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COMMUNICATION FROM MR. K. NAKAMURA AND OTHER MEMBERS OF THE  
PALAU LEGISLATURE CONCERNING THE TRUST TERRITORY OF THE  
PACIFIC ISLANDS

(Circulated in accordance with rule 24 of the rules of  
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14 July 1979

The President  
Trusteeship Council  
United Nations  
New York

Director of the Office of Territorial Affairs

Mr. P. Rosenblatt

We, the undersigned members of the Palau Legislature who have, in connexion with the recently conducted but as yet not certified referendum on the Palau Constitution, boycotted the current session of the Palau Legislature, wish to inform you that the whole constitutional process beginning with the enactment of PL 6-5S-1 is drawing to a close but not completed yet.

We believe that the interest of the people of Palau requires co-operation of all members of the Legislature and respect for law. However, given the ground of Civil Action No. 71-79 that this current session is illegal in that it has exceeded 30 days and has been transacting business without the three-fourths quorum, it would prejudice said court case should we attend the current session prior to the conclusion of said case. In view of the rather heavy turn out, and such a wide margin of the people voting for the proposed constitution, we believe that our continued boycotting of the current session has the clear mandate of the overwhelming majority of the people of Palau. In this connexion, we urge you not to pre-empt this entire constitutional process by amending, in the event of such a request, the Charter of the Palau Legislature reducing the quorum requirement. While the actual number of the members of the Legislature opposing the constitution may be greater than those supporting it, we assure you that in this case the minority speak clearly on behalf of the majority of the people of Palau. Furthermore, the present attitude of the majority of the members of the Palau Legislature, which can be summed up as "people be damned", clearly

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demonstrates to us that if given the opportunity, they will declare the results of the referendum null and void. We do not wish to become a party to such arrogance and defiance of the wishes of the public. As you well know, PL 6-5S-1 provides in part that the Legislature shall be the sole judge of the results of the referendum. We believe that such review should be limited to instances of irregularities. No such irregularity or complaints of irregularity was found by the United Nations Visiting Mission regarding the conduct of the referendum. Given the attitude of the members of the Legislature, we are convinced that the Legislature cannot be an impartial judge of the results of the referendum. Therefore, in view of the high voter turn out and the widest margin in any previous elections in Palau, the clearly expressed support of the people of Palau for the constitution must not be thwarted by a handful of people in Legislature. We believe that the Secretary of the Interior has the responsibility to protect the clearly expressed wishes of the people of Palau and must intercede on their behalf by declaring the results of the referendum official. It is our contention that the United States of America as the Administering Authority owes at least that much to the people of Palau. We the undersigned legislators and the people of Palau respectfully request your continued assurance that no such amendment to the Charter of the Palau Legislature would be made upon the request of the Palau Legislature and further request that this message be transmitted to the Secretary of the Interior for his appropriate response.

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