



<b>Country/entity</b>	Papua New Guinea Bougainville
<b>Region</b>	Asia and Pacific
<b>Agreement name</b>	Era Kone Covenant on the Finalisation of the Bougainville Referendum on Independance
<b>Date</b>	5 Apr 2022
<b>Agreement status</b>	Multiparty signed/agreed
<b>Interim arrangement</b>	Yes
<b>Agreement/conflict level</b>	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)

<b>Stage</b>	Implementation/renegotiation
<b>Conflict nature</b>	Government/territory
<b>Peace process</b>	Bougainville: peace process
<b>Parties</b>	Hon. James Marape, MP Prime Minister Government of Papua New Guinea  Hon. Ishmael Toroama, MHR President Autonomous Bougainville Government

<b>Third parties</b>	<p>Hon. Bryan Kramer, MP Minister for Justice Governor of Papua New Guinea</p> <p>Hon. Ezekiel Masatt, MHR Attorney General and Minister for Bougainville Independence Mission Implementation Autonomous Bougainville Government</p>
<b>Description</b>	<p>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.</p>

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<b>Agreement document</b>	<a href="#">PG_220405_Era Kone Covenant on the Finalisation of the Bougainville Referendum on Independence (opens in new tab)</a>   <a href="#">Download PDF</a>
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## Groups

<b>Children/youth</b>	No specific mention.
<b>Disabled persons</b>	No specific mention.
<b>Elderly/age</b>	No specific mention.
<b>Migrant workers</b>	No specific mention.
<b>Racial/ethnic/national group</b>	No specific mention.
<b>Religious groups</b>	No specific mention.
<b>Indigenous people</b>	No specific mention.
<b>Other groups</b>	No specific mention.
<b>Refugees/displaced persons</b>	No specific mention.
<b>Social class</b>	No specific mention.

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## **Gender**

**Women, girls and gender** No specific mention.

**Men and boys** No specific mention.

**LGBTI** No specific mention.

**Family** No specific mention.

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## **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:

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

and

(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.

**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');  
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;

...

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;

...

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;

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;

...

**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 1, 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.

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

...

**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:

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

and

(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.

**State symbols**

No specific mention.

**Independence/secession** 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');

...

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;

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**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:

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

and

(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.

**Accession/unification** No specific mention.

**Border delimitation** No specific mention.

**Cross-border provision** No specific mention.

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**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**

Governance→Constitution→Constitutional reform/making

**Article I -Outcomes of the Consultations**

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

(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.

(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.

(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.

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## **Power sharing**

**Political power sharing** No specific mention.

**Territorial power sharing** Power sharing→Territorial power sharing→Autonomous regions  
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');  
...  
**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.  
(ii) The Bougainville Referendum Results and the outcomes of the joint post- referendum consultations will be tabled in the 11th Parliament.  
(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.  
(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.  
(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.

**Economic power sharing** No specific mention.

**Military power sharing** No specific mention.

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## **Human rights and equality**

**Human rights/RoL general** No specific mention.

**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;



<b>Civil and political rights</b>	No specific mention.
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<b>Socio-economic rights</b>	No specific mention.
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**Rights related issues**

<b>Citizenship</b>	No specific mention.
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<b>Democracy</b>	No specific mention.
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<b>Detention procedures</b>	No specific mention.
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<b>Media and communication</b>	No specific mention.
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<b>Mobility/access</b>	No specific mention.
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<b>Protection measures</b>	No specific mention.
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<b>Other</b>	No specific mention.
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**Rights institutions**

<b>NHRI</b>	No specific mention.
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<b>Regional or international human rights institutions</b>	No specific mention.
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**Justice sector reform**

<b>Criminal justice and emergency law</b>	No specific mention.
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<b>State of emergency provisions</b>	No specific mention.
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<b>Judiciary and courts</b>	No specific mention.
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**Prisons and detention** No specific mention.

**Traditional Laws** No specific mention.

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**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.

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**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**

<b>Security Guarantees</b>	No specific mention.
<b>Ceasefire</b>	No specific mention.
<b>Police</b>	No specific mention.
<b>Armed forces</b>	No specific mention.
<b>DDR</b>	No specific mention.
<b>Intelligence services</b>	No specific mention.
<b>Parastatal/rebel and opposition group forces</b>	No specific mention.
<b>Withdrawal of foreign forces</b>	No specific mention.
<b>Corruption</b>	No specific mention.
<b>Crime/organised crime</b>	No specific mention.
<b>Drugs</b>	No specific mention.
<b>Terrorism</b>	No specific mention.

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## **Transitional justice**

<b>Transitional justice general</b>	No specific mention.
<b>Amnesty/pardon</b>	No specific mention.
<b>Courts</b>	No specific mention.
<b>Mechanism</b>	No specific mention.
<b>Prisoner release</b>	No specific mention.

<b>Vetting</b>	No specific mention.
<b>Victims</b>	No specific mention.
<b>Missing persons</b>	No specific mention.
<b>Reparations</b>	No specific mention.
<b>Reconciliation</b>	No specific mention.

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## **Implementation**

<b>UN signatory</b>	No specific mention.
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<b>Other international signatory</b>	No specific mention.
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<b>Referendum for agreement</b>	No specific mention.
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<b>International mission/force/similar</b>	No specific mention.
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<b>Enforcement mechanism</b>	<p><b>Article 3 – Final Provisions</b></p> <p>(i) This Covenant shall enter into force following the endorsement of the respective executive councils.</p> <p>(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.</p>
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<b>Related cases</b>	No specific mention.
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<b>Source</b>	No specific mention.
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