



Republic of Palau
Office of the President

Tommy E. Remengesau, Jr.
President

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April 17, 2018
Serial No. 18-584

The Honorable Hokkons Baules
President of the Senate
10th Olbiil Era Kelulau
Ngerulmud, Palau National Capitol
Republic of Palau 96939

Signing Statement Re: SB No. 10-5, SD4, HD2, PD1 – Establishing a moratorium on, and increasing penalties for, the harvesting, taking, selling, purchasing, or killing of hawksbill turtles.

Dear President Baules:

This is a proud day, as today I sign into law Senate Bill No. 10-5, SD4, HD2, PD1, which establishes a moratorium on, and increases the penalties associated with, the harvesting, taking, selling, purchasing, or killing of hawksbill turtles.

As you are aware, the hawksbill turtle is a critically endangered animal that relies on Palau and its surrounding waters, more so than those of any other nation on earth, to nest and reproduce. It is endangered largely because of illegal poaching. Given the turtle's significant status in the history, culture, and ecology of the Republic of Palau, it is obvious that we must do everything in our power to save it. By protecting the hawksbill turtle, we will not only help save an endangered species, but we will allow our children, and visitors from all over the globe, to enjoy this unique and beautiful animal for years to come. By implementing a ten-year moratorium on the harvesting, taking, or intentional killing of the hawksbill turtle, which is supported by Mechesil Belau and the Palau Conservation Society, we are helping the species rebuild its population off the shores of our nation. Additionally, during this moratorium, "no part of the hawksbill turtle may be used for any purpose, including but not limited to trade, consumption, import, or export, except for the existing use of the traditional "toluk" or women's money already in circulation."

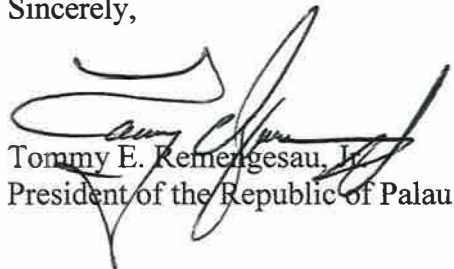
This is, of course, subject to a two year "sell-off" period, in which we will ensure that our local businesses that have spent significant sums of money obtaining products that were, at the time, legal to sell, are protected. During this two year period, it will be legal for those businesses already in possession of goods made from the hawksbill turtle to continue selling those goods, and for customers to continue purchasing those goods. This is balanced by the fact that it will be illegal for these same businesses to replenish their supply, and similarly for manufacturers to produce such goods. The moratorium will otherwise remain as is, and after the sell-off period, it will likewise be illegal to sell or purchase items made from the hawksbill turtle.



It is also important to note that this legislation increases the penalties associated with this moratorium. This is a necessary enforcement device, and it shows how seriously we take this issue. As a result of incrementally increasing penalties, multiple convictions can now lead to fines as high as \$20,000, in addition to jail time.

I thank you for taking into consideration the need to protect our local businesses, and for making a law that is both practical and environmentally friendly. Thank you for showing a true dedication to keeping Palau's marine life safe, and for maintaining our proud ecological heritage. This bill will play an important part in saving a unique species.

Sincerely,

A handwritten signature in black ink, appearing to read "Tommy E. Remengesau, Jr.", is written over the printed name and title.

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



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April 17, 2018
Serial No. 18-584

The Honorable Sabino Anastacio
Speaker of the House of Delegates
10th Olbiil Era Kelulau
Ngerulmud, Palau National Capitol
Republic of Palau 96939

Signing Statement Re: SB No. 10-5, SD4, HD2, PD1 – Establishing a moratorium on, and increasing penalties for, the harvesting, taking, selling, purchasing, or killing of hawksbill turtles.

Dear Speaker Anastacio:

This is a proud day, as today I sign into law Senate Bill No. 10-5, SD4, HD2, PD1, which establishes a moratorium on, and increases the penalties associated with, the harvesting, taking, selling, purchasing, or killing of hawksbill turtles.

As you are aware, the hawksbill turtle is a critically endangered animal that relies on Palau and its surrounding waters, more so than those of any other nation on earth, to nest and reproduce. It is endangered largely because of illegal poaching. Given the turtle's significant status in the history, culture, and ecology of the Republic of Palau, it is obvious that we must do everything in our power to save it. By protecting the hawksbill turtle, we will not only help save an endangered species, but we will allow our children, and visitors from all over the globe, to enjoy this unique and beautiful animal for years to come. By implementing a ten-year moratorium on the harvesting, taking, or intentional killing of the hawksbill turtle, which is supported by Mechesil Belau and the Palau Conservation Society, we are helping the species rebuild its population off the shores of our nation. Additionally, during this moratorium, "no part of the hawksbill turtle may be used for any purpose, including but not limited to trade, consumption, import, or export, except for the existing use of the traditional "toluk" or women's money already in circulation."

This is, of course, subject to a two year "sell-off" period, in which we will ensure that our local businesses that have spent significant sums of money obtaining products that were, at the time, legal to sell, are protected. During this two year period, it will be legal for those businesses already in possession of goods made from the hawksbill turtle to continue selling those goods, and for customers to continue purchasing those goods. This is balanced by the fact that it will be illegal for these same businesses to replenish their supply, and similarly for manufacturers to produce such goods. The moratorium will otherwise remain as is, and after the sell-off period, it will likewise be illegal to sell or purchase items made from the hawksbill turtle.



The Senate
TENTH OLBIIL ERA KELULAU
P.O. Box 8, Ngerulmud
Republic of Palau 96939

First Regular Session

January 2017

INTRODUCED AS SENATE BILL NO. 10-5, SD4, HD2,PD1

AN ACT

SEE TITLE INSIDE

INTRODUCED BY SENATOR (S) Phillip P. Reklai, John B. Skebong, Rukebai K. Inabo,
Stevenson J. Kuartei, Aric M. Nakamura, Mark U. Riddinch and Kerai Mariur ET, AL.,

DATE INTRODUCED January 24, 2017

SENATE ACTION

FIRST READING:	January 24, 2017
REFERRED TO:	Resources, Commerce, Trade & Development
STANDING COMMITTEE REPORT NO.:	10-3
DATE ADOPTED:	February 2, 2017
SECOND READING:	February 2, 2017
LEGAL FORMAT:	Proper
REVIEW:	February 3, 2017
THIRD READING:	February 14, 2017
FINAL READING:	March 22, 2018/ April 5, 2018

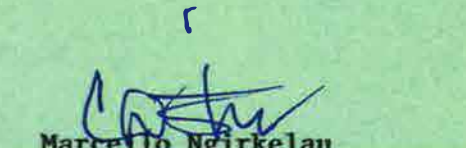
HOUSE ACTION

FIRST READING:	February 15, 2017
REFERRED TO:	Natural Resources & Development
STANDING COMMITTEE REPORT NO.:	10-25
DATE ADOPTED:	May 25, 2017
SECOND READING:	May 25, 2017
LEGAL FORMAT:	Proper
REVIEW:	May 25, 2017
THIRD READING:	March 20, 2018
FINAL READING:	March 22, 2018/April 11, 2018

CONFERENCE COMMITTEE ACTION

DATE:	NONE
COMMITTEE REPORT NO.:	NONE
DATE PASSED:	NONE
FINAL READING:	NONE


Am L. Pedro
CLERK OF THE SENATE


Marcello Ngirkelau
CLERK, HOUSE OF DELEGATES

AN ACT

To amend Title 24 of the Palau National Code to establish a moratorium on the killing and harvesting of hawksbill turtles and increase the penalties associated with unlawful taking or use; and for other related purposes.

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

1 Section 1. Amendment. 24 PNC § 1281 is amended to read as follows:

2 “(a) No sea turtle of any species shall be taken or killed except whose shell is at
3 least thirty four (34) inches when measured over the top of the carapace shell
4 lengthwise, nor shall the eggs of any sea turtle be taken.

5 (b) No sea turtle of any size shall be taken or killed from the first day of May to
6 the thirty-first day of August, inclusive, nor from the first day of December to the
7 thirty-first day of January, inclusive.

8 (c) No hawksbill turtle shall be harvested, taken, or intentionally killed,
9 regardless of location or size of the turtle or the time of year, for ten (10) years after
10 the effective date of this Act. During the moratorium period, no part of the hawksbill
11 turtle may be used for any purpose, including but not limited to trade, consumption,
12 import, or export, except for the existing use of the traditional “toluk” or women’s
13 money already in circulation as of the date of the enactment of this Act. During the
14 moratorium period, businesses that possessed goods made from any part of the
15 hawksbill turtle in their inventory prior to the effective date of this Act shall be allowed
16 to continue selling these goods for two (2) years after the effective date of this Act.
17 During this two (2) year period, consumers shall likewise be permitted to purchase
18 these goods. After this two (2) year period, no part of the hawksbill turtle may be used
19 for commercial sale for the remainder of the moratorium period. During the entire ten
20 (10) year moratorium period, businesses shall not purchase new inventory made from
21 any part of the hawksbill turtle, and manufacturers shall not manufacture goods made
22 from any part of the hawksbill turtle.

(d) A person violating subsections (a), (b), or (c) of this section shall be guilty of a misdemeanor and, upon the first conviction, be fined up to one thousand dollars (\$1,000) but not less than two hundred fifty dollars (\$250); upon the second conviction, be fined up to three thousand dollars (\$3,000) but not less than five hundred dollars (\$500) and sentenced to serve up to thirty (30) days in jail; upon the third conviction, be fined up to five thousand dollars (\$5,000) but not less than one thousand dollars (\$1,000) and sentenced to serve up to six (6) months in jail; any conviction after a third conviction, be fined up to twenty thousand dollars (\$20,000) but not less than five thousand dollars (\$5,000) and sentenced to serve up to one (1) year in jail.

(e) Subject to subsection (c), during the moratorium period, it shall be a violation for a person to purchase any good made from any part of a hawksbill turtle. If a person violates this section, the hawksbill turtle item(s) shall be confiscated. Upon a second or subsequent violation of this subsection, the person shall be fined not more than one hundred dollars (\$100). The existing use and possession of the traditional “toluk” or women’s money already in circulation as of the date of the enactment of this Act shall not constitute a violation of this subsection.

(f) During the ninth (9th) year of the prohibition described in subsection (c), the Ministry of Community and Cultural Affairs and the Ministry of Natural Resources, Environment, and Tourism shall conduct a review of the hawksbill turtle and the traditional use and availability of “toluk” in Palau. The two Ministries shall issue a joint report to the President of the Republic, the President of the Senate, and the Speaker of the House of Delegates which is to be due one hundred eighty (180) days before the expiration of the ten (10) year prohibition.

(g) The Ministry of Natural Resources, Environment, and Tourism shall promulgate regulations necessary to enforce the provisions of this subchapter. The Division of Fish and Wildlife shall be responsible for enforcing the provisions of, and relevant regulations issued under, this subchapter.”

Section 2. Reporting requirement. The Ministry of Natural Resources, Environment, and Tourism, on behalf of its collaborating partners, the Ministry of Community and Cultural Affairs and the Ministry of Justice, shall prepare and submit

1 a report of the research and monitoring efforts for the turtle population in Palau and a
2 request for funding the continued research and monitoring efforts to the presiding
3 officers of the Olbiil Era Kelulau and the President of the Republic for consideration in
4 the next supplemental or unified budget.

5 Section 3. Effective date. This Act shall take effect upon its approval by the
6 President of the Republic of Palau, or upon becoming law without such approval.

PASSED: April 11, 2018

Approved this 17th day of April, 2018.


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