DISSESSATION TITLE: ‘The conditions necessary for the re-establishment and sustainability of post-conflict policing on Bougainville’

Submitted for the degree of ‘Doctor of Public Policy’

September 2007

STUDENT: Nigel Hogan
B Arts, Grad Cert Pub Pol, Grad Dip Voc Ed & Train, M Pub Pol
# TABLE OF CONTENTS

CHAPTER 1 – INTRODUCTION ................................................................. 6  
RESEARCH APPROACH ................................................................. 7  
DISSERTATION STRUCTURE ......................................................... 8  

CHAPTER 2 - RESEARCH ON RE-ESTABLISHING AND SUSTAINABILITY OF POST-CONFLICT POLICING ................................. 11  
INTRODUCTION ........................................................................... 11  
THE INTERNATIONAL PERSPECTIVE – MULTINATIONAL INTERVENTION AND POST-CONFLICT RECONSTRUCTION .................... 11  
CONDITIONS NECESSARY FOR THE RE-ESTABLISHMENT OF POLICING POST CONFLICT – INTERNATIONAL EXPERIENCE .................................................. 14  
CONDITIONS NECESSARY FOR THE SUSTAINABILITY OF POLICING POST - CONFLICT – INTERNATIONAL EXPERIENCE .................................................. 31  
SUMMARY OF CONDITIONS NECESSARY FOR THE RE-ESTABLISHMENT AND SUSTAINABILITY OF POLICING IN POST-CONFLICT SOCIETY ........................................... 40  
CONCLUSION ............................................................................. 43  

CHAPTER 3 - THE BACKGROUND TO THE CURRENT SITUATION IN BOUGAINVILLE .................................................. 44  
INTRODUCTION ........................................................................... 44  
BOUGAINVILLE SOCIETY AND CULTURE ...................................... 44  
BACKGROUND TO THE BOUGAINVILLE CONFLICT ......................... 47  
BOUGAINVILLE PEACE PROCESS .................................................. 57  
PRE AND POST-CONFLICT POLICING ON BOUGAINVILLE ................. 60  
LEGAL AND CONSTITUTIONAL CHANGES TO SUPPORT THE RE-ESTABLISHMENT OF POLICING ON BOUGAINVILLE ......................... 79  

CHAPTER 4 – METHODOLOGY ............................................................ 84  
INTRODUCTION ........................................................................... 84  
DEVELOPING A RESEARCH APPROACH ....................................... 85  
INTERVIEW PROCESS .................................................................. 93  
PILOT INTERVIEWS ...................................................................... 95  
INTERVIEW FORMAT .................................................................... 97  
CONCLUSION ............................................................................ 101  

CHAPTER 5 - RESULTS OF THE INTERVIEWS .................................... 103  
INTRODUCTION ........................................................................... 103  
IDENTIFIED CONDITIONS FOR THE RE-ESTABLISHMENT OF POLICING ................................................................. 103  
IDENTIFIED CONDITIONS FOR THE SUSTAINABILITY OF POLICING ON BOUGAINVILLE .................................................. 119  

CHAPTER 6 – DISCUSSION AND RECOMMENDATIONS ...................... 135  
INTRODUCTION ........................................................................... 135  
RECOMMENDATIONS FOR THE RE-ESTABLISHMENT OF POLICING ON BOUGAINVILLE ................................................................. 136  
RECOMMENDATIONS FOR THE SUSTAINABILITY OF POLICING ON BOUGAINVILLE .................................................. 147  

CHAPTER 7 – CONCLUSION .............................................................. 159  
REFERENCES .................................................................................. 161
LIST OF TABLES

TABLE 2.1 – CONDITIONS FOR THE RE-ESTABLISHMENT AND SUSTAINABILITY OF POST-CONFLICT POLICING .................. 41
TABLE 2.1 – CONDITIONS FOR THE RE-ESTABLISHMENT AND SUSTAINABILITY OF POST-CONFLICT POLICING (continued) .... 42
TABLE 3.1 - POST-CONFLICT POLICING DEVELOPMENT ON BOUGAINVILLE........................................................................ 83
TABLE 5.1 – IDENTIFIED CONDITIONS FOR THE RE-ESTABLISHMENT OF POLICING ON BOUGAINVILLE .......... 117
TABLE 5.2 – IDENTIFIED CONDITIONS FOR THE SUSTAINABILITY OF POLICING ON BOUGAINVILLE ............. 133
TABLE 6.1 – RECOMMENDATIONS FOR THE RE-ESTABLISHMENT AND SUSTAINABILITY OF POLICING ON BOUGAINVILLE ........................................................................ 157
TABLE 6.1 – RECOMMENDATIONS FOR THE RE-ESTABLISHMENT AND SUSTAINABILITY OF POLICING ON BOUGAINVILLE (continued) .......................................................... 158
LIST OF MAPS

Map Number 1 – Bougainville Community Policing Project 1999 to 2001 – Training Sites and Deployment - Australian Agency for Internal Development.................................................................70

Map Number 2 – (a) Bougainville Community Policing Project 2004 to 2006 (b) Locations for the Deployment of Australian Police Officers under the Enhanced Cooperation Program – Australian Government.................................................................76
"I hereby declare that this submission is my own work and that, to the best of my knowledge and belief, it contains no material previously published or written by another person nor material which to a substantial extent has been accepted for the award of any other degree or diploma at Charles Sturt University or any other educational institution, except where due acknowledgement is made in the dissertation. Any contribution made to the research by colleagues with whom I have worked at Charles Sturt University or elsewhere during my candidature is fully acknowledged.

I agree that dissertation be accessible for the purpose of study and research in accordance with the normal conditions established by the Executive Director, Library Services or nominee, for the care, loan and reproduction of theses."

[Signature]
ABSTRACT

Despite there being two major internal armed conflicts in Bougainville and the Solomon Islands in the last twenty years, little documented literature exists on the conditions necessary for the re-establishment and sustainability of post-conflict policing within Melanesia. More recently, challenges to security and order in number of countries in the region has resulted in significant levels of aid and technical assistance being provided to policing agencies within these countries. Most of what is known about the re-establishment of policing post-conflict has essential been learnt by doing and the dominant sources of literature focus on countries from outside the Pacific region. Little research has been undertaken on post-conflict policing within the Pacific region generally and Melanesia specifically.

The research undertaken in this dissertation examines the conditions necessary for the re-establishment and sustainability of post-conflict policing on Bougainville. This research uses a phenomenological approach with sources of knowledge developed from fifteen respondent’s experiences through the use of a semi-structured interview format. All of the respondents have worked or are currently working on Bougainville.

A number of conditions for the re-establishment and sustainability of post-conflict policing on Bougainville will be presented. Most of the identified conditions for the re-establishment of policing support contemporary international literature. Conditions identified for the sustainability of re-established policing on Bougainville focus on the need to develop and strengthen society and state.
CHAPTER 1 – INTRODUCTION

The last twenty years has witnessed two major internal conflicts in the Melanesian region. The conflicts in Bougainville through late 1980s and early 1990s and the Solomon Islands between 1999 and 2003 resulted in the total breakdown of law and order and more specifically agencies within the criminal justice system collapsed. Further recent instances of internal violence in East Timor and Tonga significantly challenged the capacity of police to deal with large scale civil unrest. A consequence of this challenge to regional security and stability has been an increase in aid to effected countries; most notably increased support to criminal justice sector agencies. Prior to 2003, the two largest providers of aid to policing within the Pacific region, Australia and New Zealand traditionally focused on improving local agencies through private sector managed institutional and capacity strengthening projects. This approach changed in 2003 with the Regional Assistance Mission to Solomon Islands (RAMSI) where a more interventionalist policy was adopted including the placement of Australian, New Zealand and other regional police officers in line positions in the Royal Solomon Islands Police. The short lived Enhanced Cooperation Program in Papua New Guinea also saw the placement of overseas line officers into the Royal Papua New Guinea Constabulary. Despite the wealth of experience available and a number of local and regional examples to draw upon, little substantive literature exists on the conditions necessary for the re-establishment and sustainability of post-conflict policing in the Pacific generally and Melanesia specifically.¹

¹ The author acknowledges the study being undertaken by Flinders University, the Australian National University and the Australian Federal Police.
Much of what has been undertaken in the region to re-establish and support post-conflict policing has essentially been learnt by doing, a factor which very much reflects international experience (Barkan, 1997:375-403 and Carothers, 1999). This is an inherently risky and expensive approach and very little documented literature exists to guide those charged with developing policy and programs to re-establish policing post-conflict, particularly in the Pacific region.

This dissertation will seek to contribute to the expanding body of international literature on post-conflict policing development by examining and identifying the conditions necessary for the re-establishment and sustainability of policing on Bougainville. While a major purpose of this dissertation is to contribute to international literature on post-conflict policing generally and Melanesia specifically, one caveat must be noted. The recommendations suggested within this dissertation relate specifically to Bougainville and their suitability within other post-conflict settings is not addressed within the scope of this research. How these recommendations relate to other post-conflict environments is of course for others to determine and challenges to the presented recommendations are inevitable and welcomed.

RESEARCH APPROACH

This research uses a phenomenological approach with sources of knowledge developed from respondent’s direct experiences through the use of a semi-structured interview format with a pre determined group of respondents. A total of fifteen (15) people were interviewed drawn from a diversity of backgrounds and experiences.
The pre-determined group of respondents was selected for their considerable experience in post-conflict development in Bougainville and all respondents have or are currently working on Bougainville. Each of the respondents was asked five identical questions with two questions specifically relating to the conditions necessary for the re-establishment and sustainability of policing on Bougainville. Drawing on the responses provided, two separate tables were developed and conditions for the re-establishment and sustainability of policing on Bougainville were recorded.

**DISSERTATION STRUCTURE**

Chapter 2 will explore the substantive literature to examine any consensus on the conditions necessary for the re-establishment and sustainability of policing post-conflict. The requirement to expand the literature review to an international context was very much a consequence of the lack of literature available on post-conflict policing in the Pacific generally and Melanesia specifically. As such much of the literature focuses on post-conflict experiences drawn from the former Yugoslavia, Haiti, sub-Saharan Africa, Cambodia, Afghanistan and East Timor. This chapter will also present a taxonomy of conditions for the re-establishment and sustainability of post-conflict policing drawn from these international experiences.

The background to the current situation in Bougainville will be presented in Chapter 3 including an examination of the causes of the conflict and the subsequent peace process. A number of post-conflict policing development programs on the island will also be discussed.
While a central objective of this dissertation is to identify the conditions necessary for the re-establishment of policing on Bougainville it must be highlighted that a number of projects have already been undertaken in this regard. What policing development has occurred on the island has been limited to a few small areas and for the most part, a number of areas on Bougainville still have no access to basic government services including policing. One of the established policing programs on the island collapsed and agency support for another program has been withdrawn.

Chapter 4 will present the research approach of this dissertation. This chapter is essentially a history of action and choice with explanations on why particular research methods were considered and subsequently rejected. The interview process and format will also be explained. The results of the interviews with the respondents will be presented in Chapter 5. The respondent’s answers will be presented and summarised in two tables at the end of the chapter:

- Conditions Necessary for the Re-establishment of Policing on Bougainville; and
- Conditions Necessary for the Sustainability of Policing on Bougainville.

Using the phenomenological approach a number of themes emerged from the conditions identified by the respondents for the re-establishment and sustainability of policing on Bougainville.
For the re-establishment of policing on Bougainville these themes included:

- The need for continued community consultation, support and involvement in the re-establishment of policing across the island;
- The requirement to develop and fund all agencies of the criminal justice system to support re-established policing;
- Any re-established police should be adequately and properly resourced; and
- The introduction of weapons control program on the island.

For the sustainability of policing on Bougainville the emerging themes included:

- The need to further develop and strengthen other government services;
- Increased education, training and business opportunities be made available to Bougainvillians; and
- Increased support needs to be provided to the Bougainville Autonomous Government to develop its capacity to manage current and future policing on the island.

Drawing on these themes, Chapter 6 will set out and describe eight recommendations for the re-establishment and sustainability of policing on Bougainville. Despite the differing social, political and geographical setting in which the Bougainville sits, a number of the conditions raised by the respondents and presented in Chapter 6 are consistent with, and reflect lessons learnt from other international interventions and post-conflict development programs. This is perhaps most evident in recommendations that relate specifically to conditions for the re-establishment of policing on Bougainville. This research will suggest that sustainability of re-established policing on Bougainville is very much dependant on developing and strengthening society and state.
CHAPTER 2 - RESEARCH ON RE-ESTABLISHING AND SUSTAINABILITY OF POST-CONFLICT POLICING

INTRODUCTION

This chapter will explore the substantive literature to look for evidence of any consensus on the conditions which are necessary for the re-establishment and sustainability of policing in post-conflict society. The dominant sources of literature on the re-establishment of policing post-conflict, relate to experiences and lessons drawn from multinational interventions pursuant to both intrastate and interstate conflicts. Drawing on the literature, a taxonomy of conditions for the re-establishment and sustainability of post-conflict policing suggested from international experiences in different social, political and geographical areas will be presented.

THE INTERNATIONAL PERSPECTIVE – MULTINATIONAL INTERVENTION AND POST-CONFLICT RECONSTRUCTION

The period since the end of the Cold War has heralded an era of increased state destabilisation and disintegration, war and internal conflict across many parts of the world (Lewis and Marks, 1999:1 and Zartman, 1995:23). Contributing to the increasing instances of internal conflict has been the break up of former blocks of countries (Travis, 1999:iii). The break up for example of the former Soviet Union and Yugoslavia has seen the emergence of new nation states and an accompanying struggle to build effective systems of governance and formal social control (Travis, 1999:iii).
The last 20 years has also seen increasing examples of ‘intrastate’ conflict across many parts of the globe (Bayley, 2001:4). Smith (1995) argues that the growth in intrastate conflicts since the Cold War can be attributed to the effects of structural adjustment programs imposed by global financial institutions and the ensuing cutbacks in funding to internal social development and support. Davies (1999) suggested that increasing examples of ethnic and internal conflict since the Cold War are in part the result of the economic and political shocks that have occurred since 1980. Klare (1995) also suggested that the increased proliferation and use of firearms within intrastate conflicts can be attributed to growing social, political and economic disorder within nation states and the inability of state systems and governments to address societal needs.

Recent history has indicated a penchant for a multinational response to instances of internal conflict. During the last ten to fifteen years, the United Nations has increasingly responded to complex humanitarian emergencies within states through the use of multinational interventions (Mayall, 1996). Prior to the late 1980s the United Nations focused primarily on interstate conflicts. Since 1992 however, nine of the last eleven United Nations interventions have been the result of intrastate conflicts (Miyet, 2000). The key component of many of the more recent United Nations operations has been a military phase to secure peace and then a process of developing democratic institutions, structures and systems.
The intervention into the Solomon Islands, by the Australian lead Regional Assistance Mission to the Solomon Islands (RAMSI), also involved a military component to assist in stabilising the country, and reduce the threat of firearms through a coercive disarmament program.

Central to the success or otherwise of United Nations involvement in post-conflict reconstruction, has been the re-establishment of and ongoing development of local criminal justice systems including democratic, responsive and accountable policing organisations (Myall, 1996; Lewis and Marks, 1999:1; Bayley, 2001; Pritchard, 2001 and Strohmeyer, 2001). A consequence of the increasing growth in multinational interventions and associated criminal justice development has been an increase in literature on the re-establishment of policing post-conflict. Much of the literature however focuses on the former Yugoslavia, Haiti, some countries within sub-Saharan Africa, Cambodia, Afghanistan and East Timor (Burack, 2000; Farris and Scheer, 1998; Myall, 1996; Neild, 1996; Bayley, 2001; Thomas and Spataro, 1998; Strohmeyer, 2001; Pritchard, 2001 and Garrison, 2004). Bayley (2001:6) argues that while there has been an increase in the descriptive literature on the re-establishment of police and criminal justice systems post-conflict, there remains a dearth of shared knowledge and very little documented literature to guide those seeking to develop policing in post-conflict societies.
Much of what has been done in post-conflict reconstruction particularly in respect of police development has essentially been learnt by doing; a inherently risky and expensive approach, and there is very little cooperation between various agencies and government bodies as to what works (Barkan, 1997:375-403 and Carothers, 1999). Drawing on the expanding international literature some of the conditions necessary for the re-establishment and sustainability of policing post-conflict will be examined.

CONDITIONS NECESSARY FOR THE RE-ESTABLISHMENT OF POLICING POST CONFLICT – INTERNATIONAL EXPERIENCE

A consequence of periods of prolonged internal state conflict is the totally collapse of government institutions. Internal security organisations such as police agencies can completely disintegrate or in some instances, such as in the case of the Solomon Islands, splinter and take up arms in support of rival militia groups. Drawing on international experience, the following section will examine conditions that are necessary for the re-establishment of policing where policing agencies have effectively ceased to function as a result of periods of prolonged conflict.

All criminal justice agencies should be re-established to support post-conflict policing

A common theme arising from the literature highlights the problems associated with developing post-conflict policing in isolation from other sectors of the criminal justice system (Strohmeyer, 2001; National Institute of Justice, 1998; Bayley, 2001; Berkow, 1999, Ong, 2000 and Oakley et al, 1998).
The lack of a holistic approach to criminal justice reconstruction, and the over emphasis on policing development at the expense of other arms of traditional criminal justice systems, has been a repeated lesson learnt from many post-conflict reconstruction operations (Bayley, 2001). The Report on the Panel on United Nations Peace Operations (Brahimi Report) (United Nations General Assembly Security Council, 2000: 54) recommended that peace building strategies should reflect ‘an increased focus on strengthening rule of law institutions and improving respect for human rights in post-conflict environments.

Strohmeyer (2001:171) suggested any post-conflict reconstruction of policing requires a multi-dimensional effort focusing on adequate judicial and correctional reform to support police development. A one dimensional approach which focuses almost entirely on post-conflict development on police:

Will invariably fail if two other institutional requirements development of an independent judiciary and the development of an effective system are not met. Frequently, priority is given by the intervening international community to civilian police reform, with penal and judicial matters treated as marginal issues (National Institute of Justice, 1999:18).

As O’Neill also observes:

Effective reform requires paying attention to the institutional development of the police and broader criminal justice institutions. A clear lesson that has emerged from all this activity is that police reform must be carried out in tandem with judicial reform. Modernizing laws, training judges, making courts more efficient and humanizing prisons are all part of ‘rule of law’ efforts (2005:3).
In East Timor the emphasis on re-establishing and funding policing has resulted in inadequate and disproportional development within the justice sector. The courts ability to function effectively was hindered by a lack of judges, prosecutors, court reporters and experienced defence counsel and the ongoing capacity of the East Timor Government to adequately fund and resource the justice sector remains a problem (Human Rights Watch, 2002 and Australian Strategic Policy Institute, 2002). In 2002 a report to the United Nations Secretary-General highlighted the implications of these problems:

All of these difficulties have clearly had a negative impact on the effectiveness of the judicial system, at a time when the East Timor confidence in the nascent judicial system is vital (United Nations Security Council, 2002:4-5).

In order to address the problems currently facing the East Timorese Police Service, and to adequately deal with future policing requirements, the Australian Strategic Policy Institute (2002) recommended a number of key areas need to be addresses including a 'comprehensive approach' to reform and support across the whole of the justice sector.²

The over emphasis on developing police in Haiti post-conflict, at the expense of other sectors of the criminal justice system, created a judicial system that remained largely dysfunctional (National Coalition for Haitian Rights, 2002). Minimal institutional and operational links exist between police, courts and prisons with the various sectors virtually operating in isolation (National Coalition for Haitian Rights, 2002).

² The Australian Strategic Policy Institute suggests Australia should provide a lead role in providing support to the East Timorese Police Service.
Somalia and Bosnia are other examples where an insufficient attention to judicial and correctional reform has contributed to failures and shortcomings within the reconstructed policing organisations (National Institute of Justice, 1999; Neild, 1996 and Pritchard, 2001).

Australian funded law and justice projects, particularly in the Pacific region have in recent years reflected the need for a sector wide approach in development assistance and support (Australian Agency for International Development, 2002). This is evident both in the traditional institutional strengthening projects within the region\(^3\) and the more interventionalist paradigm evident in the Solomon Islands and Papua New Guinea (Australian Strategic Policy Institute, 2003). Some projects funded by British Aid in Western Africa are also focusing on a whole of justice sector approach\(^4\) (Department for International Development, 2003). The lack of a total approach to post-conflict criminal justice development is also evident in Afghanistan. While there have been some limited and adhoc attempts to develop a national police force, other sectors of the criminal justice system have been neglected.

---

\(^3\)Sector wide institutional strengthening projects being funded by the Australian Government include Fiji, Samoa, Vanuatu, Solomon Islands, Papua New Guinea and a new aid project planned for East Timor. Australia also funds a sector wide law and justice project in Cambodia.

\(^4\)Serria Leone is one example.
There are no functioning courts outside the capital Kabul and most prisons are barely functioning. Cases and hearings are rarely conducted and lengthy periods of illegal detention are common. An inadequate process through which to facilitate trials and hearings has undermined the legitimacy of the Afghanistan National Police (Garrison, 2004). As Garrison (2004:16) notes further, ‘the rest of the criminal justice system in Afghanistan is in such disarray as to threaten the rule of law itself.’

**People who have committed human rights violations should be excluded in re-established police**

The authority and legitimacy of police function post-conflict, is also enhanced, if new police are not tarred with allegations of human rights abuse or acts of atrocity committed during periods of conflict (Stanley and Lossle, 1998). As Baker (2004) observes:

> Since it was often human rights abuses by the security forces that constituted one of the causes of armed conflict, capacity building programs for them raise the fear of strengthening their repressive capabilities. If there has been a history of serious abuses of human rights and civil liberties by the police then governance programs need to recruit new personnel from both sides of the conflict. Unless the new police force is fair, accessible, efficient and incorruptible, there is little hope that citizens will have confidence in it or in the new regime that authorizes it.

Despite efforts to rebuild a new Haitian Police Force during the 1990s a ‘culture of violence, repression and impunity remained deeply ingrained’ within many police officers (Centre for International Human Rights, 1994).
Difficulty in eroding a primary Para-military policing philosophy and the inability of reformers to remove those associated with human rights abuses from the newly created police force contributed to the prevailing culture within the Haitian National Police Force (Centre for International Human Rights, 1994; Joanis, 1995 and The Washington Office on Latin America, 1997). The inclusion of government loyalist within the police force without proper vetting procedures essentially undermined the development of a political neutral Haitian National Police Force (Bailey et al, 1998).

Many of the donor reform measures implemented to try and democratise the Haitian National Police Force were seen as ineffective with an emphasis on short-sighted fixes which did not adequately address the institutional weakness that supported inappropriate actions and the ingrained behaviour and practice of police officers (Centre for International Human Rights, 1994 and The Washington Office on Latin America, 1997). Continued human rights abuses and inappropriate behaviour on the part the newly created Haitian National Police Force where found to be a symptom of multiple causes including:

- Inadequate training, absent and weak police leadership,
- lack of equipment, poor administration and inexperience
  (The Washington Office on Latin America, 1997).

The legitimacy of the Afghanistan National Police is also being undermined by the recruitment of personnel with previous human rights allegations and known criminal convictions. The newly emerging Afghanistan National Police often lack public legitimacy and support because of the recruitment of personnel with questionable backgrounds and serious human rights allegations.
No process for dealing with past allegations of human rights abuses within the Afghanistan National Police exists and there appears to be little discourse in how to deal with issues of serious human rights abuse within state security organisations (Garrison, 2004).

**A substantive disarmament program should precede any re-establishment of policing post-conflict**

The capacity of newly re-established police to function effectively is significantly enhanced if a comprehensive disarmament program is first undertaken. Disarmament programs should be part of a total approach to peace building in post-conflict society and not a separate process. Berdal (1996) for example argues that disarmament itself does not lead to greater security unless it forms part of a broader peace building process, engaging both a political and reconciliation process. Davies (1999) also argues

> Peacekeeping missions which do not have a clear disarmament mandate which includes destruction of weapons from the start of the mission have difficulty implementing one later...the effectiveness of such mandates depends on the acceptance and support of host countries' governments, as well as that of former warring parties, and armed groups.

The disarmament process post-conflict generally falls under two categories, coercive or consensual methods (Berdal, 1996). Consensual methods of disarmament have met with varying degrees of success and there are numerous examples where consensual methods have failed to remove firearms or the threat of firearms from society (Berdal, 1996; British American Security Information Council, 1997; British American Security Information Council, 1998; Jan 1996 and Smith 1996).
In deciding what method to employ post-conflict Berdal (1996) argues:

For both technical and political reasons, coercive disarmament in the context of an internal conflict carries considerable risks and should not be embarked on unless a number of key conditions are met. Emphasis should instead be given to deploying consent based strategies aimed at reducing the economic and security values of weapons in society rather than seeking to eliminate them from the political process altogether. Consent based methods should not be understood here to imply that absolute consent is either a feasible or necessary requirement for outside involvement. It does mean however, that the activities of any outside force should be geared towards generating local support and enlarging the margin of consent that exists at the tactical level, thus contributing to the creation of an environment in which demobilisation and reintegration can proceed smoothly.

Post-conflict disarmament programs carried out in recent years have met with mixed results. The disarmament process in Somalia failed due to a number of reasons including the lack of ‘will and skills’ to persist with the program, rival groups not prepared to give up weapons for fear of falling victim to those groups who did not comply and a lack of resources to continue the disarmament process (Davies, 1999:102). As Jan (1996) observed:

The failure to actively disarm the factions of their heavy weapons, which some observers have suggested could have been done by the United Nations Task Force with limited resistance from the faction leaders, had a significant psychological effect on those leaders. Among the Somalia population at large, the expectation diminished that disarmament would occur soon, as the faction leaders’ sense of invincibility was reinforced. This dynamic impaired subsequent efforts at factional reconciliation undertaken by the United Nations (sic).
A study carried out on behalf of United Nations Institute for Disarmament Research which examined eleven disarmament programs conducted during United Nations peacekeeping operations found that the disarmament process within these operations appeared to be placed on the ‘back burner’ (Davies, 1999:102). As Davies (1999:102) notes further:

An out-of-sight, out-of-mind approach seemed to be the rule. The study concluded that successful implementation of peace must take into account both the future needs of society and the elimination of excess weapons. Its second conclusion was that disarmament programs must be consistent and sustainable to be effective.

Initial attempts to disarm the warring parties in Solomon Islands after the cessation of hostilities also represent another example of a problematic disarmament process. On the 15th of October 2000 the Townsville Peace Agreement was signed by the parties that had been involved in the ethnic unrest and conflict. Part 2, Clause 4 of the agreement required that all parties involved in the conflict were to surrender their firearms. This was to be facilitated by an independent body, the International Peace Monitoring Team. Despite some initial surrendering of firearms, very few high powered or former Royal Solomon Islands Police Force weapons were handed in (Townsville Peace Agreement, 2000).

The disarmament process was consensual and the International Peace Monitoring Team lacked any coercive authority to enforce the disarmament process. The Royal Solomon Islands Police lacked the capacity and will to enforce the conditions outlined within the agreement⁶.

---

⁵ Somalia, the former Rhodesia, the former Yugoslavia, Cambodia, Angola, Nicaragua, El Salvador and Haiti.
⁶ This is consistent with the disarmament process in Haiti where the Haitian Police where both reluctant and ill equipped to carry on the disarmament process handed over to them in 1997 (British American Security Information Council, 1997).
In the absence of any coercive methods to enforce the disarmament, the militants and some renegade members of the Royal Solomon Islands Police Force simply ignored the requirements of the Townsville Peace Agreement and controlled many hundreds of high powered weapons. The various militant groups in the Solomon Islands continued to argue that they were not prepared to give up their weapons amid concerns that they would be vulnerable to attacks by rival groups.

This reflected the experience in Somalia and Northern Ireland\(^7\) and the problems in attempting to disarm rival groups and factions in those two countries. The Royal Solomon Islands Police Force was unable and at times unwilling to carry out its required duties and responsibilities due to the abundance of weapons in the hands of criminals and ex militants. It was not until a more coercive disarmament program under the auspices of RAMSI occurred that an environment was created that enabled the Royal Solomon Islands Police Force to function more effectively as a policing organisation.

A problematic and haphazard disarmament process in Haiti also contributed to later problems that the Haitian National Police experienced in attempting to control rampant gun ownership and use within the country. Firearms and their use continued to undermine the functional capacity of the Haitian National Police, especially against growing militias and heavily armed criminal gangs. The disarmament process was first commenced by the United States led multinational force and then handed onto the Canadian military.

\(^7\) A major problem in the decommissioning program in Northern Ireland was an ‘absence of trust’ between the various parties and in particular the perceived problems of disempowerment that could come from surrendering weapons (Berdal, 1996).
The disarmament process was subsequently handed over to the Haitian National Police who used collected arms to re-equip the force. The disarmament process was seen as 'largely unsuccessful' with few firearms collected. The country continued to remain heavily armed and the police where ineffectual in removing the threats and lawlessness associated with the firearms (British American Security Information Council, 1997).

An inadequate disarmament program in post-conflict Afghanistan continues to diminish the capacity of the Afghanistan National Police to provide effective policing across the whole of the country. Whilst the 2001 Bonn Agreement called for programs to disarm, demobilise and reintegrate militias into main stream society, little has actually been done in this regard. The United States continues to fund and support militia groups in its ongoing military campaign in the country. Removing the firearms from militias and competing security organisations is seen as one the most important prerequisites if the Afghanistan National Police are to function as both a legitimate and accountable policing organisations across the whole of the country. As it stands, the Afghanistan National Police is unable to effectively function and carry out normal policing duties in the face of heavily armed militias and private security organisations (Garrison, 2004).

Communities must be consulted broadly before any re-establishment of policing occurs post-conflict

A repeated lesson learnt from post-conflict policing development is the requirement to consult widely with communities, political leaders and militant groups who have been involved in the conflict before any type of government sponsored policing is re-established.
If local communities are not widely consulted and consent and support for the development of policing reforms post-conflict is not gained, the authority and legitimacy of any developed policing response remains questionable. The success of developing policing post-conflict is very much dependant on a comprehensive consultation process that engages all parties involved in, or effected by the conflict (Bayley, 2001; Ong, 2000 and Carothers, 1999)

**Various ethnic and social groupings should be equally represented in any post-conflict policing**

Appropriate representation in any developed policing organisation post-conflict is also seen as important in developing the new police as a legitimate organisation. As Jackson and Lyon (2001) observe, in order for a police agency to demonstrate that it is legitimate it must show that the composition of the police personnel is reflective of the various ethnic groups within that society. Representation and the concept of legitimacy of the newly developed policing organisation are particularly important within states that have experienced internal conflict and, in particular, conflict across ethnic divides.

Another element of the of the same problem is the rebuilding of new national armed forces and police, integrating as far as possible elements of the formerly competing armed factions or military forces. This process will be vital to national reconciliation and protection of the re-established state once the intervening forces leave International Commission on Intervention and State Sovereignty, 2001:41)
In developing policing in post-conflict Afghanistan, problems of equal representation have undermined the legitimacy of the newly created police force. Garrison (2004) highlights the problems of 'ethnic favouritism' and 'political factionalism' in developing the Afghanistan National Police. Further impacting on the legitimacy of the new police is the under representation of women in the new police force (Garrison, 2004).

The development of a policing response post-conflict should only undertaken by an appropriately trained, developed, and legitimate policing organisation

Scharf (2003) suggested that a feature common with the process of building democratic institutions in post-conflict states is the development of an initial power vacuum. He argues (2003) that there will be a gap between the dismantling or disintegration of formal social control agencies evident during periods of conflict and the development of new institutions. This vacuum in law enforcement post-conflict is likely to be filled by non-state policing bodies and these will only disappear as the state develops the capacity to assume responsibility for social control (Scharf, 2003).

The military is often called upon to serve as police within this traditional phase, a role for which it is both untrained and not organised (Oakley et al, 1998; Keating, 2000 and Bayley, 2001). The Brahimi Report recommended the setting up a national pool of civilian police officers, judicial, corrective and human rights specialists from within member states that could be deployed to United Nation peace operations on short notice (Report on the Panel on United Nations Peace Operations, 2000:55-56).
The International Commission on Intervention and State Sovereignty also highlights the problems of the military encroaching on the roles and functions normally undertaken by civilian police forces.

Complaints are regularly heard from military officers around the world that in interventions and their aftermath they are all too often given functions for which they are not trained and which are more appropriate to police. The simple answer is that civilian police are only able to operate in countries where functioning systems of law and courts exist (International Commission on Intervention and State Sovereignty, 2001:41).

Bayley (2001:55) also highlights the concept of ‘mission creep’, the evolving role of the military in post-conflict operations, particularly instances of military involvement in developing a localised policing response(s) and assuming responsibility for post-conflict policing. Bayley (2001:55) suggested that the major cause of ‘mission creep’ is the failure to plan for and develop an indigenous policing organisation after the military has secured the peace.

Whilst it is acknowledge that the military can provide a logistical role in supporting the development of post-conflict policing, development assistance in post-conflict policing reconstruction is a function that should only be undertaken by law and justice sector professionals (Bayley, 2001; Bailey and Poulio, 1998 and Keating 2000).

In some areas logistical support is required and the military can provide this. The military can also carry out a variety of other tasks, but it is not a police force and it must hand off responsibilities to others. And while the military is particularly important during the crisis phase, and helps to ensure that the other elements have a stable environment in which to work, as you move from crisis to longer term development, there is a need to hand off responsibilities to others (Keating, 2000:28).
There has been substantive levels of military involvement in the development and training of policing organisations in the Pacific. The Royal Solomon Islands Police Service provides one example of how military training in the region was misplaced and misused. As the Solomon Islands did not have a defence force, a unit was created within the Royal Solomon Islands Police Force called the Police Field Force. Its function among other things was to provide border security and respond to incidents involving firearms. Over the years its arsenal grew to the extent that it resembled a military organisation rather than that of a police service/force. Officers were often recruited directly into the unit and received little or no police training. Much of the training for the unit was carried out by the Australian Defence Force and to a lesser extent the United States military.

The training provided by the Australian Defence Force centred on light infantry tactics and strategies based on a military doctrine. For most officers within the Police Field Force this was the only training that they received. During the civil unrest in the Solomon Islands the Royal Solomon Islands Police fragmented and officers from the Police Field Force loyalties centred on regional and ethnic ties. The police armory was raided and many officers from the Police Field Force took an active and command role in the subsequent fighting. A great deal of what had been taught by the Australian Defence Force over the years was put into practice by many members of the Police Field Force during the crisis and fighting in the Solomon Islands.
In a 2002 report, the Australian Strategic Policy Institute highlighted the ongoing problems in developing a sustainable and effective policing response in East Timor (Australian Strategic Policy Institute, 2002). A recommendation to address the problems facing the East Timorese Police Service included drawing on the 'Australian Defence Forces experience in delivering assistance programs to police forces in the South West Pacific region (Australian Strategic Policy Institute, 2002).

Whilst the professionalism and training expertise of the Australian Defence Force is not questioned, it is the end use of military training and assistance that has at times, caused problems within the region. The use of the military to develop policing organisations in the Pacific region is also inconsistent with contemporary discourse in respect of re-establishment of policing post-conflict (Oakley et al, 1998; Keating, 2000; Bailey and Poulion, 1998 and Bayley, 2001). Given the different missions of the military vis a vis policing and the often fragmented nature of Melanesian policing organisations, the role of the military in providing assistance to police forces post-conflict should ideally be limited. Adhoc localised policing programs also often develop and emerge during this period of transition.
Ex combatants often form localised policing and vigilante groups. This creates within post-conflict societies varying degrees of social control and justice and more often than not social control is maintained by fear and the rule of the gun. As Baker (2004) observes, social control in post-conflict societies is often left to ‘customary justice processes of variable integrity or to private arrangements of summary justice’. Mob justice and the emergence of local militias that often operate completely outside any state, international or human rights laws, are the product of a number post-conflict sub Saharan states (Baker, 2004).

The emergence of multiple security and policing organisations has become a problem in post Taliban Afghanistan. While there have been some attempts to create formal police and military organisations in Afghanistan, many other organisations and bodies compete with state policing bodies (Garrison, 2004). Armed militias, private individuals, and contractors often exercise police powers outside any legal authority. The private armies and militias operated by Afghan warlords and drug traffickers operate as ‘unofficial’ police forces in many areas of the country and state authorities are often unable to function in these areas (Garrison, 2004). The removal of these competing unofficial policing bodies is seen as one of the most important pre conditions in developing an accountable policing organisation in Afghanistan.

Until other groups are denied police-like powers through disarmament of private militias, through the reigning in of other government agencies and through some agreement with the US led coalition to end illegal arrests and detentions, the Afghan National Police cannot really be held accountable for the lack of security in Afghanistan or for the human rights abuses that take place (Garrison, 2004:7).
CONDITIONS NECESSARY FOR THE SUSTAINABILITY OF POLICING POST-CONFLICT – INTERNATIONAL EXPERIENCE

States that have emerged from periods of sustained or prolonged civil conflict generally require significant levels of resources to re-establish government services and functions. The re-establishment of civilian policing is often a priority for international aid donors. Resources in the form of technical advisers and equipment is often provided and as has been evidenced in recent times, these resources often reflect a multi national, multi agency response. Perhaps the greatest challenge to those who plan and deliver post-conflict development and support is the re-establishment of government agencies and services that are sustainable in the long term. There are numerous examples of post-conflict development programs including the re-establishment of policing agencies that have all but collapsed after donor support is withdrawn. Drawing again on international experience, the following section will examine conditions that are necessary for the sustainability of policing post-conflict.

The capacity of local governments to continue to sustain post-conflict policing requires significant support and development

Countries or nation states emerging from prolonged periods of internal conflict have a limited capacity to resource and support criminal justice systems. More broadly post-conflict states also require significant support to create the economic and social environment and conditions that support the ongoing sustainability of criminal justice systems.
As the International Commission on Intervention and State Sovereignty (2001:42) observe:

A final peace building responsibility of any military intervention should be as far as possible to encourage economic growth, the recreation of markets and sustainable development. The issues are extremely important, as economic growth not only has law and order implications but is vital to the overall recovery of the country concerned.

Limited state resources restrict both the ‘size and distribution’ of state centred policing in both developing countries and post-conflict states (Baker, 2004). Limited infrastructure, difficult terrain, and state intrusion on isolated and un-cooperative communities often inhibit the ability of the state to develop and promote state centric policing and criminal justice systems (Jackson and Lyon, 2001). In Uganda for example the state has been unable to provide a total state policing response across the country post-conflict and as a result a number of different state and non-state agencies have developed to fill the void (Baker, 2004). The Ugandan Government has sought to both ‘harness’ and control the majority of these developed agencies to better assist in providing a more national policing coverage. Baker (2004) suggests that the situation in Uganda now is one of ‘multi choice policing’.

That is, there is a geographical overlapping of policing agencies so that Ugandans commonly move into and out of spheres of policing authorizers and providers or may be in a position to choose between providers where there is multiple provision. Citizens are faced with a choice in many situations as to what body they look to for in protection and/or response to crime and disorder.
Baker (2004) challenges some contemporary academic discourse on post-conflict policing development that only state policing organisations are accountable and the development of policing post-conflict should be based on the re-establishment of state agencies or state controlled police*. Baker (2004) also questions the logic of establishing western style systems of policing and criminal justice post-conflict that have failed or been ineffective in the past.

The focus of donor programmes and much academic literature on state policing for the post-conflict period seems ill conceived. As research has shown, in Uganda, as in most African countries, there are often surprising number of policing agencies, none-state and state offering localized protection of different levels of legality, effectiveness, availability, methods and services. For Africans their experiences, or choices in as much as they have them, are based on what is available, what works best and what can I afford, more than issues of who controls the policing body and to whom are they accountable (Baker, 2004).

Many of the recent attempts to develop post-conflict criminal justice systems have emphasised the need to create democratic institutions (Jackson and Lyon, 2001). This focus on the creation of democratic criminal justice institutions within post-conflict state does however, create something of a paradox. As Jackson and Lyon (2001) suggest, it is often difficult to create democratic policing and criminal justice institutions within post-conflict states that do not have a continuing history of supporting and fostering democracy and democratic ideals.

* See for example Bayley (2001).
As Jackson and Lyon (2001) further observe, ‘often those reconstructing order and rule of law are attempting to implement a democratic police force inside of a non-democratic state’. While Jackson and Lyon (2001) highlight the problems of reforming former repressive policing organisations, developing criminal justice systems in societies where the democracy remains a somewhat foreign concept is also inherently difficult. Within Melanesia culture for example, the transcending loyalty of the various tribal and community groups, more often than not, places the state and state institutions a distant last.

Baker (2004) argues that the post-conflict policing should not be a state monopoly and there should be a recognition that ‘multi-choice policing’ may well be the norm in post-conflict society. The state should not withdraw completely from formal social control responsibility, rather the state has a role in developing policy which seeks to incorporate and coordinate the various acceptable agencies that often develop within the law and justice sector post-conflict (Baker, 2004).

The state alone possesses the knowledge and expertise required to steer the delivery of services among diverse police forms and to coordinate the relationship of policing agencies to other governmental authorities. State action is thus needed if policing is to be delivered efficiently, equitably or even at all (Loader and Walker, 2001).

Baker (2004) suggests that the role of the government within a multipolicing framework should be to define the required relationships between the various and state and non state entities and set the boundaries under which they will work.
Under a multi-policing framework the states role is to ensure that the role of both state and non state agencies should not become too ‘independent and self-serving’ and that such agencies provide a ‘genuine service to society’ (Baker, 2004). As Scharf (2003) observes:

The celebration of the rich diversity of non-state justice systems should be the policy that is adopted and promoted as long as they fall within constitutional limits. There might have to be some monitoring and training which could be conducted in the spirit of positive development as opposed to curtailment and control. Local government and security agencies should become involved in the non-state ordering initiatives by supporting them in the ways which are not too resource intensive. Non-state justice should not be an issue which only the police are tasked to deal with.

While the ongoing violence in Afghanistan continues to impact on the re-establishment of government services including police, a lack of appropriate planning by both the state and donors has lead to the adhoc development of policing in Afghanistan. Little attention was given to what policing model would best suit Afghanistan, and the emerging policing model in the country has began to largely reflect what was done in the past; the new Afghanistan National Police has essentially emerged out of the old Soviet model. This has created a number of problems including the dominance of armed militia within policing, an ineffective chain of command, and a lack of state capacity to control policing across the whole of the country. The result of this is a state that is unable to control the various competing ‘policing’ bodies that have emerge post-conflict and a lack of legitimacy for police function in Afghanistan (Garrison, 2004:7).
A major impediment to the development of policing in Afghanistan has also been the lack of state assistance in the provision of adequate resources to develop the criminal justice system. Almost all policing infrastructure has been totally destroyed in Afghanistan and the police lack even the basic resources to function and few resources have been provided to training of the Afghanistan National Police. The Afghanistan National Police do not have the capacity to continue to rebuild without donor assistance, but such assistance has been limited with little overall planning. As such the ongoing sustainability of the criminal justice sector including policing in the country is limited. The lack of proper funding in the rebuilding of the Afghanistan National Police is creating serious accountability problems and contributing to the piecemeal development of policing in the country (Garrison, 2004).

Further examples of governments being unable to sustain developed policing organisations include East Timor and Haiti. Despite the significant resources provided to East Timor by donor countries for policing local government capacity to adequately fund and support developed agencies within the criminal justice system is extremely limited. (Strohmeyer, 2001 and Pritchard, 2001). Problems of sustainability also beset the newly developed Haitian National Police. Despite millions of dollars in international aid and multi donor country support in developing a democratic policing organisation in Haiti the legacy of this development was the creation of an ineffective, corrupt police force that lacked public support.
The newly created Haitian National Police Force was not provided with adequate resources, equipment or training to function properly by local government (The Washington Office on Latin America, 1997 and Joanis, 1996). The absence of long term development strategies in favour of short term fixes and the failure to develop a policing response that was ‘appropriate to the Haitian context’ contributed to the rapid deterioration of the Haitian National Police (The Washington Office on Latin America, 1997).

**Newly re-established policing post-conflict should adapted to and continue to support local customs and traditions**

The long term sustainability of newly developed police post-conflict is inherently dependant on how it complements local traditions, customs, and culture (Oakley *et al.*, 1998; Shacoquis, 1999 and Zoufal, 1999). Re-established policing post-conflict needs to adapt to and recognise local cultures and traditions (Bayley, 2001; Marenin, 1998; Strohmeyer, 2001 and Thomas and Spataro, 1998). A thorough analysis and understanding of local and traditional customs and cultures is seen as an important and fundamental prerequisite before any post-conflict policing development can occur (Bayley, 2001 and Marenin, 1998).

Local ownership of any post-conflict policing programs is important in ensuring long term sustainability. Programs should also reflect and take into account local priorities and conditions and be mindful of the capacity of newly emerged post-conflict states to implement and sustainably manage introduced policing programs.
As the International Commission on Intervention and State Sovereignty (2001:44) observes:

Equally, a reconstruction and rehabilitation programme which does not take sufficient account of local priorities and excludes local personnel could create an unhealthy dependency on the intervening authority, stultify the regrowth of local institutions and the economy, and infinitely delay the population’s desire or ability to assume responsibility for its own government.

If local indigenous communities are not widely consulted and consent and support for the development of policing reforms post-conflict is not gained, the authority and legitimacy of any developed policing response remains questionable (Bayley, 2001; Ong, 2000 and Carothers, 1999). As Bayley (2001:59) observes:

Successful reform requires thinking through the connections between what is done and what is to be achieved, which, in turn, requires a profound understanding of local conditions.

O’Neill (2005:5) also notes:

Local history, traditions and culture must be acknowledged in all police reforms; failing to anchor programs in local realities means that programs, too, will fail. Broad based expertise is required.

The approach in re-establishing post-conflict policing in many countries has often relied too much on drop in or turnkey policing programs (Bayley, 2001). Those charged with assisting in policing reconstruction often ‘recommend’ programs and assistance that they are familiar with within the own policing jurisdiction, regardless of how well it can be adapted to local conditions (Bayley, 2001).
As Bayley (2001:37) notes further:

The most developed police are not necessarily the best models from which reforming police should learn. Foreign advisers must learn that sophisticated technologies, especially equipment, may not be the most appropriate technologies.

Strohmeyer (2001:179) identifies the difficulty faced in developing a criminal justice system in East Timor, where imported systems of formal social control are not understood by the vast majority of the population and 'traditional and customary laws takes precedence over codified law'. Strong community objection to continued application of Indonesian law and the total collapse of police, courts, and prisons in the aftermath of the independence vote necessitated the development of a completely new criminal justice system (Strohmeyer, 2001:174).

In identifying the problems with ongoing sustainability of the introduced criminal justice system, Strohmeyer (2001:179) argues that alternative methods to traditional formal social controls should have been encouraged. Alternative methods to dispute resolution are considered better placed in the more remote and rural areas of East Timor where both cost and the primacy of customary law inhibit the introduction of imposed systems of criminal justice (Strohmeyer, 2001 and Pritchard, 2001). The problem however is that alternative, cost effective methods of dispute and conflict resolution were not fully scoped or considered during the United Nations mission in East Timor and the role of the newly created police within a framework of traditional dispute resolution did not attract much focus or attention (Pritchard, 2001).
The reliance on reactive policing responses as opposed to the development of community based policing programs is also criticism of the development of the Haitian Police Force during the 1990s. The legacy of this was the development of a policing organisation that essentially never attracted popular community support or respect.

Leaders have not paid attention to community policing as a means to improve often-difficult police-community relations and as a potential crime-fighting strategy to Haiti's seriously under-policed environment (The Washington Office on Latin America, 1997).

SUMMARY OF CONDITIONS NECESSARY FOR THE RE-ESTABLISHMENT AND SUSTAINABILITY OF POLICING IN POST-CONFLICT SOCIETY

Drawing on the literature presented in this chapter conditions for re-establishment and sustainability of post-conflict policing, suggested from international experiences in different social, political and geographical areas are listed in Table 1.
TABLE 2.1 – CONDITIONS FOR THE RE-ESTABLISHMENT AND SUSTAINABILITY OF POST-CONFLICT POLICING

<table>
<thead>
<tr>
<th>PROCESS</th>
<th>CONDITION AND CONTEXT</th>
</tr>
</thead>
<tbody>
<tr>
<td>Re-establishment</td>
<td><strong>All criminal justice agencies should be re-established to support post-conflict policing</strong>  &lt;br&gt;Post-conflict policing should not be developed in isolation and consideration should also be given to developing both a judicial and correctional function.  &lt;br&gt;<strong>People who have committed human rights violations should be excluded in re-established police</strong>  &lt;br&gt;Those people who are known to have committed human rights violations during periods of conflict should not be included in a post-conflict policing organisation. Prevailing inappropriate and ingrained behaviours may impact on how police function post-conflict.  &lt;br&gt;<strong>A substantive disarmament program should precede any re-establishment of policing post-conflict</strong>  &lt;br&gt;Disarmament must be part of a total approach to peace building in post-conflict society and is necessary process before policing is re-established. The role and function of re-established policing organisations are diminished if there is an actual or potential threat of firearms from ex militans and criminal gangs.  &lt;br&gt;<strong>Communities must be consulted broadly before any re-establishment of policing occurs post-conflict</strong>  &lt;br&gt;Local communities and stakeholders must be consulted widely in the development of policing post-conflict. Community support for any policing reform is a necessary and important pre-condition before any policing is re-established  &lt;br&gt;<strong>Various ethnic and social groupings should be equally represented in any post-conflict policing</strong>  &lt;br&gt;Appropriate representation in any developed policing organisation post-conflict is also seen as important in developing the new police as a legitimate organisation.  &lt;br&gt;<strong>The development of a policing response post-conflict should only undertaken by an appropriately trained, developed, and legitimate policing organisation</strong>  &lt;br&gt;The vacuum in policing experienced post-conflict is often likely to be filled by adhoc, localised responses and/or international military organisations. Appropriate planning needs to occur to limit the vacuum period and the associated emergence of unaccountable, adhoc policing responses. Policing should only be undertaken by a properly trained and legitimate organisation.</td>
</tr>
<tr>
<td>PROCESS</td>
<td>CONDITION AND CONTEXT</td>
</tr>
<tr>
<td>-------------</td>
<td>--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
</tbody>
</table>
| Sustainability | The capacity of local governments to continue to sustain post-conflict policing requires significant support and development. State capacity to both develop and support re-established western models of policing post-conflict is often limited. Post-conflict states often do not have the resources or capacity to assume total responsibility for policing across the whole of the nation and the western centric styles of policing to support post-conflict policing development may not be the most appropriate, particularly in developing countries. Post-conflict states have a role in developing policy that can incorporate and coordinate various ‘acceptable’ agencies. Proper planning is required by both the state and any donor agencies to avoid ad-hoc or inappropriate policing development. Capacity development needs to be provided to post-conflict governments to ensure that they can continue to support and adequately resource newly developed policing organisations.  
Newly re-established policing post-conflict should adapted to and continue to support local customs and traditions  
Any developed police system post-conflict should adapt to local conditions, incorporating local cultures, traditions and informal dispute resolution processes. The long term sustainability of newly developed police post-conflict is inherently dependant on how it complements local traditions, customs, and culture. |
CONCLUSION

Literature on the re-establishment and sustainability of policing post-conflict is a rapidly expanding and evolving body of knowledge and the dominant sources of literature relate to experiences drawn from multinational peace keeping interventions most notably after and during intrastate conflicts. The dominant sources of contemporary literature focus on the former Yugoslavia, Haiti, sub-Saharan Africa, Cambodia, Afghanistan and East Timor. Bayley’s (2001) work is the best known within the field and has had significant impact on both policy and academic thinking in this area.

Despite there being two major internal conflicts within the Melanesian region in the last twenty years, Bougainville and the Solomon Islands, little substantive literature exists on the conditions necessary for re-establishing policing post-conflict within a Melanesian context. Considerable literature exists on peace building and re-construction within Bougainville (Harris et al, 1999; Regan, 2000; Howley, 2002, Saovana-Spriggs, 2003; Howley, 2003; Tombot 2003 and Zarriga, 2003); however there is a dearth of discourse within these sources on re-establishing policing on Bougainville post-conflict. Literature relating specifically to post-conflict policing on Bougainville is limited to feasibility studies conducted to support policing development on the island, unpublished working papers and post aid evaluation reports. A significant study on the conditions necessary to re-establish policing on Bougainville has yet to be published.

9 Most notably American policy in assisting countries in re-establishing policing post-conflict
CHAPTER 3 - THE BACKGROUND TO THE CURRENT SITUATION IN BOUGAINVILLE

INTRODUCTION

This chapter will briefly examine some of the cultural and societal traits that underpin Bougainville society. The background and causes of the Bougainville crisis will also be explored. Key stages and elements of the Bougainville peace process will be outlined and the various approaches to re-establishing policing on the island will be examined. There have been a number of changes to the Papua New Guinea Constitution to support the re-establishment of policing on Bougainville and the development of the Constitution of the Autonomous Region of Bougainville has provided a legal framework for the development and function of a Bougainville Police Service. The specific legal and constitutional changes and developments that relate to the re-establishment of policing on Bougainville will also be examined.

BOUGAINVILLE SOCIETY AND CULTURE

Bougainville is the main island of the North Solomons Province one of the 19 provinces of Papua New Guinea. North Solomons Province contains two main islands, Bougainville in the south and Buka in the north. Bougainville Island is about 240 kilometres in length and is approximately ninety five kilometres wide at its widest point. There are also a number of atolls and smaller islands doted around the main Bougainville Island. The current population of the island is estimated at approximately 175 000.
As is common with most Melanesian countries, the people of Bougainville live in small communities distinguished by a number of different language and cultural groupings.

There are 19 main language groups in Bougainville. No language group has ever constituted a political entity with centralised political authority. Rather each has a long comprised small and still largely independent societies. The communities tend to be fragile, grouping and re-grouping as leadership changes or conflict occurs (Regan, 1999)

Most of the population of both Buka and the main Bougainville Island now live in small villages concentrated along the costal areas with some settlements on the inland plain areas of Buin, Siawi and Nagovis. A long mountain spine runs most of the length of Bougainville and population and villages in this area is sparser than on the costal areas (Howley, 2002). Buka the provincial capital of the North Solomon Islands Province is over 1000 kilometres from Port Moresby, the capital of Papua New Guinea. Despite strong geographical and ethnic ties to the Solomon Islands, Bougainville by virtue of colonial decision making was given to the then colony of New Guinea in 1899.

When Papua New Guinea gained independence from Australia in 1975 Bougainville became part of the North Solomons Province of the independent state of Papua New Guinea. Bougainvilleans have demonstrated a history of opposition to both the former colonial Australian Government and the central Government of Papua New Guinea and on the 1st of September 1975 Bougainville declared its independence.
A political solution facilitated by the new prime minister of Papua New Guinea, Sir Michael Somare diffused the growing independence overtures and Bougainville became a province of the independent state of Papua New Guinea in September 1975.

Bougainvilleans have traditionally felt a high degree of separateness from the rest of Papua New Guinea (Spence et al., 1999). Such distinction and dissimilarity from the rest of Papua New Guineans is based on a number of factors including perceived ethnic differences, strong social and cultural ties with the Solomon Islands, distance from mainland Papua New Guinea including the capital Port Moresby and the neglect of the central government (Howley, 2002). Hannett (1975) expands further on this divide that Bougainvilleans have with the rest of Papua New Guinea:

- Culturally Bougainvilleans feel and accept that they differ essentially from Papua New Guinea cultures. Most important of all, Bougainvilleans firmly believe that we have a distinctly marked different cultural and political ethos – on such fundamental principles as natural and social justice and respect and reverence for life.

- Ethnically, Bougainvilleans are obviously different from Papuans and New Guineans. We are generally jet black people\(^{10}\), having common ancestry with more people down Western Solomons rather than with any groups in Papua New Guinea (sic).

- We have always had a common history of ourselves as distinct from Papua New Guineans. The collective force of common experiences of exploitation, pain, suffering an neglect from the colonial forces, have brought out more and more this collective consciousness of ourselves as one people defined and confined all the more by our geo-political isolation from the rest of Papua New Guinea.

\(^{10}\) Bougainvilleans have distinctively black skin. Colloquially, Bougainvilleans refer to other ethnic groups in Papua New Guinea as 'redskins'.
BACKGROUND TO THE BOUGAINVILLE CONFLICT

In 1964 Conzincro Rio Tinto (CRA) with support from the then colonial Australian Government in Papua New Guinea began to conduct exploration on Bougainville centering on a large copper deposit in the mountainous area behind Arawa. CRA was granted a licence which allowed it to carry out prospecting in the Panguna and Kepie areas of Bougainville. Copper deposits where known to have occurred in the hinterland of Bougainville since the 1930s however it was not until the early 1960s that exploration and the possibility of mining ventures began to surface (Stent, 1999).

In 1969 CRA applied for a special mining lease and the then Australian administration began resuming land in and around the proposed mine site and the area around Kieta which was to be the site of a port development (Stent, 1999). Bougainville Copper Limited was formed with the major share holders being CRA and the Papua New Guinea Government and commercial production and exportation of copper commenced in 1972. As copper production and exports increased through the 1970 and 1980s, the economic importance of the mine to newly independent Papua New Guinea was significant. At its peak the Panguna mine was one of the largest open cut mines in the world, producing over 40 per cent of Papua New Guinea’s total exports and generated 17 per cent of total government revenue. A great deal of associated development accompanied the mining project at Panguna. As well as the development associated with the mine itself, a new township of Arawa was built as was a shipping terminal at Keita. A power station, roads, schools, hospitals and workers accommodation was built in both Panguna and Arawa to support the mine.
At its peak the mine employed a workforce of about 4000, of which approximately one third were Bougainvillean. Two hundred businesses dependant on the mine employed another 4000 people. Of the two hundred businesses that directly supported the mine approximately half were owned by Bougainvilleans. The construction of the mine and its subsequent operation also saw the influx of many thousands of outside workers to Bougainville including workers from other provinces within mainland Papua New Guinea.

Opposition to the mine at Panguna on Bougainville was evident from the very early stages of its development. The majority of the land in and around the mine was owned by the Nasioi people. The development of the mine and the Panguna Township required the relocation of many villages and settlements and the acquisition of large tracts of land belonging to the Nasioi people. Resentment and open hostility to the mine commenced in the middle and late 1960s as surveyors began to mark out boundaries for both the mine and the township. During this and ongoing protests by local villagers, police including riot police were used to quell the protests. Many of protests became violent with numerous arrests made (Stent, 1999). The compulsory acquisition of land did not end with the Panguna area and land was also resumed on the coastal areas of Keita to support the development of port and shipping facilities. Locally affected people in Keita area strongly protested to the land acquisition (Stent, 1999). The use of police to support the acquisition of land and forced relocation of villagers became an enduring feature of the mines development throughout the 1960s and early 1970s.
Between 1966 and 1969 legislation was passed through the Australian parliament to support the development of the mine. The legislation provided for the payment of an occupation fee to the landowner; however royalties from the mine were to be used for the whole of the country (Stent, 1999). The traditional owners of the land had no jurisdiction over, or compensation paid in respect of the minerals that were removed from the land and any royalties made from the mine were essentially vested in the control of the Papua New Guinea Government.

The Administration persisted in the view that owners of the ground from which minerals were extracted would be adequately compensated through the payment of the occupational fee; the royalties should be used for the country as a whole (Stent, 1999).

Compensation paid to the land owners was unjust, disproportional and failed to take into account the customary ownership of the land under Nasioi customary law (Howley, 2002 and Joint Standing Committee on Foreign Affairs, Defence and Trade, 1999). Under Nasioi customary law land ownership is passed from a mother to her eldest daughter.

The Australian administration had during the 1960s, registered the men as the traditional owners of the land failing to observe the matrilineal system of land ownership with Nasioi customary law (Dorney, 1998). Problems soon emerged over compensation payments within the region, with those who should have received some sort recompense often missing out. As Regan (1998) notes 'subsidiary claims under traditional tenure systems received much less than those who regarded, however correctly as primary right holder'.
As Howley (2002) also observed:

The mining agreement drawn up by the Australian Government left no room for discussion and consultation and the Papua New Guinea Government likewise refused to engage in consultation and consensus building.

The development and subsequent operation of the mine also caused major environmental problems not only in the vicinity of the mine area but also along river systems that flowed from the mountainous areas where the mine was situated. The mine itself left a huge scar on the landscape with a crater two kilometres wide and half a kilometre deep. The top of Panguna Mountain had been removed to develop the mine. Ineffective mine waste management practice and the lack of environmental impact studies meant that millions of tons of toxic waste and poisonous mine tailings that were stored on the banks of the Kawerong River flowed directly into or were washed into the Jaba River system and eventually into coastal river systems.

Large areas of land including forests along the river systems were destroyed. As well as destroying plant and animal life, pollution from the mine reduced the amount of land that could be used for subsistence farming and the growing of cash crops in many parts of central Bougainville, thus directly affecting the livelihoods of many thousands of villagers (Regan, 1998). During its years of operation the mine removed 1.215 billion tonnes of land, turned 99.4 per cent of it back into waste, which in turned destroyed river systems and contaminated many kilometres of land (Dorney, 1998).
In 1987 Francis Ona a then employee of the mine and his first cousin Pepetua Serero formed the Panguna Landowners Association to protest compensation arrangements being made to landowners. Francis Ona’s main purpose in forming the Panguna Landowners Association was to protest the environmental damage that was being caused by the mine and to the unfair compensation payments from both the mine and the Papua New Guinea Government. Francis Ona demanded ten billion kina in compensation from Bougainville Copper Limited, a fifty percent share in company profits, localisation of Bougainville Copper Limited within five years and more stringent environmental controls including stopping tailings run off into the river systems (Joint Standing Committee on Foreign Affairs, Defence and Trade, 1999).

When his demands were not met Ona resigned from Bougainville Copper Limited and with a small band of supporters began to sabotage company property disrupting mining operations at Panguna. Violence soon escalated and in 1988 Ona’s supporters destroyed the main power line to the Panguna with explosives stolen from the mine. In 1989 Francis Ona and his supporters became known as the Bougainville Revolutionary Army (Joint Standing Committee on Foreign Affairs, Defence and Trade, 1999). The strongest supporters of both Ona and the BRA were young Bougainvillean men who began to take up arms in support of Ona.
The BRA developed an ideology based in part on the resentment of BCL, the Papua New Guinea Government and outsiders who had flocked to Bougainville to work at the mine (Regan, 1995 and Regan, 1999). Ona's and the BRA's growing resentment of outsiders and wish to access a more equitable share of profits from the mine fuelled the early stages of the conflict (Regan, 1999). Despite a history of widespread interest in independence it was not a key focus of Ona's demands during the early stages of the conflict (Regan, 1999). Calls for secession and independence became more vocal as the conflict spread and are seen as a consequence of the behaviour of the Papua New Guinea security forces during the early stages of the conflict (Regan, 1999). In late 1988 the BRA began to increase its attacks against both mine property and mine employees.

The Papua New Guinea Government made many attempts to negotiate a settlement with the BRA but all attempts were unsuccessful. Due to the escalating violence and subsequent disruption to mining operations the Panguna Mine was forced to close in May 1989. Support for the BRA in the early stages of the conflict was widespread. A former officer in the Papua New Guinea Defence Force, Sam Kauona was made Commander of the BRA and a civilian government, the Bougainville Interim Government was created. The strongest support for the BRA was in central and southern Bougainville.
The Bougainville Interim Government had little influence over the BRA or Francis Ona and even less influence over individual BRA fighters. As Regan (1998:278) observed:

These were mainly young men in locality based and largely independent groups most of which were only loosely linked to the high command. They had vastly differing perceptions of what was involved in the conflict. While some were disciplined and highly motivated, others were little more than criminal gangs.

The Papua New Guinea’s initial response to the instances of sabotage by Francis Ona and his supporters was to increase police resources on Bougainville including the deployment of Royal Papua New Guinea Constabulary Mobile Squads. As the violence escalated the Royal Papua New Guinea Constabulary became increasingly unable to control the destruction of property and increasing escalating loss of life and in 1989 the Papua New Guinea Defence Force was deployed to Bougainville. In some areas of Bougainville local resistance groups began to take up arms against the BRA. These groups were often splinters of former BRA groups and became known as Bougainville Resistance Forces. The Bougainville Resistance Forces were armed and supported by the PNGDF however, the PNGDF had little control over their actions. In other areas of Bougainville community leaders invited the PNGDF back into the communities often to protect themselves from the BRA. Many thousands of Bougainvillians afraid of the BRA and the PNGDF fled to care centres around the island. Almost a third of the population was housed in these care centres across the island during the height of the crisis in the early 1990s, with security provided by the PNGDF and Resistance Forces. Many Bougainvillians also fled to the neighbouring Solomon Islands.
The Papua New Guinea Government’s response throughout the crisis was to seek negotiated settlements with the BRA to end the conflict and when these failed, undertake a more aggressive approach through the use of the PNGDF in specific military operations. The breakdown of a number of peace initiatives in the early 1990s including the Endeavour Accord, Honiara Declaration and the Bougainville Leaders Forum resulted in the then Papua New Guinea Prime Minister Pias Wingti authorising in late 1994, Operation High Speed in an effort to retake the Panguna mine. The PNGDF was forced to withdraw after sustained a number of casualties.

Further initiatives including the Arawa Peace Conference, the Mirigini Charter and a meeting in Cairns in 1995 of all parties involved in the conflict failed to secure any lasting peace on Bougainville. In June 1996 the Papua New Government again resorted to military to try destroy the BRA through Operation High Speed II. The military operation again failed and the PNGDF was forced to withdraw a significant amount of resources from Bougainville. In September 1996 the security forces suffered its worst single loss of life when 12 PNGDF and police personnel were killed by the BRA near Buin in what became known as the Kangu Beach massacre. Resistance forces had turned against the security forces. Five security force members were taken hostage but were later released.
The behaviour and actions for the PNGDF and Police Mobile squads was viewed to a large extent as being responsible for the initiation and continuation of a ‘cycle of violence’ that engulfed Bougainville from 1988 through to 1997 (Regan, 1999:14). State security agencies continued to commit ‘appalling atrocities’ against Bougainvilleans believed to support the BRA. The blockade of the island between 1990 and 1994 and more informally through to 1997 added to the resentment of the PNGDF. The blockade was seen as a method of ‘deliberately endeavoring to harm the vast majority of Bougainvilleans’ (Regan, 1999:14-15).

The hatred of the PNGDF in particular continues to resonate across many areas of Bougainville and is primarily a consequence of their actions during the conflict.

Destruction of villages, assaults, expropriation of property and many other forms of mistreatment led to bitter resentment of the PNGDF in particular even by people who had sought the protection or assistance of the PNG forces as a result of the previous localised conflict involving BRA elements (Regan, 1999:15).

Many thousands of Bougainvilleans died as direct result of the conflict and many thousands more from illness and sickness due to the lack of suitable medical services on the island. Other impacts of the crisis that in some cases still resonate today, include:

- Divisions between Bougainville and Papua New Guinea;
- Mass disruption in normal life through forced relocation or people forced to live in the jungle and mountainous areas of the island;
- Wide spread destruction of infrastructure including, health, education and other government services;
• Destruction of economic activity; and
• Destruction of human capital (Regan, 1999:16).

What had essentially been a localised dispute over compensation demands and environmental concerns escalated into a 'generalised etho-nationalist revolt' (Regan, 1995). The conflict was not only created new divisions within Bougainvillean society but also intensified pre-existing problems that had existed within and across communities before the crisis (Regan, 1999).

While there has been much healing across Bougainville society since the end of the conflict, many of these divisions still remain deeply embedded within the social fabric of many Bougainvillean communities. BRA actions during the conflict also contributed to this division among Bougainville communities and Bougainvilleans were divided over their support to the BRA and its demands (Regan, 1999).

In many areas, localised struggles for power developed within the BRA hierarchy, or in local civilian political bodies that were established at various times. Each element in the political leadership tended to have a base in local BRA groups. As a result, some local political struggles developed into violent conflicts between armed elements (Regan, 1999:13).

While it is generally agreed that the major cause of the conflict on Bougainville can be directly attributed to landowners environmental and compensation concerns (Dinnen, 2003; Howley 2002; Harris et al, 1999), Regan (1999:8) argues that the causes of the ten year crisis are more 'numerous and complex'.

56
Regan (1999:8) argues that along with the resentment by landowners over the impact of the mine on their environment many other conditions contributed to and prolonged the conflict including:

- Resentment among Bougainvillean employees of Bougainville Copper Limited about what they perceived as their limited opportunities for advancement within the company;

- A species of economic rationalism contributed to by resentment of Bougainvillean workers in many areas about the limited returns from the mine for Bougainville;

- Tensions among Bougainvilleans resulting from inequalities arising from rapid economic change mainly occurring since World War II, both cash cropping and developments associated with the mine;

- Tensions caused by the collapse of cocoa prices between 1987 and 1989 and the subsequent impact on incomes heavily dependent on cocoa farming and production;

- Resentment of the increasing numbers of outsiders attracted by economic development on Bougainville;

- Bougainville ethnicity; and

- Community reaction to human rights abuses perpetrated by Papua New Guinea security forces from 1988.

BOUQUAINVILLE PEACE PROCESS

There were numerous efforts to resolve the crisis between 1989 and 1997 with all attempts failing. In 1997 the then Papua New Guinea Government in an aborted effort to break the stalemate, entered into a contract to employ mercenaries on the island, which later became known as the Sandline Affair (Dorney, 2000:141-164). A number of meetings involving Bougainville leaders occurred in July 1997 in Burnham, New Zealand.
Further meetings were held in October 1997 at the same venue between Bougainville leaders and the Papua New Guinea Government which resulted in a truce agreement and a request for the deployment of regional New Zealand led Truce Monitoring Group on Bougainville. The New Zealand led Truce Monitoring Group arrived in Bougainville in December 1997 comprised truce monitors from Australia, New Zealand, Fiji and Vanuatu. The parties to the truce agreement met again in January 1998 which led to the signing of a permanent cease fire effective from the 30th April 1998. *The Lincoln Agreement* as it became known, also established a Peace Process Consultative Committee to facilitate ongoing negotiations between the signatories to the agreement and facilitated the deployment of a United Nation Observer Mission on Bougainville which later oversaw a stage weapon disposal program on the island.

An Australian led Peace Monitoring Group was then deployed replacing the Truce Monitoring Group on the island. On the 30th August 2001 the *Bougainville Peace Agreement* was signed in Arawa. Key components of the *Bougainville Peace Agreement* included:

- A weapons disposal plan;
- Conduct of elections on the island;
- Establishment of an autonomous government on Bougainville; and
- Provision of a referendum in 10 to 15 years on Bougainville independence.
A Constitution for the Autonomous Region of Bougainville was gazetted by the Papua New Guinea Government on the 21st December 2004. In 2005 the United Nations Observer Mission on Bougainville declared that a weapons disposal program on the island had been completed which led to elections for members for the new Bougainville Autonomous Government. The President and members of the new Bougainville Autonomous Government were sworn into office on the 15th June 2005.

The Bougainville Conflict developed into the worst in the South Pacific since the Second World War and resulted in extensive suffering, loss of life and destruction across the island (Downer, 2001:1). While Bougainville is continuing to recover and the peace process has remained intact for almost nine years, the impact of the ten year crisis has been significant and some underlying and unresolved issues continue to remain including:

- Significant division across and within Bougainville society;
- Deep distrust of and division between Papua New Guinea and Bougainville including distrust of Papua New Guinea Government security agencies\(^\text{11}\);
- Land disputes as a result of large scale social dislocation including forced repatriation into government care centres during the crisis;
- Undermining and deterioration of traditional methods of social control including authority of village chiefs and leaders; and
- The emergence in some parts of Bougainville of post-conflict militant groups which remain isolated from the peace process due to the declaration of ‘no go zones’.

\(^{11}\) Royal Papua New Guinea Constabulary and Papua New Guinea Defence Force
PRE AND POST-CONFLICT POLICING ON BOUGAINVILLE

Prior to the conflict in Bougainville, the Royal Papua New Guinea Constabulary was responsible for policing on the island. General duties police were scattered across the island with larger concentrations of police stationed in the major regional centres. Localised part-time community based officers drawn from the various communities across the island assisted the regular police however local officers were generally untrained and primary responsibility for policing on the island rested with the regular the Royal Papua New Guinea Constabulary officers. General duties police were supported by specialist police squads including ‘riot squads’ which were often flown in to assist local police during instances of public disorder and protect mining infrastructure.

The Royal Papua New Guinea Constabulary on Bougainville was comprised of officers from all provinces in Papua New Guinea and there were in fact very few regular Bougainvillean police officers working on the island. Regular the Royal Papua New Guinea Constabulary officers would be sent to Bougainville as part of normal transfers and promotions much as they would in other provincial centres in Papua New Guinea. As the crisis escalated in the late 1980s considerable Royal Papua New Guinea Constabulary resources were sent to the island. The situation had essentially become to dangerous for general duties policing and the major focus for the Royal Papua New Guinea Constabulary was the deployment of Mobile Squads\(^\text{12}\) and specialists sections such as communications as support.

---

\(^{12}\) Similar police sections are often referred to as SWAT however; the Royal Papua New Guinea Constabulary lacked the training and equipment of these sections and agencies.
The Mobile Squads were essentially entering a war zone for which they were ill equipped and ill trained. The Mobile Squads often supplemented the Papua New Guinea Defence Force and it was not unusual to see officers from the Mobile Squads fighting in prolonged engagements alongside the Papua New Guinea Defence Force. As with the Papua New Guinea Defence Force numerous human rights allegations including unlawful killings were leveled at the Mobile Squads. It is perhaps not surprising that there was strong resentment and fear of the Royal Papua New Guinea Constabulary on Bougainville and specifically the Mobile Squads. Little support was provided to officers returning from Bougainville to address post traumatic stress problems and as with Papua New Guinea Defence Force, the Mobile Squads suffered many casualties. Mobile Squads remained on Bougainville up and to the signing of the peace agreement on the 30th April 1998. As part of the peace agreement the Mobile Squads were completely withdrawn from Bougainville.

The period between the Truce Monitoring Group\textsuperscript{13} and the first real attempt to introduced a authorised civilian policing response on Bougainville saw the emergence of a number of localised ‘law and order’ groups across the island\textsuperscript{14}. The was a gap of approximately three years between the signing of the formal peace agreement on Bougainville and the training and deployment of Community Police Officers on the island. What this essentially created, and very much reflects international experience, was a vacuum where local responses to law and order issues began to emerge post-conflict.

\textsuperscript{13} Later the Peace Monitoring Group
It was of course always going to be difficult to quickly develop an authorised policing response on the island immediately after the conflict given the deep mistrust and suspicion of security forces on the island and the fact that many parts of Bougainville were still off limits. These groups where generally made up of ex combatants and depending on the actual location on the island where either Bougainville Revolutionary Army or Bougainville Resistance Force. Most of the groups where armed, untrained and at times ruled by fear and force.

A number of other varying approaches to re-establish policing on Bougainville have occurred since the cessation of hostilities. These include bilateral development programs, localised law enforcement initiatives, and legislative changes to support policing development. The main aid providers to the development of policing on Bougainville have been Australia and New Zealand. Significantly, all the programs to re-establish policing on Bougainville since the cessation of hostilities have been funded for the most part by these countries. A summary of post-conflict policing on Bougainville is presented in Table 3.1 on page 83.

Localised Law Enforcement and Self Policing Programs

A number of localised policing and law enforcement programs have been established in many parts of Bougainville, both during, and after the cessation of hostilities. The localised programs have developed for a number of reasons including communal needs to address local law and order problems, the absence of any universally accepted formal policing response and distrust and suspicion of state agencies.
For the most part, the responsibility for localised policing responses has been assumed by former combatants drawn from either the Bougainville Revolutionary Army and/or the Bougainville Resistance Force. Where such organisations operate on Bougainville is dependant on communal ties and support. The development of the Joint Bougainville Law Enforcement Body saw the merging of both the Bougainville Revolutionary Army and the Bougainville Resistance Force into a single self policing body.\(^1\)

In some areas of Bougainville such as Arawa, the Joint Bougainville Law Enforcement Body assumed policing roles including night patrols and security of weapons (Bougainville Administration Working Committee, 2003). The development of localised self policing responses on Bougainville are for the most part largely unmanaged policing bodies (New Zealand Agency for International Development, 2003 and Australian Agency for International Development, 2004) and there is little consistent procedural or practical application across the various communities and those taking part have generally received little or no training.

\(^1\)The Royal Papua New Guinea Constabulary has had a small but limited role within the Joint Bougainville Law Enforcement Body.
Peace Monitoring Group Initiatives

During the period of the Peace Monitoring Group and later the Truce Monitoring Group a number of adhoc, local self policing groups were set up in various locations in Bougainville. These varied from region to region, however military officials from New Zealand and Australia often assisted in or facilitated their establishment. In Buin in the south of Bougainville for example, a local group was formed and became known as Peace Officers; comprised mostly of ex combatants. The Truce Monitoring Group provided distinctive t-shirts for this group to wear.16

Auxiliary Police Training – 1998

In April 1998 a training course was conducted for auxiliary police in Arawa, the former provincial capital of Bougainville. The course was the first training to be conducted for Royal Papua New Guinea Constabulary on the Bougainville since the signing of Lincoln Agreement. The course was delivered by instructors from the Royal Papua New Guinea Constabulary and was jointly funded by the Governments of Papua New Guinea, Australia, and New Zealand. Technical advisers were also drawn from Australia and New Zealand to assist with the conduct of the training course. Course participants were selected and drawn from Arawa and surrounding villages.

---

16 In late 2000 Buin was selected as a site to establish Community Auxiliary Police Officers under the auspices of the Bougainville Community Policing Program. As part of the assistance package provided the newly trained and deployed Community Auxiliary Police Officers were paid an allowance of sixty kina per month which was distributed through the local administration office. The former Peace Officers having found out that the new Community Auxiliary Police Officers were being paid also demanded money for the period that they had had ‘responsibility’ for law and order in Buin. While the impasse was later resolved, it does highlight the potential problems of developing adhoc policing response post-conflict and in particular the problems that can arise when authorized policing agencies replace locally developed programs.
The six week training course consisted of material drawn from the Royal Papua New Guinea Constabulary Recruit Training Course and focused on community based policing. The six week course included a two week conflict resolution training program which was delivered by trainers from Peace Foundation Melanesian, a local non-government organisation. Twenty seven males and two females successfully completed the training course and were sworn into the Royal Papua New Guinea Constabulary as Auxiliary Police and deployed within the Arawa area.

**Bougainville Community Policing Project 1999 to 2001**

Following a series of discussions between the Governments of Australia, New Zealand, and Papua New Guinea in early 1999, a formal request was made by the Papua New Guinea Government for assistance in re-establishing policing on Bougainville. The project was to be supported jointly by Australia and New Zealand through the provision of funding and technical support.

Three advisers, one from Australia and two from New Zealand provided technical assistance and support to the Royal Papua New Guinea Constabulary and local communities on Bougainville in re-establishing civilian policing on the island (Australian Agency for Internal Development, 2000). Since the cessation of hostilities on Bougainville, a number of localised, adhoc self-policing initiatives had developed in a number of communities across the island.

---

17 The author worked as an adviser on the Bougainville Community Policing Project
While there was recognition that these localised responses to issues of social control did have some limited application and scope in communities where they had been established, there was also a recognition that such localised responses failed to take into account the formal system of justice and codified law that existed in Papua New Guinea and there was little or no strong structure or linkages between these initiatives. It was recognised that there was a need to bridge or link locally developed initiatives with Papua New Guinea’s formal criminal justice system (Australian Agency for Internal Development, 2000).

The development and training of community based police officers on Bougainville was recognised as a means by which a more structured and collective approach to restoring civilian policing on Bougainville could be achieved as well as providing a link between formal social control mechanisms and locally developed communal initiatives (Australian Agency for Internal Development, 2000). The primary policing approach proposed was the development and deployment of community based police supported by regular or fulltime officers from the Royal Papua New Guinea Constabulary. Upon completion of a training program the community police officers would return to their respective communities and work with the communities and community leaders to solve local problems at a communal level (Australian Agency for Internal Development, 2000).

---

18 It was suggested that a ratio of 1:8 between regular police and community police was appropriate (Australian Agency for Internal Development, 2000).

19 The term Community Police Officers was one which evolved over the duration of the project. The actual planning envisaged that the deployed police would be called ‘Auxiliary Police’ which is consistent with rank and structure within the Royal Papua New Guinea Constabulary. No actual position of ‘Community Police Officer’ exists within the Royal Papua New Guinea Constabulary. The name of ‘Community Police Officer’ became readily accepted and used by the communities where the new officers were deployed. This was supported by a post project review which undertook community consultations during 2001 (Nicholl et al., 2000).
A number of consultative meetings were held during the planning stages of the project which included representatives of the Royal Papua New Guinea Constabulary and communities on Bougainville\textsuperscript{20}. The various meetings and consultations revealed a consensus of opinion across both communities and police that there was a need to develop a more formal policing approach which was supported by local communities and complemented local developed peace initiatives (Australian Agency for Internal Development, 2000). Key areas of consensus included:

- The policing of Bougainville should be undertaken by Bougainvilleans linked to traditional chiefs or village elders;

- Village chiefs, elders and women should have a strong participation in the selection of persons to undertake the training course;

- Training of selected persons should be decentralised;

- Acceptance that women should be included in the selection process; and

- The need for Australian and New Zealand assistance in funding the training and provision of technical expertise (Project Implementation Document, 2000).

The project’s primary objective was to assist in restoring peace and good order to communities in Bougainville through:

- The development and deployment of community based police training in standard introductory policing, conflict resolution, trauma counseling, problem solving and in aspects of Bougainville culture relevant to the maintenance of peace and good order within communities; and

\textsuperscript{20} Arawa, Buin, Tonu
• The establishment of a system of effective working relationships between community police and communities and between community police and locally based Bougainvillean members of the Royal Papua New Guinea Constabulary (Australian Agency for Internal Development, 2000).

The four sites selected for the training and subsequent deployment of Community Police Officers was Bana, Buin, Tonu and Wakanai - (see map page 70). These sites were selected due to the strong community support for the concept, the presence and acceptance of regular Bougainvillean Royal Papua New Guinea Constabulary Officers already in the community and the availability of suitable training sites and venues (Australian Agency for Internal Development, 2000). Initial contact was made with key community leaders and representatives at each of the communities where the training was to be conducted. Meetings where organised with the various communities to explain the selection and training process and opinions were canvassed from a wide as possible cross section of the community. Communities then selected the students to attend the four-week training course in the community. The developed four week course included trauma counseling\(^1\), communication and people skills\(^2\) and basic policing skills\(^3\) with an emphasis on solving local community problems. Post community consultation identified the major social problems affecting the respective communities and ways to solve these issues where built into the four week course (Hogan, 2001).

---

\(^1\) Facilitated by locally based non-government organisation

\(^2\) Conducted by locally based non-government organisation Peace Foundation Melanesia

\(^3\) Conducted by Royal Papua New Guinea Constabulary instructors with assistance provided by Australia and New Zealand advisers
Each community was responsible for providing both living quarters and teaching venues as well as setting up a committee of community leaders to deal with any discipline issues with selected students during the training phase. Upon completion of the training course students where sworn into the Royal Papua New Guinea Constabulary as Auxiliary Police Officers and then returned to their respective communities. Approximately two months after the completion of the course the project returned to the training site and held consultative meetings with the Community Police Officers and community representatives. Some refresher training was also conducted at the various training sites on the follow up visits (Hogan, 2001). A total of 168 Community Police Officers where trained and deployed back to their respective communities during the life of the project which included 142 men and 26 women - (see map page 70).
Map 1 – Bougainville Community Policing Project 1999 to 2001 – Training Sites and Deployment - Australian Agency for Internal Development

Source: Author
Bougainville Community Policing Project 2004 to 2006 – New Zealand Agency for International Development

In 2001, Australia withdrew funding and technical assistance from Phase 1 of the Bougainville Community Policing Project. New Zealand continued to fund the Bougainville Community Policing Project between 2001 and 2002, mainly through visits to sites where the original training had occurred to conduct community consultations and to conduct follow up and refresher training for the Community Police Officers (New Zealand Agency for International Development, 2003). Following a review of New Zealand’s involvement in the project a recommendation was made that New Zealand’s Overseas Development Agency should continue to support community policing development on Bougainville (New Zealand Agency for International Development, 2003). As a result of this recommendation a Project Design Document was completed which outlined New Zealand’s support to the Bougainville Community Policing Project for the period 2004 to 2006. The assistance proposed a number of key objectives to support community policing on Bougainville and included, primacy of dispute resolution should remain at the local or village level, Community Auxiliary Police Officers should continue to work with communities to resolve disputes and if necessary and communities should have access to and support from more formal systems of social control if traditional means of dispute resolution are inappropriate (New Zealand Agency for International Development, 2003).

24 Bana, Siwai, Buin and Wakunai
25 Phase 2 of the Bougainville Community Policing Project
This phase of the Bougainville Community Policing Project focused on:

- Audit, motivation and conduct refresher training for current community police;
- Extend community policing training across Bougainville;
- Build local capacity to manage and further develop community policing;
- Support the development of effective working relationships between community police, community stakeholders and the Royal Papua New Guinea Constabulary; and
- Providing limited logistical support (New Zealand Agency for International Development, 2003).

The design of this phase supported the two-tiered approach to policing development on Bougainville through the development and deployment of Community Auxiliary Police Officers who would work directly with local communities and the deployment of regular Bougainvillean Royal Papua New Guinea Constabulary Officers who would support the Community Auxiliary Police Officers. It was also recognised within the design that there was a need to develop both the correctional services and courts in Bougainville to support the development of policing on the island (New Zealand Agency for International Development, 2003).

During this project refresher training was provided to Community Auxiliary Police Officers who received initial training during phase 1, Bana, Buin, Siwai and Wakunai. Additional Community Auxiliary Police Officers were also trained in these sites. Community Auxiliary Police Officers at Buka, Kunua, Nasioi and Arawa districts were also retrained. New Community Auxiliary Police Officers were trained at Tinputz and Torakina (New Zealand Agency for International Development, 2003) – (see map page 76).
Enhanced Cooperation Program

On the 30th June 2004 the Foreign Ministers of Australia and Papua New Guinea formalised the Enhanced Cooperation Program in a signing ceremony in Port Moresby, Papua New Guinea (Australian Agency for International Development, 2004). The Enhanced Cooperation Program represented a paradigm shift in aid assistance to Papua New Guinea through a more interventionist approach to development assistance. The core focus of the Enhanced Cooperation Program was the placement of inline Australian public servants and other officials into line positions within Papua New Guinea Government departments and agencies. Within the criminal justice sector up to 230 police officers from Australia would work within the Royal Papua New Guinea Constabulary. Such police officers will wear Australian police uniforms and exercise full functions and powers as those exercised by members of the Royal Papua New Guinea Constabulary, including the power of arrest (Department of Foreign Affairs and Trade, 2004). As well as having line powers and responsibilities assisting Australian Police had on the capacity strengthening responsibilities with Royal Papua New Guinea Constabulary Police Officers (Australian Agency for International Development, 2004). Eighteen Australian legal specialists also worked within the Papua New Guinea Solicitor’s General office, Prosecutor’s Office, National and Supreme Courts, Department of Justice and Papua Guinea Correctional institutions.
Assisting Australian Police were subject to directions from both the Royal Papua New Guinea Constabulary Police Commissioner and Commissioner of the Australian Federal Police (Department of Foreign Affairs and Trade, 2004).

The RPNGC Police Commissioner has ultimate command and control of the RPNGC. On a day to day basis, Assisting Australian Police will comply with the lawful directions, organisational strategies and effective control of the RPNGC as required by the Commissioner of the RPNGC or his delegate, subject to this Article. They will be subject to the regular management of their immediate supervisor, except where a direction, order or request, conflicts with their responsibilities to Australian laws, regulations or orders (Department of Foreign Affairs and Trade, 2004).

On the 7th September 2004, eight members of the Australian Federal Police International Deployment Group arrived in Bougainville as the first stage of the Enhanced Cooperation Program. By October 2004, a full contingent of nineteen Australian Police Officers and one department of Foreign Affairs and Trade Liaison Officer were in place on Bougainville. The police officers were based in Buka and Arawa worked alongside Royal Papua New Guinea Constabulary members (Australian Federal Police, 2004 and Ellison, 2004) – (see map on page 76).

These personnel are intended to work alongside members of the Royal Papua New Guinea Constabulary to help restore confidence in the police force on Bougainville, enhance its policing capacity and assist with the future training and development of new local recruits. We will also be providing some basic policing equipment to ensure compatibility between Australian police officers and local officers (Downer, 2003).
Arrangements to deploy Australian Police Officers on Bougainville where only agreed to by leaders on Bougainville after extensive consultation and on the proviso that a number a key conditions regarding their deployment were met. Conditions for deployment included that all Australian Police Officers would operate under the direction of the Assistant Commissioner of Police, Bougainville and that they would be part of the Bougainville Police under the control of the Bougainville Government. Bougainville leaders have been advised that deployed Australian Police Officers to Bougainville would respect agreed immunity arrangements for actions during the conflict and not deal with anything that has occurred on Bougainville prior to their arrival (Tsamalili, 2004).

In May 2005, the High Court of Papua New Guinea, handing down its decision in respect of a challenge to the immunity provisions of officers under the Enhanced Cooperation Program which had been launched by Luther Wegne, the Governor of Morobe Province. The High Court in its ruling found that the immunity provisions that had been granted violated the Papua New Guinea Constitution. As a result of the court case the majority of police officers deployed under the Enhanced Cooperation Program, including those on Bougainville were immediately withdrawn.
Map Number 2 – (a) Bougainville Community Policing Project 2004 to 2006 (b) Locations for the Deployment of Australian Police Officers under the Enhanced Cooperation Program – Australian Government

Source: Author
The Bougainville Law and Justice Strategy 2003/2004 – 2006/2007 was developed as a result of a joint mission to Bougainville in 2003 by officials from the Australian, New Zealand and Papua New Guinean Governments. Included in the joint missions were also officials from the Bougainville Interim Provincial Government. The Bougainville Law and Justice Strategy outlines how Australian and New Zealand aid will be prioritised and delivered to support the ongoing development of a criminal justice system on Bougainville. The strategy highlights the need for a multi-donor, coordinated approach towards assisting the development of police, courts and prisons on Bougainville (Australian Agency for International Development, 2004). The strategy suggests that aid assistance should be provided through a number of ‘guiding principles’ including:

- A jointly prioritised and coordinated approach between the various governments;
- An ‘integrated’, sector wide approach to criminal justice development;
- An acknowledgement of the strong traditional and cultural approaches to solving and preventing conflict on Bougainville;
- The requirement to ‘build linkages’ between both formal and informal systems of social control and justice;
- The need for the development of an ‘affordable’ criminal justice system on Bougainville;
A requirement to build ‘capacity’ across all agencies of the criminal justice system;

The development of a criminal justice system on Bougainville must be consistent with Papua New Guinea laws and policies including the Bougainville Peace Agreement; and

A ‘realistic’ assessment of what can be achieved by external assistance (Australian Agency for International Development, 2004).

The New Zealand Government’s aid assistance in the re-establishment of policing on Bougainville contained within the strategy, relates to the development of Community Auxiliary Police Officers and is outlined earlier in this chapter. Under the strategy Australia proposed to assist the development of police, courts and prisons on both Buka and Bougainville through material and funding assistance and the deployment of advisers.

Two operational police advisers one each for Buka and Arawa have been deployed and a Strategic Policing Adviser were deployed to Bougainville to assist the Bougainville Interim Provincial Government and Assistant Commissioner of Police for Bougainville to develop systems and structures for the Bougainville Police including the development of a long-term strategy for policing on Bougainville (Australian Agency for International Development, 2004). Australia provided funding to assist in the immediate transfer and deployment of thirty Bougainvillean Royal Papua New Guinea Police Officers who were serving in various locations across Papua New Guinea.

26 See Bougainville Community Policing Project 2004 to 2006 – New Zealand Agency for International Development – Phase 3
27 ACIL Australia a private company has been contracted by AusAID to manage and deploy the advisers.
Funding assistance was also provided to train one hundred new Bougainvillean Royal Papua New Guinea Police Officers after completing their training at the Bomana Police College in Port Moresby returned back to Bougainville to work. Assistance was also to be provided to build a single police officers quarters in Buka. Funding was also to be allocated to support repairs at existing policing stations and establishments on Bougainville and the provision of vehicles, uniforms and radios. Australia was also to provide funding to repair and upgrade both courts and correctional facilities at selected locations on Bougainville.

Funding would also to be made available to continue the training of village court officials under the auspices of the Bougainville Village Courts Training Project (Australian Agency for International Development, 2004).

LEGAL AND CONSTITUTIONAL CHANGES TO SUPPORT THE RE-ESTABLISHMENT OF POLICING ON BOUGAINVILLE

A number of changes have been made to the Papua New Guinea Constitution to both implement the Bougainville Peace Agreement and support the development of policing on the island. A new part XIV was inserted into the constitution comprising sections 276 to 349. Sections 313 to 315 make provision for Bougainville to establish its own police and these provisions are augmented in sections 20 to 29 of the Organic Law on Peace Building in Bougainville – Bougainville Autonomous Government and Bougainville referendum.

---

26 Single members barracks on Sahano Island, Buka Police Station, Arawa Police Station and Buin Police Station

27 Organic laws are special constitutional laws made by the Papua New Guinea parliament under special authorization of the constitution. An Organic Law must not be inconsistent with the constitution and has the same authority as the constitution. Section 187c of the constitution states that an Organic Law shall provide the legislative powers of provincial governments in Papua New Guinea. The Organic Law on Provincial Governments determines the legislative powers of provincial governments (Dinnen, 2001:3).
Both Part XIV and the new Organic Law came into effect in August 2004. Prior to the amendments to the Papua New Guinea Constitution, Section 199 of the constitution permitted only one police force in Papua New Guinea.

In December 2003 the National Executive Council of the Papua New Guinea Government delegated significant powers to control the Royal Papua New Guinea Constabulary in Bougainville to the then Bougainville Interim Provincial Government. The position of Provincial Police Commander at Buka who has overall control of the Royal Papua New Guinea Constabulary on Bougainville has been upgraded to the position of Assistant Commissioner of Police, which effectively wields more authority than that of a Provincial Police Commander.

On the 21st December 2004 the Constitution of the Autonomous Region of Bougainville was gazetted by the Papua New Guinea Government. The constitution sets out the framework for the establishment of a Bougainville Correctional Service including the position of Chief of the Bougainville Correctional Service and the type and jurisdiction of Bougainville Courts (The Constitution of the Autonomous Region of Bougainville, 2004).
The constitution outlines the establishment of the Bougainville Police Service including its roles, functions and responsibilities. The primary functions of the Bougainville Police Service under the constitution are:

- To serve the community and to preserve peace and good order in Bougainville;
- To maintain and as necessary enforce all laws that apply in Bougainville in an impartial and objective manner; and

The cooperative policing arrangements set out in the Bougainville Peace Agreement include:

- Mutual assistance in law enforcement;
- Developing compatible standards, procedures and equipment;
- The development of agreed arrangements for the Bougainville Police Service to access Royal Papua New Guinea Constabulary specialist services; and
- Recognition that agreed policing arrangements will require a balance between:
  - The fundamentals of criminal law to be consistent and capable of consistent enforcement throughout Papua New Guinea; and
  - Bougainville to be able to develop its own approaches to criminal law (Bougainville Peace Agreement, 30th August 2001).
The Constitution of the Autonomous Region of Bougainville also states that in carrying out its functions on Bougainville, the police shall at all times:

- Have respect for human rights;
- Develop rehabilitatory and reconciliatory concepts of policing;
- Work in harmony and partnership with communities and encourage community participation in its activities; and
- Support and work with traditional chiefs and other traditional leaders to resolve and maintain law and order in communities (The Constitution of the Autonomous Region of Bougainville 2004).

The authority of the Bougainville Autonomous Government to direct the Assistant Commissioner of Police and the actual powers of the Assistant Commissioner of Police on Bougainville are however, not clearly defined.
<table>
<thead>
<tr>
<th>Date</th>
<th>Initiative</th>
<th>Agency Responsible</th>
<th>Advances of Initiative</th>
</tr>
</thead>
<tbody>
<tr>
<td>1998</td>
<td>A six week training course conducted for Auxiliary Police in Arawa who were sworn into the Royal Papua New Guinea Constabulary.</td>
<td>Papua New Guinea Government, Australian Government</td>
<td>First development of policing post-conflict on Bougainville. New Auxiliary Police deployed within the Arawa area.</td>
</tr>
<tr>
<td>1999 to 2001</td>
<td>Bougainville Community Policing Project</td>
<td>Papua New Guinea Government, Australian Government</td>
<td>Four week course conducted for 168 Community Police Officers on Bougainville at four sites: Bana, Buin, Tonu and Wakura. After completion of course officers deployed back to local villages to work with local communities and village areas to solve local problems. First policing project to attempt to move training and deployment of police outside Arawa area.</td>
</tr>
</tbody>
</table>

Source: Author
CHAPTER 4 – METHODOLOGY

INTRODUCTION
Making knowledge claims and sharing knowledge are problematic activities at the best of times for a white, middle aged, English speaking, police practitioner and consultant studying and working in Melanesia specifically and the Pacific in general. Experiences that shape the mind and train the senses do lead to different perspectives. The way a Melanesian for example, would approach the same research question if they approached it at all, may conceivably be different to that of a person from an English speaking background. Choosing an appropriate research method is a challenging undertaking.

This chapter is essentially a history of action and choice. The chapter lays out, describes and contrasts the selected methods of research that could be utilised. Explanations are also provided on why some methods have been set aside and why a particular approach in this research was adopted. In attempting to justify and argue why a particular research approach was adopted, the writing in this chapter is for some part, in the first person. Writing in the first person afforded me the opportunity to describe with a greater degree of clarity why I have chosen a particular research approach and the conditions that impacted upon and shaped this choice.
DEVELOPING A RESEARCH APPROACH

In general it is agreed that there are broad methods or paradigms of research in all social sciences. The first of these critical approaches, are founded in an emancipatory paradigm. What this in effect means is that 'researchers are often powerful experts researching relatively powerless people' (Robson, 2002:29). Features of the emancipatory paradigm include research that focuses on the 'lives and experiences' of diverse groups within society that are 'traditionally marginalized' (Robson, 2002:29). Power relationships and inequities in society need to be analysed and understood in order for change to occur so as to reduce human suffering and marginalisation. Critical theory is adequate as a research method if it seeks to

Explain what is wrong with current social reality, identifies the actors to change it and provides both clear norms for criticism and achievable practical goals for social transformation (Horkeimer, 1993:21).

The more traditionalist positivist approach in contrast, is underpinned by a belief that knowledge claims must be based on observation and direct experience and science is seen as the methodology through which we can determine truth and understand the world. Those entities which cannot be seen or observed are rejected by positivists. Science is used as a fundamental approach as is separates facts from values; and new knowledge is held out as value free. A major focus of positivist research centres on developing quantitative data through methods such as Likert scaled questionnaires and other quantitative measurements. Experimental design is often based on the 'cause and effect' relationship and all findings or propositions are 'founded on fact' (Robson, 2002:20 and Punch, 2001:28-29).
There are a number of issues that need to be considered with a positivist approach. The scale of work is often substantial, with the researcher often left to process a large amount of quantitative data. Considerable expenses and time may be needed to process this data. The issues of time and resource constraints and the fact that I am advocating research which is seeking to study direct experience with sources of knowledge developed from people’s accounts of their lives and their lived experiences rules out the use of a positivist approach within this dissertation. A critical theory approach was also not considered given that the research is not focused on power relationships or inequalities within Melanesian society.

An interpretive approach presented the most appropriate method of research for this dissertation. Interpretive research recognises the paradigmatic character of all research and focuses on examining how people interpret their experiences. Interpretive research seeks to understand people’s accounts of their life and their lived experiences. Data collection is normally qualitative and key research methods include interviews and observations in the field (Robson, 2002: 24-27). Interpretive research has three main styles, hermeneutics, ethnography and phenomenology.

Hermeneutics is a method of ‘textual analysis’, focusing on understanding and interpreting hidden meanings. Historically, hermeneutics is associated with the interpretation of the bible; however it is often applied more broadly to include ‘interpretation of conversations and interactions’ between people or groups of people in varying settings and conditions (Robson, 2002: 196-198).
Hermeneutics was not considered as an approach within this dissertation given that this research was focusing on sources of knowledge derived from direct experience rather than through the interpretation and analysis of existing text or literature.

Ethnography in contrast, is a type of research that focuses on understanding a culture or social group through close observation.

The point of ethnography is to study and understand the cultural and symbolic aspects of behaviour and the context of that behaviour, whatever the focus of the research (Punch, 2001:160).

Features of ethnography include an ‘immersion’ of the researcher into the community or social context being studied, observation in a ‘natural setting’ and the possibility of a changing focus of the original research question or design. Data collection is a prolonged process often taking years and can incorporate a series of phases or events (Robson, 2002:188). There are a number of difficulties in undertaking ethnographic research. Ethnographic studies assume that the researcher has an intimate understanding of the culture or social group being studied. Any findings would have to demonstrate a comprehensive and detailed knowledge of the culture that is subject of the research. The period of data collection can be prolonged often requiring the researcher to spend extensive periods within the field; ‘classic ethnographical’ studies could entail working in the field for years (Robson, 2002:186-188 and Punch, 2001:157-162). Using an ethnographic approach for this dissertation would have presented me with a number of difficulties and challenges.
While I have worked within Melanesian and Pacific countries for a number of years, my understanding of Melanesian culture is limited. Any knowledge claims or findings made in this dissertation are not based on a comprehensive and detailed knowledge of Bougainvillean culture; an ethnographic approach requiring a profound understanding of cultural contexts and conditions. Time and resource constraints did not allow for extensive field work or immersion into Bougainvillean society and as such I recognise that a large social grouping on the island has not been represented within this research through the interview process.

The community, the end user of any policing development on the island remains outside the scope of this dissertation due in large part to a lack of proper communication system on the island through which interviews and contact could be facilitated. All in all, an ethnographic approach for this dissertation was not considered appropriate or sustainable. Potential does however exist for an ethnographical approach to studying and learning about post-conflict policing development in Bougainville and in particular the interface between traditional methods of social control and more formal mechanisms of state centric social control. Research along these lines can only add to what is essentially a limited body of knowledge.

The third style of interpretive research is phenomenology. Phenomenology advocates the study of direct experience with sources of knowledge developed from people’s accounts of their lives and their lived experiences. Two approaches are evident in phenomenological research.
Bracketing a term embedded in Husserl’s work, suggests that epistemology is actualised by bracketing out or reducing one's own experiences so that knowledge that is identified is free of a researcher's own consciousness and lived experience (Benner, 1984). The researcher brackets out their own worldview, information washes over the researcher and knowledge is realised by only allowing the subject to speak on the phenomena. Not all of the assumptions that underpin bracketing are accepted (Benner, 1984 and Diekelmann, 1993). Challenges to bracketing out argue that if taken to its extreme, that is the phenomena being researched is totally removed from all consciousness, how does one know what the research is about. It may also be unrealistic to accept that a researcher is able to totally free themselves from all experiences, knowledge and consciousness during the research (Ahern, 1999).

It is also conceivable that the potential for researchers to bring pre conceived assumptions, values or judgments to any research setting or process always exists. Such pre conceived conditions also have potential to shape the way in which the researcher conducts and controls the research. The ability to put aside individual feelings, prejudices and personal judgments becomes an issue of relative reflexivity rather than objectivity in research; the possibility of a researcher casting aside any prejudice or personal bias is inherently difficult (Ahern, 1999:408 and Nightingale and Cromby, 1999:228).
Reflexivity requires recognition on the part of the researcher that they do contribute to the development of meanings during the research process and it is essentially impossible to remain outside of the phenomena being researched.

An awareness of the ways in which the researcher as an individual with a particular social identity and background has an impact on the research process (Robson, 2002: 172).

There are two types of reflexivity and both are important in the context of this research. Personal reflexivity involves the researcher reflecting on how their own opinions, values and beliefs have shaped the research. The concept also involves a personal reflection on the part of the researcher on how they may have been affected or changed by the research. Epistemological reflexivity, the second type, seeks to explore and engage with questions that focus on the areas such as the limitations of the research, how was the research question framed, could the research have been conducted differently and would this have led to different understanding of the phenomena being researched (Willig, 2001).

It is important to highlight that personal reflexivity and epistemological reflexivity have shaped the focus and direction of this research. However in saying so, it is also acknowledged that the subject could have been investigated differently and different research methods used, which conceivably, could give rise to different meanings and understandings. The potential for further research does exist and many layers still remain untapped, for example no villagers or people from the numerous communities on Bougainville were interviewed.
The focus and background to this research is such that it is inherently difficult to completely bracket out my own experiences. Some of the narrative in Chapter 3 is in part a product of my own experiences working in Bougainville. I worked on Bougainville for 14 months helping to establish a community policing organisation on the island after the cessation of hostilities. My interest in future study on post-conflict policing on Bougainville was in large part a product of my working on the island.

I have also worked in policing institutional projects across the Pacific and more specifically in Melanesia. My background and particularly the work I did on Bougainville assisted in meeting respondents which otherwise would have been difficult to secure – more doors to conduct interviews were opened to me and I had access to a number of senior ranking law enforcement and government officials. It was also important for me to constantly question my place in my research. This was particularly so during the conduct of interviews. I had previously worked with a number of respondents on institutional strengthening projects. A number of the respondents were sourced through people I had previously interviewed.

Some of people I interviewed where aware of my background and particularly my work on Bougainville. In this respect an important precursor to conducting a successful interview in this respect was a shared and mutual understanding of the topic or phenomena being researched between myself and the respondent. The approach that I took during the interviews was to encourage respondents to reflect and comment on their own experiences on Bougainville.
It was important that the interview did not become a conversation of shared mutual experiences on Bougainville specifically and post-conflict policing in general. To achieve this, respondents expressed their views and experiences in their own words and on occasions follow up questions were used to elicit more details and information. My major focus was to create a ‘snap shot’ of the respondent’s perspectives and views in their own words within the context of semi structured questioning format.

The use of a semi structured interview also afforded the respondents a degree of flexibility and freedom to respond to and speak on their own experiences and the reality of phenomena as they saw it. On occasions respondents would end particular responses to questions with comments such as ‘you know’ and ‘you know what it was like, you were there’. I consistently choose not to respond to these comments or ask the respondent what they meant by comments such as ‘you know’. The overriding issue continued to be a constant question of my place within the research and the requirement for respondents to frame their own picture of reality free from any influence on my part.

The phenomenological research design in this study contributes to the validity of the recommendations in Chapter 6. During the interviews I bracketed myself from the interviews in order to record and understand the respondent’s perspectives. I further bracketed myself during the transcription of the interviews and all of the respondent’s conditions as transcribed are listed in Chapter 4.
The transition between the phenomenological method and the recommendations subsequently made in Chapter 6 is a consequence of identifying units of meaning within the phenomenon being researched and clustering these units of meaning to form themes. An important phase of phenomenological research is explicating the data and those statements, comments or conditions made by the respondents that ‘illuminate’ the researched phenomenon are extracted (Creswell, 1998; Holloway, 1997 and Hycner, 1999). These individual units of meanings are formed into themes and the researcher identifies significant topics (Sadala and Adorno, 2001). Groenewald (2004:18) suggests that the researcher is often required to make a substantial amount of judgement calls while consciously bracketing her/his own presuppositions.

INTERVIEW PROCESS

To discover what conditions could be considered necessary for the re-establishment and sustainability of policing on Bougainville it is important to ask those who are involved in criminal justice and post-conflict development on the island. A pre determined group of respondents were selected for their considerable experience in post-conflict development in Bougainville and all respondents have recently worked or are currently working on Bougainville. A recommended number of participants for a phenomenological study is generally 10 (Riemen, 1986; Moustakas, 1994; Creswell, 1998 and McCracken, 1998). Boyd (2001) suggests 2 to 10 participants are sufficient to reach saturation. All participants or respondents can be drawn from a single area or site provided they have experienced the phenomenon being studied and are able to articulate this and their experience/s (Creswell, 1998; Kruger, 1988 and McCracken, 1998).
A representative sample is more often associated with a positivist, survey/statistical method rather than a phenomenological approach. All of the respondents interviewed for my dissertation have or are currently working on Bougainville and have been involved in post-conflict development on Bougainville, the respondents were selected for their considerable experience in this area. The selection of respondents was based on those ‘who have had experiences relating to the phenomenon to be researched’ (Kruger, 1988:150).

Fifteen people were interviewed from a variety of backgrounds including Australian and New Zealand police, law and justice consultants, Royal Papua New Guinea police, government and public officials, a United Nations representative and Bougainville Government and community development workers. More specifically, respondents included:

- 3 Australian Police officers – Respondents A, L and N;
- 3 New Zealand Police officers – Respondents F, H and O;
- New Zealand and Australian government aid officials – Respondents C, G and M;
- Community Development Workers – Respondents D and E;
- Local government official – Respondent K;
- Independent consultant – Respondent B;
- Royal Papua New Guinea Constabulary officer – Respondent J; and
- United Nations official – Respondent I.
Three of the respondents were female, three were Bougainvillean and one of the respondents was Papua New Guinean. A condition for the approval of my ethics submission for my research was a requirement to protect the identity of the individuals that I was to interview. As such I have not included information that could possibly compromise the respondents' confidentiality. I believe that if I was to provide information on the age of the respondents or their specific membership of any particular group or organisation could potentially compromise respondent/s confidentiality.

PILOT INTERVIEWS

Two pilot interviews were conducted. The pilot interviews were conducted for a number of reasons including:

- To test communications – the researcher resided in Cambodia at the time of conducting the interviews where communication systems are poor. Using land telephone lines is inherently expensive which necessitated the use of a computer phone. The use of a computer phone meant that there were delays in conversation and the potential also existed for the connection to 'drop out';

- Obtain initial information about topic – the researcher wanted to obtain initial information about post-conflict policing development in Bougainville to ascertain general emerging themes and conditions; and

- Test interview questions – a number of questions were drafted in a ‘Telephone Protocol’ and were asked during the pilot interviews
The interviews were conducted by computer phone at a time and date which the respondent requested. Both respondents were contacted by telephone to ascertain whether they would like to participate in an interview; they were also known to the researcher through their involvement in law and justice institutional strengthening projects in Melanesia. Both respondents gave permission for the interview to be taped. The respondents where asked four questions:

1. What was your work and position on Bougainville?

2. What is your general impression on how policing is progressing on Bougainville since the end of the conflict?

3. What do you feel are the necessary conditions required for the re-establishment of policing on Bougainville?

4. What do you feel are the necessary conditions required to support the sustainability of policing on Bougainville?

Through piloting the interview schedule in this way, some issues arose and unintended consequences became obvious. The researcher was required to repeat the questions on a number of occasions which was due in part to the delay in conversation through the use of the computer phone. There was also some cross over of conversation due to the delays across the phone call. Despite the listed problems, the first two respondents did talk freely about their experiences and provided a number of conditions for the re-establishment and sustainability of policing on Bougainville. As a result of the first two interviews changes were made to the interview process, most notably a telephone protocol was developed to avoid over talking and delays in the conversation and a final question was added.
INTERVIEW FORMAT

During discussions with the respondents a semi structured interview format was used. The research process of semi structured interviews was used to obtain information from the respondents which would address the underlying objectives of the dissertation. The interview format also built on the unintended consequences and issues identified during the pilot interviews. The intended outcome of the interviews was to increase the body of knowledge on post-conflict policing development in Bougainville. To achieve this, the respondents expressed their views and opinions in their own words however, at times follow up questions were asked to draw out and elicit more information. The main aim of the semi structured interview was to allow those being interviewed to express their views in their own words on conditions required for both the re-establishment and sustainability of policing on Bougainville. As such there was a need to examine a number of themes which included:

- Progress of current policing programs;
- Strengthens and weaknesses of policing programs;
- Impediments to the re-establishment of policing;
- Conditions required for the re-establishment of policing; and
- Conditions required to support sustainability of policing.
All questions were asked during each interview. The majority of respondents had considerable experience working on Bougainville and whilst the interviews were semi structured, scope was given to include other comments from respondents and probe further on issues raised by respondents. Eleven of the respondents were provided with the questions prior to being interviewed and feedback from these respondents indicated that they were better prepared to answer the questions.

Interviews varied in length from twenty to forty minutes. The interview process involved taping the interview and taking notes. Taping of interviews was agreed to by all respondents. Prior to the interview commencing assurances of confidentiality were given to each respondent. Respondents were also given the opportunity to stop the interview at any time however; all interviews were conducted in full. Each respondent was asked the same five identical questions.

1. What was your work and position on Bougainville?

2. What is your general impression on how policing is progressing on Bougainville since the end of the conflict?

3. What do you feel are the necessary conditions required for the re-establishment of policing on Bougainville?

4. What do you feel are the necessary conditions required to support the sustainability of policing on Bougainville?

5. Finally can I ask is there any aspect of your experience with the re-establishment of policing on Bougainville that has not been covered in this interview?
At the end of each interview each respondent was asked if they knew of any other person who had experience in post-conflict development on Bougainville and who they thought would be willing to be interviewed. Six of the respondents were identified in this way.

It is conceivable that respondents may have identified various conditions during other questions in the interview. In order to ensure accuracy of the data only responses to Questions 3 and 4 were recorded under two tables ‘Conditions Necessary for the Re-establishment of Policing’ and ‘Conditions Necessary for the Sustainability of Policing on Bougainville’. Each respondent’s answer or comments for each question was recorded in the appropriate table. Where there was a similar response for a particular question the table only recorded that response and the respondents who had made it.

For example when asked the question ‘What are the necessary conditions required for the re-establishment of policing’, Respondent A stated that ‘the communities must choose the right people as police officers from their communities’ (Respondent A, Interview 9/2/2005). When asked the same question, Respondent H suggested that a condition was that ‘the communities must choose the right people from their communities to work as police officers’ (Respondent H, Interview, 21/4/2005). These two comments were viewed as similar and as such were recorded in the table as the same.
Any significant variations in responses were recorded as separate conditions. Most of the respondents for example commented on the need for proper resourcing as a condition for the re-establishment of policing, however, there were variations on what and who should be funded and as such each individual response was listed even though there were on occasions only slight variations in the responses. For example when asked ‘What are the necessary conditions required to support the sustainability of policing on Bougainville?’ Respondent F stated that ‘proper infrastructure support for police is needed as a lack of infrastructure support could become a key impediment’ (Respondent F, Interview, 31/3/05). When asked the same question Respondent K suggested that, ‘logistic support for police in all centres is needed including proper accommodation’ (Respondent K, Interview, 29/6/05). While both responses related to the funding they were essentially different responses and as such were recorded as different conditions.

All the respondents’ impressions and comments were based of first hand experience and observations. All of the respondents have at one time or another worked on Bougainville and their comments and responses are drawn from active experience in a complex environment. People report very personally within their own experience, so any attempts to distinguish between peoples own impressions and their knowledge becomes a difficult exercise. No effort was made during the course of the interviews and subsequent transcribing of responses to try and attempt to differentiate between impressions and facts. While the research questions were framed in such a way so as to draw out specific conditions, respondents were allowed to frame their own picture of reality free from any influence on my part.
CONCLUSION

Despite their being two major conflicts in Melanesia in the last twenty years and a more recent interventionist approach to law and justice sector development in the Pacific by Australia and New Zealand, extensive research on post-conflict policing development in the region remains limited. Literature relating specifically to post-conflict policing on Bougainville is limited to feasibility studies conducted to support policing development on the island, unpublished working papers and post aid evaluation reports. A complete understanding of post-conflict policing development in Melanesia certainly remains outside the scope of one research project.

There is certainly much to be learnt on how best to establish and sustain not only policing but whole of criminal justice systems in post-conflict Melanesia and there exists significant scope for further research. As such it is recognised that different research methods could conceivably lead to the realisation of new and conflicting data and ultimately different findings. This chapter has highlighted why certain research methods were not used. It is also acknowledged that given the limited scope of research presented in this dissertation challenges to the presented findings are inevitable and to be welcomed.
This research uses a phenomenological approach with sources of knowledge developed from respondent’s direct experiences through the use of a semi-structured interview format with a predetermined group of respondents. A variety of issues and conditions affected the development of the research question, research method and the instruments used to gather data. These included:

- The researcher is a former Queensland Police officer;
- The researcher has worked in Law and Justice Institutional Strengthening Projects for the last 10 years, including 14 months working on Bougainville; and
- A number of the people interviewed were personally known to researcher.

There is recognition that it was difficult to bracket myself completely out of my research and there was a continual reflection on my place in my research. In saying so however it was also important the interview process did not become one of shared mutual experience and in this respect I did not respond to comments from the respondents. The respondents were free to frame their own picture of reality, free from any influence or pressure on my part. The intent of the interviews was to provide an insight into some of the conditions necessary for the re-establishment and sustainability of policing on Bougainville.
CHAPTER 5 - RESULTS OF THE INTERVIEWS

INTRODUCTION

This chapter will set out and summarise the respondents' answers to the pre-determined questions asked during the course of interviews. The respondents' answers will be summarised into identified conditions under two main headings:

- Conditions for the Re-establishment of Policing on Bougainville;

and

- Conditions for the Sustainability of Policing on Bougainville

Each of the respondents' individual answers will be listed in two tables at the end of this chapter.

IDENTIFIED CONDITIONS FOR THE RE-ESTABLISHMENT OF POLICING

In all, forty one separate conditions were identified by the respondents as being necessary for the re-establishment of policing on Bougainville. Two thirds of the respondents saw proper resourcing as a key condition for the re-establishment of policing on Bougainville. There was some variation on who and what should be resourced. A number of the respondents spoke in general terms of the requirement to properly resource and fund police as a key condition for the re-establishment of policing on Bougainville.
The more general funding comments reflected the need to fund both the Auxiliary Police Officers and the new probationary regular police that have been deployed to the island. For example Respondent L suggested that,

‘The cost of policing is high and there is a need to fund police effectively including all areas surrounding the police. The funding should include funding for Community Auxiliary Police and ongoing funding for probationary officers’ (Respondent L, Interview, 1/5/05).

Other respondents spoke more specifically on the need to properly fund infrastructure as a condition and this became a recurring theme during the interviews. Respondent K highlighted the morale problems that police on the island would experience if sufficient support was not provided during the re-establishment of policing on the island.

‘Morale of the new police is critical. They need logistical support to do their job. They need infrastructure support including uniforms, accommodation, vehicles, and equipment. Logistical support is needed for police in all centres including proper accommodation. The Enhanced Cooperation Police are living in good accommodation and this doesn’t help with morale’ (Respondent K, Interview, 29/6/05).

Respondent C suggested that it was important that basic infrastructure was in place to support policing on Bougainville. Respondent C further suggested that long term infrastructure support needs to be the responsibility of the Bougainville Government (Respondent C, Interview, 9/3/05). Respondent J highlighted the problems that police on Bougainville will have if sufficient infrastructure support is not provided.

‘The police on Bougainville need to have a good number of police and proper resources and infrastructure. The infrastructure is not there and the government has no money to develop it’ (Respondent J, Interview, 18/4/05).
A number of respondents saw the requirement for a strong political commitment to adequately resource policing on Bougainville. For example Respondent H suggested that a ‘strong commitment’ was needed by the new Bougainville Government to see policing as a priority and adequately resource it (Respondent H, Interview, 21/4/05). Respondent O suggested that there is a need for ‘political will’ in Bougainville to properly resource police and the whole of the criminal justice system (Respondent O, Interview, 20/3/06).

While a number of the respondents highlighted the need for a strong local government commitment towards re-establishment funding of the police, the inability of the local Bougainville Government to provide sufficient funding in this respect was clearly highlighted in a number of interviews. For example Respondent N highlighted that appropriate funding was required to assist in the re-establishment of policing on the island. Respondent N also acknowledged that the Bougainville Government is still very much reliant on the Papua New Guinea Government to fund policing (Respondent N, Interview, 26/5/05). Respondent K also highlighted the lack of resources available locally to support the re-establishment of policing suggesting that the Bougainville Government can not afford basic logistical support for the Bougainville Police and the local government needs to come up with solutions on how in can support the establishment of police across the island (Respondent K, Interview, 29/6/05).
A number of respondents identified the continuing need for donor support to assist the Bougainville Government to continue to re-establish policing across the whole of the island. For example Respondent K saw the role of donors as one that directly supported the local police to acquire logistics, accommodation and uniforms (Respondent K, Interview, 29/6/05). Respondent C suggested that if the Bougainville Government is unable to provide funding to re-establish policing across the island donors could help (Respondent C, Interview, 9/3/05). Respondent C also suggested that there is a need to better coordinate donor support. If Bougainville is having funding problems donors can help however there is a need to tie all donor support together. There is a need to better coordinate donor support for the whole of Bougainville not just in law and order. The is a need to have reliable recurrent finances to support the ongoing establishment of policing on Bougainville however this development support is mostly provided by donors. The donors need to be a bit more flexible in recurrent expenditure support (Respondent C, Interview, 9/3/05).

Respondent O did not support a continued role for donors in the re-establishment of policing on the island. While Respondent O's earlier comments highlighted a need for the Bougainville Government to demonstrate 'political will' to properly resource police Respondent O also suggested that the local government cannot continue to rely on aid. Respondent O noted that there was a need for the Bougainville Government to establish the ability to run their own police including funding infrastructure and training (Respondent O, Interview, 20/3/06).
A number of respondents suggested that there was a need to support and fund all components of the criminal justice system as a condition necessary for the re-establishment of policing on the island. Earlier in this chapter Respondent L highlighted the need to fund police effectively as a condition for the re-establishment of policing on Bougainville. During the interview Respondent L expanded further on funding by suggesting that funding support to the whole of the criminal justice system was equally important.

There is a need to fund the whole of the law and justice sector. This includes funding and re-establishing the corrective services and ongoing funding for village courts (Respondent L, Interview, 1/5/05).

Respondent M identified a ‘gap’ in the criminal justice system which they suggested would potentially impact on the re-establishment of policing. Respondent M suggested further that there was a need to develop and properly resource the corrective services to support policing across Bougainville (Respondent M, Interview, 21/5/05). Respondent L and Respondent M also suggested that the was a need to fund village courts on the island (Respondent M, Interview, 21/5/05 and Respondent L, Interview, 1/5/05).

The requirement for a strong community involvement in the re-establishment of policing on Bougainville was raised by a number of respondents. A number of conditions which focused on the need for community involvement and community support in re-establishing police across Bougainville were identified.
For example, Respondent B and Respondent H identified the need for total community support and a mandate from the community as necessary conditions before police can be re-established within a community (Respondent B, Interview, 15/2/05 and Respondent H, Interview, 21/4/05). Respondent L also identified the requirement for a total mandate from the whole of the local community before policing can be re-established in a particular area in Bougainville (Respondent L, Interview, 1/5/05). Respondent D noted that in order for police to be given any mandate to establish policing across communities in Bougainville there was a requirement for total support from the whole of the community (Respondent D, Interview, 23/3/05).

While a community mandate was seen as important by some respondents, two respondents highlighted the need for villages and village leaders to accept that there is an actual need for law and order to be re-established within their communities (Respondent M, Interview, 21/5/05 and Respondent O, Interview, 20/3/06). For example, Respondent O suggested that it is not much use re-establishing policing in a community if there is not a total community acceptance, including acceptance on the part of community leaders that a policing presence is needed (Respondent O, Interview, 20/3/06).
Other respondents commented on the need for continued community consultations if policing was re-established in a community and the development of local initiatives that could facilitate ongoing consultation between the police and communities. For example Respondent A suggested that ongoing community consultation must be part of any policing being re-established within communities on Bougainville (Respondent A, Interview 9/2/2005). Respondent G noted that local ownership of any re-established police is important (Respondent G, Interview, 5/5/05).

Respondents A and C identified the development of local initiatives to support and promote community and policing consultation (Respondent A, Interview 9/2/2005 and Respondent C, Interview, 9/3/05). For example Respondent A suggested that community committees be established that would work closely with any re-established policing presence in a community and the emphasis for these community committees should focus on mediation and conflict resolution to solve local problems. Respondent A also suggested that communities should also be given skills to effectively police themselves (Respondent A, Interview 9/2/2005).

Some respondents commented on an appropriate process for selecting police officers has important for the re-establishment of policing across Bougainville. Respondents A and H for example suggested that the right people must be selected as police officers and this should be undertaken by the community where policing was to be re-established (Respondent A, Interview 9/2/2005 and Respondent H, Interview, 21/4/05).
Respondent H suggested further that an important condition for re-establishing policing in any community was the need for the development of a credible policing authority.

Factions such as the Bougainville Revolutionary Army are not credible policing organisations. Communities need a more independent better trained organisation. The right people need to be selected for the right reasons and this requires a mandate from the whole of the community (Respondent H, Interview, 21/4/05).

Respondent B spoke on the need for credibility and suggested that the whole of any established criminal justice on Bougainville needs to be credible and people need access to credible systems including police (Respondent B, Interview, 15/2/05). A number of respondents also raised the spectra of human rights allegations and in particular potential problems if new Bougainville police officers may have committed or are suspected of serious human rights abuses. Respondents A and B suggested that any new police on the island should not have any human rights allegations surrounding them (Respondent A, Interview, 9/2/05 and Respondent B, Interview, 15/2/05).

Respondent A noted that human rights on Bougainville is a big issue and newly established police on Bougainville should be accepted in a more favorable light by communities due to past human rights problems with officers from the Royal Papua New Guinea Constabulary mainly as a result of some of their actions during the crisis. Respondent A further suggested that any new police officers who have been accused of human rights allegations should not be considered by their respective communities (Respondent A, Interview, 9/2/05).
Respondent B expanded on the issue of human rights by suggesting all newly established local systems of justice, not just police need to adhere to human rights and some type of enabling legislation needs to support this (Respondent B, Interview, 15/2/05).

Five of the respondents suggested that all three components of the criminal justice system are required as a condition necessary for the re-establishment of policing on Bougainville. Respondent J for example suggested that all three components of the criminal justice system on Bougainville need to be re-established. Respondent J further noted that this in turn will mean that policing will improve on the island because without a proper court and corrections system police will essentially be ineffective (Respondent J, Interview, 18/4/05).

Respondent L identified some disproportionate funding and development of the criminal justice agencies on Bougainville. Respondent L suggested that effective policing on the island was dependant on a re-established corrective services and further development of the courts system including village courts (Respondent L, Interview, 1/5/05). Respondents O and I identified the requirement for a whole of justice approach to support any re-established police (Respondent O, Interview, 20/3/06 and Respondent I, Interview, 7/4/05).
Respondent O also suggested that there was a need for a strong political will to properly develop a criminal justice system that supported police (Respondent O, Interview, 20/3/06). One of the respondents also suggested that there needs to be regular meetings between the police, government officials, and magistrates. Respondent D noted that there was a requirement for regular meetings between courts, police and senior civil servants within the Bougainville administration to monitor and encourage newly developed policing responses in communities (Respondent D, Interview, 23/3/05).

Ten of the respondents identified conditions necessary for the re-establishment of policing on Bougainville that focused on developing and strengthening local government services and functions. Three of the respondents suggested that there was a need for business development on the island as a condition necessary for the re-establishment of policing (Respondent E, Interview, 30/3/05; Respondent F, Interview, 31/3/05 and Respondent L, Interview, 1/5/05).

Respondent M also suggested that the whole of Bougainville society needs economic sustainability to support re-established policing across the island (Respondent M, Interview, 21/5/05). Respondent B suggested that communities on Bougainville needed a full range of government services not just the re-establishment of police. Respondent B also suggested that the re-establishment of policing in communities should not be carried out in isolation and there was a requirement for a whole of government approach to developing and providing services (Respondent B, Interview, 15/2/05).
Respondent E suggested that while business development on Bougainville was important the need to provide employment opportunities to the younger people on Bougainville was just as necessary if policing was to be re-established across the island (Respondent E, Interview, 30/3/05).

A lot of young men and women who have grown up in the crisis need some sort of training and work. There is a need to re-establish Bougainville again and a need to keep young people occupied. Bougainville should look at starting up the plantations again as this would help to build peace and keep people occupied. Getting people involved in different activities will help build peace on Bougainville (Respondent E, Interview, 30/3/05).

Two of the respondents suggested that there was a need to develop the local government and public sector to support any re-established policing presence on the island. For example Respondent N suggested that there is a lack of understanding within the Bougainville Provincial Government on how a re-established policing presence on the island should function. Respondent N suggested that the Bougainville Government needs to understand the concept of the separation of powers and the autonomy of the policing role so as to better support re-established policing in the communities (Respondent N, Interview, 26/5/05). Respondent M identified problems with the policy relationship between politicians, administrative officials, and police on the island. Respondent M suggested that there is a need to improve the processes and systems to support policing development on Bougainville.

There is a requirement to develop the political links between police, politicians and bureaucrats to ensure that policy input goes both ways. There should be nothing out of left field (Respondent M, Interview, 21/5/05).
Seven respondents identified the need to strengthen and support communities and some groups within Bougainville as a condition necessary for the re-establishment of policing. Respondents I, J and L suggested that the re-establishment of policing on Bougainville was dependant on factional leaders reconciling and all leaders speaking with a united voice (Respondent I, Interview, 7/4/05; Respondent J, Interview, 18/4/05 and Respondent L, Interview, 1/5/05). Respondent I also suggested that it will be easier to re-establish policing in Bougainville communities once the ‘respect and authority of the chieftain system is re-established’ (Respondent I, Interview, 7/4/05).

Respondent M noted that policing can only be re-established in communities on Bougainville where there were no factional divisions and the community was united (Respondent M, Interview, 21/5/05). Respondent A suggested that factional leaders and community leaders needed to focus on promoting mediation and conflict resolution within their communities to support policing development (Respondent A, Interview, 9/2/05). Two of the respondents identified the need for trauma counseling for villagers as an important condition for the re-establishment of policing within a community. Respondent E for example suggested that ongoing training and counseling for the young men and women within villages in Bougainville was important (Respondent E, Interview, 30/3/05).
Respondent D argued that before any policing can be re-established in a community on Bougainville there was a need to firstly address the issue of trauma which was still evident in many communities across the island.

Trauma is still a major issue in the villages. There is a need to train people to handle people with trauma. The issue of providing trauma training and counseling is outside the roles of police and mediators (Respondent D, Interview, 23/3/05).

Two of the respondents commented on the need to have a program to remove guns from the community to support re-established police. Respondent D for example suggested there are still guns in the Bougainville community and it is important to have some sort of program to bring them in (Respondent D, Interview, 23/3/05). Respondent A spoke at length on the problems caused by firearms on Bougainville and their likely impact on policing development on the island.

For policing to be successful on Bougainville a disarmament program is needed. While the disarmament program is going okay firearms are still in the community. The communities do not want police to be re-armed. There is a need to get communities involved to get former combatants to hand in firearms and a program is needed after the United Nations leaves Bougainville to continue disarmament (Respondent A, Interview, 9/2/05).

A number of respondents provided conditions that didn't attract a consensus of opinion. Respondent D for example suggested that there was a need to establish Peace and Good Order committees in Bougainville to support mediators and police but did not expand on why this was a necessary condition (Respondent D, Interview, 23/3/05).
Respondent B spoke briefly on the need to have a combination of formal and informal systems and links between the two (Respondent B, Interview, 15/2/05). Respondent C suggested that there was a requirement for police on Bougainville to be linked to the Royal Papua New Guinea Constabulary (Respondent C, Interview, 9/3/05).
### TABLE 5.1 – IDENTIFIED CONDITIONS FOR THE RE-ESTABLISHMENT OF POLICING ON BOUGAINVILLE

<table>
<thead>
<tr>
<th>CONDITION</th>
<th>RESPONDENT</th>
</tr>
</thead>
<tbody>
<tr>
<td>Police need to be properly resourced and funded including infrastructure</td>
<td>C, I, J, K, M, N</td>
</tr>
<tr>
<td>Aid donors need to support police resources which includes accommodation</td>
<td>K</td>
</tr>
<tr>
<td>Political commitment including proper resourcing</td>
<td>H, J, K, O</td>
</tr>
<tr>
<td>Funding for village courts</td>
<td>L, M</td>
</tr>
<tr>
<td>Ongoing funding for Auxiliary Officers</td>
<td>L, M</td>
</tr>
<tr>
<td>Need to be able to provide recurrent expenditure for police</td>
<td>C</td>
</tr>
<tr>
<td>All components of criminal justice system need to be funded</td>
<td>M</td>
</tr>
<tr>
<td>Better coordinate all funding on Bougainville not just law and order and tie donor support together</td>
<td>C</td>
</tr>
<tr>
<td>Cant rely on aid</td>
<td>O</td>
</tr>
<tr>
<td>Re establish corrective services and funded</td>
<td>A, C, M</td>
</tr>
<tr>
<td>Ongoing funding for Probationary Officers</td>
<td>M</td>
</tr>
<tr>
<td>Need community support and a community mandate</td>
<td>B, D, H, L</td>
</tr>
<tr>
<td>Local ownership of policing is necessary</td>
<td>G</td>
</tr>
<tr>
<td>Police force must be independent and trained as factions are not credible policing organisations</td>
<td>H</td>
</tr>
<tr>
<td>Right people must be selected as police officers and communities must choose them</td>
<td>A, H</td>
</tr>
<tr>
<td>Ongoing community consultation</td>
<td>A</td>
</tr>
<tr>
<td>No human rights violators as police</td>
<td>A</td>
</tr>
<tr>
<td>Human rights must be respected</td>
<td>B</td>
</tr>
<tr>
<td>Give community skills to police themselves</td>
<td>A</td>
</tr>
<tr>
<td>Set up Community Committees to work closely with police</td>
<td>A</td>
</tr>
<tr>
<td>Ongoing meetings between all parties on Bougainville</td>
<td>A</td>
</tr>
<tr>
<td>Villages and village leaders need to accept that there is a need for law and order to be re-established</td>
<td>C</td>
</tr>
<tr>
<td>People need to access justice systems</td>
<td>M, O</td>
</tr>
<tr>
<td>Systems need to be credible</td>
<td>B</td>
</tr>
<tr>
<td>Regular meetings between the police, Government officials and magistrates</td>
<td>D</td>
</tr>
<tr>
<td>All three components of criminal justice system are required</td>
<td>I, J, L, O</td>
</tr>
<tr>
<td>Need for community development</td>
<td>E, L</td>
</tr>
<tr>
<td>Need for business development</td>
<td>E, F, L</td>
</tr>
<tr>
<td>CONDITION</td>
<td>RESPONDENT</td>
</tr>
<tr>
<td>--------------------------------------------------------------------------</td>
<td>------------</td>
</tr>
<tr>
<td>Trauma counseling for villagers and police</td>
<td>D, E</td>
</tr>
<tr>
<td>Need to set up Peace and Good order Committees</td>
<td>D</td>
</tr>
<tr>
<td>Combination of formal and formal systems with links between the two</td>
<td>B</td>
</tr>
<tr>
<td>Police on Bougainville need to be linked to PNGC</td>
<td>C</td>
</tr>
<tr>
<td>Continuing program to remove guns on Bougainville</td>
<td>A, D</td>
</tr>
<tr>
<td>Society needs economic sustainability</td>
<td>M</td>
</tr>
<tr>
<td>People need full range of services not just police</td>
<td>B</td>
</tr>
<tr>
<td>Proper links between police, politicians and bureaucrats to ensure policy input goes both ways</td>
<td>M</td>
</tr>
<tr>
<td>Bougainville Government needs to understand separation of powers and autonomy of policing role</td>
<td>N</td>
</tr>
<tr>
<td>No divisions in society</td>
<td>M</td>
</tr>
<tr>
<td>Re-establish respect and authority of chieftain system</td>
<td>I</td>
</tr>
<tr>
<td>Reconcile between factional leaders and united voice</td>
<td>I, J, L</td>
</tr>
<tr>
<td>Emphasis on mediation and conflict resolution</td>
<td>A</td>
</tr>
</tbody>
</table>

*Source: Interviews with respondents*
IDENTIFIED CONDITIONS FOR THE SUSTAINABILITY OF POLICING ON BOUGAINVILLE

Forty seven separate conditions were identified by the respondents as being necessary for the re-establishment of policing on Bougainville. Proper resourcing for the Bougainville Police was seen by six of the respondents as being a necessary condition for the sustainability of police on the island. Two of the respondents, C and G saw the need for continued funding for the whole of the criminal justice system as necessary condition to support policing (Respondent C, Interview, 9/3/05 and Respondent G, Interview, 5/5/05). Infrastructure support including the need for proper accommodation for police in all centres was seen as an important by three of the respondents. For example Respondent F suggested,

‘The lack of infrastructure on Bougainville is a key impediment. The AusAID infrastructure program to support police has been delayed twelve months and good facilities to support policing will not be available for eighteen months. Delays in infrastructure have the potential to severely interrupt the progress that has been made with policing. Community policing needs a decentralised focus and the Assistant Commissioner of Police on Bougainville cannot decentralise policing due to a lack of infrastructure support’ (Respondent F, Interview, 31/3/05).

The need for adequate infrastructure support was also highlighted by Respondent K. While recognising that the lack of proper support for police on Bougainville was linked to problems with police moral, Respondent K also highlighted the lack of available funds within the Bougainville Government to support the local police.

‘The police on Bougainville need uniforms, accommodation, vehicles and equipment and logistical support to do their job. The Bougainville Government can’t afford these things and has no money at this moment. The Autonomous Government needs to come up with solutions. Aid donors will need to support police in logistics, accommodation and uniforms’ (Respondent K, Interview, 29/6/05).
The necessity to support funding for police at a local level to support the sustainability of police was seen as important by nearly half of those interviewed. The need to break the reliance on donor funding for the police was also viewed as important by two of the respondents. Respondent N suggested that when aid programs such as the Enhanced Cooperation Program eventually leave local governments will have to fund the police themselves. As Respondent N added further, ‘funding for the ongoing running of police on Bougainville cannot be sustainable until they break the reliance on donor funding’ (Respondent N, Interview, 26/56/05). Respondent O suggested that the ‘Bougainville Government cannot rely on aid and there is a need to establish the ability to run their own police’ (Respondent O, Interview, 20/3/06).

A number of the respondents suggested that it was important for proper mechanism to be established within local government to support the ongoing funding for not only the police, but the whole of the criminal justice system on the island. For example Respondent G suggested that the Bougainville Government needs proper revenue collection to support the funding for police (Respondent G, Interview, 5/5/05). Without this funding support and the mechanism to raise revenue locally Respondent G argued:

‘The police on Bougainville will not perform their duties correctly if they are not funded and this leads to the community not accepting police and looking to other measures (Respondent G, Interview, 5/5/05).

30 Officers deployed to Bougainville under the Enhanced Cooperation Program have now left the island.
While a number of the respondents highlighted the need for the Bougainville Autonomous Government to begin to address the issue of revenue collection and the proper funding of policing on the island it became apparent during the interviews that there was very little likelihood of this occurring in the near future and there appears to be a recognition that funding for policing will continue to be reliant on donor support, in this instance New Zealand and Australia. Respondent C spoke at length on the funding problems besetting the Bougainville Autonomous Government. Respondent C highlighted how funding for the new Bougainville Police had suffered as a result in a decline in funding for law and justice in Papua New Guinea and with the devolution of powers to provincial governments in Papua New Guinea more responsibility has been placed on provincial governments to source their own revenue (Respondent C, Interview, 9/3/05). In respect of Bougainville, Respondent C suggested that while powers have been devolved to the new autonomous government full funding has not been given to run government programs and there is no guarantee of funding forthcoming which will in turn effect the funding of police. As Respondent C also highlighted in the interview,

'The responsibility for funding law and justice on Bougainville now rest with the local provincial government. The provincial government lacks the ability to raise revenue to support and sustain law and justice. On Bougainville five million kina\(^3\) can be raised at the most and this is not enough to fund policing' (Respondent C, Interview, 9/3/05).

\(^3\) Approximately $1 900 00 Australian dollars
While a number of the respondents recognised that a key condition for the sustainability for policing on the island is to move away from donor support and fund the police locally, it is apparent that the structures within the local provincial government needed to support and fund policing are underdeveloped. Local revenue collection is limited and ongoing funding from Papua New Guinea cannot be guaranteed. Respondent F suggested that there is 'funding and policy confusion' between the Papua New Guinea Government and the Bougainville Autonomous Government. Respondent F further suggested that the Papua New Guinea Government through the Royal Papua New Guinea Constabulary do not want to fund any activities for policing on Bougainville. The Bougainville Autonomous Government position is that the Papua New Guinea Government should be providing most of the funding as they have very few funds to allocate to policing on the island (Respondent F, Interview 31/3/05).

Respondent C suggested that there is little understanding within both provincial and national governments as to what funds are actually needed to fund policing on the island.

'No one knows how much it will cost to develop and support policing on Bougainville. The provincial government does not know how much and is still reliant on the national government for police funding. The provincial government may have to offload funding for police on to donors (Respondent C, Interview, 9/3/05).
Respondent M also suggested that the Bougainville Government has little understanding of exactly what type of policing it can afford.

‘The whole of Bougainville needs to have a reality check on what can and can’t be achieved and the cost of things. In other words they need to understand what can be afforded’ (Respondent M, Interview, 21/5/05).

The need for consultation, continued community intervention and community support were identified by a number of respondents. For example Respondent A suggested that community consultation must be an ongoing process as the communities on Bougainville demand it (Respondent A, Interview 9/2/2005). Respondent B highlighted the need for community involvement to support the sustainability of policing on the island.

There needs to be a lot of intervention with the community and the strength of the community is that they need to drive the process. This will need a huge amount of community interaction and consultation (Respondent B, Interview, 15/2/2005).

Respondent H and Respondent J suggested that sustainability of policing on the island is dependant on continued community involvement and developed links with traditional local customs (Respondent H, Interview, 21/4/2005 and Respondent J, Interview, 18/4/05). Respondent H suggested that policing on Bougainville needs to be community based and needs the support of the community to continue. Respondent H suggested further that one way of achieving this is that policing on Bougainville needs to have linkages to the hereditary community authority of the village chiefs and elders (Respondent H, Interview, 21/4/2005).
Respondent J suggested that continued community involvement is dependant on awareness and understanding including the need to link policing with the more traditional forms of dispute and where possible mediate problems within the local community (Respondent J, Interview, 18/4/05). Other respondents identified the ongoing need for community support and consultation as a key condition for the sustainability of policing. For example Respondent M identified continued community engagement as a necessary condition for the sustainability of policing. Respondent I continued the theme raised earlier on the need to have continued awareness programs for the community but also noted that there was a requirement to link policing with traditional dispute practices within villages on Bougainville.

There is a need for a better understanding in the communities on what police are doing. Their needs to be an awareness campaign for the communities on Bougainville on what the police are doing. There is a need to mold policing into traditional ways of solving disputes in the villages; that is the way people understand what is going on in the village. Police simple just can’t be police and there is a need for a combination of policing and traditional ways of solving disputes at the local level. A combination of the old ways and the new ways (Respondent J, Interview, 18/4/05).

Respondent E highlighted how customs and traditions are binding Bougainville communities together and these local communities will ultimately determine if policing is sustainable.
Respondent E noted that policing on Bougainville will only be effective and sustainable if the communities on the island believe ‘what is being done is right’ (Respondent E, Interview, 30/3/05). Respondent E also highlighted potential problems for the sustainability of the current police and future policing programs on the island if local traditions and authorities are not recognised.

Problems will begin to surface in policing programs do not recognise the strengths of local authorities and local traditions. There is a need to emphasise local law and order initiatives and local ways of settling problems must be recognised by policing programs. The problem is that police have a history on Bougainville of not handling local problems well (Respondent E, Interview, 30/3/05).

A number of respondents identified the need for police to have appropriate gender balance and be representative of all the various groups on the island. For example Respondents F and H identified the need for gender balance in policing to support sustainability (Respondent F, Interview, 31/3/05 and Respondent H, Interview, 21/4/05). Respondent F also suggested having the right balance of women in policing on the island as an important sustainability condition as women in general tended to support the new police on Bougainville mostly because they investigated complainants made by women within the villages.

There is a need for gender balance in policing as statistics for offences against women involving violence are quite staggering and underreported. There is a need to have a gender balance both in community police and regular policing. There is a need to break down a macho culture and this will help sustainability because of women in the community supporting police investigations into offences against women and children (Respondent F, Interview, 31/3/05).
The training and deployment of 100 new Bougainvillean Police Officers was also seen by Respondent F as being an important condition for the sustainability of policing on Bougainville.

The 100 new Bougainville recruits will enhance sustainability. A new platform of trainees can be developed in a Bougainville concept as opposed to a Royal Papua New Guinea Constabulary concept and this is essential to ensuring sustainability (Respondent F, Interview, 31/3/05).

Respondent H also expanded further on the composition of policing by suggesting that police need to be representative of the community including not just gender but the various factions on Bougainville. Respondent H also suggested that there must be a robust selection process and all new police must be selected impartially (Respondent H, Interview, 21/4/05).

Respondent A and Respondent B suggested any developed policing organisations on Bougainville needed to be credible institutions and Respondent B also added people needed to have access to justice systems which would assist in the long term sustainability of policing on the island (Respondent A, Interview, 9/2/05 and Respondent B, Interview, 15/2/05).

A number of the respondents identified conditions which focused on the structure and organisation of policing on the island. Respondent M highlighted the need for a wide spread coverage of police across the whole of Bougainville (Respondent M, Interview, 21/5/05). To support the sustainability of police on the island Respondent M suggested that there was a need to

Ensure wider coverage of police across the island including getting them to the other areas including the three regional centres, northern, central and southern Bougainville and the remote outposts. There is also a need to get the formal criminal justice system to all parts of the community' (Respondent M, Interview, 21/5/05).
Respondent F also highlighted the need to move police out into the wider community. Respondent F suggested that in order for policing to become sustainable on Bougainville a decentralised model should adopted however; Respondent F also highlighted potential problems if adequate resources were not given to support this approach (Respondent F, Interview, 3/1/05).

'Delays in infrastructure has the potential to severely interrupt the progress that has been made with policing on Bougainville. Community policing needs a decentralised focus and the Assistant Commissioner of Police on Bougainville cannot decentralise due to a lack of infrastructure support' (Respondent F, Interview, 3/1/05).

Respondent L also suggested that a key condition for the sustainability of policing was a need to continue to focus on an approach that concentrated heavily on community and auxiliary police within Bougainville communities (Respondent L, Interview, 1/5/05).

Other respondents commented on the need for ongoing training and mentoring of the new regular police on the island and the requirement to provide proper mid level supervision for all of the police on Bougainville. Respondent M suggested that it was important to provide effective training and mentoring to the 100 new regular officers that had been deployed to Bougainville and to support this it was crucial to have proper mid level supervision at the Police Station Commander level.
Respondent M also noted that there were a ‘few good officers’ within the local police who were able to do this however; the Australian Police Officers who were working under the then Enhanced Cooperation Program were providing most of the mentoring and supervisor support and were doing a ‘good job’ (Respondent M, Interview, 21/5/05). Respondent O suggested that a long term development approach was needed to support the structure of the Bougainville Police including the requirement for the development of a proper recruiting process (Respondent O, Interview, 20/3/06).

There was not totally agreement on the need for long term support from overseas police. Respondent D spoke about the requirement to properly train the local Bougainville police so that overseas police including advisers could be withdrawn. Respondent D highlighted possible impediments towards an eventual goal of sustainable local policing if overseas police continued to work on the island.

‘There needs to be a clear understanding with the Australian Police because they have a major influence on policing on Bougainville. The local police are relying on them to handle some crimes. What is needed from the Australian Police is support not mission creep; that is trying to take over (Respondent D, Interview, 23/5/05).

---

32 Officers deployed to Bougainville under the Enhanced Cooperation Program have now left the island.
A number of respondents suggested that developing the capacity of the local government to improve business and employment opportunities on the island were important conditions for the future sustainability of policing. For example Respondent L and Respondent O suggested that there was a need for economic development and sustainability for the whole of the province to support policing in the future (Respondent L, Interview, 1/5/05 and Respondent O, Interview, 20/3/06).

Economic sustainability of the province is important and can have an effect on policing on Bougainville particularly the ability to pay for the police. No police will work on Bougainville without an allowance. Sustainability is all tied into money. (Respondent L, Interview, 1/5/05).

Respondent F and Respondent I highlighted the need for the Bougainville Autonomous Government to support business development to create local employment opportunities Respondent F, Interview, 31/3/05 and Respondent I, Interview, 7/04/05). Respondent I suggested that there was a need to revive local self supporting industries that promotes normalcy in the community which in turn will promote economic development (Respondent I, Interview, 7/04/05). Respondent I further suggested that labor intensive programs were a method of keeping young adults occupied (Respondent I, Interview, 7/4/05). Respondent E also identified the importance of creating employment opportunities for Bougainvilleans however; these industries need to be local, sustainable employment opportunities and not imported programs. Respondent E, suggested that if young men and women were given something to do on Bougainville this would assist in creating a sustainable policing organisation (Respondent, E, Interview, 30/3/05).
Respondent B suggested that a full range of government services on Bougainville needs to be established in order to create an environment that assists in supporting the long term sustainability of policing.

On Bougainville you need a whole of government development. If people are not getting a full range of government services people will become disenfranchised and follow militants. You don’t disempower the militants; you empower the community by providing services and infrastructure (Respondent B, Interview, 15/2/05).

Respondent F also identified the need to develop a full range of government services including a refocus of donor support on Bougainville as an important condition for the sustainability of policing.

Donors need to divert money away from law and order to health, education and employment. This will help consolidate current law and order on Bougainville. People need to have employment (Respondent F, Interview, 31/3/05).

Three respondents also identified the need to strengthen and support communities and some groups within Bougainville. Respondent J suggested that communities needed more assistance to develop a capacity to mediate problems within the community. Respondent J suggested further that just because police on Bougainville may remove an offender from the community it does not necessarily mean that you remove the problem (Respondent J, Interview, 18/4/05). Respondent F identified a link between crime and unemployment and suggested that young people on Bougainville need to have some type of employment to keep them away from trouble (Respondent F, Interview, 31/3/05).
Respondent F particularly highlighted the requirement to support ex combatants in this regard so that ‘they can begin to recover from the crisis and contribute to society’ which Respondent F further added had not been ‘done to date’ (Respondent F, Interview, 7/4/05). Respondent E suggested that ongoing training and counseling across all of Bougainville is a condition that is necessary to support the sustainability of policing.

Further training and counseling for young men and women needs to be regular and ongoing. We need to be able to give women and men something to do. Peace Foundation Melanesia has been running restorative justice training and this training should be done throughout the community. A collective approach to peace and Bougainville development is needed (Respondent E, Interview, 30/3/05).

Three respondents suggested that some type of weapons disarmament or surrender program was a necessary condition for the ongoing sustainability of policing on Bougainville. Respondents A and D identified the requirement for ongoing disarmament program (Respondent A, Interview, 9/2/05 and Respondent D, Interview, 23/3/05). Respondent J spoke at length on the need for weapons to be removed from the community as important condition to ensure the sustainability of policing on Bougainville.
Respondent J probably has more insight than any of the other respondents into the availability of firearms on the island, and as such expressed concerns that firearms may potentially undermine and threaten policing on the island.

Policing on Bougainville is unarmed and factions are armed. To establish policing on Bougainville there is a need to have weapons out of the community and total destruction of weapons so conditions are conducive to policing. There are still a lot of weapons in the community. Police are currently policing without weapons to establish good relations with the community. Weapons are causing uncertainty in the community and there is a need to make Bougainville weapon free. Once weapons go sustainable policing can occur (Respondent J, Interview, 18/4/05).

Other conditions identified for the sustainability of policing on Bougainville that did not attract a consensus of opinion included:

- Partner governments need to commit to improving police (Respondent B);
- Police must pursue cases to their settlement (Respondent D);
- Long process to see if law and order programs are a success (Respondent F); and
- There must be a total approach (Respondents G and M)
<table>
<thead>
<tr>
<th>CONDITION</th>
<th>RESPONDENT</th>
</tr>
</thead>
<tbody>
<tr>
<td>Regular local funding for police</td>
<td>F</td>
</tr>
<tr>
<td>Proper infrastructure support for police</td>
<td>F, K</td>
</tr>
<tr>
<td>Police need to be properly funded locally</td>
<td>G, N, O</td>
</tr>
<tr>
<td>Break reliance on donor support</td>
<td>N, O</td>
</tr>
<tr>
<td>Proper government revenue collection methods to support police</td>
<td>G</td>
</tr>
<tr>
<td>Accommodation for police in all centres</td>
<td>K</td>
</tr>
<tr>
<td>Development of proper funding models and plans</td>
<td>C</td>
</tr>
<tr>
<td>Continued intervention and consultation with all of the community</td>
<td>A, B, E, M</td>
</tr>
<tr>
<td>Community must drive process</td>
<td>B</td>
</tr>
<tr>
<td>Institutions need to be credible</td>
<td>A, B</td>
</tr>
<tr>
<td>Policing needs to be community based</td>
<td>H, J</td>
</tr>
<tr>
<td>Community support required</td>
<td>H</td>
</tr>
<tr>
<td>Gender balance in policing</td>
<td>F, H</td>
</tr>
<tr>
<td>Police need to be representative of whole of the community, including factions</td>
<td>H</td>
</tr>
<tr>
<td>Bougainville police for Bougainville not Royal Papua New Guinea Constabulary</td>
<td>F</td>
</tr>
<tr>
<td>Robust selection process for police and selected impartially</td>
<td>H</td>
</tr>
<tr>
<td>Community must believe what is being done is right</td>
<td>E</td>
</tr>
<tr>
<td>Police need to be linked to traditional methods of problem solving</td>
<td>I, J</td>
</tr>
<tr>
<td>Continued awareness campaigns for communities on role of police</td>
<td>I</td>
</tr>
<tr>
<td>People need accessibility to criminal justice systems</td>
<td>B</td>
</tr>
<tr>
<td>Police needs to be linked to community authority of chiefs and elders</td>
<td>H</td>
</tr>
<tr>
<td>Continued funding of all of criminal justice system</td>
<td>C, G</td>
</tr>
<tr>
<td>Police need to be decentralised rather than centralized</td>
<td>F</td>
</tr>
<tr>
<td>Concentrate on community and auxiliary police</td>
<td>L</td>
</tr>
<tr>
<td>Continued training and mentoring of new 100 Police Constables</td>
<td>M</td>
</tr>
<tr>
<td>Proper mid level supervision in police</td>
<td>M</td>
</tr>
<tr>
<td>CONDITION</td>
<td>RESPONDENT</td>
</tr>
<tr>
<td>--------------------------------------------------------------------------</td>
<td>------------</td>
</tr>
<tr>
<td>Need for a long term approach to policing</td>
<td>B</td>
</tr>
<tr>
<td>Proper recruiting process for police</td>
<td>O</td>
</tr>
<tr>
<td>Local police can't rely on overseas police to do the work for them</td>
<td>D</td>
</tr>
<tr>
<td>Widespread coverage of police across the island</td>
<td>M</td>
</tr>
<tr>
<td>Overseas police cannot take over roles of local police</td>
<td>D</td>
</tr>
<tr>
<td>Need to divert money from law and order to other programs such as health education and employment</td>
<td>F</td>
</tr>
<tr>
<td>Business development to create employment and local employment opportunities</td>
<td>F, I</td>
</tr>
<tr>
<td>Local programs developed so as not to rely on imported programs</td>
<td>E</td>
</tr>
<tr>
<td>Economic development and sustainability for whole of the province</td>
<td>L, O</td>
</tr>
<tr>
<td>Full range government services need to be established</td>
<td>B</td>
</tr>
<tr>
<td>Coordination and interaction with Bougainville administration and the need to rebuild links</td>
<td>M</td>
</tr>
<tr>
<td>Bougainville needs to work out what it can and can't afford</td>
<td>L</td>
</tr>
<tr>
<td>Process for ex-combatants to recover from crisis</td>
<td>F</td>
</tr>
<tr>
<td>Restorative justice training for all of the community</td>
<td>E</td>
</tr>
<tr>
<td>Mediate problems in the community</td>
<td>J</td>
</tr>
<tr>
<td>Partner government need to commit to improving police</td>
<td>B</td>
</tr>
<tr>
<td>Police must pursue cases to their settlement</td>
<td>D</td>
</tr>
<tr>
<td>Long process to see if law and order programs are success</td>
<td>F</td>
</tr>
<tr>
<td>Total criminal justice sector approach</td>
<td>G, M</td>
</tr>
<tr>
<td>Continued disarmament program</td>
<td>A, D</td>
</tr>
<tr>
<td>Continued weapons surrender program</td>
<td>J</td>
</tr>
</tbody>
</table>

Source: Interviews with respondents
CHAPTER 6 – DISCUSSION AND RECOMMENDATIONS

INTRODUCTION

A number of central themes emerge from the conditions identified by the respondents for the re-establishment and sustainability of policing on Bougainville. For the re-establishment of policing on Bougainville these themes included:

- The need for continued community consultation, support and involvement in the re-establishment of policing across the island;
- The requirement to develop and fund all agencies of the criminal justice system to support re-established policing;
- Any re-established police should be adequately and properly resourced; and
- The introduction of weapons control program on the island.

For the sustainability of policing on Bougainville the emerging themes included:

- The need to further develop and strengthen other government services;
- Increased education, training and business opportunities be made available to Bougainvilleans; and
- Increased support needs to be provided to the Bougainville Autonomous Government to develop its capacity to manage current and future policing on the island.

Drawing on these emergent themes four recommendations for the re-establishment of policing and four recommendations for the sustainability of policing on Bougainville will be outlined.
A number of the conditions raised by the respondents for the re-establishment of and sustainability of policing on Bougainville are known and international experience and lessons learnt supports and reflects a number of the conditions identified by the respondents. For example a repeated lesson learnt in other post-conflict environments is that policing should not be re-established in isolation and it is important to support the development of appropriate judicial and corrective functions. The requirement for broad community consultation before re-establishing policing was raised by a number of respondents and is a recurring lesson learnt in other international post-conflict contexts.

What this research has demonstrated is that some conditions for post-conflict policing development are transferable despite differing social, political and geographical contexts. Conversely however, some aspects of policing development on Bougainville are not working and remain under developed and it is perhaps now time to address these policy and development shortcomings. Further areas also need to be explored, particularly conditions that support the development of state and society as important conditions for the sustainability of policing on Bougainville.

RECOMMENDATIONS FOR THE RE-ESTABLISHMENT OF POLICING ON BOUGAINVILLE

Four recommendations are set out for the re-establishment of policing on Bougainville.

Recommendation 1 A weapons collection program should be re-established on Bougainville. Consideration should be given to establishing a weapons surrender program which provides development for surrender of firearms. A body should also be established within the Bougainville Autonomous Government that oversees and facilitates weapon collection programs.
Recommendation 2  The Bougainville Autonomous Government should consider developing only one form of policing on the island that focuses on a smaller group of highly trained regular officers with a capacity to move about the various communities on Bougainville. All donor support should focus on training and developing this smaller group of officers.

Recommendation 3  A total approach to criminal justice sector development should be further supported on Bougainville, with further assistance and funding provided to courts and correct services.

Recommendation 4  Local communities must continue to be widely consulted and majority community support must be provided before policing can be re-established in communities on Bougainville.

Recommendation 1

A weapons collection program should be re-established on Bougainville. Consideration should be given to establishing a weapons surrender program which provides development for surrender of firearms. A body should also be established within the Bougainville Autonomous Government that oversees and facilitates weapon collection programs.

Chapter 2 highlighted the importance of a requirement for a significant disarmament program to support the re-establishment of policing post-conflict. When the Bougainville Peace Agreement was signed in August 2001, the United Nations assumed responsibility for facilitating the agreement. One of the key programs of the agreement was the establishment of a weapons disposal program. The United Nations Observer Mission in Bougainville (UNOMB) oversaw the weapons program on the island and some 2000 firearms were eventually surrender and destroyed. Even though the UNOMB facilitated weapons disposal program was able to secure some weapons from within the community, officials on Bougainville suggest that a number of the containers that were securing weapons were broken into and weapons removed (Post Courier, 1st to 3rd September 2006).
It is quite apparent that weapons and the use of weapons still represents a significant impediment to the development of policing on Bougainville. Despite the United Nations early efforts to remove weapons from the community, weapons still continue to remain a significant problem on Bougainville. A number of recent killings on Bougainville have been attributed to high powered weapons in the hands of groups of young men. Women’s groups on Bougainville have continued to speak out about the use of firearms on Bougainville and how there continued presence on the island has lead to intimidation and fear within many communities on the island (Women’s National League for Peace and Freedom, 2003).

More recently the Acting Police Commander on Bougainville has highlighted the continuing problems associated with firearms on the island, particularly the threat that they pose to the maintenance of law and order.

There are concerns with the law and order on Bougainville; particularly I keep saying that we still have outstanding firearms. The firearms that were not contained and destroyed during the containment period with the United Nations. I strongly believe that we have another containment or weapons disposal program on Bougainville. I think that has been the main contributing factor to the law and order issues on Bougainville. Once the firearms are off the wrong hands or are contained and been destroyed, then the police can concentrate on just the normal law and order issues on Bougainville and I think by then we should be able to manage the law and order situation here on Bougainville (Paul Kamuai, 7th November 2006).

The capacity of Bougainville Police to carry out any sort of function in communities where firearms still exist is at best limited. It would of course be a long and difficult process to completely remove firearms form all communities on Bougainville.
A number of communities remain off limits to police and outsiders and there are practical impossibilities in attempting to disarm individuals within communities who refuse to be disarmed (Kopel et al, 2003:6). The Bougainville Autonomous Government needs to become far more proactive in facilitating weapons surrender programs on the island and such programs need to be ongoing and long term in their outlook.

In communities where weapons have not been voluntarily surrendered in the past consideration could be given to providing some type of incentive including community development programs. The arming of police on Bougainville is of course an option that should not be considered so in order for local police to effectively assist communities across the island firearms first need to be removed from those communities. As such it is important that the Bougainville Autonomous Government re-establishes a weapons collection program across the island. To facilitate this the following recommendations are suggested:

- The Bougainville Autonomous Government establish an office to oversee weapons disposal programs that is proactive in its approach;

- The Bougainville Autonomous Government to seek assistance from the United Nations\(^3\) to oversee and facilitate weapons disposal;

- Consideration be given to developing a weapons disposal program that provides community and social development for surrendered firearms;

\(^3\) Given the United Nations previous experience in weapons disposal on Bougainville and the independence of their operations on the island, they are seen here as the most logical organisation to facilitate further weapons disposal programs.
• Any firearms that are surrendered should be expeditiously disposed of; and

• Community leaders and in particularly women within communities on Bougainville should work closely with the Bougainville Autonomous Government to facilitate developed weapons surrendered programs.

**Recommendation 2**

The Bougainville Autonomous Government should consider developing only one form of policing on the island that focuses on a smaller group of highly trained regular officers with a capacity to move about the various communities on Bougainville. All donor support should focus on training and developing this smaller group of officers.

In Chapter 3 a number of the post-conflict programs to re-establish policing on Bougainville were described. The two major aid donors to Bougainville and the Papua New Guinea Government Australia and New Zealand have funded simultaneous projects to re-establish policing on the island. The overall objectives and guiding principles of these projects very much support contemporary practice and literature on the re-establishment of post-conflict policing; most notably the requirement for close consultation and cooperation with local communities, a community based policing approach and a sector wide approach to criminal justice development.

The overall approach to the re-establishment of policing on Bougainville has however been problematic most notably aid projects being withdrawn and collapsing when donor support is withdrawn, the clear lack of any long term approach to policing on the island and as highlighted by a number of respondents, a disproportionate development of an integrated and sector wide criminal justice system.

---

24 See Chapter 3 for further discussion on aid projects to support policing re-establishment on Bougainville.
The re-establishment of policing on Bougainville has focused on what is termed here as a 'two tiered approach'. Approximately 380 part time Community Auxiliary Police Officers live and work in a number of communities across Bougainville and they are supported by a better trained regular force under the auspices of the Royal Papua New Guinea Constabulary. This regular force totals sum 150 officers and is commanded by a local Assistant Police Commissioner. Questions however remain as to whether this is the most suitable type of policing approach on Bougainville.

One respondent provided comment on how many police are ideally required on Bougainville. A number of respondents highlighted that the Bougainville Autonomous Government would have significant problems providing ongoing funding for police. Examples were also provided early highlighting how the Bougainville Autonomous Government was unable to pay the allowances for the Community Auxiliary Police Officers; which essentially is the cheapest policing option on the island. Given the comments raised by the respondents it is difficult to see how the Bougainville Autonomous Government will be able to effectively fund a policing organisation of over 500 officers.

The use of part-time or auxiliary police officers is a common feature of many police forces in the Pacific region and the success of part-time police remains questionable. This style of policing is essentially little more than a cheap policing option to support regular officers; with the part time police receiving limited or in some cases no training.

35 Respondent J suggested that about 200 regular officers would be needed
While the Community Auxiliary Police Officers have received some training on Bougainville, it in no way replaces the more extensive training that has been provided to the regular Bougainvillean officers in the Royal Papua New Guinea Constabulary now stationed on the island.

It is also questionable as to why there actually needs to be two types of police officers on Bougainville. The main purpose of setting up the Community Auxiliary Officers was so that they could be deployed to local villages and work with local communities to solve local problems in the community or through village courts. This chapter earlier highlighted some of the advantages of allowing communities to solve many of their problems through restorative justice and conflict resolution techniques.

There is significant amount of literature that highlights the advantages of this approach in Melanesian communities. As such it is conceivable that many community issues can and are solved on Bougainville without the need for direct police intervention. It is difficult to see why a smaller, full time, and properly trained policing organisation on Bougainville could not also work closely with the communities on the island, facilitate dispute resolution programs and assist individuals to have grievances adjudicated through the village court system. A regular fulltime police force should also have the capacity to investigate and prosecute those offences that cannot and should not be handle at a local level. Where possible, re-established policing on the island should also continue to complement traditional and local forms of dispute resolution to assist in the ongoing sustainability of policing.
A focus on traditional forms of dispute resolution including restorative justice presents a practical and cost effective method of local informal social control which can compliment a more formal policing response on the island. Traditional methods of social control including restorative justice and conflict resolution techniques also have the effect of empowering a greater sense of community involvement in collectively resolving disputes.

As Dinnen (2003:21-22) notes:

It is equally important to strengthen those informal mechanisms and institutions that are capable of dealing with minor fractions and conflict at community levels. Empowering communities to take responsibility for maintaining peace at local levels will enable the formal sector to concentrate on more serious matters. Building appropriate linkages between informal sectors will help build the social foundations and legitimacy whose absence is a significant contributor to the weakness of the former. This is not simply a question of returning to some idealised vision of customary regulation but entails a careful approach to building capacity of the informal sector in a way that is consistent with the rule of law and respect for human rights.

In support of the development of a single policing organisation the following is recommended:

- A single, regular full time policing organisation be established on Bougainville to replace the current two tiered approach;

- All external assistance including policing aid programs should be directed to supporting and developing the fulltime officers;

- Significant ongoing training be provided to officers which includes training in restorative justice, community mediation and conflict resolution;

- The selection and training of officers for the regular police should be limited to Bougainvilleans;
• The officers should be based in the major regional centres of Bougainville; however sufficient resources should be provided to allow officers to move about and live for extended periods within communities on the island. Regional centres where the officers should be based include areas where some type of policing development has occurred including, Buka, Tinputz, Wakunai, Arawa, Buin, Tonu, Bana and Torokina; and

• The full time police should be capped at around 200 officers.

Recommendation 3

A total approach to criminal justice sector development should be further supported on Bougainville, with further assistance and funding provided to courts and correct services.

The re-establishment of agencies within the criminal justice system on Bougainville has been adhoc and disproportionate. There has been an over emphasis on the development of policing in a number of areas on Bougainville at the expense of courts and corrective services. While recent programs being supported by aid donors have focused on the development of courts and in particular village courts, little has been done to re-establish corrective services. In some cases policing has been re-established in complete isolation from other agencies within a traditional criminal justice system. A number of respondents suggested that a key condition for the re-establishment of policing on Bougainville was the development of courts and corrective services including providing appropriate levels of support and funding assistance. Such recommendations are supported by international experience.

36 See Chapter 3.
37 This number is very much based on recommendations made during an interview with Respondent J.
38 Those charged with serious criminal offences continue are often held at the Buka Police Station cells which are not properly set up for holding long term prisoners.
The *Constitution of the Autonomous Region of Bougainville 2004* sets out the legal framework for courts and court officials in Bougainville and the roles and responsibilities of the Bougainville Corrective Service. Despite the existence of this constitutional framework and previous assistance afforded by aid donors, significant development of courts and a functional corrective service still needs to occur on Bougainville. Specific recommendations to support a total approach to criminal justice sector development:

- Future development of policing on Bougainville should not be undertaken in isolation and commensurate development of appropriate courts should also occur. Where there is an absence of appropriate courts in areas on Bougainville where policing has already been re-established, consideration should be given to establish at least village courts in these areas;

- Education and awareness programs should be conducted for the community and villages on the role and jurisdiction of courts and traditional methods of dispute resolution;

- The Bougainville Autonomous Government should continue to work with donor agencies and countries to further develop court officials including village court magistrates;

- The Bougainville Autonomous Government should facilitate more dialogue and communication between courts, police and any established corrective services; and

- A small correctional services department should be established and consideration should be given to building a small and secure correctional facility in Buka in the vicinity of the current Police Station.

---

39 See Chapter 3
40 Significant donor support would be required to build this establishment
Recommendation 4

Local communities must continue to be widely consulted and majority community support must be provided before policing can be re-established in communities on Bougainville.

The requirement to consult widely within and across communities on Bougainville as a prerequisite for the re-establishment of policing was a consistently raised theme during the interviews. The necessity for total community support was raised by a number of respondents and any re-established policing response on Bougainville will ultimately require a strong community mandate to function legitimately. Despite the cessation of hostilities and an ongoing peace process on Bougainville, suspicion of police and state run institutions continues to remain strong in many communities on the island. There are a number of areas on Bougainville that remain and will continue to remain for the foreseeable future, opposed to any government services including policing. The need for police cannot and should not be forced onto communities on Bougainville. Ultimately, villages and village leaders will need to accept that there is a need for law and order within their communities before any programs can be put in place to re-establish policing. Once there is an acceptance that policing is needed to assist their communities, the requirement for extensive and ongoing consultation becomes an important and essential prerequisite. As such the following should be instituted:

- The development of a Community Consultative Committee made up of police, community leaders and government officials with a responsibility to oversee and facilitate the re-establishment of policing in the community;
Where possible the recruitment and selection of police from the community as part of the Bougainville Police and the selection of police recruits should be overseen by the Community Consultative Committee; and

Education and awareness programs be conducted for the community and villages on the role of the Bougainville Police and in particularly how the police will operate within their communities.

RECOMMENDATIONS FOR THE SUSTAINABILITY OF POLICING ON BOUGAINVILLE

Four recommendations are identified for the sustainability of policing on Bougainville.

Recommendation 1 The Bougainville Autonomous Government should actively seek to further develop local business opportunities.

Recommendation 2 Localised education and training opportunities across Bougainville should be further strengthened and supported.

Recommendation 3 Support for existing government services should be strengthened on Bougainville.

Recommendation 4 The Bougainville Autonomous Government needs to significantly develop its capacity to manage and sustain current and future policing requirements on the island.

Recommendation 1

The Bougainville Autonomous Government should actively seek to further develop local business opportunities.

All infrastructure on Bougainville, including the provincial capital Arawa was essentially destroyed during the conflict. The mine and infrastructure associated with and around the mine was also destroyed. The large copra plantations are no longer a large scale commercial opportunity on the island as they were before the conflict.
Despite some recent limited comments on the possibility of the Panguna Mine re-opening there is very little likelihood of any large scale business development commencing on the island in the near future, if at all. Since the cessation of hostilities, some limited opportunities have been provided to Bougainvillean to start up small businesses and the Australian Government through AusAID has contributed funds for the development of agricultural income-generating opportunities. One of three broad objectives of AusAID's assistance to Bougainville 2004 to 2008 is to expand agricultural income generating opportunities. Other projects such as training women to run small businesses on Bougainville have also been undertaken. What became apparent during the interviews however is that more needs to be done.

Half of the respondents interviewed suggested that Bougainville and in particular the local government needed to actively support and assist to develop local businesses on the island to support the sustainability of policing on the island. The development of local self supporting businesses were seen as important to create local employment opportunities, give young males and females something to do, strengthening communities and provide some level of economic development on Bougainville.
It is not expected that any large scale business or economic development is likely to eventuate on Bougainville any time soon. However to support the development of local business opportunities on Bougainville the following is recommended:

- The Bougainville Autonomous Government should establish a local business development section/agency which will:
  - Work with local communities to identify and establish local businesses including developing small scale niche opportunities;
  - In consultation with the Papua New Guinea Government, assist locally developed businesses establish viable export markets; and
  - Where necessary facilitate aid funding assistance to establish identified viable local businesses.

- Aid agencies should consider providing the following support:
  - Strengthen technical assistance to the Bougainville Autonomous Government to establish a local business development agency/section within the administration; and
  - Strengthen funding to setup identified viable local businesses.
Recommendation 2

Localised education and training opportunities across Bougainville should be further strengthened and supported.

While there has certainly been major progress made with the development of schools and significantly more opportunities made available for young Bougainvilleans to attended schooling on the island, more needs to be done to provide opportunities for young male and female Bougainvilleans who have either left the schooling system or who have not received any type of education or training opportunities. The lack of available opportunities for young males and females to further their education or gain any long term meaningful employment is a recurring problem across the Pacific region.

The 15 to 29 year old demographic within the Pacific are becoming increasingly marginalised with very few opportunities for self development and very few state resources are provided to support this. Many of the young males are drawn to urban centres.

The challenges of identity, survival and livelihood facing these young people are broadly similar throughout the Pacific Islands. Official responses to this expanding and highly visible constituency have often consisted of representing it as a ‘youth problem’ and applying ‘law and order’ solutions, mainly in the form of reactive policing. Violent encounters between the police and youth have become commonplace in many of the larger urban centres. In practice, these often serve simply to aggravate underlying grievances and reinforce criminal or deviant identities (Dinnen, 2003:20).
The need to create education and training opportunities for young adults across Bougainville as a recommendation to support the sustainability of policing on the island is very much a manifestation of comments raised by the respondents. As with the previous recommendation, a number of respondents saw the need to create opportunities for Bougainvilleans to develop and strengthen their communities and society as a whole as important to the sustainability of policing.

Giving young people opportunities or more specifically something to do was seen by a number of respondents as necessary to support sustainability of policing on the island. The development of large scale training institutions are of course neither practical nor sustainable and consideration should be given to setting up and running small scale vocational and training institutions in a number of the larger regional centres on Bougainville. There are a number of smaller, localised, regional examples of ‘vocational’ type training institutions which would serve as suitable models for Bougainville. In developing these types of institutions the following is recommended:

- Significant consultation be undertaken with local villages and communities on the viability of setting up a small vocational training institution in their area.

41 For example Don Bosco Rural Training Centres in the Solomon Islands
42 Opportunities exist here to incorporate development for weapons disposal programs – See Recommendation 1 for the re-establishment of policing on Bougainville.
• The Bougainville Autonomous Government should work with regional non-government agencies and aid donors in the region to facilitate the development and running of vocational institutions in selected areas on the island\textsuperscript{43}; and

• Programs offered at the institutions should reflect identified skill and knowledge requirements needed to support community development. Programs offered should also reflect and support local business development on Bougainville\textsuperscript{42}.

**Recommendation 3**

**Support for existing government services should be strengthened on Bougainville.**

A number of respondents identified the requirement to significantly develop and deliver a full range of government services on Bougainville as a necessary condition for the sustainability of policing. From the interviews it appears that there has been an over emphasis on the development of policing at the expense of other government services most notably health and education. Some of respondents suggested during the interviews that more work in the provision of basic government services such as health and education is needed. Comments raised by the respondents suggested that by developing basic health and education services and affording people access to these may have the effect of empowering communities and help to consolidate developed policing within respective communities.

\footnote{\textsuperscript{43} Local regional non-government agencies are favored here as their involvement in the region tends to be more long term and offers a greater degree of long term sustainability than direct government aid projects, particularly ongoing operating costs. Many of the regional non-government organisations draw some of the funding from regional governments, most notably Australia and New Zealand.}

\footnote{\textsuperscript{42} See previous recommendation}
The Report of the International Commission on Intervention and State Sovereignty highlighted the importance of developing sustainable social and economic conditions and services for post-conflict societies (2001:42).

Additionally, the question of return sustainability – pivotal to ensuring the long-term success of repatriation – will need to be properly treated. Return sustainability is about creating the right social and economic conditions for returnees. It also includes access to health, education and basic services, and is linked to reform in other areas – eradicating corruption, promoting good governance, and long-term economic regeneration of the country (sic) (International Commission on Intervention and State Sovereignty, 2001:42).

The Bougainville Autonomous Government needs to continue to work extensively with regional aid donors, non-government organisations and the Papua New Guinea Government to develop and provide further cost effective health and education services. To support the further development of government services on Bougainville the following is recommended:

- Communities should be widely consulted on what type of government services are required within their communities;

- The re-establishment of policing within a community should be commensurate with the re-establishment of health and education services and neither should be undertaken in isolation;

- A greater degree of donor and government cooperation is needed on developing education and health services that best suit the conditions on Bougainville and are essentially sustainable after donor support is finished; and

- The Bougainville Autonomous Government and donor agencies should work with local appropriate local non-government agencies to continue to develop and deliver programs to assist ex combatants recover from the crisis including facilitating and conducting mediation and counseling programs.
Recommendation 4

The Bougainville Autonomous Government needs to significantly develop its capacity to manage and sustain current and future policing on the island.

It was abundantly clear throughout the interviews that a key condition for the sustainability of policing on Bougainville, is very much dependant on the level of support afforded from the Bougainville Autonomous Government. A number of comments raised during the interviews centred on the requirement for the Bougainville Autonomous Government to adequately fund and resource current and future policing on Bougainville. The policing development of Bougainville to date has largely been funded by the Australian and New Zealand Governments with some limited support provided by the Papua New Guinea Government.

Whilst international support for the development of policing in Bougainville after the cessation of hostilities was needed, there appears to be limited planning or indeed understanding on just how the Bougainville Autonomous Government will be able to sustain this policing development now or into the future. A number of conditions are contributing to this including:

- The absence of any long term strategic approach to policing on Bougainville;
- Policing developing assistance focusing on 2 to 5 year cycles;
- A lack of clear donor exit strategies;
- Lack of coherent and clear policy and funding arrangements between the Bougainville Autonomous Government and the Papua New Guinea Government;
- Limited donor and stakeholder coordination; and
- Continued reliance on donor support by the Bougainville Autonomous Government.
The provision of adequate funding to not only police but the whole of the criminal justice sector on Bougainville is of course a significant condition necessary for the ongoing sustainability of policing on the island. However, the capacity of post-conflict states to adequately support and most notably fund re-established policing is often limited. Some international experience has suggested that post-conflict states have incorporated various state and non-state policing organisations within a total law enforcement approach; more often than not as a low cost policing response. It is not recommended that the Bougainville Autonomous Government adopt this approach. It was suggested earlier that donors and in particular Australia and New Zealand will for the next few years at least, will need to continue to support current and future policing development on Bougainville.

Whilst such assistance should continue to focus on training and infrastructure support, consideration should also be given to providing assistance to the Bougainville Autonomous Government to improve its capacity to develop appropriate funding and revenue collection models and in the area of criminal justice sector policy development. Potential does exist however for such assistance to become open ended in the absence of clear exit strategies and realistic sustainability milestones being met on behalf of the Bougainville Autonomous Government.
To ensure this, the Bougainville Autonomous Government needs to significantly develop its capacity to sustainably manage current and future policing requirements on the island with a particular emphasis on developing the administrative and policy mechanisms that support policing on the island. In particular the following is recommended:

- The Bougainville Autonomous Government needs to become far more proactive in leading and facilitating donor coordination in respect of policing and justice sector development;

- The Bougainville Autonomous Government needs to work with donor partners and stakeholders to develop a long term strategic plan for policing development on the island that focuses on developing and appropriately funding a single, regular full time policing organisation;  

- The Bougainville Autonomous Government in consultation with the Papua New Guinea Government needs to develop a policy framework that sets out current and future funding arrangements for policing on the island; and

- The Bougainville Autonomous Government needs to work with donor partners and stakeholders to design a clear donor exit strategy including developing sustainability and funding milestones.

---

45 See Recommendation 2 - Recommendations for the Re-establishment of Policing on Bougainville
<table>
<thead>
<tr>
<th>PROCESS</th>
<th>RECOMMENDATION</th>
</tr>
</thead>
<tbody>
<tr>
<td>Re-</td>
<td></td>
</tr>
<tr>
<td>establishment</td>
<td>A weapons collection program should be re-established on Bougainville. Consideration should be given to establishing a weapons surrender program which provides development for surrender of firearms. A body should also be established within the Bougainville Autonomous Government that oversees and facilitates weapon collection programs.</td>
</tr>
<tr>
<td>The Bougainville Autonomous Government should consider developing only one form of policing on the island that focuses on a smaller group of highly trained regular officers with a capacity to move about the various communities on Bougainville. All donor support should focus on training and developing this smaller group of officers.</td>
<td></td>
</tr>
<tr>
<td>A total approach to criminal justice sector development should be further supported on Bougainville, with further assistance and funding provided to courts and correct services.</td>
<td></td>
</tr>
<tr>
<td>Local communities must continue to be widely consulted and majority community support must be provided before policing can be re-established in communities on Bougainville.</td>
<td></td>
</tr>
<tr>
<td>PROCESS</td>
<td>RECOMMENDATION</td>
</tr>
<tr>
<td>------------</td>
<td>-------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Sustainability</td>
<td>• The Bougainville Autonomous Government should actively seek to further develop local business opportunities.</td>
</tr>
<tr>
<td></td>
<td>• Localised education and training opportunities across Bougainville should be further strengthened and supported.</td>
</tr>
<tr>
<td></td>
<td>• Support for existing government services should be strengthened on Bougainville.</td>
</tr>
<tr>
<td></td>
<td>• The Bougainville Autonomous Government needs to significantly develop its capacity to manage and sustain current and future policing on the island.</td>
</tr>
</tbody>
</table>

*Source: Author*
CHAPTER 7 – CONCLUSION

This dissertation has been concerned with identifying the conditions necessary for the re-establishment and ongoing sustainability of policing on Bougainville. It became apparent in the early stages of this research that there was very little documented literature on post-conflict policing in the Pacific region generally or Melanesia specifically. In the absence of any substantive literature, it is important to ask those who have or are currently working on Bougainville in post-conflict development what they considered are the necessary conditions for the re-establishment and sustainability of policing on the island. In doing so this research used a phenomenological approach with sources of knowledge developed from respondent’s direct experiences. Those respondents interviewed for this research have a wealth of experience in post-conflict policing in Bougainville and in other national and international contexts.

Since 2003, there has been a significant policy change in the way aid is provided to policing in island countries. The traditional institutional strengthening projects usually undertaken by private contractors have in a number of instances been replaced by a more interventionist approach evidenced by RAMSI in the Solomon Islands and the Enhanced Cooperation Program in Papua New Guinea. Much of what has been undertaken in the region including the more interventionist approach has essentially be learnt by doing, a factor which is inherently risky and expensive. Questions certainly remain as to whether one particular model of post-conflict policing development can be transferred from one contextual setting and situation to another.
This research represents a first step toward a better understanding of the conditions needed for the re-establishment and ongoing sustainability of policing on Bougainville. The research also draws attention to the requirement for policy makers to better plan for sustainable social and economic development post conflict to support re-established systems of formal social control. The recommendations suggested in this dissertation for the re-establishment and sustainability of policing on Bougainville are not designed to identify the optimal model or approach for post-conflict policing development in the Pacific region generally and Melanesia specifically. The transferability of the recommendations to other post-conflict situations and contexts have not been considered and remains outside the scope of this research. This research has demonstrated that despite differing social, political and geographical settings in which Bougainville sits, a number of the conditions identified for the re-establishment of policing are consistent with international experience. The most important challenge in respect of policing on Bougainville is to ensure that a re-established policing response remains sustainable in the long term. This research has also demonstrated that sustainability of policing on Bougainville is very much dependant on the need to further strengthen and develop society and state. Further support to the Bougainville Autonomous Government to develop its capacity to fund and effectively manage existing and future policing requirements on the island is essential. Equally important is the requirement to provide Bougainvilleans with better education and training opportunities coupled with further support to existing government services.
REFERENCES


Abern, K.J., (1999), Qualitative Health Research, No. 9.


*Bougainville Peace Agreement, 30th August 2001.*


*Constitution of the Autonomous Region of Bougainville, 21st December 2004.*


Liria, Y. (1992), *Bougainville Campaign Diary*. 

165


Post Courier, 1st to 3rd September 2006.


