Country/entity	Papua New Guinea Bougainville
Region	Asia and Pacific
Agreement name	Joint Communique on the Outcome of the Bougainville Referendum
Date	11 Jan 2021
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	Implementation/renegotiation
Conflict nature	Government/territory
Peace process	Bougainville: peace process
Parties	Copy of the agreement unsigned, but parties to signed version believed to be James Marape, Prime Minister, Government of Papua New Guinea and Ishmael Toroama, President, Autonomous Bougainville Government.
Third parties	-
Description	Agreement in which both the Government of Papua New Guinea and the Autonomous Bougainville Government agree to immediately commence joint consultations as required under the National Constitution and the Bougainville Peace Agreement, following the Bougainville Referendum on independence.

Agreement document	PG_210111_Joint Communique.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

Page 1,
In furthering the Bougainville Peace process in the Post Referendum period and having met today, we officially reaffirm and assure the people of Papua New Guinea and Bougainville that the Governments of PNG and Bougainville are committed to the process of the joint Consultations on the outcome of the referendum.

Page 1,
The signing of the Joint Communique today signals our intention to immediately commence the joint consultations as is required by the National Constitution under Section 342 (1) and the Bougainville Peace Agreement under Clause 311 (b) for the Government of Papua New Guinea and the Autonomous Bougainville Government to consult over the outcome or result of the Bougainville referendum.

Page 1,
This Joint Communique affirms that as required by the Bougainville Peace Agreement, the referendum outcome will be subject to ratification (final decision making) of the National Parliament while Section 342 (2) of the National Constitution has prescribed that the decision of the National Parliament, relating to the referendum result is subject to consultation under Section 342 (1).

Page 1,
The Joint Communique builds on the tremendous achievements of both Governments on the Bougainville Peace process and embraces fully the statement of established facts and principles as outlined herewith;
• That the Bougainville Peace Agreement provides for a political right to Bougainvilleans to a referendum among Bougainvilleans, on the future political status of Bougainville;
• That the National Government had guaranteed that political right through Section 338 (1) of the National Constitution;

Page 1,
The Joint Communique builds on the tremendous achievements of both Governments on the Bougainville Peace process and embraces fully the statement of established facts and principles as outlined herewith;...
• That the constitutional guarantee for the referendum under Section 338 (1) of the National Constitution depended on the Autonomous Bougainville Government's (ABG) fulfillment of conditions relating to weapons disposal and good governance, of which the ABG satisfactorily met;

Page 1,
The Joint Communique builds on the tremendous achievements of both Governments on the Bougainville Peace process and embraces fully the statement of established facts and principles as outlined herewith;...
• That the choice for separate independence was guaranteed under Section 339 (c) of the National Constitution as one of a number of possible choices available to Bougainvilleans in the referendum;

Page 1-2,
The Joint Communique builds on the tremendous achievements of both Governments on the Bougainville Peace process and embraces fully the statement of established facts and principles as outlined herewith;...
• That the both Governments had agreed to the definition of independence before the conduct of the referendum to mean 'an independent nation with sovereign powers and laws, recognized under international law and by other international states to be an independent state, separate from the state of Papua New Guinea, with a defined territory, inclusive of maritime boundaries and associated exclusive economic zones;

State symbols	No specific mention.
Independence/ secession	Page 1, The Joint Communique builds on the tremendous achievements of both Governments on the Bougainville Peace process and embraces fully the statement of established facts and principles as outlined herewith;... • That the choice for separate independence was guaranteed under Section 339 (c) of the National Constitution as one of a number of possible choices available to Bougainvilleans in the referendum; Page 1-2, The Joint Communique builds on the tremendous achievements of both Governments on the Bougainville Peace process and embraces fully the statement of established facts and principles as outlined herewith;... • That the both Governments had agreed to the definition of independence before the conduct of the referendum to mean 'an independent nation with sovereign powers and laws, recognized under international law and by other international states to be an independent state, separate from the state of Papua New Guinea, with a defined territory, inclusive of maritime boundaries and associated exclusive economic zones; and a government chosen by its people; and capacity to enter into and manage international relations and United Nations membership'; Page 2, The Joint Communique builds on the tremendous achievements of both Governments on the Bougainville Peace process and embraces fully the statement of established facts and principles as outlined herewith;... • That the referendum question and the following two choices of option 1 – Greater Autonomy, and option 2 – Independence was presented to Bougainvilleans in the referendum and were intended to facilitate a clear result:; Page 2, The Joint Communique builds on the tremendous achievements of both Governments on the Bougainville Peace process and embraces fully the statement of established facts and principles as outlined herewith;... • That a total number of 181,067 Bougainvilleans voted in the referendum, out of that 97.7 % of them chose independence;
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

Power sharing→Territorial power sharing→Autonomous regions
[Summary: The entirety of the agreement relates to provision of a referendum on secession of the Autonomous Region of Bougainville, as an act on self-determination, implementing the commitment of the Bougainville Peace Agreement.]

Page 1,
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The Joint Communique builds on the tremendous achievements of both Governments on the Bougainville Peace process and embraces fully the statement of established facts and principles as outlined herewith;...
• That the choice for separate independence was guaranteed under Section 339 (c) of the National Constitution as one of a number of possible choices available to Bougainvilleans in the referendum; and
• That the both Governments had agreed to the definition of independence before the conduct of the referendum to mean ‘an independent nation with sovereign powers and laws, recognized under international law and by other international states to be an independent state, separate from the state of Papua New Guinea, with a defined territory, inclusive of maritime boundaries and associated exclusive economic zones; and a government chosen by its people; and capacity to enter into and manage international relations and United Nations membership’; and
• That the referendum question and the following two choices of option 1 – Greater Autonomy, and option 2 – Independence was presented to Bougainvilleans in the referendum and were intended to facilitate a clear result:;...
• That a total number of 181,067 Bougainvilleans voted in the referendum, out of that 97.7 % of them chose independence; and...

Economic power sharing

No specific mention.

Military power sharing

No specific mention.

Human rights and equality

Human rights/RoL general	Page 1-2, The Joint Communique builds on the tremendous achievements of both Governments on the Bougainville Peace process and embraces fully the statement of established facts and principles as outlined herewith;... • That the both Governments had agreed to the definition of independence before the conduct of the referendum to mean 'an independent nation with sovereign powers and laws, recognized under international law and by other international states to be an independent state, separate from the state of Papua New Guinea, with a defined territory, inclusive of maritime boundaries and associated exclusive economic zones; and a government chosen by its people; and capacity to enter into and manage international relations and United Nations membership';
Bill of rights/similar	No specific mention.
Treaty incorporation	No specific mention.
Civil and political rights	Human rights and equality→Civil and political rights→Vote and take part Page 1, The Joint Communique builds on the tremendous achievements of both Governments on the Bougainville Peace process and embraces fully the statement of established facts and principles as outlined herewith; • That the Bougainville Peace Agreement provides for a political right to Bougainvilleans to a referendum among Bougainvilleans, on the future political status of Bougainville; • That the National Government had guaranteed that political right through Section 338 (1) of the National Constitution;
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 1-2, The Joint Communique builds on the tremendous achievements of both Governments on the Bougainville Peace process and embraces fully the statement of established facts and principles as outlined herewith;... • That the both Governments had agreed to the definition of independence before the conduct of the referendum to mean 'an independent nation with sovereign powers and laws, recognized under international law and by other international states to be an independent state, separate from the state of Papua New Guinea, with a defined territory, inclusive of maritime boundaries and associated exclusive economic zones; and a government chosen by its people; and capacity to enter into and manage international relations and United Nations membership';
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	Page 1-2, The Joint Communique builds on the tremendous achievements of both Governments on the Bougainville Peace process and embraces fully the statement of established facts and principles as outlined herewith;... • That the both Governments had agreed to the definition of independence before the conduct of the referendum to mean 'an independent nation with sovereign powers and laws, recognized under international law and by other international states to be an independent state, separate from the state of Papua New Guinea, with a defined territory, inclusive of maritime boundaries and associated exclusive economic zones; and a government chosen by its people; and capacity to enter into and manage international relations and United Nations membership';

Security sector

Security Guarantees	No specific mention.
Ceasefire	No specific mention.
Police	No specific mention.
Armed forces	No specific mention.
DDR	Security sector→DDR→Demilitarisation provisions Page 1, The Joint Communique builds on the tremendous achievements of both Governments on the Bougainville Peace process and embraces fully the statement of established facts and principles as outlined herewith;... • That the constitutional guarantee for the referendum under Section 338 (1) of the National Constitution depended on the Autonomous Bougainville Government's (ABG) fulfillment of conditions relating to weapons disposal and good governance, of which the ABG satisfactorily met;
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	No specific mention.
Referendum for agreement	No specific mention.
International mission/force/ similar	No specific mention.
Enforcement mechanism	No specific mention.