



**ERA KONE COVENANT ON
THE FINALISATION OF THE
BOUGAINVILLE REFERENDUM
ON INDEPENDENCE**

APRIL 2022



ERA KONE COVENANT ON THE FINALISATION OF THE BOUGAINVILLE REFERENDUM ON INDEPENDENCE

The Government of the Independent State of Papua New Guinea (hereinafter '**the National Government**') and Autonomous Bougainville Government (hereinafter '**ABG**') (hereinafter collectively referred to as '**the Parties**');

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;

Accepting that this Covenant is in addition to and strengthens the Bougainville Peace Agreement 2001 (hereinafter '**the 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;

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;

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;

AGREE as follows:

Article 1 - 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.
- (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) hereinabove 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.

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.

Article 3 – Final Provisions

- (i) This Covenant shall enter into force following the endorsement of the respective executive councils.

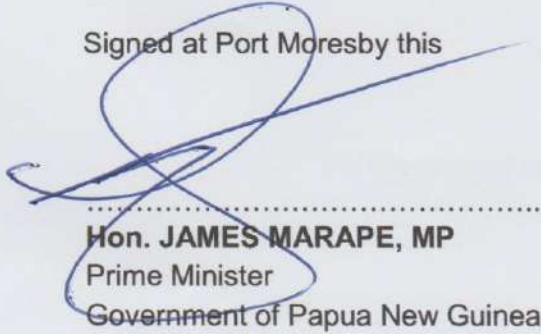


(ii) Any questions on interpretation and implementation of this Covenant shall be undertaken jointly by the Parties through consultations in accordance with Part XIV of the National Constitution and the Agreement.

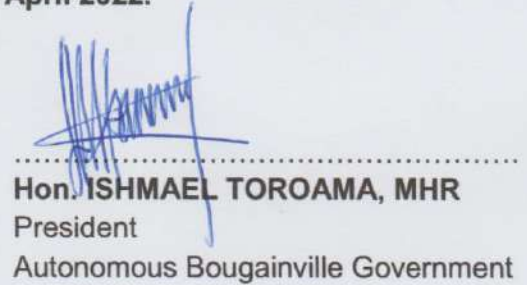
In witness thereof the undersigned, being duly authorized thereto by the Parties, have signed this Covenant.

Signed at Port Moresby this

day of **April 2022**.

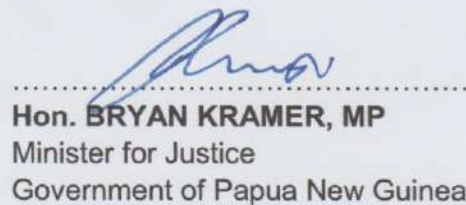


.....
Hon. JAMES MARAPE, MP
Prime Minister
Government of Papua New Guinea



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Hon. ISHMAEL TOROAMA, MHR
President
Autonomous Bougainville Government

Witnessed by:



.....
Hon. BRYAN KRAMER, MP
Minister for Justice
Government of Papua New Guinea



.....
Hon. EZEKIEL MASATT, MHR
Attorney General & Minister for
Bougainville Independence Mission
Implementation
Autonomous Bougainville Government

