

Reviews of Federated States of Micronesia, Guam, Kiribati, and Marshall Islands are not included in this issue.

BELAU

The eighth compact plebiscite and related court cases, a national master plan project, and the push for compact implementation were the key events in Belau for 1993-94.

Besides voting for congressional and chief executive candidates in the November 1992 election, the people of Belau agreed, by a margin of 62 percent yes to 38 percent no, to amend their constitution, setting aside the 75 percent requirement for approval of the Compact of Free Association Agreement with the United States. What was striking in the plebiscite results is that only about half of Koror's voters accepted the amendment, whereas voters in the rural villages of Babeldaob, Kayangel, Peleliu, and Angaur islands voted nearly 70 percent yes on the change. In addition to internal factional feuding, the 75 percent constitutional requirement for agreements involving dangerous substances delayed compact approval for a decade.

In November 1993, the people of Belau voted for the eighth and, most likely, last time on the compact agreement, which provides Belau self-government, sovereignty, and approximately \$480 million in financial assistance in exchange for military and territorial denial rights for the United States. The results of the eighth referendum were more positive than those

of the constitutional amendment plebiscite a year earlier. Sixty-eight percent of Belau's voters accepted the compact. However, the Koror town voters, as usual, were the most critical of the agreement with a yes acceptance of only 54 percent. For a decade, Koror voters have been skeptical of the compact, and the center of this opposition has been two ecumenical groups made up mostly of women: the Catholic Women's Group, *Kltal-Reng*, a grass-roots movement organized in 1979 to lobby in support of the original nuclear-free Belau constitution, and *Otil A Belaud* which emerged in 1987 during the hostility of the furlough period. The ideology of both groups consists of three principles: to protect the sovereignty and sovereign identity of Belau; to protect the integrity of the Belau Constitution as an expression of self-determination; and to take a stance supporting a clean environment and opposing nuclear and military activities. In short, the women fear rapid cultural change and the United States military.

In addition to this hard-core ideological opposition, a quiet but effective political opposition emerged, led by Johnson Toribiong, who lost the presidential race in November 1992, and his core supporters. The development of such opposition is quite normal given the intense political competition and factionalism that characterize Belau politics. President Nakamura and his backers maneuvered adeptly in responding to and controlling tensions created by the opposition. The presi-

dent lined up support in the national congress and from the traditional chiefs and many of the state governors. For example, at a pre-referendum meeting in late October 1993 at the Belau Community Association *Bai* 'meetinghouse' on Guam, six national congressmen and a state governor from Belau spoke enthusiastically about the compact. The Nakamura administration actively supported the compact and a considerable amount of travel by executive and legislative branch leaders took place to campaign off island on behalf of the compact.

Despite Belau's approval of the compact in November 1993, the issue is not yet closed. In January 1994, women of *Otil A Belaud* (meaning "to set the anchor securely") filed three suits in Koror and on Saipan. Two suits were dismissed. However, two of the women, Isabella Sumang and Nancy Wong, *Otil A Belaud* members, gained the support of the Right Livelihood Foundation, London, and filed yet another suit with the US District Court in Honolulu. Their complaint was based on a strategy of attacking what they perceived as the weak environmental protections in the compact. The London-based foundation employed attorney George Allen, a specialist in environmental law, who has claimed that "penguins have more environmental protections than Palauans" (*Pacific Daily News*, 4 Mar 1994, 3).

This suit may have more merit than the previous ones. Allen claims that sections 162 and 163 of the Belau Compact release the United States from complying with the standards of the National Environmental Policy Act

of 1969. The compacts of the Republic of the Marshall Islands and the Federated States of Micronesia include specific reference to application of the 1969 Act. On the other hand, the relaxation of environmental protections in the Belau Compact vis-à-vis those of the two independent states was a negotiating initiative of former President Lazarus Salii in exchange for the numerous compact funding increases. For example, the investment fund was increased from \$60 million to \$70 million. The fact that the plaintiffs may not be able to demonstrate injury, together with the fact that a relaxation of environmental standards was mutually negotiated, agreed upon, and ratified by the Belau electorate may weaken the women's case considerably.

In July 1993 Belau began an ambitious national master development planning effort with nearly \$800,000 of funding support from the US Department of Interior and the United Nations Development Program. The planning work is being carried out by an Australian company, SAGRIC International Proprietary Limited, which is expected to submit its final report to the Belau National Congress, the *Olbill Era Kelulau*, in November 1994. The work is being done in conjunction with a special task force consisting of individuals from all levels of the Belau government and chaired by Moses Uludong, former governor of Ngchesar State and publisher of the *Tia Belau* newspaper. The major outcomes of the planning effort will consist of detailed action plans and recommendations for achieving sustainable economic, social, and physical

development of Belau to the year 2020; promoting private sector and national wealth creation; defining policies and procedures for management of resources of land, foreshore, and seas; achieving human resources development; improving physical infrastructure and support services; strengthening institutions and building capacity for planning and monitoring.

Although the planning effort is making good progress, the SAGRIC master planner, Dr Donald Townsend, was suddenly terminated in mid-June 1994 by his superiors at the company. There had been some tension between the master planner and the president's office early in 1994, when the government recognized it needed to prepare an Economic Development Plan. Such a plan is required by section 231 of the compact to assure economically effective expenditure of US funds, which during year one amount to some \$228 million. President Nakamura, in his State of the Republic Address of 12 April 1994, said that the two plans should complement each other. "The EDP covers our current status and economic goals related to CIP funding while the Master Plan [the United Nations-Department of Interior-supported effort] is to deal with broader issues through the year 2020." Nakamura sees the two plans as providing "a blueprint for a viable future." Be that as it may, some nagging long-term planning questions remain: What can be done to improve the low productivity of Belau's work force? How will individuals in Belau respond to the high inflation expected in the freely associated state period? How will

Belau respond to shortfalls in revenue—both local and from the compact—to cover growing costs of operations, maintenance, and development? Finally, what should Belau do about its poor loan pay-back record and the proliferation of small banks in Koror?

In 1994 both Congressman Ron de Lugo and Secretary of the Interior Bruce Babbitt visited Belau. Although the visits tended to be more symbolic than substantive, Babbitt's July trip addressed transition issues, indicating that implementation of the compact is getting serious attention in Washington, DC.

Since Belau's separation from the other political entities of Micronesia in 1978, the compact has been a divisive and controversial issue for the people. Roman Tmetuchl, Haruo Remeliik, Alfonso Oiterong, Lazarus Salii, Thomas Remengesau Sr, and Ngiratkel Etpison have all yearned to lead Belau out of its trust territory wilderness and into freely associated status. President Nakamura will, finally, realize the privilege. On 23 May 1994, he met with United States government officials, and both sides agreed that the Compact of Free Association shall enter into force on 1 October 1994. The following day, both governments announced the agreement in remarks before the United Nations Trusteeship Council, and a draft resolution terminating Belau's trust status was given limited distribution by the council. The draft's pertinent section states that the council requests "the Government of the United States, in consultation with the Government of Palau, to agree on a date on or about 1 October 1994 for the full entry into force of the Compact

of Free Association, and to inform the Secretary-General of the United Nations of that date." Significantly, the Secretary-General is requested by the resolution to circulate as official documents all material received from the Administering Authority pursuant to the resolution.

In addition to this United Nations Trusteeship Council resolution certifying that the United States has completed its obligations to the Belau Trust Territory as its administering authority, and the recent agreement between Belau and the United States on a date for entry into force of the compact, three other steps are required for the Belau-United States Compact relationship to be implemented legally and recognized internationally. President Clinton must certify to the US Congress that the compact was approved by the Belau government and people according to their constitutional processes and that there are no legal impediments to the ability of the United States to carry out fully its security and defense rights and responsibilities. Second, the United Nations Security Council must pass a resolution approving the dissolution of the Belau Trust Territory. Finally, President Clinton must issue a proclamation placing into full force and effect the Compact Agreement between the governments of the United States and the Republic of Belau. Given the completion of these formalities and the retirement of the two outstanding lawsuits, Belau will, after a century of foreign rule, regain its sovereignty as the world's newest freely associated state.

DONALD R SHUSTER

COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS

During the past year the frenzy over Article XII and the land alienation issue peaked, then came the campaign and gubernatorial elections. Federal authority over the internal affairs of the Commonwealth of the Northern Mariana Islands was an issue, as were relations with Washington in general, and the policies of the new administration.

Beginning in May 1993, preparations for the November election of governor, lieutenant governor, legislature, and a referendum on a new constitutional convention were already under way. For the first time, an incumbent governor was challenged for reelection by one of his own party. Governor Larry I Guerrero and Lieutenant Governor Benjamin T Manglona were challenged in a primary election on 29 May. Juan Babauta was the Washington representative at the time and, with Representative Tom Villagomez as running mate, was presented as a new, younger man untainted by traditional politics, who would do better than Governor Guerrero, especially in the area of federal relations. A third candidate, Senator Juan Demapan, ran as a dark horse Republican candidate. The combination of an overwhelming vote from Rota (home of Manglona) and a third candidate spelled doom for Babauta. Guerrero won the primary with a very narrow margin of about seven hundred votes, almost exactly the number from Rota. From that point on, the campaign between gubernatorial candidates became very personal.