

Reviews of American Sāmoa, French Polynesia, Niue, Tokelau, Tonga, and Tuvalu are not included in this issue.

COOK ISLANDS

The period under review was characterized by a worrying decline in population, regression in the ordinary Cook Islander's purchasing power, lack of confidence in members of Parliament and cabinet, continued public pressure for political reform, and a general deterioration in work and leadership ethics. Land controversies and government-created jobs engrossed the attention of leaders, a few of whom tended to abuse their status in order to advance family interests. Ironically, while foreign workers entered the country to take up promised employment, the local population declined, primarily due to lack of employment. Even as many locals expressed deep concern at the sudden surge of new immigrants, especially from Asia (Thailand, Philippines, India, and Pakistan, in particular), Prime Minister Dr Robert Woon-ton declared that locals must be able to adapt to change. He argued that "new immigrants are a natural outgrowth of a developing nation" (informal statement to students from Brigham Young University, Hawai'i, visiting Rarotonga, June 2003).

The review period began with former Cook Islands High Commissioner to New Zealand Wilkie Rasmussen winning a by-election in Penrhyn against standing member and former

Police Commissioner Tepure Tapaitau in July 2002. Only seven votes separated the two as Rasmussen won with a total of 112 votes (*CIN*, 2 Jul 2002, 1). The period ended with the unexpected death of Maria Heather, member of Parliament for Ruaau, who died suddenly in June 2003 after a short illness. This created the need for a by-election only months before an expected general election. In between the two by-elections, the controversy over cabinet size and membership persisted. By July 2002, government was pushing for an extra minister for cabinet, increasing the numbers to seven (*CIN*, 13 Jul 2002, 1). Although the government remained undeterred by the NZ\$158,000 estimated cost for this move, there was resistance from the general public (*CIN*, 30 Oct 2002, 1).

While Prime Minister Woonton was heavily criticized for taking his spouse on long, expensive, overseas trips (*CIN*, 26 Jul 2002, 1), members of Parliament in general were accused of "not giving their constituencies value for money" and were occasionally pressured to vacate (*CIN*, 26 Oct 2002, 1). Constant cabinet reshuffles and rumors of reshuffles added fuel to the fire. In November 2002 Cabinet Minister Norman George was sacked—again (*CIN*, 8 Nov 2002, 1). Soon after, rumors emerged of a new coalition government, the sixth since the 1999 general election (*CIN*, 12 Nov 2002, 1). Within a month, the portfolios were reshuffled again (*CIN*, 22

Nov 2002, 1). Then three months later, at the end of January 2003, Tangata Vavia and Terepai Maoate were sworn in as new government ministers, while Sir Geoffrey Henry and Tom Marsters were sacked by Prime Minister Woonton (*CIN*, 31 Jan 2003, 1).

An increasingly vocal group of citizens for political change—known as the GPC—gained momentum as a result of constant government changes and perceived inefficiency. They called for an early election (*CIN*, 10 Dec 2002, 1), and pushed for political reform on behalf of many concerned citizens (*CIN*, 12 Nov 2002, 1). Some 2,000 people signed a petition calling for change (*CIN*, 29 Mar 2003, 1), including the abolishment of the overseas seat in Parliament. However, it was generally understood that this would reduce the total seats to an even twenty-four, increasing the possibility of a hung parliament. Subsequently, there was also pressure to eliminate the constituency of Tamarua in Mangaia Island, which has the smallest population of any constituency in the country.

By June 2003, only the overseas seat had been abolished, with advocates arguing that those who leave the Cook Islands no longer pay taxes. The legitimate argument that Cook Islanders overseas contribute far more to the Cook Islands than the cost of maintaining the seat was lost in the general furor over a variety of MP actions that have been perceived negatively by most Cook Islands voters (*CIN*, 15 Nov 2002, 1).

Members of Parliament completed much of their work in irregular sessions that often went unnoticed by

most Cook Islanders. They made several amendments (concerning appropriations, the constitution, value-added tax, income tax, industrial labor, criminal procedure, international companies, and crimes) as well as new laws (concerning the Māori language, a UN Security Council resolution, banking, extradition, mutual assistance in criminal matters, financial transaction reporting, the Financial Supervisory Commission, and the proceeds of crimes). While much of the political focus was on the cabinet, a number of other interesting, politically charged incidents occurred. Tahitian fisherman Raioaoa Tauae drifted in his boat for over five months and ended up on the island of Aitutaki on 10 July 2002. His harrowing experience at sea received much attention, including from French Polynesia President Gaston Flosse and his opponent, Oscar Temaru, leader of the pro-independence Tavini Huiraatira party. Back in Tahiti, questions arose regarding why information about Tauae's disappearance had not been relayed to neighboring countries. He had been spotted by Cook Islands pilots over several days and could have been rescued earlier (*CIN*, 18 Jul 2002, 1).

During the year, Teariki Heather, a successful Rarotonga businessman, launched the Cook Islands National party and appointed himself as its leader (*CIN*, 24 Mar 2003, 1). Heather hoped that his new third party, modeled after a major party of the same name in New Zealand, could topple many old-time members of the Cook Islands party and the Democratic party. The National party's first test will be the 2004 elections.

In January 2003, Cook Islands Prime Minister Dr Woonton warned the country of the need to be prepared for the adverse effects of any outbreak of war between the United States–United Kingdom and Iraq (*CIN*, 31 Jan 2003, 5). The greatest concern for government and private sectors was that the war would lead to a major reduction in tourists to the Cook Islands. However, tourist numbers were affected only slightly. A total of 72,781 visitors were recorded in 2002, slightly lower than the 2001 total of 74,575. Although US and UK visitors dropped by 14 percent compared to the previous year, overall European visitors still topped 19,600. The largest number of visitors to the Cook Islands came from New Zealand, with a 34 percent share, or 24,932 people (*CIN*, 11 Feb 2003, 1). The steady tourism figures enticed Royal Tonga Airlines to express interest in becoming a carrier into the Cook Islands with possible flights from Auckland to Rarotonga (*CIN*, 26 Jun 2003, 1).

Interest in the failed five-star Vaima'anga Hotel (formerly the Sheraton Hotel project) continued as tourism operators realized that the maintenance of a reliable air carrier service was tied directly to hotel accommodation. Evan Smith, president of the Cook Islands Chamber of Commerce, and Don Beer, Jr, chair of the Tourism Board, both pointed out that completing the Vaima'anga Hotel was a priority in developing the country's economy as well as in attracting foreign investment. Beer commented that the Cook Islands "need it to give comfort to the airline industry" (*CIN*, 14 Jun 2002, 1). However, efforts to restart the infamous project by both the

Covington group and the New Zealand-based Cook Islands developer Tim Tepaki ran into difficulties (*CIN*, 11 Jun 2002, 1). In June 2002, Deputy Prime Minister Sir Geoffrey A Henry suggested that the Tepaki deal was better than the one proposed by the Covington group (*CIN*, 12 Jun 2002, 1). But succeeding deputy prime ministers were not so convinced, and a lease was approved in favor of the Covington group (*CIN*, 15 Jun 2002, 1). Meanwhile, a massive debt associated with the original project is still owed to the Italian government. The Cook Islands government's hopes that the debt could be settled with as little as NZ\$25 million up front appear to have been dashed.

A major project to develop a marina business complex including tourist accommodation at Avana on the eastern side of Rarotonga continued to be promoted by some politicians and private-sector developers, although it had already been rejected by the Environment Council and the landowners. Factors of concern included impact on the community, the construction of septic tanks on the foreshore and artificial islets, and the deepening of the lagoon. Landowners were strongly opposed to the project (*CIN*, 13 Jun 2002, 1). Local traditional leader Manavaroa Mataiapo George Nicholas expressed trepidation at the general impact of tourism development on traditional fishing rights, and on fish, shellfish, and bêche-de-mer (pers comm, 18 Jun 2003). The controversy highlighted underlying concerns about the rapid pace of development and its implications for a balanced approach to environmental management. Many Cook Islanders even opposed an environ-

ment bill, citing conflict with basic land rights, traditional practices, and fundamental human rights protected by the Cook Islands Constitution (CIN, 11 Jun 2002, 5).

Land and property problems are also linked directly to the push for development. According to a local resident, information published in the classified section of the *Cook Islands News* indicated that large areas of land on Rarotonga have been subjected to mortgage sales by commercial banks. The resident also suggested that commercial banks had been putting undue pressure on local borrowers, perhaps in an effort to alienate land (CIN, 1 Jun 2002, 4). As the gap between the rich and the poor in the Cook Islands rapidly widens, excessive charges for access to land records at the Justice Department (a fee of one dollar a page for each photocopy requested), bureaucratic demarcation of required papers, and the pressure to hire lawyers for even simple land cases all contribute to a system that favors the wealthy.

Underlying conflicts have also developed between some church leaders and landowners. The new pastor of the Avarua Cook Islands Christian Church, the first Christian church built in Rarotonga after Christianity was introduced on the island in 1823, continued a policy of using a bulldozer to knock down old gravestones. Enraged landowners and descendants of those buried in the graves expressed anger at the action. One landowner took the pastor and other deacons to court—the first such action in the nation's history (CIN, 15 Nov 2002, 1; 16 Nov 2002, 1; 11 Jan 2003, 1; 13 Jan 2003, 4). Unapologetic, the pastor has claimed legal rights and

the need to beautify church grounds. At the time of this writing, the matter remained unsettled.

Agriculture officials have noted some evidence on Rarotonga of the presence of the rhinoceros beetle, which has caused disastrous damage to coconut trees in some neighboring island groups (CIN, 19 Dec 2002, 1). While the threat looms over coconut trees, agriculture production continues to focus on juice from the nono or noni, a type of tree (*Morinda citrifolia*, designated for the world market); papaya (usually exported to New Zealand); maire or maile, a scented fern (*Alyxia olivaeformis*, for the Hawai'i market); and other vegetable or root crops for the local market.

The fishing industry continued to grow with the latest addition of a long-liner, *Mahr-Leena* (CIN, 10 Jun 2002, 1). Most fish were exported to either American Samoa or Japan. New Zealand fishing giant Sealords explored the possibility of setting up business in the Cook Islands, "working in alliance with the local fishing industry by purchasing excess and sourcing markets" (CIN, 22 Jun 2002, 1). The government eventually approved licenses for two Sealords purse seiners to operate in Cook Islands waters (CIN, 30 Nov 2002, 1). The country's huge exclusive economic zone continued to attract both legal and illegal operators. During 2002–2003 Taiwanese fishing vessel *Shang Yih #6* was caught fishing illegally in Cook Islands waters. The owners eventually pleaded guilty to the charges (CIN, 7 Jan 2003, 1; 22 Jan 2003, 1).

Pearl farming continued to be the country's second largest income-earner after tourism, although undercutting

of prices by producers in Tahiti caused some problems for Cook Islands farmers. The introduction of a value-added tax was perceived by farmers as a negative influence on the industry because it discouraged technicians from returning to the Cook Islands (CIN, 18 Jul 2002, 1). A few farmers continued to be involved in setting up farms in other parts of the Pacific. New pearl-marketing operators set up shop in Rarotonga as pearls continued to attract tourists.

As of 30 June 2002, Cook Islands government debt was estimated to be NZ\$126.9 million (CIN, 16 Aug 2002, 1). The 2002–2003 budgetary appropriation included NZ\$1,379,000 for the Ministry of Agriculture, NZ\$400,000 for Environment Protection fund, and NZ\$100,000 to set up the Money Laundering Authority. Agriculture funding included a focus on hydroponics for the outer islands, livestock production, and a papaya industry (CIN, 10 Aug 2002, 1).

Controversy continued regarding the ban on the public release of parliamentary travel details. The Civil List, which pays out travel and allowances mainly to government members of Parliament, received a total appropriation of NZ\$2,339,400 for 2002–2003, an increase of NZ\$5,111 over the previous year (CIN, 10 Aug 2002, 1).

The light at the end of the tunnel for Cook Islands developmental activities seemed to depend on outside aid. During the year, the United Nations Development Program announced the second stage of its aid program to the Cook Islands. Already four years into the project, a sum of NZ\$350,000 was projected for a biodiversity plan (CIN,

14 Mar 2003, 1). Prime Minister Dr Woonton also signed a historic agreement with European Union allowing the Cook Islands “to access millions of dollars over the next 20 years” (CIN, 23 Apr 2003, 1).

It remains to be seen whether these new dollars will create new job opportunities. During 2002–2003, poor job opportunities in the Cook Islands continued to push young Cook Islanders out of the country (CIN, 8 Jun 2002, 6). The high cost of living was also a great disincentive to remaining in the islands. Prices continued to soar with evidences of over-price profiteering by some businesses (CIN, 7 Jun 2002, 4).

Crime in the Cook Islands has been very mild compared to other countries. However, the 2002–2003 year revealed a growing problem with crime, and an apparent decline in morals and ethics. High profile cases included the conviction of a forty-five-year-old former pastor “on three charges of having sexual intercourse with a 14 year old girl,” and the brutal murder by a neighbor of a young man, Tuakana Tereau Teame (CIN, 28 Jun 2002, 1). Other, subtler crimes also seem to have increased. Many stores continued to sell old or expired foodstuffs (CIN, 25 Oct 2002, 1). Even though government inspectors discovered this, no charges have been laid against the retailers involved (CIN, 2 Nov 2002, 1). Funds raised from public appeals may also have been misused. For example, questions have been raised over the use of the fund established after cyclone Martin hit Manihiki Island on 1 November 1997, killing several Islanders. In 1999 a total of NZ\$265,000 was reported in the fund, minus some

NZ\$42,000 spent on tools and equipment for two villages. There has been no accountability, although some would like to see the balance of the money spent on the building of two hospitals on Manihiki (*CIN*, 5 Nov 2002, 1).

Some top leaders and officials have experienced apparent conflicts of interest. For example, Eddie Drollett, the chief of staff for former Prime Minister Dr Terepai Maoate, was accused of receiving kickback benefits of at least NZ\$25,000 (*CIN*, 1 Jul 2003, 1). Prime Minister Dr Robert Woonton's chief of staff, Piho Rua, continued to be surrounded by rumors of questionable deals, including demands for cuts of business deals. Some appointments to the Cook Islands office in Auckland also suggested possible improprieties. Pa Ariki was secretly appointed as the new consulate general, while the daughters of the head of tourism and the prime minister were sent there as tourism officer and consular officer respectively. The appointments of MP Tepure Tapaitau and later MP Norman George as consultants to two different prime ministers were also publicly perceived as inappropriate. Even the Cook Islands government's own Audit Office apparently later deemed both actions illegal (*CIN*, 27 Jan 2003, 1).

One of the government's continuing problems centers on its offshore banking industry, which has been targeted by countries such as the United States. It has tried unsuccessfully to get the Cook Islands removed from the list of eleven countries black-listed by the Financial Action Task Force for questionable activities (*CIN*,

8 Jan 2003, 1). The lack of an effective copyright law in the Cook Islands has also allowed the abuse of intellectual property. It has been suggested that illegal copying of video and audio material is worth more than a quarter of a million dollars each year for one local operator alone. Local composers, artists, and musicians also suffer from parliamentary inaction to protect their cultural images and creations from being plagiarized.

Some of the crime in 2002–2003 crossed international borders. Albert Shahalain from South Africa was jailed in the Cook Islands for forgery (*CIN*, 2 Oct 2002, 1). An even more elaborate South African-based scam aimed to draw unwary Cook Islanders into parting with their money on the hope of receiving huge rewards. One Cook Islands victim lost NZ\$70,000 (*CIN*, 24 Jul 2002, 1). Conned into believing they were million-dollar winners in another scheme, a Spanish lottery, Cook Islands residents who responded by phone were immediately charged exorbitant fees (*CIN*, 27 Nov 2002, 1).

Some Cook Islanders have occasionally initiated questionable actions across the border. The Cook Islands has been identified as the third highest exporter into New Zealand of illegal products such as turtle meat and shells, as well as giant clam meat. Some "13 percent of all unlawful goods seized by the Customs Department of the Pacific Islands" have apparently come from Cook Islanders to New Zealand.

Rarotonga's traditional double-hulled canoe continued its historic series of open-sea voyages; in July 2002, *Te Au O Tonga* departed for

Tahiti, this time with an eighteen-member crew, including seven women (CIN, 8 Jul 2002, 1). The Cook Islands representative at the world fire-dancing competition walked away with the world title (CIN, 12 Jun 2003, 1). Orama, one of the Cook Islands popular dance groups, performed at the European Union's summit of African Caribbean Pacific Heads of State and Government (ACP) in Fiji (CIN, 23 Jul 2002, 5). Traditional investiture ceremonies continue as reflected by various title investitures held this year, including that of George Nicholas, who was bestowed the Manavaroa Mataiapo title (CIN, 1 Oct 2002, 1). Even efforts to displace Pa Ariki as paramount chief in Taki-tumu backfired because of traditional loyalties; her subchiefs reaffirmed their support for her (CIN, 17 Oct 2002, 1; 18 Oct 2002, 1). The Girl Guides celebrated the establishment of the movement in the Cook Islands on 25 Oct 1928 (CIN, 17 Oct 2002, 1). Archeologist Dr Anne Di Piazza excavated ten square meters on the motu Te Kainga of Rakahanga Island and discovered an earth oven possibly a thousand years old. She found "black charcoal stones, fish hooks made from pearl shells, two chisels made of clam and a pounder made out of coral stone" (CIN, 17 Jan 2003, 1). And the Reo Māori bill making Cook Islands Māori an official language of the country finally made its way into Parliament (CIN, 17 2003, 1).

Although the passing of the Māori-language bill was an important political statement, the largest single issue facing the Cook Islands during 2002–2003 remained its dwindling population. An estimated 15,000

people now live in the Cook Islands, a significant drop from the 20,000 of the 1970s (CIN, 15 Mar 2003, 1). In April 2003, forty-seven more people left the Cook Islands than arrived (CIN, 1 Jun 2002, 13). The outer islands have been particularly depopulated, with many now unable to field full teams in local sporting competitions. Some Aitutaki Island teams even fly in players from Rarotonga every weekend to strengthen their numbers. As local water specialist Sam Napa observed, "In a survey conducted in Atiu Island we found that of 187 households altogether, 93 houses had no people living in them" (pers comm, Rarotonga, Jun 2003).

The government has tried to entice Cook Islanders now living overseas to return to the Cook Islands. "A total of \$100,000 was appropriated in the last financial year to a 'transition fund' to assist with the return of Cook Islanders to the Cook Islands." The assistance to Cook Islanders from overseas applied to those who were returning home for two-year contract government jobs. However, only NZ\$35,000 was spent before the government terminated the program (CIN, 30 Oct 2002, 1).

During the review period there were some major changes in the population makeup of the Cook Islands. Successes in tourism, pearl farming, and offshore banking have enhanced business profits and increased tax revenue. Along with expected additions in foreign aid, the budgetary situation appears healthy. However, the realities of a poor and outmoded salary structure, a spiraling cost of living, and overconfident, self-serving, incompetent politicians, paint a bleak future.

It is hoped that things may change for the better with proposed new laws on immigration and land, as well as new elections in 2004. But a better future depends on educated parliamentarians, moral leadership, realistic government and private-sector goals and actions, and the tenacity of a friendly and hospitable Cook Islands people.

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Reference

CIN, *Cook Islands News*. Rarotonga. Daily.

HAWAIIAN ISSUES

In light of pending litigation (*Arakaki v Lingle*) attempting to invalidate the Office of Hawaiian Affairs (OHA), the Department of Hawaiian Homelands (DHHL), as well as all other federal, state, and privately funded agencies that support Native Hawaiians, the Office of Hawaiian Affairs stepped up its campaign for federal recognition of Native Hawaiians as indigenous peoples of the United States. Federal recognition would solidify a political relationship with the United States government and put Hawaiians on par with other indigenous nations within US borders. Provoked by such legal challenges, the OHA campaign for federal recognition has gone mainstream, producing a slew of public informational meetings in communities around the state of Hawai'i as well as high-profile televised forums.

Arakaki v Lingle was originally filed on 4 March 2002 by sixteen plaintiffs asking that the Office of Hawaiian Affairs (established by a

1978 constitutional convention) and the Department of Hawaiian Homelands (established in 1921 by the US federal government, setting aside approximately 200,000 acres of land for Hawaiian homesteading) be declared invalid and unconstitutional. The suit also asks that any and all monies and properties be immediately returned to the State of Hawai'i to be used for all residents of the state, regardless of ancestry. In addition, the plaintiffs have asked that the creation of any similar laws in the future be prohibited. If successful, the suit would take away all current support systems and programs designed to redress historical wrongs perpetrated against Hawaiians, including the loss of Hawaiian sovereignty and the resultant, dismal socioeconomic conditions.

Arakaki v Lingle owes its standing to the 2000 *Rice v Cayetano* ruling, which forced the State of Hawai'i to allow non-Hawaiians to vote in the election of trustees of the Office of Hawaiian Affairs. In anticipation of the ruling, Hawai'i's congressional delegation authored a bill for federal recognition of Native Hawaiians in 1999. They believed that the passage of such a bill would negate similar court cases and allow a certain degree of control for Hawaiians over lands and other assets currently administered by state and US federal agencies.

The latest incarnation of the federal-recognition bill, Senate Bill 344, was submitted to the 108th Congress in June 2003. While maintaining the general thrust of its predecessors, this version contains a new section that would establish a registration roll for Native Hawaiians, to be overseen and