

2017 Papua New Guinea Update

“Papua New Guinea After the Elections”

STRENGTHENING GOVERNANCE SYSTEMS AND PROCESSES

DR. ERIC KWA, PHD
(SECRETARY
CONSTITUTIONAL AND LAW REFORM
COMMISSION)
UPNG 10/08/17

Legislative Proposals



- My proposition is that through major constitutional reforms PNG can stamp out corruption and improve the delivery of quality services to our people.
- The challenge is for the new Government of Prime Minister Peter O'Neill to press ahead with these legislative reforms so that tangible developments can be achieved by the Government for Papua New Guineans
- There are 10 legislative proposals that can trigger the institutional reform process. These are discussed under 7 topics

Governance Structures



1. Governance Structures

- A lot has been said about the inability of the government to deliver quality services because of its weak structures and processes
- My view is that, it is not the weak structures, but the undue influence imposed on senior bureaucrats and subordinates
- Need to protect these officials to stamp out corruption
- Need a Whistleblower law

Leadership



2. Leadership

- The Constitution exhorts our leaders to maintain a high standard of leadership
- This leadership standard has eroded over the last couple of years
- Working with Ombudsman Commission to improve and strengthen its work through the revision of the Organic Law on the Ombudsman Commission and protection of leaders under the Organic Law on the Duties and Responsibilities of Leadership
- Also working with Registrar of Political Parties and Candidates to strengthen and protect leaders through the revision of the Organic Law on the Integrity of Political Parties and Candidates

Wealth Creation and Distribution



3. The Government has adopted and is working on a number of proposals to address this issue
 - The creation of the Sovereign Wealth Fund
 - Competing priorities – Kumul Consolidated Agenda v Sovereign Wealth Fund
 - Need to support the establishment of the Sovereign Wealth Fund as the true custodian of the peoples funds from natural resources development projects
 - Work of CLRC and DPLGA on decentralisation also touched on this subject

Service Delivery



4. Improved Service Delivery to our people

- CLRC and DPLGA conducted a nationwide and public consultations on the impacts of the Organic Law on Provincial Governments and Local-level Government in 2013
- Review completed in 2014 and Final Report submitted to Government and Parliament in 2015
- A number of proposals to improve governance at the subnational level for effective service delivery
- New Government needs to act on the recommendations to effect change

Corruption



5. Corruption

- In 2016, PNG ranked 136 on Transparency International Corruption Perception Index
- How do we fight corruption?
- Constitution has been amended in 2014 to cater for ICAC, only need the Organic Law to complete the process
- Need the new Government to push for the enactment of the Organic Law on ICAC

Human Rights



6. Human Rights Commission

- Establishment of Human Rights Commission floated in the 1990s
- Around 2010, a draft Organic Law on the HRC was completed
- The new Government needs to enact the draft Organic Law on the HRC
- PNG needs to establish the HRC urgently

Elections 2017



7. 2017 National Elections

- The 2017 elections has now come to an end
- So much controversy over the conduct of the 2017 National Elections
- What is needed now is:
 1. Review of the 2017 Elections
 2. Review of the Election law
- CLRC is ready to work with the EC and other stakeholders to review the Organic Law on the National and Local-level Government Elections

Conclusion



- To improve the governance structures and processes, the new Government needs to reform or introduce new laws identified here
- These legislative reforms will strengthen the existing and new institutions and lay the foundation for the firm pursuit of the aspirations of our people expressed in Vision 2050 and the National Responsible Sustainable Development and the Sustainable Development Goals