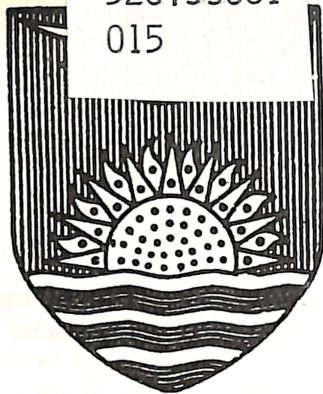


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OCEAN ISLAND

- SOME FACTS THE BANABANS IGNORE

Issued on behalf of the Government of
the Gilbert Islands

26/7/84

Before the July meeting of the South Pacific Forum, the Rabi Council of Leaders circulated a paper entitled 'Set Our People Free. The case against Britain and the Gilberts perpetuating colonialism in the Pacific'.

The Banabans, the people of Banaba (which is the Gilbertese name for Ocean Island) are our brothers and sisters and we have no wish to quarrel with them, but the paper which has been sent to all Pacific leaders contains distortions of facts which we cannot allow to go uncorrected.

Before the British

The Banabans claim that until Ocean Island was annexed by Britain 'we lived in freedom, our own masters, owing allegiance to no one. We had no ties with any other island. We acknowledged none as sovereign. Nor, to be fair, did any other island or group of islands claim that Banaba and the Banabans were components of a wider community or that they had a right to impose their will upon us'. Politically this is correct, and the same could be said for other Gilbert Islands. But, as the Banabans themselves admit, they did have ethnic and cultural ties with other islands. In their own words 'immigrants arrived in our midst by canoe and were hospitably received into our community'. Exactly the same pattern of migration was being repeated elsewhere in the Gilbert Islands.

The original people were Melanesian in type and were overrun by tall, fair-skinned people from Indonesia. They inter-married. The majority did not stay long but passed down the chain of atolls into Samoa. Banaba was the most isolated of the islands concerned and intercourse with other islands was inevitably spasmodic. But it went on, and in particular with Beru. A member of the Chiefly family of Banaba, tracing

his descent from Auriaria, the ancestor of the Indonesian invaders, married a Beru woman who came to Banaba with many of her relations to help increase the population of the island. It was at this point that the five villages were founded, whose names are all Gilbertese, which still form the basic structure of Banaban society in Rabi today.

Banaba was never an easy island to live on. It was poor - except for the yet undiscovered phosphate. It was the only island in Micronesia never to have a resident European trader. According to Professor Maude, when foreign ships began to call the people 'flocked on board every labour-recruiting vessel.... to be scattered wide over the Eastern Pacific'. Maude also comments that at the turn of the century only 450 people remained on Banaba.

The truth is that in the nineteenth century there was little difference between Banaba and the other Gilbert Islands. The Banaban claim for independence on the basis of former separate identity is a valid claim for independence by each of the other sixteen Gilbert Islands. We know that although there had been inter island wars and occasional conquest, the autonomy of the various island governments was recognised and respected by the European powers whose traders were often in dispute with the islanders. (See Scarr: Fragments of Empire.)

It was the arrival of the British which gave the islands a uniform administration for the first time. If Ocean Island was at first left out of the Protectorate, it was no more a logical exclusion than the inclusion of both Tokelau and Ellice Islands. The island was small, had no traders whose disputes with islanders and one another had led to the involvement of the European powers in the first place, and lay to the west of the main chain of atolls. In the context of the time there was little difference between acquisition

in 1892 and acquisition in 1901.

The Arrival of the British

The Banabans claim that while they were never consulted about British annexation, the other Gilbert Islands were. 'It is a matter of record that a British warship went around the Gilbert Islands, before Britain proclaimed a protectorate over them, and its commander addressed meetings of leaders and peoples asking whether they would accept Queen Victoria's protection'. The Banabans refer to the voyage of HMS Royalist under the commander of Capt. Davis. To anyone who knows how long it takes to secure consensus in a Gilbertese Maneaba it is obvious that it would have been impossible for Capt. Davis, with only one ship averaging perhaps 5 knots, to have secured willing acquiescence to a British Protectorate from sixteen widely dispersed islands between the 27 May and 12 June, particularly when some of them were actually at war with one another. It was a matter of superior force. When you arrive with a gunboat and make a proclamation people are unlikely to object. Capt. Davis' own account is evidence: '27 May. (Having anchored at 9 a.m.) At noon that day I proceeded in boats with a party of seamen and marines for the King's village. Having ascertained from Mr Corrie and other traders on Islands with which I had communicated that they were unaware that any Foreign Power laid claim to the Gilbert Group, I, in compliance with your secret memo of April 22nd 1892, explained my mission to the King and his council in the Maneaba or meeting house in the presence of some 300 or 400 natives and having read the proclamation declaring a British Protectorate over the Gilbert Group from that date, I hoisted the Union Jack on the King's flagstaff with the customary honours.'

Capt. Davis consulted with European traders not with the Gilbertese, and the proclamation read on 27 May in Abemama included all the other islands which he was to visit subsequently. The Proclamation itself is a bald statement and in wording not unlike the Proclamation made at Ocean Island on 28 September 1901. No mention is made of the agreement of the people. It was not a treaty. There were no local signatories.

The fact is that we found ourselves being administered by the British, whether we liked it or not, the common lot of colonial peoples. On reflection

we might be fair enough to admit that it brought some improvement, particularly on Ocean Island where the original agreement signed by Temati, the Banaban Chief, and Albert Ellis, of the Pacific Islands Company, could so easily lead to exploitation. For years it was the administration of the Gilbert and Ellice Islands which endeavoured, not always with success, to secure a better deal for the landowners of Banaba than they would otherwise have had.

The Present

For three quarters of a century, far longer than the lifetime of most of us, Ocean Island has been administered as an integral part of the one country and for much of that time was indeed the capital.

The unifying experience of British administration and the establishment of the phosphate industry gave much greater opportunity for movement between Banaba and the other islands. When the Banaban community was re-settled on Rabi in 1947, 152 of the 337 men in the party came from Gilbert Islands other than Banaba. Even to-day of the 2,000 people living in Rabi over 250 have both parents born in Gilbert Islands other than Banaba. It is indeed doubtful whether there is a single Banaban family which does not have relatives in the other Gilbert Islands.

We look alike and we speak the same language. The language the Banabans claim to have forgotten and of which there is no record must have been an amalgam of languages of the original Melanesians and Indonesian invaders. It would be a language lost not only to the Banabans but to other islands as well. To-day it is easier for a Gilbertese from the Central and Southern Gilberts to speak with a Banaban than it is for him to speak with a Northern Gilbertese and in particular with somebody from Makin. There is a geographical unity within the Gilbert Islands, including Banaba, which is greater than that found anywhere else in the Pacific.

That the original islanders of Banaba have been living elsewhere in recent years does not in itself alter this common experience. There are other Gilbertese communities in Fiji, in the New Hebrides, in the Solomon Islands and in the Trust Territory. They do not claim independence for their former home islands or villages in association with their present countries of residence.

The Future

The Banabans ask what use could

Ocean Island be to the Gilbertese after phosphate is finished and how could Gilbertese families be induced to stay there. The same question could be asked of the Banabans. What use will Ocean Island be to them and how will they induce those accustomed to Rabi and Fiji to live there? When mining is finished the leases will revert to the Banaban landowners, in accordance with the law of the Gilbert Islands. With the leases will go fixed assets, some of which, such as housing, will have residual value. The Gilbert Islands Government has no intention of keeping Gilbertese from other islands on Ocean Island, unless they have legitimate employment - one of the objects of making Ocean Island a closed district. It would welcome the Banabans if they wanted to re-settle. The Government provided coconuts for planting to the token settlers in 1975 and is ready to give other assistance if the Banabans show themselves to be serious. The Banabans are, and will always remain, the landowners of Ocean Island. They do not need sovereignty in order to re-settle or rehabilitate their island.

The Phosphate Industry

It is a fact that Ocean Island is part of the Gilbert Islands and it is a fact that the Gilbert Islands Government has a right to tax mineral resources. It is no secret that phosphate taxation provides the major source of revenue for the Gilbert Islands. Exact figures are published annually.

The Banabans understandably would prefer to keep all the income accruing from phosphate for themselves. Who wouldn't? But they might ask themselves how they would have fared elsewhere in the world, particularly in the socialist countries which they single out as being most sympathetic towards their aspirations, where they would find mineral resources have long since been publicly owned as, indeed, they have in many countries with mixed economics. They would also find that in all new nations, including our Pacific neighbours, minerals legislation specifically reserves depth rights, as opposed to surface rights, to the state.

The Banabans argue that money spent by BPC in services on Ocean Island is an additional form of taxation, BPC, as is usual in mining operations in remote places anywhere in the world, has to provide special services for its employees. These services constitute

the major cost of production because Ocean Island itself cannot provide housing, water or food for the population required to mine phosphate. BPC services are provided for all employees, not just the Gilbertese. There are Australians and Chinese, and although the Banabans keep quiet about it, Banabans as well.

The Banabans working in the phosphate industry and others on Ocean Island also enjoy the services provided by the Gilbert Islands Government. Their children attend school, they send and receive mail and telegrams, and the Banaban representative is a frequent traveller on Government ships.

Ellice Separation

The Banabans argue that they should be allowed to go their own way as have the Ellice Islanders. They ignore a difference in kind. The separate identity of the Ellice Islanders has never been questioned. They are people of a different race. They speak a different language. Their islands are geographically remote from the Gilbert Islands. Although there has been some inter-marriage, the majority of Gilbertese do not have blood relations in Tuvalu.

If the Banabans seek a similar situation to their own, they should consider the neighbouring island to Rabi, Kioa. This island was purchased by the people of Vaitupu in Tuvalu and settled about the same time as Rabi. Are the people of Kioa demanding independence for Vaitupu in association with Fiji? The separation of the Ellice Islands in October 1975 has understandably been used by the Banabans as an opportunity to press their claim for independence. But the Banabans misrepresent the facts. They say that the Tuvalu people 'do not want any part of the revenue that comes from Ocean Island because they acknowledge that it does not belong to them.' The conditions of separation were laid down by the British Government. As the United Nations Mission, invited to observe the conduct of the separation referendum (and not, as stated by the Banabans, to conduct a general mission to the Gilbert and Ellice Islands), commented in its report 'there appeared to be a general expectation that these conditions would be subject to further renegotiation following the referendum' and the Ellice Islanders considered the conditions 'as unduly harsh'. At a meeting held in Vaitupu, the heart of Tuvalu, the Mission reported 'The President of the Island Council and other

speakers focused their questions on the conditions for separation. They wanted to know...why the administering power had decided to exclude the Ellice Islanders from the benefits of the Revenue Equalization Fund' (the fund built up from phosphate revenue). In Nui 'the people hoped to approach the United Nations to help review the conditions set down by the United Kingdom.'

The Closed District Ordinance

The Banabans say 'in flagrant breach of the 1947 covenant they (the Gilbert Islands Government) declared Banaba a closed district'. The article of the 1947 Statement of Intentions to which the Banabans refer reads:

'The Banabans shall be permitted, subject to the provisions of the laws of Fiji and further subject to shipping being available, to travel freely between Rabi Island and Ocean Island and, subject to the rights of the British Phosphate Commissioners over any lands purchased or leased to them, to reside on Ocean Island.'

That provision of the 1947 Statement has been honoured and will continue to be honoured by the Government of the Gilbert Islands. There is no instance of a Banaban being refused permission to enter Ocean Island. But former strict BPC control of entry to Ocean Island has been relaxed in recent years, and in 1974 there were over 200 'squatters' on Banaban land who had no direct connection with the phosphate industry. Living conditions on Ocean Island are difficult and not only food but fresh water has to be imported. The Government wanted to control movement into the island and reduce the numbers of unauthorised persons in an orderly fashion to prevent a major problem of logistics at the end of mining in 1978. Ocean Island was, therefore, declared a closed district in 1975.

Section 4 of the Closed Districts Ordinance reads:

'No person shall enter a closed district except -

- (a) natives of the closed district;
- (b) government officers or persons acting under the orders of the Governor in the course of their duty;
- (c) licensees'.

Native Banabans are, therefore, specifically exempt from the provisions of the law which could not be used to

exclude them from Banaba. As the Banabans very well know, not a single Banaban has in any way been prevented from going to Ocean Island or, for that matter to any other part of the Gilbert Islands. The Closed Districts Ordinance protects the interests of the absentee Banaban landowners, by controlling access to Ocean Island by Gilbertese from other islands. There was neither high handed action nor affront.

Christmas Island, where the Government had development plans which it does not want hampered by uncontrolled immigration, is also a closed district. The Phoenix Islands are prohibited areas under the Prohibited Areas Ordinance. Ocean Island has not been singled out for special treatment.

The Gilbert Islands Defence Force

In May 1976 the House of Assembly approved a Government proposal that a small (170 men) defence force be established. The concept of a small defence force is not unusual. Papua New Guinea, Fiji and Tonga have defence forces and had them well before independence. The objectives of the Gilbert Islands Defence Force will be to discipline our young men through a period of three years national service, to provide state ceremonial (the force will include a band), to carry out development on outer islands (the force will have an engineer troop) and to support the police, if needed, in internal security duties.

The Banabans say 'We have seen weapons being shipped in. We have seen men being drilled'. This is a figment of the imagination. The legislature has so far only voted a token sum of money which is being used to acquire land, and recurrent financial provision will not be made until the 1977 budget. No weapons have been purchased and the only arms in the Gilbert Islands are 96,303 rifles in the police armoury which have been held for years past. These will be transferred to the Defence Force when established because it is not intended to continue with an armed police force. No single appointment to the Defence Force has been made and it is not expected that recruitment will begin until mid 1977.

The Internal Self Government Talks

The Banabans complain that they did not take part in the internal self-government talks held in London in July 1976. The talks did no more than provide an opportunity for the Chief

Minister to meet Lord Goronwy-Roberts, the new UK Minister responsible, and to present to him proposals passed by the House of Assembly for constitutional advance which in no way affect the position of Ocean Island or the status of the Banabans. The Banabans know perfectly well that they have been assured by the British Government that they will be invited to participate in the final independence conference as an interested party when the time comes. But they can hardly expect, as citizens of Fiji, to participate in the day to day administration of the Gilbert Islands, although there has never been anything to prevent the Banabans living on Ocean Island nominating a candidate in national elections to the House of Assembly.

The Banabans also know that the Gilbert Islands Government has offered to discuss with them their constitutional position. The Chief Minister made a fifteen point offer in 1973. Tebuke Rotan, spokesman of the Banabans, refused to discuss it. The offer remains on the table, and is indeed being implemented by the Gilbert Islands. For example, as offered by the Chief Minister, the relevant articles of the 1947 statement of intentions are to be included in the internal self government constitution when it is introduced.

The Banabans ask what trust can they have in a constitution. There is no instance of the Gilbert Islands Government failing to honour the provisions of the constitution. But in recognition of the sensitivity of the Banabans, the Chief Minister included in his offer, rejected without discussion, a proposal that the Governments of the United Kingdom and Fiji be asked to stand as guarantors of any agreement between the Gilbert Islands and the Banabans and that the United Nations Organisation be asked to examine the operation of the agreement, ensure its provisions were honoured and recommend any changes necessary.

The Tarawa Phosphate Talks

In June 1976 talks were held in Tarawa to review the existing arrangements for the operation of the phosphate industry. The Banabans participated fully at these talks which achieved a large measure of agreement in a friendly atmosphere. Full note of the Banaban reservations was taken and recorded. The Rabi Council representatives had no problem in initialling the record which they had helped to draft.

As a result of the discussions several requests of the Banabans were met

and revenue accruing to both the Banabans and the Gilbert Islands was increased by the elimination of certain payments to the Partner Governments. The Gilbertese listened sympathetically to the Banaban views on taxation and did not press their own view. The Gilbert Islands Government stated categorically that it had no intention whatsoever of depriving the Banabans of their phosphate earnings. The Banabans, as signatories to the record, know that it was agreed that Ocean Island phosphate would continue to be produced and disposed of by BPC. The Gilbert Islands Government has no intention of nationalising the phosphate industry. It does, however, want greater participation in management both for itself and for the Banaban landowners. This has long since been made clear and is well known not only to the Banabans but to the Governments of Australia, New Zealand and the United Kingdom. The Gilbert Islands Government has also consistently stated that it would want the Banabans represented on any management body.

When the Gilbert Islands Government commissioned an independent appraisal of the phosphate industry in 1975 to assist in decisions regarding its management, it sent a copy of the Consultants report to the Rabi Council of Leaders, thus helping the Banabans to present their case at the phosphate talks.

The 1973 Tripartite Agreement

In 1973 the United Kingdom Government, which determines the proportion of 'take' from the phosphate industry between the Gilbert Islands Government and the Banaban landowners, the Gilbert Islands Government and the Rabi Council of Leaders signed an agreement which released additional land for mining on the basis of a 50/50 division of proceeds. The Banabans were paid a lump sum in advance, part by UK and part by the Gilbert Islands, assessed as being equivalent to 35% of the proceeds of the phosphate likely to be extracted from the new lands. The remaining 15% of their 'take' would be paid monthly by BPC along with the proceeds from phosphate extracted from old lands, not covered by the new agreement.

The agreement further provided that, at the end of the day, any surplus paid or deficiency owing would be made up by incorporation into the payments being made to the relevant party by BPC in the last year of mining.

Phosphate prices rose in 1974 and 1975, higher than had been anticipated and by the end of 1975 the Banabans were owed a sum of over \$1,000,000 by the Gilbert Islands. Although there was no contractual obligation to do so, the Gilbert Islands Government invited the Banabans to come to Tarawa to discuss an amendment to the 1973 agreement so that earlier payment could be made. With difficulty the Banabans were persuaded to discuss an amendment in Tarawa in June which was agreed and signed in London in July.

The Banabans have maintained, contrary to the truth, that a sum of money has been unlawfully withheld from them. They are also now maintaining that the Gilbert Islands has misappropriated the sum owed to the Banabans. The Gilbert Islands negotiated phased payment of the large sum involved in order not to disrupt its cash flow unduly and in order not to realise sterling investments at the present state of the market. This negotiation was entirely in keeping with the terms of the original agreement which envisaged a phased payment of any sum finally outstanding.

The Gilbert Islands Government has been understanding of the Banabans financial position and has acted generously. Any difficulties over the settlement of this matter have been made by the Banabans themselves. In the first place they wanted to deal only with the United Kingdom, refusing to recognise that the Gilbert Islands was a signatory to the agreement. This probably lost them six months before settlement. Even after agreement had been reached in

Tarawa, the Banabans legal advisers, objected to a Minister of the Gilbert Islands Government signing on behalf of the Government and nearly caused further delay.

The Reserve Funds

In the last decade revenue from phosphate has enabled the Gilbert Islands to build up reserves to provide income when phosphates are exhausted. The size of the reserves is no secret. It is published annually as are all the accounts of the Government. The reserves are invested overseas and are managed by a highly reputable firm of London stock-brokers with considerable international experience. The Gilbert Islands Government believes that the Banabans could also have built up reserves in recent years and acquired a similar fund, which, because of the population involved and because the Rabi community derives the full benefit of Fiji Government services, would by now have been worth far more per head than our own fund.

The case presented on behalf of the Banabans is emotionally attractive but those who feel convinced by it would do well to call for an account from the Banaban Funds Trust Board of the management of their funds, and their relationships with official and other advisers. We have sympathy for their treatment in the past and for the difficulties which as an immigrant group they face. We wish them well, but we believe that our kinsman deserve advice from those better acquainted with the people of the Pacific, and better leadership.

