

DEPARTMENT OF INFRASTRUCTURE, REGIONAL DEVELOPMENT AND CITIES

1.21 EVENT BRIEF – Meeting with Norfolk Island People for Democracy

Date and Time:	Thursday, 15 November 2018, 2.15 pm – 2.45 pm
Location:	Administrator's Office
Meeting with:	Norfolk Island People for Democracy (NIPD)
Attendees:	Mr Eric Hutchinson, Administrator Mr Chris Magri, President, NIPD Brett Sanderson Alan Buffett Peter Christian-Bailey Candice Snell Mary Christian-Bailey Lisle Snell Phil McDowell Ron Ward

Outcomes Sought:

- Recognise and listen to the concerns of NIPD while asserting the Australian Government's long-held position about the status of Norfolk Island.

Key Issues:

- NIPD seeks to have their opposition to the removal of self-government and the current governance arrangements understood and recognised.

Background:

- NIPD is an unincorporated association established in June 2015 with the aim of having Norfolk Island inscribed on the United Nation's list of Non-Self-Governing Territories. The group is primarily composed of Pitcairn Island descendants and represents a minority of views on the island – up to 30 per cent depending on the specific issue.
- NIPD have, in the past, travelled to the United Kingdom to meet with Members of Parliament and deliver petitions to the UK Government. The UK Government has stated on a number of occasions that the governance and administration of Norfolk Island is a matter for Australia.

Sensitivities:

Preamble to the Norfolk Island Act 1979

- NIPD may raise their wish to reinstate the preamble to the Norfolk Island Act 1979 (Cth). Further detail on this issue is available in briefing (Key Issue Brief 2.03).

Petition for the United Nations to list Norfolk Island as a non-self-governing territory

- The NIPD have, in the past, petitioned the United Nations to seek to have Norfolk Island inscribed on the list of non-self-governing territories NIPD believes that inscription as a

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non-self-governing territory will lead to free association with Australia and the provision of untied financial assistance from the Australian Government. Free association with Australia also provides an ability to seek assistance and financial support from other foreign governments. Norfolk Island has previously petitioned the UN for recognition as a non self governing territory (in 1977 and 1994) without success.

- In April 2016, Geoffrey Robertson QC, acting on behalf of the NIPD, submitted a petition requesting that Norfolk Island be inscribed on the Non-Self Governing Territories List to the Chair of the United Nations General Assembly's Fourth Committee (the Special Political and Decolonisation Committee).
- The Department received legal advice from the Office of International Law (OIL) which argues that Norfolk Island does not meet the United Nation's definition of a non-self-governing territory and disputes many of the claims made in the NIPD's petition to the United Nations.
- On 8 June 2018, the NIPD announced its intention to draft a United Nations General Assembly resolution by the end of August 2018 on the inscription of Norfolk Island on the UN's list of non-self-governing territories.

Norfolk Island's legal status as part of Australia

- NIPD, in the past, has expressed views that question Norfolk Island's legal status as part of Australia. It has been the position of successive Australian Governments that Norfolk Island has been an integral part of the Commonwealth of Australia since 1914 when it was accepted as a Territory under the authority of the Commonwealth, pursuant to section 122 of the Constitution. This position has been recognised by the High Court of Australia.

Attachments: Nil

