



NORFOLK ISLAND COUNCIL OF ELDERS

PRESS RELEASE - AUSTRALIA GUILTY OF “ENDOGENOUS RACISM TOWARDS INDIGENOUS PEOPLES”

In proceedings before the UN’s Human Rights Committee, Australia has alleged that Norfolk Islanders descendant from Tahitian women and Bounty mutineers are not ‘indigenous’, despite the fact that they are recognised as such by the United Nations and academic experts, and have their own unique language, customs and traditions. This has been described, in argument submitted to the Committee on January 2nd as the latest example of ‘endogenous (i.e. deep-seated) racism towards indigenous people’, reflected by Australia’s long-standing hostility to the concept – it was one of only 4 states that voted against the UN Declaration on Indigenous Rights in 2007, and has since been regularly condemned by UN rapporteurs for denying its own indigenous people the right to effective participation in government.

The case has arisen from the Abbott government’s decision in 2015 to abolish the Norfolk Island Constitution and its democratic self-governing parliament, and impose on it, laws passed by the parliament of New South Wales, in which Norfolk Islanders cannot vote. Their counsel, Geoffrey Robertson AO QC, says that this is an obvious denial of rights guaranteed by the International Covenant on Civil and Political Rights, to which Australia is a party, to elect representatives and thus play some part in making the laws that govern them. They can only cast votes in the federal electorate of Bean (Canberra), and the federal government does not make or debate the New South Wales laws that now apply after abolition of the Norfolk Island legislature.

The case is brought by Mr Albert Buffet, a direct descendant of Fletcher Christian, leader of the Bounty mutineers against their oppressive Captain Bligh, and who is President of the Norfolk Island Council of Elders. He argues that the ‘recolonisation’ of Norfolk was undertaken without proper consultation with the Islanders, 68% of whom opposed it through a legally constituted referendum. This action was accompanied by the appropriation of their cultural property – treasured relics of ‘the Bounty’ and the initial Pitcairn settlements, together with flags, photographs and the Norfolk coat of arms, were seized from the legislative assembly at the time of its closure and have disappeared. The local radio station has been censored to stop any criticism of the Australian government, and the Islanders have been ordered to replace their anthem (‘God Save the Queen’) with what is described as the ‘sexist doggerel’ of ‘Advance Australia Fair’ (‘Australia’s sons let us rejoice...’). The maternity wing of the hospital has been closed to force indigenous women to travel to Australia to give birth. He reminds the UN Committee that the Island’s famous resident, ‘Thorn Birds’ author, the late Colleen McCullough, described the Abbott government’s action as “bloodless genocide”.

Mr Buffet won the first round of the case when the Committee decided that it was sufficiently important to call on the Australian government to respond. It did so last year, denying that the Bounty descendants were ‘indigenous’ and arguing that their right to democracy was sufficiently catered for by allowing them to vote in federal elections, although not in NSW where the laws now imposed upon them were debated and passed. It said it was within the Australian government’s power to abolish their democratic structure, which had been put in place under Malcolm Fraser in 1979, and to remove their constitution with its reference to Pitcairn heritage.

Mr Robertson said ***“it is sad that Australia refuses to recognise the unique culture of this island people and the history of Norfolk as an extension of the convict settlement at Sydney and a refuge for descendants of the Bounty mutineers, when they moved from Pitcairn. Treating it as just another NSW seaside town ignores the richness of its history and the distinctiveness of its culture and traditions.”*** He said that the lawyers advising the federal government ***“have misunderstood international law relating to indigenous people, and to the requirements of human rights treaties which Australia has ratified.”*** He added that the government ***“seems ignorant of the meaning of democracy, which means you must be able freely to elect the representatives who make the laws under which you are governed. Norfolk Islanders are now forced to obey the law of NSW, a state where they cannot vote.”***

Full transcripts of Alberts Buffett’s complaint (Communication No. 3274/2018) and the Australian Government Submission on Admissibility and Merits to the United Nations Human Rights Committee Submission can be found at <https://www.norfolkschoice.com/press-releases/>