

Dugong Protection Act, RPPL 8-57 2013

To increase the penalties for killing or causing injury to a dugong or possessing or selling any dugong parts or products, and for other related purposes.

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

Section 1. Short Title. This Act shall be known as the Dugong Protection Act.

Section 2. Legislative Findings. The dugong, or Mesekiu, has great importance in Palauan culture. However, the Palauan population of dugongs, which is isolated from all other global populations, is facing a very real threat of local extinction. It is believed that there are less than 200 dugongs remaining in Palauan waters. Out of this small population, four dugongs have been found killed in Palauan waters in recent months. Given the slow reproduction rate of dugongs, the population cannot grow quickly enough to survive this kind of assault. The Olbiil Era Kelulau finds that action must be taken to preserve this vulnerable population. Toward that end, this Act increases the penalties for the destruction or taking of a dugong, the trade in dugong products or parts, and the possession (except for properly registered olecholl bracelets) of any dugong part or product.

Section 3. Amendment. Section 1231 of Title 24 of the Palau National Code is hereby amended as follows:

A(a) . . .

(b) . . .

(c) . . .

(d) No person shall intentionally or recklessly injure or kill a dugong.

(e) (1) A person found guilty of violating subsection (a), (b) or (c) of this section shall, upon conviction, be imprisoned for not more than one year, or fined not more than \$1,000, or both. For every violation thereafter, the convicted person shall be imprisoned for not more than two years, or fined not more than \$2,000, or both.

(2) A person found guilty of violating subsection (d) or this section by reckless injury [or killing], shall, upon conviction, be imprisoned for not more than two years, or fined not more than \$5,000, or both. For every violation thereafter, the convicted person shall be imprisoned for not more than four years, or fined not more than \$10,000, or both.

(3) A person found guilty of violating subsection (d) of this section by intentional injury or killing, shall, upon conviction, be imprisoned for not more than five years, or fined not more than \$15,000, or both. For every violation thereafter, the convicted person shall be imprisoned for not more than ten years and fined not more than \$25,000, with a minimum sentence of imprisonment of not less than three months, or a minimum fine of not less than \$1,000, or both.

Each dugong killed or injured, or part or product thereof taken, possess, exported, sold, purchased, or offered for sale or purchase shall constitute a separate violation.@

Section 4. 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.

PASSED: July 14, 2011

Approved this 10th day of January, 2013.

/s/

His Excellency Johnson Toribiong
President, Republic of Palau