

# Te Ui Ariki Ngateitei o te Kuki Airani

The Hereditary Kings and Queens of the Sovereign Kingdom of the Cook Islands

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Kevin Anthony Allmond  
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16 July 2014

The Rt Hon Philip Hammond MP  
Secretary of State for Foreign and Commonwealth Affairs  
Foreign and Commonwealth Office  
King Charles Street  
London  
SW1A 2AH

Dear Foreign Secretary,

I am writing to you today to inform you that I have been asked to act as, Ambassador Plenipotentiary to the UK for, Te Ui Ariki Ngateitei o te Kuki Airani (Hereditary Kings and Queens of the Cook Islands).

I realise that you may not be aware that, Te Ui Ariki Ngateitei o te Kuki Airani, namely King Vaeruarangi and King Ruatapu, as hereditary Kings of the Cook Islands, have issued their "Letters Patent Constituting the Sovereign Kingdom of the Cook Islands, and the Government of the Cook Islands" of which a copy is enclosed for your edification. The Letters Patent was duly certified on 01 April 2014 (see Apostille enclosed) and came into effect on 06 April 2014. The purpose of this document is to revoke the original Protectorate of 27<sup>th</sup> September 1888.

To aid you further, I have also included a brief history of the Cook Islands:

[Extract taken from 'Australian No 138: Papers Relating to the Islands of the Pacific Ocean 1889 Enclosure 20 in No 5 Respecting recent British Annexations in the Pacific']

*"In consequence of applications received from **Queen Makia of Rarotonga**, through the Governor of New Zealand, and through the Foreign Office, praying for the protection of the British flag, the Secretary of State for The Colonies, on behalf of Her Majesty's Government, addressed a telegram to Sir W. Jervois on the 4<sup>th</sup> August 1888, requesting him to instruct Her Majesty's Acting Consul in Rarotonga to declare a British Protectorate over that island and the rest of the Cook group.*

*Applications were also received at the Foreign Office from Chiefs of Aitutaki asking for the protection of the British flag. Mr Exham accordingly proclaimed a **British Protectorate** over the Cook group on the 27<sup>th</sup> September, and his action was subsequently confirmed by the naval officers on the station.*

*A report of the proceedings on the occasion which was received at the Foreign Office on the 4<sup>th</sup> February is appended. It will be found to contain interesting information in respect of the group, and a chart prepared*

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*by the Admiralty, which also accompanies this memorandum, will place the Council in possession of the exact position and names of the Islands over which the **Protectorate** extends."*

As you will be aware, a protectorate, in its inception, adopted by modern international law, is an autonomous territory that is protected diplomatically or militarily against third parties by a stronger state or entity. In exchange for this, the protectorate usually accepts specified obligations, which may vary greatly, depending on the real nature of their relationship. However, **it retains formal sovereignty**, and **remains a state under international law**. A territory subject to this type of arrangement is also known as a protected state.

The Kings and Queens of the Cook Islands would respectfully like to draw Her Majesty's attention to the Pacific Islanders Protection Act 1875 (38 & 39 Vic. C. 51) As amended by The Statute Law Revision Act 1883 (46 & 47 Vic. C. 39), The Statute Law Revision (No 2) Act, 1893 (56 & 57 Vic. C. 54) and The Statute Law Revision Act, 1898 (61 & 62 Vic. C. 22) – An act to amend the Act of the Session of the thirty fifth and thirty sixth years of the reign of Her present Majesty, chapter nineteen, intituled "An Act for the prevention and punishment of criminal outrages upon natives of the islands in the Pacific Ocean."  
[2<sup>nd</sup> August, 1875]

*"7. **Saving of rights of tribes** – Nothing herein or in any such Order in Council contained shall extend or be construed to extend to invest Her Majesty, with any such claim or title whatsoever to dominion or sovereignty over any such islands or places as aforesaid, or to derogate from the rights of the tribes or people inhabiting such islands or places, or of chiefs or rulers thereof, to such sovereignty or dominion, and a copy of every such Order in Council shall be laid before..."*

I would like to take this opportunity to respectfully remind the Foreign Secretary that the Pacific Islanders Protection Act (PIPA) 1872 – 1875 is still active and binding. As at 1975 the PIPA had not been repealed. The net result is that it can never be repealed as it has passed the 100 year cut off period. As at 2014 the PIPA remains a STANDING ORDER and this Act shall bind the Crown.

At this point it is worth noting that in 1901 the Cook Islands were Annexed to New Zealand and in 1965 they gained 'Autonomy' in 'Free Association' with New Zealand.

In 1967, shortly after the country obtained self-government, Prime Minister Albert Henry created the House of Ariki. Henry stated that the Ariki were the Cook Islands' "royal heritage". The House of Ariki was intended to confer additional legitimacy and strength to the newly self-governing nation, and to help it define its national identity. Henry stated:

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"The Ariki [and other chiefly ranks] and their tribes are the backbone of all nations in this world. For any nation to allow this backbone to be broken or to disappear would mean that they are relying on a foreign backbone for their survival."

The House of Ariki (Are Ariki) is a parliamentary body in the Cook Islands. It is composed of Cook Islands Kings and Queens (Ariki), appointed by the Queen's Representative. There are up to twenty four members, representing different islands of the Cooks.

Its function is to:

*"consider such matters relative to the welfare of the people of the Cook Islands as may be submitted to it by [Parliament] for its consideration, and it shall express its opinion and make recommendations thereon to [Parliament]"*

It may only discuss matters put to it by the democratically elected Parliament, and may only voice suggestions in return. This arrangement was purely designed to further marginalise the Sovereign Kings and Queens of the Cook Islands.

As it stands today in 2014, the Cook Islands Government has been operating for 49 years, and in that time the minimum wage has gone from the equivalent of \$2 per hour in 1965 to \$6 per hour in 2014, an increase of \$4 per hour over 49 years. Using simple maths \$4/49 equates to \$0.08163 per year not taking into account GDP and the application of statistical data and economy of scale etc; About 68k Cook Islanders live in NZ, and about 30-40k Cook Islanders live in Australia; The Cook Islands Government have been bankrupt twice in their history of self-governing; And they are reliant upon foreign aid for their survival.

This is the situation that has driven the Kings and Queens of the Cook Islands into issuing their Letters Patent Constituting the Sovereign Kingdom of the Cook Islands, and the Government of the Cook Islands.

It is also felt to be prudent to bring to the attention of the Foreign Secretary that under UN Resolution 2621 (XXV) Programme of Action for the Full Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, in particular:

Article 1 which **declares** the further continuation of colonialism in all its forms and manifestations a crime which constitutes a violation of the Charter of the United Nations, the Declaration on the Granting of Independence to Colonial Countries and Peoples and the principles of international law.

Article 2 which **reaffirms** the inherent right of colonial peoples to struggle by all necessary means at their disposal against colonial powers which suppress their aspiration for freedom and independence.

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And Article 3 which **Adopts** the following programme of action to assist in the full implementation of the Declaration on the Granting of Independence to Colonial Countries

- (1) Member states shall do their utmost to promote, in the United Nations and the international institutions and organisations within the United Nations system, effective measures for the full implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples in all Trust Territories, Non Self Governing Territories and other Colonial Territories, large and small.

Please be assured that the Kings and Queens of the Cook Islands hold Her Majesty Queen Elizabeth the Second in the highest regard and they ask that Her Majesty looks upon their appointed Ambassador favourably.

It is with regret that they know of no Cook Island Nationals who are resident in the United Kingdom, let alone one who is willing to undertake the task and have therefore accepted the offer of Kevin Anthony Allmond, a British subject who has great admiration for Her Majesty the Queen, to act on their behalf.

They ask that when considering the acceptance of Ambassador Allmond, that Her Majesty's Government take into account the United Nations Resolution 2525 (XXV) Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States in accordance with the Charter of the United Nations (A/8082). Specifically, the principle of sovereign equality of States which states:

"All States enjoy sovereign equality. They have equal rights and duties and are equal members of the international community, notwithstanding differences of an economic, social, political or other nature.

In particular, sovereign equality includes the following elements:

- a. States are judicially equal;
- b. Each State enjoys the rights inherent in full sovereignty;
- c. Each State has the duty to respect the personality of other States;
- d. The territorial integrity and political independence of the State are inviolable;
- e. Each State has the right freely to choose and develop its political, social, economic and cultural systems;
- f. Each State has the duty to comply fully and in good faith with its international obligations and to live in peace with other States.

And under the principle of equal rights and self-determination of peoples which states:

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By virtue of the principle of equal rights and self-determination of peoples enshrined in the Charter of the United Nations, all peoples have the right freely to determine, without external interference, their political status and to pursue their economic, social and cultural development, and every State has the duty to respect this right in accordance with the provisions of the Charter.

Every State has the duty to promote, through joint and separate action, realization of the principle of equal rights and self-determination of peoples, in accordance with the provisions of the Charter, and to render assistance to the United Nations in carrying out the responsibilities entrusted to it by the Charter regarding the implementation of the principle, in order:

- a. To promote friendly relations and co-operation among States; and
- b. To bring a speedy end to colonialism, having due regard to the freely expressed will of the peoples concerned;

and bearing in mind that subjection of peoples to alien subjugation, domination and exploitation constitutes a violation of the principle, as well as a denial of fundamental human rights, and is contrary to the Charter.

The Sovereign Kings and Queens of the Cook Islands look forward to Her Majesty's government's response in due course.

Yours sincerely,



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Kevin Anthony Allmond  
Ambassador Plenipotentiary to the UK  
To the Te Ui Ariki Ngateitei o te Kuki Airani