



BOUGAINVILLE REFERENDUM FORTNIGHTLY COMMENTARY

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

The Need for Clarity on the Referendum Question and on the Possible Outcomes of the Bougainville Referendum.

Introduction.

One of the key elements relating to the credibility of the Bougainville Referendum that is to be held in 2019 is that the voters understand the question, the options, and the possible implications of their choice for a future political governance arrangement. They need to be clear about the choices they are making, and potential consequences of such choices. This places the onus on the voters to decide what is best for them, and for the community at large to accept the decision of the majority noting that there is no room to reverse their decisions. This is a major undertaking in the preparation for the referendum.

This article explores issues around what can be done to inform the voters and to generate awareness of the regulatory framework allowing for such activities. The discussions in this article are based upon information generated from the research reports commissioned by the National Research Institute and the provisions provided for under the Organic Law on Peace Building on Bougainville- Autonomous Bougainville Government and the Bougainville Referendum.

The discussions will be around three main areas. First, we highlight the requirement for the Referendum Questions put on the ballot paper to be clear to the voters. Second, we look at the administrative framework put in place in the organic law to inform and make voters aware of the referendum questions and the implications of the outcome. Third, we discuss the possible challenges posed to make voters understand and be clear about the referendum outcomes.

Clarity of the Questions.

The Peace Agreement outlines that the questions should be clear and agreed to by the two governments with the choices presented that facilitate a clear result. There are two areas that we can look at in terms of whether the question(s) itself are clear in what they mean.

The first area is around the structure of the question. Is it in the form of a simple sentence that is clear to understand on the choices offered to the voter? In my judgement, the question of: “Do you want “Greater Autonomy” or “Or Independence” meets the requirements.

The second area is on whether the options indicated on the ballot paper is clear about the possible outcome. In this instance, the meaning of “Independence” is clear. However, there have been questions raised about what is meant by “Greater Autonomy”.

Does ‘greater autonomy’, mean more powers and functions than those provided for under the current legislation for the Autonomous Bougainville Government? The National Government, in my view, may need to be more specific and upfront about the additional powers and functions that can be provided under the option of ‘greater autonomy’.

If there was ample time, the referendum questions could have been tested to establish if people were able to understand the questions around the two areas highlighted above. Given the delays by the two governments in agreeing to the initial referendum question, this is not likely to happen as there are only seven months to the Referendum target date. In summary, given the response from many commentators on the likely confusion, there is an urgent need for the Joint Supervisory Body to provide some clarity on the option of “Greater Autonomy” for the voters to be clear about the expected outcome.

Awareness and Discussions on the Outcomes – The legal framework.

The Organic Law under Schedules 1.9 and 1.10 provides for the agency conducting the Referendum, in this case, the Bougainville Referendum Commission (BRC), to be responsible for “Promotion of the Referendum”. This includes awareness campaigns around referendum administration matters and being responsible for facilitating informed discussions about the referendum questions and outcomes.

Schedule 1.9 under (1) specifically states that; “The functions of the Agency include – (a) the promotion of informed debate on each side of the question or questions to be put at the referendum”. This implies that the BRC is legally obliged to promote informed debate, and in the process encourage in-depth discussions on the merits and de-merits of each of the options offered at the referendum.

Schedule 1.8 prohibits the Referendum Commission personnel from promoting any particular outcome. That is, any awareness campaigns conducted by the BRC would have to be non-biased. The BRC will need to be very careful in generating “informed debate on each side of the question” as required under Schedule 1.9, without being accused of being biased.



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However, Schedule 1.10 provides for the Registration by the BRC of interest groups whose members represent common interest in the Referendum. Such interest groups may generate informed debate on the referendum questions enabling the voters to be able to listen to different views on the possible outcomes and the implications of the different referendum questions being voted on. But understandably, these campaigns will push for a particular view rather than provide objective information. A risk is that the campaigners may want to limit the debate about the opposite view.

The BRC is yet to develop guidelines for requesting interest groups to apply as provided for by these guidelines and needs to urgently provide for such groups to register and undertake awareness campaigns within the limited time frame available.

Challenges for an Informed Electorate

The challenges to creating an informed electorate that is clear about the questions, the possible outcomes, how the outcome may be implemented and the short and long- term implications are many. It is noteworthy to mention a few so that we can appreciate the challenges and see how we may deal with them.

One issue that needs to be addressed is for the two governments to explain clearly to the people how the referendum results will be implemented. The two governments had agreed on establishing a Taskforce to plan for the implementation of the Referendum Outcomes but not much progress has been made since July when the decision was reached.

The main challenge seems to be the lack of time to prepare adequately for the referendum. The target date is 15th June 2019. This is some seven months away and there is a lot of preparations yet to be done to administer a credible referendum. There may not be enough time to register interest groups to facilitate informed discussion on the referendum questions.

Ideally, we will have a similar number of interest groups arguing for each of the options to generate sufficient information on the two options. At a minimum, there will be one group arguing for an option such that voters are informed of the merits and demerits of each of the options. We have to guard against a single option being advanced such that voters are left wondering of the merits of the other option.

At the present time, the question of “Independence for Bougainville” is an outcome that is being advanced by many Bougainvilleans, including the political leadership. It would be ideal for these discussions to take a step further and articulate why and how Independence would lead to a better outcome including lasting peace for the people of Bougainville.

Room must be created for someone to argue why ‘Greater Autonomy’ is a better option as a future political governance mechanism for the people of Bougainville. Only then, will a full debate between the two groups surface and the merits and demerits of both the options on offer can be given due consideration.

The voters would then be able to listen to the arguments and positions being put and be able to weigh the costs and benefit of each option. They can then make an informed choice at the poll.

There is the additional risk of political leaders not pointing out the challenges ahead of implementing any one of the outcomes.

If these issues are not clearly articulated and put to the people, the people may have different expectations for the referendum outcomes. Note that the credibility of the referendum will only be revealed after the Referendum, thus preparations for a credible outcome including peace is paramount.

It is therefore important that the political leadership is honest and transparent about the reality of the challenges ahead so that the people can vote with all the information in hand for their political future. They can then accept an outcome that the majority have agreed to delivered through a credible process.

Let me reiterate that my interest is in ensuring that we have a credible referendum, the results of which is respected by all and it leads to lasting peace for us all.

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.

Authorised for release by:
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