

A new grace period in PNG politics

by Michael Kabuni

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Photo Credit: Department of PM and NEC

As Papua New Guinea approaches the 50th anniversary of independence, its political landscape remains as fluid as ever. Prime Minister **James Marape survived** a vote of no confidence (VONC) in September 2024 but still faces another challenge: **a new notice** for a VONC was submitted by the opposition in November 2024. To avoid further instability, the government **amended the constitution** during the 13 March 2025 parliamentary sitting to prevent a VONC for 18 months if the incumbent has successfully defeated one previously.

This blog explores the constitutional change and its implications.

Before 13 March, Section 145 of the PNG constitution provided for a grace period after the appointment of a prime minister — a period during which prime ministers cannot be removed through a VONC — following a general election or a VONC leading to a change of leadership. However, there was no provision for a grace period for a prime minister who survives a VONC.

The deputy opposition leader James Nomane sought Supreme Court intervention to **restrain parliament from dealing with the proposed amendment** but the court refrained from interfering with a parliamentary process — and rightly so. Now that the amendment has passed, the opposition has indicated it will ask the Supreme Court to rule on **its constitutionality**. If found unconstitutional, the situation will revert, and prime ministers will be vulnerable to unlimited VONCs after the grace period ends.

The constitutional amendment does not apply retrospectively, meaning Marape remains subject to the VONC submitted in late 2024. However, if that VONC is unsuccessful it will trigger the 18-month grace period recently inserted in the constitution. That would protect Marape right into the last 12 months before the general election in 2027. VONCs are typically not initiated in the last 12 months before a general election, as this would lead to the dissolution of parliament — something MPs avoid as they want to serve a full term — so Marape is effectively shielded from any further VONCs in this term if he survives the one filed in late

2024.

Essentially, the opposition has one chance to get it right. If the prime ministerial candidate nominated in late 2024 (Peter Ipatas) replaces Marape, he will also enjoy immunity from VONCs until the 12 months before the 2027 general election. With the recent amendment, Marape's tenure as prime minister is largely secure, if he can manage to defeat the one outstanding VONC. And given that 84 parliamentarians voted for the constitutional amendment, and only four voted against it, he seems to have consolidated power.

As PNG marks its 50th year, its political system remains in flux. Peter Ipatas, the Governor of Enga Province, had voted in favour of Marape during the September 2024 VONC. But alliances quickly shifted and he agreed to be nominated by the opposition in the subsequent VONC. Ironically, Marape has a potential ally in Rainbo Paita, who previously attempted to unseat Marape in the September 2024 VONC but might support him against Ipatas.

Paita left the opposition to join Marape's government before the end of the year. Before challenging Marape, Paita was a member of Marape's Pangu Pati and served as a senior minister in his government. He then broke away, renamed an existing political party, recruited MPs from other political parties and unsuccessfully attempted to replace Marape. He later rejoined Marape's government and was appointed Minister Assisting the Prime Minister.

Before Paita, Allan Bird was nominated at least six times as the alternative prime minister in VONC motions that were rejected by the Parliamentary Business Committee on "technical" grounds. He was also part of the government from 2019, before leaving the government in early 2024 to join the opposition.

Is the constitutional amendment good for the system?

Previously I've argued the fluidity in PNG politics worsens governance in the country as members of parliament jockey for funds and ministerial portfolios. While this remains true, it's also the case that PNG operates in a politically corrupt environment where a consolidation of power, as we are seeing now, could lead to significant damage to the country. If a prime minister becomes immune to VONCs, they could potentially misuse power without the risk of replacement.

VONCs provide a valve for the populace who are dissatisfied with the incumbent government. In PNG, any new prime minister replacing an unpopular one is usually viewed positively, even if they don't implement substantial changes. Eliminating this crucial outlet for public frustration could have unpredictable consequences. PNG has maintained an unbroken democracy for 50 years, despite its challenges, partly

due to the existence of this release valve.

While James Marape frequently touts political stability as a prerequisite for economic growth, this claim lacks solid evidence. Economic growth in PNG is typically **driven by resource development projects or booms** in resource prices. The resultant revenues enable the government to buy political support to stay in power. Thus, political stability is in part dependent on resource-driven economic growth, not the other way around. And resource companies don't seem to mind changes in prime ministers as much as they care about law and order and foreign exchange shortages.

In sum, VONCs act as a necessary outlet for public dissatisfaction so the amendment might not deliver better governance. Parliament should have instead focused on **debating proposals** that are already before it, including the revised Organic Law on Political Parties and Candidates and the Constitutional Law Reform Commission's review of government systems. If the government is serious about political stability and better governance, it should abolish the Services Improvement Program which allocates "constituency development" funding to members of parliament and is the primary reason why members of parliament move with such fluidity.

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