

APPENDICES

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Verbatim Report

VERBATIM REPORT
STANDING COMMITTEE ON
FOREIGN AFFAIRS AND
DEFENCE

ANNUAL REPORTS

- (1) 2023 Annual Report**
- (2) 2024 Annual Report**

ENTITY: Electoral Commission
VENUE: Big Committee Room (East Wing)
DATE: Thursday, 11th June, 2026

**VERBATIM REPORT OF THE MEETING OF THE STANDING COMMITTEE ON
FOREIGN AFFAIRS AND DEFENCE HELD AT THE COMMITTEE ROOM (EAST
WING), PARLIAMENT PRECINCTS, GOVERNMENT BUILDINGS, ON THURSDAY,
11TH JUNE, 2026, AT 10.11 A.M.**

Present

- | | | |
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| (1) | Hon. L.S. Qereqeretabua - | Chairperson |
| (2) | Hon. R.R. Sharma - | Deputy Chairperson |
| (3) | Hon. P.K. Ravunawa - | Member |
| (4) | Hon. V. Lal - | Member |
| (5) | Hon. T.R. Matasawalevu - | Member |

Apology

- | | | | |
|-----|--------------------|---|--------|
| (1) | Hon. I. Tuiwailevu | - | Member |
|-----|--------------------|---|--------|

**Interviewee/Submittee: Electoral Commission In
Attendance:**

- | | | |
|-----|---------------------------|-----------------|
| (1) | Justice Usaia Ratuville - | Chairman |
| (2) | Mr. Nemani Mati | - Commissioner |
| (3) | Ms. Susana Naisara - | Commissioner |
| (4) | Mr. Inoke Loganimoce - | Commissioner |
| (5) | Ms. Cynthia Khan | - Legal Officer |
| (6) | Ms. Pooja Devi | - Secretariat |
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MADAM CHAIRPERSON.- Honourable Members and Representatives from the Electoral Commission led today by Justice Usaia Ratuville, Chairman; members of the media who are here present; and those members of the public who are watching; a very good morning to you all. It is my pleasure to welcome everyone to this room, as well as those who are joining us via our live broadcast.

I wish to advise everyone that pursuant to the Standing Orders of Parliament, specifically Standing Order 111, all Committee meetings are open to the media and to the public. If there is any information or sensitive information relating to this submission that cannot be disclosed publicly, this information may be provided to the Committee in writing, or in a closed session. However, this is only permitted in limited circumstances, including matters relating to national security, third party confidential information, personnel or human resource matters, and during the Committee's own deliberations as we develop our report back for Parliament.

I want to remind everyone in the room that all comments and questions should be directed through me, the Chair. For viewers following this meeting live on *Facebook*, you may submit your questions via the comment section but, please, note that only relevant questions will be considered by the Secretariat and the Committee. Members of the Committee may interject

during the submission. Alternatively, if you wish, Sir, questions can be raised at the conclusion of your presentation.

I want to remind everyone present that this is a parliamentary proceeding and all information provided is protected under the Parliamentary Powers and Privileges Act 2016 and the Standing Orders of Parliament. We will not condone any slander or libel of any sort, and any information presented to the Committee should be factual.

In terms of meeting protocols, you will see the cameras around us, so we ask that you keep movement to a minimum. Also, please, put your mobile phones in silence mode.

Electoral Commission

I now wish to introduce to you the members of the Standing Committee and also our Secretariat.

(Introduction of Committee Members and Secretariat)

Today, the Committee will receive an in-person submission from the Electoral Commission in relation to their Electoral Commission's 2023 and 2024 Annual Report. I now invite the Chairman to introduce the representatives from his Commission before you proceed with your submission.

JUSTICE U. RATUVILI.- Madam Chairperson, honourable Members of the Committee and Secretariat, it is my pleasure to introduce the Electoral Commission Team.

(Introduction of the Electoral Commission Officials)

MADAM CHAIRPERSON.- Thank you, Justice Ratuveli. Please, carry on, Ms. Khan, thank you.

MS. C. KHAN.- Good morning, Madam Chairperson and honourable Members of the Standing Committee. We will start with our powerpoint presentation. Thank you for the opportunity to allow the Electoral Commission to appear before the Committee and to present on the Commission's 2023 and 2024 Annual Reports. This presentation provides a summary of the key matters arising from the two reporting years, and response to the broad themes raised in the Committee's questions.

The focus today is on governance, stability, electoral reform, records and institutional independence. It also focusses on the voter registration, transparency, finance, inclusion, and the Commission's priorities for the next 12 to 24 months.

The Committee had requested a summary presentation of the 2023 and 2024 Annual Reports, as well as written responses to its questions. As understood, the request asked the Commission to address gender analysis and alignment with the Sustainable Development Goals (SDGs). Those matters are addressed later in the presentation.

The presentation is structured around the main themes in the Committee's questions, that is, on governance, FICAC records - the issues that we had with FICAC, the electoral reform, the Voter Register, and complaints and transparency. It also focusses on the financial and operational management, international engagement, and future priorities.

Slide 3 shows the evidence and the source of documents that were reviewed. The presentation, as I have said, is based primarily on the Electoral Commission's 2023 and 2024 Annual Reports. The 2022 General Election Joint Report is also used, whereby it provides relevant background, particularly on recommendations from the Observer Group, the National Register of Voters, voter education, and the broader electoral cycle.

The Committee's letter dated 21st May, 2026, and the list of questions were also reviewed, and we will be talking on that later on.

The two reporting years show a period of significant institutional strain for the Commission. In 2023, the expiry of the Commissioners' terms affected quorum and meant that formal business could not progress for several months. The Commission was later reconstituted in 2023.

Electoral Commission

In 2024, the Commission faced further challenges, including the seizure of records under warrant, the absence of a substantive chairperson for part of the year, funding pressure, and Secretariat capacity issues. The main lesson was that the constitutional oversight must be protected, even when appointments, records, funding, or staffing are disrupted.

The Commission's position is that future governance disruptions can be reduced through practical structural reforms, as follows:

- (1) Commissioners' terms should be aligned with the four-year electoral cycle so that the Commission remains in place before and after an election.
- (2) Appointments should be staggered so all terms do not expire at the same time. This preserves quorum and institutional memory.
- (3) The Commission is also of the view that the continuity protocol should be strengthened, to include -
 - (i) proper handover notes;
 - (ii) action registers;
 - (iii) meeting calendars; and
 - (iv) an adequately resourced Secretariat.

During the 2023 quorum gap, routine functions of the Elections Office could continue under the Supervisor of Elections, but formal Commission decisions requiring quorum could not progress. This is why the Commission is of the view that appointment planning is important before critical electoral milestones.

The Reports refer to institutional strains between the Commission, the Supervisor of Elections and staff, as well as concerns about the handling of confidential material. The appropriate response is to strengthen governance systems, which include -

- clearer protocols on roles;
- meeting attendance;
- reporting lines;
- escalation processes; and
- the handling of Commission directions.

We believe that confidentiality can also be strengthened through official channels of access, controls, document classification, confidentiality undertakings and audit trails for sensitive papers. The objective is coordinated through the Electoral Administration, while preserving the distinct constitutional roles of the Commission and the Supervisor of Elections.

The Reports record that the Commission records and office equipment were seized under warrant by FICAC. This had a significant operational impact. The main impacts were delayed, annual reporting reduced access to official records, loss of immediate institutional memory and concerns regarding the Electoral Commission's ability to discharge its constitutional functions independently.

The practical contingency responses to reconstruct records from ancillary sources include the following - maintain duplicate digital repositories, improve vertical records and confirm the legal position where the Commission's independence or statutory obligations were affected. The current status on these records is that it has been returned by FICAC to the Commission.

The reform discussion concerns three main laws, which are the:

- (1) Electoral Act 2014;
- (2) Electoral (Registration of Voters) Act 2012; and
- (3) Political Parties (Registration, Conduct, Funding and Disclosures) Act 2013.

The major themes are – institutional design, participation, legal clarity and public trust systems. Institutional design includes Commissioners terms, quorum, secretariat support and the powers of the Supervisor of Elections. Participation includes women's representation, disability access and overseas voters. Legal clarity includes simplifying complex provisions and reviewing severe penalties. Trust systems include the voter register audit, complaints, appeals and publication of decisions.

We believe that consultation should include political parties, civil society organizations, women's groups, organisations of persons with disabilities, communities, stakeholders and online submissions.

The Reports note the concern about women's representation, including that women held only six of the 55 seats in Parliament. This indicates that gender representation remains a significant issue within Fiji's Electoral System.

The Commission supports consideration of temporary special measures to improve women's participation and representation. Possible mechanisms include candidate quotas, party list gender requirements, reserved seats or incentives for parties that meet gender targets, and gender reporting by political parties.

Gender inclusion should also be connected to broader inclusive participation. This means accessible voter education, disability-inclusive materials, Braille/audio/easy read formats, and safeguards for assisted voting. The core principle is that every voter should be able to participate in an informed, confidential, and independent manner free from undue influence.

The Commission's work aligns most clearly with SDG 5, SDG 10, SDG16 and SDG 17, as follows:

- (1) SDG 5 relates to gender equality. The Commission's support for considering temporary special measures, candidate diversity and gender sensitive participation connects directly with this Goal.
- (2) SDG 10 relates to reduced inequalities. Disability access, rural and maritime voter access and the removal of barriers for overseas voters are relevant here.

(3) SDG 16 relates to peace, justice and strong institutions. Independent electoral governance, transparent decisions, complaints, mechanisms and public trust all support strong democratic institutions.

(4) SDG 17 relates to partnerships. The Commission's work with the Fiji Law Reform Commission, Ministry of Justice, International partners and stakeholders reflects the independence of cooperation in electoral reform.

The Voter Register remains central to public confidence in elections. The Reports continue to treat an audit of the National Register of Voters as a priority. The Committee has asked about the current status of the audit and the funding.

In terms of data integrity, the Fijian Elections Office relies on biometric registration, verification, data cleansing and provisional voter list. These mechanisms help maintain accuracy and allows errors to be corrected before finalisation.

We believe that outward migration is an emerging issue. Better data is needed on eligible overseas Fijians, barriers to registration and participation, and whether alternative voting arrangements are feasible and secure.

In terms of the complaints, appeals and transparency, the Report recorded very few complaints. This means that there were limited issues, but it may also mean that the complaint channels need to be better publicised and made more accessible. The Commission should continue to publicise complaint channels, timelines, accessibility options, and referral pathways.

The 2024 Report notes the non-publication of Commission decisions. The improvement proposed is for a decision register that distinguishes ordinary administrative resolutions from formal decisions, particularly appealed decisions.

In terms of financial and operational management, the Report showed that limited funding and the Secretariat's instability created risk for routine constitutional functions. The Commission's long-term position is that the constitutional functions need stable baseline funding. This includes funding for meetings, appeals, legal advice, reporting, records management, and secretariat support.

On digital tools, our principle is reliability and trust, and any public communication tool, including a future app, must be technically resilient, accurate, and not likely to cause public confusion.

On international engagement and capacity building, it is valuable when it is translated into Fiji's specific improvement. From Indonesia, there are lessons for local government election logistics and decentralised election administration. From India, the Commission has had lessons on large-scale voter education, inclusive systems, and efficient polling operations. From New Zealand, there were lessons on flexible enrollment accessibility and voter-focused service delivery. Pacific networks provide lessons on role integrity, resilience, and public trust in small island contexts. The Commission's next step would be to place these lessons into a formal electoral monetization and public trust strategy so that international learning produces practical domestic reform.

The Commission's immediate priorities are as follows:

- (1) Institutional Civility
Includes terms, quorum, chairperson continuity and secretariat capacity.

- (2) Electoral Law Reform
Includes legal clarity, inclusion of the powers of the supervisor of elections and complaints, plus appeal processes.

- (3) Voter Register Confidence
Requires audit progress, data integrity, security, and planning for overseas voters.

- (4) Public Trust
Requires transparent decisions, secure records and clear public communication.

The key message here is that the next 12 months to 24 months should be used to strengthen governance, complete reform work, protect electoral data, and maintain confidentiality for the next electoral cycle.

Thank you, Madam Chairperson and honourable Members, for your attention. The Commission now welcomes the Committee's questions and is ready to provide further information on our questions that were provided earlier.

MADAM CHAIRPERSON.- Thank you very much, Ms. Khan, for your presentation. I thank the other members of the Commission for your presentation this morning. I now open the floor for questions from the Members of the Committee.

HON. R.R. SHARMA.- Madam Chairperson, through you, in looking at the Report, about 48.3 percent of your budget was utilised. I understand there was no quorum for five months because no chairperson was appointed. So, in all of these, what voter education activity was actually delivered in 2023? Please, be mindful that you can keep your answers very short and precise because there will be a lot of questions from the Committee. Voter education and public communication are core constitutional functions of the Commission. What voter education activity was delivered in 2023, looking at the budget that was used?

JUSTICE U. RATUVILI.- Thank you, honourable Sharma. The members of the Commission that you see before you, all of us were appointed either in 2024, or for myself in 2025. Any information that could have been retained was in the documents that were seized from the Commission by search warrants. So, I am not really in a position to assist you with that query.

HON. R.R SHARMA.- So, right now, FICAC has got hold of those documents?

JUSTICE U. RATUVILI.- They have just returned some documents, and the difficulty is because we came in later, we had to ask the people who are in place whether those are all the documents that were seized and whether they have all been returned. That is what we are trying to ascertain that now, which is why we had one of our slides there where it states that it was a time of institutional challenges to the Commission. Unfortunately, I cannot assist you with those exact figures.

MADAM CHAIRPERSON.- Thank you, Justice Ratuveli.

HON. V. LAL.- Thank you for your presentation. We all know that the Electoral Commission is constitutionally independent. How did the seizure of Electoral Commission's records and equipment by FICAC affect the Commission's ability to discharge its constitutional functions? Thank you.

JUSTICE U. RATUVILI.- Thank you, honourable Lal. Madam Chairperson, through you, basically, it compounded the issues that were being faced. In 2023 and 2024, we had Commission members' terms expiring, so there was no quorum. The Commission requires a quorum of four members to make a decision. According to the records, at one time four members' terms expired altogether, so they basically could not do anything.

The Fijian Elections Office tried to carry out as much of the activities as they could, but for official decisions requiring the Electoral Commission, that could not be done at all, so that affected their role, which is to oversee the functions of the Supervisor. In other words, during

that period, the supervisor had no oversight from the Commission, because the Commission could not make a decision. So, that was the institutional challenge faced, let alone carrying out their constitutional mandate.

HON. R.R. SHARMA.- Madam Chairperson, what I have heard from the first answer was, the Report is before the Committee for scrutiny, for recommendations and key findings which is the role of Parliament. The Commission comes to these live submissions where they have an opportunity to clear so many gaps, doubts, provide recommendations to us, and your strategic planning going forward.

Now, they are saying they are not aware of the documents that were seized, they will never be able to verify what was even returned, and even new members were appointed. This happened right after General Elections where so many questions were raised to the Fijian Elections Office and the Electoral Commission. Just to get the gist of it, the Commission right now would not have actual answers to the Report before scrutiny or before the Parliament, is that what you are implying?

JUSTICE U. RATUVILI.- If you look at the Foreword to the two Annual Reports, I am making a disclaimer right there and then. “These Reports are prepared based on the ancillary records that we have today.” So, at that time we had not had these documents returned to us. On the Commission as it is currently constituted, I cannot really assist with that. We are not shying away from that, it is a fact, before Parliament and before this Committee right now.

MS. S. NAISARA.- Madam Chairperson, through you, the Fijian Elections Office, as you know, is operationally independent and we acknowledge that the Commission has a role in its constitutional oversight, et cetera.

During 2023 and with the Reports before you, you could see how the Fijian Elections Office was really operationalising itself and its Reports are substantially more detailed than what the Electoral Commission has presented for theirs, and that is basically a reflection of how they were independently trying to move things. For instance, I think they even had a long-term strategic plan done during that particular period, et cetera.

However, we obviously acknowledge that operational oversight is also required of the Electoral Commission. At the same time, we also acknowledge the work of the Fijian Elections Office during that period, that they were really trying to push out what they could do without having that decision being made by the Electoral Commission.

HON. V. LAL.- Madam Chairperson, I do not know what I am going to ask because the Chairman was not there but then, again, the Report says that it was a breakdown in the relationship between the Commission and the Supervisor of Elections. You were not there but some of the Commissioners were there. I would like to know what specifically caused the breakdown and how did it affect the electoral administration?

MR. I. LOGANIMOCE.- Madam Chairperson, there was some breakdown in communication. There were some initial problems during the tenure of the last Chairperson. As you would probably know, the Office was raided by FICAC so for quite some time, we were not able to retain those records or have access to them, and that led to a strain within the Office between the Commission and the Fijian Elections Office.

Because of that, we were not able to complete and continue our work properly as required by law. We were temporarily displaced, so we had to hold our meetings elsewhere. That resulted in quite a number of problems in terms of the administration of our Office - the Electoral Commission and our work and our record keeping. That is probably why there is some disconnection in our reports about what actually happened on the ground and what was required from us.

I think, over time, we have overcome those problems, so the Commission and the Fijian Elections Office is now functioning properly as required and as is expected of the institution.

HON. V. LAL.- Just adding on to that, can you specifically tell us what reforms have been implemented to improve governance and relationships between Commission and the Fijian Elections Office?

JUSTICE U. RATUVILI.- Madam Chairperson, through you, the arrangement that was there in place, in my humble view, relied too much on personalities as opposed to the institution, so if people do not get along, it is going to be a problem.

What we have tried to do is to strengthen the institutional part of it in terms of making the two institutions and their relationship with each other resilient enough to function, despite whatever differences there may be personally between people.

Just for your information, we have just come back from a retreat where we have basically finalised regulations. Since these Acts were enacted in 2012, 2013 and 2014, they have not had regulations or rules, so that is one one thing we are trying to do - to strengthen the institution so that, first, we leave a legacy to commissioners who come after us that they are

not starting from scratch, basically like what we did, and second, that institutional memory is there and the secretariat is strengthened to maintain that continuity. Despite whatever disturbances, if you like, that will happen to the Office, the institution is resilient enough to go through that.

You were asking for details, honourable Lal, and I cannot give you details, however, that is basically the general gist of it. It came down to people not getting along and institutional relationships suffer because of that. We are trying to make the institution and its function work, despite whatever differences people may have, so that it is resilient enough to weather that. Thank you, Madam Chairperson.

HON. V. LAL.- Madam Chairperson, a supplementary question to that; the Commission also reported leaks of confidential deliberations and documents, were those leaks investigated and were any individuals held accountable for that?

JUSTICE U. RATUVILI.- To my knowledge, no one has been held accountable for that. However, from my discussions with the members who were there at that time, they would have a meeting, they would come to some decision. Then you go to *Facebook*, it is already there. Someone has details of what they were discussing, and it is there. It was reported, but nothing came of it.

As for the raids that happened from FICAC, there were no charges laid against any Commission member or any person after that. The Director of Public Prosecutions basically said that there was not enough to charge and the documents have now been released to us.

HON. R.R. SHARMA.- Madam Chairperson, on that, what is the Commission doing now to mitigate these gaps so that the Commission, in the future, is not displaced by any other authority or organisation?

We need to scratch off this mentality from Fiji that if this person is not in Parliament or if this person is not in this institution, the institution will not be working or be operational. That needs to change. As you have said, one should not leave the institution and leave it in a mess. What strategic plans do you have to mitigate these gaps so that the Commission does not go through that again?

JUSTICE U. RATUVILI.- Thank you, honourable Sharma. The first thing is the tenure of the Commission members - the Commissioners. We want the appointments to be staggered so that at any point, there are always, at least, four members whose terms are valid because if

they are all appointed together, of course, then they are all out together. Some may want to extend, some may wish to finish their terms, so we do not want to be relying on that. We want appointments to be staggered.

One recommendation we have also made, because the current terms of Commissioners are three years, we want to align with the electoral cycle, which is four years, so those are suggestions we have made that are external. That is external in terms of the composition of the Commission. Internally, as alluded to earlier, we come up with the rules, regulations and standard operating procedures so that anyone being inducted knows what they are supposed to do. For example, if there is an appeal against voter deregistration or appeal against a party's deregistration, we are not starting from scratch - there is a policy and a rule in place.

Currently, this is on an *ad hoc* basis. I think that is why the Constitution requires that the person who is the Chair is qualified to be a Judge, so it is either a senior practitioner, or like in my current case, a sitting Judge, or a lawyer with at least 15 years of experience. That is the constitutional safeguard that is there and following the adoption of these rules, people will not be looking around. There is a Standard Operating Procedure in place, and we are trying to strengthen the institution in that way.

MS. S. NAISARA.- Madam Chairperson, through you, just as the Chairman of the Electoral Commission was talking about the relational issues that were happening, the Commission has been working with the Fijian Elections Office on institutional and procedural issues, as the Chairman has mentioned earlier regarding our procedures framework.

We are also looking at the structural formatting of the Commission and also the Fijian Elections Office. There is an opportunity for us, as a Commission, to also present our submissions on that to the Constitution Review Commission. I just thought that I should share that.

HON. V. LAL.- Madam Chairperson, the Commissioner spoke about the review of electoral laws. I would like to know what specific amendments the Commission has recommended to Government and Parliament?

JUSTICE U. RATUVILI.- We cannot really say that we have made recommendations because that is the reform of the electoral laws. If you like, the Ministry of Justice and the Electoral Commission are co-sponsors of that, so the Terms of Reference was worked out by the Ministry of Justice and the Commission, including the appointment of the Commissioners. The

Commissioners were also going around with them during their public consultations. The only issue is that their report is confidential. They gave copies to us, however, they have not given us permission to share it.

We presented the copy of their report to the Ministry of Justice on 30th June last year, and that was given to the Office of Solicitor-General for vetting and onwards to Parliament. That is where our involvement is. The recommendations were in terms of the architecture of the Commission in relation to making an amendment, however, most of the things to do with the structure of the Commission and the Electoral Office is in the constitution.

We cannot change it through a law because they are linked. I know there are a lot of queries about what is happening, for example, regarding the presentation of their submission, where discussions are presently and if anything is happening - they are linked together. The fundamental amendments that have been recommended for the Electoral Commission and the Fiji Elections Office are also enshrined in the Constitution, so you cannot change one without the other. I give that, Madam Chairperson, by way of explanation because people are querying about the delay, because that is exactly why it is.

HON. V. LAL.- Madam Chairperson, the whole of Fiji knows that election is right around the corner and time is running out. Do you not think it is very important that this process is sped up and the most important regulations that are to be amended are amended, so that we can prepare ourselves? It is the political parties and the whole of Fiji who are involved in it, so we need to know the processes.

JUSTICE U. RATUVILI.- Madam Chairperson, if you notice in the news and the social media, our registration team are going around the country, and they are registering voters right now. We are making our preparations in terms of the general elections based on the current law that we have. Until it is amended, then we will see how it affects our preparations.

Right now, we are registering voters and registering political parties. If you notice, the provisions of the current Acts are still being applied, so that is the position that the Commission has. We will apply what the law is, that has been enacted by Parliament and is in force. At the moment, those are the three laws - the Electoral Act 2014, Voters Registration Act and the Political Parties (Registration, Conduct, Funding and Disclosures) Act 2013.

MADAM CHAIRPERSON.- Thank you for the questions so far, honourable Members. I have a couple of questions. One is just a 'yes' or a 'no', or maybe an update. Can you give us an update on the FEO app on the phones?

JUSTICE U. RATUVILI.- Madam Chairperson, earlier last year, the Commission made a decision the results app or the voting app will not be used for the next election. The issue that came up was that it was not properly tested before it was launched for the 2022 General Election. There were still some teething problems as it, unfortunately, as invariably happened with this technology, right at the crucial time, then it played up. So, to avoid that and to avoid any confusion, the Fiji Elections Office will be liaising very closely with all media houses and social media.

Basically, as results come in, they will be given to the media, like you have in Australia and New Zealand. So, live updates from the Fijian Elections Office are going straight to the media houses and they have been undergoing training with our Fijian Elections Office as well in terms of how to announce it. It is not for this election but, hopefully, for elections after 2026 or 2027, we will have an app in place that is resilient enough to deal with any issues like that.

I know we have received a lot of flak for that, but we were just trying to ensure that everyone gets the same information at the same time and that there are no question marks about a result that comes in, be it a preliminary result or a final result. That is accurate, as far as the Fijian Elections Office will try and make it as accurate as possible and disseminate it as quickly as possible and accurately as possible. Commissioner Naisara has more experience in that area and can assist as well.

MS. S. NAISARA.- Madam Chairperson, just to add on to what the Chairman had just said, the Fijian Elections Office has just launched a new user-friendly website. That basically means that, that could also be used in tandem with what is being given directly from a results management site to the media, et cetera. So, right now, there is constant discussions that the Fijian Elections Office - the Supervisor of Elections and her media team, are having with members of the media so that they are able to agree in having simultaneous, accurate results being issued to members of the public. It could be going directly through portals that members of the media would have and also utilising the website that is currently available.

HON. R.R. SHARMA.- Madam Chairperson, a question on that; sometimes, media reporting is very different from social media reporting because of what actual information has been leaked. My first question is about transparency. What is something different you are going to do when you look at international observers during counting when it goes on? My second question is on the assessment of polling stations. Have you had any framework or mechanism to assess polling stations in terms of accessibility and in terms of how votes in ballot boxes make their way safely to the counting station or counting area or venue?

JUSTICE U. RATUVILI.- Thank you, honourable Sharma. Madam Chairperson, through you, polling venues are assessed two years before the election year, and they are continuously being inspected and checked. If you are talking about government schools, community schools and community halls, we need their permission if they can be used again, so there is a list.

The Elections Office, through the Supervisor of Elections, prepares a business paper for us - the Commission, saying these are the proposed polling venues for the 2026-2027 General Election, and that is revised. If there are any changes, that is brought to us as well, so we finalise it well beforehand. If there are any issues, for example, if something happens to the venue at the site, there are procedures in place for the Elections Office whereby they give the discretion to the presiding officer.

In the three previous General Elections held under this Constitution, civil servants were no longer seconded. There was a group of part-time electoral workers who were engaged. They were thoroughly trained in what to do and they are the ones who will be carrying out the actual election. We have a core team of permanent staff who supervise them, so that is in terms of the infrastructure for the elections.

For the ballot paper, I believe, in the next sitting of Parliament, there is going to be an amendment brought in terms of the ballot paper. I do not know whether I am breaking news here, but you will have an opportunity to, and because we have received the message loud and clear from the members of the public that they do not want the crossword puzzle. They do not want the numbers; they want a face and a name.

In terms of that, we are trying to accommodate it within the infrastructure we have so if there are currently eight registered parties, two are new ones and there are others, so you see how they translate into the ballot. If there are 11 parties with 55 candidates, just imagine the numbers we are talking about and trying to fit them in the ballot.

HON. R.R. SHARMA.- Would digital voting be a plan for the future?

JUSTICE U. RATUVILI.- That is always the goal. It is a matter of persuading our voters to trust it, and I think they have been burnt from the last Election, but we will keep trying. Trade unions are voting electronically, so if trade unions can give testament to that, I think we will get more traction, but at the moment, it is ballot papers for us.

India has shown us that with nearly 1 billion registered voters, they vote by electronic voting machines, and a large number of them just vote by the symbols and the names with an option

right at the end. For example, if there are six candidates, the seventh option is 'none of the above'. They can offer a protest vote there too, so if they do not like any of the candidates, they press the final button. It is something that we have seen, and we see it can work very well in Fiji. However, we need to get the buy-in from the public to trust it and your Commission is trying to do that and we are also trying to encourage people to accept technology.

MADAM CHAIRPERSON.- I have a question about voter-focused service delivery. I am thinking of overseas voters and our thinking and propensity, I suppose, to go towards a ballot box in a physical polling station. Would you consider sending ballot boxes to our diaspora with counts happening there so there is a physical line, where people know that they are going to vote after they have been registered, of course? Would you consider that as an option for our thousands of diaspora who may be confused by the registration process, followed by asking for a ballot paper to be delivered to them, which they then have to deliver back? Would it not make sense to just send them ballot boxes with officials, with a count happening, after the voting has closed in their location?

JUSTICE U. RATUVILI.- Madam Chairperson, the Ministry of Justice and the Minister for Justice is responsible for elections. That is one of his portfolios. We have been discussing all these options with them because I think they have seen firsthand as well the difficulties that people have with postal ballot.

The postal ballot, it has to be sent to them on time, they have to receive it on time, and vote and send it back to us on time. If they go to all that trouble and then it is invalidated because it arrives too late, I think it has led to frustration and that was the experience as well in the last Election, whereby a large number of people were registered, however, they either were confused about the process or something or the other got in the way and they could not vote in time. A lot of people registered but they did not actually vote. Those numbers could have made a difference, and we are talking about thousands of potential votes that were not counted.

The Fijian Elections Office is open to any; however, it has to be allowed in the law. At the moment, it has to be - a registered voter, walking up to the polling venue to cast a vote or ballot. The only other option is by postal ballot, or if you are sick, then you can do early polling, but you have to be satisfied that you are very ill and that you cannot personally go and vote.

There are assisted voting for the elderly and people with disabilities where the polling presiding officer brings the ballot to that person. However, for overseas voters, that is

something that we are trying to grapple with and, hopefully, we come up with a solution because there is an increasing number of eligible voters who are overseas.

HON. P.K. RAVUNANWA.- I was baffled this morning when hearing about the issues that are happening within the Electoral Commission. At the outset, it is very serious and we will not be soft here. We are accountable to the public. It is good that you have mentioned about your retreat, restructure, and you are regrouping with an understanding that Commission members are just newly appointed. I believe it is time for the Commission to put its act together and be ready for the next general election.

Now, there is a plus here - your Annual Report is very current, compared to some other organisations, who gave their report this year for the 2014 until lately. You have 2023 and 2024 Annual Reports which are very current. My question is on the credibility of Annual Reports that are submitted to Parliament. If your documents have been taken away by FICAC as was alluded to, do you really rely on Annual Reports that are submitted to Parliament as credible, where you can pick up from where the last Commission left?

My other supplementary question is, have you formulated a strategic plan for the organisation so that when there is gap, like we have heard this morning, the Commission will continue to operate as normal?

JUSTICE U. RATUVILI.- Madam Chairperson, through you, we strive to be as accurate as possible based on the information that we have. The information about the figures and the budget that comes from the Fiji Elections Office, while we are two independent offices, our budgetary allocation is administered by their Finance, so that is how we could get those figures to you.

In terms of the other data that is there that is based on some public documents that are common to both Offices, we try to be accurate as possible, and we have made the disclaimer from the start that we are only as accurate as the document that we have.

In terms of trying to be current, we recognise that we are not as current as we would like to be. For us, we would like to discuss the 2025 this year with you, but we could just come up with that. If there are errors that are picked up, please, let us know and we acknowledge that this is based on the data that was available to us. That is the best assurance I can give you, honourable Member.

MADAM CHAIRPERSON.- I just want to go back to Commissioner Naisara, do you have something to add to what the Chairman has said, and we are talking about overseas ballots?

MS. S. NAISARA.- Madam Chairperson, just on overseas ballot, we also acknowledge the MOU that was signed between the Fijian Elections Office and the Ministry of Foreign Affairs and External Trade. We really have been having active conversations with the Supervisor of Elections and her Team about the physical collection of ballots from overseas. That is in discussion right now.

However, as the Chairman has said, we are exploring every possible option, acknowledging that the voter turnout from overseas voters were basically the lowest in the previous Election and possibly even earlier. So, we are really focussed on increasing the turnout levels and seeing the data that we have before us.

HON. R.R. SHARMA.- Madam Chairperson, on Page 43 of the 2023 Annual Report it states, “The Legal Department provides legal research to the Fijian Elections Office. If I may read that, “The Commission provides legal research and on best practices, provides legal opinion and advice to the Executive Management of FEO” - basically a legal advisor. A simple question of ‘yes’ or ‘no, would you advise whether the Fijian Elections Office needs to have the eligibility list of requirements for those who want to contest the general election? This is coming from the public. People have told me that there are needs to be an age criterion, qualifications, people who are medically fit to be a Member of Parliament, Minister or Prime Minister of this nation, in going forward.

JUSTICE U. RATUVILI.- I think that question was posted to us at various locations during public consultations. A short answer to that is, we are the electoral management body. Our concerns are with administering and delivering an election, so we are the referee, if you like. The referee has no business in determining who can run onto the field or not, so that is my short answer to you, honourable Sharma.

It is treading onto other areas that the Commission feels is not in our domain. It is for Parliament to decide whether you want to have a minimum qualification or age limit, so it is for the legislature to decide. I do not think it is for us. Thank you, Madam Chairperson.

HON. V. LAL.- Madam Chairperson, since election is just around the corner, does the Commission currently have sufficient staffing and technical expertise to oversee a national election?

JUSTICE U. RATUVILI.- The Commission or the Elections Office? For the Commission, I think the short answer to that is, yes. I think we are ready to carry out the election.

The Elections Office has engaged enough staff to actually man every polling station and carry out polling on polling day. As for the Commission, we can assure you that once the ballots are in, we are ready to carry out our constitutional and statutory duty, which is to get in the votes, decide which parties or independent candidates are eligible to get into parliament, and the most important is to allocate the seats. That is our duty during the election.

We are at the business end of the election. The Elections Office carries out the election, the results are given to us, and we are required to, first of all, determine who is eligible to enter parliament and then to allocate the seats according to the number of votes gathered. So, in that regard, we are ready to carry out our duties.

HON. V. LAL.- Since the Commission lays down the processes and as we all know that the term of this Government is probably about to end, can you tell us about the processes involved from here onwards?

JUSTICE U. RATUVILI.- Well, under the Constitution, the earliest that polling can happen is three years and six months from the first sitting of Parliament, so that would be in August. That is the earliest that election can happen. The latest is that Parliament comes to an end four years after the first sitting, and the President must issue a Writ seven days after Parliament ends. It is mandatory. So, earliest is in August, the latest is on 6th February, 2027. The Writ can be issued any time in between then, so we are preparing ourselves for that. Those are the important dates.

HON. P.K. RAVUNAWA.- Madam Chairperson, through you, I thank the Chairman for his answers. One of the drawbacks of postal ballots in the last General Election was the need for notary public to verify and sign off documents for registered and overseas eligible voters.

In 2022, there was a lot of movement. With the introduction of the Pacific Australia Labour Mobility (PALM) Scheme for workers from Fiji to go to Australia, they were charged AUD100 to AUD300 to provide that service (notary public), and that was one of the major drawbacks. Also, voter turnout in the last General Election significantly decreased from 84 percent in 2014 (these were particularly for youth) to around 68 percent in the last General Election. Young people appeared to be increasingly disengaged. With our electoral process, what is the Commission trying to do differently to rebuild the trust of the young people of this nation to participate in this important constitutional process.

JUSTICE U. RATUVILI.- Madam Chairperson, through you, if you recall, in the last month, we launched the YES initiative with the Fijian Elections Office, as the election management body. YES, basically means, Your Election, Your Say; and when that was launched, registration teams started. They started from the interior, from the highlands of Naitasiri, Ba, Navosa, and they are currently in the islands whereby they are going through the Lau Islands. They will go to Lomaiviti, and if you were at Nakasi last Sunday, registration was also underway there, and another at Damodar City. Those initiatives are going up like flash mob registrations. Now, you will notice our media people giving out messages and encouraging people to go and register, if you have not. You may have also seen our media team being very active, especially, on our website and our Fijian Elections Office *Facebook* page. That is how we are trying to do it.

In terms of the concerns that you raised, honourable Member, we are liaising with the Minister responsible for elections in terms of the form itself. Should you give a warning? If you are going to give a false statement, it will have a declaration at the end saying, to declare what you have put is true. If that is accepted, then that will dispense with the need for a Notary Public or Commissioner of Oath for us to witness the document.

It is a hassle, especially, when they are working in rural areas and the notary public that they go to would be a distance away. That would mean that they have to take time off or they go during their free time. However, there is no guarantee that that person will be open and available, so it is a challenge for our people to do that.

You would have noticed in our trips to Australia and also in New Zealand about the notary public charge, so it is an added consideration for them where they would either send money for this, or do I spend it on this? They are paying rent and we recognise that. We are trying to address that by dispensing with the requirement and making sure the form is robust enough to tackle it if there is any misinformation or wrong information filed.

HON. R.R. SHARMA.- Subject to the question that was just asked, would you know the cost of making one new voter ID card? For example, if it costs \$10 and one million people get registered, that is taxpayers' money given back to the taxpayers. I just do not see the point of it. What I see from a political lens is just knowing who is where and what population do we have in Fiji ready to vote. Would you know the cost?

JUSTICE U. RATUVILI.- Unfortunately, I do not have that figure with me.

HON. R.R SHARMA.- That is all right!

JUSTICE U. RATUVILI.- If the Committee requires it, we can get it from the Fijian Elections Office, and we will furnish it to the Secretariat. It is important.

HON. R.R. SHARMA.- It is millions of dollars going every four years or every term of when an election is coming. That is where I am coming from.

My final question is in terms of staffing. How do you measure the performance output of the staff at the Electoral Commission? Are you fully staffed? Do you have vacancies? How are the entire staff operations affected by the new measures by Government on staffing?

JUSTICE U. RATUVILI.- At the moment, the secretariat staff employed by the Commission is Ms. Pooja Devi. We had an assistant; however, he was poached by another Government Ministry and that position is currently vacant. The establishment for our secretariat is two staff, who are to do the secretariat work for the Commission. The rest of the administration and the finance is covered by the Fijian Elections Office through our vote. So, our vote goes to them, and it is administered separately because the idea is that as the Office develops, then we will have a more independent secretariat who can deal with these things. At the moment, our budget is being administered by the Fijian Elections Office by the Director of Corporate Services.

HON. P.K. RAVUNAWA.- Just a last question, Madam Chairperson; if you may, the Electoral Commission, the Fiji Law Reform Commission and the Ministry of Justice are now conducting a nationwide consultation on the electoral reform. The question is, what are the three strongest messages you have heard from ordinary Fijians during these consultations?

JUSTICE U. RATUVILI.- I think the main complaint, Madam Chairperson, was the ballot. People wanted a name or a symbol. The first one was the ballot. Second, as honourable Sharma had raised the qualification. There must be MQR for Members of Parliament - minimum qualification required. Another thing that kept on coming was they wanted the minimum age for voters to be raised. They are saying 18 years old is too immature to decide on national issues and we had to remind them that '18' is not plucked out of thin air - it is a requirement under our international treaty obligations and in our Constitution as well.

Those were the three main issues that kept on coming. Qualification for Members to be eligible to stand for election, the ballot paper and the minimum voting age.

MADAM CHAIRPERSON.- Thank you, honourable Members. I will close this meeting shortly but before I get to that, I just want to draw the attention of the Chairman and the

Commissioners to the requirements of the Standing Orders of Parliament, particularly, Standing Order 121(6)(b) whereby it provides that the Minister responsible for the relevant Government Department must table a substantive response to the Standing Committee's Report to Parliament within 21 days of receiving the report. So, you will receive our recommendations as well, but then your Minister will also be required to reply to our recommendations.

In that regard, the Committee looks forward to receiving the Electoral Commission's formal response to the Committee's Review Report on your Consolidated 2022-2024 Annual Reports within the prescribed timeframe, following our tabling of the report to Parliament. The Committee also trusts that the response will address the findings and the recommendations contained in our Report, and that will assist Parliament in its ongoing oversight role.

Until then, I just want to say thank you very much, Justice Ratuveli, and all your Commissioners, Ms. Pooja Devi, as well as Ms. Khan, for your time here this morning. On that note, honourable Members, I thank you as well and I now close this meeting.

The Committee adjourned at 11.23 a.m.

Written Response



ELECTORAL COMMISSION
REPUBLIC OF FIJI

**Submission to the Standing Committee on
Foreign Affairs and Defence**

Electoral Commission 2023 and 2024 Annual Reports

Public submission | 11 June 2026

Presentation by: Justice Usaia Ratuville
Chairperson - Electoral Commission

COMMITTEE REQUEST

02

Purpose of today's submission

Electoral Commission 2023 & 2024 Annual Reports | SCFAD submission

The Committee requested a 20–30 minute summary presentation, followed by questions and answers.

Annual reports

Written questions

Gender analysis

SDG alignment

- Overview of activities, governance and operational challenges in 2023 and 2024
- Response to Committee themes across governance, reform, records, finance and transparency
- Specific focus on inclusion, women's representation, disability access and public trust
- Clear institutional priorities for the next 12 to 24 months

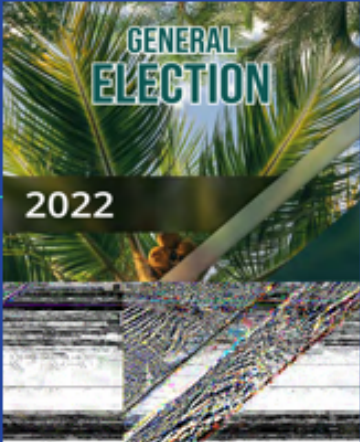
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EVIDENCE BASE

03

Source documents reviewed

Electoral Commission 2023 & 2024 Annual Reports | SCFAD submission



2022 General Election Joint Report



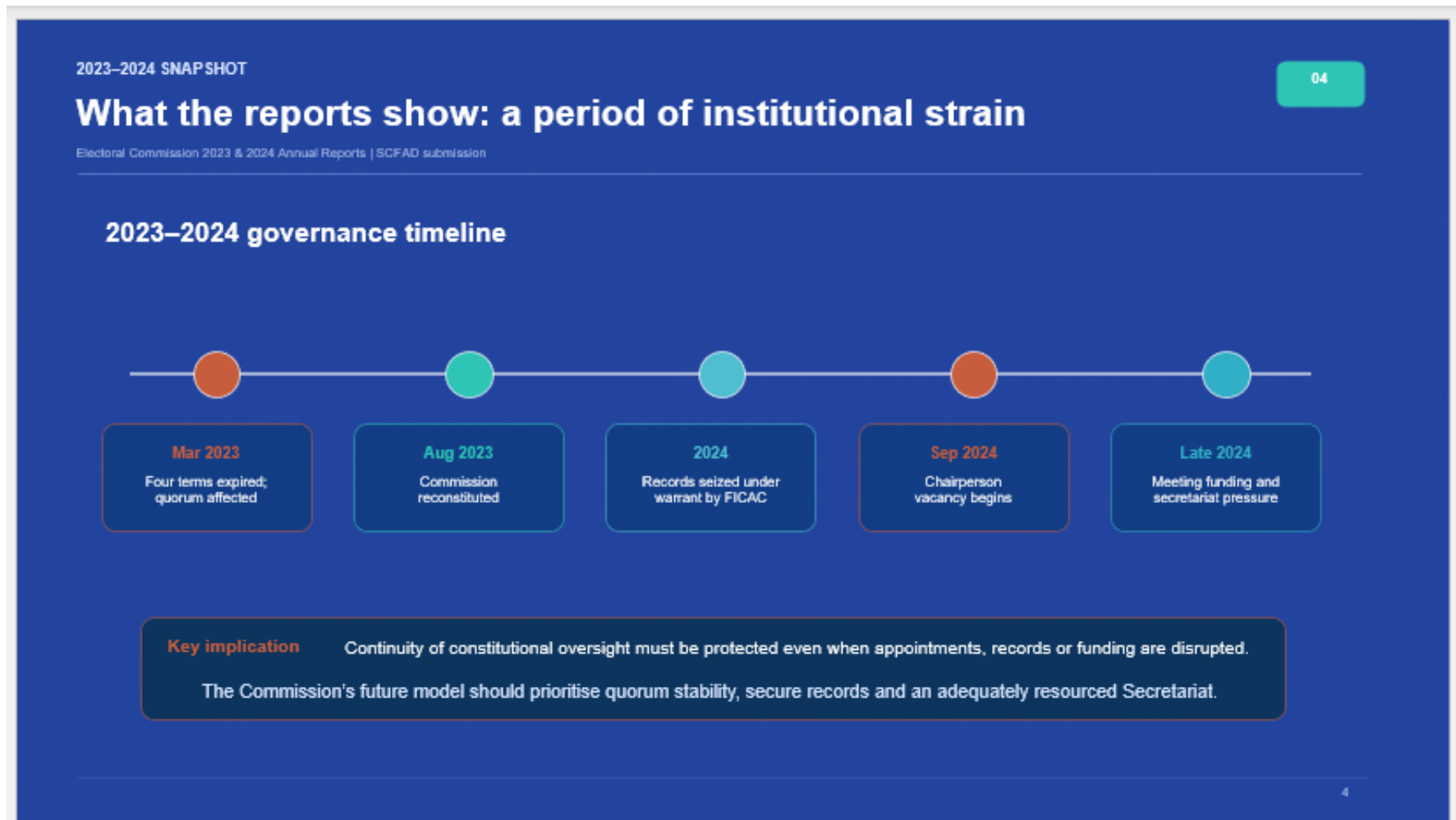
EC Annual Report 2023



EC Annual Report 2024

Also reviewed: SCFAD letter dated 21 May 2026 and SCFAD questions for the 2023 and 2024 Annual Reports.

3



COMMITTEE QUESTIONS 1-6

05

Governance and institutional stability

Electoral Commission 2023 & 2024 Annual Reports | SCFAD submission

Main position: the Commission supports practical reforms that keep quorum, oversight and institutional memory intact across the full electoral cycle.

Align terms
Commissioners' terms should align with the four-year electoral cycle.

Stagger appointments
Avoid all terms expiring at the same time; preserve quorum.

Continuity protocols
Keep formal action tracking, handover notes and meeting calendars.

Secretariat capacity
Strengthen independent support for records, legal, policy and governance work.

Answer emphasis: FEO continued routine functions during quorum gaps under the Supervisor of Elections, but formal Commission decisions requiring quorum could not progress. Future electoral cycles require appointment planning well before critical election milestones.

5

COMMITTEE QUESTIONS 4-5

06

Coordination, confidentiality and integrity safeguards

Electoral Commission 2023 & 2024 Annual Reports | SCFAD submission

The reports identify institutional strain between the Commission, the Supervisor of Elections and staff, as well as concerns about confidential material.

1 **Protocol**

Clarify roles, meeting attendance, reports and escalation procedures.

2 **Action tracking**

Maintain a live register of directions, decisions and deadlines.

3 **Secure records**

Use official channels, access controls and document classification.

4 **Accountability**

Confidentiality undertakings and audit trails for sensitive papers.

Desired result: coordinated electoral administration while preserving the separate constitutional roles of the Commission and the Supervisor of Elections.

6

COMMITTEE QUESTIONS 7-9

07

FICAC records seizure: impact and contingency measures

Electoral Commission 2023 & 2024 Annual Reports | SCFAD submission

Impact recorded in reports

- Delayed annual reporting
- Reduced access to official records
- Affected institutional memory and continuity
- Raised constitutional independence concerns

Proposed controls going forward

- Reconstruct records from ancillary sources
- Maintain duplicate digital repositories
- Introduce secure records protocol
- Confirm legal position and engage authorities where needed

Current status : all seized records and equipment have since been returned to the Commission

7

COMMITTEE QUESTIONS 10–17

08

Electoral reform and legislative review

Electoral Commission 2023 & 2024 Annual Reports | SCFAD submission

Review focus: Electoral Act 2014, Electoral (Registration of Voters) Act 2012 and Political Parties Act 2013.

Institutional design

Commission terms, quorum, Secretariat and SOE powers

Participation

Women's representation, disability access and overseas voters

Legal clarity

Simplify complex provisions and review severe penalties

Trust systems

Voter register audit, complaints, appeals and decision publication

Consultation approach: political parties, civil society, women's groups, persons with disabilities, community stakeholders and online submissions.

8

COMMITTEE-REQUESTED FOCUS

09

Gender analysis and inclusive participation

Electoral Commission 2023 & 2024 Annual Reports | SCFAD submission

6/55

Women in Parliament
noted in the reports
as a concern

The Commission supports consideration of temporary special measures to improve women's representation and inclusive participation across electoral processes.

Possible mechanisms

- Candidate quotas or party list gender requirements
- Reserved seats or incentives for parties meeting gender targets
- Gender reporting and internal party democracy measures

Broader inclusion

- Accessible voter education and assisted voting safeguards
- Disability-inclusive materials, Braille/audio/easy-read formats
- Overseas voter planning in response to migration trends

Core principle: electoral participation must be accessible, informed, confidential and free from undue influence.

9

COMMITTEE-REQUESTED FOCUS

10

Alignment with Sustainable Development Goals

Electoral Commission 2023 & 2024 Annual Reports | SCFAD submission

SDG 5 Gender Equality

Temporary special measures, candidate diversity and gender-sensitive participation.

SDG 10 Reduced Inequalities

Disability inclusion, rural/maritime access and overseas voter barriers.

SDG 16 Peace, Justice & Strong Institutions

Independent electoral governance, transparency, complaints and trust.

SDG 17 Partnerships

Collaboration with FLRC, Ministry of Justice, international partners and stakeholders.

10

COMMITTEE QUESTIONS 18–22

11

National Register of Voters and electoral preparedness

Electoral Commission 2023 & 2024 Annual Reports | SCFAD submission

The reports continue to treat the voter register audit as central to public confidence.

Register audit

Clarify status, procurement pathway and DFAT funding utilisation.

Data integrity

Continue biometric registration, cleansing and verification.

Public checks

Use provisional lists and voter information channels to correct errors.

Migration impact

Build better data on eligible overseas Fijians and participation barriers.

Key message: public confidence in the register depends on accuracy, security, regular updating and visible independent assurance.

11

COMMITTEE QUESTIONS 23–25

12

Complaints, appeals and transparency

Electoral Commission 2023 & 2024 Annual Reports | SCFAD submission

Low complaint numbers may reflect limited issues, but may also indicate limited awareness or confidence in complaint channels.

Complaints mechanisms

- Publicise channels, timelines and accessibility options
- Publish aggregated complaint statistics
- Make referral pathways clear for political party matters

Decision publication

- Maintain a decision register
- Distinguish administrative resolutions from appeal decisions
- Publish legally required decisions within five days

FijiFirst appeal lesson: use firm procedural directions, early standing decisions, proper case management and transparent procedural updates.

12

COMMITTEE QUESTIONS 26–31

13

Financial and operational management

Electoral Commission 2023 & 2024 Annual Reports | SCFAD submission

The reports show that limited funding and Secretariat instability created risks for routine constitutional functions.

Funding

Move towards multi-year electoral-cycle funding and ring-fenced baseline support for meetings, appeals, legal advice and reporting.

Secretariat

Strengthen permanent administrative, records, legal/policy, finance and communications support.

Expenditure variances

Explain 2023 underspend by quorum disruption; explain 2024 pressure by unanticipated meetings, legal/reform work and staffing gaps.

Digital tools

Prioritise reliable, verified public information channels; any future app must be technically resilient and publicly trusted.

Sustainability principle: the Commission's constitutional role should not depend on ad hoc or unpaid arrangements.

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COMMITTEE QUESTIONS 32–34

14

International engagement and capacity building

Electoral Commission 2023 & 2024 Annual Reports | SCFAD submission

International exchanges are most valuable when translated into Fiji-specific reforms and practical operating improvements.

Indonesia

Local government election logistics and decentralised electoral administration.

India

Large-scale voter education, inclusive systems and efficient polling operations.

New Zealand

Flexible enrolment, accessibility support and voter-focused service delivery.

Pacific networks

Roll integrity, resilience and public trust in small island contexts.

Next step: develop a formal electoral modernisation and public trust strategy.

14

CLOSING RESPONSE

15

Highest priorities for the next 12–24 months

Electoral Commission 2023 & 2024 Annual Reports | SCFAD submission

1 **Institutional stability**

Terms, quorum, Chairperson continuity and Secretariat capacity

2 **Electoral law reform**

Legal clarity, inclusion, SOE powers and complaints/appeals processes

3 **Voter register confidence**

Audit, data integrity, security and overseas voter planning

4 **Public trust**

Transparency, published decisions, secure records and clear public communication

The Commission's immediate focus is to strengthen governance, complete reform work, protect electoral data and maintain public confidence before the next electoral cycle.

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ELECTORAL COMMISSION
REPUBLIC OF FIJI

Questions

Standing Committee on Foreign Affairs and Defence

Thank you.

Additional Information

WRITTEN RESPONSES

Standing Committee on Foreign Affairs and Defence

Questions on the Electoral Commission 2023 and 2024 Annual Reports

Prepared for	Standing Committee on Foreign Affairs and Defence by the Electoral Commission - Republic of Fiji
Committee request	Written responses to SCFAD questions on the 2023 and 2024 Annual Reports
Hearing	In-person submission scheduled for 11 June 2026, 10:00 a.m. to 11:00 a.m.

Source documents reviewed

- SCFAD letter dated 21 May 2026 requesting submission on the Electoral Commission 2023 and 2024 Annual Reports.
- SCFAD Questions for Electoral Commission 2023 and 2024 Annual Reports.
- Electoral Commission Annual Report 2023.
- Electoral Commission Annual Report 2024, Report 15 on the Electoral Commission website.
- 2022 General Election Joint Report of the Electoral Commission and Supervisor of Elections.

Governance and Institutional Stability

1. The reports note significant disruptions arising from the expiry of Commissioners' terms in 2023, which resulted in the Commission lacking quorum for several months. What measures are being considered to prevent similar governance disruptions in future electoral cycles?

The Commission recognises that the expiry of Commissioners' terms in 2023 created a serious governance gap because the Commission was left without the quorum required to progress formal business. The Commission is actively advocating for (two) structural reforms to prevent a recurrence. First, we will be making recommendations to the Constitution Review Commission currently tasked with the review of the Constitution to review the terms of the Commissioners' to align with the four-year electoral cycle, allowing staggering appointments so that all terms do not expire at the same time. Overlapping terms would ensure a consistent core of experienced Commissioners is always available to maintain quorum. Secondly, we are ensuring that the Constitutional Offices Commission is alerted well in advance of upcoming vacancies. We acknowledge that appointment decisions rest with the COC. However, it is firmly within our mandate to provide timely advance notice of upcoming appointment lapses so that the COC Secretariat can act proactively to ensure the Commission's full complement of seven members is in place at all times — in particular ahead of any electoral event.

The Commission also supports strengthening its Secretariat so that institutional memory, records, work programmes, and reporting obligations continue smoothly during changes in membership.

2. The Commission recommended aligning Commissioners' terms with the four-year electoral cycle. Has any formal proposal been submitted to Government or Parliament to amend the relevant constitutional or legislative provisions?

The recommendation has been formally recorded in the Commission's reports and in the joint recommendations following the 2022 General Election. In January 2024, the Commission also submitted preliminary observations and recommendations on electoral laws to the Attorney-General and the Minister Responsible for Elections. Any amendment to Commissioners' terms would require an amendment to the Constitution. The Commission will submit recommendations to the Constitution Review Commission on this. We consider both the CRC submission and our engagement with the Attorney-General's Office/Minister responsible for elections - to be the appropriate channels for formalising the constitutional and legislative amendments required.

3. In 2024, the Commission operated for several months without a substantive Chairperson. How did this affect decision-making, oversight, and public confidence in the Commission?

Chairperson Barbara Malimali resigned in early September 2024 to take up her appointment as FICAC Commissioner. That vacancy was not filled until Justice Usaia Ratuvili assumed the role in 2025. During the intervening period, and in accordance with section 5(2) of the Electoral Act 2014, Commissioners elected Commissioner Nalini Singh to chair each meeting- and the Commission continued to meet, holding 20 meetings across the year.

However, the absence of a substantive Chair — compounded by related budget constraints, staffing shortfalls, and the FICAC records seizure — created a period of operational difficulty. On decision-making, the FijiFirst appeal was further delayed by the Chairperson vacancy and remained unresolved at year's end.

For several months, Commission meetings were held in private locations outside the FEO premises and without administrative support. Commissioners communicated via a private Viber group. This was clearly not a sustainable or desirable arrangement for an institution that must maintain visible public confidence.

On public confidence, the Commission outlines that the combination of a leadership vacancy, reduced public visibility of its proceedings, an unresolved high-profile appeal, and Commission records remaining in FICAC's possession meant the Commission's public profile was diminished during this period.

The Commission is satisfied that the appointment of a substantive Chairperson in 2025 comes with the stability and structure that the public and the institution require, and we regard the current period as one of renewed institutional consolidation ahead of the 2026/2027 General Election.

4. The report refers to a breakdown in the relationship between the Commission and the Supervisor of Elections and staff. What were the key issues contributing to this breakdown, and what steps have since been taken to strengthen institutional coordination and safeguard the independence and integrity of electoral administration?

The 2024 Annual Report identifies several pressures that contributed to institutional strain, including inadequate Secretariat support, limited attendance by the Supervisor of Elections at Commission meetings, lack of a Chairperson from September 2024, meetings being held outside FEO premises, communication through private channels, budget constraints, and the seizure of records and office equipment. These issues blurred practical lines of coordination between the Commission's oversight role and the FEO's administrative responsibilities. The Commission's proposed response is to formalise Commission-FEO coordination through scheduled liaison meetings, clear agenda and minute procedures, action-tracking, secure records management, defined reporting protocols from the Supervisor of Elections, and a properly resourced independent Secretariat. The Commission has also recommended reconsidering the statutory arrangement under which the Supervisor of Elections acts as Secretary to the Commission, so that both institutions' independence and public perception of independence are better protected.

With the reconstituted Commission now in place, we have re-established structured, regular joint meetings between the Commission and the FEO. These meetings address operational matters, risk management, and electoral preparedness in a coordinated and transparent manner. The relationship is currently collaborative and working well, and we are focused on ensuring that the two institutions operate with the clarity of mandate and mutual respect that the Constitution requires of two independent offices working in concert.

5. The Commission also referred to leaks of confidential deliberations and documents. What governance, accountability, or security measures have since been implemented to protect confidential electoral information?

The leaking of confidential Commission deliberations and documents in 2024 was a matter of serious concern. The Commission has since taken steps to strengthen information governance. Leaks of confidential deliberations and documents affect trust, the integrity of decision-making, and the Commission's ability to carry out sensitive statutory functions. The commission opted to strict use of official communication channels, confidential undertakings for Commissioners and Secretariat staff, restricted circulation of confidential papers, secured digital storage, document classification, controlled access to minutes and legal advice, and audit trails for the circulation of sensitive documents. These measures have already been formally implemented and some still remain under development. We will continue to apply appropriate safeguards as we move into the preelection period when the sensitivity of Commission deliberations will be at its highest.

6. How did the Elections Office ensure continuity of operations during periods when the Commission lacked quorum in 2023?

During the period when the Commission lacked quorum, the Fijian Elections Office continued with routine administrative and operational functions under the Supervisor of Elections, who is an independent constitutional office responsible for administering voter registration and the conduct of elections, subject to Commission directions. However, matters requiring formal Commission decisions could not progress until quorum was restored. The FEO's continuity was therefore limited to functions that could lawfully be undertaken by the Supervisor without the Commission's decision. Once quorum was restored, the Commission resumed formal decision-making, including decisions relating to parliamentary seat vacancies, provisional polling venues, voter registration policy and procedure, and provisional voter lists.

FICAC Investigation and Records Seizure

7. Both reports refer to the seizure of Commission records and office equipment by FICAC under warrant. What impact did this have on the Commission's operations, reporting obligations, and institutional independence?

The seizure had a significant operational impact. The Annual Reports record that the Commission's official records had not been released at the time the reports were prepared, and that the reports therefore had to be compiled from ancillary records and information. This affected institutional memory, access to meeting papers, reporting efficiency, preparation of annual reports, and continuity of records management. It also raised concerns about the practical ability of an independent constitutional office to discharge its duties where its working records and equipment are unavailable for an extended period. The Commission complied with the warrant, while noting the need to protect the continuity and independence of electoral administration. The Commission is a creature of the

Constitution, and any interference with its ability to function must be managed in a manner consistent with its constitutional status.

8. Have the seized records now been returned to the Commission, and if not, what contingency measures are in place to ensure continuity of records management and electoral administration?

The seized records have been released to the Commission last month. For the future, the Commission is focused on maintaining a secure records system, a central register of official decisions and resolutions, regular backups, and clear handover procedures so that records management does not depend on one physical office or device.

9. Did the Commission seek legal advice or engage with relevant authorities regarding the implications of the seizure on its constitutional independence?

Yes. During 2023, following the initial seizure, the Commission sought legal advice from both the Attorney General's Office and the FEO's legal team. The Commission's view, is that the constitutional independence of the Electoral Commission must be jealously guarded, and that any interaction between law enforcement agencies and independent constitutional offices should be managed with appropriate regard for the constitutional framework within which those offices operate.

Electoral Reform and Legislative Review

10. The Commission commenced a review of the Electoral Act 2014, Electoral (Registration of Voters) Act 2012, and Political Parties Act 2013. What are the major reforms currently being proposed?

Among the major reforms the Commission is recommending are: the introduction of temporary special measures (TSMs) to improve the representation of women in Parliament and local government; the removal of all disability-based discrimination from the electoral laws; amendments to address the realities of increasing outward migration, including provisions for alternative voting methods and extended pre-polling periods; alignment of Commissioners' terms with the four-year electoral cycle; reviewing the statutory relationship between the Commission and the Supervisor of Elections; reviewing severe criminal penalties; reviewing restrictions affecting civil society and electoral awareness; improving transparency of decisions and appeals; strengthening voter registration and register audit processes and a range of technical improvements to voter registration, electoral dispute resolution, and compliance mechanisms.

11. The Commission advocated for temporary special measures to improve women's representation in Parliament and local government. What specific models or mechanisms are being considered, and what steps have been taken to improve gender representation in electoral processes?

The Commission has supported consideration of temporary special measures as a lawful form of affirmative action consistent with Fiji's commitment to equality and its obligations under CEDAW. The

2023 Annual Report submitted that women occupied only 6 of 55 parliamentary seats after the 2022 General Election, or 10.9%, representing a decline from 2014 and 2018. Possible models include legislated candidate quotas, minimum gender requirements for party candidate lists, financial incentives for parties that meet gender targets, reporting obligations for political parties, reserved seats, and specific gender measures for local government elections. Steps taken include raising the issue in the Commission's recommendations and contributing to the consultation plan for the electoral law review.

12. What consultations have been undertaken with political parties, civil society organisations, women's groups, persons with disabilities, and other stakeholders regarding proposed electoral reforms?

The Commission hosted a Talanoa session with political parties in 2023 and initiated consultations with registered political parties following its contribution to the consultation plan and budget for the electoral law review. In 2024, the Commission invited all political parties to submit comments on the electoral laws and began discussions with the Fiji Law Reform Commission. Engagement with civil society organisations, women's groups, and OPDs (Organisations of Persons with Disabilities) has been ongoing, including through the Elections Disability Access Working Group (EDAWG). The Commission and FEO have also engaged with the Fiji Law Reform Commission (FLRC) since August 2024 with a view to broadening stakeholder consultation and strengthening the legitimacy of the reform process. This partnership continued to develop actively into 2025.

13. The Commission recommended removing disability-based discrimination in electoral laws. Which provisions have been identified as discriminatory, and what amendments are proposed?

The Commission has recommended that electoral legislation be reviewed to remove disability-based discrimination and to strengthen participation by persons with disabilities as voters and candidates on an equal basis with others. One such proposal is the review of the Voter Qualification in the Constitution specifically for the use of the term "unsound mind". This will form part of the Commission's submission to the Constitution Review Commission to ensure that it adheres to standards set in the Convention on the Rights for Persons with Disabilities.

14. What initiatives has the Elections Office implemented to promote awareness of the electoral process among persons with disabilities, and how does the Office ensure that persons with disabilities can vote independently without undue influence or interference?

The FEO has established the Election Disability Access Working Group (**EDAWG**), which includes stakeholders such as the National Council for Persons with Disabilities, the Pacific Disability Forum, and all organisations of persons with disabilities affiliated to the National Council. EDAWG was set up to provide accessibility recommendations on voter registration, accessibility to polling venues, voter

awareness and other important electoral processes, In previous election preparations, this collaboration produced assisted voting diagrams, easy-read guides, Braille materials, voter instruction booklets in accessible formats, audio materials, and guidance for election officials. The FEO also procured magnifying glasses and portable voting booths for wheelchair users. Independence is supported by training election officials on assisted voting procedures, allowing assistance only where required and in accordance with the voter's choice, using accessible materials, and maintaining secrecy and dignity throughout the voting process.

15. The 2024 report discusses the potential need for alternative voting methods due to increasing outward migration. Has the Commission undertaken any feasibility assessment on electronic voting, telephone voting, or overseas voting arrangements?

The 2024 Annual Report records that the Commission considered the impact of significant outward migration and the possible need for alternative voting methods such as telephone dictation voting, longer pre-polling period, and allowing registration up to polling day, as in some jurisdictions.

Any move to e-voting must, however, be approached with careful attention to the secrecy of the ballot, the integrity of the process, and the technological infrastructure required. The Commission is continuing its dialogue with the Indian election authorities as a bilateral engagement with the view to scope the feasibility of these approaches in the Fijian context.

However, no feasibility assessments have been done on this matter.

On overseas voting more broadly: given the very low uptake of postal voting in the 2022 election despite the significant number of Fijians overseas, the Commission is now widening its approach — looking at simplifying the postal voting process, extending the pre-polling window, and exploring whether same-day registration provisions, as used in countries like New Zealand, could be introduced. The FEO's MOU with the Ministry of Foreign Affairs, signed in 2025, reflects this commitment to improving access for the more many Fijians living abroad.

16. Given the increasing number of citizens residing overseas, what barriers to voter participation remain unaddressed despite ongoing awareness initiatives?

Remaining barriers include difficulty updating registration details from overseas, limited overseas registration opportunities, postal voting timelines and requirements, the reliability and cost of international mail, lack of comprehensive data on the Fijian diaspora, awareness gaps about deadlines and documentation, time-zone differences, limited access to Fijian missions in some countries, and uncertainty about whether voters who have left on work permits or study visas remain practically able to participate.

These barriers require legislative reform for some and active voter education, overseas registration support, data-sharing with relevant agencies, and consideration of secure alternative voting arrangements. The Commission is examining each of these barriers as part of the broader electoral

reform process, and the renewed FEO-MFA partnership is a concrete step towards addressing the logistical challenges.

17. What progress has been made in collaboration with the Fiji Law Reform Commission and the Attorney-General's Office on the broader electoral review process?

In August 2024, the Commission began discussions with the Fiji Law Reform Commission with a view to partnering on the electoral law review process. The 2024 Annual Report records that these discussions became the basis of a productive partnership between the Commission, FLRC, the Ministry of Justice, and the Attorney-General's Office. In March 2025, the Ministry of Justice announced that the FLRC, with advice and endorsement from a selection panel comprising the Commission, FLRC and the Ministry of Justice, had appointed part-time commissioners and legal drafters to review the Electoral Act 2014, the Electoral (Registration of Voters) Act 2012, and the Political Parties Act 2013.

The Electoral Commission with the FEO participated in the consultation process by providing support to the Law Reform Commissioners appointed to review the electoral laws accompanying them to the nationwide consultation and providing clarification where necessary.

The Commission's submission to the CRC at the end of this month represents a further, significant step in the formal reform process. We regard the CRC submission as an opportunity to embed the Commission's recommendations — on term alignment, TSMs, disability inclusion, overseas voting, and other matters — into the constitutional reform framework.

National Register of Voters and Electoral Preparedness

18. The Commission continued pursuing an audit of the National Register of Voters following recommendations from international observer groups. What is the current status of the audit? As stated in the 2023 Annual Report, the Commission decided in 2021 to audit the National Register of Voters and associated system following the 2018 Multinational Observer Group recommendation, and that the 2022 MOG repeated this recommendation. The Commission agreed to continue pursuing the audit. Based on the reports provided, the audit had not been conducted. We acknowledge this is an outstanding matter. The Commission remains committed to the audit and to addressing the recommendations of both the 2018 and 2022 Multinational Observer Group reports in this regard.

19. Has the funding confirmed through DFAT for the voter register audit been utilised, and if not, what challenges have delayed implementation?

The funding for the audit is no longer available.

When the Electoral Commission put out a Tender for the audit of the NRV, there was only one interested applicant and that was by International IDEA however, the Commission did not proceed with the selection and the audit process.

20. What measures are currently in place to improve the accuracy, integrity, security, and regular updating of the voter register and voter data?

The FEO maintains the National Register of Voters through continuous voter registration, biometric information, voter card issuance, regular updating of voter details, and data cleansing against citizenship, prison, births, deaths and marriages records. During an election year, cleansing is undertaken more frequently, while outside an election year it is undertaken periodically for every six months. Voters are assigned to polling stations based on their recorded residence, which assists planning and reduces the risk of multiple voting.

21. How does the Elections Office ensure that voters are properly registered and that all required documentation is verified?

The FEO verifies eligibility through registration procedures that require proof of identity, citizenship and age, and through biometric capture such as facial photographs. Upon registration, voters have their details entered into the National Register of Voters and receive voter cards as a confirmation of their registration. The FEO also updates registration details, assigns voters to polling stations by residential address, and publishes the National Register of Voters in election year for checking and objection processes as allowed by law. On polling day, voter identification is checked against the polling station voter list and relevant procedures are applied to prevent multiple voting while preserving the right of eligible voters to cast their ballot.

22. Given concerns regarding outward migration, does the Commission have updated data on the number of eligible overseas Fijian voters and their participation levels?

The Commission does not have the data on this but the FEO works closely with the Ministry of immigration, the Ministry of Foreign Affairs and the Ministry of Employment to provide us with projected numbers or estimates when the FEO finalises plans for overseas registration.

[What the Commission can confirm is that the significant and growing number of Fijians living abroad — (estimated at over 200,000) is informing our deliberations on alternative voting methods and the question of overseas voter participation].

Complaints, Appeals, and Transparency

23. The Commission reported receiving very few public complaints in both reporting years. Does the Commission consider current complaints mechanisms sufficiently accessible and trusted by the public?

The low number of complaints may indicate that few matters required the Commission's intervention given that these were non-election years and campaigning had not been activated. The low complaints numbers in 2023 and 2024 may also reflect, at least in part, the limited public visibility of the Commission's complaints procedures during those years, rather than the absence of electoral concerns in the community.

The 2023 Annual Report records four complaints or enquiries, all of which were responded to, and the 2024 Annual Report records one public complaint, which was referred to the Registrar of Political Parties. The Commission is set to continue improving accessibility for the upcoming general election by publicising its email, website portal, phone contact and response timelines; providing accessible complaint formats; maintaining a complaints register; and publishing anonymised complaint statistics so that the public can see that complaints are handled fairly and transparently. Over the weekend just passed, the Commission finalised its adjudication and non-adjudication procedures — a comprehensive framework that clearly defines what the Commission can and cannot determine by way of complaints and appeals, and how those processes work. These procedures will be published promptly, and we expect — and welcome — an increase in complaints activity as public awareness of the mechanism grows.

24. The 2024 report notes that no Commission decisions were published during the year despite the legislative requirement to publish decisions within five days. What were the reasons for this noncompliance?

The 2024 Annual Report explains that no decisions were published during the year and that there was uncertainty about what constituted a 'decision' under section 5 of the Electoral Act 2014. In practice, administrative matters were treated as not requiring publication. The report also records that in May 2025, following discussion and advice from the Chairperson, the Commission agreed to distinguish between 'resolutions' for ordinary meeting matters and 'decisions' for appeals when the Commission sits as a tribunal. Going forward, the Commission aims to maintain a decision register and ensure that all legally required decisions are published within the statutory timeframe. The Commission is satisfied that it now has the institutional framework, the secretariat capacity, and the procedural clarity to meet its publication obligations going forward. The new adjudication and non-adjudication procedures framework, referenced above, forms an important part of this.

25. What lessons were learned from the appeal relating to the deregistration of the FijiFirst Party, particularly regarding timeliness, procedural efficiency, and transparency in appeals processes?

The appeal highlighted the need for clearer adjudication rules, case-management rules, early determination of preliminary issues such as standing, firm timelines for submissions, prompt appointment or acting arrangements for the Chairperson, and transparent communication with parties. The 2024 Annual Report records that the appeal was delayed by protracted submissions on standing, counsel workloads, a family bereavement, and the five-month vacancy in the Chairperson position. Now that the commission has overcome the issues that were faced, it is determined to manage appeals through standard directions, defined timelines, a clear record of procedural decisions, and publication of final decisions where required by law. The primary lesson is procedural and the Commission's appeals process needed a clear, published framework with defined timelines, active case management, and unambiguous rules on standing and procedure. The new adjudication procedures are specifically designed to address these gaps and to ensure that future appeals are

determined with the timeliness, procedural fairness, and transparency that parties and the public are entitled to expect.

Financial and Operational Management

26. The 2024 report notes that Commission meetings were suspended due to exhausted funding. Why was the allocated budget insufficient to sustain core constitutional functions throughout the financial year?

The underlining issue was Commissioners were paid an allowance of \$500 per meeting and this was revised in 2025 by the COC allowing Commissioners to be paid a \$1,000 per month allowance with the Chairperson being given a \$20,000 salary. The 2024 Annual Report states that the modest 2023-2024 budget resulted in the official suspension of Commission meetings from April 2024 when meeting funding was exhausted. The budget was deemed insufficient because the Commission faced more governance, legal, reform, appeal, institutional coordination, and reporting demands than the allocation could support. Commissioners continued to meet for urgent matters during the four-month period before the new budget became available, without receiving sitting allowances. . A budget calibrated for a non-election year will inevitably be under-resourced if the Commission is required to respond to unexpected demands — appeals, political party matters, law reform, international engagements, and operational oversight.

This shows that the baseline budget did not adequately reflect the Commission's constitutional and statutory workload.

27. What mechanisms are in place to ensure that limited funding does not compromise electoral integrity and operational continuity?

The Commission's meeting allowances have been revised to be paid a \$1,000 per month allowance with the Chairperson being given a \$20,000 salary. The meetings will no longer depend on whether funding is available to pay for allowances as there is a monthly payment of allowance that is consistently made.

Overall, the Commission has aligned its budget closely with its workplan, and this correspondence is reviewed regularly in joint EC/FEO meetings. Risk mitigation planning — including identifying critical activities that must proceed regardless of budget constraints, and pre-positioning contingency plans for scenarios where funding pressure arises — is part of our operational management discipline.

With the FEO, we are also maintaining close communication with the Ministry of Finance and the relevant line ministry to ensure that supplementary) funding is available when genuinely required for constitutional functions.

28. What measures are being implemented to ensure more sustainable operational funding for the Commission going forward?

The Commission aims to pursue a multi-year funding aligned to the electoral cycle, dedicated funding for a functioning Secretariat, ring-fenced funding for appeals and legal advice, provision for system audits and voter register oversight, and contingency funding for urgent statutory functions. The

Commission aims to have the budget submissions which clearly link requested funding to constitutional responsibilities, statutory deadlines, public reporting obligations, and public trust in elections. The Commission is also focused on briefing the Ministry of Finance and Parliament on the risks created when core constitutional functions are underfunded. The Commission's view is that a sustainable funding model must encompass the full electoral cycle — including the non-election period — and reflect the genuine operational demands of a Commission that is required to be active, visible, and effective at all times.

29. The Commission reported inadequate staffing and the absence of a functioning secretariat for part of 2024. What is the current staffing structure of the Commission Secretariat, and are there plans to strengthen institutional capacity?

The 2024 Annual Report records that Commission work was supported by one administrative staff member on loan from the FEO for the first two months of the year, that the Executive Secretary position was filled in March but lasted only nine months, and that from September the Commission was without adequate administrative support.

The current staffing structure has a properly funded Secretariat comprising an Executive Secretary, a Legal Officer providing legal and policy support. Together the team aims to have records and governance support, finance and administration support, and communications support. The Commission also aims on hiring admin assistant before the General Elections. As the Commission moves towards the writ period for the upcoming General Election, it will recruit temporary additional staff — including administrative assistants — to manage the increased workload associated with candidate registration, complaints, appeals, and election-period monitoring. Planning for those temporary appointments is underway.

Strengthening the Secretariat is essential to continuity, confidentiality, timely reporting, and independent support to Commissioners.

30. Could the Commission explain the significant differences between budgeted and actual expenditure across several categories in both reporting years, particularly personnel emoluments, travel, and meeting expenses?

For 2023, overall expenditure was substantially below budget because the Commission held few formal meetings before the expiry of four Commissioners' terms and was unable to conduct business until a new Commission was appointed in July and August. In 2023, personnel emoluments were budgeted at FJD 77,327.25 and actual expenditure was FJD 69,926.02; travel and accommodation was budgeted at FJD 65,385.63 and actual expenditure was FJD 11,944.55; and EC and office meeting expenses were budgeted at FJD 838.00 and actual expenditure was FJD 3,192.94. For 2024, personnel emoluments were budgeted at FJD 80,002.83 and actual expenditure was FJD 40,408.46, reflecting staffing instability; travel and accommodation was budgeted at FJD 59,158.57 and actual expenditure was FJD 57,397.14, reflecting external engagements and observer programmes; and EC and office meeting expenses were budgeted at FJD 4,287.84 and actual expenditure was FJD 3,624.38. These differences reflect governance disruptions, staffing gaps, variable travel commitments, and meeting funding constraints rather than a single expenditure pattern.

The Commission acknowledges that these variances require clear explanation and improved budget forecasting, and is committed to tighter alignment between budget and activity planning going forward.

31. Why was the Elections Office mobile application discontinued rather than upgraded as an information and communication tool?

This is to eliminate the risk of releasing incorrect results. With the removal of the FEO Results App, the FEO will explore traditional methods of releasing the results such as through the media organisations. What the Commission can confirm is that digital communication and public outreach tools are a priority as Fiji approaches the 2026 election. The FEO has launched a new, user-friendly website and is developing the iParticipate App as a successor voter engagement tool. The Commission supports continued investment in accessible, reliable digital outreach infrastructure

International Engagements and Capacity Building

32. The Commission participated in several international electoral exchanges and observer programmes. How have these engagements translated into practical reforms or operational improvements within Fiji's electoral system?

International engagements have helped Commissioners deepen their understanding of electoral administration, comparative electoral systems, voter registration, inclusive participation, information integrity, local government elections, and electoral dispute processes.. Engagements in 2024 with Indonesia, India, PIANZEA and Commonwealth electoral networks exposed Commissioners to practical options for improving voter education, voter participation, technology use, transparency, accessibility, and local government election administration. These lessons have informed the Commission's recommendations for law reform, register audits, alternative voting discussions, and institutional strengthening.

33. What lessons from Indonesia, India, New Zealand, and other jurisdictions are being considered for adaptation within Fiji's electoral framework?

From Indonesia, the Commission can draw lessons on logistics, election administration below parliamentary level, and local government electoral arrangements. From India, Commissioners noted electronic voting and practices aimed at improving voter registration, voter education, voter participation, inclusiveness, transparency and efficiency. From New Zealand, relevant lessons include flexible voter registration, longer pre-polling, accessible voter services, and voter-focused electoral administration. From Pacific and Commonwealth networks, Fiji can draw lessons on maintaining public trust in small jurisdictions, strengthening registers, managing misinformation, protecting electoral independence, and ensuring that reforms are realistic for island geography and available resources.

The Commission is not recommending wholesale adoption of any one model, but rather a careful, Fiji-specific adaptation of best practices that preserves the secrecy of the ballot, is operationally feasible within Fiji's resource envelope, and commands public confidence.

34. Has the Commission developed a long-term strategy for electoral modernisation and strengthening public trust in electoral institutions?

The Commission is committed to developing a comprehensive long-term electoral modernisation strategy. Given the proximity of the 2026 General Election, the immediate priority is ensuring that the election is delivered with the integrity, accessibility, and transparency that the Constitution requires. A full-cycle strategic framework — looking beyond 2026 to the 2028 electoral cycle and beyond — is planned as a key priority for 2027, informed by the lessons of the 2026 election and built on the institutional foundations we are currently strengthening.

developed. Such a strategy would address governance,, secretariat capacity, digital systems, cybersecurity, public communication, disability access, gender inclusion, overseas voter participation, complaints and appeals transparency, voter register integrity, and stakeholder engagement. etcThe strategy should be supported by a realistic budget.

35. Considering the operational and governance challenges identified in both reports, what does the Commission consider its highest institutional priorities over the next 12 to 24 months?

The Commission's highest institutional priorities for the next 12 to 24 months are as follows:

First, the successful delivery of the 2026/2027 General Election — free, fair, accessible, and credible. Every aspect of the Commission's current work is oriented towards this.

Second, the potential referendum — the Commission is actively engaged in ensuring the electoral framework is ready to support a referendum process should one be called.

Third, Local Government Elections — currently anticipated for 2027 — require preparatory work in parallel with the general election.

Fourth, the CRC submission — to be delivered at the end of this month — is a critical opportunity to embed the Commission's constitutional reform recommendations, including on Commissioners' terms, temporary special measures for gender representation, and disability inclusion.

Fifth, organisational strengthening — rebuilding the institutional architecture of Fiji's electoral management body, including a well-resourced Secretariat, clear governance procedures, published decisions and procedures, and a restored relationship of confidence and cooperation with the FEO.

Sixth, the development of a strategic framework that supports all of the above and looks ahead to the full 2026–2030 electoral cycle.

Responses to
Clarification Questions
Raised by Honourable
Members

Proposed Responses to Clarification Questions from Honourable Members

Clarification on the status and implementation of the Strategic Plan

The Fijian Elections Office (FEO) has developed a 4-year Strategic Plan (2024–2027). This was launched as the key planning framework to guide the work of the FEO across the current electoral cycle. The Plan is aligned to the electoral cycle and is intended to support preparations for the Local Government Elections and the next General Election. The Strategic Plan is built around the FEO's mission to deliver electoral services that have the trust and confidence of stakeholders, and its vision of achieving excellence in the conduct of elections that strengthens democracy in Fiji. It is not the Commission's plan, and the Commission does not implement it. The Commission's role is one of oversight — to ensure that the FEO's activities are consistent with the law and with Commission policy and procedures. That said, the Commission has a close interest in the Strategic Plan's implementation and was represented at its launch in November 2023.

The implementation of the Strategic Plan is being guided by five strategic pillars:

1. Legal Framework;
2. Electoral Operations;
3. Technology;
4. Stakeholder Engagement;
5. Institutional Strengthening.

These pillars are directly relevant to the work currently being undertaken by the FEO and the Electoral Commission, including electoral law reform, voter registration, voter awareness, election planning, technology improvements, stakeholder consultation, and strengthening institutional capacity. In terms of implementation, the Strategic Plan provides that Annual Operational Plans will be developed to identify specific activities for each measurable objective. These activities are assigned to responsible staff to ensure accountability and timely completion. The Plan also provides for quarterly progress reviews and progress reports to the Supervisor of Elections to monitor implementation.

The Commission's understanding of the implementation status under each pillar is as follows.

Pillar 1 — Legal Framework: Upholding the legal framework in delivering elections - Under Commission oversight, the FEO has made progress on policy and procedure development across the electoral cycle. The Commission's own adjudication and nonadjudication procedures framework — finalised in June 2026 — complements this pillar. The FEO has continued its quarterly political party engagement meetings and annual capacitybuilding programmes. Trade union election reviews have been completed as scheduled. The Commission notes all the legal preparatory work towards the Local Government Elections (LGE).

Pillar 2 — Electoral Operations: Efficient delivery of elections in line with electoral best practices

This pillar covers the conduct of Trade Union Elections, Local Government Elections, and the next General Election, including pre-writ planning, voter registration, polling venue finalisation, candidate nomination, logistics, warehousing, ICT, results management, and counting. The Commission is satisfied that the FEO is actively implementing this pillar in preparation for the 2026/2027 electoral events. The recent nationwide voter registration and awareness drive, the FEO–MFA MOU supporting overseas registration, and the finalisation of the staffing structure and election calendar for the 2026/2027 General Election are all measurable objectives under this pillar.

Pillar 3 — Technology: Adopting innovative technological solutions to enhance the delivery of electoral services

This pillar encompasses the digitisation of internal corporate processes, the web-based Electronic Voter Registration system, the accreditation process, the Results Management System, and the Election Management System. The Commission notes that the 2024 biometric voter registration system upgrade — transitioning to a web-based platform — represents significant progress under this pillar. The FEO has also launched a new website and is developing the iParticipate App as a voter engagement tool.

Pillar 4 — Stakeholder Engagement: Fostering greater stakeholder engagement and collaboration to increase voter participation

This pillar includes the voter perception survey, voter education programmes (including a cascade CSO programme, school election programmes, and the Know Your Election campaign), the Fijian Electoral Education Centre, a School Election Toolkit, and collaboration with civil society and development partners on civic education. The 2024 Voter Perception Survey, completed with over 14,000 responses, is a significant achievement under this pillar. The EDAWG four-year workplan also falls substantially within this pillar and continues to develop actively. The Fijian Electoral Education Centre — identified as a strategic milestone — is an important long-term investment in democratic culture that the Commission endorses.

Pillar 5 — Institutional Strengthening: Strengthening the FEO's organisational and human resources capacity

This pillar addresses staff retention, career development, training, the Business Continuity Plan, and long-term capacity building. The Commission regards this as perhaps the most critical pillar for the credibility and resilience of the entire electoral management body. The Commission will be paying close attention to progress under this pillar and will provide oversight support where needed.

The Strategic Plan is not being treated as a stand-alone document. It is being implemented through annual workplans, budget planning, risk management, staff responsibilities, and regular internal monitoring. The FEO will continue to align its operational activities with the Strategic Plan, particularly as the country moves towards the next major electoral event.

The Commission's overall assessment, based on its oversight role and regular engagement with the FEO, is that implementation of the 2024–2027 Strategic Plan has proceeded with genuine commitment despite the significant governance and operational disruptions of 2023 and 2024.

Where the Electoral Commission envisions itself in the next five years

The Commission welcomes this question. It speaks directly to the kind of forward-looking institutional thinking that the Commission has been investing in since its reconstitution.

In five years — that is, by 2031 — the Commission envisions itself as an institution that has delivered two electoral events successfully: the 2026/2027 General Election and, likely, the Local Government Elections. That track record of delivery will form the foundation of the institutional credibility the Commission is working to rebuild.

- **Constitutionally secure.** By 2031, the Commission expects that the structural vulnerabilities exposed by the 2023 and 2024 experience — the term misalignment, the risk of quorum gaps, the ambiguity in the relationship with the Supervisor of Elections — will have been addressed through constitutional and legislative reform.
- **Operationally modern.** The Commission anticipates that by 2031 Fiji will have made considered, evidence-based decisions about alternative voting methods — postal voting reform, extended pre-polling, and potentially electronic or overseas voting arrangements — that reflect the realities of Fiji's diaspora. The voter register audit will have been completed. The National Register of Voters will be demonstrably accurate, current, and trusted.
- **Accessible and trusted.** The Commission's complaints and adjudication framework will be well established and publicly known. The Commission's decisions and resolutions will be published consistently and on time. The Commission will be a visible, accessible body that the public knows how to engage with.
- **Gender-responsive and inclusive.** If the Commission's recommendations on temporary special measures are adopted, the 2027 and subsequent electoral cycles will begin to address Fiji's deeply concerning downward trend in women's parliamentary representation. By 2031, the Commission aims to have seen measurable progress against that trend. Similarly, the disability inclusion agenda advanced through EDAWG and the legislative reform process should be embedded in the electoral framework by that point.
- **Regionally respected.** The Commission's participation in PIANZEA, Commonwealth Electoral Professionals networks, and bilateral exchanges with India, Indonesia, New Zealand, and others reflects an institution that sees itself as part of the Pacific and Commonwealth electoral community. The Commission intends to continue and deepen those partnerships, contributing to as well as learning from the regional body of knowledge.

The Commission's operational arrangements in the event of a State of Emergency

Under Chapter 9 of the Constitution of the Republic of Fiji 2013, a State of Emergency may be declared by the Prime Minister when the security and safety of Fiji is threatened. A declaration must be affirmed by Parliament and allows certain rights under the Bill of Rights to be limited, but only to the extent strictly necessary. A State of Emergency does not, of itself, automatically delay or cancel an election.

Section 47(7) and (8) of the Electoral Act 2014 sets out the process for the Electoral Commission to follow in the event of adjourning an entire election due to force majeure which states:

(7) If, in the opinion of the Electoral Commission, on the advice of the Supervisor, the number of polling stations which cannot and will not open or at which polling is adjourned due to force majeure, is a significantly high number such that the adjournment of the entire election is warranted, the Supervisor shall immediately make a public announcement of the adjournment of the election and publish a notice to that effect in the Gazette and in all national daily newspapers and broadcast on radio and free-to-air television.

(8) If the Electoral Commission adjourns the entire election under subsection (7), it shall, when feasible and in consultation with the Supervisor, determine another date for the election and at such time make a public announcement to inform the public of the new date for the election and publish a notice to that effect in the Gazette and in all national daily newspapers and broadcast on radio and free-to-air television.

Furthermore, the Electoral Act 2014 defines force majeure as:

"force majeure" includes storm, tempest, flood, or any other natural disaster, whether actual or imminent, riot or open violence, whether actual or imminent, and other circumstances such as structural damage to polling premises, loss of electricity, insufficient material or human resources to conduct polling;

The FEO's Strategic Plan does provide a useful operational foundation through its risk analysis and mitigation framework. These risks such as civil unrest, force majeure events, cyber-attacks, misinformation and disinformation, negative public perception, lack of adequate funding, and loss of skilled staff are directly relevant to any State of Emergency or emergency situation that may affect electoral operations. If the Writ has been issued and we are in the middle of conducting the elections a State of Emergency is declared, the Commission is guided by section 47(7) and (8) of the Electoral Act 2014. The Commission would ensure that all decisions remain lawful, neutral, transparent, and consistent with the independence of electoral administration. Operationally, the FEO would be expected to activate a continuity and riskmanagement approach. This would include identifying essential electoral functions, protecting electoral records and voter data, maintaining communication with Commissioners, ensuring staff safety, coordinating with relevant national authorities, and providing clear public information.

FEO's Strategic Plan also refers to collaboration with security agencies through the Election Security Advisory Group, engagement with political parties, civil society organisations and other stakeholders to promote peaceful electoral participation, and the development of crisis management and contingency plans. In relation to force majeure risks, the Plan also refers to contingency planning and the establishment of a Business Continuity Plan.

The Commission's position is clear- elections must proceed within the constitutionally mandated timeframe unless there is a genuine and legally grounded basis under the Electoral Act for adjournment. A State of Emergency is not, in itself, that basis. The Commission would require a formal assessment from the Supervisor of Elections, based on operational intelligence as to whether specific polling stations or a sufficient number of stations were genuinely unable to operate safely. Any decision to adjourn would be made by the Commission on that evidence, not on the basis of a blanket declaration.

Advice on the direction of the Elections Office should elections not proceed

The Electoral Act 2014 is very clear that the only circumstances that could adjourn an entire election or election in a particular region is in the event a force majeure occurs. The definition of force majeure in the Act states that it *"includes storm, tempest, flood, or any other natural disaster, whether actual or imminent, and other circumstances such as structural damage to polling premises, loss of electricity, insufficient material or human resources to conduct polling."*

This provision can be interpreted broadly and does not restrict circumstances that amount to a force majeure to only the ones stated within the definition provision above.

If elections are not called or are deferred before the Writ is issued due to force majeure, the FEO should remain in preparedness mode. This means that the FEO's work would continue under the Strategic Plan, particularly in the areas of voter registration, maintenance of the National Register of Voters, voter education, stakeholder engagement, training, technology improvements, risk management, legal reform support, and election planning.

The Commission's direction to the FEO would be clear and practical. That is, maintain all electoral readiness, preserve the integrity of polling materials and voter lists, communicate clearly and promptly with the public about the revised date, and resume all preparedness activities on an expedited basis towards the new polling date.

FEO's view is that election planning is not limited to polling day. It includes institutional strengthening, electoral operations, technology, stakeholder engagement and legal compliance. Therefore, even if an election does not proceed immediately, the FEO still has significant work to do to maintain readiness for the next lawful electoral event. If the Writ has already been issued and elections cannot proceed due to an emergency or legal development, the Commission and FEO would immediately seek formal legal advice.

The priority would be to preserve the integrity of the electoral process, secure election materials and records, protect voter data, communicate clearly with voters, candidates, political parties and stakeholders, and ensure that any suspension, postponement or change is legally valid. The FEO should also use any extended period before an election to implement outstanding strategic priorities. These may include strengthening voter education programmes, improving the voter registration system, finalising election calendars, training election officials, enhancing cybersecurity, improving complaints management, strengthening stakeholder engagement, completing system audits, and implementing the Business Continuity Plan.

In summary, if elections do not proceed, the FEO's work does not stop. Its role shifts from immediate election delivery to enhancing preparedness, legal compliance, risk management, voter services, public awareness, stakeholder engagement, system strengthening and maintaining readiness for the next lawful electoral event.

The Commission notes that Fiji's history has included periods in which democratic processes were interrupted. The Commission's constitutional purpose and highest obligation is to the Constitution, to the right of every eligible Fijian to vote, and to the integrity of the democratic process. The Commission's advice to the FEO, as above, would be to maintain full electoral readiness and operational integrity — voter registration open, register current, polling materials preserved, staff on standby — so that elections could proceed at the earliest possible lawful opportunity.