

Sovereignty and Asylum: When Borders Fall and Narratives Fail

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Teanau Tuiono: Tēnā tātou katoa, he mihi ana tēnei ki te mana whenua, nā koutou anō i pōhiri I a mātou nei kia whakawātea tēnei āhuratanga kia kōhi mai tātou katou kia wānanga ēnei o ngā kaupapa. Nō reira, me haere tonu ana ngā mihi. Nō reira, ko mātou tēnei e whai ana i tō mātou nei kaupapa. Kia ora everyone, just to give you a little bit of a brief about how we're going to be doing our kaupapa this afternoon, we're going to do a panel-style discussion thing, because each of us are coming from different perspectives. So we're going to have a brief kind of introduction piece where we're going to talk a little bit about ourselves for five or so minutes, and then we're going to be discussing some questions and answers from our different perspectives on the kaupapa in front of us. So our kaupapa is 'Sovereignty and Asylum: When Borders Fall and Narratives Fail', and it'll cover challenges to indigenous sovereignty, brought about by the state management of borders and asylum in refugee claims. It aims to address the potential for solidarity between refugee and migrant activism in indigenous sovereignty movements. It is hoped that it is a conversation which will help to facilitate discussion and engagement between workshop participants on issues surrounding gender violence, racial discrimination and settler colonialism in Aotearoa New Zealand. So, the final question is kind of where we're heading towards which is about how do we go about building solidarity between our different communities. We've talked about a few examples; how do we build on those examples? How do we put it into practice, make it more permanent? And how do we share those successes across those examples? So, āe. That's where we're heading towards. I should probably introduce myself! Kia orana kotou katoatoa, i te aro'a ma'ata o te atua i te rangi. Ko Teanau tōku ingoa. Nō Ngāi Takoto me Ngāpuhi tētahi waewae, ko au te kauono o te Kuki Airani. Nō reira, kia orana koutou katoatoa. My name is Teanau Tuiono, one part of me is from the Taitokerau, Ngāpuhi, Ngāi Takoto. The other part of me is from the Pacific, from the Cook Islands, from an island called Atiu in the Cook Islands. A lot of the stuff that I work on comes from the bicultural upbringing that I have, that I had. On the one hand I'm a descendant, first generation Cook Islander in Aotearoa New Zealand, my grandfather and father and that migrated here without English or anything like that to get better jobs and better education. So I'm very familiar with what it means to be a person working within my own community that migrated here. But on the other hand I'm also tangata whenua from the Taitokerau and moving between those two worlds has been what has shaped a lot of my activism and particularly in those formative years, round about the 17/18 year mark, my mother used to take me to a lot of Māori protests, land struggles, those sorts of things. And then it kind of brought to me a whole lot of questions around tino rangatiratanga and mana motuhake and what those things might mean. So e mihi ana ki te taumata nei, ki a koe e te matua, Moana, Annette, tō tātou nei rangatira i wānanga I ēnei o ngā kaupapa, nā koutou anō i para te huarahi me kī, nā koutou anō i whakatinanahia tēnei mea te whakaaro, te tino rangatiratanga, te mana motuhake. A lot of the things that have been talked about around tino rangatiratanga and mana motuhake was done eloquently in the first session, saving us more time for us to have more discussions in this session. The sort of

things that I wanted to kind of touch on there was that indigenous self-determination, at least in the way I have experienced it, is something that I've done by matter of course. So, an example, in my 20s during this whole Sealord and Fiscal Envelope development that happened in the 90s, and stuff like that, I spent a lot of time hitchhiking to various land occupations. By and large I didn't have any kids and I didn't need to live anywhere so I kind of went from land occupation to land occupation. So my ideas about tino rangatiratanga and my ideas about mana motuhake come from the activists and people that were on the ground, that were there. So Pākai Tore, Rotorua, what was happening there up at the village, all the way down in the motu. And it is, as was said earlier, shaped by Te Tiriti o Waitangi, Te Whakaputanga o Aotearoa, the Declaration, and also encapsulated, well at least recognised in the United Nations Declaration on the Rights of Indigenous Peoples. So the history and rationale as to why we should have indigenous self determination, tino rangatiratanga, mana motuhake, and all its various types of expression depending on which iwi, hapū or whānau that you're talking to, has been, I think, validated time and time again. And kind of in my journeys, I've seen it kind of manifest in different ways, I mean as recently as the end of last year, Sina and I were working on climate change issues. We did a lot of our work with Sami activists from the Arctic. Some of them talked about the pros of the Saami parliament, but they also talked about cons of the Saami parliament – things that worked, but also things that don't work. I've travelled to the Kahnawake Mohawk Territory the most easterly nation of the Haudenosaunee (Six Nations Iroquois Confederacy), near Montreal - in the settler state of Canada. And seen their particular expression of self-determination. And I've got friends in different other places. So from my experience, this whole thing of mana motuhake and tino rangatiratanga, it can take on various forms depending on who the hapū is, who the iwi is, who the nation is. But the point is, I think, in my tipi haere around the place, is to ensure that the indigenous peoples, the tangata whenua, control their own stuff and determine who comes within their borders and who is allowed in their borders, and who is allowed out of their borders. So my introduction I just wanted to end with something that was happening, quite topical, at the end of last year. We had the case of a Kiribati guy who had claimed environmental refugee status. And it seemed to me that someone from the Cook Island diaspora, or from the Pacific Island diaspora, that the reason why this guy couldn't claim, couldn't come and go inside of this country, and I could, is because of the colonial history that New Zealand has with the Cook Islands; New Zealand has with Sāmoa, when in this present day the relationship, colonial history that New Zealand has with a whole lot of the island states. So the question of movement of peoples is also a question of decolonisation. It's a question of empowering our peoples about building solidarity between each other, and I think the mission here, or the action here for activists, for academics, is to understand why those colonial lines have been drawn, but also to motivate ourselves to build solidarity amongst ourselves to erase those lines. So I will end here, and then we'll each introduce ourselves and then we'll get into some questions. Tēnā tātou.

Tracey Barnett: Hello, my name is Tracey Barnett. I'm originally from outside of Chicago. I lived in Portland, Oregon, for a long time after that. I've been in this country longer than almost either of those places. I'm a proud citizen of both. Maybe it was shame. Maybe it was the horror of the world at war, again, that amounted to one giant apology. But after World

War II, not just Europe, but most countries responded collectively to what Nazism and border protectionism wrought on millions of its victims. At the close of the war, in Europe alone, 40 million people were flooding across the borders trying to find safety, let alone a new home. The world realised something seminal then, and this is what's important. We needed a way to allow people to get to safety legally, without penalising the victims. It was as simple as that. In what was an unprecedented push of collective humanitarianism, the 1951 Refugee Conventions were born, they created a framework to allow people to cross borders no matter how they got there, no matter whether their passport was legal or they were holding false papers, as long as they approached the authorities at the entrance of that state to ask for legal protection, their case had a right to be heard. Now they even define the terms of this protection, and you have to be suffering from a well-founded fear of persecution. If your case is successful, you win the right to stay under the state's protection. Today, 147 nations have signed on to these rules, including, of course, New Zealand and Australia. These protections, weren't, however, as entirely magnanimous and warm and fuzzy as they seemed. Why? Well the reality is one of the reasons that these nations all signed on to these protections is that it benefitted them too. It gave rules for them to biff people out under certain terms, and what were those terms? If you are a migrant, if you are coming across our borders because you want to find a better job because you want to live next to your sister, because you want to study, just be with family, they have the right to biff you out if you come asking for refugee protection. This is an important distinction, a damned vital distinction. That means that when Winston Peters gets on the radio and he decried the 60,000 immigrants that came into New Zealand last year, he said something else that actually kind of shocked me at the time. He said he was endorsing raising our refugee quota. He said quite eloquently and quite rightly too, migrants and refugees are two different things. An immigrant is an economic issue, and a refugee is an humanitarian issue. Music to my ears. This was, by the way, during a radio interview at the time with Duncan Garner, and Mr Peters' interview had just preceded ours, and Duncan asked me 'Do you think he means it? Do you think he really thought this through – is he just talking out of his ass?' (He didn't say ass). I can honestly say for the first time in my life, I was absolutely delighted to endorse Winston Peters wholeheartedly. This distinction is the keystone of where almost every discussion about refugees in this country and others gets lost. Choosing to accept refugees in this country is a moral humanitarian imperative. Full stop. Everything else that gets wrapped up in this argument is the fault of conflating economics with lack of morally-based political will. Should I say that again? Don't conflate economics with a lack of morally-based political will. But today, if I am here to give a five minute report on the state of refugee issues in New Zealand today, as we decided amongst my esteemed colleagues here, when we were planning this session, I'll cut to the chase and I'll describe it this way. The state of refugee issues in New Zealand right now is like a 29 year-old marriage. There is a whole lot of comfort in the sameness, our UNHCR Refugee intake hasn't moved in over 29 years, and like the time-worn groom with the receding hairline, the quota was even trimmed by 50 places in 1994. We have grown quite used to sleeping with our Five Eyes partners, and lastly, we seem to get a tremendous headache when there is talk of reproducing. The good news: we're rebuilding Māngere resettlement centre, 5.5 million dollars that's due to open this June, probably on Refugee Day. The facility will be a wonderful world-leading fact just because it exists and relative to

what other countries offer. The staff and the care are fantastic, providing a six-week corridor of transition from refugee camps or war settings to kiwi life. They've been doing it for decades now in old World War II barracks. The other news: well there isn't any, and maybe that's the real problem. Refugee problems are over there; boats, little boys washing up on beaches, people setting themselves on fire on Australian refugee gulags that seem to note only when kiwi 501 prisoners are put in to them. Because the truth is, we like to believe in the prevailing narrative that we are the good guys at the bottom of the world. The folks who do fair assessment and resettlement right. And to a large extent, we do. But you have to ask, is it mostly because we've never been tested? We have never, never had a boat of asylum seekers arrive to New Zealand, at least in modern history. New Zealand has a geographic luxury, we can and do choose who and how many refugees we admit to this country, unlike most land-connected nations. And in reality, we just haven't had the political will from either party to choose doing more no matter what is happening in the world around us. As if history won't judge us because we're not close enough to smell the dead bodies on the beach. That's why even if we double our quota, with our 40% population growth, and a 75% reduction in asylum arrivals since 9/11, even doubling it would only get us back to what we used to do decades ago per capita. It's one of the reasons why the call to double the quota, an issue that has been dear to my heart and my energy, now seems facile, at least relative to other nations with our population. Ireland, 4000, Finland, 8000. Four to eight times what we do today. Now despite our longstanding international reputation for allowing asylum seekers to wait in the community for their cases to be heard, will we now lock up any future mass boat arrivals, mass, by the way, being over 30 people? That was a compromise by Peter Dunne – the initial definition of 'mass' was 10 people. Yes, we passed a law to do to just a few years ago. Do we endorse Australia's internationally disdained offshore imprisonments? We most decidedly won't say. In this next review, which is due any week now (of our quota), if we privatise our refugee intake by allowing private parties to sponsor refugees – an initiative that's successful in Canada – will the government use that move to justify not raising the quota more significantly? I fear it's likely. Will the cabinet choose to take more refugees? Yes, I believe they will. There has been pressure internationally as well as domestically – it's just not a good look when you're suddenly on the Security Council. But this increase may only be to the level that the government believes residual voter empathy still exists, at a high probably months ago, if you follow the media narrative as any indicator, or will the government now weigh a significant increase against isolationist rhetoric and compassion fatigue. I think they will assess polling data, and then decide. Whether we are indeed good guys at the bottom of the world, depends on how you assess a nation's inaction in equal measure to its actions. Stay tuned: I look forward to discussing this with you this afternoon. Thanks.

Mengzhu Fu: Tēnā koutou katoa, ngā mihi nui ki a koutou, ngā mihi nui ki ngā mana whenua, ki Ngāi Tahu, ki ngā tangata whenua katoa. Ngā mihi ki ngā kaiwhakahaere o te hui nei, ngā mihi ki ngā kaikōrero o tēnei kaupapa. Ko Panshan te maunga, ko Haihe te awa, ko Tianjin te rohe, ko Haina tōku tūrangawaewae, ko Fu te whānau. E noho ana au ki Tamaki Makaurau, ko Mengzhu tōku ingoa. Kia ora.

大家好，我刚开始做了个自我介绍。我叫付梦竹。今年二十七岁。我来自天津，六岁跟父母来到奥克兰。

Dàjiā hǎo, wǒ gāng kāishǐ zuòle gè zìwǒ jièshào. Wǒ jiào fù mèng zhú. Jīnnián èrshíqī suì. Wǒ láizì tiānjīn, liù suì gēn fùmǔ lái dào àokèlán. So for my English intro, I'll introduce myself how Pākehā people normally do, with name and occupation. My name is Mengzhu, and I work at Shakti as a youth project coordinator where I do high school outreach with Asian, African and Middle Eastern youth to prevent family violence in our communities. I see my contribution to this panel as providing a migrant perspective on the issues. Although I work with refugee youth, I don't feel comfortable representing them or their perspectives on this issue. But I come from a perspective of a 1.5 generation Chinese migrant, which means I was born in China and migrated here when I was before schooling age, and I grew up most of my life in Tamaki Makaurau. I am *not* a proud citizen of New Zealand, although I am a citizen. And I see a real need for migrants from non-Pākehā backgrounds to engage in decolonial struggles in Aotearoa and respect tangata whenua, the tino rangatiratanga and mana motuhake o tangata whenua. Most of us come into this country not knowing anything of the history about this land, and I think in the absence of this, many migrants, in attempts to be accepted, and survive, try to assimilate to a racist Pākehā culture that is steeped in anti-Māori racism. I think when we talk about 'opening the borders' and welcoming refugees, we need to think about what it is they are being welcomed into and who it is that is doing the welcoming. In the work that Shakti does, we have seen the absolute violence of borders, and that violence is often gendered and racist. The immigration system and decisions for deportation orders have been directly responsible for the deaths of many migrant women affected by domestic violence. A number of times we've had to argue for refugee status for some of the women that have been through immigration abuse from their partners, and their court cases are often exceptionally difficult when their husbands are white men. Today, I would really like to have some discussions around gender based violence in the intersections with immigration and border imperialism, which is a concept I'd really like to use in our discussion and it's a concept that comes from the migrant struggles in Canada. There's a book written by Harsha Walia called 'Undoing Border Imperialism', and its about the movement 'No-one is Illegal', which is also very centred around supporting indigenous rights when advocating for the rights of refugees and migrants. So border imperialism, the definition she gives is "the entrenchment and re-entrenchment of controls against migrants who are displaced as a result of the violence of capitalism and empire and subsequently forced into precarious labour as a result of state illegalisation and systemic social hierarchies." And what 'undoing border imperialism' means would be creating a freer society for everyone, since borders are the nexus of most systems of oppression. This is a quote from her: "Rather than conceiving of immigration as domestic policy issue to be managed by the state, the lens of border imperialism focuses the conversation on the systemic structuring of global displacement in migration through an incollusion with capitalism, colonialism, colonial empire, state building, and hierarchies of oppression." So I'd like to have specific conversations today about how the intersections of border imperialism and colonialism can be addressed though solidarities between what the government calls 'ethnic communities' and

tangata whenua. And I think we'd like to have a discussion with everyone at the end so its not just us on the panel talking. It needs to be a dialogue. Kia ora.

TT: Because we're so tall, I'm assuming that you guys can all see us at the back there? Chur, OK. In order for us to drill down to the crux to our end question, about building solidarities and different strategies there, we thought we'd open up with a couple of questions we'd discuss amongst ourselves. As you can tell, we're coming from very different perspectives, upbringings and those sorts of things. So first question is: what is sovereignty, and how do we see that word? Should we start with you, Tracey?

TB: I think what's hopefully going to be really interesting with the panel is I think we probably see it really differently and I see it from, a sense of definition, of outside looking in. Maybe its because I bounce back and forth between two different countries, but its kind of this intersection between what we see as New Zealand's border and that porousness of the border. So a good example is I think New Zealand is no longer just from Cape Reinga to Stewart Island. I think what's really interesting is that for example, there was a time when most refugees that came into New Zealand, and they still do today, they come into Auckland airport, and the few asylum seekers that we still get rock up to the guy at immigration, and they most likely will have a passport, and will say potentially 'I need to claim protection or refugee status.' Sometimes they'll get in on another way, and then contact a lawyer and do it that way. We'd like to think of that airport entry as being our border, our sovereign place. But in fact for refugees, that's no longer true. The reason I used this statistic earlier, that our asylum numbers have dropped by 75% since 9/11, is that they have all over the world, and it's simply called 'interdiction', and interdiction is a fancy name saying a very sophisticated computer system that talks to each other that will never allow you, for example, if you happen to have a Syrian passport or an Afghan passport today, you will not be allowed on most airplanes in most places in the world. And that's a huge problem. Which means that even though we walk the talk, and say that we're actually honouring the 1951 refugee conventions, the truth is we are stopping people before they can even get to our borders to claim asylum. And that's why this year, we only had 79 asylum arrivals. 79 were approved – sorry, approved, not arrived. If you compare that to just prior to 9/11, we has a spike and we had about 1500. We were getting 1100, 1000. So essentially what's happened is the state and our Five Eyes partners and the world at large has found another way to shut off borders to wealthy countries who will be receiving asylum seekers.

MF: I think the concept of sovereignty has always been opaque for me. I think the more interesting question is *whose* sovereignty we're talking about. I think this morning, Margaret and Moana gave a really good definition of it.

TT: Following on from what's been said, sovereignty is a word that doesn't translate well into Māori. In the Whakaputanga we talk about mana, and mana's a very different thing. Tino rangatiratanga is as well. So I like to think of the terms of boundaries and those sorts of things as something, if I could use a Māori concept of whakapapa: how do we relate to, how does this community relate to that community. And then when I think of things like Te Ao

Māori, what is the Māori world, whakapapa of course plays a basis under that as well. How do my mother's people relate to my father's people in the Cook Islands. They're both Māori people, how is their whakapapa related to the people over there in Tahiti. And right up the top there in the Cook Islands you've got Kiribati, and the example I gave earlier is just a colonial accident that the guy just can't come and go into the country, he's got to claim some sort of refugee status to be able to get in here. And with the advent of climate change, that problem is just going to exacerbate. So there are a lot of examples of how that is expressed. We talked about the Kahnawake Mohawk Territory of the Haudenosaunee (Six Nations Iroquois Confederacy), Kuna Yala people have an example, Saami parliament. A lot of these examples have geographical boundaries, this is our stuff, so for example with the Kuna Yala people and they've got this kind of arrangement with the state. So these things can be quite different, and I was encouraged to hear the korero this morning about the constitution transformation. Can't wait! Sooner than later hopefully! Because climate change is going to erode those beaches in the islands, all my whanaunga over in the Moana Nui a Kiwa, would want to move over quicker and earlier. So yeah, that in a nutshell is my definition of sovereignty. Our next question: how has the settler state historically treated non-Pākehā migrants different to white migrants?

MF: So I can talk a little bit about the way Chinese were treated with the Poll Tax, and the fears about miscegenation, and 'Asian Invasion'. There were specifically anti-Chinese legislation passed by the colonial government that made Chinese settlers in 1881 pay a poll tax upon arrival of 10pounds, which is equivalent to about \$1640 in 2015. And then later in 1896 the Poll Tax was increased to 100 pounds, which is about \$18500 in 2015. So no other immigrants had to do this, and this was also happening in other settler states like Canada and Australia at the same time. And I see this as an unofficial white New Zealand policy that at the same time was trying to attract mass migration from European and British migrants. The Poll Tax began to be waived from 1934 but the legislation wasn't repealed until 1944. Although there's no longer a poll tax on Chinese migrants, there's still on-going fears instilled about Chinese migrants being a threat to New Zealand, and non-Pākehā migrants are often othered. And I think where there is tolerance and acceptance, especially in discourses of multiculturalism, it is usually still on the terms of Pākehā who get to kind of pick and choose which parts of the culture they get to include that would enrich the country, that benefits them. Do you want to talk a bit about the Dawn Raids?

TT: I can do that! Any Islanders in the room? Pacific Islanders? Know about the Dawn Raids? So in the 1970s, there was this part of history called the Dawn Raids. They were focussing on overstayers; people that had apparently overstayed their visas and stuff like that. And they specifically targeted Pacific Island communities, and the advertising if you look at the advertising they used, was incredibly racist. But the really interesting thing that came out of that sort of stuff is that we know that although they were targeting our communities, there were more overstayers from the UK, there were more white overstayers. Yet they were demonising Pacific Island workers, Pacific Island communities, and of course, Māori and Pacific Islanders lived in the same communities, believe it or not, in Ponsonby and Grey Lynn, back in the 60s and 70s, that you had this incredibly shameful and racist within New

Zealand history. So that's another example of the differences of how non-white migrants have been treated in New Zealand. Have you got any reflections on what was said Tracey?

TB: No, we're good.

TT: Just dropping down to this next question: why is the word 'migrant' such a loaded word right now, i.e. used in the media instead of words 'asylum seeker or refugee'? Why do these labels matter?

TB: First of all, I have a feeling that everyone has a feeling of the difference of the words but for those who don't, I do want to just mention it briefly because there is no shame in not knowing, and I certainly didn't know before I started working with these issues. So an asylum seeker, you can think of them as a beginner refugee, somebody who has just not had their case heard, and decided on by the state. Asylum seeker – a very specific term. Refugee: someone who's been granted permanent residence in New Zealand. I'll use New Zealand as an example. That's the refugee. Almost all of our refugees come in by the quota; 750 a year plus a small emergency intake right this year, last it was 100 Syrians, this year it's 250, next year it'll be 250. It remains to be seen if that changes. A migrant: someone who comes to this country for various reasons – study, work, family – but chooses to come to this country; may not choose to be here permanently. And myself is an example of an immigrant – someone who chooses to come and make this their home. Just the difference in the terms. But having said all those terms, what's really different is that these terms have become incredibly distorted and politically explosive in the sense that a great example is in my profession, for example, Al Jazeera has said outright that they will only use the word 'refugee' when they talk about the refugee crisis. The BBC, if you'll notice, only uses the word 'migrant crisis'; occasionally they'll use 'refugee.' Whereas National Radio, for example, who I have written to and called many times – different reporters that I know – I've called them out and said 'Look, you need to be calling this a refugee crisis because by and large, the huge percentage of people who are coming over will get determination as refugees eventually.' They at first were very regretful that they'd mistakes on certain reports, and now it seems like they're lapsing again and tending to be using 'migrant'. What's the problem with each of these words and each of these determinations, for me, is that refugee status is incredibly different as I described earlier, than one who is an immigrant, who has the luxury of choice to come. When you're a refugee, it's a humanitarian issue. And when you begin conflating the terms as any linguist will tell you, you begin not understanding that, and I do a lot of talks, and at the end of the talk I'll be talking to a Rotary group or U3A group, and someone will raise their hand and say 'Well you know, there are so many, the guy who took over the shop down the street, he's just, you know, and there's two shops that have been taken over by these guys, these refugees.' And I'll say 'Where are they from?', and they'll say 'Singapore and Hong Kong.' And I'll say, 'Well you know what, actually, we've not taken any refugees from Singapore or Hong Kong, and I would bet a million dollars that those are in fact migrants or immigrants.' And that term is really important. Really important. Because what happens is it gets conflated in the public's mind, so they use them interchangeably. Really incorrectly – to huge political fallout, to what, as I said earlier, should be a huge humanitarian effort.

MF: I think the distinctions between migrant and refugee isn't always so clear, in the sense that migrants don't always come here because of choice. Just from the work that we do, quite a lot of women that come to Shakti for support around domestic abuse are marriage migrants and sometimes they haven't had a choice in that migration and sometimes they become refugees when there's immigration abuse from their partners or in-laws, where in one case I could talk about a woman who had been married for 10 years and went through emotional, physical and sexual abuse for that whole time. He didn't give her residency that whole time. She had two kids with him, and when she left him the judge had given custody of the kids to the father, and she did not want to let go of those kids. And because she no residency status here, they were serving her a deportation order, so that they wanted her to go back to Indonesia where she wasn't safe because her ex-husband was a drug dealer in Indonesia and he could have just paid anyone to kill her. Those kinds of things are where the distinction between migrant and refugee isn't so clear, and I think for women that have gone through domestic abuse by husbands that have citizenships status that are Pākehā, and can use that against them for power and control. Sometimes they become refugees and have to apply under the humanitarian category.

TB: Indeed, and I should also mention that the definitions that I gave are the ones defined by the state.

TT: Those guys!

TB: But that's absolutely imperative, because that's exactly what we're talking about. And I should also note that when we were using the phrase 'a climate change refugee', according to the state and according to the 1951 Refugee Conventions and according to anybody who is an expert in the academia in it, and I'm certainly not, there's no such thing as a climate change refugee. The word 'refugee' and 'climate change' have not yet been linked by the Refugee Convention. Now if we try to renegotiate that, my fear is that the entire 1951 Refugee Conventions right now would turn into a puddle of a mess.

TT: But it's going to come up though, more and more, because it's on our doorsteps.

TB: Absolutely, it's just a phrase that we're using – climate change and refugee –

TT: It didn't work with the Kiribati guy and it was a really interesting conversation cos he had he immense support within the community here in New Zealand, but no support in Kiribati because they wanted to keep struggling against climate change. So you have this kind of different opinion from groups who are separated purely by geography, but I think the climate change crisis is going to exacerbate this type of discussion and the lines will get blurrier. Shall we move on to the next question? Cool. How does the New Zealand government use sovereignty in the media as a fear factor?

TB: I have a visual aid. ‘Kiwi Jihadi Brides on the Rise’; that was in the Herald. And then we have this beautiful picture which was a Q&A about ‘why do women want to be Jihadi brides?’, which was a helpful info-graphic that followed it up. And these two think that the ODT isn’t above all this: ‘Jihadi Bride Fears over Kiwi Women’. Pass those around. And also, I quite love this one – a magazine cover from Poland after what we saw in Cologne, essentially the assault and rape of women in Cologne. But what happened was this magazine cover, which is a white, we’ll assume Polish woman, being assaulted and her clothes pulled off by pretty much brown hands. I think what happens is that it is helpful whenever... A great quote on this is Peter Hoskins from Human Rights Foundation used to quote that whenever governments says that a ‘Boat is on its way’, the boat never arrives but restricted new legislation does. And I think our government’s incredibly adept at languaging that, and unfortunately its an unfortunate card that they play. A great example is John Key used the example of a queue-jumper, when he referred to potential asylum seekers coming to New Zealand. Well unfortunately that term is lifted very specifically from Australia, mainly because in Australia when they get more asylum arrivals, they take less from the UNHCR. So essentially they can consider that jumping the queue. In New Zealand we don’t even do that. We keep the same amount of refugee quota refugees every year, no matter how many asylum arrivals we get. So when you talk about a queue jumper? He was literally languaging something from Australia that had nothing to do with New Zealand. And its that kind of distortive language that you see after I publish a column and I see people start using ‘queue jumpers’ as part of our language around this and it’s really frustrating.

TT: Any responses to that? I think there’s a lot of problems with the media in general. What has been your experience with refugee youth and the struggles they talk about?

MF: So when I go to high schools, a lot of the young people that I talk to that are of a former refugee background, one of the key things which I think is a key thing in common with migrant youth as well as around identity, and belonging, as well as some of the intergenerational issues, so some of the young women feel quite restricted in their families, and also really othered in their schools. Every school that I go to I hear about racial bullying, particularly against Muslim girls, whether they wear a hijab or not, they get labelled ‘terrorists’ and stuff like that. So I think when we talk about ‘welcoming’, I think there should be long term support systems set up as part of their settlement process. And that should also include learning about things like Te Tiriti o Waitangi, He Whakaputanga, basic te reo and tikanga, and not just English. And I think this is one of the ways that some of that social distance between non-Pākehā migrants and refugees can be bridged, and I’d really like to, since we only have five minutes left, focus more on where we can build some of those potential solidarities, and build from what already exists.

TT: Holly, that’s five minutes before our half-hour discussion, right? What are some of the lessons you’ve learned as activists working in this area?

TT: Many many lessons. Well the main lesson that I have is sometimes we have these great ideas but then we don’t have the capacity to carry them out. And then sometimes when we do

have the capacity to carry them out the energy and momentum gets carried into Parliament and the momentum in the streets dies off. Seabed and Foreshore was a classic example, many of us were there. Māori Party went in, and I'm not sure what came out. So one of my lessons has been when you have that capacity you really stick to what your original plan was, and that's around about having some clarity. And I know that was brought up last one, when people were discussing about mana Motuhake and stuff like that. And it's like having the clarity of "Well actually what does that mean for your hapū, what does that mean for their community?" And if you get enough energy to get things moving, making sure you stick to that, and people don't take that energy and power to further their own careers in Parliament and stuff like that, because that happens often. Which would probably be my main concern about the constitution transformation, just building in with that. We could build some momentum around that and it's a great idea, but how do we keep that momentum on track? It's not easy. People that have been involved in movement building know that that sort of stuff is not easy, it takes more than a dialogue, it's a multi-logue. And a couple of languages and communities and stuff like that, so no easy questions. Any reflections on that?

MF: I guess lessons that I've learned over the last few year is, I guess, previously when I got into activism, it was a very Pākehā dominated space, and as I learned more, and came more aware of racism and whit supremacy, I've started to work more with my own communities. Which are often not, or afraid to participate politically. And I think it's really easy for us to build a activist or academic bubble that all agrees with each other, but even harder to go to your own communities where you may face some kind of hostility, or dismissive responses because of your age / gender, or whatever, but I see that as really important work and building from that we can actually create more effective social change than I guess like staying in a bubble.

TB: I would say pace yourself. Like a news cycle, your life needs balance sometimes, and there's times where you'll go flat out for months on end, and other times that you actually need to pull back and find your own balance. There's times when the voice will call really strongly, and other times where you need to let somebody else carry the ball. I would also say something to the gentleman from the African voices... we were just talking at lunch. I'm a columnist by trade so I'm use to the denigration of comments at the end and even today someone just told me that there's a rebuttal. I wrote a pro-quota op-ed in the ODT a week or ten days ago. There were a couple of letters against my perspective. Someone else wrote back and I believe this morning there was something saying "why would an Aucklander come down here and tell us what the fuck to do", and it's a fair comment, except for this. What I hear is on my comments is usually 'fuck off Auckland', 'fuck of Yankee', or 'fuck off bitch', and I'm a woman, I'm a Kiwi, and I'm American. And my payback to that perspective is that you had to have heard me to begin with, to even make that response.

TT: OK, enough of us talking. There's a lot of cool answers here so hopefully Mengzhu will be able to add some of that into the discussion. We've got about 20 or so minutes and we wanted to open it up. But the question we wanted to open it up and us be the bouncing board for these questions is 'What are the potentials of solidarity between indigenous sovereignty,

for want of a better word, tino rangatiratanga, and migrant and refugee movements, what are the common issues, what are the examples – how can we build solidarity between our communities?’

Audience Participant 1: So one thing that has been really interesting to me has been reading the Paparahi o te Raki report, by the Waitangi Tribunal. In preparation for a hypothetical, maybe one day eventual Ngāpuhi settlement, which I guess we’ll see. But one of the findings of the report was, like we’ve been saying for 175 years and two wars is that we never said the actual political governing of the area to the Crown and that the state sovereignty has basically been maintained by military occupation and genocide. So looking at migrant refugee struggles and struggles of tangata whenua in this country, there’s a pretty obvious common enemy that we’ve all been lightly walking around here. And that’s the fact that the government of this country has no right to actually be doing a single thing that they do. It’s almost like the border, on one side of it is to hold out migrants, and on the other side, it’s to hold us in and say that ‘This is your country and you’re part of it’, when in reality they’re an occupying military force with no right to be telling us what to do. So I kind of see that as a really useful point rather than trying to make ourselves palatable for traditional sovereignty to just acknowledge that they are invaders and that they have no right to be here. And they have no right to tell migrants or refugees what to be doing, where they should live, or if they can be here or not because they don’t.

Mahdis Azarmandi: You might think it’s rude that I talk but I’ll so embrace that I have a minute. I’ve been holding all my questions back. I take up more space than I’m maybe given right now, because before I can talk about solidarities and how to be in solidarity with anywhere you are in a settler colonial setting with indigenous peoples as non-White people. But I think as a person who knows that terminology is important because it’s what is imposed on you and allows you to move, I also know that they are blurring and they are made on purpose so I don’t really exist out of... I can’t say that there is one terminology that fits for me, so at some point I was declared a refugee and that was not by choice. That is not something that makes me who I am, and it’s only something that has given me legal status. Now I hold a European Union passport, and I say European Union, not Germany, because we function as ‘Old Europe’ as they like to call it, we move across borders without being controlled. But you’re not controlled if you look a certain way, cos if you hold that passport you’d still be controlled if you look like me, if you wear a headscarf, if you have a beard, if you’re black, if you look anything else that is not White. And I use the word ‘White’ and not Pākehā because I think there’s something called ‘global Whiteness’ that functions very similarly in all of these contexts. So, yes, terms are important, but I think they also blind us. So I personally don’t think it’s a humanitarian issue. For me when we talk about why we should be accepting refugees, yes, I don’t question that, I think that’s really important, we should ask ourselves, ‘how do we actually have refugees in the first place’, and I would have liked to maybe hear that maybe we should change a little bit on how we unleash war on populations – on-going. Some wars have been on-going and I think the war of colonisation is one that has been on-going. But then we start new ones. So that’s a bit of a tricky one. Solidarities – refugee movement in Europe, which I’m not a part of but collaborate with, a

movement that is organised by people who take on the label 'refugee'. They aren't necessarily legally declared refugees, it's a strategic appropriation of the term. And they have gone from 'refugee's welcome' to 'no borders no nations / stop deportations'. That's one of the slogans; another one is 'nobody is illegal'. So there's a difference between taking on that approach, to taking on that approach of 'welcome', because the welcome already naturalises the state. And I had one more... What the border crisis, and I would call it a border crisis because the refugees aren't in crisis, it's the borders that are in crisis, what that has done, and I think this is maybe something that could be of interest for contexts here and in Australia and elsewhere in the Pacific, is what we have done in countries like Germany that supposedly accept a lot of people, is that we have divided between racialised populations so heavily that we now say 'We will take the Syrian refugees because Syrian refugees are highly skilled and educated populations', but we are kicking out left, right and centre everybody else. So I actually think we should make those boundaries so blurry that people can't distinguish between what is a migrant and what is a refugee. Because the problem isn't if we take refugees / if we take migrants; the problem is that we have a system that excludes certain populations that happen to be colonial subjects or post-colonial subjects. Because a lot of people who migrate don't necessarily migrate out of choice. I mean maybe they do, and they should be: I can go anywhere for vacation because I hold this passport. Why shouldn't somebody from Senegal be able to go on vacation and come to Europe and stay as long as they want. So that's my rant. I have another point on solidarities that speaks out of the European context that has helped me to understand myself the way I do today. And that has been self-organised spaces, self-organised spaces by people of colour, and I don't use the word 'community' because my community isn't just Iranian. We're so mixed that we came together and we use the term 'people of colour'. So we are Asian-Germans, we are Middle Eastern Germans, we're Afro-Germans, and we started in the 1980s (people before me started in the 1980s) with spaces that were exclusively people of colour. Because there were so many conversations for people to have. Because we have differences among our communities. We are not all on the same level when it comes to the hierarchies of the state. Some of us are more recognised than others. So I think that is something that I think has been really good and we have spoken about that a little bit, to throw that in there. What is maybe the usefulness of closed spaces sometimes to be able to come back and work in collaboration with other allies. So thank you for giving me all this time!

TT: Any more examples of solidarity?

Audience Participant 2: Can you just explain what you mean by the term 'anyone'? Can you explain what you mean by the term 'solidarity'? I'm never quite sure what it means to be honest.

TT: Supporting each other's struggles in a way with integrity and mana.

MF: Mutual aid. I guess we're talking about political solidarity, in the sense that with political alignment and actually supporting each other to build power and capacity to challenge the dominant or hegemonic structures.

TT: Like how can I support Mengzhu, and how can she support me? That kind of solidarity. What are the commonalities between our communities so that we can build a movement, if you like. So it's kind of a 'movement-building' question.

Audience Participant 3: I just want to talk about labelling. And come at it from a tangata whenua perspective, and seek your views on it. You're neither a migrant or a refugee in te reo Māori, you are manuhiri or hoariri. Which is, you're a visitor or an enemy. So languaging is so fundamental. The climate change activist and the climate change refugee, well Māori were climate change refugees. We left Hawaiki because of climate change. And we became refugees in our own land when they invaded our territories, raped our women, and stole our land, and relocated us. So the terminology is not something that is unknown to us domestically, its interchangeable depending on mind-set. So that's just a comment – I found the discussion here really powerful. The second thing is labelling can actually influence changes in the law. So 'climate change activists' is really important for me, if we want to challenge the process of definition at the United Nations about what is a refugee. And I think we should be asserting language to meet our realities to facilitate closed and open spaces where we choose. That's one of the things I'd like to say. But the question I put to the panel, though, is do we actually align together because of economic inequality, or are we aligning together for political expediency?

TT: That's a question to the panel, guys. Answer! Annette's got a question! Maybe a bit of both? I don't know. I mean it's difficult with the economic expediency thing when both communities are broke – there's not much economic gain to be made. I think about the different communities where I've lived in where they've been quite multicultural. And just getting to know each other, knowing what our differences are, and what our mutual struggles are, and trying to see the person on the other side, beyond the label, I think is what I was trying to get at.

MF: I think for me one of the reasons for supporting tino rangatiratanga is there isn't going to be any justice for anyone else on this land until that is solved. We came here because of a colonial-settler state that allowed us to be here and by even being here we're complicit in New Zealand's colonisation because we didn't come here under the terms of tangata whenua. But some people say 'tangata Tiriti' but when that Treaty isn't honoured, what does that even mean? And I guess I see the population of Auckland especially, becoming more and more diverse, and there needs to be efforts within different ethnic communities to educate people around the history of Aotearoa because a lot of them don't know. I skimmed through a recent PhD thesis which talked about Asian – specifically Chinese and Korean – peoples' views on whether Māori should have special status here. And it was 22.1% that answered that they didn't know, which meant they didn't have enough knowledge to even give an opinion on this. So I think there's a lot of work to be done in that area so that non-Pākehā tauwiwi don't by default align themselves with Pākehā, because it's an issue about justice. And I think many of our home countries have experienced colonisation as well and I think that is a point of connection that we can build from.

TB: One of the questions I often get asked is for people who don't agree that we should take more refugees, is we have our own to take care of first. And it's also in my mind a fair comment. A government should take care of its own people first. We should give 98/99% of our resources toward our own people. But we are not just a citizen, we are also a brother and a sister, and a worker, and somebody's son or daughter as well. And someone's neighbour. And at that one moment, in the middle of the night when a neighbour comes running to your door with their house on fire, you don't say 'Im sorry, I'm with 99% of my heart with my whānau right now'. We are also international players on an international stage and what I see is that people who are marginalised, and refugees are marginalised, we fight for the scraps that we're given. So if we're not given a state house, we'll blame somebody else who's also marginalised for not being able to get that state house. And the truth is when the government says we don't have enough capacity, what they really mean is they're not willing to build capacity. And a great example of that is Angela Merkel was building 30,000 flats in Berlin in a period of about ten months. When there's a will for that capacity, whether that is done well or not, we can change it, and have potential to.

TT: Just a quick response to me: sometimes the government should be doing that, but then we see that they're doing completely opposite things. Like if you look at the Panama papers for example, and the amount of tax that Apple is paying, for example, 0.01%, it seems to me that they are looking after the corporate interests. So its these ideas that we should be trying to navigate and strategise against, because it's this undercurrent of political duplicity on one side and also racism on the other. How do we navigate ourselves around it? And the word I'm thinking of is 'cultural hegemony'. How do we battle that? How do we get around those things? Because it's not like there's not capacity – there is. They just like looking after the wrong people.

MA: I just want to give a disclaimer, because I'm from Berlin. And just to take some of this information with a grain of salt. That neighbourhood where these homes are being built, is where predominantly Turkish and Arab families used to live. So our gentrification. Se there are homes being built, but it's at the cost of people who fought for so long to have a space in those societies as well. So its breaking solidarities to show that we are taking refugees. So yes, we are doing a bit, but I personally, it always breaks my heart that people use Germany as an example of how it's being done a little bit better, when I actually think it's so much better being here in terms of what it means to have good critical resistance and questioning. So yes, we built some homes, but we kicked a lot of people out of homes to do that.

Audience Participant 4: Mine is really a comment, not really a question, but maybe you'll have things to say about it. I'm a New Zealander but I lived now in Melbourne. And one thing I've noticed with all of the activism that's going on in Melbourne is a lot of – not all of it, luckily – but a lot of it is really nationalistic. And so it's kind of framed around this idea like 'Australians aren't like this'. I just remember going to this march and there was this chant that went something like 'Refugees are welcome, racists are not'. Which coming from Australia, which is probably.... That doesn't describe Australia to me at all. It does not

describe mainstream Australia, it doesn't describe the state, it doesn't describe the government. Like, quite the opposite if anything. But just kind of popped in to my head because a couple of you were saying things about this idea of 'these people are welcome in the country, but who is it that's actually saying that and who is it that's then taking ownership over that country and saying 'we can welcome you into it'.

Audience Participant 5: Just adding on to your guys' point, I think a lot of the discussion here has been really focussed on race, while I think a little bit less attention has been paid to the question of power and how things like race and racism is sort of a social construct where its used as a tool to define who is the insider and who is the outsider. And perhaps its my personal opinion on this but from a lot of people that's talking here today, they necessarily just represent their own ethnicity in a sense, so for me, I potentially see that a problem, because for activist groups that's not seeing past this power construct, and sort of reinforcing that power construct, is something perhaps problematic because in the end you're trying to empower your specific ethnicity, whereas something that you should try resolve, like go past that kind of logic of power. So for me, all these questions about violence as well as dispossession by accumulation if you will, is a question of how our current society is structured, how it compels people to move for security in our lives and things like that. And how we can try alternatives and I see the first step as moving past these constructs. We need to get rid of these markers of differences and address how power can be more equally distributed and how getting people to see past how power can be enacted in different forms.

TT: Probably my response is I think definitely, power definitely needs to be distributed, but I don't necessarily see cultural difference as being as a barrier to the distribution of power. I can see good things about cultural diversity, but I certainly take your point.

MF: I think we definitely need to talk more about power and hierarchy, but often it is racialised and when we represent our own ethnicities, I guess its also to avoid a colour blind approach where you don't see difference, where there is difference that is... I mean these markers of difference are structures of power as well. Racism is a systemic form of power that marginalises certain groups, but taking the point of seeing whether that maybe intersects with other forms of power is important. Living in a settler-colonial state, the most important form of power to challenge is that state, and the prison system, and the Police, which is upholding that system of power. But it's also talking about how we can bridge some of those divisions that the dominant culture tries to produce / create within us to stop people uniting or banding together to get rid of this hierarchical structure.

Audience Participant 6: Kia ora. I was just wondering, as I'm Cook Island Māori, with the Dawn Raids, was there anything you could do in terms of the double standard with the UK immigrants, the overstayers there, because even though there were so many more of them, did we as an Island community have a leg to stand on in trying to say that there was a double standard?

TT: A couple of months ago I was talking with some of the original Polynesian Panthers, Will 'Iolalia and those guys. And they produced a book where they were in discussion with their old lawyer, David Lange. And they talked about a lot of those types of issues. They had, of course, a legal leg to stand on. The Prime Minister at the time, Robert Muldoon, was just using Pacific Island immigrants as a scapegoat to ratchet up votes. You'll notice this – hopefully this is not a surprise to you – that during election time, they start using 'us' (Māori people in particular) as a political football to bump their election ratings up. And they will do that with all the other migrant communities. And if you look at that particular period of time, there were advertisements – they put ads on TV – and the cartoon caricatures were Islanders. They were just big brown people. They totally focussed on Islanders. Without a doubt, a very racist period of New Zealand's history.

Audience Participant 7: This is looping back, just momentarily, but the comment you made and the responses that were offered have been ideas on my mind as I prepare for a talk I'll be giving tomorrow on the work of Gloria Anzaldua who was a queer Chicana feminist thinker and writer in the United States. It's rather unsettling in productive ways, because where she begins to go in some of her writing is almost in the direction of a post-race context. But not post-race in the way of erasure, or the conservative deployment of the idea of post-race, but rather a post-race that leverages racial memories and cultural memories and individual memories specifically of trauma in service to individual and community transformations and solidarity, and communication through conflict. Especially when that conflict has to do with marginalisation versus inclusivity in meetings like this one. So I think it's a really compelling idea and a really difficult one to take up because there's a lot of ways to get it wrong and maybe no ways to get it right but there's also this kind of utopian hope or vision far off into the future that is being pointed to. So that was just circling in my mind, I wondered if anyone had any comments or thoughts on.

Audience Participant 5: Just briefly adding on to that. I think a lot of Butler's work in queer theory can help us understand or move forward was this kind of thinking of social constructs. Especially gender and ethnicity. Because what Butler is essentially arguing is that these subjectivities are sort of repetition of discourse that we are compelled to reproduce. But a bit of a weakness in her theory is that subversion of discourse comes from slippages that happens like accidents because there's no perfect systems. So my question in my thesis is to try and address how do we fit it in to individual agency and desire and aspiration. How do individuals as a self fight the race, the gender they've been placed and provide alternatives to it. So I would like to think what other people take on this issue.

MF: I think it's not useful to ignore ethnicity when there are differences especially in terms of power. And especially when there are cultural differences. Like for example, I know that a lot of Treaty workshops are run by Pākehā and usually targeted at a Pākehā audience. And I think they would be more effective if they took non-Pākehā migrants' perspectives into account when doing those workshops, and that may be more effective in creating more solidarities.

TT: For me, a lot of the bicultural stuff is prefaced on the Treaty of Waitangi partnership thing. So in some ways it seems to me that biculturalism is picked up and moved around because it's a lot easier than starting to talk about Treaty relationships and Treaty partnerships and that sort of stuff. So I don't know if it's controversial to say but biculturalism is like the Diet Coke version of the Treaty partnership. So when you divorce it all from all this stuff then all of a sudden biculturalism doesn't have the same sort of potency that I think it would have if it's actually couched in its proper historical context. And that's why sometimes that imbalance can happen sometimes.

MF: I think with both biculturalism and multiculturalism, what people often don't question is the place of Pākehā in the relationship. Like they're always kind of centred in it. Multiculturalism often gets used to undermine biculturalism. Like as a way of saying 'We're all New Zealanders', Don Brash kind of bullshit. And then some migrants might see biculturalism as 'Where do I fit into this?'. Like 'bicultural concept of the nation', so there is that tension and I think those two ideologies are often pitted against each other, and that's why I think there is tension between non-Pākehā tauwiwi and tangata whenua. It's something that needs dialogue between the communities without Pākehā.

Audience Participant 8: Kia ora, how did they stop the Dawn Raids?

TT: The Polynesian Panthers were one of the groups that were organising around that time. I was not born during some of it, but what I understand talking to the previous generation of activists, was just good old fashioned community organising. Getting to round up you community and work together. You had, I understand, Ngā Tama Toa working with the Polynesian Panthers around those issues, and the Polynesian Panthers of course got their inspiration from the Black Panthers, who in turn got their inspiration from Malcolm X. So you have this whakapapa of radical politics finding its way here and rooting itself within Aotearoa.

TT: We're around if there's any more questions. Sina spoke on a Polynesian Panthers panel, so she would have a bit more kōrero about that particular type of area. So that's us.