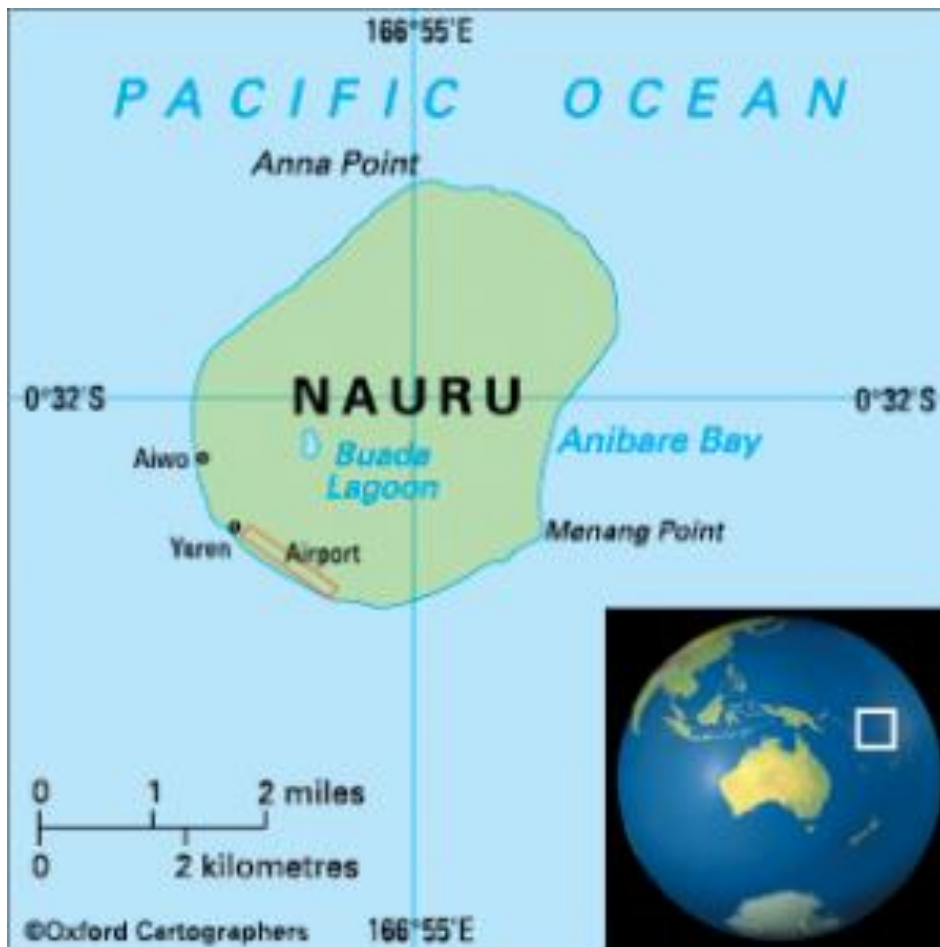


Nauru General Election

9 July 2016

Map



Source: Commonwealth website

**Nauru General Election
9 July 2016
Table of Contents**

ACKNOWLEDGMENTS	iv
LETTER OF TRANSMITTAL	v
CHAPTER ONE	1
Introduction	1
Terms of Reference	1
Activities	1
CHAPTER TWO.....	3
Political Background.....	3
Historical Background.....	3
Post-independence.....	3
Context for the 2016 General Election.....	5
Commonwealth Engagement	6
Advance Observer Mission.....	6
CHAPTER THREE.....	7
The Legal Framework and Election Administration	7
Electoral System.....	7
National Legal Framework and Regional and International Commitments	7
Nauru Electoral Commission	8
Voter registration	8
Nomination of candidates	9
Recommendations.....	10
CHAPTER FOUR.....	11
Election Campaign and Media	11
Campaign	11
Media Coverage	13
Recommendations.....	14
CHAPTER FIVE.....	15
Voting, Counting and Results	15

Key Procedures for Opening and Voting	15
Assessment of the Opening and Voting Process.....	17
Key Procedures for Closing, Counting and the Results Process	19
Assessment of the Closing, Counting and Transmission Process.....	20
Recommendations.....	20
CHAPTER SIX	22
Conclusions and Summary of Recommendations.....	22
A Legal Framework and Election Administration.....	23
B Election Campaign and Media.....	23
C Voting, Counting and Results	24
ANNEX I: Biographies of Chairperson and Observers	25
ANNEX II: Arrival Statement.....	26
ANNEX III: Interim Statement	28

ACKNOWLEDGMENTS

We convey our sincere appreciation to the people of Nauru for the generous hospitality extended to us during our visit.

The Mission greatly appreciated the support and advice provided to us by the Nauru Electoral Commission, particularly Electoral Commissioner Joseph Cain. We recognise the considerable pressure placed on any election management body during an election, let alone a newly-established Electoral Commission conducting its first election. We congratulate the Commission on its successful management of the election.

We welcomed the opportunity to collaborate with the Pacific Islands Forum Observer Team whilst in Nauru.

Our sincere appreciation for the support and advice provided by the Commonwealth Secretariat Staff Team, Albert Mariner and Sarah Linton. Without their commitment and professionalism, we would not have been able to complete our task.

We convey gratitude to the Commonwealth Secretary-General, Rt Hon Patricia Scotland QC, for giving us the opportunity and the privilege to serve the Commonwealth through this mission, in support of democracy in the Republic of Nauru.

Dear Secretary-General

I have the pleasure to submit the report of the Commonwealth Observer Mission, following our deployment to observe the 2016 General Election of the Republic of Nauru that was held on 9 July 2016.

The 2016 election was inclusive, transparent and competitive. The process was organised by a newly-established independent Electoral Commission, that did a remarkable job considering the short timeframe it was given to prepare the poll. Many of the stakeholders expressed confidence in the Commission, which they believed strengthened the integrity and credibility of the electoral process.

We were disappointed that only three women candidates contested the election. We welcomed the re-election of the only female MP from the previous Parliament, Hon Charmaine Scotty. We have encouraged stakeholders to consider measures to provide an enabling environment to encourage more women to participate in elections and achieve greater representation in Parliament.

The Commission must continue with its efforts to update the electoral roll and consider ways to address concerns around voter transfers and proxy votes.

We have encouraged the Commission to consider the important role the media could play in deepening Nauru's democratic culture. In the absence of any private media organisation in the country, the Commission could consider developing a framework that would facilitate the use of media for all election-related activities. This would include guidelines to ensure that all candidates in future elections will have equal access to publicly-owned media for campaign activities endorsed by the Commission.

I was particularly impressed with the technical support provided by the electoral expert, Mrs Judy Birkenhead, whom the Commonwealth Secretariat deployed to Nauru in April 2016. The expert's work and technical advice was widely appreciated by the Commissioner and stakeholders in Nauru.

I have encouraged all leaders of Nauru to pursue a new chapter of political cooperation in ensuring the country's parliamentary democracy is strengthened and development objectives collectively pursued for the benefit of all citizens in Nauru.

Our conclusions and recommendations are submitted with the expectation that, if implemented fully, Nauru's electoral processes will be strengthened. I hope the Government, Electoral Commission, political leaders and all stakeholders will give this report due consideration.



Anote Tong
Chair



Lorna Simon
Antigua and Barbuda



Merylyn Tah
Vanuatu

CHAPTER ONE

Introduction

At the invitation of the Electoral Commission of Nauru, the Commonwealth Secretary-General, Rt Hon Patricia Scotland QC, constituted an Observer Mission for the 9 July 2016 General Election. The Commonwealth Observer Mission was chaired by His Excellency Aote Tong, former President of Kiribati, and comprised three persons in total. The Observer Mission was supported by a two-person team from the Commonwealth Secretariat. A full list of members is at Annex I.

Terms of Reference

The Terms of Reference for the Observer Mission, as set out by the Commonwealth Secretary-General, were as follows:

“The Mission is established by the Commonwealth Secretary-General at the invitation of the Electoral Commission of Nauru. The Mission is to consider the various factors impinging on the credibility of the electoral process as a whole.

It will determine in its own judgement whether the elections have been conducted according to the standards for democratic elections to which the country has committed itself, with reference to national election-related legislation and relevant regional, Commonwealth and other international commitments.

The Mission is to act impartially and independently. It has no executive role; its function is not to supervise but to observe the process as a whole and to form a judgement accordingly. It would also be free to propose to the authorities concerned such action on institutional, procedural and other matters as would assist the holding of such elections.

The Mission is to submit its report to the Commonwealth Secretary-General, who will forward it to the Government of Nauru, the Electoral Commission and the Opposition, and thereafter to all Commonwealth Governments.”

Activities

The Observer Mission was present in Nauru from 3 to 13 July 2016. The mission’s arrival was preceded by a pre-election visit from 17 to 19 June 2016 by one of the observers, supported by the Commonwealth Secretariat.

During five days of briefings in the country, the Mission met a broad range of stakeholders, including: the Nauru Electoral Commission; political candidates including from Government, Opposition, independents and new candidates; civil society groups; women’s representatives; youth representatives; members of the international community; and other international observers from the Pacific

Islands Forum. In the lead up to election day, the Mission observed campaigning, the training of election officials and the distribution of materials, and built a comprehensive picture of the conduct of the process. The Mission also paid a courtesy call on the President, His Excellency Baron Waqa, the Speaker of Parliament, Hon Ludwig Scotty, and the Chief Justice, Ratu Joni Madraiwiwi.

The Chair of the Observer Mission issued an Arrival Statement on 7 July 2016. (Annex II).

On the basis of the Observer Mission's initial findings, the Chair issued an Interim Statement on 10 July 2016 (Annex III). The Commonwealth Observer Mission's report was prepared in Nauru prior to the observers' departure.

CHAPTER TWO

Political Background

Historical Background

The Republic of Nauru is located just south of the equator in the Pacific Ocean, and consists of a low-lying single island covering 21 square kilometres. There are approximately 9,540 inhabitants, of predominantly Polynesian origin. The first recorded European sighting of Nauru, by Captain John Fearn, was in 1798, however the people of Nauru had little contact with Europeans until whaling ships, traders and beach combers began to visit regularly in the 1830s. The island was allocated to Germany under the 1886 Anglo-German Convention. Phosphate was discovered a decade later, and the Pacific Phosphate Company started to exploit the reserves in 1906, by agreement with Germany.

Nauru was captured by Australian forces in 1914 during the First World War, and was subsequently administered by Britain. In 1920, the League of Nations granted Britain, Australia and New Zealand a Trustee Mandate over the territory, although in practice the island was administered by Australia. The three governments bought out the Pacific Phosphate Company, and established the British Phosphate Commissioners, who took over the rights to phosphate mining.

Nauru suffered damage by German naval gunfire and, later, by Allied bombing during the Second World War. The Japanese occupied the island from 1942 to 1945, during which time 1,200 Nauruans were deported to work as labourers in Truk (now Chuuk), in Micronesia, where 463 died as a result of starvation or bombing. The survivors were returned to Nauru in January 1946.

Following the Second World War, Nauru became a UN Trust Territory, administered by Australia in a similar partnership with Britain and New Zealand as had operated in the League of Nations Mandate. Anticipating the exhaustion of the phosphate reserves, a plan by the partner governments to resettle the Nauruans on Curtis Island, on the north coast of Queensland, Australia, was put forward in 1964. However, the islanders decided against resettlement. Legislative and executive councils were established in 1966, giving the islanders a considerable measure of self-government. In 1967, the Nauruans contracted to purchase the assets of the British Phosphate Commissioners, and in June 1970, control passed to the Nauru Phosphate Corporation.

Post-independence

Nauru became an independent Republic in 1968. Sir Hammer DeRoburt became President and continued as a significant figure in Parliament over the next twenty years, leading the government for most of that period. In August 1989, DeRoburt

was ousted in a vote of no confidence. Kenas Aroi succeeded him, but suffered a severe stroke in November 1989, at which time Bernard Dowiyogo became President. Dowiyogo went on to win the next election, but in the November 1995 election was narrowly defeated by Lagumot Harris. Following this period, national politics was characterised by a series of weak, short-lived governments, and the presidency tended to be traded among a small number of politicians.

By 2003, the country faced a severe financial crisis. The government was unable to pay public service salaries and was under pressure from OECD countries to regulate offshore banking and prevent money laundering. Following elections in May 2003, the three presidential candidates were each supported by six members and there were no candidates for the post of Speaker. It was three weeks before Ludwig Scotty was able to secure support and be elected President. However, Scotty retained the confidence of MPs only until August 2003, when Parliament chose former President René Harris to be President. In September 2004, Scotty was again elected to the presidency and an early General Election was held in October 2004, observed by a joint Commonwealth-Pacific Islands Forum observer mission. The new Parliament elected Scotty unopposed as President.

In the General Election in August 2007, President Scotty's supporters took 14 seats, and MPs subsequently re-elected him. His opponent, Marcus Stephen, was supported by three members. However, Scotty's third term lasted only four months; he was deposed in a vote of no confidence in December 2007 and Marcus Stephen was chosen by Parliament to be President. Following his election, Stephen had the support of only nine of 18 MPs. The government was paralysed, Stephen declared a state of emergency and dissolved Parliament. At the ensuing elections in April 2008, the President's supporters achieved a working majority, winning 12 of the 18 parliamentary seats; Stephen was re-elected President and the deadlock ended.

At a referendum held on 27 February 2010, the people of Nauru rejected a package of proposed changes to Nauru's constitution, following a constitutional reform process which had been underway for several years. Among other things, the changes had been intended to stabilise government and establish a popularly-elected presidency.

An early General Election in April 2010, occasioned by the defection of three members, returned exactly the same members, and Parliament continued to be deadlocked. Negotiations and another election in June 2010 failed to secure a resolution. The deadlock finally ended in November 2010, when Parliament re-elected Stephen as President, defeating Milton Dube by 11 votes to six.

President Stephen stepped down in November 2011 amid allegations of corruption in a phosphate deal. In two parliamentary votes in November - both won by nine votes to eight - Freddie Pitcher defeated Milton Dube, only to be ousted by Sprent Dabwido less than a week later.

In the General Election held on 8 June 2013, 19 members were elected, seven of whom were new members. In the parliamentary vote that followed on 11 June, Baron Waqa was elected President defeating Roland Kun with 13 votes to five.

Context for the 2016 General Election

Three Opposition MPs were suspended from Parliament, following a motion introduced by Government in May 2014, for speaking to international media, which Parliament regarded as having brought the country into disrepute. Two other MPs were suspended in June 2014 for behaving in an unruly manner in Parliament. Their return to Parliament was subject to their tendering an apology to Parliament and those affronted by the incident, in accordance with standing procedures. Such an apology had not been forthcoming in advance of the dissolution of Parliament in June 2016. Nauru's Supreme Court subsequently ruled in December 2014 that the suspension of the five MPs followed a parliamentary process and had been conducted in line with legislation enacted by the previous Government.

Restrictions on social media platform Facebook were introduced in April 2015. The Government has stated that the restrictions were put in place temporarily, due to concerns about sexual images of young people being allegedly shared through the platform, resulting in conflict between families. In May 2015, Parliament passed a new Cyber Crime Act, and in May 2016 it passed a new Crimes Act, establishing penalties for such acts. A ban on the use of Facebook remains in force, although individuals within Nauru are still able to access the site through an alternative web browser.

On 16 June 2015, a protest which turned violent took place outside Parliament, with protesters calling on the Government to resign over corruption allegations, and to lift the suspension of Opposition MPs. Three Opposition MPs were arrested for their alleged involvement in the protests, two of whom were kept in police custody for almost two months before being granted bail. Their case is currently before the courts. The Government also cancelled the passport of another Opposition MP, although no formal charges were laid against him. (Mr Kun - the MP whose passport had been cancelled - has subsequently been granted New Zealand citizenship and obtained a passport, and departed Nauru following the 2016 General Election.)

The dismissal of a former magistrate judge, and the cancellation of the former Chief Justice's entrance visa in 2014 have led to questions being raised about the independence of the judiciary in Nauru. In September 2015, New Zealand suspended its development funding to Nauru's law and justice sector due to concerns over the independence of the judiciary.

Following negative reporting by the international media, the Government imposed an A\$8,000 non-refundable fee for visa applications by journalists.

In March 2016, Parliament passed a new Electoral Act, establishing an independent Electoral Commission. Elections in Nauru had previously been administered by the Chief Secretary to Government. An Electoral Commissioner and two deputies were appointed on 22 March 2016.

Commonwealth Engagement

Former Secretary-General Kamalesh Sharma held several meetings in 2015 with President Waqa regarding developments in Nauru. President Waqa invited the Secretary-General to deploy a mission to meet with stakeholders in Nauru and gain a better understanding of the situation. The Foreign Minister of Solomon Islands, Hon George Milner Tozaka, visited Nauru from 10 to 13 November 2015.

In response to a request by the Government, a Commonwealth-funded electoral expert was deployed to Nauru from April to July 2016 to provide technical support to the Electoral Commission and its preparations for the 2016 election.

Advance Observer Mission

As part of an advance election observer mission to Nauru, Marilyn Tahī, accompanied by Albert Mariner, visited Nauru from 17 to 19 June 2016. During this period, the team met the President, Speaker of Parliament, Chief Justice, Chairman of the Electoral Commission, members of the Opposition and other key interlocutors that were involved in the election.

CHAPTER THREE

The Legal Framework and Election Administration

Electoral System

Nauru's unicameral Parliament is chosen in general elections held every three years. Nineteen members are directly elected from eight multi-member constituencies, consisting of between two and four seats.

The President functions as both Head of State and Head of Government, and must be an elected member of Parliament (MP). The President is elected by MPs in Parliament following general elections or a vacancy in office. Nauru does not have political parties. Government is formed as a result of agreements amongst individual members of Parliament, although there are currently several political groupings or factions in Nauru.

National Legal Framework and Regional and International Commitments

Nauru's constitution guarantees fundamental rights and freedoms, including freedom of expression, assembly and association, and participation in elections. The following laws provides the legal and regulatory framework for the conduct of elections:

- Constitution of Nauru 1968;
- Electoral Act 2016;
- Electoral Amendment Act 2016;
- Proxy Voting Regulations 2016;
- Electoral Voters' Verification Regulations 2016;
- Electoral Mobile Polling Station Regulations 2016; and
- Public Service Act 2016 (Section 84).

Nauru has also signed or agreed to some significant regional and international commitments and instruments relevant to the conduct of elections. These include:

- Biketawa Declaration;
- International Convention on the Elimination of All Forms of Racial Discrimination;
- Convention on the Elimination of All Forms of Discrimination Against Women;
- Convention on Rights of People with Disabilities; and
- Commonwealth Charter.

Nauru Electoral Commission

A new Electoral Act was certified on 10 March 2016, providing for the establishment of an independent Electoral Commission. On 22 March 2016, an Electoral Commissioner, Joseph Cain, and two Deputy Electoral Commissioners, Corinne Joram and Sylvanna Diereregea, were sworn in by a Supreme Court Judge. Previously, the election was conducted by the Chief Secretary of the Nauruan Government, who is a political appointee and is usually considered to be aligned with the sitting President.

The Electoral Act is the principal Act governing the process of a General Election. Part 2 sets out the establishment, status and functions of the Electoral Commission. The Electoral Commission is empowered to exercise general direction and supervision over the conduct of elections and, subject to any decision of a Court, is not subject to the direction or control of any person or authority (Section 9(1)), although the Electoral Commission may consult the Minister responsible for elections on any matter (Section 9(2)). Members of the Electoral Commission must exercise their powers with impartiality and refrain from participating in any decision in the course of their work that raises a conflict of interest (Section 10). The Electoral Commission derives its funding from the Government through its national budget process, and Parliament must ensure that the Commission is allocated sufficient resources for the timely and effective performance of its functions (Section 12).

The Mission commends the establishment of the Electoral Commission, and notes many stakeholders expressed confidence in the Commission as they believed the institution strengthened the credibility of the electoral process. A number of stakeholders also welcomed the deployment of a Commonwealth technical adviser to provide the necessary expertise and support election preparations.

The Mission also commends the Commission for producing voter education materials and convening public events to facilitate questions and answers with the candidates and other key stakeholders. The Mission was advised that this was the first time such activities were undertaken before an election was held in Nauru.

Voter registration

A person is qualified to register to vote in Nauru if they are a Nauruan citizen and have attained the age of 20. Voting is compulsory in Nauru for all registered voters. In previous elections, registering to vote was not compulsory, however under the 2016 Electoral Act, Nauruans are automatically registered upon turning 20, with the Electoral Commission consulting the Registrar of Births, Deaths and Marriages. The electoral roll is updated continuously, and closes at 21 days before polling day at 1700 hours (Section 50).

Representatives of the Electoral Commission noted to us that the process of combining the existing electoral roll with information from the Registrar of Births, Deaths and Marriages has resulted in duplicate entries. The Electoral Commission undertook a process of cleansing the electoral roll, but it was believed that some duplicate names remained, particularly where citizens may have changed their names without notifying the Registrar. In order to prevent double voting, the Electoral Commission passed a regulation for the use of indelible ink.

The electoral roll is classified into districts, with each voter's name entered into the district of their residence (Section 37). Voters can transfer their registration to different polling districts for a fee of A\$150. Some commentators believed this fee increase from A\$10 was excessive. Following a recommendation of the Electoral Commission, Parliament amended the Electoral Act to exempt fees being applied to any person who has been automatically enrolled and is seeking to change their registration for the first time. A number of stakeholders expressed the view that the criteria for transferring districts on the electoral roll were too broad. To transfer to a new district for voting purposes, voters must demonstrate any of the following: they live in the district; they were born in the district; it is the district of their parents or spouse; or they have a cultural or customary affiliation to the district. It was suggested to us that these provisions have resulted in groups of people moving constituencies in order to support a particular candidate.

The new Electoral Act also introduced a requirement for voters to present identification (ID) upon arrival at the polling station. The Electoral Commission has authorised the following documentation as acceptable forms of ID: driver's licence; Nauruan passport; birth certificate; bank card; student card; insurance policy; employment card ID; or baptism certificate. Should voters not have one of these forms of ID, they are asked three prescribed questions to ascertain their identity.

Nomination of candidates

A person may be nominated to stand for elections if the electoral roll has closed and they are enrolled in the district within the constituency for which they are being nominated (Section 57). Under Article 31 of Nauru's constitution, a candidate is not qualified to be a member of Parliament if they are: an undischarged bankrupt or insolvent; certified to be insane; convicted and under sentence or subject to be sentenced for an offence punishable according to law by death or imprisonment of one year or longer; do not possess qualifications relating to residence in Nauru; or hold an office of profit in the service of Nauru or of a statutory corporation. The new Electoral Act of 2016 raised the nomination fee from A\$100 to A\$2000, but following a submission from the Electoral Commission, Parliament amended the Act to lower the fee to A\$500. The Commissioner advised that his submission followed his consultation with his Commonwealth Electoral

Network (CEN) and PIANZEA colleagues on the registration fees candidates in their respective countries were required to pay.

Following the introduction of a new Public Service Act in January 2016, public servants and other public office holders must resign from office at least three months before their date of nomination as a candidate for general election. The Government advised that this requirement was important to avoid abuse of office by prospective candidates. Other stakeholders expressed the view that three months was too long a period of notice, and the loss of income over that period and the absence of a guarantee of reinstatement if they are unsuccessful, effectively acted as a barrier to contesting. It was suggested to us that this legislation disproportionately affected potential women candidates, many of whom worked in the public service. We also note that Nauru does not have a fixed election calendar, and potential candidates would need to estimate the date by which they needed to resign. Furthermore, public service employees would be excluded from contesting in any snap election, which would not allow for the required period of notice of resignation.

Recommendations

- The Electoral Commission should strengthen arrangements for data sharing with the Registrar of Births, Deaths and Marriages, to ensure the accuracy of the electoral roll.
- The Government should review the three-month resignation period imposed on public servants seeking to contest the elections, taking into consideration the concerns raised about uncertainty over the timing of elections and the impact this may have on Nauru's efforts to encourage greater participation of women in the country's national election.
- Further consideration could be made with regard to strengthening the arrangements around transferring electorates. Once these arrangements are strengthened, the Commission should reconsider whether the cost of transferring electorates is appropriate in the context of Nauru.
- In an effort to dispel concerns regarding voter padding in constituencies, the list of names of voters requesting transfers could be posted in constituencies for a specified period before their inclusion on the roll. This would allow persons to scrutinise the names and provide the opportunity to make objections, in a similar process to that of the display of the electoral roll.

CHAPTER FOUR

Election Campaign and Media

Campaign

The 2016 election saw 67 candidates from eight constituencies competing for the 19 seats in Parliament. Only three female candidates contested the election.

The Mission observed the late stages of the campaign period. Stakeholders advised that campaigning had been ongoing for months before the writs were issued on 11 June 2016. There is no provision in the Electoral Act that stipulates the official start and end of the campaign period. Sections 120 and 122 of the Electoral Act impose a prohibition on displaying campaign material and campaign activities within 200m of a polling station on polling day. Anyone found in breach of this section of the Act will face a fine of \$5000, or a one-year prison sentence, or both. The Mission was advised by some stakeholders that campaigning was generally a local community activity, where the candidates or their campaign managers would personally undertake 'door-knocking' and have direct meetings with voters, usually family and friends, in their constituencies. There was no restriction on any of the candidates with regard to making direct contact with the voters in their constituencies to promote their policies and election platforms.

Whilst the use of Facebook is illegal in Nauru, the Mission was advised that most of the candidates and their supporters utilized Facebook through a different web browser to share information and promote their policies. Some of the stakeholders advised that 'gift giving' in the lead up to an election was common practice in Nauru. These gifts were alleged to be either white goods, food items or money. Section 129 of the Electoral Act outlines prohibited activities defined as Electoral Treating.

Some of the candidates advised the Mission that, whilst 'gift giving' was common practice in previous elections, they had confidence that the voters still had the secrecy of their ballot assured, and therefore would have their say on who they wanted to represent them in the next Parliament.

The issues that dominated the campaign were: the perceived achievements of the Waqa-led Government; the Regional Processing Centres and future implications for Nauru; alleged corruption and financial mismanagement; Housing Scheme funds - available only to the Government caucus MPs; and issues relating to the suspended MPs from the last Parliament. Other issues included: health, education and high school student scholarships.

Campaign platform events were held during the week before the election in all eight constituencies, giving each of the candidates the opportunities to present their policies to voters. The Mission observed three campaign platforms, at

Ubenide, Anabar and Anetan. All the candidates contesting seats in these constituencies were present, and the events were well attended by members of the public. Each candidate was required to speak for 10-15 minutes on the key issues they would focus on when in Parliament, and respond to questions and answers from the public. The platforms commenced at 1800 and concluded late in the evening, depending on the issues that were raised and the number of questions that were asked by the audience.

Campaign platforms were peaceful, with audiences listening intently to the presentations made by candidates. At Ubenide, a decision by the moderator to conclude the event at midnight was met by a strong reaction from members of the crowd who wanted to continue to pose questions to candidates. Police present at the event intervened and the crowd dispersed peacefully.

Some stakeholders claimed that incumbent members of the Government caucus had a considerable advantage over the other candidates, largely due to their access to financial resources, such as the 'Housing Scheme,' which was a constituency grant made available through MPs to support renovation or refurbishments of houses in their district. This scheme had not been made available to Opposition and independent MPs. Some of the stakeholders alleged that this scheme provided hundreds of thousands of dollars to each member of the Government caucus in the months leading up to the election. Some stakeholders alleged that this fund was used for campaign purposes in the lead up to the 2016 election. When asked about these allegations members of the Government advised that the scheme was part of an ongoing Government policy initiative to undertake much needed improvements to housing on Nauru, and was made available to the general public in accordance with established criteria.

The Electoral Act does not place restrictions on campaign spending, however there are offences relating to campaigning. Section 124 of the Act prohibits bribery, which attracts a fine of up to A\$10,000, up to two years' imprisonment, or both. Election Treating, defined as the offering of cash, food, drink, entertainment, transport to or from polling stations, gifts, donations or prizes with the intent to influence a voter corruptly, is also prohibited and attracts a fine of up to \$5,000 or imprisonment of up to one year, or both. The Mission was advised that there is a general lack of transparency and accountability regarding campaign financing, and some candidates were accused of allegedly offering gifts during the campaign period. The Mission received photographs submitted by some stakeholders of white goods and food items alleged to have been used by some candidates to influence voters in their constituency. The Mission was not able to verify these photographs but encouraged the stakeholders to consider taking the matter up with the Electoral Commission.

Media Coverage

The only media organisation in the country is the Nauru Media Bureau (NMB) which is under the authority of the Ministry of Communication and controlled by a Government Minister. The NMB manages the TV, radio and a monthly publication, 'Mwinen Ko'. The Government Information Office (GIO) sits under the President's Office. The GIO produces the Nauru Bulletin on a fortnightly basis which highlights Government programs and key activities. No international media was present in Nauru during the elections, although the Mission understands some media outlets expressed an interest in obtaining visas to cover the elections.

During the week before the election, a 10-minute program showed daily on national TV outlining the achievements of the Government was alleged by some of the candidates to be a campaign message for all of the Government caucus members.

The Mission was made aware of allegations made by some Opposition members in the international media that NMB had refused to air their campaign advertisements. The Government issued a statement, stating that Government media was used only to highlight national programs undertaken by the Government and not for political campaigning. The Mission was advised that no individual MP, including from those Government, was given undue access to the public media for campaign purposes. The Electoral Commissioner subsequently clarified that the Electoral Act prohibits any candidate from using Government resources for campaigning or election related activities. All candidates were allowed to set up their billboards with their names, photos and key campaign messages, and songs were aired on the radio.

The Mission recognises the important role the independent media plays in a country's democracy. In the absence of private domestic or international media, the Mission encouraged the Electoral Commission to consider working with Government in developing a framework and regulation to allow the Commission to use the public media as a resource tool for future elections. Such an arrangement could facilitate the use of television and radio for voter education activities, facilitated debates between candidates, including campaign materials by candidates to be vetted and approved by the Commission before it is televised and broadcasted. This would ensure that all the candidate would have equal access to the media.

The Mission was advised that the 2016 election saw increased use of social media, facilitated by improved access to the internet over the mobile network. Whilst the use of Facebook was illegal, the Mission was advised that most if not all of the candidates and their supporters used Facebook through another web browser. Text messaging was another popular medium used by candidates to communicate with voters.

Recommendations

- Stakeholders, including Government and the Electoral Commission, should consider measures to provide an enabling environment to encourage more women to participate in elections and achieve greater representation in Parliament.
- The Electoral Commission could consider developing a regulatory framework for campaign financing, to provide for greater transparency and accountability.
- The Electoral Commission should put in place a framework to provide for the use of the public media for future election related activities and to ensure equal access by all candidates to the media.
- Training on election reporting for media personnel could be conducted to ensure public confidence in the accuracy and integrity of the media's role in future elections.
- The Government should lift the ban on Facebook following the finalisation of relevant legislation and guidelines for responsible use of this social media platform, to address the concerns following unfortunate incidents that impacted community and family relations.

CHAPTER FIVE

Voting, Counting and Results

Nauru's General Election was held on 9 July 2016. Voting was scheduled from 0900 to 1800 in 14 polling stations across the island.

Polling stations were located in schools, community centres and fields near the main road, and were managed by presiding officers, assisted by electoral officials. Police provided security at polling locations.

In addition, mobile polling stations were used to enable individuals who were unable to attend a polling station as they were in hospital, detention centre, correctional centre or at home and were so unwell or approaching maternity that they were unable to attend a polling station to cast their vote.

Materials were distributed by the Electoral Commission to presiding officers on the morning of polling day. Police provided security, and assisted with the transportation of polling officials and election materials, at both the opening and the close of poll. Police visibility was high throughout the day and including the count process.

Presiding officers were organised and committed to conducting the election in a peaceful, transparent and consultative manner. Voting was steady throughout the day, and where there were queues, voters waited patiently to cast their vote.

On 8 July 2016, a prospective candidate, whose nomination had been rejected by the Electoral Commission on the ground that he had not resigned from public office within three months of the date of nomination, obtained a Supreme Court injunction to prevent polling taking place in Aiwo constituency. The injunction was overturned on appeal late in the morning of 9 July, and polling commenced in Aiwo at approximately 1300. Following concerns raised with the Electoral Commission about confusion amongst voters in Aiwo, the Speaker, on the advice of the Electoral Commissioner, withdrew the writ for Aiwo. The Speaker reissued the writ and polling subsequently took place on Monday 11 July from 0900 to 1800. The public received advice about the change of polling dates for Aiwo through a gazettal notice, radio announcements, text messages, and word of mouth. The Mission observed the voting at Aiwo constituency on Saturday 9 July, before the process was halted and deferred by the Commission. On Monday, 11 July, the Mission observed the opening, voting, the close of polling and the start of the count for the Aiwo constituency.

Key Procedures for Opening and Voting

The key aspects of the prescribed procedures for the opening and voting are as follows:

Opening Procedures

- The presiding officer displays the empty ballot box to the police officer and asks them to confirm that the ballot box is empty. If a police officer is not present, the presiding officer may ask an election official and a member of the public to see that the ballot box is empty.
- The presiding officer closes the ballot box and seals it with the black plastic seal (tie), and locks the ballot box with a padlock.
- In the event that more than one ballot box has been issued for the polling station, each ballot box is sealed before polling commences. (Unused ballot boxes remain sealed with the paper seal staying in place over the mouth of the ballot box until they are used.)
- The presiding officer produces the sealed package of official ballot papers and opens and counts them in view of the public. The total number counted is recorded in the polling station record book.
- Ballot papers are placed on the issuing table for the election official to commence issuing ballot papers.
- The polling station is declared open at 0900.

Voting Procedures

- The voter enters the polling station and presents to an electoral official, who inspects the voter's left forefinger for any indelible ink mark.
- The electoral official asks the voter for their ID. Acceptable forms of ID are: driver's licence; Nauruan passport; birth certificate; bank card; student card; insurance policy; employment card ID; or baptism certificate. Once satisfied that it is in fact the person, uses the information on the ID to locate the voter on the electoral roll.
- If the voter fails to produce any suitable ID, the electoral officer finds the name of the voter on the electoral roll, and asks the voter three prescribed questions. Once satisfied on the basis of the response to those questions that it is in fact the person, the electoral officer proceeds to next stage of the process.
- The electoral official rules a line through the name of the voter on the register of voters with a red pen, applies indelible ink to the left forefinger of the voter, asks the voter to sign (or, if unable to, mark an 'x') the register of voters next to their name, and hands the voter the ballot paper.
- The voter proceeds to the polling booth and numbers all the squares on the ballot paper in order of preference, then folds the ballot paper and drops it

into the ballot box. Voters may be assisted by a nominated person or an electoral official should they ask for it.

- The voter leaves the polling station.

Voting Procedures (proxy voting)

- If a voter has been authorised to vote on behalf of one or two absent voters, they will enter the polling station with their proxy voting authorisation. The presiding officer takes the authorisation and checks it against the list of proxies provided by the Electoral Commission.
- The presiding officer asks the person three prescribed questions and, if satisfied that it is that person authorised to vote as a proxy, marks on the list of proxy voters that the ballot paper has been issued, and directs the voter to the ballot issuing point (as set out in Voting Procedures above).
- No voter may hold more than five proxies.

Voting Procedures (mobile voting, and voting in close proximity to a polling station)

- A voter may vote outside the polling station (within a close proximity) if the presiding officer is satisfied that the voter is unable to enter the polling station because of a physical disability or illness.
- The election official takes the materials (including the electoral roll, indelible ink and ballot paper) to the voter. The election official then follows the procedures as outlined above.
- If the voter can vote without assistance they are entitled to the same privacy as if they were inside the polling station.
- The completed ballot papers are handed to the polling official who then returns to the polling station and places the ballot paper in the ballot box.

Assessment of the Opening and Voting Process

- Polling stations opened on time, and opening procedures were observed in most locations. In several polling stations, officials did not place the black seal beside the padlock on the latch of the ballot box, but all boxes were locked with padlocks.
- Polling was conducted in a calm atmosphere. Polling was generally steady, with an increase in numbers around midday and towards the afternoon.
- There were signs on the roadside indicating clearly where polling stations were located.

- Presiding officers and electoral officials, the majority of whom were women, were organised and professional, and appeared to have a good understanding of the voting procedures. Presiding officers took the time to explain procedures to voters, including with regard to proxy voting.
- Presiding officers were also friendly and welcomed the presence of international observers, and were happy to explain procedures.
- Male and female police officers were present at all polling stations, providing security to the electoral process.
- Although many voters did not produce the forms of ID required by law, they were questioned by polling officials. The fact that most Electoral Officials and the Police on duty were from the District in which voting was conducted, made it easier for voter identification. Indelible ink was applied to all voters.
- In instances where voters' names could not be found on the electoral roll for that polling station, presiding officers referred to the master list and assisted voters to find their correct polling station.
- Some polling stations displayed the printed sheet with instructions to voters, but this was not visible in others. Some were displayed in the polling booths and would have acted as a reminder to voters as to how to mark the ballot.
- Secrecy of ballot was respected at all polling stations.
- Elderly or disabled voters were brought to polling stations by relatives. There was a noticeable attempt by electoral officials to ensure that assistance was provided to persons who were unable to leave their vehicles.
- Voters with low levels of literacy were assisted by family members or electoral officials.
- Proxy voting occurred at most polling stations, with a number of people voting on behalf of up to five others. Presiding officers made sure voters presented proxy authorisations from the Electoral Commission.
- Furniture (table and chairs) was inadequate at some polling stations for officials who were required to work from 0900 to 1800 or longer if voters join the queue close to the close of the poll.
- There were some minor variations in procedures across polling stations, but these did not affect the credibility of the election.

Key Procedures for Closing, Counting and the Results Process

The key procedures for the close of polls, count and results process are as follows:

Closing of the polls

- Polling is to close at 1800, however if at 1800 there is a queue of voters who arrived before 1800, the police officer on duty joins the end of the line at 1800 and turns any late-arriving voters away.
- The presiding officer checks the time and asks an electoral official to witness the time check.
- The presiding officer confirms the closure of the polling station by signing form three of the polling station record book.
- If the polling station is closed and a person is still in the polling station, they have the right to vote.
- When the last voter has voted, the presiding officer collects the ballot box paper seal, places it over the mouth of the ballot box and signs over the corners so that their signature crosses over both the seal and the ballot box lid.
- The presiding officer collects all unused ballot papers, and records the number of unused and spoilt ballot papers and the total number of issued votes in their record book. Unused ballot papers are sealed in an envelope.
- The ballot boxes, unused ballot paper sealed in an envelope, polling station record book, electoral rolls and reference rolls are transported to Parliament House by the presiding officer and police officer.

Counting of votes

- The ballot boxes are emptied onto a table, with the empty ballot boxes displayed to anyone observing. Ballots are counted and checked against the number of ballots issued and recorded in the polling station record book.
- Where there is more than one polling station for a constituency, the ballot papers are combined. Ballots from mobile polling stations are also added.
- In large constituencies counting officials check for informal ballots using a template developed by the Electoral Commission. Informal ballots are set aside.
- Ballots are divided up according to first preference, and numbers are noted in an excel spreadsheet developed by the Electoral Commission.

- Each pile is then sorted accordingly for each candidate to arrive at a total of second, third and fourth preference and so on. The number of preferences for each candidate are noted in an excel spreadsheet.
- The candidate receives one point for each first preference, half a point for each second preference, one third of a point for each third preference, and so on. The total number of points are added, with the seats awarded to the candidates with the largest total numbers.

Assessment of the Closing, Counting and Transmission Process

Overall, the count process was well organised, efficient and transparent. Some key observations of the Mission were:

- Voting closed on time.
- Counting took place on the floor of Parliament, with the public gallery open to observers and Nauru Media. Nauru Media televised the count and gave live updates throughout the evening.
- There were no campaign managers or candidates present at the counting site. Candidates appeared to have confidence in the process and were content to receive updates via television and radio.
- Counting officials worked diligently throughout the night and into the next day, and displayed a strong understanding of the process. The Commissioner and other staff from the Electoral Commission were on hand to clarify procedures and address any queries.
- The counting method developed by the Electoral Commission appeared to reduce significantly the time needed for the counting process.

Recommendations

- Voter information posters, including on how to vote, should be displayed at all polling stations.
- The Electoral Commission could consider alternative locations for some polling stations to reduce the discomfort to electoral officials.
- The Electoral Commission should consider reducing the number of proxies per voter as currently allowed under the Electoral Act. The current procedures to process applications for proxy should be thoroughly reviewed to ensure the integrity of proxy voting is addressed before the next election.
- The official election results of a constituency once declared by the Commissioner and posted by the Commission staff on the public gallery in

Parliament, should be shown on live TV to complement the commentary during the count process.

CHAPTER SIX

Conclusions and Summary of Recommendations

The citizens of Nauru displayed strong commitment to their democracy by turning up in a peaceful, orderly fashion to vote during their National Election on 9 July 2016. The process was inclusive, transparent and competitive. This was the first election organised by the Nauru Electoral Commission, which did a remarkable job considering the short timeframe it was given to prepare. Many of the stakeholders expressed confidence in the independence of the Commission, which they believed strengthened the integrity and credibility of the electoral process.

The Mission noted the concerns expressed by some stakeholders with regard to duplicates and missing names on the electoral roll, and with regard to some voters being registered in constituencies where they did not reside and with which they had no family or traditional connections. The use of proxy voting continues to be a concern as identified by previous observer missions. The Commission must continue with its efforts to update the electoral roll and consider ways to address concerns about voter transfers and proxy votes.

The Mission heard allegations that the incumbent members of the previous Government caucus had a considerable advantage over the other candidates, largely due to their access to financial resources, such as the 'Housing Scheme,' which was a constituency grant made available through MPs to support renovation or refurbishments of houses in their districts. The Mission also heard allegations that the Government had targeted the supporters of the five suspended MPs who were included on an alleged 'blacklist,' which prevented them from getting employment in both the public and private sector. These suspended MPs and their supporters were alleged to have been prevented from benefitting from any business opportunities provided by the Regional Processing Centers. The Mission was advised that there was a general lack of transparency and accountability regarding campaign financing.

The Mission commends the new measures introduced by the Electoral Commission for the 2016 election. This included the requirement for the voters to produce identification documents and the use of indelible ink.

The Mission was disappointed that only three women candidates contested the election, and welcomes the re-election of the only female MP from the previous Parliament, Hon Charmaine Scotty. We encourage stakeholders to consider measures to provide an enabling environment to encourage more women to participate in elections and achieve greater representation in Parliament.

The Mission has encouraged the Commission to consider the important role the media could play in deepening Nauru's democratic culture. This could include developing guidelines to ensure that all the candidates in future elections will have access to Nauru Media for campaign activities endorsed by the Commission.

The Mission commends the important role played by the Nauru Police Force in providing security during the election and supporting the Electoral Commission by providing logistical support such as transportation for polling officials and the ballot boxes.

In this report, we have set out various recommendations as follows:

A Legal Framework and Election Administration

- The Electoral Commission should strengthen arrangements for data sharing with the Registrar of Births, Deaths and Marriages, to ensure the accuracy of the electoral roll.
- The Government should review the three-month resignation period imposed on public servants seeking to contest the elections, taking into consideration the concerns raised about uncertainty over the timing of elections and the impact this may have on Nauru's efforts to encourage greater participation of women in the country's national election.
- Further consideration could be made with regard to strengthening the arrangements around transferring electorates. Once these arrangements are strengthened, the Commission should reconsider whether the cost of transferring electorates is appropriate in the context of Nauru.
- In an effort to dispel concerns regarding voter padding in constituencies, the list of names of voters requesting transfers could be posted in constituencies for a specified period before their inclusion on the roll. This would allow persons to scrutinise the names and provide the opportunity to make objections, in a similar process to that of the display of the electoral roll.

B Election Campaign and Media

- Stakeholders, including Government and the Electoral Commission, should consider measures to provide an enabling environment to encourage more women to participate in elections and achieve greater representation in Parliament.
- The Electoral Commission could consider developing a regulatory framework for campaign financing, to provide for greater transparency and accountability.

- The Electoral Commission should put in place a framework to provide for the use of the public media for future election related activities and to ensure equal access by all candidates to the media.
- Training on election reporting for media personnel could be conducted to ensure public confidence in the accuracy and integrity of the media's role in future elections.
- The Government should lift the ban on Facebook following the finalisation of relevant legislation and guidelines for responsible use of this social media platform, to address the concerns following unfortunate incidents that impacted community and family relations.

C Voting, Counting and Results

- Voter information posters, including on how to vote, should be displayed at all polling stations.
- The Electoral Commission could consider alternative locations for some polling stations to reduce the discomfort to electoral officials.
- The Electoral Commission should consider reducing the number of proxies per voter as currently allowed under the Electoral Act. The current procedures to process applications for proxy should be thoroughly reviewed to ensure the integrity of proxy voting is addressed before the next election.
- The official election results of a constituency once declared by the Commissioner and posted by the Commission staff on the public gallery in Parliament, should be shown on live TV to complement the commentary during the count process.

ANNEX I: Biographies of Chairperson and Observers

His Excellency Anote Tong (Kiribati)

His Excellency Anote Tong is the former President of the Republic of Kiribati. He was first elected President in 2003, and served until his retirement from politics in 2016. President Tong is a strong climate change advocate, and has built worldwide awareness of the potentially devastating impacts of climate change. He holds a Bachelor of Science from the University of Canterbury, and a Master of Economics from the London School of Economics, as well as an Honorary Doctorate Degree (PhD) in Engineering from the Pukyong National University. President Tong is married and has seven children.

Ms Lorna Simon (Antigua and Barbuda)

Lorna Simon is the Supervisor of Elections in Antigua and Barbuda. Prior to moving to the Electoral Commission, she held the position of Permanent Secretary with the Office of the Governor-General, and the Ministry of Tourism, Youth Empowerment, Sports, and Community Development. She has a degree in Public Sector Management from the University of the West Indies. She has attended public service training courses in Project Implementation and Management, Supervisory Skills Development and Advanced Accounting through the Caribbean Development Bank, Canadian International Development Agency (CIDA), and USAID. Ms Simon has served as a member of several international electoral assessment and observation missions in Central America and around the Caribbean. She served as a member of the Commonwealth Expert Team to observe elections in St Kitts and Nevis in 2015.

Ms Marilyn Tahī (Vanuatu)

Ms Tahī is the Coordinator of the Vanuatu Women's Centre, established in 1992 with the objective of ending violence against women and children in Vanuatu through counselling services and support to survivors, community education, male advocacy and outreach. She also serves on the board of the Pacific Women Shaping Pacific Development Initiative. Ms Tahī's political experience began prior to Vanuatu's independence, when she was a member of the Vanua'aku Party Women's Wing. She was previously elected to Port Vila's Municipal Council in 1985, and has served as the President of the Vanuatu National Council of Women and of the Port Vila Town Council of Women. She has also worked at the Department of Foreign Affairs, the Australian High Commission in Port Vila, and Vanuatu Post, and has served as the President of the Vanuatu Netball Association. Ms Tahī was born on Ambae island, with family heritage in Pentacost, and holds a Bachelor of Management.

ANNEX II: Arrival Statement



Statement by: H.E. Anote Tong, Chair of the Commonwealth Observer Mission

Yaren, Thursday 7 July 2016

I am honoured to be here in the Republic of Nauru as Chair of the Commonwealth Observer Mission for the 2016 General Elections. Our three member team was constituted by the Commonwealth Secretary-General, the Rt Hon Patricia Scotland QC, following an invitation from the Electoral Commissioner of Nauru. The team is supported by two members of staff from the Commonwealth Secretariat.

Commonwealth observers were last deployed to observe Nauru's General Election in 2004, in a joint mission with the Pacific Islands Forum Secretariat. We are very pleased to return in 2016, alongside and working closely with the Pacific Islands Forum observer mission.

Our mandate is to examine the factors relating to the credibility of the electoral process as a whole. This includes observing and evaluating election day, as well as the pre-election and post-election periods.

We will consider whether the elections have been conducted according to the standards for democratic elections to which Nauru has committed itself, including the constitutional framework and national legislation, as well as Commonwealth and other international commitments. We will be objective, independent and impartial.

Our arrival was preceded by a pre-election visit that took place from 17-19 June 2016, by one of our observers, Ms Marilyn Tahī. The Group began its formal briefings on Monday, 4 July and expects to meet a wide range of people in Nauru, including the Electoral Commission, members of the caretaker Government, some of the candidates, civil society organisations and members of the diplomatic community.

On 9 July we will observe the opening of the polls, voting, closing of the polls, counting of votes and the official declaration of results.

We will issue an interim statement of key findings shortly after the official declaration of the results. A final report will be prepared in Nauru prior to the team's departure on 13 July. The report will be officially submitted to the Secretary-General, who will in turn transmit copies to the Electoral Commission, the Government, and other key stakeholders in Nauru. It will also be circulated to

all Commonwealth member Governments and will be made available to the public.

This is a significant election for the people of Nauru as it will be the first election to be organised and administered by the newly established Nauru Electoral Commission. The success of these elections will depend on every individual playing their part to ensure the process is inclusive, transparent and peaceful.

The global challenges faced by all small states in the Commonwealth are immense. Nauru is no exception. The Commonwealth has been and will continue to be a key partner for all our small states in addressing some of these challenges.

The Commonwealth Observer Mission looks forward to observing the citizens exercising their democratic rights this Saturday in selecting their representatives for the next Parliament, who will be tasked with ensuring the country's democratic culture is enhanced and protected, and national development objectives are pursued for the benefit of all the citizens of Nauru.

ANNEX III: Interim Statement



The Commonwealth

Statement by: H.E. Anote Tong, Chairperson of the Commonwealth Observer Mission

“We congratulate Nauru for participating peacefully and in high numbers in their 2016 General Election.”

Yaren, Sunday 10 July 2016

The Commonwealth Observer Mission was invited here by the Nauru Electoral Commission to observe the country’s 2016 General Election. I am privileged to have been asked by the Commonwealth Secretary-General to lead this mission.

We have been warmly welcomed by the people of Nauru since our arrival on 3 July. We have met with the Electoral Commission, members of the Government and Opposition in the previous Parliament, a range of candidates, civil society groups, women and youth groups, media, the Commissioner of Police, and members of the diplomatic corps.

Our team visited all 14 polling stations in the eight constituencies in Nauru and observing the ongoing count.

We have worked closely with the Pacific Islands Forum observer group. We are currently working on our report, which will contain our final conclusion and recommendations. This report will be submitted to the Commonwealth Secretary-General, who will in turn submit it to the Nauru Electoral Commission, the Government, and key stakeholders in the country.

This is the group’s Interim Statement, providing an outline of our key findings at this time, and in recognition that the count is ongoing, and the results for all eight constituencies are yet to be declared.

Key interim findings

We congratulate the people of Nauru for turning out in high numbers to cast their vote. The process was conducted in a peaceful environment and the voters were able to cast their votes freely without fear or intimidation.

Electoral Commission

We noted that this was the first General Election conducted by the newly-established Nauru Electoral Commission, following the enactment of a new

Electoral Act in March 2016. We congratulate the Electoral Commissioner and his team for organising this important national process, particularly in view of the short timeframe it had to prepare. We commend the Commission for producing voter education materials and convening public events to facilitate questions and answers with the candidates and other key stakeholders. We were advised that this was the first time such activities were undertaken before an election. The group commended the technical support provided by the Commonwealth Secretariat, through the deployment of an electoral expert to work with the Commission.

Voters list

We commend the Commission's efforts in compiling a new voters' list using the Birth, Death and Marriage data in accordance with the new Act. More work is required to clean and remove the duplicates, and deceased persons on the list. We noted the importance of setting up a direct link between the Electoral Commission and the Office of Birth, Death and Marriage, to ensure greater accuracy of the register. A credible electoral roll is essential to the integrity of the electoral process.

Voter transfers and proxy votes

The high number of transfer of voters from one constituency to another was raised by many stakeholders as a concern. Some stakeholders also criticized the increased fee, set at AUD\$150 to facilitate transfers. The process to facilitate proxy voting needs to be more transparent. The current number of proxy voting each voter can cast could be reduced, possibly from five to one. Some candidates expressed concerns as to how these proxy votes were facilitated and verified by the Commission. We encourage the Commission to consider these concerns and address them before the next election.

We commend the Electoral Commission for introducing the new measures to enhance the integrity of the process. The introduction of a new requirement for voters to produce identification before their ballot paper is issued, and the use of the indelible ink for the first time has improved the integrity of the process.

Women's participation

We were disappointed with the low number of women candidates that contested the election. However, we were encouraged by the constructive views and optimism expressed by some of the women who have and will continue to play a role in the political processes of Nauru. We urge the Electoral Commission to consider measures and provide an enabling environment to encourage increased representation of women in Parliament. The group was pleased however to note the high number of women who participated as electoral officials during the vote, and the count.

Media

The group noted the absence of an independent media in Nauru. The only media organisation in the country is Nauru Media, which is managed and controlled by Government. We recognised the importance of the Media in playing a constructive

role in deepening Nauru's democratic culture. In the absence of a private and independent media organisation, the group encouraged the Electoral Commission to consider setting up guidelines and a framework that would enable all the candidates in future elections to access Nauru Media for election-related activities. Such activities could include the Commission disseminating voter education materials, facilitating public debates, and ensuring all the candidates have equal access to the media.

There were concerns expressed to the group that perhaps a more intensive program of civic and voter education could have been implemented before the elections.

Polling officials

We were of the general view that polling officials displayed professionalism and integrity, and ensured the voting process was well organised and that voters were able to cast their votes in an orderly manner.

The count

The ongoing count is transparent, and efficient. This follows the Commission's decision to introduce a new process to streamline the counting process.

Security Arrangements

We commend the professional role played by the Nauru Police Force (NPF) and the security arrangements that were put in place for this election. The group received a detailed briefing from the Commissioner of Police and his senior officers on the operational plans the Police had prepared for the elections. The visibility of Nauru Police during polling day and the ongoing count gave confidence to the people to exercise fully their democratic rights in the country's political process.

Conclusion

Finally, the Nauru Electoral Commission is to be congratulated for organising the 2016 General Election. We commended the decision by the previous Government to set up an independent Electoral Commission. We encouraged the next Government to ensure the Electoral Commission is well supported, by making the required financial and technical resources available in a timely manner before the next election.

We encourage all participants in the political process to work together to address any source of instability to Nauru's parliamentary democracy.

We will finalise our report over the next two days and this will include the group's conclusion and a set of recommendations, which could further improve the country's electoral processes.

The Commonwealth's commitment to Nauru's democracy and development will continue. The full declaration of results will be known shortly. I encourage all the elected leaders from this election to pursue a new chapter of political cooperation in ensuring your country's democracy is strengthened and development objectives collectively pursued for the benefit of all the citizens and future generations of Nauru.