

Country/entity	Papua New Guinea Bougainville
Region	Asia and Pacific
Agreement name	Bougainville Transitional Government Peace Plan
Date	1 Feb 1996
Agreement status	Multiparty signed/agreed
Interim arrangement	Yes
Agreement/conflict level	Intrastate/intrastate conflict

Bougainville Conflict (1987 - 1998)

The conflict on Bougainville, an island under the jurisdiction of Papua New Guinea (PNG), began in 1987 as a dispute over compensation for the use of land by Bougainville Copper Ltd, a an Australian subsidiary. The underlying issue of independence soon emerged and the conflict escalated between the government of PNG and the native islanders, in turn spearheaded by the Bougainville Revolutionary Army (BRA). Until fighting ended in 1998, an estimated 20,000 died in the conflict. Several pre-negotiation agreements culminated in an agreement to a 'permanent and irrevocable' ceasefire, and a framework for normalizing the PNG-Bourgainville relationship, which included elections.

Close
Bougainville Conflict (1987 - 1998)

Stage	Pre-negotiation/process
Conflict nature	Government/territory
Peace process	Bougainville: peace process
Parties	Note: Agreement is not signed. However the plan appears only to apply to the Bougainville Transitional Government.
Third parties	-
Description	Policy document further to negotiations with BIG and BRA. Committing to further negotiations on final status of Bougainville and recommitting to content of earlier agreements. Sets out foundations of BTG strategy and guiding principles

Agreement document	PG_960201_Bougainville Transitional Government Peace Plan.pdf (opens in new tab) Download PDF
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Groups

Children/youth	Groups→Children/youth→Rhetorical Page 1, PART I - INTRODUCTION 1.2 Most of these steps have been taken jointly with the National Government. These include negotiations with the National Government, starting with the first round held in Port Moresby on the 18th of May 1995 and ending with the fourth round on the 3rd of August 1995. Issues covered in these rounds included pardon and amnesty; an arms amnesty; a commitment to a "new projects" approach for all new developmental projects in the province; a proposed policy on the future of armed youth, their disarmament and rehabilitation; and the future political status of Bougainville. All these are contained in various documents, principally the "Waigani Communique" and the "Areas of Common Understanding Reached between the Prime Minister Sir Julius Chan and BTG Premier Mr. Theodore Miriung on the Occasion of their Fourth Negotiation Session at the Mirigini State House on Thursday 3rd August 1995" (Areas of Common Understanding).
Disabled persons	No specific mention.
Elderly/age	No specific mention.
Migrant workers	No specific mention.
Racial/ethnic/ national group	No specific mention.
Religious groups	No specific mention.
Indigenous people	No specific mention.
Other groups	No specific mention.
Refugees/displaced persons	No specific mention.
Social class	No specific mention.

Gender

Women, girls and gender No specific mention.

Men and boys No specific mention.

LGBTI No specific mention.

Family No specific mention.

State definition

Nature of state (general) Page 2, PART II - OBJECTIVES OF THE BOUGAINVILLE TRANSITIONAL GOVERNMENT
2.5: The new preamble to the Constitution of Bougainville provides as follows:
"The Bougainville Transitional Government is established as a transitional arrangement to restore the civil authority of the people of Bougainville under the Organic Law on Provincial Government. Apart from running the affairs of the Bougainville Transitional Government, it will be responsible for negotiating a political settlement with the National Government. It is not intended that this body become the ultimate form of government for the province. ..."

State configuration No specific mention.

Self determination No specific mention.

Referendum No specific mention.

State symbols No specific mention.

Independence/secession No specific mention.

Accession/unification No specific mention.

Border delimitation No specific mention.

Cross-border provision No specific mention.

Governance

Political institutions (new or reformed)

No specific mention.

Elections

No specific mention.

Electoral commission

No specific mention.

Political parties reform

No specific mention.

Civil society

No specific mention.

Traditional/religious leaders

Page 5, PART V - CONCEPT OF PEACE STRATEGY

5.2 ... ii) the establishment of a process for dealing with arms, which would involve local level government structures with clan chiefs and leaders, or more particularly the re-consolidation of traditional spheres of control and influence - a process which will begin with arms control and end with total disarmament; and

Public administration

No specific mention.

Constitution

Governance→Constitution→Constitutional reform/making

Page 2, PART II - OBJECTIVES OF THE BOUGAINVILLE TRANSITIONAL GOVERNMENT

2.5 The new preamble to the amended Constitution of Bougainville provides as follows: "The Bougainville Transitional Government is established as a transitional arrangement to restore the civil authority of the people of Bougainville under the Organic Law on Provincial Government. Apart from running the affairs of the Bougainville Transitional Government, it will be responsible for negotiating a political settlement with the National Government. It is not intended that this body become the ultimate form of government for the province. Under the "Charter of Migration for a New Bougainville" signed on the 25 November 1994, Bougainville leaders of the National Government agreed that after a political settlement is reached between the National Government and the Bougainville Transitional Government the Assembly of the Transitional Government shall act as a Constituent Assembly to review the Constitution of the North Solomon Provincial Government and enact a new Constitution. The Bougainville Transitional Government will be committed to this task. The leaders also committed themselves to a "new spirit" and to "a new deal for a new Bougainville". The Bougainville Transitional Government and the National Government will be committed to working out a new deal for Bougainville which, the leaders of both governments agree, must address the basic grievances of the people and of their province, politically, socially and economically.

Page 4, PART III - FOUNDATIONS OF BTG'S STRATEGY, Three Foundations of BTG's Strategy

3.1 ... iii) Knocking down legal and constitutional "brick walls" if they stand in the way of a settlement.

Power sharing

Political power sharing No specific mention.

Territorial power sharing No specific mention.

Economic power sharing No specific mention.

Military power sharing No specific mention.

Human rights and equality

Human rights/RoL general No specific mention.

Bill of rights/similar No specific mention.

Treaty incorporation No specific mention.

Civil and political rights No specific mention.

Socio-economic rights No specific mention.

Rights related issues

Citizenship	No specific mention.
Democracy	No specific mention.
Detention procedures	No specific mention.
Media and communication	No specific mention.
Mobility/access	No specific mention.
Protection measures	No specific mention.
Other	No specific mention.

Rights institutions

NHRI	No specific mention.
Regional or international human rights institutions	No specific mention.

Justice sector reform

Criminal justice and emergency law	No specific mention.
State of emergency provisions	No specific mention.
Judiciary and courts	No specific mention.
Prisons and detention	No specific mention.
Traditional Laws	No specific mention.

Socio-economic reconstruction

Development or socio-economic reconstruction Socio-economic reconstruction→Development or socio-economic reconstruction→Socio-economic development
Page 5, PART V - CONCEPT OF PEACE STRATEGY
5.2 ... iii) the laying down of clear policies for social and economic development and their initial implementation through the restoration programme.

Page 6, VII - PRIORITIES IN THE RESTORATION PROGRAMME

BTG's priorities in the Restoration programme are -

- i) health;
- ii) education;
- iii) social order;
- iv) infrastructure;
- v) economic services; and
- vi) administration

These priorities must be reflected in the policies set by BTG

Socio-economic reconstruction→Development or socio-economic reconstruction→Infrastructure and reconstruction

Page 6, VII - PRIORITIES IN THE RESTORATION PROGRAMME

BTG's priorities in the Restoration programme are -

- iv) infrastructure;

National economic plan No specific mention.

Natural resources No specific mention.

International funds No specific mention.

Business No specific mention.

Taxation No specific mention.

Banks No specific mention.

Land, property and environment

Land reform/rights No specific mention.

Pastoralist/nomadism rights No specific mention.

Cultural heritage No specific mention.

Environment No specific mention.

Water or riparian rights or access No specific mention.

Security sector

Security Guarantees Page 3, PART II - OBJECTIVES OF THE BOUGAINVILLE TRANSITIONAL GOVERNMENT
2.10 Thirdly, and this is related to the second, it was clearly spelled out in the Mirigini Charter that negotiations and dialogue are the central means by which BTG will have to achieve its objectives. For this reason, BTG believes that it ought to be seen as a peacemaker and a peace-builder, working primarily in the management of the conflict through peace-building efforts and confidence-building foundations. It ought not to be seen, strictly speaking, as an enforcer of the law. That is not to say that it cannot assert its authority as a civilian legal authority on the ground. On the contrary it is bound to do so. It will continue to condemn violence and killings in any form and do everything within its power and influence to prevent these. But it believes that its success as a transitional arrangement or as a vehicle for bringing the people to a political settlement requires that it be firm but fair.

PART IV - BTG's PEACE STRATEGY, Guiding Principles

4.1 BTG believes that the foundation for a solution depends on a number of fundamental principles:

- i) an acceptance of the fact that there cannot be a pure military solution to the conflict;
- ii) an acceptance of the fact that peace cannot be forced upon a group who wants to go on fighting;

PART IV - BTG's PEACE STRATEGY, Guiding Principles

4.2 These principles, however, need qualifying, BTG believes that:

- i) military presence had been necessary to protect lives and property, and this may continue to be so as long as there is a threat posed to the lives of the people;

Ceasefire No specific mention.

Police No specific mention.

Armed forces No specific mention.

DDR

Security sector→DDR→Demilitarisation provisions

Page 1, PART I - INTRODUCTION

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Page 5, Part V - CONCEPT OF PEACE STRATEGY

5.2 ... ii) the establishment of a process for dealing with arms , which would involve local level government structures with clan chiefs and leaders, or more particularly the re-consolidation of traditional spheres of control and influence - a process which will begin with arms control and end with total disarmament.

Intelligence services

No specific mention.

Parastatal/rebel and opposition group forces

No specific mention.

Withdrawal of foreign forces

No specific mention.

Corruption

No specific mention.

Crime/organised crime

No specific mention.

Drugs

No specific mention.

Terrorism

No specific mention.

Transitional justice

Transitional justice general No specific mention.

Amnesty/pardon Transitional justice→Amnesty/pardon→Amnesty/pardon proper
Page 1, PART I - INTRODUCTION
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Courts No specific mention.

Mechanism No specific mention.

Prisoner release No specific mention.

Vetting No specific mention.

Victims No specific mention.

Missing persons No specific mention.

Reparations No specific mention.

Reconciliation No specific mention.

Implementation

UN signatory No specific mention.

Other international signatory No specific mention.

Referendum for agreement No specific mention.

International mission/force/similar	No specific mention.
Enforcement mechanism	No specific mention.
Related cases	<p>Page 2, PART II - OBJECTIVES OF THE BOUGAINVILLE TRANSITIONAL GOVERNMENT</p> <p>2.6 In addition to the specific aims of BTG as are provided under these instruments, BTG has an obligation as a government to respect, if not follow, the policies of the National Government, both past and present, in so far as those policies relate to its efforts for peace on Bougainville. In this regard all past agreements or understandings between the National Government and Bougainville leaders are binding on BTG, to the extent they are relevant. These agreements have provided the context from which a number of fundamental policies have emerged, and from which various stands (not always similar) have been taken by leaders of Bougainville and leaders at the national level auto what the national policy was, or ought to have been, in relation to Bougainville.</p> <p>Page 2-3, PART II - OBJECTIVES OF THE BOUGAINVILLE TRANSITIONAL GOVERNMENT</p> <p>2.7 These agreements include:</p> <ul style="list-style-type: none"> i) the Endeavour Accord ii) the Kavieng (Malangan) Agreement iii) the Honiara Declaration of 1991 iv) the South Bougainville Agreement v) the Tameba Accord vi) the Honiara Commitment to Peace on Bougainville vii) the Cease-fire Agreement of 1994 viii) the Bougainville Peace Conference resolutions ix) the North Nasioi Agreement x) the Charter of Mirgini for a New Bougainville xi) the Waigini Communique xii) Summary Record of Mirgini Discussion on (the) Implementation of the Waigini Communique xiii) Areas of Common Understanding reached by the Prime Minister, Sir Julius Chan, and BTG Premier Mr. Theodore Miring on the Occasion of the Fourth Negotiating Session at the Mirigini State House on Thursday, 3rd August 1995
Source	Originally accessed from Conciliation Resources Accord (http://www.c-r.org/accord/papua-new-guinea%E2%80%93bougainville – no longer available from original source).