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**REPORT OF THE UNITED NATIONS  
VISITING MISSION TO OBSERVE THE PLEBISCITE  
IN PALAU, TRUST TERRITORY OF  
THE PACIFIC ISLANDS, DECEMBER 1986**

**TRUSTEESHIP COUNCIL**

**OFFICIAL RECORDS: FIFTY-FOURTH SESSION**

**(May-June 1987)**

**SUPPLEMENT No. 1**



**UNITED NATIONS**

## NOTE

Symbols of United Nations documents are composed of capital letters combined with figures. Mention of such a symbol indicates a reference to a United Nations document.

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LETTER OF TRANSMITTAL

16 January 1987

Sir,

I have the honour to transmit to you herewith, in accordance with Trusteeship Council resolution 2184 (S-XVII) of 21 November 1986 and rule 98 of the rules of procedure of the Council, the report of the United Nations Visiting Mission to Observe the Plebiscite in Palau, Trust Territory of the Pacific Islands, December 1986.

The members of the Mission would like to take this opportunity to convey their thanks to all those who assisted them in carrying out their task. They wish, in particular, to express their sincere gratitude to the President of Palau, the Minister of State/Referendum Commissioner, members of the Referendum Board and the Chairman and members of the Political Education Committee. They also wish to express their appreciation for the courtesy and co-operation extended to them by the members of the Olbiil Era Kelulau (Palau National Congress). Lastly, the Mission would like to thank the Administering Authority for its co-operation and particularly Mr. William Warren and Mr. Jeffrey Buczacki for their courtesy and assistance.

Above all, the members of the Mission would like to record their sincere appreciation of the friendship and kindness of the people of Palau during the Mission's visit to their islands. They wish to extend to them their best wishes.

This report is subscribed to unanimously by all four members of the Mission.

Accept, Sir, the assurances of my highest consideration.

(Signed) Jean-Pierre GUINHUT  
Chairman of the United Nations  
Visiting Mission to Observe the  
Plebiscite in Palau, Trust Territory  
of the Pacific Islands, December 1986

His Excellency  
Mr. Javier Pérez de Cuéllar  
Secretary-General  
United Nations  
New York, N. Y. 10017

TERMS OF REFERENCE AND COMPOSITION OF THE VISITING MISSION

1. At its seventeenth special session, the Trusteeship Council had before it a letter dated 11 November 1986 from the Permanent Representative of the United States of America to the United Nations addressed to the Secretary-General (T/1904) containing a request for a special session of the Council to consider the dispatch of a visiting mission to observe a plebiscite on 2 December 1986 in Palau on the Compact of Free Association.

2. The Trusteeship Council held its seventeenth special session between 20 and 26 November 1986. At its 1623rd meeting, on 21 November, the Council adopted resolution 2184 (S-XVII) by 3 votes to 1. By that resolution it decided to send a visiting mission of approximately one week's duration to observe the plebiscite in Palau, the Mission to begin on or about 28 November 1986 and end as soon as practicable after the declaration of the results of the plebiscite. The Council further decided that the Visiting Mission should be composed of not more than four members, the members to be representatives of Fiji, France, the United Kingdom of Great Britain and Northern Ireland and one other country from the South Pacific region. The Council directed the Mission to observe the plebiscite, specifically the polling arrangements, the casting of votes, the closure of voting, the counting of ballots and the declaration of results. The Council requested the Mission to submit to the Council as soon as practicable a report on its observations of the plebiscite, containing such conclusions and recommendations as it might wish to make.

3. After the necessary consultations with members of the Trusteeship Council and the Administering Authority, the President of the Council informed the Secretary-General, by letter dated 26 November 1986, that Papua New Guinea would be one of the four Member States selected to serve on the Mission. The members of the Mission were:

Mr. Jean-Pierre Guinhut (France) (Chairman)

Mr. P. K. Mishra (Fiji)

Mr. Stephen Barampataz (Papua New Guinea)

Miss Helen de C. Taylor (United Kingdom)

4. The Mission was accompanied by the following members of the United Nations Secretariat: Mr. Girma Abebe, Principal Secretary; Ms. Neuza de C. Costa and Mr. Ozdinch Mustafa, Political Affairs Officers; and Ms. Gloria Shepherd, Administrative Officer and Secretary. The Mission was escorted by Messrs. William Warren and Jeffrey Buczacki of the State Department.

5. In Koror, the Mission received a letter dated 4 December 1986 from Mr. William Warren, United States Status Liaison Officer, addressed to the Chairman of the Visiting Mission (annex V), transmitting the request from the President of Palau that members of the Mission be present in Honolulu on 7 December 1986 to observe the voting on the Compact of Free Association in Hawaii and the counting and tabulation of votes from Hawaii and the United States mainland, beginning on

8 December. (See Executive Order No. 50 in annex IV.) Mr. Warren stated that the United States supported the request. In a letter dated 5 December 1986 (annex VII), the Chairman of the Visiting Mission informed the Status Liaison Officer that the Mission would observe both the polling and counting and tabulation of votes in Hawaii, as requested.

## CHAPTER II

### ACTIVITIES OF THE VISITING MISSION

6. The Mission was in Palau from 30 November to 6 December 1986. It then proceeded to Hawaii to observe the polling on 7 December in Honolulu and Hilo and the subsequent counting and tabulation of votes cast in Hawaii and on the United States mainland. The Mission's itinerary appears in annex XV.
7. On the first day, the Mission had a discussion with the Referendum Commissioner, Mr. John O. Ngiraked, who is also the Minister of State. The Mission asked him about Executive Order No. 50, which had not been transmitted to the Trusteeship Council but copies of which the Mission saw on its arrival. Mr. Ngiraked said that the date of 7 December 1986 had been selected for voting in Hawaii and on the United States mainland, after due consideration, to allow Palauans resident in those overseas locations to vote at the weekend. That weekend had been chosen to allow time to complete the political education process in these centres given the communication problems involved. The voting was delayed until 7 December in Honolulu and on the West Coast in order to give the voters in those areas a chance to understand the political education programme. It had not been a political decision, merely a question of logistics. Regarding the fact that by 7 December the results of the voting in Palau would be known and could influence the outcome of the votes in Honolulu and on the West Coast, he stated that he had considered that possibility. However, he felt that the voters in those places needed time, and in any case he did not believe the outcome would be widely known. The Referendum Commissioner further stated that the voters on the West Coast and in Honolulu were highly politicized and very active.
8. The Mission visited the centre where the Referendum Board members were given a final briefing by Mr. Daiziro Nakamura, the Referendum Commissioner's representative. Here, the Board members were also given charge of the voting materials and the ballot boxes before departure to their respective polling stations in the various states accompanied by a police officer.
9. On 1 December, the Mission paid a courtesy call on Mr. Lazarus E. Salii, President of Palau. This was followed by a meeting with Mr. Franz Reksid, Chairman of the Political Education Committee, who is also the Minister of Administration, and two of the four other Committee members. Mr. Reksid said that the five members of the Political Education Committee had conducted the political education programme without additional staff, except in a supporting role. They had carried out their programme in Palau from 11 to 19 November and then in Guam and Saipan. The two absent Board members were currently conducting a programme in Hawaii. He continued by saying that for the first time the Palauan States had been encouraged to participate in the programme by means of State political education committees organized through the Governors. He added that the President's campaign task force had travelled with them, but it had been made clear at public meetings that the two groups were separate and had distinct functions. He further said that the Opposition was always given an opportunity to speak at the meetings but that it did not often take advantage of that opportunity. Responding to a question as to what extent the administration had been involved in the campaigning, Mr. Reksid said that the President had declared it a national government programme and expected all government employees to join in and work for the approval of the Compact of Free



Association. Those who opposed the Compact were not barred from participating as private individuals, but they usually stayed away from microphones, he added.

10. The members of the Mission also had a meeting with the Senate, attended by nine Senators. The members heard criticism of the fact that the Referendum Commissioner, also Minister of State, had participated in the political campaign; that the Political Education Committee had been campaigning for the Compact of Free Association in contravention of Republic of Palau Public Law No. 2-22 (see annex II); and that the President's task force had campaigned under the umbrella of the Political Education Committee. It was further claimed that there had been misuse of election funds by the Government. One senator made it clear, however, that those views did not reflect those of the other senators. The President of the Senate said that in correcting ill-founded claims about the Compact, it was difficult to avoid giving the impression of promoting it.

11. The Mission also had a meeting at the House of Delegates at which it met two delegates. It was explained to the members of the Mission that the remainder were occupied with campaigning outside Koror. One delegate said that there had been complaints about the conduct of the campaign; the other said that his constituents wanted the Compact of Free Association to be finally concluded.

12. A public meeting was then held at the Olbiil Era Kelulau (Palau National Congress), attended by some 30 people, at which High Chief Ibedul Gibbons welcomed the Mission. He and members of the public made criticisms of the Compact and the Government's campaign. United States intervention in the campaign and pressure by the Government of Palau on its employees to campaign for the Compact were deplored. The view was expressed that the compensation to be paid by the United States Government for land acquired for military use would be insufficient. One speaker said that during the campaign the Government had created a climate of fear that had not been present during the last three plebiscites. Another speaker said that the United Nations had a responsibility for Palau and appealed to it to give the people of Palau a fair chance to choose their future without fear or intimidation. The same speaker also said that the older people had experienced the Second World War and did not want to make enemies or be subjected to military rule. Another speaker referred to a memorandum dated 17 November 1986 from the Minister of Social Services (annex VIII), which stated that all personnel were expected to campaign vigorously for the Compact and that it was no longer tolerable for civil service employees to oppose the system while remaining in it. The speaker also said that it was made clear to hospital workers that those who opposed the Compact would be dismissed.

13. Later that day the Mission received a copy of a memorandum dated 28 November 1986 from the Referendum Commissioner addressed to all government employees (annex X), assuring them that the President was not attempting to prevent people from voting as they wished, confirming that the Government wanted them to campaign for the Compact and denying that the Government had issued any threats.

14. Some complaints on the conduct of the plebiscite were received by the Mission (see annex XI).

15. On 5 December, the members of the Mission paid a final courtesy call on President Salii. Later the members of the Mission met the Referendum Commissioner to discuss the arrangements for the referendum in Hawaii and on the United States mainland. The Referendum Commissioner informed the Mission that a minister was

currently on his way to Honolulu to set up the voting operation there. He was accompanied by a congressman and a traditional chief. As soon as polling places closed, the boxes from the United States mainland and Hilo would be flown to Honolulu. If it were not possible for the boxes to be flown in immediately, they would remain overnight and be flown in the next day. Once the ballots arrived in Honolulu, the Minister and the Liaison Officer would conduct the counting and tabulation of the votes. The Referendum Commissioner said he would look into whether or not it would be necessary to send someone from his staff to Honolulu. Some people in Honolulu would be designated to act as members of the Counting and Tabulating Committee.

16. In response to a question as to who would be representing the Referendum Commissioner and be able to take decisions in Honolulu, the Minister replied that he would be sending someone from Koror for that purpose. In response to another question, the Minister said that the ballot boxes would be kept in the office of the Liaison Officer under the supervision of the "yes" and the "no" groups. He added that he had contacted the "no" group and asked it to send a representative from Koror or designate someone in Honolulu.

## CHAPTER III

### THE POLL

17. The conduct of the poll was organized according to the rules and regulations for the referendum issued on 19 November 1986. As in February, Palauans were allowed to vote in any polling place and to register on the spot if necessary. Registers of previous voters were held in each polling place as well as a computerized national master list. All voters were required to sign the register as they voted and unregistered voters were required to swear an affidavit before casting their vote.

#### Polling in Palau

18. On polling day in Palau the Mission divided into four teams to visit the maximum possible number of polling stations (see para. 23). A total of 34 out of 50 polling places were covered, some more than once. In each case the polling place was manned by two or three Referendum Board members who had been selected and trained by the Referendum Commissioner, and was guarded by a police officer. Unlike previous occasions, in most polling stations representatives of the state concerned assisted in clerical and administrative matters. In most cases poll watchers from "yes" and "no" groups were also present. Assistance was given to those who required explanation of the voting procedures. In all the polling places the members of the Mission visited, practical arrangements had been made to ensure that voters could mark their ballot papers in secrecy, and the Mission observed that officials ensured that no one was interfered with while in the process of voting.

#### Polling outside the territorial jurisdiction of Palau

19. As provided for in Republic of Palau Public Law No. 2-22, polling places were established outside Palau as follows: Saipan, Guam, Yap, Truk, Pohnpei and the Marshall Islands on 29 November; and Honolulu, Hilo, Los Angeles, San Francisco and Portland on 7 December.

20. As requested (see para. 5), the Mission travelled to Hawaii to be present for voting day on 7 December. The Mission divided into two teams to observe the voting in Honolulu and Hilo. Polling was organized and conducted in the same satisfactory manner as in Palau.

## CHAPTER IV

### COUNTING AND TABULATION OF VOTES

#### Counting and tabulation in Palau

21. The counting and tabulation of votes started at 10 p.m. on 2 December and was carried on, with short breaks, until 2.30 a.m. on 6 December. The process was supervised by the Referendum Commissioner or his representative. Members of the Mission were present throughout the counting. Representatives of the "yes" and "no" groups were also present to observe the proceedings. The operation was carried out by two teams, one to check that voting documents were in order and the other to count and tabulate the results; within these teams, each individual had his own specific function. A large part of the time was taken up with the checking of documents and signatures of: (a) those voting away from their place of registration to ensure that no one voted more than once; (b) those registering for the first time; and (c) those declaring themselves to be United States citizens. This process revealed a few cases of apparent irregularities in each of these categories that were referred to the Referendum Commissioner or his representative, who took the decision on whether to accept those votes.

#### Counting and tabulation outside the territorial jurisdiction of Palau

22. The Referendum Commissioner was represented in Honolulu by the Liaison Officer of Palau in Hawaii, Mr. Silas Orrukem. The counting of votes cast in Honolulu and Hilo took place in Honolulu on 8 December, and that of the votes from the United States mainland on 9 December, when tabulation of all these votes was also completed. Following an agreement between representatives of the groups supporting and opposing the Compact, all votes cast, including those by newly-registered voters and voters declaring themselves to be United States citizens, were opened and counted. Mr. Orrukem indicated that he did not have a complete list of those who had previously voted in the referendum. He said that details of those registering for the first time or declaring themselves to be United States citizens would be checked later in Koror. He added that all ballot papers and supporting documents would be returned to Koror for checking and a final decision.

## CHAPTER V

### RESULTS OF THE PLEBISCITE

23. The official results of the plebiscite certified on 15 December 1986 by President Lazarus E. Salii are set out below.

**COUNTING AND TABULATION COMMITTEE  
MASTER TABULATION SHEET**

Improved Compact Referendum  
December 02, 1986

POLLING PLACES	TRV	TVC	"YES"	"NO"	V	B	R	SUB-TOTAL "YES"	%	SUB-TOTAL "NO"	%
1 KAYANGEL	206	65	55	10							
CENTRAL		84	57	27							
VAPP		9	8	1							
Sub Total	206	158	120	38				120	75.95	38	24.05
2 OLLEI, NGERCHELONG	228	40	31	9							
CENTRAL		103	65	37	1						
VAPP		17	12	5							
Sub Total	228	160	108	51	1			108	67.50	51	31.88
3 NGBEI	365	53	51	2							
CENTRAL		149	107	42							
VAPP		34	27	7							
Sub Total	365	236	185	51				185	78.39	51	21.61
4 MENGELLAKL	505	52	46	6							
CENTRAL		249	189	60							
VAPP		46	34	12							
Sub Total	505	347	269	78				269	77.53	78	22.48
5 CHOL, NGERAARD	224	30	21	9							
CENTRAL		97	62	35							
VAPP		26	14	12							
Sub Total	224	153	97	56				97	63.40	56	36.61
6 NGBUKED	213	43	30	13							
CENTRAL		85	61	24							
VAPP		19	13	6							
Sub Total	213	147	104	43				104	70.75	43	29.26
7 ULIMANG	320	31	29	2							
CENTRAL		118	88	30							
VAPP		36	24	12							
Sub Total	320	185	141	44				141	76.22	44	23.79
8 ELAB	230	28	27	0	1						
CENTRAL		119	69	49	1						
VAPP		31	17	14							
Sub Total	230	178	113	63	2			113	63.49	63	35.40
9 NGKEKLAU	204	39	35	4							
CENTRAL		72	49	23							
VAPP		24	10	14							
Sub Total	204	135	94	41				94	69.63	41	30.37
10 NGIWAL	563	129	96	32	1						
CENTRAL		216	154	62							
VAPP		19	12	7							
Sub Total	563	364	262	101	1			262	71.98	101	27.75

VAPP = VOTING AT ANOTHER POLLING PLACE, TRV=TOTAL REGISTERED VOTERS  
TVC = TOTAL VOTE CAST, CENTRAL=CENTRAL BOX IN KOROR  
V = VOID, B=BLANK, R=REJECTED BALLOTS, % = PERCENTAGES  
NRV = NEWLY-REGISTERED VOTERS



POLLING PLACES	TRV	TVC	"YES"	"NO"	V	B	R	SUB "Y"	%	SUB "N"	%
11 MELEKEOK	446	113	98	15							
CENTRAL VAPP		209	178	31							
		6	5	1							
Sub total	446	328	281	47				281	85.67	47	14.33
12 NGCHESAR	399	78	41	37							
CENTRAL VAPP		153	86	66	1						
		59	34	24		1					
Sub Total	399	290	161	127	1	1		161	55.52	127	43.79
13 NGERNGESANG	77	23	19	4							
CENTRAL VAPP		37	25	12							
		9	8	1							
Sub Total	77	69	52	17				52	75.36	17	24.64
14 NGERSUUL	112	21	11	10							
CENTRAL VAPP		52	34	17			1				
		24	11	13							
Sub Total	112	97	56	40			1	56	57.73	40	41.24
15 MELENGEL	122	62	24	37	1						
CENTRAL VAPP		9	4	5							
		7	5	2							
Sub Total	122	78	33	44	1			33	42.31	44	56.41
16 KED, AIRAI	146	77	38	39							
CENTRAL VAPP		6	3	3							
		6	3	3							
Sub Total	146	89	44	45				44	49.44	45	50.56
17 NGERUSAR	175	86	59	26		1					
CENTRAL VAPP		11	7	4							
		8	7	1							
Sub Total	175	105	73	31		1		73	69.52	31	29.52
18 NGETKIB	98	60	20	40							
CENTRAL VAPP		6	2	4							
		5	3	2							
Sub Total	98	71	25	46				25	35.21	46	64.79
19 MONGAMI, AIMELIIK	323	57	23	34							
CENTRAL VAPP		134	65	67		2					
		44	26	18							
Sub Total	323	235	114	119		2		114	48.51	119	50.64
20 NGCHEMIYANGEL	144	38	21	17							
CENTRAL VAPP		52	23	29							
		12	8	4							
Sub Total	144	102	52	50				52	50.98	50	49.02
21 NGATPANG	186	19	13	6							
CENTRAL VAPP		113	76	37							
		17	12	5							
Sub Total	186	149	101	48				101	67.79	48	32.21
22 IBOBANG	58	40	40	-0-							
CENTRAL VAPP		6	6	-0-							
		(Counted with Ngatpang)									
Sub Total	58	46	46	-0-				46	100%	-0-	-0-

*m S*

POLLING PLACES	TRV	TVC	"YES"	"NO"	V	B	R	SUB "YES"	%	SUB "NO"	%
23 NGERMETENGEL	314	84	63	21							
CENTRAL VAPP		139	92	47							
		24	18	6							
Sub Total	314	247	173	74				173	70.04	74	29.96
24 IMEONG	79	23	22	1							
CENTRAL VAPP		(Counted with Ngermetengel)									
		(Counted with Ngermetengel)									
Sub Total	79	23	22	1				22	95.65	1	4.35
25 NGARDMAU	311	74	54	20							
CENTRAL VAPP		116	84	32							
		10	6	4							
Sub Total	311	200	144	56				144	72.00	56	28.00
26 NGERMID, KOROR	168	110	48	62							
VAPP		7	4	3							
Sub Total	168	117	52	65				52	44.44	65	55.56
27 NGERKESOAOL	136	69	30	39							
VAPP		6	3	3							
Sub Total	136	75	33	42				33	44.00	42	56.00
28 NGERCHEMAI	305	168	72	94	1	1					
VAPP		6	2	4							
Sub Total	305	174	74	98	1	1		74	42.53	98	56.32
29 IYEBUKL	188	75	33	42							
VAPP		7	3	4							
Sub Total	188	82	36	46				36	43.90	46	56.10
30 IDID	328	146	77	69							
VAPP		5	4	1							
Sub Total	328	151	81	70				81	53.64	70	46.36
31 MEKETII	183	94	42	52							
VAPP		6	4	2							
Sub Total	183	100	46	54				46	46.00	54	54.00
32 DNGERONGER	195	97	44	52	1						
VAPP		5	4	1							
Sub Total	195	102	48	53	1			48	47.06	53	51.96
33 IKELAU	153	82	54	28							
VAPP		6	5	1							
Sub Total	153	88	59	29				59	67.05	29	32.95
34 MEDALAI	283	129	82	47							
VAPP		9	6	3							
Sub Total	283	138	88	50				88	63.77	50	36.23
35 NGERBECHED	485	239	149	90							
VAPP		19	13	6							
Sub Total	485	258	162	96				162	62.79	96	37.21
36 MEYUNS	450	229	140	88		1					
VAPP		73	29	44							
Sub Total	450	302	169	132		1		169	55.96	132	43.71



POLLING PLACES	TRV	TVC	"YES"	"NO"	V	B	R	SUB "YES"	%	SUB "NO"	%
37 PELELIU	817	274	164	114							
CENTRAL		199	130	69							
VAPP		14	12	2							
Sub Total	817	487	302	185				302	62.01	185	37.99
38 ANGAUR	350	107	87	20							
CENTRAL		110	89	21							
VAPP		11	8	3							
Sub Total	350	228	184	44				184	80.70	44	19.30
39 TOBI	71	62	19	43							
(CENTRAL COUNTED WITH TOBI AND VAPP COUNTED WITH ANGAUR)											
Sub Total	71	62	19	43				19	30.65	43	69.35
40 SONSOROL	85	69	26	43							
(CENTRAL COUNTED WITH SONSOROL AND VAPP COUNTED WITH NGETKIB)											
Sub Total	85	69	26	43				26	37.68	43	62.32
41 "ABSENTEE"		51	37	14							
Sub Total		51	37	14				37	72.55	14	27.45
42 "CONFINED"		89	56	33							
Sub Total		89	56	33				56	62.92	33	37.08
43 "NRV" LOCAL	243	243	155	88							
Sub Total		243	155	88				155	63.79	88	36.21
44 SAIPAN		282	236	46							
Sub Total		282	236	46				236	83.69	46	16.31
45 "NRV" SAIPAN	40	40	35	4			1				
Sub Total		40	35	4			1	35	87.50	4	10.00
46 GUAM		664	493	163	2		6				
Sub Total		664	493	163	2		6	493	74.25	163	24.55
47 "NRV" GUAM	148	148	97	30			21				
Sub Total		148	97	30			21	97	65.54	30	20.27
48 YAP		54	37	16			1	37	68.52	16	29.63
49 TRUK		12	7	5				7	58.33	5	41.67
50 PONAPE		34	23	8			3	23	67.65	8	23.53
51 MARSHALLS		26	12	14				12	46.15	14	53.85
52 HILO, HAWAII		45	14	31				14	31.11	31	68.89
53 HONOLULU, HAWAII		227	138	89				138	60.79	89	39.21
54 PORTLAND, OREGON		89	50	39				50	56.18	39	43.82
55 SAN FRANCISCO, CALIF.		104	84	20				84	80.77	20	19.23
56 LOS ANGELES, CALIF.		91	66	25				66	72.53	25	27.47
57 "NRV"	84										
TOTAL	10,760	8,824	5,789	2,986	10	6	33	5,789	65.97	2,986	34.03

24. Thus, of a total of 8,775 valid votes cast, 5,789, or 65.97 per cent, were cast in favour of the Compact, and 2,986, or 34.03 per cent, were cast against. The total of invalid, void or rejected votes cast was 49.

## CHAPTER VI

### CONCLUSIONS

25. Although the members of the Mission did not arrive in Palau in time to witness the political education programme or the campaign itself, it was evident to them that a high level of interest, involvement and even anxiety had been generated among the general public. It appeared to the members of the Mission that the manner in which the Government had conducted its campaign to obtain approval of the Compact of Free Association may have also contributed to this. It also resulted in a high turnout of 82 per cent of the voters. Although a number of complaints were made before polling day, e.g. of misuse of government funds, in the event these were not substantiated to the Mission.

26. From its observation of the practical arrangements made for polling in Palau and Hawaii, the Mission was satisfied that the poll was conducted efficiently and in conformity with the regulations. In particular, the members of the Mission noted that everyone was able to vote in secrecy.

27. The checking, counting and tabulation of votes in Palau were carried out in a very professional, correct and fair way, in the presence of representatives of the supporters and opponents of the Compact.

28. The counting and tabulation in Honolulu was carried out in an equally efficient manner. The members of the Mission noted that in the absence of a complete list of those who had previously voted in the referendum, there was no possibility of verifying whether anyone had already voted elsewhere; however, both the supporters and the opponents of the Compact considered that this was a very unlikely eventuality.

29. It is the view of the members of the Mission that the people of Palau were able to vote freely and in accordance with their wishes.

## Annex I

### STATEMENT BY MR. JEAN-PIERRE GUINHUT, CHAIRMAN OF THE VISITING MISSION, ON 30 NOVEMBER 1986

My name is Jean-Pierre Guinhut. I am the Chairman of the United Nations Visiting Mission to Observe the Plebiscite in Palau on 2 December. It is a great pleasure for my colleagues and me to be in your delightful country. I know I speak for the other members of the Mission when I say how much we appreciate the warm welcome extended to us. We look forward to making your acquaintance during our short visit. There are four of us in the Mission: Ms. Helen Taylor is from the United Kingdom, Mr. P. K. Mishra is from Fiji, Mr. Stephen Barampataz is from Papua New Guinea and I am from France. I am particularly honoured that, once again, two members of our team come from Pacific States, because their countries are neighbours of yours and understand well your concerns. We also have with us an experienced team of officers from the Secretariat of the United Nations under Mr. Girma Abebe, who has visited Palau so many times and who as I see is highly regarded here.

I should now like to tell you why we have come here from New York. As I am sure many of you are aware, one of the Articles of the Charter of the United Nations, namely Article 76 b, is concerned with the promotion of, and I quote, "the political, economic, social and educational advancement of the inhabitants of the Trust Territories, and their progressive development towards self-government or independence as may be appropriate to the particular circumstances of each Territory and its peoples and the freely expressed wishes of the peoples concerned ...". In other words, the aim of the United Nations is to see that the Territories placed under its trusteeship reach a point where they are able to choose their destiny for themselves.

As you all know, the United States, as the Administering Authority for the Trust Territory of the Pacific Islands, is responsible for ensuring that these objectives are pursued. We are here because earlier this month the United States asked the Trusteeship Council, the governing body of the United Nations for Trust Territories, to send a mission to Palau to observe the plebiscite on the Compact of Free Association, which will take place on 2 December.

As regards our Mission, we have two main tasks:

First, we have to ascertain that all men and women who are entitled to vote have an opportunity to express their views freely in the plebiscite and that the ballot is secret.

Second, we shall be looking at the polling arrangements and the counting of the votes to see whether these arrangements are fair and conform to the election laws. Having performed these tasks, we shall be able to give an account of the way in which these conditions have been met.

In order to observe the plebiscite on Tuesday, we shall be dividing into groups so as to cover as much of the Territory as possible. We shall also be meeting your President and members of your National Congress, as well as the

Plebiscite Commission and its staff. Then we shall observe the counting of the votes and the tabulation of the ballots. Afterwards we shall make a report to the Trusteeship Council at United Nations Headquarters in New York.

I know that we can rely on your co-operation in carrying out these tasks. We are looking forward to meeting as many of you as possible. For this purpose we have set aside Monday, 1 December, at 3 p.m. for a meeting with the general public at the Senate Chamber.

We are very honoured to have been invited to be present on so important an occasion in Palau's history.

In conclusion, I should like, on behalf of the United Nations, to say thank you for your courtesy and friendliness towards us and to express our good wishes for a happy and prosperous future.

Annex II

REPUBLIC OF PALAU PUBLIC LAW NO. 2-22

SECOND OLBIIL ERA KELULAU

Eighth Regular Session, October 1986

RPPL NO. 2-22

(Intro. as SB NO.2-210,SD4,HD3,CD1)

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AN ACT

To reapprove the Compact of Free Association, to provide for a referendum on the Compact of Free Association and its Subsidiary Agreements, as signed on January 10, 1986 by the President of the Republic of Palau and the representative of the Government of the United States, including the amendments subsequently made by the United States Congress; to provide for administration of the Trust Fund established by Section 211(f) of the Compact of Free Association; to repeal certain provisions of RPPL No. 2-14, and for other related purposes.

THE PEOPLE OF PALAU REPRESENTED IN THE OLBIIL ERA KELULAU DO ENACT AS FOLLOWS:

Section 1. Statement of purpose. The purpose of this Act is to approve the Compact of Free Association with the United States of America, including its Subsidiary Agreements, as signed on January 10, 1986 by representatives of the Governments of the Republic of Palau and of the United States of America, and subsequently amended by the United States Congress, to authorize the President of the Republic of Palau to set a date for a referendum on the Compact of Free Association and Subsidiary Agreements, and to provide for education and voting.

Section 2. Legislative findings. The Olbiil Era Kelulau finds that:

(1) Both houses of the Olbiil Era Kelulau approved by not less than two-thirds (2/3) of the members of each house the Compact of Free Association with the United States, inclusive of its subsidiary agreements, as signed on January 10, 1986 by representatives of the Governments of the Republic of Palau and of the United States; and

(2) A nationwide referendum, the third one to be conducted for the purpose of ratifying the Compact of Free Association, did not obtain the approval of three-fourths (3/4) of the votes cast in the referendum and therefore failed to authorize the Government of the United States to operate nuclear capable or nuclear propelled vessels and aircraft within the jurisdiction of Palau without the United States either confirming or

denying the presence or absence of such weapons; and

(3) The Compact of Free Association has recently been approved with amendments by both houses of the United States Congress, but such amendments require that the Compact be reapproved by the Olbiil Era Kelulau; and

(4) Approval of the Compact of Free Association by the voters requires that the Compact and the specific question of the operation of nuclear capable and nuclear propelled vessels and aircraft be approved by not less than three-fourths (3/4) of the votes cast in a referendum; and

(5) The Appellate Division of the Supreme Court of Palau has recognized the right of innocent passage of nuclear powered and nuclear armed vessels and aircraft without further approval by the voters of Palau; and

(6) It is in the best interest of the people of the Republic to resubmit to the people the Compact of Free Association and the specific question of the delegation to the Government of the United States of the authority to operate nuclear capable and nuclear propelled vessels and aircraft as provided by Title Three of the Compact and as more specifically provided by Section 324 thereof.

Section 3. Ratification. The Compact of Free Association with the United States of America, inclusive of its Subsidiary Agreements, as signed on January 10, 1986 by representatives of the Governments of the Republic of Palau and of the United States of America, and subsequently amended by the United States Congress, authorizing the Government of the United States to operate nuclear capable or nuclear propelled vessels and aircraft within the jurisdiction of Palau is hereby approved. Such approval is given with the understanding that upon entry into force of the Compact, the right of the United States to operate vessels and aircraft within Palau in accordance with Section 324 of the Compact shall not constitute an authorization for

the United States to engage in actions inconsistent with restrictions or limitations agreed to by the United States in Section 324 of the Compact as constitutionally approved by Palau and United States.

Section 4. Referendum.

(1) The President of the Republic of Palau is hereby authorized to set a date for a referendum on the Compact and its Subsidiary Agreements, said referendum to be held no later than December 16, 1986. The President shall choose one day for the referendum.

(2) There shall be a period of Political Education commencing on the date this bill is signed into law, and continuing until the day preceding the referendum, inclusive.

(3) On the date selected by the President in accordance with Section 4(1), above, there shall be a National Election ("the referendum"), in accordance with the Constitutional requirements of the Republic of Palau, to determine whether the voters of Palau approve the Compact and its Subsidiary Agreements.

(4) The Election Ballot shall be worded as follows:

"Place an 'x' or other mark in one box.

DO YOU APPROVE FREE ASSOCIATION WITH THE UNITED STATES AS SET FORTH IN THE COMPACT OF FREE ASSOCIATION SIGNED ON JANUARY 10, 1986, INCLUSIVE OF ITS SUBSIDIARY AGREEMENTS AND AS SUBSEQUENTLY ENACTED BY THE UNITED STATES CONGRESS EXPRESSLY APPROVING THE PROVISIONS OF THE COMPACT, INCLUDING ITS SECTION 324, WHEREBY THE GOVERNMENT OF THE UNITED STATES, IN CARRYING OUT ITS SECURITY AND DEFENSE RESPONSIBILITIES UNDER THE COMPACT OF FREE ASSOCIATION, HAS THE RIGHT TO OPERATE NUCLEAR CAPABLE OR NUCLEAR PROPELLED VESSELS AND AIRCRAFT WITHIN THE JURISDICTION OF PALAU?

YES

NO



There shall be no other question or issue on the ballot. The ballot shall be printed in English and Palauan.

(5) For the Compact of Free Association to be approved, the ballot proposal set forth above must receive the approval of not less than three-fourths (3/4) of the valid votes cast.

(6) The President or his designee shall be Referendum Commissioner. The Referendum Commissioner shall conduct the referendum according to this Act and to those provisions of Title 23 ("Elections"), Palau National Code, which are not inconsistent with this Act.

(7) Any citizen of the Republic of Palau entitled to vote in national or state elections may register to vote in the referendum, provided that any such person who is currently registered in the General Voters Registry maintained by the National Election Commissioner need not re-register in order to vote in this referendum.

(8) Any person qualified and desiring to vote, but who is not registered, may submit his application for registration to vote in accordance with applicable laws, rules and regulations. However, such application may be submitted at any time up to and including the date of the referendum, and any qualified person so submitting such an application shall be permitted to cast his vote.

(9) All voting in the referendum authorized by this Act shall be by secret ballot.

(10) The Referendum Commissioner shall promulgate rules and regulations governing the conduct of the referendum conducted pursuant to

this Act. The rules and regulations shall be designed so as to allow for a fair and impartial referendum wherein the people of the Republic of Palau may choose their future political status.

(11) The Referendum Commissioner shall have the authority to establish polling places outside the territorial jurisdiction of Palau in locations and on dates different from the date of the referendum conducted within the Republic of Palau, as he deems necessary. The Referendum Commissioner shall promulgate rules and regulations governing the conduct of such polling places.

(12) A voter shall have the right to vote at any polling place without giving advance notice.

(13) Any voter who is present at a place outside the jurisdiction of the Republic of Palau where there is no established polling place may cast his vote by absentee ballot.

(14) Voting by absentee ballot shall be accomplished according to the provisions of 23 PNC Chapter 15, Subchapter II. However, requests for absentee ballots may be made in writing to the Referendum Commissioner no later than the day before the date of the referendum. The absentee ballots shall be mailed or delivered to the Referendum Commissioner no later than the established closing hour of the referendum election on the day selected for the referendum, provided that, if mailed, it should be postmarked no later than the day of the referendum. In order to be valid, an absentee ballot must be received by the Referendum Commissioner no later than two days after the date selected for the referendum.

(15) Title 23 ("Elections") of the Palau National Code, or any other laws that are inconsistent or in conflict with the provisions of this Act, including Title 6 ("Administrative Procedures Act") of the

Palau National Code are hereby suspended to the extent that they are inconsistent with this Act until the results of the referendum are duly certified by the President of the Republic of Palau, for the purpose of this Act only.

(16) The election commissioner shall certify the election vote count no later than December 30, 1986.

(17) Any substantive change made by the United States Congress to the Compact and its Subsidiary Agreements subsequent to this referendum will require further resolution and further ratification, in accordance with the Constitution.

(18) The President of the Republic of Palau shall not transmit the National Development Plan required in 231(a) of the January 10, 1986 Compact without first obtaining a joint resolution of the Olbiil Era Kelulau, approved by a simple majority of each house, authorizing transmittal to the United States.

(19) The President of the Republic of Palau shall not implement the Compact without first obtaining a joint resolution of the Olbiil Era Kelulau, approved by a simple majority of each house, authorizing implementation.

(20) There is hereby authorized to be appropriated and is appropriated the sum of \$275,000 from the National Treasury, as granted to the Republic by the United States Department of the Interior pursuant to the request of the President of the Republic, to fund the Special Election and Political Education.

(a) The sum of \$100,000 shall be administered by the Election Commissioner and shall be used exclusively to fund the Special Election.

(b) The sum of \$175,000 shall be administered by the Chairman of the Political Education Committee and shall be used exclusively to fund political education of the voters.

(c) The Chairman of the Political Education Committee shall submit reports to the presiding officers of the Olbiil Era Kelulau not later than ninety days after the referendum, accounting for all sums expended. Any funds authorized and appropriated by this Section and remaining unobligated or unexpended as of thirty days after the referendum shall lapse and revert to the National Treasury.

(21) There is hereby established a five (5) member Political Education Committee consisting of the following:

(a) Three (3) members appointed by the President of the Republic of Palau.

(b) Two (2) members appointed by the Olbiil Era Kelulau, one of whom shall be appointed by the President of the Senate, and one of whom shall be appointed by the Speaker of the House of Delegates.

The President of the Republic of Palau shall appoint one of the above members to act as Chairman.

(22) Each member of the Committee shall serve until the date the Referendum, as authorized by this Act, is conducted. The members shall be compensated at rate of thirty-five (\$35) dollars per diem, plus actual related expenses.

(23) The Committee shall organize, supervise and oversee a political education program on the Compact of Free Association and its Subsidiary Agreements. The program shall be conducted in a manner aimed at informing and educating the people of the Republic of Palau in an impartial manner as to the contents of the Compact of Free Association and its Subsidiary Agreements, and particularly the amendments added to the Compact at the time of its recent approval by the United States Congress, so as to enable the

people to make an informed choice in the referendum conducted pursuant to this Act. In doing so, the Committee may:

(a) Hire such staff as it may deem necessary within the limits of appropriations for the Committee's work;

(b) Translate, print and distribute copies of the amendments added to the Compact at the time of its recent approval by the United States Congress and explanatory materials.

(c) Travel within and without the Republic; and

(d) Do such other and related things as may be necessary to accomplish its functions.

Section 5. Trust Fund administration.

(1) There shall be a five member Board of Trustees to oversee the administration of the Trust Fund created in Section 211(f) of the January 10, 1986 Improved Compact of Free Association.

(2) The President shall appoint five members to the Board of Trustees subject to the advice and consent of the Senate. Members of the Board shall serve terms of four years and shall serve at the pleasure of the President of the Republic of Palau.

(3) The Board shall give its advice to the President of the Republic, with respect to investment of the funds in the 211(f) Trust Fund. The Board is advisory only, and may employ financial consultants as needed.

(4) Board members shall serve without compensation.

(5) The Board shall make a quarterly financial report to the President of the Republic and the Olbiil Era Kelulau.

Section 6. Funds affected. It is hereby authorized that all funds received by the Republic of Palau pursuant to Section 211(b); 211(f); 212(b); 213; and 221(b) of the January 10, 1986 Improved Compact shall be commingled into the 211(f) Trust Fund for investment purposes; however, said

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funds and the income derived therefrom shall remain segregated for appropriation purposes. No funds shall be withdrawn from the 211(f) Trust Fund except through the constitutional appropriation process.

Section 7. Advice and Consent. Prior to any investment of the 211(f) commingled trust funds, the President shall first obtain the advice and consent of each house of the Olbiil Era Kelulau, by simple majority resolution.


Section 8. Repealer. Section 5 of RPPL No. 2-14 is hereby repealed.

Section 9. Effective date. This Act shall take effect upon its approval by the President of the Republic of Palau, or upon its becoming law without such approval, except as otherwise provided by law.

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PASSED: October 28, 1986

Approved this 29 day of October 1986

  
\_\_\_\_\_  
Lazarus E. Salii  
President  
Republic of Palau

OFFICIAL BALLOT

REPUBLIC OF PALAU  
REFERENDUM  
ON THE  
COMPACT OF FREE ASSOCIATION  
DECEMBER 1986

DO YOU APPROVE FREE ASSOCIATION WITH THE UNITED STATES AS SET FORTH IN THE COMPACT OF FREE ASSOCIATION SIGNED ON JANUARY 10, 1986, INCLUSIVE OF ITS SUBSIDIARY AGREEMENTS AND AS SUBSEQUENTLY ENACTED BY THE UNITED STATES CONGRESS EXPRESSLY APPROVING THE PROVISIONS OF THE COMPACT, INCLUDING ITS SECTION 324, WHEREBY THE GOVERNMENT OF UNITED STATES, IN CARRYING OUT ITS SECURITY AND DEFENSE RESPONSIBILITIES UNDER THE COMPACT OF FREE ASSOCIATION, HAS THE RIGHT TO OPERATE NUCLEAR CAPABLE OR NUCLEAR PROPELLED VESSELS AND AIRCRAFT WITHIN THE JURISDICTION OF PALAU?

KAU KEKONGEI RA MIMOKL DELEUIL LOBEL SEL A MERIKEL EL NGARA ELSEL A COMPACT RA FREE ASSOCIATION EL ULDIMUKL ER NGII A MEKEKEREI EL TELBIIL, EL MLENGA A AING ER NGII RA JANUARY 10, 1986, EA CONGRESS RA MERIKEL A KILENGEI NGII EL TEKOI RA ELSEL TIAL COMPACT, LOBENGKEL SEL 324 EL BADES EL RULLII MA AMT RA MERIKEL SEL LORUUL NGERCHELEL EL KIREL OMENGKAR MA OMENGWATEL EL OLTIRAKL ER TIAL COMPACT ENG NGARNGII A LLEMELTEL EL OUSPECH A DIKEL MA SKOKI LOUKLEKEDALL MALECHUB ENG OU CHELUCH A KENSI, RA ELSEL A KERENGSEL RA BELUU ER BELAU?

Place an "X" or other mark in one box.

Mliang a "X" malechub eng kuk tar olangch era chelsel a tatakahol.

YES  
CHOI

☐

NO  
DIAK

☐

Annex IV

EXECUTIVE ORDER NO. 50 OF 11 NOVEMBER 1986

REPUBLIC of PALAU

*Office of the President*

P.O. Box 100, Koror, Palau 96940  
Phone: 828/403 Telex: 728-8914



Lazarus E. Salii  
President

EXECUTIVE ORDER NO. 50

**To Amend Executive Order No. 47 by Changing  
the Dates of the Various Off-Island Referenda**

WHEREAS, numerous citizens and leaders of the off-island Palauan communities have requested that the date(s) of their plebiscite and referenda be held on weekends so as to permit the maximum participation of their respective communities;

NOW, THEREFORE, by virtue of the authority vested in me by the Constitution of the Republic and Public Law No. 2-22, I hereby designate Saturday, November 29, 1986 as the date for the referendum and plebiscite on the Compact of Free Association for Guam, Saipan, Federated States of Micronesia and the Republic of the Marshall Islands;

FURTHER, I hereby designate Sunday, December 7, 1986 as the date for the referendum and plebiscite on the Compact of Free Association for Hawaii and the continental United States. Executive Order No. 47 is hereby amended accordingly.

Dated this 11 day of November, 1986.

  
\_\_\_\_\_  
Lazarus E. Salii  
President



Annex V

LETTER DATED 4 DECEMBER 1986 FROM THE STATUS LIAISON OFFICER ADDRESSED TO  
THE CHAIRMAN OF THE VISITING MISSION

December 4, 1986

The Honorable Jean-Pierre Guinhut  
Chairman  
U.N. Visiting Mission  
c/o Palau Pacific Resort

Dear Mr. Chairman:

The attached request from the President of the Republic of Palau is transmitted on behalf of the Administering Authority. In his letter, President Salii requests that members of your Mission be present in Honolulu on December 7 for the voting on the Plebiscite and on December 8 for the subsequent tabulation of votes. The United States supports this invitation and hopes you and your Mission will be able to be present.

Sincerely,

A handwritten signature in black ink, appearing to read "William Warren", with a long horizontal flourish extending to the right.

William Warren  
Status Liaison Officer

Annex VI

LETTER DATED 4 DECEMBER 1986 FROM THE PRESIDENT OF PALAU ADDRESSED  
TO THE CHAIRMAN OF THE VISITING MISSION



**Lazarus E. Sali**  
*President*

**REPUBLIC of PALAU**  
*Office of the President*

*P.O. Box 100, Koror, Palau 969  
Phone: 828/403 Telex: 728-89.*

December 4, 1986  
Serial: 206


The Honorable Jean-Pierre Guinhut  
Chairman  
U.N. Visiting Mission  
c/o Palau Pacific Resort

Dear Mr. Guinhut:

In order to expedite the tabulation of ballots for Palauans living in Hawaii and the Mainland United States, it has been decided to count their votes in Hawaii beginning on Monday, December 8, 1986.

I invite you and other mission members as you see fit to be present in Hawaii for the voting on December 7, 1986 and the subsequent tabulation on December 8 and for so long as maybe necessary to complete the tabulation.

Sincerely yours,

  
**Lazarus E. Sali**  
President

cc: Bill Warren, Status Liaison Officer

Annex VII

LETTER DATED 5 DECEMBER 1986 FROM THE CHAIRMAN OF THE  
VISITING MISSION ADDRESSED TO THE STATUS LIAISON OFFICER

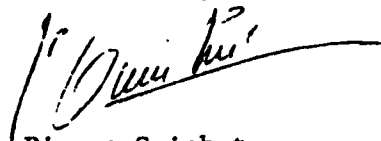
5 December 1986

Dear Mr. Warren,

I should like to refer to your letter of 4 December 1986 enclosing a request from the President of Palau which asks that members of the United Nations Visiting Mission to Palau be present in Hawaii on 7 December 1986 to observe the plebiscite on the compact of free association and the subsequent counting and tabulation of votes from Hawaii and the United States mainland beginning on 8 December 1986 in Honolulu. I note from your letter that the Administering Authority supports the request made to the Mission by the President of Palau.

In this regard, and following consultations with the President of the Trusteeship Council, I wish to inform you on behalf of the Visiting Mission that we shall, as requested, observe both the polling and counting and tabulation of votes in Hawaii on the dates indicated above.

Yours sincerely,



Jean-Pierre Guinhut  
Chairman, United Nations  
Visiting Mission to Palau

Mr. William Warren  
Status Liaison Officer  
c/o Palau Pacific Resort  
Koror, Palau

Annex VIII

MEMORANDUM DATED 17 NOVEMBER 1986 FROM THE MINISTER OF  
SOCIAL SERVICES TO DIRECTORS OF GOVERNMENT BUREAUX

To: Director of Bureau of Education  
Director of Bureau of Health Services  
Director of Bureau of Community Services  
Acting Director of Area Agency on Aging  
Acting Ex. Director of Belau National Museum

From: Minister of Social Services

Subject: Approval of Compact as priority programme

Since the approval of the Compact of Free Association with United States of America is the top priority programme of the Executive Branch of our National Government, it is expected of all personnel to campaign vigorously for the Compact in order that 75 per cent approval on the 2 December referendum be obtained.

Any personnel under your supervision who choose to campaign otherwise shall be reported to me at once. Also if any such personnel use materials, equipment, or the like that are properties of the National Government to campaign against the Compact, I request that the matter be brought to my attention immediately. It is no longer tolerable for civil service employees to oppose the system while remaining in it and enjoying all benefits due dedicated employees.

I request that you treat this matter very important to the well-being of us all.

(Signed) Nobuo SWEI

Annex IX

MEMORANDUM DATED 21 NOVEMBER 1986 FROM THE ASSISTANT DIRECTOR OF  
EDUCATION, TO ALL PUBLIC SCHOOL PRINCIPALS

TO: All public school principals

FROM: Assistant, Director of Education

SUBJECT: Temporary suspension of school instruction

Public elementary school principals are hereby informed that beginning Monday, 24 November 1986, all school instructional activities shall be suspended until 2 December 1986. Normal instructional programmes or activities will resume on Wednesday, 3 December 1986.

Palau High School shall suspend instructional activities, beginning 25 November 1986. However, students are requested to wear their school uniform and join the government rally on Friday, 28 November 1986, at 1 p.m. at the Palau Baseball Stadium. Instruction at the Palau High School shall also resume on 3 December 1986.

All public school teachers shall go on administration leave to campaign for the Compact of Free Association with the United States. All other education personnel are also requested to join the government rally on Friday, 28 November 1986, at 1 p.m. at the Palau Baseball Stadium.

This memo is based on the direction and instruction by the Minister of Social Services.

(Signed) Steve UMETARO

cc: Minister of Social Services  
All education divisions and activities

Annex X

MEMORANDUM DATED 28 NOVEMBER 1986 FROM THE ELECTION COMMISSIONER/MINISTER  
OF STATE TO ALL GOVERNMENT EMPLOYEES

JOHN O. NGIRAKED  
Minister of State

**REPUBLIC OF PALAU**  
*Minister of State*

Tel: 509  
Cable: GOV'T PALAU

P.O. Box 100, Ministry of State, Koror, Republic of Palau 96940

November 28, 1986

**Memorandum**

To : All Government Employees  
From : Election Commissioner/Minister of State  
Subject : RIGHT TO VOTE

Recently we have heard opponents of the Compact in the Olbiil Era Kelulau accuse the President of wrong-doing in his continued support of the Campaign in support of the Compact of Free Association with the United States. A memorandum has also been shown to the viewing audience which, read out of context, might make some people think that the President is attempting to prevent people from voting as they wish on election day.

Please be assured that such is not, has never been, and will not be, the true story.

Our President has worked hard for many years, in order to obtain for all the people of Palau a relationship with the United States which will be in the best interests of the people of Palau. As the years have passed by, your President has fought a long and hard struggle to improve the Compact, we have now arrived at a Compact which is fair, just, and in the best interests of the Republic of Palau, your Government, and all of Palau's citizens.

We now stand at a crossroads. Your President has finally succeeded, after many years of effort, in securing a Compact agreement with the United States which will help you, and your children, and your grandchildren, enter a better world. The Compact has reached the stage where you, the people of Palau, take the final step toward self-government and independence, and take your place in the world.

However, the President cannot take that step for you. You, with your voice, are the necessary key that opens the door to Palau's future.

Your President has worked hard for many years to make Palau a better place for you and your children, and he is, naturally, strongly in support of the Compact necessary to make Palau a better place. The Government supports the Compact, the Government wants you to campaign for the Compact, and the Government wants you to vote for the Compact.

The official position of the Government in support of the Compact has been made known to all Ministers. The President has the right, as do all citizens, to make known his views on the Compact, and he has, in an effort to make this vital treaty available for the benefit of the people of Palau, urged his Ministers and others in the Government to campaign for the Compact.

On November 24th, a distinguished member of the Olbiil Era Kelulau showed the people of Palau a memorandum signed by one of your distinguished Ministers. Because this Memorandum was discussed only out of context, we feel it is important for you, the people of Palau, to understand what the Government expects of its employees.

First - All of you have the right to vote as you wish. We support the Compact, and exercise our rights to campaign and urge you to vote for the Compact. However, we do not intend to in any manner infringe or disrupt your right to vote as you wish. The memorandum which was shown on TV did not in any fashion attempt to stop anyone from voting as they wish, and the Government reminds all of you that your own vote, cast as you want to cast it, is a precious right which is yours alone.

Second - Any citizen can campaign for or against the Compact. However, government employees have been told that they may not campaign against the Compact during working hours. It is the official position of this administration that the Compact should be approved by you, the people. When speaking in their capacity as government employees, it is expected that employees will not assert a position contrary to the position of their government.

As we examine the Minister's memorandum, we read that all individuals are urged to campaign for the Compact. We can only agree with this. Your President supports the Compact, your OEK supports the Compact, your Government supports the Compact. All individuals may express their opinions. The Minister has expressed his opinion that the employees should support the Compact and has urged employees to campaign for the Compact. The position of your government supports that, and urges all citizens of Palau to support the Compact.

In his memorandum, the Minister asked to be notified if anyone campaigning against the Compact used materials, equipment or other property belonging to the National Government. Again, we believe that this is a perfectly acceptable measure on the part of a responsible and supportive government leader. To do otherwise would be to allow anyone to use government materials, equipment, and time for any purpose they deemed to be worthwhile.

We believe that this is proper because:

One - A management official certainly can allow, or disallow, use of government property during a campaign depending on the uses to which it is put. Since the Government whole-heartedly supports the Compact, the Government can allow use of government properties in support of the government's own position. Conversely, should anyone campaign against the Compact and against the Government's position, it is surely within the power of the government to request that no government property be used for such a campaign.

Two - It is proper to campaign during working hours if the management official approves of the campaigning. The Government does not allow campaigning during working hours for political candidates. However, in this instance it is not a candidate for public office who is being elected. In this case Palau's future, and the future of you and your children, is being put to the test. We believe that in certain instances campaigning can be done during working hours. The management officials, Ministers, Directors and others can allow campaigning during working hours, and can make such time for campaigning available for those who choose to support the position of the government.

For employees who support the Compact, it is proper to allow some time during working hours to work for the Compact in support of their government and its efforts to provide a better future.

For those who wish to campaign against the Compact and against the position of your Government and your leaders, time for campaigning is available outside of working hours. We do not believe that such campaigning, so contrary to your wishes and the interests of your government, should be paid for at government expense.

Last, there has been some statement and rumor that the government will take reprisals against those who work against the Compact. There will be no reprisals taken against anyone because of his or her opinion or vote on the Compact. The memorandum so carelessly displayed before you does not discuss or warn of any reprisals, and has made no threats. Your government is not threatening you.

Your President and your OEK support the Compact and we again ask you humbly to campaign for, and vote for, the Compact. Together we will stand united and face the future together.

Thank you.

A handwritten signature in dark ink, appearing to read 'John O. Ngiraked', with a large, sweeping flourish extending from the end of the name.

John O. Ngiraked



Annex XI

WRITTEN COMMUNICATIONS RECEIVED BY THE VISITING MISSION  
IN KOROR, PALAU\*

1. Rules and regulations - Public Services System, 1984, National Civil Service Board
2. Letter dated 30 November 1986 and attachment from Ms. Else Hammerich, Member of the European Parliament (Denmark) and of the International Independent Observer Delegation of the 2 December plebiscite in Palau
3. Statement of the International Independent Observer Delegation dated 3 December 1986
4. Letter dated 3 December 1986 from Mr. Roger S. Clark, Distinguished Professor of Law, Rutgers University, Camden, New Jersey
5. Statement to the press dated 5 December 1986 by Ms. Else Hammerich, Elected Member of the European Parliament (Denmark), and Mr. David Wright, National President of Lawyers for Social Responsibility and Chairperson of the United Church Peace Network for Toronto Conference, Q.C. (Canada)

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\* The communications have been placed in the files of the Secretariat and are available to members of the Trusteeship Council for consultation.

Annex XII

MEMORANDUM DATED 15 DECEMBER 1986 FROM THE REFERENDUM  
COMMISSIONER TO THE PRESIDENT OF PALAU

**REPUBLIC OF PALAU**

*Minister of State*

JOHN O. NGIRAKED  
Minister of State

Tel: 509  
Cable: GOV'T PALAU

P.O. Box 100, Ministry of State, Koror, Republic of Palau 96940

15 December 1986  
Our ref: MS87

**Memorandum**

To : The President, Republic of Palau  
From : Minister of State/Referendum Commissioner  
Subject : Certification of Referendum Results

I am forwarding for your approval the attached certification of referendum results. Please note that total votes cast and their corresponding "YES" and "NO" votes have increased with the inclusion of 556 votes cast in Hawaii and U.S. West Coast areas. This figure was not included in the earlier report submitted by the Counting and Tabulation Committee.

For your information, there has been no petition for recounts of votes cast either in Hawaii or U.S. Mainland. The ballots cast in these areas were counted in Honolulu in the presence of the United Nations representatives. However, the staff of the Public Affairs Division and five members of the Counting and Tabulation Committee have verified the accuracy of the reports submitted by the Palau/Hawaii Liaison Office. The Counting made in Honolulu found to be correct and accurate.



John O. Ngiraked

**Attachments**

Annex XIII

PRESIDENTIAL PROCLAMATION NO. 37-86  
CERTIFYING THE OFFICIAL RESULTS OF THE PLEBISCITE



**Lazarus E. Salii**  
*President*

**REPUBLIC of PALAU**  
*Office of the President*

P.O. Box 100, Koror, Palau 96940  
Phone: 828/403 Telex: 728-8914

PRESIDENTIAL PROCLAMATION NO. 37-86

CERTIFICATION OF THE REFERENDUM BALLOT RESULTS  
ON THE COMPACT OF FREE ASSOCIATION

Pursuant to the Republic of Palau Public Law No. 2-22, I do hereby certify as true, accurate and final the following results of the ballots cast in the Referendum on the Compact of Free Association by the eligible voters of the Republic of Palau on November 29, December 2, and December 7, 1986:

Total Registered Voters .....	10,760
Total Votes Cast .....	8,824 (82% of TRV)
Total Invalid Ballots .....	49 (00.5%)
Total Valid Ballots .....	8,775 (99.5%)
 Total "YES" Votes .....	 5,789 (65.97%)
Total "NO" Votes .....	2,986 (34.03%)

So certified on this 15 day of December, 1986.

  
\_\_\_\_\_  
**Lazarus E. Salii**  
President

Annex XIV

LIST OF PEOPLE MET AND MEETINGS HELD

A. List of people met

People met at Koror

Executive branch

The Hon. Lazarus E. Salii, President of Palau

The Hon. John O. Ngiraked, Referendum Commissioner  
and Minister of State

Legislative branch

House of delegates

Delegate F. Kazuo Asanuma (Melekeok State)

Delegate Surangel Whipps (Ngatpang State)

The Senate

The Hon. Joshua Koshiba, President

Senator Sam "Yoyo" Masang

Senator Nicholas "Niko" Rechebei

Senator Isidoro Rudimch

Senator Itelbang Luii

Senator John T. Sugiyama

Senator Koniwo Nakamura

Senator Peter E. Sadang

Senator Lucius "Lakius" Malsol

Senior plebiscite officers

The Hon. Franz Reksid, Chairman, Political Education Committee

Mr. William Tabelual, Vice-Chairman, Political Education Committee

Mr. Kaleb Udui, Member, Political Education Committee

Mr. Daiziro Nakamura, Senior Elections Officer

## Council of Chiefs

Ibedul Yutaka M. Gibbons, High Chief and Administrator of Koror State  
(Chairman of the Council of Chiefs)

Balang Toyomi O. Singeo of Peleliu State

Mr. Alfonso Oiterong, former President of Palau

### 2. Palauan officials met at Honolulu

Ibedul Yutaka M. Gibbons, High Chief and Administrator of Koror State  
(Chairman of the Council of Chiefs)

Senator George Ngirarsaol, Senator, Palau Congress

Delegate Hide Termeteet, Delegate, Palau Congress

Mr. Baules Sechelong

Mr. Bena Sakuma

Mr. Silas Orrukem

## B. Meetings held

### 1. Koror

Meeting with the President of Palau

Meeting with the Referendum Commissioner/Minister of State

Meeting with the leadership of the Olbiil Era Kelulau (Palau National Congress)

Meeting with the Chairman and members of the Political Education Committee

Meeting with community leaders and the general public at the Senate Chamber

### 2. Honolulu

Meeting with Mr. Silas Orrukem, Palau Liaison Officer

Annex XV

ITINERARY OF THE VISITING MISSION

28 November 1986	Honolulu	Arrived from New York
29 November		Departed by air for Guam (crossed the international date-line)
30 November	Guam	Arrived from Honolulu
	Koror, Palau	Arrived from Guam
		Members observed preparations and arrangements for polling day
		Met with the Referendum Commissioner/Minister of State
1 December	Koror	Paid a courtesy call on the President of Palau
		Met with the Chairman and some members of the Political Education Committee
		Met with the President and some members of the Senate of the <u>Olbiil Era Kelulau</u> (Palau National Congress)
		Met with two members of the House of Delegates of the <u>Olbiil Era Kelulau</u>
		Met with community leaders and the general public
2 December	Koror	Mission formed four teams - A, B, C and D
		<u>Team A</u>
		Observed polling places in Koror and Airai

Team B

Departed by boat for Eastern  
Babelthuap

Observed polling places in  
Ngiwal; Melekeok; Ngchesar,  
Ngerngesang and Ngersuul  
(Ngchesar State)

Departed by boat for Koror

Team C

Departed by boat for Western  
Babelthuap

Observed polling places in  
Ngardmau; Ngaraard;  
Ngermetengel (Ngaremlengui  
State); Ngatpang; Ngchemiyangel  
and Ngerkeai (Mongami)  
(Aimeliik State)

Departed by boat for Koror

Team D

Departed by air for Peleliu and  
Angaur

Observed polling places in  
Peleliu and Angaur

Departed by air for Koror

2 December

Koror

Members of Mission observed  
polling places in Koror and  
Airai

Mission observed counting and  
tabulation of votes

3 December

Koror

Mission observed counting and  
tabulation of votes

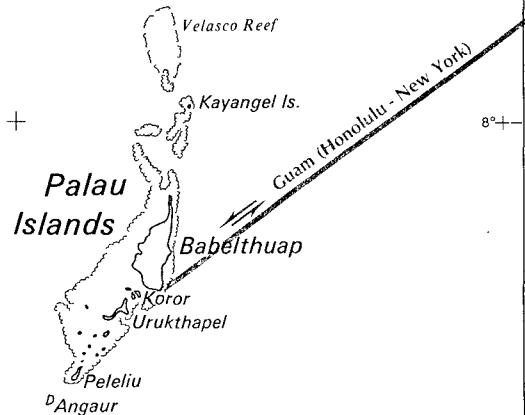
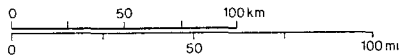
Meeting with the Referendum  
Commissioner/Minister of State

Mission observed counting and  
tabulation of votes

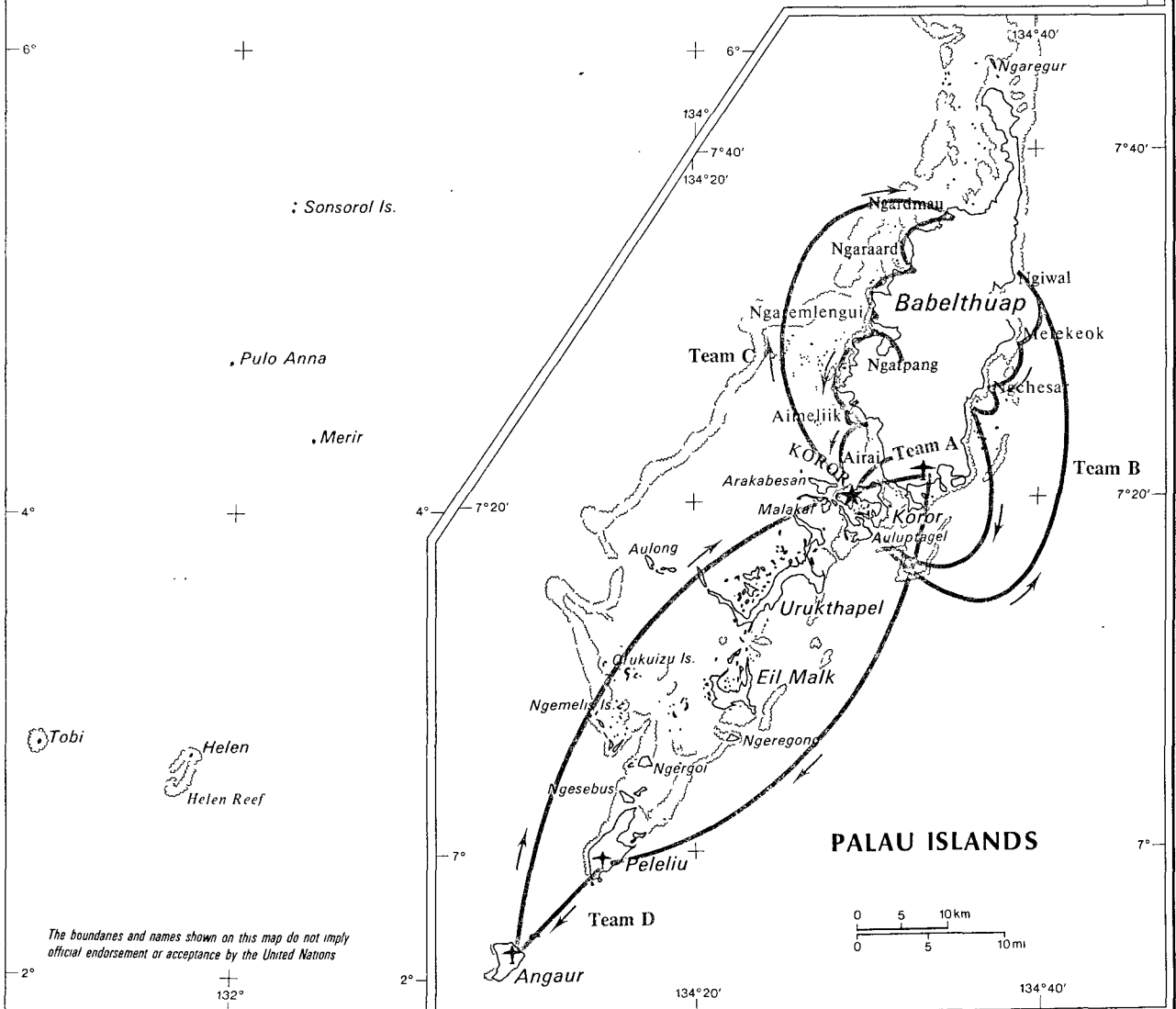
4 December		Mission observed counting and tabulation of votes
5 December		Mission paid a final courtesy call on the President of Palau
		Meeting with the Referendum Commissioner/Minister of State
		Mission observed counting and tabulation of votes
		Mission attended a reception given in its honour by the Referendum Commissioner/Minister of State on behalf of the President of Palau
6 December	Koror	Departed by air for Guam
	Guam	Arrived from Koror
7 December	Guam	Departed by air for Honolulu (crossed the international date-line)
	Honolulu	Mission formed two teams - A and B
		<u>Team A</u>
		Observed polling place in Honolulu
		<u>Team B</u>
		Departed by air for Hilo
		Observed polling place in Hilo
8 December		Departed by air for Honolulu
		Mission observed counting and tabulation of votes
9 December		Mission observed counting and tabulation of votes
10-11 December		Members of Mission returned to New York



ITINERARY OF THE  
UNITED NATIONS VISITING MISSION  
TO OBSERVE THE PLEBISCITE IN PALAU  
TRUST TERRITORY OF THE PACIFIC ISLANDS  
December 1986



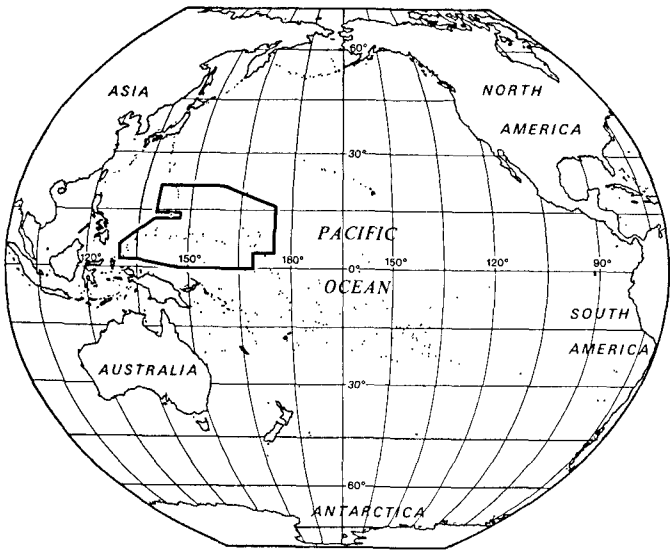
NORTH PACIFIC OCEAN



The boundaries and names shown on this map do not imply official endorsement or acceptance by the United Nations

TRUST TERRITORY OF THE PACIFIC ISLANDS

- ★ Trust Territory Headquarters
- Island
- ⊙ Atoll
- ✈ Airport



Iwo Jima  
Volcano Is  
Minami Iwo Jima  
Minami Tori Shima

Mariana Islands

NORTHERN  
MARIANA  
ISLANDS  
Farallon de Pajaros  
Supply Reef  
Maug Is  
Asuncion  
Agrihan  
Pagan  
Alamagan  
Guguan  
Sarigan  
Anatahan  
Farallon de Medinilla

Saipan  
Aguigan  
Tinian

Rota

GUAM

North Pacific Ocean

Wake

Taongi

MARSHALL ISLANDS

Eniwetok  
Bikini  
Ailinginae  
Rongerik  
Taka  
Utirik  
Ailuk  
Mejit  
Jemo  
Wotje  
Erikub  
Maloelap  
Aur  
Majuro  
Arno  
Knox  
Mili  
Kili  
Ebon  
Namorik  
Jaluit  
Ailinglapalap  
Lib  
Namu  
Jabwot  
Roi-Namur  
Lae  
Carlos  
Kwajalein  
Ujae  
Wotho  
Likiep  
Rongerik  
Rongelap

Kosrae

KOSRAE

KIRIBATI

Makin  
Maraker  
Abaiang  
Tarawa  
Maiana  
Abemama  
Kuria  
Aranuka

NAURU

Banaba

POHNPEI

Eastern Caroline Islands

Truk Islands  
Mortlock Is  
Satawan  
Lukunor  
Etal  
Namuluk  
Kuop  
Dublon  
Nama  
Losap  
Pulap  
Uranie Bank  
Pulawat  
Hitchfield Bank  
Gray Feather Bank  
Moyam Bank  
Ulul  
Magur Is  
Hall Is  
Murilo  
Nomwin  
Fayu  
Mintoo Reef  
Oruluk  
Nukuoro  
Kapingamarangi

PAPUA NEW GUINEA

Saint Matthias Group  
Mussau  
Emirau

Admiralty Is  
Manus  
Rambutyo  
New Hanover  
New Ireland

Ninigo Group  
Wuvulu  
Hermit Is

Kaniet Is

INDONESIA

IRIAN JAYA

Western Caroline Islands

PALAU

Palau  
Koror  
Babelthua  
Urukthapel  
Angaur  
Peleliu

Yap Islands

YAP

Sorol

Uliithi  
Zohhonyoru Bank  
Fais

Ngulu

Velasco Reef  
Kayangel Is

Sonsorol Is

Pulo Anna  
Merir

Asia

Ayu

Waigeo

Salawati

Misool

Seram

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