

David Robie,

Blood on Their Banner

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## Belau: Trust Betrayed

*United States resistance to nationalist sentiments in Micronesia has been most strikingly reflected by Washington's pressure on Belau to revoke its unique anti-nuclear constitution. The people of Belau have faced ten referenda in a bizarre political struggle over the constitution and a Compact of Free Association with the United States which has been drafted to end the island republic's trusteeship status. That constitution is in conflict with the United States military policy of 'strategic denial' and the issue has dominated negotiations between Micronesia and the United States, which sees Belau's nuclear-free sovereignty as a serious threat to its own strategic interests. In 1985 President Remeliik, the 'father' of the constitution, became the first Pacific Islands leader to be assassinated. Three years later his successor, President Saliu, apparently committed suicide. Questions remain over both deaths.*

Dressed in a T-shirt and shorts, President Haruo Remeliik of Belau\* drove home after spending a relaxed day fishing off the spectacular Rock Islands and visiting a lover. He pulled into the driveway of his hillside home in Topside, near the capital, Koror, just after midnight on 30 June 1985. Parking near a slope covered with tangled tapioca and taro plants, the 51-year-old President climbed out of his car.

His wife and several of his children were asleep. Remeliik switched off the engine and climbed out of the car. Before he could walk to the house, he was forced into the tropical undergrowth by assassins. The first .30 calibre rifle shot him in the left thigh. He tumbled down a steep slope as three more rounds were pumped into his neck, behind his left ear and into his forehead. The assassins then vanished into the night.<sup>1</sup>

The gangland-style murder of the Belauan President was the first

\* *Palau* is the form preferred by the United States; *Belau* is used by the indigenous people. The country officially became the republic of Belau on 1 January 1981.

assassination of any head of a Pacific islands government. Coming just ten days before the bombing of the *Rainbow Warrior* by French secret service agents in New Zealand, Remeliik's murder traumatised the Micronesian state which had been under legal and political pressure from the United States to abandon its nuclear-free constitution. Since then allegations of secret American involvement in his assassination have persisted although they have always been strongly denied in Washington.

Still the controversy and accusations surrounding the killing remain unresolved. Three men convicted of Remeliik's murder won a Supreme Court appeal on 14 July 1987 and were set free. Several civil rights lawyers and Belauan public officials claimed the accused had been framed. The court acquitted the men on all charges and released them from house arrest. What actually happened that night? Belauan lawyer and anti-nuclear campaigner Roman Bedor is among many who suspect the Central Intelligence Agency of playing a part in Remeliik's death in an attempt to subvert the constitution. 'The facts surrounding his murder remain suspicious,' he said. 'There is a widespread feeling in Belau that it was a professional job done by an outsider.'

'I'm concerned about two questions,' said American lawyer David Richenthal. 'Who really killed the President? And who is responsible for framing these young men?' The evidence in this case, according to Richenthal, who represented the American Civil Liberties Union, was so 'unconvincing and suspect that it would not have survived scrutiny by a grand jury in any American jurisdiction, much less support a conviction.' He also alleged the death was part of a conspiracy which conveniently fitted United States interests at a time when the future of American bases in the Philippines seemed uncertain.

#### Assassination aftermath

Murder conspiracies would seem remote from the 15,000 people of Belau, whose republic spreads across a western Pacific archipelago of more than 200 tiny but lush islands, east of Mindanao in the Philippines and south of Guam. Balmey breezes warm the beaches, the turquoise waters teem with fish and crab. Belauan women dance a slow, rhythmic *nglolk* for foreign tourists.

Belau is among the smallest nations of the world. In the Pacific it compares with the Cook Islands and its population would be absorbed among many provincial towns in Papua New Guinea. The main island of Babeldaab was once the headquarters of Japan's colonial administration in Micronesia and the capital of Koror was a reasonably affluent 'Japanese' town. In 1944, however, when American troops captured the island the Japanese settlers were expelled and Koror was razed.

Governed as part of the United States-administered Trust Territory of the Pacific Islands set up after the Second World War, Belau became a backwater for colonial officials in Micronesia. With the country approaching 'decolonisation' like the rest of Micronesia, negotiations began in the 1970s for a Compact of Free Association with the United States which would determine its future status. Probably the greatest disadvantage for the islanders is that Belau lies a mere 800 kilometres to the east of the Philippines, where the two biggest American military bases outside United States territory — Subic Bay Naval Base and Clark Air Base — are possibly in jeopardy beyond their 1991 agreement expiration date. So the Pentagon has developed a contingency plan which has been dubbed the 'fallback arc'. Beginning in Saipan, the arc travels south through Tinian, then to Guam, and ends in Belau.

United States strategic interests in the islands were rebuffed in 1979 when the constitution of Belau was drafted and ratified by 92 percent of its people. Creating the world's first nuclear-free country, the constitution was an 'inspiration and hope from nuclear holocaust'.<sup>3</sup> The nuclear-free clause in the constitution (which could be overturned only by a 75 percent majority in a future referendum) directly conflicted, however, with the United States strategic policy of neither confirming nor denying the existence of nuclear weapons on its warships or aircraft. In an attempt to entice Belau into changing its constitution, the Belauan version of the compact, initiated by Belauan and United States officials in August 1982, promised to grant the republic more than \$US430 million in aid and a form of self-government in exchange for granting the Pentagon an option to use about one-third of the island area for military bases, jungle warfare training and the transit of nuclear warships.

So far such attempts have been unsuccessful and the Belauans have been forced to vote ten times on the compact or the nuclear-free clause in the constitution. Remeliik, the 'father' of the constitution, held three unsuccessful referenda over the compact during his presidency but each time he failed to deliver the votes necessary to waive the constitutional ban on nuclear weapons.

Some alleged that Tokyo-based crime and heroin syndicates — believed to have major interests in multimillion-dollar development and resort projects in Belau — were behind the assassination of Remeliik. Belauan parliamentarians and tribal chiefs, however, believed the President was killed because he opposed United States bases and nuclear weapons in Belau.<sup>4</sup> Although he had strongly supported the compact, probably for economic reasons, he had hardened his pro-constitution stand. The *Olbil Era Kelilan* (Belau National Congress) sent a letter to the United States Interior Department claiming there was a 'CIA-funded' plot to force 'Belau into accepting the compact . . . rather than face international embarrassment over financial default'.<sup>5</sup> Remeliik was reportedly about to 'come clean' on the scandal linked to the compact when he was shot.<sup>6</sup>

'No matter what kind of pressure [Washington] puts on us,' declared House of Delegates Speaker Santos Olikong after the murder, 'whether it's forcing us into economic bankruptcy or killing our President, we will not compromise on our independence or the nuclear issue.'

Belauan police investigated the murder with the help of the Federal Bureau of Investigation. According to Auckland University legal researcher Pheroze Jagose, FBI agents made a mysterious visit to Belau at the time of the shooting. Jagose also cited a contingency plan by United States business and military interests to 'assassinate the President and install . . . a puppet regime under martial law'.

[Belauan sources assert] that two FBI investigators, both frequent visitors to Micronesia as part of police training programmes, and friends and acquaintances of several Belauans, flew into Belau only three hours before the assassination and left again early the next morning for Majuro in the Marshall Islands without contacting or seeing any of those friends or acquaintances.'

Three weeks after the shooting, four suspects were arrested and accused of the murder. Two of the men, Melwert Tmetuchl and Leslie Tewid, were the son and nephew, respectively, of Governor Tmetuchl (pronounced *meh-tooh*). A central figure in opposing and defeating the pro-nuclear compact, the governor had run second to Remeliik in the presidential elections of 1980 and 1984. He was also a leading candidate for a special presidential election planned for 28 August 1985 to choose Remeliik's successor when his relatives were charged.

Governor Tmetuchl pulled out of the ballot, leaving the contest between Belau's roving ambassador, Lazarus Sali, and Vice-President Altonso Oierong. Although Sali and Oierong were political colleagues of Remeliik they were both regarded as stronger supporters of United States interests in Belau and cooler on the nuclear-free constitution. Sali was elected President.

During the murder investigation no gun was ever recovered, no fingerprints or other physical evidence discovered, no eyewitnesses found, and no strong motive uncovered. Yet the suspects — Tmetuchl, Tewid, Anghenio Sabino and Francisco Gibbons — were charged with conspiracy to commit assassination and murder. The only significant evidence was the testimony of 29-year-old Mistrya Maidesli, a former girlfriend of Tmetuchl and Tewid. But she was a troubled young woman, a self-confessed liar and heroin user. She gave several conflicting stories and three times failed lie-detector tests. She first told the police shortly after the assassination she believed another person — a convict from Guam who was being deported home by Remeliik — had shot the President.

At the trial, Maidesli testified that she had overheard Melwert Tmetuchl, Tewid and Sabino agree that Remeliik should be killed. 'This is a bad President,' she quoted Tmetuchl as saying. 'We'll kill him!'



Damage in the Belau capital of Koror caused by pro-compact militants in 1987.

But it was never clear from her evidence why they might have wanted to murder Remelikh. The prosecutors, however, suggested the assassination might have been linked to Melwert Tmetuchl's wish to promote the presidential chances of his father. 'I thought my father was better,' Tmetuchl admitted. He insisted, however, this would not have led him to murder.'

The charges were dismissed through lack of evidence. For a further four months the FBI and local police continued to investigate the killing. No significant new leads were found. Maidesil, however, revived her story that the four suspects had killed Remelikh. In spite of twice more failing lie-detector tests, her testimony led to the murder charges being reinstated against Tmetuchl, Tewid and Sabino on 6 December. Curiously, there was no charge against Gibbons, the purported triggerman, who was by now in Guam. (Lack of evidence the prosecutor said.)

Only two prosecution witnesses gave evidence at the trial, which began on 24 February 1986 and lasted two weeks. Mistryca Maidesil testified to the same story she had previously given the FBI, although she admitted not having seen any guns. Under cross-examination, she was asked if she had twice renounced her entire story to the FBI and she falsely replied she had not.

The other witness, Namiko Ngraikeiau, had also given contradictory statements to the police. In court she claimed she had seen two of the defendants about a kilometre from the murder spot, near a pickup truck. But a defence witness, Oliver Delbert, who was with Ngraikeiau at the time of her 'sighting', testified there was one man — not one of the defendants — and there was no pickup truck nearby. He also alleged he had been tortured by the police in an attempt to force him to corroborate Ngraikeiau's testimony.

In spite of the flimsy case, the three men were sentenced to between 25 years and 35 years in jail. However, they were eventually released to house arrest while the appeal was filed.

Later, in an eight-page appeal judgement, the Belau Supreme Court referred to the 'inherently incredible' witnesses in the case. 'Maidesil frequently used marijuana and heroin during the weeks prior to the murder,' it said. 'Testimony by a drug user, particularly where uncorroborated, should be weighed with caution.' The trial court was ordered to acquit the men.<sup>10</sup>

#### The Ipseco power plant scandal

Although the prosecution failed to resolve many questions about President Remelikh's assassination, one in particular stood out: why the rush to bring in a judgement in spite of the lack of evidence? No certain conclusions have yet emerged, but according to American lawyer David Richenthal

'some answers may yet be discovered by examining the motives and transactions of those who benefited most from the assassination'. And that inquiry led to a power station scandal which was linked to the compact-constitution conflict.

In a remote part of Belau is a 16-megawatt diesel power plant built by the since-liquidated British company International Power Systems Inc (Ipsco). Belau agreed to pay, through agreements authorised by President Remelikh in 1982 and 1983, US\$32 million for the plant. But the burden of the debt was, from the beginning, far in excess of the nation's financial resources — at least double the country's annual budget. And its power capacity was several times larger than the needs of the population. Belau defaulted on its first payment to British banks one month before Remelikh was shot.

The ill-conceived project was condoned by senior American officials at the same time that the inspector-general of the United States Interior Department warned that the plant was illegal and likely to bankrupt Belau. Other critics of the scheme claimed the price of the plant would have been halved by normal competitive bidding requirements, but special legislation exempted Ipsco from all Belau laws.

Was the Belau government lured into the deal by the American administration to force it into accepting the compact to avoid bankruptcy? Richenthal suggested as much in a controversial briefing paper on the Remelikh case: 'For possibly related reasons,' he said, 'Belau's first president was assassinated, his chief political rival was effectively neutralised, the islands' dependency on the United States has grown and [American] military interests have been advanced.'<sup>11</sup>

Another lawyer, Martin Wolff, then legislative adviser to the Belauan Senate, claimed he was told hours after the murder that the President had been shot to prevent him exposing details of the affair in a television address and repudiating the loan. Wolff's car was firebombed after he made the allegation and he was forced to move to Hawaii to live.<sup>12</sup>

'Every aspect of the story of this power plant suggests the likelihood of widespread corruption,' said Richenthal. He alleged that Carlos Salii, then Speaker of the House of Delegates, was being paid a \$1.5 million retainer over ten years to act as Ipsco's attorney. He also claimed both Carlos Salii and his brother, President Lazarus Salii, were deeply involved in promoting the project. The Belauan chief justice began investigating the allegations late in 1986 and the inquiry continued for several years.

Shortly after the deal was signed in June 1984, one of Belau's two traditional paramount chiefs, *Ibedul* Yuraka Gibbons, filed a lawsuit against Remelikh alleging the contract was illegal and procured by bribery. The high chief's lawyer, Patrick Smith, said the plant would have cost no more than \$15 million if competitive bidding had been enforced. Soon after the lawsuit was filed the lawyer's house was firebombed and he left the island; the case was abandoned.<sup>13</sup>

Ironically, the *San Jose Mercury News* revealed late in 1987 that Gibbons had received a \$100,000 'political contribution' from Ipseco. The high chief said he used it for political campaigns and Ipseco executives were keen for him to run for the presidency. The same report cited an Ipseco liquidator's report showing President Salii had received \$100,000 which had been deposited in a Bank of America account in Hong Kong, and Carlos Salii had been paid \$250,000, deposited in a Hong Kong and Shanghai Banking Corporation account.<sup>14</sup>

American officials reject the power plant scenario. Howard Hills, legal adviser in the United States Office for Micronesian Status Negotiations, said no evidence linked the assassination with the Ipseco affair and dismissed the allegations as an attempt to 'politicise' the Remeliik case.<sup>15</sup> But the *Marshall Islands Journal* stressed the under-used power plant was sited next to land conditionally designated for United States military purposes. The *Journal* suggested the United States could be using the surrogate pressure of international capital to get what it had failed to gain by the democratic process of a referendum.

#### Constitution under siege

Belau has experienced two 'mini revolutions' and been forced by American pressure to undergo ten referenda over its nuclear-free constitution. 'For Belau, a special brand of "democracy" is obviously applied by the United States — repeat a vote until you get the desired result,' says anti-nuclear lawyer Roman Bedor. 'That's what is happening with the vote on the compact, as it happened before with the nuclear-free constitution.'<sup>16</sup>

The constitution must be seen in the context of a history of Belauan actions to prevent outside control of their islands. When United States military proposals for the use of a third of the Belauan Islands were first announced in 1972, traditional and elected leaders immediately opposed the plans. During the mid-1970s, the Belauan people mustered local and international support to halt a huge oil port and industrial centre planned for the territory. Port Pacific, a crude oil transshipment port with related petro-chemical processing possibilities, was backed by the United States military, and supported by Japanese industrialists and the Shah of Iran's government. Opposition to the proposal was led by *Ibedal* Gibbons, the nationalist *Tia Belau* (This Is Our Nation) coalition, village groups and foreign environmental movements.

In an attempt to allay Belauan fears, United States officials said there were no current military plans for Belau: it only wanted 'options' to use the land for jungle warfare training, weapons storage and transit and overflight of nuclear vessels and aircraft.<sup>17</sup> Many of the islanders, however, believe the United States military will bring another war to Belau.

'The Americans look to us as if we're a bunch of animals,' said a village elder on the main island of Babeldaob, where two-thirds of the land is tagged for jungle warfare training. 'We don't want their soldiers to come here; they will take away the land from us — and this is our soul and our life.'<sup>18</sup>

In 1979 Remeliik chaired Belau's constitutional convention, which produced a document regarded by some to be as radical as the United States constitution had been two centuries earlier. The Belauan constitution was the first to declare a nation a nuclear-free zone. Any change to the ban on storage, testing and disposal of nuclear material within its territory was required to have the approval of 75 percent of votes cast in a referendum. Two of the constitution's clauses provide the crucial nuclear bans. Article XIII, Section 6, says:

Harmful substances such as nuclear, chemical, gas or biological weapons intended for use in warfare, nuclear power plants, and waste materials therefrom shall not be used, tested, or stored, or disposed of within the territorial jurisdiction of Belau without the express approval of not less than three-fourths of the votes cast in a referendum submitted on this specific question.<sup>19</sup>

On 9 July 1979 the constitution was approved by 92 percent of votes cast in a referendum. The Trust Territory High Commissioner, however, refused to certify the result. A revised draft constitution complying with United States objections was defeated on 23 October 1979 by 70 percent of the voters. Later, a third ballot, on the original constitution, gained 78 percent of votes. Since then the United States State Department has repeatedly declared that the Belau constitution is 'incompatible' with the compact.

According to an American author and former American aerospace engineer, Robert Aldridge, who has worked for 27 years designing and researching nuclear weapons, the republic is earmarked as a forward base for Trident submarines. 'For almost a decade I have warned that Malakal harbour . . . is covered by the US Navy,' he said. 'Carefully worded disclaimers by those in the know, and categorical denials by the less-informed, have rebutted my prognosis.'<sup>20</sup>

The overriding justification for Trident missiles has been their ability to reach targets from a greater distance than other missiles, which gives their best submarines a corresponding wider range. 'It is certain that the planned fleet of ten submarines to be home-ported at Bangor, Washington, aren't going to be concentrated in the north-east Pacific,' Aldridge says. 'When they do patrol the far reaches of the [Pacific], it does not make sense to return to home port every 70 days just to change crews and replenish supplies.'

Aldridge points out that Belau is in line with the deep water Sundra and Lombok Straits of Indonesia, through which Tridents could pass submerged into the Indian Ocean.<sup>21</sup> The Straits of Malacca, although wider,

are too shallow for submerged Trident submarines. However, some military researchers, including Owen Wilkes, say Aldridge has little evidence to support his forward base argument.

Alienation of land for proposed bases and for airport runway extensions is a sensitive topic. There is no sale and exchange of real estate in Belau. Neither is a tax, or rent, allowed on property. The land belongs to the clans which trace their ancestry back as far as 3000 years. The land, ocean and water are sacred to the islanders.

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On 8 September 1981 Belau was rocked by its first 'mini-revolution', as Belauans called it. Anti-nuclear campaigners claimed this was an orchestrated attempt to force the imposition of martial law and undermine the nation's constitution. On the day before, a Labour Day holiday, about 300 government workers had met in Koror and voted to stage a strike, demanding a 100 percent wage increase. An all-night party followed the meeting.

Before dawn the Belauan flag in front of President Remeliik's office was torn down and burned — curiously, a nearby Stars and Stripes was left untouched. An eyewitness described dynamite being passed out. At 7.07 a.m. a bomb blew out the front door of the president's office building and five minutes later another bomb blasted open the back door. The debris from the explosions was carried into the offices and the building set ablaze. An hour later, the main office of the local radio station was also bombed — allegedly by a policeman.<sup>22</sup>

The police, apparently co-operating with the strikers, prevented government employees from going to work and encouraged others to take part in the strike. Fifty prisoners were released although 14 refused to leave jail. Some of the prisoners drove around Koror shouting, 'There is no law!' One was shot dead for trying to loot a store.

After the bombings, and reportedly at the urging of Governor Tmetuchl, the protesting strikers demanded to see President Remeliik. 'We want his head,' shouted some demonstrators and several officials feared for the President's life. But Remeliik walked calmly through the crowd and made a short, moving speech. He rejected pressure to call in the United States military and declared nobody would be prosecuted, saying: 'Let's forget this and work for the betterment of our new nation.' Many protestors began cheering.

A government official investigating the strike and the bombings said there seemed to be an unusually high number of Americans in Belau at the time. He did not think they were all 'tourists' because they did not follow the usual tourist pattern of going to bars, visiting the stunningly beautiful Rock Islands and other tourist activities. However, he could not link this with the political disturbances.

Just six months earlier, on 12 November 1980, there had been the 'Galaxy affair'. A 30-metre, Panama-registered ship called the *Galaxy 10* had arrived in Belau just a week after the presidential election. The crew of six were American, except for an Indonesian woman cook. They claimed the ship was a supply vessel for a salvage operation near Borneo.<sup>23</sup> The crew were friendly, and bought supplies and equipment, including a six-metre fibreglass boat and an outboard motor.

Many Belauans were invited on board for parties and trips to the reef. They later described the ship as being well equipped with about \$500,000 worth of sophisticated electronics equipment. It had a computerised navigation system, a dual radar unit, three radios, a radio scrambler to prevent eavesdroppers, and a computerised weather map information system. The ship left two weeks later.

Three months later, on 16 February 1981, the *Galaxy 10* returned. Tipped off by local fishermen who suspected the ship of drug-running, police raided the ship while the crew slept. Although no drugs were found, the police seized 80 cases of M16 rifles, 47 cases of ammunition, hand grenades and \$1 million in cash. One witness also saw a variety of rifles, sawn-off shotguns and pistols being taken ashore.

Later that day, Coast Guard, FBI and Micronesia Bureau of Investigation agents flew to Belau, impounded the *Galaxy* and flew out with the arrested crew. The ship vanished overnight without obtaining port clearance.<sup>24</sup>

'Since the crew had already been arrested, there was no need for US officials to fly in on a special plane the same day,' noted Robert Aldridge and Ched Myers in a report on the affair, 'and even less reason for them to remove the ship and crew before the next morning and without the usual clearances — unless they wanted to get them out fast before local people could learn more.'<sup>25</sup> The district attorney refused to release results of the investigation.

The *Galaxy* was first taken to Guam where newspaper reporters were told it had been involved in smuggling marijuana from South America to the US West Coast. No mention was made of the cargo of munitions and money. Later, the *Galaxy* was taken to Hawaii and sold to the US Navy for \$50,000; naval authorities handed it over to the University of Hawaii as a research vessel.

Many Belauans believe that had the *Galaxy* gun-running episode succeeded, the 'mini-revolution' could have ended more violently. But others point out there was no evidence that arms were being smuggled into Belau; instead the behaviour of the crew, the references to Borneo and the three-month interval between the visits suggest the crew were more likely to be gun-running to Moluccan guerrillas.

On 22 September, two weeks after the bombing of the Belau President's offices, 28-year-old Baltazar Kitalong was murdered. He was shot with a handgun held to his head as he opened his car door after leaving a nightclub

party for a visiting United States admiral. Kitalong was a leading member of a group called *Kitalong* (pronounced 'tall ring'), which means solidarity, unity and brother-sisterhood. It is a non-violent, apolitical movement which has campaigned strongly against the proposed military bases in Belau.

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Belauans were the first people of the trust territory to vote on the Compact of Free Association. In a split ballot on 10 February 1983 voters were asked whether they approved of Section 314 which allowed the United States to store nuclear weapons in Belau and the presence of nuclear-powered ships or materials. The 53 percent 'yes' vote fell far short of the 75 percent approval required by the constitution. The other part of the ballot asked voters to accept the compact overall and 62 percent of the poll supported it. Since Section 314 failed to gain the requisite approval, the Senate two weeks later passed Resolution 87 which declared the citizens of Belau had rejected the compact and called on the President to renegotiate the political status of the islands.

*Ikehl* Gibbons and the traditional Council of Chiefs labelled the compact as 'dead'. But the US State Department declared the nuclear issue merely an 'internal referendum question'. It said: 'The Belau authorities must now devise an acceptable method of reconciling their constitutional provisions to comply with the mandate of the Belauan electorate for free association with the United States.'

An international law specialist, New Zealander Dr Roger Clark, of Rutgers University, disagreed. 'I believe this to be a serious distortion of the results of the vote,' he said, adding that 'the United States, having acquiesced in, or perhaps even insisted upon, the way in which the issue was presented to the voters, is surely bound by the results.' He accused the United States of continuing to subvert the constitution's anti-nuclear provisions.<sup>26</sup>

Although United States officials frequently insisted they took no part in the referendum process, the United States was actually involved in all stages. US Ambassador Fred Zeder ordered the Belau government to change the referendum wording — which was later declared misleading and illegal by the Belau Supreme Court just ten days before the vote. More than \$440,000 was appropriated for a 'voter education' programme which degenerated into a pro-compact campaign. For example, 'people's fact sheets' in Belauan and English listed all the advantages of the compact without describing its drawbacks. The money spent can be compared with the \$400,000 spent the same year by the electoral commission in El Salvador of which \$240,000 was a direct allocation from the United States. El Salvador has a population of five million; Belau has 15,000. Under Belauan law, spending on the referendum was supposed to be restricted to \$250,000. Four more times over the next four years Belauans were forced to vote

on whether or not to accept the compact. Each time, they also voted on whether they wanted to suspend the nuclear-free clauses in the constitution. Millions of dollars were spent on the ballots in United States efforts to entice, persuade and confuse Belau's voters into suspending the clauses. The one-sided 'education' programmes funded by Washington continued.

In the 1984 referendum, the only one not observed by a United Nations team, Ambassador Zeder actively campaigned for the passage of the compact and repeal of the nuclear ban. Recorded radio and television messages from President Reagan were broadcast. In each ballot the compact was approved by rising majorities, but never with the 75 percent required to repeal the nuclear sovereignty clause. Each time they were sent to the polls again.

After the assassination of Remelilik, President Salii, who as ambassador had been the architect of Belau's negotiations with Washington over the compact, tried to force the measure through. But even his high-powered support failed to gain the 75 percent vote needed to overturn the anti-nuclear clause.

In fact, by the eighth referendum, on 30 June 1987, compact support had dropped to 67 percent. Within a week a second 'mini-revolution' broke out. The Belau government suspended 900 of its 1300 workers without pay, claiming the nation was in a financial crisis because funds expected to become available under the approved compact were blocked. Pro-compact protesters camped for a week outside the House of Delegates, blaming the legislature for the crisis. House spokesman Belheim Sakuma defended democracy in a radio speech, defying threats. His house was firebombed; two other firebomb attempts were also made. Faced with growing tension and threats of violence against anti-nuclear supporters, the House of Delegates on 19 July approved a further referendum on a proposed amendment to the constitution which would allow the transit of nuclear weapons.

'We had no choice,' said Speaker Olikong, 'our homes and families are in danger.' *Ikehl* Gibbons, denouncing the 'climate of fear', said, 'This makes a joke of the democratic ideals the United States has taught us to believe in.'<sup>27</sup> Both leaders accused President Salii, who favours suspension of the nuclear-free clauses, of being responsible for the crisis. In an address to the US Congress Interior Affairs Committee, Olikong declared:

Our fundamental freedoms such as freedom of expression, freedom of speech and freedom to dissent are under blistering attack . . . Rather than allowing the political process to naturally forge an accommodation between the oppressed groups over the nuclear-free clauses, the Belauan people are being forced — only one point of view. It is the combination of these two events — fiscal responsibility on the one hand, and anti-democratic strong-arm tactics — that brings us to this point of near catastrophe . . .

The financial crisis has been brought about by the mismanagement and corruption of President Lazarus Salii . . . Perhaps as part of his effort to ensure

compact approval, he squandered and misused government funds, thus fulfilling his own prophecy . . . Civil unrest and the threat of violence are the result . . . Forcing another vote on the compact now threatens the fabric of the relationship between Belau and the United States. Does the United States want another Philippines? Another South Korea? Another Fiji?\*

President Salii called a snap referendum on 4 August 1987 to try to amend the constitution. With the lowest voter turnout to date, Salii gained 71 percent approval for overturning the nuclear-free clause. According to the constitution, however, an amendment can only be adopted during a general election — and one is not scheduled until November 1988. In the tenth referendum, on 21 August 1987 under the terms of the disputed constitutional change, 73 percent of voters approved the compact. But the validity of the vote remained in doubt because of legal challenges.

When, under pressure and threats of violence, *Ibedul* Gibbons dropped a lawsuit challenging the ballot, 50 Belauan women elders, led by his sister Gloria Gibbons and Gabriela Ngrimang, arrived at the courthouse in busloads to refile the case. 'We must protect our constitution and our land,' said Ngrimang. 'It is the only place on earth we can express our right to be Belauan.'

'We are under siege,' said Roman Bedor, legal adviser for the women elders. Bedor had contributed to the drafting of the original nuclear-free constitution and was one of its staunchest defenders. 'The Americans will not rest until they have us in their military pocket,' he added. Shortly afterwards, Bedor and his sister, Bernice Keldermans, received several death threats.

On 7 September 1987, the evening before the lawsuit was due to be heard, gunmen drove up to Bedor's Pacific Centre office under cover of the government-imposed blackout. Seeing somebody in the office, they opened fire, fatally wounding Bins Bedor, Roman's elderly father who was in his 70s. Clan leader Bedor had called at the office to pick up a torch and check that the building was safe; he died next morning.

Although the killers' car was identified, nobody was arrested or charged. 'It's like a military coup,' said Roman Bedor, who believes he was the real target. 'My life is in danger. There is no law and order. Anybody could be killed.'

In tears, the women elders filed papers in the Supreme Court to drop their lawsuit. Two of the litigants also cited acts of 'terrorism' against them. But although the legal obstacles against the enactment of the Compact of Free Association had apparently been brushed aside, the US Congress did not agree. Shaken by the events, chairman Ron de Lugo of the interior subcommittee pledged to block ratification of the compact until the constitutional issue was clearly resolved.

### Nuclear stalemate

Six months later, on 31 March 1988, the elders again filed their legal challenge against President Salii. Within three weeks the court ruled in their favour: the constitution's nuclear-free clause was reinstated and the compact was again at a stalemate.

'The nuclear control provisions [of the constitution] read together provide the sole mode for approving compacts or any other arrangements dealing with matters nuclear,' stressed Professor Clark in a legal opinion for the US Senate. 'No other approval procedure, whether at a general election or otherwise, will do — only a 75 percent majority meets the constitutional mandate . . . This, I believe, is what the drafters and the voters who ratified the constitution had in mind.'<sup>28</sup>

On 20 August President Salii was found shot dead in his home. Although a police spokesman at first said an unknown gunman had fired the shot, the Belau government later indicated the shooting had been suicide. Salii was alone inside the house at the time of the shooting, while his wife, a driver and a maid ate lunch outside. When his wife went inside the home she found the President slumped in his chair with a gunshot wound to the head and a .357 Magnum pistol nearby. Salii was under growing pressure: the compact stalemate frustrated him, he faced further investigation over corruption allegations and the US Federal Court had ruled his government must repay US\$44 million to the consortium of international banks which guaranteed the Ipseco power plant.<sup>29</sup>

According to an official government report, the following month which was based on FBI ballistics tests, an autopsy and other testimony, Salii's death was 'self-inflicted'. There remain several intriguing parallels between the Remeliik and Salii deaths: both supported the compact, both died the day before making a national address, and a policy academy was in session in Koror with visiting FBI instructors when each was shot. (The same Americans reportedly headed the FBI both times.)<sup>30</sup>

Wealthy businessman Ngrirakel Eripison, aged 63, governor of Ngaurgang state and a strong supporter of the compact, survived allegations of voting irregularities to win the presidency in November 1988. He defeated his closest rival, Governor Tmetuchl, by 31 votes and gained a mere 27 percent of the total ballot in an election contest between seven candidates.

The people of Belau have now voted ten times on the issue of their nuclear-free constitution: three times in 1979 and 1980, when the United States was opposed to it as a basis for self-government; and then again in 1983, 1984, twice in 1986 and three times in 1987 over the Compact of Free Association. Four times the Supreme Court of Belau has ruled that the nuclear compact is in violation of the constitution unless it gets 75 percent of the vote. President Remeliik, the leader who shepherded the constitution



into law, has been assassinated; his successor, Lazarus Salii, has committed suicide — and both have been replaced as head of government by another man determined to throw out the nuclear safeguard.

Yet, in remarkable contempt of democracy, the United States has used the financial carrot of the compact to push the Belauans into voting again and again until they finally say yes to nuclear access to their islands.