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SPECIAL COMMITTEE ON THE SITUATION WITH REGARD TO THE IMPLEMENTATION OF THE DECLARATION ON THE GRANTING OF INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES

REPORT OF THE UNITED NATIONS VISITING MISSION TO THE COCOS (KEELING) ISLANDS, 1980

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INTRODUCTION

1. The General Assembly continues to emphasize the importance of visiting missions in ascertaining the situation in small Territories, whence public information may in the best of circumstances be limited. Such missions enable the Special Committee to acquire first hand information regarding the views of the peoples of the Territories visited concerning their future political status. The Mission therefore wishes to acknowledge its deep appreciation to the administering Power concerned, Australia, for having furnished the opportunity for a closer look at recent developments in the Cocos (Keeling) Islands.
2. The Mission wishes to record here its deep gratitude to the Australian Government for its full co-operation and ample assistance. Mr. Robert J. Ellicott, the Minister of State for Home Affairs and for the Capital Territory, Mr. D. F. McMichael, the Secretary of the Department of State for Home Affairs and for the Capital Territory and Mr. A. W. McCasker, the Acting Secretary, A/9623/Rev.1, vol. IV, chap. XX, annex, paras. 10-14 and senior officials of the Department, Mr. Peter Henderson the Secretary of the Department of Foreign Affairs, and Mr. C. R. Ashwin, Mr. A. L. Vincent and other senior officials of the Departments of Foreign Affairs and of Health, extended warm hospitality and courtesy to the Mission.
3. The Mission wishes to convey its deep appreciation to Mr. Charles Buffett, the Administrator of the Territory and Mrs. Buffett as well as to the Administrator's staff, and to the representatives of other departments in the Territory for their generous hospitality and considerable assistance in helping the Mission to set about its tasks while in the Territory.
4. The Mission wishes to express its particular gratitude to the officials of the Australian Government who accompanied it during its visit to the Territory, including its escort officers, Mr. R. S. Morris of the Department of Foreign Affairs and Mr. G. T. Byrnes, Head, Cocos Section, of the Department of Home Affairs; Mr. Kevin Dunn, Senior Veterinary Officer, Department of Health; Mr. Eric Wadsworth, a photographer with the Australian Information Service, and Mr. Tony Lapsley, adviser, interpreter and translator for the Australian Administration in the Territory who assisted the Mission. Their helpful attitude and their knowledge of the situation in the Territory contributed to the successful completion of the Mission's mandate.
5. The Mission also wishes to express its warm appreciation to the members of the Cocos Malay community on Home Island, in particular to Mr. Wahin bin Bynie, Chairman of the Cocos (Keeling) Islands Council, and Mr. Alpan bin Puria, Chairman of the Cocos Islands Co-operative Society, Ltd. for having organized the meetings on Home Island in such a manner as to provide the Mission with an invaluable insight into the life of the community, and for having overwhelmed the Mission with hospitality. This was also the case with the Cocos Malay community at Katanning, Western Australia. The West Islands community was equally diligent in according to the Mission full and relevant information and every assistance it could wish, and the Mission is indeed grateful.

6. The Mission wishes also to express its thanks to Mr. John Clunies Ross, for the invitation extended to it to meet with him, his wife and son, at their residence on Home Island. The Mission thereby had a valuable opportunity to hear at first hand the views of Mr. Clunies Ross concerning developments in the Territory and its future.
7. Members of the Mission also wish to place on record their gratitude to the Government of Fiji, in particular to their fellow member, Mr. Aryoday Lal, for the facilities placed at their disposal during their stay in Nadi and Suva.
8. On their return to Headquarters, two of the members of the Mission had the opportunity to pass through Apia where they had talks with the Acting Secretary of the Government of Samoa concerning developments in the region. They wish to record their thanks to that Government for the facilities placed at their disposal during their stay there.

A. Terms of reference

9. At the 362nd meeting of the Sub-Committee on Small Territories held on 18 June 1979, the representative of Australia extended his Government's invitation to the Special Committee to send a visiting mission to the Cocos (Keeling) Islands in the second half of 1980, to obtain first-hand information on the situation in the Territory and the progress being made there.
10. At its 1149th meeting, on 1 August 1979, the Special Committee, by adopting the related report of the Sub-Committee on Small Territories (A/AC.109/C.1312), welcomed the invitation of the Government of Australia to send a visiting mission to the Cocos (Keeling) Islands in the second half of 1980. 1/
11. At its thirty-fourth session, the General Assembly, following its examination of the chapter of the report of the Special Committee on the item, 2/ adopted a consensus relating to the question of the Cocos (Keeling) Islands (decision 34/409 of 21 November 1979) by which it, inter alia, noted with appreciation the continuing co-operation of the Government of Australia, as the administering Power, in reporting on the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples contained in General Assembly resolution 1514 (XV) of 14 December 1960. By the same consensus, the Assembly "particularly welcomed the invitation of the Government of Australia to the Special Committee to send a visiting mission to the Cocos (Keeling) Islands in the second half of 1980 to obtain first-hand information on the situation in the Territory and the progress being made there". The General Assembly requested the Special Committee, in continued co-operation with the administering Power, to seek the best ways and means of implementing the Declaration with respect to the Territory, in the light of the information to be provided by the administering Power in 1980, and to report thereon to the Assembly at its thirty-fifth session.

1/ Official Records of the General Assembly, Thirty-fourth Session, Supplement No. 23 (A/34/24/Rev.1), vol.III, chap. XIV, para. 9.

2/ Ibid., chap. XIV.

B. Composition of the Mission

12. In accordance with General Assembly decision 34/409, and on the basis of the related consultations, the Chairman of the Special Committee informed the members of the Committee on 17 June 1980 that the proposed visiting mission to the Cocos (Keeling) Islands would consist of the representatives of Fiji, the Ivory Coast and Yugoslavia. Accordingly, the Mission was composed as follows:

Mr. Lobognon Pierre Yere	(Ivory Coast)	Chairman
Mr. Aryoday Lal	(Fiji)	
Mr. Milivoje Zagajac	(Yugoslavia)	

13. The Mission was accompanied by the following staff members of the United Nations Secretariat: Mr. Richard W. Wathen, Principal Secretary; Mr. Hour Eddine Driss, Political Affairs Officer; Miss Marie-Pilar Santocchia, Interpreter; Miss Norma Young, Administrative Officer; and Miss Lesley Wilkinson, Secretary.

C. Itinerary

14. The Mission arrived in Sydney from New York on 5 July and proceeded to Canberra the following day to hold formal meetings with representatives of the administering Power on 7 July. On 8 July, it flew to the Territory via Adelaide and Learmonth, aboard an aircraft provided by the Australian Government.

15. The Mission's itinerary in the Territory is set out in annex I to the present report. On 11 July, the Mission returned to Perth in Western Australia and on 12 July it proceeded by road to Katanning to hold discussions with the Cocos Malay community in that town concerning their views on the situation in the Territory. The following day it returned to Canberra in order to hold its final meetings with representatives of the Australian Government.

16. Upon completion of its programme in Australia, the Mission stayed at Suva from 15 to 18 July to work on the formulation of its report.

I. INFORMATION ON THE TERRITORY

A. General description

17. The Territory of the Cocos (Keeling) Islands is situated in the Indian Ocean, at latitude 12° 05' south and longitude 96° 53' east, approximately 2770 kilometres north-west of Perth and 960 kilometres south-west of Java Head, the western extremity of Java, Indonesia (see annex II to the present report). It consists of small coral islands forming two separate atolls and has a total area of about 14 square kilometres. North Keeling Island forms the northern atoll, but the main atoll situated 24 kilometres to the south is a chain of islands, principally: West, South, Home, Direction, and Horsburgh Islands. West Island,

which is approximately 10 kilometres long and about half a kilometre wide, is the largest of the group.

18. West Island and Home Island, in the southern group, are the only islands inhabited. Other islands are visited periodically. The Mission visited West, Home and Direction islands. North Keeling Island has a shallow, sandy lagoon occupying most of its interior. There is one landing point on the island, where small craft may be beached.

19. The climate in the Territory is moderate and influenced by the south east trade winds for about nine months of the year. Soil on the islands is mainly a composition of coral clinker. In some areas the coral fragments are covered with a thin mixture of decayed vegetable fibres and finely powdered sand. Nevertheless, the islands are well-covered with vegetation. Coconut palms predominate, flanked on the seaward side by a thick growth of poor quality timbers. On North Keeling Island, there are several areas where the jungle gives way to coarse grass cover and a species of the genus Sesuvium (a salt herb). There is no fresh surface water on either atoll but on most of the larger islands rain water filtering between the coral fragments is stopped at depths of three to five metres by a breccia platform. On Home, West and Horsburgh islands and at the southern end of South Island, fresh water exists in underground reservoirs, uncontaminated by the sea, and can be reached by sinking relatively shallow wells.

20. North Keeling, the isolated northern atoll of the Cocos (Keeling) group, is believed to have been discovered in 1609 by Captain William Keeling of the East India Company. The islands were uninhabited until 1826, when the first settlement was established on the main atoll by an Englishman named Alexander Hare. In 1827, Captain John Clunies Ross, a Scottish seaman and business associate of Hare, brought a number of Malays to the islands and formed a second settlement. Mr. Hare and Captain Clunies Ross both claimed ownership of the islands, but Mr. Hare returned to Java in 1831 and Captain Clunies Ross was left in sole possession. He imported more labour and set about improving the coconut trees already growing there.

21. The islands were formally declared part of the British Dominions in 1857, and the following year responsibility for the supervision of the islands was vested in the Government of Ceylon, but transferred to the Government of the Straits Settlement in 1886. On 7 July 1886, a Royal indenture granted all land on the islands above the high-water mark to Mr. George Clunies Ross, the grandson of the founder, in perpetuity, reserving the right to resume any or all of the lands for public purposes and prohibiting its alienation without the prior sanction of the Crown. The islands were transferred to Australia by an Order-in-Council made by Queen Elizabeth under the Cocos Islands Act, 1955, of the United Kingdom of Great Britain and Northern Ireland and by the Cocos (Keeling) Islands Act, 1955, of Australia.

22. At 30 June 1980, the population of the Territory totalled 487, of whom 290 were Cocos Malays and 197 Europeans, compared with a total of 392 in the previous year (253 Cocos Malays and 139 Europeans).

Though often referred to as Cocos Malays, the inhabitants of the islands are descended from East Africans, Chinese, Javanese, Indians and Sinhalese, among others. They are Muslim by religious tradition and speak a dialect of Malay known as Cocos Malay. Between 1948 and 1951, over 1,600 Cocos Islanders were moved from the Territory for economic reasons, reducing the population of the Territory by about two thirds.

23. Between 1958 and August 1975, there was no migration of islanders from the Territory. Thereafter a considerable interest in direct migration to Australia developed and some 234 persons (or 46 per cent of the mid-1975 population) left the Territory to settle at Perth, Katanning, Port Hedland and Geraldton in Western Australia. In many cases, the islanders were assisted to leave by relatives or by making arrangements with firms in Australia to help with fares and employment.

24. During his visit in January 1978, the Australian Minister for Home Affairs counselled the people against migrating until they understood the Government's plans for the islands. The Minister said that he would wish the islanders to be fully aware of the effects of proposed changes before they made the important decision to leave.

25. In December 1979, the Minister informed the community that the Government was prepared to give financial assistance towards the return of Cocos Malays to the Territory from both Australia and overseas, subject to the consideration of each case on its merits.

26. Air fares at reduced rates were introduced to enable Cocos Malay residents to visit relatives in Australia. More recently, the newly created Cocos Islands Co-operative Society, Ltd., (see paras. 41-44 below) undertook to pay travel costs of particular families returning to live in the Territory. All applications to return must be approved by the Cocos (Keeling) Islands Council and by the Management Committee of the Society.

27. At the latest reporting (July 1980), nine members of one family had returned from Singapore, six members of two families from Geraldton and four members of a family from Katanning. The Government paid the air fares from Perth to the Territory in respect of the families from Singapore and Geraldton. The return of five islanders from Sabah (Malaysia), has been approved by the Council. The Society will pay the travel expenses of that family.

B. Constitutional and political developments

Status of the Territory and its inhabitants

28. Under the 1979 amendment to the Cocos (Keeling) Islands Act, 1955-1979, and with effect from 21 March 1979, persons who were ordinarily resident in the Cocos (Keeling) Islands immediately before the transfer of the Islands to Australia on 23 November 1955, who are now ordinarily resident in Australia or an external territory and who wish to take up Australian citizenship, may do so by making a

declaration that they desire to become Australian citizens. With few exceptions, Cocos Malays living in the Cocos (Keeling) Islands are now Australian citizens.

Executive and legislative branches

29. Constitutionally, the Cocos (Keeling) Islands Act, 1955, as amended, forms the basis of this Non-Self-Governing Territory's legislative, administrative and financial systems. It is comprised of the Cocos (Keeling) Islands Act, 1955, ^{3/} as amended by the Cocos (Keeling) Islands Act, 1956, the Cocos (Keeling) Islands Act, 1958, the Cocos (Keeling) Islands Act, 1963, the Statute Law Revision (Decimal Currency) Act, 1966, the Statute Law Revision Act, 1973, the Postal and Telecommunications Commission (Transitional Provisions) Act, 1975, and the Cocos (Keeling) Islands Act, 1979. Since 20 December 1977, the Act has been administered by the Australian Minister for Home Affairs.

30. Under the Cocos (Keeling) Islands Act, the laws of the Colony of Singapore, in force in the islands immediately before the date of the transfer (1955) continued to apply, subject to their amendment or repeal by subsequent Australian legislation. These laws include some 320 ordinances. The Cocos (Keeling) Islands Act empowers the Governor-General of Australia to make ordinances for the peace, order and good government of the Territory. These ordinances are required to be tabled in the Australian Parliament and are subject to disallowance in part or whole by the Parliament. Generally, Australian acts do not apply to the Territory unless expressed to do so. Currently, some 100 Australian acts apply in whole or in part to the Territory.

31. The Mission was informed that as a preliminary step in the current programme for the rationalization and general reform of the laws applicable to the Territory, the Singapore Ordinances Application Ordinance, 1979, was passed on 29 December 1979. This ordinance removes the application of some 200 ordinances of the Colony of Singapore which were considered to be no longer relevant to the Territory. It also had the effect of up-dating to a significant degree, those Singapore laws which still had force in the Territory.

32. An Administrator of the Territory is appointed by the Governor-General under the Administration Ordinance, 1975. Mr. Charles Ivens Buffett assumed duty in the Territory on 16 November 1977.

33. The Australian Department of Transport provides the necessary staff to maintain the communications and broadcasting facilities. The Australian Department of Housing and Construction, as agent for the Administration in all its construction and maintenance responsibilities, has eight officers stationed permanently in the Territory. Commonwealth Accommodation and Catering Services, Ltd. with a full-time staff of five, provides catering and accommodation services for government staff and employees. There are also a meteorological service, postal service and a bank.

^{3/} Ibid., Twenty-ninth Session, Supplement No. 23 (A/9623/Rev.1), vol. IV, chap. XX, annex, appendix III.

34. On 18 March 1978, an interim Advisory Council of seven members was elected by Cocos Malay residents 18 years of age and over. The Australian Government consulted the interim Council on all decisions concerning the advancement of the Cocos Malay people, such as the establishment of the Cocos Islands Co-operative Society, Ltd. which was formed to operate the plantation formerly owned by Mr. Clunies Ross, and for other business, and the terms of the Local Government Ordinance, gazetted on 17 May 1979. Under that ordinance, the interim Advisory Council became the Cocos (Keeling) Islands Council on 25 July 1979.

35. The Local Government Ordinance, 1979, required that an election be held not more than three months after the first meeting of the first Council. The election was held on 20 October 1979. Sixteen candidates were nominated for seven vacant positions. Two of those elected had also served on the interim Council.

36. At the first meeting of the second Council on 22 October, Mr. Wahin bin Bynie was elected, by secret ballot, as Chairman, and Mr. Fayrel bin Cartney as Deputy Chairman.

The Council subsequently requested and received the assistance of the Administration and the Department of Housing and Construction to build temporary Council chambers. The project was completed at the Council's expense in June 1980. Furniture for the building was donated by the Australian Government. The building stands on land which the Government had leased to the Cocos Islands Co-operative Society, and is now sub-leased to the Council by the Society.

Judiciary

38. The courts with jurisdiction in the Territory are the Supreme Court of the Territory of Cocos (Keeling) Islands, the District Court, the Magistrate's Court and the Coroner's Court. There have been no cases for hearing by any of the courts since the 1974 Visiting Mission. 4/

C. Economic conditions

General

39. The economy of the Territory is based on the production and export of copra and contract work for building maintenance and repairs undertaken for the Government authorities and the Shell Company (Pacific Islands), Ltd.

40. Imports are admitted free of customs duty. The Cocos (Keeling) Islands Act exempts from customs duty goods which are imported into Australia from the Territory, provided the goods: (a) are the produce or manufacture of the Territory;

4/ For the report of the Mission, see Official Records of the General Assembly, Twenty-ninth Session, Supplement No. 23 (A/9623/Rev.1), vol. IV, chap. XX, annex.

(b) have been shipped to the Territory for export to Australia, or (c) are not goods which, if manufactured or produced in Australia, would be subject to a duty or excise tax.

Cocos Islands Co-operative Society, Ltd.

41. The Cocos Islands Co-operative Society, Ltd., a co-operative of Cocos Malay workers was registered on 16 January 1979. The Society has 130 members and a Management Committee of 8 members. On 1 February 1979, the Australian Government leased the copra plantation and some other land purchased from Mr. Clunies Ross to the Society at a nominal rental for 10 years, with options for renewals on similar terms. The by-laws of the Society provide for the Society and the Cocos (Keeling) Islands Council to decide on the distribution of surplus funds at the end of each financial year as dividends, for retention for the conduct of business and to the Council for community purposes (see para. 44 below). The administering Power states that within the limits of present standards and depending on copra production and current price levels, the community may be seen as basically self-sufficient.

42. At the annual general meeting of the Society on 22 September 1979, which was attended by 123 of 130 members, four members of the Management Committee of the Society were chosen by lot to retire and a secret ballot was held to elect their replacements, in accordance with the by-laws of the Society. One of those chosen to retire was re-elected. Two of the members of the reconstituted Management Committee are also members of the Cocos (Keeling) Islands Council.

43. The resignation of the first manager of the Society was accepted by the Committee and took effect on 22 September 1979. The Management Committee sought assistance from the Australian Department of Home Affairs to advertise the vacant position in Australia. As a result of interviews conducted at Canberra in February 1980 by three members of the Committee, Mr. J. H. C. Chai took up duty as manager on 24 April 1980.

44. Following receipt of the audited accounts of the Society for the 10-month trading period ending 30 June 1979, the Cocos (Keeling) Islands Council and the Management Committee jointly decided, in accordance with the by-laws of the Society, on the distribution of surplus funds. The sum of \$A 14,000 ^{5/} was paid to the Council for community purposes and \$A 61,000 was distributed to Society members as dividends on 14 December 1979 and averaged \$A 480 per member.

Public finance

45. Expenditure on administration and on capital works and services is financed from moneys appropriated from the Australian Government departments represented in the Territory. Some revenue is derived from messing charges, hospital and medical fees, aircraft landing and handling charges and miscellaneous sources.

^{5/} The local currency is the Australian dollar. At 29 August 1980, \$A 1.00 equalled approximately \$US 1.16. See also para. 50 below.

46. In 1978/79, total revenue amounted to \$A 61,121 (\$A 59,250 in 1977/78) and expenditure to \$A 2,483,101 (\$A 2,473,274 in 1977/78).

47. The budget of the Cocos (Keeling) Islands Council which, in accordance with the local government ordinance is approved by the Administrator, totalled \$A 215,300 for the year ending 30 June 1980 (see table 1 below). The Council began its operations for the financial year 1980/81 with a credit balance of \$A 51,349. On 24 December 1979, an ordinance came into force providing for the transfer of assets of the Cocos Community Fund, amounting to \$A 94,359, to the Council.

Table 1

Cocos (Keeling) Islands Council: budget for
the year ending 30 June 1980

(in Australian dollars)

A. Revenue

Current revenue

Sales of electricity	17,300
Allowance from contract works	40,000
Contribution from the Cocos Islands Co-operative Society	50,000
Contribution from the Cocos Islands Co-operative Society under by-law No. 18	<u>14,000</u>
	121,300

Other revenue

Cocos Community Fund	<u>94,000</u>
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Total revenue

215,300

B. Expenditure

Current expenditure

Cocos (Keeling) Islands Council expenses	2,500
Maintenance of Kampong area	2,600
Pensions	20,500
Library	500
Repairs and maintenance	5,500
Minor new works, Kampong	12,500
Power generation	56,500
Public Transport	1,300
Community aid	<u>500</u>
	102,400

Capital expenditure and reserve funds

Capital expenditure	30,000
Contingency and reserve funds	<u>82,900</u>

112,900

Total expenditure

215,300

48. The Postal Services Ordinance, 1979, establishing the Cocos (Keeling) Islands Postal Service, came into force on 3 September 1979. The Service includes a Philatelic Bureau which, in the period ended 30 June 1980, issued 18 stamps. The profits of the Service are to be used for the benefit of the Cocos Malay community. The money will be placed in a fund to be known as the Cocos Community Development Fund, which will be established in the near future.

49. The Mission was informed that the accounts of the Service for the period up to 30 June 1980 were not yet available and the profit could not, therefore, be determined. It was expected that a profit of at least \$A 100,000 would be available for appropriation in the Government's 1980/81 budget for payment to the Cocos Community Development Fund.

50. Australian currency is now in use throughout the Territory. Within the Home Island community, tokens (rupiahs) were used in transactions and for payment of wages until their withdrawal from circulation in September 1978 and their replacement by Australian currency.

Trade

51. Exports of copra during 1979/80 amounted to 253 metric tons (see table 2 below). World copra prices have fluctuated widely in recent years but continued an upward trend during the period under review. Imports, mainly from Australia and Singapore, are brought in by sea and air. In 1979/80 imports by ship of general cargo totalled 3,635 metric tons.

Table 2

Cocos (Keeling) Islands: imports and exports, 1977/78-1979/80

	1977/78	1978/79	1979/80
<u>A. Imports</u>			
General cargo, machinery, hardware and groceries (in metric tons)	3,446	5,262	3,635
Total petroleum products (in litres)	3,142,474	1,464,539 <u>a/</u>	1,811,408 <u>a/</u>
<u>B. Exports</u>			
General cargo, including hardware (in metric tons)	47	118	58
Copra (in metric tons)	291	323	253
Empty drums (number)	712	360	-

a/ Incomplete information.

/...

Land

52. Since 1951, a number of land transactions have been concluded between the Australian Government and Mr. Clunies Ross and on 31 August 1978, the Government purchased from Mr. Clunies Ross his remaining property in the Cocos (Keeling) Islands with the exception of his residence and related structures. On 1 February 1979, the Government leased to the Cocos Islands Co-operative Society the copra plantation and some other land acquired from Mr. Clunies Ross (see para. 41 above). On 29 July 1979, the Australian Government transferred by deed of grant the remaining areas it owned on Home Island and a small adjoining island known as Pulo Gangsa to the Cocos (Keeling) Islands Council, the land to be held in trust for the benefit, advancement and well-being of the Cocos Malay community.

Agriculture and livestock

53. The sole economic crop in the Territory is the coconut, which is grown throughout the islands. Copra is produced by hot-air drying methods and the copra is sold in Singapore, where it usually commands a premium price due to its superior quality. The palm population is estimated at 185,000 trees. A programme of felling and replacing inferior and senile palms and improving marginal areas was carried out between 1963 and 1972. The new plantings of trees are less dense than in the older established areas. Cyclone damage remains a constant threat to copra production. Because of limitations imposed by the quality of the soil, almost all of the Territory's fresh fruits and vegetables are imported, through the fortnightly air charter service. However, some vegetables and fruits are grown on Home Island. Pawpaws and bananas have also been grown successfully on West and Direction islands.

54. Construction of a high-security animal quarantine station was begun in September 1978. It is expected to be fully operational by July 1981. The Administrator is discussing with the Cocos Islands Co-operative Society the future operation of the station. At present, it is estimated that four or five local staff will be required. A job training programme will be undertaken for some seven or eight Cocos Malays.

55. The quarantine station would permit the safe importation into Australia of commercial breeds of livestock. This would be of benefit, of course, to Australia but could also benefit other countries in the area by making available improved disease-free genetic animals for their livestock industries.

56. The basic functions of the quarantine station would be to provide a last clear health test for animals before they reach Australia. Only young, unvaccinated animals which have been exhaustively tested to assure freedom from disease in the country of origin would be selected for possible introduction. They would be further tested in isolation, then in the quarantine environment containing a known stable disease status and then by contact with Australian livestock brought to the station for sentinel purposes. After passing all tests, the imported animals would be regarded as disease-free and could be released in Australia without restriction of movement, but possibly subject to surveillance (see also paras. 106-107 below).

Fishing

57. The Cocos (Keeling) Islanders catch large numbers of fish both in the lagoon and in the open ocean for their own consumption. According to the available information, there is no possibility at the present time for a larger exploitation of these resources.

Boat building

58. On Home Island, there is a slipway and a shipwright's shop for the building and maintenance of small craft, a powerhouse and a well-equipped work-shop. These have been included in the lease of the Cocos Islands Co-operative Society. Almost all households have one or more sailing boats (jukongs) for fishing and travel between the islands.

Companies

59. The registration of companies in the Territory is regulated by ordinance, under which the Administrator has the functions of Registrar of Companies. Companies incorporated in the Territory and wholly owned and controlled by permanent residents of the Territory are exempt from the payment of Australian income tax in respect of earnings from non-Australian sources and from the Territory. Ten companies are registered in the Territory.

Transport and communications

60. West Island has an international airport with full radio facilities operated by the Commonwealth Department of Transport. The Administrator is the licensee of the airport. A charter service for passengers and freight, following a Perth/Cocos (Keeling) Islands/Christmas Island/Perth route, is conducted on a fortnightly schedule by Trans-Australia Airlines (TAA) and Ansett Airlines of Australia, using Boeing 727 aircraft.

61. The Department of Home Affairs and the Administrator, with the Department of Housing and Construction as agent, are responsible for construction and maintenance activity on West Island, including the airfield. A substantial amount of work is undertaken by the Cocos Islands Co-operative Society on a contract basis, using Home Island labour. The Council and the Society have agreed that 10 per cent of the payments for contract work will be paid directly to the Cocos (Keeling) Islands Council.

62. The Australian Government arranges a shipping service to the Territory from Western Australia at intervals of several months. The ships carry cargo for the Society and other consignees in the Territory, and often proceed to Singapore carrying copra consigned by the Society. Because there is no wharf where ships can berth, vessels discharging cargo anchor in the main atoll lagoon, generally at buoys owned by the Shell Company. Ships of limited draught can anchor only in the lagoon.

63. Fuel and oil are imported by the Shell Company (Pacific Islands), Ltd. in

tankers chartered by the company. Aviation fuel and petroleum products, imported in bulk by the vessels, are pumped ashore to the company's bulk storage depot on the northern tip of West Island. Small quantities of Shell products are imported in drums.

64. Thirty-seven yachts called at the Territory for rest, water and general supplies during the period under review.

65. The two high-frequency radio telephone channels for communication with aircraft are equipped with high-powered transmitters. This allows communication with aircraft on routes in the vicinity of the islands. The equipment can also be used for general, long-distance communications with ships in emergencies. The houses on West Island are connected to a radio telephone, which links the Territory with the Perth exchange. There is an automatic telephone service on West and Home Islands providing communication between offices and residences.

66. Postal services are operated by the Cocos (Keeling) Islands Postal Service established on 3 September 1979, replacing the Australian Post Agency which had been operated by the Administration. The Service provides facilities for the sale of postage stamps and money orders, the acceptance of ordinary and registered articles (including parcels) and the receipt and dispatch of mails. During the period 1 July 1978 to 30 June 1979, a total of 1,540 bags of mail were received from Perth and 591 bags were dispatched to Perth, on the fortnightly air charter.

D. Social conditions

Labour

67. The Cocos Islands Co-operative Society undertakes the work formerly carried on by the Clunies Ross Estate. The Cocos Malays continue to be employed in copra production, as well as contract work, general building, maintenance and repairs for the government authorities and the Shell Company (Pacific Islands), Ltd. They also provide a work force for the loading and unloading of ships. There is no unemployment in the Territory.

68. In 1979, the Society, in consultation with the interim Advisory Council, determined revised wage rates and adopted a 40-hour working week for its members (see table 3 below). At present, the islanders do not pay rent, electricity or other municipal charges. Government employees recruited from Australia are usually engaged for a term of one year, if unaccompanied by family, and two years, if accompanied.

Table 3

Cocos Islands Co-operative Society, Ltd., weekly wage rates a/
(in Australian dollars)

	Sept. 1978-Apr. 1979	Apr. 1979-June 1980	From 1 July 1980
Senior foremen (male)	29.95	45.00	50.00
Senior tradesmen (male)	29.95	45.00	48.00
Foremen (male)	17.75	30.00	36.00
General workers (adult males)	15.75	24.00	30.00
General workers (junior males)	11.25	17.00	23.00
General workers (boys)	6.75	10.00	21.00
Senior foremen (female)	12.40	20.00	25.00
Foremen (female)	11.25	17.00	-
General workers (adult females)	9.00	14.00	21.00
General workers (girls)	6.75	-	-
Office clerks	12.40	24.00	30.00
Junior clerks	9.00	16.00	21.00
Electricians' assistants	14.75	24.00	30.00
Hospital assistants	19.55	30.00	36.00
Assistant hospital assistants	7.75	14.00	21.00

Source: Information received from the Manager of the Cocos Islands Co-operative Society, July 1980. See also para. 145 below.

a/ Net wage plus free housing, free electricity and water supply and free maintenance of house and surrounding grounds.

69. In addition to the wage rates listed in table 3 above, other daily wage rates at 1 September 1978 included: night watch staff, \$A 4.90; plantation and contract workers, 18 years of age and under 25 years, \$A 3.00; copra production workers and domestic staff, 18 years of age and over, \$A 2.40; and workers under 18 years of age, \$A 1.80.

70. The International Labour Organisation (ILO) conventions are currently being considered by the Australian Government with respect to the Cocos (Keeling) Islands.

Public health

71. A government medical officer and three nursing sisters are attached to the Administration to provide medical attention for the Home Island community and for all staff and their dependants on West Island. The medical officer also has responsibility for quarantine (including plant and animal quarantine), sanitation and public health matters generally. He is also available to give assistance to injured crew of vessels passing near the islands.

72. In March 1980, accommodation was completed on Home Island for the Malay-speaking nursing sister who conducts public health and hygiene programmes there. The medical officer visits the Home Island community twice a week. Other calls are made as required. Also in March, a new unit was added to the clinic on Home Island primarily for obstetrics patients.

73. The Australian Government maintains a four-bed hospital on West Island. It is equipped to handle most surgical and medical emergencies and contains a small air-conditioned operating theatre, an X-ray unit and a clinical pathology laboratory. Clinics are open daily, except on Saturday and Sunday, when patients can be seen by appointment.

74. A dentist and a dental nurse from the Public Health Department of Western Australia visit the islands for periods of about two weeks at least twice a year. As a result of these regular visits, the dental health of all residents of the Territory is maintained at a high standard.

75. Community health throughout Home and West islands is generally good. The major hazard for Home Islanders is hookworm infestation and its correlates of anaemia and general debility. Frequent medication is necessary to avoid recurrence and such treatment has provided an effective control.

Housing

76. The dwellings on Home Island are prefabricated concrete. They consist of two rooms with a detached kitchen and stand on their own grounds. Allotments between the houses provide land for growing vegetables for home consumption and keeping poultry. The Home Island dwellings are situated in an area known as the Kampong (see annex III to the present report), which comprises part of the land purchased by the Australian Government on August 1978 and subsequently conveyed to the Cocos (Keeling) Islands Council.

77. On West Island, houses are provided by the Government for married personnel. Single accommodation quarters adjoin the facilities of the Commonwealth Accommodation and Catering Service, Ltd., which provides transit accommodation, messing and lounge facilities.

Public works

78. The electrical reticulation system for Home Island was completed by the Government in December 1979. In June 1980, the Government began work on a project, scheduled for completion in December 1981, to augment water reticulation and to install a sewerage system on Home Island, together with individual showers and toilets for each of the 80 houses in the Kampong area. The supply of services to the community will be undertaken by the Council in accordance with its powers under the Local Government Ordinance, for which draft by-laws are being prepared.

E. Educational conditions

79. The school system on Home Island, with due consideration for the special needs of the Home Island pupils, is now the same as that on West Island. Since December 1978, there have been two teachers from the Western Australian Department of Education at the Home Island school. The Government meets the cost of the two teachers, who reside on West Island and travel daily to Home Island.

80. The school provides instruction in English, at the primary level, although some students above primary school age attend. At 30 June 1979, 40 children were enrolled in eight grades. Basic information about the outside world and international bodies including the United Nations and its agencies, forms part of the curriculum and is supplemented by films and wall charts.

81. Enrolment at the school is not yet compulsory, although a child must attend regularly if enrolled. Currently, all children reaching school age are enrolled. At the time of the Mission's visit, the Australian Government was preparing an education ordinance providing, inter alia, for compulsory school attendance, which the Cocos (Keeling) Islands Council had examined and agreed to accept.

82. In February 1979, seven Cocos Malay students who had assisted in teaching at the Home Island school, together with an office assistant, began a special six-month training course at Perth to improve their general vocational skills (see also paras. 85-87 below).

83. The primary school on West Island follows the syllabus of the Western Australian Department of Education. The Department also provides teachers and inspects the work of the school. At 30 June 1979, the school was staffed by one full-time and two part-time teachers and had an enrolment of 34 pupils.

84. At the commencement of the 1980 school year, the Government established secondary education facilities at the West Island school. A high-school teacher seconded from the Western Australian Department of Education took up duty in

February 1980. Ten Cocos Malay students, who travel daily to West Island, are enrolled in the programme and undertake a curriculum based on that of the Western Australian Department of Education. Malay culture and a work experience programme are included in the programme. Members of the Home Island community are assisting where possible in extracurricular classes, in particular in woodcarving, cooking and sewing.

85. The secondary teacher, who also supervises two West Island students, is assisted by a Cocos Malay assistant teacher who returned to the Territory in August 1979, following completion of six months' training in Perth (see para. 82 above).

86. Two other students who undertook the course are now employed as assistant teachers at the Home Island school, and four are employed by the Philatelic Bureau of the Cocos (Keeling) Islands Postal Service. The Co-operative Society is reimbursed by the Administration for the services of the latter at Australian mainland rates. The eighth student who undertook the course is employed by the Society at its office on Home Island.

87. Under the supervision of the Administration's Adviser, who is a qualified teacher, adult education classes in basic literacy and conversational English have been conducted since December 1979 by two of the Cocos Malay assistant teachers. Other adult classes in general studies are conducted by the Adviser with the assistance of the secondary school teacher.

88. A combined West and Home Island Parents' and Citizens' Association of the West Island School held its first meeting on 20 March 1980.

II. DISCUSSIONS HELD AT CANBERRA ON 7 JULY 1980

A. Meeting at the Department of Home Affairs

89. The Mission arrived at Canberra on 6 July and met with senior officials of the Australian Government the following day. Mr. McCasker, the Acting Secretary of the Department, informed the Mission that work in the Cocos (Keeling) Islands had been proceeding in line with the recommendations of the 1974 United Nations Visiting Mission. Progress had been rapid and both the people and the Government had felt the strain, but it had been worthwhile. A new era of political, economic and social progress was taking place. The administering Power was looking forward to receiving the recommendations of the current Mission and the Australian Government would do its best to introduce further improvements that the Mission thought desirable.

90. The Acting Secretary stated that the previous Visiting Mission had expressed the view that the position of Mr. Clunies Ross was far too powerful and that his undue influence in the affairs in general should therefore be clarified and removed. The Australian Government had taken that recommendation very seriously. As a result, it had purchased the Clunies Ross Estate, apart from his residence and that of his manager. The productive element, the plantation and associated equipment, had been leased (for a nominal fee of \$A 1) to the Cocos Islands Co-operative Enterprise Society. The houses of the Kampong had been deeded to the community free of charge and placed in the hands of the Cocos (Keeling) Islands Council. During the Mission's visit, it might observe the friction between Mr. Clunies Ross and the community, which now felt that it could stand on its own feet without fearing Mr. Clunies Ross' reactions.

91. He said that the Cocos Malay people had indeed advanced towards political self-awareness. They were prepared to speak openly without fear of anyone, including Mr. Clunies Ross. The tenor of the Government's policy had been to enhance political awareness among the people, to improve their economic conditions and to attend more adequately to health and educational needs.

92. He added that the Cocos Malays were now Australian citizens, with the exception of one recently arrived Malay family. The people had freely chosen that status and there had been celebrations for having done so.

Australian policy concerning self-determination

93. In response to several questions posed by the Mission, representatives of the administering Power replied that the Australian Government's policy was to bring the people to a level of political and social maturity sufficient to enable them to exercise their right to self-determination. In that regard, economic viability was an important consideration, and the Australian Government would continue to seek to develop and broaden the base of the Territory. Involving the people in that process was paramount. In determining the nature of the act of self-determination, the administering Power would be guided by the wishes of the local population. In that

connexion, the Australian Government intended to continue to work closely with the Special Committee, which would doubtless wish to observe any act of self-determination which the Australian Government envisaged within the constraints of General Assembly resolution 1514 (XV).

94. The Australian representatives said that it was difficult to predict a time-table for the implementation of the process of self-determination, but the Australian Government would facilitate it. However, it would not force the Cocos Malays to exercise their right nor seek to impose any deadline. The level of political sophistication was encouraging and steady progress in the economic field was being made.

95. In connexion with the implementation of General Assembly resolution 1514 (XV), the representatives further indicated that, in the view of the administering Power, General Assembly resolution 1541 (XV) was also applicable to the smaller territories, in that it provided options, including independence, free association and integration.

Role of Mr. Clunies Ross

96. According to the Australian representatives, the legal position with respect to Mr. Clunies Ross was that of a house-holder with no legal authority whatsoever. His only rights were those of a private person. He had, for instance, no control in a legal or other sense over the Cocos Islands Co-operative Society or the Cocos (Keeling) Islands Council. Since the last visit of the United Nations Mission, an Administrator had been appointed to replace the Official Representative and the current Visiting Mission would be able to observe that he was exercising full government authority, unwilling to tolerate any interference by Mr. Clunies Ross in the affairs of the Territory.

97. The administering Power was, however, aware that age-old practices did not disappear overnight and that, through tradition and practice, Mr. Clunies Ross might, one way or another, stand in the way of the true spirit of democracy and economic development of the Territory. The Australian Government was pleased that the people had proven that they had a spirit and a toughness of character of their own. It was Mr. Clunies Ross who must now feel that he was devoid of influence.

98. The fully elected Cocos (Keeling) Islands Council had demonstrated that it was willing to speak for itself and to oppose Mr. Clunies Ross, denying him any authority over their affairs and even asking that he leave the Territory.

Future political status

99. The Australian representatives said that the Government was taking steps to ensure that the people of the Cocos (Keeling) Islands would be in a position to decide their own political future. It was, however, not only a matter of political awareness, but also of a necessary degree of education, the promise of economic

viability and the development of the culture of the people and their cultural identity. The Australian Government had taken measures in all those directions.

Legislation applicable to the Territory

100. The administering Power agreed with the views of the Mission that the legislation applicable to the Territory was complicated and confusing. The representatives assured the Mission, however, that Mr. Clunies Ross held no judicial authority and could impose no penalties. The Australian Government was introducing some reforms with regard to the judicial system. In that connexion, some 200 Singapore Ordinances had been removed in 1979. Those laws which still had force in the Territory had been updated significantly.

Military questions

101. The Cocos (Keeling) Islands was not a military base and there were no plans to make it one. The airfield was administered by civilian authorities. There were no military installations and no military personnel stationed there, although Australian military aircraft did use the airfield.

Economic conditions

102. According to the Australian representatives, considerable progress had been made in the economic field since the 1974 Visiting Mission. The administering Power could report that the Cocos Islands Co-operative Society was doing very well, not only with the coconut plantation but also with the stevedoring services it provided to the Government. The difficulty facing the Territory was not lack of work to be done, but lack of labour to perform it. It was a prosperous community whose revenue had tripled in the last year alone. The people were now able to buy their own refrigerators. The Territory now had a separate postal service and considerable revenue was being obtained from philatelic sales; the profit from which would be paid into a development fund for the benefit of the community.

103. Concerning the question of economic diversification, the administering Power stated that while it was desirable to avoid dependence on any one crop, there were few crops which could be introduced at the current stage because of the lack of appropriate soil conditions.

104. The administering Power understood that the local population was interested in introducing goats in order to help reduce the brush under the coconut trees, to fertilize and to serve as a food source. The administering Power's only concern was that the goats should be entirely free of disease. It planned to introduce some Australian goats into the Territory but first it would have to destroy some 22 goats belonging to Mr. Clunies Ross in order to remove possible sources of disease transmission to the new strain of goats. With qualified veterinary staff at the quarantine station, the administering Power would be able to assist the population to maintain any number of goats.

105. Although it had considered the possibility of a fishing industry, at the

present time that did not appear feasible. The resources of the Territory had not yet been adequately tested. Heavy capital investment would be necessary to establish a fishing industry.

High-security animal quarantine station

106. The representatives of the Australian Government informed the Mission that the quarantine station (see paras. 54-56 above) was being constructed to allow for the importation of livestock from a range of countries. For the last 25 years, Australia had been denied the importation of livestock and its beef and sheep industry had relied completely on local animals. The quarantine station was to be finished by April 1981 and to be operational by July. Once established, it would be one of the most advanced quarantine stations in the world and would provide nine positions for non-Cocos Malays (two veterinarians, three stock inspectors, one clerical officer and some quarantine assistance personnel). Four or five Cocos Malays would be hired initially for tasks such as planting and harvesting, security and maintenance. The administering Power would be very careful in introducing fodder crops at the station in order to avoid importing plants noxious to the Territory. The station effluents would be used. The station would be used mainly for the quarantining of cattle. Programmes of familiarization with large animals and training for the Cocos Malays would also be introduced. Seven or eight Cocos Malays would participate in the programmes and, if they adapted well to that type of work, the station would provide more places.

107. The training of Cocos Malays for highly specialized positions would not be feasible in the immediate future. The operation called for veterinarians with extensive experience in quarantine management and highly experienced stock specialists. Less specialized work, such as general animal handling and the servicing of equipment, could be undertaken immediately by Cocos Malays.

Employment

108. The representatives of the administering Power stated that there was no unemployment in the Territory. Several years ago, Mr. Clunies Ross had made some inquiries concerning the prospects for a fishing industry. The Department of Primary Industry had pointed out that the waters surrounding the Territory were very deep although the fishing grounds had not been tested. Lengthy surveys would be necessary to verify resources to support such an industry. The required port facilities and heavy ocean-going ships would necessitate large capital investments and highly specialized manpower. In addition, the present work-force was insufficient for existing undertakings, let alone a new industry. For that reason, the Government was trying to encourage the return of Cocos Malays, about 20 of whom had, in fact, returned within the last six months. The Cocos Islands Co-operative Society was expected to finance the cost of return in the future.

Housing

109. The representatives said that the land and the houses on Home Island had been ceded to the people of the Cocos (Keeling) Islands through the Cocos (Keeling)

Islands Council, which was holding them in trust for the community. The plantation had been leased to the Cocos Islands Co-operative Society for 10 years initially with two further renewals of 10 years each, i.e. up to a total of 30 years. Apart from a nominal fee, no rent was paid.

Education

110. The Mission was informed that the level of education had greatly increased, in particular at the secondary level. As a result, a number of young Cocos Malays had gone to Australia for advanced education. The administering Power was about to introduce an ordinance on compulsory education up to 15 years of age (the same as that in Western Australia). The Cocos (Keeling) Islands Council had examined and agreed to the bill. Arrangements were also being made to develop adult education; currently about 15 adults are enrolled in the programme.

B. Meeting with the Secretary of the Department of Foreign Affairs and other senior officials

111. The Chairman informed Mr. Peter Henderson, the Secretary, that the Mission had held a fruitful meeting with the Acting Secretary of the Department of Home Affairs and senior officials of the Australian Government earlier that morning and had learned of the will of the administering Power to proceed with decolonization in the Territory. The United Nations was counting on the co-operation of the Australian Government and the authorities in that regard. He spoke of the interest the United Nations attached to such co-operation.

112. He also stated that all three members of the Mission, coming from non-aligned countries, were very much interested in the question of decolonization. The year 1980 was the twentieth anniversary of the adoption of General Assembly resolution 1514 (XV), containing the Declaration on the Granting of Independence to Colonial Countries and Peoples and he believed that there should be full co-operation on questions of decolonization between the United Nations and the administering Powers. The members of the Mission stressed the position of the non-aligned countries in that matter.

113. Mr. Henderson assured the Mission that the United Nations would continue to receive every possible co-operation from the Australian Government, and in particular, the Department of Home Affairs, which was directly responsible for the Territory.

114. In response to a question by the Mission as to what measures, if any, were being used to ascertain from the people their wishes concerning their future status, Mr. Henderson stated that that stage had not yet been reached. Mr. Byrnes, head of the Cocos Section of the Department of Home Affairs, said that his Department had not yet addressed itself to that step. He assured the Mission, however, that when the time came, the Special Committee would be kept fully informed and have a say in the matter. Mr. Morris, of the Department of Foreign Affairs, pointed out that it was just under six years since the last United Nations

mission had visited the Territory and since that time Mr. Clunies Ross had been removed from his powerful position.

115. Mr. Henderson stated that the time would be right at some stage for an act of self-determination. There had been a great change in matters since the Australian Government had bought out Mr. Clunies Ross, which the Mission would be able to see for itself. He underlined that the administering Power was very interested in the activities and purpose of the Mission. The Australian Government attached considerable importance to the Mission's programme, including the proposed visit to the Cocos Malay community in Katanning.

C. Dinner with the Minister for Home Affairs

116. Mr. Ellicott, the Minister for Home Affairs, stated that Cocos (Keeling) Islands came under the aegis of the newly created Department of Home Affairs late in 1977. He was now responsible for those undertakings which should have been carried out many years ago. He himself had visited the Territory eight or nine times in the last two and a half years. He hoped the Mission would appreciate the many changes that had taken place since the visit of the 1974 Mission. He had an effective Administrator in Mr. Buffett, a Norfolk Islander of Pitcairn descent who understood island life. He and his wife would make the Mission feel at home.

117. He said that on Home Island, the Mission would be invited to meet with the members of the Cocos (Keeling) Islands Council. The Mission would notice that the people were beginning to express themselves in quite different terms. They understood what it was to run their own affairs, in particular the Cocos Islands Co-operative Society. Increased production, however, depended on more labour becoming available and on better shipping facilities. He would like to think that the Mission would be pleased with what it saw. He felt that he had a close personal relationship with the people of the Territory.

118. In seeking a manager, the Society had chosen Mr. Chai (see para. 43 above), from Kuala Lumpur, because he understood the ways of the islands and would not try to impose his views on the people.

119. The Minister said that the formal institutions of the Territory were based on the Cocos (Keeling) Islands Council. The aim of the Society was not to pay high wages, but to help raise the standard of living of the people. The Cocos Malays pooled their labour through the Society, which extended work by contract. Contracts were important because they provided common funds from which the Society paid average wages, which had increased from \$A 15 per week in the beginning to three times that amount and more in some cases, up to \$A 50 per week. Through those wages the Cocos Malays were acquiring commodities. The Society was reimbursed for the services of its members (including those employed by the Postal Service) at rates based on Australian wages for equivalent services.

120. The Minister stated that he would be interested in knowing the Mission's reaction to the improvement in the schools. The students were entering high school

at an earlier age and graduates were now studying in institutions of higher education, particularly in Western Australia. The new educational system was only about two or three years old. Although there had been some talk about teaching in Malay, the Minister thought that the Australian system should be used now and the Malay language integrated at a latter stage. There were two teachers from Australia and two Cocos Malay assistant teachers at the Home Island school. There was also a Malay-speaking nurse. The Minister said that the new system would take some getting used to but the people understood their own life-styles. The Government was promoting political education in the Territory and the people were becoming increasingly aware politically.

III. DISCUSSIONS HELD IN THE TERRITORY FROM 8 TO 10 JULY 1980

A. Meeting with members of the Cocos (Keeling)
Islands Council

121. The Mission arrived at West Island in the Cocos (Keeling) Islands during the afternoon of 8 July and was met by representatives of the administering Power. It then went to Government House for a brief meeting with the Administrator who introduced members of the Cocos Malay community to the members of the Mission.

122. On 9 July, the Mission went to Home Island and held a meeting with seven of the eight members of the Cocos (Keeling) Island's Council and the Administrator. Following an introductory statement by the Chairman, who explained the object of the Mission's visit, he then presented a United Nations medal commemorating its thirty-fifth anniversary to the Chairman of the Council. The Mission then proceeded to ask the Council about the future economic prospects of the Territory, the possibility of diversifying the economy and the precise role of Mr. Clunies Ross in the economy of the islands.

123. The members of the Council stated that they were very happy with their current economic condition and that they felt a greater freedom now than during Mr. Clunies Ross' rule. There was, however, in their view, some interference from Mr. Clunies Ross in their affairs. He still supported some members of the community and also enjoyed their support. They felt that they were in better economic circumstances and possessed many more creature comforts than before. The fact that they were using Australian currency was cited as a great leap forward. It gave them more freedom of movement and choice.

124. Working conditions were described as being much better since 1978 when they had often had to go to work in their small boats whether the weather was good or not. They now had the use of fairly large launches and could decide to stay home if the climatic conditions were not favourable. They likened their current situation vis-à-vis Mr. Clunies Ross to that of a ship with two captains: one of whom must go.

125. Speaking of relations between the Cocos Malay community and the Australian Government, the Chairman of the Council said that his people were receiving substantial help and guidance from the Administrator. He called on the United Nations, together with the Australian Government, to solve the remaining problem, that of Mr. Clunies Ross' interference in their affairs, and thus help to achieve rapid progress in a spirit of communal co-operation.

126. In reply to a question put to them by the Mission, the councillors said that they were not aware of the resolutions of the Special Committee concerning their Territory. The Administrator added that it was difficult for him to transmit such documents to the community given the level of education of the Home Island people. Before the arrival of the 1974 Mission, the text of the Declaration contained in General Assembly resolution 1514 (XV) had been translated into Cocos Malay and distributed to the people. He noted, however, that the translation of political concepts into the Cocos Malay language was not easy. A programme of adult education

was under way which the Administrator hoped would facilitate the transmission of more adequate information. It appeared also that the campaign to explain the ordinance regulating the Council (see paras. 34-35 above) had not left much time for the Administration to start other chapters of the political education programme. Although the concept of nationhood and the United Nations had been brought to the people's attention, the process had not been easy since the Cocos Malay community understood the world in a rather simple way as composed of their islands and the outside world as a whole. A film about the United Nations had been presented to them and a translation of the Universal Declaration on Human Rights was available in the Cocos Malay language.

127. The Council members expressed the wish to have a museum set up in the Territory in order to preserve their cultural heritage and ancestral way of life for future generations. They also wanted the Administration to help them build a Cocos Malay house on West Island where they could stay overnight when they were on West Island on their way to Australia or elsewhere. Workers could also use it if they were unable to sail back home for climatic or other reasons. They thought their knowledge of the outside world could improve if they had access to films about Malaysia or Singapore.

128. The members of the Council expressed their satisfaction with the school system but had reservations about the site of the Home Island school, which was on land owned by Mr. Clunies Ross. They wanted to have a new school built on their land. They also wanted their children to learn Malay and called on the United Nations and the Australian Government to help them recruit a Malay school teacher and obtain reading materials in Malay.

129. The Administrator informed the Mission that a development fund for Home Island had been established that could be used to help in the financing of a museum and a Cocos Malay house on West Island. The Australian Government had authorized the creation of an independent Postal Service that would help to finance the development fund, thus aiding them to be self-sufficient. There would be a delay before the Australian Government could authorize the necessary expenditures for the museum and Cocos Malay house, possibly of two months, when the budget and the ordinance governing the development fund were adopted. Profits from philatelic sales since September 1979, when the independent post office had been created, could amount to more than \$A 100,000. The Council would be consulted on how the funds would be used.

130. The Administrator said that the Council had a general budget in addition to allocations for special expenditures. It had responsibility for, inter alia, the pension fund, the road system and the electricity network. The Council operated its own bank account but received some assistance in its accounting procedures. The development fund would be regulated by a board in which the Council would constitute one part with no less than three representatives, the other part being a representative of the Australian Minister for Home Affairs. The Administrator stated that construction of a new school on Home Island was being actively considered.

131. A representative of the administering Power stated that a comprehensive description of the development fund would be made available to the Fourth Committee of the General Assembly by November 1980. He also informed the Mission that four members of the Cocos Islands Co-operative Society were employed by the Postal Service, which was currently paying a total of \$A 4,000 per month to the Society for the services of those members.

B. Public meeting held on 9 July 1980

132. The Visiting Mission toured the hospital and the school, where it distributed some educational materials concerning the United Nations. In the afternoon, a public meeting was held, during which several people presented their views to the Mission. The first speaker complained about the wages being paid by the Cocos Islands Co-operative Society. He thought that they were too low and had not kept pace with price increases of basic staples, such as rice. He said that the supervisors had not raised that question with the manager or leaders of the Society.

133. A former Chairman of the Advisory Council (Imarat) expressed his unhappiness with the current site of the school, and his desire to see the Administration help introduce Arabic script into the educational system. Since he was also the Imam of the mosque, he had volunteered to teach his people the Muslim religion in its original scripture.

134. Another former leader of the community who was now one of the chief supervisors of the plantation, referred to the 1974 Visiting Mission and acknowledged that he had disagreed at that time with the views of the Mission and with its host, the Australian Government. Since 1978, however, things had changed and he could now see that he was wrong. He expressed his full support for the Mission and for the work of the United Nations as a whole. He said that he had stopped supporting Mr. Clunies Ross and rather sought the help of the Australian Government and the United Nations. He described the progress made by the community since 1978 in the fields of education and health. The housing situation had not changed much although the people had access to more creature comforts. There was enough electricity for their various appliances and it was free of charge. They were in the process of installing efficient sewerage and reticulated water systems. He thought that salaries were good and depended on the work of the members of the Society. The only difficulty, he said, was in the Territory's isolation, which made it difficult for goods to reach the proper markets and for the people to import what they needed. Their financial situation did not allow them as yet to charter ships, let alone planes. For all this, they had to await the availability of ships for the import and export of goods. That state of affairs had left them at the mercy of shippers' agents, among whom the speaker mentioned Mr. Clunies Ross.

135. The speaker related an incident in which goods destined for the Territory had been put on a Clunies Ross ship sailing from Singapore to Fremantle but then, for no apparent reason, had been returned to Singapore instead of being transhipped to the Cocos (keeling) Islands. In order to solve that difficulty, they had asked the manager of the Society to import goods from Australia, which were more expensive. He called on the United Nations to help find a solution to that major

problem. He also described other difficulties facing copra exports. Apparently the Society's shipping agent in Singapore was charging prohibitive prices, making it impossible to sell at a profit. The manager of the Society was in the process of finding another agent.

136. He criticized the interference of Mr. Clunies Ross in their affairs and suggested that he leave them alone. He said that although he had been a member of the Imarat before 1978, he now admitted that no progress had been made at that time and that the promises made by Mr. Clunies Ross had not been kept. He thought it possible that his ancestors had not received any compensation for working the land, although the Australian Government had reportedly paid Mr. Clunies Ross \$A 6.5 million. He said that his people would forgo any claim if Mr. Clunies Ross left the islands, although he thought that the Australian Government should get back part of the money through taxes.

137. Another villager said that wages had increased from 9 rupiahs (approximately \$A 4.50) a week to \$A 17, plus payments for overtime. In addition, the Society distributed a bonus each year. Yet another villager disputed that view, saying there was little work available, which had led some people to leave the islands. Those people could not come back because they had no money to pay the fare. Things would be better if the people came back; much more work could then be done. He asked the United Nations to help finance the return of his people.

C. Meeting with the Management Committee of the Cocos Islands

138. On the morning of 10 July, the Visiting Mission met with the members of the Management Committee. The Administrator was present at the meeting. The Chairman welcomed the members of the Committee and then gave the floor to members. One of the members stressed the importance of the Society in the life of the community, which he said was equal to that of the Cocos (Keeling) Islands Council. He went on to say that during the interim Advisory Council (Imarat) the Society had enjoyed the assistance of Mr. Clunies Ross, as manager, at the request of the Australian Government. In 1979, the interim Advisory Council had decided to establish a management committee comprising nine members. It had later hired a manager with the assistance of the Australian Government. The members of the Management Committee had been elected in 1979 and were still in office.

139. The Society had leased the plantation from the Australian Government for 10 years, renewable twice, at a nominal fee of \$A 1 per year. Each member of the Society was liable for \$A 1 if the Society went into debt. According to a member of the Management Committee, the Society would be able to request an extension of the lease after the statutory 30 years. He said that the land on which the village on Home Island was built (the Kampong), together with the houses and other adjacent buildings, had been given to the community on a permanent basis, and the Council was responsible for maintaining the houses and providing work for the Society.

140. The Chairman of the Management Committee informed the Mission that some of the Society's profits went to the Council. The two bodies worked very closely together, undertaking joint operations such as financing the return of Cocos Malays living abroad.

141. The Administrator explained that the Council was organized by the Local Government Ordinance and the Society by the Co-operative Ordinance. Under the latter, there was no restriction on business. In that connexion, the Chairman of the Management Committee stated that the Society was looking into the possibility of extending its activities. He mentioned a project to manufacture charcoal from coconut shells, production of which had started on an experimental basis. Samples of the new product had been sent to Australia for testing, with encouraging results. The Manager of the Society confirmed the Chairman's statement, adding that he saw a good prospect for mass production and exportation of charcoal.

142. One of the supervisors of the plantation said that 33,000 palm trees had been replanted under the reign of Mr. Clunies Ross, and that the work had been very hard, with no machinery to clear the plantation or to spray fertilizer. That was still true and as a result little or no work had been done on the plantation for the last three years. The lack of manpower also presented a significant problem. The plantation equipment comprised a bulldozer and three tractors, which were all very old and inefficient. In 1979, a new tractor had been bought and new machinery ordered, including a plow and rotovator. The members of the Management Council called on the Australian Government and the United Nations for assistance in obtaining new equipment.

143. The desire to raise sheep was brought to the attention of the Visiting Mission, but Mr. Kevin Dunn, a veterinarian from the Australian Department of Health who was present at the meeting, thought it was not feasible. Instead, he favoured the introduction of goats for climatic reasons, to clear the bushes in the plantation and as an extra source of fertilizer, meat and milk. He told the Mission that his Department was ready to help in that area.

144. The meeting was suspended to allow the Mission to pay a visit to the Home Island school and to hold discussions with Mr. Clunies Ross (see below), resuming subsequently to discuss the difficulties faced by the Society in the shipment of goods. The Manager confirmed that the Society had been unable to charter a ship, making the cost of transportation so high that the export of copra was unprofitable. The Committee requested help from the Australian Government in that connexion.

145. To a question from a member of the Mission concerning the wages paid by the Society to its workers, the Manager said that he would provide the Mission with a table of wages (See table 3 above).

D. Meeting with Mr. John Clunies Ross on 10 July 1980

146. The Administrator and two officials of the Australian Government were present at the meeting with Mr. Clunies Ross. The Chairman explained that the Mission had not wanted to leave Home Island without seeing Mr. Clunies Ross, who said that he was very happy to receive the Mission. In response to a question by the Chairman, Mr. Clunies Ross said that he viewed the future of the Territory with a certain amount of trepidation at the moment, given the size of the population. He had not wanted to comment on that question because of certain personality problems, and requested specific rather than general questions.

147. The Chairman remarked that Mr. Clunies Ross had had close collaboration with the community and asked whether he was still helping to guide the community or assisting the Society in any way. Mr. Clunies Ross replied that he had placed himself at their disposal, although he had the impression that they did not want him. At the request of the Australian Government, he was keeping a low profile.

148. In response to the Chairman's query as to whether he had a good relationship with the community, Mr. Clunies Ross replied that he had a good relationship with a large number of the community members but not with the Cocos (Keeling) Islands Council.

149. When asked his opinion on the role of the United Nations concerning the future of the Territory and whether it should do more or less, Mr. Clunies Ross stated that the 1974 Visiting Mission had brought about changes with which he did not personally agree. Generally speaking, however, he agreed that any community required help from the outside world. Asked if he had good relations with the Australian Government, Mr. Clunies Ross said he still had good relations with them although he did not see eye to eye with them, now less than ever.

150. The Chairman asked Mr. Clunies Ross what he would suggest to improve his relations with the Council. Mr. Clunies Ross said that although there had been a definite deterioration in relations with the community and the Council, he did not know what had caused it nor how to improve it. He had never been given reasons for certain people developing certain attitudes.

151. Mr. Clunies Ross was asked whether he thought mediation should take place or whether the Australian Government should make an effort to improve relations between him and the community.

152. The Chairman pointed out that Mr. Clunies Ross had certain technical means at his disposal which the community might desire and asked specifically if he would transport their produce. Mr. Clunies Ross said that he had always made his facilities available, but that for whatever reason they had not been used. The community and the Council had ignored them for non-commercial reasons and preferred not to use them, even to their detriment. He had a shipping company and the major interest was the transportation of goods at lower costs. Recently and without reason, the community had decided not to use the service. Individual workmen who had requested his help in obtaining certain goods had been penalized. He had provided that assistance only as a favour since the community's connexions overseas were relatively limited.

153. To the question as to whether his shipping company still transported copra, Mr. Clunies Ross said that it did strictly on a commercial basis. A tender was invited for each trip. He said that the Australian Government's invitations to submit tenders were usually made too late. On the last voyage, another company, which already had Australian goods on board, had been awarded the contract. The authorities had directed the trip, on which a loss had been sustained. The Society had decided not to take advantage of his offer and had shipped with the other company although it had cost three or four times as much. Moreover, because of labour difficulties in the Territory, the fact that no overtime was to be paid and the goods had not been unloaded, the cargo had been returned to Singapore where it still remained.

154. The Chairman inquired why there had been a deterioration in his relationship with the community. Mr. Clunies Ross replied that people seemed to resent that he could do what they could not. The strongest feelings seemed to be held by those with whom he had had very good relations in the past. He mentioned one man in particular with whom he had had particularly good relations and stated that he knew of no reason whatsoever for him to have changed his mind. Now they exchanged only the slightest amenities. Mr. Clunies Ross stated that he would like to see the island become commercially independent, adding that real independence could not exist without full economic independence. He thought it unfortunate the way things were turning out now, referring in particular to the problems of shipping. The community was becoming more and more dependent on the Australian Government and losing self-respect. It was undesirable to be a client state.

155. The Chairman pointed out that during his reign Mr. Clunies Ross had not contributed to the self-sufficiency of the people when he had had the chance. Mr. Clunies Ross requested the Mission to be more specific. The Chairman asked if he had helped the people to achieve a better standard of living and Mr. Clunies Ross said that he had provided, inter alia, electricity and running water. When he had arrived in the islands 30 years ago as a young man, the floors of the houses had been made of mud and the houses run down. The long period of poverty had been due to world prices, which were the best available. He himself had funds of course which had been derived from overseas sources. Although he had rebuilt the houses and installed electricity in them, there had been insufficient funds for sewerage and running water at that time. It was the Australian Government and not the community that had provided funds for the new amenities. For reasons of its own, the Australian Government had not provided those facilities while he was in charge.

156. The Chairman thanked Mr. Clunies Ross for the opportunity to meet with him. He stressed the important role played by Mr. Clunies Ross in the community and expressed the hope that the deterioration in relations would not be allowed to continue.

157. Mr. Clunies Ross inquired what procedure the Mission would follow and the Chairman stated that it would publish a report which should answer his questions.

158. Mr. Clunies Ross suggested that a meeting between himself and those concerned could take place under the Mission's auspices, or if that were inappropriate, then the Australian Administration could be the intermediary. The Chairman explained that time did not permit the sponsoring of such a meeting, although the members of the Mission could consult among themselves and make suggestions to the Australian Government. Mr. Clunies Ross asked the Mission to inform him if the meeting could take place under its auspices. The Chairman said that after consultations it would see what could be done. Mr. Clunies Ross said that he would be available at any time.

E. Meeting with the Administrator and other officials on 10 July 1980

159. The Chairman stated that earlier in the day on Home Island, the Mission had met with Mr. Clunies Ross and had been given his side of the conflict that had divided him from the Home Island community. The Chairman said that the Mission would not attempt to solve such a complex problem in one night. Although he understood that the Australian Government did not want to enter into the conflict, he wished to point out that the local community had informed the Mission that Mr. Clunies Ross had interfered in their affairs. The Mission had no intention of taking sides and only wished to state that a problem existed between Mr. Clunies Ross and the community. Some members of the community had stated that Mr. Clunies Ross should leave the island. The Mission was of the opinion that the rivalry should be dealt with and that such a problem was not good for the community, which was undergoing a total transformation and if a change were not effected, relations might become untenable. The Mission hoped that nothing serious would happen in the community.

160. The Mission wondered whether the Administration might act so as to bring about a thaw in the relations between the community and Mr. Clunies Ross. The community and Mr. Clunies Ross should be made to understand where their respective interests lay. The members of the Mission agreed that for the good and progress of the community, Mr. Clunies Ross should not interfere in local matters. No rupture should exist within the Territory. Mr. Clunies Ross had requested the Mission to act as a mediator, but as the Mission was leaving the islands the next day it had no time to sponsor such a meeting. The Chairman asked whether the Administrator could undertake such a task since he had to inform Mr. Clunies Ross of any steps to be taken.

161. The Administrator recalled that at the meeting with Mr. Clunies Ross, the latter had recounted all that he had done for the community during his control, including the provision of electricity, better housing and a club. He had not heard Mr. Clunies Ross say, however, that he had been compensated for his efforts by the Australian Government. Although he agreed that Mr. Clunies Ross himself could ask to meet with members of the Cocos Islands Co-operative Society and the Council, he was in doubt as to who should take the initiative. The community would have to be guided by its representatives. The Administrator asked if the Mission felt that he should bring the contending elements together, taking into account that the Minister for Home Affairs had been in contact with Mr. Clunies Ross about those matters, therefore preventing the Administrator from acting on his own.

162. In view of this, the Chairman said that the Mission would refer the problem to Canberra.

163. The Administrator was asked why he could not act, since Mr. Clunies Ross had already taken the first step, which in itself was an interesting change in the approach to healing the differences. The Administrator replied that the difficulty lay in the problem involved. It was not clear whether the problem was the community's or Mr. Clunies Ross's. The people no longer followed Mr. Clunies Ross and did not want his assistance. He knew that it had been difficult for Mr. Clunies Ross to relinquish control and that, having lost his position of influence, it was difficult for him to operate. The Administrator stated that he was there to implement policy. He felt the matter was Mr. Clunies Ross's problem.

164. The Chairman asked if the Australian Government had taken Mr. Clunies Ross's position into account.

165. Mr. Byrnes, head of the Cocos Section of the Department of Home Affairs, said that he understood what the Mission was saying but pointed out that the Australian Government believed in the institutions of the Territory and Mr. Clunies Ross was no longer one of them. It was up to him to try to live in harmony with the community. The Administrator reiterated that Mr. Clunies Ross lived on an island with the Cocos (Keelings) Islanders.

166. At the request of the Administrator, Mr. Lapsley, the adviser, interpreter and translator for the Administration in the Territory, informed the Mission that the matter had been exacerbated when Mr. Clunies Ross had sponsored the education of two young women in Australia, one of whom was the only female member of the Cocos (Keeling) Islands Council. The community had felt that to be direct interference in their affairs. Mr. Clunies Ross could have waited for a more convenient time. As a follow-up, the Administrator said that three months earlier, following a private meeting of the Council and the Management Committee of the Society in that connexion, a report had been sent to the Minister for Home Affairs. He himself had to follow policy laid down by the administering Power and therefore could not act as an intermediary in the affair.

IV. DISCUSSIONS WITH THE COCOS MALAY COMMUNITY
AT KATANNING ON 12 JULY 1980

167. On Saturday, 12 July, the Mission and its escort officers travelled the 283 kilometres from Perth to Katanning by bus to meet with approximately 100 members of the Cocos Malay community. After being greeted by the spokesman for the group, and explaining the Mission's mandate to the people, the Chairman, on behalf of the Mission, asked three questions of the group, namely, their reasons for leaving the Territory; their views on the policy of the Australian Government vis-à-vis the Cocos (Keeling) Islands; and their views on the future of the Territory.

168. The first speaker, Imam Hadji Mukeri, stated that, in 1957, there had been a lack of food. The people had held a meeting to see who could bring the matter forward. A delegation of three members of the community had approached the manager of the Clunies Ross Estate, who had said that he could not help them at that time because the "King of Cocos" (Mr. Clunies Ross) was in England on holiday. The Cocos Malay people had then requested their three representatives to go to West Island to ask the Australian Government for food. The Australian Government had given them as much as they needed. When informed of the situation upon his return, Mr. Clunies Ross had become very angry. The people had met again to decide on a solution to the problem of a manager who would not help them. Having decided that he should not remain on the island, they had asked the Australian Government for assistance in the matter. The response of the Australian Government had been to ask the people to decide if they wanted to follow the "King" or Australia. As a result, 30 families had requested Australian citizenship to enable them to go to Christmas Island. They had spent 20 years on Christmas Island, after which they had resettled in Australia.

169. The second speaker agreed with the previous speaker, although in his opinion the problem had involved more than a lack of food, citing a lack of education and inadequate health facilities among other things. He said that they had been much happier on Christmas Island and were even more so at Katanning.

170. Another speaker said that after living on Christmas Island for 20 years, the British Phosphate Commission (BPC), their employer, had promised to resettle them, but had done nothing.

171. The Chairman inquired why more than 200 people had left the Territory between 1975 and 1978. The next speaker replied he had been among those who had left during that period, giving the reason that he had had neither freedom nor money. He added that because half the people had wanted to follow Mr. Clunies Ross and the other half the Australian Government, they had felt it better to leave instead of fighting each other.

172. Another speaker inquired why the Australian Government had allowed Mr. Clunies Ross to remain in the Territory after giving him so much money. Mr. Byrnes, the representative of the administering Power, said there was no simple answer to that question. Such decisions were taken by ministers and he could only speak as a civil servant. At all stages in the implementation of its

policies, the Australian Government had consulted fully and carefully with the elected members of the community and with Mr. Clunies Ross and had decided to meet the best interests of the people by acting as it had. At that time, the community had agreed that Mr. Clunies Ross should stay.

173. A speaker requested information on the proposals of the Government regarding the Territory's future. The representative of the administering Power answered that the Government had made announcements concerning its policy in the Territory. There were important initial decisions to be made by the people in order to be able to make deliberate and well-informed decisions concerning their future. The Australian Government had provided assistance in establishing the Cocos (Keeling) Islands Council and teaching the people how to run their affairs.

174. The Mission asked about the intentions of the people regarding their possible return to the Cocos (Keeling) Islands. One man replied that he had left the Territory in 1948 with his eight children to go to Christmas Island, where he had stayed for 26 years. He had come to Australia six years ago. His situation in Australia was very good and his family was very happy with the Australian way of life. If the situation in the Territory had really changed, he and members of his family might envisage going back.

175. With regard to the type of work the Cocos Malays were engaged in and the cultural activities available in Katanning, the Mission was informed that the majority worked as slaughterers for the Southern Meat Packers (SMP), a large plant which the Mission had driven by on entering Katanning, and others as electricians, fitters, packers, mechanics and labourers for other companies. The first immigrants had followed the culture of Malaysia and Singapore, but since 1975 there had been a greater Cocos Malay influence. They were now strengthening their Cocos culture.

176. The Chairman asked about their relations with the Cocos Malay community in the Territory. A speaker stated that they received news, especially through cassettes, and although they did not send money to the Territory, they did assist those who came to Australia. They had not heard very good news concerning the future of the Territory because the people were not very involved or trying to advance. They had heard that in cases where the Council did nothing, the people went to Mr. Clunies Ross for assistance, and it was thought that one day he might take over again.

177. The Chairman asked if the Cocos Malay community at Katanning had regular contact with the Australian Government. A speaker replied that the only contact they had was with the liaison officer. A representative of the administering Power stated that senior government officials had visited Katanning on two occasions. The speaker said that they had come only when the Government was about to take over the Territory in 1977, and again in 1978. The officials never came to discuss what was happening to the people in the Cocos (Keeling) Islands. The Australian Government had tried to send people back to the Territory, but those who had returned had not gotten the jobs they had been promised.

178. One speaker asked why they had to pay such high prices to visit the Territory

on holiday, since the Cocos (Keeling) Islands was part of Australia. A representative of the administering Power stated that the cost of each flight to the Territory was \$A 48,000. In the past, the Minister for Home Affairs had made special arrangements for concession fares for the Cocos Malay community to visit Australia, a responsibility which the Cocos (Keeling) Islands Council might take over in future.

179. The Chairman asked the people how they saw the future status of the Territory. A representative of the administering Power stated that although the question of who should participate in a referendum had not yet been settled, he assumed that when the time came, the question would concern only the residents of the Territory.

180. The Chairman stated that he had not asked what form an act of self-determination should take, nor how the choice would be made. Neither had he asked who should and who should not participate in determining the future of the Territory. He thought that such a large Cocos Malay community should be interested in the future status of the Cocos (Keeling) Islands. A speaker stated that some members of the community wanted to know what their future would be and if there would be any guarantee that they would live happily if they went back to the Territory. They did not think the future was bright for the Territory, because of the lack of educated people. Maybe in the future they would address themselves to that question. Their children were being educated in Katanning and that was encouraging. He also asked if the copra would last for ever.

181. A representative of the Australian Government assured the people that the students who returned to the Cocos (Keeling) Islands were doing jobs appropriate to their training: one was teaching at the school and four were working at the philatelic centre. Others would be trained to work at the quarantine station. He did not see any kind of job that Cocos Malays could not do, but training took time.

182. The community invited the Mission to tea and informal discussions, after which the Mission returned to Perth.

V. DISCUSSIONS HELD AT THE DEPARTMENT OF HOME AFFAIRS,
CANBERRA, ON 14 JULY 1980

183. Mr. McCasker, Acting Secretary of the Department, stated that the Australian Government expected that the Mission would have useful comments as to further measures necessary to promote the welfare and interests of the Cocos (Malays) and to prepare them for an act of self-determination. The Minister for Home Affairs and other senior officials had found that the people had learned to express their views. He hoped that the Mission had had the same experience.

184. The Chairman stated that the Missions's report would deal with all aspects of the question. The Mission felt that economic aid, particularly in the agricultural field, would be of great help. The services of an agricultural advisor, for example, would be welcomed. One of the major problems of the Cocos Malays was the difficulty they encounter in shipment of their goods. The Mission had met with the Kantanning community who had expressed concern about the economic future of the Territory and had mentioned a lack of contact with the Government. As a matter of information, he stated that the Mission had also met with Mr. Clunies Ross, who had asked the Mission to organize a meeting between him and the community to solve the problems existing between them. When told that because of the lack of time that was not feasible, he had requested the Mission to sponsor a meeting organized by the Administrator. The latter had said that such a meeting was not necessary.

185. Mr. McCasker stated that the Australian Government had given thought to the agricultural problems in the Cocos (Keeling) Islands when hiring the manager for the Cocos Islands Co-operative Society and in that connexion, Mr. Dunn, Senior Veterinary Officer at the Department of Health, stated that a tropical agronomist from the Commonwealth Scientific and Industrial Research Organization (CSIRO) was to visit the Territory in order to make a detailed soil survey of the Cocos (Keeling) Islands to recommend crops to be planted at the quarantine station. The result of his mission was also expected to benefit the local community.

186. Mr. McCasker said that, given the remoteness of the islands and the small population, the Administration was faced with enormous problems in bringing perishable goods to the Territory. Because of the size of the community, the quantity of food was small, making it difficult to make adequate shipping arrangements. In the future, the Administration would call for tenders on the widest possible basis. Perhaps subsidies would be necessary, but the question had not yet been considered. Mr. McCasker said that although Mr. Charles Neill, an independent assessor commissioned by the Government to look into the matter, had suggested the possibility of the Cocos Islands Co-operative Society acquiring a small ship to meet the needs of the community and those of the Government, he did not consider the undertaking viable now, although it might be seriously considered in the future. The community had neither manpower nor experience in that field.

187. Mr. McCasker said that the Australian Government was pleased to note that the Mission had visited Katanning. It was well aware of the fact that the people had not made up their minds about returning to the Territory. It was the Government's

policy to encourage families from Katanning to go back. It had arranged visits by members of the Cocos (Keeling) Islands Council to Katanning, a senior official from the Department of Home Affairs had been there and the people had contact with the islanders through the means of cassettes. The people had a natural concern about returning and were uncertain about the economic viability of the islands. On a number of occasions, the Administration had sought to impress upon the people that the plantation was not the only source of revenue. The benefits they received as resident Australians, as well as their debts, were factors against returning. The leaders of their community had advised them against getting too deeply in debt and they had earned a good reputation in that respect.

188. Representatives of the Australian Government, not only from the Department of Home Affairs but from other departments, had paid a number of visits to Katanning, Geraldton and Port Hedland. The administering Power had not been aware that a problem existed with regard to contact with the Cocos Malays at Katanning. It would, in the future, arrange for other visits. The Australian officials from the Department of Home Affairs had tried to improve relations with the expatriates. Officials from the office of the Department of Home Affairs at Perth had visited them and would contact them again and make arrangements to solve the problem. The Department of Immigration and Ethnic Affairs monitored their progress and the Department of Social Security had assigned an officer to contact the community.

189. Mr. McCasker said that the problem of Mr. Clunies Ross and his relations with the community was very important and should be discussed. It appeared that Mr. Clunies Ross was disappointed with the people, feeling that they were not grateful for all he had done for them. On the other hand, the people believed that Mr. Clunies Ross was interfering in their affairs, a matter which they had brought to the attention of the Administrator on numerous occasions. The possibility of a reconciliation meeting would be considered, but it should first be ascertained if such a meeting would be helpful. The Administrator would be asked whether he felt that such a meeting would be welcomed by the community; it certainly could not be imposed.

190. The Mission asked if the Government would be willing to send some of the people of the Territory to neighbouring countries to acquire a broader view of the world. Mr. McCasker stated that the Government would concentrate on introducing them to Australia, since they were Australian citizens and had friends there. In fact, secondary school students would visit Australia in 1981.

191. As to the question that the people did not seem to be aware of the relevant United Nations resolutions, the representative of the administering Power said that although they could be translated into Cocos Malay, it was difficult to explain the concepts embodied in those resolutions. He said that they would try to translate the report of the Mission and to make films from Indonesia and Malaysia available to the community.

192. With regard to the possibility of Cocos Malays being prepared to work at the quarantine station, which would need specialized workers, the Mission was informed that there were no people available at the present time to undertake the highly specialized training which would be required by the quarantine station. There was no reason why Cocos Malays should not eventually gain the qualifications needed to fill the jobs requiring specific skills.

VI. OBSERVATIONS, CONCLUSIONS AND RECOMMENDATIONS

193. As reflected in the previous sections of this report, the Mission acquired first-hand information and made a series of on-the-spot observations covering various aspects of the situation prevailing in the Territory in connexion with its future development. The observations, conclusions and recommendations set out below are therefore to be read in conjunction with those earlier observations.

194. The Mission had the opportunity to visit Home Island a number of times during its stay in the Territory and to have official and informal contacts with the members of the Cocos Malay community and its leaders, including the members of the Cocos (Keeling) Islands Council, the members of the Management Committee of the Cocos Islands Co-operative Society and the religious leaders of the people. Compared to the findings of the 1974 Visiting Mission, the present Mission found the general situation on the islands had improved.

195. On the basis of the information obtained throughout its visit, the Mission notes that numerous changes have occurred in the constitutional, economic, social and educational life of the Cocos Malay community since the 1974 Visiting Mission to the Territory.

196. Bearing in mind the recommendations of the previous Mission, the administering Power purchased, on 1 September 1978, all the property in the Territory of Mr. Clunies Ross, with the exception of his residence and related structures. As a result, the Australian Government became the owner of all the land in the Territory, with the exception of the property retained in ownership by Mr. Clunies Ross. By the deed of 30 January 1979, the Australian Government granted a lease at nominal rental of all the plantation lands and facilities to the Cocos Islands Co-operative Society by deed of grant vested the ownership of the village land including all buildings and structures in the Cocos (Keeling) Islands Council for the purpose of the Cocos Malay community. These changes have enabled the Cocos Malay people to enjoy a greater degree of freedom in the conduct of their political, economic and social life.

197. Among other important changes that have occurred in the Territory, the Mission noted that the interim Advisory Council, which was elected on 18 March 1978, became the first Cocos (Keeling) Islands Council on 25 July 1979, in accordance with Local Government Ordinance, 1979. On 20 October, a second Cocos (Keeling) Islands Council was elected. In addition, the Cocos Islands Co-operative Society was registered on 16 January 1979. The Mission is of the opinion that these changes reflect the progress that has been made in the Territory in the implementation of some major recommendations made by the United Nations.

198. The Mission found that the Council and the Society, although still in their initial stages, were functioning satisfactorily. Moreover, the members of the Council and of the Management Committee of the Society have shown, through their seriousness of purpose and readiness to promote further political, economic and social development, their ability to manage fully the affairs of the community.

199. Bearing in mind the difficulties facing very small Territories such as the

Cocos (Keeling) Islands, the Mission is of the view that the matter should be kept under constant review by the United Nations and recommends that the administering Power continue further constitutional development in the Territory in accordance with the relevant resolutions of the United Nations.

200. With regard to the judicial system governing the Territory, the Mission drew the attention of the Australian Government to the complexity in that field arising from the existence of different sources of law. The representatives of the administering Power informed the Mission that the codification of laws was taking place gradually in order to improve further the legal system in the Territory. In the view of the Mission, the Territory should be given a suitable legal system which would take into account the status of the Territory and the usages and customs of the inhabitants.

201. The Mission is of the view that the above-mentioned changes have paved the way for the termination of the relationship between the Cocos Malay community and Mr. Clunies Ross and have enabled the community to become more independent in both its political and social life. Nevertheless, some degree of interdependence, in particular in the economic field, still exists between the two owing to the fact that Mr. Clunies Ross retains a prominent place in the life of the community, thereby creating uneasiness on the islands. The view was expressed that this interdependence should be discontinued. The Mission is of the opinion that the administering Power should take necessary steps to deal with this matter effectively.

202. The Mission had the opportunity to observe the positive development that has occurred since the abolition of tokens as a means of exchange as well as the positive results obtained by placing the management of the economy of the Cocos (Keeling) Islands in the hands of the representatives of the community. The Mission is convinced that such positive steps have helped the economy of the Territory and that further assistance along these lines from the administering Power is necessary. The Mission therefore recommends that the administering Power explore all possible steps in this direction.

203. The economic reliance of the Territory on a single source of revenue, namely the production of copra, may in the long run impede the economic progress of the Cocos Malay community. The Mission considers that the administering Power should undertake a complete study of the economy of the islands with a view to its diversification. In so doing, it should take full advantage of all sources of expert knowledge and advice available through the specialized agencies and the other organizations within the United Nations system. To supplement these efforts, the Mission recommends that members of the community be sent abroad for courses of training in specialized fields.

204. The Mission considers that economic aid, particularly in the agricultural field, is necessary. The services of an agricultural advisor, provided by the administering Power, would be helpful.

205. One of the major problems of the Cocos Malay community is the difficulty encountered in the shipment of goods. Owing to the financial limitations

of the Cocos Islands Co-operative Society, trade and other connexions with the outside world are virtually non-existent. The Mission is of the view that the administering Power should explore possibilities of helping the Cocos Malay community to communicate with the outside world, including the acquisition by the Territory of its own means of transport.

206. The members of the community expressed the opinion that the establishment of the animal quarantine station on West Island may be beneficial to the economic life of the Territory. In the Mission's view, it may be so only on condition that the Cocos Malay community participates to a satisfactory degree in its management and operation. The Mission recommends that the administering Power undertake the necessary action in this direction.

207. There is evidence that a number of foreign companies registered in the Territory are taking advantage of its tax free status. The Mission recommends that the administering Power inform the Special Committee of the results of its investigation of this matter and ensure that such a situation is used for the benefit of all the inhabitants of the Territory.

208. The Mission was informed that a community fund was being established and that the community would fully participate in its management. The Mission is of the opinion that the fund should help to improve the general economic and financial situation in the Territory.

209. The Mission found that the members of the Cocos Malay community were not sufficiently aware of the work of the United Nations and of the resolution of the Special Committee concerning their Territory. The concept of nationhood and the United Nations has been brought to the people's attention. The Mission also observed that the 1948 Universal Declaration on Human Rights has been translated into the local language. However, the Mission noted that the people were not familiar with General Assembly resolution 1514 (XV). The Mission recommends that steps be taken in order for the population to acquire, within the shortest possible time, an appropriate level of knowledge enabling it to accomplish freely its self-determination.

210. The Mission found that the isolation of the Cocos Malay community from the outside world has affected the social and cultural life of the community and, in this regard, is convinced that closer links between the community and the outside world could help to enrich their cultural life. It recommends that the administering Power examine ways and possibilities to bring about closer contacts and relations between the community and peoples abroad with similar cultural heritage. In this connexion, the Mission supports the community's request for the establishment of a museum of their own, as well as for the provision of suitable films and literature.

211. The Mission notes that the administering Power has expressed its readiness to introduce compulsory education in the Territory as a means of promoting further the educational advancement of the people of the Territory. In this regard, the progressive introduction of education in the local language together with the ongoing adult education courses organized by the Administration should be given full consideration and encouragement.

212. The Mission is of the view that it would be advisable to broaden the perspectives of the population through the promotion of regular contacts between members of the Home Island community and the expatriates in order to avoid any kind of isolated development. In this regard, the Mission considers that the air fares which are made available to the local population at special rates should be studied further in order to be made accessible to everyone on a permanent basis.

213. The Mission recommends that the administering Power arrange for the conclusions and recommendations of the present report and the relevant decisions of the Special Committee and of the General Assembly with regard to the question of the Cocos (Keeling) Islands to be translated into the Cocos Malay language, and to be circulated and explained to members of the community.

214. The Mission considers that the question of the Cocos (Keeling) Islands should be kept under constant review by the Special Committee and that the further dispatch of United Nations visiting missions to this Territory is essential for the full implementation of General Assembly resolution 1514 (XV).

ANNEX I

Itinerary of the Visiting Mission

<u>Date</u>	<u>Remarks</u>
Sunday, 6 July 1980	The Mission arrived late in the afternoon at Canberra airport and was met by Mr. R. Morris, of the Department of Foreign Affairs and Mr. G. Byrne, of the Department of Home Affairs.
Monday, 7 July 1980	The Mission had a meeting in the morning at the Department of Home Affairs with Mr. A. W. McCasker and other officials of the Departments of Home Affairs, Foreign Affairs and Health. The Mission called on the Secretary of the Department of Foreign Affairs and had dinner at Parliament House, hosted by the Minister for Home Affairs.
Tuesday, 8 July 1980	The Mission arrived on West Island in the afternoon and was met by Mr. C. Buffett, the Administrator, and held an informal briefing at Government House with the Administrator. In the evening, the Administrator hosted a cocktail party for the Mission to meet with members of the Cocos (Keeling) Islands Council and the Cocos Islands Co-operative Society and their wives.
Wednesday, 9 July 1980	The Mission left for Home Island in the morning and met with members of the Cocos (Keeling) Islands Council at the new Council Chamber. The Chairman of the Mission presented a memento to the Chairman of the Council. Following a visit to the hospital on Home Island, the Mission departed for West Island where it visited the school. The Mission returned to Home Island and met with the people of Home Island at the Pulu Club.
Thursday, 10 July 1980	In the morning, the Mission left West Island for Home Island and met there with the Management Committee of the Cocos Islands Co-operative Society. It then visited the Home Island school. The Mission held a meeting with Mr. John Clunies Ross and his wife and

son. In the evening, the Mission was invited to dinner and traditional festivities organized by the Council in its honour. On its return to West Island, the Mission had a late meeting with the Administrator and other Australian representatives.

Friday, 11 July 1980

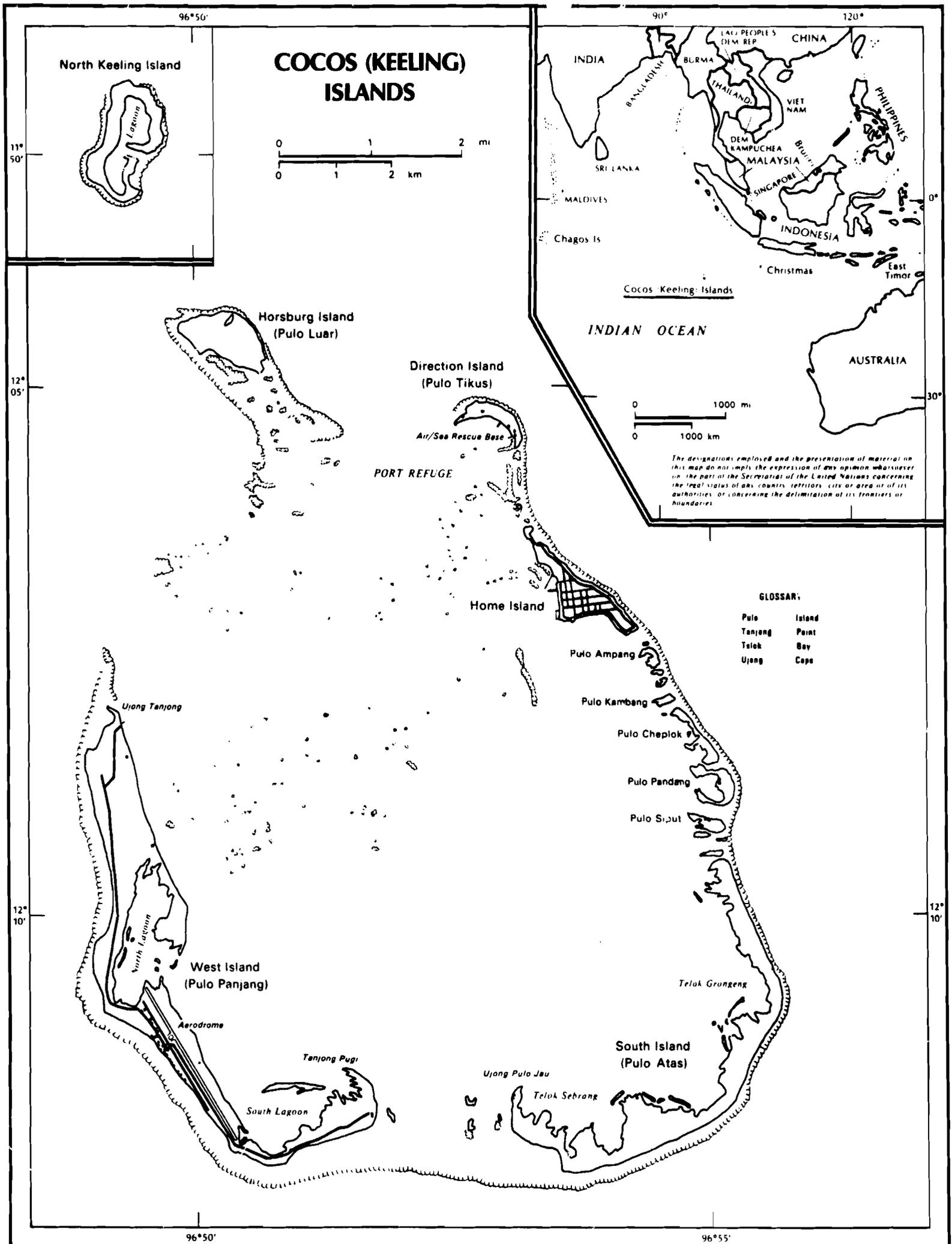
The Mission visited the quarantine station and after hosting a luncheon, departed for Perth.

Saturday, 12 July 1980

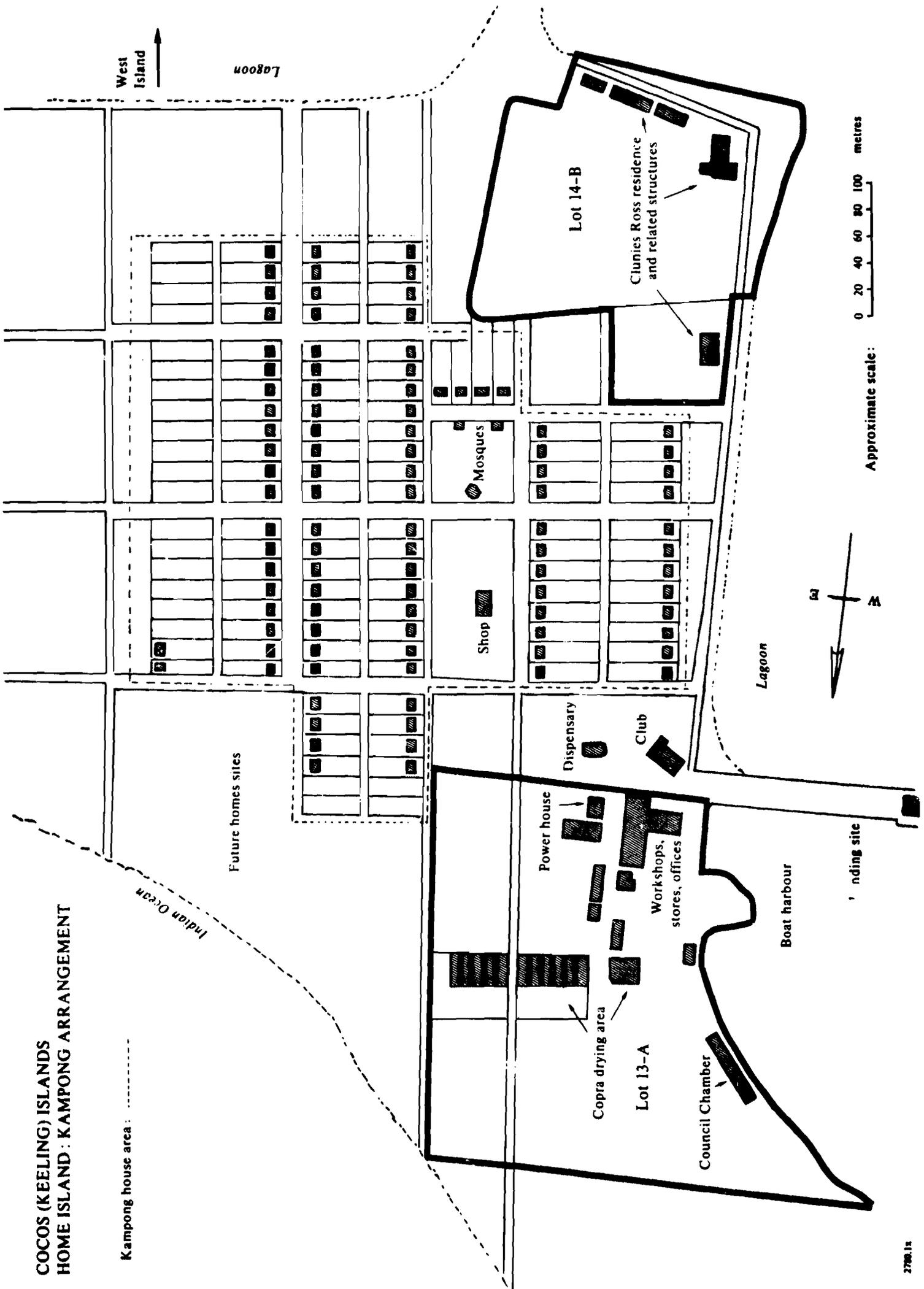
The Mission arrived at Katanning and met with the Cocos Malay Community at their club. It then returned to Perth and departed for Canberra on Sunday, 13 July 1980.

Monday, 14 July 1980

The Mission met at Canberra with Australian officials at the Department of Home Affairs and then departed for Fiji.



**COCOS (KEELING) ISLANDS
HOME ISLAND : KAMPONG ARRANGEMENT**



Approximate scale: 0 20 40 60 80 100 metres

