



Commonwealth Observer Group
Solomon Islands National Parliamentary Election
4 August 2010

INTERIM STATEMENT

Dr. Arthur Donahoe, Q.C.
Chairperson of the Commonwealth Observer Group
Honiara: Friday 6 August 2010

Despite serious flaws in voter register, peaceful and orderly voting on election day

The Commonwealth was pleased to be invited by the Ministry of Foreign Affairs and External Trade to observe the elections. I am honoured to have been asked by the Secretary-General of the Commonwealth to lead its Observer Group.

The Commonwealth team has been present in the country since 28 July and has been warmly received. We have met with a range of stakeholders, including the Electoral Commission (EC), political parties and candidates, civil society, media, other observer groups and Commonwealth High Commissions as well as representatives of the international community. We have also met with and coordinated our observation closely with domestic observers to build up a comprehensive picture of the conduct of the process.

During the election period, Commonwealth observers reported from six of the ten provinces in the country and Honiara, and cooperated with other regional and international observers under the auspices of the United Nations International Election Observation Coordination Team. This is our Interim Statement, offering an overview of key findings to this point, as the counting process is continuing and the final results are yet to be declared.

Key Interim Findings

We commend the people of the Solomon Islands for conducting the 4 August National Parliamentary election in a peaceful atmosphere. Voters freely exercised their democratic right. Voting in the polling stations was generally well administered, though some inconsistency in electoral procedures was noticed across stations and provinces. The election, up to this point, has met key democratic benchmarks, providing for freedom of association, expression, assembly and movement, as well as equal and universal suffrage and the right to vote.

As we were about to release this statement, we heard a report of property damage to one counting station. Hopefully this will be an isolated incident.

Voter Register

Numerous concerns and controversy surround the quality of the voter register. One of democracy's basic principles is that of one person—one vote. We have received reports from a range of persons and groups that an unknown but substantial number of voters is registered multiple times across various locations.

Ten days were allotted to a revision of the register through public scrutiny and the Electoral Commission was unable to purge multiple and deceased entries from the list. The basic list being used originated in 1996. These considerations resulted in a register that did not enjoy the confidence of anyone to whom we spoke. As with previous registration exercises undertaken prior to the 2001 and 2006 elections, the 2009/2010 registration process appears largely to have added names rather than accurately updating the number and location of registered voters.

It is acknowledged that internal migration is a national feature that can compromise the accuracy of old electoral rolls. In discussion with the Group, a wide range of stakeholders made serious and persistent allegations that there has been a deliberate inflation of the list by candidates. Thus the number of registered voters in several constituencies contains names of persons who do not ordinarily reside there. Such allegations raise serious questions about the conduct of some candidates and voters and undermine the credibility of both the register and the electoral process in affected areas.

We note that an area of contention in the registration process is the interpretation of what constitutes the 'ordinary residence' of the voter. A decision of the High Court on 2 August 2010 defined this status and declared that a person not ordinarily resident in the constituency in question is not eligible to be registered there. While the court's decision will assist the Electoral Commission in preparing a new voter register for future elections, its effect on the 2010 poll remains unclear.

It is essential that absolute priority be given to producing a completely new register of voters before the next election. Using voter cards to evidence eligibility to vote would help bolster the credibility of the process.

Media

Solomon Islands has a vibrant independent media which provided comprehensive and responsible coverage of the campaign and election day. Discussions with representatives of the media indicated that they were free to cover all aspects of the parliamentary election. The Group commends various innovations made by the media, including working in a coordinated manner so as to maximize coverage. The new media forums presented important opportunities to question political candidates in front of a large audience through TV, radio and in print.

The Legal Framework

Solomon Islands has not signed or ratified key international instruments, including the International Covenant on Civil and Political Rights. The constitution and election laws do, however, provide for basic freedoms and rights required for an election. These include the provision of freedoms of association, expression, assembly and movement. The right to participate as both voters and candidates is also provided for, though the fluidity of the political party system and the phenomenon of parliamentarians frequently jumping from one party and/or coalition to another (known as 'grasshopping'), does have a direct impact on the nature of politics.

The Group acknowledges the efforts made by the Electoral Commission to amend the electoral framework so as to address inadequacies in the legislation as well as to strengthen the relevant electoral laws and regulations. It was noted that there was late consideration by parliament of these proposals, with the final amendments being enacted only once the voter registration process was well under way under existing electoral provisions. The Group also noted that a number of proposed amendments were not passed, including Temporary Special Measures reserving seats for women.

Electoral Administration

Comments on the voter register are presented above. The general preparations made by the Electoral Commission and its management of polling appeared satisfactory given the challenges faced. The slow disbursement of funds to the commission and its impact on commencing electoral preparations is noted. Most stations observed on election day had received the materials required although the Group also noted delays in the arrival of ballot boxes and other materials to some polling stations.

The Group was also impressed by the number and quality of voter awareness and education campaigns run by both the Electoral Commission and civil society groups. Despite these campaigns a few voters appeared not to be well informed of the process, with uncertainty shown about checking the register and what to do once in the polling station.

Election Campaign

The support provided by women's groups through 'WISDOM' to women candidates was particularly welcome.

Though generally calm and orderly, the pre-election period was marked by controversy due to the alleged use of money to influence voting. All groups and persons with whom the Group met spoke explicitly about the distribution of money and gifts by political parties and candidates to influence voter behaviour.

We are conscious that hospitality and provision of gifts and refreshments to friends and associates forms a part of Solomon Islands culture. Solomon Islanders with whom the Group spoke, however, stated that the level and nature of gift giving (in goods and cash) by candidates to voters went far beyond usual cultural norms and should be viewed as deliberate attempts to influence voter behaviour. The use of gifts to buy votes is contrary to the letter and spirit of Solomon Islands electoral laws and international democratic standards.

Voting and Counting

On election day, our Group reported that the delivery of materials had, in the most part, been timely, enabling a punctual opening in the vast majority of cases. We heard reports of apparently low voter turnout in several constituencies with good participation in others.

For the most part, polling stations were well organised and the processing of voters followed prescribed procedures. Overall, observers reported positively on the conduct of voting, commenting that in the vast majority of stations the process was carefully and properly managed.

Commonwealth observers reported that voters were able to express their will freely, though physical arrangements in some polling stations created opportunities for breaches in the secrecy of the ballot. Polling stations generally opened on time and were

in large part well organized by the staff. Most officials showed the benefits of the training they had received though some made mistakes, such as failing to remove the counterfoil from the ballot before handing it to the voter.

Observers reported that most polling stations closed on time, though discontent was expressed by those voters not able to cast their ballot by then. Our observers praised the careful and respectful assistance given to elderly, disabled and frail voters.

The presence of candidate's agents at the polling stations and counting centres was welcomed; their presence helped provide transparency and accountability.

Delay surrounded the commencement of counting but we noted that, once begun, it proceeded thoroughly but at a glacial pace. We heard of an excellent initiative where an extra counting centre was opened to speed up the process.

The counting and tabulation process is on-going and a vital element of the process.

We will issue a final detailed report of conclusions and recommendations to the Commonwealth Secretary-General prior to our departure from the country on 12 August. The report will subsequently be shared with the government of the Solomon Islands, the public and other interested parties.

Honiara, 6 August 2010

For media enquiries, please contact Dr. Purna Sen at +677 20042 or +677 7508813 or p.sen@commonwealth.int