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# **Local Government Accountability in Bougainville**

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## **Abstract**

The arguments for decentralisation are broadly about economic efficiency and enhancing democratic practices, such as participation and accountability. Decentralisation reforms in most developing countries are in line with the political arguments for making local governments more responsive to the people they serve, by enhancing greater citizen participation and local government accountability. The lack of accountability is often singled out as one of the main factors contributing to the ineffectiveness of many local governments. Therefore, by using a case study of two COEs in Bougainville (an autonomous region of Papua New Guinea), this thesis investigates what formal accountability mechanisms exist and how these mechanisms unfold in practice, particularly those between the COEs and their constituents. The findings of this research have identified the institutional relationships that the COEs have and – how accountability occurs – within these relationships. The conclusions of this research lean towards the suggestion that the legal requirements of accountability are the likely reason for the limitations to downwards accountability: and yet constituents are finding ways in which to hold their COEs to account.

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## Acronyms

ABG	Autonomous Bougainville Government
ARoB	Autonomous Region of Bougainville
BEC	Bougainville Executive Council
BTG	Bougainville Transitional Government
CMP	Constituency Member of Parliament
COE	Council of Elders
CPC	Constitutional Planning Committee
GOPNG	Government of Papua New Guinea
LLG	Local-level Government
MUHEC	Massey University Human Ethics Committee
NGO	Non-government Organisation
OLPGLLG	Organic Law on Provincial Government and Local-level Government
PNG	Papua New Guinea
UNDP	United Nations Development Program
VA	Village Assembly
VCC	Village Council of Chiefs

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## CHAPTER 1: INTRODUCTION

This thesis is concerned with local-level government (LLG) accountability in the Autonomous Region of Bougainville (AROB), Papua New Guinea (PNG). In Bougainville, local governments are known as Councils of Elders (COEs) and – unlike local-level governments (LLGs) in PNG – many COEs are comprised of appointed traditional leaders. Two COE areas were selected as research sites: Tsitalato COE, located in North Bougainville and within proximity of the provincial capital (Buka); and Eivo COE in Central Bougainville, which is a more rural setting. The study is focussed on identifying existing accountability mechanisms and how these mechanisms are operationalised in practice, particularly in terms of downwards accountability to the constituents. The main question that this study sets out to answer is as follows: *How are the existing accountability mechanisms unfolding between the COEs and their constituents?* In order to answer this question, three specific questions are asked: *What are the direct institutional relationships of these COEs? How, in practice, do COEs interact with their constituents? How do constituents hold their COEs to account?* The study identifies COE's institutional relationships; what relevant laws say about accountability within these relationships; and how accountability actually plays, out in practice, within these relationships.

Decentralisation has been pursued by many developing countries in the hope that it would make governments more responsive and accountable to their people. In PNG (and particularly in AROB) very little research has been undertaken on the accountability of local-level governments, particularly in regards to downwards accountability. This research, therefore, will contribute to the literature on local government accountability within AROB and PNG – and also towards efforts to foster good governance.

This chapter outlines the significance of this study and the thesis chapters.

## 1.2 Significance of this study

Two schools of thought underpin decentralisation. The economic school of thought argues that local governments “possess managerial and economic advantages” and they are better able to respond more efficiently to the needs and wants of their people (Turner, 2003, p. 10). The political school of thought argues that decentralisation enhances citizen participation and local government accountability, which ultimately contributes towards the achievement of good governance. As a result of these two arguments, almost all developing countries have experimented with one or more forms of decentralisation (Aiyar, 2010, p. 204; Parker, 1995, p. 18). Furthermore, in the past two decades, various local government reforms (in both developed and developing countries) have been introduced, in order to further empower sub-national governments and at the same time strengthen accountability systems. However, Eckardt (2008, p. 14) argues that the success of these reforms depends on how best existing political accountability systems can facilitate public control and/or influence the actions of sub-national governments.

Various studies have suggested that decentralisation, per se, has not guaranteed greater citizen participation and local government accountability. For example, writing about the implementation of decentralisation in Nigeria in the 1950s, Mamdani (1996, p. 105) mentions that over time, the local governments were found to be abusing their powers and misappropriating resources. A number of commissions of enquiry verified this, concluding that local governments in Nigeria were corrupt. As a result, the central government withdrew the powers of local governments. Over half a century later, a study conducted by Adeyemi et al (2012, p. 81) on accountability in Nigeria also suggests that the reintroduction of decentralisation has not made local governments more transparent and accountable. Instead, Nigerian local governments have been found to be corrupt (Abubakar, 2010, p.25 as cited in Adeyemi et al., 2012, p. 82) and its citizens have expressed dissatisfaction with their performance (Adeyemi et al., 2012, p. 87). Similar to these Nigerian experiences, an assessment of how decentralisation in Tanzania has fared, as far as accountability is concerned, concluded

that accountability has found more success in the fiscal sphere of decentralisation than in the political and administrative spheres (Venugopal & Serdar, 2010).

In Papua New Guinea, the performance of sub-national governments has not been very different from the examples cited above, especially in terms of proper planning and accounting for resources. For example, in 2005, the then Minister for Inter-Government Relations Peter Barter, estimated that between 80 and 85 per cent of LLG funding was “either ‘wasted’ or not used for its intended purpose, through lack of proper planning or corruption” (May, 2005, p. 3). Effective accountability mechanisms could have prevented such wastage and misappropriation.

In an empirical study on the performance of local governments in Indonesia, Eckardt (2008, p.14) concluded that there was generally a positive relationship between the existence of political accountability and local government performance. Given the linkage between political accountability and local government performance, research into the accountability of the local government system, within the AROB, could contribute towards improving the performance of this newly established political structure and the procedures that govern its operations, as it evolves.

Accountability, within the context of this study, refers to the act of COE members informing those, with whom they have institutional relationships, about their plans of actions and their behaviour, in addition to justifying these plans and behaviours. Furthermore, accountability also entails that relevant authorities are able to sanction the COEs accordingly – should they fail to be accountable.

### **1.3 Thesis Outline**

This thesis is comprised of six chapters. Chapter 2 provides a literature review of the process of decentralisation and the concept of accountability. This review then focusses on the PNG and AROB contexts. The chapter also examines relevant PNG and AROB legal documents that have guided the establishment, implementation and

reformation of decentralisation, including those relating to accountability mechanisms in PNG and Bougainville, respectively.

Chapter 3 provides the background of the research context. It touches briefly on traditional forms of government and leadership in Bougainville and it traces the political development of Bougainville from the colonial era to the present time. The chapter also explores the formal accountability mechanisms within the Bougainville Constitution and the COE Act 1996.

Chapter 4 is the methodology chapter. It briefly discusses the research inquiry; the researcher's epistemological position; the research aims and objectives; the methodology and methods employed for the research; the research sites; and the ethical processes and considerations undertaken during the research.

Chapter 5 outlines and briefly discusses the research findings pertaining to the three specific research questions. This chapter outlines the institutional relationships of the COEs and how accountability plays out within those relationships, in practice.

Chapter 6 analyses and discusses the research findings in light of relevant concepts of accountability within the wider body of literature and the relevant PNG and Bougainville legal documents. This chapter also offers general concluding remarks.

## **CHAPTER 2: ACCOUNTABILITY IN LOCAL GOVERNMENT (A LITERATURE REVIEW)**

### **2.1 Introduction**

There are a number of factors that have been attributed to the ineffectiveness of local governments. Some of these factors include the lack of capacity and resources within local governments: and the lack of public accountability. Accountability, in particular, is often singled out as a process that is necessary for good governance, effective service delivery and citizen empowerment. Hence, states, which have experimented with decentralised forms of government, have often cited ‘fostering greater government accountability and citizen participation’ as their main arguments for reform. Not surprisingly, decentralisation has today become somewhat of a global phenomenon. Dillinger (1994, p. 8) wrote that “out of the 75 developing and transitional countries with populations greater than 5 million, all but 12 claim to be embarked on some form of transfer of political power to lower units of government”. This chapter provides an overview of decentralisation and the evolution of decentralised government in Papua New Guinea (PNG). The chapter also discusses the concept and relevant definitions of accountability, in addition to identifying the general types of accountability mechanisms. Finally, it outlines and discusses the legal requirements that have been set in place, in order to ensure the accountability of local governments in PNG.

### **2.2 Local Government**

#### **2.2.1 Background of local governments**

For many developing countries, local governments were created in order to extend the rule of the coloniser. Berman (1998, p. 313) argues that, for most African countries, the political and bureaucratic institutions established under colonial governments were geared towards controlling provinces on the periphery – and to exploit their agricultural resources. Similarly, when the Germans annexed the northern half of PNG

in 1884, it was not long before they began to establish districts all over the territory and they appointed local luluais (village chief or leader) and tultuls (the luluai's interpreter or deputy).<sup>1</sup> The luluais and tultuls were responsible for expending colonial rule on the ground (Waiko, 1993). As mentioned in the previous chapter, in light of the global phenomenon of decentralisation, local governments are now seen as vehicles of service delivery. The extent of their powers and functions depends on how far these central governments are willing to share, through decentralisation.

Decentralisation comprises a process in which the powers and/or functions of central governments are transferred to lower units of government, in varying degrees. It is believed that decentralisation would, in the words of Cheema and Rondinelli (2007, p. 3), "make public service delivery more efficient and ... extend service coverage by giving local administrative units more responsibility". In a comparative study of decentralisation in six different countries in Asia, Africa and South America, Selee and Tulchin (2004, p. 297) found that these countries had gone through a cycle of centralisation and decentralisation, which had been triggered by events such as colonialism and independence.

According to Ribbot (2002, p. 17), francophone West Africa has experienced three waves of decentralisation, prior to that wave which began in the 1990s. The first two waves are said to have commenced around the end of the First and Second World Wars, respectively: and the third occurred around the 1960s – the time when many African countries obtained independence from their colonisers. The fourth wave of decentralisation, which began in the 1990s, is assumed to be of more significance than the previous three because (unlike the previous waves) this discourse argued that by "building popular participation and accountability into local governance, government at the local level will become more responsive to citizens' desires and more effective in service delivery" (Blair, 2000, p. 21).

Decentralisation occurs within the political, administrative or financial sphere and it is exercised in five forms: *delegation* – in which decision-making powers or functions are

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<sup>1</sup> See Chapter 3 for more information on the luluais and tultuls.

transferred to lower levels of government or other entities, but ultimate decision-making power is retained by a central government; *deconcentration* – where powers and functions are transferred to local administrative units of central government; *devolution* – where powers and functions are transferred to locally elected representatives; *intermediation* – where some powers and functions are transferred to self-help organisations; and finally, *privatisation* – where certain powers and functions are transferred to the private sector (Rondinelli, 1983; Parker, 1995 as cited in Haque, 2008, p. 4).

In spite of the great hopes held by proponents of decentralisation, the UNDP points out a dilemma that other authors have also expressed: that is, for many countries, local governments are weak (UNDP, 2011). Various studies on the effectiveness of local governments have found that local governments have failed to achieve what they were established to achieve. For example, even though Uganda is said to have “one of the most far-reaching local government reform programs in the developing world” (Francis & James, 2003, p. 325), in an assessment of Uganda’s local government councils conducted approximately two decades later, Tumushabe et.al (2010, p. iv) observed that “the quality of public service delivery was less than desirable, district local governments with no financial resources of their own have become mere agents of the centre while the accountability mechanisms for good governance and public service delivery are either non-existent or mal-functional”. This situation and many other examples of poor local government performance in both developed and developing countries, such as New Zealand, 1984 (Reid, 2008) and Papua New Guinea, 1995 (Gelu & Axline, 2008), respectively, have forced central governments to reconsider (or undertake) further reforms of their decentralised governments.

### **2.2.2 The Evolution of Local Government in Papua New Guinea**

The evolution of the political system in PNG began, following the end of the Second World War (WWII). Prior to the war, the country was comprised of two separate territories (see Figure 1 for a map showing German and British New Guinea). The



southern half of the island was known as British New Guinea (renamed Papua in 1906). It was declared a British protectorate in 1884 and remained so until approximately 1906, when Australia took over the administration of the territory and it was renamed Papua. The north and north-eastern part of the island was called New Guinea and this area was declared a protectorate of Germany, also in 1884. The Germans remained in control of the territory until the First World War, when the Australian Military invaded and took control of the German territory in 1914. Following the end of the First World War, the League of Nations gave Australia the mandate to govern this German territory. However, the territories were administered separately by Australia until the end of WWII, when the Australian Government passed the 'Papua New Guinea Provisional Act' under which the territories became known as Papua and New Guinea (PNG) and they were then administered as a single unit (Waiko, 1993, p. 125).

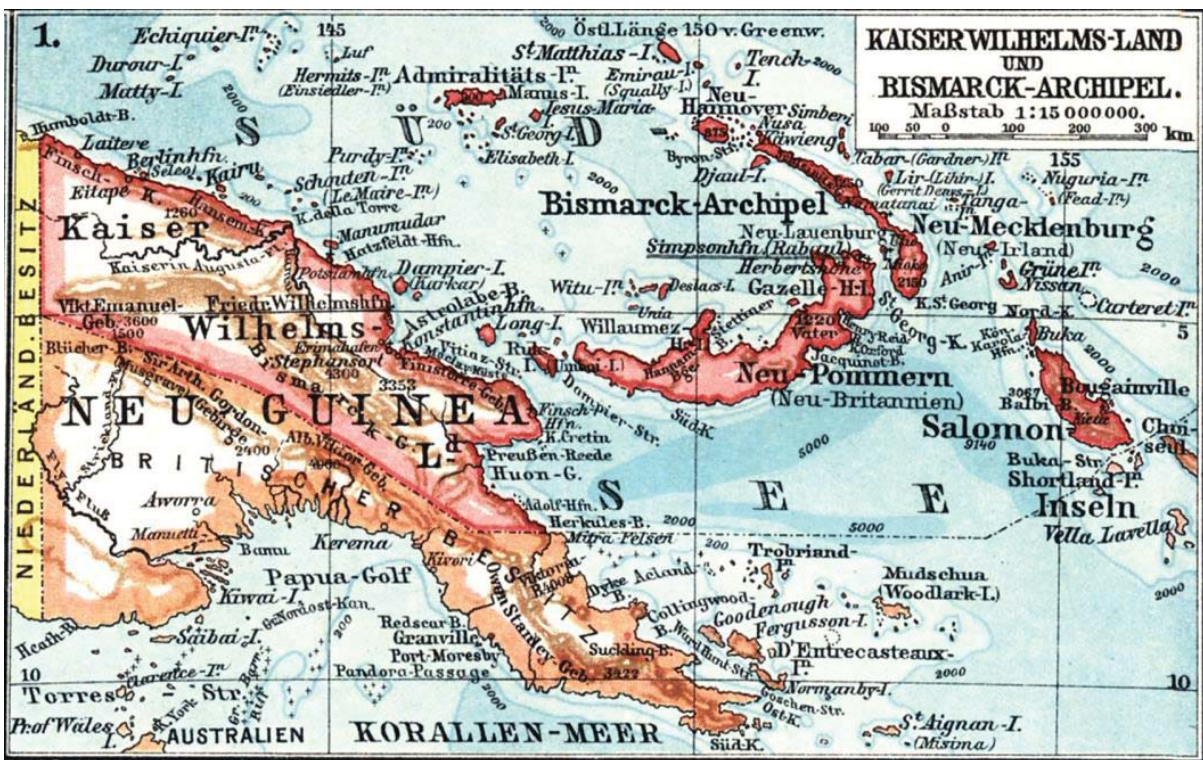


Figure 1. Map of PNG showing German New Guinea (northern half) and British New Guinea (southern half)

The German and Australian colonial administration had quite similar administrative structures. The German Imperial Government entrusted the task of administering New Guinea to the New Guinea Company. However, this arrangement compromised the

company's private interests and hence, by 1899, the administration of the protectorate was permanently transferred back to the German Imperial Government (May, 1989). The German government appointed a governor to oversee the administration of the protectorate. Beneath him were district officers, who were in charge of each of the established districts and these district officers, in turn, appointed 'luluais', in order to extend colonial law on the ground (Waiko, 1993).

Papua was declared a British protectorate in 1884, but it was not until 1888 that effective colonial administration began. A special c was responsible for the administration of the protectorate. After Papua was formally annexed in 1888, the post of the special commissioner was replaced with that of an administrator. The administrative structure did not changed greatly when Australia took over the administration of Papua, from Britain, in 1906. Beneath the Australian commissioner were the 'kiaps' or patrol officers, who represented the main Australian authority in the field. Working under the kiaps were the 'village constables', who were village elders responsible for assisting colonial officers. In 1920, 'village councillors' were appointed to deal with issues at village level and they worked closely with the village constables (Oram, 1989, p. 58; Premdas, 1985; Waiko, 1993).

When WWII ended, the attitude of the Australian public and government changed towards the territory of Papua and New Guinea. This was largely due to the roles that the locals played in supporting the Allied forces during the war. Another factor towards this change of attitude was, as Waiko (1993, p. 123) put it, "a general movement of world opinion against colonialism". It was then that the Australian government embarked on policies to develop and prepare Papua and New Guinea for self-government.

In preparation for self-determination, the two-tiers of government institutions were transferred from the Australian administration to the PNG administration. At the national level, the appointed Australian administrator was eventually replaced by an elected local legislature comprised of 29 members. In 1951, PNG's first legislative council was established and by 1964, a fully elected house of assembly was

established. In 1972, a ministerial system was introduced and in 1973, PNG gained internal self-government (Premdas, 1985, p. 109; Waiko, 1993, p. 142).

At the grassroots level, elected local councils, often comprised of a number of villages (and ethnic groups), were introduced and replaced the luluai-tultul system and the village constables and councillors. By 1956, only 10 councils had been established, but the numbers steadily increased (Mair & Grosart, 1973, p.673 as cited in Premdas, 1985, p. 109). Even after these local councils were established, the majority of rural Papua and New Guinea remained under the system of village constables and village councillors in Papua: and tultuls and luluais in New Guinea until the 1960s. The numbers and functions of the councils continued to evolve, and by 1970 almost 146 local councils had been established. However, it was observed that, even where local councils existed, indigenous institutions continued to play a more active role in maintaining community order (Premdas, 1985, p. 110).

In 1972, the House of Assembly endorsed the Constitutional Planning Committee (CPC) to look into possible systems of government, in preparation for PNG's independence in 1975. The CPC proposed a number of changes, including a level of government between the House of Assembly and the local councils – that is, provincial governments. However, due to disagreements between the CPC and the government, a chapter on provincial governments was never written into the constitution until after independence in 1976 (Premdas, 1985, p. 113).

Two weeks prior to PNG obtaining full independence from Australia, a secessionist movement in the North Solomon's province (Bougainville) declared its independence from the island province. Small-scale violence erupted and this was followed by five months of tense negotiations between the government of PNG and Bougainville leaders. Since it was fearful that it might lose millions of dollars already invested in Bougainville for the construction of one of the world's largest copper mines, the PNG government agreed to implement a provincial government system throughout PNG (Premdas, 1985; Regan, 1985). This arrangement would enable the North Solomon's provincial government greater financial autonomy.

In 1977, two years after its independence, 19 provincial governments were established in PNG. The establishment of these provincial governments was largely due to the emergence of micro-nationalist movements across the country, with some groups even threatening to break away from the remainder of PNG, if certain conditions were not met (Peasah, 1990, p. 2). As a result, the establishment of a provincial government system was necessary, in order to keep the country united. Provincial governments took over responsibility for local governments, from the national government. These provincial governments were also given the power to develop systems of local-level government, which were relevant to the specific characteristics and needs of their areas (Peasah, 1991, p. 1).

In his analysis of the forms of local government established by the provincial governments of PNG, Peasah (1991, p. 2) concluded that, as unique as they were permitted to be, local councils could be categorised into two general types: those that carried on from the Australian Administration structure and those newly established systems, which were commonly known as 'community governments'. Provinces that chose to establish local governments that duplicated the structures established by the Australian administration, then established ward councils, which were simply a change of name from local councils.

Ward councils covered a number of villages. Each council had the power to appoint various committees with specific functions, for example, a custom committee. However, these committees did not have the authority to make and enforce rules, inclusive of financial functions. There was a separate finance committee which was basically responsible for preparing the council's budget. The role of the committees was more or less to provide advice to the councils regarding issues relating to their respective areas of concern. The ward councils were headed (or chaired) by ward councillors, who were elected by all people above the age of 18, who lived within the council area. These councils also employed administrative clerks and specialist advisors who provided advice and technical assistance, but they had no voting power and they did not count towards a quorum (Peasah, 1994, p. 24).

A few provinces established new systems of local government which became known as community governments. The community governments were slightly different from each other. For example, the East New Britain model did not make community consultation mandatory, nor did it incorporate traditional leadership into its structure or make council boundaries more ethnically aligned. The Bougainville model did otherwise, since it built on traditional leadership and engaged in more community consultation. In spite of these differences, Peasah (1994, p. 178) makes a preliminary observation about two main features of these community governments, when compared to the ward councils: they were smaller in size and built on existing cohesive social groups. Community governments were confined to specific ethnic/linguistics groups but, in some cases, they incorporated two or more such groups.

Regardless of the differences between (and among) the community governments and ward councils, Peasah (1994, p. 189) observed that all provincial governments grappled with essentially three challenges, when establishing these different forms of local government: the alien nature of the colonial system and hence the associated lack of legitimacy; the complexity of that very same system; and the lack human resources available to work those systems.

### **2.2.3 Local Government Reform in Papua New Guinea**

Gelu and Axline (2008, p. 1) identify three phases of reform within the decentralisation process in PNG and they categorise these as either technical or political. At the centre of all three phases of reform was the need to improve public service delivery to the majority of Papua New Guineans. The first phase of decentralisation reform in PNG took place during the 1980s and this was a technical reform. Proposals for the technical reform generally made recommendations in regards to improving the inter-governmental funding arrangements, which had been found to be rather problematic and unequal. When the provincial government system was established, the provincial governments were given significant legislative and policy-making powers, together with a funding arrangement that would enable them to exercise those powers. However, when the national government transferred the agreed legislative and policy-

making powers to the provinces, only the North Solomon's province (Bougainville) received full control of its funds for creating and implementing legislation and policies. The other provincial governments were seen to be unprepared for that task and therefore, the national government withheld their financial autonomy. In summary, the technical approach was an attempt by the national government to maintain the existing three-tier system of government in PNG, in order to ensure greater equality with regards to the funding arrangements of provincial governments. The reform occurred at a very slow pace and thus, it did not achieve a great deal of institutional change: and eventually it was taken over by the second phase of reform during the 1990s.

Unlike the first phase of decentralisation reform, the second phase took a political approach. The main proposals made for these reforms were with regard to addressing "competition between national and provincial politicians for control over the distribution of resources and recognition for the delivery of services to the people" (Gelu, 2008, p. 28). In other words, the proposed reforms were basically an attack on the very existence of provincial governments, because certain national politicians felt that their positions were threatened by provincial politicians, as a result of provincial governments now being responsible for the bulk of service delivery to the people. The second phase of reform culminated in the passing of the Organic Law on Provincial Governments and Local-level Governments (OLPGLLG) in 1995. This law protects the existence of provincial governments from political interest and recentralised the system of government. The seats of the elected provincial premiers were removed and their roles were taken on board by regional members of parliament. Furthermore, members of parliament put themselves back into the positions of delivering services, by automatically securing the role of chairperson for the Joint District Planning and Budget Priorities Committee (JDP&BPC) for their respective electorates (Gelu & Axline, 2008, p. 9).

The third phase of decentralisation reform in PNG began in 2008 and this phase essentially picked up from where the first phase of reform had stopped. It was a technical approach to the restructuring of funding arrangements between the national

government and provincial governments. Other proposals for this next phase of reform included the creation of two additional provinces in PNG, thus granting greater autonomy to the East New Britain province and others (Gelu & Axline, 2008, p. 8)<sup>2</sup>. While it is still too soon to comment on the progress of PNG's third phase of decentralisation reform, the continuity and pattern of the approaches (technical/political/technical) to decentralisation reform in PNG suggests that the underlying issues warranting decentralisation reform were never really addressed. In his commentary on local government in Melanesia, Hegarty (2009, p. 2) points out that, similar to many other developing countries, local governments in PNG (to a large extent) have not performed well, especially with regards to service delivery. Axline and Gelu (2008, p. 4) also reached a similar conclusion with their observations of the second phase of decentralisation reforms in PNG: "the 1995 reforms had little impact on increasing accountability, reducing the cost of government, improving the delivery of services, or increasing good governance". The national government blames the provincial governments for these failures, accusing them of being inefficient, wasteful and corrupt, while the provincial governments blame the national government for this failure, arguing that the national government has failed to provide the provincial governments with adequate funding to carry out their functions. While elements of these arguments may be responsible for the poor performance of local governments in PNG, the broader literature suggests other factors, such as inadequacies in the structure of government (Nunan & Satterthwaite, 2001, p. 409), lack of capacity and political patronage (World Bank, 2003, p. 22).

## **2.3 Accountability**

### **2.3.1 Defining the concept of accountability**

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<sup>2</sup> I have not been able to find any documentation on the progress of the third phase of decentralisation reform in PNG.

Various definitions of accountability have been coined by different authors, but more relevant to the context of this study is perhaps that by Ackerman who (after a review of the literature in the field) proposed the following definition of government accountability: a “pro-active process by which public officials inform about and justify their plans of action, their behaviour and results and are sanctioned accordingly” (2005, p. 9). This definition is rather broad in that it does not specifically say *who* is to be informed or *how* they are to be informed. Hence, it provides a flexibility to identify who is being informed, as well as the direction in which accountability flows – vertically or horizontally – within the research context.

Due to the broad range of meanings accorded to accountability and the variety of actors and processes involved, accountability and related concepts, such as transparency, may mean a number of things to different actors and therefore, by themselves they may not be very useful for analytical purposes (Bovens, 2007, p. 449). However, many authors have come to an agreement that the standard accountability process generally consists of two groups: the power wielders and the accountability holders<sup>3</sup>. This includes answerability – the capacity of accountability holders to demand answers from power wielders; and the capacity to sanction power wielders, should they fail to comply with the agreed standards (Fox, 2007, p. 665; Rubenst, 2007, p. 616; Sarker & Hassan, 2010, p. 384). The power wielders are those who are responsible for upholding the agreements or standards agreed to by both parties, such as governments, employers and private service providers: whereas accountability holders are those to whom the power wielders are responsible.

Accountability can (or ideally) should occur wherever a power wielder has come into an agreement of some sort with accountability holders. Therefore, accountability takes place in any sphere – legal, political or corporate, among others – and it is demonstrated by various accountability mechanisms, such as electoral accountability, through which constituents hold their political representatives to account through

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<sup>3</sup> ‘Power wielders’ and ‘accountability holders’ are similar to what the rights-based approach to development would call the ‘rights holders’ and ‘duty bearers’ (UNDP, 2012). However, the former will be used within this text.



elections, or legal accountability when law enforcers take those who have broken the law to court (Rubenst, 2007, p. 616). For example, when an employer hires someone, the employer prepares a job description and a contract containing the terms of employment, which may include benefits, how many hours a week the employee is required to work and how much pay the employee will receive. If the terms of employment are agreed to by both parties, then each party signs the contract. The contract serves as a legal binding document to each party. Should either one of the parties fail to uphold any item of the contract, the contract serves as the basis by which they can hold each other to account. In local government, there may be a few more parties involved, and the process of holding local governments to account may be more complex and take much longer. For example, in the case of a COE in Bougainville, whose leaders are elected by its local constituents, the fundamental powers and functions of the COE are to make rules, settle disputes and facilitate reconciliation processes within its council area (BTG, 1996). These powers and functions were agreed to by both parties and captured in the COE Act, which serves as a legal binding document for both parties. Should either party fail to uphold the agreements in the COE Act pertaining to the COE-constituent relationship, they do not deal directly with each other but go through a third party: that is, relevant state institutions, such as the police, the local-level government (LLG) division and others. Devarajan et. al. (2011, p. 5) refer to the example of the employer/employee contract as the *short* route of accountability and the COE/constituent example as the *long* route of accountability (see Figure 2).

Furthermore, accountability flows in two directions – horizontally and vertically (upwards and/or downwards). In the case of government officials, horizontal accountability occurs where officials are accountable to their colleagues: and it occurs vertically where an official could be accountable to those above (superiors) and below (subordinates or the people they serve) (Prinsen, 2011, p. 30). Edwards and Hulme (1996, p. 8), in their analysis of NGOs and accountability, identify NGOs as being accountable upwards to donors and host governments, and downwards to their beneficiaries and partners, among others. This concept of the directionality of

accountability will be utilised, in order to explore who COEs in Bougainville are accountable to – and how.

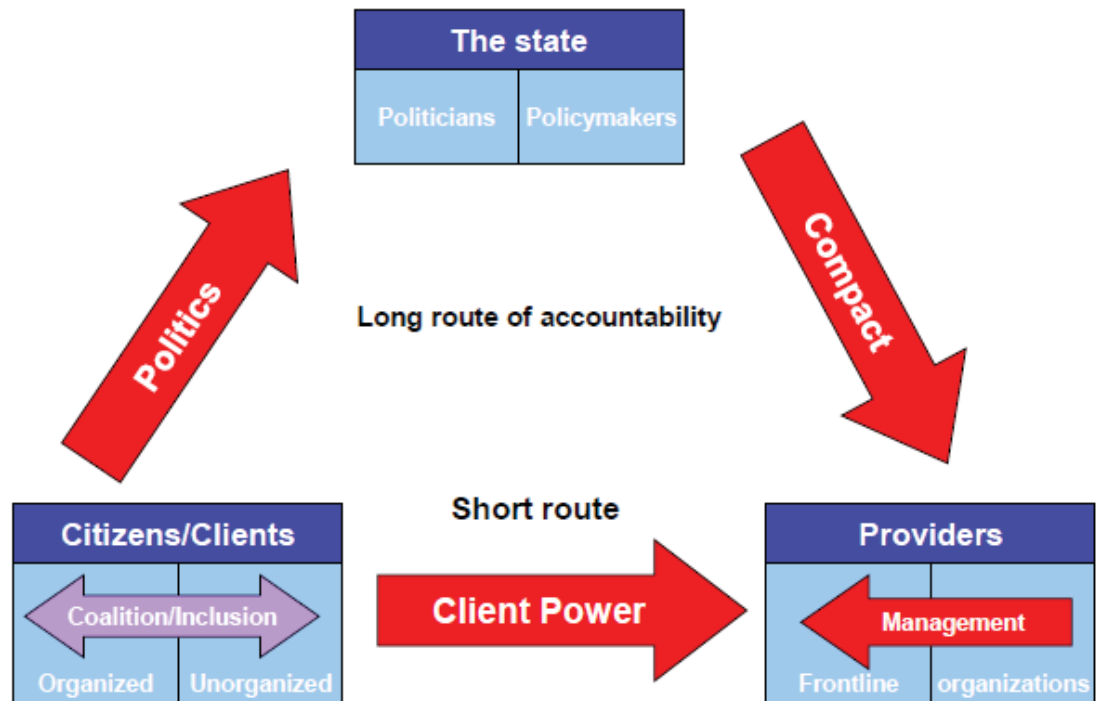


Figure 2. The long and short routes of accountability (Devarajan et al., 2011, p. 5).

### 2.3.2 Social accountability

Initiatives, mainly by non-government organisations, to actively hold governments to account (as opposed to waiting for governments to be accountable) are gaining popularity, especially in developing countries. These initiatives have come to be known as ‘social accountability’, which can be broadly defined as any initiative undertaken by citizens and/or civil society organisations (CSOs) to hold governments to account, inclusive of actions on the part of the government and other actors to support such initiatives (McNiel & Malena, 2010, p. 1; Sarker & Hassan, 2010, p. 384).

The rise of social accountability initiatives can be attributed to the failure of formal state mechanisms to hold government officials to account. Formal state mechanisms include the election processes, the office of the auditor general and others. However,

the problem with formal mechanisms such as these is that, for many countries, elections take too long to occur and the office of the auditor general can only check a selection of books. Social accountability mechanisms, on the other hand, involve more active processes, which may yield quicker results.

Traditional social accountability mechanisms are comprised of activities, such as public protests and advocacy campaigns. Nowadays, social accountability initiatives continue to occur at different levels and they range from participatory budgeting at grassroots level, right through to higher level initiatives targeted at local governments, such as the private monitoring of district funds or policy advocacy at national level. However, in spite of its merits and growing popularity, Sarker and Hassan (2010, p. 389) argue that, in order for social accountability mechanisms to be successful, they cannot and should not replace other accountability mechanisms, but rather, they should complement them.

### **2.3.3 Accountability in Local Government**

*“Public outcry at corruption, impunity and economic instability sent shockwaves around the world in 2011. Protests in many countries have escalated quickly from small scale action to mass demonstration, uniting people from all parts of society. Their backgrounds may be diverse, but the message is the same: more transparency and accountability from our leaders is needed” (Transparency International, 2011).*

The institution of local government is of utmost importance, since this is the level of government which is closest to the people and it is crucial for facilitating local development. However, for many developing countries, the performance of local governments (and the public service in general) has raised concerns. A lack of accountability and a lack of capacity and resources are a few of the factors that have been blamed for the poor performance of local governments. However, the lack of accountability stands out as one of the greater concerns.

Accountability is a fundamental aspect of good governance and therefore, ensuring greater accountability in local governments is essential for their improved performance (Sarker & Hassan, 2010, p. 382).

A lack of accountability in government can lead to corruption and waste of development resources. In addition, it compromises public policy-making, planning and the provision of basic services (McNeil & Malena, 2010, p. 1). Therefore, all states should have various mechanisms in place, in order to ensure that accountability is taking place at different levels of government and within governance processes.

Normally, the constitutions of countries would make clear the specific arrangements for local governments, including the various mechanisms to hold local governments to account. Goetz and Gaventa (2001, p. 7) identify four categories of mechanisms that all states should have in place, in order to enhance the accountability of governments. These mechanisms are generally similar for both local and national governments:

- Political mechanisms, such as the legislature, particularly where there is a strong opposition, sufficient staff resources and access to information and intelligence (Brdemas, 1997, p.6 as cited in Goetz & Gaventa, 2001, p. 7);
- Fiscal mechanisms, such as formal financial and auditing systems, including the role of the auditor general;
- Administrative mechanisms, such as reporting systems internal to the bureaucracy: and those that link the bureaucracy to the relevant ministers and the legislature; and
- Legal mechanisms, such as an independent judiciary, which checks that politicians and public officials work within their legal boundaries.

The success (or lack of success) of these different accountability mechanisms in developing countries depends on various factors, such as the regulation of such mechanisms (Akech, 2011, p. 343) and the resources and capacity to work these mechanisms and others (Gelu, 2008, p. 25). These factors will also vary between different countries and contexts. However, as discussed in previous sections, it is

the failure of these formal accountability mechanisms that have contributed to the need for decentralisation reforms and which have prompted an increase in social accountability initiatives in developing countries. Furthermore, together with relevant legal documents, this set of accountability mechanisms provides a framework to identify the types of accountability mechanisms that exist within LLG in Bougainville.

#### **2.3.4 Accountability in Local Government in Papua New Guinea**

As mentioned in section 2.3.1, Devarjan et.al. (2011, p. 5) discuss the short and long routes of accountability, which are similar to the concept of private and public accountability. Private accountability (similar to the short route to accountability) has less accountability relationships and it is quite a straightforward process. Public accountability, on the other hand, is as Kluvers (2010, p. 48) argues, “complicated by the greater number of accountability relationships such as those between elected officials and managers, between elected officials and citizens and between citizens and managers”. This section identifies what relevant PNG legal documents say about public accountability at local government level.

Section 187C of the PNG Constitution provides for the composition of an Organic Law, which outlines the powers and functions of the provincial and local-level governments in PNG (GOPNG, 1975, p. 83). Various sections of the OLGPLLG make broad and brief mention of the accountability of local governments, particularly that of financial accountability and the accountability of elected councillors and public servants. For example, where financial accountability is concerned, Division 8, Section 51 provides for the withdrawal of a local government’s powers and functions, if the auditor general finds that it is abusing its powers (GOPNG, 1998). Other sections on financial accountability talk about financial processes and internal mechanisms, including auditing. For example, Section 81, Subdivision I, 102 (1) states that “a Provincial Government and a Local-level Government shall keep... accounts and records of their transactions and affairs...” and PART IV, Division 2, Subdivision E 113 makes provision

for the establishment of a provincial audit service to audit those records (GOPNG, 1998).

Only one of the accountability relationships that Kluvers (2010, p. 48) identifies – that between elected officials and managers; between elected officials and citizens; and between citizens and managers – is mentioned in the OLPGLLGs and other Acts of Parliament: and that is the relationship between elected officials and managers. Section 27 of the OLPGLLGs establishes LLGs in PNG and section 26 (1) states that the LLGs “shall in principle be an elective government whose role shall be to make laws for the purpose of governing the local community” (GOPNG, 1998). In other words, LLG councillors are elected by the people, in order to make laws to govern their communities: and the LLG administration gives effect to these laws and other requirements of the Organic Law. Hence, technically, LLG councillors and the LLG administration would hold each other to account, based on these basic powers and functions spelled out in the law. Furthermore, sections 107-109 of the OLPGLLGs hold LLG councillors and LLG administrative officials accountable, especially in relation to them upholding their duties and maintaining a certain code of conduct (GOPNG, 1998).

As for the other accountability relationships identified by Kluvers (2010, p. 48) – that between elected officials and citizens and between citizens and managers – the OLPGLLGs does not specifically make this clear. LLG councillors and LLG administrative officials are only accountable upwards to the District Administrator, the Provincial Auditor-general, the Public Service Commission and others – and rarely downwards to their citizens. However, the reverse does take place during that time when citizens are able hold the LLG councillors to account, which is during LLG elections, where these citizens can decide whether the performance of their leaders warrant them being in their positions (GOPNG, 1998).

In terms of the direction in which accountability flows – upwards, downwards and horizontally – all sections that mention accountability in the Organic Law on Sub-national Governments and supporting Acts of Parliament, such as the Local-level Government Administration Act 1997; the Audit Act 1989; the Public Finances

(Management) Act 1995 and Public Service (Management) Act 1995, refer to upward accountability: that is, local governments are accountable to people higher up the hierarchy such as the District Administrator, the Provincial Auditor General and the minister who is responsible for local government. However, there are sections in these legal documents that grant this minister the discretion to distribute local government reports as he sees fit. For example, Section 50, subsection (3) of the Local Government Administration Act 1997 states that “a copy of the report ... shall be distributed as the Minister directs” (GOPNG, 1997). This provision could allow for LLGs to be accountable downwards to citizens.

## **2.4 Summary of Chapter**

Both developed and developing countries have experimented with decentralisation for two general reasons. Firstly, political – bringing state presence closer to the poor, creating responsive governments and most importantly, allowing for democratic practices, such as citizen participation and the accountability of governments. Secondly, decentralisation has been promoted for economic or efficiency reasons – local governments “possess managerial and economic advantages” and they are better able to respond to the needs and wants of people more efficiently. It is along the former line of reasoning that many states have experimented with decentralised forms of government. In the case of PNG, there has been a significant evolution in its decentralised system of government and specific forms of local government since the colonial era, which changed from a two-tier system to a three-tier system after independence: and then went through a further three phases of decentralisation reforms.

All modern states have some form of accountability mechanism set in place, in order to keep political leaders and public officials accountable to the people they serve. With regards to the accountability of LLGs in PNG, relevant sections in the PNG Organic Law on Provincial Government and Local Level Government and supporting Acts of Parliament suggest that accountability mechanisms have been set in place. However,

these mechanisms only facilitate the upwards and horizontal accountability of local governments to those located further up the hierarchy – and not downwards accountability to the citizens. Nevertheless, the Local Government Administration Act 1997 gives the minister responsible for local government, the power to distribute local government reports as he sees fit. Herein lies a possibility for downwards accountability to take place – but this will depend on the political will.



## **CHAPTER 3: BACKGROUND OF THE STUDY AREA – BOUGAINVILLE**

### **3.1 Introduction**

As mentioned in Chapter 2, colonialism has been largely influential in the establishment of local governments in many developing countries. In Bougainville, the establishment of a local government and the evolution of a local government system were not only shaped by colonialism, but also by other factors, such as the threat of secession from Papua New Guinea (PNG) and the pursuit of peace during the Bougainville conflict. This section, therefore, provides an overview of how the forms of local government in Bougainville have evolved between the pre- and post-colonial period.

This chapter begins with a brief overview of Bougainville's geography, people and forms of pre-colonial leadership. This is followed by an overview of Bougainville's political development and it covers the colonial era up to PNG gaining independence, the events leading to the ten year civil conflict and eventual autonomy in Bougainville. The evolution of the local government system in Bougainville is then discussed, with a focus on the council of chiefs system, which was established in the midst of the civil conflict. Finally, the formal accountability mechanisms of local government in Bougainville are explored.

### **3.2 About Bougainville**

The Autonomous Region of Bougainville (ARoB) comprises the main island of Bougainville, the smaller island of Buka and a number of smaller islands and atolls. ARoB is located east of mainland PNG and between 5-7 degrees south of the equator (See Figure 3). The total population of Bougainville is approximately 234,280, according to the preliminary findings of the 2011 Census (Geohive, n.d.). The land mass of the

two main islands is approximately 900,000 hectares (ABG & UNDP, 2008, p. 6). Bougainville is ecologically and geographically a part of the Solomon Islands, but politically it is a part of PNG (D. L. Oliver, 1955, p. 3).



Figure 3. Map of PNG showing where Bougainville is situated <sup>4</sup>.

Prior to the colonial era, Bougainvillean communities were under the authority of their own leaders. In some areas of Bougainville, leadership was hereditary, while in others it was competitively earned through one's "ability and performance in war, magic, accumulation of wealth" and so on (Regan, 2000, p. 291).

<sup>4</sup> Source: [http://www.lonelyplanet.com/maps/pacific/papua-new-guinea/map\\_of\\_papua-new-guinea.jpg](http://www.lonelyplanet.com/maps/pacific/papua-new-guinea/map_of_papua-new-guinea.jpg)

### **3.3 The Evolution of Local Government in Bougainville: from the colonial era to autonomy**

#### **3.3.1 Under the German Colonial Administration**

The Northern half of PNG, including the islands of New Britain and Bougainville, were annexed by Germany in 1884. Representing the German imperial government in New Guinea was a governor responsible for overseeing the administration of the protectorate. Beneath him were district officers in charge of each of the established districts in the protectorate. Furthermore, in each protectorate the district officers appointed luluais and tultuls. The luluais and tultuls extended colonial law on the ground. The tultul and luluai system remained very strong, mostly in the rural areas of New Guinea, even after the a legislative council and village councils had been introduced in the 1960s (Waiko, 1993).

By 1965, Bougainville had eight regionally elected councils, even though some communities did not accept this system. Within each of these councils were represented a number of villages and language groups. These councils were responsible for addressing issues arising within communities and providing the district administration with information pertaining to the concerns of respective council areas. Furthermore, council leaders met annually to discuss issues relating to community infrastructure, health and education (D. Oliver, 1991).

However, there were individuals who felt that the village councils were not doing enough for their communities. Encouraged by Bougainville's first representative in the House of Assembly (Paul Lapun) to follow their local customs, in order to run their own lives, a man from Siwai gathered like-minded villagers and they decided on how to go about this process. They wanted to "record their own traditions and conduct their own courts according to local, not Western standards" (D. Oliver, 1991, p. 179). Hence, they formed an institution and appointed a traditional leader as the chairman. The intention of this institution was to complement the village council, but the concept gained popularity throughout Bougainville and eventually it took over the role of the

councils. These institutions were known as village governments and the first one was established in 1967.

### **3.3.2 Prior to the Bougainville Conflict**

At PNG's independence in 1975, the system of local government in Bougainville was more or less uniform to that which existed in the remainder of PNG. There was a legislative council at national level and elected local councils at grassroots level. The provincial government level (in-between the and local levels) was not introduced until 1976 – and its introduction was largely to suppress secessionist sentiments in Bougainville and to protect the millions of dollars already invested in Bougainville for the construction of one of the world's largest copper mines (Premdas, 1985; Regan, 1985; Waiko, 1993). However, the local councils were replaced in 1978, when the North Solomon's (Bougainville) provincial government passed the *Community Government Act 1978*, thereby formally establishing community governments as the form of local level government in Bougainville. The constitutions of these community governments made provision for communities to decide whether their community government should consist of elected members or traditional leaders (chiefs). Consequently, community governments, in some instances also constituted non-traditional leaders (Regan, 2000, p. 293).

In the 1980s, a village court system was introduced in PNG. These village courts operated separately from the local councils and hence, in Bougainville, the community government was not responsible for playing the role of the village court. This meant that the traditional role of chiefs in settling disputes was forfeited to the village courts. Growing concerns about the cultural identity of Bougainvilleans; the involvement of youth in law and order issues; and the struggle for power between the community government leaders and the chiefs, led to the commissioning of a report by the provincial government in 1988. This report recommended the establishment of a council of chiefs system that would replace the village courts and become a part of the community governments (Regan, 2000, p. 294).

The following year saw the beginning of unfortunate events that culminated in a decade long civil conflict in the North Solomons' Province. All forms of government collapsed, including vital public services. When the national security forces withdrew from Bougainville in 1990, the Bougainville Revolutionary Army (BRA) did not have the capacity to take control and administer Bougainville. However, the BRA did support the traditional leadership of chiefs and therefore, this gave their civilian government – the Bougainville Interim Government (BIG) – legitimacy. Since the role of the chiefs was seen to have the potential to facilitate peace during the period of conflict, it was decided that the new administration would be based on the council of chiefs system (Regan, 2000).

### **3.3.3 The Council of Chiefs**

The proposition for a council of chiefs gained wide-spread support in Bougainville and eventually councils of chiefs were mostly established in the main island of Bougainville in 1991. In most areas, a three-tiered system was established: the clan-councils-of-chiefs (CCCs), the village-councils-of-chiefs (VCCs) and the area-councils-of-chiefs (ACCs). The jurisdiction of each type of council extends as far as its name suggests – from within the clan, to the village level, to a number of villages. The main role played by these councils played was in regard to 'dispute settlement'. In 1991, PNG security forces returned to many parts of Bougainville. While they and the resistance forces (former BRA members and those who supported the PNGDF) were instructed to work with the chiefs, they were oftentimes conflicting sources of authority for the chiefs. For example, on Buka Island, the village courts started operating in the early 1990s and the PNGDF and police riot squads were also performing policing functions (Regan, 2000, p. 295).

### **3.3.4 The Council of Elders**

In 1995, a new provincial government – the Bougainville Transitional Government (BTG) was established by the national government under a special constitutional provision (Regan, 1998, p. 7). The first premier, Theodore Miriung, envisaged that the BTG would serve as a bridge between the government of PNG and the BTG. Miriung was a key figure in the creation of different forms of local government in Bougainville, including the council of elders (COE) system. He believed that the role of the chiefs was fundamental to the peace process. The COEs would facilitate peace by settling, in the customary way, disputes which had spanned the time of the conflict. Following months of negotiations between all concerned parties, the Bougainville Council of Elders Act was passed in December 1996 (Regan, 2000, p. 298). The council of elders incorporated the council of chiefs system and (in addition) it had legislative (rule-making) powers and similar functions to the village courts. Furthermore, the people were granted the power to decide whether their COE leaders would be elected or appointed (Regan, 1998, p. 8).

The COE Act established two tiers of local government – the COE and a village assembly (VA) (See Appendix 1 for a complete list of COEs, the number of VAs and COE members). According to Section 12 of the COE Act, the COE is to draft a constitution that defines the structure of the COE and whether COE members are to be elected or appointed. Section 19 provides a guideline to be considered when the VA determines who will represent them on the COE. It also makes provision for a women's, youth and church representative to be appointed to the COE. However, this depends on the constitution of the respective COE (BTG, 1996).

The main functions of the COEs, as stated in Section 24 of the COE Act, are essentially to promote peace and maintain law and order in their respective council areas. Section 25 outlines the powers of the COEs. These include the power to undertake necessary actions and decisions that would enable them to perform their functions, inclusive of creating rules that are applicable to their respective council areas. Sections 33 and 48 of the Act provide for the executive arm of the COE to implement approved budgeted programs and projects and to collaborate with the ABG or other entities to provide public services (BTG, 1996). In Eivo COE for example, the COE is responsible for

overseeing three village courts, aid posts and the community auxiliary police. While the Bougainville Constitution provides for the establishment of a court outside of the formal court system, which is similar to the village court system (in PNG), these courts must include traditional authority (chiefs) and customary practices in their court functions (ABG, 2004). However, the jurisdiction of these courts is limited to a certain level of offences. For example, offences, such as sexual assault, will be referred to the regular police and the formal court system.

Part II of the COE Act establishes the office (or division) of local-level government (LLG) to oversee the operations of the COEs. Section 5 of the act identifies the main function of the LLG office as that of overseeing the operations of every form of government beneath the ABG. This function of the LLG office includes activities, such as providing guidance and technical assistance to the COEs to perform their functions, in addition to providing an annual report to the Bougainville Executive Council (BEC) and the Bougainville parliament on the performance of local government in Bougainville. The LLG also has the power to make recommendations to the BEC and the Bougainville parliament for improvements in the system of local government – and even for the suspension of a COE, should circumstances warrant this action (BTG, 1996).

### **3.3.5 The Village Assembly (VA)**

Section 9 of the COE Act establishes the VA. The VA is that level of government below the COE. The VA would normally constitute a single village, however, the COE Act provides for two or more villages to form a single VA. Section 9(2) states that the VA will comprise all persons living within the village, whether they have traditional links with the village or not. However, the COE Constitution will determine how long people without any traditional links to the village must reside there, before they may participate in VA meetings. Section 9(4) clearly states the functions of the VA, which are generally similar to that of the COE. The VA is responsible for promoting peace and maintaining law and order within the VA area, by assisting the village chiefs or clan leaders in their role of dispute settlement. The VA is also responsible for determining

(every five years) whether their representatives on the COE will be appointed or elected. Such matters deliberated upon by the VA are decided by a majority vote taken by all the members of the VA above the age of 18 years (BTG, 1996).

### **3.4 Comparing the COE System to the LLG System in PNG**

The main difference between the COE system of local government in Bougainville and the LLG system in the remainder of PNG lies in the composition of the institution of local government: that is, whether they are elected or appointed – and their powers and functions. According to Section 29 of the OLPGLLG (Organic Law on Provincial Governments and Local-level Governments), in PNG, the head of the LLG (LLG President) and all ward members are to be elected. In rural areas, two representatives from women's organisations are nominated to the LLG. However, these representatives have equal voting rights as those who are elected and they are also counted towards a quorum. Persons elected or nominated to the LLG need not be traditional leaders, however, there are general guidelines for eligibility to contest LLG seats (GOPNG, 1998). In the case of COEs, Section 9 (4c) of the COE Act states that the VAs are responsible for determining (every five years) whether their COE members will be elected, in which case, not only traditional leaders may contest or be appointed, in which case, those appointed are likely to be chiefs. In the case of the COE chairperson, Section 29(1) requires a secret ballot by COE members to determine the appointment of the chairperson. The COE Act also provides for the nomination of a church, women's and youth representative to the COE (BTG, 1996). However, a COE's constitution may prevent this from happening<sup>5</sup>.

In regards to the powers and functions of LLGs in PNG, Section 44 of the OLPGLLG clearly states, in detail, the areas in which the LLG has law-making powers. These areas range from maintaining peace and order and implementing public services such as community pre-schools, aid posts and community employment and labour. According

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<sup>5</sup> One of my case study COE's based its constitution on the concept of the 'Tsuhana system' or 'garamut haus' (man's house), thereby preventing the entry of women into the COE.



to Section 46 of the Organic Law, the LLGs do not have the power to establish courts or administer any of the functions of the judiciary. Similar to the LLGs in PNG, the COEs also have law-making powers which are limited to their respective council areas (Section 25) but, unlike the LLGs, the COEs exercise the powers and functions of the village courts (Section 24)(BTG, 1996).

### **3.5 Events leading up to the Bougainville Conflict**

Bougainville has an important place in the history of local government in PNG. Two weeks prior to the country obtaining full independence from Australia in 1975, a secessionist movement in the North Solomons province (Bougainville) declared the independence of that island province. Small scale violence erupted and this was followed by five months of tense negotiations between the government of PNG and Bougainville leaders. These negotiations culminated in the implementation of the provincial government system throughout PNG in 1977 (Premdas, 1985; Regan, 1985).

The introduction of the provincial government system may have quietened the secessionist movement in Bougainville and those actions by other micro-nationalist movements in the country (Peasah, 1990, p. 2), but it could not prevent the civil conflict which began in 1989. There were quite a few complex and interrelated cause behind the Bougainville conflict, some of which include separatist sentiments, environmental and land-owner issues (Ninnes, 2006).

Today, following a ten year civil conflict, peace negotiations and agreements, Bougainville has attained the status of autonomy from PNG. The constitution of the ARoB has enabled the autonomous Bougainville government (ABG) to create lower levels of government, as deemed necessary, in order to assist it in carrying out its functions (ABG, 2004). Compared to the LLG system that exists in the remainder of PNG, the local government in Bougainville is somewhat unique with regard to its structure, composition and functions.

## **3.6 The Autonomous Bougainville Government**

### **3.6.1 Autonomy in Bougainville**

Peace negotiations took place between the Government of PNG and Bougainville leaders, including representatives from the local warring factions (BRA and the resistance forces). The governments of New Zealand and Australia played active roles in facilitating these negotiations. Months of negotiations ended in the signing of the Bougainville Peace Agreement in Arawa, Bougainville, in 2001.

The Bougainville Peace Agreement has three pillars: autonomy, referendum and weapons disposal. In essence, the objects of autonomy are to give Bougainville the mandate to run its own affairs, inclusive of determining how Bougainville pursues its development under the leadership of a government determined by Bougainvilleans. However, all these provisions must be realised within the framework of the PNG Constitution (GOPNG & ABG, 2001, p. 8). This Peace Agreement also clearly states Bougainville's geographic boundaries and the process for developing the Bougainville constitution.

The specific powers and functions given to Bougainville (and those retained by the PNG government under the autonomy arrangements) are also clearly stated. The PNG government retains power over defence, international trade, immigration, central banking and telecommunication, among other responsibilities. The Bougainville government, on the other hand, has the powers and functions that all other provincial governments in PNG hold, in addition to certain powers and functions that would normally be performed by the PNG government (GOPNG & ABG, 2001).

The Peace Agreement allows for all the powers held by the provincial governments in PNG to be transferred to the ABG, as soon as it is established. The powers and functions of the national government, which will be taken on board by the ABG, would be gradually transferred, depending on the capacity of the ABG. In order for a specific

power or function to be transferred from the PNG government to the ABG, the ABG has to give the PNG government a 12 month written notice, informing the PNG Government of its intention to have those additional powers and functions transferred (GOPNG & ABG, 2001, p. 25).

In regards to the pillar of referendum, the Peace Agreement states that the national government will make amendments to the constitution, in order to guarantee a referendum for Bougainville, during which Bougainvilleans will decide whether they wish to become an independent nation or remain as part of PNG. However, the outcome of the referendum will be subject to ratification by the national government. The referendum should take place no earlier than the ABG's first election and no later than 15 years after the election (GOPNG & ABG, 2001, p. 58). Since the ABG was elected into office in 2005, the referendum is scheduled to take place between 2015 and 2020.

The third pillar of the peace agreement – weapons disposal – is built upon a plan developed with the ex-combatants, both members of the BRA and the resistance forces. This plan has been implemented by the Peace Process Consultative Committee (PPCC), together with relevant stakeholders. The PPCC established a PPCC subcommittee and proposed that it be comprised of the following: the Director of United Nations Observer Mission on Bougainville (UNOMB), or his representative as the chairman; the Commander of the Peace Monitoring Group (PMG), or his representative as the Deputy Chair; and representatives from the national government, the BRA and the resistance force. The role of the PPCC subcommittee is to develop, manage and implement weapons disposal, in accordance with this resolution of the peace agreement (GOPNG & ABG, 2001, p. 63).

### **3.6.2 Structure of Government in Bougainville**

In 2004, the Constitution of the Autonomous Region of Bougainville was adopted by the Bougainville Constituent Assembly (ABG, 2004, p. 1) and (in 2005) the Autonomous Region of Bougainville elected its first autonomous government. Division 2, Section 41

(2) of the Bougainville Constitution gives effect to three principle arms of the ABG: the Legislature consisting of the House of Representatives; the Bougainville Executive Council; and the Bougainville Courts. Division 3, Section 49 provides for the ABG to establish another level, or other levels, of government below it – and it also recognises the council of elders’ system that was established by the BTG during the Bougainville conflict (inclusive of the VA), as a formal level of government. Division 4, Section 51 further recognises the traditional system of government that is comprised of clans and the chiefs of those clans, including the day to day leadership that they provide in their respective clans and communities (ABG, 2004).

### **3.6.2.1 The Legislature**

Part V of the Bougainville Constitution establishes the legislature and outlines its composition, powers, functions and procedures. Section 55, in particular, establishes and outlines the composition of the House of Representatives. It states that the House of Representatives should be comprised of the President of the ABG who is directly elected, 33 members representing each constituency, also directly elected, three women representatives and three ex-combatant representatives, with members being elected from each of Bougainville’s three regions – North, Central and South Bougainville – in addition to the Speaker of the House, who will be appointed by the House of Representatives. According to Section 60 (1) the speaker will not be a member of the House of Representatives, but instead an eligible candidate put forward by each of the regional committees of the House of Representatives (ABG, 2004). Figure 4 shows the structure and composition of the ABG and how the lower levels and arms of government are linked.

Figure 1. Sources of Authority and Structure of Autonomous Bougainville Government (ABG)

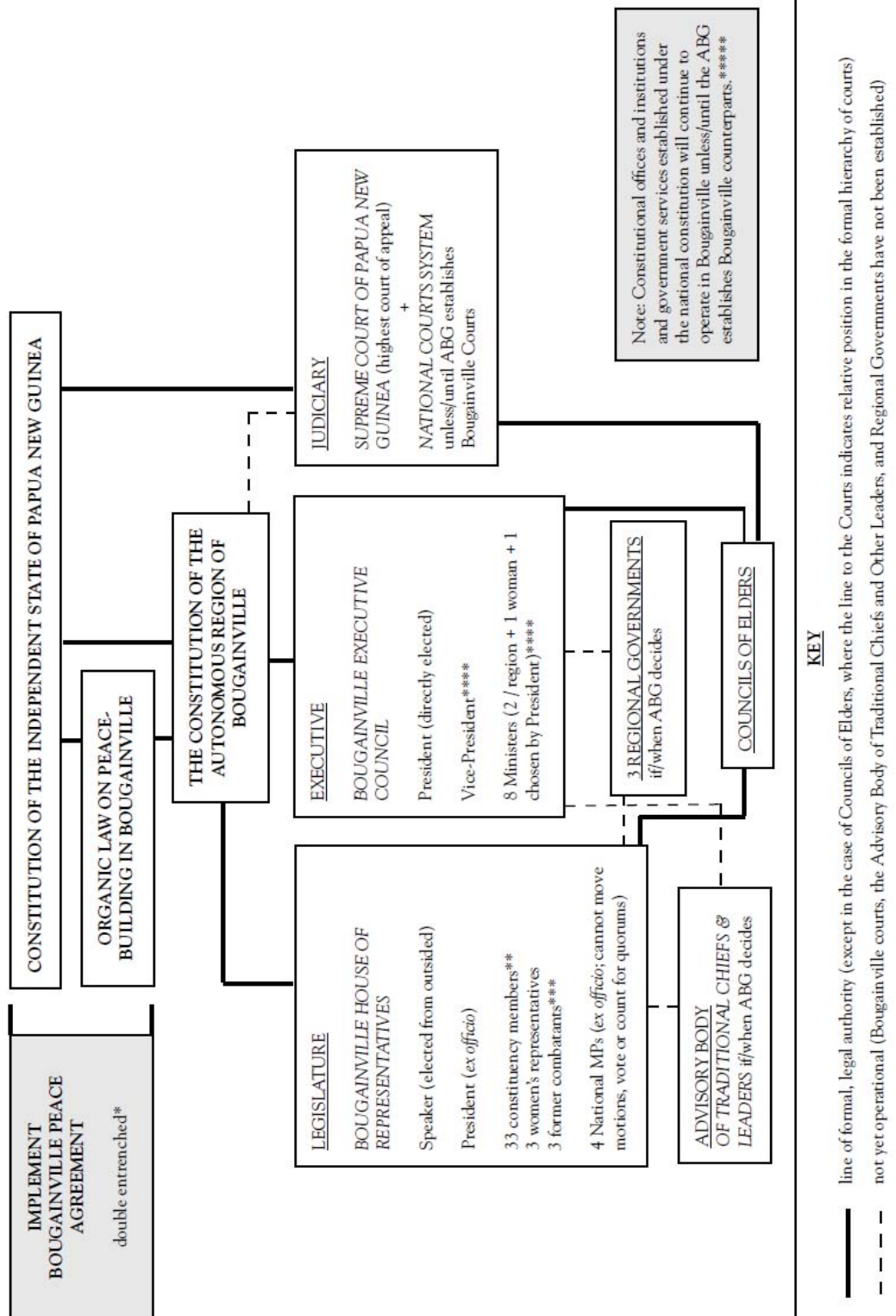


Figure 4. Sources of authority and structure of government in Bougainville <sup>6</sup>. (See Figure 5 for explanation of Figure 4)

<sup>6</sup> Source: Wolfers, E. P. (2006). Bougainville autonomy - implications for governance and decentralisation Retrieved from [http://ips.cap.anu.edu.au/ssgm/publications/discussion\\_papers/png/06\\_5wolfers.pdf](http://ips.cap.anu.edu.au/ssgm/publications/discussion_papers/png/06_5wolfers.pdf)

\* The autonomy provisions in the National *Constitution*, Part XIV and the Organic Law made under that Part can be amended following 2 months' notice, consultations between the National Government and the ABG, and approval by two-thirds absolute majority in the National Parliament in two separate votes at least one month apart and simple majority vote in the Bougainville legislature.

\*\* May be between 28-38 for future elections

\*\*\* Subject to review before the end of the ABG's first 5-year term (2010), and to cease, in any event, when the guaranteed referendum on Bougainville's political future is held in the period 2015-2020.

\*\*\*\* Chosen from the legislature.

The President chooses the Vice-President, who must come from a Region of Bougainville other than his own. The Bougainville Constitution provides for the President to appoint an additional further 4 members of the Bougainville Executive Council when the Bougainville House of Representatives considers financial resources allow and a law is made for the purpose.

\*\*\*\*\* Offices and institutions established under the National *Constitution* which may be replaced/supplemented by Bougainville counterparts include: Auditor-General, Electoral Commissioner, Ombudsman Commission, Public Prosecutor and Public Solicitor, Public Services Commission, and Salaries and Remuneration Commission. Government services include Public Service, Police, and Correctional Institutional Services.

**Figure 5. Explanation for Figure 4**<sup>7</sup>

Section 111 of the Bougainville Constitution also makes provision for members of the legislature to be organised into political parties. Political parties in Bougainville are not necessarily aligned with political parties in PNG. During the 2010 Bougainville presidential elections, the three main political parties in Bougainville were the Bougainville People's Congress Party, the Bougainville Independence Movement and the New Bougainville Party (PostCourier, 2010).

### **3.6.3 Accountability Mechanisms within the COEs**

Section 38 of the Bougainville Constitution states that:

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<sup>7</sup> Source: Wolfers, E. P. (2006). Bougainville autonomy - implications for governance and decentralisation Retrieved from [http://ips.cap.anu.edu.au/ssgm/publications/discussion\\_papers/png/06\\_5wolfers.pdf](http://ips.cap.anu.edu.au/ssgm/publications/discussion_papers/png/06_5wolfers.pdf)

- (1) All public offices shall be held in trust for the People.
- (2) All persons in positions of leadership and responsibility are, in their work, answerable to the People in accordance with law.
- (3) The Autonomous Bougainville Government shall take all lawful measures to ensure accountability in Government and to expose and eradicate corruption and abuse or misuse of power (ABG, 2004, p. 29).

At the COE level, the COE Act identifies a number of ways in which COE members are to be held accountable. In line with Section 38 of the Bougainville constitution, there is a reporting system in place, which requires COEs to report to the LLG Division on a regular basis. Furthermore, Section 6 of the COE Act requires the head of the office of LLG to provide the chairman of the committee<sup>8</sup> responsible for LLG with a report on the implementation of the COE Act and the performance of local government. The LLG has the power to make recommendations for improvements to the COEs, or even for the suspension of all (or any) of a COE's powers and/or functions. With regards to the accountability of local government personnel, Section 75 of the COE Act generally outlines the penalties that COE members and employees of their offices are likely to face, if found guilty of various offences (BTG, 1996).

### **3.7 Chapter Summary**

In order to appease a number of secessionist sentiments (particularly in Bougainville) and to protect the millions of dollars invested in one of the world's largest copper mines in Bougainville, the PNG Government introduced the provincial government system into PNG in 1977. Disgruntlement over environment and landowner compensation issues led to a decade long civil conflict in Bougainville, which ended in 1999. During the conflict, all formal authority and services collapsed, but, for many communities, the traditional authority of the chiefs was maintained. In 1991 the Bougainville Interim Government, with the support of the Bougainville Revolutionary

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<sup>8</sup> The COE Act does not specify the composition of this committee

Army, developed the council-of-chiefs system, which served as the administrative arm of the Bougainville Interim Government. The Council-of-Chiefs system has since evolved to what is today: the council of elders – Bougainville’s unique form of local-level government.

In regards to issues of accountability at the COE level and similar to local government in the remainder of PNG, formal accountability mechanisms only provide for the upwards accountability of local governments. However, Chapter 5 of this thesis identifies possible means by which downwards accountability can be pursued and it also demonstrates how communities have managed to hold their COE leaders to account.



# CHAPTER 4: METHODOLOGY

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## 4.1 Introduction

This chapter outlines and discusses the factors influencing my research enquiry; my epistemological position; the chosen research methodology; and the reasoning behind the selection of specific research methods. The chapter also highlights the processes that have been undertaken in order to collect data pertaining to the research questions, inclusive of ethical considerations.

## 4.2 The Research Inquiry

My interest in the accountability of local governments in PNG (and specifically in Bougainville) stems from a number of reasons. Firstly, a friend of mine, after a short holiday in PNG, came back to New Zealand and told me that, through his contacts in the Department of National Planning in PNG, he was able to get hold of documents showing that a few million kina had been paid out for two separate projects in his district. Over two years on, both projects are yet to get off the ground. This got me thinking about issues around accountability and the participation of communities in local governance.

Secondly, I have a professional interest in Bougainville stemming from previous work within the region with World Vision PNG. Bougainville is a post-conflict area and it is in the process of rebuilding. It has adopted the constitution and administrative structures of PNG at the regional or provincial level but, at the local level, Bougainville has a rather unique local government structure in which traditional structures are merged into a formal structure. I considered that the COE provided an excellent case study for local government accountability, which could be compared to local government accountability in the remainder of PNG.

### 4.3 Qualitative Case Study

This research project is qualitative in nature, since it seeks to describe existing structures and processes within a given context. In their generic definition of qualitative research, Denzin and Lincoln (2000, p. 3) describe it as an activity that situates the researcher in the world of the researched, in an attempt to understand phenomena through the meanings that are generated by the research.

The case study methodology has been identified as most appropriate for answering the research questions in this study. O’Leary (2010, p. 174) defines the case study as “a method of studying elements of the social through comprehensive description and analysis of a single situation or case”. The case needs to be defined before the selection of cases to be studied can be made (O’Leary, 2010, p. 175). For this project, the case to be studied is the COE: and the phenomenon to be explored is accountability.

The use of the qualitative case study grounds this research within the epistemological position of ‘constructivism’. Constructivism, also commonly known as interpretivism, “recognises the important role of the observer and society in constructing the patterns that we study as social scientists” (Moses & Knutsen, 2007, p. 10). This was evident during my fieldwork. I realised that each of my respondents often brought different viewpoints to the standard research questions that I asked, thus reinforcing the constructive viewpoint that different people give different meanings to the one and same phenomenon.

In the case of this research, two COEs were studied – Tsitalato COE in North Bougainville within proximity of the provincial capital; and Eivo COE in Central Bougainville, which is relatively rural compared to the other (see Figure 6). A few general observations can be made of the two COEs regarding differences in their composition and set-up. Firstly, Tsitalato COE has a smaller council area with more COE members, compared to Eivo COE. For both COEs, members are appointed by the VAs. The Eivo COE has a church, youth and women’s representative appointed to the COE,

whereas Tsitalato’s constitution does not allow for this appointment. This situation is due to the Tsitalato COE’s constitution being based on the concept of the ‘Tsuhana system’ or ‘garamut haus’, which literally means a ‘man’s house’ (see Appendix 2 for the contents and first page of the Tsitalato COE Constitution).



**Figure 6. Map of Bougainville showing location of research sites.**

Secondly, Tsitalato COE is better set-up in terms of having a visible office out of which its administrative arm can operate and where COE members can hold its meetings. For both COEs, COE members meet every quarter. Thirdly, the Tsitalato COE has a written constitution, adapted from the COE Act, to guides its operations, whereas the Eivo COE

does not have its own constitution, but instead it relies on the COE Act and guidance from the district office.

The selection of these research sites was made after consultation with the LLG division in Buka and with my former colleagues at World Vision Bougainville. Issues of time, finance, security and accessibility were influential in the selection of these sites. Two out of 40 COEs were studied, representing 5% of all COEs in Bougainville. A total of 16 people were interviewed from both research sites. 10 were COE Members, five were community leaders and one was an official from the local-level government (LLG) division (See Appendix 3 & 4 for my research information sheet and question scheme).

#### **4.4 Methods used**

##### **4.4.1 Document analysis**

O’Leary (2010, p. 223) defines document analysis as the “collection, review, interrogation and analysis of various forms of written text as a primary source of research data”. This method was utilised, in order to gather data from official government documents, such as the Bougainville Constitution, individual COE constitutions and relevant acts of parliament and policy documents. I considered using textual analysis of other documents, such as the COEs’ meeting minutes, inter- and intra-office memos and village assembly meeting minutes. However, the COEs I studied did not have these texts available. The difficulty I faced in accessing official texts and documents was largely due to the fact that most COEs are still not properly set up. For example, some do not have a physical building in which to house their documents and hence, there were no proper documentation and records. Some COEs simply have not yet developed their constitutions.

##### **4.4.2 Semi-structured interviews with key informants**

Semi-structured interviews were identified as the best type of interview to use, because they allow the researcher the flexibility to find out more about unforeseen issues that may arise during the interviews. Since the phenomenon being explored is accountability within the COE system, key informants would be those people who are experienced and knowledgeable with regard to the structure, powers, functions and procedures of the COEs. Based on these criteria, I identified the following key informants: the LLG officer responsible for coordinating the work of COEs; selected COE members from the Tsitalato and Eivo COEs; and selected community leaders – women’s youth and church representatives – from the two COE council areas.

Furthermore, the semi-structured interview with key-informants was the most appropriate data collection method, since my field research took place during the election period in Bougainville and therefore, it was very difficult to get people together in one place. Also, at the second research site, key informants lived quite far apart and I felt it would be more appropriate if I was the one walking the hours to find them.

#### **4.5 Ethics**

Massey University has a Human Ethics Committee (MUHEC) that oversees a thorough ethics screening process for staff and students who are engaged in conducting research (Massey University, 2011). I filled in a screening questionnaire, in order to determine the approval procedure to be undertaken, prior to commencing research. The MUHEC approved the research as low risk (See Appendix 5 for the MUHEC low risk notification). Furthermore, prior to beginning the University’s ethics screening process, I completed a departmental ethics screening process, in which I had a discussion with two academic staff about different scenarios that might raise ethical questions.

In conducting research in the field, I followed local protocol when accessing my research sites and participants. This involved writing to the LLG Division in Buka to inform them of my intention to conduct research in Bougainville. I was granted

permission in the form of a letter from the head of division (See Appendix 6 for the official clearance from the LLG Division to undertake research in Bougainville). I also obtained either written or verbal informed consent (depending on which was more appropriate) from all participants, prior to their engagement in the research process (See Appendix 7 for the participant consent form).

## CHAPTER 5: FINDINGS

### 5.1 Introduction

This chapter aims to present the findings pertaining to the three sub-research questions:

1. What are the direct institutional relationships of COEs (upwards, downwards and horizontal)?
2. How in practice do COEs interact with their constituents?
3. How do constituents hold their COEs to account?

The findings of the first research question will be discussed under the following sub-headings: (a) The COE's relationship with its communities; (b) Working with other COEs; (c) The COE and the Village Assembly (VA), (d) COEs and Members of Parliament – ABG and National; and (e) COEs and the Local-level Government Division. The findings of the second research question describe how COE members interact with their communities, and it will focus on the COE's roles with regards to: (a) facilitating dispute settlement and reconciliation; (b) community meetings and awareness campaigns; (c) service delivery and small community projects; and (d) COE members maintaining individual integrity and also that of the COE Office. The final research question identifies how community members are holding their COE members to account: and these findings are discussed under five sub-headings: (a) Direct confrontation of COE members; (b) Utilising the existing chief system; (c) Going a step higher to the LLG Division; (d) Constituents resisting COE authority; and (e) Utilising the informal relationships within communities.

As mentioned in Chapter 4, this research was conducted at two different sites. However, most of my research findings are similar for both research sites and hence, they will be presented together. Findings that are unique to each research site will be highlighted as such. In addition, one may notice confusion in the choice of terms used by respondents. For example, one or two respondents use the term 'council of chiefs' or 'village council of chiefs' interchangeably with the term 'village assembly'. This

suggests that constituents may be confused about the current structure of local government in Bougainville, since it has not changed much since the pre-autonomy days.

## **5.2 The Institutional Relationships of the COEs**

As discussed in Chapter 3, the local government system in Bougainville is comprised of two tiers: the COE and the VA. The COE system was established in 1996, as the form of local government in Bougainville. The general powers and functions of the COEs include those of law-making and facilitating conflict resolution within their respective council areas. The VA has similar powers and functions as the COEs. However, the jurisdiction of these powers and functions are limited to the areas or villages that make up the VA.

### **5.2.1 The COE's relationships with its communities**

Various sections of the COE Act clearly set out the different ways in which the COEs should interact with their communities. Section 7, Sub-section (1) states that all people in Bougainville are intended to be represented by a council of elders or an urban council and hence, the interaction of constituents with their respective COE is inevitable. Specific interactions between the COEs and their constituents include: the leadership of the people, in terms of improving the quality of life and maintaining law and order (section 8); dispute settlement and reconciliation; and exercising the powers and functions of the village court, among other functions (BTG, 1996).

The findings of this research, pertaining to the institutional relationships of the COEs, suggest that there is a close working relationship between the COE and its constituents, and three main themes have emerged regarding this relationship. Firstly, all respondents – COE members, community leaders and the LLG Officer – confirm 'maintaining law and order in the community', as one of the core functions of the COE.



Maintaining law and order largely entails activities such as resolving conflict and facilitating subsequent reconciliation processes. However, the COE can only deal with a certain level of offences. More serious cases, such as sexual offences or murder, are referred to the police.

*“It is the COE’s responsibility to ensure that in our communities, everything runs smoothly and everyone is happy and they can go about their daily tasks in peace and safety”.<sup>9</sup>(COE Member)*

*“Our chiefs are there to ensure that everything is well in the community. Before they do this, they call a meeting and discuss (the issue/s) at their level then they come down to the community to address the issue”.<sup>10</sup>  
(Community Leader)*

*“We have an Act that spells out the functions of the COE: through decision-making, to improve and protect the lives of people, to settle disputes, facilitate reconciliation, they should be heavily involved with the law and justice sector, especially with the magistrates. Currently the village court operates under them”<sup>11</sup>. (LLG Official)*

Secondly, this relationship is demonstrated in the ‘flow of information’ from the higher levels of government down to the communities. There is a clear channel of communication through which information flows from the COE, or higher levels of government, down to the communities, or vice versa. There is a general agreement among all key informants that information from the COE is (or should be) passed down to the Village Assembly (VA) and then to the wider community.

*“We work very closely with the people. Directives from the ABG comes through us and then to the people”.<sup>12</sup> (COE Member)*

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<sup>9</sup> Interview 1

<sup>10</sup> Interview 10

<sup>11</sup> Interview 3

<sup>12</sup> Interview 8

While two community leaders agree that this should be the channel of communication between the COE and the communities, they also claim that they have not witnessed this flow of information taking place within their respective communities.

*“I have not seen, particularly here at Tsitalato, members of the COE come down to the VA level to tell people about policies by the government. Information is lacking in communities”.*<sup>13</sup>(Community Leader)

Finally, members of the COE, in particular, talk about ‘good leadership’, in both a modern and traditional sense: that is, by setting a good example for their constituents by demonstrating a personal respect for customary practices and the law. In their official role as members of the COE, they are kept in line by the COE Act, which states that members or employees of the COE who abuse their position or authority are guilty of an offence and they can be fined or even jailed (BTG, 1996, s.75). This section of the COE Act is emphasised in the Section 18(j) of the Constitution of Tsitalato COE which states that:

*“a member of the Hagumun Tsunono Council of Palpata may be reprimanded, warned, disciplined, dismissed from office from non-performance of duties, committing an offence or indictable offence...”*  
(Tsitalato-COE, n.d).

In casual conversations with various public officials, the case of a particular COE chairman, currently being investigated for misappropriation of public monies, was brought up. However, none of the COE members and Community Leaders interviewed talk about similar issues within their respective COEs.

A number of COE leaders talk about characteristics and behaviours that are required of them as chiefs – traditional leaders. Even though chieftaincy is inherited, chiefs are still required to be charismatic, honest and impartial and so forth. Chiefs have to work hard

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<sup>13</sup> Interview 4

at maintaining a good relationship with their communities, especially through leading by example – and responding to the needs of their people.

*“To be a leader, you have to be a good man otherwise people will not have respect for you. They have to be able to trust you... Also, according to custom, the chief is everyone’s chief and therefore should not show favouritism”.<sup>14</sup> (COE Member)*

*“In the community, we work together with our chiefs, particularly those in the COE. Before they do anything, the community must know about what they are trying to do. They must know what the people think or want. We come together, discuss issues and whatever we resolve is what they (COE) work upon”.<sup>15</sup> (Community Leader)*

The research findings, pertaining to the institutional relationships of the COEs, suggest that the COE has a direct institutional relationship with its communities and it interacts with them in three main ways: through its core function of maintaining law and order in the communities; facilitating the flow of information between the COE and the communities and vice versa; and through providing exemplary leadership, inclusive of maintaining good relationships with their community members. However, two community leaders claim that the flow of information between the COE and its communities is not taking place.

### **5.2.2 Working with other COEs**

The COE Act clearly states a number of areas in which the joint exercise of powers by the COEs may occur. Section 49, Sub-section (1) states that “...two or more COEs may enter into an agreement for the joint exercise of any of their functions...” (BTG, 1996). For example, two or more COEs may come together to set up one village assembly, or form regulations that will be applicable to all the different council areas.

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<sup>14</sup> Interview 11

<sup>15</sup> Interview 10

Only one respondent – a COE member – mentions that his COE and a neighbouring COE have co-funded community projects.

*“There are two COEs in our constituency – Eivo and Torau. Sometimes we co-fund projects such as schools and aid posts”.<sup>16</sup>(COE Member)*

All respondents except for one community leader identify this joint exercise of power in terms of the participation of different COEs in forums, such as the Chairmen’s Conference and the Joint District Planning and Budget Priorities Committee (JDP&BPC) meetings. According to the COE members and community leaders who mentioned the Chairman’s Conference, this conference should occur quarterly, however, due to financial constraints, this conference is often held annually. The conference brings together the chairmen of all the COEs in each of the three regions of Bougainville, to their respective regional meetings. The LLG Official however remarked that the LLG Division is yet to make a submission to the BEC to formalise the Chairmen’s Conference.

*“At this conference (i.e. Chairmen’s Conference), we look at our progress since we last met and talk about the difficulties that we are facing”.<sup>17</sup> (COE Member)*

The JDP and PBC meeting also occurs quarterly and involves the same group of COE members plus the respective regional MP (i.e. the National MP - NMP) and relevant bureaucrats from the NMP’s office and from District Offices within the region. The purpose of this meeting is to budget, prioritise and allocate the NMP’s District Grant from the National Government to the districts within the NMP’s region.

*“In Buka there are 6 COEs. The chairmen of these 6 COEs meet quarterly in what is called the Chairman’s Conference. Issues discussed in this Conference include... things such as funding...”.<sup>18</sup>(COE Member)*

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<sup>16</sup> Interview 14

<sup>17</sup> Interview 11

With one exception (that is, the co-funding of projects between the Eivo and Torau COEs,) the research findings, pertaining to the institutional relationships of COEs, suggest that, in practice, the relationship between COEs is limited to the COE Chairmen’s Conference and the JDP and BPC meetings, which are held periodically. Even though the COE Act clearly states a number of ways in which the relationships between COEs could be utilised, the findings do not show this occurring in practice.

### 5.2.3 The COE and the Village Assembly

Division 2, Section 9 of the COE Act establishes the Village Assembly (VA) and states the composition of the VA, in addition to the eligibility for membership. Similar to the COE, the VA also has the function of dispute settlement and reconciliation. However, the jurisdiction of the VA is limited to the village or villages that constitute the VA (BTG, 1996). This function is re-enforced in Section 8 of the Tsitalato COE Constitution, which states that “all members of the ...council... shall be responsible to maintain and promote peace, unity and stability in their respective villages” (Tsitalato-COE, n.d). Other functions of the VA, as stated in Section 9 of the COE Act, include activities such as determining whether and how COE members are to be elected or appointed, and considering any changes to the rules of the council area, or to the COE constitution (BTG, 1996).

More than half the respondents – both COE members and community leaders – confirm the existence of VAs in their respective communities. The VAs have their own executive members and (depending on the COE constitution) their representative to the COE can be either elected or appointed. Where the COE has approved appointment to the COE, this task is undertaken by the clan or by the paramount chief.

*“...for the Tsitalato COE, their constitution prohibits elections. The chief of each VA appoints a COE member.”<sup>19</sup> (Community Leader)*

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<sup>18</sup> Interview 2

<sup>19</sup> Interview 6

The main theme emerging, with regards to the role of the VAs, is that the VA is a pivotal link between the COE and the communities – and vice versa. From the ground up, grievances that the communities have with their leaders or development needs (mostly small community projects), which they have are raised with the VA, are taken further from there to the COE. Similarly, any information that the COE wishes to relay to its communities goes through the VA.

*“There is a clan system and a Village Council of Chiefs (VCC or VA) establishment in place. The people go to their clan leaders, the clan leaders take it up with the VCC and the VCC takes it up with the COE”.<sup>20</sup>*  
(Community Leader)

*“When the COE chairman has important information for the community, he informs the VCC chairman/men and they will call a meeting and inform their communities”.<sup>21</sup>* (COE Member)

The research findings, pertaining to the institutional relationships of the COEs, suggest that there is a direct institutional relationship between the COE and the VA. The majority, if not all, members of the COE also represent their respective VAs. The VAs come across as a pivotal link between the COE and the communities – and vice versa.

#### **5.2.4 COEs and Members of Parliament – ABG and National**

Bougainville has three members in PNG’s National Parliament (NMP) that represent Bougainville’s three regions: North, Central and South Bougainville. Within Bougainville, there are also Constituency Members of Parliament (CMP), who comprise the Autonomous Bougainville Government and represent each of the 33 constituencies. With regards to the COEs interactions with their CMP and NMP, Section 18 of the COE Act states that the NMP whose electorate is in the COE area and the CMP whose constituency is also in a COE area, is “subject to the constitution of the

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<sup>20</sup> Interview 15

<sup>21</sup> Interview 13

COE area and to the Rules, entitled to attend meetings of the Council and to take part in debates, but is not entitled to vote and shall not be counted towards a quorum”(BTG, 1996).

Section 18 of the COE Act is echoed in the Tsitalato COE’s Constitution, Section 14, Sub-section 1 (1) and it states that the CMP “may attend the sessions of the Council but will not be eligible to vote, not be counted towards a quorum, and cannot introduce motions...” (Tsitalato-COE, n.d, p. 4). The CMP and NMP may not be able to influence the COE’s business but, according to Section 48, Sub-section (3c), they may engage with the COE to provide any public or social service (BTG, 1996).

*“The COE Act allows our member to attend our sittings but he can only observe unless invited by the chair to speak. He’s a good man. He attends our sittings and works closely with us. He even lends us his vehicle for logistics and transportation when we have programs to attend to”.<sup>22</sup> (COE Member)*

The majority of the respondents, except for one COE member and two community leaders, note a good relationship between their COE and their CMP. The relationship between the COE and CMP is defined in terms of the CMP’s attendance at the COE Assembly and in the funding of community projects by the CMP. However, a few COE members, community leaders and the LLG Official also note negative aspects of the relationship between the COE and its CMP, such as the lack of co-operation between them, and the CMP only showing his face in the constituency area during the campaign period.

*“We really want to strengthen the link between COEs and the constituencies. So far, the link just isn’t there. Constituencies may be doing things on their own... They have to work together. For example, whatever*

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<sup>22</sup> Interview 8

*projects the constituencies come up with, have to come from the COE. But this is not happening”.<sup>23</sup> (LLG Official)*

*“The member has to visit the chiefs and the communities in his constituency. But so far, I have not seen this happening”.<sup>24</sup> (Community Leader)*

In regards to the NMP, most COE members and community leaders note a good relationship between their COE and their NMP and they define this relationship in terms of the JDP and BPC meeting that brings together all the COE chairmen, relevant District bureaucrats and the NMP’s office, in order to prioritise and budget for development activities in the district.

*“We work with our Constituency member and other ABG members when it comes to the ABG budget. We, COE members, provide input to the ABG budget, especially with regard to ABG projects. We also meet quarterly with our National MP as part of the JDP&BPC”.<sup>25</sup> (COE Member)*

The COE Act does not specify how COEs should be interacting with their respective CMPs and NMPs, nor does the Tsitalato COE’s constitution. However, with regards to the general mention of this relationship in the COE Act, research findings pertaining to the COEs institutional relationship indicate that CMPs do attend COE Assembly meetings and cooperate with the COEs, especially in the funding of various services to the communities. As for the NMPs, the findings indicate that they do not attend the COE Assemblies, but rather their interaction with the COEs is limited to the JDP and BPC meetings held quarterly. Furthermore, similar to the CMPs, the NMPs also cooperate with the COEs with regards to service provision.

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<sup>23</sup> Interview 3

<sup>24</sup> Interview 6

<sup>25</sup> Interview 11



### 5.2.5 COEs and the Local Level Government Division

Section 5, Sub-section (2a) of the COE Act states that “the Office of Local Level Government (LLG) has the responsibility to provide advice and support to the COEs necessary to make them effective in carrying out their powers, functions, duties and responsibilities” (BTG, 1996). The Act also requires that the Head of the Office of LLG provides an annual report to the chairman of the executive committee of the ABG responsible for LLG (BTG, 1996, s.6).

The LLG Division has an LLG Officer assigned to each District Office. These officers are responsible for providing advice and support to the COEs within their district. The COEs’ reports are sent to these officers who are then responsible for ensuring that the information reaches the LLG Division (S. Nash, personal communication, June 5, 2012).

*“In the political structure, the COE falls just below the ABG. But from our way of operation, the LLG Division makes the COEs work closely with the districts. In terms of administration, the district offices are closest to the councils. We have District LLG Divisions. They act as advisors to the councils. This is the channel that we want to use in service delivery”.*<sup>26</sup> (LLG Official)

All COE members interviewed agree that it is the LLG Division that is responsible for overseeing the work of the COEs. They also report that the COEs report to the LLG Division, periodically. The LLG Officer confirms that the COEs report to the LLG Division periodically. However, most of this reporting was financial reporting, rather than narratives of the COE’s performance. The LLG Officer also mentions that he had been working with the COEs to ensure that their budgets addressed their core business. There was, however, no mention by the COE members of the specific support role that the District LLG Officer played.

*“...the Local Level Government (LLG) Division oversees our operations. We report to the LLG Division. We do monthly, quarterly, semi-annual and*

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<sup>26</sup> Interview 3

*annual reports. Our Executive Officer is responsible for compiling the reports.”<sup>27</sup>(COE Member)*

*“In terms of reporting, mostly, it is financial reporting. The reports should go through the district LLG offices and we (LLG Division) should be copied”.<sup>28</sup>(LLG Official)*

The research findings, pertaining to the institutional relationships of the COEs, suggest that the COEs have an important relationship with the LLG Division, mostly in terms of the LLG Division providing technical assistance to the COEs, such as advising COEs on the legal limitations of their functions and facilitating elections for those COEs that have chosen to elect, rather than appoint their leaders. Furthermore, the COEs are being accountable to the LLG Division through the reporting system that is in place, however most of the reports are of a financial nature and not so much narratives of the COEs’ progress. As for the support role that LLG District officers should be providing the COEs, none of the research participants made mention of this.

### **5.3 The interactions of COEs and their Constituents**

#### **5.3.1 Facilitating dispute settlement and reconciliation**

There are a number of ways in which the COEs interact with their constituencies. Section 24 of the COE Act outlines a number of general functions of the COE, such as that of improving the lives of the people, promoting peace and maintaining security. Sub-section (1d) specifically states that the COEs are “to encourage dispute settlement and reconciliation of persons involved in disputes in accordance with traditional and/or other methods” (BTG, 1996). The Tsalato COE’s constitution also emphasises dispute settlement and reconciliation. Section 6, in particular, states that “mediation and reconciliation shall be pursued at all times as a means to maintain and keep the peace, good order and harmony in the communities” (Tsalato-COE, n.d, p. 2).

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<sup>27</sup> Interview 1

<sup>28</sup> Interview 3

*“The COE maintains law and order, especially among the youth, ensuring that they show respect for the chiefs – both men and women, and for government rules and regulations, whether it’s the ABG or the PNG Government’s. Basically, it is the COEs responsibility to ensure that in our communities, everything runs smoothly and everyone is happy and they can go about their daily tasks in peace and safety”.*<sup>29</sup>(COE Member)

Half the respondents – both COE members and community leaders – identify the COE members' interactions with their communities in instances where there were disputes: and the COE members acted as mediators in settling these disputes and facilitated the reconciliation processes. The mediatory role played by COE members, or other village chiefs, includes activities such as calling a meeting for all parties involved in the dispute; hearing out grievances from all sides; and helping the parties to reach a solution. This process is often followed by a feast to mark the settlement of the dispute.

*“In our communities there are rules and customs that we must abide by. For instance, if we want to resolve an issue in the community, we have to call a meeting for all concerned parties, the chiefs and even women leaders may sit in. At this meeting we try to resolve the issue. When we resolve the issue we show this by shaking hands with one another and later on a feast is prepared to show that the issue has been settled”.*<sup>30</sup>(Community Leader)

The research findings, pertaining to the downwards relationship that the COEs have with their constituents, suggests that it is largely defined by the mediatory roles that COE members play in dispute settlement – and in facilitating reconciliation between disgruntled parties within their communities.

### **5.3.2 Community meetings and awareness campaigns**

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<sup>29</sup> Interview 1

<sup>30</sup> Interview 10

COE members are also members of their respective VAs and hence, they also interact with their constituents in community meetings, which are formally known as the Village Assembly. Section 9, Sub-section 5 of the COE Act states that “a village assembly shall meet as often as required to carry out its functions and responsibilities, and – (a) at the request of the members of the COE representing the village; (b) as requested by written notice signed by 50 residents of the village” (BTG, 1996).

All but one key informant notes that the COEs interact with their communities in village meetings, presided over by the VA executives (chiefs) or by members of the COE. These meetings not only provide an avenue for community members to raise issues of concern, but they are also utilised for awareness campaigns on various issues, such as health, project funding and so forth.

*“I see them holding meetings to organise community works and to talk with the executives of various community organisations/groups within the Hangan VA... Sometimes the COE executives come down and tell us about changes to rules or laws within their constitution or rules which the ABG has passed. As for projects, they inform us of the projects that they have approved or have not approved”.<sup>31</sup> (Community Leader)*

The research findings, pertaining to the interactions of COEs with their constituents, suggest that another way in which COE members interact with their constituents is via community meetings – and in most instances protocol, as suggested by the COE Act, is followed. However, the findings also suggest that the community meeting are also utilised beyond the specific functions of the VA that are stated in the COE Act. These additional uses of the VA will be discussed in section 5.4.1.

### **5.3.3 Service delivery and community projects**

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<sup>31</sup> Interview 6

The research findings suggest that the COEs interact with their constituents through the provision of various community services. Section 33 of the COE Act states the functions of the executive arm of the COE, among which includes the implementation of approved and budgeted programmes and projects. Section 48(b) states that the COE may “carry out any works that benefit the council area or of the persons in the area” and Section 48(c) says that the COE may “provide or cooperate with the Transitional Government or any other body in providing any public or social service” (BTG, 1996). Similarly, Section 18 (d) of the Tsitalato Constitution highlights the provision of elementary education infrastructure and health facilities, as being one the functions of the COE (Tsitalato-COE, n.d, p. 5).

More than half the respondents – both COE Members and community leaders – identify the interaction of the COE with its respective communities in the area of mandated service provision, such as elementary education and various small community projects. A few COE members and community leaders also note that the COE worked closely with the Constituent Member of Parliament (CMP) on various projects and also sought funding for community project proposals, when it did not have sufficient funds. One COE member in particular highlighted how the Eivo COE has managed to link its communities with NGOs.

*“Other activities or areas that the COE looks into are elementary education and funding small community projects from head-tax”.<sup>32</sup>(COE Member)*

*“The COE has provided some assistance. It bought some equipment for the establishment of a recording studio. The youth were happy with that. The youth want projects to keep them occupied and out of trouble”.<sup>33</sup>(Community Leader)*

*At present we are working closely with NGOs. People in the communities apply for project funding through the COE but as you are aware, the COE*

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<sup>32</sup> Interview 2

<sup>33</sup> Interview 16

*does not have the finances. Hence we link the communities to NGOs.*<sup>34</sup> (COE Member)

The research findings, pertaining to the COEs interactions with their constituents, suggest that COEs interact with their constituents through service provision. The COEs, together with their communities, are responsible for the provision and up-keep of services, including elementary education and small community projects and the construction and/or maintenance of community buildings, such as chapels, market places and so forth. There is also mention of the COE working with other development partners, such as the CMP and NGOs, in service provision.

#### **5.3.4 COE Members Maintaining Individual Integrity and that of the COE Office**

The findings of this research suggest that COE members also interact with their constituents, by working at forging good relationships with them. Section 75(c) of the COE Act states that a member, officer or employee of the COE who “abuses his position or authority... is guilty of an offence” (BTG, 1996). Similarly, Section 16(j) of the Tsitalato COE’s Constitution also states that “a member of the Hagumun Tsunono Council of Palpata may be reprimanded, warned, disciplined or dismissed from office for non-performance of duties” (Tsitalato-COE, n.d, p. 5).

Almost half the COE members and a community leader talk about COE members working hard to be good leaders, since this was expected not only by the law, but also by custom. They talk about traits such as charisma, honesty, impartiality, leading by example and being responsive to their people’s concerns.

*“I must work in the interest of my people. When appointing leaders, people also look at how honest a man is... My community thinks that I will be able to find a way to ensure that a road is constructed to our village, that’s why*

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<sup>34</sup> Interview 14

*they appointed me to the COE. They also wish for services such as schools and an aid post to be built closer to our village”.*<sup>35</sup> (COE Member)

*“In the community, we work together with our chiefs, particularly those in the COE. Before they do anything, the community must know about what they are trying to do. They must know what the people think or want. We come together, discuss issues and whatever we resolve is what they (COE) work upon”.*<sup>36</sup> (Community Leader)

These respondents also note that maintaining good relationships with the members of their communities is necessary for their appointment to the COE: and this also has a large bearing on the community’s cooperation with their leaders.

With regard to the matter of COE members being accountable to their constituents, the latter quote above provides the only piece of evidence within the research findings that suggests that COE members are being (downward) accountable to their constituents.

*“There is great respect for the chieftaincy system. Normally, the chief’s decision stands. However, I am seeing that today, to be a leader, you have to be a good man otherwise people will not have respect for you. They have to be able to trust you”.*<sup>37</sup>(COE Member)

The research findings pertaining to the interactions of COEs and their constituents suggest awareness (mostly on the part of COE members,) concerning the implications of poor leadership in both the traditional and formal context of their leadership. None of the community leaders interviewed comment on instances of poor leadership by a COE member. Only one community leader comments on the poor leadership of a COE, which led to its suspension. Furthermore, only one out of the sixteen respondents

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<sup>35</sup> Interview 14

<sup>36</sup> Interview 10

<sup>37</sup> Interview 11

suggests that through these interactions, COE members are being downward accountable to their constituents.

## **5.4 Ways by which constituents hold COE members to account**

### **5.4.1 Direct confrontation of COE members**

The research findings suggest that there are a number of ways in which constituents hold their COE members to account. As already mentioned, Section 9, Sub-section (5) of the COE Act allows for either the community's COE representative, or a certain number of constituents, to call for a Village Assembly, if the need for one arises (BTG, 1996).

When asked if there were opportunities during these village assemblies to hold COE members to account, half the COE members and community leaders respond that the VA was a forum where constituents could (and often did) confront their leaders. A handful of COE members and community leaders add that constituents do approach their COE members in person, in order to raise their concerns. One community leader mentions that, sometimes, different groups stage protests to show their frustrations. Another community leader told of the time when the constituents of Leitana COE marched to the LLG Division to express their discontent and frustrations with the performance of their COE, and to demand its suspension<sup>38</sup>.

*"...there were times when I confronted the COE to ask when a woman will be included in the COE and the answer has always been the same, "women themselves need to put somebody up there", but we think that it should be them creating a space for us women."<sup>39</sup>(Community Leader)*

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<sup>38</sup> Interview 6

<sup>39</sup> Interview 4



*“There is a VA. They can make their grievances known at the VA. We their representatives also sit in at those meetings. Sometimes, different groups stage protests”.*<sup>40</sup> (COE Member)

The research findings, pertaining to ways by which constituents hold their COEs to account, suggest that the VA does provide constituents with the opportunity to hold their COE members to account. These findings also suggest that constituents are able to (and often do) confront their COE members in person – and sometimes even stage protests to get the attention of their leaders. Although directly confronting COE members as a means of holding them to account has been quite successful, the research findings suggest that this avenue is seldom used.

#### **5.4.2 Utilising the existing chief system**

The research findings suggest that the existing chief system in Bougainville provides an avenue by which constituents can hold their COE members to account. Section 1 of the COE Act acknowledges the customary structure and the institution of clans and sub-clans led by chiefs. In other words, every Bougainvillean belongs to a clan or sub-clan that has its own leadership, and these clans are represented by their elected or nominated leaders in the COEs. The COE Act also states that “the chiefs and clan elders in a village have general responsibility for the leadership of the people in the village... inclusive of resolving disputes and bringing about reconciliation of participants in disputes” (BTG, 1996, s.8). This means that the COE’s core function of dispute settlement may also be carried out by other clan leaders, who are not members of the COE.

Two COE members and a community leader mention that constituents could always go through their clan chiefs to take up their grievances with their COE members, if they are uncomfortable with confronting their COE leaders in person, or at public forums.

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<sup>40</sup> Interview 7

*“There is a clan system and a VCC establishment in place. The people go to their clan leaders, the clan leaders take it up with the VCC and the VCC takes it up with the COE”.<sup>41</sup>(COE Member)*

*“The COE structure in Bougainville is the best structure but these people are not utilising it. I say this because the chiefs are also included as members of the council of elders. Chiefs have their own following. They should go back to their own clans. There is a structure (protocol) by which clan members can be informed”.<sup>42</sup>(Community Leader)*

The research findings, pertaining to the ways in which constituents hold their COE members to account, suggest that the existing chief system provides a possible avenue by which constituents can go through their respective clan leaders, in order to hold their COE members to account. However, this channel appears to be under-utilised by the constituents.

#### **5.4.3 Going a step higher to the LLG Division**

The research findings suggest that, if all other means of holding COE members to account fail, constituents can bypass protocol, in which case they would not raise their concerns through the VA, but instead they could take their concerns direct to the LLG Division. Section 5, Sub-section (2c) of The COE Act states that “the Office of Local Level Government has the responsibility to provide such reports on the operation of any COE... and in particular, reports in respect of any Council where the executive member is considering making a recommendation to the Transitional Executive Council for suspension of all or any of its powers and functions” (BTG, 1996). This section suggests that the LLG Division has the power to make recommendations to the Bougainville Executive Council (BEC) for the suspension of a COE, if that COE’s performance warrants that such action be taken.

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<sup>41</sup> Interview 13

<sup>42</sup> Interview 4

One community leader suggests that, if other means of holding COE members to account have not been successful, constituents can take their grievances up to the LLG Division.

*“When there was only one COE (Leitana COE) for Buka, the people saw that the COE was not functioning properly. Hence the community leaders approached the LLG Division and voiced their complaints. The LLG Division then made a recommendation for the suspension of the COE. The COE was suspended and today we have six COEs”.*<sup>43</sup> (Community Leader)

The research findings, pertaining to the ways in which constituents hold their COEs to account, suggest that constituents are able to hold their COE to account through the LLG Division, since this division has the power to make recommendations to the Autonomous Bougainville Government’s Executive Council, for the suspension of all (or any) of the COE’s powers and functions.

#### **5.4.4 Constituents resisting COE authority and taking the law into their own hands**

The COE Act does not condone the practice of constituents resisting the government’s authority and taking the law into their own hands, as a means to hold their leaders to account. However, the research findings suggest that these are avenues that have been pursued by constituents, in order to hold their leaders to account. Two community leaders and three COE members mention incidents in which constituents demonstrated their frustrations towards their COE and the ABG, by taking the law into their own hands, or by simply refusing to comply with what their COE members have asked of them. One COE member, in particular, tells of a time when he called for a meeting and constituents simply did not show up. This was to show their frustration with regards to a certain issue<sup>44</sup>. Four out of these five respondents were from the Tsitalato COE, thus suggesting that this means of holding COEs to account is more

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<sup>43</sup> Interview 6

<sup>44</sup> Interview 9

common in the Tsitalato council area (North Bougainville), compared to the Eivo council area (Central Bougainville).

A community youth leader tells of an incident where frustrated youth, who were promised assistance from the ABG, took the law into their own hands, when the ABG did not come good with its promises. The COE tried to intervene when the youth took matters into their own hands, but they did not have much success:

*“Our chiefs approached us and said that they understood our frustrations and would do something about it, but nothing happened. So we went to the government and at the same time, shut down the airport and the wharf”.<sup>45</sup> (Community Leader)*

*“Sometimes the COE places demands on the people, but the people are hesitant to comply as they question what the COE has done for them”.<sup>46</sup> (COE Member)*

The research findings, pertaining to ways in which constituents hold their COE members to account, suggest that resisting authority and taking the law into their own hands is one way that constituents have forced their leaders respond to their demands.

#### **5.4.5 Utilising the Informal relationships within communities**

The research findings suggest that various concerns of constituents, with regards to disputes or community services, projects and so forth, have been brought to the attention of their COE members through informal relationships within the communities. The preliminary section of the COE Act stresses the fact that the COE structure is built upon existing traditional institutions of clans and sub-clans, village, family and Bougainville customs. Section 8 of the Act also acknowledges the leadership

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<sup>45</sup> Interview 10

<sup>46</sup> Interview 15

of chiefs and clan elders (who are not members of the COE) in the villages (BTG, 1996). Therefore, even though clan chiefs are not members of the COE, their role and authority within their respective clans require them to perform some of the functions of the COEs – specifically that of dispute settlement.

A few respondents mention avenues other than the formal structure, whereby the concerns of community members could possibly be brought to the attention of the COE. These include occasions, such as different community group meetings, for example, church or youth meetings. A few COE members even mention gossip as a means by which they hear about their people's concerns.

*"...only village church meetings provide an avenue for us to meet and discuss other issues... These are the only openings we have as women in the village to participate and to air our concerns. In the community where I come from, issues raised at these meetings have been taken further to the VA but not up to the COE."<sup>47</sup> (Community Leader)*

*"The people talk behind our backs because of such issues".<sup>48</sup> (COE Member)*

The research findings, pertaining to ways in which constituents hold their COEs to account, suggest that COE members can be held to account through avenues other than those formally stated in the COE Act, such as meetings held by various groups in the communities, or simply through gossip. Karen Brison (1992, p. 1), who studied the Kwanga of the East Sepik Province of PNG, argues that gossip can influence politics just as much as public meetings can.

## 5.5 Summary of the Findings

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<sup>47</sup> Interview 4

<sup>48</sup> Interview 14

This chapter set out to answer the sub-research questions: (1) What are the direct institutional relationships of COEs (upwards, downwards and horizontal)? (2) How, in practice, do COEs interact with their constituents? (3) How do constituents hold their COEs to account? The findings pertaining to the first question have identified five institutional relationships that the COEs have with individuals and groups, which include relationships with their communities, other COEs, the VAs, national and ABG members of parliament and the LLG Division. The findings pertaining to the second research question have identified four ways in which COEs interact with their constituents. These were through their core function of dispute settlement; community meetings (VAs); mandated service delivery; and working to maintain their integrity as leaders. The findings also suggest that interactions between the COEs and their constituents mostly take place through community meetings (VAs), since 12 out of the 16 research participants indicate this fact. Only one of the 16 research participants suggests that COE members are being (downward) accountable to their constituents through the community meetings (VAs). The findings pertaining to the final research question have identified five ways in which constituents are holding their COE leaders to account. These ways are through direct confrontation of COE members; utilising the existing chief system; approaching the LLG Division directly; resisting COE authority; and informal relationships within the communities. The findings also suggest that the main way in which constituents hold their COE members to account is by direct confrontation. These findings will be discussed in more detail in Chapter 6.

## **CHAPTER 6: DISCUSSIONS AND CONCLUDING REMARKS**

### **6.1 Introduction**

This thesis set out to investigate the following research question:

**How are the existing accountability mechanisms unfolding between COEs and their constituents?**

In order to answer this question, three sub-questions are asked:

1. What are the direct institutional relationships of COEs (upwards, downwards, horizontal, formal and informal)?
2. How in practice do COEs interact with their constituents?
3. How do constituents hold their COEs to account?

A qualitative case study of two COEs in Bougainville, together with an analysis of relevant secondary data was employed, in order to determine the institutional relationships of COEs; what accountability mechanisms exist; and how accountability plays out within those relationships.

The literature review, context and findings chapters of this thesis have highlighted the concept of accountability and in particular, relevant sections on the accountability of local governments in the PNG Constitution; the Bougainville Constitution; the Organic Law on Provincial Governments and Local-level Governments; and relevant Acts of both the PNG and Bougainville Parliaments. This chapter aims to discuss the research findings from the preceding chapter, in light of the literature around relevant concepts of local government accountability, particularly within the context of the COEs in Bougainville.

### **6.2 Bougainville within the context of decentralisation in Papua New Guinea**

As discussed in Chapter 2, when the provincial government system was implemented in PNG in 1977, all provincial governments took over (from the national government)

responsibility for local-level governments – and they were also given significant legislative and policy-making powers. However, only the North Solomons (Bougainville) Provincial Government received full financial powers, since it was the only provincial government that was considered capable of taking on this particular power. In the case of the other provincial governments of PNG, their financial powers were withheld by the national government: and this impacted on the implementation of their legislative and policy-making powers. The literature on decentralisation describes this arrangement as having elements of delegation and deconcentration, since certain powers and functions were transferred from the central government to the provincial governments: and furthermore, some of these powers and functions were transferred to local administrative units of the national government. For example, the (national) auditor general’s office delegated powers to the provincial auditor’s office, which was established through the introduction of the provincial government system. However, ultimate decision-making powers rested with the national government.

### **6.3 The concept of accountability in theory and in practice**

The literature on public accountability identifies a number of definitions for accountability. However, most authors agree that accountability is essentially about two factors. Firstly, it is about citizens being able to demand answers from public officials (or generally those who occupy public office) and secondly, it is about the ability of relevant authorities to sanction public officials, should they fail to uphold their duties. For the purpose of this discussion, Ackerman’s (2005, p. 9) definition of government accountability as a “pro-active process by which public officials inform about and justify their plans of action, their behaviour and results and are sanctioned accordingly”, shall be used, in order to analyse the process of accountability within the institutional relationships of these COEs.

Within this definition, ‘who’ is informed and ‘how’ they are informed is not specified, thereby leaving room to contextualise accountability. Section 38 of the Bougainville Constitution mentions that public offices shall be held in trust for the people and that



public officials are to be answerable to the people (ABG, 2004). There is no further detail provided within the Constitution or within the COE Act that could enforce this section. Nevertheless, the findings of this field research suggest a number of persons and entities to whom (and to which) the COE members are accountable. These are the COE’s respective communities, the VAs, other COEs, MPs and the LLG Division. Table 6.1 summarises the institutional relationships that the COEs hold and how these COEs are accountable within those relationships.

**Table 1 COE accountability within its institutional relationships**

<b>Who COEs are accountable to:</b>	<b>Communities</b>	<b>VAs</b>	<b>Other COEs</b>	<b>MPs</b>	<b>LLG Division</b>
<b>How COEs are accountable</b>	COEs are accountable to their communities through the VA	COEs are accountable to the VAs through VA reps in the COE	COEs are accountable to each other through the chairman’s conference and the JDP&BPC	COEs are accountable to their ABG MPs indirectly through the COE Assembly and to the National MPs via the District	COEs are directly accountable to the LLG Division through a reporting system

**6.4 The directionality of the COE’s accountability: horizontal and vertical (upwards and downwards)**

In the case of local government in Bougainville, the COE Act is perhaps most important, since it establishes the COEs and defines their powers and functions. Nonetheless, similar to other relevant Acts of the PNG Parliament, the COE Act does not clearly state in sufficient detail how horizontal accountability and vertical (downwards) accountability should take place. The literature on public accountability, on the other

hand, identifies two general directions in which accountability flows: horizontally and vertically (either upwards and/or downwards) (Aslop et.al. 2005, p. 5).

Horizontal accountability would encapsulate administrative processes that allow information to be shared internally within the COE office: and externally with persons or entities with whom the COEs collaborate. While the COE Act acknowledges collaboration with such persons and entities, it does not specify how COEs should be accountable to them. However, the field research suggests that horizontal accountability is taking place between COEs and other COEs, and between the COEs and the respective CMPs and NMPs, with whom they have institutional relationships.

In the case of vertical accountability, within the literature and particularly within the relevant PNG and Bougainville legal documents, vertical (upwards) accountability is given a great deal of attention, while downwards accountability is merely implied. The upwards accountability of COEs occurs mainly through various financial procedures put in place by the (provincial) auditor general and through a system of reporting to the LLG Division. The findings of my field research appear to verify the existence and operation of these accountability mechanisms.

Downwards accountability is justified in the very rationale for the creation of local governments – that is, to enhance citizen participation and government accountability (Turner, 2003, p. 10). According to Ackerman's (2005, p. 9) definition of government, accountability, vertical (downwards) accountability of COEs would entail practices, such as the COEs informing and justifying their actions to their respective constituents, their plans of action, their behaviour and their results. Unfortunately, the COE Act, similar to other relevant legal documents in both PNG and Bougainville, does not provide for the downwards accountability of COEs to take place.

The closest that the COE Act comes to facilitating downwards accountability is found in Section 9, Sub-section (5) of the COE Act. This section allows for a COE to call a VA – or a signed notice by 50 residents of a village to call a VA – whenever the need arises to do so. An exhaustive list of what the agendas of these meetings should be does not

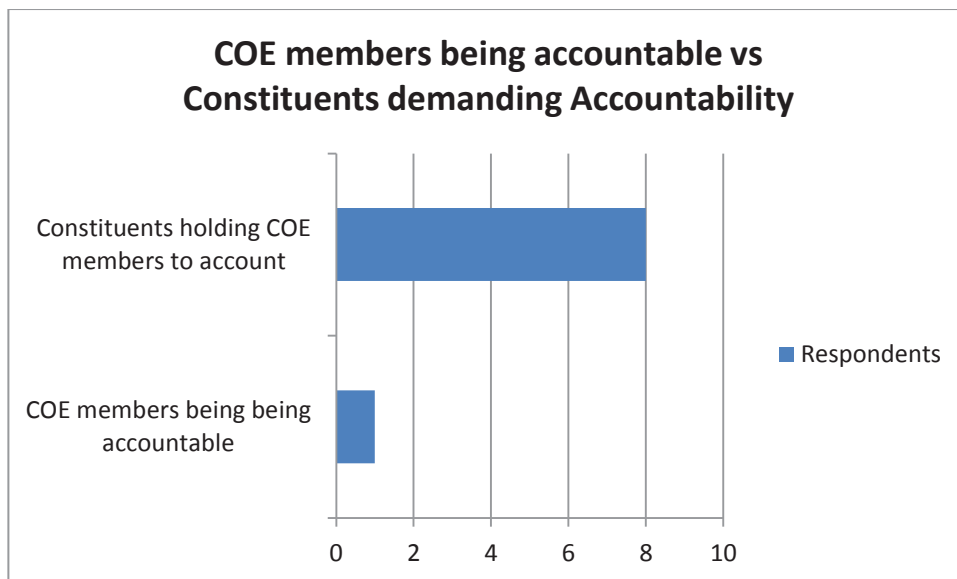
exist. However, sub-section (4h) of the COE Act does state that the VA has “such other functions and responsibilities as are provided in this Act or any Schedule thereto, or as are otherwise prescribed, or as are provided for in the Constitution of the Council” (BTG, 1996). The field research findings suggest that there have been instances when COE members have called VAs, in order to inform their constituents about their plans of action and the results thereof.

The field research findings also suggest that, during the VA meetings, constituents have had the opportunity to hold the COE members to account. A distinction must be made here between downwards accountability (where COE members inform their constituents about their plans, etc.) and constituents holding their leaders to account (where constituents demand answers from their COE members). During the former, the COE members actively account to their constituents, as a result of legal or moral obligations. In the latter instance, the COEs are not being accountable to their constituents (whether there is, or is not, a legal and moral obligation to do so) and therefore their constituents (through various means) force their leaders to be accountable.

With regards to downwards accountability versus holding leaders to account, the field research findings suggest that there have been more instances of constituents demanding accountability from their COE Members, than there have been occasions of COE members being (downwards) accountable to their constituents (See Figure 7). This particular finding suggests that, at times, COE members may not feel compelled to be accountable to their constituents – perhaps, due to the fact that the COE Act and their respective constitutions do not specifically require them to do so. Furthermore, if COE members are not legally obliged to be accountable to their constituents, they need not fear the consequences for this lack of downwards accountability and they are, therefore, not motivated to be accountable.

## 6.5 Discussion on the main research question: How are existing accountability mechanisms unfolding between COEs and their constituents?

The literature around accountability has revealed that most states have various forms of accountability mechanisms in place, which are usually recognised by the constitutions of those states and various acts of parliament (Goetz & Gaventa, 2001, p. 7). In Bougainville, the Bougainville Constitution provides for the establishment of an Auditor General's Office and a Public Accounts Committee, which generally have the task of accounting for public monies. Furthermore, at local government level, the COE Act clearly states, in sufficient detail, how the COEs are to account for their financial revenue and expenditures. Findings from the field research have verified that the COEs periodically submit (mostly financial) reports to the LLG Division.



**Figure 7. Number of respondents who recall instances of COE members being accountable, compared to times when they have been held to account by constituents.**

It can be noticed that most of the formal accountability mechanisms, which are stated in the relevant legal documents, are there to ensure the financial accountability of the COEs. Ackerman's (2005, p. 9) definition of accountability points out three distinct areas when public officials must inform those to whom they are responsible about their plans of action, their behaviour and the results yielded from the former two. This

being the case, one can argue that the accountability mechanisms in Bougainville are rather limited to facilitating financial accountability, rather than to informing and justifying to all relevant stakeholders the 'what', 'how' and 'why' public finances have been spent. Furthermore, through their financial reports, the COEs are vertically (upwards) accountable to the LLG Division and the auditor general: and rarely is there horizontally and/or downwards accountable to other parties. However, the legal requirement of COEs to periodically report to the LLG Division does provide the opportunity for COE members to give meaning to their financial accountability. However, as the research findings suggest, COEs produce mostly financial reports to the LLG Division. The LLG Division could encourage COEs to provide more narrative reporting, in order to capture other aspects of their functions.

In the case of the accountability of COEs, in relation to their core functions, the legal requirements do not really cater for this situation. As stated in Sections 24 and 25 of the COE Act, the powers and functions of the COEs include activities that focus on maintaining peace and order, such as making rules that are applicable to the council area, facilitating dispute settlement and the provision of a certain level of services. Accounting for the provision of services would be catered for in the financial reporting. However, being accountable for their roles in dispute settlement and rule-making is not explicitly catered for in the COE Act, or in the Bougainville Constitution. Section 75 of the COE Act states that members of the COE and employees of their offices will be dealt with by the law, if they are found to breach their duties (BTG, 1996): while section 38 of the Bougainville Constitution states that public officials shall be answerable to the people in accordance with the law and that the ABG shall take necessary measures to ensure accountability in government (ABG, 2004, p. 29). Neither the COE Act nor the Bougainville Constitution goes any further, by stating how accountability should be enforced.

In spite of the limitations of formal accountability mechanisms in fostering local government accountability in Bougainville, all is not lost. This situation has been made up for in the practice of constituents holding their COE Members and other leaders to account. Such initiatives (mainly by non-government organisations), to actively hold

governments to account, are gaining popularity in developing countries and they are commonly known as 'social accountability' initiatives (McNeil & Malena, 2010, p. 1; Sarker & Hassan, 2010, p. 384). The field research did not identify any organised movements, such as those of social accountability initiatives where citizens deliberately form organisations or associations to actively demand accountability from their governments. However, the findings did identify instances in which constituents were able to demand answers from their COE members, by directly confronting them, or by bypassing protocol and going straight to the LLG Division, or by utilising the chief system. However, the field research also suggests that these avenues are not often used by the constituents.

The limited use of these avenues for holding COE members to account suggests two situations. Firstly, there could be a lack of awareness on the part of constituents about their right to question their leaders and to access public information. This could be further compounded by constituents simply not knowing where and how they can question their COE members and how to access public information. Secondly, this may simply be a case of tensions between formal and traditional authority that prevents constituents from exercising their rights, in spite of the fact that the traditional way is the formal way. The preference for a form of government that encapsulates traditional forms of government was expressed by many Bougainvillians during consultations for constitution-making (Wallis, 2012, p. 7). Normally, chiefs are highly respected in their communities and hence, questioning or speaking out against these authorities may be taken by the wider community as a sign of disrespect toward the traditional authority.

There are two other ways in which constituents hold their COE members to account: by deliberately resisting COE authority and by utilising the informal relationships within the communities. These avenues for holding COE Members to account lack a legal framework. Such actions are neither entirely legal nor illegal. For example, when frustrated youths boycott vital services, in order to make their voices heard, they did not have the right to shut down certain services – but they did have the right to be heard. Furthermore, when constituents simply gossip about the performance of COE Members, this gossip is not entirely pleasant, but it may have significant political

implications. While such practices are not encouraged, they have (in the past) successfully gained attention and prompted a response from COE members and other leaders.

The literature and the field research have identified a number of opportunities that could be pursued, in order to foster and strengthen greater downwards accountability by the COEs. Firstly, as previously mentioned, the COE Act provides for VAs to be held as often as required. The COE Act could make it mandatory that COEs utilise these VAs, in order to inform their constituents about their plans of actions, their behaviour, the results thereof and so forth. Secondly, the COEs are required by law to report to the LLG Division. There is no harm in these reports also being made available to interested members of the public.

## **6.6 Concluding remarks**

According to the political thinking underpinning decentralisation, decentralised governments would bring the state's presence closer to the poor; create responsive governments; and most importantly, allow for democratic practices, such as citizen participation and the accountability of governments (Turner, 2003). More than sixteen years after decentralisation reforms in PNG and the establishment of the COE system of local government in Bougainville, how accountable are local governments in PNG – and particularly in Bougainville? It is beyond the scope of this study to measure how much more (or less) accountable the COEs are to their constituents, than they were over a decade ago. However, as portrayed in Table 6.1, the findings of this research suggest that the COEs are being accountable to those with whom they have institutional relationships, through various means and in varying degrees.

With regards to the practice of accountability by local governments in Bougainville and in PNG, in general, accountability is largely limited to upwards financial accountability. The relevant legal requirements for accountability are the likely explanation for this situation. In order to foster greater horizontal and vertical (downwards) accountability

by COEs, a political will is required, in order to have these written into the COE Act in sufficient detail. In addition, a greater awareness on the part of constituents is needed, in order to empower them to exercise their right to demand accountability from their leaders.

### **6.7 Recommendation for Policy and Further Research**

This research has identified the different institutional relationships that these COEs have; how these COEs are being accountable; and how they are being held to account within those relationships. It also identifies and makes suggestions as to how greater accountability (downwards accountability in particular) could be fostered within those relationships. The findings of this research can assist policy-makers, COEs, VAs and constituents to consider how accountability in local government could be strengthened.

There are two possible areas for future research. Firstly, this study could be expanded to cover more COEs, since this would validate the findings of this research. An expansion of this situation would be particularly useful for the purpose of measuring the extent to which downwards accountability is taking place between the COEs and their constituents. Secondly, this study could be replicated with an LLG in PNG, since this might be particularly useful for comparing how the different accountability mechanisms are operationalised in practice – and how constituents are holding their LLG members to account. It would be interesting to compare whether LLGs in PNG are more accountable than COEs in Bougainville – and if the specific structure of local government has any bearing on this situation. A replication of this study could also be useful for the purpose of shared learning.



## References

- ABG. (2004). *The Constitution of the Autonomous Region of Bougainville*. ABG.
- ABG, & UNDP. (2008). *Autonomous Bougainville Government Corporate Plan 2009-2011*. Port Moresby, Papua New Guinea: Autonomous Bougainville Government Administration and United Nations Development Program.
- Ackerman, J. M. (2005). Social accountability in the public sector: a conceptual discussion. *World Bank Social Development Papers: Participation and civic engagement*, 82.
- Adeyemi, O. O., Akindele, S. T., Aluko, O. A., & Agesin, B. (2012). Institutionalizing the culture of accountability in local government administration in Nigeria. *African Journal of Political Science and International Relations*, 6(4), 81-91.
- Aiyar, Y. (2010). Invited spaces, invited participation: effects of greater participation on accountability in service delivery. *India Review*, 9(2), 204-229. doi: 10.1080/14736489.2010.483370
- Akech, M. (2011). Abuse of power and corruption in Kenya: will the new Constitution enhance government accountability? *Indiana Journal of Global Legal Studies*, 18(1), 341-394.
- Alsop, R., Forster, R., Joines, V. N., & Thindwa, J. (2005) Social accountability in the public sector: a conceptual discussion and learning module. Washington D.C: The World Bank.
- Bank, W. (2003). *World development report 2004: making services work for poor people*. Washington D.C.
- Berman, B. J. (1998). Ethnicity, patronage and the African state: the politics of uncivil nationalism. *African Affairs*, 97(388), 305-341.
- Blair, H. (2000). Participation and accountability at the periphery: democratic local governance in six countries. *World Development*, 28(1), 21-39.
- Bovens, M. (2007). Analysing and assessing accountability: a conceptual framework. *European Law Journal*, 13(4), 447-468.
- Brison, K. J. (1992). *Just Talk: Gossip, meetings and power in a Papua New Guinea Village*. Berkeley and Los Angeles: University of California Press.
- BTG. (1996). *Bougainville Council of Elders Act 1996*.
- Cheema, G. S., & Rondinelli, D. A. (2007). From government decentralization to decentralized governance. In G. S. Cheema & D. A. Rondinelli (Eds.), *Decentralizing governance: emerging concepts and practices*. Washington DC: Ash institute for democratic governance and innovation and Brookings Institution Press.
- Denzin, N. K., & Lincoln, Y. S. (Eds.). (2000). *Handbook of qualitative research* (2 ed.). California: SAGE Publications Inc.
- Devarajan, S., Khemani, S., & Walton, M. (2011). Civil Society, Public Action and Accountability in Africa. *HKS Faculty Research Working Paper Series RWP11-036*. Retrieved from <http://nrs.harvard.edu>
- Dillinger, W. (1994). Decentralization and its implications for urban service delivery Retrieved from <http://books.google.co.nz.ezproxy.massey.ac.nz>
- Eckardt, S. (2008). Political accountability, fiscal conditions and local government performance - cross-sectional evidence from Indonesia. *Public Administration and Development*, 28, 1-17.
- Fox, J. (2007). The uncertain relationship between transparency and accountability *Development in Practice*, 17(4/5), 663-671.
- Francis, P., & James, R. (2003). Balancing rural poverty reduction and citizen participation: the contradictions of Uganda's decentralization program. *World Development*, 31(2), 325-337.

- Gelu, A. (2008). The quest for good governance: a survey of literature on the reform of intergovernmental relations in Papua New Guinea Retrieved from <http://www.nri.org.pg>
- Gelu, A., & Axline, A. (2008). *Options for the restructure of decentralised government in Papua New Guinea*. Port Moresby: National Research Institute.
- Geohive. (n.d.). Papua New Guinea. Retrieved from <http://www.geohive.com/cntry/papuang.aspx>
- Goetz, A. M., & Gaventa, J. (2001). *Bringing citizen voice and client focus into service delivery*. Brighton: Institute of Development Studies.
- GOPNG. (1975). *Constitution of the independent state of Papua New Guinea*. Port Moresby: Government of Papua New Guinea.
- Local-level governments administration act 1997, 33 Stat. (1997).
- GOPNG. (1998). *Organic law on provincial governments and local-level governments*. GOPNG. Retrieved from <http://www.pacific.clgf.org.uk>
- GOPNG, & ABG. (2001). *Bougainville Peace Agreement*. Retrieved from <http://ips.cap.anu.edu.au/ssgm/resource>
- Haque, S. M. (2008). Decentering the state for local accountability through representation: social divides as a barrier in South Asia. *Public Administration Quarterly*, 32(1), 33-58.
- Hegarty, D. (2009). Governance at the Local Level in Melanesia – Absent the State. *Commonwealth Journal of Local Governance*(3), 1-19.
- Kluvers, R. (2010). Mechanisms of accountability in local government: an exploratory study. *International Journal of Business and Management*, 5(7), 46-53.
- Mamdani, M. (1996). *Contemporary Africa and the legacy of late colonialism*. Princeton: Princeton University Press.
- Massey University. (2011). HumanEthics. Retrieved from <http://www.massey.ac.nz/massey/research/research-ethics/human-ethics/contact.cfm>
- May, R. (1989). The impact of early contact in the Sepik. In S. Latukefu (Ed.), *Papua New Guinea: a century of colonial impact: 1884 - 1984* (pp. 109-132). Port Moresby: The National Research Institute.
- May, R. (2005). *SSGM project report on workshop District Level Government in Papua New Guinea*. Australian National University. Retrieved from [http://ips.cap.anu.edu.au/ssgm/papers/conference\\_papers/0506\\_PNGDistrictGovernance\\_report.pdf](http://ips.cap.anu.edu.au/ssgm/papers/conference_papers/0506_PNGDistrictGovernance_report.pdf)
- McNeil, M., & Malena, C. (2010). Social accountability in Africa: an introduction. In M. McNeil & C. Malena (Eds.), *Demanding good governance: lessons from social accountability initiatives in Africa*. Washington D.C: World Bank.
- McNiel, M., & Malena, C. (Eds.). (2010). *Demanding good governance: Lessons from social accountability initiatives in Africa*. Washington DC: The World Bank.
- Moses, J. W., & Knutsen, T. L. (2007). Introduction *Ways of knowing* (pp. 1-18). Basingstoke, New York: Palgrave Macmillan.
- Ninnes, P. (2006). We must help ourselves. In H. Hakena, P. Ninnes & B. Jenkins (Eds.), *NGO's and post-conflict recovery: the Leitana Nehan women's development agency, Bougainville*. Canberra: ANU E Press and Asia Pacific Press.
- Nunan, F., & Satterthwaite, D. (2001). The influence of governance on the provision of urban environmental infrastructure and services for low-income groups. *International Planning Studies*, 6(4), 409-426.
- O'Leary, Z. (2010). *The essential guide to doing your research project*. London: SAGE Publications Ltd.
- Oliver, D. (1991). *Black islanders: a personal perspective of Bougainville, 1937-1991*. Honolulu: University of Hawaii Press.

- Oliver, D. L. (1955). *A Solomon Islands society: kinship and leadership among the Siuai of Bougainville*. Boston: Harvard University Press.
- Oram, N. (1989). The western Motu area and the European Impact, 1872-1942. In S. Latukefu (Ed.), *Papua New Guinea: a century of colonial impact: 1884 - 1984* (pp. 49-74). Port Moresby: The National Research Institute.
- Parker, A. N. (1995). *Decentralization: the way forward for rural development?* Washington. Retrieved from <http://www-wds.worldbank.org>
- Peasah, J. (1990). *Decentralisation and the constitutional status of local level government in Papua New Guinea*. Port Moresby: The National Research Institute.
- Peasah, J. (1991). *Provincial initiatives in establishing forms of local-level government in Papua New Guinea*. Port Moresby: National Research Institute.
- Peasah, J. (1994). *Local level government in Papua New Guinea: a study in change and continuity in the development of liberal-democratic self-determination at the local level*. Port Moresby: National Research Institute.
- PostCourier. (2010). Three parties vie for president seat, *Post Courier*.
- Premdas, R. (1985). Papua New Guinea: Decentralisation and Decolonisation. In P. Larmour & R. Qalo (Eds.), *Decentralisation in the South Pacific* (pp. 105-118). Suva, Fiji: University of the South Pacific.
- Regan, A. (1985). Papua New Guinea: Implementing provincial government. In L. Peter & Q. Ropate (Eds.), *Decentralisation in the South Pacific* (pp. 119-154). Suva, Fiji: University of the South Pacific.
- Regan, A. (1998). *The Bougainville Council of Elders System*.
- Regan, A. (2000). Traditional leaders and conflict resolution in Bougainville: reforming the present by re-writing the past? In S. Dinnen & A. Ley (Eds.), *Reflections on violence in Melanesia*. Canberra: Hawkins Press and Asia Pacific Press.
- Reid, M. (2008). Structural reform in New Zealand. In B. E. Dollery & L. Robotti (Eds.), *The theory and practice of local government reform* (pp. 199-216). Cheltenham: Edward Elgar Publishing Limited.
- Ribbot, J. C. (2002). African decentralization: local actors, powers and accountability Retrieved from <http://www.unrisd.org>
- Rubens, J. (2007). Accountability in an Unequal World. *The Journal of Politics*, 69(3), 616-632.
- Sarker, A. E., & Hassan, M. K. (2010). Civic engagement and public accountability: an analysis with particular reference to developing countries. *Public Administration and Management*, 15(2), 381-417.
- Selee, A. D., & Tulchin, J. S. (2004). Decentralization and democratic governance: lessons and challenges. In P. Oxhorn, J. S. Tulchin & A. D. Selee (Eds.), *Decentralization, democratic governance and civil society in comparative perspective* (pp. 295-320). Washington D.C.: Woodrow Wilson Center Press.
- Transparency International. (2011). *Corruption Perceptions Index 2011*. Retrieved from [www.transparency.org](http://www.transparency.org)
- Tsitalato-COE. (n.d). *Constitution of Tsitalato Hagumun Tsunono*. ABG.
- Tumushabe, G., Mushemeza, E. D., Tamale, L. M., Lukwago, D., & Ssemakula, E. (2010). *Monitoring and assessing the performance of local government councils in Uganda: background, methodology and scorecard* ACODE. Retrieved from [http://www.acode-u.org/documents/PRS\\_31.pdf](http://www.acode-u.org/documents/PRS_31.pdf)
- Turner, M. (2003). *Issues in the design of decentralisation*. Paper presented at the Local-level governance in the Pacific Workshop, Canberra.
- UNDP. (2011). Responsive institutions: local governance. Retrieved from <http://www.undp.org/content/dam/undp/library/corporate/fast-facts/english/FF-local-governance.pdf>

- UNDP. (2012). *Mainstreaming human rights in development policies and programming: UNDP experiences*. Retrieved from <http://hrbaportal.org/wp-content/files/Mainstreaming-HR-in-Development-Policies.pdf>
- Venugopal, V., & Serdar, Y. (2010). Decentralization in Tanzania: an assessment of local government discretion and accountability. *Public Administration and Development, 30*, 215-231.
- Waiko, J. D. (1993). *A short history of Papua New Guinea*. Melbourne: Oxford University Press.
- Wallis, J. (2012). Build a liberal-local hybrid peace and state in Bougainville. *The Pacific Review, 25*(5), 613-635.

## Appendices

### Appendix 1: Complete list of COEs, number of VAs and COE members

REGION	DISTRICT	CONSTITUENCY	COUNCIL	NO. VA	No. of members	No. of Women	
NORTH	ATOLLS	ATOLLS	NUGURIA	2	7	1	
			MAVILU	3	8	1	
			HAPIU	2	8	1	
			TAKUU	1	7	1	
			NUKUMANU	1	8	1	
			NEHAN	NEHAN	19	23	1
		TINPUTZ	TAONITA TINPUTZ	TINPUTZ			1
			TINPUTZ TEOP		14	17	
		SELAU SUIR	SELAU QUIGEN	SELAU QUIGEN	4	20	1
			SUIR GOEV	SUIR GOEV	9	13	1
		KUNUA	MAHARI	MAHARI	4	24	1
			TEUA	TEUA	10	10	1
		BUKA	HAKU	HAKU	6	33	4
			HALIA	HALIA	8		1
			HAGOGOHE	HAGOGOHE	7		1
			TSITALATO	TSITALATO	9	42	
			TONSU	TONSU	13		1
		PEIT	PEIT	14	28	1	
CENTRAL	KIETA	KONGARA	KONGARA 1	11	15	1	
			AMI AMING	8	24	1	
			NORTH NASIOI	NORTH NASIOI	8	15	1
			SOUTH NASIOI	SOUTH NASIOI	4	13	1
			KOKODA	KOKODA	5	17	1
			EIVO/TORAU	EIVO	8		1
				TORAU LALA'A	4		1
		PANGUNA	IORO	IORO 1	7	10	1
				IORO 2	7	10	1
		WAKUNAI	RAU	RAU	6	19	1
			TERRA	TERRA	6	14	1
SOUTH	BUIN	KONNOU	KONNOU	6	17	1	
			TONOLEI	2	12	1	
			WISAI	9	12	1	
			LULE	LULE	13	17	1
			LENOKE	4	16	1	
			MAKIS	MAKIS	6	26	1
			PAUBAKE	PAUBAKE	7	22	1
		SIWAI	KOPII	PONGO	6	11	1
			MOTUNA HUYONO	RINO	12	11	1
			RAMU				
		BANA	BOLAVE	BOLAVE	16	17	1
			LATO	NAGOVIS	14	16	1
			BABA				
		TOROKINA	TOROKINA	BANONI BOBOI	5	18	2
<b>3</b>	<b>13</b>	<b>33</b>	<b>40</b>	<b>300</b>			

**Appendix 2** Content and first page of the Tsitalato COE Constitution

**CONTENT**

**ARRANGEMENT OF PARTS AND SECTIONS.**

1. CUSTOMARY AUTHORITY – SS.1-4
2. FUNDAMENTAL DUTIES – S.5
3. PEACE AND RECONCILIATION – SS6.9
4. HAGUMUN TSUNONO COUNCIL OF PALPATA – S.10 – 15A
5. DUTIES OF THE CHAIRMAN – SS.11 -16
6. DUTIES OF THE DEPUTY CHAIRMAN –S.17
7. POWERS AND FUNCTIONS OF COE –S.18
8. MEETINGS OF COE –S.19
9. TERM OF OFFICE –S.20
10. VACANCY OF OFFICE –SS.21- 24
11. COURTS & RECONCILIATION – SS.25 –35 +35A
12. LAW MAKING POWERS - SS.26 - 31
13. FINANCE - S.32
14. MISCELLANOUS – SS.36 - 38
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16. REVIEW OF THE CONSTITUTION – S.40
17. CONSTITUTIONAL REGULATIONS - S.41 - 42

# **CONSTITUTION OF TSITALATO HAGUMUN TSUNONO**

## **NIANACEC**

We the people of Tsenalato comprising of Lonahan, Malasang, Hangan, Kubu Kukul, Bibinam and leta proud of our freedom, determined to safeguard our traditional institutions, cherishing our ethnic, linguistic and cultural diversity, hereby proclaim the establishment and recognition of a free united Hagumun Tsunono Council of Palpata founded on traditional Melanesian Values, faith in God and Christian Principles and for this purpose give to ourselves this constitution.

### **PART 1: CUSTOMARY AUTHORITY.**

1. Customary Authority of the Tsenalato Communities under this constitution shall be the Hagumun Tsunono.
2. This Constitution shall be the Prime Rules of the Hagumun Tsunono.
3. The main constituent languages of the business of this authority shall be the Ha – Malasang and Pisin.
4. Hagumun Tsunono recognizes that all persons are entitled to the protection of Law inclusive of customary law, freedom of conscience and worship, freedom of expression, freedom of movement and the right to life.

### **PART 2: FUNDAMENTAL DUTIES**

5. Every person in the constituency has fundamental duties to himself, his descendants and to others: -
  - 1.) To respect the rights and freedom of others and to co operate fully with others in the interest of peace, good order, harmony and unity in the communities, and
  - 2.) To protect and safeguard the community or the people's wealth, natural resources and the environment in the interest of the present and future generation; and
  - 3.) To recognize that an individual can fully develop his own potential, abilities and advance his/her true interests by active participation in the development of the Tsenalato communities.

### **PART 3: PEACE AND RECONCILIATION**

6. Mediation and reconciliation shall be pursued at all times as a means to maintain and keep the peace, good order and harmony in the communities.
7. Traditional methods and practices are to be renounced and used to resolve any conflicts and dispute but the use of violence must be avoided.
8. All members of Hagumun Tsunono Council of Palpata shall be responsible to maintain and promote peace, unity and stability in their respective villages.
9. Where a dispute arises from a matter or question involving pure custom customary land, preservation of environment, family matter and others, the traditional tsunonos and Palpata shall sit to mediate with the view to defuse the conflict.

## Appendix 3: Participant information sheet in English and Tokpisin



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### Local Government Accountability in Bougainville.

#### INFORMATION SHEET

##### Introduction

Hello, my name is Carol Lida Sasa. I am from Milne and Morobe. I am currently studying Development Studies at Massey University in New Zealand. I am here in Bougainville to conduct research toward my Master's Thesis. I am looking to find out how accountability unfolds between the Council of Elders (COEs) and their constituents. This is a study that hopes to contribute towards strengthening local level government (COEs) in Bougainville. The information collected from this research will be used for my thesis, relevant conferences and publications.

If you work for the LLG Division, are a member of a COE or a community leader in your own right, I would like to invite you to participate in this research. For this research, I am conducting interviews, so you will be asked a number of questions. These questions are mainly around the interactions of COEs and their constituents. The interview may take about an hour of your time. I will interview you at a time and place that is most convenient for you.

Your participation in this research could contribute toward strengthening local governance in Bougainville. You will remain anonymous against the information you provide me, unless you consent to the publication of your name or title. The information that you give to me will be stored in a safe place. Only my supervisors and I will have access to this information. When I complete my studies, this information will be retained by my department and eventually disposed of. After data collection, I will present to you a summary of the information that you have provided me. At the conclusion of my study, I will provide you with a summary of the findings. Also, my thesis will be made available to the public on the Massey University Library website.

##### Your rights as a participant

You are under no obligation to accept this invitation. If you decide to participate, you have the right to:

- withdraw from the interview at any time.
- decline to answer particular questions.
- ask questions about the study at any time.
- provide information on the understanding that your name will not be used unless you give permission to the researcher.
- be given access to a summary of the project findings when it is concluded.
- ask for the voice recorder to be turned off at any time during the interview.

"This project has been evaluated by peer review and judged to be low risk. Consequently, it has not been reviewed by one of the University's Human Ethics Committees. The researcher(s) named above are responsible for the ethical conduct of this research.

If you have any concerns about the conduct of this research that you wish to raise with someone other than the researcher(s), please contact Professor John O'Neill, Director, Research Ethics, telephone 06 350 5249, email [humanethics@massey.ac.nz](mailto:humanethics@massey.ac.nz).

**THANK YOU VERY MUCH FOR YOUR TIME!**



## Research Project Contacts

### My contact details

Carol Sasa  
Institute of Development Studies  
School of People, Environment and Planning  
Massey University, Palmerston North  
New Zealand  
Email: [carollsasa@gmail.com](mailto:carollsasa@gmail.com)  
Phone: +64 220917020

### My supervisor's contact details are:

Dr. Gerard Prinsen  
Institute of Development Studies  
School of People, Environment and Planning  
Massey University, Palmerston North  
New Zealand  
Email: [G.Prinsen@massey.ac.nz](mailto:G.Prinsen@massey.ac.nz)  
Phone: +64 6 3505799 ext. 2524

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**THANK YOU VERY MUCH FOR YOUR TIME!**



## Local Government Accountability in Bougainville.

### INFORMATION SHEET

#### As tingting blong wok painim out

Halo long yupla. Nem blongmi Carol Lida Sasa.Mi blongMilyne Bay provins tasol poroman mi rere lo maritim em blong Tinputz. Nau mi stap skul olsem wanpela sumatin long massey univesiti long kantri Niu Ziland(New Zealand). Long skul blongmi, mi wok long stadi lo pasin na rot bilong kirapim na stretim sindaun blongol pipol, komunity na kantri we long tok Inglis ol i tok Development studies.

As tingting blongmi lo kam lo Bougainville em lo wokim wok painim aut na kisim tingting blong rot local level gavaman i save wok na rot bilong usim moni na givim sevis igo long pipol. Dispela wok painim out or stadi bai halivim mi long raitim univesiti ripot blongmi na kisim digri pepa blongmi. Sapos mi gat sans, bai mi ken tokaut long ol tingting bilong yupela long ol kibung tu. Displa wok painim aut na ripot tu bai halivim ol lida na ofisa long lokol level gavman insait lo bougainville long strongim ron na pasin blonggivim sevis igo long pipol.

Long wokim displa wok painim aut o stadi mi nau salim askim ikam long yu husait man o meri i wok long lokol level gavman divisen, ol memba blong kansol blongol hetman (COE) na ol kominti lidaman or lidameri long bekim sampla askim na givim sampla tingting. Sapos yu laik long stap insait long dispela wok painim out, mi bai hamamas long askim yu sampla askim na tingting we bai halivim lokol level gavman blong yumi. As tingting tru bilong dispela ol askim em bai long luksave long rot stret ol COE i save wok wantaim ol kominti insait long lokol level gavaman. Sapos yu tok yesa long displa askim, mi bai bung wantaim yu long ples we u laikim long en na stori wantaim yu moa long wanpela o tupela awa.

Ol toktok na tingting we yu givim long mi insait long dispela wok painim aut i ken halivim long strongim wok bilong lokol gavaman bilong yumi. Tasol yu mas save olsem ino olgeta man-meri bai wanbel wantaim toktok bilong yu, na sapos ol i painim aut olsem yu meikim kain toktok, nongut ol i bai gat bel hevi long yu.

Ol ansa na toktok yu tokim mi long em, bai mi nonap tokim narapla man or meri. Ol univesiti tisa husait i halivim mi long displa wok tasol bai mi ridim displa ol ansa blong askim we yu bekim or tingting we yu givim na mi raitim.

Bihain long skul blong mi i pinis, univesiti bai holim displa ol ansa blong askim long sampla taim na bihain ol bai tromoi igo. Tasol ripot we mi bai raitim long displa ol askim na ansa bai stap lo univesiti laibri na ol sampla bikpla samting we mi painim aut long displa wok bai mi salim kam long yu

#### **Ol rait blongyu olsem wanpla man or meri i bai bekim ol askim long dispela wok painim aut.**

Mi nonap fosim yu long tok yesa long dispela askim. Em laik blongyu long tok yesa or nogat. Na sapos yu tok yesa long dispela askim, yu gat rait long:

- Lusim displa stadi or wok painim aut taim yu ting olsem yu les.

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If you have any concerns about the conduct of this research that you wish to raise with someone other than the researcher(s), please contact Professor John O'Neill, Director, Research Ethics, telephone 06 350 5249, email [humanethics@massey.ac.nz](mailto:humanethics@massey.ac.nz)".

THANK YOU VERY MUCH FOR YOUR TIME!

- tok no long bekim sampla askim
- givim mi infomesin na ansa long askim antap long asting ting na luksave olsem mi nonap raitim nem blong yu long displa ripot sapos yu no tok olrait long mi.
- kisim or lukim ol repot i soim wainem displa stadi i painim long wok bilong lokol level gavman.
- askim mi long tainim masin blong rekodim toktok off long taim yu no laik.

**Sapos yu gat sampla askim yu ken kontektim mi or displa lain we igo pas long skul blong mi**

**My contact details**

Carol Sasa  
 Institute of Development Studies  
 School of People, Environment and Planning  
 Massey University, Palmerston North  
 New Zealand  
 Email: [carollsasa@gmail.com](mailto:carollsasa@gmail.com)  
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**THANK YOU VERY MUCH FOR YOUR TIME!**

#### Appendix 4 Research question scheme

Questions / Sources	LLG Div. Staff	COE Members	Com. Leaders	Official ABG Docs	Official Texts
Q1. What are the roles of the COEs?	√	√	na.	√	na.
Q2. Who do the COEs report to and how?	√	√	na.	√	na.
Q3. How do the COEs work with other COEs, the ABG administration, the local MPs, and the council constituents?	√	√	√	√	√
Q4. Are COEs obliged by law or custom to interact with their constituents? If yes, what does the law/custom say?	√	√	√	√	na.
Q5. How are constituents informed of council policies and development projects/programs?	√	√	√	√	√
Q6. Are constituents involved in the formulation of the COEs' budgets? If yes, how? If no, how are constituents made aware of COEs budgets?	√	√	√	√	√
Q7. How often are village assemblies held, and are members of the COE required to attend?	√	√	√	√	√
Q8. What kind of matters are discussed at village assemblies?	√	√	√	√	√

#### Sub-research questions in Tokpisin

	LLG Division Officer	Members of COE	Community Leaders
<b>Q1</b>	<b>What are the direct institutional relationships of COEs (upward, downward, horizontal, formal and informal)?</b>		
Q1	Wanem wok bilong ol COE?		
Q2	Husait i save bosim ol COE?		
Q3	Hau steret ol COE i save wok bung wantaim ol narapela COE, ol ABG administresen, ol MP na ol komuniti?		
<b>Q2.</b>	<b>How in practice do COEs interact with their constituencies?</b>		
<b>Q3</b>	<b>How do constituents hold their COEs to account?</b>		
Q1	I gat law o kastom wea i tok olsem ol COE I mas wok bung wantaim ol komuniti o nogat? Sapos I gat, inap yu stori liklik long dispel law/ kastom?		
Q2	Hau steret ol COE i save toksave long ol komuniti long wanem kain ol kansel law na ol projek wea ol i kirapim long en?		
Q3	Ol komuniti i save halivim long meikim bajet bilong ol COE o nogat? Sapos yu tok yes, orait, hau steret ol komuniti I save halivim? Sapos nogat, hau steret ol komuniti i save painim aut long bajet bilong ol COE?		
Q4	Bung bilong ol komuniti or 'village assembly' i save kamap hamaspela taim long wanwan yia? Ol memba bilong COE i save kam long dispel kain bung o nogat?		
Q5	Wanem kain ol toktok i save kamap long dispel kain bung?		

## Appendix 5: MUHEC low risk notification.



**MASSEY UNIVERSITY**  
TE KUNENGA KI PŪREHUROA

16 May 2012

Carol Sasa  
3/17 Worcester Street  
West End  
**PALMERSTON NORTH 4410**

Dear Carol

**Re: Local Government Accountability in Bougainville**

Thank you for your Low Risk Notification which was received on 8 May 2012.

Your project has been recorded on the Low Risk Database which is reported in the Annual Report of the Massey University Human Ethics Committees.

The low risk notification for this project is valid for a maximum of three years.

Please notify me if situations subsequently occur which cause you to reconsider your initial ethical analysis that it is safe to proceed without approval by one of the University's Human Ethics Committees.

Please note that travel undertaken by students must be approved by the supervisor and the relevant Pro Vice-Chancellor and be in accordance with the Policy and Procedures for Course-Related Student Travel Overseas. In addition, the supervisor must advise the University's Insurance Officer.

**A reminder to include the following statement on all public documents:**

*"This project has been evaluated by peer review and judged to be low risk. Consequently, it has not been reviewed by one of the University's Human Ethics Committees. The researcher(s) named above are responsible for the ethical conduct of this research."*

*If you have any concerns about the conduct of this research that you wish to raise with someone other than the researcher(s), please contact Professor John O'Neill, Director (Research Ethics), telephone 06 350 5249, e-mail humanethics@massey.ac.nz".*

Please note that if a sponsoring organisation, funding authority or a journal in which you wish to publish requires evidence of committee approval (with an approval number), you will have to provide a full application to one of the University's Human Ethics Committees. You should also note that such an approval can only be provided prior to the commencement of the research.

Yours sincerely

A handwritten signature in blue ink that reads "J. O'Neill".

John G O'Neill (Professor)  
**Chair, Human Ethics Chairs' Committee and  
Director (Research Ethics)**

cc Dr Gerard Prinsen  
School of People, Environment and Planning  
**PN331**

Assoc Prof Glenn Banks  
School of People, Environment and Planning  
**PN331**

Mrs Mary Roberts, HoS Secretary  
School of People, Environment and Planning  
**PN331**

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Massey University Human Ethics Committee  
Accredited by the Health Research Council

**Appendix 6:** Official clearance from the LLG Division to undertake research in Bougainville.



**Core Business: Council of Elders Support, Traditional Authority, Village Courts, Disaster & Emergency Services & District Administration Support.**

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Date: 24<sup>th</sup> May 2012  
File: 19-4  
Action Officer: Joseph Logoso  
Design: A/PM-D/S

Dr. Gerard Prinsen  
School of People Environment and Planning  
Massey University  
Private Mail Bag  
Palmerston  
North New Zealand

Dear Dr. Prinsen

**RE: RESEARCH FOR CAROL LINDA SASA.**

I wish to acknowledge the receipt of Linda's letter, non ref which dated 16<sup>th</sup> May 2012 regarding her request to conduct a research into two selected COE's establishment in the Region of Bougainville. I believe the research paper will go towards the attainment of her Master's Degree at the Massey University.

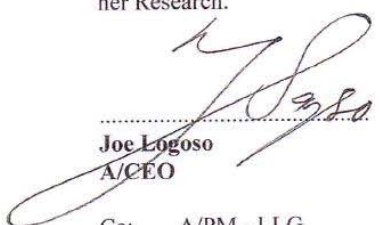
Since the research paper will go towards the fulfilment of a Master's Degree I fully endorse and grant permission for her to conduct the research in the two (2) selected COEs establishment.

There are a total of fourty COEs establishment in the Autonomous Bougainville Governments as a **Second Tie** of Governance and perhaps she may choose two of the COE's which I fully support.

I have also assigned an Officer of the Division of LLG to assist Ms. Carol Linda Sasa in the conduction of research.

Preferably I have nominated Mr. Sione Nash the Acting Program Manager LLG to stand by for the interview with Ms. Carol Linda Sasa.

We look forward to meeting Ms. Carol Linda Sasa when she arrives in the Region of Bougainville to conduct her Research.

  
.....  
Joe Logoso  
A/CEO

Cc: A/PM - LLG

## ***Local Government Accountability in Bougainville***

### **PARTICIPANT CONSENT FORM - INDIVIDUAL**

I have read the Information Sheet and have had the details of the study explained to me. My questions have been answered to my satisfaction, and I understand that I may ask further questions at any time.

I agree / do not agree to the interview being sound recorded.

I agree to participate in this study under the conditions set out in the Information Sheet.

**Signature:**

**Date:**

.....

**Full Name - printed**

.....

# ***Local Government Accountability in Bougainville***

## **PARTICIPANT CONSENT FORM - INDIVIDUAL**

Mi ridim pinis 'tok igo pas' bilong dispel wok painim aut. Yu meikim klia pinis dispela tok igo pas na bekim pinis olgeta askim bilong mi. Mi save olsem sapos mi laik save long sampela moa samting long dispela wok painim aut, orait mi ken askim yu gen.

Mi wanbel / ino wanbel long yu ken rekodim ol toktok bilong mi.

Mi wanbel long stap insait long dispeka wok painim aut.

**Signature:**

**Date:**

**Name bilong yu -  
printed**