

Compact of Free Association Nations: Geopolitics & Culture

Sheldon Riklon, MD
Assistant Professor, JABSOM
Chair, Micronesia Health Advisory Coalition

8th Annual Hawaii Conference on Language Access
14 August 2015

Learning Objectives

1. Discuss history of COFA nations & their special relationship with the U.S
2. Discuss the diverse cultures of Micronesia (COFA)
3. Discuss Micronesia (COFA) cultures in Hawaii – impacts & challenges

Acknowledgements

- ✦ Tina Takashy
- ✦ Canisius Filbert/Judge Daniel Foley
- ✦ Julie Walsh, PhD
- ✦ Neal Palafox, MD, MPH

Definitions

- ✦ Micronesians
 - ✦ Political vs. Geographical vs. Cultural
 - ✦ Freely Associated States (FAS) citizens
 - ✦ Compact of Free Association (COFA) citizens
 - ✦ Federated States of Micronesia (FSM)
 - ✦ Republic of Palau (ROP)
 - ✦ Republic of the Marshall Islands (RMI)
 - ✦ Micronesians = Federated States of Micronesia ?
 - ✦ Chuukese
 - ✦ Kosraeans
 - ✦ Ponapeans
 - ✦ Yapese
- ✦ COFA vs Micronesians

Micronesia(ns)

- ✦ Marshall Islands
- ✦ Kosrae
- ✦ Pohnpei
- ✦ Chuuk
- ✦ Yap
- ✦ Palau
- ✦ Guam
- ✦ CNMI
- ✦ Kiribati
- ✦ Nauru

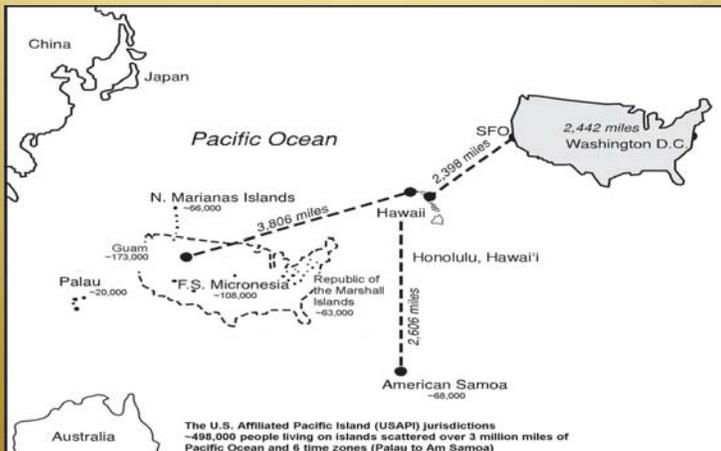
Polynesia(ns)

- ✦ Hawaii
- ✦ Samoa
- ✦ Tonga
- ✦ Tahiti
- ✦ Tuvalu
- ✦ Cook Islands
- ✦ Easter Island
- ✦ Tokelau
- ✦ Niue
- ✦ New Zealand



(Courtesy of the Center for Pacific Islands Studies, UH Manoa)

Total area about equal to entire continental United States, but total land mass area equal to size of State of Rhode Island



Brief History

- ✦ Under colonial rule for 400 yrs (Spain, Germany)
- ✦ Japanese rule since 1914
- ✦ US rule in 1944-5 after in some of the fiercest battles of World War II
- ✦ United States obtained administrative oversight of Northern Marianas, Palau, Chuuk, Yap, Kosrae, Pohnpei, and Marshall Islands
- ✦ US set up a military base in Marshall Islands (Kwajalein Missile Range) and began US Nuclear Weapons Testing Program (1946-58)
- ✦ Became TTPI (Trust Territory of the Pacific Islands) as "Strategic Trust of US" under UN Security Council 1947

US Trust Territory of the Pacific Islands

- ✦ Trusteeship Agreement main objectives:
 - ✦ *economic development*
 - ✦ *self-reliance*
- ✦ 1950's slow economic development pace
- ✦ Little talk of self government
- ✦ 1960 UN issued report that criticized US for not preparing Micronesia for self government
- ✦ Mid 60's US increases financial assistance to Trusteeship 10 fold

US TTPI

- ✦ Many federal and education programs started, and large contingent of Peace Corps
- ✦ Public high schools see first graduates and increase in college bounds



Freely Associated States (FAS)

- ✦ 1977 offered political self-determination to Northern Marianas, Marshalls, Palau, Chuuk, Kosrae, Pohnpei, Yap
- ✦ Net effect:
 1. Commonwealth of the Northern Marianas (CNMI) 1978
 2. Freely Associated States (FAS) 1979-1986:
 - ✦ *Republic of the Marshall Islands (RMI)*
 - ✦ *Republic of Palau (ROP)*
 - ✦ *Federated States of Micronesia (FSM)*

Freely Associated States

- ✦ Formed relationship with US governed by Compact of Free Association (COFA)
- ✦ Each Freely Associated State has its own compact with US
 - ✦ Economic support, grant support, political relationship, military relationship
 - ✦ Compact with Federated States of Micronesia (FSM)
 - ✦ Compact with Republic of the Marshall Islands (RMI)
 - ✦ Compact with Republic of Palau (ROP)

Compact of Free Association

Objective:

- ✦ Assist the Freely Associated States in their efforts to advance **economic development** and **self-sufficiency**

2003 US General Accounting Office Report:

- ✦ goal has not been achieved

2006 US General Accounting Office Report:

- ✦ economic self sufficiency NOT likely especially in context for health & education

Compact of Free Association

- ✦ Ensure certain national security rights for all parties
- ✦ US Perpetual strategic denial
 - ✦ US strategic denial over water, land, airspace
 - ✦ US may operate armed forces in Compact nations, may negotiate for land to operate bases, may exclude the militaries of other nations from the region
 - ✦ US is responsible for protecting nations & administering international defense treaties, but it may not declare war on behalf of these nations

Compact of Free Association

Affords COFA citizens broad migration rights

- ✦ *right to reside and work in US*
- ✦ *no visa or labor certification*
- ✦ *no limitations of stay*

Compact of Free Association

- ✦ Initially classified as “qualified aliens”
 - ✦ Permanent Residence Under Color of Law (PRUCOL)
 - ✦ considered legal residents in the US under administrative discretion
- ✦ Changed to “non qualified aliens”
 - ✦ 1996 Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA)
 - ✦ COFA migrants ineligible for fed public assistance
 - ✦ State of Hawaii continued to provide Medicaid-like benefits to COFA residents using only State funds/no Federal reimbursements

Basic Health Hawaii - 2010

- ✦ State's plan to save \$15 million (other sources: up to \$27 million/yr) in healthcare costs
- ✦ Approach:
 - ✦ 12 Outpatient visits/10 Inpatient visits
 - ✦ 5 generic medication prescriptions/month
(*cut to 4 prescriptions/month in 2010 version*)
 - ✦ No dental, except for emergencies
 - ✦ **No chemotherapy; no dialysis**
- ✦ Became effective July 1, 2010

COFA Community/LEJ Response

- On August 23, 2010, filed case in Federal court alleging claims for violations of the Equal Protection Clause and the ADA
- On September 13, 2010, filed a Motion for Preliminary Injunction
- On December 13, 2010, Motion for Preliminary Injunction went into effect by Fed Judge Seabright
- State of Hawaii appealed the decision of Judge Seabright in the 9th Circuit Court 2012

9th U.S. Circuit Court of Appeals Decision (April 2014)

- ✦ Hawaii has no constitutional obligation to fill a gap left in 1996 when Congress cut health care funding for migrants under the Compact of Free Association
- ✦ A three-member panel of the 9th U.S. Circuit Court of Appeals — with one judge dissenting — ruled in favor of the state, vacating a District Court injunction that had prevented the state from reducing health coverage

US Supreme Court

- ✦ Plaintiffs appealed to the U.S. Supreme Court
- ✦ On November 3, 2014, the Supreme Court declined to hear the case ending the plaintiffs' appeal of the Ninth Circuit decision.
- ✦ The Ninth Circuit subsequently vacated the injunction, which had the practical effect of requiring the State to immediately comply with the BHH rules.

Legacy of US Nuclear Weapon Testing

- ✦ Testing 1946-1958
- ✦ Total 67 atomic bombs
- ✦ Bravo Shot first hydrogen bomb power 1000 Hiroshima bombs
- ✦ Total yield power of 7200 Hiroshima bombs



Atomic Bomb Mushroom Cloud

- ✦ Leaves large craters
- ✦ Destroys fishing grounds
- ✦ Contaminates land/ocean/air
- ✦ Destroys traditional ways of island living, culture, family, identity
- ✦ Set up for untrustworthy relationship
- ✦ Right for compensation (land, health, culture)



Runit Dome - Enewetak

Inspection Shows No Significant Leak From RMI Nuclear Dome
Cracks in concrete covering radioactive waste on Runit of no concern

WELLINGTON, New Zealand (Radio New Zealand International, Aug. 15, 2015) – An expedition to inspect cracks in a dome covering nuclear waste in the Marshall Islands has found no significant surface leaks of radioactive material.

The Runit Dome was constructed in 1979 to temporarily store radioactive waste produced from nuclear testing by the United States military during the 1950s and 1960s.

The Marshallese community raised concerns over damage to the dome after Typhoon Nangka hit in July causing significant damage to homes and infrastructure on the atoll.

Our correspondent, Giff Johnson says the team surveying the dome found the cracks have been developing over time.

"One basic surface geiger counter type check of radiation showed nothing above background on the surface of the dome and that there was actually not any damage to the dome."

Giff Johnson says the bigger risk is the potential for waste to leak from underneath the dome into sediment that could be spread throughout the islands in future storms.

[Radio New Zealand International](#)



Cultures Of Micronesia (COFA)

- ✦ Marshall Islands*
- ✦ Kosrae
- ✦ Pohnpei
- ✦ Chuuk
- ✦ Yap
- ✦ Palau

Micronesian Values

Western Values

Relationships	Time
Present, today, now	Future, tomorrow, later
Hierarchy	Democracy
Deference, distance	Openness, intimacy
Dependency	Independence
Group	Self/Individual
Blending in	Standing out
Humility	Pride

Micronesian Values

Western Values

Extended	Nuclear
Grandparents	Parents
Parent-child respect	Parent-child bonding
Security/Richness is friends & family	Security is savings
Generosity	Stingy
Obedience	Argument
Giving in	Fighting for
Consensus	Confrontation
Family Development	Personal Development
Elderly	Youth

Certain Common Traits

- ✦ Preference for peer/group interaction
- ✦ Speaking softly & slowly
- ✦ Group needs are important
- ✦ Patience (Lots of it!); taking the back seat
- ✦ Participate only when sure of abilities
- ✦ “Go with the flow” “Easy Going” Attitude
- ✦ Family First – everything else second (work, school, etc.)
- ✦ Religion Important part of life (Christianity)

Traditional vs Western Medicine

Traditional medicine has a **social** (and sometimes **spiritual**) **association**. Compliance with traditional medicines is much greater because patients understand the **social implications** of not following the practitioner's recommendations. The patient believes that he or she will be scorned by others if s/he doesn't comply. Also, the family is involved in making sure the patient follows all the recommendations.

In western medicine, the emphasis is on individual physical health; in traditional medicines, the emphasis is on **communal relations and social cohesion**. Lack of approval or acceptance, marginalization by one's society can cause personal health problems, just as smooth relationships can cure them.

Thus, convey care and concern for the patients and to acknowledge the participation of the family in any individual's treatment

Parenting Patterns and Roles

- Parents are authority figures to be obeyed & respected
- Children are expected to learn through observation and participation, not through questioning
- Children are expected to work for the family, to have responsibilities and chores (preparing rice, doing laundry, or babysitting younger relatives and siblings)
- Mothers frequently defer discipline to the father, or another male
- Grandparents are the cultural educators & teachers of the children.
- “Parenting” is not the sole responsibility of mother and father, but rather a **shared extended family responsibility** for all the children.

Discipline

- ✦ Mothers spend the most time with their children and handle the day-to-day discipline and instruction through verbal interaction
- ✦ Fathers hold the highest authority and may use physical punishment with disobedient children
- ✦ Children are expected to obey authority – anyone older than themselves and are scolded most strongly for disrespect than for other behaviors.

Taboo Topics

- Discussion of sex, sexual organs, etc. is highly restricted
- It is highly inappropriate in the presence of the opposite sex, and particularly in the presence of relatives
- If at all possible, the client, interpreter and provider should be the same sex

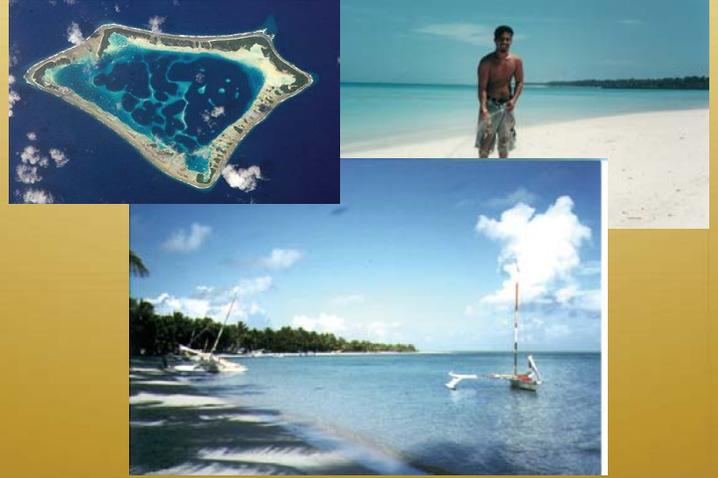
“Yes”

- ✦ Be aware that YES has more than one meaning due to the necessity of cooperating with authority and the discomfort of refusing others’ requests
- ✦ Yes may mean yes, no, or maybe
 - ✦ Ask follow up questions. WAIT PATIENTLY
- ✦ Make it clear that No is an acceptable response.
 - ✦ “It’s okay if that time doesn’t work for you. Tell me when is better”
- ✦ Assure that a supportive friend or relative is welcome

Communication Styles

- ✦ Preference for consensus, harmonious relations
- ✦ Avoiding confrontation with “yes”
- ✦ Hierarchical decision-making prevents arguments

Atoll Lagoon Fishing



COFA Migrants in Hawaii

Reasons for Migration to Hawai'i :

1. Health
2. Education
3. Employment/job opportunity

Pobutsky, et al. 2009

??? Question ???

If you were in our same situation,
Would you not do the same as we do ?
For the Health, Education, Employment
Opportunities not available at home
For you & your family ?

MAHALO

Kommol tata (Marshallese)
Kulo mulalap (Kosraean)
Kalaghan (Pohnpeian)
Kulisou chapur (Chuukese)
Kammagar (Yapese)
Sulang (Palauan)

Contact Info

- ✦ Sheldon Riklon, MD
- ✦ Email: riklons@hawaii.edu