

EXECUTIVE ORDER NO. 265

Establishing a Joint Task Force on Domestic Tuna Industry Development (JTF/DTID)

WHEREAS, since its creation on November 28, 2001 by Executive Order No. 204, the Palau Fisheries Advisory Committee (PFAC) has not succeeded in producing a roadmap for the promotion and development of domestic tuna fisheries industry under the ownership, management and operation by a wholly citizen-owned company or a semi-autonomous entity; and

WHEREAS, as a member in good standing of the Pacific Islands Forum Fisheries Agency (FFA), the Secretariat of the Pacific Community (SPC), and the United Nations Food and Agriculture Organization (FAO), the Republic of Palau has not taken full advantage of or fully utilized technical, professional and financial assistances available from these regional or international organizations in the fields of conservation, management and sustainable harvesting of highly migratory fish stocks within Palau's 200-mile Exclusive Economic Zone; and

WHEREAS, there is an urgent need for Palau to access external funding sources and grant assistance with which to recruit, hire engage, or utilize expert and consultative services of tuna fisheries economists, lawyers and managers from international and regional donor organizations as well as from Palau's traditional development partners such as Japan, the United States, Republic of China (Taiwan), Australia, New Zealand, and other members of the Parties to the Nauru Agreement (PNA); and

NOW, THEREFORE, by virtue of the authority vested in me by the Constitution and laws of the Republic of Palau, it is hereby established a Joint Task Force on Domestic Tuna Industry Development (JTF/DTID) as follows:

1. Composition. The Joint Task Force shall consist of the following:

- Minister of Natural Resources, Environment and Tourism;
- Attorney General;
- Presidential Assistant, International Affairs;
- Fisheries Law Compliance Officer;
- Chairman, and Vice Chairman of the Senate Committee on Resources, Commerce, Trade and Development;
- Chairman of House Committee on Maritime and Fisheries;

- Chairman of House Committee on Aquaculture and Agriculture; and
- Two representatives from the private sectors involved with tuna fishing industry.

2. Duties and Powers.

The JTF/DTID shall formulate and coordinate national fisheries policies, projects and programs for the conservation, management, and sustainable harvesting of tuna resources and other highly migratory fish stocks within the Republic of Palau's 200-mile Exclusive Economic Zone in keeping with regionally adopted harmonized fisheries policies, laws, regulations, terms and conditions of access, etc. To this end, the Task Force shall produce a comprehensive strategy for domestication of tuna industry with the aim toward revenue generation, maximizing economic returns of exploitation of and nationalizing the harvesting of tuna resources within Palau's waters. In the performance of its assigned tasks and exercising its authority conferred herein, JTF/DTID shall undertake its duties and exercise its powers as follows:

- a) Provide for development of tuna industry development economically, socially and/or culturally, including the review of current fisheries legal framework under which the existing fishing agreements operate;
- b) Identify challenges and opportunities post 2012, when the existing longline fishing agreements with PITI, PMIC and KFC run their course, and provide a scheme for reform of tuna policies and revamp the domestic tuna industry;
- c) Recommend programs on institutional structure and staff capacity building for the management, conservation and sustainable utilization of tuna resources;
- d) Take into account ecosystem considerations, develop and prioritize policy and developmental options for development of domestic tuna industry; i.e. longline, pole and line and purse fishing activities, including feasibility for tuna loining plants or canneries;
- e) Incur expenses necessary for hiring, recruiting, retaining or otherwise engaging professional, technical and legal services of experts and consultants to assist it in successful completion of its work;
- f) Seek external support required for preparation of concept papers, proposal writing, and project funding with which to employ on long-term basis, in-house fisheries experts or consultants to contribute to the domestic tuna development as well as national capacity building.

g) Study, review and conduct comparative analyses of institutional arrangements of the ongoing successful operation and management of domestic tuna industries in fellow PNA member countries of the Federated States of Micronesia, Republic of the Marshall Islands, Nauru, and Papua New Guinea and produce therefrom a legislative framework for consideration by the Olbiil Era Kelulau that would create a new institutional arrangement designed to undertake, but not necessarily limited to, the following goals and objectives:

- I) In consultation with the Board of Trustees of the Ngardmau Free Trade Zone Authority, recommend necessary logistical and funding arrangements for physical transfer of the existing shore-based longline cold storage facilities from Malakal Island to Ngardmau State;
- ii) Approach regional donor and technical organizations such as the Pacific Islands Forum Fisheries Agency (FFA), Secretariat of the Pacific Community (SPC) and the UN Food and Agriculture Organization (FAO) as well as Palau's bilateral development partners such as the United States, Japan, Republic of China-Taiwan, Australia, New Zealand, etc. for technical, legal, funding and professional assistances in the promotion and development of tuna fisheries industry in Palau;
- iii) Seek similar assistances and small-scale fisheries-related grant aides for promotion and development of aquaculture programs, small-scale processing facilities, such as feed-meal, katsuobushi, or kamaboko in several states in Palau;
- iv) Coordinate foreign assistances, grant-aid loans, projects and programs needed for the promotion and development of oceanic fisheries industry in Palau.

3. Meetings and Place of Meetings. The JTF/DTID shall immediately hold its organizational meeting within two weeks from the date of its creation to elect its chairman and vice chairman, and such other officials as deemed necessary. Thereafter it shall meet biweekly or at the call of its chairman or vice chairman. The former OERC Conference Room in the Executive Office shall be the venue of the meetings.

4. Report and Term of JTF/DTID

The Joint Task Force on Domestic Tuna Industry Development shall exist for not more than sixty (60) calendar days, from the date of its establishment, at which time the Task Force

shall submit a report of its findings and recommendation to the President of the Republic of Palau and to the Leadership of the Senate and the House of Delegates, Eighth Olbiil Era Kelulau.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal this 13th day of August, 2009, at Ngerulmud Capitol District, Melekeok State, Republic of Palau.

/s/

Johnson Toribiong
President of the Republic of Palau