

*ASSOCIATION OF HAWAIIAN  
CIVIC CLUBS*

*A RESOLUTION*

14 - 28

**ACKNOWLEDGING THE CONTINUITY OF THE HAWAIIAN KINGDOM AS  
AN INDEPENDENT AND SOVEREIGN STATE**

WHEREAS, on November 28, 1843, both Great Britain and France jointly recognized the Hawaiian Kingdom as an independent and sovereign State and its admittance into the Great Family of Nations; and

WHEREAS, the Hawaiian Kingdom maintained over 90 embassies and consulates throughout the world; and

WHEREAS, November 28<sup>th</sup> is a national holiday throughout the Hawaiian Kingdom called La Ku'oko'a (Independence Day); and

WHEREAS, fifty years after independence, the government of the Hawaiian Kingdom was illegally overthrown by United States forces on January 17, 1893; and

WHEREAS, negotiations for reinstatement of the Hawaiian government took place between Queen Lili'uokalani and President Grover Cleveland, represented by U.S. Minister Plenipotentiary Albert Willis, at the United States Legation in Honolulu on November 13, 1893; and

WHEREAS, settlement and an agreement was reached on December 18, 1893, whereby the President of the United States would reinstate the Hawaiian government and thereafter the Queen would grant a pardon to all those who committed treason; and

WHEREAS, this agreement is called a sole executive agreement under U.S. constitutional law and a treaty under international law; and

WHEREAS, President Cleveland and his successors in office have failed to carry out this treaty in violation of international law; and

WHEREAS, the United States Congress purportedly annexed the Hawaiian Islands by a joint resolution of Congress on July 7, 1898; and

WHEREAS, neither a joint resolution or a statute enacted by the U.S. Congress can have any legal effect beyond the borders of the United States, nor affect the sovereignty of a foreign State; and

WHEREAS, the 1898 U.S. joint resolution of annexation is not a treaty whereby the Hawaiian Kingdom ceded its sovereignty to the United States of America; and

WHEREAS, on August 12, 1898 at 12 noon, during the Spanish-American War, the United States began the illegal and prolonged occupation of the Hawaiian Kingdom; and

WHEREAS, in 2001, the Permanent Court of Arbitration, in *Larsen v. Hawaiian Kingdom*, acknowledged in its arbitral award that “in the nineteenth century the Hawaiian Kingdom existed as an independent State recognized as such by the United States of America, the United Kingdom and various other States, including by exchanges of diplomatic or consular representatives and the conclusion of treaties”; and

WHEREAS, under international law all States have sovereign equality, and have equal rights and duties as co-equal members of the international community regardless of their economic, social and political differences; and

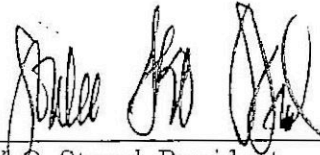
WHEREAS, according to international law there is a legal presumption that occupation does not affect the continuity of the State even when there is no government claiming to represent the occupied State.

NOW, THEREFORE BE IT RESOLVED by the Association of Hawaiian Civic Clubs at its 55<sup>TH</sup> annual convention at Waikōloa, Hawai‘i this 1<sup>st</sup> day of November 2014, that it acknowledges the continuity of the Hawaiian Kingdom as an independent and sovereign State.

BE IT FURTHER RESOLVED that a certified copy of this resolution be given to the Governor of Hawaii, State Senate President, State Speaker of the House, State Senate Committee on Hawaiian Affairs, State House Committee on Hawaiian Affairs, Office of Hawaiian Affairs Chair of the Board of Trustees, and all County Mayors.



The undersigned hereby certifies that the foregoing Resolution was duly adopted on the 1<sup>st</sup> day of November 2014, at the 55<sup>th</sup> Annual Convention of the Association of Hawaiian Civic Clubs at Waikōloa, South Kohala, Hawai‘i.

  
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Soulee L.K.O. Stroud, President