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Sāmoa

Political developments in Sāmoa during the review period were largely concerned with the general elections of 31 March 2006. Thus in the six months before the general elections, most political activities were related to campaigning, in one form or another, and subsequent events had to do with cabinet appointments and election petitions. These were still continuing in the latter part of 2006.

The year demonstrated the unprecedented extent of political power held by a single political party, the Human Rights Protection Party (HRPP). In the 2001–2006 sessions of Parliament, for instance, the party held a two-thirds majority (33 seats out of 49), which enabled it to change the constitution on several occasions. Following the 2006 general elections, it actually increased its hold on power with 35 seats. This means it has the capacity to again change the constitution without a need for a referendum. In short, the Human Rights Protection Party holds a monopoly of power in Samoan politics. This raises important questions as to why and how this came about.

Looking back to the events of the

second six months of 2005, it can be argued that many of the major political events of that period were turned into campaign issues. In fact many of these events, such as the doctors' strike and Salelologa land issue, were blamed by the ruling party on the machinations of the opposition in their attempt to woo votes away from the government in the general elections. True or not, the fact remains that these were skillfully turned into political issues, and at the end of the day it seemed that the voters accepted the government version of those events.

It is not that the opposition parties —such as the Samoa Development United Party (SDUP), Samoa Party (SP), Christian Party (CP), and Samoa Progressive Political Party (SPSS) were organizationally weak or lacking in political rhetoric to be able to unseat the government. Despite their best efforts, they were outsmarted by a brilliant strategist and technocrat, Prime Minister Tuilaepa Sailele Malielegaoi. More important, the opposition parties were fighting against a government with one of the best records of achievement by any Samoan government of the past, a government that has been in power continuously during the last 22 years of its 27-year history, and one that has given Sāmoa social stability and an economy that has become a model for the Pacific region.

On practically every major political issue that preceded the general elections, the ruling HRPP government and main opposition party, the Samoa Development United Party, took radically opposed views. These issues include the strike by members of the

Samoa Medical Association; the report by the international Inter-Parliamentary Union (IPU); the issue of New Zealand citizenship rights for Samoans; the function of parliamentary undersecretaries; and compensation for customary land purchased by the government at Salelologa, the major interisland port in Savai'i.

On I July 2005, the government implemented the first part of a 42 percent salary increase over three years for all public servants. The doctors who served in the public hospitals were not satisfied with the increase for a number of reasons. First, they believed the increase should have been imposed on a salary structure for doctors that had been proposed in 2004 by the Samoan Medical Association (SMA). Second, they also wanted the government to address major complaints raised by the medical association in the past, such as the low salary scale for doctors in Sāmoa compared with overseas, long working hours (which were affecting the doctors' health), and poor working conditions. Most important, they wanted the entry point salary, currently SAT\$21,000 per annum, raised to SAT\$30,000 (currently, one Samoan tala [SAT\$)] = us\$.36). As events turned out, the entry point salary became the key issue of the doctors' complaints, one they were not prepared to compromise. As an SMA spokesperson said, the doctors' grievances were nonnegotiable and they were tired of meetings that resolved nothing. Not getting a favorable response from the government, on 9 September 2005 the doctors went on strike (SO, 9 Sept 2005). Over thirty doctors walked

off the job, leaving just the few in management positions.

The government's reaction was to set up a commission of inquiry into the grievances of the striking doctors, particularly the major issue of the entry point salary. By 30 October 2005, the commission released its report. Remarkably, the report endorsed all of the requests by the doctors. For instance, it recommended "improving allowances for doctors, improving staffing levels, reducing working hours for doctors in the outpatients area, and bringing in more overseas doctors" so that local doctors could go overseas for specialist training or to complete their studies (SO, 30 Oct 2005).

In addition, the commission recommended that private doctors be hired to cope with staff shortages in the outpatient areas as well as in the district hospitals; that consultant doctors be allowed to operate part-time private practices; and that fees for hospital services be increased. But the key SMA demand for an increase in the entry point salary to SAT\$30,000 was denied.

When the government considered the commission's report, it approved all its recommendations. The resulting impasse meant a continuation of the strike by the majority of the doctors. A minority found employment overseas or had set up private practices locally. During the first three months of 2006, many of the strikers returned to work, individually or in small groups, but a number were lost to the public service. This is not surprising, given the fact that in the previous two years, eighteen doctors had resigned from the public service for other

employment, primarily, it is alleged, due to low salaries, long hours, and poor working conditions—exactly the kind of issues that led to the strike.

Both the Samoa Development United Party and the Samoa Party supported the SAT\$30,000 entry point salary request by the doctors and promised to implement it if elected. The government's position was that all of the doctors' recommendations had been approved except for this one matter. This was because the government had pledged to look into other entry point salaries in the public service as well, and Prime Minister Tuilaepa made it clear he preferred not to approve salary increases for one group without taking into consideration all the other entry point salaries.

In April 2005, Asiata Saleimoa Va'ai, the deputy leader of the main opposition party, was suspended from Parliament for four months after the Privileges and Ethics Committee found him guilty of "defamatory remarks." The remarks were contained in a letter of complaint he sent to the Inter-Parliamentary Union and Commonwealth Parliamentary Association, a copy of which was also published in the Samoa Observer. The complaints referred to alleged acts of misinterpretation of parliamentary rules, unfairness, and discrimination against SDUP members during parliamentary sittings. The government had no problem with the complaint as such, but objected to the contents of the letter, which were felt to be defamatory against the prime minister, the Speaker, and Parliament itself. As Tuilaepa said, Asiata's complaint reflected badly on the government and Parliament and smeared Samoa's

good name worldwide (SO, 27 Aug 2005).

As a result of Asiata's letter, the Inter-Parliamentary Union sent a delegation to Samoa to investigate. The delegation consisted of Senator Sharon Carstairs, a senior member of the Canadian Parliament, and Ms Ingeborg Schwarz, committee clerk. The ensuing report recommended the reinstatement of Asiata Saleimoa Va'ai, payment of his salary in full for the time of his suspension, recognition by the government of the Samoa Development United Party as an official parliamentary party, reinstatement of Le Mamea Ropati Mualia as leader of the opposition, and the compilation of a list of words considered inappropriate for use in Parliament. The delegation could not understand the legal basis for Speaker Toleafoa Faafisi's refusal to recognize the Samoa Development United Party as a parliamentary party; it considered the absence of a formal opposition unsatisfactory and detrimental to the good working of the democratic system in Sāmoa (SO, 7 Aug 2005).

In their report, the IPU delegation also questioned the procedures under which Asiata's suspension had been handled and the participation of the prime minister in the hearings of the Privileges and Ethics Committee. It was particularly critical of the length of the suspension, describing it as wholly disproportionate. In New Zealand, for instance, the longest period of suspension was three days.

Predictably, the backlash from the government was strong. But the prime minister's case was not helped when he described the two (female) IPU delegates in Parliament as "fa'avasivasi

(mentally retarded) old women" (so, 27 Aug 2005). He repeated that characterization when he complained that their report had included no recommendation for how Parliament should handle situations when offending members did not show up to defend themselves. No one should be allowed to force his views on how Sāmoa's Parliament should conduct itself, he said. As a result, on a motion by Minister of Education Fiame Naomi (a woman), the HRPP majority (33) members in all) voted to inform the Inter-Parliamentary Union of the Samoan Parliament's rejection of its report; the SDUP members were opposed.

Defending the government's policy of not recognizing the opposition, Tuilaepa said this had to do with recent changes in parliamentary rules, which prohibited members from changing their party affiliation during a session of Parliament—they must remain with the political party under which they were registered. Previously, the main opposition party had been known as the Samoa National Development Party (SNDP). Early in 2005, that party chose to deregister its party in order to merge with another smaller party to form the Samoa Development United Party, despite warnings from the Speaker that this new party would not be recognized in accordance with the new parliamentary rules.

This was the problem, Prime Minister Tuilaepa said. If the opposition had waited till the end of the electoral term, rather than changing midstream, all its subsequent problems would have been avoided. In creating this new party, it had failed to gain proper

legal recognition in the proceedings of the Samoan Parliament. Needless to say, after the 31 March elections, the Samoa Development United Party again acquired proper legal status.

Other major issues that divided the parties concerned New Zealand citizenship rights for Samoans, the functions of parliamentary undersecretaries, and compensation for customary land at Salelologa. The government supported New Zealand legislation that canceled New Zealand citizenship rights for Samoans born between 1924 and 1948 inclusive, in return for other concessions granted by the New Zealand government. The Samoa Development United Party supports the campaign by the Mau Sitiseni Mo Samoa group to reinstate those rights. It pledged to provide funds, if elected, for this campaign.

The Samoa Development United Party would also do away with the undersecretary posts—since renamed associate ministers—on the grounds these positions represent unnecessary expenditures by the government and that the funds could be better utilized for other social services, such as family benefits and increased pensions for the elderly. Prime Minister Tuilaepa responded that these positions were needed because of the increased workload of the ministers; further, he said (in true Samoan fashion), many hands were better than a few.

The Salelologa land dispute arose when some chiefs of the village of Salelologa sued the government for more compensation than the several million Samoan tala it had already received for village customary lands used for the port of Salelologa. The new claim was for SAT\$45 million.

The Samoa Development United Party said the government should grant the village's request. But when the court decision came out, it was in favor of the village, and the government was required to reconsider the amount of compensation, taking into account current land valuation estimates. Not to be outdone, however, the government simply returned 2,439 acres of the disputed land to the village, keeping just 400 acres.

The political parties that took part in the general elections of 31 March 2006, were the governing Human Rights Development Party, the Samoa Development United Party, the Samoa Party, the Christian Party, and the Samoa Progressive Political Party. In addition there were thirteen Independent candidates, who had formed a loose alliance to contest the elections. All parties made heavy use of the mass media, posters, newspapers, radio, and television to spread their message.

In a political rally on the big island of Savai'i, SDUP Leader Le Mamea Ropati Mualia said that if his party was elected to government it would pay Salelologa village the correct compensation for the 2,800 acres of land taken by the government; limit the term of the prime minister to two consecutive terms; restore the position of auditor general to its former independent status; review the Village Fono Act, cause of many constitutional issues in the past; review the performance of the Land Corporation to ensure transparency and accountability; review the old-age pension with a view to lowering the retirement age and increasing pensions; support the aims of the Mau Sitiseni

Mo Samoa group, headed by former New Zealand MP Anae Afa; protect Samoan customary land from sale to foreigners, as the government was allegedly planning; and allow Samoans resident overseas to vote in the general elections without having to do so in Sāmoa (50, 20 Aug 2005).

The Samoa Development United Party also proposed to establish a new Ministry for Social Welfare to address the country's social problems such as domestic violence, incest, suicide, child adoption, spouse and child maintenance, crime, women's rights, infant neglect, sexual abuse, and matrimonial disputes.

The Samoa Party leader, former Auditor General Su'a Rimoni, said his party's aims were to return power to the people and eradicate government corruption. If elected to government, his party would reduce the parliamentary term from five to four years; limit the prime minister's term to two consecutive terms; hold referendums for any important constitutional changes; remove the Office of the Electoral Commission from cabinet control; prevent the Speaker from belonging to any political party once in office; appoint an opposition member to chair the Public Accounts Committee; ensure that the report of the controller and chief auditor is tabled in Parliament every year, with copies made available to the media; ensure that the chief auditor's report is considered only by Parliament and not by a Commission of Inquiry, as happened during the Tofilau administration; ensure that the posts of police commissioner and assistant police commissioners come under an independent commission; and emphasize

the development of agriculture (*s*O, 14 Oct 2005).

Speaking on behalf of the Human Rights Protection Party, Prime Minister Tuilaepa said the government wanted to see the continuation of current development projects as spelled out in the HRPP election manifesto. Of these projects, priority would be given to health and education. Tuilaepa's top fifteen priorities included health; education; agriculture and fisheries; infrastructure for roads, wharves, water, electricity, airports, and shipping; sports development; culture and traditions; women and village development; police, fire services, and prisons; tourism development; communications, television, and information technology; Parliament; customary land, government land, environment, and natural resources; proposed plans for the Ministry of Revenue; other programs to lessen the burden on the people; and overseas and local funding for development projects. In other words, the Human Rights Protection Party was riding on the successes it had achieved in previous years in the areas of development and good governance.

Polls conducted by staff of the Samoa Observer showed that in the months leading up to the elections, voters generally favored the Samoa Development United Party, and its leader as prime minister. Thus in the 19 February 2006 issue it reported that out of 200 eligible voters surveyed, 90 voted for the Samoa Development United Party, 71 for the Human Rights Protection Party, 18 for the Samoa Party, and the rest divided their votes among the Samoan Progressive Party, Christian Party, and other small parties. For prime minis-

ter, 88 favored Le Mamea Ropati, 57 Tuilaepa Malielegaoi, 18 Su'a Rimoni, 5 Toalepaialii Toeolesulusulu (leader of Progressive Party), 3 Tuala Tiresa Malietoa, and 29 favored others.

By 19 March 2006, twelve days before the general elections, the *Samoa Observer* reported that the Human Rights Protection Party was on the rise in its electoral survey. Of 200 eligible voters surveyed this time, 108 favored the Human Rights Protection Party to be the next government, 58 were for the Samoa Development United Party, 7 for the Samoa Progressive Party, 6 for the Samoa Party, 5 for the Christian Party, and 16 were undecided.

When the elections were finally held on 31 March, the Human Rights Protection Party swept to victory with 30 seats; the Samoa Development United Party won 10 seats, the Independents 8, and there was one tie. Several weeks later, the Human Rights Protection Party was able to claim 35 seats, after winning the tie and gaining the allegiance of 4 former Independents. The SDUP total remained at 10, and Independents had dropped to 4 seats.

In his victory speech, HRPP leader Tuilaepa Sailele Malielegaoi said the key to the party's success was that "we enjoy good liaison with grassroots level." He praised the opposition parties for putting up a good fight, but, he added, their biggest weakness was making promises they could not fulfill and thus their credibility suffered (\$50, 2 April 2006)—generous words in the end, but as a Samoan proverb says, a win is a win.

The HRPP caucus unanimously reelected Tuilaepa as prime minister, but for the position of deputy prime

minister there was a tussle, which the previous deputy, Misa Telefoni Retzlaff, won by 10 votes. SDUP Leader La Mamea and Deputy Leader Asiata were also reelected to their previous positions. None of the Samoa Party, Christian Party, or Samoa Progressive Party candidates were elected, but their leaders have vowed to fight on.

Prime Minister Tuilaepa's selection of his cabinet was controversial because some former ministers lost out and some switched to other positions, such as former Finance Minister Misa Telefoni and former Minister of Education Fiame Naomi. Tuilaepa, however, denied there were any ministerial demotions and that the reshuffling of positions was designed to broaden the scope of the ministers' experience (SO, 28 April 2006).

The new cabinet members and their portfolios as announced by the prime minister were as follows:

Tuilaepa Sailele, Prime Minister, is responsible for Ministry of Immigration, Ministry of Foreign Affairs, and Office of Attorney General; also for Executive Council, Honors and Awards, Totalisator Agency Board, Non-Government Organizations, Polynesian Airlines, and Scholarships Committee.

Misa Telefoni, Deputy Prime
Minister, is responsible for Ministry
of Commerce, Industry and Labor;
Legislative Assembly; Audit Office;
Accident Compensation Corporation;
Samoa Tourism Authority; Telecom
Samoa Cellular; Pacific Forum Line
and Samoa Shipping Services; Trade
Negotiations—wto, ACP/EU, PACER,
PICTA (World Trade Organization,
Africa, Caribbean and Pacific/European Union, Pacific Agreement on
Closer Economic Relations, Pacific

Islands Countries Trade Agreement); Small Business Enterprise Centre; and Consumer Protection.

Fiame Naomi Mataafa, former Minister of Education, is now responsible for Ministry of Women, Community and Social Development; Public Service Commission; Remuneration Tribunal; Ombudsman's Office; Village Mayors and Sui o le Malo; and Special Committee on Traditional Salutation and Legends.

Tuisugaletaua Sofara Aveau is responsible for Works, Transport, Infrastructure (including Water and Electricity); Traffic and Civil Aviation; Government Housing; Transport Control Board; Samoa Port Authority; Airport Authority; and Samoa Shipping Corporation.

Faumuina Tiatia Liuga, former Minister of Works, is now responsible for Ministry of Natural Resources and Environment; Samoa Land Corporation; Samoa National Parks, Recreation and Water Conservation; Samoa Trust Estates Corporation; Samoa National Disaster; Meteorology and Forestry; and South Pacific Games Authority 2007.

Niko Lee Hang is a new minister and has taken over the important Ministry of Finance; National Provident Fund; Financial Institutions; Housing Corporation; Tenders Board; Revenue Board; Offshore Jurisdiction; Registry of Births, Deaths and Marriages; and Cabinet Development Committee.

Tuuu Anasii, another new minister, is responsible for Ministry of Revenue; Public Trust Office; and Liquor Board.

Gatoloai Amataga Alesana Gidlow, also a new minister, is Minister of Health; Oceania University of Medicine; District Hospitals and Health Center; and Women's Health Committees.

Mulitalo Sealiimalietoa Siafausa Vui, former Minister of Health, is now Minister of Communications and Technology and is responsible for the Samoa Broadcasting Corporation.

Toomata Alapati Poese is the new Minister of Education, Sports and Culture (which includes National University of Samoa, Polytech, Pre-Schools); and Museum and Archives.

Unasa Mesi, a new minister, is Minister of Justice and Courts Administration; Film Censorship; Law Reform Commission; and Electoral Commission.

Taua Kitiona, a new minister, is Minister for Agriculture, Fisheries and Agriculture, and is responsible for the Agriculture Store Corporation.

Of the twelve cabinet ministers, two are women (Gatoloai and Fiame); five are new ministers; and one (Toomata) was a minister of agriculture in the 1990s. Of the ministers in the previous Tuilaepa administration, only Fiame, Tuisugaletaua, Faumuina, and Mulitalo were reappointed, the other two being the prime minister and deputy prime minister. It certainly looked like a purge of the old members. But in the final analysis, the selection was entirely the prime minister's, based on established HRPP criteria.

The new associate ministers and their portfolios are as follows:

Tuiloma Lameko, Ministry of the Prime Minister/Cabinet; Immigration; Non-Government Organizations.

Vaeolenofoafia Tapasu, Ministry of Foreign Affairs and Trade; Press Secretariat. Hans J Keil, Ministry of Commerce, Industry and Labour; Trade Negotiations—wto, Acep/eu, PACER, PICTA.

Tiata Sili Pulufana, Samoa Tourism Authority; Legislative.

Palusalue Faapo II, Ministry of Finance; Financial Institutions and Samoa Housing Corporation.

Anauli Pofitu Fesili, Audit Office; Accident Compensation Corporation.

Lafaitele Patrick, Ministry of Revenue.

Galuvao Viliamu Sepulona, Ministry of Works, Transport and Infrastructure; Samoa Shipping Corporation; Traffic and Civil Aviation.

Aiono Tile Gafa, Electric Power Corporation; Samoa Water Authority; Samoa Ports Authority; Airport Authority.

Moefaauo Lufilufi, Village Mayors and Special Committee on Traditional Salutation and Legends; chairman of Village Mayors' Committee, Upolu.

Tuilo'a Anitele'a, Ministry of Women and Ie Samoa; chairman of Village Mayors' Committee, Savai'i.

Fonotoe Pierre Lauofo, Ministry of Natural Resources and Environment; Research Development Institute of Samoa; Samoa Trust Estates.

Tapuai Sepulona Moananu, Ministry of National Resources and Environment.

Muagututia Pita Ah Him, Ministry of Communication and Information Technology; Samoa Tel and Samoa Broadcasting Corporation.

Sala Fata Pinati, Ministry of Agriculture and Fisheries.

Leao Talalelei Tuitama, Ministry of Health.

Safuneituuga Paaga Neri, Ministry of Justice and Courts Administration.

Pa'u Sefo Pa'u, Ministry of Education; National University of Samoa; Samoa Qualifications Authority.

Solamalemalo Keneti Sio, Ministry of Education, Sports and Culture Division.

Manuleleua Lalagofaatasi, Ministry of Police (inclusive of Prisons and Fire Service).

In some departments, such as education, there are two associate ministers. Prime Minister Tuilaepa Sailele Malielegaoi said this was due to the heavy workload of those departments.

The new Speaker of the House is Tolufuaivalelei Falemoe Leiataua and the new deputy speaker is Laaulialemalietoa Leuatea. The vote was along party lines: the government was supported by all Independents to obtain 38 votes against 10 by the Samoa Development United Party, and one member abstained.

Apart from the burning of a school building and some incidents of stone throwing by disgruntled supporters, the elections were generally free of violence. Sāmoa has thus maintained its reputation for peace and stability in the midst of rapid social change. Sāmoa will join the World Trade Organization in the not too distant future.

Earlier this year, the US State Department issued a report on the human rights situation in Sāmoa. The report, made in compliance with the US Foreign Assistance Act and Trade Act, was heavily critical of the Samoan government's record on human rights, describing Sāmoa as a one-party state, no doubt as a result of opinions expressed in the IPU report. The report said human rights problems in Sāmoa included deterio-

rating conditions for male inmates, unfair parliamentary proceedings, violence against women and children, and discrimination against women and non-matai (titleholders). In fairness to the Samoan government, though, it must be said that the Samoa Development United Party contributed to its own "nonexistence" in Parliament by not heeding the new parliamentary rules affecting membership in political parties. This was the crux of the matter, as Tuilaepa explained. If the Samoa Development United Party had waited until the end of the previous parliamentary term to register as a new party, its dire situation would have been avoided.

The local police authorities have also reported that they had never been consulted by US officials about prison conditions in Sāmoa. Violence against women and discrimination against women and non-matai are also complex matters. Of course, such violence should not be condoned, but it occurs in all societies and Samoan society is no exception. Women have equal rights with males in Sāmoa but presumably discrimination refers to political matters. For instance, in one or two villages, women may not become matai. However, this really emanates from the reality of custom: men and women have specific roles, with men becoming the chiefs, and wives serving as their advisers. Untitled men may vote but not become candidates for Parliament—again, in keeping with traditional practice. Untitled men serve their matai until they are ready to take over the chiefly roles of their fathers and uncles.

Samoans are comfortable with their own cultural system and will

change only when they see the need. It was for this reason that Tuilaepa said in a press interview for the United States to "mind its own business" and look to its own backyard first. Still, the monolithic power now held by the Human Rights Protection Party is terrifying to some critics. SDUP Deputy Leader Asiata Va'ai, for instance, labeled as disgusting the appointment of twenty associate ministers, an increase of seven from the previous Tuilaepa administration. In Asiata's view, this action by the government will result in the negation of checks and balances required of a healthy democratic system. For in effect, the appointment of twelve cabinet ministers and twenty associate ministers and the election of an HRPP Speaker and deputy speaker signify that every HRPP member of Parliament is also a member of the executive. Thus, these ministers and associate ministers will make executive decisions and defend these at the same time in Parliament.

Now that the Samoa Development United Party is again an official parliamentary party, it will become the lone voice of opposition, a task it has done admirably before. But the question remains, will the Human Rights Protection Party use its power wisely and with moderation? This is indeed the big question for Prime Minister Tuilaepa, the economic genius who has radically changed the social and economic landscape of Sāmoa, and who has turned an economy that was nearly bankrupt in the early 1980s into one that has earned the admiration and respect of renowned institutions such as the World Bank and International Monetary Fund since 2000. Above all, he has earned the

admiration and respect of his fellow citizens who voted his party back into power.

UNASA L F VA'A

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Tokelau

Arguably the most important event in recent years for Tokelau's political development was the self-determination referendum that took place on 13 February 2006. Tokelau's 615 registered voters went to the polls to determine whether Tokelau would become self-governing in free association with New Zealand or continue as a nonself-governing territory of New Zealand. The two-thirds majority required for changing Tokelau's political status by voting "yes" was not achieved, and the status quo will continue, at least until another referendum is held. The February referendum had been envisaged as the final step in a series of interrelated and sequential events leading to a new self-determined political status for Tokelau. This report seeks to review the recent initiatives and events preceding the referendum and to interpret its outcome.

The question put to Tokelau by the first visiting United Nation mission back in 1976 was: Would Tokelau consider having its own government