

Koshiba, v. Remeliik, 1 ROP Intrm. 77 (Tr. Div. 1983)
JOSHUA KOSHIBA, et al.,
Plaintiffs,

v.

HARUO I. REMELIHK, et al.,
Defendants.

CIVIL ACTION NO. 17-83

Supreme Court, Trial Division
Republic of Palau

Judgment

Decided: January 31, 1983

BEFORE: ROBERT A. HEFNER, Associate Justice.

The court has issued its findings of fact and conclusions of law this date and hereby renders its judgment.

It is adjudged and decreed that the defendants, their agents and employees are enjoined from holding, processing, or in any way conducting the plebiscite and referendum on the Compact of Free Association now set for February 10, 1983, with the ballot wording set forth in the printed ballot which is described in plaintiffs' Exhibit 1 in this action.

The election shall proceed to be held on February 10, 1983, and the defendant shall cause to be printed and distributed new ballots to all eligible voters. The form of the ballot to be used for the plebiscite and referendum on the Compact of Free Association shall be in the following form:

OFFICIAL BALLOT
PLEBISCITE ON THE COMPACT OF
FREE ASSOCIATION
FEBRUARY 10, 1983
REPUBLIC OF PALAU

PUT ANY MARK IN THE BOX INDICATING YOUR CHOICE IN BOTH QUESTIONS OF PROPOSITION ONE AND IN PROPOSITION TWO. YOU MUST VOTE FOR BOTH QUESTIONS (A) AND (B) UNDER PROPOSITION ONE.

BOMLIA NGIDIL LOLANGCH ERA CHELSEL A BAKS (BOX) LOCHOTII SEL SOAM ERA IKAL LERUL KER EL NGARA KOT MA ONGERUL LULDASU ERA BALLOT. NG KMAL KIREM EL SENGKYO IKAL LERUL KER EL (A) MA (B) EL NGAR EUNGEL A KOT LULDASU.

178 PROPOSITION ONE (KOT EL LULDASU)

THE COMPACT WILL BE APPROVED BY A MAJORITY OF THE VOTES CAST. A COMPACT A KIREL MO MENGAI A KENGEI ER NGII ERA OBDOIS EL SENGKYO.

(A) Do you approve of Free Association as set forth in the Compact of Free Association?

(A) Kau ke kongei ra Mimokl el Deleuill el kldmokl era chelsel a Compact ra Mimokl el deleuill?

[] YES
] CHOI
[] NO
] NGDIAK

BEFORE THE COMPACT CAN TAKE EFFECT SECTION 314 UNDER QUESTION (B) BELOW MUST ALSO BE APPROVED BY AT LEAST SEVENTY-FIVE PERCENT (75%) OF THE VOTES CAST.

UCHEI RA BOL SEBECHEL A COMPACT EL MO RENGII A KLISICHEL EA BADES EL 314 EL NGARA EUNGEL A KER (B) ERIOU A KIREL MENGAI A KENGEI ER NGII EL KESENGIL ENG 75 PASENT (75%) ERA SENGKYO.

(B) Do you approve of the Agreement concerning radioactive, chemical and biological materials concluded pursuant to Section 314 of the Compact of Free Association?

(B) Kau ke kongei era Telbiil el kirel a radioactive (Kensi), kar ma baiking el klekedall el miltib el loltirakl era 314 el Bades era Compact era Mimokl el Deleuill?

[] YES
] CHOI
[] NO
] NGDIAK

PROPOSITION TWO (ONGERUL LULDASU)

YOU MAY MARK A BOX BELOW TO INDICATE TO YOUR GOVERNMENT YOUR PREFERENCE FOR THE POLITICAL STATUS TO BE NEGOTIATED AND MUTUALLY AGREED BETWEEN PALAU AND THE UNITED STATES IN THE EVENT FREE ASSOCIATION IS REJECTED:

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NG SEBECHEM EL LOIA A OLANGCH ERA BAKS (BOX) EL NGARIOU EL MO
OCHOTII EL MORA AMT ER KAU SEL SOAM EL TELETAEEL ERA SEIZI EL MO
CHEDECHEDECHAOL E MENGAI A KENGEI ER NGII ERA DELONGELEL BELAU MA
MERIKEL ALSEKUM A MIMOKL EL DELEUILL A DIAK LEMENGAI A 179 KENGEI ER
NGII:

[] A relationship with the United States closer than Free
Association.

[] Deleuill lobengkel a Merikel el ngii el deleuill a lmuut le kmeed
era Mimokl el Deleuill.

[] Independence

[] Dokurits

(End of Ballot Language)