



JOINT BOUGAINVILLE ASSEMBLIES

**BOUGAINVILLE INTERIM PROVINCIAL GOVERNMENT AND
BOUGAINVILLE PEOPLE'S CONGRESS**

IMPLEMENTING THE BOUGAINVILLE PEACE AGREEMENT

Briefing paper for Joint Assemblies Meeting Arawa, Friday 31st August 2001

Implementation of the *Bougainville Peace Agreement* will require much hard work. It is vital that the Bougainville leaders agree as soon as possible on what will be required and then begin to plan and undertake the necessary action.

Taking action to implement the *Agreement* will not only be important for ensuring the Agreement is given full effect. It will also be important symbolically. It will send signals to the people of Bougainville that changes are happening – that there really is a new beginning.

Among the most important and most urgent implementation steps will be the following:

1. Making amendments to the PNG *Constitution* on referendum and autonomy, and for Bougainville this will require a plan of action to encourage the MPs to support the amendments;
2. Implementing the Weapons Disposal Plan;
3. Encouraging continuing reconciliation among Bougainvilleans;
4. Making the Bougainville Constitution;
5. Preparing for elections for establishing the autonomous Government;
6. Preparing for the autonomous Government to take on the first new powers and functions under the autonomy arrangements;
7. Building the capacity of the Bougainville Administration to handle the expanded powers and functions available under autonomy.
8. Promoting public awareness in Bougainville of what is in the *Agreement* and also of the steps being taken to implement it.

1. Building Support for Amendments to the PNG Constitution

The most important step will be for the National Parliament to make the agreed amendments to the PNG *Constitution*. The amendments are essential if the *Agreement* is to have any effect – because it is constitutional amendments that will provide for both autonomy and the referendum.

Very high majority votes will be needed to make the constitutional amendments – at least two thirds of all the members. In the lead up to the National elections in the middle of 2002, it will not be easy to get enough members of Parliament attending meetings of the Parliament.

The Bougainville leaders may need to consider organising a campaign to help gather public support for the amendments, and to persuade members of the Parliament to vote in favour of the amendments.

If it is decided to develop such a campaign, careful thought, planning and organisation will be required.

Decision, and consequential action required:

2. Implementing Weapons Disposal

Another vital step to implement the *Agreement* will be the implementation of the Weapons Disposal Plan. This is important for many reasons. It will contribute to reducing the danger of renewed conflict. It should contribute to an improved law and order situation. And so on.

In addition, there are close links between the implementation of weapons disposal and the constitutional amendments. There are at least two major reasons why it is essential that the first two stage of weapons disposal proceed as soon as possible.

First, this will encourage Members of the Parliament to support the votes needed to pass the constitutional amendments, for there will be no secure containment of weapons until the amendments are passed.

Second, even after the constitutional amendments have been passed by the Parliament, they will not come into operation until the United Nations Observer

Mission has certified that weapons disposal has occurred in accordance with the Plan. This means that any delay in weapons disposal will also result in delays in establishing the autonomous Government.

It is therefore vital that urgent steps are taken to implement the weapons disposal plan.

This meeting will receive a briefing on the immediate steps required to begin implementation.

Leaders may then need to consider what action they can take to provide support and assistance for the weapons disposal plan.

Decision, and consequential action required:

3. Reconciliation

It is vital that the many efforts being made all over Bougainville to begin or to continue already established reconciliation processes should continue. This is necessary for strengthening the peace process – by reducing sources of local tensions.

In many areas progress in reconciliation is also going to be a key to making progress in weapons disposal.

Bougainville leaders need to consider how they can encourage and support reconciliation.

Decision, and consequential action required:

4. Making the Bougainville Constitution

Under the agreed autonomy arrangements, the structures of the autonomous Government will be set out in a new law – the Bougainville Constitution. So it will be necessary for that Constitution to be made before the autonomous Government can be established.

There will be three main steps in making the Bougainville Constitution. The first two steps are designed to make sure that the views of the people of Bougainville are taken into account in making the Constitution.

The first step will be for a representative Constitutional Commission to travel through Bougainville listening to the views of the people on what the Bougainville Constitution should say. The Commission will then prepare a draft of the Constitution.

The second step will be for a representative body called a “Constituent Assembly” to be set up to debate and amend and adopt the Constitution.

The third step will be for the National Government to endorse the Constitution. If the National Government is satisfied that the requirements for the Bougainville Constitution laid down in the national *Constitution* have been met, then it is required to endorse the Bougainville Constitution.

It may be important for action to be taken as soon as possible to establish the Constitutional Commission. This could be done by decision of the BIPG Executive (in consultation with BPC), or by a law passed by the BIPG (again after consulting BPC). For a decision or law to be made, thought must be given to the composition of the Commission, funding and administrative support for the Commission will be required, and so on.

Decision, and consequential action required:

5. Establishing the Autonomous Bougainville Government

When weapons disposal has been certified by the United Nations to be complete, and when the Bougainville Constitution has been adopted, it will be possible to establish the autonomous Government.

The first step will probably be to hold elections for the legislative body and perhaps for the head of the executive (if it is decided to have a ‘presidential’ election for head of the executive). To hold elections it will probably first be necessary to draw up new electorate boundaries, develop electoral rolls for the electorates and so on. As a result, a lot of funding and administrative resources will be required if elections are to be held on time and run smoothly.

Decision, and consequential action required:

6. Taking on New Powers and Functions

When the autonomous Bougainville Government is established, it will be able to begin to take over new powers and functions made available to Bougainville under the autonomy arrangements.

If the new Bougainville Government is to be able to manage such new powers and functions effectively, planning will need to be made well in advance of the setting up of the autonomous Government. It will need to begin as soon as possible.

The *Agreement* provides for the present Bougainville Interim Provincial Government to give advance notice to the National Government of powers that the autonomous Government should take over. There is also provision for implementation plans to be drawn up in advance if it the Bougainville leaders decide in advance that the autonomous Bougainville Government should want to move quickly to establish its own judiciary, public service or police.

Decisions are going to be needed quickly – in the next two to three months - if the autonomous Government is to be in a position to take on new powers and functions under the autonomy arrangements soon after it is established.

Decision, and consequential action required:

7. Building Capacity of the Bougainville Administration

If the autonomous Bougainville Government is to be effective in exercising the new powers and functions that will be available under autonomy, it is going to be essential that immediate steps are taken to begin building up the ability of the Bougainville Administration to handle both existing powers and functions and the new ones that will be available.

Thought will also be required concerning the structures of administration that will be needed if the autonomous Government is to be effective.

Decision, and consequential action required:

8. Building Community Awareness

If the *Peace Agreement* is to be well understood and supported by the people it is essential that there is a very good awareness programme that explains what is in the *Agreement* for the people in all areas.

The awareness programme needs to involve more than Radio Bogenvil and the PMG's *Nius Bilong Pis*. There is a need for public meetings and detailed explanations to be given in all areas.

Every leader –

- all BIPG and BPC members,
 - every COC and COE Chairman,
 - every BRA and BRF Komanda,
 - all leaders of Komuniti Grups and
 - all senior people in Women's Grups,
- should go home from Arawa and hold public meetings in as many places as possible to explain:

- What is in the *Agreement*; and
- What will be happening in the coming months to implement it.

In carrying out this awareness work, leaders should use the materials handed out this week in Arawa.

The Administration needs to help the leaders by preparing more awareness materials for use by leaders. In this way, a consistent message will be going to the people in all parts of Bougainville.

Decision, and consequential action required:

**Joint Bougainville Negotiating Team
31 August 2001**