

# Resolution 21-137 Testimony

**MISC. COM. 464**

CITY COUNCIL and COMMITTEE MEETINGS  
SPEAKER SIGN-UP FORM

FOR USE BY CITY CLERK

21AUG11 AM 9:04 CITY CLERK  
(Please fill out form completely and print legibly)

Speaker No. \_\_\_\_\_

MEETING DATE: AUG 11-2021

AGENDA ITEM NO. \_\_\_\_\_

☐ COUNCIL/PUBLIC HEARING

COMMITTEE on

<input type="checkbox"/>	Budget
<input type="checkbox"/>	Executive Management
<input type="checkbox"/>	Executive Matters & Legal Affairs
<input type="checkbox"/>	Housing & the Economy
<input type="checkbox"/>	Parks & Community Services
<input type="checkbox"/>	Public Infrastructure & Technology
<input type="checkbox"/>	Public Safety
<input type="checkbox"/>	Transportation, Sustainability & Health
<input type="checkbox"/>	Zoning & Planning

REASON

WHERE IS THE FORENSIC AUDIT  
TO PROVE HOW WAS EVERY DOLLAR  
SPENT OF FEDERAL FUNDING.

SUBJECT MATTER: RESOLUTION  
(Please Specify Bill or Resolution Number)

☐ Support ☒ Oppose ☐ Comments

NAME: KONOHIKI KUPUNA PHONE: \_\_\_\_\_

REPRESENTING: ☐ Self ☒ Organization Name KINGDOM OF HAWAII  
(Please Indicate - Self or Name of Organization Representing)

CITY COUNCIL and COMMITTEE MEETINGS  
SPEAKER SIGN-UP FORM

(Please fill out form completely and print legibly)

FOR USE BY CITY CLERK

Speaker No. \_\_\_\_\_

MEETING DATE: AUG 11-2021

AGENDA ITEM NO. \_\_\_\_\_

☐ COUNCIL/PUBLIC HEARING

COMMITTEE on

<input type="checkbox"/>	Budget
<input type="checkbox"/>	Executive Management
<input type="checkbox"/>	Executive Matters & Legal Affairs
<input type="checkbox"/>	Housing & the Economy
<input type="checkbox"/>	Parks & Community Services
<input type="checkbox"/>	Public Infrastructure & Technology
<input type="checkbox"/>	Public Safety
<input type="checkbox"/>	Transportation, Sustainability & Health
<input type="checkbox"/>	Zoning & Planning

REASON

THE CITY & THE STATE DOES NOT OWN  
ANY KINGDOM OF HAWAII ALLODIAL  
TITLE LANDS. HAWAII WAS NOT ANNEX  
TO THE UNITED STATES 1898 IT WAS FALSE

SUBJECT MATTER: RESOLUTION 21-137  
(Please Specify Bill or Resolution Number)

☐ Support ☒ Oppose ☐ Comments

NAME: KONOHIKI KUPUNA PHONE: \_\_\_\_\_

REPRESENTING: ☐ Self ☒ Organization Name KINGDOM OF HAWAII  
(Please Indicate - Self or Name of Organization Representing)

7/2019  
212

TO THE CITY GOVERNMENT

<https://mail.google.com/mail/u/0/#sent/QgrcJHrrzvrCwkPqnrDsFKPZTX0nQtgJcB?projector=1>

AUG 9-2021



UNITED NATIONS  
HUMAN RIGHTS  
OFFICE OF THE HIGH COMMISSIONER

Office of the High Commissioner for Human Rights  
Palais des Nations, CH-1211 Geneva 10, Switzerland

## MEMORANDUM

Date: 25 February 2018

From: Dr. Alfred M. deZayas  
United Nations Independent Expert  
Office of the High Commissioner for Human Rights

To: Honorable Gary W. B. Chang, and  
Honorable Jeannette H. Castagnetti, and  
Members of the Judiciary for the State of Hawaii

Re: The case of Mme Routh Bolomet

As a professor of international law, the former Secretary of the UN Human Rights Committee, co-author of book, *The United Nations Human Rights Committee Case Law 1977-2008*, and currently serving as the UN Independent Expert on the promotion of a democratic and equitable international order, I have come to understand that the lawful political status of the Hawaiian Islands is that of a sovereign nation-state in continuity; but a nation-state that is under a strange form of occupation by the United States resulting from an illegal military occupation and a fraudulent annexation. As such, international laws (the Hague and Geneva Conventions) require that governance and legal matters within the occupied territory of the Hawaiian Islands must be administered by the application of the laws of the occupied state (in this case, the Hawaiian Kingdom), not the domestic laws of the occupier (the United States).

**THE PROOF FOR THE KINGDOM OF HAWAII.**

Based on that understanding, in paragraph 69(n) of my 2013 report (A/68/284) to the United Nations General Assembly I recommended that the people of the Hawaiian Islands — and other peoples and nations in similar situations — be provided access to UN procedures and mechanisms in order to exercise their rights protected under international law. The adjudication of land transactions in the Hawaiian Islands would likewise be a matter of Hawaiian Kingdom law and international law, not domestic U.S. law.

I have reviewed the complaint submitted in 2017 by Mme Routh Bolomet to the United Nations Office of the High Commissioner for Human Rights, pointing out historical and ongoing plundering of the Hawaiians' lands, particularly of those heirs and descendants with land titles that originate from the distributions of lands under the authority of the Hawaiian Kingdom. Pursuant to the U.S. Supreme Court judgment in the Paquete Habana Case (1900),

PAGE ①

21 AUG 1 PM 9:01 CITY CLERK

**Respectfully,**

**Dr. Alfred M. deZayas**  
United Nations Independent Expert on the promotion of a  
democratic and equitable international order  
Office of the High Commissioner for Human Rights  
Palais des Nations, CH-1211 Geneva 10, Switzerland



AUG 9-2021

## RIGHTS OF THE KONOHIKIS KUPUNAS

TO ALL KANAKA MAOLIS AND THOSE OF YOU WHO BELIEVE IN WHAT IS WRITTEN IN LAWS SUCH AS MARITIME AND INTERNATIONAL LAWS. THE PRESIDENT AND THE UNITED STATES CONGRESS IS YOU ARE ALL CRIMINALS FOR NOT RECOGNIZING THE MARITIME LAW AND THE INTERNATIONAL LAW THAT THE UNITED STATES CANNOT OWN LANDS OUTSIDE THE 12 MILES LIMIT OF THE UNITED STATES IT IS IN THE INTERNATIONAL LAW. THE UNITED STATES CANNOT POLLUTE THE LANDS AND WATER BY WHAT RIGHTS THE UNITED STATES HAVE TO POLLUTE THE WATER IN PEARL HARBOR AND CLEAN DRINKING WATER UNDER RED HILL. BY WHAT RIGHTS THE UNITED STATES HAVE TO BOMB AND USE FIRING PRACTICE ON OUR ALLODIAL TITLE LANDS. THE CROWN, CEDED AND ROYAL PATENT LANDS CANNOT BE SOLD, STOLEN OR EVEN GIVEN AWAY.

HAWAII 50<sup>TH</sup> STATE IS A FRAUDULENT GOVERNMENT'S BY WHAT RIGHTS THE CITY AND STATE HAVE TO COLLECT TAXES ON KINGDOM OF HAWAII ALLODIAL TITLE LANDS THE MONARCHY STILL STANDS IT HAS BEEN PROVEN THROUGH RESEARCH. THE RULE OF LAW IS IN THE KINGDOM OF HAWAII MONARCHY. BY WHAT RIGHTS THE CITY AND STATE HAVE TO DISREGARD THE RULE OF LAW ALREADY SET IN PLACE. THE CITY AND STATE DO NOT OWN ANY ALLODIAL TITLE LANDS WHERE IS YOUR PROOF TO OWN ALLODIAL TITLE LANDS SIGN BY KING KAMEHAMEHA THE THIRD. MAUNAKEA PROTEST IS A VICTORY FOR STOPPING THE TELESCOPE. MAUNAKEA ALSO HAVE ALLODIAL TITLE TO IT.

CROOKED CORRUPT CHRISTIAN MISSIONARIES YOU ARE ALL THIEVES ALLODIAL TITLE LANDS CANNOT BE CONVERTED INTO DEEDS WHERE IS THE SIGNATURE OF KING KAMEHAMEHA III TO ALLOW ALLODIAL TITLE LANDS BE CONVERTED INTO DEEDS

WE ARE THE KONOHIKIS KUPUNAS



Section Two: Territory of Hawaii. *That the islands acquired by the United States of America under an Act of Congress entitled Joint Resolution* to provide for annexing the Hawaiian Islands to the United States, approved July seventh, eighteen hundred and ninety-eight, shall be known as the "Territory of Hawaii."

Now, as stated earlier the joint resolution did not acquire the Hawaiian Islands as territory of the United States. No nation can, by a mere act of its legislature or parliament, pass a law acquiring the dominion of another sovereign nation. Sovereignty is the absolute legal power of each nation over its own territory. The United States has absolute sovereignty. The Nation of Hawaii has such sovereignty. Neither one can, by its own law, acquire the territory of the other. That is the equality of sovereignty. This is what is missing as we move forward. We have the apology resolution. But that is not enough. That is the overthrow. Yet, we have no explanation as to how Hawaii was acquired. There is no jointly ratified treaty-- the treaty was never ratified by the United States. I say again, the treaty was never ratified by the United States. It is the United States, by the terms of its constitution that could not acquire Hawaii---it didn't and those who drafted the Organic Act in 1900 and the Act of Statehood in 1959---knew this as well. So, the agents of the United States engaged in deception—writing and passing statutes that appear to acquire the Hawaiian Islands---but did not.

#### IV. The Plebiscite of June 27, 1959

Despite the evidence showing the United States lacks both de jure and de facto jurisdiction, many have stated that the plebiscite of 1959 reveals that an overwhelming number of the people of the Hawaiian Islands, and Native Hawaiians as well, supported Statehood and United States jurisdiction.

The truth is that the effect of the plebiscite has been misrepresented. While it is true that the first question in the plebiscite did ask if the voter supported statehood, the second question, took away United States jurisdiction. The section question effectively asked the people of Hawaii to approve the new section two of the Admission Act---which excluded the Hawaiian Islands as territory of the United States.

On June 27, 1959, the people of Hawaii were asked to vote in a so-called "plebiscite" as to whether they approved statehood. 94 per cent responded by voting "yes" as to all three questions. Yet, the plebiscite was required because the Admission Act changed the territorial boundary descriptions as to those proposed by the Proposed Constitution for the State of Hawaii, adopted in the 1949 constitution. Thus, the three questions voted on as of June 27, 1959 were:

- 1) "Shall Hawaii be admitted immediately into the union as a State?"
- 2) "Do you approve of the new boundaries of the state as fixed by the statehood bill?"
- 3) [As described in an article by Fred Bennion of the Honolulu Advertiser] "Question no. 3 is more comprehensive, it requests approval of numerous provisions of the statehood act. The most important of these pertains to disposition of land owned or controlled by the United States.

As to question two, which was critical for the admission of the state, Mr. Bennion stated: "The danger lies in the possibility that the voter having answered the first question in the affirmative, may leave the other two propositions unanswered. A majority vote approving all three is required. One "No" on any of the questions is equivalent to a vote against statehood."

Mr. Bennion goes on to say about Question Two: "The voter should have no objection to the boundaries. They are practically the same as for the Territory. All eight major islands are included. . . [This last statement is clearly false]."

The approval of the three questions was submitted by the United States to the General Assembly of the United Nations such that the Decolonization Committee of the General Assembly would remove Hawaii from the list of "non self-governing territories." Efforts are being made by independence groups to have that decision of the United Nations rescinded, Recognition that Question Two was misleading will add strength to that claim."

#### VI. Conclusion:

The United States Department of Interior has come to Hawaii basically asking how it can help in establishing a government to government relationship with the Hawaiian people. It can "help" by first acknowledging and admitting certain truths:

First, Hawaii was a state in international law and had a government to government relationship with the United States---as equal states under the law of nations.

Second, the United States enacted congressional legislation that it claimed acquired the Hawaiian Islands as territory of the United States. This is false and the United States has admitted this in two key sections of its laws as to Hawaii: Sections two of the Organic Act and the Act of Admission. Both acts explicitly exclude the Hawaiian Islands from the territory of the United States and the State of Hawaii.

Third, the Department of Interior comes here today to seek advice as to rules that would ignore these truths and supposedly re-establish a government to government relationship with the Native Hawaiian people with Native Hawaiians as a subjugated community, not independent and not equal to the United States.

In essence, the Department of Interior asks us to help them draft rules by which we, as Native Hawaiians go backwards, ignore the existence of the Kingdom of Hawaii, ignore, the failure of the United States to acquire the Hawaiian Islands, ignore the effective occupation of the Hawaiian Islands by the United States, and give them our stamp of approval for what they have done to us over the past 120 years.

Perhaps we were ignorant of the truth for the past 120 years. Perhaps we have forgotten and now only now remember what our kupuna in the Kue petitions fought for and won. Yet, today we have a new generation of scholars and leaders. We have learned of the tricks and the lies, and the misrepresentations. If the future of Hawaii must begin sometime, and someplace, it shall begin here. We are not an Indian tribe, and we don't want to be "recognized" as one by the