

Short Summary

National Research Institute Papua New Guinea

Bougainville Referendum Outcome Issues

This is a short summary mainly referring to the data provided by the following report:

Title: Research Report: Bougainville Referendum Outcome Issues

Publisher: The National Research Institute Papua New Guinea

Authors: Christine Bell & Robbie McVeigh

Year: 2018

99 pages

Web:

<https://pngri.org/images/Publications/Bougainville-Referendum-Outcome-Issues-.pdf>

The research report “Bougainville referendum outcome issues” was launched by the National Research Institute of Papua New Guinea in December 2018 and is treating several issues associated with the Bougainville Referendum of 2019. This referendum will give Bougainvilleas the choice to decide whether the currently autonomous region of Bougainville will be given greater autonomy (a) or independence (b) from Papua New Guinea. The research project mainly addresses questions of political and legal backgrounds, most suitable administration and conduction as well as different outcomes of the referendum and their respective, most effective implementation. This seeks to provide sufficient information for all stakeholders in order to ensure a credible, respectful and peaceful outcome of the referendum.

This short summary does not provide a summary of all aspects treated in the original report, but will highlight some of the key triggers of conflict mentioned in the report.

This will help readers evaluate risks and underlying tensions of the conflict, as well as providing them with sufficient information about possible obstacles and upcoming tensions during the referendum as assessed by **The National Research Institute Papua New Guinea**.

Historical background of the region, its conflicts and previous peace processes

Ever since its colonization in 1899, the islands constituting Bougainville went through a series of imperial conflict and rivalries which formally ended with Papua New Guinea’s (PNG’s) independence from Australia in 1975. A first attempt to make Bougainville a fully independent republic in 1975 failed. Bougainville therefore constituted a dependent region within PNG but “maintained a degree of autonomy”. Tension, however, did not cease and in 1988, a conflict around the Panguna copper mine in Bougainville led to both inner conflict within Bougainville and an armed conflict with Papua New Guinea. This commonly as “crisis” referred to, civil-war-like conflict could only be formally ended in 2001 by the implementation of the Bougainville Peace Agreement (BPA) which both led to immediate “robust autonomy for Bougainville” (meaning the establishment of the Autonomous Region

of Bougainville and an Autonomous Government of Bougainville, within the nation state of PNG) and promised the conduction of a referendum for Bougainville within the next 15 years after the election of a government. This referendum would include independence from PNG as an option (NRIPNG 2018, 1f).

The BPA is to be seen as substantial for the development of relations both between Bougainville and PNG and within Bougainville. Not only did it alter the status of the region of Bougainville by leading to greater autonomy and the creation of both an autonomous government and a constitution of Bougainville, but has also already marked these changes as merely *temporary* by entailing the entrenchment of a right on a referendum in not only the regional constitution of Bougainville but also the national constitution of PNG. This referendum, as stated in the introduction, will either lead to full independence or greater autonomy, but either way to profound changes to the legal status of Bougainville and is therefore itself, with all its processes, regulations and implications, to be seen as possible conflict trigger since it will alter the current peace compromise (NRIPNG 2018, 23-26).

In light of its crucial role in going over from a temporary to a more permanent solution however, not conducting the referendum would lead to even greater conflict potential since the BPA was merely able to achieve a compromise in different, already existing conflicts, which could not be resolved since the induction of the BPA in 2001 (NRIPNG 2018, 71).

Possible conflict triggers during the referendum process

The following conflict triggers are considered to have highest relevance for readers among the larger group of all conflict triggers mentioned in the report.

This list can not aim at providing a complete enumeration of conflict triggers but will refer to those mentioned throughout the original report.

Questions of legitimacy of the referendum

A whole chapter is dedicated to all issues relating to possible questioning of the legitimacy of the referendum outcome. It is seen as crucial to ensure that the regulations leading up to the referendum are designed in a way which makes it unlikely that any outcome of the referendum is said to be democratically or juristically illegitimate. This would create a crisis within the region during which a part of the population is entirely opposed to the new state of affairs (NRIPNG 2018, 7-22).

In reference to the specific context of Bougainville, the following issues should be paid particular attention:

It is advised to hold the referendum according to the principles of a “simple majority vote”, meaning a simple majority of cast votes will win the referendum, without further thresholds (NRIPNG 2018, 22). The other option relevant to the context of Bougainville would be to install a so called “supermajority vote”, for example determining that a certain percentage of votes need to be cast for the respective outcome in order for it to win the referendum. However, this could trigger a greater crisis of legitimacy and therefore greater conflict potential than a small majority winning the referendum because an existing majority would be declined respectively overturned (NRIPNG 2018, 10f).

A further risk of conflict in relation to questions of legitimacy is a possible boycott of the referendum by certain groups. If a particular group actively opposed the referendum in general and decided not to cast their votes, this might lead to a questioning of the outcome as legitimate respectively democratic (NRIPNG 2018, 16).

The most important measure to prevent these possible crises of legitimacy is to ensure that the referendum is transparent, free and fair (NRIPNG 2018, 22). It is furthermore to be considered to provide substantial voter education by both governments and all other stakeholders. All public influencers should consider their particular capacities to provide education about the meaning of the referendum and its implications for Bougainville to ensure the highest legitimacy outcome possible (NRIPNG 2018, 21f, 48).

In this context, it is also relevant to mention that especially the empowerment of women is crucial to prevent or ease existing conflict, both in the already outlined issue of legitimacy and in light of the general need to ensure greater inclusion of Bougainvillean women in democratic processes (NRIPNG 2018, 20ff).

Another, even though hardly cited, question arises around the question of general legitimacy of the referendum itself. This question was brought up, apparently mainly via social media and an [internet article](#) by former government minister and Member of Parliament Daniel Tulapi. He claims that “The 1975 independence constitution of Papua New Does not authorize referendum and independence by any province or tribe in PNG”, the Bougainville referendum is therefore “unconstitutional” and should be prohibited by “Police and Military and people of Papua New Guinea” (Tulapi 2018).

Bougainville President Momsis has disputed these claims heavily, stating that “False and misleading statements” might cause people to miss that the constitution in [its current form](#) does not directly allow for independence, but for a referendum upon independence and has furthermore emerged out of joint negotiations between the governments of PNG and Bougainville (Autonomous Bougainville Government 2018).

The negotiations leading to the implementation of the BPA, which enshrined an obligatory referendum on independence in both constitutions, have been chaired by the United Nations Political Office in Bougainville (UNPOB) as well as the results welcomed by the Security Council of the United Nations (United Nations 2005).

The present report does not mention doubts about the constitutional legitimacy of the referendum itself in any of its sections (NRIPNG 2018).

Possibly emerging political conflicts

It is likely that the highest risk of political conflict would arise from strong disagreements between the two governments (Government of PNG, GoPNG, and Autonomous Bougainville Government, ABG) on the particular implications of either outcome of the referendum. Again, it is necessary to stress the importance of the BPA as merely temporary solution of a conflict existent not only on local, but also inter-governmental level. The underlying dispute about the legal status of Bougainville could not be solved, but will become a crucial conflict once again if the two governments propose different pathways after a specific outcome (NRIPNG 2018, 25). This situation partly emerges from ambiguous formulations in the BPA

due to the necessity of reaching a compromise (NRIPNG 2018, 45). Therefore, the two governments should engage in cooperation and discussion *before* the referendum in order to agree on what either outcome will mean in practice (NRIPNG 2018, 27).

The danger of opposing pathways applies particularly to the case of a pro independence vote which might both challenge PNG's status quo and could additionally lead to vast disagreement about the future constitutional status of Bougainville (NRIPNG 2018, 29-32). For these cases, it is also important for both governments to adopt clear positions before the referendum and for international publicity to clearly confess to the referendum outcome as strong impetus for political action (NRIPNG 2018, 32-35).

In the case of a vote for autonomy, conflict triggers might be constituted by secessionist groups still campaigning for independence which will have to be included both in public discourse and political design of further pathways for Bougainville (NRIPNG 2018, 26f).

Possible economic conflict triggers of outcomes

One of the central issues emerging during discussion of economic conflict triggers is the conflict about the Panguna copper mine. However, apart from stating that the Panguna mine lies at the "heart of the conflict" in Bougainville (NRIPNG 2018, 46), the report does not provide further information about the authors' reasons for this assessment. However, a report of the United Nations Development Programme (2014, 10) indicates that "unequal distribution of benefits and cost" and fear of environmental depletion, as well as internal disputes and power struggles, led to the blockade of the copper mine which then became a major trigger for the "crisis" of the 1990s. Skinner (2018) adds that different understandings of land both within Bougainville and between Bougainvillean and European concepts of land were even deeper lying roots of the mine's closure in 1989.

This conflict has not been solved ever since its emergence and neither has the mine been reopened since its closure. With either outcome, the main questions which remain will be when to reopen the mine and how to distribute the benefits – questions still highly contested but not less important since they seem to be closely linked to the very key questions of the conflict in the region (NRIPNG 2018, 38).

It is to be expected that the pressure to reopen the mine quickly will become higher in the case of a pro-independence vote since the pressure to achieve fiscal independence will rise accordingly (NRIPNG 2018, 39f).

Further possible social conflict triggers

Despite of the indisputable implications of all previously mentioned conflict triggers on social categories, there are further important possible conflict triggers, one of them the risk of political campaigns deepening already existing divisions. The risk of such a scenario is particularly high when campaigns rely heavily on the creation of "us" and "them" groups", therefore entailing strong and opposing identities. This will not help with the imperative task of reconciliation after the referendum but exacerbate that process intrinsically (NRIPNG, 43). The question of "citizenship and belonging" (NRIPNG 2018, 45) is furthermore to be seen as possible conflict trigger since in the case of independence, governments might have to deal

with social groups not identifying with the newly created entity. This might deepen divisions within an already highly diverse region (NRIPNG 44f).

Vincent Gewert is currently volunteering for the Institute for Mission and Research.

References:

Main source:

National Research Institute Papua New Guinea (2018): Bougainville Referendum Outcome Issues. URL: <https://pngnri.org/images/Publications/Bougainville-Referendum-Outcome-Issues-.pdf>

Further sources:

Autonomous Bougainville Government (2018): The Constitutional Requirements for the Bougainville Referendum. Accessed 6th of February.

URL: <http://www.abg.gov.pg/index.php/news/read/the-constitutional-requirements-for-the-bougainville-referendum>

Skinner, Laura (2018): Bougainville: Reopening Mine Risks Reopening Old Wounds. Accessed 30th of January 2019. URL:

<http://www.internationalaffairs.org.au/australianoutlook/bougainville-panguna-mine/>

Tulapi, Daniel (2018): PNG Constitution does not allow Independence for Bougainville. Accessed 6th of February 2019.

URL: <https://news.pngfacts.com/2018/06/png-constitution-does-not-allow.html>

United Nations (2005): IN PRESIDENTIAL STATEMENT, SECURITY COUNCIL WELCOMES ELECTIONS, INAUGURATION OF AUTONOMOUS BOUGAINVILLE GOVERNMENT. Accessed 06th of February 2019. URL: <https://www.un.org/press/en/2005/sc8411.doc.htm>

United Nations Development Programme (2014): Peace and Development Analysis. Findings & Emerging Priorities. Accessed 30th January 2019. Ready for download via:

http://www.pg.undp.org/content/papua_new_guinea/en/home/library/democratic-governance/peace-and-development-analysis.html