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Human Rights and Peace in Bougainville: A Media Briefing

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Human rights violations, including extrajudicial executions, “disappearances”, ill-treatment, arbitrary arrests and detention have been a feature of the nine-year civil war on Bougainville. Inaction by successive PNG governments has resulted in only one alleged killing by the PNG Defence Force (PNGDF) being investigated since the conflict began, while the perpetrators of the violations continue to act with impunity.

In recent months, there have been renewed efforts at bringing an end to the conflict. Talks between representatives of the Bougainville Interim Government (BIG), the Bougainville Revolutionary Army (BRA) and the Bougainville Transitional Government (BTG) held in New Zealand, and the Burnham Declaration which resulted from the talks, provide concrete opportunities to put in place mechanisms to end the cycle of violations, to pursue independent investigations into past violations and to provide justice to the many victims and their families. While not all sides to the conflict have committed themselves to upholding the Burnham Declaration, it has outlined a framework for the demilitarisation of Bougainville and the deployment of a neutral peace-keeping force. Amnesty International urges all sides to the conflict to use the opportunity of the Burnham Declaration to put into place plans to address the human rights situation.

Amnesty International has repeatedly called on the PNG Government and the leadership of the BRA to immediately address the human rights situation on Bougainville. The organization has called on the PNG Government to strengthen the chain of command of the PNGDF and exercise effective control to prevent human rights violations; to issue strict orders instructing all forces to abide by standards embodied in humanitarian law; to regularize or disarm the government-backed paramilitary Resistance Forces operating on Bougainville; to grant immediate and regular access to Bougainville for domestic and international human rights monitors and the media; to establish mechanisms for the full and impartial investigation of all human rights violations which have occurred on Bougainville; and to ensure that those responsible for human rights violations are held accountable. These steps remain to be implemented.

The declaration and the forthcoming round of talks in New Zealand provide the opportunity to bring an end to human rights violations, by ensuring that the peace process and discussions contain human rights as a fundamental component, including a clear commitment to protecting human rights and an outline of concrete steps to be taken. Without such a commitment and the setting out of specific steps, Amnesty International considers that efforts at restoring peace will not result in an end to human rights violations on Bougainville.

There must also be consistent and effective political support from the international community, including South Pacific regional neighbours, for human rights measures at the outset and for the duration of any peace-making and peace-keeping operations on Bougainville, as well as a long-term commitment to the promotion and protection of human rights during post-conflict peace-building phases.

If there is to be a neutral-peacekeeping force for Bougainville, it must include a human rights monitoring and verification presence. The current negotiations should also consider how institutions which protect human rights, for example a National Commission on Human Rights, the judiciary and human rights non-governmental organizations, can be strengthened to provide long-term protection of human rights. Such mechanisms must be readily accessible to Bougainvilleans.

In particular, Amnesty international considers that the following measures should be included in the discussions on the resolution of the Bougainville conflict:

- effective and independent human rights verification with adequate resources and staff with human rights expertise;
- any peace process should provide for the impartial investigation of past abuses, including processes aimed at establishing truth and measures to ensure that any perpetrators of human rights violations are brought to justice;

- provision should be made for human rights monitors mandated to carry out investigations and verify compliance with human rights obligations. They should have access to all areas of the Province of Bougainville;
- as a sign of its commitment to the protection and promotion of human rights on Bougainville, the PNG Government should immediately implement the outstanding recommendations of the United Nations Commission on Human Rights resolutions of 1993, 1994 and 1995;
- the government should allow access for international human rights and humanitarian organizations to all parts of Bougainville;
- the government should ensure that the proposed PNG National Commission on Human Rights has an explicit mandate to consider human rights violations which have occurred on Bougainville since the conflict began; that it has a permanent presence on Bougainville; that its investigations are not hindered by the PNG Defence Force; that measures are taken to ensure there is protection of complainants and witnesses; that the National Commission's composition offers guarantees of independence, impartiality and accessibility for Bougainvilleans seeking to make complaints or provide information; and that there is a section within the National Commission to consider violations of women's rights;
- the government should ensure that any amnesty for Bougainville does not stand in the way of clarifying the truth, determining responsibility and providing compensation;
- any peace settlement must specify the human rights laws and standards which all the parties are to respect in the transition and post-settlement periods in any peace settlement.

For further information on Amnesty International's concerns on Bougainville see [Bougainville: The Forgotten Human Rights Tragedy](#), February 1997, AI Index ASA 34/01/97.

KEYWORDS:

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