

Resolution for the Review of United Nations` General Assembly Resolution 1469 (1959)  
for the Removal of Hawaii from the required reporting by the United States to the United  
Nations Pursuant to Article 73 e of the Charter of the United Nations

Resolution GA/ \_\_/ \_\_

General Assembly

Sponsors: \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_,

Signatories: \_\_\_\_\_,  
\_\_\_\_\_

Topic: "Review of UNGA Resolution 1469"

The General Assembly,

Affirming the Peoples of the United Nations duty to establish conditions under which  
justice and respect for the obligations arising from treaties and other sources of  
international law are to be maintained;

Noting the unalienable right of peoples to self-determination and independence in  
accordance with Chapter XI of the Charter of the United Nations and General Assembly  
Resolution 1514 (XV) regarding the Granting of Independence to Colonial Countries and  
Peoples:

Resolved to combine our common efforts to employ international machinery for the  
promotion of the economic and social advancement of all peoples,

Recalling under Article 2 of the Charter that all Members of this Organization, in pursuit  
of the Purposes stated in Article 1 of the Charter, shall act in order to ensure to all of them  
the rights and benefits resulting from membership, shall fulfil in good faith the obligation  
assumed by them in accordance with the present Charter.

Finding, at Article 13.1 (b) of the Charter, the General Assembly shall initiate studies and  
make recommendations for the purpose of "assisting in the realization of human rights  
and fundamental freedoms for all without distinction as to race, sex, language, or religion,

Whereas, under Article 14 of the Charter, the General Assembly may recommend  
measures for the peaceful adjustment of any situation, regardless of origin, which it  
deems likely to impair the general welfare or friendly relations among nations, including  
situations resulting from a violation of the provisions of the present Charter setting forth  
the Purposes and Principles of the United Nations.

Invoking Article 73 of the Charter which sets forth that

Members of the United Nations which have or assume responsibilities for the  
administration of territories whose peoples have not yet attained a full measure of self-  
government recognize the principle that the interests of the inhabitants of these territories  
are paramount, and accept as a sacred trust the obligation to promote to the utmost, within  
the system of international peace and security established by the present Charter, the well-

being of the inhabitants of these territories, and, to this end:

**a.** to ensure, with due respect for the culture of the peoples concerned, their political, economic, social, and educational advancement, their just treatment, and their protection against abuses;

**b.** to develop self-government, to take due account of the political aspirations of the peoples, and to assist them in the progressive development of their free political institutions, according to the particular circumstances of each territory and its peoples and their varying stages of advancement;

**c.** to further international peace and security;

**d.** to promote constructive measures of development, to encourage research, and to co-operate with one another and, when and where appropriate, with specialized international bodies with a view to the practical achievement of the social, economic, and scientific purposes set forth in this Article; and

**e.** to transmit regularly to the Secretary-General for information purposes, subject to such limitation as security and constitutional considerations may require, statistical and other information of a technical nature relating to economic, social, and educational conditions in the territories for which they are respectively responsible other than those territories to which Chapters XII and XIII apply.

Whereas, the General Assembly in 1946 adopted General Assembly Resolution 66 (I) identifying administrative authorities and the non-self governing territories over which the authorities undertook as a sacred trust obligation to promote to the utmost, the well-being of the inhabitants of these non-self governing territories; and,

Pursuant to General Assembly Resolution 66 (I) in 1946, the United States transmitted information under Article 73, information concerning “conditions in Alaska, American Samoa, Guam, Hawaii, Panama Canal Zone, Puerto Rico and the U.S. Virgin Islands; and,

In further explication of the responsibilities of Administering powers under Article 73, the General Assembly adopted Resolution 742 (VIII) in 1953 which took note of the conclusion of the Ad Hoc Committee on Factors (Non-Self-Governing Territories) and approved the list of factors as adopted by the Fourth Committee, those factors to be used by the General Assembly and the Administering Members as a guide in determining whether any Territory, due to changes in its constitutional status, is or is no longer within the scope of Chapter XI of the Charter, and further stated that it considers that the validity of any form of association between a Non-Self-Governing Territory and a metropolitan or any other country essentially depends on the freely expressed will of the people at the time of the taking of such decisions, and,

Considered that the manner in which “territories referred to in Chapter XI of the Charter can become fully self-governing is primarily through the attainment of independence, although it is recognized that self-government can also be achieved by association with another State or group of States if this is done freely and on the basis of absolute equality;

Recalling that United Nations General Assembly Resolution 2625 (XXV) of 24 October 1970, (Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States) charged “Every State has the duty to promote, through joint and separate action, realization of the principles of equal rights and self-determination of peoples, in order to, inter alia, bring a speedy end to colonialism, having due regard to the freely expressed will of the peoples concerned and bearing in mind that the subjection of peoples to alien subjugation, dominion and exploitation constitutes a violation of the principle, as well as a denial of fundamental human rights, and is contrary to the Charter, and

Finding that the association of Hawaii with the United States of America was not done on the basis of absolute equality but required Hawaii remain subservient to the United States of America by the territorial limitations of Hawaii, the requirement that it adopts programs and policies imposed upon it during the years under colonization, and that the United States of America remain superior to Hawaii in all matters of foreign relations, control over military in Hawaii, retention of between 25% to 30% of the title to lands of Hawaii taken as part of the aggression against Hawaii from 1893 to 1900, power to emplace nuclear weapons and other devices within the territory of Hawaii, power of taxation by the United States of America over the people of Hawaii whether citizens or not, complete control over transmigration into Hawaii, superiority of the Supreme Court of the United States of America and of most of its lesser courts over the courts of Hawaii, imposition of United States Citizens as a definition of the Citizens of Hawaii, licensing and control over all radio, television and other forms of electronic communications, management over air-traffic over the skies of Hawaii, laying of tariffs for all goods imported or exported from Hawaii, control over shipments and over the ship bottoms which may enter into the ports of Hawaii, control over the education curriculum in the public schools of Hawaii, control over all banking and other financial institutions operating in Hawaii, control over the forms and practices of health care and medicine for the people of Hawaii often without consideration for the cultural, religious, or historical backgrounds of the Hawaiian population;

Recalling that the Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States further states “The establishment of a sovereign and independent State, the free association or integration with an independent State or the emergence of any other political status freely determined by a people constitute modes of implementing the right of self-determination by that people; and,

Mindful that the United States’ Report A/4226, transmitted on 24 September 1959 to the General Assembly may have misrepresented the United States’ full compliance to its obligations under Chapter XI of the Charter of the United Nations, Article 73, as well as the principles set forth in General Assembly Resolutions 1514 (XV) and 2625 (XXV),

Expressing concern that the adoption of the United Nations General Assembly Resolution 1469 of December 12, 1959 allowing the United States to cease transmitting information on the status of the Hawaiian Islands in compliance with Article 73 e of the Charter, may have been based on misinformation, misunderstanding, or misrepresentations or may have served to deny the people of the Hawaiian Islands their rights to self-determination

and independence;

Emphasizing that an erga omnes obligation exist to make this Notice of error and demand for a special session per General Assembly Rules and Procedures for the immediate cessation of the act and the reversal of the harmful consequences of United Nations General Assembly Resolution 1469;

Calls for an inquiry to review the factors that led to the adoption of the United Nations General Assembly Resolution 1469 of 12 December 1959 to ascertain whether the adoption of the resolution was made in error;

Demands that should an error be found, that the General Assembly take appropriate correct measures to annul or rescind United Nations General Assembly Resolution 1469, and endeavor to provide all appropriate relief of the Hawaiian people, restoring their human rights and fundamental freedoms, including their right to self-determination as contemplated in Article 73 of the Charter and as further elaborated by the Declaration on the Granting of Independence of Colonial Countries and Peoples, United Nations General Assembly 1514 (XV) of 14 December 1960.

Immediate steps be taken to transfer all powers to the people of the Hawaiian Islands as contemplated in Article 73 of the Charter, without any conditions or reservations, in accordance with their freely expressed will and desire, without any distinction as to race, creed or color, in order to enable them to enjoy complete independence and freedom.

Calls upon all United Nations mechanisms, including *the Ad Hoc Committee on Factors (Non-Self-Governing Territories)* the Special Committee on the Granting of Independence to Colonial Countries and Peoples, to proceed with dispatch and care, taking note of the interests of the Native Hawaiian indigenous peoples of the Hawaiian Islands as well as the interests of Hawaiian nationals who maintain a continuity of culture and consciousness to their Hawaiian nation, in enabling the people contemplated in Article 73 of the Charter to fairly, properly and efficiently transition from their current status under the United States of America to a status to enjoy their right to complete independence and freedom.

Adopted this \_\_ day of \_\_\_\_\_ in the year \_\_\_\_\_.

United Nations General Assembly

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By its President