



JOINT SUPERVISORY BODY MEETING
SHARP MEMORIAL, ARAWA
5TH FEBRUARY, 2020

**RESOLUTIONS OF THE FIRST JSB PROPER AFTER THE
ANNOUNCEMENT OF THE OUTCOME OF THE
BOUGAINVILLE REFERENDUM**

OFFICIAL STATEMENTS BY PRIME MINISTER OF PAPUA
NEW GUINEA HON. JAMES MARAPE, MP AND PRESIDENT OF
AUTONOMOUS REGION OF BOUGAINVILLE HON. ISHMAEL
TOROAMA, MHR.

In appreciation of the continued peace between our Governments and our people as enabled by the Bougainville Peace Agreement, we, in our humility, praise and acknowledge that our Lord is above all and that this Resolution is commended to God for his wisdom and guide on us his servants.

We acknowledge that this is the first JSB co-chaired by the Honourable President of Bougainville Ishmael Toroama and on that note, we recognise that this is a new era of dialogue through peace by peaceful means.

We fully pledge support to each other to continue to maintain and strengthen our relationships at all levels of leadership.

Having met today at the Sharp Memorial Centre in Arawa, we note the recommendations of the Joint Technical Team meeting of February 5, 2021 and endorse the following resolutions;



Agenda 1: Joint Communiqué on the Outcome of the Bougainville Referendum

- a) The JSB notes the intentions of the Joint Communiqué to be the road map to the Inter-Government joint consultations and that the Joint Communiqué aims to create a mutual understanding and agreement on implementation of the Referendum outcome and defining next steps.
 - b) The JSB notes that the Joint Communiqué on the Outcome of the Bougainville Referendum was signed on January 11, 2021 at the Sir Manasupe Haus, Port Moresby by the Honourable Prime Minister James Marape, MP and the Honourable President Ishmael Toroama, MHR and witnessed by GoPNG and ABG Attorney Generals Hon. Pila Niningi and Hon. Ezekiel Masatt.
 - c) The JSB accepts and endorses the Joint Communiqué as the road map to consultations on the Outcome of the Bougainville Referendum.
- **Sharp Agreement on the Dispensation of the Constitutional Requirements relating to the Process of Transfer of Functions and Powers:**

In the context of the 97.7% vote for Independence by the people of Bougainville in the 2019 Bougainville Referendum;

- (I) The JSB notes the explanation of the ABG on the intent of the 'Sharp Agreement on the Dispensation on the Constitutional Requirements relating to the Transfer of Functions and Powers to fast track the process under Section 290 of the National Constitution.



- (II) The JSB notes that the ABG has provided to the GoPNG State Solicitors the document on the Sharp Agreement and notes that the GoPNG State Solicitors have yet to provide legal feedback on the document hence the JSB recommends that a timeframe of two weeks is accorded to provide legal clearance on behalf of the National Government.
- (III) The JSB accepts the *Sharp Agreement on the Dispensation of the Constitutional Requirements relating to the Process of Transfer of Functions and Powers* and directs that the legal clearance on behalf of the National Government is completed within the timeframe and that the 'Sharp Agreement' is signed no earlier than 19th February and no later than 26th February 2021, before the commencement of the Inter-Government Joint Consultations in 4th and 5th March, 2021.

Agenda 2: Bougainville Economic and Investment Summit

- a) The JSB acknowledges the JTT recommendations and endorses that Bougainville Economic and Investment Summit be held from 5th to 6th May, 2021 in Arawa, Central Bougainville.
- b) The JSB cautions that the venue be considered carefully as the JSB expects that the venue must be sufficient to cater for the large number of stakeholders to the Bougainville Economic and Investment Summit.

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Agenda 3: BCL Shares

- I. The JSB acknowledges the work in progress on the transfer of BCL shares to ABG's Bougainville Minerals Limited,
- II. The JSB endorses the work in progress brief on the transfer of BCL shares.
- III. The JSB emphasises that lead agencies responsible for this agenda timeframe the transfer of shares and report to the JSB the progress of this agenda.

Agenda 4: Fisheries

- a) The JSB notes the update provided by GoPNG on the signing of the NFA MOU and the presentation of the K5 million cheque and the handing over of the keys to the NFA Duplex in Buka, Bougainville.
- b) The JSB endorses that the K5 million for 2020 will be paid to ABG consolidated revenue and the K5 million for 2021 will be paid into the ABG Fisheries Revenue Trust Account.
- c) The JSB acknowledges the presentation of the K5 million cheque and the key to the NFA duplex and the signing of the NFA MOU.
- d) The JSB recommends that any further updates on this agenda be progressed outside of the JSB.



- e) The JSB notes the JTT recommendations;
 - I. On the option for ABG to consider Investment from the fisheries revenue,
 - II. for both governments to prioritise creation of investment in the fisheries sector to generate revenue,
 - III. and ABGs intention to develop a Tuna Cannery in Bougainville,

- f) The JSB endorses that ABG benefits from revenue generated from PNG waters associated with Bougainville waters and that the JSB instructs that any matters arising and relating to International borders and waters associated with PNG sovereign territories must be respected as the exclusive function and power of the Government of Papua New Guinea.

- g) The JSB directs that the Departments responsible for this agenda, report to the next JSB on progresses made on this matter.

Agenda 5: Taxation

- a) The JSB notes the progressive updates by the Internal Revenue Commission and the Bougainville Tax Office on this matter.

- b) The JSB endorses that the formula of the taxation structure of 70 percent to GoPNG and 30 percent to ABG be reversed to now accommodate for a new taxation structure of 30 percent to GoPNG and 70 percent to ABG and directs that the technical officials of both Governments further explore ways to effect this decision.

- c) The JSB directs that the technical officials from both Governments explore options on amending or waiving the benchmarks of fiscal-self-reliance prescribed under the Organic Law on Peace Building on Bougainville 2002 and the BPA.



- d) The JSB instructs that the Departments responsible on this matter, report to the next JSB the work in progress on these decisions.

Agenda 6: National Government SME funding

- I. The JSB notes that clarification provided by GoPNG on BSP and NDB dispatching the SME funding allocated to Bougainville by the Government of Papua New Guinea.
- II. The JSB direct that the BSP and NDB provide further clarity to the ABG for ease of access to SME funds.

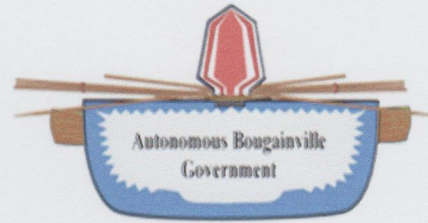
Agenda 7: Foreign Missions Office in Bougainville

- I. The JSB notes the Prime Minister's clarification on ABG's engagement with Development Partners.
- II. The JSB notes that as per his correspondence of 21 January 2021, the Prime Minister will direct the Foreign Affairs Department to establish an office purely responsible for Bougainville matters and facilitate development cooperation and trade arrangements for Bougainville with all development partners.
- III. The JSB directs that the Department of Foreign Affairs and International Trade facilitate the coordination of Bougainville's Development and Trade assistance.



Agenda 8: Financial Issues

- a. The JSB notes the clarification on the Prime Minister's commitment of K100 million per year for ten year (2020 to 2030) is outside of the 2001 BPA and that the funding is intended for special infrastructure development in Bougainville.
- b. The JSB notes and directs officials from both ABG and GoPNG to explore options for the ABG's proposal for a Sovereign Guarantee loan against the RDG Arrears of K621 million as per calculation of 2018 by the UN engaged expert.
- c. The JSB notes and approves the Prime Minister's commitment for a One Line Budget Item system for the ABG and directs officials of both governments to fast track work on this agenda.
- d. The JSB recommends the establishment of a joint technical working group comprising officials from the ABG and the National Government Departments with NCOBA, PM & NEC as the lead agency coordinating with the Departments of Finance, Treasury, Planning and Monitoring, Personnel Management and the Department of Justice and Attorney General, to manage and coordinate consultations and negotiations on the establishment of a one line budget item system for the ABG.
- e. The JSB directs the responsible officials of both governments to report progress of work in the next JSB.
- f. The JSB directs the PNG Electoral Commission to secure funds and pay the consolidated 2012 and 2017 National Elections outstanding debts to service providers in Bougainville.



Agenda 9: Next Steps on Joint Consultations Process.

1. The JSB acknowledges and accept that subsequent JSB discussions here-after, would focus on the joint inter-government consultations and ratification of the Outcome of the Bougainville Referendum and that the JSB would be the forum for dispute resolutions if there are any disputes arising from consultations;
2. In acknowledging point 1 of the next steps, the JSB endorses that the Joint Technical Team meet immediately to prepare agendas for the Inter-Government joint consultations proposed for 4th and 5th March, 2021, at Kokopo, East New Britain Province.
3. The Joint Supervisory Body officially requests the UNDP Peace Building Fund provide for Post Referendum support to the ABG Department of Post Referendum Consultation and Dialogue and the GoPNG National Coordination Office of Bougainville Affairs.
4. The JSB endorses three Joint Supervisory Body meetings to be held per year and that these meetings are scheduled in January, June and December of each calendar year.
5. The JSB agrees that its next meeting be held in Enga Province.

Meeting end.



Joint Statement:

Genuine in our intentions for sustained peace between us, we endorse that our official statements delivered at the opening and closing of this meeting and all records of discussions and notes in this meeting is an integral part of this meeting.

We conclude by reaffirming that ‘man can make decisions but God has the last say, with this affirmation, we leave all resolutions reached here today in the care of our God.

Signed this 5th day of February, 2021.

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Hon. James Marape, MP
Prime Minister
GoPNG

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Hon. Ishmael Toroama, MHR
President
ABG