

'BOUGAINVILLE TRANSITIONAL GOVERNMENT PEACE PLAN'

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Prepared by the Policy Secretariat Bougainville Transitional Government

PART I - INTRODUCTION

1.1 Since its establishment on the 10th of April 1995, the Bougainville Transitional Government has initiated a number of steps to meet its objective under the "Charter of Mirigini for a New Bougainville" (Mirigini Charter).

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 Communiqué" 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).

1.3 Before and during negotiations with the National Government, Bougainville leaders had felt that a parallel process of dialogue should be initiated with leaders of the Bougainville Interim Government (BIG) and the Bougainville Revolutionary Army (BRA). For this reason, after the fourth round of talks with the National Government, BIG has initiated two rounds of talks with these leaders outside PNG, with the approval of the National Government. These were held in Cairns, Australia, the first one in September and the second in December 1995. All these have been possible through the assistance of, and facilitation by, the Australian Government.

1.4 From these rounds of talks with both the National Government and with the leaders of BIG and BRA, BTG believes that the foundations have been laid for a political settlement.

1.5 This Peace Plan has been put together from a collection of the common views of leaders of BTG. It is intended to guide BIG leaders in the peace process.

PART II - OBJECTIVES OF THE BOUGAINVILLE TRANSITIONAL GOVERNMENT

Objectives of the Bougainville Transitional Government, under the Charter of Mirigini for a New Bougainville, and under the new preamble to the amended Constitution of the Province.

2.1 The Bougainville Transitional Government was established as a transitional arrangement to resolve the Bougainville conflict. Its objectives are set out under the Mirigini Charter, and are more particularly spelled out in the new preamble to the amended Constitution of the province.

2.2 Clause 7 of the Charter provides as follows:

"The National Government and Bougainville leaders hereby declare this Charter as their commitment to an active programme for consultations and negotiations on a political settlement..."

2.3 Clause 8 provides as follows:

"The leaders agree that the starting point for consultations and negotiations on a new deal for Bougainville is to review the Bougainville Agreement of 1976 at the next round of talks".

2.4 In addition the Charter provides that the National Government and Bougainville leaders will maintain dialogue on all other issues pertinent to the resolution of the crisis, including a programme of reconciliation, reconstruction and restoration of services.

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 Mirigini 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 the province, politically, socially and economically.

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 as to what the national policy was, or ought to have been, in relation to Bougainville.

2.7 These agreements include:

- i) the Endeavor Accord,
- ii) the Kavieng (Malangan) Agreement,
- iii) the Honiara Declaration of 1991
- iv) the South Bougainville Agreement,
- v) the Tambea 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 Mirigini for a New Bougainville,
- xi) the Waigani Communique,

xii) Summary Record of Mirigini Discussions on (the) Implementation of the Waigani Communique,

xiii) Areas of Common Understanding reached by the Prime Minister, Sir Julius Chan, and BTG Premier Mr. Theodore Miriung on the Occasion of their Fourth Negotiating Session at the Mirigini State House on Thursday, 3rd August 1995.

2.8 In pursuing its main objective, BTG has found it necessary to spell out its ideas in a Peace Plan for a number of good reasons. First, it has been felt that National Government policy on Bougainville over the past seven years - outside of the specific accords with Bougainville leaders have more often than not excluded the views of Bougainville leaders. This has created problems in the past, in so far as leading people to believe they cannot be made part of the solution. This may have been unintended on the part of past governments, but that has been the fact. On the contrary, it may have been quite necessary on the part of past governments to have excluded Bougainville leaders in the way they did, given the part that some of these leaders have been perceived by the National Government to have played in the conflict. The exclusion of Bougainville leaders in the peace process was exacerbated by the suspension of the North Solomons Provincial Government, among other reasons. It is the common consensus among the population that a durable settlement can only be achieved through the active participation of all Bougainville leaders and their people.

2.9 Secondly, BTG believes that its role in the process towards a political settlement must in the beginning focus on building bridges of confidence and trust between and among all players and factions in the conflict. Only from these foundations can there be real prospects for a settlement. This has been the approach of BTG since its establishment in April 1995.

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. This 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.

2.11 Fourthly, BTG believes that it must look beyond July 1997 when a new government will govern the country after the national elections. BTG believes that a negotiated political settlement is possible before 1997. If none were possible by that time, BTG believes it has an obligation to the people under the Mirigini Charter to prepare the foundations for a political settlement with the incoming Government, even if it were itself to be abolished in 1997 under the terms imposed by the Organic Law on Provincial Government and Local Level Governments.

PART III - FOUNDATIONS OF BTG'S STRATEGY

Three Foundations of BTG's Strategy

3.1 BTG's peace strategy is based, though not entirely, on three main foundations, two of which were laid by and through the policies of Sir Julius Chan and his Government upon its assumption of power in August of 1994. The first foundation is derived from that which the Prime Minister and Bougainville leaders have collectively termed under the Mirigini Charter as the "new spirit for a new deal for a new Bougainville". The "new spirit" according to the speeches of the Prime Minister - to which BTG fully concurs - contains three main themes, namely:

i) Throwing away the suspicion which had continues to undermine or prevent a full understanding between Bougainville leaders and national leaders;

ii) Not making the same mistakes of the past in relation to Bougainville;

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

3.2 BTG observes that these principles have been quite successful in moving the National Government to establishing dialogue with the BRA, initially through Sam Kauona in Honiara in 1994 and subsequently to re-establishing the civil authority of the province through the formation of BTG. Since BTG's establishment, this same spirit has allowed BTG the liberty to initiate talks with BIG and BRA outside PNG - a policy for which the National Government should be given all due credit, as it is one not normally tried in other countries by governments in resolving internal disputes.

3.3 The second foundation is the recognition of the value of peace talks, and the need for proactive talking. It is a policy that was not deliberately encouraged by past governments - except for those occasions which had resulted in signed agreements and memoranda of understanding between Bougainville leaders, the National Government and national leaders. This recognition has, however, been the centrepiece of Sir Julius Chan's policy, where all peace efforts must revolve around peace talks and on-going dialogue.

3.4 BTG observes that though a lot of positive things have been achieved through talking, National Government action has been somewhat limited or had not gone all the way, or far enough.

3.5 The third foundation upon which BTG has placed its efforts is the need to involve all factions in the search for a solution. BTG believes that a successful political settlement will hinge upon one main factor; namely, the involvement of all factions in the working out of a political settlement. BTG believes that factions should not be deliberately left out of the process.

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;

iii) an acceptance of the fact that only through peace talks there can be understanding which can lead to success in negotiations and a political settlement.

4.2 These principles, however, need qualifying, BIG 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;

ii) though peace talks are indispensable to the peace process, there is always a possibility that they can protract, without anything being achieved. Pressure must, therefore, be exerted on all parties to make them come to the negotiating table.

4.3 BIG believes that the foundations for a political settlement have been laid as a result of negotiations between BTG and the National Government, and of the peace talks held between BTG and leaders of BIG and BRA.

4.4 BTG believes that the possibility for a settlement will now depend on the willingness of the National Government to concede greater autonomy to Bougainville, on the one hand, and the willingness of the BIG and BRA leadership to accept a "compromise" on the other.

4.5 BTG believes that the acceptance by the rebel leadership of such "compromise" depends on the "idea of an autonomous Bougainville" being negotiated between the BTG and the National Government.

4.6 BTG believes that the stage can be set for a "compromise" if negotiations between the National Government and the Bougainville leadership can conclude on the "future political status of Bougainville".

4.7 As a "compromise" inevitably takes time, the process can be accelerated, even only slowly, upon the content of the "New Deal for a New Bougainville" being agreed to, in principle, by BTG and the National Government and that this has been acceptable to the people of Bougainville.

PART V - CONCEPT OF PEACE STRATEGY

5.1 BTG's concept involves doing the following –

- i) to keep the negotiations with the National Government active and progressive while also ensuring that peace talks and the on-going dialogue with leaders of BIG and BRA continue; and that the "doors" are open and remain so; and
- ii) to allow negotiations with the National Government to come to a decision on the future political status of Bougainville or on the level of autonomy to be granted to Bougainville, taking as its starting point--as agreed under Clause 8 the Mirigini Charter--the level of autonomy envisaged by the Bougainville Agreement of 1976; or, as had been resolved by the Transitional Assembly on the 28th of July 1995, "the highest possible level of autonomy"; and
- iii) to allow one or two more meetings of Bougainville leaders on Bougainville in March or April as agreed to under the Cairns II Joint Communique; and
- iv) depending on the outcome of those meetings, to complete negotiations on all issues, including the issue of the future political status of Bougainville, and to agree to a political settlement with the National Government by June or September 1996.

5.2 While the process of negotiations and dialogue with both the BIG/BRA leaders and with the National Government is underway (i.e. before June 1996), BTG will attempt to institute peace-building measures in order to lay the foundations for a negotiated settlement. These measures should thereby also lay the foundations for the institutionalisation of peace in the province after a settlement. These measures include:

- i) the re-structuring of local level government in the province using powers conferred by the Organic Law on Provincial Government; and
- 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
- iii) the laying down of clear policies for social and economic development and their initial implementation through the restoration programme.

5.3 BIG will aim at consolidating positions on issues for negotiations with the National Government at the planned Bougainville leaders' talks on Bougainville in April or March 1996.

5.4 After the planned Bougainville leaders' meeting on Bougainville, BTG will resume negotiations with the National Government on all issues outstanding. In the event that the talks on Bougainville cannot be held, BTG then will need to re-assess the situation before resuming negotiations with the National Government.

PART VI – PRIORITIES IN THE PEACE PROCESS AND THE RESTORATION PROGRAMME

BTG's Priorities in the Peace Process

6.1 BIG's priorities in the peace process are –

- i) to maintain constant dialogue with all Bougainville leaders and especially leaders of BIG and BRA; and
- ii) to reach an understanding with leaders of BIG and BRA on the future political status of Bougainville; and
- iii) to encourage leaders of BIG and BRA to come to the negotiation table; and
- iv) on failing (iii), to complete negotiations with the National Government on all issues; and
- v) to agree to a political settlement.

6.2 In pursuing those priorities BTG is mindful of the fact that agreeing to a political settlement may not necessarily mean that cessation of all hostilities. However, BTG believes that a political settlement which is acceptable to the people would, in time, receive endorsement from hard-liners.

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