

Key Issues Brief

2.04 Petition to the United Nations (UN)

Key Issues

- In April 2016, Geoffrey Robertson QC, acting on behalf of the Norfolk Island People for Democracy (NIPD), submitted a petition to the Chair of the UN General Assembly's Fourth Committee (the Special Political and Decolonisation Committee) requesting Norfolk Island be inscribed on the UN's list of non-self-governing territories.
- The UN list of non-self-governing territories identifies territories that the UN General Assembly deems to be "non-self-governing" and subject to a decolonisation process.
- The UN has not scheduled time to consider the petition.
- Advice from the Attorney-General's Department is that Norfolk Island does not meet the UN's criteria for inscription as a non-self-governing territory.
- People from Norfolk Island have previously petitioned the UN for recognition as a non-self-governing territory (in 1977 and 1994) without success.
- On 8 June 2018, the Council of Elders announced in the *Norfolk Islander* newspaper that it has contracted 'Expert Advisory Services' to carry out a Self-Governance Assessment of Norfolk Island and to draft a UN General Assembly resolution to expedite the review of their petition. This work was expected to be completed by the end of August 2018 but the Department has not had any information to indicate this has occurred.

Background:

NIPD

- NIPD was established in June 2015 with the aim of having Norfolk Island inscribed on the UN's list of non-self-governing territories.
- It is difficult to gauge the true level of support for NIPD on Norfolk Island. The group claim to have over 1,000 supporters (likely to include visitors to the Island) and to be representing the majority of views. NIPD's fundraising methods and affiliations, however, have been the subject of some concern and scrutiny in public forums.

Process for Inscription

- The UN General Assembly must approve any addition of a territory to the list of non-self-governing territories. This can follow a recommendation made by the Special Committee on Decolonisation (also known as the Committee of 24, or C24) which monitors and reviews the list of non-self-governing territories.
- Alternatively, a draft resolution may be proposed before the UN General Assembly by a Member State. NIPD would need to obtain the sponsorship of a Member State to the UN to put forward the draft resolution to the UN General Assembly plenary.

## DEPARTMENT OF INFRASTRUCTURE, REGIONAL DEVELOPMENT AND CITIES

- Passage of the resolution would rely on the support of a simple majority of UN Member States present and voting. This would likely require extensive lobbying by NIPD and the sponsoring Member State. The Department of Infrastructure, Regional Development and Cities (the Department) is aware of lobbying by NIPD in New Zealand and the UK.

**Sensitivities:** If none just note 'Nil'

- Since June 2016, NIPD has been staging a sit-in protest at the Old Military Barracks. The protest presents a risk to the heritage values of the site.
- The Department is also aware of an alleged complaint lodged by Mr Albert Buffett, President of the Council of Elders, to the UN's Human Rights Committee claiming the Australian Government has breached its international human rights obligations.
- The Australian Government has received no official notification about this complaint from the UN. If a complaint is made Australia will generally have six months, from notification, to respond.

**Attachments:** Nil

