

10 November 2015

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Dear Marcus Boomen

I refer to your email of 17 September 2015 requesting the following under the Official Information Act 1982 (OIA):

"...I would like to ask for information on the Kangu beach massacre in 1996 during the Bougainville civil war.

Additionally I would like information on the assassination of Theodore Miriung, specifically a copy of the report by Justice Thrunavukkarasu Suntheralingham made on behalf of the Commonwealth Secretariat..."

Please find attached the documents relating to your request. Some material has been withheld under the following sections of the OIA.

- Section 6(a): to avoid prejudicing the international relations of the New Zealand government;
- Section 6(b)(i): to avoid prejudicing the entrusting of information to the New Zealand government on a basis of confidence by the Government of any other country;
- Section 6(b)(ii): to avoid prejudicing the entrusting of information to the New Zealand government on a basis of confidence by any international organisation;
- Section 9(2)(a): to protect the privacy of natural persons; and
- Section 9(2)(g)(i): to maintain the free and frank expression of opinions by or between or to Ministers of the Crown or members of an organisation in the course of their duty.

Where the information has been withheld under section 9 of the OIA, no public interest in releasing the withheld information has been identified that would be sufficient to override the reasons for withholding it.

We are also withholding in full 19 documents relevant to your request under sections 6(a); 6(b)(i) and 6(b)(ii) of the OIA.

You have the right under section 28(3) of the OIA to seek a review of this response by the Ombudsman.

Yours sincerely

A handwritten signature in black ink, appearing to read 'J Johnston', written in a cursive style.

Joana Johnston
for Secretary of Foreign Affairs and Trade



file
309/4/15

309/4/15

South Pacific Division
Fax No: (04) 494-8521

FACSIMILE MESSAGE

DATE: 12 September 1996
TO: PORT MORESBY
CANBERRA
PRECEDENCE: Routine
FROM: s 9(2)(a) **CHARGE CODE:** SPA
MFAT: SPA **PAGE 1 OF:** 2
SUBJ: BOUGAINVILLE

Thanks to Port Moresby for your C02115, and to Canberra for faxes received today. We attach a transcript from Asia Pacific news of this morning for your information. The issue is not yet widely reported here.

Document 2

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NEWZTEL NEWS: RNZ "ASIA & PACIFIC NEWS"

THURSDAY 12 SEPTEMBER 1996

PRESENTER: THE PREMIER OF THE PAPUA NEW GUINEA ISLAND OF BOUGAINVILLE, THEODORE MIRIAN (PHON), IS DENYING THAT HE'S BEEN PLACED UNDER MILITARY SUPERVISION AND HAD HIS MOVEMENTS RESTRICTED. EARLIER REPORTS FROM PNG SAID THE RESTRICTIONS ON MR MIRIAN WERE ORDERED BY DEFENCE MINISTER MATAIA AJAPE (PHON) BUT THE PREMIER SAYS NO ACTION HAS ACTUALLY BEEN TAKEN BY SOLDIERS. MR AJAPE REPORTEDLY HOLDS MR MIRIAN RESPONSIBLE FOR THE ATTACK ON PNG SOLDIERS BY 200 TO 2900 BOUGAINVILLE REBELS AT KANGU BEACH IN WHICH AS MANY AS 25 SOLDIERS WERE REPORTED KILLED. MR MIRIAN SAYS HOWEVER THE ATTACK AT KANGU WAS THE RESULT OF MISGUIDED ACTIONS BY THE DEFENCE FORCES WHO MOVED 1000 CIVILIANS TO THE AREA DESPITE ITS LACK OF FACILITIES.

THEODORE MIRIAN, BOUGAINVILLE PREMIER: THE SENIOR DEFENCE FORCE.... MISADVISING THE MINISTER. IT IS THEIR BAD PLAN WHICH IS HAVING A CONTRARY EFFECT. WE WERE ADVISED BY THEM THAT WE DID NOT WANT THIS..... WORDS UNCLEAR..... MOVED WITHOUT PROPER PLANNING.

PRESENTER: BOUGAINVILLE PREMIER THEODORE MIRIAN. MEANWHILE THE ANNUAL AUSTRALIA/PNG MINISTERIAL MEETING HELD IN ADELAIDE TODAY AND WILL DISCUSS THE SITUATION IN BOUGAINVILLE. AUSTRALIA'S FOREIGN MINISTER, ALEXANDER DOWNER, SAID THE MEETING HIGHLIGHTS THE NEED FOR A PEACEFUL SETTLEMENT TO THE BOUGAINVILLE PROBLEMS. MR DOWNER WILL MEET HIS PNG COUNTERPART, KALISA KALISA, WHO WILL DISCUSS THE PROBLEMS.

ENDS

309/4/15

PRESENTER: THE MILITARY COMMANDER ON THE PAPUA NEW GUINEA ISLAND OF BOUGAINVILLE SAYS HE'S IGNORING AN ORDER BY THE DEFENCE MINISTER TO PLACE THE PREMIER UNDER SURVEILLANCE AND RESTRICT HIS MOVEMENTS. DEFENCE MINISTER MATAIA AJAPE (PHON) ISSUED THE ORDER TO PUT THEODORE MIRIONG (PHON) UNDER ARMY SURVEILLANCE IN THE WAKE OF A REBEL ATTACK WHICH HE BLAMES MR MIRIONG FOR. BUT AS THE "POST COURIER" NEWSPAPER'S BOUGAINVILLE CORRESPONDENT PETER NIESI REPORTS, THE LOCAL COMMANDER SAYS HE HAS NO INTENTION OF FOLLOWING THE ORDER.

CORRESPONDENT: LIEUTENANT-COLONEL (NAME UNCLEAR) SAID TO ME YESTERDAY - I'VE GOT GOOD CORDIAL WORKING RELATIONSHIP WITH THE PREMIER AND BASICALLY I WANTED TO STAY THAT WAY. I ASKED HIM THAT YESTERDAY BECAUSE I.... AWARE THAT THIS WAS GOING TO LOOK PRETTY BAD ON THEM..... I ASKED LIEUTENANT-COLONEL (NAME UNCLEAR)... I SAID SURE YOU WANT ME TO PUT THAT AS AN OFFICIAL QUOTE FROM YOU? AND HE SAID - OH, YES, MY CHIEF OF STAFF IS AWARE THAT YOU ARE HERE AND WE'RE TALKING, SO GO AHEAD, PUT ME ON RECORD.

ENDS

MEDIA RELEASE

MINISTER FOR FOREIGN AFFAIRS
ALEXANDER DOWNER



309/4/15

FA93

11 SEPTEMBER 1996

BOUGAINVILLE: BOUGAINVILLE REVOLUTIONARY ARMY (BRA) ATTACK

I deeply regret the loss of life from the recent attack by the Bougainville Revolutionary Army (BRA) on a PNG Defence Force outpost at Kangu Beach in Southern Bougainville, and wish to extend the condolences of the Australian Government and of those of the Australian people to the families of those involved.

There are conflicting reports about what may have occurred and the number of casualties, and I have asked Australian High Commission officials in Port Moresby to establish a more accurate picture through contact with the appropriate authorities.

The Australian Government condemns the BRA attack. The BRA's refusal to turn away from violence has always been a major stumbling block to any chance of a peaceful settlement, and this latest attack has resulted in a further tragic waste of life.

Kangu Beach is an important point for the drop off of stores and emergency assistance for the Care Centre and civilian population in Southern Bougainville. This latest outrage will once again disrupt the lives of many innocent Bougainvilleans.

This sad development underlines the need for a peaceful resolution of the Bougainville conflict. The Australian Government believes that peace can only be brought about through a process of negotiation. I call on all parties to the conflict to exercise restraint. Australia stands ready to assist any reasonable initiative for a political settlement, should that assistance be sought by parties to the conflict on Bougainville.

For further information contact,

s 9 (2) (a)

OFFICIAL INFORMATION ACT



NEW ZEALAND PERMANENT MISSION & CONSULATE-GENERAL

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File Ref: 30/3/4/10

FACSIMILE MESSAGE

DATE:	13 March 1997	FAX NO:	special
TO:	WELLINGTON	PRECEDENCE:	Priority
CC:	PORT MORESBY	FAX NO:	special
FROM:	s 9(2)(a)	PRECEDENCE:	Routine
MF AT:	HRU, LGL, MEA, SPA, UNC, DSP3	CHARGE CODE:	GVA
SUBJ:	CHR53: ITEM 10: BOUGAINVILLE/NIGERIA BRIEFING	PAGE 1 OF:	14

Our accompanying message refers.

s (a)(2)(a)

for Permanent Representative

Document 6

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RELEASED UNDER THE OFFICIAL INFORMATION ACT

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3RD SESSION OF THE COMMISSION ON HUMAN RIGHTS, GENEVA,
MARCH 1997

**- BRIEF ON THE SITUATION IN BOUGAINVILLE BY MARTIN MIRIORI
SECRETARY OF THE BOUGAINVILLE INTERIM GOVERNMENT**

Bougainville was first known to the Western influence when it was sighted by the French explorer named Louise de Bougainville in 1768. It is just to the north-east of Australia at the western tip of Solomon Islands. About 200,000 people live on the island.

Bougainville is mountainous, rugged and covered with dense rain forest. It is very rich with mineral deposits. Until the war broke out in 1988 Bougainville, largely through its one of the largest open-cut copper mine in the world accounted for almost 45% of all Papua New Guinea's export earnings. Total export earning from this mine over the 17 year period from 1972-1989 amounted to about US\$6 billion. An additional 500 million tonnes of ore-reserves were still remaining when the mine was forced to close by landowners.

Our current problems arise from the fact that after Bougainville was separated from the rest Solomon Islands in an agreement between Germany and Great Britain in a land deal which involved parts of Western Samoa and West Africa in 1896. My people at the time had no say on this demarkation.

Following the First World War in 1918, Bougainville and her peoples fell under a League of Nations mandate and were administered by Australia, along with the other territories known as Papua and New Guinea.

In the Second World War Bougainville was occupied first by the Japanese, and then the Americans.

In 1947 we became a United Nations Trust Territory still administered by Australia. Since 1947 Bougainvilleans objected strongly to this forced alignment with what is today known as the Independent State of Papua New Guinea. We are, ethnically, culturally and geographically a Solomon Island people with no traditional connections with the Papua New Guinea people.

In 1960 there was a discovery of rich mineral deposits, namely copper, gold and silver, on the island which led to the forced eviction of the indigenous resource owners from their traditional land by the colonial Australian Administration.

In 1962 the special United Nations visiting mission came to Bougainville and was petitioned by our people that Bougainville's mandate as a trust territory should be transferred from Australia and given to the United States of America. This was rejected.

In 1966 Bougainvilleans were forced to accept the opening of the Con-Zinc Rio Tinto of Australia (CRA) mine in the heart of the island in Central Bougainville. At this time self government for Papua New Guinea was advanced, and again Bougainvilleans reiterated their right to self determination as separate from Papua New Guinea, either to return to Solomon Islands or to stand alone.

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On 1st September 1975, Bougainvilleans for the first time had openly expressed their desire for self rule, separate from PNG with the first unilateral declaration of independence. This was two weeks before PNG was given its independence by Australia on 16 September 1975.

By 1988 it had become increasingly clear that all the profits of the mining activities were benefiting the government of Papua New Guinea and not the people of Bougainville. Moreover, the Con-Zinc Rio Tinto of Australia (CRA) owned mining operation caused very serious damage to the environment on Bougainville. The traditional Bougainville landowners, led by Francis Ona, closed the mine and demanded that contracts re-negotiated. Desperate to re-open the mine, PNG sent in the Riot Squad and then the army in an attempt to crush Ona and the others. The violence escalated to the point of war: between 1989 and 1990 over 6,000 village homes were destroyed by PNG, resulting in the displacement of 24,000 people from their homes. The Bougainvilleans then decided to organise themselves into small militant groups to defend the people against the PNG military brutality. It was from these groups that the Bougainville Revolutionary Army (BRA) was born.

In the process, innocent civilians were attacked, tortured and killed by the PNG army, which routinely burnt villages in an attempt to flush out the BRA. These abuses made Bougainvilleans turn massively against PNG and the fight to close the mine grew into a struggle for self-determination and for indigenous control over the land. The situation since then simply turned out into the most violent conflict and bloodiest war since WWII in the region.

On 14th February 1990, Saint Valentine's Day a senior United Church minister and six other members of his congregation were brutally murdered by the PNG troops who later dumped the bodies at sea using the Australian supplied helicopter.¹

Defeated, the PNG army left Bougainville and imposed a blockade on the island in April 1990. On May 17, 1990 Bougainville made its second declaration of its independence from PNG and established the Bougainville Interim Government (BIG). The PNG Government rejected this declaration and immediately cut all telecommunication links with the island. On May 18, 1990 the PNG Government formally announced a complete economic and communications blockade on the island, although this had already been in effect for some weeks.

In September 1990, the PNG army seeking to take advantage of the hardships caused by the blockade, re-invaded Buka Island in the North of Bougainville in April 1991. The PNG army used Iroquois helicopters, mortars, bombs and arms and ammunition provided by the Australia. The army attacked towns and villages, rendering over 10,000 people homeless. The blockade, which continued, caused a chronic shortage of medical supplies and fuel. Thousands of people died as a result of these shortages. Others died or were injured as a result of human rights abuses including extra judicial killings, torture and rape.

¹ ABC The Four Corner Documentary - June 1991

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in January 1991, on Buka Island twenty two young Bougainvilleans suspected of being members of the Bougainville Revolutionary Army (BRA) were ordered by the PNG troops to dig their own mass grave before they were all shot and buried there.² It is alleged that in 1994 PNG decided to construct a new Police station on top of this mass grave, an attempt to conceal the truth of being investigated in the near future.

On 18th May 1991, PNG soldiers walked into several villages in the hills of Wakunai area and massacred several dozen civilians including women and children while the people rested following several days of celebrations to observe the first anniversary of Bougainville's unilateral declaration of independence the previous day on the 17th.

In February 1992, PNG security forces crossed into neighbouring Solomon Islands territory and blew up a fuel depot, and also killed 2 of their citizens in the Shortlands Islands.

Today after nine years of conflict, the blockade has so far known to have already claimed lives of more than 12,000 people, representing almost 10% of the total population, majority of whom innocent civilians died from preventable or curable diseases.³

The blockade also aims to stop word of plight of Bougainvillean people from getting out. To ensure that this is achieved, PNG continues to restrict the freedom of movement of those Bougainvilleans who are firmly committed to fight for the rights of their own people. This is being done through cancellation of passports by PNG Government and also putting pressure on both Australia and New Zealand to refuse granting of transit visas to the Bougainville campaigners to go overseas.

Amnesty International, church groups, UN Human Rights Special Rapporteur, International Red Cross, NGOs and the media have been stopped from investigating and reporting the situation on the island.

In August 1990, the first face to face meeting facilitated by the New Zealand Government and observed by Canada, Great Britain and Vanuatu between Bougainville, represented by BIG/BRA, and the PNG Government took place, opening a process of talks between the two parties. In 1991, humanitarian aid was sent to Bougainville despite PNG's protest, but it was difficult to sustain any such assistance.

In January 1991, the second major peace talks were held between BIG/BRA and PNG Government which were facilitated and observed by the Solomon Islands Government in the nation's capital, Honiara.

On September 8 1994, further negotiations led to the signing of the Cease-fire Agreement and the Implementation Instrument by representatives of the BRA, the BIG, PNG and Solomon Islands. Attempts for peace talks in Arawa in October 1994 failed. The meeting was boycotted by the BIG/BRA leadership, because security of their representatives were not guaranteed.

² ABC The Four Corner Documentary - June 1991

³ Sydney Morning Herald (Australia) - 13 July 1996

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In May 1995, peace talks were again scheduled to be held in Brisbane. They were cancelled after Australia was again pressured to refuse the granting of visa to the BIG representatives to attend the talks. In September 1995 representatives of BIG and Bougainville Transitional Government (BTG) met in Cairns, Australia, where informal agreement was reached on steps to resolve the conflict through peaceful means.

In December 1995, PNG allowed all Bougainville leaders to meet in Cairns, Australia. These peace talks were held with BIG/BRA, BTG and other factions which were co-chaired and observed by the representatives of the United Nations and the Commonwealth Secretariat. This was the first time that all groups in Bougainville were allowed to meet without PNG presence.

However, when PNG heard that all leaders had agreed to further meetings with continuous involvement of the international community, and that the issue of self-determination had been mentioned, it even lost trust in its own created BTG. PNG feared that its divide and conquer strategy was being undone, and that it could lose control if all Bougainville leaders became united on a course to peace which was not of PNG's determination.

On 3 January 1996, while returning to Bougainville via Solomon Islands, the BIG/BRA peace mission was ambushed and attacked by helicopter, boat and PNG troops.⁴

On 25 January 1996, 17 PNG soldiers walked into Simbo village in South Bougainville and shot 12 people dead. A mother and her 8 month old baby were massacred along with children from 18 months to 9 years old.

On 1st February 1996, the BIG Office and the residence at Honiara in Solomon Islands were fire-bombed by suspected PNG terrorists and their supporters.⁵

On 21st March 1996, the PNG Prime Minister Sir Julius Chan formally lifted the cease-fire agreement of 1994 and severed all dialogue with the BIG and BRA, thus cancelling all hopes for any future possible negotiations.⁶

At the same time, PNG declared BRA as criminals and targeted all BIG and BRA leaders and supporters saying **your darkest hour has come, wherever you are at home or abroad, we will pursue you.**⁶

In April 1996, the UNHCR much to PNG's displeasure co-ordinated emergency political asylum for BIG Secretary Mr Martin Miriori and his family to the Netherlands. UNPO is now working closely with Mr Miriori to continue to address the situation in Bougainville with some international assistance through dialogue and possible resumption of peace negotiations with PNG urgently.

⁴ Report of the UN Secretary General - 16 April 1996

⁵ Solomon Star - 2 February 1996

⁶ Post Courier (PNG) - 22 March 1996

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In June some 1500 PNG troops, the biggest contingent ever assembled in 8 years, were in place and given the orders to launch a major military offensive to flush out the BRA and their supporters.⁷ Ten million Australian dollars was invested in this operation, and five weeks later PNG troops were defeated at all fronts by the BRA. 500 troops were immediately withdrawn to PNG after this operation had failed.

On 19th June 1996, 8 reformed former BRA members in North West Bougainville were tricked and disarmed, only to be shot dead in cold blood in front of all the people at the care centre by members of the PNG security forces.⁸

After defeating all that PNG could throw at them in an effort to get the FIG and BRA leadership, BRA said "we never threatened the life of PNG leaders anywhere, enough is enough, no more talks and no more cease-fires. Not until the remaining PNG army leave Bougainville, and also that the international community is invited to fully participate will there be talks, and only on full recognition by PNG of the fundamental right of the people of Bougainville to self determination".

On 9 July 1996, a family of four including their two young children aged 12 (son) and 9 (daughter) were killed when a mortar bomb fired by the PNG troops landed and destroyed their house near the old Aropa international airport in Central Bougainville.⁹

Also during the major military offensive in 1996, PNG army set up concentration camps which are called care centres. These camps forced some 67,000 people in 45 different camps throughout the island who were forced to pack in like sardines.¹⁰ That was 30,000 more than in 1995. With inadequate supply of food, clothing and medicines the general conditions in these camps are a total human disaster for the Bougainvillean population. There is no freedom and often these camps are used by the PNG military to take revenge on the unarmed civilian population for their fallen comrades in the jungle. The PNG army also commonly use these camps to sexually abuse Bougainvillean women.

In August 1996, the late Premier of the PNG created BTG expressed anguish and frustration at what is going on, and said that the fact that the people are talking about independence shows the people are not happy with the situation on Bougainville, and that something was definitely wrong. He was put under house arrest by the PNG military on orders from the Government for making this statement and advocating referendum for Bougainville.¹¹ He was threatened to be removed from Office, suspecting and blaming him of being a sympathiser and supporter of independence.

⁷ The Sydney Morning Herald - 4 July 1996

⁸ Post Courier (PNG) - 24 June 1996

⁹ The National/Post Courier (PNG) - 15 July 1996

¹⁰ The Pacific News Bulletin - August 1996

¹¹ The Sydney Morning Herald - 26 June 1996

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On 8 September 1996, BRA forces and pro PNG Bougainville resistance fighters frustrated and angered by the behaviour and mistreatment of the local population by PNG troops, particularly sexual harassment and abuse of women at the care centre joined forces and over-ran the PNG army camp at Kangu Beach in South Bougainville and killed 13 soldiers, and also captured 5 others. A total number of 25 high powered weapons were also captured by BRA.¹² This is of course nothing to boast about. But it helps to highlight two important points. First, even the PNG military controlled so called "care centres" are not considered safe by our people. Second, the longer the conflict is allowed to continue, the more complex it becomes, as more weapons continue to be captured by the BRA.

On 12 October 1996, the PNG security forces assassinated their own PNG Government appointed Premier of the Bougainville Transitional Government late Mr Theodore Miriung in cold blood right in front of his family while having his meal. A coronial inquest into the assassination of late BTG Premier by the retired Sri Lanka Judge appointed by the Commonwealth Secretariat at the request of the PNG Government confirmed that from the evidence he gathered, it was clear that about 10 soldiers along with their resistance counterparts carried out the murder.¹³

On 26 November 1996, PNG troops raided a village in Siwai, South Bougainville with high powered weapons and either killed or wounded 22 people mostly women and children.

On 28 November 1996, in the most recent series of killing of civilians by PNG troops and the Government backed paramilitary resistance forces, eleven civilians were reportedly killed and five wounded in a mortar attack by the security forces on a church in South Bougainville. Surgeons treating the wounded who escaped by canoe to the neighbouring Solomon Islands removed shrapnel from all five victims and said their injuries were consistent with a mortar attack.¹⁴

On 1 December 1996, PNG security force members were reported to have again attacked five villages in Siwai, South Bougainville with high powered weapons including sub-machine guns.

Dr Herman Oberli, a Swiss surgeon in Honiara Central Hospital in Solomon Islands confirmed that Bougainvilleans fleeing from PNG forces have been killed and wounded by internationally-banned dumdum bullets.¹⁵

Following this sharp deterioration of the situation, Amnesty International has accused the Papua New Guinea Government of remaining silent while more civilians on Bougainville were reportedly killed by its security forces.

Human rights organisation, Amnesty International, made the accusation saying serious human rights violations on the island have yet again been met with a resounding silence from the PNG Government.

¹² The Sydney Morning Herald - 25 October 1996
¹³ The Sydney Morning Herald - Correspondent Lucy Palmer (Port Moresby) - 30 November 1996
¹⁴ The Australian - Correspondent Mary-Louise O'Callaghan (Honiara) - 13 December 1996
¹⁵ South Pacific correspondent Mary-Louise O'Callaghan (Honiara) - 6 December 1996

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The government has consistently failed to respond adequately to killings, disappearances and torture by its security forces since the nine-year old conflict began in 1988.

"This lack of action has allowed the security forces to continue committing grave human rights violations in the knowledge that they are unlikely to be held accountable for their actions", Amnesty said in a statement.

The human rights organisation said that defence force commander's comments on the island over the incident gave no commitment that the incident would be investigated, and there does not appear to have been any reaction yet from the Government.

It added that verification of the exact circumstances of the attack has been hampered by lack of access for independent observers.

"Unless the authorities allow access to Bougainville for independent human rights observers, and unless mechanisms are set up for investigating any allegations of violations and holding those responsible to account, the people of Bougainville will continue to be defenceless against further killing and ill-treatment"¹⁶, Amnesty said.

It said throughout the conflict, human rights violations by the security forces and BRA have been facilitated by the lack of international and domestic scrutiny, as journalists and human rights monitors were continuously barred from the island by PNG authorities.

The human rights organisation said the ban remained in place despite recommendations from the United Nations' Special Rapporteur on extra-judicial, summary or arbitrary executions for greater access to the island.

Between June and December 1996, PNG troops violated Solomon Islands territory 18 times, which Solomon Islands has already officially condemned and protested to Papua New Guinea Government against these serious border incursions. The border violations have continued to cause tensions and serious threat to peace and security in the region.¹⁷

Meanwhile, Solomon Islands Prime Minister has expressed bitter concerns against United Nations and the Commonwealth for not responding positively to Solomon Islands' calls for assistance towards refugees from Bougainville.

The Prime Minister has complained bitterly against Australia and New Zealand for ignoring the plight of Bougainville refugees, which he said was a humanitarian issue. He told this in parliament saying that there were currently more than 2,000 Bougainvillean refugees in Solomon Islands, and caring for them was a big burden on the small Solomon Islands economy.

The Prime Minister said that Solomon Islands had so far spent more than US\$20 million as a result of the Bougainville crisis.

¹⁶ The Solomon Star - 11 December 1996
¹⁷ RNZI/Pacnews - 2 July 1996

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He questioned how genuine Australia and New Zealand were in talking so much about human rights issues at the United Nations and Commonwealth forums when they could not help with Bougainville's big humanitarian problem at their own very doorsteps in the region.

The Prime Minister said Australia and New Zealand with their much bigger economies and better health and education facilities, should also be accepting refugees from Bougainville.

He said that since the United Nations and Commonwealth, as well as Australia, New Zealand and other South Pacific countries have closed their eyes on Bougainville humanitarian issues, Solomon Islands had to assist the refugees alone.¹⁸

The latest most disturbing and unprecedented development that we know is of course the hiring and introduction of the South African based foreign mercenaries known as the Executive Outcome into the South Pacific region by PNG to launch another major offensive against the population of Bougainville. Similar to the Nuclear Free Pacific policy, our people in the region certainly do not welcome this move by PNG to invite these "soldiers of fortune" to promote its continuing military agenda on Bougainville. However despite the current mounting pressure from the international community, present indications are that PNG is still determined to carry out its "quick fixed" military solution using these mercenaries which will only help to further escalate the present situation on the island.¹⁹

The present struggle by Bougainvilleans is simply about protecting their basic rights including land, environment, culture and the peoples political rights to self determination, given its roots and the past history of the conflict.

Both Australia and PNG have economic interest on Bougainville. They want to reopen the Con-Zinc Rio Tinto of Australia (CRA) copper mine at Panguna in Central Bougainville which was indeed the most profitable mine for the company in the world before the war started. It was a real bonanza for the English and Australian owners and a real burden, the cause of landlessness, poverty and hunger for the majority of Bougainvilleans, giving very little return for their hardships. The people of Bougainville opposed to the way the mine was being developed right from the start in the 60s. Over the last 30 years every effort to negotiate an equitable agreement, every compromise offered, every protest was always violently suppressed.

Indigenous landowners, mainly women lay down with their babies in front of bulldozers in the 1960s in an attempt to stop mining on their land. They were beaten with long batons and gassed by Australian colonial police.²⁰ This was a classic example of real exploitation of the indigenous people by foreigners who could not even care less about the basic rights of the people of Bougainville.

¹⁸ The Solomon Citizen - 6 December 1996

¹⁹ Current Media Reports - February-March 1997

²⁰ Hell In The Pacific Documentary - 1992

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Bougainville became a member of UNPO in August 1991 and is represented by the Bougainville Interim Government (BIG). Since then BIG representatives have been very active in seeking and obtaining United Nations action to end the conflict. The UN Commission on Human Rights and the Sub-Commission on the Prevention of Discrimination and Protection of Minorities passed resolutions in 1992, 1993, 1994 and 1995 condemning human rights violations and calling for the resumption of the peace talks to resolve the Bougainville conflict. The resolutions resulted in the involvement of the UN Secretary General, who sent a special envoy to Papua New Guinea and Bougainville to promote a peace process.

The position of the Bougainville Interim Government is that the people of Bougainville have the right to self-determination. The Government believes that differences among Bougainvilleans are largely fabricated by the PNG Government in an effort to create and promote divisions among Bougainville people on this issue. It has stated repeatedly that a solution must be found to the conflict by peaceful means through negotiations with the PNG Government, but under the close scrutiny from the representatives of the international community who must supervise and observe the peace process and its final outcome. In this way the people of Bougainville can therefore hope to achieve a guarantee of maximum success and international protection and legality concerning their basic and fundamental rights in determining their own future.

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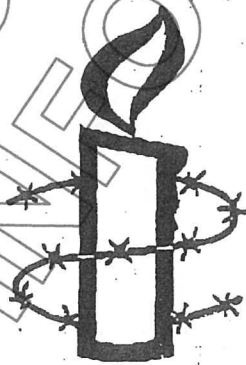
RELEASSED UNDER OFFICIAL INFORMATION ACT

[EMBARGOED FOR: 8 March 1997]

amnesty international

PAPUA NEW GUINEA

Open letter to Prime Minister
Sir Julius Chan



8 March 1997
AI Index: ASA 34/04/97
Distr: SC/CC/CO

INTERNATIONAL SECRETARIAT, 1 EASTON STREET, LONDON WC1X 8DJ, UNITED KINGDOM

12/14

[REDACTED] BARGOED FOR: 8 March 1997]

amnesty international

PAPUA NEW GUINEA Open letter to Prime Minister Sir Julius Chan

8 March 1997

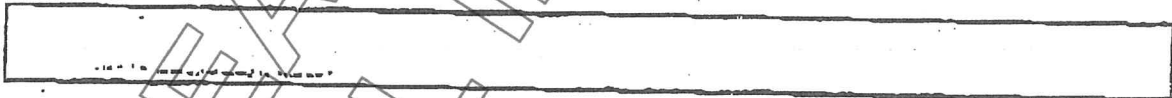
SUMMARY

AI INDEX: ASA 34/04/97
DISTR: SC/CC/CO

On 7 March, Amnesty International wrote an open letter to the Papua New Guinea (PNG) Prime Minister, Sir Julius Chan expressing serious concern about the use of foreign military personnel in support of the PNG Defence Force operations on Bougainville.

In the open letter, signed by Amnesty International's Secretary General, Pierre Sané, the organization stated that it considered that the use of foreign military personnel in support of PNGDF operations on Bougainville could contribute to further human rights violations. In the letter, Amnesty International reminded the Prime Minister of its 26 February 1997 report which documented 44 unlawful killings and "disappearances" by the security forces on Bougainville in 1996 alone.

Amnesty International believes that what Bougainville needs is human rights monitors and not mercenaries. The organization is calling on the PNG Government to implement the recommendations made in Amnesty International's report and those made by UN human rights bodies and experts, which could end the cycle of human rights violations on Bougainville.



This page summarizes a two-page document (690 words), : PAPUA NEW GUINEA: Open letter to Prime Minister Sir Julius Chan (AI Index: ASA 34/04/97) issued by Amnesty International on 8 March 1997. Anyone wishing further details or to take action on this issue should consult the full document.

INTERNATIONAL SECRETARIAT, 1 EASTON STREET, LONDON WC1X 8DJ, UNITED KINGDOM

OFFICE

13/14

PAPUA NEW GUINEA

Open letter to Prime Minister Sir Julius Chan concerning the recruitment of foreign military personnel for Bougainville

Dear Prime Minister,

Amnesty International is seriously concerned about the use of foreign private military personnel in support of the Papua New Guinea Defence Force (PNGDF) operations on Bougainville, a move which could contribute to further human rights violations.

Amnesty International understands that your government has entered into an agreement with Sandlines International to provide military training, expertise, advice and equipment for operations on Bougainville and that 40 foreigners, subcontracted by Sandlines International through Executive Outcomes, an organization which engages in mercenary-like activities, are already in PNG training the PNGDF Special Forces.

Amnesty International opposes all military, security and police transfers, including transfers of personnel, which contribute to human rights violations. Amnesty International believes that the use of foreign military personnel in support of the PNGDF on Bougainville could contribute further to an already serious human rights situation. What Bougainville needs is human rights monitors, not mercenaries.

You will by now have received a major report Amnesty International released on 26 February 1997 documenting serious human rights violations on Bougainville by members of the PNG Defence Force and the government-backed paramilitary Resistance Forces, as well as abuses by the Bougainville Revolutionary Army (BRA).¹ In 1996 alone, Amnesty International documented at least 44 unlawful killings and "disappearances" by the security forces on Bougainville.

PNG's military and political leadership have been unwilling to hold members of the PNGDF and the Resistance Forces to account for their involvement in human rights violations on Bougainville. This lack of accountability is one of the major contributing factors to these continuing atrocities and has been exacerbated by problems of discipline and chains of command.

Mercenaries operate outside the normal criminal justice system and on the fringes of military command structures. If human rights violations result from their deployment it is much harder to hold them to account than regular members of a country's security force, not least because such personnel can leave the country at any time and thus escape any

¹ Papua New Guinea: Bougainville: The Forgotten Human Rights Tragedy, 26 February 1997.
AI Index ASA 34/01/97.

14/11
accountability. The problems of Bougainville show that the PNG Government must move to strengthen discipline and accountability for forces deployed on the island, not undermine it further by the possible deployment of foreign private military personnel.

Throughout the Bougainville conflict many real and suspected members of the BRA have been unlawfully killed by the PNGDF and the Resistance Forces on Bougainville, in contravention of international humanitarian law. Given the record of such violations on Bougainville, Amnesty International is concerned that special operations targeted at the political and military leaders of the BRA could lead to breaches of these international standards, the use of unjustifiable force and the killing of non-combatants. The history of the conflict on Bougainville has shown that human rights violations, including indiscriminate attacks against civilians, have increased at times of heightened military activity.

Your government claims that the private foreign military personnel have been recruited to conduct training for members of the PNGDF. What the security forces operating on Bougainville need is training in international human rights standards and humanitarian law. What steps has your government taken to ensure that training contains a human rights component, including international human rights standards and humanitarian law? What human rights expertise do the foreign trainers you have recruited have? Have any members of the PNGDF undergoing training been involved in serious human rights violations and if so, what action has been taken to make them accountable? What procedures are there in place to monitor the human rights impact of the training, especially in relation to the future conduct of those members of the PNGDF who will receive the training?

The recruitment and deployment of foreign military personnel by the government ignores the many calls for access to Bougainville for human rights monitors and the media. It runs the very real risk of escalating human rights violations on the island still further.

Amnesty International urges you to implement the recommendations made in its recent report and those made by UN human rights bodies and experts, which could end the cycle of human rights violations on Bougainville.

Yours sincerely



Pierre Sané
Secretary General

OFFICIAL COPY



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309/4/15
NEW ZEALAND HIGH COMMISSION

COMMONWEALTH AVENUE
CANBERRA, A.C.T. 2600
AUSTRALIA

FACSIMILE MESSAGE

CLASS: Unclassified FILE NO: 37/29/1
DATE: 11 September 1996 NO OF PAGES: 2
FROM: Canberra APPROVED BY: ren *per DJE*
TO: WELLINGTON 0793 PRECEDENCE: Routine
CC: Port Moresby
Honiara
LD: MFAT (SPA, DEV, HRU, DSP3, EAB)
SUBJECT: BOUGAINVILLE

We attach reporting from the Australian for your information.

PNG force pinned

PAPUA New Guinea is despatching troop reinforcements to Bougainville as the fate of up to 25 soldiers remained uncertain yesterday, 43 hours after a bloody battle in which rebels claim to have killed 14 PNG troops, captured five and surrounded and wounded the rest.

PNG's Minister of Defence, Mr Mathias Ijape, declined to say yesterday whether the surviving troops were under siege on Kangu Beach in southern Bougainville in what appeared to be the worst clash with rebels forces in the eight-year conflict.

Eight PNG soldiers were killed in early 1992 on the outskirts of Bou-

Mary-Louise
O'Callaghan

South Pacific
correspondent



gainville's former provincial capital, Arawa, but yesterday Mr Ijape confirmed that radio contact had not been re-established with 25 men who had been holed up in a World War II Japanese bunker before the attack occurred late on Sunday night.

"At this stage, I can't tell you exactly how many soldiers have been killed, how many have been wounded," he told a news conference

in Port Moresby yesterday. Bougainville Revolutionary Army sources claimed last night to have already repelled reinforcements, including some trying to land in one of the Australian-donated patrol boats.

Rebels sources, speaking by radio from the island, claimed to be holding five members of the PNG security forces who they named as hostages.

The remaining troops who had left the bunker and dug themselves into the beach were also surrounded by BRA militants, the sources said.

They also confirmed that the attack had been led by the BRA commander of the Southern Region, Mr Paul Bobby, in the biggest offensive by the rebels since they repelled PNG troops from the former inter-

down in rebel assault

national airport in Aropa in July. The defeat at Aropa had effectively brought the PNG Defence Force's Operation Highspeed II, which had been aimed at flushing out the rebel leadership, to a halt.

However, Mr Ijape vowed yesterday to retake Kangu Beach.

He said radio contact had been maintained with seven members of the battalion who were on a hillside overlooking the beach.

"The latest contact we have from our boys (is from) a group of seven soldiers still alive on the hilltop that we normally have them on. Up to this day, we are still fighting," he said.

The Premier of Bougainville, Mr Theodore Mirlung, has also been placed under military surveillance in

response to the attack. Asked why the PNGDF was focusing on Mr Mirlung, a former legal adviser to the BRA, who has been working with the Government's peace efforts since 1992, the minister said: "From our own information that we have, he is believed to have incited this activities at Kangu Beach."

"I will be recommending to the Prime Minister that we will have him removed as premier."

Mr Ijape also received a petition from the families of the men in the missing battalion, asking for the defence force to be better equipped, for them to be withdrawn from Bougainville and for a non-military solution to the eight-year conflict.

Unconfirmed reports from the

island said that about 300 people staying at the Government's care-centre at Kangu had fled into the bush after the attack.

In a statement released overnight, the PNG Prime Minister, Sir Julius Chan, condemned the attack and accused the rebels of trying to sabotage his Government's efforts to solve the crisis.

"This barbaric act is not only a major setback on progress achieved to date, but also aimed at sabotaging ongoing genuine efforts by both sides in resolving the Bougainville crisis," he said.

Sir Julius said that the deaths would not "budge" the Government from its aim of resolving the Bougainville crisis. "We will deploy every possible means."

Inset 11/9/96

OFFICIAL INFORMATION ACT

BC-PAPUA-BOUGAINVILLE-(SCHEDULED)

PNG Soldiers hiding in jungle after rebel attack

By Michael Perry

SYDNEY, Sept 11 (Reuter) - Papua New Guinea on Wednesday began a rescue operation to evacuate seven soldiers hiding in jungle hills on Bougainville after a battle with secessionist rebels in which a reported 12 soldiers were killed.

Papua New Guinea (PNG) Defence Force Chief-of-Staff Colonel Jack Taut told Reuters from the capital of Port Moresby that the reinforcements had landed on southern Bougainville island.

"We have people on the ground now and will soon move," Taut said. "We have contact now with the seven and we are doing everything possible to rescue them."

About 100 Bougainville Revolutionary Army (BRA) rebels on Sunday attacked a government refugee care centre at Kangu Beach on southern Bougainville island that was being guarded by 32 soldiers, Taut said.

The rebels said 13 soldiers were killed and five captured in the battle, but Prime Minister Sir Julius Chan said 12 soldiers had been reported killed.

Chan has described the Kangu attack as "barbaric" and a major setback to peace on Bougainville.

PNG defence sources told The National newspaper in Port Moresby that five soldiers had been captured, seven escaped and eight were missing.

The rebel's Bougainville Interim Government said in a statement on Wednesday that they expected the death toll in the fighting to rise because rebels knew the terrain like the "backs of their hands."

Thousands have died from fighting or disease since the start of the eight-year conflict on the resource-rich island, 800 km (500 miles) northeast of Port Moresby.

The rebel's interim government, set up in 1990 in Arawa in the rebel-held central part of the island, said its forces had intercepted troop messages calling for ammunition.

It reported government communications as saying: "All evacuation of casualties and reinforcement of troops is now at a standstill... It is very difficult to land..."

The PNG Defence Force commander on Wednesday blamed the Kangu casualties, the worst death toll since the armed rebellion began, on the army's dual role on Bougainville of caring for refugees and fighting rebels.

"It is an unwritten responsibility to look after care centres. In doing so, soldiers compromised their military role," Brigadier Jerry Singirok said.

"Kangu Beach is certainly a demonstration of where the soldiers were hopelessly attacked by the rebels using the civilians to get very close," Singirok said.

Some 70,000 Bougainvilleans have left their villages to live in government-controlled care centres.

Singirok said he would ask other government agencies to send personnel to Bougainville, "so that security forces can concentrate more on suppressing and combating the armed resurrection by the armed rebels."

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UNITED NATIONS

Nuclear test ban treaty reaches UN

NEW YORK, Sept 9. - Australia today asked the UN General Assembly to approve the nuclear test ban treaty by using a legal manoeuvre that would circumvent India's veto.

"We ask for deep reflection upon the milestone in history this action will lay down - agreement that there shall never again be nuclear explosions," said Richard Butler, Australia's UN Ambassador.

Passage of Australia's resolution asking that the treaty be open for signature appears a forgone conclusion since 126 countries co-sponsored it in the 185-seat assembly. Even Israel, which has been secretive about its own nuclear plans, was one of the sponsors.

After three years of negotiations, the 61-nation Geneva-based Conference on Disarmament was unable last month to approve the treaty because India refused to give its consent.

Under that conference's rules, decisions must be by consensus. In contrast, the General Assembly can vote by a two-thirds majority or a majority vote to approve the treaty.

A vote is expected later this week on the resolution which would have the assembly adopt the treaty and request UN Secretary-General Boutros Boutros-Ghali to open it up for signature.

The treaty, known as the Comprehensive Nuclear Test Ban Treaty, or CTBT, however, does not come into force until 44 states with a nuclear potential sign it. This includes India,

which exploded a device in 1974. But most diplomats believe that once a country signs the treaty, it must abide by it even if the treaty is not legally in force.

India since the mid-1960s has argued that the nuclear powers need a timetable to eliminate their existing arsenals before it gives up its own option. It also opposes the treaty's call for a review conference in three years to consider further steps if the treaty has not gone into force.

India's UN Ambassador, Prakash Shah, last week gave notice that his country would block the treaty from coming into force by refusing to sign it. "The question of being isolated does not bother us at all. We will not sign it."

His colleague from Geneva, Arundhati Ghose, said that he found it "disingenuous, at best, to say that five countries need nuclear weapons for their security and nobody else does".

Since the United States exploded the world's first atomic bomb on July 16, 1945, in the New Mexico desert there have been 2045 known nuclear tests, 1030 of them American and 715 in the former Soviet Union. The other three known nuclear powers are France, Britain and China.

China's delegate, Sha Zukang, told the assembly that the test ban should not be an ultimate objective. "It is one step forward to the complete prohibition and thorough destruction of nuclear weapons." - Reuter

AUSTRALIA

Murder in the class

MELBOURNE. - A poem depicting graphic violence in a classroom has been withdrawn from the curriculum of a Victorian high school after complaints from parents.

It describes a teacher imposing discipline on his unruly class by shooting, garroting, strangling and hacking his pupils to death.

Videos, books, poems and CDs used at Langwarrin Secondary College in Melbourne's south-east also face review after parents of a year-nine pupil complained about The Lesson, by British poet Roger

McGough. Robert's 15-year-old son took home two weeks ago to illustrate it was part of a humane response to conflict but there were other ways to conflict.

It might have been the 1980s, when parents treated the poem as "but now these things in the world".

He said school Leader told him the

IRAQ

KDP claims control

DUKAN, Sept 9. - An Iraqi Kurdish militia aligned with Baghdad entered the main stronghold of its Kurdish rival today in a lightning drive through northern Iraq, Iraqi Kurds and UN officials said.

The Kurdistan Democratic Party (KDP) said it now controlled the whole of northern Iraq after several weeks of clashes with rival Kurdish group Patriotic Union of Kurdistan (PUK).

"The KDP is in control of all the three Kurdish provinces," it said.

The KDP of Massoud Barzani said its forces had met little resistance from Jalal Talabani's PUK fighters as they pushed into the city of Sulaimaniya.

"The battle for Sulaimaniya is over. Massoud Barzani fighters have entered the city without fighting," a UN official in Baghdad said.

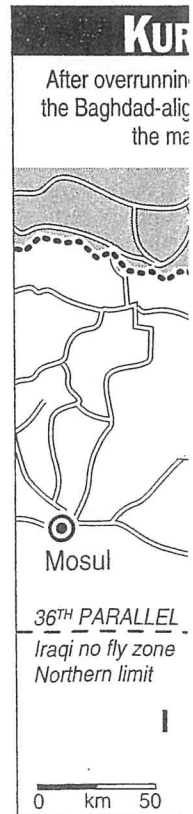
The city, with a population of around a million, is the biggest Kurdish urban centre in Iraq and had long been the PUK's headquarters.

The KDP seized the international spotlight on August 31 when, aided by Baghdad, the militia captured the Kurdish capital Arbil from the PUK. The United States retaliated against Iraqi President Saddam Hussein by firing 44 cruise missiles on southern Iraq.

The KDP says it has since fought its rivals without the help of the Iraqi Government.

Meanwhile, United States President Bill Clinton said today that the US was helping "those who have worked with us" to flee Iraq amid the Kurdish strife that reportedly wrecked a CIA effort to topple Saddam.

Clinton would not elaborate, but he was responding to a question about



PAPUA NEW GUINEA

Rebels claim 12 soldiers killed

PORT MORESBY, Sept 9. - Rebel fighters on Bougainville today claimed to have killed 12 Papua New Guinean soldiers during a battle on the southern tip of the island at the weekend.

Bougainville Revolutionary Army (BRA) spokesman Moses Havini said the soldiers were killed at Kangu

Beach yesterday.

Four other soldiers were captured and eight were injured.

Havini said a Papua New Guinean Defence Force (PNGDF) patrol boat and an Australian-supplied Iroquois helicopter had tried to rescue the soldiers, but they were repelled by BRA ground fire. - AAP

The evening post 10.9.96

some 200 Iraqi Army US Central Intel reportedly fled troops stormed it.

The Washington to the Arbil region, to the US-financed Congress, are holding hideout fearing hoping for US police There have been