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Permanent Forum on Indigenous Issues (PFII), May 2013**Talking Points: Decolonization of the Pacific Region****Thursday, May 30, 2013; 10:00 – 1:00 pm session**

- We wish to comment on statements made about Hawaii in the “Study on Decolonization of the Pacific Region.”
- On the study’s assertion that specific articles in the 2007 UN Declaration on the Rights of Indigenous Peoples offer justification for decolonization, we wish to point out that the Declaration’s call to promote the development of a concept of self-determination for indigenous peoples is different from the existing right of self-determination in international law. Further, as explained in Article 46 of the Declaration, the Declaration does not imply any right to take any action that would dismember or impair, totally or in part, the territorial integrity or political unity of sovereign and independent States.
- For the United States, the Declaration’s concept of self-determination is consistent with the United States’ existing recognition of, and relationship with, federally recognized tribes as political entities that have inherent sovereign powers of self-governance.
- The study does not identify who is advocating for Hawaii’s self-governance and self-determination, yet asserts that Hawaii is “seeking active consideration” to be placed on the UN’s list of non-self-governing territories (NSGT). It further recommends that a relevant UN agency convene an experts’ group meeting on the decolonization of the Pacific.
- The Native Hawaiian community has a unique status as the indigenous peoples of a once-sovereign nation with whom the United States has a special political and legal relationship. The U.S. Congress has reflected this in a number of statutes.
- At the time of the Apology Resolution, a joint resolution of the U.S. Congress adopted in 1993 under then-President Clinton, Congress determined that it was appropriate to acknowledge the United States’ moral responsibility for past historical injustices, and as the Apology Resolution illustrates, resolve to do better. This resolution is significant politically and

historically, but does not confer any judicially enforceable rights nor award damages.

- One significant aspect of the Resolution is that it encourages the President to support reconciliation efforts between the United States and the Native Hawaiian community. To this end, on December 9, 2010, Secretary of the Interior Ken Salazar and U.S. Attorney General Eric Holder sent letters to the U.S. Congress supporting passage of an act that would provide for the reorganization and federal recognition of a Native Hawaiian Tribe.
- The U.S. Constitution and other U.S. laws contain provisions on how our government interacts with Native American Indian, Alaska Native, and Native Hawaiian communities and provisions for the redress of their grievances. To assist the Native Hawaiians in this endeavor, Congress formally established an Office of Native Hawaiian Relations within the U.S. Department of the Interior.
- As such, while the United States appreciates the interest shown by the United Nations Permanent Forum on Indigenous issues, we view the question of our relationship with the Native Hawaiian community as a domestic one, as we do our relationship with the other tribal communities that exist within our borders.