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Country/ entity	Papua New Guinea Bougainville
Region	Asia and Pacific Asia and Pacific
Agreement name	Era Kone Covenant on the Finalisation of the Bougainville Referendum on Independence
Date	5 Apr 2022
Agreement status	Multiparty signed/agreed
Interim arrangement	Yes
Agreement/ conflict level	Intrastate/intrastate conflict (Bougainville Conflict (1987 - 1998))
Stage	Implementation/renegotiation
Conflict nature	Government/territory
Peace process	Bougainville: peace process
Parties	Hon. James Marape, MP Prime Minister Government of Papua New Guinea Hon. Ishmael Toroama, MHR President Autonomous Bougainville Government
Third parties	Hon. Bryan Kramer, MP Minister for Justice Governor of Papua New Guinea Hon. Ezekiel Masatt, MHR Attorney General and Minister for Bougainville Independence Mission Implementation Autonomous Bougainville Government
Description	The Era Kone Covenant represents a collaborative effort between the Government of Papua New Guinea and the Autonomous Bougainville Government to address the outcomes of the Bougainville Referendum on Independence. It details the procedure for tabling the referendum results in Parliament, with a commitment to implementing the referendum's conclusions between 2025 and 2027. Furthermore, the Covenant stipulates joint formulation of a report to Parliament and acknowledges the binding nature of international agreements, emphasizing adherence to internationally recognized human rights conventions.

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 **ARTICLE 2 - TIMEFRAME**
(i) The Parties reaffirm their solemn commitment to strengthening the implementation of the Agreement and where appropriate, all outcomes of the joint post- referendum consultations, bearing in mind the Referendum Results Implementation Roadmap (Wabag Roadmap') that requires: (☐ Locate in agreement)
(a) implementation of arrangements for independence/political settlement by no earlier than 2025 and no later than 2027; (☐ Locate in agreement) and (☐ Locate in agreement)
(b) reporting to the 11th Parliament, tabling of the Referendum Results and outcomes of the joint post-referendum consultations by not later than the end of 2023. (☐ Locate in agreement)

Referendum Acknowledging that this agreement is a joint creation by the National Government and ABG that encapsulates the outcomes of the consultations sanctioned by Section 342 of the National Constitution, to be known as the Era Kone Covenant on the Finalisation of Bougainville Referendum on Independence (hereinafter 'the Covenant'); (📄 Locate in agreement)

Recognising the Constitutional obligation of the Parties to consult on the Bougainville Referendum Results and Implementation before tabling in Parliament under Section 342 of the National Constitution; (📄 Locate in agreement)

...

Acknowledging the final decision-making authority of the Parliament in respect to the Referendum Results and Implementation, as guided by this Covenant, in accordance with Section 342 of the National Constitution and the Agreement; (📄 Locate in agreement)

...

Welcoming also the agreement and strong commitment to table the Bougainville Referendum Results following the conclusion of the joint post-referendum consultations under section 342 (1) of the National Constitution; (📄 Locate in agreement)

Acknowledging and accepting that the Bougainville Referendum Results were independently assessed as free, fair and credible and conducted in accordance with the National Constitution, the Bougainville Constitution and the Organic Law on Peace-Building in Bougainville — Autonomous Bougainville Government and Bougainville Referendum 2002 and internationally-accepted standards with an absolute majority of 97.7% in favour of Bougainville Independence; (📄 Locate in agreement)

...

ARTICLE I - OUTCOMES OF THE CONSULTATIONS

(i) The joint consultations were held and the outcomes are as reflected in the respective resolutions, namely, the Joint Communique on Outcome of the Bougainville Referendum set out in Annex I, Kokopo Joint Statement set out in Annex 2, Wabag Joint Statement set out in Annex 3 and Port Moresby Joint Statement set out in Annex 4. (📄 Locate in agreement)

(ii) The Bougainville Referendum Results and the outcomes of the joint post-referendum consultations will be tabled in the 11th Parliament. (📄 Locate in agreement)

...

ARTICLE 2 - TIMEFRAME

(i) The Parties reaffirm their solemn commitment to strengthening the implementation of the Agreement and where appropriate, all outcomes of the joint post-referendum consultations, bearing in mind the Referendum Results Implementation Roadmap (Wabag Roadmap') that requires: (📄 Locate in agreement)

(a) implementation of arrangements for independence/political settlement by no earlier than 2025 and no later than 2027; (📄 Locate in agreement) and (📄 Locate in agreement)

(b) reporting to the 11th Parliament, tabling of the Referendum Results and outcomes of the joint post-referendum consultations by not later than the end of 2023. (📄 Locate in agreement)

State symbols	No specific mention.
Independence/ secession	<p>Acknowledging that this agreement is a joint creation by the National Government and ABG that encapsulates the outcomes of the consultations sanctioned by Section 342 of the National Constitution, to be known as the Era Kone Covenant on the Finalisation of Bougainville Referendum on Independence (hereinafter 'the Covenant'); (📄 Locate in agreement)</p> <p>...</p> <p>Acknowledging and accepting that the Bougainville Referendum Results were independently assessed as free, fair and credible and conducted in accordance with the National Constitution, the Bougainville Constitution and the Organic Law on Peace-Building in Bougainville — Autonomous Bougainville Government and Bougainville Referendum 2002 and internationally-accepted standards with an absolute majority of 97.7% in favour of Bougainville Independence; (📄 Locate in agreement)</p> <p>...</p> <p>ARTICLE 2 - TIMEFRAME</p> <p>(i) The Parties reaffirm their solemn commitment to strengthening the implementation of the Agreement and where appropriate, all outcomes of the joint post- referendum consultations, bearing in mind the Referendum Results Implementation Roadmap (Wabag Roadmap') that requires: (📄 Locate in agreement)</p> <p>(a) implementation of arrangements for independence/political settlement by no earlier than 2025 and no later than 2027; (📄 Locate in agreement)</p> <p>and (📄 Locate in agreement)</p> <p>(b) reporting to the 11th Parliament, tabling of the Referendum Results and outcomes of the joint post-referendum consultations by not later than the end of 2023. (📄 Locate in agreement)</p>
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.

ARTICLE I -OUTCOMES OF THE CONSULTATIONS

(i) The joint consultations were held and the outcomes are as reflected in the respective resolutions, namely, the Joint Communique on Outcome of the Bougainville Referendum set out in Annex I, Kokopo Joint Statement set out in Annex 2, Wabag Joint Statement set out in Annex 3 and Port Moresby Joint Statement set out in Annex 4. (📄 Locate in agreement)

(ii) The Bougainville Referendum Results and the outcomes of the joint post-referendum consultations will be tabled in the 11th Parliament. (📄 Locate in agreement)

(iii) The Parties will jointly formulate a report to brief the 11th Parliament on its role to give effect to Section 342 of the National Constitution. (📄 Locate in agreement)

(iv) To assist the 11th Parliament, the Head of State, acting with the advice of the National Executive Council (and the Bougainville Executive Council), may make Constitutional Regulations not inconsistent with Part XIV of the National Constitution, prescribing all matters that are necessary or convenient to be prescribed for carrying out and giving effect to this Covenant in accordance with Section 349 of the National Constitution. (📄 Locate in agreement)

(v) The Constitutional Regulations to be made under paragraph (iv) herein above shall not be amended or repealed by the National Government except with the approval of the Bougainville Executive in accordance with the Bougainville Constitution and the Agreement. (📄 Locate in agreement)

Power sharing

Political power sharing	No specific mention.
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Territorial power sharing	<p>Power sharing→Territorial power sharing→Autonomous regions</p> <p>Acknowledging that this agreement is a joint creation by the National Government and ABG that encapsulates the outcomes of the consultations sanctioned by Section 342 of the National Constitution, to be known as the Era Kone Covenant on the Finalisation of Bougainville Referendum on Independence (hereinafter 'the Covenant'); (📄 Locate in agreement)</p> <p>...</p> <p>ARTICLE I -OUTCOMES OF THE CONSULTATIONS</p> <p>(i) The joint consultations were held and the outcomes are as reflected in the respective resolutions, namely, the Joint Communique on Outcome of the Bougainville Referendum set out in Annex I, Kokopo Joint Statement set out in Annex 2, Wabag Joint Statement set out in Annex 3 and Port Moresby Joint Statement set out in Annex 4. (📄 Locate in agreement)</p> <p>(ii) The Bougainville Referendum Results and the outcomes of the joint post-referendum consultations will be tabled in the 11th Parliament. (📄 Locate in agreement)</p> <p>(iii) The Parties will jointly formulate a report to brief the 11th Parliament on its role to give effect to Section 342 of the National Constitution. (📄 Locate in agreement)</p> <p>(iv) To assist the 11th Parliament, the Head of State, acting with the advice of the National Executive Council (and the Bougainville Executive Council), may make Constitutional Regulations not inconsistent with Part XIV of the National Constitution, prescribing all matters that are necessary or convenient to be prescribed for carrying out and giving effect to this Covenant in accordance with Section 349 of the National Constitution. (📄 Locate in agreement)</p> <p>(v) The Constitutional Regulations to be made under paragraph (iv) herein above shall not be amended or repealed by the National Government except with the approval of the Bougainville Executive in accordance with the Bougainville Constitution and the Agreement. (📄 Locate in agreement)</p>
Economic power sharing	No specific mention.
Military power sharing	No specific mention.

Human rights and equality

Human rights/RoL general	No specific mention.
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Bill of rights/ similar	No specific mention.
Treaty incorporation	Recognising Papua New Guinea's obligations under international law, particularly the Universal Declaration on Human Rights, United Nations International Covenant on Civil and Political Rights and United Nations International Covenant on Economic, Social and Cultural Rights; (☞ Locate in agreement)
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 No specific mention.

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 No specific mention.

Ceasefire No specific mention.

Police No specific mention.

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 No specific mention.

Referendum for agreement No specific mention.

International mission/force/similar No specific mention.

Enforcement mechanism **ARTICLE 3 – FINAL PROVISIONS**

(i) This Covenant shall enter into force following the endorsement of the respective executive councils. (☐ Locate in agreement)

(ii) Any questions on interpretation and implementation of this Covenant shall be undertaken jointly by the Parties through consultations in accordance with Part XIV of the National Constitution and the Agreement. (☐ Locate in agreement)

Related cases No specific mention.

Source No specific mention.
