Country/entity	Papua New Guinea Bougainville
Region	Asia and Pacific
Agreement name	Agreement between Papua New Guinea and Fiji, Tonga, Solomon Islands, Vanuatu, Australia and New Zealand, concerning the Status of Elements of the Defence Forces of those countries deployed in the North Solomons Province of Papua New Guinea as part of the South Pacific Peacekeeping Force
Date	28 Sep 1994
Agreement status	Multiparty signed/agreed
Interim arrangement	Yes
Agreement/conflict level	Interstate/intrastate conflict(s) **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	Papua New Guinea and Fiji, Tonga, Solomon Islands, Vanuatu, Australia and New Zealand
Third parties	-
Description	This agreement provides for the establishment of a neutral South Pacific Regional Peacekeeping Force to provide a neutral environment and security for the Bougainville peace process.

Agreement document	PG_940928_South Pacific Peace keeping force.pdf (opens in new tab) | Download PDF

Groups

Children/youth	No specific mention.
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)	No specific mention.
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	No specific mention.
Public administration	No specific mention.
Constitution	No specific mention.

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	Rights related issues→Citizenship→Citizen delimitation Page 2, Article 1, Definitions ... (d) "Papua New Guinea Citizen" includes a person of Papua New Guinea citizenship and a person resident or present in the territory of Papua New Guinea other than one associated with the Force.
Democracy	No specific mention.
Detention procedures	No specific mention.

Media and communication

Rights related issues→Media and communication→Governance of media
Page 7, Article 18, Communications and postal services, 1
1. The Commander shall have authority to install and operate a radio sending and receiving station or stations to make direct contact with the Participating States. The right of the Commander is likewise recognized to enjoy the priorities of government telegrams and telephone calls.
Rights related issues→Media and communication→Media logistics
Page 7, Article 18, Communications and postal services, 1
1. The Commander shall have authority to install and operate a radio sending and receiving station or stations to make direct contact with the Participating States. The right of the Commander is likewise recognized to enjoy the priorities of government telegrams and telephone calls.

Page 7, Article 18, Communications and postal services, 2
2. The Force shall enjoy, within its area of operations, the right of unrestricted communication by radio, telephone, telegraph or any other means, and of establishing the necessary facilities for maintaining such communications within and between premises of the Force, including the laying of cables and land lines and the establishment of fixed and mobile radio sending and receiving stations. It is understood that the telegraph and telephone cables and lines herein referred to will be situated within or directly between the premises of the Force and the area of operations, and that connection with the Papua New Guinea system of telegraphs and telephones will be made in accordance with arrangements with the appropriate Papua New Guinea authorities.

Page 7, Article 18, Communications and postal services, 3
3. Papua New Guinea recognizes the right of the Force to make arrangements through its own facilities for the processing and transport of private mail addressed to or emanating from members of the Force. Papua New Guinea will be informed of the nature of such arrangements. No interference shall take place with, and no censorship shall be applied to, the mail of the Force by Papua New Guinea. In the event postal arrangements applying to private mail of members of the Force are extended to operations involving transfer of currency, or transport of packages or parcels from Papua New Guinea, the conditions under which such operations shall be conducted in Papua New Guinea will be agreed upon between Papua New Guinea and the Commander.

Mobility/access	Page 3, Article 7, Entry into and exit from Papua New Guinea and Australia, 1 1. Members of the Force shall be exempt from passport and visa laws and orders and immigration inspection and restrictions on entering or departing from Papua New Guinea territory and Australia. They shall also be exempt from any laws and orders governing the residence of aliens in Papua New Guinea and Australia, including registration, but shall not be considered as acquiring any right to permanent residence or domicile in the territory of Papua New Guinea and Australia. For the purpose of such entry or departure members of the Force will be required to have only: (a) an individual or collective movement order issued by the Commander of the Defence Force of their respective Participating State; and (b) a personal identity card issued by the appropriate military authority of their respective participating State. Page 3, Article 7, Entry into and exit from Papua New Guinea and Australia, 2 2. Members of the Force may be required to present but not to surrender their personal identity cards upon demand of an appropriate Papua New Guinea authority. Except as provided in paragraph 1 of this Article the identity card will be the only document required for a member of the Force. Page 3, Article 7, Entry into and exit from Papua New Guinea and Australia, 3 3. If a member of the Force leaves the service of his respective Participating State while in Papua New Guinea and is not repatriated, the senior military officer from that State shall immediately inform the Papua New Guinea authorities, giving such particulars as may be required. The senior military officer of each participating State shall similarly inform the Papua New Guinea authorities of any member of the Force belonging to his State who has absented himself for more than twenty-one days. If an expulsion order against an ex-member of the Force has been made, the senior Page 7, Article 19, Freedom of movement The Force and its members together with its service vehicles, vessels, aircraft and equipment shall enjoy freedom of movement throughout Papua New Guinea. Wherever possible the Commander will consult with Papua New Guinea with respect to large movements of personnel, stores or vehicles on roads used for general traffic. Papua New Guinea will supply the Force with maps and other information, including locations of dangers and impediments, which may be useful in facilitating its movements. Page 8, Article 20, Use of roads, waterways, port facilities and airfields The Force shall have the right to the use of roads, bridges, canals and other waters, port facilities and airfields without the payment of dues, tolls or charges either by way of registration or otherwise, throughout Papua New Guinea.
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	No specific mention.
National economic plan	No specific mention.
Natural resources	No specific mention.
International funds	No specific mention.
Business	No specific mention.

Taxation	Socio-economic reconstruction→Taxation→Reform of taxation Page 7, Article 17, Taxation and revenue matters, 1 1. Members of the Force shall be exempt from taxation on the pay and emoluments received from their respective Participating States. They shall also be exempt from all other direct taxes, fees and charges. Page 7, Article 17, Taxation and revenue matters, 2 2. Members of the Force shall have the right to import free of duty their personal effects in connection with their first arrival in Papua New Guinea. They shall be subject to the Papua New Guinea laws and orders governing customs and foreign exchange with respect to personal property not required by them by reason of their presence in Papua New Guinea with the Force. Special facilities for entry or exit shall be granted by the Papua New Guinea immigration, customs and fiscal authorities to regularly constituted units of the Force provided that the authorities concerned have been duly notified sufficiently in advance. Members of the Force on departure from Papua New Guinea may, notwithstanding any foreign exchange laws and orders, take with them such funds as the appropriate Pay Officer of the Force certifies were received in pay and emoluments from Papua New Guinea and are a reasonable residue thereof. Page 7, Article 17, Taxation and revenue matters, 3 3. The Commander will co-operate with customs and fiscal authorities of Papua New Guinea and will render all assistance within his power in ensuring the observance of the customs and fiscal laws and orders of Papua New Guinea by the members of the Force in accordance with these or any relevant supplemental arrangements.
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	Page 8, Article 20, Use of roads, waterways, port facilities and airfields The Force shall have the right to the use of roads, bridges, canals and other waters, port facilities and airfields without the payment of dues, tolls or charges either by way of registration or otherwise, throughout Papua New Guinea.

Security sector

Security Guarantees	No specific mention.
Ceasefire	No specific mention.

Police

Page 4, Article 10, Military Police, arrest, transfer of custody and mutual assistance, 1
1. Responsibility for disciplinary action with respect to military personnel made available by each Participating State shall rest with the military authorities of that State. However, the Commander shall take all appropriate measures to ensure maintenance of discipline and good order among members of the Force. To this end Military Police designated by the Commander shall police the premises referred to in Article 11 of this Agreement and such area where the Force is deployed in the performance of its functions. Elsewhere such Military Police shall be employed only subject to arrangements with the Papua New Guinea authorities and in liaison with them and in so far as such employment is necessary to maintain discipline and order among members of the Force. For the purpose of this paragraph the Military Police of the Force shall have the power of arrest over members of the Force.

Page 4, Article 10, Military Police, arrest, transfer of custody and mutual assistance, 2
2. Military Police of the Force may take into custody any person on the premises referred to in Article 11 who is subject to Papua New Guinea criminal jurisdiction, without subjecting him to the ordinary routine of arrest, in order immediately to deliver him to the nearest appropriate Papua New Guinea authorities: (a) when so requested by the Papua New Guinea authorities; or (b) for the purpose of dealing with any offence or disturbance on the premises.

Page 4, Article 10, Military Police, arrest, transfer of custody and mutual assistance, 3
3. The Papua New Guinea authorities may take into custody any member of the Force, without subjecting him to the ordinary routine of arrest in order immediately to deliver him, together with any weapons or items seized, to the nearest appropriate authorities of the Force: (a) when so requested by the Commander; or (b) in cases in which the Military Police of the Force are unable to act with the necessary promptness when a member of the Force is apprehended in the commission or attempted commission of a criminal offence that results or might result in serious injury to persons or property, or serious impairment of other legally protected rights.

Page 5, Article 10, Military Police, arrest, transfer of custody and mutual assistance, 4
4. When a person is taken into custody under (b) of paragraphs 2 and 3, the Commander or Papua New Guinea authorities, as the case may be, may make a preliminary interrogation but may not delay the transfer of custody. Following the transfer of custody the persons concerned shall be made available upon request for further interrogation.

Page 5, Article 10, Military Police, arrest, transfer of custody and mutual assistance, 5
5. The Commander and the Papua New Guinea authorities shall assist each other in the carrying out of all necessary investigations into offences in respect of which either or both have an interest, in the production of witnesses, and in the collection and production of evidence, including the seizure of and, in proper cases and where practicable, the delivery of items constituting evidence of an offence. The delivery of any such items may be made subject to their return within the time specified by the authority delivering them. Each shall notify the other of the disposition of any case in the outcome of which the other may have an interest or in which there has been a transfer of custody under the provisions of paragraph 2 and 3 of these arrangements.

Page 5, Article 10, Military Police, arrest, transfer of custody and mutual assistance, 6
6. The Government of Papua New Guinea will ensure the prosecution of persons subject to its criminal jurisdiction who are accused of acts in relation to the Force or its members which, if committed in relation to the Papua New Guinea Forces or their members, would have rendered them liable to prosecution. The authorities of the Force will take the measures within their power with respect to crimes or offences committed against Papua New Guinea citizens by members of the Force.

Armed forces	No specific mention.
DDR	No specific mention.
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	No specific mention.
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	Signed by: Papua New Guinea, Fiji, Tonga, Solomon Islands, Vanuatu, Australia, New Zealand
Referendum for agreement	No specific mention.

International mission/force/ similar	Summary: The whole agreement deals with establishing a peace keeping force whose general purpose is outlined below. Page 2, Untitled Preamble ACKNOWLEDGING the need to establish a secure and neutral environment at the said Conference site and other agreed places; NOTING the request of Papua New Guinea for Fiji, Tonga, Vanuatu, Australia and New Zealand to contribute to the establishment of a neutral South Pacific Regional Peacekeeping Force to provide a neutral environment and security for the peace process; and DESIRING to set out in writing the terms of the agreed conditions for contributions to the South Pacific Regional Peacekeeping Force; Page 3, Article 4, Establishment of the South Pacific Peacekeeping Force The Participating States shall establish the Force. The Force shall perform the following tasks: 1. secure the Conference site identified in the Ceasefire Agreement; 2. secure and protect the delegates to the Bougainville Peace Conference; 3. any other tasks as requested by the parties to the Ceasefire Agreement with the approval of the Participating States subject to the approval of the Participating State taking part in the task.
Enforcement mechanism	Page 9, Article 30, Consultations Any matter arising under this Agreement with respect to its interpretation, application or implementation shall be settled by consultation or negotiation between Papua New Guinea and the Participating States.