

EXECUTIVE ORDER NO. 204

Creation of the Palau Fisheries Advisory Committee

WHEREAS, the Olbiil Era Kelulau, in RPPL No. 5-7 and 5-8 abolished the Palau Maritime Authority, and transferred certain of the functions of the abolished Authority, in addition to certain functions of the Ministry of State to the Bureau of Natural Resources and Development within the Ministry of Resources and Development; and

WHEREAS, Executive Order No. 203 repealed Executive Order No. 116, and Addendum 7 thereto, which created, within the Bureau of Natural Resources and Development, the Palau Maritime Agency (PMA) and directed it “to continue to carry out the functions, duties and responsibilities mandated by Division 1 of 27 PNC as amended by RPPL No. 5-7 and RPPL No. 5-8”; and

WHEREAS, with the assistance of the Canadian South Pacific Ocean Development Program Phase 11 (C-SPOD II) and with the support of Secretariat of the Forum Fisheries Agency (FFA), the “*Palau National Tuna Fisheries Management Plan*” (Hereinafter “*Tuna Plan*”) was developed and approved as a foundation upon which to base national programs and policies relating to conservation, management and sustainable utilization of tuna and other highly migratory fish stocks in the 200-mile Exclusive Economic Zone (“EEZ”) of the Republic of Palau; and

WHEREAS, the Tuna Plan contemplates the creation of an Advisory Committee to make recommendations to the Minister of Resources and Development and to the President regarding national fisheries policies and the implementation of recommendations made in the Tuna Plan;

NOW, THEREFORE, by virtue of the authority vested in me by the Constitution and laws of the Republic of Palau, it is hereby ordered that the Palau Fisheries Advisory Committee (PFAC) is hereby established, with the powers, duties and characteristics described below:

1. Composition. The PFAC shall be composed of the following:

- The Minister of Resources and Development;
- Minister of State;
- The Minister of Justice;
- The Director of the Bureau of Marine Resources; and
- One member appointed by the President from the private fisheries sector.

2. Powers and Duties of PFAC. The PFAC shall advise the Minister and the President on the following:

- a) The formulation and coordination of national fisheries policies and programs for the conservation, management and sustainable utilization of tuna resources within the Republic of Palau’s EEZ;
- b) The implementation of the Tuna Plan;
- c) The implementation and enforcement of oceanic fisheries polices, laws, rules and regulations;
- d) Negotiations with domestic and foreign fishing companies seeking to fish

within Palau's EEZ, and the issuance of fishing licenses and permits;

- e) Negotiations with other potential stakeholders interested in the development of offshore fisheries; and
- f) In cooperation with the Minister of Justice, the coordination of maritime surveillance and enforcement of applicable fisheries laws, rules and regulations.

3. Meetings -- The PFAC shall meet no later than January 1, 2002 and shall meet at least monthly thereafter.

4. Senior Administrative Officer -- The Minister, upon the advise of the Committee and with the approval of the President, shall hire a Senior Administrative Officer. The Administrative Officer, and identified staff within the Bureau of Marine Resources, shall serve as the Secretariat to the Committee and the Minister of Resources and Development on all issues relating to the duties and responsibilities of the PFAC as set forth in Section 2. The Administrative Officer shall also directly negotiate multilateral, sub-regional and bilateral fisheries access agreements on behalf of the Republic.

5. Annual Report -- The PFAC shall issue an annual report to the President, and such other reports as are deemed necessary, regarding the progress of the Committee and the Ministry of Resources and Development in developing and implementing a comprehensive fisheries policy.

6. Term of the PFAC -- The PFAC shall remain in existence until terminated by the President upon a finding that a comprehensive fishing policy had been developed and implemented.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal this 28th day of November, 2001, at the State of Koror, Republic of Palau.



Tommy E. Remengesau, Jr.
President of the Republic of Palau