level, where they develop early networks, campaigning experience and knowledge of government. With this in mind, we believe that it is also important for the CLRC to consider local level reform to increase women's representation and participation in decision-making at local level governance. This also ties back to PNG's commitments to implement the Sustainable Development Goals, given an indicator for SDG-5 on Gender Equality focuses on women's political participation at local levels and SDG-16 specifically calls for more inclusive decision-making.
27. Currently, the Organic Law on Provincial and Local Level Government requires two female nominees in local level government. This should translate into the appointment of approximately 12,000 women in wards and local-level governments, but compliance has been low²¹ and there are reports that these positions are being manipulated to give local male powerbrokers more power. The current process of appointment of the ward development committee lacks transparency and can impact on the meaningful participation of ward members and the confidence the electorate has in their representatives.
28. As part of the current electoral review, but also in support of the CLRC's own review of the LLG system, we recommend that the current system of ward development committees with appointed members be abolished and replaced with a system of 50/50 male-female representation through election at the ward level. All representatives at the local level should be directly elected by the electorate. This proposal draws on experience from the Autonomous Region of Bougainville, where the ARB Government passed the *Bougainville Community Government Act*²² in July 2016 which overhauled their local government system. Bougainville replaced their existing 43 Councils of Elders with Community Governments (CGs).²³ Each of these 47 Community Governments (four urban governments and 43 non-urban governments) are comprised of multiple wards; the new Act requires that each ward must elect one male and one female representative, and that the leadership roles for each Community Government must rotate between male and female representatives.²⁴

Recommendation 2: *The current LLG system, which is supposed to appoint 2 women to LLGs, should be abolished and replaced with a system of 50/50 elected representation. Each ward should elect one male and one female representative, with the leadership roles for each Local Level Government rotating between male and female representatives.*

PART TWO: LEADERSHIP CHALLENGES AND QUALITIES

Specific CLRC questions

Q.4: What kind of leadership qualities would you like to see in women candidates?

Q.5: What do you think is stopping women from getting into Parliament?

29. The CLRC has asked for inputs on the kind of leadership qualities women candidates should possess. However, this question should be considered in context, taking into account the challenges facing PNG in terms of political leadership at all levels of governance, as well as the special challenges PNG women face when attempting to engage in politics, both nationally and locally. It is not appropriate to ask a question focused only on women's leadership qualities, but rather, better to reflect upon what type of leadership would benefit all of the people of PNG.

What Leadership Qualities Should Political Candidates Demonstrate?

30. We strongly recommend that the submission question, "What kind of leadership qualities would you like to see in women candidates?" should be reframed to focus on the leadership qualities of all candidates for election (both male and female). There should not be different standards of behaviour or qualities or qualifications for leadership expected of men and women.

31. We believe all candidates (male and female) should:

- Be driven by the needs of the people and not their own personal interests;
- Be focussed on serving the community and not driven by financial gain;
- Demonstrate values of fairness, equality and inclusiveness;
- Respect human rights and diversity in the community;
- Be able to contribute constructively to the discussion of issues and put forward the views of their constituency;
- Make informed and evidence-based decisions and be willing to be held accountable to these decisions;
- Have a clear understanding of relevant laws, policies and their roles and responsibilities as leaders;
- Have a minimum level of education;
- Have a vision for their leadership and work to achieve this;
- Act as a role model for others;
- Be open and receptive to the views of others and be willing to compromise when needed;
- Inspire hope in difficult situations;
- Have the skills to collaborate and work with others.

Barriers to women's political representation at national, provincial and local levels

32. There are many barriers to women's political representation in Papua New Guinea at national, provincial and local levels that have impacted on the ability for many women to demonstrate their leadership capacities in their communities and within institutions of government. These barriers reflect persistent gender inequality across all areas of life faced by Papua New Guinean women. The vast majority of PNG women do not have equal access to power, resources or status. This is further exacerbated for women from poor and marginalised groups, including women in rural areas, widows, young women, women with disabilities and women in female-headed households.

33. Current barriers to women's political representation in PNG include:

- **Unequal access to opportunities and resources:** Women in PNG tend to have poorer access to education, assets, land, food, economic opportunity and reproductive health services than their male counterparts. They also face a heavy burden of unpaid caring and domestic responsibilities.²⁵ These factors make it more difficult for women to take up leadership roles.
- **Unequal access to political opportunities and resources:** Women running for political positions face additional barriers including a lack of support from political parties and lack of access to campaign finance. Experiences in the 2017 election demonstrated that many female candidates faced difficulties in raising funds and that campaigning for the election was a financial strain on themselves and their families. It was also reported that political parties frequently did not provide financial or other resources to support women candidates.²⁶
- **Gender stereotypes:** Decision making at all levels in PNG is often viewed as the domain of men. Gender stereotypes, including negative attitudes about a woman's ability to lead in public or political spaces, impact on how women are perceived as effective leaders, even when they have the skills, experience and attributes necessary to be a good leader for their communities. The simple fact of women even standing for election can be seen as going against traditional custom as to accepted gender roles in the community.
- **Violence:** Women can also be specifically targeted for violence and intimidation if they are running for election or supporting women candidates. For example, in the last election, Jiwaka women human rights defenders who supported female candidates were threatened and there were even instances of their houses being burnt down. Women were also intimidated in the polling lines in Jiwaka and Eastern Highlands Province. Similar instances of intimidation were reported in the 2012 elections across PNG, with research noting that women were more likely than men to report either having experienced intimidation or having been prevented from voting. This included female voters being assaulted at polling stations or being threatened with retaliation if they did not vote for particular candidates.²⁷
- **Tribal and clan system:** Customary relationships and kinship ties often play a crucial role in influencing who is elected, particularly in the PNG Highlands, and may preference male candidates because of traditional gender stereotypes of men as leaders. There is a focus on candidates' ability to provide material benefit for the community and the distribution of gifts and cash in exchange for votes is frequent practice.²⁸ In most Papua New Guinea elections, money politics is a key feature of the campaign period in all regions, with candidates who participated in these activities, generally male candidates, performing better than other candidates.²⁹
- **Confidence and awareness of rights:** Many women are not aware of their right to take up leadership roles and all too often laws are not enforced to protect this right. In PNG society, women have also historically been expected to remain silent and denied the right to participate in decision making which can result in women having a lack of confidence and belief in their own opinions and skills. There is also a lack of understanding as to the meaning of gender equality, including among male leaders, and women's participation in leadership is frequently viewed as a 'women's issue' or as a threat to male leadership rather than as an opportunity for women and men to work together.
- **Long term planning and funding:** Often preparation by female candidates and support for these women only begins in the lead-up to the election. Experience demonstrates the importance of starting early to prepare for elections. This is borne out by research which found that in PNG male candidates began campaigning much earlier than their female counterparts

and were more 'visible' in different communities before official campaigning began.³⁰ Women's lack of representation in community and business leadership roles makes achieving this 'visibility' more challenging. Early preparation also allows for more time for fundraising and signals interest to potential supporters. It is also important that support is provided to women candidates throughout the entire election cycle - that is before, during and after elections.³¹

- **Women's support for women:** Another barrier which has been noted is that female voters were not always interested in voting for women candidates. Additionally, women running against other women in elections can be a problem, as it potentially splits the vote between these candidates. This is exacerbated by the fact that women running for election are seen only as 'women's candidates,' so that there is an expectation that women are candidates for female voters only, leading to a lack of voting support from males in the community, including prominent male leaders who often influence wider voting behaviour.³²

PART THREE: ADDITIONAL MECHANISMS TO CREATE CHANGE

34. Quotas alone do not guarantee increased influence for women or increased focus on women's priorities. It is crucial that TSMs form part of a broader, comprehensive approach.³³ Therefore, we also recommend that the CLRC consider the measures discussed below as part of any proposal to introduce some form of temporary special measure aimed at the National Parliament of PNG.

Political parties women candidates' quota

35. Political parties play an important role in endorsing and supporting female candidates for election. We understand that the Integrity for Political Parties and Candidates Commission (IPPCC) has been working on amendments to the Organic Law on the Integrity of Political Parties and Candidates (OLIPPAC) to include a requirement that political parties must nominate at least 20% women candidates or face a fine for non-compliance. We strongly support this measure and encourage the IPPCC to progress this amendment as a priority. We also recommend that the CLRC use the opportunity of this electoral review to provide support to the IPPCC for this initiative.

36. We strongly endorse the IPPCC's intention to include an enforcement mechanism to ensure compliance, namely a fine. This has worked in many other jurisdictions and additional compliance mechanisms could be considered by the IPPCC. For example, Timor-Leste has a legal sanction for non-compliance, with their proposed party lists rejected by the Electoral Management Body if they do not include sufficient women candidates.³⁴ Other countries impose restrictions on state funding for political parties if parties do not comply with the legislated quotas.³⁵

37. Quotas could also be introduced for internal political party structures. Currently, most political parties are heavily male-dominated, with their executive bodies run by men, who have a dominant role in endorsing candidates. Making political parties more gender sensitive from the inside would be a very practical way of promoting both women candidates and gender-sensitive political party manifestoes. OLIPPAC could also be amended to require political party structures to include a minimum number of women on political party executive boards,

with the IPPCC rejecting a party's registration if it does not comply. Such provisions could apply retroactively, to require all parties to reconfigure their executive boards to ensure gender balance, or risk deregistration.

Recommendation 3a: *OLIPPAC should be amended to include a requirement that a minimum 20% of all political parties' candidates are women.*

Recommendation 3b: *OLIPPAC should be amended to require a minimum percentage of women be included on political party executive boards, with political parties deregistered or refused registration if they do not comply.*

Political party incentives

38. OLIPPAC currently includes a provision that any political party which endorses a female candidate who goes on to win at least 10 percent of the primary votes in her electorate is refunded 75 per cent of her campaign expenses. However, there is a lack of understanding as to how this scheme works and these funds are not being claimed by political parties, in part, because they themselves are failing to provide women candidates with real or timely campaign support. It is understood from the IPPCC that they have yet to pay out any funds under this scheme.
39. Currently, the amount of funding is capped at K10,000 but reforms proposed by the IPPCC suggest increasing this amount to require political parties to provide each nominated candidate with at least K20,000 and for political parties to receive 75% of that back for women candidates who receive more than 10% of the primary vote.
40. We strongly support these proposed reforms by the IPPCC and encourage the CLRC to endorse them as part of its review of the national electoral framework. We also recommend that an awareness campaign on the political party incentive is introduced to ensure political parties and female candidates understand how this mechanism works.

Recommendation 4a: *The current political party incentive under OLIPPAC is amended to provide each nominated candidate with at least K20,000 and for political parties to be reimbursed for 75% of that amount for women candidates who receive more than 10% of the primary vote.*

Recommendation 4b: *An awareness campaign on the political party incentive is introduced to ensure political parties and female candidates understand and utilise this mechanism.*

Sustained support throughout the electoral cycle

41. The experiences of women's organisations across Asia and the Pacific demonstrate the importance of providing support to women throughout the entire election cycle - that is before, during and after elections.³⁶ This support must include working with political parties to reform party policies, procedures and structures such as introducing gender quotas for candidate selection.³⁷ Women also require support in building networks, including with men and potential funders,³⁸ support in raising their profiles and greater opportunities to demonstrate to their constituents that they have the capacity to deliver.³⁹

42. Once elected, female parliamentarians need continued support to navigate male-dominated spaces and to effectively advocate for change in support of women's rights. Support models that have proved effective include mentoring, coaching and women's parliamentary caucuses.⁴⁰
43. UNDP has recently released guidance on actions that can be taken to promote gender equality as part of the election cycle including pre-election (during registration, candidate nomination, voter outreach and planning for election day), during the election (including polling place management and voter information), and during the post-election period (through election assessment, assessing potential revision to regulatory frameworks and developing an action plan).⁴¹

Recommendation 5: *The PNG Government consider mechanisms to support women throughout the entire election cycle - that is before, during and after elections including political party reform, gender sensitive voter outreach, and longer term support mechanisms for female parliamentarians such as mentoring, coaching and women's parliamentary caucuses.*

Mitigating and preventing violence against women in elections

44. Women must be free from violence and intimidation while campaigning and voting. We recommend that the PNG Government consider measures to mitigate and prevent violence against women during elections. It is important to measure the incidence of violence against women in elections and mapping should be conducted. The PNG Electoral Commission should ensure that all staff are trained on violence against women in elections and that this forms part of monitoring and risk assessments. Protection should also be provided to female candidates if required. It is also important to work with political parties on this issue through measures such as updating party regulations to include the prevention and mitigation of violence against women in elections and ensuring compliance with codes of conduct. Prevention of violence against women in elections should also form part of voter outreach education and training aimed at raising public awareness and changing attitudes towards the acceptability of violence.
45. We also recommend that gender segregated polling stations are introduced at the next election together with female police officers deployed at these polling stations to mitigate against violence and family voting pressures, particularly in the Highlands.
46. Broader reforms such as the implementation of the National Gender-Based Violence (GBV) Plan and resourcing for implementation of provincial GBV plans are also essential. These plans should also be referenced in the election and political parties' codes of conduct. UNDP and UN Women have recently introduced tools and a programming guide on actions to mitigate and prevent violence against women in elections which may provide helpful guidance when designing approaches to prevention political violence against women.⁴²

Recommendation 6: *Measures to mitigate and prevent violence against women in elections are introduced including the introduction of gender segregated polling stations at the next election together with female police officers deployed at these polling stations.*

National Gender Women's Advisory Board

47. We recommend that a National Gender Advisory Board is established with diverse representation, including representation from the National Council of Women as well as representation from other sectors including young women, women with disabilities, women working in the private sector and women's organisations from across PNG's regions.
48. This Advisory Board should be established either through amendment of the Standing Orders of Parliament or through legislation, in order to give it the power to provide gender analysis to national parliamentarians on proposed laws and policies, as well as to provide advice to parliamentary committees as appropriate. It could also work more generally with MPs to amplify the priorities and needs of women and girls in PNG and encourage specific legislative action. We recommend that the rule or legislation setting up the Advisory Board set out an inclusive selection process, for example, requiring an open nomination process and/or nomination by specific representative sectoral groups (e.g. the PNG Chamber of Commerce or the National Youth Council). Final appointment to the Board would then be made by a relevant selection committee and/or endorsed by a parliamentary committee or parliament in plenary, on the basis of established selection criteria including gender expertise and diverse representation.

Recommendation 7: A National Gender Advisory Board is established with diverse representation, to provide gender analysis to parliamentarians on laws and policies as well as to amplify the priorities of women and girls in PNG at the local level.

Support for women's organisations and networks

49. Research consistently demonstrates that women's rights organisations play a key role in supporting women to develop the skills, knowledge, networks and confidence to take on leadership roles and to meaningfully participate in and influence leadership spaces.⁴³ Networks play an important enabling role. For example, at the last election, networks of female candidates in different parts of PNG worked together to pool resources, share transport and provide support.⁴⁴ Women's organisations can facilitate these connections.
50. Women's organisations can provide a way to reach marginalised women, including women with disabilities, rural, indigenous, elderly, ethnic minority and widowed women at the local level. Women's organisations also play an important role in advocating for gender equality and changing public attitudes towards women leaders, creating a more supportive environment for women candidates. Local women's organisations also understand the challenges facing women, which shape their leadership opportunities and can provide support to women throughout their leadership journeys.⁴⁵
51. The National Council of Women (NCW) and the provincial chapters provide one mechanism for amplifying the needs and priorities of PNG women. The NCW should be adequately resourced and encouraged to diversify its membership and representation from all regions of PNG.
52. We have welcomed the opportunity, as local women's organisations, to share our views in this submission. As the electoral reform process continues, we recommend that the PNG Government continues engagement with local women's organisations and recognises the

vital role these organisations play in supporting women's leadership and bringing the voices of women and girls at the community level to national processes.

Recommendation 8a: *The National Council of Women (NCW) and the provincial chapters should be adequately resourced and encouraged to identify and work closely with active women's organisations in their provinces to advance women and girls' interests.*

Recommendation 8b: *As the electoral reform process progresses, the PNG Government continues engagement with local women's organisations and recognises the vital role these organisations play in supporting women's leadership and bringing the voices of women and girls at the community level to national processes.*

Tackling Discriminatory Social Norms

53. Supporting women's leadership requires tackling discriminatory social norms including restrictions on women's freedom of movement, unpaid caring responsibilities, acceptance of violence against women and other discriminatory perceptions that women are not suitable leaders.⁴⁶ This requires a long-term approach that involves working with women and men of all ages. We recommend that the PNG Government considers resourcing a public awareness media campaign in support of women's leadership to increase community understanding of gender equality and women's right to political participation.

54. Male leaders can play an important role in supporting women's leadership including by challenging gender inequality in their communities.⁴⁷ We encourage the Government to consider compulsory training on gender equality for all members of parliament as part of the formal induction process and at training sessions to be held throughout the parliamentary term.

Recommendation 9a: *The PNG Government considers resourcing a public awareness media campaign in support of women's leadership to increase community understanding of gender equality and women's right to political participation.*

Recommendation 9b: *Compulsory training on gender equality is provided for all members of parliament as part of the formal induction process and at training sessions to be held throughout the parliamentary term.*

Women's leadership at the local level

55. Measures to increase women's representation and participation in decision making in PNG should also focus on other local level decision making mechanisms which have a real impact on the daily lives of women and girls. For example, village court magistrates are predominantly male. Introducing a requirement that a proportion of magistrates are women should help to ensure the system is more accessible to women in local communities and more responsive to their needs and priorities.

Recommendation 10: *A requirement is introduced that 50% of village magistrates are female and that all magistrates (both male and female) receive training in gender equality and the needs and priorities of women survivors of violence.*

PART FOUR: SUMMARY OF RECOMMENDATIONS

Recommendation 1a: *22 seats, elected by all voters, reserved for women – one seat per province, plus one for the National Capital District and one for the Autonomous Region of Bougainville. Alongside this reform, the role of provincial governor and provincial MP should be separated, with (i) Governors acting as the senior Administrator (Premier) of each province but no longer sitting in Parliament; and (ii) existing Governor’s seats converted to reserved seats for women.*

Recommendation 1b: *A safety net model, based on the Samoan model, is introduced with a minimum level of women’s representation in parliament set at eleven seats (10 %). We propose that this should be based on a regional distribution, with a number of reserved seats by region depending on the population size in each region and guidelines developed to guide the distribution.*

Recommendation 2: *The current LLG system, which is supposed to appoint 2 women to LLGs, should be abolished and replaced with a system of 50/50 elected representation. Each ward should elect one male and one female representative, with the leadership roles for each Local Level Government rotating between male and female representatives.*

Recommendation 3a: *OLIPPAC should be amended to include a requirement that a minimum 20% of all political parties’ candidates are women.*

Recommendation 3b: *OLIPPAC should be amended to require a minimum percentage of women be included on political party executive boards, with political parties deregistered or refused registration if they do not comply.*

Recommendation 4a: *The current political party incentive under OLIPPAC is amended to provide each nominated candidate with at least K20,000 and for political parties to be reimbursed for 75% of that amount for women candidates who receive more than 10% of the primary vote.*

Recommendation 4b: *An awareness campaign on the political party incentive is introduced to ensure political parties and female candidates understand and utilise this mechanism.*

Recommendation 5: *The PNG Government consider mechanisms to support women throughout the entire election cycle - that is before, during and after elections including political party reform, gender sensitive voter outreach, and longer term support mechanisms for female parliamentarians such as mentoring, coaching and women’s parliamentary caucuses.*

Recommendation 6: *Measures to mitigate and prevent violence against women in elections are introduced including the introduction of gender segregated polling stations at the next election together with female police officers deployed at these polling stations.*

Recommendation 7: *A National Gender Advisory Board is established with diverse representation, to provide gender analysis to parliamentarians on laws and policies as well as to amplify the priorities of women and girls in PNG at the local level.*

Recommendation 8a: *The National Council of Women (NCW) and the provincial chapters should be adequately resourced and encouraged to identify and work closely with active women's organisations in their provinces to advance women and girls' interests.*

Recommendation 8b: *As the electoral reform process progresses, the PNG Government continues engagement with local women's organisations and recognises the vital role these organisations play in supporting women's leadership and bringing the voices of women and girls at the community level to national processes.*

Recommendation 9a: *The PNG Government considers resourcing a public awareness media campaign in support of women's leadership to increase community understanding of gender equality and women's right to political participation.*

Recommendation 9b: *Compulsory training on gender equality is provided for all members of parliament as part of the formal induction process and at training sessions to be held throughout the parliamentary term.*

Recommendation 10: *A requirement is introduced that 50% of village magistrates are female and that all magistrates (both male and female) receive training in gender equality and the needs and priorities of women survivors of violence.*

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¹ Our Voice is part of Women's Action for Voice and Empowerment (WAVE), which is a ground-breaking women's leadership program that brings together and supports individual women, organisations, and movements in Asia and the Pacific region to increase the representation of women in diverse leadership positions. WAVE's goal is for diverse women to be equally represented as leaders at all levels of society and to be able to use this power to drive systemic change toward gender equality. To find out more about WAVE see: <https://iwda.org.au/wave/>.

² See The International Covenant on Civil and Political Rights (ICCPR) (Article 25); The Convention on the Elimination of all Forms of Discrimination against Women (CEDAW) (Articles 7 & 8), and The Beijing Platform for Action (Strategic Objectives G.1 and G.2).

³ "Women in Politics: 2017." *Inter-Parliamentary Union*, 19 July 2017, available at: www.ipu.org/resources/publications/infographics/2017-03/women-in-politics-2017?utm_source=Inter-Parliamentary%2BUnion%2B%28IPU%29&utm_campaign=550dedbec7-EMAIL_CAMPAIGN_2017_02_23&utm_medium=email&utm_term=0_d1ccee59b3-550dedbec7-258891957.

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⁵ World Bank et al (2013) Papua New Guinea Country Gender Assessment 2011–2012.

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- ⁷ IWDA, *Our Voice: Women's Participation & Influence in Decision Making*, 2018, available at: <https://iwda.org.au/assets/files/pamphletwithnobleed.pdf>
- ⁸ Papua New Guinea Vision 2050, National Strategic Plan Taskforce, available at: <https://sustainabledevelopment.un.org/content/documents/1496png.pdf> See 1.17.7.1.4
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- ¹⁴ Inglehart, R., and Norris, P. (2003) *Rising Tide: Gender Equality and Cultural Change around the World*, Cambridge: Cambridge University Press cited in Horner, L and Stokes, R. (2012) *Advancing Equality in Women's Participation & Influence in Public Life through the Post-2015 Framework – Inequalities Discussion Paper*. London: VSO, available at: <http://www.worldwewant2015.org/file/291204/download/315679>
- ¹⁵ Chandan Kumar Jha, Sudipta Sarangi. Women and corruption: What positions must they hold to make a difference? *Journal of Economic Behavior & Organization*, 2018; 151: 219
- ¹⁶ <https://www.idea.int/data-tools/data/gender-quotas/country-view/286/35>
- ¹⁷ Inter-Parliamentary Union, 2016, Women in Parliament in 2015: The year in review, available at: <https://www.ipu.org/resources/publications/reports/2016-07/women-in-parliament-in-2015-year-in-review>; United Nations Development Programme, 2016, Temporary Special Measures to Increase Women's Political Participation in the Pacific: Case Studies of Implementation in the Region, available at: <http://www.pacific.undp.org/content/pacific/en/home/library/DG/women-s-politicalparticipation-in-the-pacific.html>
- ¹⁸ Options that involve ARB would need to be aligned with the outcomes of the 2019 ARB Referendum, as necessary.
- ¹⁹ See further detail in Temporary Special Measures to Increase Women's Political Participation in the Pacific: Case Studies of Implementation in the Region, available at: http://www.pacific.undp.org/content/dam/fiji/docs/UNDP%20PO%20TSM_Womens%20Political%20Participation.pdf
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- ²⁵ See for example the survey conducted in Jiwaka Province over a 1000 women and men from 12 communities by Voice for Change – with 'slave like' unpaid care and domestic work identified as the most severe form of violence against women by 18 % of female respondents.
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- ³² Baker, K. (2018). Great Expectations: gender and Political Representation in the Pacific Islands. *Government and Opposition*, 53(3), 542-568
- ³³ The WAVE program has created a Women's Political Leadership Strategy which may be of interest when considering this comprehensive approach - https://iwda.org.au/assets/files/WAVE_WPLStrategy.pdf
- ³⁴ See <https://www.idea.int/data-tools/data/gender-quotas/country-view/286/35>
- ³⁵ See for example, Ireland, <https://www.idea.int/data-tools/data/gender-quotas/country-view/143/35>

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- ³⁶ Julien Barbara, J and Baker, K, December 2016, 'Improving the Electoral Chances of Pacific Women through an Evidence-Based Approach: A synthesis report', *Centre for Democratic Institutions and the State Society and Governance in Melanesia Program*, ANU.
- ³⁷ ODI, April 2015, *Women's voice and leadership in decision-making: Assessing the evidence*, p 26 UNDP/NDI, 2010, *Empowering Women for Stronger Political Parties: A Guidebook to Promote Women's Political Participation*.
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- ³⁹ See Wood, T., 2014, Why Can't Women Win? Impediments to Female Electoral Success in Solomon Islands, CDI Discussion Paper, 2014/01, Centre for Democratic Institutions, ANU, available at: <http://cdi.bellschool.anu.edu.au/experts-publications/publications/1778/why-cant-women-win-impediments-female-electoral-success> cited in IWDA, 2018. Women's Political Leadership Strategy, available at: https://iwda.org.au/assets/files/WAVE_WPLStrategy.pdf
- ⁴⁰ IPU, 2013, *Guidelines for Women's Caucuses*. You can read about a mentoring program currently being supported by IWDA in this practice brief: https://iwda.org.au/assets/files/Myanmar-Woman-Mentoring-Program-Practice-Brief_2018_FINAL.pdf
- ⁴¹ See <http://www.undp.org/content/dam/undp/library/Democratic%20Governance/2124-UNWomen-Poster-ENG-LR.pdf>
- ⁴² See <https://www.ndi.org/not-the-cost> and UNDP and UN Women, *Preventing Violence Against Women in Elections: A Programming Guide*, available at: <http://www.unwomen.org/-/media/headquarters/attachments/sections/library/publications/2017/preventingvaw-in-elections.pdf?la=en&vs=2640>
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- ⁴⁷ iKNOW Politics and International Gender Champions, October 2017, *Facebook Live Forum - The Role of Male Champions in Promoting Women's Leadership*; and Campaign by Women Political Leaders Global Forum involving 50 male Presidents and Prime Ministers: <https://www.womenpoliticalleaders.org/leadership>.