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ISSUE ON COCOS (KEELING) ISLANDS

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COCOS (KEELING) ISLANDS

I. INFORMATION ON THE TERRITORY

General data

The Cocos (Keeling) Islands are a small Australian dependency situated in the Indian Ocean approximately 2,768 kilometres north-west of Perth in Western Australia and about 960 kilometres south-west of the western extremity of Java. The territory consists of 27 islets grouped in two separate atolls with a total land area of 14 square kilometres. By mid-1977 the total population was around 450, all of them concentrated in West and Home Islands.

History

William Keeling, a captain of an East India Company merchantman, was the first European to discover the islands in 1609. They remained uninhabited until the 1820s when labourers were brought over, mainly from Malaya, to work in the plantations opened up by a Scottish seaman, Captain John Clunies Ross who claimed ownership over the islands. To-day most of the inhabitants are descendants of those labourers. The islands were formally declared part of the British dominions in 1857. Under an Indenture of 1886 Queen Victoria granted, in perpetuity, all land on the islands above the high-water mark to George Clunies Ross but reserving the right to resume any or all of the lands for public purposes and prohibiting their alienation without the prior sanction of the Crown.

The islands were administered with the then British Colony of Singapore between 1903 and 1955 when they were transferred by the United Kingdom to Australia.

Demographically the Malay population of the islands has been diminishing through emigration since the end of World War II to its present low of around 350. 1/ Owing to the reported inability of the Clunies-Ross estate to provide employment to all the islanders, over 1,600 of them, including so-called "troublemakers", were moved between 1948 and 1951 to nearby Christmas Island, 2/ Singapore and the then British Colony of North Borneo (now Sabah in Malaysia). Starting in 1975 a migratory movement towards Australia has developed with 138 Cocos Malays settling in Western Australia between August 1975 and December 1976 and a further 200 to 250 - nearly half the Territory's population - having expressed an interest in following suit.

1/ There are also some 100 Europeans, namely Australian, living in West Island.

2/ Christmas Island was also administered as part of the Colony of Singapore until it was also transferred by the United Kingdom to Australia in 1958. However, it was never included in the list of non-self-governing territories.

Constitutional
and political
outline

Constitutionally the islands are an external Territory of the Commonwealth of Australia which governs the Territory under the Cocos (Keeling) Islands Act 1955-77. The Act empowers the Governor-General of Australia, as the representative of Her Majesty Queen Elizabeth II, to make ordinances for the peace, order and good government of the Territory subject to Parliament's power of disallowance. Generally Australian legislation does not apply to the Territory unless specifically indicated. On the other hand the laws of the Colony of Singapore in force in the islands immediately before the date of transfer to Australia remain in force subject to their amendment or repeal by subsequent Australian legislation.

Since 1975 Australia is represented in the Territory by an Administrator who is assisted by an Interim Advisory Council. Membership of the Council is by appointment pending the establishment of an elected body. The Council met three times in 1975 and not at all in 1976, perhaps as a result of the opposition of Mr. John Clunies Ross, the present owner of the islands, who has objected to the establishment of the Council and has requested that it be disbanded.

In reality, though, as the United Nations Visiting Mission to the Islands had occasion to point out in 1974, the fact that the land in the Islands is owned in perpetuity by the Clunies Ross family has led to a degree of inter-dependence between the Clunies Ross Estate and the community so extreme that up to the present it has been impossible to distinguish community affairs from those of the Estate with the result that Mr. John Clunies Ross determines the life of the whole community. 3/

A degree of social segregation on ethnic lines prevails with all the Cocos Malay population living in Home Island and all the Europeans, save for the Clunies Ross family, living in West Island. 4/ No freedom of movement between the two islands exist, the permission of Mr. Clunies Ross being required for any resident of West Island, including the Administrator of the Territory, wishing to travel to Home Island, and vice-versa. 5/

The day-to-day affairs of the Cocos Islands community on Home Island are the responsibility of the Council of Headmen ("Imarat Pulo") which is composed of Mr. Clunies Ross, his Estate Manager and seven appointed "headmen". Decisions are usually by consensus. When consensus is not achieved a vote, in secret where appropriate, is taken. Though Mr. Clunies Ross and the Estate manager normally refrain from voting, they retain the power of veto. Furthermore, as the report of the administering Power points out, "as traditional leader of the Cocos community, Mr. Clunies Ross has a strong influence in the outcome of the proceedings". 6/

3/ Official Records of the General Assembly, Twenty-ninth Session, Supplement No. 23 (A/9623/Rev.1), chap. XX, annex, para. 203.

4/ Report on the Cocos (Keeling) Islands 1976, Appendix II, submitted by the Government of the Commonwealth of Australia.

5/ Official Records of the General Assembly, Twenty-ninth Session, Supplement No. 23 (A/9623/Rev.1), chap. XX, annex, para. 120.

6/ Report on the Cocos (Keeling) Islands, 1976, chap. 5.

The Imarat is not only responsible for keeping the peace and for all internal administration in Home Island but also functions as a customary court settling disputes and dealing with minor offences. Apart from this customary court the courts with jurisdiction in the Territory are the Magistrates Court, the District Court and the Supreme Court of the Territory of Cocos (Keeling) Islands. An appeal is possible in certain cases from the Supreme Court to the High Court of Australia. Hearings before these regular courts are few and far between.

Economic and
social
conditions

The economy of the Territory is almost entirely dependent on the production and export of copra grown by the Clunies Ross estate which is virtually the sole source of employment to the Cocos Malay population. Although the Australian dollar is the legal currency of the Territory, Cocos Malay labourers, until November 1977, had their wages paid in plastic tokens (rupiahs) which is the "currency" used in the Clunies Ross estate and is not convertible except through the Estate. The plastic tokens were replaced in November 1977 by metal coinage bearing the effigy of the first Clunies Ross despite the expressed wishes of the Australian Government that the islanders be paid in Australian currency. The value of the "rupiah" in relation to the Australian dollar is set by Mr. Clunies Ross, who, in 1976, "revalued" the rupiah as equivalent to forty cents Australian. In November 1977 it was reported to be worth \$A.0.30. Calculated at the "exchange rate" prevailing at the time the weekly wage of a male worker aged 25 or over was \$A.3.75 in 1976, that of a male worker between the ages of 17 and 24 and of a female worker under 18 was \$A.2.50, that of a girl under 18 was \$A.1.85 and that of a boy between 14 and 16 years of age \$A.1.20. 7/

The islanders' housing is provided free by the Clunies Ross estate. While the islanders do not own their homes they enjoy security of tenure, but only for as long as they do not leave Home Island.

There is one doctor resident in West Island and medical, as well as dental care is provided free for the Home islanders.

Only primary schooling is provided in Home Island and enrolment is not compulsory owing to opposition from Mr. Clunies Ross. It would appear from the number of enrolments that most children do in fact attend school.

The Territory is a tax-free zone. No taxes are, therefore, levied on the undertakings of Mr. Clunies Ross whose fortune is reputed to run into the millions of dollars.

7/ Source: Territory of Cocos (Keeling) Islands, Report for 1976. One Australian dollar equals approximately US\$1.15.

II. POSITION OF THE AUSTRALIAN GOVERNMENT

According to repeated statements by successive Australian Governments since 1972, the future status of the islands will be determined on the basis of the freely expressed wishes of the Cocos people and in keeping with the relevant provisions of the Charter and related United Nations resolutions. 8/ Australia has also reiterated its intention to disentangle the relationship between the Cocos Malay community and the Clunies Ross estate and to democratize the political life of the Territory.

In the course of a meeting with the United Nations Visiting Mission to the Cocos (Keeling) Islands in 1974, the then Prime Minister of Australia, Mr. Gough Whitlam, expressed the view that following the achievement by the Territory of self-government and subject to the agreement of the people, a form of association might be worked out between the islands and Australia on the lines of those existing between New Zealand and the Cook Islands or Niue. 9/

In 1975 as a result of growing disagreement concerning the political development of the islands between the then Labour Government and Mr. John Clunies Ross, an Ordinance was introduced in the Australian Parliament 10/ in order to establish the basis for the acquisition of the Territory either by agreement or by compulsory acquisition. An initial offer made that year by the Whitlam administration to purchase the islands for \$A.3.5 million was rejected by Mr. John Clunies Ross.

In the same year the Australian Government upgraded the level of its representation in the Territory with the creation of the post of Administrator. A start was also made in the gradual involvement of the local Malay community in the political process with the establishment of an Interim Advisory Council wholly appointed but intended to become a fully elected body. As mentioned above, the creation of the Council met with opposition from Mr. Clunies Ross who succeeded in persuading those members of the "Imarat" who had been appointed to the Council to resign their seats in the latter body.

8/ Report of the United Nations Visiting Mission to the Cocos (Keeling) Islands, 1974. Official Records of the General Assembly, Twenty-ninth Session, Supplement No. 23, (A/9623/Rev.1), chap. XX, annex, para. 101.

9/ Ibid, paras. 188-198.

10/ The Lands Acquisition Ordinance 1975.

Timed to coincide with a visit to the islands by Senator Reginald Withers, the then Minister responsible for the affairs of the Territory, the Liberal/Country party Government announced in June 1977 plans which, when implemented, would lead to major changes in the administration of the Cocos. 11/ Among other things, a form of representative government was to be established, a fund would be set up to help finance community activities, freedom of movement and communication within the islands would be assured, a wages economy would gradually be introduced while the plastic tokens used by the Clunies Ross estate to pay his workers would be replaced by Australian currency.

The plan met with strong opposition from Mr. John Clunies Ross who vowed "to fight to the bitter end" to prevent their implementation. Mr. Clunies Ross also accused the Australian Government of seeking to bring about the gradual depopulation of the islands in order to be free to develop the Cocos as a military air base. 12/ There have, in fact, been reports in the British and Australian press, that the Cocos Islands were being used by the Royal Australian Air Force as a training base for F-111 pilots. 13/ These reports have not been denied by the Australian Government, which has, however, stated that it did not intend to set up a RAAF base in the Territory. It may be noted that an air strip, capable of handling Boeing 707s, already exists in West Island. It had once been used as a stopover by Qantas flights to South Africa and is now used by the regular charter flights linking the Territory and Australia and occasionally as a refuelling stop by freight and passenger planes operating on charter between the United Kingdom and Australia.

III. ACTION BY THE UNITED NATIONS

The original list of non-self-governing Territories drawn up in 1946 14/ did not include the Cocos (Keeling) Islands since they were administered as part of the then British Colony of Singapore, nor did the reports on Singapore transmitted by the United Kingdom under Article 73(e) of the Charter contain a separate chapter on the islands. Information on the Cocos began only after their transfer to Australia in 1955.

11/ "The Australian" 17 June 1977.

12/ "The Canberra Times" 30 June 1977.

13/ "The Australian" 9 July 1977.

14/ General Assembly Resolution 66 (I). The list is reproduced in Table I of "Decolonization" No. 6, December 1975.

In 1974 a Mission of the Special Committee on Decolonization 15/ visited the Islands at the invitation of the Government of Australia. On the basis of a series of on-the-spot observations and after holding several meetings with the Australian authorities in Canberra and in the Territory, the Mission issued a report 16/ which was sharply critical of what it described as the "anachronistic" and "feudal" relationship between Mr. John Clunies Ross and the Cocos Malay community. It deplored that no true and free expression of the wishes of the population was possible in Home Island as well as the lack of political education of the Territory's inhabitants. It also regretted the domination by Mr. Clunies Ross of the economy, not only of Home Island, but of most of the Territory and his control of the economic life of the Cocos Malay community through the use of plastic tokens as a vehicle of exchange. The Mission also made some negative comments concerning the degree of economic, cultural and educational advancement of the population. 17/

In its recommendations 18/ the Mission "inter alia" stressed the need to devise appropriate means to disengage the links between the Clunies Ross estate and the affairs of the Cocos Malay community, to clarify the precise role of Mr. Clunies Ross in the Territory, and to define clearly the political status of Home Island in relation to the Government of Australia. The Mission also urged the Australian Government to democratize the political life of the Territory and at the same time to reinforce the powers of its Representative as the sole authority for administrative matters on Home Island as he already was on West Island. The Mission was also of the view that the administering Power was responsible for the political education of the Territory's inhabitants and should thus take all the necessary measures to enable the people to understand their political status so that they would be in a position freely to express their true wishes and aspirations regarding their future.

At its Twenty-ninth Session the General Assembly, in a consensus adopted on the proposal of the Special Committee, expressed its appreciation to the administering Power for its close co-operation in the work of the Special Committee and drew its attention to the conclusions and recommendations of the Visiting Mission, "bearing in mind the need to ensure the free expression by the people of the Territory of their true aspirations concerning their future status, as well as the full exercise

15/ Its full title is: Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples.

16/ Official Records of the General Assembly, Twenty-ninth Session, Supplement No. 23, (A/9623/Rev.1), chap. XX, annex.

17/ Ibid, paras. 200-217. The full text of the Observations, Conclusions and Recommendations contained in the Report of the Visiting Mission is reproduced below in Annex I.

18/ Ibid, paras. 200-210.

by them of their fundamental rights, towards the achievement of the goals set forth in the Charter and the Declaration on the Granting of Independence to Colonial Countries and Peoples^{19/}. 19/

In another concensus adopted in the course of its Thirty-second Session in 1977, the General Assembly noted "with interest" the decisions taken so far by the Administering Power in the light of the conclusions and recommendations contained in the Visiting Mission's report. 20/ Similar concensuses had been adopted by the Assembly in 1975 and 1976. 21/

19/ Official Records of the General Assembly, Twenty-ninth Session, Supplement No. 31 (A/9631), "Other Decisions", (Agenda item 23), p.116.

20/ See Decision 32/408, adopted by the Assembly on the recommendation of the Fourth Committee, reproduced below in Annex II.

21/ Official Records of the General Assembly, Thirtieth Session, Supplement No. 34 (A/10034), "Other Decisions" (Agenda item 23), p.119 and Decision 31/406.D.

ANNEX I

OBSERVATIONS, CONCLUSIONS AND RECOMMENDATIONS OF THE 1974 UNITED NATIONS VISITING MISSION

As reflected in the foregoing sections, particularly in the account of the meetings held with representatives of the Australian authorities following its visit to the Territory, the Mission made a series of on-the-spot observations of a preliminary character covering various aspects of the situation prevailing in the Territory, including its views on possible courses of action which the administering Power might wish to take in that regard. The observations, conclusions and recommendations set out below are therefore to be read in conjunction with those earlier observations.

1. Political and constitutional conditions

Of the two visits the Mission was able to make to Home Island, the informal contacts with the members of the Cocos Malay community took place mainly during its first visit to the island when members toured the community, including private houses, and spoke with those who were not at work at the time. The Mission found the situation prevailing in the Home Island community to be unique, owing to the people's relative isolation from the outside world and their apparent lack of knowledge or indifference regarding both their actual and future political status. Having had no opportunities to compare their life with that of other peoples and communities, they seemed content and happy with their present mode of life.

The second visit to Home Island included a public meeting, attended by most of the male members of the community. The contacts and rapport established with them on that occasion were very limited as the men seemed either shy or not eager to provide information to the Mission. The lack of knowledge of the people concerning the outside world was apparent. This led the Mission to believe that freedom of expression was inhibited, perhaps by the presence of Mr. Clunies Ross and his estate manager, Mr. Dixon.

On the basis of the information which it derived from these discussions, including the meeting with the full Imarat (Council of Headmen), the Mission wishes to observe that the political status of Home Island, in relation to the Government of Australia, as administering Power, has not yet been clearly defined. The most urgent task of the Australian Government is to clarify its role in the Territory and to assume a more effective control and administration over the Territory.

The degree of interdependence between the Clunies-Ross Estate and the community, as witnessed by the Mission, is so extreme that it is practically impossible to distinguish community affairs from those of the Estate. In

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this respect, the Mission wishes to note the complete control exerted by Mr. Clunies-Ross, assisted by his manager, over the life of the community. The Mission accordingly recommends strongly that steps should be taken as soon as possible to devise appropriate means to disengage the links between the two entities, in order to put an end to this undesirable situation. The Mission is of the opinion that the Australian Government should commence forthwith working out the necessary measures to separate the affairs of the community from those of the Estate.

It was clear to the members of the Mission during their meeting with the Imarat, at which both Mr. Clunies-Ross and Mr. Dixon were present, that neither the Headmen nor Mr. Clunies-Ross had a clear idea as to the latter's role or function on the island vis-à-vis the responsibility of the Australian Government. In the view of the Mission, the administering Power needs to determine and clarify the precise role of Mr. Clunies-Ross in the Territory in order to place his activities and spheres of competence in their proper perspectives, thus eliminating his personal control over the community affairs of Home Island.

The Mission finds it of serious concern that the interpretation given by Mr. Clunies-Ross of the concept of sovereignty is vague and somewhat erroneous and appears to be inconsistent with internationally accepted principles. This is borne out by the fact that he dismissed the question of the Territory's sovereignty as not being an issue at hand, but he admitted that the Australian Government was responsible for the external affairs and the defence of the Territory. The Mission is of the view that the Cocos (Keeling) Islands Act, 1955-1966 is not being fully applied to Home Island. Accordingly, the Mission urges the Australian Government to ensure the full implementation of the Act, to reaffirm its sovereignty over Home Island and to assume full administrative control therein. Furthermore, the Mission rejects Mr. Clunies-Ross' statement that the Australian Government should not interfere in the internal life of the community. Taking into account the complex relationship between the Clunies-Ross family and the community, and bearing in mind the peculiarity of the situation, whereby one man is allowed to determine the life of a whole community, the Mission regards the statement as a manifest reaffirmation by Mr. Clunies-Ross of his intent to continue to control and to conduct the political, economic and social affairs of the Cocos Malay community to his own advantage. The Mission accordingly reiterates its call on the administering Power to take whatever measures necessary to bring about a reversal in Mr. Clunies-Ross' attitude.

The Mission, in taking note of Mr. Clunies-Ross' concept of self-government, deplores the fact that it does not allow for the true and free expression of the wishes of the population of Home Island. In this respect, the Mission strongly urges the Australian Government to take all possible steps to put an end to this state of affairs and to introduce a more democratic political life in the Territory. In particular, the practice which enables Mr. Clunies-Ross to designate members of the Imarat should be replaced by free elections, which are the only means to enable the people to express freely their wishes and to advance towards self-determination, in accordance with the United Nations Charter and relevant resolutions of the General Assembly.

As reflected in the foregoing, during its discussion with Mr. Clunies-Ross, the Mission had the impression that he was not prepared to abandon the anachronistic, feudal relationship between himself and the Cocos Malay community. Also on several occasions during meetings with the Headmen, it appeared that most of them, owing either to a lack of understanding or to a fear to express themselves freely, saw no reason to interfere with the status quo, which perpetuates control of the Territory and its people by Mr. Clunies-Ross. The Mission is fully aware that the breaking down of a relationship of a feudal nature will be a difficult task, particularly in view of the fact that both the community and the Estate accept the existing relationship of interdependence. In this connexion, the Mission expresses its satisfaction that the Australian Government is fully cognizant of the situation. The Mission considers that the administering Power should be encouraged to intensify its efforts in this regard and to proceed by stages with the task of separating the community from the Estate. One first step could be the purchasing for public use by the Australian Government of the land on which the people are housed, in accordance with the provision of the Indenture of 1886 which states that the Crown may resume ownership of any portion of the land for public purposes, with compensation if necessary.

During its discussions, it became evident to the Mission that there was no codification of laws in the Territory. The Mission was not able to understand clearly which laws applied to Home Island: whether the laws of Singapore, the laws of Australia or perhaps no laws at all. In that regard, the Mission recommends that the Australian Government clarify the situation by devising an appropriate system of justice in the Territory. In the Mission's view it is important to separate the powers over the community exercised by Mr. Clunies-Ross arising from his propriety, from those he may derive through or with the Imarat. The Mission, noting that there have been no serious offences in recent years, nevertheless recommends that an alternative be found as a matter of priority to the present practice of forced, underpaid labour for offenders on Home Island.

The Mission was also unable to ascertain what powers or functions were conferred on persons entrusted with the administration of Home Island, by the Special Minister of State under the terms of part III, section 8, subsection (3) of the Cocos (Keeling) Islands Act, 1955-1966. a/ The practical application of the functions and powers of the Official Representative of the administering Power and those of Mr. Clunies-Ross did not appear clear to the Mission, and

a/ The Official Representative Ordinance, 1955 (section 4) states: "The Official Representative has and may exercise and perform such powers and functions in relation to the Territory as are delegated to him by the Minister under section 8 of the Act [Cocos (Keeling) Islands Act] or are otherwise conferred on him under the Act or by any other law of the Territory."

The Official Representative is fully advised of his responsibilities through his letter of appointment in which he is informed that, as the Territory has no representative government, he remains accountable to the Minister who is in turn accountable to Parliament.

the delegation of certain powers by the Minister to Mr. Clunies-Ross has further complicated the situation. The Mission therefore recommends that the Australian Government take appropriate steps to clarify and reinforce the powers of the Official Representative, who should be the sole authority for administrative matters on Home Island as he is on West Island.

It is clear to the Mission that one of the serious short-comings in the Territory is the lack of political education of the inhabitants. This was apparent throughout the Territory and even in Canberra during the Mission's initial meeting with the Headmen. The Mission found that none of the members of the Cocos Malay community had a clear idea as to the political status of the Territory, both present and future. This situation helps to perpetuate the existing conditions under which Mr. Clunies-Ross rules Home Island. In addition, although attempts have been made to inform the Cocos Malay community about the objectives and purposes of the Mission and about the United Nations itself, the means used have not yet been adequate, which gave rise to many of the unfortunate misunderstandings on the part of the members of the community, including the Headmen and Mr. Clunies-Ross himself, as well as his manager. In the Mission's view, the administering Power has the responsibility to undertake all necessary measures to ensure that this deficiency is rectified in order to enable the people to understand their political status and to be in a position freely to express their true wishes and aspirations regarding their future. The Mission notes that a beginning had been made by the distribution recently of Malay texts of General Assembly resolution 1514 (XV) and of a statement describing the aims and purposes of the United Nations. The success of these efforts will largely depend on the extent to which Mr. Clunies-Ross will co-operate with the administering Power. The Mission looks forward to further positive discussions on the question between the Minister of State and Mr. Clunies-Ross, which it is hoped will result in bringing about desired results in the political advancement of the Territory.

Bearing in mind the intricate problems confronting very small Territories such as the Cocos (Keeling) Islands, the Mission considers that the question of these Territories should be kept under constant review and therefore recommends that the United Nations pursue the matter with a view to obtaining an adequate and satisfactory solution concerning the future political status of all small Territories. The Mission is convinced, now more than ever, that the dispatch of United Nations visiting missions to these Territories is the essential and critical element in that endeavour.

2. Economic, social and educational conditions

The Mission had the opportunity to observe the domination by Mr. Clunies-Ross of the economy not only of Home Island but of most of the Territory. The complete control by the Estate of the economic life of the Cocos Malay community is effectively exercised through the use of the plastic token as the vehicle of exchange. The fact that plastic tokens are inconvertible helps to maintain the isolation of the Home Islanders. The Mission therefore

recommends that the administering Power introduce the Australian dollar throughout the Territory as the only official currency. The Mission is of the view that this will constitute an important step towards the breaking down of the interdependence between the community and the Estate. Its use as the only means to purchase food, clothing and essentials in the Cocos Malay community on Home Island and the fact that it has no value at all abroad, render the plastic token an effective barrier to the freedom of movement of the people of Home Island.

The economic reliance of the Territory on a single source of revenue, namely, the production of copra, does not help to advance the economic conditions of the Cocos Malay community. Given the present circumstances in the Territory, the standard of living of the people is kept at subsistence level by the payment of wages sufficient to provide the basic necessities of life, but insufficient to permit savings. The Mission therefore recommends that the administering Power should undertake an exhaustive study with a view to diversifying the economy of Home Island, by introducing other crops or exploring the fishing potential of the Territory. In so doing, it should take full advantage of all sources of expert knowledge and advice available through the specialized agencies and other organizations within the United Nations system.

The Mission has received a wealth of information on a number of occasions concerning the proposed establishment of an off-shore, high-security animal quarantine station on West Island. Although the Mission considers it unquestionably a means of diversifying the Territory's economy, it is nevertheless concerned with the financial implications of the project. The Mission was unable to ascertain the type of arrangements planned by the administering Power by which the people would be able to benefit directly from the quarantine station, inasmuch as the wages received by the workers in Australian currency must be converted into plastic tokens for use on Home Island. In the Mission's view the establishment of a community fund into which the difference between Home Island wage rates and those in Australia would be paid represents only one aspect of the complex problem. The Mission accordingly urges the administering Power to examine all possible ramifications of the quarantine station and take appropriate steps to ensure that its establishment would be of direct economic benefit to the people of Home Island.

During its discussions, the Mission was informed that Home Island was being used as a tax haven. There is evidence that a number of companies, incorporated under different names but related to the Clunies-Ross Estate, are registered on Home Island. The Mission recommends that the administering Power conduct a thorough investigation of this matter and inform the Special Committee of the nature of the business conducted by those companies within and outside the Territory.

Regarding social conditions in the Territory, the Mission found that the isolation of the Cocos Malay community from the outside world and the predominant forces of influence by the Clunies-Ross family has adversely affected the cultural life of the Home Islanders. Bearing in mind that

under Article 73(e) of the Charter, Members administering Non-Self-Governing Territories are "to ensure, with due respect for the culture of the peoples concerned, their political, economic, social and educational advancement ...", the Mission recommends that the administering Power take steps to restore and foster the cultural life of the community.

The Mission regrets that primary education is not yet compulsory on Home Island and that the curriculum is limited in its scope. Furthermore, the Mission notes with concern that there is no secondary education. In addition, Mr. Clunies-Ross, who is at present mainly responsible for this vital sector of the social life of the community, informed the Mission that he did not believe in compulsory education, because he objected to compulsion of any type. The Mission recommends that the administering Power assume responsibility for the entire system of education, and institute compulsory education throughout the Territory. The Mission notes with satisfaction the express willingness of the administering Power to intensify its programmes of education, which include the introduction of secondary education and the extension of vocational education.

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ANNEX II

GENERAL ASSEMBLY DECISION 32/408 - QUESTION OF THE
COCOS (KEELING) ISLANDS

"The General Assembly, having examined the relevant chapters of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples a/ and having heard the statement of the representative of Australia, as the administering Power, b/ notes with appreciation the continuing co-operation of the administering Power, in reporting on the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, contained in Assembly resolution 1514 (XV) of 14 December 1960, with regard to the Cocos (Keeling) Islands, and its continued preparedness to receive a further visiting mission in the Territory at an appropriate time. Bearing in mind the responsibility of the administering Power to create such conditions in the Territory so as to enable its people to determine fully their future political status, the General Assembly notes with interest the decisions taken so far by the Government of Australia in the light of the conclusions and recommendations contained in the report of the United Nations Visiting Mission to the Territory in 1974. c/ The General Assembly requests 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 1978, and to report thereon to the Assembly at its thirty-third session."

a/ A/32/23 (Part II), chap. III; A/32/23/Add.4, chap. XII.

b/ A/C.4/32/SR.12, paras. 27-29.

c/ Official Records of the General Assembly, Twenty-ninth Session, Supplement No. 23 (A/9623/Rev.1), vol. IV, chap. XX, annex, sect. E.

ANNEX III

MAP OF THE COCOS (KEELING) ISLANDS

