

Post-conflict Bougainville part 2: peace and safety visions and realities



PaCSIA Bougainville Transition Dialogues in Halia Constituency, Buka Island, 2024.

Photo Credit: Francis Semei

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17 February 2025

In the [first part](#) of this two-part series, we argued that while growing concerns with crime and lawlessness have led the Autonomous Bougainville Government (ABG) and other leaders to call for tougher policing and justice responses, there remains a critical need for continuing peacebuilding efforts. In this second part, we discuss the ABG's stated desire to develop truly autochthonous community and custom-based policing, justice and security post-conflict. We contrast this intent with what has actually happened, particularly in terms of policing, and what is being planned as part of a new local security and governance approach following the referendum in 2019.

Emerging from the Crisis, with its many complex legacies, Bougainville's leaders were intent on shaping a new social and political order rather than simply rebuilding what had existed before. The foundation documents of the Autonomous Region of Bougainville (ARB) envisaged a hybrid political order incorporating aspects of indigenous governance into the institutional framework and workings of the new polity. Customary authority and traditional leadership were acknowledged as local strengths to be drawn upon in building sustainable state structures as Bougainville moved forward.

The broad vision for future directions included more socially embedded approaches to policing and justice. By working closely with community leaders, village courts and local forms of governance and regulation, the police would become an integral part of the Bougainvillean system of justice based on *kastomary* practices of restorative justice. The desire for a different kind of policing was also an emphatic rejection of the reactive and militarised PNG policing style deemed responsible for unlawful killings and other [serious human rights abuses](#) during the Crisis.

Instead of a state-owned and state-driven police "force", the aspiration was for a police "service" owned jointly by state and local communities. As well as serving

state interests through upholding the rule of law, a jointly owned police service would support community leaders in routine dispute resolution, local order maintenance and peacebuilding. Shared ownership was seen as essential if communities were to perform their part in **collective responsibility** for ensuring peace and safety.

The re-named Bougainville Police Service (BPS) has not lived up to early hopes. This is, in part, because control over policing has not yet been fully transferred to the ABG. With its continuing dependence on the Royal Papua New Guinea Constabulary for support and direction, it is not surprising that the BPS continues to display many of the same shortcomings as policing elsewhere in PNG, including resourcing, capacity and disciplinary issues, limited effectiveness and low levels of public confidence.

By contrast, the Community Auxiliary Police (CAP), the establishment of which in 1998 heralded the return of policing to Bougainville following the Crisis, has fared better. While evaluations have documented familiar problems with the BPS, the CAP has received **positive appraisals** in terms of crime prevention, community engagement and interactions with women. As such, the CAP provides a closer fit to the policing approach linking *kastomary* and state-based orders envisioned in the foundation documents.

Following the overwhelming vote in favour of independence in the 2019 referendum, the ABG has been making preparations for its own **distinct law and justice system**. In accordance with the original post-Conflict vision, it will have a strong community justice orientation with **Community Courts**, drawing on *kastomary* forms of dispute resolution, playing a key role. As well as protecting individuals vulnerable to violence and abuse, community justice proceedings will aim to strengthen community relationships, take account of the social and historical background to disputes, and prevent conflict escalation. Community Courts will also assist compliance with rules made by the new **Community Governments**, which are intended to provide decentralised governance based on grassroots participation and self-sufficiency and are notable for their **gender parity provisions**.

A proposed part of the new system is the Bougainville Peace and Security Task Unit (BCPSTU). One of the authors (Dennis Kuiai) has been closely involved with this initiative, which aims to combine justice and peacebuilding. The BCPSTU is intended to give practical effect to shared responsibility and partnership between the ABG and local communities in maintaining peace and safety. It will comprise two persons – including at least one woman – in each of Bougainville's community government wards, recruited from ex-combatants, youth and other community members. Their role will be to assist community leaders and relevant state actors to

proactively address the conditions that give rise to social order problems and safety issues, as well as supporting conflict prevention and mitigation, and promoting community-based problem-solving consistent with legal and human rights provisions. The BCPSTU would be managed by the ABG Department of Law and Justice through its Directorate of Community Peace and Security.

According to Dennis Kuiai, the initiative will nurture ownership and responsibility among communities in relation to maintaining peace and safety. Given mobility and responsiveness issues with the police, the BCPSTU would enable more immediate reactions to harmful and disruptive incidents and help prevent conflict and escalation. This might include responding to a sorcery rumour or a minor land dispute that could lead to violence and serious disorder if left unattended. It is also intended to clarify referral pathways for different problems by directing parties to appropriate persons or organisations, such as traditional leaders, the police, Community Court, an NGO or a safe house. More than one pathway may be needed in some cases. For example, while an alleged perpetrator of sorcery-related violence is referred to the police, community divisions arising from the same case can be directed to traditional leaders for more restorative resolution. Combining different pathways can serve the needs of both state and community: serious offenders are held accountable, while traditional reconciliation practices restore harmony in communities.

The BCPTSU is also a way to utilise Bougainville's wealth of trained and experienced peacebuilders; a major local resource that has been neglected by the ABG in recent times. This would include drawing on the expertise and standing of ex-combatants like Chris Ume who want to help build the new Bougainville. If implemented, the BCPTU would employ almost 1,000 Bougainvilleans and provide further economic opportunities. Recruiting ex-combatants in this role would also help ongoing [ABG efforts to reintegrate them](#) back into society.

These new reforms reflect a vision of collective responsibility for peace and safety involving both state and community, as well as the continuing need to deal with the legacies of the Crisis. However, significant practical and other challenges remain. The ABG's attention has shifted away from peacebuilding in recent years as more pressing priorities have emerged, including addressing [law and order problems](#) and advancing the post-referendum independence agenda. Our brief historical exploration demonstrates the difficulties in implementing the indigenous Bougainville vision for re-imagining policing and justice. Punitive policing remains resilient because it is populist. Countering it is an embryonic system of community governance that – unlike the PNG police – is intentionally feminised. The longer-term challenge for reformers like Kuiai is how to make community governments and community policing reinforce each other, so there is a positive feedback loop of

deliberative democracy driving more deliberative justice.

*This two-part blog series was first published as an **In Brief publication** by the ANU Department of Pacific Affairs. Read **Part 1**.*

Disclosures:

This research was supported by the Pacific Research Program, with funding from the Department of Foreign Affairs and Trade. The views are of the authors only.

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