



Multi-Stakeholder Dialogue on

Electoral Reform

9-10 June 2025

PROCEEDINGS REPORT



Brot
für die Welt



**STRENGTHENING
DEMOCRACY, HUMAN RIGHTS
AND SOCIAL COHESION IN FIJI**

Executive Summary

Dialogue Fiji convened the Multi-Stakeholder Dialogue on Electoral Reform on 9–10 June 2025 at Holiday Inn, Suva, engaging over 60 participants from political parties, civil society, academia, the legal fraternity, media and international experts. Supported by Brot für die Welt (Bread for the World) under its “*Strengthening Democracy, Human Rights and Social Cohesion in Fiji*” project, the two-day forum combined plenary briefings, keynote addresses, panel discussions, technical workshops and focused breakout sessions to assess Fiji’s key electoral laws and generate consensus-driven reform proposals

□ **Day 1:** Under the theme *Understanding the Current Landscape and Reform Imperatives*, the event opened with a welcome ceremony and a plenary briefing by Raijieli Tuivaga on the scope, timeline and approach to reform. Alan Wall delivered a keynote on the challenges facing reformers, followed by Prof Jon Fraenkel on designing electoral systems for divided societies. A political-party panel then explored reform priorities, and participants concluded with a breakout session reviewing the Electoral Act 2014 to identify shortcomings and draft initial amendments .

□ **Day 2:** The theme *Reforming the Legal Framework – From Critique to Proposal* framed a morning panel of media, civil-society and academic representatives under Alan Wall’s moderation. A technical workshop by Wall examined electoral formulae, district magnitude and ballot structure. Breakout groups reviewed the Electoral (Registration of Voters) Act 2012 and Political Parties Act 2013, after which plenary presentations validated group proposals with expert feedback. The day closed with a synthesis session distilling key themes and reflections from participants .

Key Findings & Recommendations

- **System Design & Proportionality:** Strong consensus that PR variants (Open List, MMP) better serve Fiji’s diverse society; majoritarian models risk exclusion.
- **Penalties & Oversight:** Current criminal sanctions and centralised powers in the Supervisor of Elections are disproportionate; recommend clear separation of administrative vs criminal breaches and independent review mechanisms.
- **Party & Voter Registration:** High fees and endorsement thresholds deter new, youth and independent entrants; propose fee reductions, eased signature requirements and funding incentives tied to gender and youth representation.
- **Inclusivity & Timing:** Avoid race- or gender-reserved seats; instead use party-level quotas and civic education campaigns. Fix election dates in advance and respect the Venice Commission’s 12-month pre-election window for fundamental reforms.

Day 1

Opening Ceremony – Multi-Stakeholder Dialogue on Electoral Reform

1. Opening and Welcome Remarks

Speaker: Ms. Litia Nailatikau (Master of Ceremonies)

- Welcomed the Chief Guest, Ms. Selina Kuruleca (Permanent Secretary for the Ministry of Justice), Executive Director and Board Members of Dialogue Fiji, members of the diplomatic corps, political leaders, civil society, academia, media, and international organisations.
- Highlighted the significance of the **Multi-Stakeholder Dialogue on Electoral Reform** as a national event addressing one of Fiji's most consequential reform processes: the review of electoral laws.
- Emphasised that the space was created for collaborative, evidence-based, and inclusive discussions to shape Fiji's democratic future.
- Invited Dialogue Fiji's Executive Director, Mr. Nilesh Lal, to deliver the welcome address.

2. Welcome Address

Speaker: Mr. Nilesh Lal (Executive Director, Dialogue Fiji)

- Welcomed all participants including political parties, civil society, State institutions, media, academia, and development partners.
- Emphasised that electoral reform is not just technical but political, shaping the entire democratic architecture—who is represented, who forms government, and who is left out.
- Highlighted the critical implications of electoral systems on representation, trust, stability, inclusion, and party behaviour.
- Defined “reform” as improvement—not regression—and warned against changes that might undermine democracy.
- Contextualised the dialogue within Fiji's political crossroads and pointed to previous constructive reform dialogues:
 - Street Commission (1975)
 - 1997 Constitution formulation
 - National Council for Building a Better Fiji (NCBBF)
- Observed, however, that despite the Commission's best efforts, public engagement remains limited, with low turnout at consultations and few written, evidence-based submissions, especially from political parties—highlighting a gap this dialogue hopes to fill.
- Asserted Dialogue Fiji's role, as the most experienced CSO on electoral matters, in filling this gap and elevating the discourse through an inclusive, expert-led dialogue.
- Called for debates to be evidence-based, not influenced by political agendas or misinformation.
- Concluded by encouraging open, respectful exchange and consensus-building, rooted in national interest and democratic integrity.



Executive Director of Dialogue Fiji, Mr. Nilesh Lal, delivering the welcome remarks.

3. Introduction of Chief Guest

Speaker: Ms. Litia Nailatikau (MC)

- Introduced **Ms. Selina Kuruleca**, Permanent Secretary for the Ministry of Justice, responsible for elections.
- Provided a detailed biography:
 - Former PS for Education.
 - Educated at USP and Santa Clara University.
 - Career includes teaching, university lecturing, and UN consultancy.
 - One of Fiji's few psychotherapists with deep community work experience.
- Invited Ms. Kuruleca to deliver the Keynote Opening Address.

4. Keynote Address

Speaker: Ms. Selina Kuruleca (Permanent Secretary, Ministry of Justice)

- Expressed honour at being invited and acknowledged the urgency and importance of the dialogue.
- Quoted President Woodrow Wilson: *"The ear of the leader must ring with the voices of the people."*
- Framed electoral reform as democracy in action, not political expediency.
- Noted Cabinet's endorsement in Feb 2025 for the electoral law review, calling it a milestone moment.
- Acknowledged Dialogue Fiji's initiative in facilitating diverse participation and called it a critical platform.
- Differentiated between electoral reform and constitutional reform—urged respect for both processes.
- Advocated for pluralism and bridge-building, even with those who disagree or show disrespect.

- Emphasised courage in dialogue—courage to listen, to revise one's position, and to engage across differences.
- Clarified that reform is not only about seat allocation, but also about:
 - Political party formation
 - Campaign financing
 - Candidate qualification
 - Vote tabulation and dispute mechanisms
- Reiterated that these questions are foundational to democratic legitimacy.
- Affirmed government commitment to the process and its outcomes, promising facilitation without interference.
- Thanked international experts, Mr. Alan Wall and Prof. Jon Fraenkel, and urged civil society, media, and academia to continue collaboration.
- Recognised Bread for the World's support and Dialogue Fiji's leadership in convening national conversations.
- Closed with a call for principled and constructive engagement to ensure democratic renewal.



Permanent Secretary for the Ministry of Justice and the Permanent Secretary Responsible for Elections, Ms. Selina Kuruleca, delivers her Keynote Address during the opening ceremony

5. Vote of Thanks

Speaker: Mr. Nemani Buresova (Chairperson, Board of Dialogue Fiji)

- Extended warm greetings to the Chief Guest, Executive Director, Dialogue Fiji staff and board members, diplomatic corps, and all invited guests.
- Delivered the Vote of Thanks on behalf of Dialogue Fiji, marking the conclusion of the opening ceremony of the *Multi-Stakeholder Dialogue on Electoral Reform*.
- Expressed sincere appreciation to:
 - Chief Guest, Ms. Selina Kuruleca, Permanent Secretary for the Ministry of Justice, for her presence and powerful keynote address that reaffirmed government support and democratic values.

- Keynote speakers, Mr. Alan Wall and Professor Jon Fraenkel, for bringing their global expertise and deep commitment to democratic reform to enrich Fiji's national discourse.
- Bread for the World, for their generous support under the project *"Strengthening Democracy, Human Rights and Social Cohesion in Fiji,"* without which this initiative would not have been possible.
- Acknowledged and thanked the diverse participants from: political parties, legal fraternity, civil society organisations, academia, media, international organisations and diplomatic missions.
- Emphasised the importance of the wide range of perspectives and expertise present, which are crucial to a meaningful and robust dialogue on electoral reform.
- Commended the Dialogue Fiji organising team for their tireless efforts, professionalism, and commitment in planning and executing the event.
- Encouraged all participants to:
 - Engage openly and respectfully in the sessions over the next two days.
 - Share ideas, listen to differing perspectives, and work towards practical, consensus-based reform proposals.
- Reaffirmed Dialogue Fiji's commitment to:
 - Providing inclusive spaces for dialogue on issues of national importance.
 - Supporting democratic renewal and representative governance in Fiji.
- Concluded with well wishes for a constructive, inclusive, and principled dialogue, laying the groundwork for a stronger electoral system and a more democratic Fiji.



Chairperson of Dialogue Fiji, Nemani Buresova delivering the vote of thanks.

6. Closing Formalities and Programme Overview

Speaker: Ms. Litia Nailatikau (MC)

- Quoted the Chief Guest: *"The ear of the leader must ring with the voices of the people."*
- Outlined the programme for Day 1:

- Keynote Presentations by international experts
 - Lunch
 - Panel Discussion featuring political leaders
 - Breakout Session reflecting on the Fiji Electoral Act 2014
- Reminded participants of the interactive and evidence-based nature of the dialogue.
- Invited all attendees for group photo and morning tea before the commencement of keynote addresses.

Plenary Briefing on the Electoral Reform Process in Fiji

Speaker: Mrs. Raijeli Tuivaga, Director, Fiji Law Reform Commission

Chairperson/MC: Ms. Litia Nailatikau

1. Introduction by MC – Litia Nailatikau

- Introduced Mrs. Raijeli Tuivaga, outlining her professional background:
 - Director of FLRC since July 2023.
 - Former legal consultant with agencies including UN Women, Asia Foundation, and the EU.
 - Accredited mediator and former assistant lecturer at FNU.
 - Holds an LLB from James Cook University and a Graduate Diploma in Legal Practice from ANU under the Australian Equity and Merit Scholarship.

2. Presentation by Mrs. Raijeli Tuivaga



Director of the Fiji Law Reform Commission, Ms. Raijeli Tuivaga, delivering her presentation on the electoral reform process.

Overview of Electoral Law Reform Mandate

- FLRC's 2024 work programme includes 8 law reform reviews, including a comprehensive electoral law review.
- Cabinet and its Legislative Sub-Committee mandated the review of:

- Electoral Act 2014
 - Political Parties Act 2013
 - Electoral Registration of Voters Act 2012
- The review operates under Section 5.2 of the Law Reform Commission Act.

Timeline and Terms of Reference (TOR)

- Initial deadline for the final report was 4 April 2024, later extended to 30 June 2024 following stakeholder consultations.
- TOR directs the Commission to:
 - Review the three electoral laws.
 - Examine the constitutional framework (2013 Constitution).
 - Identify any inconsistencies with human rights standards.
 - Recommend reforms grounded in democracy, fairness, good governance, and international best practices.
 - Conduct wide public consultations.

Composition of the Review Team

- Chairperson: Daniel Fatiaki, former Chief Justice of Fiji.
- Commissioners:
 - Professor Wadan Narsey
 - Deidre Brooks (NZ Electoral Office)
 - Ms. Seini Nabou, a former election candidate.
- Supported by the FEO, Electoral Commission, and Ministry of Justice.

Public Consultations – Round One

- Initial consultations began in Central Division:
 - Locations: Suva, Nasinu, Nausori, Civic Centre, FNU, Naitasiri, Korovou.
 - Initially low turnout, but improved after media engagement and location strategy change.
- Other Divisions Visited:
 - Eastern Division: Levuka, Lovoni Village (Ovalau), Rotuma (7/8 districts reached).
 - Northern Division: Bua, Labasa, Savusavu, Senganaga, Taveuni (Somosomo, Naisele Village).
 - Western Division: Sigatoka, Lautoka (villages, markets, mandirs), Tavua, Ba, Rakiraki, Nadi Airport Mosque.
 - Notable engagement with Methodist conference delegates during Western consultations.

Language and Accessibility

- Consultation prompts translated into iTaukei, Hindi and Rotuman.
- Supported by iTaukei Affairs, Ministry of Information, and District Officers.

Public Consultations – Round Two

- Conducted targeted consultations based on emerging themes from Round One.
- Distributed 60 focused questions to key stakeholders and communities.
- Covered Suva, Nausori, Nasinu, the North and the West.
- Emphasis on in-depth engagement and refining specific recommendations.

Next Steps in the Reform Process

- Final phase (June 2025):
 - Collation and analysis of submissions.
 - Drafting of:

- Final report
- Draft legislation
- Regulations
- Cabinet Paper
- Simulation exercise to be held in Suva for stakeholders to test and provide final feedback on draft proposals.
- Two drafters assisting in finalisation, including one recently recruited.

Key Clarifications and Q&A Responses

On Constitutional Constraints

- TOR includes review of the electoral provisions of the 2013 Constitution.
- The feasibility of this will, in large part, depend on the outcome of the Supreme Court's determination on the Constitution.

On Community Input and Report Development

- Report to include:
 - Summary of public submissions.
 - Thematic insights from each location.
 - Rationale behind each recommendation or rejection.
- Public input remains central and valued; the report strives for balance between legal analysis and citizens' voices.
- Drawing upon good practices pertaining to reforms in other jurisdictions.

On Legal Status of the Report

- The report is not binding on the government.
- It is submitted to the Attorney General, who:
 - May accept, partially implement, or reject recommendations.
 - Coordinates the policy process to bring proposals to Cabinet and Parliament.

On the Political Context

- Acknowledged the possibility of constitutional reform.
- Reform team is mindful of ongoing legal and political developments, including:
 - Court challenges to the constitution.
 - Possible outcomes around August.
- If the 2013 Constitution is repealed, then provisions for an alternative framework are being considered and may be detailed in the simulation exercise.

On Concerns About Haste

- Timeline of 30 June was determined in consultation with FEO to allow time for possible implementation before 2026 elections.
- While external observers have raised concerns about speed, the team is focused on delivering a thorough, high-quality report within that timeframe.
- Post-submission timeline and implementation decisions rests with the government.

Closing Remarks by Mrs. Tuivaga

- Reaffirmed commitment to transparency, rigour, and public participation.
- Emphasised that all submissions are carefully considered and will not be ignored.
- Highlighted the Law Reform Commission's intent to follow up with government to ensure progress.

- Expressed gratitude for public engagement and reaffirmed the value of inclusive dialogue in shaping Fiji's electoral future.

9. Acknowledgement by MC

- Ms. Nailatikau thanked Mrs. Tuivaga for her comprehensive presentation and for setting the tone for the dialogue.
- Mentioned that any additional questions would be forwarded to Mrs. Tuivaga.

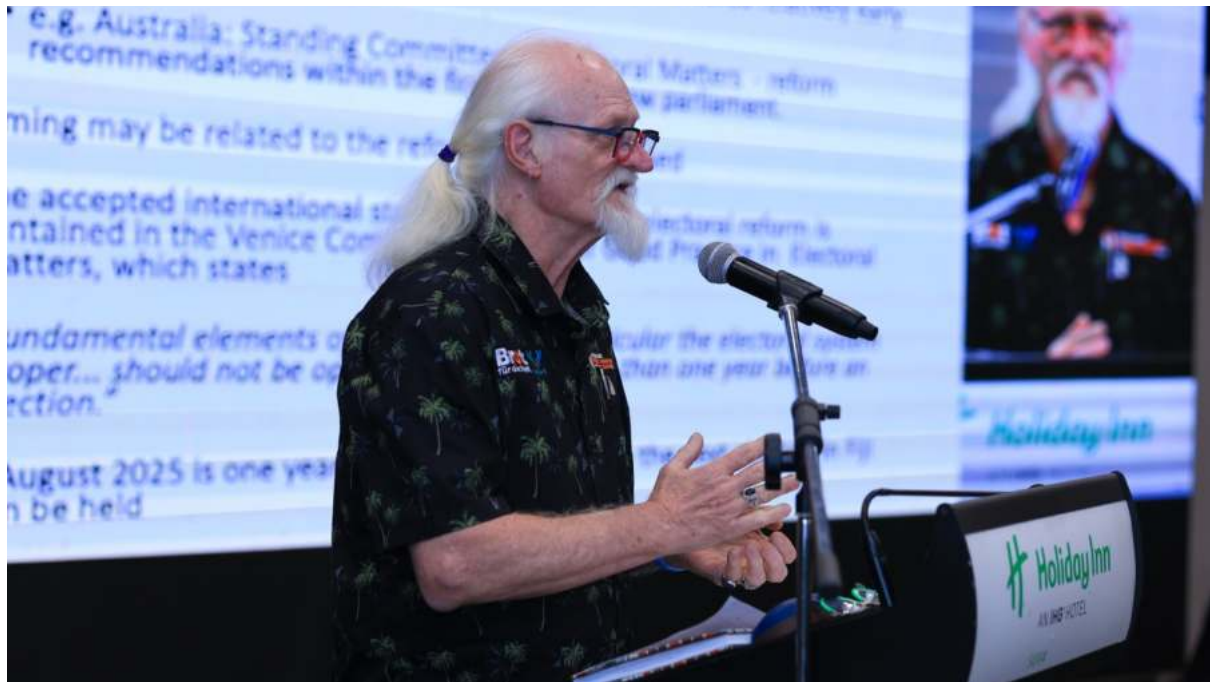


Mr. Nirmal Singh Cheema (R) poses a question during the Question and Answer session

Keynote Address 1

Title: Trends in Electoral Reform: Are There Ideas Relevant to Fiji?

Speaker: Mr. Alan Wall, International Electoral Expert



Mr. Alan Wall delivering his Keynote Address during the Dialogue on Electoral Reform

Opening Remarks

- **Acknowledgments:** Expressed gratitude to the chief guest (Permanent Secretary for Justice), Dialogue Fiji, members of the diplomatic corps, and attendees.
- **Disclaimer:** Emphasised that foreign models should not be transplanted wholesale; each country, including Fiji, has its own context-specific electoral reform needs.
- **Purpose:** To share global reform trends—not prescriptions—while acknowledging that real change depends on political will.

Key Thematic Areas of the Presentation

1. Understanding Electoral Reform

- Not all change constitutes reform—only improvements do.
- Political will is the biggest determinant of implementation.
- Reform is often a **political**, not technical, decision.

2. Current Global Priorities in Electoral Reform

Outlined five key reform priorities globally:

- Restoring Trust in democratic institutions.
- Ensuring Effective Representation.
- Promoting Inclusion and Participation to boost legitimacy.
- Fair Competition among political parties.
- Ensuring access to Reliable Information for voters.

3. Timing of Reform

- Reform is most effective early in the parliamentary term.
- The Venice Commission recommends no fundamental electoral law changes less than 12 months before elections.
- Fiji is approaching that critical 12-month window (August 2025).

4. Stakeholder Expectations and Electoral Law Limits

- Voters often blame the system for issues beyond its control.
- Emphasised that elections are human processes: law cannot guarantee outcomes—people's behaviour matters.

5. Electoral System Reform

- **Key principles:**
 - No system is perfect.
 - Every system has winners/losers.
 - Change can produce unpredictable effects.
- **Global trends:**
 - Shift away from Plurality/Majoritarian and SNTV systems.
 - Move toward Proportional Representation (PR), especially Open List PR (OLPR) and Mixed Member Proportional (MMP).
- Fiji was part of this trend, moving to OLPR in 2014.

6. Representation Thresholds

- **Most PR systems:** 0% threshold (40% of cases).
- **Fiji:** 5%—at the upper limit of acceptability per Venice Commission.
- Thresholds significantly impact vote wastage and party diversity.
- Natural thresholds exist in multi-member districts (e.g., 3% in 24-seat district).

7. Local Representation and Multi-Member Districts (MMDs)

- 84% of PR countries use multiple MMDs.
- Benefits:
 - Reduces 'rockstar candidate' effect.
 - Enhances local accountability.
- Trade-off: Less proportionality, potential geographic dominance, fewer candidate options.
- Countries like Austria use compensatory national-level seats to restore proportionality.

8. Electoral Management Bodies (EMBs)

- **Structure ≠ Behaviour:** Legal independence doesn't guarantee operational independence.
- **Leadership behaviour** is key.
- Reform trends:
 - Multi-partisan or transparent appointment (e.g., South Africa, Indonesia).
 - Financial independence (e.g., Mexico).
 - Separate electoral civil service (e.g., Mexico).

9. Election Integrity and Inter-Agency Coordination

- Post-COVID and climate disruptions have prompted creation of inter-agency electoral taskforces (e.g., Canada, Australia).
- India's VVPAT example: balancing electronic voting with verifiability.

10. Inclusion and Participation

- **Gender:**

- Open List PR poses challenges.
- Examples:
 - India: rotating FPTP seats reserved for women.
 - Kosovo: "best loser" provision.
 - Closed List PR easier for placement mandates (e.g., Nepal requires 50%).
 - Financial incentives for gender-inclusive lists.
- **Disability:**
 - Legal standards for accessible polling (e.g., Estonia).
 - Tactile guides, mental disability enfranchisement.
- **Youth:**
 - 16-year-old voting in 8 countries.
 - Youth pre-registration, automatic roll updating.
- **Out-of-country voting:**
 - Provided in 114 countries—easier in single national constituency like Fiji.

11. Campaign Equity and State Funding

- **Equal access** to media, transparency in donations (e.g., real-time disclosures in Australia).
- **State funding** growing—72% of democracies now use it.
 - Risks: increases campaign costs if not replacing private funding.
 - Opportunity: can promote inclusion by linking funding to diversity.

12. Disinformation and Information Integrity

- Combatting mis/disinformation is difficult.
- "Truth in political advertising" laws have risks for free speech.
- Social media regulation is challenging—especially with foreign content.
- Silence periods often ineffective due to online content.

13. Artificial Intelligence (AI) and Elections

- **Positive uses:** translation, fraud detection, register management.
- **Risks:** deepfakes, information disorder.
- **Legal responses:**
 - **South Korea:** total ban on AI in election periods.
 - **Brazil:** ban on deepfakes.
 - **EU:** classification and mandatory labelling based on risk level.

Q&A Session

Q1 – Female Political Aspirant

Concerns:

- Confusing ballot paper
- Big man syndrome
- 5% threshold
- Lack of local reps & women's representation
- Independence of institutions
- Lack of minority protections
- Executive interference in judiciary

Recommendations:

- Lower threshold
- Demarcate constituencies

- Civic education, esp. for youth
- Adopt MMP system

Alan Wall's Response:

- Reform must reflect Fiji's context.
- MMP alone won't solve gender imbalance—SMD seats tend to favour men.
- Advocated Lesotho model (single ballot paper MMP) if Fiji considers MMP.
- Warned about constituency malapportionment risks in MMP.
- Encouraged cultural shift and threshold reforms to improve representation.

Q2 – Female Political Aspirant

Question: Can countries impose a retirement age for political candidates?

Alan Wall:

- No precedent for retirement age, but some use term limits.
- Issue in many countries is minimum age, not maximum.
- Emphasised internal party reform to promote youth participation.

Q3 – Academic/Researcher

Issue: Should coup perpetrators and authoritarian leaders be banned from candidacy?

Alan Wall:

- No global standard—approaches range from reconciliation (Timor, South Africa) to exclusion/revenge (Bangladesh).
- Personally supports reconciliation with guardrails, but leaves decision to national processes.

Closing Remarks

- Reiterated five global focal points:
 1. Trust in elections
 2. Effective representation
 3. Inclusion and participation
 4. Fair competition
 5. Reliable information access
- Invited participants to engage with him over the next two days for deeper discussions.

Conclusion

Mr. Wall's keynote provided a sweeping, comparative analysis of international electoral reform trends with specific implications for Fiji. He encouraged cautious, context-specific reform thinking, warned against false solutions, and stressed the importance of behaviour, trust, and political will over purely technical fixes.

This session set the tone for informed and evidence-based dialogue on reforming Fiji's electoral system.

Keynote Address 2

Title: Designing Electoral Systems and Constitutions for Divided Societies

Speaker: Professor Jon Fraenkel, Professor of Comparative Politics, Victoria University of Wellington



Prof. Jon Fraenkel delivering his Keynote Address during the Dialogue on Electoral Reform

1. Introduction and Acknowledgments

- Prof. Fraenkel opened with acknowledgments, praising Alan Wall for his global electoral knowledge.
- Recognised contributions by Reijieli Tuivaga and Selina Kuruleca for contextual remarks.
- Thanked Dialogue Fiji and Nilesh Lal for the invitation, and noted his concurrent visit to the ANU Pacific Update.
- Stated explicitly that he would not repeat his Fiji National University lecture recently published in *The Fiji Times*.

2. Framing the Complexity of Reform Timing

- Addressed the confusion surrounding the sequencing of electoral reform and constitutional change.
- Highlighted what he referred to as "cart and horse" issues: should the Constitution change first, or the electoral system?
- Introduced the issue of timing, referencing the Venice Commission's guideline that electoral reforms should not occur within one year of an election.
- Cautioned that the year before a general election is a politically charged period that should be avoided for introducing changes.
- Observed that reforms introduced in this period often get diluted or become divisive.
- Suggested that preparing legislation now for implementation post-2026 elections may be a more prudent approach.

3. Position on the Current Electoral System in Fiji

- Clarified he is not opposed to reform, stating the current single national constituency with a 5% threshold is suboptimal.
- Recommends exploring multi-member districts with adjusted thresholds to improve proportionality.
- Asserted that his main focus would be comparative analysis of electoral systems in divided societies.

4. Theoretical Underpinnings: Electoral Systems and Divided Societies

- Highlighted academic divides:
 - PR supporters: Emphasise fairness and proportionality.
 - Majoritarian proponents: Prefer stable governments with clear mandates.
- Emphasised that neither model is universally ideal, and that deeply divided societies require tailored approaches.
- In such contexts, PR systems generally outperform majoritarian systems.
- Noted that majoritarian systems often result in disproportionality, exclusion, and instability in ethnically divided societies.

5. Fiji's Electoral Trajectory and Challenges

- Described Fiji as a bi-communal polity (Indigenous Fijians and Indo-Fijians) with a history of ethnic party alignment.
- Recounted the electoral evolution:
 - **1965:** Introduction of cross-voting seats.
 - **1972:** National seats post-Independence.
 - **1990 Constitution:** Fully communal (37 Fijian, 27 Indo-Fijian seats).
 - **1997 Constitution:** Mixed system with 46 communal and 25 open seats under AV and mandatory power-sharing.
 - **2013 Constitution:** Shift to Open List Proportional Representation (OLPR) under a single nationwide constituency.
- Highlighted that despite constitutional entrenchment, Fiji has had frequent electoral system changes, more than any other Pacific state.

6. Criteria for Evaluating Electoral Systems

- Referenced the New Zealand Royal Commission on the Electoral System (1985/86) and its influence on Fiji:
 - Fairness, inclusiveness, minority representation, integration, simplicity, legitimacy.
 - Stressed the need for minimum manipulation, simplicity, and mechanisms for accountability.
 - Argued that legitimacy should be prioritised in Fiji, given its history of coups.

7. Comparative Analysis of Electoral Systems

7.1 Majoritarian Systems (FPTP, AV)

- **First-Past-the-Post (FPTP):**
 - Simple but leads to disproportional results and many wasted votes.
 - Fails in bi-communal contexts due to polarisation.
 - Cited Sir Arthur Lewis: FPTP can “kill the idea of democracy in plural societies”.
- **Alternative Vote (AV):**
 - Used in Fiji (1999–2006), promoted by Horowitz.
 - Intended to promote centrism but **failed to moderate** in Fiji.

- Example: 2001 election saw moderates crushed and preferences polarised.

7.2 Single Transferable Vote (STV)

- Recommended by Street Commission in 1975.
- A multi-member district preferential system.
- Used in Ireland, Malta, Northern Ireland, Australian Senate.
- Promotes proportionality but complexity and potential for elite control persist.

7.3 List Proportional Representation (List PR)

- **Closed lists:** Party-determined candidate order; better for gender quotas.
- **Open lists:** Voters select candidate; increases choice but can complicate ballot.
- Advantages:
 - Proportionality, fewer wasted votes, better representation.
- Disadvantages:
 - Fragmentation, party control (in closed lists), ballot complexity (in open lists).

7.4 Mixed Member Proportional (MMP)

- Combines constituency MPs and list MPs.
- Used in New Zealand, Germany, Lesotho.
- Vulnerable to strategic manipulation in two-vote systems.
- Noted that Fiji's political culture would likely exploit such weaknesses.
- Single-vote MMP (as in Bolivia) avoids this issue.

8. Post-Conflict Electoral Settlements: Comparative Cases

8.1 South Africa (1994–1996)

- Used closed list PR, no threshold, and mandatory power-sharing (cabinet and deputy presidencies).
- Transitional power-sharing dropped in 1996 constitution.

8.2 Bosnia (1995 Dayton Accord)

- Created ethnic federalism and power-sharing.
- Used closed list PR, later switched to open list.
- Institutionally rigid and dependent on external oversight.

8.3 Fiji (1997 Constitution)

- AV system (influenced by Horowitz), mandatory multiparty cabinet (Lijphart).
- Ultimately failed due to non-compliance and legal ambiguity.
- Notably excluded key parties (e.g., SVT in 1999).

8.4 Northern Ireland (1998 Good Friday Agreement)

- Used STV PR, co-premiership model.
- Cabinet formed via D'Hondt method.
- MLAs designate as nationalist, unionist, or other.
- Considered a more sophisticated power-sharing system.

9. Lessons and Warnings

- Warned against “snake oil solutions” claiming to solve all problems.
- Strongly advised against majoritarian systems in bi-communal settings.
- PR systems more effective for inclusive parliaments.
- Open list PR and MMP offer trade-offs between representation and accountability.

- Electoral laws cannot alone guarantee inclusive governance—need supplementary arrangements like power-sharing.

10. Q&A Session Highlights

Q1: Political Party Rep

- Questioned whether systems should limit the number of parties.
- Fraenkel responded:
 - Such restrictions are often attempts by dominant parties to suppress competition.
 - Emphasised the need to support new and youth-led parties.
 - Gave examples from Indonesia, PNG, and Solomon Islands where over-regulation backfired.

Q2: Academic

- Asked about the role of demographic change in designing systems.
- Fraenkel responded:
 - Constituency design must consider population equality.
 - Called for release of ethnic breakdown from 2017 census to support reform discussions.

11. Concluding Remarks by Moderator, Litia Nailatikau

- Thanked Prof. Jon Fraenkel.
- Noted that Prof. Fraenkel would be available for the remainder of the dialogue.

Summary Takeaways

- Fiji's electoral reforms must be sensitive to its divided political context.
- Proportional representation systems are preferable.
- Avoid timing reforms close to elections.
- Prioritise simplicity, legitimacy, inclusiveness, and resistance to manipulation.
- Institutional design is important—but **politics will ultimately determine outcomes**.



A participant poses a question during the Question-and-Answer session

Panel Discussion 1

Political Party Insights, Challenges, Experiences, and Reform Priorities

1. Introduction by Moderator

Dr. Shailendra Singh, Associate Professor and Coordinator of the Journalism Programme at The University of the South Pacific, welcomed participants and introduced the panel discussion focused on political party perspectives on electoral reform. He provided brief background information on each speaker and reiterated that five parties were invited, with three confirming and attending.

2. Panelist Presentations

2.1 Mr. Viliame Takayawa – General Secretary, SODELPA

- Opening Acknowledgement: Acknowledged landowners and thanked Dialogue Fiji.
- Historical Context: Stated that SODELPA has been engaged in electoral politics since 2006 and had to change its name due to oppressive legislation under previous government.
- Position on Electoral Reform:
 - Supported electoral reform, particularly reversing restrictive provisions imposed since 2014.
 - Opposed the single national constituency model, advocating for multi-member or multi-district systems.
 - Referenced Section 53 of the Constitution as providing for alternative electoral configurations.
 - Expressed desire to restore SODELPA's original name to *Soqosoqo Duavata ni Lewenivanua* (SDL), including its party symbol (dove).
- Engagement in the Reform Process:
 - Claimed that SODELPA submitted a written submission in the first round of consultations.
 - Cited logistical problems (e.g., late email) preventing attendance at the second round.



SODELPA General Secretary, Mr. Viliame Takayawa (second from left), shares his perspective during the panel discussion on Political Party Insights

2.2 Mr. Savenaca Narube – Leader, Unity Fiji

- Key Points on Electoral Reform:
 - Emphasised that electoral reform is multifaceted: laws, voter registration, voting, counting, results, and media all play roles.
 - Criticised lack of coordination and clarity in reform efforts, questioning who is leading the process.
 - Cautioned against a rushed approach, warning it creates uncertainty and undermines public confidence.
 - Called for a “Plan B” assuming that the 2013 Constitution remains in place for the 2026 elections.
- Challenges Faced by Unity Fiji:
 - High Costs: New parties face major resource and compliance hurdles.
 - Confrontational Relationship with SOE: Highlighted bias and lack of independence from the former Supervisor of Elections.
 - Inequitable Funding: Criticised public funding of \$325,000/year to parliamentary parties, excluding others.
 - Media Bias: Alleged systemic refusal by some outlets to cover Unity Fiji content, namely press releases.
- Reform Priorities:
 - Abolition of the single national constituency.
 - Legal interpretation of Sections 53(1), (2), (4) regarding constituency design and proportional representation.
 - Reform of the OLPR system and 5% threshold, citing personal example of receiving more votes than many sitting MPs’ but not gaining a seat.
 - Procedural improvements: manual vote counting, removing pre-polling, allowing recording devices at polling venues.



Unity Fiji Leader, Mr. Savenaca Narube (second right), shares his perspective during the panel discussion on Political Party Insights

2.3 Mr. Satish Kumar – Fiji Labour Party (FLP)

- Opening: Defined democracy as governance by the people and emphasised inclusivity, accountability, and respect for rule of law.
- FLP Reform Criteria:
 - Simplicity and clarity in the system.
 - Inclusivity and contextual relevance.
 - Voter influence and long-term stability.
 - Compatibility with traditional institutions and demographics.
- Criticisms of the Current System:
 - Three-digit candidate numbers confuse voters; similar numbers have led to mistaken identities.
 - Digital glitches in 2022 undermined confidence.
 - Absence of party symbols and candidate photos on ballots is problematic.
 - Restrictions on electronic devices at polling places hamper transparency.
 - Unrealistic cap of \$10,000 on donations, especially compared to unrestricted foreign aid.
 - Threshold prevents entry of parties with significant public support.
- Call to Action: Emphasised need to own and proudly defend a new, improved system tailored to Fiji.



Fiji Labour Party Representative, Mr. Satish Kumar (far right), shares his perspective during the panel discussion on Political Party Insights

3. Moderator's Challenge to Panelists on Submission Transparency

Dr. Singh referred to Dialogue Fiji Executive Director's earlier observation that political parties had not made detailed submissions on electoral reforms, breaking from previous reform processes.

Responses:

- Takayawa (SODELPA): Claimed submission was made and shared with media but not published on social media.
- Narube (Unity Fiji): Confirmed both oral and written submissions. Criticised the current system's imposition in 2014 without consultation. Raised concerns about redundancy in the second round of consultations.
- Kumar (FLP): Confirmed submissions and documented evidence. Warned against superficial consultations used to tick boxes rather than obtain genuine input.

Dialogue Fiji Executive Director's Clarification:

- Stated that submissions were not available on any party websites or Facebook pages, so there are no record of these written submissions in the public domain. A good reform process requires that submissions are available publicly.

4. Floor Interventions and Responses**4.1 Youth Participation and Disillusionment**

- Participant (University Lecturer): Shared that students expressed fear, apathy, and mistrust in political processes.
- Takayawa: Urged educators to promote civic engagement among youths.
- Narube: Acknowledged challenges in attracting youths and welcomed suggestions.

4.2 Defining "Best Electoral System"

- Youth Participant: Asked what system FLP considers best?
- Kumar: Referred to the 16 reform principles he outlined earlier. Suggested a mixed system incorporating global best practices adapted to Fiji.

4.3 Accountability of Political Parties

- Female Political Aspirant: Asked what parties are doing to be accountable to the people.
- Takayawa: Highlighted legal requirements to submit manifestos to the FEO.
- Narube: Acknowledged gaps in party transparency; Unity Fiji aims to fill that space.
- Kumar: Recognised financial constraints; reaffirmed FLP's commitment to public accountability.

5. Media Response to Allegations of Bias**Vijay Narayan (Fijivillage):**

- Emphasised equal access for parties.
- Criticised some parties for poor communication and social media-only outreach.
- Noted, and expressed disappointment that only a few decision-makers were present at the forum, hence, weakening the reform impact.

Fred Wesley (The Fiji Times):

- Shared past censorship experiences under the former FijiFirst government.
- Affirmed that current government is more open and coverage of all parties continues.

Stanley Simpson (Secretary, Fijian Media Association):

- Challenged some small parties on credibility, exaggeration of claims.
- Praised some for playing a more effective opposition role than those in Parliament.
- Called for collaborative approach to ensure vigorous and informed political debate.



Mr. Vijay Narayan emphasising his point during the Question and Answer session.

6. Concluding Observations

- Final Participant Intervention (Faye from FemLink): Raised the issue of women's political inclusion and asked for parties' plans to address this.
- Moderator Dr. Singh: Thanked participants and panelists, noting the value of the session and closing with appreciation.

Key Takeaways

- Political parties largely agree that the current electoral system is flawed but differ on preferred alternatives.
- There is deep concern about rushed reforms, lack of public confidence, and inadequate transparency from both State institutions and political actors.
- Parties are frustrated with unequal funding and uneven media access.
- Civil society questions the sincerity of consultations and seeks genuine representation and inclusion, especially of women and youth.
- The absence of key electoral decision-makers was a major limitation of the forum.

Day 2

Panel Discussion 2

Perspectives on the Current Framework and Proposals for Reform

1. Introduction by Moderator

Allan Wall, the moderator introduced:

- **Prof. Shaista Shameem** – Vice Chancellor and Dean of the School of Law, The University of Fiji
- **Nilesh Lal** – Executive Director, Dialogue Fiji.
- **Stanley Simpson** – Director of MaiTV and General Secretary of the Fijian Media Association



L-R:

Prof. Shaista Shameem, Mr. Nilesh Lal, Mr. Stanley Simpson and Mr. Alan Wall

2. Presentations by Panelists

2.1 Panelist 1 – Prof. Shaista Shameem

Key Arguments:

1. Framing the Discourse

- Challenged the dominant narrative that Fiji is a "conflict-ridden and divided society."
- Proposed a shift in language to recognise Fiji as a "diverse society," arguing that this framing encourages optimism and cooperative reform.
- Highlighted the role of language in shaping perceptions and outcomes.

2. Discrimination and Diversity Protections

- Cited the University of Fiji's anti-discrimination policy, drawn from constitutional principles dating back to 1970.
- Emphasised the evolution of equality provisions across Fiji's constitutions:
 - 1970: basic anti-discrimination provisions
 - 1997: expanded to include sexual orientation
 - 2013: added gender identity and expression
- Distinguished between fair and unfair discrimination using a legal example (e.g., denying a driver's license to the visually impaired is justifiable).

3. Reserved Seats – A Cautionary Note

- Voiced strong caution against reserved seats for women or any group.
- Argued that in a world of diverse gender identities, defining "woman" is legally complex.
- Warned that creating reserved seats requires legal certainty of identity, which may reinforce discrimination.
- Suggested that pushing for one group's representation might lead to pressure for others (e.g. LGBTQIA+, disabled, minorities and islands) to demand the same.

4. Constitutional Uncertainty and Judicial Power

- Raised serious concerns about the 5th question in the Supreme Court reference: whether the **1997 Constitution remains valid**.
- Warned of major implications if the court rules affirmatively:
 - Return of bicameral legislature (Senate)
 - Repeal of 2013-based electoral laws
 - Collapse of current immunity protections for 2009–2013 actors
 - Possible deferral of 2026 elections
- Raised the concept of a "judicial coup," noting the power of court declarations to reshape democratic processes.

5. Media and Bias – A Personal Account

- Shared her early career experience as a *Fiji Times* journalist in 1977.
- Recounted racist and politically biased comments made in the newsroom during that time, which shattered her faith in media objectivity.
- Argued for civil society and political actors to build their own media infrastructure rather than rely on traditional outlets.

6. Rule of Law – A Misunderstood Concept

- Called out superficial use of "rule of law" in political and legal discourse.
- Urged the Fiji Law Society to conduct a national seminar to clarify its meaning.
- Asserted that the rule of law is too often wielded selectively, depending on self-interest or political agendas.



Prof. Shameem (second from left) sharing her perspectives during the panel discussion

2.2 Panelist 2 – Nilesh Lal

Presentation Title: “Fiji’s OLPR System: Examining Criticisms and Reform Priorities”



Nilesh Lal (second from right) sharing his perspectives during the panel discussion

Background and Global Context

- Traced Fiji’s electoral evolution:
 - FPTP: 1972–1994
 - AV: 1999–2006
 - OLPR: 2014–present
- Noted that OLPR is used in **38% of countries**, and over **half of democracies** globally.

1. Debunking Myths Surrounding OLPR

- **Myth 1: Coattail Effect (Rockstar Syndrome) is Undemocratic**
→ Actually a feature of OLPR; also exists covertly in closed list systems.
- **Myth 2: Low-vote Candidates Getting Elected is Unfair**
→ Party vote totals determine seat count; candidate ranking within party determines who enters.
- **Myth 3: System Favouring FijiFirst**
→ Structure is neutral; all parties can field popular candidates.
- **Myth 4: System Centralises Power in PM/AG**
→ Power dynamics stem from party constitutions, not the electoral system.
- **Myth 5: OLPR Causes Low Female Representation**
→ 2018 had Fiji’s highest ever female MP count; low representation is due to candidate selection and voter behaviour.
- **Myth 6: OLPR Weakens Accountability**
→ Ineffective MPs were voted out in 2018 and 2022. Voter agency enhanced through intra-party candidate choice.

2. Defending the Single National Constituency

- Encourages broad-based, inclusive politics.
- Eliminates malapportionment and gerrymandering.
- Reduces ethnic bloc voting.

- Voter-MP links not inherently weaker—empirical evidence (Curtice) debunks the myth.
 - Local needs better served by elected local government, not national MPs.
3. **Critique of Electoral Laws (Electoral Act, Political Parties Act, Registration Act)**
- Supervisor of Elections has excessive powers.
 - Laws deter civic engagement: harsh penalties, restrictions on CSOs, polling bans.
 - Suggested reforms:
 - Transparent observer accreditation
 - Gender-based party funding incentives
 - Clearer rules for party registration/deregistration
4. **Conclusion**
- Most criticisms are partisan or based on misconceptions.
 - Focus should be on legislative reforms, not changing the electoral system itself—especially less than 12 months before elections (7 Aug 2026).
 - Referred to Venice Commission’s Code of Good Practice on electoral law stability.

2.3 Panelist 3 – Stanley Simpson

Key Messages:

1. **Legislation Has Become Intimidating**
 - Over-legislation has created a culture of fear around elections.
 - Voters feel criminalised, not empowered.
2. **Suppression Through Legal Tools**
 - Law criminalises criticism of Supervisor of Elections—vague definitions + harsh penalties.
 - Shared insider story about *The Fiji Times* being legally threatened over publishing criticism.
3. **Media Blackout is Outdated**
 - 48-hour blackout affects traditional media, while social media remains unregulated.
 - This distorts the information environment—traditional media punished, social media thrives.
4. **Polling Restrictions Undemocratic**
 - Legal requirement for poll approval by SoE discourages pre-election polling.
 - “What is democracy if we fear asking people what they think?”
5. **Past Intimidation of Journalists**
 - Recalled attempts to make media sit “Moodle exams” to gain access to events.
 - Spoke against bureaucratic vetting of journalists.
6. **Call for Democratic Culture**
 - Reform cannot just be legal—it must be cultural.
 - Encouraged better political communication from parties.
 - Parties failed to engage with media in 2022—ignored interviews, were unprepared.
 - Urged parties to go beyond social media and actively engage with traditional media for credibility and reach.



Stanley Simpson (far right) sharing his perspectives during the panel discussion

Audience Questions & Panel Responses

Key Themes:

1. **Gender Representation**
 - Calls for **reserved seats for women** due to chronic underrepresentation.
 - Prof. Shameem warned of definitional and legal complexities.
 - Nilesch Lal and Prof. Shameem supported **party-level quotas** linked to public funding instead.
2. **Supreme Court & 1997 Constitution**
 - A retired civil servant and other participants expressed concern over the uncertainty.
 - Prof. Shameem highlighted the implications for immunity, legislative structure, and electoral delay.
3. **Voter Behaviour**
 - Satish Kumar (FLP) noted that recycling bad politicians is a voter choice problem.
 - Argued the need for voter awareness, education, and merit-based candidate assessment.
4. **Future of OLPR**
 - From Truth & Reconciliation Commission: Will OLPR ever deliver more women/youth?
 - Lal responded: System is helpful, but candidate selection and voter behaviour must also evolve.



SODELPA General Secretary, Mr. Viliame Takayawa, emphasises a point during the Question and Answer session

Moderator's Closing Remarks

- Alan Wall emphasised the role of political leadership and culture over institutional design alone.
- Noted Fiji's penal provisions are more draconian than even Malaysia's.
- Thanked panelists and audience.

Summary

This panel delivered a rich, multidimensional civil society critique of Fiji's electoral framework. While there was strong defence of the OLPR system, all three speakers called for significant legislative reforms to reduce authoritarian legacies, empower citizens, and expand civic space.

Technical Session on Electoral System Fundamentals

Presenter: Alan Wall

1. Session Introduction and Objectives

The session aimed to demystify the technical components of electoral systems, particularly focusing on:

- The building blocks of electoral systems
- The effects of design choices on representation
- The application of these design choices to Fiji's electoral data

2. Key Elements in Electoral System Design

A. Three Fundamental Elements

The session opened by outlining **three critical components** that define any electoral system:

- **Ballot structure and design:** How voters express their choices
- **Electoral formula:** The method used to translate votes into seats
- **District magnitude:** The number of representatives elected from each electoral district

These components were presented as deeply interlinked and collectively shaping the quality of democratic representation.

3. Ballot Structure and Design

The presentation examined **various ballot formats** from across the globe, highlighting how they influence voter behaviour and election outcomes.

Examples by System Type:

- **FPTP:** Single choice (e.g., Trinidad and Tobago)
- **Party Block Vote:** Multiple choices, all to one party (e.g., Singapore)
- **Alternative Vote:** Ranked preferences (e.g., Australia)
- **Single Non-Transferable Vote (SNTV):** One vote in multi-member district (e.g., Indonesia)
- **Closed List PR:** Vote for party, fixed list (e.g., South Africa)
- **Single Transferable Vote (STV):** Rank multiple candidates (e.g., Malta)
- **Mixed Member Proportional:** Dual vote system (e.g., New Zealand)

Focus on Open List PR Variants

A comparative matrix was presented showing **diverse Open List PR formats** from countries like:

- Netherlands, Kosovo, Sweden, Estonia, Indonesia, Sri Lanka, Panama, etc.

These examples demonstrated how voter influence varies by how candidate preferences are incorporated into the final result.

4. Electoral Formulas

The presenter provided a deep dive into the **mathematics of seat allocation**:

A. Simple Formulas:

- **FPTP:** Plurality wins
- **Two-Round System:** Runoff if no majority
- **Block Vote:** Top-n candidates win
- **Party Block Vote:** Winner-takes-all at party level

- **SNTV:** Highest individual vote-getters win

B. Alternative Vote:

A **step-by-step elimination and redistribution** process until a candidate gains 50%+1 of valid votes.

C. Proportional Representation:

Emphasis was placed on the **Highest Average Methods** and **Largest Remainder Methods**:

Highest Average Methods (Divisor Systems):

- D'Hondt, Imperiali, Sainte-Laguë (and its modifications)
- These involve dividing party vote totals by a sequence of divisors

Largest Remainder Methods:

- Use quota systems (Hare, Droop, Hagenbach-Bischoff, Imperiali)
- Seats allocated based on full quotas, then by remainder size

A key takeaway: **different formulas can lead to different outcomes**, potentially benefiting large or small parties depending on the formula used.

5. Application to Fiji's 2022 General Election Data

A **comparative simulation** was shown using the actual 2022 Fiji election results to assess the impact of formula and threshold choices.

Threshold Scenarios:

- 5%, 3%, 1%, and 0% thresholds were applied.

Findings:

- Under a 5% threshold, only 4 parties gained representation under any formula.
- As the threshold lowered to 1% or 0%, **more minor parties gained seats** under certain formulas (e.g., Modified Sainte-Laguë, Largest Remainder – Hare).
- **D'Hondt** and **Imperiali** methods generally favoured **larger parties** like Fiji First and People's Alliance.
- **Modified Sainte-Laguë** and **Largest Remainder Hare** were more favourable to **smaller parties**, improving representational fairness.

6. District Magnitude and Representation

The third technical component explored was **district magnitude**:

Key Concepts:

- **Single-member districts** suit plurality/majority systems.
- **Multi-member districts** allow for proportionality, reduce gerrymandering, and better reflect vote distribution.

International Standard:

- From the **Venice Commission**: deviation in voter-per-representative ratios between districts should not exceed $\pm 10\%$.

Fiji-specific Simulations:

Using 2017 census data, various configurations of districts were assessed for:

- Population parity
- Representation fairness
- Compliance with the One Person, One Vote, One Value principle

Key Issues:

- The **Eastern Division** repeatedly fell outside the $\pm 10\%$ variance due to small population size and multi-island geography.
- Redistribution or seat addition was shown as a way to resolve this.

7. Illustrative Exercise: Gerrymandering Simulation

An engaging exercise challenged participants to manipulate district boundaries using fictional voting data:

- **Total Voters:** 1350 (Red: 760, Blue: 590)
- **Districts:** 3 (Each with 3 wards)

Result:

Different **boundary maps** produced different outcomes:

- Red Party winning **all 3 seats**
- Blue Party gaining **up to 2 seats**, depending on district configuration

This exercise **demonstrated the power of district design** in shaping electoral outcomes, reinforcing the importance of **independent boundary-setting bodies**.

8. Key Takeaways

- The design of **ballots, formulas, and districts** is not neutral — it profoundly affects **representation and fairness**.
- **Open List PR**, depending on design, can balance party and voter influence.
- Lower thresholds allow greater **diversity of representation**, while higher ones risk exclusion.
- Formula choice matters — not all PR is created equal.
- Fiji's current **single national constituency** eliminates gerrymandering but raises concerns about **MP-constituent linkages**.
- Any transition to **multi-member districts** must carefully balance **proportionality** and **regional representation equity**.

9. Conclusion and Transition to Q&A

The technical session closed with encouragement to:

- **Critically evaluate** system options based on principles of fairness and inclusivity
- Reflect on **Fiji's context** and aspirations for democratic deepening

Participants were then invited to raise questions, many of which focused on:

- Threshold settings
- Constituency vs national list systems
- Candidate-centred vs party-centred models



Participants doing the group exercise on gerrymandering

Plenary Session: Presentation and Validation of Reform Proposals

Chair/Facilitator: Archana Murti

Presenters/Experts: Mr. Alan Wall, Prof. Jon Fraenkel, Mr. Nilesh Lal

1. Session Overview

The afternoon session was dedicated to group presentations and plenary discussions on proposed reforms to the Electoral Act 2014, Political Parties (Registration, Conduct, Funding and Disclosures) Act 2013, and the Voter Registration Act. Expert commentary was provided on the proposals by Alan Wall, Jon Fraenkel, and Nilesh Lal. Participants also raised concerns about inclusiveness, enforcement, party registration, penalties, and civic education.



Group discussions by the participants

2. Group Presentations – Electoral Act 2014

Group 3:

- **Key Issues Raised:**

- Section 83(12): No provision for correcting voting mistakes.
- Postal voting rules do not accommodate unforeseen changes (e.g., travel/medical emergencies).
- Persons with disabilities may be influenced by their assistants.

- **Response by Nilesh Lal:**

- Rejected ballots due to revealed votes are not eligible for replacement (Section 83(11)).
- Honest ballot errors are afforded a second ballot.
- Voters are assigned to specific polling stations to ensure reconciliation.

- **Alan Wall's Input:**
 - Assistance to voters with disabilities should be minimised by enabling independent voting (e.g., tactile ballots, low tables, large print).

Group 4:

- **Concerns:**
 - Lack of transparency in vote counting at small venues.
 - Proposes centralised counting at district offices to enhance oversight.
 - Excessive penalties (\$10,000+ fines; 5–10-year prison terms).
 - Ambiguity on whether the presiding officer's decisions are final or subject to supervisor override.
- **Responses by Nilesh Lal:**
 - Defended decentralised polling station counting as more transparent and fraud-resistant.
 - Clarified all counting is manual, and no electronic counting occurs.
 - Results posted on site (pink slip), enabling public verification.
- **Jon Fraenkel:**
 - Acknowledged global trend of clean Election Day but manipulated pre-election environments.
 - Argued against partial release of provisional results without polling station data breakdown.
- **Alan Wall:**
 - Suggested challenge ballots should be reviewed by an independent election commission, not the Supervisor.



Jon Fraenkel makes a point during the Group Presentations Session

3. Group Presentations – Political Parties Act

Group 3:

- **Strengths:**
 - Deterrent effect of high penalties.
 - Security features of ballots.
 - International best practices reflected in procedures.
- **Weaknesses:**

- Over-concentration of powers with Supervisor of Elections.
- 48-hour media blackout is excessive and resource-intensive.
- Small parties struggle with compliance due to resource limits.
- **Response by Alan Wall:**
 - Stressed need for separation of administrative and judicial electoral functions.
 - Warned of conflating criminal and administrative penalties.



Presentation by Group 3 (Youth Participants)

Group 5:

- **Concerns:**
 - Public officers contesting elections while in office and using State resources.
 - \$1,000 candidate deposit not refundable, even on rejection.
 - Independent candidates require 1,000 endorsements, disproportionate to vote thresholds.
 - Party list ranking lacks transparency.
 - Dual citizenship and residency rules are too restrictive.

Group 9:

- **Proposal:**
 - Hybrid electoral model blending provincial, district, and municipal representation.
 - 3 seats per constituency: one woman, one man, one youth.
 - Additional 10 “special seats” to ensure inclusion (e.g., disability, minorities).
 - Emphasised grassroots-driven policy design.
- **Jon Fraenkel & others’ input:**
 - Raised concern that provincial models may marginalise Indo-Fijians due to rural-urban imbalance.
 - Clarified intent of proposal was non-ethnic, bottom-up representation.

Group 8:

- **Strengths:**
 - Asset disclosure, transparency, modernisation of party management.
- **Weaknesses:**
 - Excessive rigidity in rules (e.g., 48-hour bans, registration fees).
 - Gender balance provisions exist on paper but not in practice.
 - Suggested partial refund for unsuccessful registration attempts.

Group 10:

- **Issues:**
 - Political finance disproportionately favours larger parties.
 - No provisions for debt collection from deregistered parties.
 - Registrar's role is too temporary and powerful.
 - Need to streamline party registration and funding access.

Group 11:

- **Strengths:**
 - Minimum voting age and citizenship proof.
- **Weaknesses:**
 - Voter registration rules are harsh (e.g., failure to update address is an offence).
 - Excessive penalties for duplicate registration.
 - Lack of clarity on due process.



The University of the South Pacific's Dr. Sandra Tarte outlining her group's presentation

Group 12 :

- **Mixed View on Penalties:**
 - High penalties can be deterrents but risk discouraging participation.
- **Other Concerns:**
 - Deregistration transforms MPs into independents, undermining voter intent.
 - Donation and advertising restrictions are circumvented in practice.

Group 13:

- **Concerns:**
 - Suggested new parties should operate for two years before being eligible to contest elections.
 - Questioned the need for multiple parties; suggested two-party dominance instead.

4. Group Presentations – Voter Registration Act

Key Themes Across Groups:

- **Eligibility:**
 - Suggest allowing 17-year-olds to pre-register.
 - Prisoners should retain voting rights.
- **Outreach:**
 - FEO should actively register voters in schools and rural areas.
 - Notices should be issued via social media and other modern channels.
- **Application Process:**
 - Shouldn't penalise citizens for incomplete applications or unintentional duplicates.
- **Excessive Penalties:**
 - \$10,000 fines or 5-year jail terms for minor infractions considered excessive.
 - Proposal for removal or reduction of such penalties.



Nilesch Lal makes a point during the group presentations session.

5. Cross-Cutting Themes & Recommendations

- **Penalties & Proportionality:**
 - Broad consensus that penalties in electoral laws are disproportionate.
 - Recommendation to differentiate between administrative and criminal breaches.
- **Supervisor of Elections' Powers:**
 - Concerns about excessive authority; recommendations for more independent review mechanisms.

- **Party Registration Barriers:**
 - Fees and signature requirements among highest in the world.
 - Suggested reduction to encourage participation and pluralism.
- **Transparency vs. Accessibility:**
 - Balance needed between fraud prevention and enabling citizen participation.
- **Youth Participation:**
 - Lack of civic education and inconvenient timing (e.g., Form 7 exam period) disincentivises youth voting.
 - Calls for youth-focused civic awareness initiatives and simplified messaging.
- **Election Timing:**
 - Proposal to fix election date in advance instead of leaving it to government discretion.

6. Expert Reflections

- **Alan Wall:**
 - Commended participant insights.
 - Highlighted registration and finance laws as globally restrictive.
 - Emphasised caution when reforming political finance to avoid creating new loopholes.
- **Jon Fraenkel:**
 - Acknowledged absence of evidence of vote rigging but flagged broader electoral level playing field concerns.
 - Supported pluralism over two-party dominance.

7. Closing Remarks by Mr. Nilesh Lal (Executive Director, Dialogue Fiji)

- Thanked participants for their active engagement and contributions.
- Dialogue Fiji will synthesise proceedings and submit a report to the Electoral Law Reform Commission before its report release at the end of June.
- Indicated potential for a follow-up forum.
- Expressed gratitude to Alan Wall, Jon Fraenkel, panelists, and all participants for enriching the national conversation on electoral reform.



Participants during the Multistakeholder Dialogue on Electoral Reform



Multi-Stakeholder Dialogue on

Electoral Reform

9-10 June 2025

