

July 1, 2024

Deacon Sanele Introduction:

Oute mua’i faatulou atu ile pa’ia maualuga ole Maota ole Palemene o Niu Sila, Afio i lau Afioga ile Fofoga fetalai (Hon Speaker of the House) Lau Afioga ile alii Palemia (Right Hon Prime Ministers) le mamalu ile Kapeneta (Cabinet) faapea nofo-a-faipule ole Palemene o Niu Sila (New Zealand Members of Parliament) i ona tulaga faalupe

Tulou! Tulou! Tulona lava,

I am Rev Deacon Sanele Poluleuligaga, the deputy Chair of the Justice and Peace Commission of the Auckland Catholic Diocese, here with me is the Vicar for Social Impact and Communication for the Auckland Catholic Diocese, Loraine Elliot. Also with us today in support / tautoko is the Commission’s Executive Secretary, Kathleen Card.

In our written submission, we said, the Auckland Catholic Diocese Justice and Peace Commission is very supportive of the intention of this Bill

This is to redress the injustice of the 1982 legislation that came on the back of one of the darkest periods in New Zealand history of the 1970s.

Government-sanctioned raids were held at dawn to arrest and deport Pacific Island ‘overstayers’ even though they were less than a third of known overstayers.

One of those arrested at the time was Falema’i Lesa, who took her case to the Privy Council, she refused to accept because she did not have the right to participate fully as a citizen of the country.

In 1982 the Privy Council in London ruled in her favour by stating that those who were born in Samoa between 1924 and 1948 were in fact British born and so they are New Zealand citizens. The New Zealand Government quickly passed legislation denying them this birth-right within weeks and no consolidation carried out with the Samoan Community or the people of Samoa.

In August 2021, in a formal and unreserved apology the New Zealand Government described the Dawn Raids that left the Pacific communities feeling "targeted and terrorised" because of “the discriminatory implementation of immigration laws”.

We believe the 2021 official Government apology only has substance if attempts are made to redress past wrongs by not continuing to repeat but taking full accountability for what had happened.

The nature of the apology implied a commitment to remove “the discriminatory implementation of immigration laws”, the most glaring example of which is surely the 1982 Act.

Lorraine Elliott, Vicar for Social Impact and Communications speaking:

We, the Justice & Peace Commission of the Catholic Diocese of Auckland, stand united in our mission to uphold Catholic Social Teaching and to be a voice for social justice. Today, we come before you to affirm the intrinsic worth of every individual and to champion the rights of society's most vulnerable.

We wholeheartedly endorse the 'Restoring Citizenship Removed by Citizenship (Western Samoa) Act 1982' Bill. This legislation is a beacon of hope, promising to rectify the citizenship rights of those born in Samoa between 1924 and 1949 — **and their descendants** – a right that was unjustly stripped away by the Citizenship (Western Samoa) Act 1982.

The 1982 Act, a stain on our legislative history, blatantly disregarded the principles of equality and fairness. It was a knee-jerk reaction to the Privy Council's ruling, which rightfully recognised Western Samoans born in the aforementioned period as natural-born British subjects, entitled to New Zealand citizenship.

We cannot overlook the haste with which the Citizenship (Western Samoa) Act 1982 was enacted less than eight weeks post the Privy Council's decision. This quick passed legislation deprived many Western Samoans of their rightful voice and citizenship, targeting them solely based on ethnicity and birthplace.

Moreover, this act perpetuated historical injustices inflicted upon Samoa during the colonial era, including the introduction of diseases, land alienation, and cultural disrespect. The 1982 Act was yet another chapter in this narrative of oppression.

This legislative decision also heralded a period marked by racial and ethnic prejudice, epitomised by the government-sanctioned dawn raids of the 1970s, targeting Pacific peoples.

In recent years, steps have been taken to mend these historical rifts, yet the shadow of the 1982 Act lingers, a source of discord between New Zealand and Samoa. The passage of this Bill signifies a commitment to justice and the rectification of a targeted and cruel law from our past.

From our Catholic and Christian perspective, the 1982 Act violated the principle of subsidiarity — mana whakahaere — asserting that those most affected by decisions should have a say in their making. We stand firm in the belief that:

"It is incumbent upon us all, especially those in positions of political, judicial, or professional authority, to serve as society's vigilant conscience and to advocate for conditions that honour our shared humanity."

We recognise and celebrate the Samoan community's significant contributions to New Zealand's fabric. From Parliament to public service, from professions to businesses, Samoans have enriched our nation and continue to do so within our Church-based communities and beyond.

With widespread political and community support, the time is ripe for legislative change that mirrors the rich diversity and multiculturalism of Aotearoa, New Zealand.

We urge you to pass this Bill. Let us restore the voices that were silenced, right the wrongs of the past, and stride together towards a future of reconciliation and peace. These individuals are not mere acquaintances; they are integral to our national whānau. **New Zealand is our shared home.**

We anticipate that the New Zealand and Samoan governments will amend the 'Treaty of Friendship' to reflect the changes brought in by this Bill.

The Commission fervently supports this Bill's provisions, confident that it will overturn an unjust law and reinstate the deserved rights of New Zealand citizenship.

We remain optimistic that New Zealand and Samoa will collaborate to harmonise past decisions with the necessary adjustments, paving the way for a future that is mutually beneficial and just.

Deacon Sanele Conclusion Summary:

In supporting this Bill, this would give at least some substance to this commitment and give back to Samoans who were born between 1924 and 1948 the birth-right that was so unjustly taken away from them.

There are certain times in the history of a nation when it is alerted to the need to remove racially discriminatory law from its statutes. We suggest this is such a moment. As a nation we will stand taller if we support this Bill into law and I call on all MP's to do so.

Thank you to the Committee for the opportunity to speak on this Bill and for your convenience we would be happy to pass on the script of this to the secretariat.

We are happy to answer any questions the Committee members may have.

Faafetai lava