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THE UNITED NATIONS AND DECOLONIZATION

'Third International Decade for the Eradication of Colonialism' (2010 TO 2020)

On the 26th of June, 2016 all member states of the United Nations will celebrate the 71st anniversary of their commitment in law to end the global scourge of colonialism in all its forms and manifestations. Australia is a member state of the United Nations.

It is hard to imagine that during the United Nations (UN) 'Third International Decade for the Eradication of Colonialism' that **Australia, a member state that prides itself on being a good global citizen, took the following action in May 2015** against the expressed wishes of the majority of the Norfolk Island people:

- Unilaterally and unlawfully abolished the Norfolk Island Parliament and removed self-government;
- Amended the definition of 'Australia' to include Norfolk Island;
- Removed all references to the Norfolk Island people who include descendants of the settlers from Pitcairn Island ever having existed as a people in law.
- Assumed control of Norfolk Island;
- Appropriated the Norfolk Island public account; and
- Announced its intention to complete the effective 'annexation' of Norfolk Island on 1 July 2016.

"Norfolk Island became a non self-governing territory on 18 June 2015 on commencement of the Norfolk Island Legislation Amendment Act 2015". (Ref The Australian Federal Register of Legislation website)

This is an unprecedented and regrettable return to the darkest days of colonialism.

The following summarises the steps taken/being taken by Norfolk Island People for Democracy (NIPD) to remedy this injustice

On 25 April 2016 a detailed Petition recommending to the UN General Assembly that Norfolk Island be inscribed as a non-self-governing territory under Article 73e was lodged with the Office of the President of the UN General Assembly, His Excellency Mr Mogens Lykkesoft in New York.

<http://www.norfolkschoice.com/thepetition.pdf>

On 6 May 2016 eminent international lawyers Dr Christopher Ward SC and Professor Vaughan Lowe QC provided Norfolk Island People for Democracy (NIPD) with a Joint Opinion "In the Matter of the Status of Norfolk Island as a non-self-governing territory". The joint opinion says that Norfolk Island is a non-self-governing territory within the meaning of the UN Charter and proposes two avenues that can be followed for Norfolk Island to be inscribed on the UN List of Non-Self-Governing Territories.

<http://www.norfolkschoice.com/loweandwardopinion.pdf>

On 13 May 2016 NIPD delivered to the Commonwealth Attorney-General and Shadow Attorney-General evidence of Australia's legal obligations regarding Norfolk Island and evidence that their current actions are inconsistent with International Law; and requested the deferral of the implementation of the measures due to take effect on 1 July until such time as the UN Special Committee on Decolonization has considered the Petition. The Attorney-General has referred the correspondence to Minister Paul Fletcher MP from whom a response is yet to be received.

During May 2016 NIPD actively lobbied the NSW Legislative Council to refer the *Norfolk Island Administration Bill 2016* to a Committee of Inquiry to allow the Norfolk Island People the opportunity to appropriately brief legislators on the impacts of the Bill. There were extensive speeches by Labor (led by shadow Attorney General Adam Searle) and the Greens (primarily David Shoebridge) talking about the issues, both for the people of Norfolk Island and NSW taxpayers. Both advocated for a parliamentary committee examining the Bill, in particular so that the people of Norfolk Island could actually be consulted about the changes. The motion for referral of the Bill to committee for examination was proposed by Labor but was voted down by the government with the support of the Christian Democrats and the Shooters and Fishers. When the Bill was finally put to a vote Labor and the Greens stuck to their commitment and voted against it; the Christian Democrats voted with the government (Liberals and Nationals) to support it and the Shooters and Fishers Party appears to have abstained, with neither MP turning up to the vote. Thanks to the efforts of the ALP and the Greens Norfolk got a good hearing and the courtesy of a decent debate in the Legislative Council. Links in 2 parts to Hansard of debate are –

<https://www.parliament.nsw.gov.au/Hansard/Pages/HansardResult.aspx#/docid/HANSARD-1820781676-69341>

<https://www.parliament.nsw.gov.au/Hansard/Pages/HansardResult.aspx#/docid/HANSARD-1820781676-69362>

On 6 June 2016 NIPD wrote to Members of the United Nations Special Committee on Decolonisation (the C.24) requesting their assistance in achieving recognition by the United Nations that Norfolk Island is a 'non-self-governing territory within the meaning of Article 73 of the United Nations Charter; and requesting their support for a visit of a mission of members of the C24 to Norfolk Island to investigate the situation on Norfolk Island. The C.24 is meeting in New York this week.

Today 17 June 2016 NIPD has written an open letter to the Prime Minister of Australia, the Hon Malcolm Turnbull MP, bringing to his attention that Australia is in breach of its international obligations under the United Nations Charter and requesting:

1. That Australia takes immediate steps to have Norfolk Island inscribed on the United Nations List of Non-Self-Governing Territories; and
2. That implementation of the measures due to take effect on 1 July 2016 be deferred until such time as the UN Special Committee on Decolonization has considered the Petition.

Lodgement of complaints for violation of human rights

NIPD's legal team are currently preparing a series of complaints for lodgement with the Australian Human Rights Commission (AHRC) and the United Nations Human Rights Committee (UNHRC) in Geneva detailing violation of human rights of the Norfolk Island people as a result of Australia's actions.

“Abolishing Norfolk Island as an autonomous territory may not seem to matter much in the grand scheme of things, but for an international order that cherishes self-government and proclaims the right of self-determination of people it is a regressive and unimaginative action, an example of the inability to tolerate democracy and difference.”

– Geoffrey Robertson QC

With the increasing support and efforts of a number of individuals the processes that were commenced by NIPD in May last year are moving ever closer to our objective of allowing the Norfolk Island people the choice for their future. Thank you for your help in fundraising, getting the message out, and for your support and belief in Norfolk and its people.

Management Committee
Norfolk Island People for Democracy
17 June 2016
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