

EXECUTIVE ORDER NO. 252

Conferring upon the Chief Representative for Compact 432 Review the official title of “Ambassador and Chief Representative for Compact 432 Review”; establishing mechanisms and staffing support for Compact 432 Review; and repealing Executive Order No. 244.

WHEREAS, Section 432 of Article III of the Compact of Free Association with the United States (“Compact”) calls for a review of the Compact “[u]pon the fifteenth... anniversary[y] of the effective date of this Compact . . . ;” and

WHEREAS, RPPL No. 7-37, “The 2008 Annual National Budget Authorization and Appropriation on Act” authorized and funding for the review of the Compact, and in its Section called for the President to “appoint a Chief Representative of the Republic of Palau for the purpose of Compact review w with the United States, pursuant to the Constitution;” and

WHEREAS, the President of the Republic of Palau, with the advice and consent of the Senate of the Eighth Olbiil Era Kelulau in its Senate Resolution No. 8-16, appointed Mr. Joshua Koshiba as the Chief Representative of the Republic of Palau for the purpose of Compact Section 432 Review with the United States; and

WHEREAS, the President, having been advised that pursuant to international diplomatic protocol it is more fitting and proper for Palau’s Chief Negotiator to bear the diplomatic title of Ambassador, desires to confer the title of “Ambassador and Chief Representative for Compact 432 Review” upon Mr. Koshiba; and

WHEREAS, insofar as it is no longer applicable, Executive Order No. 244, which appointed Mr. Koshiba’s predecessor and established various mechanisms and staffing support, must be repealed and replaced with a more appropriate Executive Order;

NOW THEREFORE, by virtue of the authority vested in the President pursuant to Article VIII, Section 7(3) of the Constitution of the Republic of Palau and Section 14 of RPPL No. 7-37, the President orders as follows.

1. Conferral of Ambassadorial Title. The title of “Ambassador and Chief Representative for Compact 432 Review” is hereby conferred upon Mr. Joshua Koshiba. The Ambassador shall be directly under and shall report directly to the President. By command of the President and in accordance with international law, practice and comity, the Ambassador shall be granted the authority to perform the duties and functions described herein by appropriate Letters of Credence, Instruction, or General Power, issued as the circumstance may warrant. Additionally, all credentials, official passports, national and international announcements, press releases, or notifications, as well as any other documentation necessary to insure that Ambassador be recognized and accorded all the rights, privileges and immunities as are provided under international law and usage for diplomatic agents of Ambassadorial rank, shall be issued and secured immediately.

2. Duties and Functions of the Ambassador and Chief Representative for Compact 432 Review. The “Ambassador and Chief Representative for Compact 432 Review” (hereafter “Ambassador”, pursuant to advice and consent of the President, shall represent the interests of the Republic of Palau and shall lead the discussions with the representatives of the United States regarding the review of the Compact as contemplated under Section 432 thereof. In this effort, always pursuant to advice and consent and at the direction of the President, the Ambassador shall:

(A) direct and review the compilation, development and analysis of all relevant and necessary documents, without limitation including any reports issued by the Compact Review Commission, that are relevant to discussions with the United States regarding the Compact Section 432 Review;

(B) regularly report to the President on all issues related to and the status of the Compact Section 432 Review;

(C) meet and confer with and come to direct agreement with representatives of the United States on specific issues related to the Compact Section 432 Review, subject to the Constitution of the Republic of Palau;

(D) recommend necessary staff support from within and without the Palau government, both in Palau and in the United States, without limitation including legal, lobbying and public relations firms, and effect the appointment and hiring of such support staff;

(E) direct the approval, monitoring, review and payment of all staff salaries and wages, and of all other expenses and obligations undertaken pursuant to the Compact Section 432 Review;

(F) report to the Compact Review Advisory Group the status of the Compact 432 Review, and issues related thereto; and

(G) undertake all actions deemed necessary by the Ambassador to effect a successful completion of the Compact Section 432 Review process.

3. Administrative Support. All Ministries and agencies of the Executive Branch of the National Government shall make available staffing and other resources as requested by the Ambassador regarding the Compact Section 432 Review.

4. Compact Review Advisory Group. There is hereby established a Compact Review Advisory Group that shall, as and when directed by the President, meet and advise the President on issues related to the Compact Section 432 Review. The Compact Review Advisory Group shall consist of the following persons:

Minister of State Sandra Pierantozzi

Vice President/Minister of Administration Kerai Mariur

Minister of Health Stevenson J. Kuartei
President of Palau Community College Dr. Patrick Tellei
Ambassador to the United States Hersey Kyota
Ambassador to the United Nations Stewart Beck
Polycarp Basilius
Isack Bai
George Ngirarsaol
Demei Obak
Dr. Minoru Ueki
Dr. Victor Yano
Compact Review Counsel Kevin N. Kirk

5. Compensation. The Ambassador shall serve without compensation, except for per diem when traveling on the business of the Compact Section 432 Review, and such official expenses as he may deem necessary to accomplish his duties and functions. The Compact Review Advisory Group shall serve without compensation, except for per diem when traveling on the business of the Compact Section 432 Review, and such official expenses as the President may deem necessary.

6. Duration. The Ambassador shall continue to perform the duties and functions undertake set forth herein, and the Compact Review Advisory Group shall remain in existence until the completion of the Compact Section 432 Review, or until otherwise terminated or dissolved by the President.

7. Repealer. Executive Order No. 244 is hereby repealed in its entirety.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal this 20th day of February, 2009.

/s/
Johnson Toribiong
President
Republic of Palau