

# One last hurdle, and uncertainties in PNG politics as 2022 approaches

by Michael Kabuni

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Photo Credit: *PM Hon. James Marape/Facebook*

After **overcoming** a court challenge to invalidate his election, and **adjourning** parliament to avoid a vote of no confidence against him, James Marape has one last hurdle to overcome before the 2022 national election: a potential vote of no confidence when parliament sittings begin on 20 April 2021. Patrick Pruaitch, who in December 2020 was nominated as the opposition's candidate for prime minister to challenge James Marape, **withdrew** his nomination this month and joined the Marape-led coalition on the government side. Opposition leader Belden Namah insists that the notice for a motion of no confidence initiated last December is still **active**, and that a new nominee will be appointed to challenge Marape when parliament meets.

However, the opposition will face a stiff challenge as government MPs dominate parliament's Private Business Committee (PBC). The PBC vets and approves the notice for a motion of no confidence. It is supposed to be a neutral body, but ruling coalitions have used the Committee to delay or **reject** notices for votes of no confidence in the past. Despite Namah's claims that the December 2020 motion for a vote of no confidence is still active, it has not come before the PBC or been tabled in parliament. It is possible that the PBC will reject the notice in its current form even if a new candidate for the PM position is named because some of the MPs who signed the notice for motion for a vote of no confidence, such as Sam Basil, have since moved over to the government side. The question of whether the notice is still valid after MPs who supported it have withdrawn their support has not been settled by the PNG courts yet – which is how political questions seem to be settled in PNG.

To avoid rejection by the PBC, the opposition should submit a new notice instead, signed by 12 MPs and state the name of the alternate prime minister as is required. The PBC cannot reject a notice for motion for a vote of no confidence that has met all the requirements. To do so would be unconstitutional as this process, and the requirements, are expressly provided in section 145 of the Constitution. Parliament

then adjourns and meets one week later to deal with the vote of no confidence. Furthermore, Parliament cannot adjourn to avoid a vote of no confidence after the notice becomes a motion and is tabled – that is, once it becomes “active”. The last time parliament adjourned to avoid a vote of no confidence in 2016, the Supreme Court ruled it **unconstitutional** and directed parliament to meet and deal with the vote of no confidence. In this ruling, the court noted that adjournment “defeats the principle of a responsible Parliament”. It is not clear whether adjourning parliament before the notice has been deliberated on by the PBC is unconstitutional. This was the case in December 2020, now a **matter** Namah is pursuing before the Supreme Court.

If there is no vote of no confidence, or if it is unsuccessful, parliament will then adjourn, and the next meeting will most likely be set to fall after 30 July, making another vote of no confidence impractical. This is because a vote of no confidence within the last 12 months of a parliamentary term would result in the **dissolution** of parliament and the 2022 national election would be brought forward. Because of a high turnover rate during national elections in PNG, where about half of the politicians lose their seats, MPs never push for a vote of no confidence in the last 12 months.

After 30 July Marape will be safe: will Marape use this opportunity to be ruthless? Ministerial portfolios at the moment are dictated by the need to defeat a potential vote of no confidence – as has been the case since his election. Case in point is Marape’s acceptance of Sam Basil back as deputy prime minister after he resigned and moved to the opposition with the sole aim of removing Marape as the PM. The protection from a vote of no confidence in the last 12 months will give James Marape the chance to finally be ruthless. He can now expel MPs from the coalition without fear of facing a vote of no confidence, demote or reshuffle cabinet members and appoint ministers based on merit. He can even push for investigations into allegations of corruption, demand answers from the delayed APEC report and work out why Maseratis are wasting away in a shed in downtown Port Moresby. Such actions would improve the profile of Marape going into the 2022 election, but will he have the courage?

Beyond 2022, things remain unpredictable. The current coalition looks likely to disintegrate by the time writs are issued for the 2022 election. Marape’s coalition is an **assortment** of politicians including those who voted against him or abstained in May 2019 like Kerenga Kua and Bryan Kramer. Patrick Pruaitch, who challenged the validity of Marape’s election as PM in court and twice was appointed the alternate candidate to challenge him for the prime minister’s position (2019 and 2020), **joined** Marape again on 8 April. Sam Basil and about 20 MPs have rejoined Marape after camping with the opposition and even signing a **manifesto** criticising

the Marape government's failures.

Another question for 2022 is whether Pangu Pati, which currently has 34 MPs will remain a cohesive group. Pangu has no committed MPs. After it was revived in 2017, nine Pangu MPs deserted the party in April 2019 to join Melanesian Alliance, with only Morobe Governor Ginson Sinou remaining with the party as the lone MP. It then became a sanctuary for those who resigned from O'Neill's People's National Congress party and other parties in the coalition in May 2019. Will these MPs remain committed to Pangu in 2022? The disagreement between the national government led by Marape and parliamentary wing leader of Pangu Pati, Ginson Sinou, over the Wafi-Golpu deep sea tailing placement (waste disposal) is another issue that has the potential to cause division within Pangu Pati. James Marape was nominated as Pangu Pati's candidate for the prime minister's position in 2019. He is not the party leader. The leadership tussle may become evident as the 2022 election approaches.

Marape faces one last hurdle. If he gets over it, from 30 July he will be protected from a vote of no confidence, and have the chance to make tough decisions. At the same time, even if he survives, Marape will face growing uncertainty going into the 2022 election, with no guarantee that either the coalition or the Pangu Pati will remain intact.

## Disclosures:

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