

II – SOVEREIGNTY, INDEPENDENCE, SELF-DETERMINATION

Sovereignty – Australia – negotiations with Australian Aborigines over sovereignty

On 25 November 1988 the Minister for Aboriginal Affairs provided the following written answer in part to a question on notice (Sen Deb 1988, Vo. 130, p 2952):

When the Minister announced the Government's proposal for a compact he made it clear that it was important to consult extensively with Aborigines. The Government has always indicated that it has no intention of rushing the task or of imposing its own will on Aboriginal people. ...

The Government has made its position on sovereignty clear on a number of occasions. It is not negotiable. While I expect that the issue will be raised during the consultation process, those raising the issue will, once again, be informed of the Government's position.

Sovereignty – Lebanon – leadership crisis

On 30 September 1988, the Minister for Foreign Affairs and Trade, Senator Gareth Evans, said in part in answer to a question without notice (Sen Deb 1988, Vol 128, p 1131):

... the Australian Government would not lend its support or encouragement to any solution which is not based on the continued integrity and sovereignty of the Lebanese Republic.

Independence and self-determination – Baltic States

On 2 November 1988 the Minister for Foreign Affairs and Trade, Senator Gareth Evans, said in answer to a question without notice (Sen Deb 1988, Vol 129, p 1815):

A number of nationalist demonstrations have occurred, as Senator Archer would be well aware, in Latvia, Lithuania and Estonia over the last 12 months. More recently, grassroots political movements have emerged in each of those republics, demanding greater economic, political and cultural autonomy. Australia's position is that we are encouraged that the Soviet Government is taking a more tolerant approach to the legitimate aspirations of the Baltic peoples. ...

Australia supports the right of minority and ethnic groups to use non-violent means in pursuit of legitimate rights. The Government's policy generally on the Baltic states is to refuse to grant *de jure* recognition to the incorporation of the Baltic States into the Soviet Union and we see at the present time no basis for considering any further change to that policy.

Independence – Eritrea – internal matter for Ethiopia

On 12 April 1989 the Minister for Foreign Affairs and Trade, Senator Gareth Evans, provided the following written answer in part to a question on notice (HR Deb 1989, Vol 166, p 1526):

The conflicts in Ethiopia are regarded, both by the UN and by Ethiopia's neighbours, as internal political struggles rather than between sovereign nations. The UN has no mandate to intervene in such situations.

Whilst the Australian Government will continue to provide humanitarian assistance to Ethiopians, it is not in a position to secure a political role for the United Nations in relation to Eritrea.

Independence and non-interference – India–Nepal border dispute

On 12 April 1989 the Minister for Foreign Affairs and Trade, Senator Gareth Evans, said in part in answer to a question without notice (Sen Deb 1989, Vol 132, p 1415):

It is the case that a problem has arisen between India and Nepal over the renewal of trade and transit agreements between the two countries. The previous agreements have now expired and Nepal is experiencing very considerable difficulties in importing and exporting goods, including essential commodities. We have had reports of demonstrations and unrest in Kathmandu.

The question of trade and transit agreements is a bilateral one for the two governments directly concerned to address. All I can really say at this stage is that we hope the problem can be quickly and fairly resolved, particularly bearing in mind that Nepal is a landlocked, developing country and, as such, has a very fragile and vulnerable economy.

Independence and non-interference – Indonesia–Papua New Guinea border dispute

On 31 May 1989 the Minister for Defence, Mr Beazley, provided the following written answer in part to a question without notice (Sen Deb 1989, Vol 134, p 3174):

There has been no change in government policy concerning Australia's relations with Indonesia and Papua New Guinea, or in its perspective concerning any border issues between those two countries. Any such issues are a matter for Indonesia and Papua New Guinea to resolve peacefully and through mutual discussion. Australia is interested in these matters because we are a neighbouring country with important relationships with both Indonesia and Papua New Guinea.

Independence – United Nations Trusteeship territories – Palau

On 28 February 1989 the Minister for Foreign Affairs and Trade, Senator Gareth Evans, provided the following written answer in part to a question on notice (HR Deb 1989, Vol 165, p 117):

Article 79 of the United Nations Charter provides that amendments, and, by implication, termination of the strategic trusteeship agreement should be approved by the Security Council, not solely by the United States. The Australian Government considers that a decision on the Compact of Free Association between Palau and the United States is a matter solely for the Government and people of Palau.

Independence and decolonization – United Nations Trusteeship territories – Nauru – Commission of Inquiry regarding the Rehabilitation of the Worked-out Phosphate Lands of Nauru – Australian response

On 18 February 1988 the Minister for Foreign Affairs and Trade, Mr Hayden, provided the following written answer in part to a question on notice (HR Deb 1988, Vol 159, p 375):

The Australian Government has no present intention of making a submission to the Nauru Inquiry, which has no legal standing in Australia. In common with the other Partner Governments, it regards the comprehensive phosphate agreement concluded in 1967 prior to Nauruan independence on 31 January 1968 as a just settlement that cleared the Partner Governments of the former British Phosphate Commissioners of any responsibility for the rehabilitation of Nauru. This view has been conveyed to the Government of the Republic of Nauru, together with advice that the Australian Government will not be bound by the findings of the Nauru Inquiry.

When the United Nations Trusteeship was terminated, Nauru had a secure economic future and enjoyed one of the highest per capita incomes in the world. The Partner Governments noted in the Trusteeship Council debates that they had made sufficient provision in the financial arrangements that had been agreed on to enable the Nauruans to determine their own economic priorities, including the question of rehabilitation, and that such decisions were ones that should properly be taken by the Nauruans themselves and not anybody else. The Government intends to abide by this decision of a previous Australian Government.

Australia is not in a position to impose on the sovereign independent Republic of Nauru any conditions relating to mining. That Nauru has chosen not to restore the lands it has mined since independence is not a matter that the Australian Government would wish to comment upon. Australia's dealings with the British Government relative to Maralinga are distinguishable from and unrelated to the phosphate mining industry on Nauru. As the Administering authority during the period of its trusteeship Australia ensured that the BPC conducted mining operations in accordance with the best of then current mining standards.

On 4 April 1989 the Minister for Foreign Affairs and Trade, Senator Gareth Evans, provided the following written answer to a question on notice (Sen Deb 1989, Vol 132, p 911):

The media reports referred to the findings of the Commission of Inquiry established by the Nauru Government regarding the Rehabilitation of the Worked-out Phosphate Lands of Nauru. ...

The December 1988 Report states that the Commission of Inquiry found Australia, New Zealand and the United Kingdom responsible for the rehabilitation of phosphate land worked-out by the then British Phosphate Commissioners in the periods of the League of Nations Mandate and the United Nations Trusteeship. The estimated cost of that rehabilitation was \$A72 million.

The British Phosphate Commissioners was a board of three commissioners representing respectively the Governments of Australia, New Zealand and the United Kingdom which was established to direct the extraction and shipment from Nauru and other islands of rock phosphate on a non-profit basis.

Australia did not make a submission to the Nauru Rehabilitation Inquiry. It informed the Government of the Republic of Nauru that it regarded the pre independence comprehensive phosphate agreement as a just settlement that cleared the partner governments of the former British Phosphate commissioners of any responsibility for the rehabilitation of Nauru.

The Government will consider the Report of the Nauru Rehabilitation Inquiry in consultation with the governments of New Zealand and the United Kingdom.

[NOTE: Nauru instituted an action against Australia in the International Court of Justice in relation to this matter on 19 May 1989, to be reported in Vol. 13 of this Year Book.]

Independence – transition to independence – Namibia – United Nations Security Resolution 435 (1978) – Australia's role in implementation

On 6 March 1989 the Prime Minister, Mr Hawke, said in the course of a statement to Parliament on Namibia (HR Deb 1989, Vol 165, pp 431–4):

I report to the House on recent events in Namibia and Australia's role in assisting the implementation of United Nations Security Council Resolution 435 of 1978, providing for the withdrawal of South African military forces from Namibia and the holding of elections under United Nations (UN) supervision and control. As announced by the Minister for Defence (Mr Beazley) and the Minister for Foreign Affairs and Trade (Senator Gareth Evans) on 2 March 1989, a contingent of 300 Australian engineers will leave shortly for Namibia. They will form part of a United Nations peacekeeping force in Namibia that will help bring independence to Namibia after more than 100 years of rule by foreign powers. ...

Last month the UN Security Council agreed that the transition to independence for Namibia would begin on 1 April 1989. Over the 12 months from that date the UN will monitor the withdrawal of foreign forces, oversee the drafting and adoption of a Constitution, and supervise the installation of a new Government after general elections. A vital element in this plan is the United Nations Transitional Assistance Group (UNTAG). It will monitor the cease-fire and troop withdrawals, supervise elections, and support the maintenance of law and order in Namibia until the new Government of independent Namibia is ready to take over. The scale of these tasks is reflected in the size of the force. UNTAG will have civilian, police and military elements. The military element will consist initially of 4,650 personnel, including three infantry battalions, with scope for expansion to 7,500 should the circumstances demand.

Australia is providing the engineering component of UNTAG. Our contingent of 23 officers and 277 other ranks will provide engineering and construction support to the UN effort. ...

To ensure that we are kept fully informed of developments that may affect the well-being of the Australian contingent, the Government has decided to establish a temporary Australian Liaison Office in the Namibian capital of Windhoek for the duration of the 12-month independence process. The office will provide the Government with first-hand reporting on political and military developments in the territory, during what at times is likely to be a difficult process. The office will be headed by an experienced diplomat with many years' background in African affairs. ...

Our contribution to UNTAG and our involvement in the Namibian settlement makes Australia party to what may be one of the United Nations' most substantial achievements for many years. We have been involved in this process from the start. Australia also made an important contribution to UN deliberations about Namibia during our recent term of the UN Security Council in 1985-86.