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**PSA PASEFIKA
SUBMISSION ON
RESTORING CITIZENSHIP
REMOVED BY
CITIZENSHIP (WESTERN
SAMOA) ACT 1982 BILL**

MAY 2024



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31 May 2024

ABOUT THE PSA

The New Zealand Public Service Association Te Pūkenga Here Tikanga Mahi (the PSA) is the largest trade union in New Zealand with over 95,000 members. We are a democratic and bicultural organisation representing people working in the Public Service including for departments, Crown agents and other crown entities including DHBs, and state-owned enterprises; local authorities; tertiary education institutions; and non-governmental organisations working in the health, social services and community sectors.

For over 110 years, people have joined the PSA to negotiate their terms of employment collectively, to have a voice within their workplace and to have an independent public voice on the quality of public and community services and how they're delivered. Our purpose as a union is to build organisation to influence the political, economic, social and industrial environment in the interests of PSA members – creating a better working life for our members.

We are committed to advancing the Tiriti o Waitangi of partnership, protection and participation through our work. Te Rūnanga o Ngā Toa Āwhina is the Māori arm of the PSA membership. The PSA is affiliated to Te Kauae Kaimahi the New Zealand Council of Trade Unions, Public Services International and UniGlobal.



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PSA Pasefika is one of the recognised networks within the PSA. Of the 95,000 PSA membership, over 8,000 identify as Pacific Island. PSA Pasefika has its own Komiti (Committee) embeded within the PSA structure.

The PSA Pasefika network holds position on the PSA Board and has Pacific representation within each of the sector committees across the PSA. PSA Pasefika also organises itself by having Vā Moana delegates as part of the formal delegate structures across many organisations.

THIS SUBMISSION

This submission sets out PSA Pasefika's response to the Restoring Citizenship Removed by Citizenship (Western Samoa) Act 1982 Bill and primarily focuses on drivers which outline why it is important for Samoa peoples' to be protected by a legislative approach to access New Zealand citizenship.



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PSA PASEFIKA RESPONSE TO THE BILL

Citizenship (Western Samoa) Act 1982

On 15 September 1982 the Citizenship (Western Samoa) Act 1982 came into force.

This meant the following:

- The term New Zealand in the Act does not include Cook Island, Niue or Tokelau
- The Act binds the Crown
- The Act impacts on those **born in Western Samoa on or after 13 May 1924 and before 1 January 1949;**
- Those who were British subjects by virtue of being born in the country during the above time;
- Those females who were married and became New Zealand citizens by virtue to those who were born during the above time;
- Those who were descendants of people who were born in Western Samoa during the above time;

Immigration by Pacific Island families had increased from the second world war. The primary reasons for Pacific Island families wanting to come to New Zealand included job opportunities, money and most importantly the opportunity to further their childrens education. New Zealand was referred to as the land of “milk and honey”. This was a time when New Zealand needed cheap labour. As the Pacific population grew the need for more stable and organised Pacific communities grew. Places such as the Newton church in Edinburgh Street became hubs for Pacific Islanders coming from the islands to be able to learn how society worked in New Zealand and to gather amongst other Pacific Island families.



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In the early 1970's the political environment was changing and global forces were having an even bigger impact on New Zealand society. Unemployment was rising, however, Pacific Island people continued to come to New Zealand on visitor permits. It was deemed that as unemployment was rising these "overstayers" were used as scape goats for the social and economic problems.

The government of the day responded with various Acts such as the Immigration Act 1964 and its amendment in 1968 which allowed for the deportation of overstayers. Police were given the power to ask Pacific Island people for valid paperwork such as their passports, and permit to enter and remain temporarily in New Zealand. The Act enabled the formation of a specific police force tasked with mitigating violence incited by Pacific Island people. The police powers were broad and enabled what we know today as the "Dawn Raids".

The Dawn Raids is an example of worker exploitation. The Pacific Island nations were responding to a labour shortage in New Zealand and looked at the opportunities for themselves to be able to capitalize on what was being offered to them. The racial divide that was created by this and the perceptions of Pacific Island families being overstayers was shameful on many levels for Pacific Island people looking to have a better life in New Zealand, especially the Tongan and Samoan nations.

The government of the day did not stop there, with the introduction of the Citizenship (Western Samoa) Act 1982 with its intent to disseminate the ability for Samoan peoples to participate in New Zealand society.



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The passing of this legislation enabled the New Zealand government to deprive Samoans citizenship on the basis of race to accommodate their immigration policies. This has not been forgotten by many Samoans.

Restoring Citizenship Removed by Citizenship (Western Samoa) Act 1982 Bill

While the PSA welcomes the bill introduced by MP Teanau Tuiono, for those born in Western Samoa on or after 13 May 1924 and before 1 January 1949, we also feel that the period should cover those who were born up until and before 1 January 1962 when Samoa gained its Independence. Yes, the Privy Council recognised those born between 13 May 1924 – 1 January 1949 as British subjects BUT New Zealand still continued to be mandated to be the administration of Samoa from 1 January 1949 – 31 December 1961.

For almost 62 years Samoa and New Zealand have had the Treaty of friendship to reflect the relationship these 2 countries have but yet New Zealand have continued to:

- put up barriers for our people in terms of assistance for social welfare, health, housing and much more both domestically and internationally.
- have allowed for a Pay Gap in the employment space whilst limiting access to terms and conditions like career progression, remuneration, recognition of skill etc.
- exploited our people through the RSE scheme where there has been a lack of accountability on the welfare and the living conditions.
- ridicule us in the media during the COVID Pandemic with 1 hand but thanking us with the other hand for continuing to work the frontlines for not only Samoans but the wider Pacific community.



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Is this how New Zealand defines friendship? Is this what was meant when said “the 2 countries would be governed by a spirit of close friendship, and that both governments would work together to promote the welfare of the people of Samoa”?

On 10 August 2021, the Leader of the Opposition at the time Judith Collins spoke during the Special Debate for the Dawn Raids apology and says in reference to the Citizenship (Western Samoa) Act 1982 “it’s because something was taken away from them that was legally theirs” and that Samoans “weren’t treated the same as other people coming to New Zealand because they didn’t have the protections of other people coming here as immigrants”.

MP Teanau Tuiono highlighted the current state at the time where he states “we’re going through a COVID crisis, and we still have many of our people who have been caught up in the cracks of that. Many of those people also are our essential workers who have carried us through this pandemic”. The Samoan people alongside the wider Pacific community continue to tautua (service) and make sacrifices to make for what they believe a better New Zealand and it is because o le agaga fa’afetai ona o lou alofa tula’i ma lo fa’atāuaina o avanoa tuuina atu i totonu o lenei atunu’u o lo tatou aumai ai – it is due to the gratitude and gratefulness for the opportunities this country has provided for them but also their families.

Should the government not take into account the service and sacrifices but also the sacrifice the people of Samoa have had to endure with the Influenza pandemic in 1918 and the shooting of the late Tupua Tamasese Lealofi III in recognising those born after 1 January 1949 and before 1 January 1962 to be included in the Citizenship Act 1982 because Samoa was still under New Zealand law as the administrator, it means the paper that the Treaty of friendship signed in 1962 and is printed on, the apology from Prime Minister Helen Clark in 2002 and the



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Dawn Raids apology in 2021 have little to no worth or meaning because as Judith Collins has said you are still taking away something that is legally theirs and that actually you are okay with those born between 13 May 1924 and 31 December 1961 to still be burdened with the fear of deportation until the end of their life as shared by MP Barbara Edmonds during the special debate.

We advocate for those who have gone before us, and be the voice for our elders who are still around. Our elders worked very hard to make sure we had food on our table, clothes on our backs and a house to live in. We would not be here today if it wasn't for their hard work in providing for our families, making sure we received good education, and have a brighter future. For this, we provide our full support in restoring what our people should have been entitled to.

For further information about the submission please contact:

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Tōfā soifua

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