

Legal Analysis: Importance of International Laws and Principles in realising
Autonomy to Resolve Conflict in the Autonomous Region of Bougainville

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I. INTRODUCTION & OVERVIEW

‘To mine or not to mine?’ is a simple yet complex question that represents the uncertain and confronting future of the Autonomous Region of Bougainville (‘AROB’) and its South Pacific neighbours.¹ In 2019, 97.7% of voters within the AROB voted for independence in a non-binding referendum inciting praise as well as scrutiny for the legislative movement towards regional autonomy.² However, as the current Constitution prohibits the scope of regional autonomy on states, the road to independence remains determinative on the decision of Papua New Guinea’s (PNG) National Parliament in ratifying the referendum’s outcome.³ Due to the newness and unfamiliarity of the legislative climate, the issue of AROB’s independence has drawn concern towards the economic, social and political implications of ratifying regional autonomy into PNG’s Constitution.⁴ Yet, greater concern lies in the finality of AROB’s road to independence delayed indefinitely or never transpiring.⁵ The legal basis for autonomy stems from the *International Covenant on Civil and Political Rights* (‘ICCPR’), the *United Nations Declaration on the Rights of Indigenous Peoples* (‘UNDRIP’), *International Covenant on Economic, Social and Cultural Rights* (‘ICESCR’) and entrenched within the concept of self-determination. The purpose of this paper is to critically analyse the impact of ratifying regional autonomy into PNG’s Constitution and the potential infringements of international laws and principles upon the non-decision of the PNG Government. This analysis focuses on two legal arguments for regional autonomy; (1) the role of international instruments and

¹ Hill, Christina, Fletcher, Luke and Doyle, Cathal, *Introduction to ‘Growing Bougainville’s Future’: A Choices for an Island and its Peoples*, (Middlesex University Research Repository, 2018) 4 -12.

² Kate Lyons, ‘Bougainville referendum: region votes overwhelmingly for independence from Papua New Guinea’, *The Guardian* (online, at 11th December 2019) <<https://www.theguardian.com/world/2019/dec/11/bougainville-referendum-region-votes-overwhelmingly-for-independence-from-papua-new-guinea>>.

³ Anna Dziedzic and Cheryl Saunders, ‘Greater Autonomy and Independence For Bougainville: Institutional Options and Issues for Transition’, (Research Report No.07, The National Research Institute of Papua New Guinea, December 2019).

⁴ Reference- news article

⁵ Kylie McKenna, ‘The Bougainville referendum: Celebration turn to sadness and hope’, *The Interpreter* (online at 30 January 2020) <<https://www.lowyinstitute.org/the-interpreter/bougainville-referendum-celebrations-turn-sadness-and-hope>>.

human rights law in recognising preservation of cultural identities, and (2) the concept of self-determination as an instrument for conflict resolution in reaching autonomy. A brief background in relation to the origins of conflict in Bougainville is provided along with key recommendations to support the legal arguments.

II. BACKGROUND: PANGUNA CONFLICT & RESOLVE

A. The beginning of Panguna

Despite the isolated calls for independence in preceding years, the date 1964 marks the inception of withdrawal from PNG within Bougainville history.⁶ In 1964 after ignoring strong oppositions from the local communities in Panguna, Australia initiated the establishment of the world's largest copper mine and its commencement of exploration by Conzinc Rio Tinto ('CRA').⁷ Three years later, Bougainville Copper Limited ('BCL') was incorporated as a subsidiary of CRA with an 84-year lease of procurement and extraction, once again without consent of local Bougainvilleans.⁸ A first-hand report from Don Vernon (CRA project manager) revealed four major issues that resulted from the mineralisation of Panguna.⁹ These issues were in relation to land ownership, a breakdown of communication, fragmentation within PNG and the environmental implications of the large-scale mining operations.¹⁰ The initial relocation of the 300 people affected by the mine to coastal plantations resulted in the realisation of the deep rooted ties indigenous Bougainvilleans possess with their land.¹¹ The land in which the mine stood on represented generations of ancestral historical and cultural preservations of identity and traditions casually overlooked by western civilisation.¹² Such misapprehensions of Bougainvillean culture and identity were the foundations of greater social, political and economic tensions to ensue.

⁶ James Griffin, 'Movement Towards Secession 1964- 76' in Anthony J Regan and Helga M Griffin (ed), *Bougainville Before the Conflict* (ANU eView, 2015) 291.

⁷ Hill, Christina, Fletcher, Luke and Doyle, Cathal, *Introduction to 'Growing Bougainville's Future': A Choices for an Island and its Peoples,* (Middlesex University Research Repository, 2018) 4 -12.

⁸ Ibid.

⁹ Don Vernon, 'The Panguna Mine' in Anthony J Regan and Helga M Griffin (ed), *Bougainville Before the Conflict* (ANU eView, 2015) 258.

¹⁰ Ibid.

¹¹ Ibid.

¹² Ibid.

B. The external and internal conflict

During 1966, External Affairs Minister Charles Barnes relayed to Bougainvilleans that the mines would benefit PNG ‘as a whole’ and upheld the argument that their land rights applied only to the surface and not what’s beneath.¹³ These statements raised no resonance within Bougainvilleans whose indigenous identity and land converged, and thus could not construe the reason for their sacrifice of their ancestral land for the greater benefit of PNG.¹⁴ Bougainvilleans opposed the construction of the mine in subjecting local communities to land alienation as well as rejecting the principal economic premise that the mine would benefit PNG, perceiving its development as a resource that would be the basis of their provincial economy and later their independent state.¹⁵ Disagreements led to the formation of minor political organisations and protest groups seeking compensation for the land losses and environmental degradation in addition to calls for secession and independent control over the land and its natural resources.¹⁶ Notably, the Bougainville Revolutionary Army (BRA) was effectively formed in 1988 and within a few months damaged and destroyed mining infrastructure and applied firearms on personnel which eventually led to the closure of the mine in May 1989.¹⁷ Violence and civil warfare arose in Bougainville and the interference of the PNG Defence Force had escalated the conflict and pressure of the BRA in a civil conflict that claimed up thousands of lives and additional casualties.¹⁸ The aftermath of the civil war and failed attempts of peace agreements finally reached a momentous stage in 2001.

C. The Bougainville Peace Agreement

On the 30th of August 2001, the road to independence was mapped through the establishment and signing of the Bougainville Peace Agreement (‘BPA’).¹⁹ The BPA

¹³ David Hyndman, ‘Digging the Mines in Melanesia’ *Cultural Survival* (online at June 1991) <<https://www.culturalsurvival.org/publications/cultural-survival-quarterly/digging-mines-melanesia>>.

¹⁴ John Connell, ‘Bougainville: A New Pacific Nation’ (2020) 3(2) *University of Sydney* 375, 396.

¹⁵ *Ibid.*

¹⁶ *Ibid.*

¹⁷ Mary-Louise O’Callaghan, ‘The origins of conflict’ in Andy Carl and Celia McKeon (ed) *Accord weaving consensus: The Papua New Guinea- Bougainville peace process* (Conciliation Resources London, 2002).

¹⁸ Ben Bohane, ‘the Bougainville Referendum and Beyond’ *Lowly Institute* (online at 8 October 2019) <<https://www.lowlyinstitute.org/publications/bougainville-referendum-and-beyond#>>.

¹⁹ *Bougainville Peace Agreement*, Papua New Guinea Government- Autonomous Region Bougainville Government (signed and entered into 30th August 2001).

instituted three pillars for resolving the conflict: demilitarisation, autonomy arrangements and a referendum on independence.²⁰ Subsequently, the response was positive and allowed the surrender of weapons and firearms by secessionists and rebel groups and withdrawals from the PNGDF, ultimately leading to the first election of the Autonomous Bougainville Government (ABG) in 2005.²¹ Key parties in facilitating an organised recollection process across Bougainville composed of civilians and military personnel from Australia, New Zealand, Fiji and Vanuatu and an independent UN Observer Mission.²² Women were at the forefront of the peace process, advocating for peacebuilding as “mothers of the land” and significant stakeholders in the decision-making processes as pertaining to their matrilineal status.²³ Since the signing of the BPA, significant developments towards independence have occurred including the enactment of the Constitution of the AROB in 2004, the 2011 Konnou Peace Agreement, the 2012 Weapons Assessment, the passing of the *Bougainville Mining Act 2015*, and the 2019 referendum.²⁴

III. APPLICATION OF INTERNATIONAL LAWS AND PRINCIPLES ON AUTONOMY

The case for independence within AROB is derived from international instruments of the ICCPR, ICESCR and the UNDRIP and through principles of self-determination as a conflict resolving mechanism.

A. The protection of indigenous minorities

The rights of indigenous minority groups to freely enjoy their culture, religion and language is stipulated under article 27 of the ICCPR and enshrined within the UNDRIP. The UN Human Rights Committee (OHCHR) have expressed the scope of these rights to encompass the enjoyment of cultural ties to the territory and the use of its resources by

²⁰ Ibid.

²¹ Thiago Opperman and Kylie McKenna, ‘Sustainability of Bougainville’ (In Brief 2013/07, Australia National University).

²² John Connell, ‘Bougainville: A New Pacific Nation’ (2020) 3(2) *University of Sydney* 375, 396.

²³ Nicole George, ‘Meaningful participation: women and peacebuilding in the Pacific’ *the Interpreter* (online at 12 November 2018) < <https://www.lowyinstitute.org/the-interpreter/meaningful-participation-women-and-peacebuilding-pacific>>.

²⁴ UNDP, ‘Peace building in Bougainville Background’ (online at 2021).

indigenous communities.²⁵ These indigenous communities are defined by Martinez Cobo Study as people and nations that possess a historical continuity during pre-invasion and pre-colonial periods, have developed their territories and consider themselves as distinct from other sectors of society now prevailing amongst their community.²⁶ However, the Chairperson- Rapporteur of the Working Group on Indigenous Populations has expressed such definitions as insufficient in establishing a comprehensive definition and instead, emphasised the importance of allowing room for reasonable evolution and regional specificity on the concept of “indigenous”.²⁷ Compared to their diverse PNG counterparts and South Pacific Nations, the AROB have always expressed the ‘Bougainville identity’ as unique and distinct.²⁸ Although possessing similar Melanesian cultural practices through close association of ancestral land and traditions, they are a separate population of settlers that surpass colonisation and western influences and therefore, possess a unique indigenous identity.²⁹

The collective rights under article 27 necessitate a responsibility on States to take positive measures to protect the identity of minorities and rights of its members to enjoy and develop inherent cultures and languages and to practice their religion freely.³⁰ Such positive measures must regards the treatment between different minorities and purport to correct conditions which impair or prevent the enjoyment of those rights guaranteed under article 27.³¹ This expresses a direct responsibility on the PNG Government to clearly administer and implement appropriate measures to prevent future conflict within the AROB and allow their indigenous communities to freely inhabit their territories and practice their culture in any form. The OHCHR have placed a wide scope of the exercise of cultural rights to envisage many forms that may include particular lifestyle practices,

²⁵ See *Official Records of the General Assembly, Forty-third Session, Supplement No. 40 (A/ 43/ 40)*, annex VII, section G, Communication No. 197/ 1985 (*Kitok v Sweden*), views adopted on 27 July 1988.

²⁶ OHCHR, *The United Nations Declaration on the Rights of Indigenous Peoples: A Manual for National Human Rights Institutions*, August 2013.

²⁷ Erica-Irene A.Daes, *Working Paper by the Chairperson-Rapporteur Mrs Erica-Irene A. Daes on the concept of “indigenous people”*, UN Doc E/CN. 4/ Sub.2 / AC. 4/ 1996/2 (10 June 1996).

²⁸ Eugene Ogan, ‘An Introduction to Bougainville Cultures’ in Anthony J Regan and Helga M Griffin (ed), *Bougainville Before the Conflict* (ANU eView, 2015) 47.

²⁹ Ibid.

³⁰ Human Rights Committee, *CCPR General Comment No 23: Article 27 (Rights of Minorities)*, UN Doc CCPR/ C/ 21/ Rev.1/ Add.5 (8th April 1994).

³¹ See Ibid.

use of land resources and right to inhabit land reserves protected by their laws.³² Therefore, the people of the AROB possess an inherent right to assume their cultural practices of religion, language and traditions in a form that is not impeached upon with disregard.

The adoption of article 27 by the OHCHR have recognised that a measure of autonomy and collective group rights are necessary for the protection of the cultural rights of indigenous minorities.³³ Despite these, autonomy arrangements have been criticised as an unsolid practical theory that offers very “pragmatic ad hoc solutions that escape generalisations”.³⁴ This statement accurately demonstrates the persistent difficulties in governments understanding and applying the concept of autonomy from a comparative perspective.³⁵ Such issues of lack of knowledge on the subject of autonomy plays a crucial role in preventing regional autonomy arrangements from transpiring and consequently thwarts the free practice of cultural practices and inhabitation of land in indigenous groups such as the AROB. The main purpose of the autonomy argument within AROB is the preservation of territorial integrity of the colony converted independent countries in order to quell secessionist tendencies and accommodate ethno-cultural diversity.³⁶ Therefore, positive assumptions of independence are also peace-building mechanisms of historical conflicts and their deep impact upon generations existing today.

The UNDRIP confers direct obligations on State parties to protect the identity of indigenous minorities and endorse conditions for the promotion of that identity pursuant to article 1 of the instrument. This convention stipulates the right to freely determine political status consistent with their economic, social and cultural development³⁷ as well as the right to autonomy and self-government matters pertaining to local affairs³⁸. This

³² See *Official Records of the General Assembly, Forty-third Session, Supplement No. 40 (A/ 43/ 40)*, annex VII, section G, Communication No. 167/1984 (*Bernard Ominayak, Chief of the Lubicon Lake Band v. Canada*), views adopted on 26 March 1990, and Communication No. 197/1985 (*Kitok v. Sweden*), views adopted on 27 July 1988.

³³ Yash Ghai, ‘Autonomy as a Strategy for Diffusing Conflict’ National Research Council (ed) *International Conflict Resolution After the Cold War*. (Washington, DC: The National Academies, 2000).

³⁴ Heintze, H-J, ‘On the Legal Understanding of Autonomy’ in M. Suksi (ed) *Autonomy: Applications and Implications* (The Hague: Kluwer Law International, 1998).

³⁵ Karl Kossler, Francesco Palermo and Jens Woelk, ‘Options for Bougainville’s Autonomy Arrangements: A Study from a Global Comparative Perspective’ (Research Report No.4, The National Research Institute Papua New Guinea August 2018).

³⁶ See *Ibid*.

³⁷ *The United Nations Declaration on the Rights of Indigenous Peoples*, article 3.

³⁸ See above, article 31.

supports the right of indigenous groups to assume their autonomy in a form that is consistent with their way of life. The framework of the UNDRIP enforces the importance of preservation of cultural religions values and institutions in any form³⁹ and additionally, convey the protection of systems of traditional land ownership and transmission⁴⁰. The realisation of the existence of divided societies characterised by their cultural differences and political salience is integral to understanding the historical issues that are attached to the motive for regional autonomy.⁴¹

B. Self-determination in realising autonomy

Within the international community and especially in the European Organisation for Security and Cooperation in Europe (OSCE) have highlighted particular importance of autonomy as a conflict management method.⁴² The application of regional autonomy allows national self-determination within States to positively resolve internal conflicts without external interferences and reach mutual agreements.⁴³ The concept of self-determination is arguably the closest theoretical justification of autonomy arrangements within States however, they present a difficult and controversial basis through analysis.⁴⁴ In its most basic legal form, the concept of autonomy is understood as a conflict-resolution method in the application of dispute resolution processes.⁴⁵ In areas where special status of autonomy are recognised to accommodate cultural minority clans there is an active portrayal of consistency of the public international law principle of territorial integrity and genuine expressions of internal self-determination of states.⁴⁶ Fundamentally, regional autonomy is understood to be the freedom of local groups to

³⁹ See above, article 4.

⁴⁰ Above, article 14 and 17.

⁴¹ Choudhry S, 'Bridging Comparative Politics and Comparative Constitutional Law: Constitutional Design for Divided Societies' in S. Choudhry (ed) *Constitutional Design for Divided Societies: Integration or Accommodation?* (Oxford: OUP, 2008).

⁴² Political Affairs Committee, *Positive experiences of autonomous regions as a source of inspiration for conflict resolution in Europe* (HC), Doc 8425 (Report, 28th May 1999).

⁴³ Scott L. Greer, *Nationalism and Self-Government: The Politics of Autonomy in Scotland and Catalonia* (State University of New York Press, 2007).

⁴⁴ Yash Ghai, 'Autonomy as a Strategy for Diffusing Conflict' National Research Council (ed) *International Conflict Resolution After the Cold War*. (Washington, DC: The National Academies, 2000).

⁴⁵ Susan Dougals, 'Neutrality, Self-Determination, Fairness and Differing Models of Mediation' (2012) *James Cook University Law Review* 21-40.

⁴⁶ Explanatory Memorandum, Resolution 361 of the Congress of Local and Regional Authorities of the Council of Europe, adopted on 30 October 2013.

control and manage their own interests the welfare and good governance of their communities.⁴⁷

Under article 1 of the ICCPR and the ICESCR state that all people have the right to self-determination which includes the right to freely determine their political status and pursue their economic, social and cultural development. Evidently, the principle of self-determination is enshrined within international and national law and thus, possess the relevant consequences of inaction by State parties. Initially, this presupposes that in the circumstances of subjugation of a group of cultural groups by another state, those people possess the right to determine their independence.⁴⁸ Thereby, confirming the necessary right of the AROB people in freely determining and assuming their independence and autonomy. Furthermore, the principle of self-determination consists of two aspects; the internal aspect that refers to the rights of people to freely determine their own political status and system whilst respecting the principle of territorial integrity, and an external aspect that concerns the rights of groups to freely determine their independence.⁴⁹ The objectives of the BPA reflect the assumption of these external and internal rights of self-determination. Specially, objective (d) where the autonomy arrangements would “provide for a democratic and accountable system of government that meets international standards of good governance and protection of human rights”.⁵⁰ Adoption of this objective would allow the AROB to confidently assume the principle of self-determination through application and implementation of independence and autonomy.

The case for the AROB future autonomy arrangements can be derived from the rights of indigenous minorities within the ICCPR, ICESCR and the UNDRIP and additionally, established through the principle of self-determination as critical to conflict resolution. However, the issue of carrying out these legal rights into the PNG Constitution is another issue to be considered, along with its economic, social and political impact on the entire country.

⁴⁷ Roy Marthen Monntin, ‘Regional Autonomy in Realising Good Governance’ (2019) 2(1) *Substantive Justice International Journal of Law* 43- 53.

⁴⁸ Explanatory Memorandum, Resolution 361 of the Congress of Local and Regional Authorities of the Council of Europe, adopted on 30 October 2013.

⁴⁹ See Ibid.

⁵⁰ *Bougainville Peace Agreement*, Papua New Guinea Government- Autonomous Region Bougainville Government (signed and entered into 30th August 2001).

IV. RECOMMENDATIONS

Key recommendations to the autonomy arrangements and their issues discussed previously are presented below. Currently, the AROB operates pursuant to a subnational constitution gazetted on the 10th of December 2004.⁵¹ This subnational constitution fulfil institutional and procedural self-organisation structures of governance in autonomous region however, are always restricted to an extent by provisions of the national constitutions.⁵² Therefore, to allow the AROB fulfilment in gaining complete autonomy and self-determination over their lands, resources and people, this analysis presents the two key recommendations.

A. National Constitutional Autonomy

Generally, international law does not impose an obligation on States to create autonomous regions anywhere within its territory.⁵³ Autonomy regimes are established through internal constitutions or legislation of the concerned State.⁵⁴ In accordance with article 331 of the PNG Constitution consultation and cooperation processes are addressed as general constitutional precepts for the implementation of autonomy arrangements. As per the BPA, the next step towards AROB full autonomy would be the ratification of constitutional autonomy by the PNG government. The ratification into the national constitution is a highly relevant source of autonomy entrenchment and it complimented by other forms of domestic law.⁵⁵

Since the referendum, the two governments are currently undergoing a period of meaningful consultation and discussion regarding the results of the referendum.⁵⁶ The next phase towards the changing relationship of these two nations would be to provide an official roadmap that outlines the steps and initiative to be taken in relation to the

⁵¹ *The Constitution of the Autonomous Region of Bougainville*, adopted on the 12th of December.

⁵² Karl Kossler, Francesco Palermo and Jens Woelk, 'Options for Bougainville's Autonomy Arrangements: A Study from a Global Comparative Perspective' (Research Report No.4, The National Research Institute Papua New Guinea August 2018).

⁵³ Yoran Dinstein, 'Autonomy Regimes and International Law' (2011) 56(3) *Villanova University School of Law* 437.

⁵⁴ See *Ibid.*

⁵⁵ Karl Kossler, Francesco Palermo and Jens Woelk, 'Options for Bougainville's Autonomy Arrangements: A Study from a Global Comparative Perspective' (Research Report No.4, The National Research Institute Papua New Guinea August 2018) 27.

⁵⁶ BBC News, 'Bougainville referendum: PNG region votes overwhelmingly for independence' *BBC* (online at 11 December 2019) < <https://www.bbc.com/news/world-asia-50739203>>.

consultation period and purposes put forth by the two governments.⁵⁷ Through these discussion, if legal and constitutional amendments are agreed upon, the relevant laws of allowing complete autonomy and independence will need to be introduced and passed by majority vote of the PNG National Parliament as set out in the Constitution.⁵⁸ The introduction and ratification of laws will be determined in compliance with articles 14 – 17 pertaining to Constitution amendments and article 345 in relation to amendments concerning Bougainville.⁵⁹

Through historical references, the geographical aspect of a territory's remoteness has demonstrated favour in the establishment of autonomy that allows for ultimate authority over territorial areas and diverse forms of self-government without border interference.⁶⁰ Such application of self-government allows for the joint effort of the autonomous region to provide and manage equitable distribution of regional development throughout all levels of society and community.⁶¹ The entrenchment of self-government practices is part of the decentralisation process purported to achieving equitable regional development also through self-identity as a cultural group and guarantees effective political development in maintaining autonomy.⁶²

B. Third option

PNG Prime Minister James Marape has expressed the possibility of a third-option amongst discussion with AROB President John Momis to allow for greater economic independence to the region.⁶³ It is evident that a region rich in natural resources and agricultural innovation such as the AROB is capable to financially sustaining its development and governments in the long- run. Currently, 90% of the AROB budget is

⁵⁷ Anna Dziedzic and Cheryl Saunders, 'Greater Autonomy and Independence for Bougainville: Institutional Options and Issues for Transition' (Research Report No.7, The National Research Institute of Papua New Guinea December 2019) 5.

⁵⁸ See Ibid.

⁵⁹ Ibid.

⁶⁰ Kossler K, 'Conclusions: Beyond the Illusion of Ethno-culturally Homogenous Territory' in T Malloy and F Palermo (ed) *Minority Accommodation through Territorial and Non- Territorial Autonomy* (Oxford University Press, 2016) 252- 255.

⁶¹ Roy Marthen Monntin, 'Regional Autonomy in Realising Good Governance' (2019) 2(1) *Substantive Justice International Journal of Law* 43- 53.

⁶² See Ibid.

⁶³ Post Courier, 'Bougainville May Have a Third Option Says Marape' *Post Courier News* (online at 6 September 2019) < <https://postcourier.com.pg/bville-may-third-option-says-marape/>>.

financed through transfers from PNG and foreign aid.⁶⁴ The large dependency on external sources of finance emphasise the current constraints and the necessary aid of foreign support in supporting local autonomous development.⁶⁵ Regardless of this, good governance remains the main component standing between the mining and agricultural sectors and positive development outcomes.⁶⁶

Vertical power sharing and dividing is a form of autonomy arrangement that places emphasis on independent judicial institutions aimed with upholding constitutional order as well as enforcing human and minority rights legislation and principles.⁶⁷ A third-option of economic independence can be exercised through restructuring state policies and legislation to allow regional land-owner groups to largely benefit from the commercialisation of their natural resources such as the *Bougainville Mining Act 2015* ('BMA'). The BMA gives effect to mining policies designed to rebalance mineral rights and landowner interests in recognition of the historical mine conflict that occurred.⁶⁸ The key considerations in drafting the BMA include the general belief of Bougainvillean land ownership extending to the surface as well as everything within, the conflict arising out of Panguna and the conditional support amongst the people for resuming large-scale mining projects to finance community development.⁶⁹ Similar legislation and policy mechanisms can form political arrangements to allow sub-national autonomy within Bougainville but also allowing for national unity to prevail.

V. CONCLUSION

The AROB continues to garner support from key international parties such as Australia through financial development assistance and mobility programs in areas of education,

⁶⁴ John Connell, 'Bougainville: A New Pacific Nation' (2020) 3(2) *University of Sydney* 375, 396.

⁶⁵ See *Ibid.*

⁶⁶ Catherine Coumans, 'Mining and Development: Is "Good Governance" really the cure?' in Hill, Christina, Fletcher, Luke and Doyle, Cathal, (ed) *Introduction to 'Growing Bougainville's Future': A Choices for an Island and its Peoples*, (Middlesex University Research Repository, 2018) 94 – 100.

⁶⁷ Stefan Wolff, 'Autonomy' *Princeton University* (2021) <<https://pesd.princeton.edu/node/236>>.

⁶⁸ ANU, 'The Bougainville Mining Act 2015: Process, Substance and Controversies' (online at 28 October 2021) < <http://dpa.bellschool.anu.edu.au/news-events/podcasts/audio/7920/bougainville-mining-act-2015-process-substance-and-controversies>>.

⁶⁹ See *Ibid.*

infrastructure, gender, aviation and maritime safety.⁷⁰ The support of the UN and surrounding states in endorsing the AROB's movements towards independence is a positive reflection of the region's continuous efforts in asserting their cultural distinctness and inherent indigenous rights. Within the scope of international laws and principles, there is a strong case for regional autonomy in the AROB in conflict resolution and assumption of indigenous cultural minority rights.

⁷⁰ AUS Government Department of Foreign Affairs and Trade, 'Australian assistance to Autonomous Region of Bougainville' (2021) < <https://www.dfat.gov.au/geo/papua-new-guinea/australian-assistance-to-bougainville>>.