



**OFFICE OF THE PRESIDENT
MINISTER RESPONSIBLE FOR MEDIA, COMMUNICATION AND INTER
GOVERNMENT AFFAIRS**

*Facsimile: 675 973 9408
Telephone: 675 973 9140
Email: johnmomis888.jm@gmail.com*

*P O Box 322
BUKA
Autonomous Region of
Bougainville Papua New Guinea*

**ADDRESS TO THE NATIONAL PARLIAMENT
BY THE PRESIDENT OF THE AUTONOMOUS
REGION OF BOUGAINVILLE
29TH AUGUST 2019**

Mr. Speaker,

I must first thank you for providing me with this opportunity to address this National Parliament. My thanks also to the Minister for Bougainville Affairs, Sir Puka Temu, and the Prime Minister, Hon. James Murape, for their roles in initiating the idea of my addressing the National Parliament, and the Prime Minister addressing the Bougainville legislature (which is expected to occur within the next two weeks). These two addresses are being made just three months before the holding of a referendum for Bougainvilleans on the future political status of Bougainville. The aim is to ensure that the members of both legislatures will hear about the main issues about key aspects of the referendum.

As some of the members here today will be aware, I was a member of this Parliament for most of the 33 years from 1972 to 2005. So I feel at home being present here with the current members of this House.

I must first briefly survey aspects of the complex history of Bougainville's relationship with PNG, and the origins of the conflict between Bougainville and PNG, and the peace process that began in 1997, and ended the conflict. I need to present such a survey because many members of this House will not be familiar with it. After all it is now more than 22 years (and four National Government elections) since the beginning of the peace process that ended the Bougainville conflict.

The requirement that there must be a referendum on Bougainville's political future, which must include independence for Bougainville, is contained in the Bougainville Peace Agreement. But in addition, that Agreement has been given effect by provisions of the PNG Constitution. I emphasise here that it is provisions of the

National Constitution that were inserted early in 2002 which require that the referendum be held.

You may ask why there is such a strong interest in independence on the part of so many Bougainvilleans. The origins of that interest go back at least as far as the early years after World War II, and probably began with resentment of the colonial administration's neglect of development of Bougainville. Then in the mid-1960s came the massive change brought to Bougainville by the copper and gold mine which began operating in 1972, by BCL. There was widespread resentment of the imposition of the huge mine by the colonial regime, in partnership with BCL's parent company, the mining company Conzinc Riotinto Australia. In particular there was resentments of the very low levels of land rents and compensation that were going to be paid to local landowners. It was no coincidence that in 1969 Bougainvillean students at UPNG called for a referendum on Bougainville's independence, and that a Bougainvillean member of the colonial legislature (the House of Assembly) moved a motion in the House in 1971 calling for such a referendum.

During the mid-1970s, the demand for Bougainville's independence became stronger as PNG as a whole headed for independence for the country. The educated leadership amongst Bougainvilleans became spokesmen for independence when the mine began operating in 1972, with very little of the mine's revenue flowing to Bougainville. Disagreements on the share of mining revenue came to a head in talks between Bougainville leaders and the National Government mid-1975, and were probably the most important issues behind Bougainville's initial unilateral declaration of independence made on 1st September 1975.

There was another important reason for the support for independence. It concerned the role of decentralisation in the independence Constitution. I was the deputy chairman of the House of Assembly's Constitutional Planning Committee (the CPC), and had played a role in developing the CPC's decentralisation proposals. Those proposals were to a significant degree intended to be a response to Bougainvillean demands for independence. If Bougainville had a constitutional right to a strong and autonomous provincial government, it would then be free to make its own decisions about managing development in Bougainville, and would not need to consider independence. But in July 1975, in the course of debate about the then draft Constitution in the colonial legislature, the National Government deleted the decentralisation provisions from the then draft Constitution. The deletion of these constitutional provisions contributed to a widespread view that Bougainville would be better off as an independent country. I was then one of four Bougainvillean members of the House of Assembly (which on independence became the National Parliament). I resigned from the Parliament in mid-1975 in support of the position of the Bougainville leadership, and later in 1975 I was one of two Bougainvilleans whom the leadership sent to the United Nations in New York in what turned out to be an unsuccessful effort to gain support for Bougainville's demands for independence.

When it became clear that there was no international community support for Bougainville's independence, the Bougainville leadership negotiated with the PNG National Government. By July 1976, agreement was reached on putting the

decentralisation provisions back into the Constitution, leading to early recognition of the North Solomons Provincial Government. The issue about Bougainville's share of mining revenue was resolved by agreement that mining royalties previously received by the National Government would in future be paid to the North Solomons Provincial Government

Initially, Bougainvilleans had high expectations of the provincial government system. The North Solomons Provincial Government became the best-run provincial government in PNG. But as time went on, it became clear that the Provincial Government did not have the powers to deal with many aspects of the situation in Bougainville. In particular, it could not deal with land, mining, or freedom of movement of people from other parts of PNG into Bougainville. Further, members of a new generation of people from the mine lease areas and nearby parts of Bougainville were increasingly concerned about the very small share of mine revenue received by landowners. A loose coalition of Bougainvillean interest groups developed from the mid-1980s. It included:

- younger generation mine lease landowners;
- the Arawa Mungkas association;
- pressure groups in Bana and Siwai;
- the Damien Dameng-led indigenous political and religious movement called Me'ekamui Pontoku Onoring.

Francis Ona emerged as the spokesman for this coalition, which by 1987 to 1988 was trying to get the National Government and BCL to listen to their concerns. In November 1988 members of the Bana Pressure Group used explosives to destroy powerlines which carried power for the mine from the power station on the east coast. This action was intended to get the National Government and BCL to take up negotiations with the disgruntled Bougainvilleans. But the National Government and BCL regarded the issue as a law and order problem, and the Police mobile squads were brought in. The mobile squads unleashed indiscriminate violence on people from the mine lease areas. This violence ensured strong support developed for Ona and those who were with him. Independence became one of the main demands of the Bougainville Revolutionary Army (or BRA) which was established in mid-1989, headed by Francis Ona. Then the almost nine years of conflict followed.

No one knows how many lives were lost during the conflict. They included at least several hundred killed in armed conflict, many extra-judicial killings, and many who died because of lack of medicines and services because of an air and sea blockade of Bougainville that operated between 1990 and 1994. These deaths fuelled support for secession from PNG amongst many Bougainvilleans.

However, at the same time, the conflict was complicated. Opposition to PNG was not uniform. Numerous Bougainvilleans opposed the BRA and supported PNG. Armed groups fought on the side of PNG. They were called the Bougainville Resistance Forces (or BRF). When the peace process began in mid-1997, much of the initial effort was directed towards dealing with these differences amongst Bougainvilleans.

The Peace Process has been remarkably successful. It is now recognised around the world as one of the best processes in the last 25 years. The Peace Agreement was a joint process between Bougainvilleans and the National Government. The role of the National Government was very positive. Key roles were played by a succession of Ministers for Bougainville Affairs, including Sir Moi Avei and Sir Peter Barter. Together the two sides created something new, and something that has created wide interest amongst people that study conflict and peace processes. Contributions did not come from the minister for Bougainville Affairs. The whole of Parliament played a vital role when it came to passing both the amendments to the Constitution and the Organic Law on Peacebuilding in Bougainville that gave effect to the Peace Agreement

The peace process began in July 1997, with a meeting in New Zealand of leaders of the opposing Bougainvillean factions. Then in October 1997 the Bougainville leaders met with PNG leaders, again in New Zealand. They agreed on a truce, and on establishing an unarmed regional Truce Monitoring Group, led by New Zealand. Then in January 1998, again in New Zealand, the leaders agreed on a ceasefire, and on inviting the United Nations to provide an observer mission.

When the ceasefire came into operation in April 1998, the regional truce monitoring group became the unarmed Australian-led Peace Monitoring Group. In these early stages of the peace process, a lot of attention was given to the tensions amongst previously opposed Bougainville groups – especially the BRA and the BRP. Only when Bougainvillean leaders were able to work together was it possible to work towards a political settlement to the conflict, with the previously opposed Bougainville leaders negotiating as a combined group.

There were, however, some Bougainvillean groups that refused to join the peace process. The former BRA leader, Francis Ona, and some elements of the BRA claimed that Bougainville was already independent under a Unilateral Declaration of Independence made by Ona in May 1990, and never joined the peace process. However, those supporting Ona were a small proportion of the BRA, and as a result it was not possible for them to challenge the peace process with violence.

Eventually, peace talks directed to achieving a political agreement to permanently end the conflict began in June 1999. The negotiations continued for more than two years, until August 2001. The Bougainville Peace Agreement has three main pillars. They are first, autonomy for Bougainville, second, weapons disposal by Bougainville factions and withdrawal of PNG forces from Bougainville, and third, a referendum on independence for Bougainville.

The Peace Monitoring Group remained in Bougainville until mid-2003. Amongst its many important contributions for the peace process, the Peace Monitoring Group played a major role in the early stages of the weapons disposal process. Weapons disposal was the first part of the Peace Agreement to be implemented, because it was recognised that if weapons remained in Bougainville, it would not be possible to hold free and fair elections for the proposed Autonomous Bougainville Government. The UN observer mission remained in Bougainville until June 2005, and also played a significant role in the weapons disposal process.

The provisions on autonomy were the second part of the Peace Agreement to be established. Work on this began in 2002, with the establishing of a Bougainville Constitutional Commission that consulted widely amongst Bougainvilleans to develop a draft Constitution for the Autonomous Bougainville Government (or ABG). The Commission took almost two years to prepare a Constitution, which was adopted by the combined Bougainville leadership in November 2004. Elections for the ABG were held in mid-2005, with the ABG being established in June 2005.

Each of the three pillars to the Agreement plays a significant role in reconciliation between the National Government and Bougainville.

- The Agreement itself highlights the fact that the autonomy arrangements and other aspects of the Agreement are intended to assist in building a new relationship between Bougainville and the nation as a whole;
- The ABG and other arrangement for Bougainville Government are intended to end institutional divisions and encourage cooperation among Bougainvilleans;
- The weapons disposal plan is intended to remove a major factor contributing to conflict within Bougainville and between Papua New Guinea and Bougainville.

The Agreement also states that the actual signing of the Agreement is intended to be a symbol of progress in reconciliation

The referendum on independence for Bougainville is the third pillar of the Peace Agreement. It is being held, in accordance with the Agreement, from late November to early December. The Agreement requires that the referendum be held no earlier than ten years after the ABG was established, and no more than fifteen years after it was established.

The provisions for autonomy and referendum are not only contained in the Peace Agreement. More importantly, they are provided for in the PNG Constitution, in a new part inserted into it by amendments made in March 2002. I repeat that the referendum arrangements are provided for by the Constitution, So implementing the referendum involves implementing the PNG Constitution. Refusal to hold the referendum would have resulted in a breach of the Constitution.

The provisions of the Constitution state that the referendum must be held, but do not provide for the referendum outcome to be binding. However, neither PNG nor Bougainville can just ignore the outcome of the referendum. This is because the Constitution requires that after the referendum the two governments must consult on the outcome, and subject to that consultation, the outcome of the consultation must be forwarded to the Parliament. The Peace Agreement is clear that the Parliament has the final decision-making authority in relation to the referendum outcomes.

It may not be widely realised that the two governments have been consulting about the arrangements for the referendum for more than three years. This consultation has been necessary because the Peace Agreement and the Constitution do not provide for all aspects of the referendum arrangements – some important matters were left to be agreed between the governments closer to the holding of the referendum. A few key aspects of the arrangements were left till later, and have

been the subject of recent agreement between the two governments. These matters include:

- The body to conduct the referendum, where the decision was to establish an independent Bougainville Referendum Commission (or BRC);
- The chair of the BRC, in respect of which the decision was made to appoint an independent person of international standing, namely the former Prime Minister of the Republic of Ireland, Hon. Bertie Ahern;
- The criteria for non-resident Bougainvilleans to enrol to vote;
- The question to be asked in the referendum, where the decision of the two governments was to ask voters to choose between independence and greater autonomy;
- The date of the referendum, where the most recent decision of the two governments is for voting to be held from late November to early December.

The two governments have consulted on each of these matters because the Constitution required that to occur. I need to commend the previous Prime Minister, Mr. Peter O'Neill, and his minister for Bougainville Affairs, William Samb for the progress made in reaching agreement with Bougainville on all of those matters.

With the arrangements for the referendum in place, and the Bougainville Referendum Commission working hard to prepare for the referendum, the key thing left to the two governments is to consult on how the situation after the referendum will be handled. For a start, there is little faith amongst Bougainvilleans about the current autonomy arrangements. In large part this is because of the National Government's treatment of Bougainville in the 14 years since the Autonomous Bougainville Government was established.

The most significant issue here is the Restoration and Development Grant, which is one of the two main grants payable annually to the ABG by the National Government. In most years since the ABG was established, the National Government has paid the ABG a fraction of what the Constitutional Laws say the ABG should receive. Then for this year – 2019 – there is no provision in the National Budget for payment of the restoration and development grant. Without the proper payment of this grant, the ABG can do very little to improve services and provide infrastructure in Bougainville. The problems with this grant have contributed to a growing sense of frustration amongst Bougainvilleans with the autonomy arrangements.

The reason why Bougainvilleans agreed to the autonomy arrangements in the Peace Agreement was that they wanted their own government, one that would be empowered to solve the problems of Bougainville, and manage our own affairs, and work to realise their aspirations. This is stated in paragraph 4(b) of the Peace Agreement.

But without the funding agreed to in the Peace Agreement and the Constitutional Laws give effect to it, we cannot manage our own affairs. This is a source of great frustration to Bougainvilleans.

It is still not too late for the National Government to pay the 2019 Restoration and Development Grant. To do so would significantly reduce the frustrations of Bougainvilleans with the grant, and perhaps open their minds more to the possibility of remaining a part of PNG.

As I have already noted, the provisions on the referendum leave the outcome to be negotiated between the two governments, with the National Parliament having the final say on what happens. This means some time will be needed after the referendum to negotiate and decide what happens next.

The objective of the National Government should be to win the hearts and minds of Bougainvilleans. We need agreement on a common framework that convinces the people. The essence of what our people wants is still empowerment of a Bougainville government that can truly manage their own affairs. It is a matter for the National Government to work hard to convince Bougainvilleans that greater autonomy can empower a Bougainville Government in the way that satisfies our people.

The outcome of the referendum must be negotiated. This means that there will need to be a process that provides for give and take on both sides. For many Bougainvilleans it has been a shock to find that the Peace Agreement does not provide for the vote in the referendum to be binding. But that is what was negotiated in the Peace Agreement. There is a need for consultation between the governments following the referendum. The people will need to be prepared for a negotiated outcome.

I believe that if we are engaged in a process and acting in good faith, then the outcome can be something that is acceptable to all. But if we enter the process with negativity it will not be possible to reach an acceptable outcome.

The Peace Agreement envisages a joint approach by the two governments. Whatever the outcome it must be both peaceful, and mutually acceptable. A good process will lead to a good outcome, whether that involves independence or greater autonomy. We can negotiate about the outcome, but maintaining peace is non-negotiable.

Both governments must be prepared to negotiate in good faith whatever the outcome. They must be ready to negotiate hard, with the aim of getting an outcome that is acceptable to both sides.

Mr. Speaker:

The aim of any referendum is to determine what the people think about important issues. So the key thing that must be taken into account in the consultation after the referendum will be the numbers of people that vote for each option – independence and greater autonomy. If there is an overwhelming number voting for one option or the other, that fact will have to be taken into account by the National Government as it determines its position for the consultation on the outcome. The National Government cannot just ignore the results of the referendum. It must take account of the wishes of the people as it engages with the ABG about the outcome.

I think that the focus of our discussions after the referendum should be to negotiate the nature of the new relationship between Bougainville and PNG. Simply put, the options available in the referendum are choices between different kinds or levels of relationships between the two governments.

Just as we did when negotiating the Peace Agreement, the National Government and Bougainville now will have the rare privilege of developing something new. Whether the agreed outcome is independence or greater autonomy, it will be significantly different to the current arrangements for governance in Bougainville. Because of the history of the two sides creating something new, we should not be afraid. Together we can confidently explore the new relationship.

Mr. Speaker:

I should mention that there is no provision for facilitation of the negotiations that will follow the referendum. Although that is the case, there may be a useful role for a facilitator. Sometimes a respected person who is independent of the parties, but respected by them, can help the parties reach an agreement. In this case, it can be expected that the negotiations will be difficult, and a facilitator may play a useful role.

Mr. Speaker:

I must also mention here that weapons disposal remains an important issue in discussion of the referendum. This is not because the Peace Agreement makes weapons disposal a pre-condition for the holding of the referendum – for there is no such pre-condition. The Peace Agreement and the PNG Constitution say that whether the original weapons disposal plan in that Agreement has been completed is a matter to be taken into account by the two governments when they are setting the date of the referendum. But the UN supervised weapons disposal process from 2001 to 2005 was declared complete by the UN even though it was well known that there were weapons outside the process.

Notably, these weapons include those held by the former BRA elements that supported Francis Ona when the Peace Process began. They are known as the Me'ekamui Defence Force (or MDF). There has been a major focus by the ABG to get the remaining weapons contained well in advance of the referendum. We have had good progress in negotiations between the former BRA and BRF, on the one hand, and the MDF on the other hand. The result has been verification of weapons held by the MDF personnel, with the total so far being 162 factory-made weapons and 99 home made weapons. The MDF and the former BRA and BRF recently signed an agreement to dispose of all of these weapons by 1st September, after which any weapon held by any person without a licence under the PNG Firearms Act will be treated as a law and order issue.

The reason why the MDF are ready to dispose of their weapons is that they have been convinced that the referendum is going to be held, and that the continued presence of weapons could result in the referendum not being declared free and fair by observers of the referendum.

Mr. Speaker:

While the Bougainville Peace Agreement is held in high regard by students and practitioners of peace processes around the world, the process will not be complete until the negotiations about the referendum outcome have been completed and implemented. Both governments must be ready to continue their cooperation, and work to avoid any renewal of conflict. The two governments need to work together. They have the privilege of together attempting to develop something new, that will contribute to continued peace. Just as the Peace Agreement was a remarkably successful set of arrangements, we now have the opportunity to again develop something new, something extraordinary.

Once again, Mr. Speaker, I thank you for the honour and the opportunity to address this Parliament today.

A handwritten signature in black ink, appearing to read 'J Momis', written in a cursive style.

Honourable Chief Dr John Momis, GCL, MHR

President

Autonomous Bougainville Government