

FACT SHEET

Bougainville Referendum Outcome Issues

THE NATIONAL
RESEARCH INSTITUTE
PAPUA NEW GUINEA

MAIN ISSUE

This report commissioned by the Bougainville Referendum Research Project and written in 2018 was for the purposes of informing stakeholders preparing for the Referendum to be conducted in 2019 as mandated by the Bougainville Peace Agreement. The purpose of the report was to canvass all of the possible outcomes, and to spell out the implications. The report covers three main areas:

- i. Issues related to referendum administration and legitimacy of the results;
- ii. Political, economic and social scenarios following a vote for or against independence; and,
- iii. Coordination mechanisms for implementation of the referendum outcome.

THE REFERENDUM PROCESS, RESULTS AND LEGITIMACY OF OUTCOMES

The referendum process is a key part of the outworking of the Bougainville Peace Agreement (BPA). The referendum will mark the de facto end of the BPA's concept of current arrangements as temporary and require a significant constitutional response. In this sense, the holding of the referendum is as significant as its outcome.

In terms of referendum process, having a legitimate and clear process to implement the BPA referendum commitment is important to the legitimacy and management of the outcome.

Getting technical issues 'right' to ensure that the referendum is both free and fair and perceived as such, is important to the legitimacy of the outcome.

While a clear and decisive majority vote is preferable in referendums, as comparative examples demonstrate, if the vote has been transparently free and fair and the referendum properly conducted, even a narrow margin can attain sufficient legitimacy to be implemented. (See Chapter 2)

POSSIBLE POLITICAL, SOCIAL AND ECONOMIC FUTURES

The BPA produced a finely brokered compromise between secession of Bougainville and unity of PNG, which left the issue open for a determined period. The referendum forced this compromise to be revisited, with significant risk to stability and function of relationship within Bougainville, between the two governments, and even within PNG.

The process offered the electorate a binary choice between autonomy and independence. Following the vote, the referendum provisions in the two constitutions indicate that post-referendum consultation will be required, and ratification by the PNG Parliament. This introduces ambiguity with regards to the implementation of the referendum. Experience from similarly complex referendums indicates that lack of clarity about what is on offer to the electorate creates a high risk of mismanaged expectations between politicians and the electorate, which can damage all the political relationships involved

KEY POINTS

- The referendum is a key part of the outworking of the Bougainville Peace Agreement (BPA). The holding of the referendum is as significant as its outcome.
- The referendum provisions in the two constitutions indicate that post-referendum consultation will be required, and ratification by the PNG Parliament. This introduces ambiguity with regards to the implementation of the referendum.
- Following the referendum, the parties will need to be prepared to manage a political climate marked by ongoing uncertainty, a need for constitutional revision, and possible political fallout.
- A public stance of reconciliation of both governments post referendum can be very important to setting the reconciliation tone.
- Both post-referendum scenarios— independence or autonomy – carry a level of risk. It is important that any instability is anticipated by robust and proactive commitment to protect human rights and to reconciliation-as-dialogue.
- It is in the best interests of everyone in ARoB and PNG that the referendum principles and commitments embedded in the BPA are delivered.

and even lead to conflict.

Following the referendum, the parties will need to be prepared to manage a political climate marked by ongoing uncertainty, a need for constitutional revision, and unpredictable political fallout.

The referendum also provides a positive opportunity to develop the compromise and good relations established as a result of the BPA, if approached creatively and with effective risk management. (See Chapter 3)

POSSIBLE OUTCOMES AND MANAGING THOSE OUTCOMES

Given the timing then, the report advised that the Joint Supervisory Body (JSB) was an appropriate body to continue coordinating the referendum preparations with some recommendations for consideration.

The report also advised that international actors should step-up to employ early-warning analysis as they did in South Sudan/Sudan and take steps to provide support to the two governments in resolving any issues that seem set to destabilise the holding of the referendum or the implementation of its outcome.

The report highlighted the importance of extending the opportunities for civic engagement and deliberation over the outstanding elements of referendum design, and the engagement of key constituencies (such as the PNG parliamentarians).

A public stance of reconciliation of both governments post referendum can be very important to setting the reconciliation tone. (See Chapter 4)

HUMAN RIGHTS AND RECONCILIATION

Both post-referendum scenarios- independence or autonomy – carry a level of risk. It is important that any instability is anticipated by robust and proactive commitment to protect human rights and to reconciliation-as-dialogue. These efforts should be fully supported by the international community. (See Chapter 5)

FINAL THOUGHTS

The referendum is a milestone in a much longer peace process – something started well before the BPA and will continue after the referendum. The governments of ARoB and PNG deserve great credit for continuing to work constructively on the referendum process and beyond. It is in the best interests of everyone in ARoB and PNG that the referendum principles and commitments embedded in the BPA are delivered.

ABOUT THE RESEARCH

This fact sheet summarises the research paper produced by the PNG National Research Institute in 2018 to help understand and promote discussion in preparation for the Referendum that was to be held in 2019.

The full research paper is available [here](#).

References to the related sections of the research paper are included in this fact sheet.

ABOUT THE AUTHORS

Christine Bell is a recognised global expert in international and constitutional law and peace processes. She is currently Professor of Constitutional Law at the University of Edinburgh.

Robbie McVeigh is a sociologist and Senior Researcher with An Duchan, a research and consultancy partnership based in Edinburgh.

Follow this [BRRP page](#) link to PNG NRI website and see all the publications available.

inquire
inform
influence