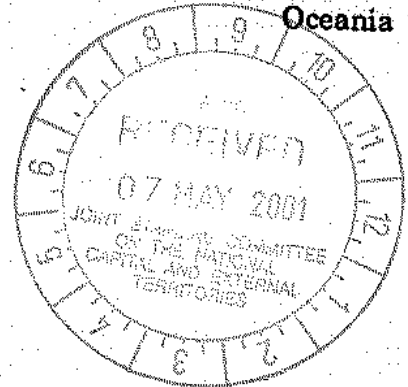




The Society of Pitcairn Descendants

SUBMISSION 15

P.O. Box 780
Norfolk Island
Oceania



Mr. Richard Selth
Committee Secretary
Parliament of Australia Joint Standing Committee on the
National Capital and External Territories.

Fax 0061 262 778506

Dear Mr. Selth,

Please find attached three pages, including this one, the response from the Society on question and corrections as requested in your ABN 185 262 877 40 of 2nd April.

Yours truly,

Lisle D. Snell
President.

The question on,

The commission rejected claims made on behalf of the Norfolk Islanders that they were indigenous and/or that they are distinct peoples. They say, "The object of this claim was to qualify for the right of self-determination of people set out in article 1 of that respective covenant" are you in disagreement with that?

The society states in answer,

"The right to self-determination of peoples is a fundamental principle of international law. It is enshrined in article 1 of the Charter of the United Nations, in article 1 of the International Covenant on Economic, Social and Cultural Rights and article 1 of the International covenant on Civil and Political Rights, as well as in other international human rights instruments. The International Covenant on Civil and Political Rights provides for the rights of peoples to self-determination besides the right of ethnic, religious or linguistic minorities to enjoy their own culture, to profess and practise their own religion or to use their own language".

It is an incontrovertible fact that the whole Pitcairn people was transported to Norfolk Island in 1856, complete with its hierarchy, its customs, its traditions and its culture. Indigenousness is not a matter of race, creed or skin colour, it is the occupation of a geographical entity wherein no other people resides, and is validated by continuance, by the putting down of roots, by the reverence accorded to a homeland. The fact is that a separate and distinct people having all of what is internationally accepted as being indigenous arrived here in Norfolk Island in 1856 and persisted in its occupation as a homeland, and was so empowered by the British Crown to govern that homeland in its own right.

Butterworth's Legal Studies Series book on Indigenous People and the Law in Australia states " An indigenous person is defined as a person who belongs to an indigenous group through **self-identification** and is recognised and accepted by the group as one of its members. Some governments (such as Australia) have welcomed such a definition.

Corrections.

Ncet 32; Please add Mr. Kenneth Nobbs, etc Mr. Lisle Snell.

Ncet 39; Please change date, 1st paragraph from 1994 to 1995.

Ncet 37.

The question on dual citizenship. The question was put to Society members on 2nd May. Members present re-affirmed the position as stated in our written submission 26th January 2001. That is, support the existing position (where no citizenship is required).

Ncet 44.

The matter of veto over schedule 2 matters.

I became confused with schedule 2 and 3 matters under the N.I. Act. We cannot locate any veto by any Australia Government Minister over a schedule 2 matter.