

## EXECUTIVE ORDER NO. 168

### *Establishing a Committee for the Research and Development of a National Fisheries Management Plan for the Republic of Palau*

**WHEREAS** offshore highly migratory fish comprise a major natural resource of the Republic of Palau; and

**WHEREAS** such fish have witnessed substantial depletion in many areas of the world's oceans and seas; and

**WHEREAS** the depletion of such fish stocks makes it absolutely necessary that the Republic of Palau be able to maintain its vital interests in such fish stocks in a manner which allows effective, efficient, and sustainable use, conservation, and management of those stocks for the immediate and long-term future of the Republic of Palau; and

**WHEREAS** such use, conservation, and management require comprehensive planning and coordination among the many interests implicated in the stewardship of the Republic of Palau's marine resources; and

**WHEREAS** the Palau Economic Development Plan and the National Master Development Plan mandate that the Republic of Palau's marine resource management policies take into account the principle of sustainable development; and

**WHEREAS** the Republic of Palau has endorsed principles of fish stock conservation and management set forth in international accords sponsored by the United Nations; and

**WHEREAS** the South Pacific Forum Fisheries Agency has expertise in the development of national fisheries management plans which take into account the concerns described above; and

**WHEREAS** the South Pacific Forum Fisheries Agency has offered its support in the development of a national fisheries management plan for the Republic of Palau,

**NOW THEREFORE** by the authority vested in me as President by the Constitution and the laws of the Republic of Palau there is hereby created a Committee for the Research and Development of a National Fisheries Management Plan for the Republic of Palau with the characteristics, powers, and duties described below.

1. The Committee shall be chaired by the Chief of the Division of Technical Assistance of the Ministry of State.
2. In addition to the Chief of the Division of Technical Assistance of the Ministry of State, the Committee shall consist of one representative of each of the following entities:

Office of the President  
Ministry of Administration  
Palau Maritime Agency of the Ministry of Resources and Development  
Division of Marine Resources of the Ministry of Resources and Development  
Bureau of Foreign Affairs of the Ministry of State  
Office of the Attorney General of the Ministry of Justice  
Division of Marine Enforcement and Surveillance of the Ministry of Justice  
Division of Immigration of the Ministry of Justice  
Division of Labor of the Ministry of Commerce and Trade.

The representatives of the above-named entities shall be nominated by the respective Ministers having responsibility for the entities and shall be appointed by and serve at the discretion of the President.

3. In addition to the Chief of the Division of Technical Assistance of the Ministry of State and the membership described in paragraph 2, supra, the Committee shall consist of one representative of each house of the Olbiil Era Kelulau, to be appointed by the leadership of the respective houses.

4. In addition to the membership described above, the Committee shall include one representative of each of the following entities, to be appointed by and serve at the discretion of their respective Presidents, Directors, or Chairs, as appropriate and determined by the respective governing provisions of the entities:

Council of Chiefs of Palau  
Association of Governors of Palau  
Palau Visitors Authority  
Palau Federation of Fishermen's Association  
Environmental Quality Protection Board of Palau  
Commercial Tuna Fishing Industry  
Palau Sports Fishing Association.

5. As soon as practical after all members have been appointed to the Committee, and in any event no later than one month after the effective date of this Order, the Committee shall convene an initial meeting to address the procedures, practices, timetable, and such other organizational matters as the Committee deems appropriate, including assignment of responsibilities and creation of any subcommittees.

6. The Committee shall undertake research in cooperation and conjunction with representatives and agents of the South Pacific Forum Fisheries Agency to identify and develop options for a national fisheries management plan for the Republic of Palau.

7. The Committee shall issue a report of its findings to the President, setting forth in its report the factual findings and premises applied by the Committee, the options considered by the Committee, the conclusions reached by the Committee, and the bases/rationale for such conclusions. To the extent more than one possible national fisheries management plan is

endorsed by the Committee, the report shall rank the plan in order of preference of the Committee with an explanation of the bases/rationale for such ranking. The report of the Committee shall note the existence of any dissent, but need not summarize or otherwise describe the substance of the dissent.

8. The Committee shall issue its report to the President no later than three months after the organizational meeting described above.

9. The Committee shall be dissolved upon the later of (a) drafting and delivery of a response to any request for clarification by the President of the matters addressed in the Committee's report or (b) passage of sixty days from the date of the delivery of the Committee's report to the President without any request for clarification or amplification by the President,.

***SO ORDERED THIS 25<sup>th</sup> Day of June, 1999.***

Kuniwo Nakamura  
President of the Republic of Palau