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**SECOND INTERNATIONAL DECADE FOR THE ERADICATION OF COLONIALISM**

**Pacific Regional Seminar on the implementation of the Second  
International Decade for the Eradication of  
Colonialism: priorities for action**

Yanuca, Fiji  
28 to 30 November 2006

**FALANI AUKUSO**

**(TOKELAU)**

**(DISCUSSION PAPER)**

**PACIFIC REGIONAL SEMINAR ON THE IMPLEMENTATION OF THE  
SECOND INTERNATIONAL DECADE FOR THE ERADICATION OF  
COLONIALISM : PRIORITIES FOR ACTION**

Fijian Resort, Yanuca, FIJI  
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**REMARKS BY TOKELAU NATIONAL, FALANI AUKUSO**

“GREETING CHANT”

KEI NA TU MAI TA O

*Let us rise together*

KAE FAKATONU KO TO TA AHO

*And prepare ourselves for this day*

KEI NA TU MAI TA O

*Let us rise together*

KAE FAKATONU KO TOKU ALIKI

*While we call upon our Gods*

TOKU ALIKI TUI TOKELAU

*My God Tui Tokelau*

HAU HE MATAGI KE MOMOLI AU

*Send forth the winds to take me on my journey*

TUI O NUKU TUI O VAVAU

*Lord of the Lands, Lord of time Everlasting*

HAU HE MATAGI KEI NA TU

*Send forth the winds to take me to safety and my final destination*

HOA, HOA LAVA!

*Oh for a brother, Oh to have a brother helper!*

With this traditional chant I greet you Mr Chairman and your distinguished colleagues in the Special Committee. May I also congratulate you for assuming the chairmanship of C24. Might I also return a smiling *ni sa bula vinaka* to the Honorable Pio Tabaiwalu, who is here representing the people of the *vanua* or land, and say *vinaka vakalevu* for the very warm welcome to the beautiful and hospitable islands of Fiji. Through you also Mr Chairman, I give special greetings to the Ulu o Tokelau, Faipule Kolouei O'Brien and his tokotoko or walking stick, Mr Jovilisi Suveinakama who is one of Tokelau's Constitutional adviser. I would also like to acknowledge the

Administrator of Tokelau, Mr David Paton, who is here on behalf of Tokelau's administering power. Present here also are representatives of Territories in the Pacific in particular our closest neighbour, American Samoa. I know how you feel because I am of you. *Malo soifua lau afioga*, Lt Governor Aitofele Toese Sunia. Greetings also to our other friends from the Carribeans. Excellencies and othe members of the diplomatic corp. Last but not least, I greet the Secretariat of the Special Committee and through you Mr Chairman thank you and them for the invitation to attend this seminar.

It is an honour for me to be here and to say a few remarks from the perspective of a Tokelauan national who was right in the heart of the Tokelau *process* of self determination. I do not label or see myself as an "expert" but a passionate son of Tokelau who care deeply about the future of the people of Tokelau. For Tokelau, walking the path of self determination was not an academic exercise, nor something that was foisted or forced upon her by its administering power – or the UN for that matter. [If one was to believe the journalists and other commentators – that Tokelau was forced into the situation - then that assumed that the people of Tokelau cannot think or make decisions for herself.] Rather, it was a process that was mutually agreed upon by all the distinctive partners of this important journey. The partners are Tokelau, New Zealand and the United Nations through the Special Committee. It was a managed process and for Tokelau walking that path was a necessity and remains even more so today. It was [and is still] an attempt by Tokelau to regain its lost sovereignty and self-respect. It was an attempt by Tokelau to bring home the formal authority or *pule* that rightly belongs to her and her people. That *pule* was taken away from Tokelau



without her consent. It was an attempt by Tokelau to stand up on its own two feet and to look after its own affairs, making its own decisions, provide for its own material needs and co-exist with other nations and peoples – *to the greatest extent possible*. It did this in the full knowledge that she could not provide for all of her needs – but that New Zealand and the international community would stand by her and encouraging her to stand tall and look after herself – *to the greatest extent possible*.

It was *not* an attempt to become fully independent and cut the umbilical cord that bound her inextricably to New Zealand. If anything it was to strengthen that very precious relationship. It was a conscious effort to formalise that relationship in a written form using the mechanism of an international treaty subject to international law. The supporting documents to the treaty of free association with New Zealand, provide the information that will govern the relationship in great detail and is a testimony to that effort. It is my understanding that the Ongoing Government of Tokelau has recently decided to maintain the conditions and arrangements in the current text of the treaty including all its supporting documents. From my perspective that is a wise move because otherwise, Tokelau take the very real risk of compromising that which was agreed to, nine months ago.

Tokelau can be proud of the treaty and the leaders and all of the people of the three atolls and outside in New Zealand, Australia and elsewhere can be and should feel reassured that a great deal of care, love and goodwill from both sides went into the crafting of the draft treaty of free association and all its supporting documents. In support of both the traditional and elected leadership of Tokelau a great deal of discussion, research, consultations and

negotiations was undertaken by Tokelau's constitutional advisers to protect the interests of the people of Tokelau now and especially the generations to come. It is an inter-generational treaty with clauses that would allow future generations to renegotiate in accordance to the circumstances that they find themselves in.

Therefore, subjecting the text of the treaty again to the political process within the administering power's domain [and that of Tokelau,] I believe will take away the assurances that Tokelau need - to look after herself - *to the greatest extent possible*. It is Tokelau's dream and aspiration to be - *self-reliant to the greatest possible* with the ongoing support and presence of New Zealand, the United Nations and her other friends in the Pacific region and the international community - and not to further erode the protective mechanisms for future generations that are already contained within the treaty.

Mr Chairman, the Tokelau self-determination process had its own integrity and was carefully considered through the "Tokelaury way". It was considered an innovative and unique approach and is still. That is not a big deal in itself because all it tried to do was to approach the path in a way that could be negotiated easily and understood through Tokelau eyes and worldview. The consultative process was exhaustive and reached deeply into the hearts and minds of the people of the communities. Over the years and especially since 1994, the year of the "Voice of Tokelau" in which Tokelau for the first time formally informed the international community that it was about to embark on its self-determination journey by exploring the *full internal self-government in free-association with New Zealand*

*option* - each and every person in the villages had many, many opportunities to contribute to the shape, form and substance of a future Tokelau political arrangement. The process was only subjected to undesirable political influence in the last bend of the path and that is where it began to go awry and horribly wrong. The decision to subject the process to a two third vote plus one was largely responsible for its own failure. Why? Because up till then the walking of the path was deliberate and purposeful with all the stages of the journey being endorsed along the way by the Tauplulega or Councils of Elders of each of the villages after consulting with their communities and finally endorsed by the National Fono. [That is where the basis of the self-determination decision should have been made and such was my advice.] The communities were kept abreast of all developments with frequent consultative visits by the Tokelau Executive to the communities outside. Throughout the process they consistently gave their moral support in the form of – “if you think that it is good for Tokelau we will give our moral support and trust.” By far when the vote was agreed upon as the mechanism for deciding the end of the journey, the majority of the Tokelau population overseas accepted that decision by the General Fono. However, that did not mean that there was no opposition – there definitely was loud opposition but Tokelau was reassured by the moral support and trust of the majority of her people overseas.

Indeed, the people of Tokelau overseas must take on the equal responsibility to ensure that Tokelau remains a viable and living community. A community that will continue to maintain its soul and vitality. It is to their interest that this be so. Why? Quite simply there is no other place “like home”. The current three atolls of Tokelau are the natural home of the

culture and language of Tokelau. It is where the song and dance are composed and rehearsed out of the everyday experiences and dreams and aspirations of the people. It is where Tokelauan is the first language not second or third. It is the source of identity for the people of Tokelau everywhere. It is as it has been referred to before, the cultural reservoir for all people of Tokelau everywhere to return to – to live or for a refresher and to be revitalized.

Mr Chairman, the latest figures in the October Census are very sobering and one has to ask – what is the critical mass for a people in order to self-determine? Further, why are people leaving? In the Tokelau/NZ Resettlement Scheme of the 1960s people left because the place was getting over populated and looking for better opportunities in education for their children. With the particular onset of non-communicable diseases and consequent decline in health standards, people sought better health services outside of Tokelau. This situation unfortunately persists today.

Over the last two to three decades health, education and shipping services have been among Tokelau's persistent development priorities. In the last international decade for the eradication of colonialism transport especially shipping was identified as a strong pre-requisite before an act of self-determination was to ever take place for Tokelau. This is a clear message and an indication of what needs to be done in order to keep Tokelauans in their homeland. It is unrealistic and unfair to expect the Taupulega to lift these standards – as the devolution of the delivery of most of the basic services under their direct responsibility only just occurred on 1 July 2004. The responsibility lies fair and square on the administering power as part of



its "tutelage responsibilities" to prepare the territory to exercise a meaningful and purposeful act of self-determination.

The practitioners of Tokelau culture and speakers of the Tokelau language continue to decline in New Zealand and wherever the people of Tokelau have made their homes overseas. Therefore it is vitally important that measures are put in place to keep and maintain a living community on and in Tokelau. Immediate and significant improvement in education and health standards will go along way to ensure that this happens. A massive improvement in shipping standards is well overdue and will contribute to lifting the standards of both health and education but more so towards the ability of Tokelau to become one - a nation. Quite frankly as New Zealand citizens the Tokelau shipping services are sub-standard and are a long way from the standards available in mainland New Zealand.

It is important that Tokelau changes her political status so to enable her to have greater influence in discussing and intervening on issues pertaining to her own general development and deciding on matters for herself. Tokelau cannot be denied the benefits and opportunities available as part of the global village or worse, not have the means to express her voice as a threatened entity within the context of sea level rise, global warming, threats from pandemic avian flu and other forms of threats. Gaining her own voice will enable Tokelau to speak more freely and assertively about a great loss and too seek and gain support to regain that loss.

At present under its current political status and relationship with its administering power, it is extremely difficult for Tokelau to talk about or



discuss in meaningful terms the situation in regards to Swains Island – locally known as Olohega but now better known as “Tokehega” or “that which was taken away from us”. The casting away of senior greyhair Manuele Palehau’s walking stick as a mark of protest in the signing ceremony of the 1981 Delimitation Treaty which gave away any sovereign rights and claim that Tokelau ever had on Swains - will be remembered by generations of Tokelauans to come. Tokelau cannot pursue this terrible loss in a concerted, cogent and consistent manner under its current political status with New Zealand. [It is like a missing limb and it cannot be denied that it was stolen from Tokelau. It is a great injustice.] However, it can do so within the context of a relationship of *full internal self-government in free association with New Zealand* under the terms and conditions of the Treaty of Free Association that is currently on the table. This will be possible if the November 2007 referendum result will reach the target of two third plus one votes.

Mr Chairman, it has been 9 months since the February 2006 Tokelau Referendum. In just another 12 months a further referendum will be held. By all accounts this is a very bold and surprising decision and one can interpret the will of the three villages endorsed by the Tokelau General Fono in many ways. One is that it demonstrates the commitment of Tokelau to look after her own affairs to the greatest extent possible. Two it shows and demonstrates that Tokelau is trying to control her own destiny by making this bold decision. Thirdly, it demonstrates both the current traditional and elected leaderships’ commitment to do better for their people – it is their time now. Fourthly, it is a manifestation of the elected leadership’s desire and vision to search for new opportunities to “bring home the catch” to feed

the “tinifu” or the children. Fifthly, it also demonstrate the trust that Tokelau has in its administering power – that no matter what - Tokelau will not be neglected – even in a new relationship of mutual respect – governed under a treaty of free-association.

For the next 12 months, all efforts by the three partners should now concentrate on explaining the treaty and its implications and consequences to the people of Tokelau. To emphasise - that we are not taking a vote on the three options including independence, full integration or even a mention of the status quo – that will be the outcome of another failed vote. The question of another failed vote is if you like out of the question. Tokelau cannot afford for this to happen – it will literally knock the stuffing out of them that is - the confidence, self-respect and healthy pride in being a people. They will risk becoming the laughing stock of the region and beyond. Not that this matters very much on the surface but for the emerging generations to make a meaningful contribution in their own lives and to lead and teach their own children to live meaningful and purposeful lives their task will be that so much more difficult. So a further failed vote is just out of the question.

Maintaining a living and viable community in Tokelau is clearly a part of the equation. And I strongly urge and encourage the administering power to live up to its responsibilities and provide adequate and satisfactory services that New Zealand citizens have a right to. Yes it is a right and the people of Tokelau can make justifiable assertions that these inadequacies be addressed now. I know that it will be of immense reassurance to the people of Tokelau as they prepare to go to the vote in November 2007, if these basic needs are

going to be properly addressed within the context of the upcoming talks in finalizing the 2007-2009 Tokelau New Zealand Economic Arrangement.

To conclude Mr Chairman - and thank you very much for your patience and indulgence. I have just returned from Tokelau late last week in my capacity as a regional public servant together with over thirty other managers and technical advisers from 9 other regional and international organizations – including many of the UN agencies of which UNDP Apia was well represented. These organizations went in at the invitation of the Tokelau Government to assist in meeting their priorities by putting together a collective Strategic Development Plan for the next 3-5 years. This is the first time that this has ever been done in the region and Tokelau can justifiably feel proud of achieving this. I work for the Secretariat of the Pacific Community [SPC] and I want to acknowledge my Director General for allowing me to be here in an “official capacity”.

The delegations were very impressed by the quality of the preparations including the documentation from the villages as well as the national centre. These documents clearly enunciated the developmental priorities of all of Tokelau – especially from the three villages - the foundation of the small nation of Tokelau. I quickly quote from the national briefing document:

“Over the next three years Tokelau wishes to give priority to:

- Village Development – [including infrastructure – my interpretation and emphasis]
- Health



- Education
- Shipping
- Communication and ICT
- Economic Development

Mr Chairman, I'm sure that you will agree with me that these are but very basic needs and services. As I mentioned earlier, these have been the same priorities for Tokelau for over the last three decades and may I humbly suggest that these be included in the priorities for action for the next 12 months. The result of the November 2007 referendum may very well be dependent on how well these will be addressed – as they are the very basics of life and rudiments and recipe for an ongoing, viable and living community in Tokelau.

“Ke ola ia Tokelau”!

*May Tokelau live on forever!”*