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Executive Order No. 475

To establish a Coordinated Border Management (CBM) Working Group

WHEREAS, effective border management intersects with core national interests of economic prosperity, security, and social cohesion; and

WHEREAS, national border policies and activities need to both accommodate and manage risk in the areas of migration, labor market regulation, tourism, trade, revenue collection, public health, and plant and animal biosecurity; and

WHEREAS, Palau's expanding economy brings with it increased movement of people and goods across its borders resulting in a proliferation of information demands on Palau's many border control agencies, thereby requiring greater internal and external coordination and enhanced processing capacities; and

WHEREAS, the COVID-19 pandemic has demonstrated the need to enhance regional cooperation to develop the necessary health protocols and procedures to strengthen public health and to limit the transmission of diseases across borders; and

WHEREAS, the expansion of international trade and travel requires enhanced coordination with regional and international trade partners and the implementation of international standards and best practices and greater use of electronic data collection and process management to enhance the harmonization and simplification of cross-border procedures; and

WHEREAS, it is the duty of the border agencies, particularly the Bureau of Customs and Border Protection, to manage the movement and stay of people and the import and export of goods and to secure the safety and the integrity of the borders of the Republic of Palau; and

WHEREAS, the developments in Information Technology have provided opportunities for governments to research, pursue and implement transformational changes to the regulatory environment and architecture of the international transfer of goods, the travel of people across the border, the regulation of the stay of foreign nationals, and related online service delivery; and

WHEREAS, the varying border agencies have endeavoured to modernize their services and to increase the effectiveness of their management to reflect the expanding volume of people and goods entering the country; and



WHEREAS, coordination of border management issues requires the establishment of a Working Group, composed of the various border control agencies to identify, establish and implement the necessary border management policies and procedures, along with the organizational capacity to implement the recommendations of the Working Group, to improve Palau's border management system;

NOW THEREFORE, by virtue of the authority vested in me as President of the Republic of Palau, pursuant to the Constitution and applicable laws of the Republic, I hereby order the creation of the Border Management Working Group as follows:

1. **Establishment.** The Coordinated Border Management (CBM) Working Group ("Working Group") is hereby established. The Working Group shall be comprised of the following members or their designees:
 - a) The Minister of Finance;
 - b) The Minister of Public Infrastructure & Industries;
 - c) The Director of the Bureau of Customs and Border Protection;
 - d) The Director of the Bureau of Aviation;
 - e) The Administrator of the Palau National Aviation Administration;
 - f) The Director of the Bureau of Marine Transportation;
 - g) The Director of the Bureau of Public Health and Human Services;
 - h) The Attorney General;
 - i) The National Security Coordinator;
 - j) The Director of the Bureau of Public Safety
 - k) Director of the Bureau of Human Resources, Ministry of Human Resources, Culture, Tourism and Development; and
 - l) The Director of the Bureau of Tourism.



The Membership of the Working Group may be amended or expanded, provided that such expansion is approved by a majority vote of the Working Group members and reported in writing to the President of the Republic.

The Committee shall have two Co-Chairs. The Minister of Finance (MOF) or his designee shall serve as one Co-Chair of the Working Group. The Minister of Public Infrastructure and Industries (MPII) or his designee shall serve as one Co-Chair of the Working Group. The Minister for the Ministry of Human Resources, Culture, Tourism & Development (MHRCTD) shall designate one Vice Chair from among the designated Working Group members from MHRCTD.

2. **Functions.** (a) The Working Group shall advise the Co-Chairs and make recommendations for the President to consider when reviewing border management matters. The Committee shall also carry out all responsibilities set forth in section 3 below.

The Co-Chairs shall be assisted in their efforts by the management and staff of the other member agencies of the Working Group, as identified, in writing, by the Working Group. The Co-Chairs shall pursue recommendations, studies, consultancies, and the implementation of programs and policies as directed by the Working Group. The Co-Chairs shall also coordinate, along with other appropriate members of the Working Group, or other governmental agencies and employees, as identified by the Working Group, the negotiation with regional and international border management and trade partners regarding the development and implementation of policies and programs directed at improving Palau's border management system.

3. **Duties and responsibilities of the Working Group and the Co-Chairs.** The Working Group shall have the following duties and responsibilities:

- A. Development and implementation of a Coordinated Border Management Strategic plan and any related Standard Operating Procedures, focusing upon:
 - i. Assessment and gap analysis regarding present capacities for coordinated border management;
 - ii. Facilitation and risk-management measures for the movement of goods and people, including measures for drug interdiction;
 - iii. Coordination of public information regarding border processes;
 - iv. Development and deployment of a single window approach to trade facilitation;
 - v. Migration management and related policy development and coordination;
 - vi. Improvements to core border management information systems, including considerations around interoperability and/or data exchange or verification;



- vii. Implementation of electronic trade and migration management reforms to introduce e-government processes, visas and permits, applications, declarations, authorizations and payments;
- viii. Electronic passenger data exchange with carriers;
- ix. Improving management data, reporting and analysis;
- x. Improving and ensuring authority for interagency collaboration, cross-delegation and joint operations, and information exchange;
- xi. Governance and legislative review, harmonization, and reform;
- xii. Organizational and budgetary reform; and
- xiii. Human capability assessment and development; and
- xiv. Develop effective border entry programs applicable to Palau's security partners.

B. Convening regular meetings to:

- i. respond to requests from the President or the Co-Chairs of the Working Group for information, analysis, evaluation, or advice;
- ii. solicit information and ideas from a broad range of stakeholders on CBM;
- iii. serve as the advisory committee to the President and Cabinet;
- iv. consider cross-agency budgetary and funding strategies;
- v. consider and authorize cross-agency capability development measures including joint training and capacity-building initiatives;
- vi. provide advice from stakeholders in response to requests from the Working Group.
- vii. review the CBM Strategic Plan;
- viii. respond to requests from the Subcommittees;
- ix. put in place official measures, mechanisms and communication channels to ensure that regulatory processes are streamlined and effective.

4. Authority and Interagency Collaboration

To the extent permissible by existing law, officials of member agencies are, respecting agency management controls, hereby authorized to access border management systems, and/or share between them necessary official data, documentation, evidence and intelligence as is justified to facilitate and inform official border operations including joint operations, processing of goods and travelers, immigration and non-resident work permits, statistical and management reporting, and investigations into breaches of administrative or criminal law.



To the extent permissible by law, the Chairs of the Working Group jointly with the relevant other Minister/s are authorized to delegate officials of member agencies with powers and functions of other member agencies, once appropriately trained, as is deemed necessary to most efficiently manage the border in a coordinated manner.

The Director of the Bureau of Budget and Planning shall provide budget and statistical support to the Working Group, as needed.

5. **International Coordination.** At the request of any responsible agency, the Minister of State shall communicate with international partners to coordinate the requirements of activities of this order.
6. **Private Sector and Carrier Collaboration.** All relevant agencies shall work to keep the public, business and the tourism industry, carriers, shipping companies and agents, and the yachting community well informed on efforts to prevent and respond to border management measures, including health requirements. The Bureau of Tourism and Palau Visitors Authority shall coordinate with private sector partners, including the Chamber of Commerce, to encourage best practices throughout the local business community.
7. **Meeting.** At the call of the Co-Chairs, the Working Group shall convene within fifteen (15) days of the effective date of this Executive Order, and thereafter shall convene quarterly or more frequently upon the call of the Co-Chairs.
8. **Reporting Requirements.** The Working Group shall report to the President of the Republic of Palau on their work and progress on a annual basis or as requested by the President. The Working Group shall also submit:
 - a) A Coordinated Border Management (“CBM”) Strategic Plan as set forth in Section 3 within one year of the signing of this Executive Order;
 - b) Annually, a review of the CBM Strategic Plan and any established Standard Operating Procedures.
9. **Cooperation of the Executive Branch Ministries and Agencies.** The Working Group shall receive the full cooperation of all appropriate Executive Branch Ministries and agencies and is encouraged to call upon said agencies for any assistance they may provide.



10. Term. The Working Group shall remain in effect upon the signing of this Executive Order until September 30, 2024.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal this 21st day of Sept. 2022, in Koror, Republic of Palau.

A handwritten signature in blue ink, appearing to read "Surangel S. Whipps, Jr.", written over a horizontal line.

Surangel S. Whipps, Jr.
President of the Republic of Palau