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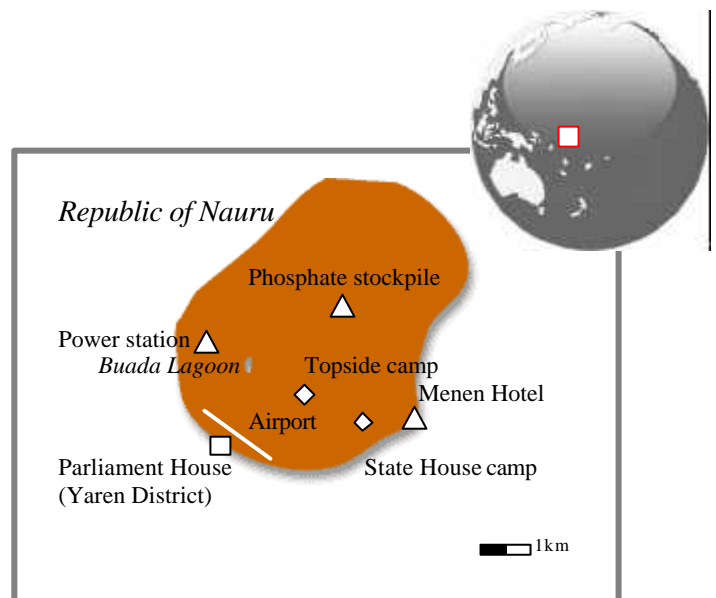
VIEW ON NAURU

Between a mined-out rock and a hard place

Executive summary

A lot can change in a year on the tiny Pacific island state of Nauru. In 2003 alone, the presidency changed six times. But recent leadership instability only reflects a much deeper crisis. Once ranked among the world's wealthiest countries per capita owing to its rich phosphate resources, Nauru is now an island struggling to stay afloat. Continued dependency on phosphate revenues following independence has reduced Nauru to near bankruptcy. The country's economic problems have fuelled the instability, as various Cabinet Ministers, encouraged by unscrupulous foreign advisers, sought the role of financial saviour, devoting time and resources to seeking loan funds and rescue packages at the expense of their portfolio responsibilities.

But it has been over a year since the island has seen a change in government. For now, the incumbent administration is enjoying one of the longest periods of stability in years with a parliamentary majority and incremental financial improvements courtesy of an Australian aid package. How long stability will last is anyone's guess. As Australia and Nauru sign a further agreement to extend the present aid arrangement which has kept essential services running, Australia may attempt to play an even greater interventionist role in an already desperate country.



Australia's post-war colonial administration of Nauru, characterised by an unfair appropriation of the island's resources under trust, is still fresh on the Nauruans' collective memory. This time around, having transformed Nauru into one of Australia's refugee detention outposts, the locals have good reasons to receive Australia's assistance with suspicion. Whether or not Australia's latest intervention is sustainable will depend on how it treads the fine line between renewed colonial paternalism and ensuring that aid money is well spent.

Historical background

At just over 21 square kilometres and with a population of 13,048 (of whom 58% are Nauruans), Nauru is one of the smallest countries in the world. It is a low-lying island with a fertile coastal strip that runs around the coral cliffs and plateau, which contain the phosphate rock, an absolute requirement for modern agriculture. This area, known as Topside, comprises three-fifths of the island.



Phosphate mining began in 1908 under German occupation.
 Source: *German Annual Report 1908*, reproduced at marshall.csu.edu.au

Annexed by Germany in 1888, the island was captured by Australian troops in 1914 and then administered by Australia for the United Nations (UN)'s predecessor, the League of Nations, with the United Kingdom and New Zealand as co-trustees. The Second World War had a devastating impact on Nauru's fortunes. Occupied by the Japanese in 1942 for its phosphate resources, two-thirds of the population were exiled to Truk (now Chuuk in the Federated States of Micronesia) to make way for three thousand Japanese troops. Almost half of the exiles died from starvation and disease. Life was no better for those selected to stay behind and work as slave labour for the Japanese war effort, as hundreds died from starvation and brutality. January 31, Nauru's National Day, is the anniversary of the return of the exiles.

In 1947 Nauru was placed under a UN Trusteeship, administered by Australia on behalf of fellow trustees, the UK and New Zealand Governments. During this period of trusteeship – which ended with Nauru's independence in 1968 – Nauru's phosphate wealth was extracted by Australia and sold to purchasers in the three trustee countries at below market prices. In 1948, reported revenues from phosphate extraction were some AU\$745,000, of which a minuscule

2% were returned to the Nauruans while 1% was charged for the costs of "administering" the island. By 1960s, after pressure from founding President Hammer DeRoburt and the UN, royalties to the native Nauruans had increased to 22% while 14% went for administration.

Confidential 1955 Australian Cabinet papers confirms the thinking at the time: "A continuing and increasing supply of phosphate is vital to our economy and there is an urgent need for obtaining

additional supplies of phosphate at the lowest possible price."¹ Even though the UN trusteeships were never intended to be permanent, the tremendous wealth buried underneath Nauru, coupled with the Australian agricultural need for cheap high-grade phosphate in an era of colonial paternalism, did not encourage the trustees to prepare the Nauruans for independence. However, a sense of justice, identity and a desire for self-determination gained momentum on the island and by the mid-1960s independence could no longer be denied.²

Nauru became independent in 1968 after initial opposition from Australia and a failed deal to resettle the Nauruans on Queensland's Curtis Island. In 1970 the Nauruan Government purchased the phosphate business from Australia for A\$21 million. Winning control of its resources brought considerable wealth to Nauru, with the industry estimated to have contributed around \$A100-120 million annually to the economy since independence, giving Nauruans one of the highest per capita incomes in the world. The revenue enabled the Government to provide an extensive welfare system, with free education, health care, electricity and water along with some subsidised government housing. Under

founding President Hammer DeRoburt, Nauru acquired a national airline and shipping service.

By the time Nauruans gained control of their island's resources, mining had already destroyed more than a third of the land. Very few Nauruans sought employment with the Nauru Phosphate Corporation and the country became dependent on imported labour – principally from Kiribati and Tuvalu – and on imported foods. With the diminution of land supply, Nauruans became more reliant on phosphate returns as imported goods and services slowly replaced the subsistence economy. A cycle of unsustainable dependency on phosphate export and foreign imports was created but little was done to change Nauru's course until it was too late.



Former Head Chief Raymond Gadabu (left) with founding President Hammer DeRoburt (centre), January 1968. *Source: de.wikipedia.org*

Onset of a crisis

Continued phosphate mining on Nauru left behind a near total wasteland. Tropical vegetation and topsoil have been scrapped off over the decades to get at the phosphate, leaving behind soaring coral-limestone pinnacles inhospitable for most life. The sun bakes the bleached pillars, such that rising hot air drives away rain clouds and moisture. This contributes to frequent droughts, exacerbating an already difficult environmental problem. Added to Nauru's environment woes, phosphate exports suffered a marked decline in the 1990s, hit first by a shrinking Australian market, then by the decline of Indonesian and South

Korean markets caused by the Asian financial crisis.

At the peak of its wealth Nauru had investments with a book value of \$A1000 million, returning approximately 14 per cent per annum. These investments included property in Australia, the Philippines, Fiji, Guam, Samoa, USA, New Zealand and the UK. However many of these investments were to prove disastrous. The purchase of the historic Grand Pacific Hotel in Suva was followed by its closure for renovations that never eventuated and the hotel was sold back at a huge loss to the Fiji Government. Almost \$A4 million was lost through investment in the London musical *Leonardo*, which closed after several weeks and bad reviews. In 1995 eight people were convicted in the US of larceny and fraud of the Nauru Phosphate Royalties Trust (NPRT, the Government's investment arm) to the amount of \$US37.5 million. The following year the Trust was trying to recover millions from a Sydney legal firm after fraud and mismanagement by an accountant and in 2000 an Australian businessman was convicted of attempted fraud of \$A100 million of Trust money, of which most of which was fortunately recovered.

In the latter half of the 1990s the Government's worsening financial problems brought on a liquidity crisis for the Bank of Nauru. External debts of \$A200 million had led the Government to begin selling overseas properties and to embark on a corporatisation program and a series of austerity measures. The Asian Development Bank (ADB) was brought in to review the Nauruan economy and prospects for a post-phosphate future. It was estimated that the life of the phosphate industry would not last much beyond 2000.

With the help of the ADB, the Dowiyogo Government announced a series of measures aimed at developing other sectors of the economy, such as commercial fishing, tourism, and stimulation of new

industries. Air Nauru, which since its inception had run at an annual loss of up to \$A40 million, was restructured, planes were sold and routes restructured. However, the few other changes were not enough to halt the long-term economic decline of the country.

With a budget deficit of US\$15 million, or about a quarter of the GDP by 2002, Nauru borrowed loans to pay off existing loans. The loan from US-based General Electric (GE) Capital Corporation, which has been described by current Finance Minister (who also holds the Foreign Affairs portfolio) David Adeang as “a loan to pay off a host of other loans” would lead to the eventual ruin of Nauru’s financial holdings. Nauru’s property portfolio was used as collateral for the loan, which included a management fee, an interest rate of 9% and a “kicker” clause that GE receive an \$18 million share of property value appreciation.

Nauru approached its financial endgame when the country defaulted on the GE loan payments. While Nauru officials maintain that payments had never been missed, the loan was due for repayment in full and receivers were appointed by the creditors. Receivers PPB and associates moved in and sealed Nauru House, the prized 52 storey Melbourne building, home of the Nauru Consulate General and the NPRT.

Even as Nauru approached bankruptcy, it seems there was still money to be had by foreign bankers and entrepreneurs. Refinancing offers were received from companies such as Singapore’s HWC Group, international investment banker Babcock and Brown, and the Sydney-based lending broker, Business Australia Capital Finance (BACF). These deals collapsed because the terms were deemed too unfavourable to Nauru. GE then placed the NPRT into receivership and the sale of Nauru’s property portfolio began.

Desperate moves

As Nauru’s financial woes worsened its leaders had also sought income through the sale of passports to non-residents and through the provision of offshore banking licences. The country had registered more than 450 shell banks with no physical presence in any country. Nauru’s expansion into off-shore banking brought international scrutiny and by 1999 warnings that Russian organised crime and US-based Asian criminals were increasingly using Nauru’s offshore financial sector. Later that year a wide-ranging ban, initiated by Deutsche Bank and Bankers Trust, was placed on transactions involving Nauru.

Rebuffed as a tax haven, Nauru was forced instead to become a haven from international law for the asylum seekers Australia did not want. With supplies of water and electricity only intermittent, the Nauru Government reluctantly accepted Australia’s offer of \$A20 million in 2001 – part of its so-called “Pacific Solution” – in return for housing predominantly Afghani asylum seekers from the Tampa freighter, which had entered Australian territorial waters near Christmas Island but was prevented from landing by the Australian navy.

The asylum seeker detention centres were built on the plateau, in areas known as Topside and State House. No asylum seekers are left on Topside but there are reports that the site is continued to be developed. The asylum seekers have some free movement to attend Church, play soccer, go swimming or to women’s meetings, and there have been reports of disgruntled Nauruans arguing that the refugees received better food and treatment than many locals. Despite protests from ordinary Nauruans, a further \$10 million was added to the deal as the number of asylum seekers grew to around 1200 at its peak in 2002. In February 2004, Australia and Nauru signed a further agreement worth A\$28 million that allows Australia to continue operating the detention centres

until mid-2005. New Zealand and eventually Australia took some of the refugees and in July 2005 there were only some thirty-two refugees left on the island.³

Foreign policy implications of the financial crisis also included an off-again, on-again relationship with Taiwan. In July 2002, the former President René Harris ended Nauru's 22-year old diplomatic recognition of Taiwan. The recognition of China brought with it \$US60 million in aid and the retirement by China of \$US77 million in debts. Under the new administration of President Ludwig Scotty, relations between Nauru and Taiwan were restored in June 2005 with Taiwan promising a \$US3.5 million payout package for Nauru's stranded foreign workers. It is also understood Taiwan will assist Nauru's agriculture and fish-breeding programs, and cooperate on tourism and medical projects in return for Nauru's diplomatic recognition of Taiwan and support for its bid to join the World Health Organisation.

Political instability and reform

Between 1999 and 2003, a series of no-confidence votes and elections resulted in a power struggle between René Harris and Bernard Dowiyogo, who lead the country for alternating periods. Dowiyogo died in office on March 10, 2003 after heart surgery in the US. He was another victim of a diabetes-related illness, a condition that plagues 50% of Nauruans over the age of 40.

Ludwig Scotty succeeded Dowiyogo but was briefly replaced by Harris in another

no-confidence vote. Parliament, and therefore legislation, had been deadlocked for months under the obstructionist tactics of Harris, who wanted to avoid the now almost ritual no-confidence vote. Ludwig Scotty was re-elected president in June 2004 after the former Finance Minister Kinza Clodumar crossed the floor in the fragile parliament.



Nauru's coral 'moonscape' Source: Jane Resture's Oceania Postcards, www.janeresture.com

Barely a few months later, Scotty declared a state of emergency and dissolved parliament after it failed to pass a national budget before supply ran out 30 September 2004. Scotty called a snap election and achieved a remarkable victory.

All nine MPs in the Scotty Government were returned and the Opposition retained only two seats, with the remaining seven seats won by candidates sympathetic to Scotty's reform agenda. Unanimously re-elected as President, Ludwig Scotty moved quickly to pass the budget, which was prepared with the help of Australia as a part of its assistance package.

The need for economic auditing and reforms is a high priority for the new Government. Australia and Nauru have agreed as part of the 2004 Pacific Solution aid package for the former to send an in-line Financial Secretary and two other technocrats to effectively take over Nauru's finances. A Director of Policing and two other in-line positions have also been sent to restructure and "build the capacity" of the Nauru Police. Aid money will also be used to renovate the Courthouse and police buildings. The Australian consulate on Nauru, closed in 1997 in controversial circumstances, has also been temporarily restored subject to annual review. Under a

corresponding treaty, all Australians deployed to Nauru will have complete and unprecedented immunity against Nauru's civil and criminal laws.⁴

Rocky relations with Australia

Independent Nauru had close involvement with its large neighbour, choosing Melbourne for the headquarters of its investment and real estate empire. Nauruans were heavy users of the Australian hospital system (the adoption of Western convenience foods have led to high rates of diabetes and associated conditions of obesity, heart disease, alcoholism and other illnesses) and Australia was the country chosen by Nauruans for tertiary education, with some also receiving scholarships for secondary schooling in Australia.

Relations were tested, however, when Nauru embarked on legal action against Australia in the International Court of Justice (ICJ) for compensation for environmental damage caused by phosphate mining during the period of Australian administration.⁵ New Zealand and Great Britain were included in the action as they had also been part of the UN Trusteeship. An out-of-court settlement was reached in 1993. A degree of warmth was evident in relations between the two countries at the time, with Australian Prime Minister Paul Keating awarded Nauruan chief status by President Bernard Dowiyogo during ceremonies to mark the Compact.

However, relations deteriorated after the election of the Coalition Government in 1996. In May 1997 the Coalition Government led by Prime Minister John Howard announced that it was to close the tiny Australian diplomatic mission in Nauru in order to save \$A200,000 a year.

President Kinza Clodumar expressed his Government's displeasure during a visit to Australia when he chose to boycott a luncheon hosted by the Australian

Governor-General and instead give a hard-hitting address to the National Press Club in which he questioned the logic of the closure. Clodumar cited Nauru's investments worth \$A490 million in Australia and its annual imports from Australia worth \$A30 million a year. He described it as a "most extraordinary decision" and not one that gave his government confidence in the Australian connection.⁶

Relations sunk even further in the wake of Australia's controversial action at the annual South Pacific Forum meeting, held in 1997 in Rarotonga, in the Cook Islands. For the first time in Forum history the Leaders Retreat became deadlocked with Australia adamant in its refusal to accept the statement on climate change wanted by the Pacific Island countries.

Under President Dowiyogo, Nauru had increasingly played a significant regional and international role in the effort to bring about agreement on measures to control emissions of greenhouse gases, which are responsible for climate change and rising sea levels that threatened many low-lying atolls, including Nauru. The position was critical, Clodumar said, with a successful resolution on climate change at the Kyoto conference in December 1997 "vital for Pacific island countries, whose very existence is at stake in these negotiations. I am not impressed when Mr Howard openly scorns the critical nature of the situation in order to bow to the will of the fossil fuel industry," he said, adding that many small island states "were aghast at the treatment meted out to them and the lack of sensitivity evident in Australia's position."

This lack of sensitivity was also feature of the implementation of the Pacific Solution in 2001. Australia had already approached the new nation of East Timor, and been rejected, when it persuaded Papua New Guinea and Nauru to take the asylum seekers (Fiji, Tuvalu, Palau and Kiribati were also approached). Australia asked the Nauruan President for an immediate

decision “on an issue that had massive implications for his small island.” The fact that Nauruans learned of its nation’s decision from the BBC and not from their own Government was reported to have caused dissension among the population.

Between a mined-out rock and a hard place

Australia’s inability to protect the island from its searing World War II experience and the perceived post-war abuse of power by Australia under trust have tainted Nauruan-Australian relations since independence. Australia benefited from Nauru’s resource, but did little to educate or promote the welfare of the native Nauruans whose land they exploited. They were excluded from all aspects of the phosphate business, from the mining itself to the complexities of international markets to the management of the profits. Even as independence approached they requested but were denied assistance. Providing Australia and other fellow trustees continued to benefit from cheap high-grade phosphate, it seems little was done to help the Nauruans in return.

Taken advantage of by Australia for decades, the Nauruans were understandably eager to control their own destiny. But after a century of Western influence and growing dependence on the knowledge and resources of others, the Nauruans were poorly prepared to manage their own resources on the world market and to deal with the predatory behaviour of foreign accountants and entrepreneurs.



Nauru’s detention centre, February 2004. *Source: Andrew Bartlett’s refugees page, www.andrewbartlett.com*

Sporadic interventions by the ADB failed to turn the tide and the island’s main bilateral partner, Australia, seemed more interested in satisfying its own domestic interests from global warming to refugees than promoting an accountable, viable and independent nation on Nauru. As phosphate resources dwindled in the late 1990s – Nauru’s make-or-break period – Australia even thought it wise to close its diplomatic post on the island, thus cutting any direct contact Australia had with the island. This was a surprising move for a country that many would argue has unique responsibilities as a former colonial administrator of the island and also as the large and influential neighbour of a small island state.

A cynic might note that 1997 was also the year of the Kyoto debate on limiting greenhouse emissions and the peak of Nauru’s heated disagreement with Australia on the issue. But no one could have

misinterpreted Australia’s behaviour in implementing its so-called Pacific Solution to a domestic political dilemma. Greg Fry of the Australian National University considered Australia’s attempt to pressure a region of small states to accept the Pacific Solution to be an abuse of power, a feature compounded by the fact that economic assistance was offered as part of the deal.⁷ “Dangling money” in front of “desperate” nations, former MP Anthony Audoa says, has encouraged Pacific islands to act like prostitutes.

The vulnerable and small societies of the Pacific were approached by Australia precisely because they were vulnerable and dependent on Australia. Nor was it a

coincidence that Nauru was approached first. The country was facing bankruptcy and President Harris was threatened with a no-confidence motion. Nauru was simply not in a position to refuse Australia's terms under the agreement. Nor was it in a position to refuse Australia's proposal in 2004 to take over Nauru's Finance and Police departments.

In many respects, as a small island state Nauru has always been dependent on its larger neighbour; receiving food, water, defence, currency, aid and a range of other services from Australia. Its small population, limited government capacity, limited resources, and the limited purchasing power of a domestic market means that this situation will not change in the foreseeable future. While Nauru has sometimes recruited foreign judges and civil servants, cabinet-level positions have been almost entirely reserved for citizens. With Australian citizens now in Nauru's top finance and justice positions, the latest Pacific Solution aid package arguably represents a return to a relationship of dependency on Australia not seen since the UN trusteeship.

If Australia is concerned about the Nauruan Government's ability to rebuild the nation's infrastructure and to provide power and water to its people, it would appear more sensible for Australia to directly assist the energy, health and education systems. Assistance should not simply comprise removing Nauruan control of affairs crucial to the independence and pride of a nation. As Meibitobure Gaunibwe, a young Nauruan, points out, it seems suspicious that Australia needs full control of the Financial and Police departments while also enjoying complete immunity from the island's civil and criminal laws.⁸

Nauru now finds itself between a mined-out rock and a hard place. The Nauru Government acknowledges that the detention centres have brought with them

more reliable sources of power, water and essential services for the island state. Salaries for civil servants on Nauru are said to be gradually improving. Nauru's health system and schools are being upgraded because of aid. With Australia's assistance, life is looking a bit more hopeful on Nauru. But this assistance has come at a heavy cost to Nauru's independence and constitutional integrity.

David Ritchie of Australia's Foreign Affairs Department suggested that Australia's involvement on the island will depend on "the amount of business [Australia has] with Nauru".⁹ Australia's business on the island has failed the people of Nauru once before under a colonial mentality that allowed domestic interests to get the better of its foreign policy and national sense of a 'fair go'. It is hoped that Australia's "business" this time around will be different – not to entrench Nauru's dependency by dismantling its sovereignty but to provide genuine humanitarian assistance to restore confidence and rebuild a viable nation even after the last of the phosphate is mined and the asylum seekers resettled.

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Endnotes

¹ Nauru, Memorial to the International Court of Justice, *Certain Phosphate Lands in Nauru (Nauru v Australia)*, www.icj-cij.org/icjwww/icas/inaus/inausframe.htm, ch.2 sec.3(G), p.127.

² Carl N. McDaniel and John M. Gowdy, *Paradise for Sale: A Parable of Nature*, University of California Press, 2000.

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⁴ Australian Senate Hansard, Foreign Affairs Defence and Trade Legislation Committee Estimates (Budget Estimates), 1 June 2005, Canberra, www.aph.gov.au/hansard/senate/commttee/S8341.pdf; Affairs Defence and Trade Legislation Committee Estimates, Answers to questions on notice from AusAID, Budget estimates 2004–2005, June 2004,

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⁵ International Court of Justice, *Certain Phosphate Lands in Nauru (Nauru v Australia)*, www.icj-cij.org/icjwww/icas/inaus/inausframe.htm.

⁶ *Pacific Report*, 10(20), October 1997.

⁷ Greg Fry, “The ‘Pacific Solution’?” in William Maley et al (eds), *Refugees and the Myth of the Borderless World*, Research School of Pacific and Asian Studies, Australian National University, Canberra 2002.

⁸ Meibitobure Gaunibwe, “The selling of Nauru”, *Australian Rationalist*, issue 68, Spring 2004, www.rationalist.com.au.

⁹ Australian Senate Hansard, Foreign Affairs Defence and Trade Legislation Committee Estimates (Budget Estimates), 1 June 2005, Canberra, www.aph.gov.au/hansard/senate/commttee/S8341.pdf.

Further reading

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Appendix

List of Presidents since independence

| Name (b. - d.) | Dates of presidency |
|-----------------------------------|---|
| 1. Hammer DeRoburt (1922 - 1992) | 31 January 1968 - 22 December 1976 |
| 2. Bernard Dowiyogo (1946 - 2003) | 22 December 1976 - 19 April 1978 |
| 3. Lagumot Harris (1938? - 1999) | 19 April 1978 - 15 May 1978 |
| 4. Hammer DeRoburt (2nd admin) | 15 May 1978 - 17 September 1986 |
| 5. Kennan Adeang | 17 September 1986 - 1 October 1986 |
| 6. Hammer DeRoburt (3rd admin) | 1 October 1986 - December 1986 |
| 7. Kennan Adeang (2nd admin) | December 1986 |
| 8. Hammer DeRoburt (4th admin) | December 1986 - 17 August 1989 |
| 9. Kenos Aroi | 17 August 1989 - 12 December 1989 |
| 10. Bernard Dowiyogo (2nd admin) | 12 December 1989 - 22 November 1995 |
| 11. Lagumot Harris (2nd admin) | 22 November 1995 - 11 November 1996 |
| 12. Bernard Dowiyogo (3rd admin) | 11 November 1996 - 26 November 1996 |
| 13. Kennan Adeang (3rd admin) | 26 November 1996 - 19 December 1996 |
| 14. Rueben Kun | 19 December 1996 - 12 February 1997 |
| 15. Kinza Clodumar (1945 -) | 12 February 1997 - 18 June 1998 |
| 16. Bernard Dowiyogo (4th admin) | 18 June 1998 - 27 April 1999 |
| 17. René Harris (1948 -) | 27 April 1999 - 20 April 2000 |
| 18. Bernard Dowiyogo (5th admin) | 20 April 2000 - 30 March 2001 |
| 19. René Harris (2nd admin) | 30 March 2001 - 9 January 2003 |
| 20. Bernard Dowiyogo (6th admin) | 9 January 2003 - 17 January 2003 |
| 21. René Harris (3rd admin) | 17 January 2003 - 18 January 2003 |
| 22. Bernard Dowiyogo (7th admin) | 18 January 2003 - 10 March 2003 (died in office) |
| 23. Derog Gioura (1931? -) | 10 March 2003 - 29 May 2003 (acting to 20 Mar 03) |
| 24. Ludwig Scotty | 29 May 2003 - 8 August 2003 |
| 25. René Harris (4th admin) | 8 August 2003 - 22 June 2004 |
| 26. Ludwig Scotty (2nd admin) | 22 June 2004 - Present |

Sources: www.worldstatesmen.org; en.wikipedia.org