

Political Reviews

Micronesia in Review: Issues and Events,
1 July 2020 to 30 June 2021

GUIGONE CAMUS, ZALDY DANDAN

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BRIAN T ALOFAITULI, PETER CLEGG, MARGARET MUTU,
‘UMI PERKINS, AMANDA SULLIVAN-LEE, SALOTE TALAGI,
PATRICIA (TRISH) TUPOU

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MĀORI ISSUES

Protection for our communities from the COVID-19 pandemic continued to take top priority for Māori during the year in review. While some support was provided from the government, the recommendations of our medical experts continued to be ignored and the virus attacked mainly Māori and Pasifika airport, managed-isolation, and quarantine facilities workers in Auckland in August 2020. Vaccinations started in February 2021, and Māori vaccination rates have been unacceptably low, although to date, we have continued to be spared the huge loss of life suffered in so many other countries. The general election in October 2020 saw the unprecedented appointment of five Māori to the Labour government's twenty-member cabinet. Entrenched racism against Māori showed some signs of becoming less acceptable, as it was called out in universities and in Parliament; was apologized for by a major media outlet; was repealed from local government legislation; and was widely reported in national media outlets from hearings of the

Royal Commission of Inquiry into Abuse in Care and from complaints against the Ministry for Children. This shift saw sacred lands at Ihumātao returned to their Māori owners, two white supremacist media commentators banned, and the government undertake to draw up a formal plan to implement the United Nations Declaration on the Rights of Indigenous Peoples. Māori have long seen the implementation of the declaration as the first step toward the constitutional transformation required to reinstate the country's founding constitutional documents. A Māori constitutional convention to discuss progress went ahead online in February. White supremacist groups reacted angrily to the attention the government was paying to Māori matters and openly attacked Māori, both in Parliament and online. Police reluctance to intervene to protect Māori from online attacks resulted in the Police Complaints Authority being called on for assistance. The Waitangi Tribunal continued to berate the Crown for refusing to comply with its obligations under Te Tiriti o Waitangi. Two large iwi (Māori nations) took the government to court over the ownership of water, while others repossessed their lands to stop them being desecrated. In December, the government declared a climate emergency in New Zealand. However, before we consider each of these, I need to acknowledge some of those we have lost.

Among the many leaders we lost was Ken (Heta) Hingston (Ngāti Tūwharetoa, Te Whānau-ā-Apanui), founding president of the Māori Party who passed away in August. He was

a lawyer who served as a lawyer and legal advisor for several Māori authorities before he became a judge in the Māori Land Court. There he made the initial decision that Māori had ownership rights in the foreshore and seabed (Wright 2020).

In the same month, Keri Kā (Ngāti Porou, Ngāti Kahunganu) left us. She was a well-known writer, teacher, and passionate advocate for the Māori language. She also carried out award-winning work in Māori theatre, film-making and television, and children's literature (Waatea News 2020).

Among the twenty-six people this country lost to COVID-19, five were Māori. They included Nigel Te Hiko and his brother Alan (Ngāti Raukawa), who both passed away in September. Nigel was a Ngāti Raukawa leader, researcher, and historian whom his iwi called on for his depth of knowledge (Kerr 2020).

The great sportswoman Margaret Hihā (Ngāti Rangitīhi, Ngāti Whakaue, Ngāti Pikiao, Tūhourangi) also left us in September. Margaret represented New Zealand in hockey and was a New Zealand Māori tennis champion. She played and coached many sports, established the national Māori Hockey Tournament, and was a member of the Māori Sports Awards Hall of Fame (Dewes 2020).

Internationally renowned spiritual and academic leader, Māori language advocate, author, and conservationist Dr Rose Pere (Ngāi Tūhoe, Ngāti Ruapani, Ngāti Kahungunu) passed away in December. She shared her great wealth of knowledge and wisdom freely, striving to make sure the next generations were not overcome by a colonial education system and

instead honored their own culture (Rolleston 2020).

In June 2021, it was one of Māoridom's great trailblazers, Dame Georgina Kirby (Ngāti Kahungunu). She was the president of the Māori Women's Welfare league from 1983 to 1987, during which time she launched smoking and weight reduction campaigns. She formed Māori Women's Development Inc, which helped Māori women set up their own business ventures by providing start-up loans. In 1993, she was among sixteen leaders who brought the original Mana Wāhine (power and authority of woman) claim that is currently being heard before the Waitangi Tribunal (*Rotorua Daily Post* 2021).

E ngā mate o ia marae, o ia marae, puta noa, takoto mai rā, haere, hoki atu ki Hawaikinui, ki Hawaikiroa, ki Hawaiki pāmamao, Te Hono i Wairua. So we bid those who have passed on to go and return to great Hawaiki, extensive Hawaiki, far distant Hawaiki, where spirits all come together.

New Zealand shared with the rest of the world an overwhelming preoccupation with the COVID-19 pandemic throughout 2020 and 2021. Although we have been spared the horrific loss of life so many other countries have experienced, our lives have been disrupted as we continued the fight to keep the pandemic out of our communities. To the end of June, New Zealand has had a total of 2,855 cases resulting in twenty-six deaths, four of those since July 2020 (Ministry of Health 2021). Two of those deaths were Māori—the Te Hiko brothers. The initial onslaught in March and April 2020 targeted international

travelers and their families, who were mostly non-Māori. Despite tight border restrictions, managed isolation, and quarantine for all entering the country, COVID-19 was transmitted to airport support services personnel in Auckland in August. Māori and our Pacific relations make up the bulk of that workforce and thus became victims. Auckland went into lockdown in August and September and again in February and March.

Māori continued to be extra vigilant to stop the pandemic reaching our communities. Those of us who work in Auckland were urged by our relations not to travel and not to go back to our home territories outside Auckland until several weeks after each lockdown was lifted. We continued to follow the advice of our medical experts, making sure that our elders and vulnerable families received food and medicine so that they did not need to travel to local towns. When the Pfizer vaccine became available, the government ignored the advice of Māori medical experts, including Te Rōpū Whakakaupapa Ururtā, the National Māori Pandemic Group, to include Māori under sixty-five years of age in the high priority group (Te Rōpū Whakakaupapa Ururtā 2020; Pearse 2021). While vaccination rates among Māori over sixty-five are good, those for the overall Māori population are worrying, with only 16.4 percent having had their first shot by the end of June compared with 30.1 percent of New Zealanders of European descent (Neilson 2021). Ignoring Māori expert advice has meant that government has continued to try to impose its racist system on Māori. This, combined with misinformation and New Zealanders

of European descent taking advantage of Māori health provider vaccination programs, leaving them with insufficient doses for their Māori clients, has exacerbated Māori hesitancy, with the inevitable result that many Māori who are eligible are not receiving vaccinations (pers comm, Te Hauora o Te Hiku o Te Ika—Far North Māori Health provider, 26 June 2021).

New Zealand's relative success at managing COVID-19 delivered significant gains for the Labour Party in the general election in October 2020. They won 50 percent of the seats in Parliament. Six of the seven Māori seats went to Labour, and one went to the Māori Party, who also gained a list member. Twenty-five members of the 120-member Parliament report being of Māori descent. Five Māori were appointed to the twenty-member cabinet. They came under immediate pressure from Māori and from the Māori Party MPs to address the inequities and racism that continue to disadvantage Māori. Over the past six months, a series of announcements has indicated that the current government has greater concern for Māori well-being.

A Māori Health Authority, resourced by the government, is being established. It aims to give Māori power and authority over Māori health and greater influence throughout the system in order to address longstanding inequities and severe criticisms from the Waitangi Tribunal (Department of the Prime Minister and Cabinet 2021; WT 2019). Discriminatory electoral legislation was repealed. It had allowed local government decisions to create Māori wards to be overturned by a public vote. As

a result, only 3 councils had successfully introduced Māori wards. After the legislation change in February, a further 32 councils (out of 78) voted to establish Māori wards (Aotearoa Independent Monitoring Mechanism 2021). In December, the government resolved the long-running dispute over Ihumātao, where sacred sites were to be desecrated by developers (Mutu 2021). The government announced it was purchasing the lands from the developers and transferring it to a trust made up of four Māori and two government representatives (New Zealand Government 2020). The May budget included a NZ\$380 million (US\$258 million) boost for Māori housing in response to estimates showing that Māori make up at least a quarter of those living without shelter and at least a third of those experiencing severe housing deprivation, with rates around four times higher than those for New Zealanders of European descent (Amore, Viggers, and Chapman 2021). In June, the *He Puapua* report, which recommends steps to be taken to draw up a national plan of action to implement the United Nations Declaration on the Rights of Indigenous Peoples, was finally released after an eighteen-month delay. The government subsequently announced its timetable, which would start with consultation with Māori until the end of 2021 before undertaking consultation with the rest of the country during 2022. The aim is to complete the national plan in 2023 (Braae 2021a).

Implementing the declaration is the first step toward the constitutional transformation that has been an overarching priority for the National

Iwi Chairs Forum for over a decade (Matike Mai Aotearoa 2016). Establishing a Tiriti-based constitutional foundation for the country is critical to making the declaration's rights—in particular, the right to self-determination—a reality (Aotearoa Independent Monitoring Mechanism 2021). A plethora of reports from many bodies, both government and nongovernment, continue to highlight the fact that state systems are not working well for Māori. The reports clearly demonstrate the need for transformative change that enables Māori communities to lead solutions for themselves, ensures that decision-making power and resources are shared equitably between the partners to Te Tiriti o Waitangi (ie, Māori and the Crown), and guarantees that Indigenous law and values are central to how systems operate (Aotearoa Independent Monitoring Mechanism 2021).

While the government has been reluctant to address the 2016 report of the Independent Working Group on Constitutional Transformation—Matike Mai Aotearoa, Māori have continued discussions and in February convened a Māori Constitutional Convention. The aim of the convention was to bring together whānau (extended families), hapū (groupings of whānau), iwi, and leaders of key Māori organizations to develop a strategy and plan to unite and strengthen the Tino Rangatiratanga Sphere described in the Matike Mai Aotearoa report. The Tino Rangatiratanga Sphere is a sphere of influence in which Māori make decisions on all matters relating to Māori. It sits alongside the Kāwanatanga sphere in which the government (often referred

to as the Crown) makes decisions for its people (non-Māori). Originally scheduled to take place in Waitangi, the convention was moved online due to community COVID-19 concerns, with more than 120 participants from across the country, and was recorded and livestreamed by Te Hiku Media (Te Hiku Media 2021).

During his keynote speech, Dr Moana Jackson, the constitutional expert who convened Matike Mai Aotearoa, acknowledged the convention as a mark in the long history of Māori struggle to redress the injustice of colonization and to preserve the right to determine our own destiny. He noted that, despite the ongoing barriers, Māori “continue to focus on the right to self-determination and strengthening the ability for us to live as whānau and hapū” (Te Hiku Media 2021).

Building on the Matike Mai Aotearoa report, along with the Aotearoa 2020 Vision project undertaken in 2020 to develop a vision statement for the country (Aotearoa2020Vision 2020), the convention focused on the values and vision that must underpin an inclusive, Tiriti-based constitution. Workshop discussions emphasized the importance of holding to Māori concepts, laws, practices, and institutions; ensuring these are not reinterpreted by the Crown; and finding ways to coordinate and unite Māori communities. Discussions during the convention highlighted a strong level of support for the Matike Mai Aotearoa report and a willingness to continue discussions to advance its implementation. Following the February convention, the National Iwi Chairs Forum

resolved to hold another, this time in-person Constitutional Convention in November 2021.

In the absence of proactive constitutional discussions between Māori and the government, constitutional issues are at times being addressed through litigation. For example, Ngāi Tahu and Ngāti Kahungunu, two large and powerful iwi with extensive waterways in the South Island and the lower west coast of the North Island, have joined forces to take legal proceedings against the Crown to have their rangatiratanga (power and authority) over freshwater recognized. They are seeking “to address the ongoing degradation of awa (rivers) and moana (lakes) caused by the environmental mismanagement of successive governments, and to compel the Crown to address these issues in partnership with the iwi” (Te Rūnanga o Ngāi Tahu 2021). At Shelly Bay in Wellington and at Pātaua in Northland, traditional owners are fighting to overturn the illegal sale of their lands (RNZ 2021; Ngāti Wai Kaumātua Rōpū 2021). At Pātaua, they succeeded in winning a bid to buy back their land that was stolen from them (1News 2021). In Auckland, Ngāti Whātua o Ōrākei has taken the Crown to court over its treaty claims settlement process (Basagre 2021). In Whakatāne, Ngāti Awa are threatening to repossess their lands to stop developers from building on an ancient burial ground (Jones 2021).

Implementing the UN declaration and constitutional transformation will make significant progress toward addressing the deeply entrenched racism that bedevils New Zealand. It was therefore of considerable interest

to Māori that the new Labour government also announced that one of its priorities was eliminating racism. The recent research report *Whakatika: A Survey of Māori Experiences of Racism* highlights the breadth and depth of racism against Māori, as well as its impact on physical and mental health (Smith and others 2021). Key findings of the report include that the vast majority of Māori (93 percent) felt that racism had an impact on them on a daily basis and that even more (96 percent) said that racism was a problem for their wider whānau, at least to some extent. The report notes that the harms caused by racism include grief and anger and have intergenerational impacts. The government has begun working with the National Iwi Chairs Forum, the Human Rights Commission, and others to develop a National Plan of Action to eliminate racism (Aotearoa Independent Monitoring Mechanism 2021).

Other positive steps toward addressing racism have included an acknowledgement of racism and bias in the media. Media organization Stuff issued an apology acknowledging its racism and marginalization of Māori and instituted a new charter based on Te Tiriti as part of a commitment to address this (Williams 2020). Two former MPs who are both experienced media commentators, former Auckland mayor John Banks and retired history professor Michael Bassett, were banned by media outlets for encouraging and expressing anti-Māori views (Braae 2021b; Peacock 2021). Māori professors throughout the country called out their universities for ongoing racism against Māori staff and students (Gabel 2020).

Harrowing and shocking examples of systemic racism against Māori over many decades were highlighted in the daily media reports during the hearings of the Royal Commission of Inquiry into Abuse in Care. They included reports on Dr Selwyn Leeks, a psychologist who worked at Lake Alice psychiatric hospital in the 1970s. He tortured adolescent children, most of whom were sent to the hospital by state social welfare institutions and had no diagnosed mental illnesses (see as examples Smale 2021; O'Driscoll 2021; Williams 2021; Ellingham and Moore 2021). Most of the children were Māori. Leeks and his workers used drugs, electric shocks, and rape. The testimony of survivors, who are now in their fifties and permanently damaged, prompted public apologies from the police, the Medical Council, and Crown Law, all of whom refused to act for more than forty years despite numerous complaints about Leeks. Now ninety-two years old, Leeks lives in Australia and has refused to appear before the Royal Commission, citing his age and ill health and claiming he did nothing wrong (Williams 2021). It remains to be seen whether the police will prosecute him (Smale 2021). The Royal Commission's interim report outlines the extent of the abuse and neglect suffered by those in this and other state care institutions and the ongoing impacts for survivors and their whānau (Abuse in Care Royal Commission of Inquiry 2020).

Steps taken toward recognizing Māori rights—such as the *He Puapua* report, budget announcements, and the establishment of Māori wards and a Māori Health Authority—have sparked anti-Māori racist rhetoric,

including in Parliament, and threats of violence against Māori. Using online platforms, white supremacists have attacked and threatened to “slaughter” Māori, burn our houses, and attack our marae (communal meeting places). The Māori Party laid a complaint with the Police Complaints Authority over the lack of swift police and government response against these white supremacists (The Māori Party 2021).

Within the judicial system, the Waitangi Tribunal continues to be the only body that consistently tries to uphold the treaty and Māori human rights. In the past year, it has continued to berate the government for its lack of compliance with Te Tiriti o Waitangi. In the first stage of its inquiry into the Marine and Coastal Area (Takutai Moana) Act, the Tribunal concluded that “as a replacement for the controversial Foreshore and Seabed Act 2004, which left such a damaging imprint on Māori–Crown relations and the social fabric of Aotearoa New Zealand . . . the Act appears to reprise many of its predecessor's more egregious features, not least its capacity to generate grievances and division” (WT 2020). In the Tribunal's urgent inquiry into the Ministry of Children (Oranga Tamariki), it recommended fundamental changes to the state care system and the transfer of resources and decision-making to enable “by Māori, for Māori” approaches that uphold Māori self-determination, power, and authority guaranteed in Te Tiriti (WT 2021). This is the third major report to be issued in the past eighteen months about the ministry's abysmal record in its treatment of Māori babies and children. The first was the result of

an independent Māori-led inquiry (Kaiwai and others 2020), and the second was from the Children's Commissioner (Office of the Children's Commissioner 2020).

In December, the government declared a climate emergency in New Zealand, and in June, the first report of the Climate Change Commission was released. The report notes that short-term thinking from successive governments means that New Zealand is not on track to meet its greenhouse gas emissions reduction targets. The report's priority areas for action include increasing the use of electric vehicles, increasing total renewable energy, improving farm practices, and planting more native trees to provide a long-term carbon sink. However, it falls short of taking more direct approaches to reducing agricultural emissions. In 2019, these emissions made up 48 percent of total greenhouse gas emissions, with energy, including transport, making up a further 42 percent (Huffadine 2021). The Climate Change Commission recommended that the national government and local governments work in partnership with iwi and Māori and that a Māori-led approach be adopted to ensure an equitable transition to a low-emissions economy (Aotearoa Independent Monitoring Mechanism 2021).

MARGARET MUTU

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NIUE

Incredibly, Niue has been able to maintain its COVID-19-free status while more than 90 percent of coun-

tries throughout the world continue to grapple with the pandemic. Despite the impacts of COVID-19 and the international border restrictions in place, Niue has adapted a new normal and continued with business as usual, all guided by the country's more rational, albeit reserved, leader, Premier Dalton Tagelagi.

Notwithstanding the impacts of COVID-19, this has been an uncomplicated year for Niue, which has seen the new government reiterate the strength of partnerships to support collective success at both a domestic and regional level (eg, to Pacific Islands Forum partners following the withdrawal of its Micronesian counterparts) and commit to reviewing various pieces of legislation, including the Education Act 1989, the Immigration Act 2011, and the Niue Constitution Act 1974.

The first resident Australian high commissioner to Niue, Her Excellency Susan Allen, presented her credentials to the premier and cabinet (BCN 2020). As part of its Pacific Step-Up foreign policy, Australia now has nineteen diplomatic missions in the Pacific region—the most out of all foreign missions—with a presence in each of the Pacific Islands Forum member countries (RNZ 2021a). Australia's priorities include supporting the Niue government's interests, particularly in relation to the country's COVID-19 recovery, health, and women's empowerment. With these priorities, Niue's newest diplomatic guest appears to be cognizant of the island's special free-association relationship with New Zealand, and, as such, Australia has presented itself as a subordinate partner, opting