



Official Joint Statement on the Conclusions and Records of the Joint Supervisory Body by Co-Chairs Hon. Peter O'Neill, CMG, MP Prime Minister of Papua New Guinea and Hon. Dr. John Momis, GCL, MHR, President of the Autonomous Region Of Bougainville.

Having met at the Sir Manasupe Haus in Port Moresby on 15th December, 2017, the Joint Supervisory Body hereby endorses the following as the true records and resolutions of the meeting;

Welcome Remarks

The two Co-chairs Hon. Peter O'Neil, CMG MP Prime Minister of Papua New Guinea and Hon Chief Dr John Momis President of the Autonomous Bougainville Government welcomed the members of the JSB, other political leaders and officials to the JSB meeting. The co-chairs emphasized the importance of working together in the spirit of partnership and collaboration to jointly implement the Bougainville Peace Agreement (BPA) which is a joint creation. They both stressed that as the days to the jointly agreed target date of the conduct of the referendum both governments have the responsibility to implement the Joint agreements of the 20th May on the 11 Activity Work plan and also resolve outstanding issues that may put relationships between the two governments under pressure.

The two co-chairs congratulated the Joint Technical Teams for successfully concluding the JTT meeting that agreed on the agenda and recommended the JSB resolutions. The JSB discussed the agenda and resolved the issues as follows;

THE JOINT JSB RESOLUTIONS

1. REFERENDUM – BOUGAINVILLE REFERENDUM COMMISSION (BRC) MATTERS

1.1 Update on BRC Transition Committee & Matters arising from 1st meeting

The JSB endorsed the report of the BRC Transitional Committee Meeting dated 5th December 2017. The key issues identified in the meeting included; appointment of the BRC Chair and Membership from ABG and National Government, funding from both Government and UN support package.

1.2 Appointment of Chair to BRC

The JSB agreed;

- i) On the ABGs proposed candidate – Ms. Helen Clarke but firstly confirming her interest and availability. Another candidate was suggested offered by the European Union. Former Ireland Prime Minister who was closely involved in the Ireland referendum.
- ii) That the Prime Minister and the ABG President will further consult over the candidates and make a decision before the BRC Transitional Committee Meeting scheduled on the 9th February 2018.

1.3 Endorsement of the BRC Members

The JSB;

- i) endorsed the ABG appointed BRC Members and acknowledged that the appointment of the PNG representation will be formalised by the National Government officials before 9th February 2018.
- ii) noted that the full BRC should meet as soon as practicable after the Chair and the other appointees have been appointed.

1.4 Funding from ABG & National Government

- i) The JSB agreed that a Trust Account for the BRC is established as soon as practicable. The Electoral Commissioners for PNG and ABG are signatories to the account. Funding allocated in 2017 budget and in the subsequent years for the referendum preparation will be managed from Trust account in accordance with the BRC Charter

- ii) The JSB directed that the BRC develops a detailed budget for the conduct of the referendum no later than the next meeting of the BRC Transitional Committee scheduled for 9th February 2018.

1.5 Approval of UN Referendum Support Package

The JSB endorsed the initiative by the joint technical officials in progressing the consultations with the UN to explore on processes for securing a new package for operationalize the effective functioning of the BRC.

2 UNRESOLVED REFERENDUM ISSUES

2.1 Question or Questions to be put

The JSB noted the work in progress especially by the ABG on the Referendum question(s) and especially on the Bougainville aspiration to have a simple yes or no question to the question of separate independence for Bougainville. The JSB directed the technical officials to progress the work on the Referendum Questions within the agreed principles of the Bougainville Peace Agreement that the question is simple and clear, that respects national unity for Papua New Guinea and resolves the Bougainville's question once and for all and for the two governments to reach a negotiated outcome as final political settlement. To ensure that the conduct and outcome of the referendum is peaceful and sustainable, there has to be a nationwide awareness so people understand the intention of the autonomous arrangements.

2.2 Criteria for enrolling non-resident Bougainvillians to vote in the Referendum

The JSB noted and acknowledge that there is need for development of a process to enable non-resident Bougainvillians to enrol and vote in referendum. The joint technical officials are directed to work on the following activities;

- i) consult representatives of communities of non-resident Bougainvillians in all provinces
- ii) consult with PNGEC, OBEC and any other partners on matters related to enrolment and voting by non-resident Bougainvillians;
- iii) consult on and finalise the detailed criteria for determining the links and final agreement reached between the National Government Minister for Bougainville Affairs and the ABG Minister for Peace Agreement Implementation.

2.3 Post Referendum Transition, Peace Building & Political Settlement

The JSB endorsed that the joint technical officials develop a strategy for the post-referendum transition period directed towards:

- i) Ensuring peaceful acceptance of the referendum results;
- ii) Timely consultation between the governments about the results of the referendum;
- iii) Timely ratification of the referendum results;
- iv) Developing an agreed basis for the ongoing relationship between Bougainville and PNG.

2.4 Joint Invitation to International Observers

The JSB endorsed that the two governments continue to invite international community to observe the conduct of every phase of the Referendum process. The key stages include; process for enrolment of voters, the actual referendum vote and counting of referendum ballot.

3 WEAPONS DISPOSAL

3.1 Endorsement of Jointly Agreed Weapons Disposal Plan

The JSB;

- i) endorsed the Revised Four Phase Weapons Disposal Plan to be jointly implemented by the National Government and ABG. At the officials level, there is a work in progress of a work plan with budgetary support of K12million to be provided by the national government over a period of three years (2018-2020). Presence of National Government officials is encouraged in implementing the plan.
- ii) agreed to seek technical and financial support to execute this task including removal of WWII Remnants. Countries with WWII remnants on Bougainville are invited to contribute.
- iii) agreed that both governments ensure funding is made available to conduct awareness on the implementation of the PNG firearms Act in Bougainville.

4 AUTONOMY IMPLEMENTATION

4.1 The Second Joint Autonomy Review

The JSB;

- 4.1 endorse the Terms of Reference for the second autonomy review.

- 4.2 agreed that the ABG proposed list of experts be reviewed, and include the names of local Papua New Guineans to be part of the panel to conduct the second autonomy review, and that those engaged in the first review should not be considered;
- 4.3 agreed that both governments make funding available to outsource the panel of experts.

4.2 Update on the Overarching MOU

The JSB noted the update on work in progress in the implementation of the Overarching MoU signed on the 20th of March 2017. There is a need to develop a clear action plans with deliverable timeframes with the assistance of technical advisors. There is also a need for sustainable funding and commitment by agencies and notice for draw down of powers and functions for effective implementation of this MOU.

4.3 Drawdown of Fisheries Powers & Functions

The JSB acknowledged that National Fisheries Authority officials continue to defy decisions by the ABG- PNG political leaders in reference to the 2014 JSB resolution #9. JSB affirm the direction to NFA as follows:

- i) NFA to pay K5 million into Bougainville Consolidated Revenue Fund by January by 2018 and also facilitate back-date payments for 2014, 2015, 2016 and 2017.
- ii) NFA to provide financial and catch data in waters associated with Bougainville as per 2014 JSB Resolution # 9 (ii) (c);
- iii) inclusion of ABG representation in the GoPNG bodies responsible for determining total allowable catches;
- iv) technical officers from; DJAG, NFA, NCOBA and ABG to commence work on mapping out areas that constitutes 'Bougainville waters'. The work streams was to include developing a formula for revenue sharing from fish caught in the waters associated with Bougainville.
- v) NFA to provide update to the two Chief Secretaries on the progress of implementing these resolutions no later than 31 March 2018. Failure by NFA to implement these resolutions will result in both Governments progressing the matter through the BPA dispute resolution mechanism.

4.4 Restoration and Development Grant (RDG)

The JSB acknowledges that;

- i) The two governments differ in their application of the formula on Restoration and Development grant
- ii) That the funds have not been transferred in a timely manner,
- iii) These differences have brought tensions to relationships and partnership of the two governments posing a threat to joint working relationships to implement the BPA,

The JSB agrees that;

- i) This dispute must be resolved through a political compromise that is based on goodwill and understanding to protect relationships between the two governments as the target date of the referendum draws near,
- ii) Once this difference is resolved that two governments must work a fresh arrangements going forward,
- iii) Based on this new compromise the amount to be paid to ABG is calculated as follows,
 - a. Adopt the ABG calculations arrears of K800million,
 - b. Adopt the National Government calculations of K127 million,
 - c. The two governments agree to find a compromise by calculating the difference between the two amounts,
 - d. That National Government pays to Bougainville at least half of the difference and add on to it additional amounts,
- iv) Based on the above compromised formula the JSB;
 - a. Agrees on an amount of K437 million that comprises
 - i. K302 million for ongoing National Government projects,
 - ii. K100 million for Buka ring road,
 - iii. K35 million for projects procured under SIF,
 - iv. National Government will design, procured and finance West Coast Road,
 - v. Noting that two Boats purchased in 2014 under SIF, National Government and ABG is committed to procure an additional Boat to service specially the atolls.
 - b. K302 million is to be financed by National Government in 2018 and onward
 - c. K135 million of which K40million to be paid in 2018. This will consist of K15 million already in the 2018 Budget and further K40 million from savings in the

2018 budget. National Government to provide balance which is K95 million in 2019 subject to prevailing economic conditions.

- d. As part of the arrangement the ABG to provide the National Government the expenditure plan of the K135 million and
- e. ABG and National Government to jointly provide quarterly report to JSB;
 - i. ABG to provide reports on the K135 million and
 - ii. National Government on the K302 million
- v) That the two governments must periodically assess the economic situation in the country and ability of the National Governments to meet its commitments and stand ready to review the commitments under this compromise,

4.5 Special Intervention Fund Program - Balance Outstanding

The JSB agreed that the Special Intervention Fund is a time bound program scheduled for 5 years -2012 -17 . And given that the due date is lapsed it will be for-gone.

5 PEACE BUILDING

5.1 Unification, Reconciliation & Peace in Bougainville

That the JSB;

- i) Acknowledged the progress of unification amongst Bougainvilleans in the region.
- ii) Endorses the need to conduct National Reconciliation between Bougainvilleans and PNG security forces and other parties that were involved in the Bougainville conflict. These include cross-border spill-over effects into Solomon Islands.
- iii) Endorses the offices of the two Chief Secretaries to take charge of the unification and reconciliation and peace building programs with parties outside of Bougainville.
- iv) Endorses joint responsibility by both Governments to support the National Reconciliation and to jointly seek assistance from the International Donor Agencies.
- v) Endorse the engagement of an eminent persons group to assist with dialogue to implement peace building.

5.2 Reaffirming Joint Commitment by all Peace Agreement Parties (Bougainville Groups, National Government, International Community)

The JSB

- i) acknowledged that the Bougainville Peace Agreement is a joint creation and commitment of Bougainvillians, PNG and the International Community.

- ii) endorsed the declaration of 30th August (date of BPA signing) as a commemoration day for the signatories to promote and maintain the spirit of Peace by Peaceful Means.

6. NEXT JSB MEETING

The JSB agreed that the next JSB meeting be held in Buka sometime in the month of April 2018.

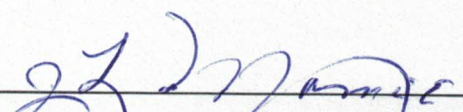
Closing Remarks

The two co-chairs acknowledged the presence and participation of all the leaders of the both governments and look forward to the successful implementation of the restoration.

Co-signed as true records of the resolutions reached at the Joint Supervisory Body meeting on the 15th of December 2017.



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PRIME MINISTER
Papua New Guinea



HON. CHIEF DR JOHN MOMIS, GCL, MHR
PRESIDENT
Autonomous Bougainville Government