



Security Council

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Report of the Secretary-General on the United Nations Observer Mission in Bougainville (Papua New Guinea)

I. Introduction

1. The present report is submitted pursuant to the letter dated 30 June 2004 from the President of the Security Council to the Secretary-General (S/2004/527), in which the Council, inter alia, endorsed the final extension, until 31 December 2004, of the mandate of the United Nations Observer Mission in Bougainville (UNOMB) and requested the Secretariat to present a report to the Council on “an assessment of the ground situation and on a mission closure-plan”. The present report reviews the progress achieved by the parties to the Bougainville Peace Agreement since the last briefing to the Council on 28 June 2004 on weapons disposal, the development of a constitution for an autonomous Bougainville government, preparations for elections and the plan for the closing of the Mission.

II. Assessment of the situation

A. Weapons disposal

2. At the last briefing to the Security Council on 28 June 2004, the Council was informed that Bougainville ex-combatants had destroyed 85 per cent of the contained weapons. As at the present date, that figure has reached a total of 1,841 weapons, or 92.6 per cent of the total amount. It is especially encouraging to note that significant progress has been achieved in the fragile southern districts of Siwai and Buin. In addition, 56 weapons not previously contained have been handed over to UNOMB and subsequently destroyed. The weapons disposal plan has been completed in 7 of the 10 districts of the Province.

3. Progress was possible, thanks to intensified awareness among the population and to the reconciliation ceremonies undertaken by the Bougainville leaders, with the assistance of UNOMB, throughout the targeted areas. Another contributing factor to weapons disposal in the south of the Province has been the progress made in the constitutional process. The United Nations Observer Mission is working very closely with the parties on the expeditious completion of the weapons disposal plan in the remaining districts. At the same time, the Mission is spreading its weapons awareness campaign to the adjacent “No-Go-Zone” not covered by the weapons

disposal plan, encouraging former combatants and other individuals in the area to turn in their weapons.

B. Law and order

4. Steady progress in weapons disposal continues to contribute to improved level of law and order throughout the Province. Policing has been strengthened with the deployment of 50 Bougainvillean police, who have recently completed their training, and the recruitment of a further 50 police who are currently attending the Police Training College at Bomana, outside Port Moresby. The latter are expected to graduate by the end of 2004. Australian Federal Police (AFP), who deployed to Bougainville in early September and who have started to work side by side with the Bougainvillean police, report to the respective Bougainville police commanders. Judging by the reception on the ground, members of AFP are being well received by the local communities. In addition, more than 400 community auxiliary police are at work or undergoing retraining in Bougainville. Community policing is being facilitated by New Zealand. Progress is also being made in improving access to courts and upgrading the correctional services. All these developments bode well for enhancing the trust of the public in the peace process and creating conditions conducive to the holding of elections.

C. Constitution making

5. The Bougainville Constitutional Commission submitted the third draft of the constitution to the Bougainville Constituent Assembly on 1 September 2004. The draft incorporated the comments previously provided by the Government of Papua New Guinea. Following two weeks of deliberations, the Constituent Assembly introduced some amendments to the draft, which resulted in a fourth draft of the constitution. The report of the Constitutional Commission and the third and fourth drafts of the proposed constitution were submitted to the national Government in mid-September. The Government expects that consultations between the bipartisan National Committee and the Constituent Assembly will be undertaken in the coming weeks.

6. To ensure that the Bougainville constitution complies with the constitution of Papua New Guinea, the amendments to the fourth draft will have to be reviewed by the Office of the Attorney-General. The Government has expressed its concern over a number of public policy issues, including the affordability of the proposed system of government. It has nevertheless acknowledged that, while the Bougainville constitution must be consistent with the constitution of Papua New Guinea, public policy issues are a matter for consultation. If such issues do not violate the constitution of Papua New Guinea, they will be essentially for the Bougainville leaders to decide. Since differences over earlier drafts of the Bougainville constitution have been resolved, or otherwise narrowed, both parties are hopeful about the outcome of the forthcoming consultations and the final review of the Bougainville constitution by the National Executive Council (cabinet).

7. While waiting for the completion of the constitutional process, the cabinet has taken action to identify and secure sufficient funds to cover the costs of the elections. These funds are complemented by contributions from Australia, New

Zealand and the Bougainville Interim Provincial Administration to the Governance and Implementation Fund. The Chief Electoral Commissioner of Papua New Guinea recently visited Bougainville to assess technical and other electoral needs, drawing up a programme of work in close consultation with officials on the ground. In the coming weeks, the Commissioner will be sending officials to the island to start updating the electoral rolls and to undertake other preparatory work. Public consultations on the boundaries of electoral districts for the future Bougainville Parliament are expected to begin in the first week of January 2005.

D. Development and humanitarian assistance

8. Together with United Nations agencies and programmes, the donor community is working closely with the Bougainville provincial administration to lay a solid economic foundation for the future government. In the coming phase of United Nations Development Programme (UNDP) activity in Bougainville, the focus will be on assisting the provincial administration in capacity-building through the development of effective planning and management skills, the provision of support for the consolidation of the peace process through leadership, human rights advocacy and other social activities and the strengthening of economic development and livelihood opportunities. UNDP also plans to strengthen its presence in Bougainville by establishing offices in Buka as well as in central and south Bougainville. The United Nations Children's Fund (UNICEF) continues to facilitate educational services and to provide school materials for the "No-Go-Zone". In October 2004, the Fund will start teacher training in 20 selected schools in the zone. In addition, it is in the process of recruiting a child protection officer.

9. The goal of donor assistance to the island is to help the Province and the national Government to create a self-reliant, autonomous Bougainville government. To this end, a work plan has been prepared jointly by the national Government and the Bougainville Interim Provincial Administration. It is going to be financed through the Governance and Implementation Fund. The provision of resources from the Fund will be contingent on performance and commitment of each party. The medium-term priorities for the Governance and Implementation Fund will be to transfer essential powers from the national Government to the Bougainville administration, to prepare and hold elections for an autonomous government and to reform the Bougainville public sector. In addition, in the light of the improved level of law and order, the Ambassador of Japan to Papua New Guinea intends to recommend an expansion of the Japanese volunteer programme to Bougainville.

III. Mission-closure plan

10. In accordance with the request of the Security Council, UNOMB has drawn up a Mission liquidation plan. The Mission has made a complete inventory of its assets, including recommendations on how they should be liquidated, and has submitted it to Headquarters. Pursuant to the instructions from Headquarters, some of the assets will be donated, others auctioned or shipped to different United Nations locations. The process of liquidation will take an estimated six to eight weeks after the expiration of the mandate of the Mission. The process can be initiated as soon as UNOMB is instructed to implement the plan.

IV. Observations

11. In view of the present situation in the Province, it would seem that the target date for the holding of elections by the end of 2004 is not going to be met, in spite of continuing solid progress in all three areas constituting the major landmarks of the peace process: weapons disposal; constitution making; and preparations for elections. Both the Government of Papua New Guinea and the Bougainville leaders remain firm in their commitment to complete the process as soon as possible.

12. The transition to autonomy involves a number of interdependent aspects, one step leading to another. Once consultations on the third and fourth drafts of the Bougainville constitution are completed, a firm date for elections may be set. While UNOMB's mandate does not include electoral assistance, the United Nations stands ready to provide assistance in this area if the Government so desires and if a timely request is received.

13. In my letter to the President of the Security Council of 19 December 2003 requesting an extension of the UNOMB mandate and specifying its functions (S/2003/1198), I indicated that the logical conclusion of the process is the establishment of an autonomous government. A copy of an aide-memoire, dated 17 September 2004, from the Government of Papua New Guinea on the role of UNOMB and its remaining responsibilities is attached (see annex I).

14. In the coming months, and until an autonomous government is established in Bougainville, UNOMB will continue to be required to chair the Peace Process Consultative Committee to enable the parties to the Peace Agreement to consult on the peace process in general, and on the preparations for elections, in particular. The Peace Process Consultative Committee is the only mechanism available for communication and consultation between the Government of Papua New Guinea and the Bougainville Revolutionary Army and the Bougainville Resistance Force.

15. Under its current mandate, and if requested by any of the parties, UNOMB has to verify and certify substantial compliance by the parties in the handing over of weapons and to ascertain whether the level of security is conducive to the holding of elections. For verification and certification to be credible, the United Nations should be physically on the ground. Bearing in mind the presence on the island of weapons that have not been surrendered or contained, as well as weapons in the "No-Go-Zone", UNOMB should continue to monitor and report to the Peace Process Consultative Committee on this matter in the period leading up to elections.

16. UNOMB has gained the full trust and confidence of all the parties, as well as that of a significant segment of the population in the "No-Go-Zone" in implementing the mandate entrusted to it under the Peace Agreement. There is concern that a premature closure of the Observer Mission could have a negative impact on the peace process as it enters the critical months ahead.

17. The national Government and the Bougainville leaders are fully aware of the concerns expressed by the Security Council regarding an open-ended nature of UNOMB's mandate. The Mission will continue to support their efforts to move the peace process forward in the remaining period of its current mandate. Hopefully, when the Council considers this matter later this year, the parties will be in a position to provide it with a firm date for the holding of elections for the establishment of an autonomous government in Bougainville.