

EXECUTIVE ORDER NO. 27

RE: Procedures to be Utilized in Considering Requests for Executive Clemency

WHEREAS, No action has yet been taken on Senate Bill 429, to establish procedures to be followed determining whether or not to exercise executive clemency: and

WHEREAS, several requests for executive clemency have been received; and

WHEREAS, it is in the best interests of the Republic of Palau if standardized policies and procedures regarding applications for executive clemency are established and made public:

THEREFORE, by the authority vested in me by the Constitution, it is hereby Ordered:

1. Any person who has been convicted of, or entered a plea of guilty to, any criminal offense in the Supreme Court of the Republic of Palau, or in the Court of Common Pleas of the Republic of Palau, or in the Trust Territory High Court, Trial Division, for the District of Palau, may apply to the President for executive pardon, commutation, reprieve, or for suspension and remission of fines and forfeitures, as hereinafter set forth.
2. The powers of Presidential pardon, commutation, reprieve, and suspension and remission of fines and forfeitures are hereinafter referred to collectively as Executive Clemency.
3. The applicant for Executive Clemency is hereinafter referred to as the Petitioner.
4. A Petitioner shall, either himself or through his Counsel, prepare and submit to the Minister of Justice five copies of his Petition. At a minimum, the Petition must contain:
 - A. Petitioner's name and date of birth.
 - B. A copy of the order of conviction and judgment.
 - C. A copy of the Petitioner's criminal record, showing the date and nature of any other convictions.
 - D. A statement as to whether or not there are presently any criminal charges pending against Petitioner.
 - E. A statement of the reasons why Petitioner feels Executive Clemency is warranted.
 - F. The exact nature of the relief requested.
 - G. The dates and dispositions of any other Petitions by Petitioner for Executive Clemency.

The Petition may include any other material which the Petitioner deems appropriate, including, but not limited to, letters of recommendation, work histories, current employment information, and future plans of the Petitioner.

5. Upon receipt of the five copies of the Petition, the Minister of Justice shall retain one, and

shall send one to the Attorney General, one to the Bureau of Public Safety, one to the Parole Board, and one to the victim of the crime for which Petitioner was convicted, or to the surviving next of kin of the victim.

6. The Attorney General, the Director of the Bureau of Public Safety, the Chairman of the Parole Board, and if he desires to do so, the victim or his surviving next of kin, shall send their comments and recommendations on the Petition to the Minister of Justice.

7. Upon receipt of the recommendations referenced above, the Minister of Justice shall prepare his own recommendation and comments, and then shall transmit a copy of the Petition, his recommendation and comments, and the recommendations and comments of the Attorney General, the Director of the Bureau of Public Safety, and of the Victim or his surviving next of kin, to the President.

8. The President shall review the Petition, together with the recommendations and comments attached thereto. Based upon these documents, the President shall decide whether or not to grant Executive Clemency.

9. If the decision of the President is not to grant Executive Clemency, he shall send a letter to the Petitioner so indicating.

10. If the President decides to grant Executive Clemency, he shall do so through the issuance of an Executive Order, which shall set forth:

- A. Petitioner's name.
- B. Date of Conviction.
- C. Nature of Executive Clemency granted.

11. A copy of all Executive Orders granting Executive Clemency shall be sent conviction occurred, to Bureau of Public Safety.

IN WITNESS WHEREOF, I have this set my hand and affixed my seal this 7th day of September, 1984.

Haruo I. Remeliik
President
Republic of Palau