

ABSTRACT

Australia-Banaba Relations; the price of shaping a nation is now a call for recognition

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The prosperity of Australia during the past century was provided from the wealth generated from the nation's farmlands. One of the major components of this success depended on the subsidised use of super-phosphate fertilisers derived from the rich phosphate rock deposits of a small remote Pacific island. In a period spanning eighty years Australia was a major shareholder in a joint commercial venture with the governments of United Kingdom and New Zealand to mine Banaba-Ocean Island. Now only twenty five years later these historical links seem all but forgotten. This paper addresses these issues and the Banabans call for the Australian government to finally recognise their major contribution in shaping Australian history.

Australia-Banaba Relations: *the price of shaping a nation is now a call for recognition*

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On 25 November 1979 the final load of phosphate left Ocean Island (now known as Banaba) aboard *Cape Hawke* for delivery to Australia. This historical event would conveniently bring about 'closure' for the Australian Government as a major stakeholder in a joint commercial venture with the governments of United Kingdom and New Zealand in the mining of Banaba. As the *Cape Hawke* set sail for Australia for the last time on that memorable day the dreams and the future survival of Banaba and its indigenous inhabitants seemed to also be set adrift. Politically, physically and psychologically the Banabans were left with the devastating aftermath of eighty years of mining and their forced removal to Rabi Island located over 2,000 klm away in Fiji. Now twenty five years later this episode of history seems all but forgotten by the Australian Government and general Australian population.

The focus of this paper is to analyse the key historical events and the nature of the phosphate mining and fertiliser industries that forged a relationship between Australia and Banaba. Today the Banabans are calling on the Australian Government to recognise their major contribution in aiding Australia's wealth as an agricultural nation. At the turn of the last century only 450 indigenous Banabans stood in the way of a new discovery that was about to revolutionise the Australian fertiliser industry. While the Australian Government proudly took over a one-third ownership of Banaba's phosphate reserves and all the associated financial benefits that followed they have never accepted any onus of accountability for their actions in destroying Banaba and the near annihilation of its people. Over this whole episode of history the Australian Government has used political expediency and technicalities to manipulate and hide behind the mantle of United Kingdom's sovereignty over Banaba. Yet Nauru, the other phosphate island in the crown and under the same commercial accords has had the full recognition of the Australian Government.

Why has Banaba been left so politically polarised compared to Nauru when they both originally were acquisitions of the same company and subsequently the 'jewels in the crown' of the governments of United Kingdom, Australia and New Zealand under the auspices of the 'Nauru Agreement'?

Australia's early phosphate mining history

Australia's link to Banaba goes back even before the discovery of phosphate on Banaba to Australia's early guano mining industry and the British owned, John T. Arundel and Company that believed they had a 'God given right' to develop Pacific trading for the financial benefit of the Empire and the spiritual betterment of the indigenous populations.

In 1871 the world's agricultural chemists discovered the significance of phosphorous in unlocking plant nutrients in the soil. This discovery led to the beginnings of a new

fertiliser industry based on the treatment of phosphate rock with sulphuric acid. Large deposits of both rock and alluvial phosphate had been discovered on the American continent and in Morocco and Tunisia. While these deposits were expected to meet the needs of farmers throughout Europe and America for the next century, shipping costs and other economic factors left Australian and New Zealand farmers still dependant on regional phosphate guano deposits.

By 1890 John T. Arundel and Company who had been mining phosphate guano on tiny atolls across the breadth of the Pacific transferred their operations to Queensland's east coast starting at Raine Island in the far northern section of the Barrier Reef. They then moved on to Rocky Island in the Gulf of Carpentaria before focusing all their attention on the Capricorn Bunker group of islands, off the central coast commencing with Lady Elliot Island in 1893 and then moving on to Lady Musgrave Island and nearby Fairfax Island (Anon:2005a). The only significant deposits for the Company's whole Queensland operation were those found at Heron Island and North West Island.

By 1897 the fertiliser industry in Australia and New Zealand was still in its infancy with meagre quantities of low-grade phosphate guano assaying around 30 percent, while farmers demanded 60 percent (Ellis 1936:151). The Company was struggling to keep afloat. During this critical period the Company made additional acquisitions including properties and other trading opportunities in the ¹Gilbert, Ellice and Marshall Islands Groups and reconstituted their operations as the Pacific Islands Company (PIC).

Australia's role in discovery of Banaba phosphate

By the first week of July 1899 the relationship between Australia and Banaba was forged when a young employee at the Company's Sydney office, Albert Ellis conducted routine tests on a piece of fossilised rock that had been used as the office doorstep. Ellis had been born at Roma, Queensland, and soon after his birth the family moved to take up farming in New Zealand (Dictionary of New Zealand Biography, 2005; Encyclopaedia of New Zealand, 1966). By the age of eighteen he had joined his father and brothers, James and George in working for the Company's Queensland mining operations.

To the astonishment of the Company's Sydney manager the door stop assayed at over 78 percent phosphate of lime. The sample had been acquired during a previous trading trip to a small equatorial island known as Pleasant Island (now known as Nauru). As Nauru was a German territory the Company's management planned the best way to handle this information and during discussions another tiny and very isolated island was mentioned. A raised atoll called Banaba and known by Europeans as Ocean Island. Plans were made to make a secret visit to collect more samples from both islands without raising any suspicion from the inhabitants.

Banaba had first been sighted by Captain Jered Gardener on 3 January 1801 aboard the American ship *Diana*. At first he mistook Banaba for what he referred to as

¹ Gilbert and Ellice Islands are now known as the independent nations of Kiribati (pronounced Ki-ri - bus) and Tuvalu. The Kiribati people are referred to as I-Kiribait,

nearby Byron Island and on realising his mistake named his new discovery Rodman's Island. It was not until 1804 that Captain John Mertho aboard his ship *Ocean* would claim the official discovery and its English name – Ocean Island. By the 19 December the Company's chartered vessel, *Rob Roy* arrived back in Sydney with the new samples which resulted in levels between 84 and 86 percent, the highest levels they had ever seen. This immediately set the Company on a course of action to secure these deposits as soon as possible. On further inquiries it was realised that Banaba did not come under European jurisdiction and it was suggested to the Colonial Office that the island might be brought under Britain's Gilbert Islands Protectorate. Now the previously insignificant Banaba Island had just become a very valuable and sought-after asset. Yet, the British Government still needed to be convinced and after various meetings between Arundel, the Company's director and Sir George O'Brien the Western Pacific High Commissioner based in Suva, Fiji it was suggested by O'Brien that the Company should make their own arrangements with the island's inhabitants.

With these developments Albert Ellis was sent to Banaba aboard the *Archer* arriving at the island at dawn on the 3 May 1900. Within hours of his arrival and a bit of trading Ellis and the ship's captain ventured ashore with one of the Banaban men named Temate. Ellis had already assumed he was the Island's King and after a hasty inspection and the sighting of large boulders of phosphate stone, Ellis quickly began negotiations. These negotiations ended in a solemn ceremony in which Temate and another Banaban man they assumed was a village chief, put their marks to a written 'Agreement' that would give the Pacific Island Company the sole right to Banaban rock and alluvial phosphate. The paper also stated that the Banabans gave the PIC the right to erect buildings, lay tram lines, make roads and construct jetties and shipping places, together with a sole provision to set up a trade store on the island. There only concession to the Banaban landowners was that the Company would not remove phosphate where the coconut or fruit trees were growing but at the same time the PIC would have the rights to remove non-fruit bearing trees which could interfere with their workings. With no one present at this historical event with even a hint of a mutually understandable language between them Ellis sealed the deal by agreeing to pay the 'said natives' a rate of fifty pounds per annum or trade to that value for a term of nine hundred and nine-nine years.

Ellis would soon discover his mistake realising that he had four different villages to contend with containing four hundred and fifty people and quickly amended his agreement by adding more signatures to the contract. The term 'Banaban village' is one that the Banabans today dispute, stating that during the time of Ellis's arrival the Banabans lived in *kainga* (extended family hamlets) that were scattered over the island in accordance with inherited land holdings (Maude 1932:269). Just like Ellis's European misconception of 'King' and 'Chief' instead of the Banabans cultural leadership roles as Clan elders, the idea of European based village systems would be used in the years ahead to remove the Banabans from their ancestral lands and to try and bring about more control and order over the island's inhabitants (Sigrah and King 2001).

Following this 'Agreement', which would become known in the years that followed as 'the Scandalous Document' (Langdon 1966) the PIC focused on getting the mining operations up and running on Banaba as soon as possible. The island had already been

formally annexed to the British Empire and the Company's interests finally secured on 28 September 1901. While the PIC was still suffering major financial restraints, it was decided to bring over the staff and mining plant from their Queensland, North West Island operation. George Ellis (Albert's older brother) together with five others: T. Playfair, B. Forbes, J. Williams, A. Parkhouse, and E. Olsen arrived on Banaba from Australia by October the following month.

Australia's role in the early mining of Banaba

Over the next year while the first stages of the mining operations were being set up Ellis had begun to grasp that his Colonial ideas of King and Chiefship had no bearing on the Banabans or their landholdings (Ellis 1936; Grimble 1956; Sigrah and King 2001). Quietly he busied himself negotiating with individual Banaban men and women for leases and land purchases and getting these contracts formalised and registered on the Government's Land Registry in Fiji. By 1904 after extensive negotiations with German Company, Jaluit Co., the Company reconstituted as the Pacific Phosphate Company (PPC) to also take over the leases, licences and all other rights related to mining on Nauru as well. German financial interest in the new company was considerable and there was provision for Germans to be on the new Board, while two-thirds of the directors had to be British.

Australia's early involvement at this stage of Banaban history was mainly through the Company's Sydney based office and the staff at both management and supervisory level on Banaba. By 1904 the number of 'white' employees (as referred to by the Company) on Banaba, were mostly from Australia and New Zealand and numbered fifty. This group supervised a labour force of more than 900 Islanders and a number of Japanese who had been recruited as mechanics, cooks and stewards. It was also during this period that the island's living conditions were no longer considered 'unrefined pioneering'. Living conditions for the European staff had greatly improved with some of the men's wives joining them. However conditions in the field remained primitive, with most of the mining labour still being carried out by hand with picks and wheelbarrows yet even with this basic equipment and mining methods the PPC was able to ship a total of 77,420 tons of phosphate for that year.

By 1905 the levels of phosphate shipped from Banaba had risen to 107,930 tons. The majority of these shipments were sent to Australia for further processing into superphosphate and by 1906 despite the British directors opposition the Australian headquarters of the PPC were further expanded with the headquarters of the Company moved to Melbourne. This gave the Company immediate access to Colonial buyers and also the belief that there was a growing feeling that 'everything Australian' was commercially good for business and a purely Australian House for the Company would reap benefits. It was decided to also keep the Sydney office. The next major historical events were in 1907 when the headquarters of the British Government were transferred to Banaba and the PPC's first shipment of phosphate left Nauru.

The effects of mining on the Banabans

By 1909 the island had become even more civilised. The Banaban population was officially quoted as 400 to 500 while the rest of the status-graded population consisted

of around 1,000 recruited Pacific Island labourers, mostly from the Gilbert and Ellice Island Group, with 400 or more Japanese, and 80 European company staff together with a small contingent of Fijian Police (Ellis 1936). The Island's mining operations had also become fully industrialised with electrical lighting and machinery that was leading-edge technology. While the impact on the Island's environment was devastating with mined-out areas left with impenetrable fields of towering limestone pinnacles. Even Mahaffy, the Island's Resident Commissioner was alarmed and was writing memorandums to the Western Pacific High Commission in Fiji that a systematic programme of land rehabilitation had to be implemented. To his amazement Westminster informed him 'that the Company had every desire not to act in any way contrary to native interest' (Williams and Macdonald 1985:87). Soon after Mahaffy was assigned to another overseas posting and no rehabilitation was implemented. By this stage the relationship between the Banabans and the Company had deteriorated to the stage that Banabans were refusing to lease or sell anymore of their land.

Uncomfortable questions were starting to be raised in United Kingdom House of Parliament about the treatment of Banaban landowners. By 1912 the level of Banaban unrest on the Island was at a level where the Banabans now flatly refused to part with another square yard of their land unless it was taken by force. With this ultimatum Resident Commissioner Captain Quayle Dickson had made the strongest representation to the Colonial Office on behalf of the oppressed Banaban landowners only to find that the Company had brought enough pressure to bear for his removal from his post.

The year 1913 would prove another milestone and turning point for Banaban landowners. Up until this period the PPC had to negotiate all land dealings with individual Banaban landowners under the 'Phosphate and Tree Purchase' deeds (Maude 1946:4). The stalemate would finally be resolved when the Government and Company brokered another agreement with the 257 Banaban landowners to sell off another 146 acres (58.6 hectares). One of the main arguments were the Banabans claims and objection to the Company's use of inaccurate records of land features and measurements, and that approximate measurements were no longer acceptable to them (Sigrah & King 2001:224). They were also accusations that the Company was switching leases from outside to inside mining boundaries and they were also concerned that the replanting of food-bearing trees was not proving practicable especially during the times of drought. This issue would not be officially addressed until 1931 when Maude was appointed by the Colonial Government as Native Land Commissioner. By this time thirty one years of illegal land acquisitions of Banaban lands would go unchecked.

The 1913 Agreement with the Banaban landowners, Government and PPC saw the land purchase payments rise from £40 to £60 an acre and compensation under the 'Phosphate and Tree Purchase' deeds to remain the same. In addition another royalty of 6 pence a ton would be awarded on every ton of phosphate shipped from Banaba after the 1 July 1912. The land purchase payments were to go direct to the Banaban landowners while all of the royalty payment that had accumulated between 1913 and 1914, less £300 that had been deducted to start the Banaban Fund, was to be used for the benefit of all the Banaban community whichever way the Banaban Magistrate

known as Kaubure recommended and subject to the approval of the Resident Commissioner who could endorse 'the expenditure was equitable and not wasteful'. After 1914 the interest on the capital sum in the Banaban Fund was to be used and distributed annually 'among all Banabans who leased land to the Company' (Maude 1946:5). Even though it was not a condition of the 1913 Agreement payments were also made annually from the interest accruing from the Fund for the maintenance of Banaban services.

With the onset of World War One very little impact was felt on Banaba especially on the mining operations except that thirty five of the staff returned to Australia and New Zealand to enlist. The Banabans who were always in constant conflict with the Company still believed they had an obligation to help the great King of England and sent a gift of 1,000 pounds to the Prince of Wales Relief Fund. This period also afforded the PPC the opportunity of removing their German business partners and shareholders while the Company's German staff on Nauru was incarcerated in Australian prison-of-war camps. Behind the scenes the war had become the catalyst for another major episode in Banaba history that would soon see Australia as a major stakeholder in the whole operation.

Australia the major stakeholder in the British Phosphate Commission

As the War drew to a close, Australian Prime Minister, William Hughes was in London for postwar talks including the Allies retention of German possessions in the Pacific and discussions over proposed mandates. Originally it was proposed that New Zealand should have Western Samoa, Nauru should be brought within the jurisdiction of the Western Pacific High Commission and German New Guinea should go to Australia. All the other islands previously under German control above the Equator would go to Japan (Williams and Macdonald 1985:126). Hughes was insistent that Nauru should be included into Australia's allocation. After much debate a compromise was finally reached on 27 June 1919 where the three governments of Australia, New Zealand and United Kingdom would share in the Mandate over Nauru and this included the acquisition of the PPC's mining rights and assets. This complex and protracted agreement would be called the Nauru Agreement of 1919 and each of the three governments would be awarded the following allocations under Article 14 of the Agreement; United Kingdom: 42%, Australia: 42% and New Zealand 16% providing that these allotments were for home consumption for agricultural purposes in the country of allotment and not for export (Williams and Macdonald 1985:135).

By 18 February 1920 the privately owned PPC was bought out by the three governments of United Kingdom, Australia and New Zealand conjointly for the sum of £3.5 million and renamed the British Phosphate Commission (BPC). The Company management met for various talks in London to decide staff redundancies and new management positions including the placement of three Commissioners to act as representative for the governments involved in the new Commission. The new BPC agenda was to operate as a non-profit enterprise for the three governments while Australian Prime Minister, (Billy) Hughes was naively stating in Australian Parliament that as far as the three governments were concerned that 'obviously no political influence of any kind can be permitted'. However for the Banabans there were other discussions on the table regarding their future, with the Company's (now

the Commission) management view that sooner rather than later the Banabans had to be removed to another island on the grounds that 'it will benefit the natives and facilitate the operations of the Commission' (Williams and Macdonald 1985: 148).

Banaba under the Nauru Agreement

The newly formed BPC had another problem to resolve over their other mining operations on Banaba which would now be running in competition. By June the same year this situation was rectified with Banaba also included in the deal under the Nauru Agreement of 1919. It would soon become apparent that Article 14 would cause much consternation between the three governments. By 1924 shipped phosphate figures clearly showed the discrepancies in the original 'Agreement' figures. From a total of 1.5 million tons, 950 000 tons had gone to Australia, 160 000 to New Zealand, and only 30 000 tons to Britain, while 360 00 tons had gone to Japan and other countries.

While the newly formed Commission was busy taking over their non-profit venture based on the land acquired under the 1913 Agreement the Banaban landowners were adamant that no more land agreements would be entered into. The Banabans were completely unaware of the decisions being made by these three powerful governments to have them permanently removed from their homeland. Australia's compliancy in this has been uncovered in a decoded telegram by the Australian Governor-General to the Secretary of State for Dominion Affairs on behalf of the Australian Prime Minister dated 22 October 1927 (see Appendix: 1 for the full version) and stating:

As all the phosphate on Ocean Island will eventually be required it appears to Commissioners advisable that steps should be taken to secure another island or islands for the use of the Banabans when Ocean Island is no longer suitable for their habitation and the Commissioners have expressed their willingness to co-operate in this matter.

Even Maude in his later writings in 1946 would endorse the fact that the Banabans removal from their Island had been on the agenda since 1914 when the Resident Commissioner of the time stated that, '...if the phosphate industry were to fail, the race would literally be blotted out of existence...' It is noteworthy that this topic was raised after the Banabans first attempt to block any more land acquisitions prior to the 1913 Agreement.

Now again in 1928 the situation had become critical between the Banabans and the newly formed BPC as previous leases became depleted. The Banabans stood firm especially when they realised that the BPC was now using them to subsidise the farmers of Australia and New Zealand with cheap phosphate that was well under world market price and at the expense of their Island's land and food trees. It had become apparent from the very beginning of mining that the Company's clause to replace their 'food bearing trees' had never really been taken seriously. The Commission also stood fast claiming the Banabans landowners were making 'unreasonable demands'. This stalemate was abruptly resolved when the Colonial government intervened by enacting new laws known as the Mining Ordinance No. 4 of 1928, which enabled compulsory acquisitions of Banaba land (Maude 1946:5). As these new laws came into force any protests or actions carried out by the Banabans

were now deemed 'unlawful'. Yet even with this in mind the peaceful Banabans still refused to give in and as mining began around the lush plateau area of Buakonikai Village, Banaban women clung to their precious food trees so that the bulldozers would have to destroy them along with their trees. The government was quick to act and not wanting to be involved or have any of the BPC staff implicated in such unsavoury business released prisoners (mostly from the Gilbert Islands) from the Island's prison and quickly recruited them as acting police officers. Under instructions and the supervision of Resident Commissioner Arthur Grimble the women were physically removed by these now armed constables from their trees and also when they tried to approach representatives of the BPC.

This was a sad turning point in Banaban history when it was realised that new laws could be made. The Banabans had always been a lawful community who held respect not only for their Elders but also for the white man who they called te I-Matang. Over the thirty years since their arrival on the Island the naïve Banabans were beginning to finally realise that these te I-Matang's were only interested in destroying there land. While the governments of United Kingdom, Australia and New Zealand hid behind the cloak of the British Phosphate Commission, the Commission also had the backing of the Colonial Office to see that new laws were implemented and acted upon even to the extend of allowing Banabans to be shot if the need arose.

By 1930 as the Banabans faced the reality of their situation and knew that they would have to try and take their grievances further a field, other global events were evolving with Australia and New Zealand in the grip of a depression. The lifestyle for European staff on Banaba was a 'welcome relief' to that being experienced back in their homelands. The BPC used this period as an opportunity to restructure and improve their operations on the island.

A world at war

More ominous world events were looming with rumblings of war in Europe. By December 1940 events escalated when war came to the Pacific when two German raiders sunk two of the BPC's prized vessels, the *Triadic* and *Triaster* off Nauru. This immediately put pressure on the Commission with reduced shipping operations and calls for the BPC to stop supplying Japan with phosphate until the demand for phosphate could be fully met for the Commissioned countries first. British Colonial officials were quick to criticise Australian and New Zealand politicians and businessmen who they stated were 'prone to show an undue nervousness of the activities and capabilities of Japan in the Pacific... and pressing for the evacuation of European women and children from the phosphate islands' (Williams and Macdonald 1985:308). But by the beginning of 1942 American intelligence was predicting that the Japanese were about to push southward into the Pacific and it was decided to evacuate BPC staff and Chinese labour as soon as possible. On 28 February 232 BPC staff and 823 Chinese labourers were evacuated aboard *Le Triumphant* to Australia while the BPC's 713 Gilbert and Ellice Island labourers and their families were left behind with the entire Banaban population.

Banabans forced removal from their homeland

While the Banabans enjoyed their first taste of freedom and the abandonment of phosphate mining on their Island, it would only be short lived. By August the same year 500 Japanese troops and 50 labourers landed and took over the Island by force. As the Banabans now struggled for survival under a new and even more dangerous adversary they were unaware of contractual arrangements that were being carried out on their behalf back in Fiji. While the rest of the world faced the ravages of war it also afforded opportunities for others. Rabi Island in the north-east region of Fiji had been a freehold Island owned by Lever Brothers as a copra plantation. It was decided that with War in the Pacific, Fiji was expected to fall to the Japanese so with commercial interests in mind, Rabi was sold for A£25,000 to the Banabans (Maude 1946:11). While the Banabans were ignorant of these events the Colonial Office negotiated and finalised the purchase using the Banabans own Provident fund to finance the deal.

Over the next months the Banabans suffered greatly at the hands of the Japanese. By 1943, a year after the Japanese invasion and with grave food shortages the Japanese removed all but 143 young men from the island, sending the Banabans off to labour camps in ²Kosrae, Tarawa³ and Nauru. Of the original 2,413 people that had remained on Banaba and were forcibly removed from the Island by the Japanese almost 1,000 were Banabans while dozens of others had married in or been adopted by Banaban families and looked upon Banaba as their home.

While the Banabans struggled for survival in the labour camps and as the war was drawing to a close plans were made to collect the dispersed Banabans as soon as they were freed from Japanese hands and take them directly to Rabi in Fiji. Albert Ellis said, 'while there is obviously a great advantage in the Banabans being transferred direct to Rabi... the matter will require careful handling'. His opinion was shared by the new High Commissioner, Sir Alexander Grantham, 'if we can persuade them not to go back to Ocean Island we shall be spared many headaches'(Williams and Macdonald 1985:338). By July 1945 and with the Banabans having no knowledge of the plans being made for them it had become very evident that the BPC Commissioners and United Kingdom officials were totally focused on resuming mining as soon as possible.

Japanese surrender to Australian forces on Banaba

On 3 September 1945 the Americans handed control of the Southwest Pacific region over to the British. The formal Japanese surrender of Banaba and Nauru was to be accepted by the Australians with the BPC Commissioners also present aboard Australia's H.M.A.S. *Diamantina* (Ellis 1946). Other BPC staff and Civil Administration accompanied the expedition. Their mission was to focus totally on the rehabilitation of the mining facilities. They discovered that Banaba's bomb damage was far less than on Nauru with about one third of the BPC and government installations needing to be replaced. It seemed that the Japanese marines that had been stationed on Banaba had kept the island in far better order and that the total Banaban population had left the island and their villages had been destroyed.

² Kosrae also traditionally known as Kusaie is now under the Federate States of Micronesia.

³ Tarawa is the main island in the Gilbert Group (now the Republic of Kiribati)

However, it is during this period that the European version of history starts to differ from that of the Banabans citing that ‘all the Banaban villages had been destroyed by the Japanese during the war’ and the ‘Banabans could not return to Banaba as there was nowhere on the Island to accommodate them’. But evidence has emerged that many of the Banaban pre-war houses were still standing and did still exist. In further research by the authors fifty years later these accusations were endorsed by pre and post war BPC staff that the Japanese had kept all the staff houses in good working order during their time of occupation and that the villages were never destroyed by the Japanese. In fact some of these informants have quoted that they believe the Australian Occupation Force was responsible for the destruction of Banaban houses under instruction from the United Kingdom Government. By the time of the invasion many of the Banaban village houses were made of timber and corrugated iron like other European style houses built on the island. The late Rabi elder, Keith Christopher also verified this fact during an interview with the authors in 1997, that while he was on an official trip to Banaba in the 1960’s with mining at its peak, he was shocked to discover his old house still standing in Tabiang village with BPC Gilbertese staff occupying his home (Sigrah and King 2001:261-264). When he was asked why he did not report this fact to authorities, he simply replied, ‘because I am a Banaban and no one wanted to listen’.

What the Banabans do agree with is the fact that by the end of the war 349 Banaban, Gilbertese and Ellice labourers had died or been murdered on Banaba during the Japanese occupation. On 15 December 1945, 703 Banabans and 300 Gilbertese arrived on Rabi, Fiji aboard the British Phosphate Commission’s *S.S. Triona*.

Global changes in a post war world and Australia’s acquisition of Christmas Island phosphate deposits

A number of major developments during the war and in the immediate post-war years would bring about a great deal of change for the British Phosphate Commission who up until this period had enjoyed control over the phosphate industry. The formation of the United Nations to replace the discredited League of Nations was brought about in an effort to bring about peace but to also guarantee basic human rights for all people whatever their existing political status especially in relation to the plight of colonial peoples. Now Banaba and Nauru came under the scrutiny of the United Nations and soon political factors began to out-rank commercial considerations. The Commissioners believed that the only solution to protect the future of the mining industries on Banaba and Nauru was through resettlement schemes and trust investments for the indigenous land owners. As part of the BPC distribution activities stockpiles of phosphate had been maintained at superphosphate manufacturing plants throughout Australia and New Zealand. During wartime shortages this had proved very successful but also emphasised the total dependence of rural industries in Australia and New Zealand on the importation of raw materials for the manufacture of fertiliser. Due to this factor the Commissioners decided on the acquisition of Christmas Island phosphate deposits and in 1948 Australia and New Zealand governments purchased the assets of the Christmas Island Phosphate Company. However with the high freight costs the United Kingdom Government would still only remain an occasional buyer.

The BPC was also encountering increasing problems with the local Nauru community and rehabilitation efforts to get mining back to normal on the island, while Banaba was a very different story. With the Banabans already removed to Rabi in Fiji, the BPC now had Banaba under their complete control. But the feelings of the Banabans were no less than that of the Nauruans and this would become very apparent in the years ahead.

Australia and Nauru under a new Trusteeship Agreement

Even though the Mandate over Nauru had been granted to the British Empire, Australia had remained the administering authority by agreement with Britain and New Zealand. Now with Nauru under the spotlight Australia in consultation with New Zealand proposed that there should be an international conference to establish a South Seas Regional Commission for the future development of Oceania. This idea was rejected and compromises made for each country to frame Trusteeship Agreements for their dependencies.

By January 1946 Australia on behalf of the other partners in the Commission stated to the General Assembly of the United Nations that an 'appropriate trusteeship agreement' for Nauru would soon be forthcoming. However this was a far more difficult task that realised with the Commissioner's conflict of interest over human rights issues relating to the indigenous community and BPC staff. Another threat was soon to emerge with Australia pressing for total responsibility over the administration of Nauru. The British Foreign Office was more inclined to support the Australian proposal as it had grave concerns over the bad impression United Kingdom would suffer trying to hold on to a small remote Pacific Island when it had far more important territories to worry about. Back in London there were other concerns over the conflict with Article 76(d) of the United Nations Charter, with the Nauru Agreement in contradiction with the Charter of the International Trade Organisation.

On the 4 October 1947 a draft Trusteeship Agreement was read to the Sub-Committee of the General Assembly and surprisingly was approved with hardly a mention of the Commissioners, phosphate, monopolies or economic exploitation.

Now with growing animosity towards Colonial authority, and the insistence by the United Nations for '...the equality of all peoples irrespective of race, colour, religion or sex and a determination to protect backward people from so-called exploitation...' (William and Macdonald 1985:363). The British Phosphate Commissioners knew they could no longer ignore these issues and had to make a great effort to avoid anything that could embroil them in accusations of race discrimination.

Although the Nauruans were never involved in any of these negotiations they soon learned to take a vital interest in the United Nations and to use it to their advantage. The Nauruans would go on to negotiate increased phosphate payments with a portion to be paid into a new Community Long Term Investment Fund modelled on the Banaban Provident Fund originally established in 1931.

The Nauru situation only added to fuel the unrest with the Banabans who were now on Rabi. However the decision to remain on Rabi permanently had still not been made. While government officials and the Commissioners were keen to have the Banabans permanently out of the way, a Colonial Office official was more candid in his views:

The Banabans have of course, plenty of money, and if only their present distress can be used as a means of persuading them to leave their island home, one of the most awkward problems of the Gilbert and Ellice Island Colony will have been solved, and the B.P.C. can be left to work their own sweet will on Ocean Island until the time when, about 45 years after the end of the war, there will be nothing left but a few limestone pinnacles sticking above the water (William and Macdonald 1985:364).

Now all these years later and with the Banabans ignorant of the plans to have them permanently removed to Rabi and their homeland mined away to nothing, these words are a true inditement of what would occur.

By April 1947 as Banaban resentment grew, Colonial officials were directed not to give them any advice on land matters. The Banabans now on their own and with no independent legal advice negotiated a new agreement with the BPC based on determination of traditional Banaban land boundaries. However the Commission had completely underestimated Banaban landowners believing that the six Banaban leaders and their wives would be able to return to the Island and confirm these details. Instead over half of the total population decided to go to Banaba under their rights as traditional landowners based on individual land holdings in their cultural law known as 'te rii ni Banaba' (Sigrah and King 2001:62). With a very important referendum looming where the Banabans would have the right to decide their future the Commissioners had no choice but to approve such an 'excessive' request. As far as the Commissioners were concerned the Banabans had to remain on Rabi, while the Banabans believed that they could live on Rabi and would be freely able to travel back and forward to their homeland. On 13 May the Banabans decided to make Rabi their permanent home, the votes were 270 'for' and only '48' against (Maude 1946).

The differences between Banaba, Nauru and Christmas Islands under the British Phosphate Commission

During the 1950's the differences between the BPC's financial obligations and their three phosphate islands became very apparent. On Christmas Island the Commission paid the actual cost of administration via the Christmas Island Phosphate Commission. On Nauru the Commissioners had to meet the cost of administration as well as pay royalty payments to the Nauruan landowners who lived on the island. These royalty payments were more politically motivated to ease the increasing pressure they were under from United Nations.

On Banaba it was a completely different case with the island administratively linked with the Gilbert and Ellice Island Colony since the first discovery of phosphate on Banaba. Originally under much complaint and protests from the Pacific Phosphate Company and then the BPC, the phosphate industry had been used to fund an

otherwise improvised Colony for the British Government. To further complicate the situation the small Banaban population had been moved to Rabi under the much larger colony of Fiji. Here with funding in short supply for public works and social services the British and Fiji Governments believed they could not cause a precedent by treating the Banabans any differently from the thousands of Indian immigrants already living in Fiji. With the Banabans virtually left on their own and with just a solitary adviser, Banaban discontent only escalated.

During May 1963 negotiations the Banabans realised that the British Government had no intentions of looking after their affairs. In the past land negotiations the Banabans had dealt directly with the BPC, but now the Commissioners were barred from dealing directly with them. It had already been suggested prior to the 1965 negotiations that, 'if the partner governments were not prepared to provide for the future of the Banabans from the levies paid to the Gilbert and Ellice Island Colony, that the Commissioners should make some provision for the Banabans on a long term basis. A levy of 2 shillings per ton for the lifetime of the deposits to produce a capital fund of some £900 000 was proposed that would give the Banaban community an income of £45 000 in perpetuity and still leave the Commissioner free 'to deal in their judgement with the needs of the Banabans and continue to make some provision for their current wellbeing' (Williams and Macdonald 1985: 494).

Back in London, U.K. Commissioner, Sir Alexander Waddell was constantly trying to bring the issue to the attention of the Colonial Office and found it difficult to find anyone who would accept responsibility for the Banabans. While United Kingdom sought to more than double the existing levies via taxation to support the funding of the Colony, the Banabans argued that they 'were the most unfortunate people in the world' who had suffered 'hardship, disappointment and misery, and claimed that 'the next generation will suffer badly when the phosphate ends'. The Australian and New Zealand Governments saw the Banabans as the responsibility of the United Kingdom Government, while United Kingdom stood firm in its resolve NOT to allocate any funds to the Banabans at the expense of the Gilbert and Ellice Islands Colony.

During a visit to Banaba in the October 1967, the Banabans raised issues over the replanting of mined-out lands while they also tried to obstruct mining operations. Arguments also emanated between the Banabans and the Gilbert and Ellice Island labourers over the rights to Banaba's phosphate revenue and Banaba's place within the Colony.

During April 1968 the Banabans officially approached the United Nations for the immediate return of Banaba to their control and political independence, together with a stop to any increase of output from the mining operations and immediate and full rehabilitation of all worked-out areas on the Island. Just months prior, on 31 January 1968, the Nauruans had finally celebrated independence and the forming of the new Nauru Phosphate Corporation. With the loss of Nauru from BPC control much more pressure was placed on the operations on Banaba. It soon became very apparent that the United Kingdom did not share the same views as the other two governments over Banaba and also the Christmas Island operations, while Australia and New Zealand Governments lobbied to try and gain more control over the BPC management. The decolonisation of Nauru had created a precedent for the Gilbert and Ellice Islands

Colony and the Banabans when the sale of the BPC operations on Nauru caused conflict between the three partner governments with the Commissioners receiving around \$12 million and disagreement over the distribution of 'surplus' funds between the partners.

The legal responsibilities of the British Phosphate Commissioners

By November 1971 with all these major developments with the Nauruans the discontent of the Banabans came to the fore with the issuing of writs for \$120 million against the United Kingdom Government and the Commissioners. This development again brought the hold legal status of the Commissioners into question legally as individuals and collectively dating writing back to the original drafting of the Nauru Agreement. The British Phosphate Commission had never been an incorporated body, and therefore the sole legal responsibility for the BPC fell on the Commissioners as individuals. This reality now impacted on each of the Commissioners as they tried to consider the best way to deal with the situation. Two options were considered: one to get the action squashed on the grounds that British courts lacked jurisdiction over agreements signed on Banaba and the other to claim 'sovereign immunity'. This latter defence was based on the grounds of 'diplomatic immunity' for Australia and New Zealand arguing that the Banabans writ was against foreign governments.

By 1972 the Commissioners were divided in how they should proceed. Sir Allen Brown the Australia Commissioner, and with the full backing of the Australian Government wanted to pursue all possible forms of defence including trying to get the actions 'struck off'. The British position was that the case should be allowed to proceed. However the major concern of all the Commissioners was the bad publicity the matter could generate to the detriment of the business dealings of the BPC. The Australian Government feared that any sign of weakness could affect their position with the Nauruans and also prompt them to pursue court action. The United Kingdom and New Zealand Governments were more concerned over the political ramifications and embarrassment at the United Nations, especially if it appeared that the Banabans were being denied 'natural justice' at the hands of three wealthy nations. It also soon became very apparent to the Commissioners that the Banabans were being driven by an absolute quest for justice and that they were prepared to pursue the case to the bitter end, regardless on any financial gain.

By 1973 other political developments further complicated the situation and created another precedent when United Kingdom reluctantly agreed to grant independence to the Ellice Islands in recognition of their nationality within the Colony.⁴ This move only added to the resolve of the Banabans to once again try and seek their own independence via the United Nations. As the court case slowly proceeded forward the Commissioners were keen to reach an out of court settlement and a figure of \$2.5 million was discussed. The Australian and New Zealand Governments had instructed their Commissioners to 'settle' and were willing to pay much more to maintain good will in the South Pacific region. They were also prepared to let the United Kingdom

⁴ This would eventually lead to the formal separation of the Ellice Islands from the Colony in 1978 becoming the independent Republic of Tuvalu.

Government go it alone. Australia and New Zealand Governments had received legal advice that certain 'disclosures' could be forthcoming if the case was to proceed and prove very embarrassing to the partner governments. While the partner governments and the Commissioners tried to agree amongst themselves on the best way to deal with the case, the Banabans further extended their fight for sovereignty. In January 1974 they lodged a petition to the British Government for the legal separation of Banaba from the Gilbert and Ellice Island Colony.

Early in 1975 as formal hearings loomed, the partner governments finally agreed on a joint attempt for an out of court settlement. This time the negotiating figures had increased from the original \$2.5 million to \$4 million with another \$1 million kept in reserve on the proviso that the partner governments would not accept any liability. While the Commissioners tried to reach an out of court settlement with the Banabans separately from the partner governments their offer to the Banabans amounted in all to \$1.25 million. The Banabans rejected this offer because the Commissioners were unable to offer any political concessions which were solely under the control of the United Kingdom Government and the legal proceedings continued in the courts.

Behind the scenes the everyday running of BPC's operations on Banaba were also becoming more difficult. There was a 'down turn' in the world demand for fertiliser and the Commissioners had to borrow heavily on their mounting stockpiles. There was also growing hostility by Colony officials toward the duty-free BPC trade store and the growing replacement of expatriate staff by Islanders. The Gilbert Islands was demanding more control over policy as the Colony moved closer to independence.

The court case hearings were finally completed on June 1976 and on 29 November Judge Megarry delivered his judgment. The royalty claim against the United Kingdom Government was dismissed on the grounds that it had acted in accordance with law, while claims of destroying Banaban cemeteries was dismissed being described as 'stupidly and offensively false'. The claims relating to over mining of Banaban land failed because title had not been proved. On the replanting action the judge found against the BPC but because of the high costs involved in replanting, could not offer a figure and instructed the Commissioners and Banabans to reach a settlement. Again the original offer of \$1.25 million was offered and again rejected and the parties returned to the judge. Again with instructions from the judge the Banabans eventually accepted the offer which would at least cover some of their mounting legal costs.

His summation the judgement the judge pointed out the 'grave breaches' of the United Kingdom Government in the fixing of royalties in 1931 and the failure to provide advice to the Banabans before the 1947 negotiations. The judge also instructed that in the case of the Banabans, 'he could not right what he considered was a wrong and left it to the Crown to do what it considered to be proper' (Binder 1978:165). Following the judge's direction, the United Kingdom Government dispatched Richard Posnett, a former colonial governor to investigate the situation. His findings focused on two main issues, mainly the Banabans continuing claim against the United Kingdom over lost royalties between 1920 and 1977 and their demand for sovereignty over Banaba. Over the next two years his efforts to bring about a resolution between all parties was still unresolved. With the Gilbert Islands opposing Banaban independence and Posnett aware of the future economic problems looming for the Banabans he made the

following recommendation. The some of \$7 million of the BPC's accumulated surpluses should be used to establish a fund for the development of Rabi. By May 1977 in addition to any settlement reached with the BPC the Banabans would be offered an ex gratia payment of \$10 million subject to no further legal action being entered into. The Banabans held out from accepting the settlement as they still lobbied and argued over sovereignty.

With regard to Banaban sovereignty again the British Government 'washed their hands' of the Banabans and added a final 'nail in the coffin' by handing over all responsibility for the decision to the newly formed Council of Ministers which had been introduced along with the Colony's new constitution. Unfortunately the Council believed Banaba was an integral part of the Gilbert Islands and would oppose any talk of separation or independence for the Banabans 'either now or in the future' (Sigrah and King 2001:18). It was not until October 1978 that the Banabans and Gilbertese finally began formal discussions over the wind-down of the phosphate industry on Banaba and the disposal of assets.

The Gilbert Islands was finally granted independence on July 1979 and became the Republic of Kiribati. Special provisions were made in the newly formed constitution for the allocation of two Banaban seats in the Kiribati legislature; one representative from Banaba and the other from Rabi in Fiji, and the return of land previously held by the BPC, back to the original Banaban landowners.

Final close to phosphate mining

As the final load of phosphate left Banaba on 25 November 1979 the BPC had left all the machinery and plant behind of the Island as it was more expensive to remove it, and the Kiribati Government had the rights to all 'removal fittings' on the Island. As the Banabans watched as their hospital and other key buildings were stripped bare by Kiribati Government authorities, they were left with a fully operating mining plant and powerhouse of which they had no knowledge or use for their small population. They were also left with the curse of phosphate reserves that were viewed by the Kiribati Government as being a highly viable asset in the future when more modern mining technology was available.

After the mining ceased on Banaba the BPC also made major development grants available from their surpluses to both the Republic of Kiribati and Republic of Tuvalu. The end of phosphate mining had a devastating impact on the local economy. For the Banabans they had held out from accepting any settlement over their court case for as long as they could as the impact of the loss of phosphate royalties impacted on their small community. So it was not until four years after the court case that they would finally accept settlement and over that period, with the money held in trust and earning high interest, the final amount had risen by another \$4 million. But for the Banabans the acceptance of this final settlement was the last blow to their morale (Teai 1997). For all the past years of their mammoth struggle and belief 'that they were in the right and God would help them' they now were left completely on their own and isolated on Rabi. There would be no development or future grants to help them establish Rabi or to rehabilitate their homeland. The reality of the situation also hit as the \$10 million settlement and interest was put in a trust fund for perpetuity

and they would now have to support their whole community on the interest generated income.

For Australia and the other partner governments the matter had finally come to a close. After 80 years of phosphate mining over 20 million tons of Banaban land had been removed with the majority of the soil being scattered to the winds of Australia's farmlands. In 1997 in a private meeting between the author and the Australian High Commissioner in Kiribati, the Australian Government position on the question of the Banabans was conveyed. As far as the Australian Government was concerned the matter over the Banabans was 'dead and buried' as soon as they accept the payment from the British courts. As the author was in the country assisting in the making of a Banaban documentary for national broadcast in Japan, the Australian Government was more concerned about bad publicity the story could generate with one of their major trading nations. These candid comments from the Commissioner also endorsed Australia's official diplomatic view that the issue of the Banabans had been dealt with and 'put to rest', and it was much preferred if it stayed that way. For the Australian Government the major contribution of the Banabans over the past century in building a rich farming nation is now less than even a memory, for in Australia the Banabans are truly 'the forgotten people of the Pacific'.

Summary

The history of the Banabans and the near destruction of their Island and their identity through phosphate mining is a complex one involving major political players, world events, and the halcyon days of British Colonial rule in the Pacific. There are also other major issues raised by this period of history including environment degradation, environmental pollution, denial of basic human rights and cultural identity to name a few. The remoteness of Banaba and its small indigenous population of only 450 people who happened to be sitting atop one of the richest discoveries of phosphate ever found made the Banabans not only expendable but also worth hardly a mention in the mere scale of economic benefit their Island could bring to the rest of the developed world.

Western ideals of money and management roles within the Banaban community were never part of cultural understanding. Yet with very limited knowledge of these commercial principles and no grasp of world politics the Banabans tried every avenue possible to save their homeland. Now 25 years later, there has not been one effort to rehabilitate Banaba, not even a study carried out to investigate what is possible, yet over the past decade the Kiribati Government has pour money and resources into the feasibility of re-mining the Island.

While life on Rabi today for the Banabans has deteriorated to the extent that many Banabans are now having to move away from the Island in the hope of building a better future for their families either in other areas of Fiji or by migrating to Kiribati. As stated in a recent United Nations International Human Rights report (2002: Section 38), 'since the 1980s all indicators for the social well-being of the community have shown a serious decline'. The Banabans forced removal from their homeland and

subsequent resettlement on Rabi would stamp an indelible mark on the community that still is a continuing legacy to this day.

As the Banabans struggle to survive, the Kiribati Government has built on their Revenue Equalization Reserve Fund, which was originally set up for them in 1956 from accumulated Banaban phosphate royalties and is today valued close to US\$500 million (Anon. 2005d). Only recently on 20 December 2005, the Banabans carried a motion in the Kiribati Parliament to consider giving part of the trust fund as pension to Rabi Islanders, who are mostly over seventy years old. The motion was rejected and now the Banabans are threatening:

Banaba Island belongs to the Rabi people not to the Kiribati Government. We would now consider giving the re-mining rights to the Fiji Government (Fiji Times 2005).

This recent development and the response by the Kiribati Government on 23 December 2005 clearly show the manipulation of the government policies and protocol that have been left as a legacy for the Banabans by the British Government to distance all responsibility and blame over current Banaban issues:

The Kiribati Government would only grant such gratuities if Rabi islanders wanted to move back to Kiribati... the Kiribati Government would very much like to grant the Rabi Islanders access to these social benefits if they decide to go back to Kiribati (Fiji Times 2005).

This current issue also highlights the grievances still held by the Banabans and the complete lack of support from within the Kiribati Government:

A member of the Rabi Council of Leaders says islanders want to sever ties with the Kiribati Government and cede their original home, Banaba, to Fiji. Teitirake Corrie is a member of the Rabi Council of Leaders and the Banaban people's link to the Kiribass [Kiribati] Parliament. Earlier this month he asked the Kiribass [Kiribati] Parliament to pay the original inhabitants of Banaba 40 dollars a month in pensions. They say the Kiribati Government refuses to pay pensions to their elders, even though the money is from phosphate royalties from mining on Banaba. Of the FIVE thousand Banabans in Fiji, less than ONE hundred are over SEVENTY years old and qualify for the Kiribati Government's pension scheme. Corrie says their case is genuine since the money in the Kiribass [Kiribati] government reserves is from Banaban phosphate mining royalties. Corrie says he told the Kiribass [Kiribati] Parliament that his elders did not move from their original home of their own free will but were forced out by the British during world war 2 in 1945. The Rabi Council of Leaders will meet in the first week of February to decide how to take the issue further (Fiji TV News 2006).

Even though the Kiribati Government was never privy or involved with the decision making in setting up of trust funds based on Banaban royalty payments and exorbitant taxation schemes relating to Banaban phosphate, they were complicit in their rejection of Banaban sovereignty and efforts for independence. Yet with growing reserves in

the RERF and Banaba under Kiribati control, the Banabans are remiss that none of these funds generated from their Island has been put back into some type of regeneration scheme or bettering the lives of the landowners back in Rabi, and those living on Banaba today. The Banaban population is currently a 'dying' one and there would be only a small number of landowners now over the age of 70 still alive today. With the rejection of such a 'token' gesture and the frustrated calls to hand over remaining rights to Fiji Government only adding to the growing and building level of Banaban discontent today.

While Australia and the other partner governments haggled over the financial gains and their rights to subsidised phosphate for their farmers the interference between the role of the British Phosphate Commissioners and their perspective Governments began to merge and could not remain impartial. From the introduction of 'compulsory land acquisitions' and writing of laws that would make life for the Banabans more restrictive under the cloak of 'civil law and order', the original privately owned Company and then the BPC had the power and backing behind it when required.

As the British Government floundered trying to finance their remote and vast Pacific Island Colony the revenue generated from phosphate mining on Banaba would end up relieving Britain of the financial responsibility for administering the Gilbert and Ellice Protectorate (later Colony).

The final distribution rates of Banaban phosphate:

- Banaban phosphate royalties were eventually distributed 85% to the Gilbert and Ellice Islands and a small 15% to the Banabans.
- Australian farmers received 66% (or 13.2 million tons) of cheap phosphate
- New Zealand farmers received 28% (or 5.6 million tons) of cheap phosphate
- Great Britain received 4% or 800,000 tons of phosphate at 50% of the price paid by Europeans

As can be clearly seen here in the final figures there is no denying the physical and economical gains made by the Australian Government at great lost to the Banaban people. The partner governments involved, and especially the United Kingdom who had final control over the decision and law making over the Colony and the Banabans, has now to the relief of Australia and New Zealand Governments split the handing over the entire future of the Banabans and their homeland to Kiribati Government and the Fiji Government who now have the bulk of the Banaban population residing on Rabi.

The Banaban calls to rehabilitate Banaba are not unreasonable especially when Australian Government, through auspices of the Australian Nature Conservation Agency (ANCA) have worked on the rehabilitation of Christmas Island, the Commission's other phosphate island in the consortium known as the Christmas Island Rainforest Rehabilitation Program (CIRRP). Christmas unlike Banaba was never home to an indigenous people, but its rainforests offer the only home for the Abbott's Booby bird and the birthplace of millions of red crabs. Here on Christmas the project was a joint venture of collaboration between the Christmas Island Phosphate Mining company, ANCA and the Island's mining union. Yet this very

positive step by the Australian Government only highlights the complete lack of regard for the Banaban people and their devastated island (Hart 1995).

Conclusion

While the Australian Government has successfully distanced itself from the entire Banaba situation they cannot deny their role in destroying Banaba and the neglect of its people. Furthermore under the current political sphere of the Banabans now a minority people or Fourth World People (McCall 2004) split under the governance of two third world nations, the Australian Government now has the luxury of ‘wiping its hands’ of the Banabans completely in today’s world. Over the past decade of the author’s involvement in sourcing aid and development projects for the two Banaban communities the level of these restraints are constantly present. The Australian Government cannot be directly approached and when they are, all aid requests for Rabi must go through the Fiji Government and the Kiribati Government for Banaba. This usually makes these types of requests near impossible through the proper diplomatic channels. The Australian Government argues that under their foreign policy they cannot recognise the Banabans under their ‘community’ status.

The Banabans are calling on the Australian Government to officially recognise the historical contribution the Banaban Community has made to Australia’s agriculture industry over the past century. There are various ways in which this could be achieved as an offer of good faith for the Banabans role in Australian history:

1. Offer direct scholarships and educational and technical training to Banaban youth.
2. To recognise ‘Banaban’ cultural status and identity within the Republics of Fiji and Kiribati and relaxation of strict visa requirements for those Banabans traveling under Fiji passports to Australia.
3. Offer aid and development projects direct via AusAid and Rabi Council of Leaders for both Rabi and Banaba Islands. Major areas of immediate concern: Rabi housing, education, communications, health and public works including the proposed plans by Fiji Government for a new jetty facility on Rabi.
4. To support Banaban efforts through the lobbying of the Kiribati Government and the partner governments involved in the mining of Banaba, to fund and conduct feasibility studies for Banaba’s rehabilitation.

While Banaba now remains in a neglected state with people living amongst the ruins of the old mining industry, the Island can only support a small population between 350 to 500 people on the 150 acres remaining unmined. With the majority of Banabans living on Rabi and no industry or future likely on the Island, it is imperative for the Australian Government to help the Banabans overcome this immediate crisis.

In all probability Australia and the other partner governments believe the Banabans are a ‘dying race’ that will soon be fully absorbed into mainstream life in Kiribati and also Fiji. This was the original mistake that was made back in 1900 when Albert Ellis first arrived on the Island and starting making complicated contractual arrangements with a lone Banaban man he perceived as ‘King’. The fight for justice over the past

century has been inbred into each new generation and while daily life is a struggle, the upholding of Banaban identity and the quest to return to the homeland will remain.

In the future, the staging of a Banaban Forum to formally invite all the past and present political players to sit around the table and discuss the problems that are facing the community, and try and seek workable solutions as a collective group is needed. It is essential for Banaban leaders to proactively take their past and present grievances to the countries responsible for the position they are in today. It is also imperative to finally put a stop to the shuffling and side-stepping of responsibility that these governments have all used over the past and present century.

In the final draft, Australia regardless of any political justification was and still is the major beneficiary of Banaban phosphate and owes the Banabans at the very least full recognition for their role in shaping Australia as a nation of over 20 million people and the lifestyle enjoyed by all Australians today.

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Appendix 1: Letter from Prime Minister of Australia to Right Honourable the Secretary of State for Dominion Affairs, dated 22nd October 1927.

COMMONWEALTH OF AUSTRALIA.

GOVERNOR-GENERAL'S OFFICE.

DECODE of telegram despatched by H.E. the Governor-General to the Rt. Hon. the Secretary of State for Dominion Affairs, dated 22nd October, '27

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Following from Prime Minister begins -

British Phosphate Commission. Australian Commissioner has informed us regarding course of negotiations for land at Ocean Island required by Commissioners. They consider basis for acquiring 150 acres phosphate land proposed by Commissioners in letter to you of 16th December 1926 was equitable and even liberal and they might reasonably have declined to improve their offer but in July last an amended basis was agreed at Ocean Island between the Resident Commissioner and the Chief Representative of the British Phosphate Commissioners which was approved by the Commissioners in order to show their desire to meet as far as possible the views of the Banabans as represented by the Resident Commissioner. Understand this amended basis was approved also by you and represented the maximum payments to which the Commissioners could agree. Phosphate is vitally important to Australia and as the phosphate from Ocean Island is urgently required now and will in future be required in progressively increasing quantities for use in Australia and other countries within the Empire it is important that no restrictions shall prevent the development and working of the deposits to the best advantage by the Commissioners. The terms offered by the Commissioners are in excess of those recently agreed at Nauru and amply cover the differences in conditions between that Island and Ocean Island providing both for the present and the future welfare of the Banabans. As all the phosphate on Ocean Island will eventually be required it appears to Commissioners advisable that steps should be taken to secure another island or islands for the use of the Banabans when Ocean Island is no longer suitable for their habitation and the Commissioners have expressed their willingness to co-operate in this matter. The question of immediate removal to another island can be avoided if the land now required is made available without restrictive terms and conditions. As the Banabans are asking excessive payments for other land which the Commissioners now require to lease for the construction of new works urgently necessary to ensure increased output it is desirable that equitable terms and conditions

should now be agreed for at least 20 years as at Nauru for leasing land required for purposes other than phosphate mining.

Commissioners therefore request that

- (a) phosphate mining land at Ocean Island be made available without delay for use as required by the British Phosphate Commissioners upon terms not exceeding those agreed at Ocean Island early in July and approved by the Commissioners and the Colonial Office;
- (b) terms and conditions for leasing land at Ocean Island for purpose other than phosphate mining be arranged for 20 years on the same basis as at Nauru;
- (c) that it be recognised that the whole deposit of phosphate at Ocean Island must eventually be worked;
- (d) that arrangements be made for the acquisition of another island or islands suitable for eventual occupation by the Banabans.

As you have doubtless been advised in similar terms by United Kingdom Commissioner shall be glad to hear your views. My Government concurs generally with recommendation but considers the suggested transfer of Banabans to another island raises somewhat serious issues. We do not consider we are justified in making such a recommendation as this matter is one entirely within the province of British Administration. Ends.

Expres sent to Prime Minister's Dept.

85/10/27

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J.P. 9/1/27*