



Terms of Reference

for

Issues paper on the Possible Scenarios for Future Governance Arrangements for Bougainville; “Independence” and “Greater Autonomy”

February 2019

Application Deadline:	22 nd March 2019
Consultancy Starting Date:	1 st April 2019
Expected Assignment Duration:	Two Months. (possible 3 rd month)

1. Background on Bougainville Peace Agreement and Implications.

1.1. The Bougainville Referendum

The people of Bougainville will vote in a Referendum before June 15th, 2020 to determine their political future. The Bougainville Peace Agreement (BPA) states that: “[t]he choices available in the referendum will include a separate independence for Bougainville” (BPA, paragraph 310). The choices that has been agreed to by the National Government and the Autonomous Bougainville Government to the voters are: (i) Greater Autonomy; and, (ii) Independence.

The impending referendum is an important milestone as part of a Peace Agreement reached in 2001 following a brutal decade-long Civil War that ended in 1999. The war caused massive destruction: an estimated ten thousand persons died as a result of the war; nearly all of the major infrastructure was damaged; and, social services were disrupted to the extent that half of the population of Bougainville were displaced.



The agreement for a referendum was reached following lengthy negotiations between the parties, and a timeframe was provided to allow the warring factions to reach consensus on the political future of Bougainville. It was agreed that the outcome of the referendum would be subject to being ratified by the National Parliament. It was also agreed that the referendum was to take place “no earlier than 10 years and ... no later than 15 years after the election of the first autonomous Bougainville Government” (BPA, paragraph 312(a) – first dot point). The first President of the Autonomous Bougainville Government was elected on 15 June 2005.

The PNG Constitution as amended under Part XIV (s. 276) provides for the establishment of the Bougainville Government and the administration of a referendum on the future political status of Bougainville (paragraphs 276 and 338). The question or questions to be put at the referendum: (a) “shall be agreed to by the National Government and the Bougainville Government; (b) shall be formulated to avoid a disputed or unclear result; and, (c) shall include a choice of separate independence for Bougainville” (s.339).

This particular research is motivated by the fact that there has been little debate and in-depth discussions around either of the aforementioned options; and, questions emerging from community conversations about what the future might entail.

The report is to be initially published by the PNG National Research Institute as an Issues Paper for consultation purposes and later as a Research Report following detailed peer review. The report will describe in detail the implications of ‘independence’ and ‘greater autonomy’ in terms of the governance and institutional arrangements and highlight both the opportunities and the challenges for Bougainville under each of these options.

1.2. The PNG NRI Bougainville Referendum Research Project.

The PNG National Research Institute as part of its work in researching and analysing strategic issues for national development considers the Referendum in Bougainville as a significant national event that will impact on the well-being of the people of PNG. The PNG NRI therefore independently plans to undertake a set of research projects that will generate information to inform discussions in preparation for the referendum.

The PNG NRI research project has to date undertaken research to inquire and inform stakeholders on three key central questions;

- What is a Referendum and why is it being held?
- How can the Referendum be effectively administered?
- What are possible outcomes and how can the outcome of the Referendum be effectively managed and implemented?

Whilst almost all of the planned commissioned studies have been complete, this work is being extended to fill information gaps that is beginning to emerge from discussions in the community.

Questions such as the following have emerged:

- Will Bougainville have another referendum if Independence does not work?
- Will students from Bougainville continue to attend PNG Universities and Colleges if Bougainville becomes Independent?



- How will Bougainville be different under Greater Autonomy compared to the existing autonomous government arrangement?

1.3. Background on Bougainville Peace Agreement and Implications.

The majority of the voters who will participate in the forthcoming referendum were either too young or not born during the pre-crisis period, meaning that they have limited information on the conditions prevailing before or during the crisis. Besides, the population of Bougainville has lived under an autonomous political arrangement for close to two decades but not under political independence. The questions about the difference between greater Autonomy and Independence to current arrangements is also something voters are finding difficult to comprehend.

This study will contribute to the knowledge base and discussions happening on the ground now by providing information specifically around the following areas;

1. Describe how a future Bougainville might look like under;
 - Greater Autonomy, focussing specifically on the following areas;
 - Legal and Political Governance Systems and Arrangements;
 - Economic and Fiscal Systems and Arrangements; and,
 - Administrative and Institutional Arrangements for provision of Government Goods and Services.
 - Independent State, focussing specifically on the following areas;
 - Legal and Political Governance Systems and Arrangements;
 - Economic and Fiscal Systems and Arrangements; and,
 - Administrative and Institutional Arrangements for provision of Government Goods and Services.
 - Respond to questions emerging from the public such as:
 - Will Bougainville have another referendum if Independence does not work?
 - Will students from Bougainville continue to attend PNG Universities and Colleges if Bougainville becomes Independent?
 - How will Bougainville be different under Greater Autonomy compared to the existing autonomous government arrangement?
2. What are the unique challenges and opportunities provided to Bougainville under both options?
3. What are some of the key challenges to implementing the outcomes of “Greater Autonomy”, or/and “Independence”, if one of this is agreed to as the future Governance option for Bougainville.
4. Any other information pertinent to the objective of the study.
5. The Use of Charts and Diagrams on explaining relations between different entities for better presentation of information would be encouraged. A table summarising the benefits and costs of ‘Greater Autonomy’ versus ‘Independence’, for example, could convey key messages of the paper in a succinct form.



The information from this study will be particularly useful in informing the voters, and the stakeholders involved in both the preparations and the negotiations for implementing the outcome of the referendum.

2. Assignment and methodology.

The study will be a desktop study. The details of the assignment and methodology will be discussed in greater detail between PNGNRI and the consultant/researcher once an expression of interest and outline of a report has been proposed.

The PNGNRI recognizes that there may be multiple and differing views on both the costs of benefits of Autonomy in contrast to Independence. Where such conflicts emerge, the PNGNRI will capture and include the multiple views for information of readers to permit them to draw their own conclusions.

3. Key Outputs

1. Key outputs from this study are:
 - a) A preliminary report released as an Issues Paper of around 20,000 words to be presented to the PNG National Research Institute.
 - b) The Researcher to be available for presentations of the report to relevant stakeholders at a seminar in Buka and another in Port Moresby.
 - c) The report can be expanded and released as a Research Report following external peer review.

4. Timeline

- 4.1. The duration of this consultancy is expected to be from **April 2019 to July 2019**.

<u>Task</u>	<u>Responsible Party</u>	<u>Date</u>
1. Award and Signing of Contract	NRI/Consultant	1 st April
2. Draft outline of report due and approved by NRI	Consultant/NRI	12 th April
3. First draft of report due at NRI from Consultant	Consultant	10 th May



4. NRI provides comments on first draft of Issues paper to Consultant	NRI	17th May
5. Release of Issues Paper. Seminar in Port Moresby and in Buka	Consultant	27 th -30 th May
6. Review of report due incorporating comments and feedback.	Consultant	21 st June
7. External Reviewer Report Due at NRI and sent to Consultant.	NRI / External reviewer	5 th July
7. Final report due from Consultant	Consultant	19 th July
8. Accept, Publish and Circulate to all Stakeholders	NRI	2 nd August

5. Additional remarks

All written outputs have to be submitted electronically.

6. Terms of payment

6.1. The consultancy fees will be paid in three separate payments to the Consultant as per the following payment plan, upon receipt of tax invoices:

- Payment 1 (20% of fees): after acceptance of the first draft outlining structure and plan for the report as satisfactory by NRI (milestone 2);
- Payment 2 (60% of fees): after Release of Issues Paper and Seminars in Buka and Port Moresby (milestone 5);
- Payment 3 (20% of fees): after final write up as Research Report, peer reviewed and released (milestone 8).

7. Selection criteria

7.1 The consultant is expected to have the following qualifications and experience:

- Postgraduate degree in a relevant field;
- Relevant experiences in government and political institutions.
- Previous research or work experience in PNG and especially on Bougainville would be desirable; and;
- Proven experience in post conflict peace building process would be a bonus.



8. Selection process

- 8.1. Interested applicants should send their CV, covering letter and financial proposal to

Thomas Webster, Port Moresby at Thomas.Webster@pngnri.org no later than 22nd March 2019
- 8.2. The covering letter should address the applicant's suitability for the consultancy, specific suggestions on the approach they would take to completing the consultancy, including challenges likely to be encountered and mechanisms for addressing these challenges.
- 8.3. The financial proposal should include both the consultancy fees (daily rate and estimated number of days required for the work), and the estimated research expenses. NRI will pay consultancy fees based on Australian DFAT Remuneration Guidelines, and can be paid in A\$. In addition, the following research related expenses will be covered by NRI: one trip to Port Moresby and to Buka on economy airfares, accommodation in Port Moresby and Buka, and where required, transport in Port Moresby. NRI will also pay the Contractor up to \$A80 per day (in PNG Kina at the prevailing exchange rate) as per diem (i.e. for meals and incidentals) whilst in PNG.
- 8.4. The NRI Research Procurement Process will be followed in determining the successful applicant for the consultancy. This includes screening at various levels of the internal research management process, with a decision made by the NRI Tenders Committee. The NRI Council has oversight over the process and decision-making.