

'AGREED PRINCIPLES ON REFERENDUM'

(26 January 2001)

1. The National Government will move amendments to the National Constitution to guarantee a referendum on Bougainville's future political status.

2. The choices available in the referendum will include a separate independence for Bougainville.

3 a) The amendments will provide that the outcome will be subject to ratification (final decision-making authority) of the National Parliament; and

b) The autonomous Bougainville Government and the National Government will consult over the results of the referendum.

4 a) The constitutional amendments will guarantee that the referendum will be held:

No earlier than 10 years and, in any case, no later than 15 years after the election of the first autonomous Bougainville Government,

when the conditions listed below have been met,

unless the autonomous Bougainville Government decides, after consultation with the National Government and in accordance with the Bougainville Constitution, that the referendum should not be held;

b) The conditions to be taken into account include:

weapons disposal, and
good governance;

c) The actual date of the referendum will be agreed after consultations by the autonomous Bougainville Government and the National Government.

5 a) The referendum on Bougainville's future political status will be conducted in accordance with agreed constitutional arrangements;

b) The Constitutional amendments and any Organic Law required to implement the agreed referendum arrangements will be introduced into the National Parliament together, and drafted to take effect at the same time.

6. Eligibility to vote in the referendum will be the same as for National Elections in Bougainville plus non-resident Bougainvilleans (detailed criteria to be finalised through consultation).

7 a) The question(s) to be asked in the referendum should be clear and agreed by the National Government and the autonomous Bougainville Government;

b) The choices should be presented so as to facilitate a clear result.

8. The referendum will be free and fair.

9. International observers will be invited to observe the conduct of the referendum.

10. This agreement will be given effect through Constitutional Laws.

11 a) The National Government and the autonomous Bougainville Government will consult and co-operate to ensure that the conditions intended to apply before the referendum are met.

b) Differences over any issues related to holding the referendum will be resolved through procedures for resolving disputes to be included in the final agreement on autonomy and referendum.

12. Consultations over the referendum will include:

Timely communication of views in writing to a specified point of contact;
Adequate opportunity to respond in a similar way;
Where there are differences, meaningful exchange of views within an adequate,
agreed/specified time frame, either orally or in writing, with a view to reaching agreement; and
clear, written record of outcome (either agreement or different views), provided for all parties.
13. Agreed plans for weapons disposal will be fully implemented before elections for the
autonomous Bougainville Government are held.

Signed as an accurate record on 26 January 2001 at Kokopo.

SIGNED BY:

H.E. Ambassador Noel SINCLAIR

Chairman

Director, UNOMB

WITNESSED BY:

Dr Stephen HENNINGHAM

Chief Negotiator, PMG