

EXECUTIVE ORDER NO. 152

*Repealing and Replacing Executive Order No. 127
Re: Airport Security Control*

WHEREAS, security control at the international airport in the Republic of Palau is of vital importance to the health, safety and welfare of all citizens and residents of Palau, as well as to visitors to the Republic of Palau; and

WHEREAS, increased security and revisions to the airport security control provisions set forth in Executive Order No. 127 are necessary for the improvement of security control at the airport, particularly with respect to the expeditious and responsible processing of VIPs and special guests arriving at and departing from the airport:

NOW, THEREFORE, by the power vested in me as the President of the Republic of Palau under the Constitution and laws of the Republic of Palau, it is hereby ordered that Executive Order No. 127 is repealed, superseded and replaced by this Order.

AIRPORT SECURITY CONTROL PROVISIONS REPUBLIC OF PALAU

Primary authority and responsibility for security control of the Airport Terminal Building in Airai (hereinafter the "ATB") and the airport property as a whole, including the tarmac and runway areas are hereby delegated and assigned jointly to the Bureau of Public Safety, Ministry of Justice and the Ministry of Commerce and Trade. The Bureau of Public Safety, Ministry of Justice and the Ministry of Commerce and Trade shall work in close cooperation with each other to assure that all airport security control provisions are strictly carried out and complied with.

Except as otherwise provided herein, no person is to be permitted in, or have access to any governmental use areas at the airport, including the Immigration, Customs, Agriculture and Quarantine inspection and control areas, the baggage claim area, the transit lounge, and the operational areas (which shall mean any place on the airport not a public access area that specifically includes, but is not limited to, the tarmac, runway, taxiway, ramp and apron areas, aircraft parking and storage areas, and fuel storage areas).

Proper authorization for access into the governmental use areas (except for appropriate limited access for outgoing or incoming passengers) shall only be by badges or short term temporary passes issued by the Minister of Commerce and Trade, or his designee. The Minister of Commerce and Trade, or his designee, shall make a verified inventory of all badges and passes issued and shall recall and cancel all those that are no longer currently valid. No badges or passes permitting access to governmental use areas of the airport are to be issued by the Minister of Commerce and Trade, or his designee, to anyone regardless of position except on a justified need for access basis.

Except for arriving passengers, no person is to be permitted in, or have access to, the

baggage claim areas and Immigration, Customs, Agriculture and Quarantine inspection and control areas of the ATB, except on-duty Immigration, Customs, Revenue & Tax, Agriculture and Quarantine officers, and their supervisory personnel within their assigned areas, and assigned on-duty Public Safety officers, including Narcotics Task Force officers. Any authorized entry of radio operators into the aforementioned area shall be restricted to allowing access to their assigned work areas and their immediate work areas only. Incoming passenger baggage shall be inspected by both Customs and Agriculture/Quarantine officers. No incoming passenger may exit and then reenter the baggage claim area except for emergency or exigent circumstances.

Except for departing and transit passengers, no person is to be permitted in, or have access to, the transit lounge, except authorized on-duty Immigration officers and their supervisory personnel within their assigned areas, airline security screening personnel, Public Safety officers, and such other personnel who must pass through the transit lounge for access to assigned and authorized work areas. Restrooms accessible from the transit lounge are for the use only of personnel otherwise authorized access to the transit lounge.

Aircraft flight crews shall be restricted to the tarmac, the transit lounge, and assigned airline spaces unless they proceed through regular Immigration, Customs, Agriculture and Quarantine procedures. Otherwise, they shall not be permitted access to governmental use areas. Aircraft ground personnel shall be restricted to the tarmac and assigned airline and baggage handling spaces only to the limited extent necessary to load or off-load departing or arriving baggage and cargo. Otherwise, they shall not be permitted access to governmental use areas.

Official representatives of the national government, including its executive, legislative and judicial branches, may submit requests to the Bureau of Foreign Affairs to have an incoming visitor designated as a "VIP" or "Special Guest" for the purpose of processing at the airport. Any such requests must be submitted to the Bureau of Foreign Affairs in writing at least twenty-four (24) hours prior to arrival of the particular incoming visitor.

The Bureau of Foreign Affairs, in consultation with the Office of the President, will review the requests and determine whether "VIP" or "Special Guest" designation is appropriate. The designation of "VIP" shall be limited to current or former members of a foreign government and other dignitaries for whom such designation is deemed to be in the best interest of the Republic. The designation of "Special Guest" shall be made for other invited guests and dignitaries, such as business persons, investors and other private citizens from foreign nations.

After determining whether the "VIP" or "Special Guest" designation shall apply to an incoming visitor, the Bureau of Foreign Affairs shall issue the appropriate VIP or Special Guest clearance specifying the name, title, purpose, arrival and departure date of the incoming visitor, as well as a designation of the individual or individuals who will greet the visitor upon arrival. For information and reference, copies of the VIP or Special Guest clearance issued by the Bureau of Foreign Affairs shall be sent, prior to the visitor's arrival, to the Office of the President, the Minister of Commerce and Trade, the Minister of Justice, and the Minister of state, as well as the Bureau of Public Safety, the Airport Manager, Chief of Immigration, the Chief of Customs, the Chief of Revenue and Taxation, and the Agricultural and Quarantine inspectors at the airport.

Upon presentation of VIP clearance, designated government officials shall be allowed access to the arrival areas and the VIP lounge for the purpose of meeting the arriving VIP, expediting the VIP's processing by Immigration officials, and escorting the VIP out of the arrival area via the VIP lounge, provided, however, that the VIP and the VIP's luggage and hand-carried items may be subject to ordinary inspection by appropriate Customs officials or other government officials. A representative of the Bureau of Foreign Affairs ordinarily will meet and accompany a VIP during the arrival process.

Upon presentation of Special Guest clearance, designated individuals shall be allowed access to the arrival area for the purpose of meeting the arriving Special Guest, expediting the Special Guest's processing by Immigration officials, and accompanying the Special Guest during baggage claim and processing by Customs officials, where the Special Guest and the Special Guest's luggage and hand-carried items may be subject to ordinary inspection by appropriate Customs officials or other government officials. A representative of the Bureau of Foreign Affairs ordinarily will not meet and accompany a Special Guest during the arrival process.

Only under exceptional circumstances and for the purpose of welcoming heads of states or cabinet members or other high ranking foreign government officials will Palau government official vehicles be allowed access to tarmac or planeside upon joint authorization in writing by the Minister of Commerce and Trade and the Minister of Justice upon instruction by the President of the Republic of Palau.

Assigned and authorized maintenance and custodial cleaning personnel shall be under the authority and supervision of the Ministry of Commerce and Trade and are not to be permitted in governmental use areas of the airport during passenger flight operational periods except in exigent circumstances. The Ministry of Commerce and Trade personnel shall also be responsible for retrieving luggage carts and for their return to the baggage claim area.

During the one-half hour immediately preceding the landing of any commercial passenger aircraft until one-half hour after the take-off of the same aircraft, the Ministry of Commerce and Trade shall assign the head of security personnel to monitor the tarmac area by checking the personnel around the aircraft to make sure that no unauthorized persons are in the vicinity of the aircraft. Security personnel shall be assigned to the gate entrance to the tarmac who shall make sure that no unauthorized persons or vehicles enter the gate. These security personnel shall also make sure that personnel authorized to enter upon the tarmac and runway areas are only allowed into those areas specifically authorized to them. The Ministry of Commerce and Trade shall also be responsible for external security of the Airport Terminal Building and the airport property as a whole.

All on-duty national government officials, including police officers from the Bureau of Public Safety; uniformed Immigration personnel; Customs, Tax and Revenue officials; and Agriculture and Quarantine inspectors shall be allowed access to all governmental use areas for the purpose of carrying out their normal assigned duties and responsibilities.

Any special procedures requiring plane side ambulance transfers may be carried out.

IN WITNESS WHEREOF, I have set my hand and affixed my official seal this 25th day of March, 1997 in the State of Koror, Republic of Palau.

Kuniwo Nakamura
President of the Republic of Palau