

## **Executive Order No. 348**

### ***Organizing the Ministry of State - Executive Branch of the Government of the Republic of Palau***

**WHEREAS**, the President's Management Action Plan (MAP) was adopted by the President of the Republic of Palau on March 26, 2013 in Executive Order No. 319, to serve as a strategic roadmap for the reform and 'right-sizing' of the Executive Branch of the Government; and

**WHEREAS**, the MAP established a set of 'Guiding Principles' for the new Administration to follow in its efforts to reform the Executive Branch and to improve the provision of government services, to the Public, such Principles to include:

- Focusing on quality services while aiming to reduce costs;
- Ensuring accountability of representatives and staff; and
- Creating a viable organizational structure for the government; and

**WHEREAS**, it has been determined in the MAP that, in order to ensure government efficiency and the effective deliver of services to the general public, certain on-going activities of the Executive Branch must be reorganized and/or new activities created, such new activities to be coordinated with all appropriate authorities, boards, commissions or other duly constituted agencies; and

**WHEREAS**, Sections 2 and 5 of Article VIII of the Constitution of the Republic of Palau, provides for a Presidential Cabinet consisting of the Vice President and the Ministers who are appointed by the President with advice and consent of the Senate of the Olbiil Era Kelulau; and

**WHEREAS**, Section 7(1) of Article VIII of the Constitution requires the President of the Republic of Palau to enforce the law of the land; and

**WHEREAS**, 2 PNC § 102 establishes eight ministries within the Executive Branch of the Government of the Republic of Palau; and

**WHEREAS**, 2 PNC § 109 directs the President to provide for the subdivisions of the Ministries and to prescribe thereto their duties, responsibilities and functions; and

**WHEREAS**, 2 PNC § 110 empowers the President to establish offices and agencies within the Executive Branch and to prescribe their duties, responsibilities and functions so as to assist the President, the Vice President and the Ministers in the performance of their duties, responsibilities and functions; and

**WHEREAS**, a series of Executive Orders have organized the Executive Branch since the establishment of the Constitutional Government of the Republic of Palau on January 1, 1981, most recently Executive Order No. 284, which amended Executive Order No. 203 that was the last comprehensive establishment of the organization of the Executive Branch, and reorganized the Ministry of State; and

**NOW THEREFORE**, by virtue of the authority vested in me as the President of the Republic of Palau, it is ordered that Executive Order No. 284, which reorganized the Ministry of State, is hereby repealed and replaced by this Executive Order, which formally and officially organizes the Ministry of State as follows:

## **I. MINISTRY OF STATE**

The Ministry of State shall be headed by a Minister who shall be responsible for national defense, treaty matters, relations between the national and state governments and relations with other nations, the United Nations, and other international organizations (2 PNC § 104). The Minister shall coordinate the activities of the Ministry with appropriate authorities, boards, commissions and public corporations. The Minister shall be responsible for the performance of the duties and functions of the following offices bureaus and divisions:

### **Section 1. Embassies, Missions and Consulates.**

The Palau Embassies, as established by Executive Order No. 141, shall represent the people and the Government or the Republic of Palau on a full-time basis before their respective foreign governments, and other organizations, both private or public, on matters pertaining to the Republic of Palau, actively and fully advocating all programs and policies of the Government of the Republic of Palau. Consulate Offices shall have the powers, duties and responsibilities as set forth in Executive Order No. 141, and shall be under the direct supervision of the head of the Palau Embassy in Washington, D.C. and shall be responsible to the President through the Minister of State.

- (a) The Embassies of the Republic of Palau are as follows:

- (1) Washington D.C., United States of America;
  - (2) Tokyo, Japan;
  - (3) Taipei, Republic of China (Taiwan);
  - (4) Manila, Republic of the Philippines; and
- (b) The Permanent Missions are as follows:
- (1) United Nations Representation Office in New York.
- (c) The Consulates of the Republic of Palau are as follows:
- (1) The Commonwealth of the Northern Mariana Islands (CNMI); and
  - (2) The United States Territory of Guam.

#### **Section 2. Office of the Public Defender.**

The Office of the Public Defender shall represent indigent individuals in all criminal matters as required in 18 PNC § 402. The Office may represent indigents in civil matters when Micronesia Legal Services has a conflict of interests that precludes it from providing representation, or pursuant to other criteria established by the Minister of State, where deemed appropriate and if funding is available.

#### **Section 3. Palau Passport Office.**

The Palau Passport Office shall regulate the issuance, security, and procurement of Republic of Palau passports and provide support services to citizens of Palau in obtaining foreign entry requirements and other needs while traveling with a Republic of Palau Passport.

#### **Section 4. Bureau of Foreign Affairs and Trade.**

The Bureau of Foreign Affairs and Trade shall be headed by a Director who shall be responsible for the conduct of affairs, international trade negotiations and international protocol through the oversight of the Division of Foreign Relations, the Division of Trade and Technical Assistance and the Division of Protocol, whose responsibilities are set forth herein.

(a) Division of Foreign Affairs. The Division of Foreign Affairs shall be headed by a Chief, who shall be responsible (under the direction of the Director of the Bureau of Foreign Affairs and Trade) for the conduct of foreign affairs between the Republic and foreign governments, including, but not limited to, maintaining and protecting diplomatic relations with bilateral partners, coordinating and facilitating out-of-country meetings and conferences and providing governmental protocol to visiting dignitaries. The Division, through the Bureau shall coordinate its efforts with the Office of the President, appropriate ministries and agencies and the Division of Trade and Technical Assistance.

(b) Division of Trade and Technical Assistance. The Division of Trade and Technical Assistance shall be headed by a Chief who shall be responsible (under the direction of the Director of the Bureau of Foreign Affairs and Trade) for conducting and coordinating international trade negotiations. The Division shall also be responsible for researching and identifying financial grant/aid and technical assistance opportunities from international, regional and multilateral organizations for the benefit of the Republic of Palau, including but not limited to, providing assistance to national and state government agencies in the procurement of financial grant/aid and technical assistance. In this regard, the Division, through the Bureau shall coordinate its efforts with the Office of the President, the Division of Foreign Relations, the Bureau of Budget and Planning and the Grants Coordinator (pursuant to Executive Order No. 349).

(c) Division of Protocol. The Division of Protocol shall be headed by a Chief who shall perform (under the direction of the Director of the Bureau of Foreign Affairs and Trade) the following duties and functions:

- (1) Ensuring that visiting diplomats and official guests of the Republic are accorded the services entitled to them as emissaries of sending state and or organizations under the provisions of the Vienna Convention and other conventions or treaties Palau is signatory to; and
- (2) Providing protocol services and related services in regard to foreign embassies, missions, and consulates in the Republic; and
- (3) Ensuring that appropriate briefings and information regarding visiting diplomats and official guests is disseminated to the Office of the President, Ministries, and appropriate entities determined by the Minister of State, Director and Division Chief;
- (4) Coordinating and assisting appropriate ministries, agencies and entities in conducting local official functions to ensure that international and local protocol practices are adhered to.

**Section 5. Bureau of Domestic Affairs.**

The Bureau of Domestic Affairs shall be headed by a Director who shall be responsible for national and state relations; providing, upon request, assistance to the Election Commission in conducting national and state elections, plebiscites, and referenda; coordinating liaison activities between the Executive Branch with the Olbiil Era Kelulau; archiving all government rules, laws, procedures, regulations and other public documents for the National Government, State Governments and the private sector; and raising public awareness through the dissemination of all government activities and issues through various media outlets. The Director shall be responsible for the performance of the duties and functions of the following divisions:

(a) Division of State and Community Affairs. The Division of State and Community Affairs shall be headed by a Chief. The Division shall be responsible for coordinating and maintaining relations between the national and state governments; for providing, upon request, assistance to the Election Commission in conducting national and state elections, plebiscites, and referenda; and for providing, upon request, assistance to the state legislatures on parliamentary rules of procedures for the conduct of official business. As required by applicable law, the Division shall provide for the public posting and viewing of proposed and adopted rules and regulation.

(b) Division of Media and Information Services. The Division of Media and Information Services shall be headed by a Chief who shall manage the official media of the government and be responsible for the dissemination of all information from the Executive Branch to the public. No Executive Branch entity may disseminate any information from the Executive Branch, unless that information is vetted and approved by the Division of Media and Information Services, in coordination with the Office of the President. Any approved dissemination of information from the Executive Branch shall be disseminated by the Division of Media and Information Services.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal this October 18, 2013:

/s/

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