

# REFERENDUM LIFT OUT

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# WE ARE READY!



**From the Chair**  
*Hon. Bertie Ahern*

Dear readers,  
I congratulate you, the people of Bougainville, on reaching the eve of this historic Referendum. Your patience and commitment to peace has been acknowledged around the world. Bougainville has succeeded where many others have failed.

This Referendum is a first for Papua New Guinea, born from a unique peace process negotiated by Bougainville leaders and the National Government almost 20 years ago - the Bougainville Peace Agreement.

I must acknowledge and thank the work of many to prepare for Referendum: the two governments, my six eminent Commissioners, the Chief Referendum Officer, and the hundreds of temporary officials conducting operations here in Bougainville, on mainland PNG, and overseas in Australia and Solomon Islands. Over 400 Ward Recorders across Bougainville have been central to creating a better, more inclusive Referendum Roll - I thank you all.

As Chair of the Commission, I am honoured to be leading this Referendum process. We want to play our part in giving people a democratic voice, continuing the peace, and providing a credible result that the two governments can then discuss. We are not for either government. We are not for either option. We are neutral and independent.

I come to the Commission with a long history in negotiating peace processes, beginning in my home of Ireland as Prime Minister. I am a strong believer of the power of peace over violence. I have seen the benefits of resolving difficult issues in a non-violent way. It is never easy, it is not fast and it requires great care and attention - much like keeping a food garden healthy and productive. However, peace is always worth the effort.



We are deeply aware of the pain of the past, and the mixed emotions that will come with the vote. People from both Bougainville and Papua New Guinea have suffered greatly. However, my wish is for the Referendum to be a joyous occasion. A mark between the past and the future. A celebration that fulfils a long wish for all Bougainvilleans to finally have their say about their political future. It is an important decision for all.

After the referendum count is finished, the following steps will happen:

1. The BRC will announce in Buka:
  - no. of votes for greater autonomy
  - no. of votes for independence
  - no. of informal ballot papers

2. Return Writ to Governor-General
3. 40-day appeals period begins.

While our job is finished and operations wind down, it is my hope that the spirit of peace and cooperation during the Referendum period continues. The Peace Agreement says the Referendum includes ratification by the National Parliament - making this a 'non-binding referendum'. Unlike an election, this means that the option that receives the most votes is not necessarily the final outcome.

More time, patience and negotiation by the two governments will be needed before that final decision can be made. Once the decision is made, it must be respected by all for peace to continue.

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## Referendum dates

23 November	Polling begins
07 December	Polling ends
08 December	Counting begins
40-day appeals period after the return of the Writ	

## Referendum question

The question set by the two governments in October 2018 will be on the ballot paper: **Do you agree for Bougainville to have greater autonomy or Independence.**

## Referendum process

The two Governments have agreed on the following referendum process:

1. Eligible people of Bougainville will vote in the referendum.
2. National Government and the ABG will consult.
3. National Parliament will make the final decision.

Finally, I would like to say a big, "tenk yu tru olgeta pipol long Bogenvil". While the BRC is independent, the referendum is a team effort, including you, the voters. Over 200,000 people have enrolled, many for the first time. My appreciation also goes to those who have laid down their weapons and the ex-combatants who have committed themselves, and their communities, to a peaceful vote - to resolving issues in a democratic way, without guns. Vote in peace, and God bless all.



## What is the Referendum?

A referendum is a democratic process like an election, but instead of candidates, there is a question. This question has been set by the two governments:

Do you agree for Bougainville to have greater autonomy or independence?

Voters must choose one of these options by marking an 'X' in the box next to that option on the referendum ballot paper.



## What is the BRC?

The Bougainville Referendum Commission (BRC) is the independent agency created by the two governments to conduct the referendum. It has an independent international Chair, Bertie Ahern and six Commissioners - the two electoral commissioners Patilias Gamato and George Manu, and two Commissioners selected by each government: Dr Thomas Webster, Robert Igara, Ruby Mirinka and Patrick Nisira. The Commission selected an international Chief Referendum Officer, Mauricio Claudio, to lead day to day operations. The BRC is based in Buka, but also has three regional offices in Buka, Arawa and Buin.

The BRC budget of K27.8 million is provided by the two governments, and donor partners.

## What are the referendum rules and laws?

The rules for the Referendum and the operation of the BRC are set out in the following:

- Bougainville Peace Agreement
- National Constitution
- Bougainville Constitution

***“The BRC does not make the rules, we follow them.”***

- Organic Law on Peacebuilding in Bougainville and Referendum.

The two governments have also made decisions that guide the referendum according the Peace Agreement:

- Establishment of the BRC
- Selection of Chair, Bertie Ahern
- Referendum date
- Referendum question, and descriptions of the two choices
- Enrolment criteria for Bougainvilleans living outside Bougainville (non-resident Bougainvilleans)

The BRC also has a Charter, signed by the Governor-General, that sets out its functions. The Charter contains five (5) principles that guide our work. These are essential if the conduct of the referendum by us, is to be viewed as free and fair:

- Neutrality
- Transparency
- Professionalism
- Impartiality
- Inclusivity.

The Peace Agreement says the Referendum is ‘non-binding’ and requires ratification by the National Parliament. This means that the option that receives the most votes is not necessarily the final decision of the two governments.

## Referendum of Firsts

The Referendum is being held to a higher standard by leaders and the community. There is a need to honour the Peace Agreement to include the voice of all people of Bougainville in this democratic process.

With the people and resources provided by the two governments and donor partners, we’ve done our best to make the referendum as transparent, inclusive and accessible as possible. We’ve gone to people’s houses, to hospitals, to high schools, to work sites and even correctional facilities to get people enrolled according to the rules set out by the laws and decisions of the two governments.

This referendum will be the first to:

- Provide enrolment of Bougainvilleans in all 21 provinces of PNG
- Provide enrolment of Bougainvilleans living overseas
- Have a public display of the roll for challenge and verification
- Offer provisional voting for those enrolled, but not on the roll where they vote
- Offer postal voting for those travelling, or who, because of a disability or not being physically able to get to their nearest polling place.

## QUICK FACTS

### How many voters? (approximate)

- 190,254 in Bougainville
- 11,505 in PNG
- 269 in Solomon Islands & Australia

### How many polling places?

Over 500 including:

- Every ward in AROB
- 21 PNG provincial centres, Lihir, Ramu, Pogera and Ok Tedi
- Gizo, Honiara (Solomon Islands), Brisbane, Cairns (Australia)

### Over 250 polling teams

Nearly 2,000 temporary officials

# HOW TO VOTE

Like elections, the Referendum will have polling places in every Ward, a ballot paper, ballot boxes, polling officials, scrutineers and observers. Special voting ink will make sure everyone votes one time only.



Before 23 November check polling schedule for date and location near you.



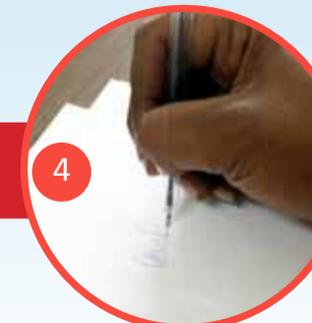
1 Go to polling place to check name: 8am-6pm



2 Name marked off Referendum Roll



3 Special voter ink put on your finger



4 Presiding Officer signs or initials ballot paper



5 Ballot paper is given, need assistance

## Greater autonomy or independence?

The two governments have provided the following descriptions for each choice:

- 1. Greater autonomy:** A negotiated political settlement that provides for a form of autonomy with greater powers than those currently available under constitutional arrangements.
- 2. Independence:** An independent nation state with sovereign powers and laws, recognised under international law and by other sovereign states to be an independent state, separate from the State of Papua New Guinea.

The BRC is aware that people want more information. We have raised this issue with the two governments - we want people to be fully informed about both options before them.

## FAQS - frequently asked questions

### Why are non-Bougainvilleans in Bougainville allowed to vote?

It was agreed to in the BPA in 2001 by Bougainville leaders and the National Government. Section 315, says that all people who can vote in national elections in Bougainville can vote in the Referendum. This includes non-Bougainvillean citizens of PNG who have lived in the same place in Bougainville for at least six months before enrolment.

### Why can Bougainvilleans living outside AROB vote?

The two Governments agreed to the enrolment criteria for non-resident Bougainvilleans, as was required by the BPA. People must:

- Have links to Bougainville by birth, adoption, marriage or clan.
- Were born on or before 23 November 2001
- Are a PNG citizen
- Are entitled to vote in PNG National Elections.

### Does my enrolment receipt mean I can vote?

No. An enrolment receipt is not proof of enrolment and will not be accepted during polling. You must have your name on the final Referendum Roll to vote.

### What does non-binding mean?

The Bougainville referendum is non-binding. This means either side is not 'bound' by the result for either option. This was agreed by those who signed the Bougainville Peace Agreement in 2001 - Bougainville leaders and the National Government. The BRC has not made this up. The two governments have decided the process for making a final decision, and this is on every ballot paper:

1. Eligible people of Bougainville will vote in the referendum
2. The National Government and the ABG will consult
3. The National Parliament will make the final decision.

The task of the BRC is to return three numbers (number of votes for greater autonomy and independence, and informal ballot papers). There is a 40-day appeals process and then the process is with the two governments.

### Will the referendum be free and fair?

We believe it will be, it is our aim. The referendum must be held to international standards of informed, inclusive and accessible voting where every eligible person can exercise their right to choose either option without fear or intimidation. The referendum will be watched by scrutineers, international and domestic observers, and media, to support the credibility of the vote.

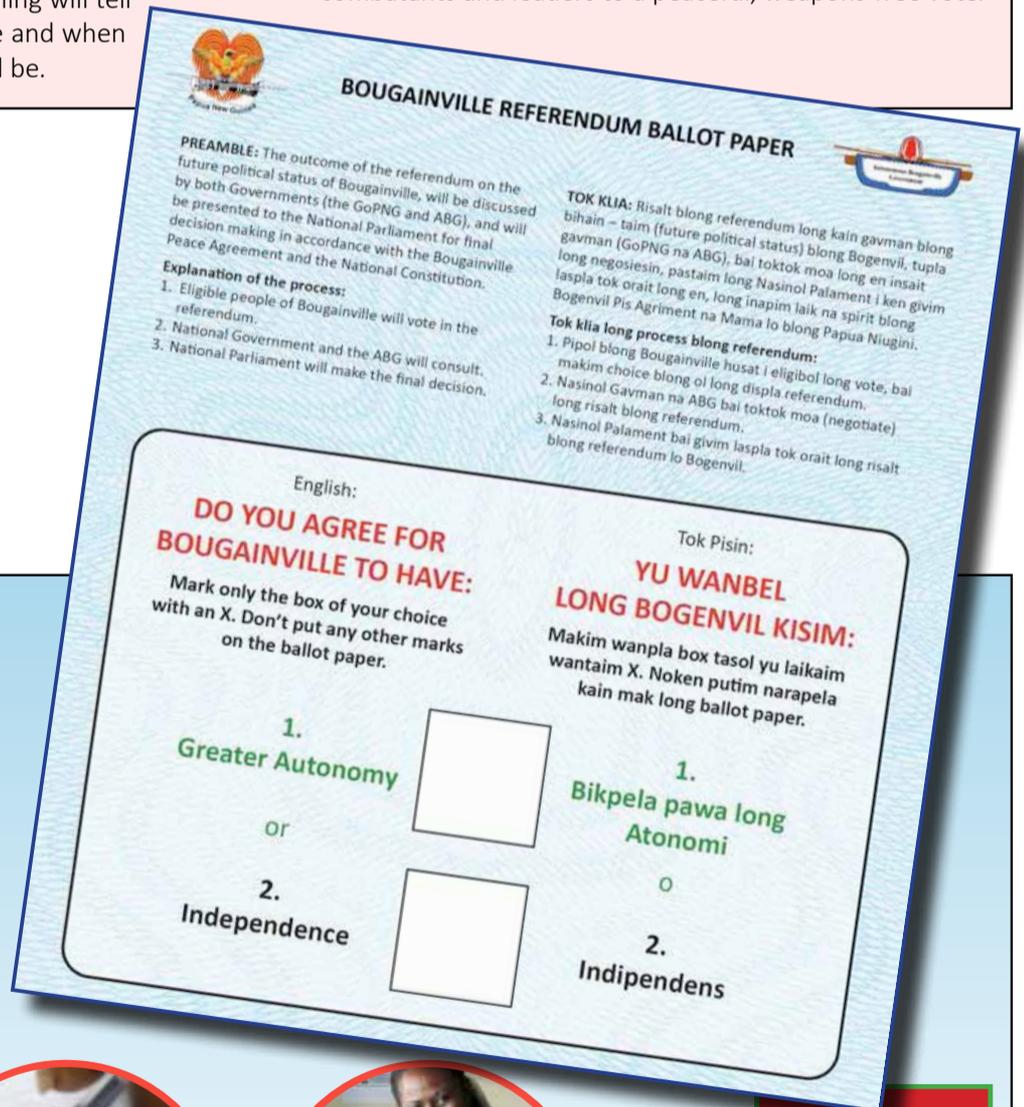
### Safety and security concerns?

The Bougainville Police Service is responsible for security during the referendum. However our consultations with nearly all Community Governments suggests the vote will be peaceful. We acknowledge the commitment of ex-combatants and leaders to a peaceful, weapons-free vote.



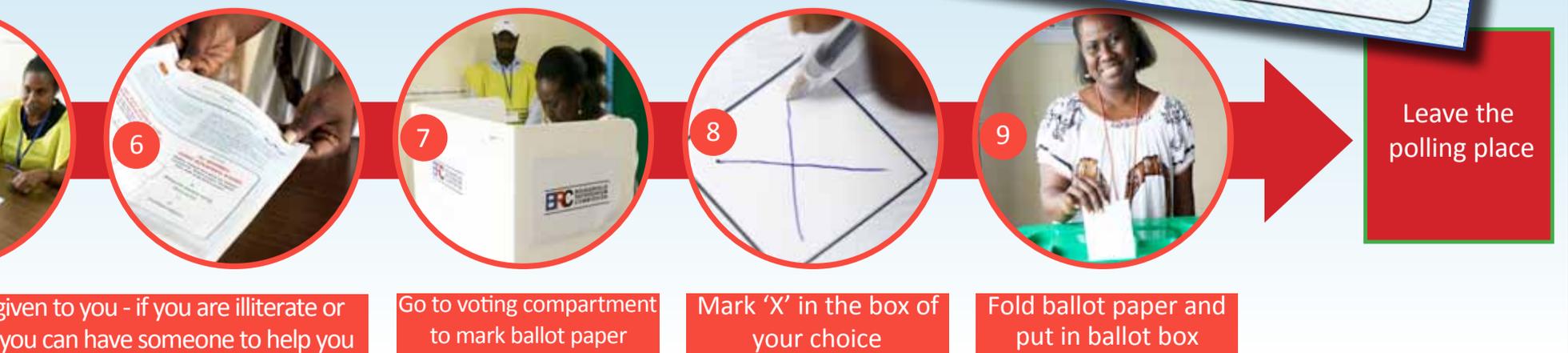
### Where will polling be?

There will be polling in over 500 locations, including all wards in AROB, 21 PNG provincial centres and four special work sites, and Cairns and Brisbane (Australia), and Gizo and Honiara (Solomon Islands). A polling schedule posted before polling will tell you where and when polling will be.



The Referendum process has been agreed by the two governments according to the BPA:

1. Eligible people of Bougainville will vote
2. National Government and the ABG will consult
3. National Parliament will make final decision.



# WHAT IS FREE & FAIR?



BRC Chair and Commissioners with the Referendum Writ, issued by the Governor-General, 27 September, Port Moresby.

**E**lections and referendums are democratic processes held to international standards of 'free and fair'. But what does this really mean?

'Fair' is generally the responsibility of the Commission:

- Making the process inclusive so the people of Bougainville can vote; whether they are disabled, illiterate, in hospital, young or old, man or woman
- Making sure voters understand the process and options before them
- Making sure the process is transparent (observers, scrutineers, media).

'Free' is generally the responsibility of the community:

- Creating an environment that promotes free speech, freedom of expression

- Freedom to hear about both options
- Respecting individuals right to make their own informed choice.

It's vital for the credibility of the vote, for this process to be worthwhile, that those rightfully enrolled, no matter whether they are living in Bougainville or in PNG, can vote without fear and without intimidation.

We strongly believe this will be the case. We strongly believe that everyone recognizes the importance, and the right, for the people of Bougainville to finally have their say.

## How will campaigning work?

The laws are silent on 'campaigning'. The BRC knows people fear a divisive campaign, and have negative associations with normal election campaigning. We have provided guidelines in our *Issuance on Canvassing, Broadcasting, Publications, Advertising*.

### Key points:

- No formal campaign period or parties (anyone can canvass, whenever)
- Period of silence 72 hours before polling
- Media outlets must label, announce or describe any referendum content as an 'advertisement' that is paid or compensated for by any group
- Any media article, broadcast announcement or advertisement published until the return of the writ, commenting on the referendum question (greater autonomy or independence) must include the author's true name and address.
- All advertisements, posters, pamphlets etc. must include the name and address of the person authorising the publication or issue.
- It is an offence to publish any statements, voting instructions, or sample ballots that may mislead or improperly interfere with a voter in the casting of his or her vote.

### Scrutineers

The Organic Law provides for 'Interested Parties': National Government, ABG and Recognised Interest Groups. They are the only organisations permitted to appoint scrutineers. Their role is:

- at polling centres, transport of votes, scrutiny during counting
- Can ask six questions during polling
- *They have no formal role in campaigning.*



“The guidelines encourage respectful, informed discussion of the two options, right to free speech, avoid hate speech and encourage social cohesion.”

**The Bougainville Referendum Commission (BRC)** is the independent body established by the ABG and Government of PNG to conduct the Referendum. The Commission has an independent international Chair (Bertie Ahern) and six Commissioners appointed by the governments of Papua New Guinea and of Bougainville. It works with, but is separate from, the two electoral commissions. The BRC is not subject to the direction of either government and does not promote any particular outcome of the Referendum.