



Trusteeship Council

Distr.
LIMITED

T/COM.10/L.330
25 March 1983

ORIGINAL: ENGLISH

COMMUNICATION FROM THE SENATE, OLBIIL ERA KELULAU
(PALAU 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
KUROR, PALAU
96940

10 March 1983

United Nations Trusteeship Council
New York, N.Y.

Dear Sirs:

I have the honour to transmit herewith a certified copy of Senate resolution No. 87, SD1, SD2, which was adopted by the Senate, First Olbiil Era Kelulau, sixth special session, 1983.

Respectfully,

(Signed) Sylvester F. ALONZ
Chief Clerk

Attachment

FIRST OLBIIL ERA KELULAU

Sixth Special Session, February 1983 Senate Resolution No. 87, SD1, SD2

A SENATE RESOLUTION

Pronouncing the Compact of Free Association disapproved by the citizens of the Republic of Palau and by the First Olbiil Era Kelulau and urging the President of the Republic and Palau's traditional leaders to begin again to negotiate the future political status of the Republic of Palau.

WHEREAS, article II, section 3, of the Republic of Palau Constitution requires that any treaty, compact or agreement which delegates major governmental powers to another sovereign nation or international organization and which "authorizes use, testing, storage or disposal of nuclear, toxic chemical, gas or biological weapons intended for use in warfare shall require approval of not less than three-fourths (3/4) of the votes cast in a nationwide referendum" in addition to approval "by not less than two-thirds (2/3) of the members of each house of the Olbiil Era Kelulau", and

WHEREAS, House Joint Resolution No. 1-099-8, SD1, SD2 provided for approval of the First Olbiil Era Kelulau contingent upon the approval of the Compact of Free Association by the citizens of the Republic of Palau; and

WHEREAS, section 314 of the Compact of Free Association, an integral provision of said Compact, if approved by the required three-fourths (3/4) of the votes cast on the Compact, would have authorized use, testing, storage and disposal of nuclear, toxic chemical, gas or biological weapons intended for use in warfare; and

WHEREAS, the President had certified results on the plebiscite and referendum which was held on 10 February 1983 indicate that only 62.1 per cent of the voters approved question A of proposition I, the Compact inclusive of section 314; and

WHEREAS, 62 per cent cannot be construed as three-fourths (3/4) of the vote cast in said referendum;

WHEREAS, Ambassador Zeder stated in his 6 October 1982 cable to Ambassador Salii that: "It is the view of the United States that the Compact of Free Association cannot come into effect until the section 314 agreement has been approved"; now, therefore,

BE IT RESOLVED by the Senate of the First Olbiil Era Kelulau that the Compact of Free Association has been disapproved by the citizens of the Republic of Palau; and

BE IT FURTHER RESOLVED that disapproval of the Compact of Free Association by the citizens of the Republic of Palau also signifies by contingency the disapproval of said Compact by the First Olbiil Era Kelulau; and

/...

BE IT FURTHER RESOLVED that the President of the Republic and Palau's traditional leaders are hereby urged to meet and begin again to negotiate with the United States the future political status of the Republic of Palau in accordance with the desire of the people of Palau as duly expressed in the plebiscite; and

BE IT FURTHER RESOLVED that certified copies of this resolution be transmitted to the President of the Republic of Palau, Ambassador Salii, the President of the United States of America, Ambassador Zeder, the High Commissioner of the Trust Territory of the Pacific Islands and the United Nations Trusteeship Council.
