

## EXECUTIVE ORDER NO. 206

*Establishing a Commission for the  
Investigation into Options for Expanding  
The Port and Related Facilities at Malakal Harbor*

**WHEREAS**, the Citizens of the Republic of Palau must rely upon sea transportation of goods in order to obtain vital commodities; and

**WHEREAS**, the Government of the Republic of Palau must rely upon sea transportation in order to receive goods and services necessary to fulfill its duties to the Citizens of the Republic of Palau; and

**WHEREAS**, the business sector of the Republic of Palau must rely upon sea transportation in order to conduct the operations which support, and, to an extent, drive the economy of the Republic of Palau; and

**WHEREAS**, the demand for services related to sea transportation have increased and will continue to increase in the foreseeable future as the economy of the Republic of Palau continues to develop and expand; and

**WHEREAS**, the port at Malakal Harbor is and, for the foreseeable future, will remain a critical point of access to sea transportation and related services; and

**WHEREAS**, the capacity of the port at Malakal Harbor barely can meet the existing demand for sea transportation and capacity constraints already are having a negative impact on those who depend upon sea transportation and related services; and

**WHEREAS**, the port at Malakal Harbor will soon lack the capacity to adequately meet the needs of the Republic of Palau;

**NOW, THEREFORE**, by the powers vested in me under the Constitution and laws of the Republic of Palau, I HEREBY ORDER:

1. That there shall be and is created a commission, to be called the “Malakal Port Expansion Commission” for the investigation into options for expanding the capacity of the port and related facilities at Malakal Harbor.
2. That said commission shall consist of two members of the Executive Branch of the National Government of the Republic of Palau to be named by the President, one of whom the President shall name as the Chairperson of the commission.
3. That said commission should include one additional member from each House of the Olbiil Era Kelulau, the respective leaders of which are, by copies of this Order, invited to submit the names of their respective nominees within fourteen (14) days of the date of this Order.

4. That said commission should include two additional members appointed by the Governor of the State of Koror, who, by copy of this Order, is invited to submit the names of his nominees within fourteen (14) days of the date of this Order.

5. That said commission should include a representative of the shipping companies operating in the Republic of Palau, the principals of which are, by copies of this Order, invited to submit the name of their nominee, to be named by consensus of those individuals, within fourteen (14) days of the date of this Order.

6. That each member of said commission shall serve at the discretion of the entity which appoints that member.

7. That no member of the commission shall receive compensation for serving on the commission, although reasonable expenses incurred in serving on the commission may be reimbursed by the National Government at its sole discretion.

8. That administrative support, including office/meeting space, for the operations of the commission shall be provided by the Office of the President and other appropriate agencies of the Executive Branch of the National Government, as directed from time to time by the President.

9. That said commission shall meet for the first time and take up appropriate organizational matters no later than twenty-one (21) days after the date of this order.

10. That said commission shall undertake an investigation into options for the physical expansion of the port at Malakal Harbor, including options for widening and/or deepening the port.

11. That said commission shall undertake an investigation into options for expanding the capacity of operations at the port at Malakal Harbor, including options for streamlining and/or improving the efficiency of operations at the port at Malakal Harbor.

11. That said commission shall undertake an investigation into options for financing the various ways to expand the port at Malakal Harbor and/or expand the capacity of that port, including, but not limited to, the option of obtaining soft loan(s) and/or grant aid.

12. That said commission shall consult with knowledgeable members of the private and public sectors of Palau and of foreign nations, as well as members of appropriate multinational organizations, in order to identify the best possible options for increasing the capacity of the port at Malakal Harbor, either through physical expansion, improved operations, or some combination of the two.

13. That said commission shall conclude its investigation and issue a report of its findings no later than ninety (90) days from the date of the first meeting of the commission, unless otherwise ordered in the interim, including in its report recommendations as to the most appropriate way(s) to expand capacity at the port at Malakal, recommendations as to the most

appropriate manner in which to finance such expansion, and the commission's reasoning for its conclusions.

14. That said commission shall deliver its report to the President, the leaders of both Houses of the Olbiil Era Kelulau, and the Governor of the State of Koror as soon as the report is completed.

15. That, unless otherwise ordered in the interim, said commission shall disband no later than ninety (90) days from the date of the first meeting of the commission.

***SO ORDERED THIS 2<sup>nd</sup> DAY OF JANUARY, 2002,***

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