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COMMUNICATION FROM SENATOR JOSHUA KOSHIBA, CHAIRMAN,
COMMITTEE ON FOREIGN AFFAIRS, FIRST OLBIIL ERA
KELULAU (PALAU NATIONAL CONGRESS) CONCERNING THE
TRUST TERRITORY OF THE PACIFIC ISLANDS

(Circulated in accordance with rule 24 of the rules
of procedure of the Trusteeship Council)

The Senate
FIRST OLBIIL ERA KELULAU
Republic of Palau
Koror, Palau
96940

28 September 1982

The Honourable Haruo I. Remeliik
President, Republic of Palau
P.O. Box 100
Koror, Palau 96940

Dear Mr. President:

As our Committee deliberates on the approval of the recently signed compact of free association, there are some questions which we would like to have you clarify for us.

The first question centres on whether there is sufficient time to conduct a meaningful political education on the compact between your submittal of the compact to the Olbiil Era Kelulau on 14 September 1982 and the proposed November plebiscite.

The second question relates to money earmarked for public education. We hear indirectly that a sum of money is to be made available from the United States of America for political education on the compact of free association. Our analysis of Article XII of the Constitution leads us to conclude that all money, from whatever sources, is revenue and should be deposited in the national treasury for

disbursement by law. Further, we are advised that Account No. A240.141 has been created against which expenses for political education are charged although there has been no prior appropriation made for this purpose. These actions are clear violations of the provisions of our Constitution and Public Law No. 7-5-4, which states, in part: "No person shall make or authorize an expenditure from or create or authorize an obligation ... in advance of an appropriation, allotment, apportionment or reapportionment made for such purpose." Since the plans for this money are clearly illegal and unconstitutional, would you please clarify how such money and its expenditure would conform with our Constitution.

We feel there must be a conspiracy involved here to get the compact of free association through the Palauan electorate illegally and unconstitutionally and these efforts must cease immediately if this Government is still a government of law.

Our primary concern is for adequate opportunity for the people of Palau to study and discuss the compact of free association and to see that this exercise is done within the letter of the law and the Constitution of the Republic of Palau. For these reasons, we would appreciate your expeditious reply to the questions we have raised herein.

Sincerely yours,

(Signed) Joshua KOSHIBA
Chairman

cc: Ambassador Fred Zeder II
President Paul Poudade, United Nations Trusteeship Council
Ambassador R. S. Ovinnikov, First Deputy Permanent Representative of the Union
of Soviet Socialist Republics to the United Nations, representative to the
United Nations Trusteeship Council
