



## BOUGAINVILLE REFERENDUM FORTNIGHTLY COMMENTARY

By Dr Thomas Webster – Team Leader of the PNG NRI Bougainville Referendum Research Project

### **Planning for the Implementation of the Bougainville Referendum Outcome.**

#### ***The Significance of the Referendum***

The people of Bougainville will vote in a Referendum later this year (2019) as part of the final stages of Implementing the Bougainville Peace Agreement (BPA) that was signed in 2001. A Referendum on future Governance arrangements was a compromise agreed to at that time, as there was disagreement among the negotiating parties. Some wanted immediate Independence for Bougainville whilst others wanted Bougainville to remain a part of PNG. Eligible voters will express their choice between 'Greater Autonomy' and Independence as the future political governance arrangements for the current Autonomous Region of Bougainville. The National Parliament will then make the final decision.

The conduct of the referendum indicates that a major milestone in implementing the BPA, which aimed at attaining peace through peaceful means, has been reached.

Consequently, the final outcome of either Greater Autonomy or Independence will require major changes to the PNG Constitution to give effect to a more permanent future political governance arrangement for Bougainville. The transition to permanent peace following the referendum demands careful thought and to plan for transition to the preferred outcome.

Immediately after the result of the Referendum is known, further consultations between the ABG and the PNG Government on how to implement the result of the Referendum will be required. Some of the issues that were on the table during the negotiations leading to the signing of the BPA may resurface in these discussions. It may help the current crop of negotiators to be cognizant of the compromises struck between the leaders of Bougainville and PNG during the difficult discussions that took place between 1999 and 2001.

In planning for a peaceful transition, it is timely to draw on the advice of Bell and McVeigh (2018) who argue that:

“The status of Bougainville will be transformed following the Referendum, whether the outcome leads to independence or indefinite and greater autonomy. The greatest risk is that without significant statecraft (i.e. skillful management of political and governmental affairs), the parties will be forced back into disagreements resulting in political instability and even violent conflict”.

Significant statecraft is needed now in negotiating the substance of the issues as well as the process, and this will take time, and cannot be rushed.

#### ***What are the Plans for Implementation of the Referendum Outcome?***

Responsibility for planning the implementing of the Referendum Outcome has been placed with a Post Referendum Ministerial Task Force that was established by the Joint Supervisory Body (JSB) in July of 2018. This taskforce is supported by the United Nations (UN).

The Task Force is co-chaired by the ABG Minister for Peace Agreement Implementation and the National Minister for Bougainville Affairs. Membership and attendance at the past three meetings have included President Momis, senior Ministers and Departmental Heads of the ABG Government, and PNG Government leaders including the Deputy Prime Minister Hon. Steven Davis, other Senior Ministers, Departmental Heads, and Senior officials.

While the taskforce has been busy, much still remains to be done. The Referendum results will be known by December 2019, when the BRC declares how many votes were cast for Greater Autonomy and how many voted for Independence. What happens next?

A key and important step forward now is for the Joint Ministerial Task force to agree and present to all a roadmap on how the Governments will implement the Referendum outcome.

I next sketch out questions to be addressed for implementation of the referendum results, noting that it is the Taskforce that has responsibility over these matters.

#### ***The Time line and Who will be involved in the Negotiations.***

Questions that need to be considered immediately include:

- What happens when the BRC returns the writs?
- When do the negotiations commence?
- How long will the negotiations take? And, when should the report to Parliament be made?



## BOUGAINVILLE REFERENDUM FORTNIGHTLY COMMENTARY

By Dr Thomas Webster – Team Leader of the PNG NRI Bougainville Referendum Research Project

- When will the necessary legal (including Constitutional) amendments be made by the National Parliament?

The BRC is expected to return the Writs to the Governor General by the third week of December 2019, following which forty (40) days are allowed for objections where aggrieved persons can lodge an appeal. This is also the holiday period in Waigani and Buka.

Negotiations could commence in February 2020. However, AGB elections are due by mid 2020, and campaigning would have begun by late March when Writs are likely to be issued. . President Momis is not eligible to contest for a third term thus a new President with at least some fresh faces in a newly elected House of Representatives could take seat at the negotiating table. If one allows for time for the new Government to settle in, then serious negotiations on the ABG side could start in July 2020 at the earliest.

Delays on the PNG side are also possible since parliamentary elections are due in mid-2022. Consequently, negotiations on the outcome of the referendum have a window of two years before the possibility of yet another change in leaders from the national government taking charge. Ratification and passage of all required laws would have to be completed in this window to avoid further delays but achieving this will be difficult given that amendments to the constitution can take considerable time.

### *What is the Process and Who is to be involved?*

A road map on how the negotiations will be conducted and who will be involved will assist in building confidence and trust on the post referendum transition.

The negotiations could involve a process where several layers of consultations take place on both sides. This can be a process where various stakeholders from both sides are invited to contribute to the discussions. It may involve selective individuals holding particular positions in the community. For the ABG, this can also be groups such as in Bougainville women's groups, church, youth groups etc. The recently concluded Veterans Summit makes note of the Post Referendum Joint Ministerial Taskforce work and calls for an inclusive process with a recommendation for three regional forums and one economic summit as part of that consultative process. The involvement of relevant decision-making bodies in the process such as the Cabinet and the Legislative bodies of both the ABG and the National Government would need to be considered.

Another layer would be on the different issues. Some issues may need to be considered first, whilst others can follow in a logical sequence. The proposed Roadmap needs to spell this out in detail. Doing so will raise confidence of the public, especially Bougainvillean's, on the post referendum process. Failing the above could fuel rumors and lead to false claims and counter claims that could be damaging to the peace process.

### *Conclusion.*

The holding of the Referendum this year brings to end one phase of the BPA, but it does not conclude the implementation of the Peace Agreement.

The Peace Agreement negotiations that were deferred in 2001 when a decision was made to hold the referendum between ten and fifteen years following the establishment of the ABG is upon us. These negotiations will now be continued albeit on another level with the people of Bougainville having indicated their choice through the Referendum.

I have argued here for the urgent need for an agreed road map to implement the outcome of the referendum, whatever this may be. In doing so, I am mindful of Sir Moi Avei's sentiments about the negotiations held in 1999-2001. He described the process as Melanesian brothers and sisters, holding each other's hands, not knowing where we are going nor what road we will be taking. Having trust and confidence in each other, to walk hand in hand, negotiating each turn with the ultimate goal of reaching permanent PEACE.

Sir Moi's walk does not require a Roadmap, so maybe we can do without one. But we must be prepared, and my proposal is only to serve as a kind (and my humble) reminder of the difficult track ahead.

Further information can be obtained through reading the research reports commissioned by PNG National Research Institute as well as the Organic Law on Peace Building on Bougainville-Autonomous Bougainville Government and the Bougainville Referendum from; [Referendum.Research@pngnri.org](mailto:Referendum.Research@pngnri.org).

Authorised for release by:  
**Dr. Osborne Sanida**  
PNG NRI Director

inquire  
inform  
influence