

EXECUTIVE ORDER NO. 290

Declaring an Economic and Social Crisis in the State of Ngatpang and Establishing a Provisional Arrangement for the Operation of Ngatpang State Government Services

WHEREAS, it is the Constitutional obligation of the Government of the Republic of Palau to take positive action to attain certain national objectives and to promote certain national policies, among them being the promotion of the national economy, and the protection of the safety and security of persons and property; and

WHEREAS, despite the holding of an election in Ngatpang State on December 21, 2010, the Palau Election Commission was unable to certify that the State of Ngatpang had validly elected a Governor or members of the Ngatpang State Legislature, and thus the State of Ngatpang currently remains without a validly elected state government, a situation that has existed for several years now; and

WHEREAS, the inability of the State of Ngatpang to validly elect the officials of its executive and legislative branches of government has severely impacted on the economy of the State of Ngatpang in that the employees of the Ngatpang State Government are not being paid--significantly impacting on their ability to provide for their families--and public services are no longer being provided by the Ngatpang State Government to its citizens; and

WHEREAS, until such time that the Olbiil Era Kelulau can enact legislation to ameliorate the situation in the State of Ngatpang, the President has determined that there exists an economic and social crisis requiring the President of the Republic of Palau to immediately intervene to assist the State of Ngatpang and its citizens.

NOW THEREFORE, by virtue of the authority vested in the President by Article VIII and by Article VI and Section 1 of Article XI of the Constitution of the Republic of Palau, the President orders as follows:

1. Effective immediately, the Director of the Bureau of Domestic Affairs (the "Director") in the Ministry of State, in consultation with the President and the Minister of State of the Republic of Palau, shall take direct control of and be responsible for supervising the activities and work of the Ngatpang State employees enumerated on the list appended hereto (the "Ngatpang State employees"). The Ngatpang State employees shall perform the duties and

responsibilities assigned them by the Director and shall follow the Director's directions and the orders.

2. The Director forthwith shall ascertain the remaining balance of the State Block Grant authorized and appropriated for Fiscal Year 2011 to the State of Ngatpang in Section 6(12) of RPPL No. 8-18, and the wages and salaries of the Ngatpang State employees, and all costs related to the performance of their duties, shall be paid therefrom. No funds therein shall be reprogramed. The Ngatpang State employees shall be paid for their services in the amounts and at the rates they were being paid by the Ngatpang State Government, retroactive to January 16, 2011. Any expenses incurred by the Director during the execution of this Executive Order shall be borne by the Ngatpang State Government.

3. In the first instance, the Minister of State shall make available staffing and other resources as reasonably required by the Director. The Ministry of Finance shall assist the Director in all matters related to ascertaining the remaining balance of the State Block Grant authorized and appropriated for Fiscal Year 2011 to the State of Ngatpang in Section 6(12) of RPPL No. 8-18, and in paying the wages and salaries of the Ngatpang State employees and all costs related to the performance of their duties. Should the Minister of State or Finance be unable to meet the needs of the Director, then all other Ministries and agencies of the Executive Branch of the National Government shall cooperate with and make available staffing and other resources as needed.

4. This Executive Order shall take effect immediately and shall remain in force and effect until further order of the President.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal this 7th day of March, 2011.

/s/

Johnson Toribiong
President
Republic of Palau