



INTERVENTION OF KA LĀHUI HAWAI'I

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Item: # 6 Topic: Human Rights Presenter: Keoni Bunag

Welina me ke aloha iā kākou a pau mai ku'u one hānau o Hawai'i. Mr. Chairperson, distinguished members of the Permanent Forum, and fellow Indigenous brothers and sisters. My name is Keoni Bunag and I am presenting this intervention on behalf of Ka Lāhui Hawai'i and on behalf of my kūpuna, my ancestors, whose human rights were continuously violated and whose cries for self determination went unheard.

In 1893, United States marine troops were ordered to come ashore by U.S. Minister Stevens to protect the lives and property of U.S. citizens who had settled in Hawai'i. With the lives of U.S. citizens not threatened, the U.S. military had no justifiable cause for coming onto the shores of another country and demanding, through military force, that the queen of that country surrender her government. Guns and canons were aimed and ready to be fired if the queen did not surrender the Hawaiian government to these imperialistic forces. This invasion threatened the lives of the Kānaka Maoli, the Indigenous Peoples, of Hawai'i.

In 1895, hundreds of Kānaka Maoli attempted to rebel against the Provisional Government formed by those who led the overthrow. As a result they were arrested and imprisoned.

To further continue the suppression of Kānaka Maoli in their quest to regain their own government, the United States congress, in 1898, passed a joint resolution that allowed for the illegal annexation of Hawai'i to the U.S.

Undoubtedly, Kānaka Maoli rights as human beings were violated. The overthrow of the Hawaiian monarchy threatened the lives and well being of the Hawaiian people. Kānaka maoli then clearly stated their opposition to annexation when thirty thousand, more or less, of them signed petitions. These petitions were delivered to the U.S. congress and were simply ignored. Thus, Kānaka Maoli, did not have a voice in choosing their form of government.

Pursuant to United Nations Charter Chapter XI, Article 73, the U.S., as the administering agent under international law, accepted as a "sacred trust" the obligation to assist the inhabitants of the territory in the progressive development of their free political institutions. Furthermore, Resolution 742, passed by the Fourth Committee of the United Nations General Assembly required that inhabitants of territories be given options in achieving self-government. The U.S. has never complied with this obligation. The U.S. continues to ignore the obligation that they have accepted, to assist Kānaka Maoli in developing our own free political institutions. In addition, Kānaka Maoli have not been given the opportunity to choose a system of self-government.

Further ignoring their trust obligation, the U.S., in 1959, controlled the Statehood Plebiscite; this ballot posed only one choice – statehood. The history of the 1959 Statehood Plebiscite vote will show that it was a violation of international legal standards which are intended to protect the indigenous peoples of Hawai'i.

When the United Nations was created, Hawai'i appeared on the list of Non Self-Governing territories. Hawai'i then became a state in the U.S., despite the unjust plebiscite vote; Hawai'i was removed, at the request of the U.S., from the list of Non Self-Governing territories.

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In 1921, the Hawaiian Homestead Commissions Act was enacted by congress for the betterment of Native Hawaiians. U.S. congress set aside 200,000 acres of land in Hawai'i so that it may be used for homesteading purposes. However, according to U.S. congress, a Native Hawaiian is only defined as a person of 50% or more "aboriginal" blood. Defining race classification by blood quantum is not only a racist act, but it is a clear violation of Article 7 of the Declaration on the Rights of Indigenous Peoples whereby individuals have the collective and individual right not to be subjected to ethnocide and genocide, a direct violation of international legal standards. This action by congress was an aim at depriving Kānaka Maoli of our integrity as distinct peoples and of our cultural identities, thereby warranting ethnocide and genocide. This was not only a divisive measure amongst our own people, but it was purported that there would be no Hawaiians of 50% or more blood quantum.

With respect to blood quantum and its direct impact to Hawaiian Homesteading and accessibility to a land base, Hawaiian homesteaders took it upon themselves to set up communities in various shoreline areas of Hawai'i, the state reacted in a manner that once again violated Kānaka Maoli right to Self Determination. When these Kānaka Maoli, kupuna, adults, and children, established themselves upon the land in a way their ancestors once lived, the state called them squatters. These Kānaka Maoli were considered trespassers in their own home land. The state had attempted to evict these Kānaka Maoli, but Kānaka Maoli stood their ground, and stuck to the belief that they had a right to be there and that this is their way of exercising their right, as the Indigenous Peoples of Hawai'i, to Self Determination. Wanting these shoreline areas for public beach parks, the state bulldozed and burned these communities of Kānaka Maoli, leaving many families houseless.

In closing, the occupying government of the U.S. has formally admitted through the "Apology Bill" that we the Indigenous Peoples of Hawai'i have never directly relinquished our inherent sovereignty as a people to the U.S. As a result, we Kānaka Maoli are entitled and more so it is our right as human beings to a separate system of self-government.

Ka Lāhui Hawai'i ask that the Permanent Forum on Indigenous Issues to consider making the following recommendations in their report.

One, Kānaka Maoli of Hawai'i would like to be re-inscribed on the list of Non Self-Governing territories, in accordance with the Miguel Alfonso Martinez treaty study report. We are undoubtedly being governed by an occupying government, and we have never been given the opportunity to choose our own form of government, with the fundamental principles of self determination.

And secondly, Ka Lāhui Hawaii strongly supports the adoption of the Declaration of Rights on Indigenous Peoples where it clearly states in Article 3, "Indigenous Peoples have the right of self-determination." By virtue of this right, we will freely determine our political status and freely pursue our economic, social, and cultural development.

'O wau nō me ka ha'aha'a. Mahalo nui a Aloha.