

NEWS RELEASE



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OHA APPLAUDS U.S. SUPREME COURT'S CEDED-LANDS DECISION

HONOLULU – The Office of Hawaiian Affairs applauded today's decision by the U.S.

Supreme Court to send the ceded-lands case back to the Hawai'i Supreme Court for further deliberations.

“We are pleased with the U.S. Supreme Court's decision to remand the case to the Hawai'i Supreme Court, as we had suggested in our brief and at oral argument,” said Haunani Apoliona, chairperson of the OHA Board of Trustees. “We consider the Court's decision to be a favorable one. While we would have preferred an outright dismissal of the petition, the result in this case is workable.”

In an opinion written by Justice Samuel Alito, the U.S. Supreme Court stated, “(OHA and individual) Respondents defend that decision by arguing that they have both state-law property rights in the land in question and ‘broader moral and political claims for compensation for the wrongs of the past.’ ... But we have no authority to decide questions of Hawaiian law or to provide redress for past wrongs except as provided for by federal law. The judgment of the Supreme Court of Hawaii is reversed, and the case is remanded for further proceedings not inconsistent with this opinion.”

“From the day the Hawai’i Supreme Court issued its unanimous decision prohibiting the sale and the transfer of ceded lands to third parties until the claims to those lands by the Native Hawaiian people were resolved, the Board of Trustees believed that the state Supreme Court ruled correctly,” Apoliona said. “Now the case is headed back to the Hawai’i Supreme Court where it belongs. This case should never have been taken outside of the state of Hawai’i.”

OHA will now focus on persuading the Hawai’i Supreme Court that it should reaffirm the injunction that it ordered in last year's opinion as a matter of state law.

The OHA Trustees wish to say “Mahalo” to the entire Hawai’i congressional delegation, various Native Hawaiian organizations and individuals and other organizations that filed briefs as friends of the Court in support of OHA’s position. The OHA Trustees also wish to say “Mahalo” to Native Hawaiians who led the “kūkulu kumuhana”, in Hawai’i and across the nation and in Washington D.C., and to all kama‘āina and malihini who joined with us in this unified effort.

"Our collective thoughts and energies contributed to this successful outcome," Apoliona said. "Now let us move forward in our reconciliation process with a similar spirit of

collaboration and unified purpose. ‘Pūpūkahi I Holomua – Unite to move forward.’”

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