

FACT SHEET

Status and Implementation of the Bougainville Peace Agreement and Implications for the Referendum



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MAIN ISSUE

This report commissioned by the Bougainville Referendum Research Project and released in early 2019 was for the purposes of informing stakeholders preparing for the Referendum to be conducted in mid-2019 as mandated by the Bougainville Peace Agreement (BPA). Using the three pillars of the BPA as the primary parameters, the report aimed to review the progress made in implementing the BPA (as of January 2019) and provide the ramifications of any shortfalls that may impact on the preparations for and the outcome of the referendum.

THE BOUGAINVILLE PEACE AGREEMENT

The Bougainville Peace Agreement (BPA) is a joint creation of the PNG National Government and Bougainville leaders that broke the stalemate in negotiations following the Bougainville Crisis. The agreement signed in 2001 upheld three central and interrelated pillars:

- i. autonomy arrangements for an Autonomous Bougainville Government;
- ii. a constitutionally guaranteed referendum on Bougainville's future political status; and,
- iii. a weapons disposal plan.

At the time of writing, there were both major achievements as well as significant shortfalls in the implementation of the BPA. Both of the above were considered in this report along with the possible implications of these gaps on administration, conduct and outcome of the referendum. (See Chapter 1)

AUTONOMY

Bougainville's autonomy arrangements are complex, wide reaching and different from the status of provincial governments in PNG. The provisions for Bougainville's autonomous status were intended to provide Bougainville with: a high degree of freedom to choose its own government structures; the potential to exercise wide powers and functions; the ability to establish its own public service, police, judiciary and correctional service; financial arrangements that partially guarantee grant funding while Bougainville seeks to move to fiscal self-reliance using a wide range of taxation measures; and a system for intergovernmental relations intended to promote cooperation and under which Bougainville will enjoy a high degree of autonomy from the National Government (Regan, 2002, p.120).

At the time of the writing of this report, it was evaluated that progress in the implementation of the autonomy arrangement was slow, incohesive and had suffered from poor coordination between the two governments. Thus, the status of the transfer of powers and functions from the National Government then was unclear. The report highlighted that this lack of clarity could have led voters to underestimating the number and/or type of powers and functions vested in the Autonomous Government, as well as the gradual process that will need to follow a vote in favour of a change to Bougainville's political status (Maclellan & Regan, 2018, p. 15).

Shortfalls identified in terms of the implementation of autonomy (at the time of writing) include slow draw-down of powers and coordination problem; capacity,

KEY POINTS

- Using the three pillars of the Bougainville Peace Agreement (BPA) as the primary parameters, the report aimed to review the progress made in implementing the BPA.
- The BPA signed in 2001 upheld three central pillars: autonomy, a referendum on the political status of Bougainville, and a weapons disposal plan.
- Bougainville's autonomy arrangements are complex, wide reaching and differ from the status of provincial government in PNG.
- It was assessed that progress in the implementation of the autonomy arrangement was slow, incohesive and had suffered coordination problems between the two governments.
- On weapons disposal, the ABG from 2012 began a gradual shift away from a focus on weapons disposal alone to a more holistic approach focused on community development and security.
- At the time of the writing of this report, preparations on the referendum were underway and a number of important milestones had been reached.
- One of the strengths of a delayed referendum is that it draws attention to the achievements and weaknesses in implementation of the autonomy arrangements and Weapons Disposal Plan contained in the BPA.

resourcing and service delivery concerns; and delayed payments and miscalculation of grants.

WEAPONS DISPOSAL

In 2005, the UNOMB determined that there was “significant compliance” on implementation of the BPA Weapons Disposal Plan. On paper, weapons disposal was technically complete. However, a UN evaluation of weapons disposal (UNDPA & UNDP, 2012, p. 27) found that between 2005–2012, the ABG made little progress, meaning “the number of weapons present in Bougainville today may be largely the same as it was in 2005”.

From 2012, the ABG began a gradual shift away from a focus on weapons disposal exclusively to a more holistic approach focused on community development and security. Since then, there have been a number of positive steps towards disarmament in Bougainville through dialogue among the Me’ekamui fighters, and between ex-combatants and the ABG. Women leaders and churches also continued to play an important role in promoting reconciliation in Bougainville.

In 2016, the ABG (2016d, p. 59) listed nine weapons disposal programmes as part of the Joint Bougainville Referendum work plan to occur between 2016 and 2018 with an unspecified budget. The Peace Process Consultative Committee Resolution on Weapons Disposal contained in the BPA (Part E) recognises that “that weapons disposal and reconciliation are both mutually reinforcing and necessary to lasting peace by peaceful means”. Reconciliation between past adversaries and ‘unification’ of former Bougainville factions remains a peacebuilding priority.

Some shortfalls in the implementation of weapons disposal identified include limited data to assess the threat posed by weapons; localised conflict, incomplete reconciliation and political uncertainty; and criminal activities.

REFERENDUM

At the time of the writing of this report, preparations on the referendum were underway and a number of important milestones had been reached, most notably, establishing the BRC; setting the criteria of eligibility for non-resident Bougainvilleans; and agreeing the referendum question. Yet there were a number of misunderstandings surrounding issues of good governance and weapons disposal. The findings of the report suggested that the key risks to the conduct of a credible referendum, insofar as the international community was concerned, were: the vote was viewed as not reflecting the free will of the people of Bougainville; the hasty transfer of powers in the lead-up to the referendum was undertaken without due regard to local human and financial capacities; and the presence of weapons and/or spoilers obstructing voting thus undermining the credibility of the referendum.

FINAL THOUGHTS

One of the strengths of a delayed referendum is that it draws attention to the achievements and weaknesses in implementation of the autonomy arrangements and Weapons Disposal Plan contained in the BPA. Rather than focusing on the identified shortfalls as negatives, however, they can also be seen as providing important insights into how the PNG National Government and the ABG can continue to strengthen peace in Bougainville, regardless of the referendum outcome.

ABOUT THE RESEARCH

This fact sheet summarises the research paper produced by the PNG National Research Institute in 2019 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.

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