

# Peaceful Independence for Bougainville

In the interests of the United Nations, United States,  
China, Australia, New Zealand, Papua New Guinea  
and the People of Bougainville?



The ocean off Toretei village, Bougainville, where all their weapons were dropped by helicopter into the Pacific

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## Abstract

Bougainville suffered armed conflict between 1988 and 1998. It started with environmental devastation caused by a RioTinto mine. Transformative peacemaking by Bougainvilleans drew on Christian beliefs to forgive old enemies. When tentative peace negotiations started thirty years ago, an independence referendum was the key demand. This was finally agreed in a UN-sanctioned peace process. The referendum did not occur until 2019. Independence from Papua New Guinea was the choice of 98 per cent of voters. Five years on, despair lurches to disgust among a younger generation who fear their leaders allowed themselves to be 'conned'. Wannabe warlords is a risk from that younger generation. So is a foreign power buying votes for an elected Bougainville President who seizes control of a Bougainville military to establish an authoritarian military regime after a unilateral declaration of independence. The international community must dedicate more attention in 2024 and 2025 to a peace with democracy resolution. Risks arise from a referendum that defers final settlement for too long. The Security Council should see an imperative for peaceful independence. A lesson learned is that the United Nations must analyse problems caused by peace agreements that are seen as broken promises in the eyes of many of the world's most oppressed survivors of war.

Keywords: Bougainville, independence referendum, peacebuilding

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## Redeeming a tragic history is possible

Between 1988 and 1998, Bougainville saw a sabotage campaign that closed a Rio Tinto mine at Panguna, operating as Bougainville Copper Ltd (BCL). This was repelled with brutal force by Papua New Guinea (PNG) security forces. That in turn cascaded to armed conflict between the PNG Defence Force and the Bougainville Revolutionary Army (BRA). The next cascade of violence was to internal conflicts between the BRA and Bougainvillean armed factions that opposed them. During that ten years there were few places on the planet that suffered more intensively from war than Bougainville. A naval blockade of the island cut it off from imports and exports, with years of absence of medicines contributing greatly to loss of life.

Some of us who used to be unsure of whether independence for Bougainville would be a good or a bad thing now feel that supporting the democratic choice of their people for independence is the right thing. Why come off the fence? The biggest driver of change to many minds was trust in the judgement of the Bougainville people to assess what was best for themselves. That judgment came from a society where many had sided and fought with PNG during their war, where pro and con arguments on different autonomy models raged beyond half a century, since early attempts to call for an independence referendum and declare independence in 1968 and 1975. In 2019, 98 per cent of Bougainvilleans voted for independence, with most of the remaining two per cent voting for 'greater autonomy'. International observers agreed that the procedural integrity of the vote was exemplary. Today those who resisted the BRA are probably even more unified in support of independence than those who supported the BRA.

Reluctance to support independence bids by breakaway regions of consolidated states is prudent. Stable, consensually recognised borders are fundamentals of peace. Sacralization of stable borders discourages separatist armed conflict. It encourages respectful listening and national responsiveness as better solutions to grievances. However, my hypothesis is:

- (a) Once there has been repeated national unresponsiveness to grievances; and
- (b) when there has been a civil war over those grievances; and
- (c) when the war is ended by a UN-sanctioned peace agreement that guarantees an independence referendum; and
- (d) when there is an overwhelming and fair referendum vote for independence; *then*
- (e) *international respect for the referendum result becomes the stability imperative.*

Indeed I argue that it may become inevitable. These conditions apply with unusual force to the Bougainville Peace Agreement, which was subject not only to UN sanction and a UN mission to monitor compliance with it, but also to UN certification of one step of peace agreement provisions before other steps could proceed. This ended after the appointment of Bertie Ahern as independent Chair of the Bougainville Referendum Commission who provided reports to the UN Secretary-General on its satisfactory conduct and completion. It is UN engagement that I argue needs to be followed through in 2024. This degree of UN buy-in to the substance of a peace is, nevertheless, unusual for the Security Council to endorse (Regan 2010).



The reason for reversing a longstanding preference for extant borders over secession is this. Any country is unlikely to be stable if it has a breakaway region that is not under the effective control of its national security institutions and has recently experienced armed conflict for that reason. The systematic statistical evidence for that is strong (Lee 2020). Instability is especially likely if 90 per cent of the separatist region vote that they do not wish to belong to their country in a UN-sanctioned referendum. To turn a deaf ear to such a UN-sanctioned process of democratic will formation is a prescription for economic and social catastrophes for both the country and the breakaway region. It risks violence.

Australia provided the ships and helicopters for PNG to impose a blockade of Bougainville after 1990. PNG and Australia would surely decide that another naval blockade of Bougainville is a poor option in any future slide toward armed conflict because today any naval blockade is met by drone attacks on ships enforcing it. Post-Gaza, there would be calls for war crime prosecutions from Australian civil society for the crime of cutting Bougainville off from medicines again. In the 1988-98 war, PNG forces made amphibious landings without losing lives; today cheap drones can detect their impending arrival; machine guns and mortars would await their landing. The economic setback from a 2025 war could be far more profound than the devastating setback for human development from the 1988-98 war. So neither side will be interested in declaring war on the other. Escalation from small beginnings where property rather than persons are attacked by a radical flank, as in 1988, is the greater risk. I will argue that some form of armed conflict or bomb attacks on valuable targets is more than a possible result from PNG denial of independence, however peace-loving the preferences of most Bougainvilleans and all their leaders.

Betrayed ordinary Bougainvilleans will be enraged; some young people would make unwise choices to attack perceived enemies or enemy assets. The policing response might be excessively brutal, as happened in 1988 after the bombing of assets of the Australian mine, and as also happened in 1969 when the 'mothers of the land' nonviolently stood their ground in front of the Australian bulldozers to prevent the Australian colonial power from stealing their land without their consent. This time the sense of grievance is more widespread and would be at more of a fever pitch across all Bougainville. So it takes considerable triumph of hope over experience to believe that this time everyone on both sides will be calm and eschew excess. In these circumstances, the experience of history is often that the violent few overturn the preferences of the anti-violent majority (Braithwaite and D'Costa 2018).

I could be wrong about what follows, because it is not a variable that the ANU Peacebuilding Compared project systematically codes. I welcome advice on where I am in error in suspecting that while there have been dozens of independence referendums in our lifetimes that have been ignored by states, the international community, or both, I know of no UN-sanctioned referendum vote to secede, subject to UN referendum supervision following an armed conflict, that has not been honoured. There have been many independence referendum cases where states and/or the international community have honoured a vote to secede. This has happened with varied degrees of UN sanction or monitoring of the referendum process and outcome.<sup>2</sup> Most of them do not follow after armed conflicts, but flow from less violent

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<sup>2</sup> For example, independence referendums that were honoured by the international community, or their former state (and mostly by both) were Guinea from France 1958, Western Samoa from New Zealand 1961, Algeria from France 1962, Malta from the United Kingdom 1964, Bahrain from the United Kingdom 1970,

disputes (Qvortrup 2014), though these can incubate violent disputes, sometimes later, as with Croatia and Ukraine. There are diplomats in Port Moresby and Canberra who believe they can make the Bougainville peace a world first of not honouring a UN-sanctioned referendum vote to secede, when this vote has been subject to UN referendum supervision after war. They may be right of course. I am a doubter of this thinking.

On the other hand, might it be right to try to persuade those diplomats to follow past international practice to avert any kind of world first of snubbing the peoples' vote? Let me re-emphasise this point by saying that the Bougainville referendum is not in the same category as the Russian-sanctioned referenda in Crimea and Donbas. It is a referendum that deserves respect in the same way as the 1999 UN-sanctioned Timor-Leste referendum was honoured by Indonesia, the United Nations, and the entire international community. Of course respect is also owed to the PNG view that it was reasonable to put into the peace agreement a provision for the elected leaders of the PNG state that fought against Bougainvilleans to be able to veto the Bougainvillean voice.

In the Timor-Leste case, it was wise and bold diplomacy by John Howard and Alexander Downer, supported by sophisticated advice of their DFAT advisers to reverse Australia's longstanding opposition to independence for Timor-Leste. It is hard to overstate what a massive reversal this was for the DFAT diplomats who advised it. It left the Labor Party high and dry, clinging to a loyalty to Jakarta that the Australian people rejected. Howard suddenly became popular again as a politician of genuine conviction to do the right thing. Today's Labor government can ponder a reversed reversal that leaves Downer-Howard thinking on the virtues of delayed referenda high and dry if a politics of PNG referendum denial comes to the boil. The policy U-turn might especially relate to the failed policy of a delayed referendum that kicks the problem, and the political settlement, too far down the track, and then fails to resolve it even five years after a referendum.

An Albanese politics of a Howard-style courageous but deft U-turn could argue that it is dangerous to fail to keep promises on resolving an Indigenous self-determination conflict for so long. Deferred referenda have rarely been attempted elsewhere in the world beyond their surge of popularity right at the end of the twentieth century in the region that Downer-Howard called the 'Arc of Instability' around Australia. It could be that the reason for this is that it may not be a prudent idea to keep kicking a serious threat to stability down the track (Regan 2012). I will argue that in each of the three South Pacific 'Arc-of-Instability' cases where it was tried, it sparked either short-term or longer-term instability.

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Comoros from France 1974, Aruba from the Netherlands 1977, Djibouti from France 1977, Slovenia from Yugoslavia 1990, Armenia, Azerbaijan, Estonia, Georgia, Latvia, Lithuania, Turkmenistan, Uzbekistan and Ukraine from the Soviet Union 1991 (alongside other secessions without a referendum), Macedonia from Yugoslavia 1991, Croatia from Yugoslavia 1991, Bosnia and Herzegovina from Yugoslavia 1992, Eritrea from Ethiopia 1993, Timor-Leste from Indonesia 1999, Montenegro from Serbia 2006, South Sudan from Sudan 2011. Then there are more complex cases of effective compliance with the norms discussed here such as the islands of St Kitts and Nevis in the Caribbean Constitutionalizing rights of each island to secede from their federation at any time in a referendum that secures a two-thirds majority. All of the above cases are distinctive and complex in their own ways. They of course cannot be summarized in any well-rounded way in a footnote like this.

## Averting violence is possible with restorative diplomacy

A second reason to come off the fence to support the independence vote is that my Peacebuilding Compared interviews as of July-August 2024 indicate that weapons are flowing into Bougainville again, though it is impossible to verify the extent of claims of locals about what they observe. Church leaders and the most prominent women's leaders are observant, knowledgeable and deeply concerned. Another informant said:

I heard from a senior ABG minister that some youngsters were keen to take the fight to the PNG mainland, with many already regularly visiting and traversing PNG for licit (buai) and illicit (marijuana for guns) trade (including across border with West Papua). The cross-border dimension with Indonesia raises other issues around conflict contagion which should exercise Australian decision-makers.

Research with children in parts of Bougainville report anxiety at the sight of weapons, including guns in their communities. Reconditioned World War II heavy guns in villages may trigger what is now the well-established condition of inter-generational trauma when weapons of war inflicted atrocities on parents of those children. I am pleased to engage in confidential conversations with peacemakers among the world's diplomats on the many forms this weaponization for the worst is taking today.

The most senior Bougainville leaders believe (I suspect rightly) that a report was written in 2024 by a former PNG military commander, General Singirok. Bougainville leaders allege that the report concludes there is not a significant risk or capability of armed conflict if independence is denied to Bougainville. Could it be that a report inspired by a man who has a stake in vindicating the pacification effectiveness of brutal PNG military operations he led in Bougainville might paint an optimistic picture of pacification? In fairness to Singirok, he also supported the rejection of further violence after his Prime Minister sought to take his war away from him by hiring a private military corporation, Sandline, to win it with mercenaries (Dinnen et al 1997). Could this be a consultant's report that tells governments in PNG and Australia what they want to hear? Conversations with those who gathered the information and spoke to them suggest this might be so. Commissioning the report has inflamed, infuriated some Bougainville leaders. Perhaps I should have said the report may have been 'ghostwritten' by General Singirok after Bougainville leaders complained to PNG that he was not an appropriate person to write such a report. One very senior Bougainville leader said of the conversations induced by this research project:

'They made the same mistake as they made in 1988. They said we are a peaceloving people. We are. But they underestimated us as simple-minded people' . . .

JB then asks if certain already armed militia leaders who never signed the peace might now stake a claim to be new warlords that rule Bougainville, claiming that they were right all along, that signatories of the peace were 'conned'.<sup>3</sup> It is not just a matter of what existing armed factions might do, he replied:

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<sup>3</sup> Being 'conned' by Australia and PNG is an operative allegation in Bougainville today. For example a July 28 Facebook Post by ABG Attorney General and Minister for Bougainville Affairs Ezekiel Massatt drew likes from people with names like 'Kabui' when he said, referring to deployment of Australian security personnel near

‘What is their assumption that I will not take up arms if they push me to the wall? What is their assumption that President Toroama will not take up arms if they push him to the wall? . . . We are going to declare independence if they continue to frustrate implementation of the referendum vote.’

JB: ‘Are you sure?’

‘Yes. If we can’t trust them, we are better to go our own way. We really want to be free. We fought a long hard war to manage our affairs as an independent people’ (August 2024 interview, Bougainville).

He explained that he was sure because there had recently been extensive consultation across Bougainville on what leaders should do if the PNG parliament votes to deny them independence. PNG and Australian leaders do not think of Bougainville people as ‘simple-minded’. But they have long been deluded by the unusually polite, deferential, and forgiving character of Bougainvilleans towards leaders from PNG and Australian visitors. This puts PNG and Australian leaders in a torpor of believing their own propaganda that they have been generous and have inflicted no injustice on Bougainvilleans. Now may be the time to support the democratic ethos of elected democratic leaders of Bougainville, who are more friendly to the West and less friendly to China than alternative elected Presidents-in-waiting, or authoritarian warlords-in-waiting.

What chance would President Toroama (or any presidential candidate) have of winning the next election in 2025 if he meekly surrendered to a decision of his former enemies in PNG and Australia to deny the democratic choice of his people? President Toroama has been left with little political option but to support a declaration of independence. Foreigners moving off the fence to support independence can show respect to Bougainville’s democracy. This is especially so if it involves a policy reversal to help Bougainville democrats to contain wannabe warlords.

In the face of such an overwhelming vote, and after the sacrifice of so many lives, it is cruel to tell the people of Bougainville that they cannot have the referendum outcome they believe they were promised by the international community. If ignoring the people was what the international community and PNG parliamentarians intended to do, if Australia and the UN (described by Australia as ‘signatory witnesses’ of the agreement)<sup>4</sup> thought Bougainville should have voted on something slightly different when they co-signed the peace agreement, they should have urged that upon the people of Bougainville long before the referendum. Better to have not wasted the precious time and resources of donor taxpayers, and the work of all of Bougainville’s people on the referendum process. Better not to have undermined their trust in Australia and the United Nations. Better not to have wasted the time and undercut the idealism of international volunteers as election monitors, and in other roles,

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Bougainville: ‘We were conned once. This time around we are active agents of this [sic] treasonous acts and seditious acts against the Bougainville people.’

<sup>4</sup> <https://www.dfat.gov.au/geo/papua-new-guinea/development-assistance/australian-assistance-to-bougainville>

during the protracted transition. Better not to have undermined the idealism of Bougainville and PNG university student volunteers during the referendum (McKenna et al 2021).

I admire the constructive character of the work Anthony Regan is currently drafting on creative middle-ground hybrids between full independence and full dependence. They will be worth a try if other peaceful paths disintegrate. Perhaps some hybrid would even have been the best possible outcome had they been put on the referendum ballot. But history matters. The sheer delay that would be involved in building consensus around a new hybrid option would aggravate the sense of grievance that alleges Australia conducts an orchestra of one tune after another in order to defer, delay and ultimately deny the justice to Bougainville of final implementation of their peace settlement. Hence the belief that Bougainville must now be decisive and cut the Australian knot. It might not only be Bougainvilleans who opine that novel sovereignty hybrids are examples of 'greater autonomy' that their people voted against. In law, is it plausible that any legal tribunal such as the International Court of Justice would find sovereignty hybrids short of independence are *not* 'greater autonomy' (that was voted down)? All alternative options will struggle for oxygen if what happens is that the PNG parliament refuses to ratify the referendum. Then a declaration of independence comes from the ABG Parliament. At the moment, that seems a likely turn of events.

### Extractive colonialism, then war

Bougainville suffered an oppressive history of German, Australian and Japanese colonial exploitation. After more than two decades of Australian slave trading came the first foreign occupation in 1885 by Germany. This was the plantation economy of the German New Guinea Company that occupied Bougainville alongside what is today the North-Western part of the Solomon Islands. It would have been surprising if the Germans were not alert to the colonial ethos of that time that discovering gold was the way to get rich. They probably harboured secrets of gold they saw in rivers. When an Australian military invasion ousted German control of Bougainville in 1914 (while Britain took the adjacent parts of the Solomon Islands that Germany had colonised) they soon found gold. All this was displaced by Japanese occupation in World War II. It was defeated and re-occupied by American, then Australian and New Zealand armies. This sequence of colonialisms to different 'mastas' included theft of land, of gold, of Bougainvilleans sold by Australians who kidnapped slave workers. Anthony Regan's as yet unpublished research will reveal that some were sold into slavery in Brazil. Most went to 'indentured' agricultural labour, particularly in Queensland and Fiji, though many were 'indentured by kidnap', meaning this 'blackbirding' was actually Australian slave trading in Bougainvilleans (Fitzpatrick 1980; Johnston 1980: 57-59; Firchow and Firchow 2008; Peake 2022: 39).

Accurate records of the extent of this were only recorded during the final phase of the enslavement era, between 1907 and 1914 (Editorial Staff 2022). This rate of recruitment averaged 1,000 Bougainvilleans a year, an extraordinary level in terms of the depopulation it must have inflicted. Bear in mind this trade existed across more than 50 years. To put its scale in perspective, compare it to the first vaguely reliable estimate of the population of Bougainville from 1921 of 47,000 (that included some Australians, Chinese, and others (Editorial Staff 2022)). The 1960s prospecting, then building of the Rio Tinto mine, was explained to me from 1969 by some Bougainvilleans as a follow-up to the slaving era. They



described it as an apartheid era. That ‘apartheid’ preferenced Australian and PNG workers, who got better accommodation, better pay, better schools, compared with Bougainvilleans. They were pushed to the margins on their own land. See also the Editorial Staff (2022) discussion of their ‘apartheid’ trope.

Villages that sided with the wrong side were razed by imperial armies of both sides during World War II. In that process the population of Bougainville reduced by more than a quarter (Nelson, 2015: 196). This compares to a 3.5 percent reduction in the population of Europe as a result of World War II. Then came the 1988-98 civil war to demand independence and closure of the ‘Anglo-Australian’ (Rio Tinto) mine that devastated Bougainville’s people, environment, and harmony. From 1962 to 1995 BCL’s parent firm was branded Conzinc Riotinto Australia. This company combined Rio Tinto’s huge British-owned Australian interests and a modest Australian zinc company that justified its ‘Australian’ brand.<sup>5</sup>

### Redemptive peace

As the end of the war neared, and well beyond 2001, arrived a profoundly redemptive period of peacebuilding for the Australian colonial project. It was noble in the humility of a caring Australia that deferred to New Zealand leadership of the international peacemaking and peacekeeping. This was because New Zealand was less resented, more respected, than Australia by the people of Bougainville. New Zealand stewardship empowered Bougainvillean women (Saovana-Spriggs 2007; Sirivi and Havini 2004) and men in the lead of the peacemaking, in partnership with Australia and other South Pacific countries. The Pacific islander peacekeepers were not only more outstanding than the outstanding Australians, but even more outstanding than the New Zealanders (Boege 2019; Peacebuilding Compared interviews). Peacebuilding compared concludes the Bougainville peacekeeping to be of higher quality than we find in other conflict zones; not as brilliant as the Fijian peacekeepers in Lebanon, but more effective than UN peacekeepers in Lebanon overall, and everywhere else evaluated by Peacebuilding Compared so far.

Bougainvilleans led a pathbreaking slow food peace that taught the whole world profound lessons on how to facilitate peace relationally, restoratively, without guns, and with a sequenced architecture of commitment (Boege 2006, 2019; Breen 2001; Regan 2010; Braithwaite et al 2010b). Regional governments were also generous at first in funding the Bougainville peace and development agenda.

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<sup>5</sup> BHP stopped mining at Broken Hill in 1939, but more marginal miners like the one that justified the ‘Conzinc’ and ‘Australia’ parts of Rio Tinto’s local brand persisted into the 1970s. Rio Tinto’s zinc interest at Broken Hill was most famed for the role of future US President Herbert Hoover travelling to Broken Hill more than a century ago to argue that money could be made extracting zinc from the tailings of Broken Hill’s mining majors. I will argue that Rio Tinto Australianized its brand as early as 1962 (the time of the earliest signs of prospecting promise in Bougainville) because it feared that it would not be able to buy future Labor governments. Rio Tinto had been much beloved by past Liberal governments. Presenting Rio Tinto as an Australian company justified extraction of iron ore without paying reasonable resource rents to the Australian people. The hoax was that this was an Australian company doing this to the benefit of Australian owners. The beneficiaries were actually foreign buyers who got unreasonably cheap iron ore, and foreign owners who raked in unreasonably high profits from their Rio Tinto shares. All this matters because Australian politicians and diplomats to this day support Rio Tinto, including in its Bougainville ambitions, in the belief that Rio Tinto was and is a big Australian miner.

A deft Australian contribution toward ending the war was when, with no loss of life, Australia used its muscle to foil a misguided plan to fly in the world's largest private military contractor with heavy weapons and foreign mercenaries to defeat the Bougainville Revolutionary Army (Dinnen et al. 1997; Dorney 1998; O'Callaghan 1999; Braithwaite et al. 2010b). This defended PNG democracy, ending significant risk of a military coup in Papua New Guinea, and helped catalyse the bankruptcy of the two largest private military corporations in the world. Thanks in part to this little recognised Australian contribution, the 'anti-mercenary norm' in international affairs enjoyed a major revival (Percy 2007). Sadly, decades later, the Wagner Corporation arrived with a bigger, badder vision of pillage waged by the private military corporation.

In praising New Zealand innovation and Australian humility in deferring to it, we must not detract from the most profound driver of the brilliance of Bougainville's peace, which was courageous risk-taking of Bougainville women and men themselves. A number of restorative Bougainville local peacemakers, often women, such as from the Peace Foundation Melanesia, sacrificed their lives when they ventured out into the bush, unarmed, to broker a local peace. Moreover, their Bougainville contribution was of promises made, promises kept. In their narrative of grievance, they contrast this to the promise endlessly deferred of listening to the voices of the people in the referendum. Bougainvillean allegations of duplicity is something Australia and the UN in particular must look in the eye. Is it urgent to redeem that promise with a brave change of course?

Australia and New Zealand risk the pride they used to be able to take in their peacemaking because they are not honouring the commitments of that architecture of commitment that made Bougainville a world-leading case of peacemaking and peacekeeping innovation that succeeded in growing positive peace.<sup>6</sup> Moreover, most of the Australian media and civil

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<sup>6</sup> I include myself as an example of an Australian with a tendency to take pride in some tiny things that I, like so many others, attempted to do to support Bougainville, small gifts given while failing to look squarely in the eye our failures to put these against the huge damage done to Bougainville by Australian and other colonialisms. So I am ashamed that I have not written a paper before now that is quite as robustly critical of Australia as this one. Usually I prefer a more dispassionate tone. At a certain point, this becomes weakness in failing to speak ugly truths to power. At least to the best of our ability in grasping truths. With Rio Tinto's role in Bougainville (as well as at the Freeport mine in West Papua), as with BHP's OK Tedi mine, I took some pride in being a scholar writing critically across many decades about what happened in such places. In 1969 and 1970 I led the organization of public meetings in Australia over theft of land from many landowners who got nothing. I failed to sustain that activism; I wrongly thought I had helped persuade Gough Whitlam and Bill Hayden in my conversations with them, especially when I met them together with Bougainvillean friends in Bougainville. I believed that they would put right Australia's colonial legacy. In the years after Labor came to power in 1975, this proved far from a realistic hope for Bougainville. After the peace agreement, like Bertie Ahern (see below), I assumed Australia could be trusted to be diplomatically persuasive about honouring an overwhelming referendum vote. Even though I had many disappointing conversations with DFAT officers about their want of commitment to that, I really assumed that in the end Australia would do the right thing. It is a failing of mine that while I wrote about corporate crime, including by the mining industry in Australia, to the point of getting a number of letters threatening libel actions by large corporates like BHP, I never discussed what big mining was doing across Melanesia, including in Bougainville, in a *corporate crime* framework of analysis. Today Brazilian scholars do write within a framework of alleged corporate crimes of BHP in Brazil, and scholars of corporate crime in Serbia, Guinea, Mozambique and other countries speak of corporate crimes of Rio Tinto such as bribery in their countries which leads to successful litigation against Rio Tinto (London Mining Network 2020; Boege 2022). I am meeting with them as I write on a project to reframe corporate criminal law to be capable of

society so far show puny engagement with risks to this reputational capital that Australia and the whole Pacific deserves for redeeming the sins of colonialism in Bougainville. So what might Australia, New Zealand and the UN system do to retrieve, renew, and build upon the excellence of that architecture of commitments?

This paper argues that it is not too late for the UN to acknowledge the danger of timidity and bad faith in Bougainville diplomacy (as discussed in the forthcoming section on ‘the Downer Compromise’). It can lead with PNG, Australia, New Zealand to put things right. The UN can learn lessons from the risks of further cycles of violence failure to honour and finalize peace agreements can pose. Redemption for the UN requires it to draw on the wisdom of Indigenous peoples in the varied ways they grow peace agreements and sacralize them (treat them as sacred, unbreachable) (Braithwaite 2024: 274-5). Western colonial diplomacy has a long history of treating peace agreements as less sacred than Indigenous signatories. This is the globally recurrent Indigenous observation that ‘White promises can disappear like writing in the sand.’ (Victorian Aboriginal Legal Service 2024).<sup>7</sup> United Nations diplomacy can redeem histories of broken Western promises by a restorative diplomacy project on how to sacralize, monitor and secure commitments, formal and informal. This is a restorative diplomacy path to rebuilding trust in UN peace processes (Braithwaite 2024).

Empirically, this matters a great deal. The interim evidence from ANU’s Peacebuilding Compared project is that of 73 coded armed conflicts, in 61 a narrative of the broken promise was a proximate factor that motivated protagonists, and an obstacle to peace in a major way in 41 (Braithwaite 2024: 36). I will argue that a narrative of the broken promise is prevalent among Bougainville leaders in the section below on ‘the Downer compromise’. And of even greater concern there is a narrative among young people that their leaders were naïve to allow themselves to be duped by these broken promises.

It is not too late for the UN, Australia and New Zealand to work with the PNG and Bougainville governments to show leadership with the lessons learned from current perils to the bold and brilliant peace they helped the people of Bougainville to negotiate. Specifically, I argue that

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tackling big miners. In all these domains of big miner devastation of the planet, I am leaving it late in my career as a corporate crime scholar to enjoin cases like Rio Tinto in Bougainville under Australian colonialism within a framework of how to contain alleged corporate crimes within a criminal law framework of analysis, and a reactive fault approach to criminal law remediation (Fisse and Braithwaite 1993). By the time I was finishing my PhD on corporate crime; Whitlam was coming to power in the same year; I had the view that a corporate crime framework was relevant to Rio Tinto in Bougainville. I could have, should have, written about it in those terms in 1979. ‘Corporate capital punishment’ (such as equity fines: Braithwaite 2022) may now be required as an option with mining corporations that wreak ever greater devastation of the planet to the point that it endangers more armed conflicts like in Bougainville. An independent Bougainville that exposes itself to risks from corporate crime by big miners might do well to arm itself with corporate criminal capability to escalate up to ‘corporate capital punishment’ (Braithwaite 2022).

<sup>7</sup> Promises written in the sand of Bougainville were reinterpreted through law inscribed in the stone of seemingly sacred texts of Australian law by some of the brightest, best, greatest Australian lawyers of their generation—Anthony Mason (former Chief Justice of Australia) advising the Commonwealth as Solicitor-General and Ninian Stephen (former High Court judge and Governor-General) as counsel for BCL. Stephen and Mason offered advice on how to fend off any Australian High Court challenge that might enforce a more sensitive engagement with Indigenous land-tenure issues. Ultimately, the High Court did hear the matter and decided in 1969 that Australia had the power to take land in Commonwealth territories without the obligations to provide just compensation (Teori Tau vs The Commonwealth, [1969] CLR 564; Havini 1999:8). Western rights to occupy were inscribed in stone to wash promises of justice from the sands of Indigenous land.

Australia, New Zealand and the UN might consider together persuading the United States and China that this is not only the right thing to do. Contrary to the prognostications of geopolitical alarmists, it is in the mutual interests of the United States and China to work together on peace. They can work together on the Security Council to support peaceful independence for Bougainville. If Australia, New Zealand and the UN Secretariat cannot persuade PNG, the US and China of this, then the United States and China might themselves build confidence in their capability to build peace together by so persuading PNG, Australia and New Zealand.

### Honouring the genius of Bougainville's 'architecture of commitment'

The Bougainville people and their leaders have honoured their part in a sequencing architecture described by Anthony Regan (2010) and dubbed an architecture of commitment by (Braithwaite et al. 2010b). This means a design whereby if one side meets commitment A, then and only then will the other side meet commitment B; then and only then, the first side will meet commitment C, and so on until a rich and deep positive peace is secured. Regan's writing on this architecture is part of what has made the genius of Bougainville peacemaking internationally renowned. Although patience now frays dangerously, the slow steps of the step-by-step architecture of commitment actually created space for a beneficent 'slow food' approach to peacebuilding until now (Boege 2006). Boege's slow food characterization of the wisdom of the peace is also justifiably internationally renowned.

All Bougainville presidents and former presidents, together with top Bougainville bureaucrats and political leaders believe PNG has not honoured the funding promises from the PNG budget under the peace agreement, nor the pace of drawdown of powers from the national government to the ABG to be funded by those commitments (McKenna 2019). Former President Momis (2005: 315) saw this as a re-run of the 1974 and 1976 promises of Prime Minister Somare to the 'North Solomon Islands Provincial Government' to devolve powers and resources that never happened. Former PNG Minister, a founder of the 1968 secession movement, the first PNG leader to be knighted, Paul Lapun, was likewise bereft as a former PNG Minister for Mines at the recurrent character of broken Panguna promises:

You didn't tell me what would happen to my environment . . . When I was young they fooled me and now I am old and still alive to see the result of my decision I weep. Who cares for a copper mine if it kills us (Denoon 2000: 200).

Now the President and his predecessors as leaders all believe that most members of the PNG parliament want to enact the final deathnell of the Bougainville peace by reneging on their commitment to take seriously the democratic will of the Bougainville people. Worse, they say Port Moresby and Canberra conspired to undermine goodwill to accord genuine seriousness to the vote they agreed to. Indeed, Bougainville believes that the international community has betrayed them by failing to lobby the PNG parliament that the referendum must be respected, not discarded as something that was a waste of time because it came up with the 'wrong answer'.

### Another perceived betrayal: The 'Downer compromise'

In the peace negotiations, the Bougainville negotiators wanted a referendum. They agreed to defer it for 15-20 years. They wanted it to be final in its decision on whether there would be independence. PNG leaders insisted on the ultimate sovereignty of PNG. One reason given was that the parliament should have the right to overrule a Bougainville referendum that was won only narrowly or in circumstances of alleged electoral fraud. Post-referendum agreement between both sides is also needed on what will happen to PNG currency held in Bougainville, PNG passports, and much more, before the roadway to independence is opened. The Bougainville negotiators ultimately agreed that the PNG parliament should have this ratification power.

Why would the former BRA leaders agree to a referendum that the PNG Parliament could ignore? Were they naïve, conned, as some young Bougainville hot-heads say? Those who see Australian diplomats as duplicitous share the view of leaders like former Prime Minister Alkitiri of Timor-Leste and French President Macron when he said 'I don't think, I know' [that Prime Minister Morrison lied]. Australian diplomacy has been discredited in recent times by this kind of perceived willingness to look people in the eye and mislead them. Australia needs in turn to look that criticism of its diplomacy in the eye rather than put up the shutters with a diplomacy of denial. The simple remedy to this perception is for Australia and Rio Tinto to reconsider their refusal to date to participate in a reconciliation process. They can apologise to Bougainville for their want of straight talk about the carnage Australia and Rio Tinto inflicted on the environment, and on generations of Bougainville children (Boege 2019).

Allegedly 'conned' leaders say Australian Foreign Minister Alexander Downer persuaded them that his discussion with other members of the international community indicated that the international community would support implementation of a free and fair referendum with a clear outcome. Much of the PNG budget at that time was funded by Australia, the UN, and other countries which Bougainville leaders believed would support Australian leadership to implore PNG to honour a clear referendum result. They believed this would lend clout to international support for an independence vote. They believed New Zealand, the United States, the UK, the EU, and Japan would join with Australia in not breaking their perceived peace process promises to Bougainville leaders. It also seemed obvious to Bougainvilleans that of course the international community would see that as the right thing to do; otherwise they would not have supported and funded the referendum. In the end, Bougainville believed the international community would never be so cruel to their long-suffering people as to endorse a referendum, then ignore it.

Perhaps the Downer compromise was compromised over time, as reflected in the tendency of Australian journalists in recent years to commence the practice of pointedly referring to the 'non-binding Bougainville referendum', a practice they had not previously followed. The word 'non-binding' does not appear in the Bougainville Peace Agreement; rather it speaks of 'ratification'<sup>8</sup> of the referendum by the National Parliament and 'consultation' between the PNG and ABG governments over timing, results, and implementation. Perhaps as younger PNG politicians had no memory of the war's suffering, they gave more emphasis to their

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<sup>8</sup>Peace Agreement accessed 28 August, 2024: <https://www.abg.gov.pg/peace-agreement>



concerns about knock-on secessions of other provinces? Or perhaps it was actually Downer's intent to open cracks in 'the Downer compromise' from the outset?

### Delayed referendums: regional innovation failures

The important conclusion of this section is that there are no examples of extensively delayed referenda being a successful policy innovation of the South Pacific. When societies do not yet have the capacity to make independence work, it is better, if possible, to finalize the political settlement with the referendum, then delay the date of implementation of independence if independence is the outcome of the vote. At least, my hypothesis is that delaying ratification of a referendum for 23+ years is an egregious error. I argue that considerably delayed implementation tends to be a preferable policy than considerably delaying the referendum and its ratification.

This conclusion runs contrary to the hype of some French and Australian commentators who regard the latter as a profound innovation. Some Bougainvilleans say that if a referendum had been held soon after 2001, more would have voted against independence, especially among the ranks of Bougainvilleans who fought against the BRA. They are probably right. But the reason that the result was as overwhelming as 98 per cent for independence in 2019 was that almost universal disillusionment and distrust set in as a result of what people increasingly saw as a politics of defer, delay and deny justice and promised empowerment of the people. They believed that people who suffered during a long war, then suffered again during a long struggle for peace should not be treated that way. That palpable disillusionment and distrust is hardly healthy.

Colonialism invented many modalities of failed transition to democracy that embraced voting in the democracy by Indigenous owners of the land. There were the genocidal failures of white settler society transitions in cases like the United States and Australia. In the US case there were many peace treaties with Indigenous peoples which enshrined one lie after another: if you will only move this far West, you can enjoy fulsome autonomy on those lands; then half a century later, if you move further West, you can be autonomous and free over there. All it took for a further push West was discovering another gold seam, another valley lucrative for cattle ranching. US Indigenous peoples came to call this 'the trail of tears'. In Australia, there were few peace treaties, fewer major military battles like the Battle of Little Big Horn, but many effectively similar trails of tears to what Americans called reservations. Australians often called them reserves with limited rights for freedom of movement off the reserve. In both cases, Indigenous people won no right to vote in the democracy until more than a century after they were ethnically cleansed from the lands most valued by whites.

New Zealand was only somewhat less oppressive white settler colonization than Australia, Canada only somewhat less so than the United States. South Africa never became a white settler majority society. An Apartheid system deferred full democratic voting rights for Indigenous majorities for a century longer than in the white majority settler societies. The economic bottom line was the same across these cases; Indigenous peoples were not allowed to become democratically empowered until white domination of the agricultural, mining and industrial economies was consolidated.

West Papua is a sister Melanesian regional case to Bougainville of foreign settler domination where mega mining investment by Western corporations (including Rio Tinto) was a central prize. Indonesia adapted the white settler society model of displacement of Indigenous peoples until reaching the point where 'transmigration' of foreign settlers, mainly from Sulawesi and Java, came to exceed the population of Indigenous Papuans (quite recently, during this century). West Papua, like Bougainville, saw pathbreaking innovation with a UN-sanctioned appearance of a genuine referendum. Instead of every Papuan getting a vote in a one-person-one-vote referendum as recommended by the Papuan Provincial Council, Indonesia dismissed the council and hand-picked 1026 representatives, 1025 of whom voted to be a province of Indonesia (Braithwaite et al 2010c, Chapter 2). These representatives had been subjected to threats and bribes after Indonesian military invasion of West Papua ended the Dutch colonial administration's transition to Papuan democracy. West Papuans are now the poorest people of the Pacific, which is one of the poorest of the world's regions. Regional aid programs today give less, with less priority to poverty-reduction. They do little to support poor West Papuans. Australia's aid program, for example, now prioritises security above health, education and climate adaptation.

The 2019 referendum in Bougainville was utterly different from West Papua in that the actual vote in Bougainville reached the highest UN standards of electoral integrity, indeed high standards by the guidelines of all international election monitors. Yet there was an underlying structural reality in common. In both West Papua and Bougainville, a fix was put in that so far has had the effect that the democratic will of an Indigenous national minority from a region separated from the country by a lot of ocean continues to wait for self-determination. In both cases, it has so far been a fix that Western leaders supported, and a fix from which Western publics managed to avert their eyes.

The central distinctive feature of the Bougainville self-determination process that is now at risk is the innovation of delaying a referendum. This South Pacific innovation started in France. It was an immediate success in brokering peace with Kanaks who wanted independence for New Caledonia (Maclellan and Regan 2018). The delayed Bougainville referendum seemed to follow with an even more celebrated pause in fighting, and the slow food settling of peace in Bougainville. Celebration of this remains totally justified until rejected ratification of the referendum vote ends goodwill.

Both New Caledonia and Bougainville suffered prolonged deferrals of the announced dates of their deferred referenda (Maclellan and Regan 2018). Some would say now that the success of these two delayed referenda was only one of delaying the rekindling of violence. That rekindling is clearer, stronger in New Caledonia in 2024 than it has so far become in Bougainville. This paper suggests that active steps should be taken to prevent Bougainville from following the trajectory of New Caledonia, or worse of West Papua. To achieve that, Prime Minister Albanese of Australia might first consider a bold reversal that ends allegations of duplicity through the Downer compromise. He can urge the international community to persuade and support PNG to honour the Bougainville referendum outcome. Is that a better path for Albanese than the path plodded by President Macron during 2024? Macron was forced to travel to New Caledonia to re-broker Noumea's post-referendum peace amidst riots, fires and firefights between armed New Caledonian factions. Macron looked like a leader who had miscalculated, lost control of violent streets that continued to be in flames

during his visit. Macron's critics used this to allege he was unworthy of French votes. His inability to turn this situation around may have made some contribution to the rejection of his party by the French people in the 2024 election.

We must step back, however, from this regional story of two short-term successes and medium-term failures of peacemaking with delayed referenda. There were actually two cases where Australian Foreign Minister Downer and Prime Minister Howard adapted the New Caledonia model. Downer and Howard ruled Australian foreign policy as a duo (more than through a Cabinet government) as they dealt with a circle of crises of the turn of the century that they dubbed 'The Arc of Instability' around Australia from the Aceh civil war, across a dozen Indonesian armed conflicts that were ethnic, Muslim-Christian, or both (Van Klinken 2007), right around to Australian-led peacekeeping in Solomon Islands and coups in Fiji. The biggest, and extremely long conflicts, were Aceh and East Timor.

Downer and Howard concluded that the New Caledonia experience could supply a template for Indonesian conflict resolution in Timor-Leste. It actually delivered an absolute reverse ordering of peace and violence to that which prevailed in New Caledonia and is now at risk in Bougainville. Howard wrote to President Habibie of Indonesia suggesting the deferred referendum idea. Habibie was infuriated. He and his cabinet angrily decided to decisively end disputation. They locked into a referendum which Indonesia would honour (Braithwaite, Charlesworth and Soares 2012: Chapter 7). Habibie felt that a decade or more of irresolution awaiting a referendum would destabilize his transition to Indonesian democracy. In that, he may have been right, Howard and Downer wrong. In turn, Habibie's welcome mat to an immediate UN-sanctioned independence referendum infuriated his military leadership, who were actively frustrating the transition to democracy. Their troops had lost so many lives defending a unified Indonesia in Timor. The conclusion of Braithwaite, Charlesworth and Soares (2012) is that Indonesia's military leadership effectively planned a military and militia genocide in Timor-Leste in defiance of that cabinet decision. They sought to paint their slaughter as a Timorese civil war. They failed thanks to strategic brilliance and patience by the Falantil leadership, particularly of subsequent Timor-Leste Prime Ministers and Presidents, Gusmao and Ramos-Horta.

One part of Gusmao's genius was persuading Timorese civilians to flee to hide in the mountains as soon as they cast their referendum vote. Empty villages then left few human targets behind for genocidal militias with Indonesian military units standing behind them. They had to be content with burning three-quarters of East Timor's buildings, murdering only 1400 people. A gem of Ramos-Horta's diplomatic accomplishment was on his own account (Braithwaite, Charlesworth and Soares 2012) persuading Gusmao who wept as he insisted that his troops remain in cantonment in spite of provocations intended to draw them out into faux 'civil war' to suppress the militias. These militias were murdering their families and razing their homes, their churches, and sacred Indigenous sites.

The Timor referendum result was almost as overwhelming as Bougainville's. It was fully honoured by the Indonesian government, with no hint of the failed attempts of its military leaders to game, reframe and sideline the referendum. Today Timor-Leste and Indonesia are reconciled. I was cynical during the hearings of the world's first bilateral truth and reconciliation commission between Timor-Leste and Indonesia. But I was wrong; their Truth

and Friendship Commission was a success (Braithwaite, Charlesworth and Soares 2012). The two countries live in peace and mutual respect. Australian and US military leaders<sup>9</sup> played inspirational roles as peacemakers, treating Indonesian soldiers respectfully as fellow professionals, persuading them not to wipe out the Australian peacekeepers who arrived first to end the killing and burning. This when decimating the Australian peacekeepers was within the power of the huge deployment of Indonesian forces.

So this Australian attempt at a delayed referendum in the event delivered an undelayed, high integrity referendum that cascaded to a short attempted civil war that became a short but horrific cascade of crimes against humanity. This was followed by a long struggle toward a successful peace. Reconciliation and a successful democracy with improving human development arrived, albeit with unresolved blemishes (Soares 2023). The key to this accomplishment was high integrity diplomacy by leading diplomats from the United States, Indonesia, Australia, New Zealand, Timor-Leste, and the United Nations. Today it is shortfalls of diplomacy from these players that is missing in Bougainville. Leaders like Howard and Clinton had the vision to see a need to put their past positions into reverse in the face of catastrophic risk. Enduring peace in Bougainville might also be secured at this historical moment of risk by the simpler reversal of recognising a referendum that has already peacefully transpired.

The overall conclusion from this regional experience with three deferred referendum proposals is that they are only likely to work if embedded in diplomacy of maximum integrity that is quite unlike what was attempted by Indonesian military leaders in Timor-Leste and West Papua, French leaders in New Caledonia, and that is currently at risk from the diplomacy of PNG and Western leaders with Bougainville.

Bougainville's leaders believed that Downer said to Bougainville's negotiators that Australia would work with the international community to ensure that if the democratic will of the people of Bougainville was strong and uncontested by allegations of electoral impropriety, the referendum result was sure to be honoured. UN-appointed Chair of the Referendum Commission, the former Irish Prime Minister of the Good Friday Agreement era, Bertie Ahern, effectively said the same thing in proclaiming the landslide referendum result of 2019. This was not something Alexander Downer ever said to non-Bougainvillean leaders. At least no record exists of him doing so, no one said he had done so in my Peacebuilding Compared interviews, including with Alexander Downer and John Howard.

President Toroama said in his speech at the signing of the peace agreement that the referendum vote would be 'binding under the pressure from international communities'.<sup>10</sup> Bougainville leaders said to me that when they said things like this during the months after the peace agreement, international diplomats never corrected them. They believed this was

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<sup>9</sup> Great US Senators like Edward Kennedy and Nancy Pelosi, the Prime Ministers of Australia and Portugal, also played inspiring roles with their diplomacy curated by Ramos-Horta from New York. Together with global grass roots of peacemaking, they persuaded President Clinton to order US military leaders to diplomatically advise the Indonesian military leadership that America would stand behind General Cosgrove's peacekeepers if the Australians were crushed by Indonesian forces (Braithwaite, Charlesworth and Soares 2012).

<sup>10</sup> You Tube: Accessed 3 September, 2024: <https://www.youtube.com/watch?app=desktop&v=nElx7oXygnI>

because they shared the belief of leaders at that time that what they were saying was effectively true. It was true because of the commitments in the Downer compromise.

### Why the UN should consider leading for an urgent, permanent political resolution

UN peacebuilding failures are many. Peacebuilding cognisanti view Bougainville as an obscure, little noticed success, yet one of peacekeeping's greatest. The UN's reputation depends on preventing such gems of accomplishment from flipping back to disaster as arms begin to flow back in to Bougainville. The empirical evidence, contrary to the perceptions of many laypeople and journalists, is that UN peacemaking and peacekeeping works on average in reducing the prospects of resumption of civil war, the loss of lives from wars, and the duration of wars (Walter et al 2020; Braithwaite 2024: 193-95). It is wise for the UN to get involved in defending that record in the Bougainville case. Because it has been such a celebrated success until now. Diplomatic decisiveness in 2024 and 2025 can keep it that way.

When peace and the democratic outcome of the UN-sanctioned referendum are stabilized, the UN might build on the renewal of its Bougainville accomplishment by launching a research project on what international society must do to more deeply sacralize peace agreements (Braithwaite 2024: 274-5) in ways that prevent 'narratives of the broken promise' from spreading in future Bougainvilles. People who want independence and are promised a vote on this must never again be allowed to drift with no outcome 30 years after they started a peace process. Thirty years of patience without violent retribution against those who sought to dupe them now seems to be held against Bougainvilleans. This is now taken as evidence that they will be passive if independence is snatched from them in 2024-25. As one Peacebuilding Compared informant put it:

The symptoms of frustration, stress and inter-generational trauma have so far been inwardly directed on Bougainville among Bougainvilleans - as manifested in gender based violence, sorcery accusations, substance abuse and other social order problems. Directing them outwards against the outside world would be another thing altogether.

The UN could plan to improve long-term monitoring and publication of compliance updates with all UN-sanctioned peace agreements. This could include compliance with the spirit of the peace, and widening the sway of positive peace (in order to sharpen accountability of signatories). It would be inspirational if the UN took that lesson from current risks to peace in Bougainville. That would be another inspiring legacy of its success as a peace up to this point.

Hence, the great weakness of peacebuilding in Bougainville has been the failure to build international consensus to honour the referendum. Regional leaders and diplomats in Australia, Indonesia and New Zealand and UN leaders in New York failed to show leadership towards encouraging Papua New Guinea that if it wants Bougainville to reject independence, it must persuade the people of Bougainville in a spirit of generosity that they will be better off in PNG. This pitch should have been that otherwise PNG will have to accept the consequence of the failure to so persuade the people of Bougainville. The consequence will be a country that is dysfunctional because it is deeply divided.



After 30 years, perhaps it is too late for that? Perhaps not. Perhaps if after decades of enduring hospitals and health centres with no medicines in them, those medicines arrived this month, Bougainvilleans would believe that access to medicines had finally transformationally improved since the Blockade caused a generation of old people to die for want of medicines, plus many mothers and babies dying during childbirth? Few developing countries have access to medicines as poor as Bougainville's (a fate it shares with some other places in PNG beyond major centres like Port Moresby). And few countries, if any, have suffered total blockade of access to medicines that was endured for 4-7 years (depending on the part of Bougainville). Quite modest amounts of aid to PNG could put essential medicines in hospitals by diverting a small proportion of the aid spent on policing, prison construction, justice administration buildings that are the finest buildings in town, and security sector consultants.

The path to a strong PNG now may be UN diplomacy to encourage PNG to provide help to Bougainville to become friendly neighbours bound together by reconciliation to heal the history between them. That is, given the history to now, the best path for both PNG and Bougainville might be the kind of reconciliation and mutual support Indonesia and Timor-Leste transacted as independent emerging ASEAN partners.

### Why Australia should consider leading for diplomatic redemption

Australia shares these UN diplomatic interests. It should be proud of its accomplishments in PNG as the war ended, and beyond. It can redeem that pride in 2024-25. All rich mining countries continue to have the economic interests in Bougainville discovered in the 1960s when Rio Tinto started opening a lucrative mine that became what many claim was the largest copper and gold mine in the world. I am no expert on the economics of mining; this is not a paper about that. More expert people say that partial prospecting of Bougainville suggests purer veins of gold and copper elsewhere in Bougainville compared to Panguna, as well as other kinds of mineral resources, fisheries riches, and other kinds of economic potential.

Australian partnership with Bougainville companies to develop these resources sustainably could enrich both, or could be a resource curse (Collier and Hoeffler 2000). It will be a curse if the architecture of commitment to a green peace that respects Indigenous ownership of the land and its heritage is weak. If Australia continues to be perceived as sabotaging independence for Bougainville, Peacebuilding Compared's<sup>11</sup> interviews with Bougainville leaders since 2006 suggest that Australia has no chance of achieving redemption through green development with mining. Without independence, there is little prospect of the Panguna mine ever re-opening with any partner – Australian, American, Chinese or Brazilian. In this respect, there is an acute convergence of interests between Australia and the US on the one hand, and China and Brazil on the other.

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<sup>11</sup> Free downloads of all publications of the ANU Peacebuilding Compared project can be found at <http://johnbraithwaite.com/publications-by-year/>

Only peaceful independence can deliver the security investors need for reasons I will not detail in this paper. Readers can doubtless imagine what they are. An Autonomous Bougainville Government that is not independent, and that believes Australia was instrumental in sabotaging the democratic will of its people, will probably never grant a licence to an Australian miner to partner in any future resource development. Rio Tinto has spent a lot of money in recent times seeking to cultivate Bougainville leaders, inviting them on well-funded trips to Australia. If it thinks that will pay off without independence, they are probably mistaken. If Bougainville declares independence without ratification, Australia will worry about criticism from allies for being responsible when unfriendly countries gain advantages from recognising Bougainville first.

If civil war does return to Bougainville, a story will be told about Australia's duplicity, about 'the Downer compromise'. It will not be criticism that is fair and balanced toward an Australia that has done so many helpful things in Bougainville. That could mean that the people of Australia turn on their own government to believe the Bougainville side of this story. Australians might charge their government with being devious yet again in its diplomacy. After all, the Australian people turned on their government over Australian diplomatic duplicity and resource-development ruthlessness around armed conflict before and after the independence referendum in Timor-Leste (Braithwaite, Charlesworth and Soares 2012).

Australia might have advocated honouring of a clear, strong, referendum vote for independence. The fact that it has never done so indicates to Bougainville that what Australia is actually committed to is loyalty to PNG and betrayal of Bougainville. It is now the right thing for Australia to refute that perception by diplomacy in support of the Bougainville referendum as an act of Indigenous self-determination under the UN Charter. Australia can recommit to the architecture of commitments that has made this peace process until now a peace of which Australia could be proud. ABG President John Momis urges the Bougainville parliament in the following quote to tighten up its commitment to weapons disposal and good governance in preparation for the referendum, belief in the Downer compromise was the commitment he most emphatically emphasised to motivate integrity of Bougainville toward its commitments:

When Australian Foreign Minister, Alexander Downer, persuaded the Bougainville leaders in late 2000 to make a compromise on their position that the referendum vote be binding on the National Government, he indicated that the international community would support implementation of a free and fair referendum with a clear outcome. The truth is that we may need to rely on international community support at that time. So we Bougainvilleans need to make sure issues about weapons and good governance [do not] result in loss of international community support (Momis 2015).

### Why China could consider leading

Let us address the China elephant in the room before the even more central US interest. I have already argued that China has a shared interest with the US and Australia in averting a new crisis that prevents anyone from being able to import and invest in Bougainville's resource riches. The Australian and US intelligence establishment reasonably enough worry that if they make a mess of their relationship with Bougainville, Chinese ships will be transporting gold, copper, limestone, fish, cocoa and more from Bougainville's harbours. They

also worry that China has a track record of being more willing than Western investors to provide cash up front to the political leadership of developing countries that wish to fund their state infrastructure many years in advance of mineral exports flowing. This concern sharpened when China expressed a willingness to embrace Bougainville into its Belt and Road initiative, and earlier when Taiwan seemed open to providing development assistance to President Kabui's ABG in return for future recognition of Taiwan (something PNG strenuously resisted at the time according to my interviews with PNG ministers).

Western intelligence analysts take comfort from the fact that China has major investments in PNG. China does not want the PNG government to accuse it of meddling in PNG sovereignty over Bougainville. A more likely scenario here could be that China invests in future in a BRICS Bank and the BRICS Bank lends big to a Brazilian miner, or some other BRICS miner, to fund an independent Bougainville government in advance of mine sales. Then control the extraction of mineral resources. Of course, if that happened, the US would try to persuade PNG that it was China that was the duplicitous international actor, which would be a downside for China.

China thinks that high and growing levels of corruption in Melanesia is a creation of Western colonialism. China does choose at times to grow it further with extravagant bribery in relation to any project in which China has a big interest, be that commercial bribery in PNG, Bougainville or Solomon Islands. Put another way, China could choose to extract and exploit, exploiting symptoms of sins of the past, notably corruption, rather than being a contributor to reconciling the sins of the past. China makes precisely that choice in other places, in Africa for example, as of course do Western corporations. The trouble with this for long-term investments with the upside potential of Bougainville is that corruption costs do feed on themselves to erode profits and productive efficiency. They can induce warlordism that makes this place just too unstable for profitable investment. So the diplomatic high-road of working with the United States in the Security Council on Bougainville should make more sense to China. China has bought off the President of the Democratic Republic of Congo with huge upfront personal political payments in advance of monopolising certain hugely lucrative strategic mineral resources there (Braithwaite and D'Costa 2018). But China well understands that Bougainville will not be a very strategic investment if it becomes as militarily unstable as Congo.

All this suggests the conclusion that the best way for China to pursue its interests could be to do the right thing by both PNG and Bougainville, to provide development assistance to both, and seek to compete toe to toe with Western mining and infrastructure investors by offering the best investment deal. They cannot achieve this if violence breaks out in any major way across Bougainville and if Bougainville and PNG return to shooting at each other as enemies.

Bougainville is not a current major battleground of all-out competition between the US and China. The interests of both the US and China are in peace in Bougainville that allows their firms to compete for profitable Bougainville investment partnerships. In both cases, that might include partnerships with Australian and PNG miners that extract the resources, then export them to China at good prices. After all, Rio Tinto itself is such a partnership: its largest shareholder by far is a Chinese firm, most of Rio Tinto's sales are to China. Australians own a

very tiny proportion of Rio Tinto shares. Rio Tinto is by the objective facts of share ownership a Chinese-US-British firm, not the 'Anglo-Australian' firm of its corporate spin.<sup>12</sup>

All of this means that a peace for Bougainville that honours the outcome of the referendum that they (East and West) supported together on the UN Security Council provides an opportunity for confidence-building between the US and China. It is an opportunity that comes at a time when confidence-building between them on questions of peace is rare, a rarity sorely needed for the sake of the whole planet.

### Why the US should consider leading

We have seen that many of the reasons for Chinese leadership apply equally to the US, including their shares of the dominant holdings in Rio Tinto! The United States has the extra reasons of doing what is in the interests of its significant allies Australia, New Zealand and Papua New Guinea. World War II saw fighting for strategic airfields in Bougainville and Guadalcanal where future presidents Nixon and Kennedy fought, where naval commander Admiral Yamamoto, architect of Pearl Harbor infamy, was killed. For similar reasons, it is one of the places where World War III could be fought to control geostrategic airstrips. If Bougainville is pushed with its back to the wall by Western diplomacy, if the West isolates it and rejects the democratic resolution to the conflict that New Zealand and Australia helped to negotiate, that really would open an unprecedented kind of door to China. China can then present themselves to Bougainville as the side of geopolitics that can protect them from those who bullied it, blockaded its ports, invaded it, lied to it. China can seek to persuade the Pacific of something they know some Australian analysts believe to be true: If the great powers are foolish enough to fight World War III over Taiwan, all sides will lose catastrophically in human suffering and economic devastation, but in the end the US will retreat after taking huge losses as their ships and submarines are picked off crossing the Pacific. It is China that will prevail economically, but also militarily if push comes to shove, to become the regional hegemon. That pitch is not such a radically implausible one to put to Bougainville leaders as to why Chinese ships should be welcome in their harbours.

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<sup>12</sup> Why would Rio Tinto spin its ownership as Australian when it is not? The claim that BCL was a Rio Tinto operation that was Australian before, during and after the conflict was branding spin. It was fundamentally Australian only in the sense that most of the expats who came to work at Panguna were Australians. Rio Tinto were extracting Australian resources without Australian politicians demanding that Australians enjoy a fair share of the profits from their resource riches. Kevin Rudd and Wayne Swan attempted to put that right when they came to power in 2007; they were slapped down in a well-funded campaign supported by Rio Tinto and led by Rio Tinto's biggest Australian partner, Gina Rinehart. The facts are that Rio Tinto was totally controlled from 1880 for a long period by the Rothchild family in London. There are still some modest Rothschild shareholdings; there has never been an Australian Rothschild investor. It is true that the biggest individual investor in Rio Tinto until recently was an Australian, indeed the Australian head of state, Queen Elizabeth II, but there was no other major Australian shareholder. None of the top ten institutional investors reported by Rio Tinto are Australian. The two largest asset investment corporations worldwide, BlackRock and Vanguard from the United States, are the second, third, and sixth largest shareholders of Rio Tinto. But the largest owner controls far more than the combined ownership of these US investment giants. That most dominant owner is Chinalco. The UK, US and China are also the three top countries of origin of individual shareholdings. Australia does not appear as one of the listed top 13 countries of origin for shares of individual ownership of Rio Tinto (Accessed 31 August, 2024: <https://www.marketscreener.com/quote/stock/RIO-TINTO-5254/company/> ).

That kind of geopolitical pitch, that level of competition over Bougainville is a risky game. It is not worth the risks for the United States, and would also be radically unpredictable in the effects it would inflict on Chinese economic interests and diplomatic goodwill across the region. A better, more peace-loving, diplomatic playbook is open to both great powers. I submit they should together grasp it now. The US has an interest in averting a unilateral declaration of independence by Bougainville after the PNG parliament rejects the referendum vote because America does not want its Australian ally, its 'Deputy-Sheriff' as John Howard once put it, to become a post-colonial outcast from Bougainville again, as it was from 1988.

A final reason and responsibility of the United States is that a huge number of weapons, including artillery, high calibre machine guns, ammunition and hand grenades were left behind, intentionally buried on Bougainville. The same is true of the Japanese military. Counting both sides, way over 100,000 troops fought with these arms in Bougainville (42,000 of them were killed on Bougainville), and a much larger number in the adjacent Solomon Islands. Reasons for the weapons being left behind in the region include that both sides would win battles, then start to lose ground from enemy advances. Americans handed ground over to Australians and New Zealanders to hold. In retreat, both sides often buried surplus weapons, including heavy ones, with the intent of rewinning that territory and retrieving them later. Mostly they never did. In the Torokina area there was much dumping of weapons and ammunition in lakes and lagoons. They also left buried grenades and mines that can still maim children today, though this has happened much more frequently in recent years in Guadalcanal than Bougainville. Some practices in current hedging against future risks of conflict in Bougainville, such as finding buried grenades, then storing these unstable explosives together in grenade stockpiles, pose new risks to innocents. Both the Bougainville civil war and the near civil war of the Solomon Islands that partially cascaded into one another were significantly fought with these buried World War II weapons. The two-way traffic of weapons is at the time of writing mainly traffic from the Solomon Islands to Bougainville.

As this is written, World War II weapons, including large ones, are still being reconditioned in Bougainville metal shops though not at the level that this was happening during the 1988-98 fighting. This gives both Japan and the United States special duties of care toward supporting peace in Bougainville today. If the US and Japan do not step in as supporters of a final peaceful settlement, they hand China yet another narrative to feed to Presidential candidates that China funds to contest future Bougainville elections, as it has done in the past.

### Why New Zealand should consider leading

The ways that New Zealanders played vital roles in ending the 1988-98 armed conflict in Bougainville are legendary (Regan 2010). The Bougainville peacebuilding contribution counts among the finest moments of New Zealand history. Honouring that contribution that continued long after 2001 is a reason for New Zealand in 2024-25 to further build upon its peacemaking excellence. New Zealand achievements went beyond peace negotiations, hosting the peace process, peacekeeping, and laying a golden bridge (Ury 2023) Australians could cross to prove themselves trustworthy again to the people of Bougainville. I might argue that New Zealand has also been the most important society in international leadership of the social movement for restorative justice. New Zealand aid delivered restorative justice training to churches and civil society in Bougainville. This helped the people of Bougainville to continue



working for decades to reconcile and heal their traumas in diverse ways that continued for decades after the peace. To there have been more than a thousand civil-society-led Bougainvillean reconciliations. I nominated the Peace Foundation Melanesia for the International Restorative Justice prize that Clarence Dency and Father Pat Howley (2002) received in Toronto. Their work was also funded by Caritas New Zealand and the Princess Diana Foundation.

The entire restorative justice movement worldwide learnt invaluable lessons from Bougainville's restorative peace on how to better heal societies after war and prevent future wars. Bougainville police received restorative justice training as well on how to do policing unarmed; New Zealand police curated training and startup for a splendid Community Auxiliary Police Program for part-time constables living in villages. Among other things, this proved a valuable community-led approach to detecting and moderating family violence restoratively in civil society after the war that has been copied by other societies with training and leadership provided by police and churches from Bougainville (Dinnen and Peake 2013; Braithwaite et al 2010a).

New Zealanders are people who value their reputation as honourable actors in international affairs. Becoming a leading advocate of peaceful independence that honours the referendum vote is one way of renewing that special admiration New Zealand enjoys in Bougainville and beyond for the astute and caring architecture of Bougainville's unarmed, slow food peace. It would be unforgivable for this generation of New Zealand leaders to sit on their hands while this accomplishment is at risk of being trashed.

### Why PNG should reconsider leading

PNG escaped from the last Bougainville armed conflict with its armed forces demoralized, especially after the 1996 Kangu Beach Massacre of PNG troops by Resistance forces that were supposed to be PNG allies. The massacre followed allegations of rape of Bougainvillean women by PNG troops. Demoralization reached the point of almost sparking a military coup against the elected Prime Minister. Australian forces were put on alert to fly to the rescue of the civilian government. In the end, this crisis over Sandline being hired to invade Bougainville to win the war with mercenaries fortunately resulted in rejection of militaristic solutions and a coming together moment that provided an opening for PNG peace.

The conflict threatened the careers of other PNG political leaders. It set back its economy. PNG cannot afford to fight or manage another armed conflict in Bougainville. Next time the Australian people would not want its government to fund such a war in the way it did in 1988. Nor would many citizens of PNG who believe that the referendum should be honoured because the people of Bougainville 'paid for it with their blood', Bougainville women paid with violated bodies. PNG can convince other provinces that say they want secession that the costs Bougainville paid to get to a UN-sanctioned independence referendum was something their province would never wish to suffer. What these provinces are really wanting is mostly more financial autonomy so they can better fund basic local services. That they can talk through. The national government can remain persuasive on this after Bougainville's independence. So can the international community which did promise Bougainville a referendum but would be extremely unlikely to do this for any other PNG province!

This paper argues that if the PNG parliament votes against ratifying the Bougainville referendum, Bougainville leaders have little political choice but to respond by declaring independence. Because PNG would not, and could not, respond to such a treasonous declaration by sending its army and navy to Bougainville in the way it did in 1988, the PNG Prime Minister will look weak and ineffective. Some other provinces then might begin to more seriously consider a unilateral declaration of independence because the PNG Prime Minister had just demonstrated that he is incapable of doing anything when a province secedes.

The PNG state is better off with a status quo where it does have a track record of formidable resistance to secession (in Bougainville), but where PNG is also a good citizen of the international community that honours a UN-sanctioned referendum. PNG does this only because that referendum was a referendum that PNG agreed to because it was undertaken pursuant to a UN-sanctioned peace process. To any other province that wishes to secede, PNG can then say to them 'Well good luck to you if you think you are capable of wading through the blood that Bougainville waded through to persuade the UN system and the UN Security Council to support a UN-sanctioned referendum that achieves a 98 per cent vote for independence.' So my pitch to PNG parliamentarians who are understandably worried about holding their country together is that one of the worst risks to fragmentation of your country would come, paradoxically, from voting against ratification of the Bougainville referendum.

If the international community became persuaded that it should honour the referendum promised to Bougainville, PNG could make demands on what development assistance to seek in return. After all, PNG surrenders a resource-rich province and is forced by the international community to face risks of a contagion of secessions as a result of an idea that came from Alexander Downer, not PNG. That kind of peace compromise could be more win-win for PNG and Bougainville than 'the Downer compromise'.

I could continue this country by country analysis with a section on why Japan should lead a renewal of peacemaking in Bougainville, the European Union, the Pacific Islands Forum, and more. These arguments would follow the same patterns I have already traced.

### Would independence be a disaster, a bottomless pit for donors?

It seems a fair comment when experienced observers say that since the Autonomous Bougainville Government was established, ABG has had serious corruption problems (McKenna 2019), yet corruption problems suffered by PNG on its mainland have been much worse. On the other hand, we should be cautious about this. It could be that PNG is just further along a postcolonial trajectory of corruption and progressive criminalization of states that suffer destabilization. This has reached a particularly bad place in recent times in PNG (as in the Solomon Islands) (Braithwaite et al. 2010a). And armed conflict is one reason that PNG and Solomon Islands are worst and second worst among the 16 South Pacific countries on the Human Development Index.

As one older former minister said, corruption in the ABG started with petty favours for friends and fellow clan members that most accepted as normative. In the course of the second decade of the ABG's existence, however, corruption spread, grew to bigger things. This happened as people looked at others getting away with corruption that was becoming

entrenched. An example is a civil servant refusing to pay an entitlement to a person unless they received a 10 per cent cut on the payment. Most ABG politicians after the 2001 peace agreement was signed were idealists committed to selfless service to their people, as were so many PNG politicians of the 1975 independence generation. In both cases, as decades rolled on, the ethos of more self-serving and corrupt politicians became more dominant partly because corrupt riches were helpful for winning elections, though this was far from universal.

For those of us who think that honouring the referendum is the right thing, what should we do to respond to the critique that a monster might be created, a corrupt state? It is hardly a good enough answer to say that because Bougainville may be less corrupt than elsewhere in PNG today, it will remain so, bearing in mind the trajectory just described. Diplomats determined to honour the promise of the referendum might rise to the challenge of the corruption threat by encouraging Bougainville, as they transform national and international diplomacy around honouring the referendum, to commit to a Constitution for an independent Bougainville that is more robust than the current draft circulating for consultation by the Bougainville Constitutional Planning Commission, and more robust than the current PNG Constitution.

The boldest move could be an elected Accountability and Integrity Branch of government, a fourth branch independent of the executive, legislature and judiciary. Such an Integrity Branch can be an elected branch with only a small number of members who serve only one term of say six years. This model persists to some significant degree in Taiwan a century after its inception in the pathbreaking Constitution of the leader of China's 1911 republican revolution, Sun Yat Sen. The model achieved a more sophisticated form in Thailand's People's Constitution of 1997, but only survived until it was dismantled in a coup by a military that believed in neither accountability nor integrity of government. The government of Taiwan has a much better record of impeaching corrupt politicians, civil servants, judges and prosecutors than any country in the South Pacific, indeed much better than the historical record of Anglo-Celtic countries like Australia and the United States. This is true even though Taiwan had only 541 impeachments during its first three decades after the end of martial law (Braithwaite 2022: 402-432). Bougainville and PNG could benefit from such a reform more than Australia or the United States, however, because the corruption virus is harder to tame in Melanesia where corruption has a bigger payoff in the business of buying votes and where all accountability is less deeply institutionalized.

So one could argue for a diplomacy of honouring the promise of the referendum combined with Bougainville committing to a Constitution for an independent Bougainville that is more robust on corruption-taming than the current draft being circulated by the Bougainville Constitutional Planning Commission.

### The More Worrisome Monster

Cascading corruption is a big enough monster. But a scan of post-colonial history reveals a recurrent risk that is bigger (Braithwaite and D'Costa 2018). It will be particularly at risk in a Bougainville that is foisted with an 'increased autonomy' that fewer than two per cent of its people voted for as the preferred option in its 2019 referendum. The risk is a politics of perceived betrayal that can create a niche for more than one wannabe militia commander

who issues weapons to supporters. One established militant who is already expert in importing weapons and assassinating political opponents is Damian Koike in the Mekamui lands. He fights for control over significant parts of the country against other Mekamui factions.<sup>13</sup> These factions did not join the peace in 2001, though a sequence of peace processes has progressively dissuaded most Mekamui members from persisting as holdouts. The bigger, wider worry, is not Damien Koike, nor any other armed extortionist spoiler left over from the 1988 war. It is younger, more aggressive, warlords than Damian Koike who might emerge with unexpected niches of armed support.

More than a decade ago I stopped asking security sector leaders in Australia, Bougainville, and PNG the following question. Could it be low cost and low risk for an unarmed Bougainville police commander to arrest militants (often child soldiers) controlling checkpoints who extract protection money from travellers along highways in the no-go zones? The police could perhaps have nearby back-up for armed resistance of the arrest from regional Special Forces. Then perhaps detain them while they await trial and reboot a Mekamui-wide peace and integration into Bougainville while all their guns are seized and they are detained until a full peace is settled? It was not that I felt this was a good or right thing for the Bougainville police to do. Indeed I was inclined to think that Bougainville leaders were right not to do that, and instead to persist with slow food peace dialogue with these spoilers (Boege 2006), which slowly accrued successes, including in arms surrenders. I did feel, however, that it continued to be a long-term question to ask. Allowing a dissident armed faction to control a significant area any country where automatic weapons are rife and murders are met with impunity involves deep dangers. I would have been more persistent in asking that question had I thought back then that PNG would be so foolish as to escalate insecurity by refusing to ratify an overwhelming referendum result.

As more than one warlord emerges to proclaim the gun as the less naïve solution to colonial domination than the ballot box, firefights may escalate among them. PNG politicians could foolishly view this as helpful at first – proving that Bougainville is incapable of sustaining peace within its own newly declared national borders. What a paradox for PNG hardliners who sit back and watch Bougainville destroy itself again at the hands of militants? Paradoxical because the militants will say their aim is to grow an armed force that can defend independent Bougainville against PNG, Australia, or other invaders. That paradox arose after 1988 and can arise again after 2024. One warlord might prevail in such a civil war. The experience of much post-colonial history (Braithwaite and D’Costa 2018; Braithwaite 2022) is that the maximally ruthless and violent warlord who wins the battle for survival might criminalize the nascent Bougainville state. Moreover, they could criminalize it with an army that was battle-hardened by the process of gaining military sway over all of Bougainville. Then it would be impossible for the PNG Defence force to defeat in an invasion to crush the insurgency.

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<sup>13</sup> Peter Reddy’s (2016) comparison of Somalia and Bougainville showed that just as Bougainville does not fit a master narrative of successful peacebuilding, Somalia is no fit to a master narrative of failed peacebuilding. He reads Bougainville as a story of successful peacebuilding in three-quarters of Bougainville and failed peacebuilding in one-quarter (the no-go zones) at the time of his PhD fieldwork during the first five years after the peace agreement. Somalia was then the reverse: a failed peace in three-quarters of the country and a flourishing peace in one-quarter (Somaliland).

This is only the worst possible scenario, of course. There are many lesser scenarios such as minor flareups between rivals who have tickets on themselves as emergent warlords. Or bombings against assets of perceived enemy states, as happened inside Bougainville in 1988. This of course could occur in future by the hands of the Bougainville diaspora.

The worst-case scenarios are sufficiently worrying that it could be good diplomacy to endorse the referendum outcome and promise generous donor support to help build an independent Bougainville state. But conditionality that no state resources are diverted to allowing any armed force of any kind to exist in Bougainville during the first ten years of its state formation could be a good idea. The overwhelming majority of Bougainville's people abhor guns and would likely embrace this as in their own interests. They might well vote to continue being a state without an army after the decade of transition (as 21 other states have done, following the example of Costa Rica abolishing its army 73 years ago, without a single invasion of any of these countries since they abolished their militaries (Braithwaite 2024: 42, Chapter 4)).

Eighteenth to twentieth century moderns scoffed at Immanuel Kant's (1795) case for states to have no standing army in his great work laying foundations of contemporary international law, *Perpetual Peace*. For small states that believe they can count on international peacekeepers to come to their rescue if they suffer a war of aggression, Kant begins to appear wise in application of his theory to post-World War II history. A Bougainville state without an army could be backed by a promise of all South Pacific governments, including Australia, and led by New Zealand again, to respond with peacekeepers should the elected government of Bougainville and its people ever be endangered by future wannabe warlords. Such a firm guarantee on its own would likely be sufficient to deter warlords who might destroy Bougainville's democracy, especially in the aftermath of the successes of Pacific peacekeeping in Solomon Islands and Bougainville early this century. Initiatives to encourage this from the Pacific Islands Forum and Melanesian Forum could help. Indeed leadership from these forums of countries with legendary peacebuilding credentials from Bougainville and beyond can show the way to the great powers.

### Visioning Bougainville's potential: feminism and human development

It is prudent to worry about current ABG weakness as a state (Peake 2022). Yet it is also important to see Bougainville as a society of great leaders, who were targeted by slave traders because they were leaders who energised workgroups to get a lot of work done, as Peake (2022) also does. Bougainville's education standards were the highest in PNG before the war. That is no longer true of a society demoralized by a war that destroyed all the schools. But it will become true again; Bougainville's schools are enjoying comparative improvement against PNG school performance metrics. Bougainvilleans were disproportionately leaders in the PNG public service before the war, in civil society institutions and in the PNG Defence Force. Bougainville's women were and are world-famous peacemakers (Saovana-Spriggs 2007; Sirivi and Havini 2004). Gender equality is a stronger current in Bougainville than in the rest of PNG. There are always more women in the small ABG parliament than in the larger PNG parliament. There are reserved ABG seats for women. Hence, empowering the Bougainville parliament, as powers are drawn down to it, empowers women.

The Bougainville Independence Constitution will have only two levels of government – national and Community Government. At the time of writing, 50 per cent of the elected Ward members of Community Governments are women and 44 of the 46 Chairs of Community Governments are ‘Chairlady’s’. This is because every ward must elect a man and a woman as a ward leader to convene ward assemblies for participatory governance. Whenever a man is elected as Chairman of a local Community Government, his Deputy Chair must be a woman, and the next Chair must be a woman under the 2016 Bougainville Community Government Act. This again is world-leading reform arising from the Bougainville peace in which all partners to the peace can take pride. Remarkably, many male chiefs are taking pride in it, though far from all of them so far!

It is still the case in Bougainville that the level of governance that gets most things done in its ‘hybrid political order’ (Boege et al. 2008), whether it is providing shelter for victims of family violence or support for those suffering PTSD from the war, or indeed any mental health problem, is the church. Mostly that is the Catholic Church, with the Uniting Church and Seventh Day Adventists also having strong niches of support. When you attend church, sure a priest might perform holy rituals, but then a woman takes the pulpit and takes charge of community organizing.

I attended mass in August 2024 in Selau with the family of a distinguished leader, Bernardette Ropa, among the community I lived with in 1969 and 1970. Bernardette helped organize to end the war early in her community. All weapons from the beautiful village of Toretei on the white-sand beach and cliff above were rounded up. An Australian helicopter took Bernardette out above the trench just beyond the reef where all the guns plunged to the sea in full view of the villagers. They wept when an Australian ship of war supplied to the PNG Defence Force strafed their village from that spot. They wept again with relief, joy, mixed with sadness when those weapons plunged into the Pacific off their beautiful shore. Thirty-four years on, Bernardette was still an admired leadership figure of her church. She listed from the pulpit all manner of local community organizing events and voluntary work projects, old people and single mothers who needed more of a helping hand. Then she addressed an important item of business. The Bougainville Constitutional Planning Commission was coming for consultation in the district. You must come and listen to the Constitutional choices we have before us, she says, looking down toward the children in the front rows. It is your future, it is our vision for our young people, and any and all of you, young and old, can have your say. Bernardette points a finger at her eye and asks the children, ‘Did God give you one eye or two eyes? Yes, that’s right, two eyes. He does not want you to look at the Constitutional issues in one-eyed ways. God wants you to look at questions from all points of view.’ A peace Constitution of commitments to doing unto others as we would have them do unto us, of rule of law under God is what Bernardette hopes for.

Then Bernardette surprised me, brought a tear to my eye. She said we had a special visitor today, John Kiwa. I had been brought here by their great uncle, Paul Markis to live in the village in 1969 and 1970. Paul’s older sister, Beoli, cooked for us and asked me to call her muma. I worked with family member, Herman, building a thatched house. Herman was slower than other builders, his hands devastated by polio, but he and I did our share working together at our slower pace. Herman died in 1971. I learnt only when I arrived in 2024 that I was too late for another goodbye. Paul and Beoli had died just a few years earlier. Bernardette



explained to the children, some seeming fascinated, others bored, that even though I was a waitman, I had been initiated in Toretei as a Chief of the Naboin clan in 2006 and given the Bougainville clan name Kiwa. Later I was very gently rebuked by two chiefs for failing to use my name John Kiwa when writing things like this paper on Bougainville. I replied with the importance to my mother of loyalty to the name she gave me. Bernardette instructed the children to address me as Kiwa when in the village, which many did, and that they could talk to me about the future of Bougainville. This paper passes on some of the messages about their trust in Australians to redeem commitments to them and reconcile a past that tore apart their beloved village. In 1969 and 1970 they did trust their Australian *kiap* (colonial District Officer). I would say he had earned and deserved their trust.

In 2007 I followed the Catholic Youth Cross from village to village with several women leaders in Southern Bougainville reconciling war crimes in front of the Youth Cross in each local village church, with local protestants joining the parade (see photos at Braithwaite et al 2010b: 74-5). At one church the priest said that members of the congregation were the 'lost tribe of Israel'. Arrival of the Youth Cross all the way from Rome enroute to the Youth Congress in Sydney was proof of how central this village was for Christian pilgrimage. Then he said Jesus was a black man. I believe he said Jesus came from Nagovis (Bougainville). Though I was just straining with my poor language skills to understand exactly what he said, I must have looked disbelieving as I asked for translation from the woman next to me. He looked me in the eye saying in English 'The waitman will tell you that Jesus was a waitman, but that is false'. I learnt so much about how to reconcile after war in ways that restore local identities and meaning in those days following the Youth Cross, and about all manner of things from listening to the mothers of the land of Selau during and after mass. These fieldwork experiences showed how important churches are as governance institutions of feminized power that go to the essence of identity and community action that is meaning-making.

One contrary view about independence for Bougainville and womens' rights is that independence would impose burdens on international aid budgets to build a new set of state institutions, leaving less for community empowerment of women. That was not a view any Bougainville woman has raised with me. Nevertheless, there is no doubt that for a number of years donor budgets would be strained by building a new Bougainville state. For example, it would be expensive and difficult to find funding to build an Independence University of Bougainville for Bougainville's young women. Yet no island of Bougainville's population in the modern world should be without a university, so it must be built with or without independence. In the longer term, however, for reasons I have already explained, so long as another war as a result of renewed independence struggle is averted, Bougainville is likely to score higher on the Human Development Index than PNG. It is also likely to score lower on corruption indices, and therefore may produce cocoa, gold, seafood, and many other goods and services with greater productivity than the PNG economy. In the long run it could/should therefore become more self-sufficient than PNG in terms of aid funding.

### Small and independent can be beautiful

One mistaken view that yesteryear's economists touted to AusAid on the basis of theory rather than evidence is that very small countries are less economically successful. From many angles that is empirically false (Braithwaite 2024:102-105; Easterly 2000; Alesina 2003). All of

the dozen richest countries in the world are very small compared to Australia's population, with just one exception, the United States. One of them is Singapore. After World War II it had a population similar to Bougainville's today. When the drums of decolonization beat during the 1950s and 60s, economists in the British Colonial Office chanted the mantra that Singapore was OK as a colony, but could not flourish as an independent country. It was too small, at risk from corruption and organized crime from Triads. It would do better merged with Malaya and North Borneo as part of Malaysia. That view prevailed to induce strife and violence until Singapore seceded from Malaysia. It then proceeded to do better than OK. I suggest not that Bougainville will do as well as Singapore, but simply that there are buckets of specious economic determinism in this particular development policy debate.

One reason small countries do better than expected is that they are so small that they frequently decide that they are defendable only by nonviolent resistance and/or by an insurgency that harasses an invader to make the invasion an economic folly. That is increasingly feasible in the era of cheap drones. Hence, a conventional defence force makes little sense. That is a huge saving for any country. The historical experience is that so far this has caused small countries without armies to get into fewer wars than other countries (Braithwaite 2024: 102-105). That is another economic dividend.

Instead of looking at this question through the correlation between the size of all states and human development globally, consider it in terms of Bougainville's region of 14 South Pacific Island states (excluding donors Australia and New Zealand). PNG ranks 14<sup>th</sup> on the Human Development Index and Solomon Islands ranks 13<sup>th</sup> out of 14. But these two states rank 1<sup>st</sup> and 3<sup>rd</sup> on population size. If bigness helps so much in the Pacific, why do PNG and Solomons perform comparatively poorly in terms of human and economic development, especially when they get so much of the region's foreign aid? War itself, as we have seen, is part of the explanation.

Finally, let us put aside the controversial question of whether it would be a good or bad thing for another mega copper mine like Panguna to open on Bougainville. Consider instead the option of a few niche underground gold mines that tunnel along its richest seams using world's best environmental and safety technologies and healthy corporate cultures, combined with excellence in landowner consultation over community services, roads, schools, and shared ownership. I am thinking of something like the Canadian gold mine in Bendigo that today is extracting more gold than was ever extracted across all of Australia during the 1850s gold rush that made Victoria the richest society in the world, and Melbourne the richest city, by the end of that century. My conjecture is that the Bougainville government will never allow Australian miners to drill such mines if Australian policy settings continue to frustrate Bougainville's independence aspirations. Indeed Bougainville could even fatalistically abandon all hope of any mining investment. Uncontroversially beneficial kinds of investment that are safer and more lucrative than present and past mining investments are possible if Bougainville is given its own course to steer independent ownership of its future.

### Irresolution, forlorn hope, unpredictability

Gaming a good and noble peace by declining to respect a referendum patiently awaited by the people of Bougainville across 21 years since war's end, then another five years without

settling how to respond to the vote, picks at the wounds of old wars. It is an inattentive course for leaders who ignore a local regional problem like Bougainville because it seems so unimportant compared to larger, longer engagements of international troops in places like Afghanistan.

Interminable failure to resolve such an Indigenous rights conflict could steer to the rocks of economic and social disaster for both Bougainville and PNG. Then, no one can predict how a single case might unravel. With peacebuilding we know certain things are predictive of peace with democracy and others of war, corruption, and oligarchy. But what will happen in an  $n$  of one case is unknowable. Bougainville can be seen as a successful case because of its participatory and resilient negotiation of peace and reconciliation. It can be seen as at risk because narratives of broken promises over Panguna, over independence, over repair of environmental devastation (including from climate change as Atoll villages go under) still await resolution. So Bougainville has entered its era of impatience. Stalling the most consequential finale of peace agreement implementation and hoping it will not ignite conflict is hardly a continuation of the successes of a slow food peace. It is now becoming a fast-moving folly of failed resolution of fundamentals for peace and development.

Uniting Church Bishop Toroi, Commission Member of the Bougainville Constitutional Planning Commission said to me in July 2024 that good peacebuilding and Bougainville Constitution-writing processes must not only persuade each individual to put forward their best self, their most peaceloving self, in political conversations. Peace processes must also persuade each collective actor, each family, each clan, each church, each business, each government department, to put their best 'collective self' forward, their peaceloving self. That may be needed too, he said, if independence cuts us off from the rest of the world. We must be strong in preparing ourselves to stand ready to endure a long period of return to our subsistence traditions if that is what we must do.

I conclude with that because international actors, including Alexander Downer, did put their best peaceloving selves forward in 2000-2001. Will they do so in 2024-25?

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