

## Political Reviews

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*Micronesia in Review: Issues and Events, 1 July 2011  
to 30 June 2012*

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## MARSHALL ISLANDS

The period under review for the Republic of the Marshall Islands (RMI) saw a change in government, controversy over the largest-to-date proposed construction project in the country, and rising tensions with the United States over unresolved issues related to the nation's nuclear history and the Compact of Free Association. At the end of the period, however, it may be fair to ask what, if anything, changed other than the names of those in positions of power, as the new government continued to struggle to meet the basic needs of the people living in the Marshalls and seemed unable to

assist those who had migrated to the United States.

The most significant political event of the period was the national election held on 21 November 2011. In the run-up to the balloting, numerous members of then-President and Iroij Jurelang Zedkaia's administration (including the president) formed a new political party, Kien Eo Am (KEA, Your Government), and, in a break from previous attempts at party politics in the Marshall Islands, the group formalized its existence by selecting a party leader, Arno Senator Gerald Zackios. By the middle of October, KEA announced that it had thirteen members, which, although short of the seventeen-member majority needed to control the Nitijela (Parliament), demonstrated a coordination of political determination rarely seen in the Marshall Islands. This effort apparently was not counterbalanced by the opposition senators, most of whom were affiliated with the traditional ruling class from Kwajalein Atoll (MIJ, 14 Oct 2011).

Compared to the previous election in 2007, which by all accounts was the worst run in the country's history (Kupferman 2011), the 2011 election went off largely without a hitch. The only last-minute change to the ballot involved the senate candidates from Kwajalein. Ataji Balos, a former senator and longtime member of the opposition to Amata Kabua and the Kwajalein landowners, had been removed from the ballot in September by the chief electoral officer for failing to submit candidacy papers on time. However, on 11 November, the acting attorney general reinstated Balos on the ballot, thereby delaying the arrival

of accurate postal ballots for Kwajalein by two and a half weeks (*MIJ*, 18 Nov 2011). The inclusion of Balos on the ballot ensured a contested election for Kwajalein, as he became the fourth candidate for three seats in the Nitijela.

On the day of the election, voter turnout in the early morning hours was high, and poll watchers expected record numbers. After the morning rush, however, the crowds disappeared, and by the time ballots were counted on Wednesday, it was apparent that voter turnout was at a near-record low. The *Marshall Islands Journal* estimated that on Majuro Atoll, the capital and the first district to have its ballots counted, approximately 2,500 votes were cast, representing a mere 30 percent of all registered voters. Election officials guessed that one of the reasons for the low turnout was the large amount of out-migration of Marshallese to the United States, and they expected an increase in the number of absentee postal ballots from overseas (*MIJ*, 25 Nov 2011). By 5 December, the deadline for the arrival of postal ballots in Majuro, however, only 2,500 overseas ballots had been received, 350 of which were invalidated for numerous irregularities (*MIJ*, 9 Dec 2011).

By 28 December, the final senate seat was decided. After two recounts, and barely avoiding a tiebreaker (known in Marshallese as *kubwe* in *kijirik*—literally “mouse shit,” a reference to the unpleasantness of breaking a tie), Caios Lucky defeated incumbent Frederick Muller for the seat for Ujae Atoll by two votes (*MIJ*, 30 Dec 2011). Lucky, who had lost his reelection bid to Muller in 2007, was

one of a number of former senators who were returning to the Nitijela. Others included Jiba Kabua (who had lost his seat for Namdrik Atoll in 1999), defeating Gerald Zackios for the seat for Arno Atoll; Hiroshi Yamamura, who won his seat back from Utrik Senator and Minister of Health Amenta Matthew after losing to her in 2007; and Phillip Muller, who had lost reelection in 1999, this time winning one of the two open seats for Majuro Atoll. Brand-new members of the Nitijela included Tony Muller, the former general manager of the National Telecommunications Authority, who won the other open seat for Majuro; Thomas Heine, who defeated incumbent Rellong Lemari for Lae Atoll; Wilbur Heine, defeating Mili Atoll incumbent Kejjo Bien; Tony Aisea, who won the seat for Namu Atoll from incumbent Kaiboke Kabua; and Hilda Heine, who won the open seat for Aur Atoll.

The loss by Amenta Matthew and the election of Hilda Heine continued a trend in recent elections wherein the only female incumbent loses her bid for reelection and is replaced by a new female member, thus maintaining the male-to-female ratio in the Nitijela at 32:1. Despite a record number of women candidates in 2011, the defeat of Matthew and the election of only Heine seemed to underscore an apparent lack of progress in terms of gender equity at the national level, although it should be noted that at the local level women made modest strides in winning election to a handful of mayoral and council seats. It remains to be seen whether Heine will be able to reverse the political trend and actually win reelection in 2015,

which would mark the first reelection of a woman senator in the country's history.

With the exception of Tony Muller, who allied himself with the KEA party, the new senators did not explicitly align themselves either with President Zedkaia's KEA or with the opposition and Kwajalein landowners, nor were they part of the five-member coalition led by former President and Jabat Senator Kessai Note (which included Likiep Senator Donald Capelle, Kili/Bikini/Ejit Senator Tomaki Juda, Maloelap Senator Michael Konelios, and Jaluit Senator Rien Morris). However, the defeat of Gerald Zackios, Frederick Muller, and Amenta Matthew, all KEA members, signaled the relatively weak position of the incumbent administration, and all eyes turned to the election of the president, Speaker, and vice speaker as the first order of business when the new Nitijela was seated on 3 January 2012. Donald Capelle, the three-term senator from Likiep and one of Kessai Note's group, was elected Speaker by a vote of 20 to 13 over KEA nominee Majuro Senator Brenson Wase; Senator Tomaki Juda, also part of Note's group, was elected vice speaker over Ebon Senator and KEA member John Silk, also by a vote of 20 to 13 (*MIJ*, 6 Jan 2012). Capelle replaced Jaluit Senator and KEA stalwart Alvin Jacklick, while Juda succeeded former Majuro Senator Alik Alik, who had retired from the Nitijela in 2011.

With such obvious victories over KEA by Capelle and Juda, it was evident that Kessai Note's coalition had aligned itself, at least initially, with the former opposition and Kwajalein landowners. It was little surprise, then,

when longtime Ailinglaplap Senator and Iroij Christopher Loeak was elected president over Iroij Jurelang Zedkaia by a vote of 21 to 11 (one vote went to Kessai Note) (*MIJ*, 6 Jan 2012). What was also clear was that the presidency remains, at least for the time being, the province of the iroij, or chiefly class, as Loeak is now the fifth of six presidents to hold that title; the only non-iroij president was Kessai Note. What is less clear is whether the period of relative instability (marked by three presidential administrations in four years) is now over or whether the creation of KEA, Note's five-member coalition, and the coalescence of the Kwajalein landowners signals another round of opposition politics.

Indeed, Loeak's cabinet reflected not only the change in government favoring the Kwajalein group and the alliance with Kessai Note but also the inclusion of many of the new, non-aligned senators. Kwajalein Senator Tony DeBrum was named minister in assistance, marking his fourth return to the executive branch in twenty years; Phillip Muller was appointed minister of foreign affairs, a post he held previously under the administration of President and Iroij Imata Kabua in the late 1990s; Mejit Senator Dennis Momotaro was named minister of finance; Wotho Senator David Kabua was named minister of health; Hilda Heine was appointed minister of education; Thomas Heine was named minister of justice; Michael Konelios was appointed minister of resources and development; Wilbur Heine was appointed minister of internal affairs; Rien Morris was named minister of transportation and communications; and Hiroshi Yamamura was named

minister of public works. The Loeak administration appointed Frederick Muller as ambassador to Fiji, replacing Amatlain Kabua, who herself was appointed to replace Phillip Muller as United Nations ambassador. Kejjo Bien, the defeated incumbent from Mili Atoll, was named ambassador at large, while Tom Kijiner, a former senator from Likiep who had failed in his third attempt in the 2011 election to unseat now-Speaker Donald Capelle, was named ambassador to Japan, replacing returning Arno Senator Jiba Kabua. Additionally, Daisy Alik-Momotaro, wife of Finance Minister Dennis Momotaro, who herself had run for the Nitijela from Majuro but lost, was appointed secretary of internal affairs, and Amenta Matthew was appointed to the Board of Regents of the College of the Marshall Islands. Gerald Zackios was nominated as the RMI candidate to head up the Forum Fisheries Agency, but he came in third in the final selection round at the ministers' meeting in July (*MIJ*, 13 July 2012). In a bit of irony, Rongelap Senator Kenneth Kedi, a former member of the Zedkaia cabinet who in early 2011 pleaded no contest to one count of petit larceny and two misdemeanor counts of misconduct in public office stemming from charges related to misappropriation of public funds, was named the chairman of the Nitijela Public Accounts Committee in February (*MIJ*, 10 Feb 2012).

Despite the initial hope surrounding the new president and his cabinet, it soon became clear that little was going to change. In fact, almost nothing was done during the Loeak administration's first Nitijela session in 2012, despite the fact that the originally

planned thirty-day session, which was to wrap up in early February, lasted until 13 April—marking one of the longest sessions in RMI history. The change in government seemed to signal only a change in the seating arrangement in the Parliament, as just a handful of bills were presented over the months-long session, and with the exception of a few pro forma resolutions, none were passed into law.

This lack of legislative activity, however, was not without controversy. Bill 1 (which was later renumbered as Bill 2 for procedural reasons), sponsored by Senator John Silk, proposed disenfranchising all overseas voters in future elections by eliminating voting by postal ballot. Part of the rationale for the bill was to “allow Marshallese citizens who are taxpayers and residing on the islands to determine the person or persons to represent them in their constituencies” (*MIJ*, 2 March 2012), with the exceptions of individuals who are medically unable to travel to a polling station in the Marshall Islands and those RMI residents who will be temporarily off-island on election day. The bill not only set off a firestorm on the Internet among overseas Marshallese but was also so unpopular within the Nitijela that Silk was unable to find another sponsor for the bill. The bill never came up for a vote during the January session, although public hearings were scheduled in Arkansas, Washington state, and Hawai'i for August and September 2012.

Perhaps one motivation for the bill was to ensure that particular constituencies within the Marshall Islands (including those of KEA party members) would be protected and

not overturned by the will of voters who both reside outside the country and do not pay RMI taxes, while currently retaining the constitutional right to vote. Indeed, some races in the election were decided almost entirely by overseas postal ballots, including Speaker Capelle's (who lost the vote on his home atoll of Likiep but won the seat thanks to Likiep voters living abroad), as well as the losses by Gerald Zackios, Amenta Matthew, Frederick Muller, and Kili/Bikini/Ejit mayoral candidate Eldon Note (*MIJ*, 9 Dec 2011). In December, Zackios filed suit on behalf of himself, Matthew, and Note, citing a lack of required notary affidavits accompanying a majority of the postal ballots in their respective races (*MIJ*, 23 March 2012). Hearing dates for the suits are pending at the time of this writing.

Interestingly, the bill also drew attention to the recent numbers of Marshallese leaving the country, as highlighted in unofficial reports and summaries of the 2011 national census (the official report has yet to be released to the public). The trend nationwide since the previous census was taken in 1999 suggests that more people are leaving the outer islands and migrating to the urban population centers of Majuro and Ebeye, and eventually out of the country altogether. With the exception of Jaluit, Lae, and Lib, all outer islands saw a drop in population over the past twelve years, with some, including Ailuk, Kili, Namdrik, and Wotho, losing well over 30 percent (RMI 2011b). Indeed, the total population in 2011 was counted at 53,158, a mere 0.4 percent increase over the population in 1999 and well short of

the expected count of 55,000–60,000 people. The reason given for this small increase was the fact that approximately 11,000 Marshallese have left the Marshalls over the past decade, the majority of whom have relocated to the United States (RMI 2011a).

For those Marshallese living in the United States, life has not necessarily gotten easier since the current wave of out-migration began in the late 1990s. In June 2012, the *Marshall Islands Journal* highlighted the stories of a number of young Marshallese men who were awaiting deportation back to the Marshalls for a variety of crimes ranging from first time misdemeanors to federal offenses, including seven young men who were arrested in Kansas for hitchhiking on an interstate highway in May (*MIJ*, 15 June 2012). The *New York Times* also ran an article on the issues faced by Marshallese living in the United States, focused on the community in Springdale, Arkansas, home to one of the largest number of Marshallese outside the Marshalls, and their difficulties obtaining access to health care and basic legal services (*NYT*, 5 July 2012). Should out-migration trends continue at their current rates, it seems that such profiles of the Marshallese as a community of struggling immigrants may only increase. And should Bill 1 become law in the near future, one can only imagine what might happen to those RMI citizens living abroad once they and their votes are no longer courted by the RMI government.

Deportation was not only on the minds of US officials and Marshallese convicted of crimes and misdemeanors, however; despite being unable to pass legislation during the January-to-

April session, the Nitijela did find the time to discuss whether and how to deport Dr Dean Jacobson, a US citizen who has worked for ten years at the College of the Marshall Islands as a marine science instructor. Jacobson spent most of the period under review drawing attention to the negative environmental impacts that could result from a proposed \$15.7 million runway expansion project funded by the US Federal Aviation Administration (FAA), arguing that the reef area slated for dredging by contractor Pacific International Inc (PII) to provide the fill for the runway contains some of the last healthy coral in Majuro Lagoon. Jacobson argued that other areas would be more suitable and would limit the environmental damage. As a result, the FAA halted the largest construction project in RMI history in July 2011, two months after it had broken ground. In response, then-President Zedkaia ordered the general manager of the RMI Environmental Protection Agency (RMIEPA) to prioritize the runway project, while the RMI Ports Authority requested that PII offer feasibility studies of other possible dredging sites (*MIJ*, 29 July 2012).

In October, the RMIEPA held a public hearing on the matter, at which the RMI Ports Authority and PII presented their findings on alternative dredging sites and reminded the public that the cost of the project was accepted by the FAA only after it included local fill materials, as the original projection of \$21 million dollars, including off-island fill, had been rejected by the FAA as too expensive. The war of words escalated during the meeting, with Jacobson concluding aloud that PII's new dredging site plan was

“idiotic” and a continued threat to the last remaining healthy coral in the lagoon (*MIJ*, 28 Oct 2011). RMIEPA Board Chairman Ben Chutaro noted that the agency was still considering the feasibility of the proposed dredging site, but by 8 December, Chutaro was removed from the RMIEPA Board by President Zedkaia, who then urged the RMIEPA to approve pending permits to the Ports Authority and PII so that the runway expansion could proceed immediately. RMIEPA, including Chutaro, who was not yet aware of his removal, conditionally approved the permits the next day (*MIJ*, 16 Dec 2011).

Two weeks later, however, the project was halted again, this time by the US EPA, suggesting that high-level talks between the US EPA and FAA could consider the potential environmental impacts of the reef dredging. The US Embassy, for its part, reminded the RMI government that “US agencies do not have jurisdiction over this federally-funded airport construction project, and that the decision to move forward rests with the RMI government” (*MIJ*, 30 Dec 2012).

Meanwhile, the verbal war between Jacobson and PII continued to heat up, so much so that the new government inserted itself in the debate, spending all day on 17 February considering how to deport Jacobson. Foreign Affairs Minister Phillip Muller led the charge, arguing that non-Marshallese do not have the right to participate in RMI political affairs. Transportation and Communications Minister Rien Morris wondered aloud whether it would be possible for the Nitijela to simply declare Jacobson persona non grata, but he then deferred to recommendations from



the cabinet (*MIJ*, 24 Feb 2012). By the middle of March, the RMI government and FAA officials met in Guam, where the new dredging site was apparently okayed in principle by the FAA (*MIJ*, 16 March 2012), and in the middle of June the RMI Ports Authority submitted a report on the new dredging site, as requested by the FAA, for approval and continuation of the project (*MIJ*, 15 June 2012). Jacobson, whose deportation again took up Nitijela time during its August session, continued his crusade against PII through online petitions and Facebook postings, most recently with a series of photos of damage already caused to healthy corals by PII's dredging at the new site, including one of a baby puffer fish that his marine science students named "Jerry Kramer" in dubious honor of the PII chief executive officer.

The relationship between the RMI and US governments also came under some strain, although not directly in relation to the runway project. Early on, it appeared that the Loeak administration was going to move in a direction different from its immediate predecessors by taking a more aggressive approach with the United States in terms of the unresolved issues surrounding the nuclear legacy in the Marshall Islands and perceived changes in the Compact of Free Association made by the United States. In January, Foreign Affairs Minister Phillip Muller warned that the United States "keeps making excuses to change the terms of our Compact" (*MIJ*, 27 Jan 2012). During the Nuclear Survivors' Remembrance Day ceremony on 1 March, the RMI government and its supporters staged a well-coordinated protest of the US

failure to respond to the "changed circumstances" petition submitted to the US Congress over a decade ago; the event included what the *Marshall Islands Journal* called "the most outspoken comments from Marshallese heard in many years" (*MIJ*, 9 March 2012). In late May, discussing the use of Kwajalein atoll, Minister in Assistance Tony DeBrum suggested, "Relations between the United States and RMI have deteriorated"; in response, US Ambassador Martha Campbell stated, "It is unfortunate that we learn many of the RMI's concerns through the press, rather than through direct dialogue" (*MIJ*, 1 June 2012). And in what appeared to be a bit of unnecessary theater, Minister Muller greeted visiting US Assistant Secretary of State Kurt Campbell in August with a "reset" button, reminiscent of the attempt by US Secretary of State Hillary Clinton to "reset" relations with Russia in 2009 (*MIJ*, 10 Aug 2012). It is still unclear what, if anything, the Marshall Islands expects to gain from this latest round of diplomatic gamesmanship or how the United States will respond. But with the expiration of the funding provisions in the compact looming in 2023, now another year closer, it is evident that the new government has yet to suggest a way forward for the people of the Marshall Islands.

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## REPUBLIC OF PALAU

President Johnson Toribiong is the Republic of Palau's eighth president since 1 January 1981. To date, he has traveled abroad extensively and achieved much overseas, and this may have diverted his attention from local problems and issues. He is in the fourth year of his presidency and in 2012 must stand for reelection during September's primary and November's ninth general elections.

On 5 November 2011, a small fire in Palau's main Aimeliik electrical power plant raged out of control, destroying the facility and its capacity to generate electricity. This in turn endangered the water supply to Koror and Airai, impacted Koror's wastewater system, and threatened not only the operation of the National Hospital but also operations at public and private schools and even the activities of the Palau International Airport. President Toribiong declared a national state of emergency and took quick and positive action to restore full electrical power. Like many dramatic actions in Palau, the president's responses were the subject of

complaint and questioning and even a lawsuit. But he endured to take other positive steps, and with the advice and consent of the Palau Senate he appointed a new five-member board to oversee the Palau Public Utilities Commission. Electricity was fully restored by Christmas Day.

In November, President Toribiong joined other Pacific Island leaders and US Secretary of State Hillary Clinton for a series of meetings on the margins of the Asia-Pacific Economic Cooperation (APEC) Leaders' Meeting in Honolulu. The official White House photo from the Pacific Islands leaders' meeting with President Barack Obama shows President Toribiong standing to Obama's immediate right. The sessions addressed fisheries, natural resources development, climate-change threats, disaster management, and the Pacific region's growing health crisis. Secretary Clinton took the occasion to announce a major US policy shift: a pivot away from the Middle East and toward America's Pacific Century in the Asia-Pacific region. What impact this may have on Palau is unknown. US congressional approval of the Compact Agreement II between Palau and the United States would be an excellent step. That agreement has been languishing in Congress for over a year.

President Toribiong greeted New Year's Day 2012 with an ecumenical "Sunrise Prayer Service for the Nation" at the magnificent national capitol in Ngerulmud. All of Palau's churches took part, and High Chief Reklai closed the services with his advice that what each leader wants must give way to both what is right and what is their responsibility.