



Record of Joint Technical Team Meeting Holiday Inn - Port Moresby

26 November 2020

The two Co-Chairs acknowledged and welcomed delegation from both sides of the Government. The GoPNG Co-Chair conveyed the Prime Minister's apology on the deferment of JSB due to the current political situation. Both co-chairs also acknowledged the challenges faced in 2020 due to COVID 19 which adversely impacted the implementation of March 2020 JSB resolutions and other ongoing BPA matters. The two co-chairs stressed the importance of JTT to better informing leaders on issues that are to be deliberated at JSB. The recently concluded Pre-JSB provided the basis for agendas for this meeting.

Agenda 1: Post referendum Inter Government Consultations Process Framework

This is work in progress by the Interim Joint Secretariat comprising of ABG Post Referendum Department and NCOBA in the implementation of the frameworks for joint consultations as per Resolution #2 of 12th March 2020 JSB.

- a) The JTT recommends to both governments to retain the constitutionally established name JSB with all its structures and functions.
- b) The JTT recommends to the two governments that Joint Consultation are maintained as part of JSB preparations.
- c) The JTT,
 - I. Recommends to JSB to proceed with recruitment of ABG and GoPNG officials to the Permanent Secretariat.
 - II. Recommends the intention of both governments to have all-inclusive participation on both sides.
 - III. Recommends that the composition of both teams may not necessarily mirror each other's structures and membership.
 - IV. Recommends that a TOR be developed for the structures and composition.

- d) The JTT acknowledged leaders' agreement of Bertie Ahern as the International Moderator. He is considered suitable because he understands the context of Bougainville in relation to the Referendum and the BPA. Given the COVID-19 Pandemic, the JTT further considered the option of Pacific Region or National as an alternate.
- e) The JTT;
- I. takes note of the definition provide by; the State Solicitor, Henao Lawyers and Christian Murray on ratification.
 - II. also takes note of the ABGs approach to define ratification based on the original intentions and of PNG and Bougainville context.
 - III. acknowledges that ratification is a very delicate matter and the National Government will further look at the Bougainville's proposal and provide a formal response at the next JTT.
 - IV. that further discussions on ratification and other related agreements including the treaty agenda introduced by ABG be put forward to the leaders' consultation.
- f) The JTT noted the proposed Joint Communique as a road-map to implementing the Post Referendum issues. This communique is intended to create a mutual understanding and agreement on implementation of the Referendum results and defining the next steps. It was resolved that the GoPNG Technical Team will look at it and provide a formal feedback at the next JTT.

Agenda 2: Bougainville Economic and Investment Summit

The JTT;

- I. acknowledges the proposal to conduct the Bougainville Economic and Investment Summit in November 2020 but deferred due to COVID 19 pandemic. This was primarily aimed to establish base line data from which economic development plan for Bougainville would be derived. To facilitate this summit, the ABG has allocated K1 million and counter funding from GoPNG is K3 million under the PNG Department of Commerce and Industry. It is anticipated that the summit will take place in the second quarter of 2021.
- II. acknowledges the progress made so far on this matter.

Agenda 3: BCL Shares

The JTT;

- I. acknowledges the work in progress on the transfer of BCL shares from Kumul Mineral Holdings to ABGs Bougainville Minerals Limited,
- II. resolves that the National Government complete the process of transfer.

Agenda 4: Fisheries

- a) The JTT noted that benefit sharing refers to implementation of section 325(g) of the National Constitution, where Bougainville is due to receive a share of revenues from fisheries from the PNG's EEZ. ABG offered an option that the former North Solomon Provincial Boundaries be used to determine Bougainville waters. The GoPNG technical officials will further deliberate on this option and provide response. NFA informed the JTT that by June 2021, Bougainville waters will be determined through the delimitation exercise. The K5 million for 2020 will be paid into ABG Fisheries Revenue Trust account this year.
- b) The JTT noted that the signing of the revised Fisheries MOU is ready and will be signed depending on the availability of the signatories. The revised MOU is focused on boosting capacity of the ABGs Fisheries in implementation of Bougainville Marine Resources Authority Act (2020).
- c) The JTT;
 - I. recommends the option for ABG to consider Investment from the fisheries revenue,
 - II. urged the two government to prioritise creation of investment in the fisheries sector to generate revenue,
 - III. endorses the ABGs intention to develop a Tuna Cannery in Bougainville

Agenda 5: Taxation

The JTT;

- I. noted that the two Governments reach a decision as per 2018 JSB resolution to access monies from the Trust Account within Bank of PNG,
- II. further tasked technical officials to continue tasks related to unlocking these funds so ABG can access these monies,
- III. noted issues raised by ABG related tax of K40 million which was paid to the IRC as a result of court ruling, but was not credited to the Bougainville Corporate Income Tax Trust Account. ABG also proposed amending laws including Customs that both prevent and share tax revenues so Bougainville can collect 100 percent,
- IV. resolved that National Government lawyers to have a look at this issue and explore way forward.

Agenda 6: National Government SME funding

The JTT;

- I. acknowledges ABGs request for clarity on the PM's commitment of K20 million SME funding made in Arawa in 2019 during the announcement of the Referendum Results,
- II. further directs the Department of Commerce and Trade in collaboration with NDB to provide the guide on how to access the SME funds.

Agenda 7: Foreign Missions Office in Bougainville

The JTT;

- I. acknowledges ABGs request on the clarity on the PM's commitment on the establishment of foreign Missions in Bougainville during the inauguration of the 4th ABG House,
- II. noted that the PMs Statement referred to Development Partners establishing Aid Offices while Foreign Affairs will deal with the long-term political settlement of Bougainville.

Agenda 8: Financial Issues

- a. The JTT noted ABGs request for the clarification of PM's commitment of K100 million in the September 2019 JSB. The GoPNG vowed to provide clarification in the next JTT meeting.
- b. The JTT noted the ABGs proposal for a Sovereign Guarantee loan against the RDG Arrears of K621 million as per calculation of 2018 by the UN engaged expert. The GoPNG committed to provide a feedback of the balance RDG arrears after consulting the 2018 JSB resolution.
- c. The JTT noted the PM's commitment for One Line Budget for ABG. In fact, this is intended for all PNG provinces and will commence as soon as the processes are in place.
- d. The JTT;
 - I. acknowledged the 2020 ABG General Elections Updates through which the 4th House has been established under the leadership of President Ishmael Toroama. The current ABG will continue to implement the Bougainville Peace Agreement especially the lasting political settlement,
 - II. noted the update by PNGEC on the Bougainville Regional seat By-Election which the issue of writs is due on the 3rd of December 2020 and returned on the 19th of February 2021,

- III. noted the outstanding amount of K5 million incurred from the 2012 & 2017 National Elections has potential to disturb the Regional Seat By-Election by the aggrieved service providers. The ABG has been subjected to threats related to this outstanding,
- IV. directed OBEC and PNGEC to consolidate all outstanding and secure funds to resolve this matter.

Next Meeting Date:

1. That the JTT affirms the PMs commitment to holding the Joint Supervisory Body meeting in two weeks' time or before the end of the year;
2. The two Acting Chief Secretaries will liaise with their respective leaders to finalize the date and venue of the next JSB to be held before the end of the year.

Co-signed as the true records of the resolutions reached at the Joint Technical Team Meeting on the 26th of November 2020.



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