



DRAFT TALKING POINTS

NBC Radio

Intending Candidates: Campaign Dos and Don'ts

21 April 2022

Opening Remarks

- ◆ Thank you again for hosting PNGEC on the program.
- ◆ In previous weeks, we discussed the candidate nomination process and today I will address another important aspect of elections – campaigning.
- ◆ I will also cover why election campaigning is important both for the candidates and for the voters.
- ◆ I will address what are allowed and prohibited activities during campaign, in otherwords, the “campaign dos and dont’s”.
- ◆ Knowing these will help candidates conduct their campaign according to the law, which will in turn help the voters to know the candidates better and make informed decisions on election day.
- ◆ I will also provide some important information on the seven new open electorates accepted by the Parliament in March.

Importance of Campaigning

- ◆ Election campaigns provide a way to have a free and open discussion about the policies of different candidates, which informs voters’ judgements about which party may make a better government.
- ◆ During their campaign, candidates are given the chance to present their message to the voters and their plans of action once they are elected.
- ◆ At the same time, the voters are given the chance to examine all the candidates to consider:
 - who can best represent their interests in the parliament?
 - who is trustworthy?, and

- who has a good track record or potential to help the electorate that the candidates will represent in the Parliament?
- ◆ Candidates use different techniques to deliver their messages to voters with the hope that they can convince them and get their votes. These may include:
 - House-to-house canvassing;
 - Use of traditional media like radio, television, and newspapers;
 - Use of social media like Facebook and Whatsapp;
 - Campaign rallies or public events; and
 - Use of campaign posters.
- ◆ Remembering that certain campaign activities are prohibited is important. I will discuss points from the Organic Law on National and Local-level Government Elections, the Electoral Regulations, and the Criminal Code later.

Campaign Period

- ◆ The Electoral Law does not set a specific period for campaigning by candidates.
- ◆ For the peaceful and orderly conduct of campaign, however, the PNGEC sets it from after the declaration of nominations, which will be from after 4pm on the 5th of May, through to the day before the start of polling, which is the 24th of June 2022.
- ◆ Although the Electoral Law does not totally prohibit the conduct of campaign during the polling period, there are limitations that the candidates must observe, which I will discuss as part of the campaign “don’ts”.

Campaigns Dos

- ◆ But firstly, let’s look at campaign “dos”.
- ◆ Candidates should engage in ethical campaigning and follow the election laws and regulations.
 - This means they have to familiarize themselves with the important provisions of the law on campaigning.

- ◆ Candidates should also develop clear and easy to understand messages that they can deliver to voters.
- ◆ They should also respect the right and freedom of all other candidates to campaign and to disseminate their political ideas and principles without fear.
- ◆ Candidates should conduct themselves in a manner that respects the rights of other candidates, and respects the rights of voters and other members of the community.
- ◆ Elections should be safe for everyone. Women and girls should be protected under the law and by our communities. This election, we remind everyone to say no to gender-based violence and not to engage in harmful practices that hurt women and girls.
- ◆ Candidates should also engage all voters including women, youth, persons with disabilities, and other marginalized groups for an inclusive campaign.
- ◆ Candidates should ask the PNGEC if they have questions about the electoral process.
- ◆ And finally, voters should be actively engaged during campaign by examining the track record and plans of the candidates.

Campaigns Don'ts

- ◆ The Electoral Law and the Criminal Code penalize certain acts during campaigning.
- ◆ There are many prohibited acts; however, with limited time, I will only discuss the most serious offenses and the most common violations of the law.
- ◆ Candidates should **not** engage in voter bribery or vote buying or commit undue influence.
 - Aside from being criminal offenses, they are also grounds for election petitions to invalidate election results.
 - According to the Supreme Court, bribery, and undue influence in the nature of duress are corrupt practices.

- Only one act of bribery needs to be proven for a petition to succeed and an election to be declared void.
- ◆ Particularly given the extensive use of social media by the candidates during campaign, I also want to highlight that they should **not** engage in the following acts:
 - Making or publishing a false and defamatory statement in relation to the personal character or conduct of a candidate – this is a prohibited act under both the Electoral Law and the Criminal Code, and
 - They should not knowingly publish a false statement of the withdrawal of another candidate at the election, whether committed before or during election – this is prohibited under the Criminal Code.
- ◆ Other common campaign violations by candidates during the campaign include:
 - Harassing or obstructing other candidates or their supporters in the conduct of their own campaign activities;
 - Disrupting, destroying, or frustrating the campaign efforts of other candidates;
 - Preventing the distribution of pamphlets and leaflets, and the display of posters, of other candidates;
 - Defacing or destroying posters of other candidates;
 - Preventing other candidates from holding rallies, meetings, marches, or demonstrations;
 - Preventing any person from attending the political rallies of other candidates; and
 - Encouraging his or her supporters to do anything prohibited by the Electoral Law, the Electoral Regulations or the Criminal Code.
- ◆ Candidates can campaign during the polling period but the following acts are prohibited and penalized by a fine if conducted at an entrance of or within a polling booth, or within 7 meters of an entrance of a polling booth:
 - Canvassing for votes;
 - Soliciting the vote of an elector;

- Inducing a voter not to vote for a particular candidate;
 - Inducing an elector not to vote at the election;
 - Exhibiting a notice or sign (other than an official notice) relating to the election.
- ◆ It is also important that voters understand they should not accept bribes or any form of gift of favor in exchange for their votes. Voters who ask or receive bribes are guilty of a criminal offence and can be punished with a fine of up to K400 or imprisonment for a term of up to one year.
 - ◆ There are many other campaigning “Don’ts” and PNGEC will publish an electoral offences handbook that contains all the prohibited acts and electoral offenses.
 - Look out for it on the PNGEC Facebook page.
 - Candidates can consult this handbook to guide them in the conduct of their campaign.

Reporting Campaign Violations

- ◆ If you witness any violation of the election laws, like voter bribery, or undue influence like intimidation of voters during the campaign, you can report it to the police or PNGEC officials.
- ◆ When reporting violations, please provide evidence of the violation, like photos, or videos, or affidavits.
- ◆ Any form of campaign violence should be reported to the police.
- ◆ Violence committed against women should be reported to the Gender Based Violence Hotline, which is 1-Tok Kaunselin Helpim Lain (715-08000).

Creation of New Open Electorates

- ◆ I would also like to provide an update for listeners on the creation of the new open electorates.
- ◆ On the 22nd of March – for the first time since independence – the Parliament accepted the recommendations of the Electoral Boundaries Commission.
- ◆ The EBC recommended creation of seven (7) new open electorates.

- ◆ This means that seven new seats for Parliament will be open for nomination. The new electorates are:
 1. **In Western Province – Delta Fly** consisting of Balimo Urban LLG, Bamu Rural LLG, Aramia Gogodala LLG and Fly Gogodala LLG;
 2. **In Central Province – Hiri Koiari** consisting of Hiri Rural LLG, Koiaru Rural LLG, and Vanapa Brown LLG;
 3. **In Northern Province – Popondetta** consisting of Popondetta Urban LLG, Oro Bay LLG, part of Higaturu LLG, namely Wards 22-28;
 4. **In West New Britain – Nakanai** consisting of Hoskins Rural LLG, Mosa Rural LLG, Central Nakanai Rural LLG, and East Nakanai Rural LLG
 5. **In Morobe Province – Wau Waria** consisting of Wau Rural LLG, Waria Rural LLG, and part of Wau/Bulolo Urban LLG, namely wards 9-14
 6. **In Hela Province – Magarima** consisting of Lower Wage Rural LLG and Upper Wage Rural LLG, and finally
 7. **In Enga Province – Pogera Paiela** consisting of Paiela/Hewa Rural LLG, Pogera Rural LLG, Pogera Urban LLG, and Maip Mulitaka Rural LLG.
- ◆ Intending candidates should approach the Returning Officers for these new electorates, which will be formally appointed soon, during the nomination period, which will run from the 28th of April to the 5th of May.

Closing Remarks

- ◆ To summarise, the conduct of campaign is a very important part of elections.
- ◆ Candidates and their supporters should actively engage in campaigning to inform voters of their candidacies, their ability to represent their electorates, and their plans if they get elected.
- ◆ Voters should listen to and examine all the candidates during the campaign so they are properly informed and can choose the best candidate when they cast their votes during polling.
- ◆ Campaigns, however, can be a source of conflict and even violence among the candidates.

- ◆ To avoid violence, all the candidates should know what they can and cannot do during their campaigns and comply with the requirements of the law.

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