

## &lt;論 文&gt;

# Palau's Decision on Land Tenure Policy Change Amid China and US Influences

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In 2008, when the country faced China's increasing influence and declining U.S. presence, Palau's electorate voted to amend the Constitution, extending the period of land leases to foreign entities from 50 to 99 years. This raises the central question: What factors contributed to Palau's decision on land tenure policy change amid China and U.S. influences? Existing literature points to factors such as China and U.S. influences, decolonization, land grabbing, and economic impacts. The literature gap is on Palau's perspectives on how culture, economics, and politics factor amid China and the U.S. influences the decision to amend the land tenure policy. Using a semi-structured interview method, this paper argues that culture and the need for foreign investment led to the pragmatic decision to amend its land tenure. China and U.S. influences were not factors in the decision. This paper contributes to the literature on China-U.S. competition in small states, analyzing Palau's land tenure decision.

**Keywords** : Palau, China, United States, Land Tenure, Culture

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## INTRODUCTION

Palau is a small island nation in the Western Pacific with approximately 304 square kilometers of land spread over 340 islands and approximately 18,000 people. (About Palau, n.d.). Yet, this small island, a mere speck on the world map, is in the center of the China – U.S. competition. Palau's strategic location sits at a juncture in the Pacific, connecting the U.S. to Asia and Guam, a U.S. Territory and home to naval and air force military bases. Palau plays a key role in supporting U.S. security and the strategic goals of the U.S. and its allies and China on the other hand (Lum T., 2022). Palau is one of three freely associated states with a Compact of Free Association (COFA) agreement with the U.S. The COFA between U.S. and Palau was signed in 1982, ratified in 1993, and renewed in 2009 and 2023, strengthening the relationship between the two nations and securing future economic stability for Palau (Needham & Brunnstrom, 2023). The terms of the most recent renewal of COFA also reduce China's economic pressure on Palau to shift its diplomatic relations with Taiwan to China (Yamaguchi, 2023; Whitman, 2022).

Palau connects the lines of communication from the U.S. to its allies, such as Japan and Australia (Grossman et al., 2019). Its location is vital to China's global, economic, and political influence strategy. China's growing influence in the Pacific region has implications for U.S. strategic and security interests (Grossman et al., 2019; Zhang, 2020; Rodriguez, 2017); many states in the region welcome China's generosity.

Palau's economy, heavily dependent upon tourism, requires that land be made available for the development of this industry (Abdelati et al., 2006; Taniguchi, 2005, Gootnick, 2008). Economic institutions, such as the Asian Development Bank and International Monetary Funds, issued reports urging Palau to mend its land issues to encourage investments in the country (Abdelati et al., 2006; Taniguchi, 2005). For many in Palau, Chinese promises of investments represented a rosy financial future for their families and policymakers whose goal was economic development through foreign investments (Toribiong, 2011; Remengesau, Jr., 2004). These promises of investments came in the form of long leases on buildings and private properties (Carreon, 2018; Rodriguez, 2017; Shuster, 2004). In 1990, the Palau Supreme Court ruled that 99-year leases were unconstitutional (*Ngiramechelbang v. Katosang*, 8 ROP Intrm. 333 (Tr. Div. 1999), 1999). However, in 2007, Remengesau signed Senate Bill 7-74 into law, allowing up to 99-year land leases to foreign entities (Pacific Islands Legal Information Institute, 2007). The following year, the Palau electorate voted in a referendum to amend the Constitution and extend land leases from 50

years to 99 years (Constitution of the Republic of Palau, n.d.).

The amendment to Palau's land tenure policy raises a question: What factors contributed to Palau's decision on land tenure amid China and U.S. influences?

The literature points to the influences of China and the U.S. in Palau and its impact on economic decisions (Henderson & Reilly, 2003; Jakobson, 2012; Bozzato, 2017; Zhang, 2015). However, the literature pays insufficient attention to the perspectives of the Palauans on issues that matter to their culture, such as land. Additionally, there is limited scholarship on how culture, economy, and politics factored into Palau's decision to extend land leases from 50 years to up to 99 years.

Using a semi-structured interview method, twenty-six individuals (traditional chiefs, elected officials, journalists, historians, and entrepreneurs) were interviewed in Palau between October and November 2022. The analytical framework is derived from Kissinger's (1966) argument that policymakers make choices (decisions) based on a) the environment, b) the criteria used by which solutions are measured, and c) the experiences of the policymakers. Kissinger's argument could be said to take the constructivist theory, in which national interests and national identities are social constructs and based on shared understanding of knowledge. Moreover, these social constructs adjust in response to both domestic and international norms (Wendt, 1999; Mingst et.al, 2019). This paper identifies the environment as China-U.S. influences. Palau's perspectives on culture, economy, and politics are the criteria and experiences to be measured.

This paper argues that culture and the need for foreign investments were significant factors. Furthermore, neither China and U.S. influences nor the China-U.S. competition were factors in the decision to amend its land tenure policy.

This paper contributes to the literature on China-U.S. competition by offering an "on-the-ground reality" of great power competition in small states, analyzing the change in Palau's land tenure policy.

## LITERATURE REVIEW

This paper is interested in uncovering the reasons for Palau's land tenure policy change through the Constitutional amendment in 2008. The significance of this study is conceptualized in the ongoing China-U.S. competition in Palau, where China's economic and political pressure and U.S. security concerns exist. Research on Palau focuses on the foreign powers' presence and interests - economic and political, but the analysis of Palau's

perspectives on external influence on domestic policies is lacking. This omission leads to the gap and central question: "What factors contributed to Palau's decision on land tenure amid China and U.S. influences."

To address the central question, this paper will review the existing literature, which points to factors such as China and U.S. influences, the decolonization of Palau from the U.S., the ongoing relations between the U.S. and Palau through the Compact of Free Association (COFA) agreements and to non-agriculture land grabs by the Chinese in Micronesia. Additionally, this study will determine how culture, economics, and politics factor into Palau's decision to amend land tenure.

In general, literature on Palau's land tenure describes traditional systems and changes in land tenure because of colonial powers' administrative decisions, most notably by Germany, Japan, and the U.S. (McCutcheon, 1985; Cortés, 2013; Hezel, 1995; 2001; Kitalong & Mason, 2021; Anderson, 2011). However, land tenure from yesteryear is far different from the modern land tenure. Most striking about the recent change in Palau's land tenure is that it was not the colonial powers that changed the policy, but rather the decolonized Palauan electorate amending the nation's Constitution. The amended Constitution allowed the extension of land leases to non-citizens and foreign corporations from 50 to 99 years.

This vote was surprising because, in the immediate past, the 99-year leases had been controversial and swam against the trend among the Pacific Island neighbors, which limited land leases between 30 and 50 years (Shuster, 2009). For the first time, the Palau citizens, rather than the colonial powers, chose to change their land tenure. This led to the question, what factors contributed to this decision and were the governments of China and the U.S. influenced for their economic, political, and security agenda?

### **I. China Influence**

China began a low-key but increasingly strategic relationship with the Pacific Island nations in 1975 when it established diplomatic relations with Samoa (Henderson & Reilly, 2003). Scholars point to the growth of Chinese influence in the Pacific. This influence is not surprising. Pacific Islanders and Chinese people historically had close ties through trade networks and migrations before Western colonial powers occupied the Pacific nations and later, as indentured laborers brought to the Pacific, including Palau, necessitated by Western commercial projects (Sheng & Smith, 2021; Kitalong & Mason, 2021; McCutcheon, 1985; Hezel, 2001). Changes in international situations fostered the assimilation of the

Chinese into the local community, increasing their social status and improving bilateral trade. Studies show that ethnic Chinese networks impact bilateral trade through referrals and market information (Rauch & Trindade, 2002; Rauch, 1996; Redding, 1995; Kobayashi et al., 1999). Thus, ethnic Chinese living in the Pacific conceivably exposed foreign Chinese entrepreneurs to business opportunities and acceptance of the presence and influence of Chinese businesses in Palau.

Furthermore, the independence of several Pacific nations during the 1970s and 1980s coincided with China's efforts to reform its economy, partly by developing a closer relationship with the U.S. In 1999, the U.S. and China normalized trade relations by signing the United States – China Relation Act of 2000 (Dikotter, 2022, p.233). Western scholars and economists believed that opening trade between the two countries would lead to China's democracy. By 2008, China's trade surplus with the U.S. grew, indicating China's economic growth. Despite the global recession, China was a draw for global capital (Dikotter, 2022, p.237). Against this background, the implications of China's rise in influence in the Pacific drew debate among analysts. Jakobson (2012) wrote that China is not merely an economic power but also a crucial security actor in the Pacific. Literature suggests that the decision on land tenure change resulted from China's and U.S. influences. Although land tenure is rarely mentioned in the literature, it is generally assumed that their influences impact domestic policy decisions and, therefore, by inference, impact land tenure decisions. Multiple arguments attempt to explain China's presence and, thus, its influence on Micronesia. The main arguments for China's presence are A) the isolation and campaign against the international recognition of Taiwan (Lyons, 2018; Cameron, 2021; Beldi, 2018) B) a function of China's promotion of trade and economic development under the Belt & Road Initiative (BRI) (Zhang, 2016; Szadziewski, 2021; Dornan & Brant, 2014; Davis et. al, 2020), C) to challenge the liberal world order in which the U.S. is the leader (Wesley-Smith, 2021; Searight et al, 2019; Fangyin, 2021), and D) allow access to the Pacific Ocean from which China can extract resources for its population and economic growth (Zhang J. , 2015; Nicolas, 2021; Hanson, 2010). Of these arguments, two are economic-based (resources for China and BRI), and the other two are political (Taiwan and liberal world order challenge). Other analysts argue that China's presence in the region is multifaceted (Wesley-Smith, 2007; 2013; Zhang, 2017; USIP et al., Study Grp, 2022; Lum & Vaughn, 2007) being a combination of the economic argument, the isolation of Taiwan through diplomatic means, and increased support in the international arena, such as the United Nations (Croccombe, 2013) and China's increased influence was

also the result of U.S. neglect of its Pacific Island allies (Henderson & Reilly, 2023).

It should also be noted that while these references allude to Micronesia, Palau is infrequently mentioned. The failure to mention Palau wrongly gives the assumption that Palau and the other Micronesian nations respond to China and U.S. influences similarly or have similar modern-day land tenure. However, Micronesia is composed of different islands with different cultures and different responses to or relationships with China. Therefore, it cannot be assumed that Palau's perspective sees China or U.S. influences from the same perspectives as the other Micronesian nations. Perspectives of the Palauan leaders are missing from the literature.

## II. U.S. and Decolonization

Palau and the U.S. relations is over six decades long. It began shortly after World War II when Japan lost the war and with it, the spoils of war, - Micronesian islands. The internal debate within the U.S. leadership was whether these islands would be annexed directly or be temporary trustees. Regardless of the islands' status, it was agreed that the U.S. sole interest was for U.S. security purposes (Richard, 1957). In accordance with Article 22 of the Covenant of the League of Nations, the islands, formerly held by Japan, were designated as a strategic area, and placed under the Trusteeship system of the United Nations. The U.S. was given administrative authority over and full authority to govern the islands. The Trusteeship also mandated the U.S. to foster the development of a suitable political government and the development of the citizens toward self-government or independence (UN Trusteeship Council Documentation, 1947). The islands became the United Nations's Trust Territories of the Pacific Islands (TTPI) and were comprised of the islands now called Chuuk (formerly Truk), Kosrae (formerly Kusaie), Pohnpei (formerly Ponape), Yap, Republic of Palau, Republic of the Marshall Islands, and the Commonwealth of the Northern Mariana Islands (CNMI) (formerly Northern Mariana Islands). The security purpose for its relationship with Palau continues today.

Literature on U.S. presence and influence and the decolonization of Palau center around U.S. strategic and security goals (Firth, 1997; Cortés, 2013), providing easier access to U.S. allies in Asia (Japan, Philippines, and Australia). Palau's eventual sovereignty was predicated upon the signing and ratification by Palau of the Compact of Free Association. The COFA agreement contains three main points. 1) recognition of Palau's sovereignty over its ocean and land; 2) affirms the U.S. commitment to Palau's economic advancement and budgetary self-sufficiency and security; and 3) In exchange, Palau allows the U.S. to

establish and use military areas and facilities and deny military access ( “strategic denial” ) to Palau by a third country (Compact of Free Association (Palau)). Any land that the U.S. might use for its strategic and security agenda was negotiated under the COFA agreements. Therefore, land tenure policy change from 50-year to 99-year leases neither benefit nor hurt U.S. interests or agenda.

The U.S., through COFA, could shape Palau’s economic, political, and development trajectories. However, as noted above, the primary interest of the U.S. in Palau was protecting U.S. security and strategic agenda. Nevertheless, despite the COFA agreements, reports by the Asian Development Bank, International Monetary Funds, and the U.S. Congress all show slow to negative economic growth during the early 2000s to mid-2000s (Abdelati et al., 2002; Abdelati et al., 2006; Taniguchi, 2005; Gootnick, 2008). Furthermore, the same reports indicate that Palau needs to “fix” its land issues to develop its economy. Moreover, in the six decades of relationship with the U.S., a quick online search for U.S.-based corporations or hotels in Palau is virtually nonexistent.

Another indication of the U.S. lack of interest in Palau’s land tenure policy may be inferred from recent visits by two delegations of U.S. Congressional leaders. In late 2022, Palau hosted two U.S. Congressional delegations, one of which emphasized the importance of Palau to the U.S., and the other delegation was led by the U.S. Congresswoman Debbie Wasserman-Schultz who chairs the House Subcommittee on Military Construction, Veterans Affairs, and Related Agencies. Immediately following the U.S. officials’ visits, a delegation of over 100 Taiwanese travel agents and tour operators, led by Taiwan Vice President Lai Ching-Te met with Palau President Surangel Whipps (Reklai, 2022). Thus, the U.S. delegates’ purpose was to ensure the continuation of U.S. security and strategic agenda (Ligaiula, 2022), and Taiwan’s visits highlighted Palau’s continued need for foreign investments through tourism. The recent visits by the U.S. delegations are further indications that the land tenure policy change in 2008 had no impact on U.S. strategic interests in Palau then, nor does it have an impact today. Thus, it can be inferred that the U.S. would not have attempted to influence the land tenure policy.

### III. Protecting Palau’s Pristine Paradise

Islanders have a cultural, emotional, and spiritual connection to the land and their way of life (Hezel, 2001; Pulea, 1994; Antonio & Griffith-Charles, 2019). Land tenure is shaped by experiences, the environment and the circumstances of the people who live on them, and external forces. Under the traditional land tenure systems, the clan shared the rights to

use the land. Titular rights to the land resided not with any one individual but with the group. Therefore, there was no expectation of permanency of home ownership by the granting of land use by the Chief (Crocombe, 2013; McCutcheon, 1985). However, when a social imbalance occurs or special situations arise, a pragmatic solution is found (McCutcheon, 1985).

Additionally, the supremacy of Palauan rights and the importance of culture and land can be spotted in both the Preamble of the Constitution and the government website.

“In exercising our inherent sovereignty, We, the people of Palau proclaim and reaffirm our immemorial right to be supreme in these islands of Palau, our homeland. We renew our dedication to preserve and enhance our traditional heritage, our national identity and our respect for peace, freedom and justice for all mankind. In establishing this Constitution of the sovereign Republic of Palau, we venture into the future with full reliance on our own efforts and the divine guidance of Almighty God” (Constitution of Palau)

“ A *rechad er Belau* (Palauan), for centuries, have recognized our connection to our surrounding environment...It is our duty to guard our forests, swamps, rivers and numerous island inhabitants, along with our ocean. Simultaneously, we are safeguarding the future of our children and their descendants.” (PalauGov.pw)

Crocombe (2013) accurately writes that tenure changes with changes in needs and in the Pacific, tenure change lags behind social and economic change because of the assumption that the traditional system was “God-given and should remain forever.” Thus, this lag results in a mismatch between customary principles and current aspirations. Crocombe’s assessment of the lag resulting in a mismatch fails to consider that the lag may be intentional because culture does matter, and current aspirations may be defined by Pacific Islanders as something other than in economic terms. The citizens of the Pacific may find the perceived mismatch is not, in reality, a mismatch. One consistent thing is the emphasis on the importance of culture and land to pass on to the future generations of Palauans.

Although Palau and China do not have an official diplomatic relation, Palau conducts trade with China (Remengesau, 2020). However, a series of laws, and programs signaled the greater importance of land and culture than economic, political affiliation, and external influences.



While the U.S. and Palau were negotiating the terms of COFA, the Palauan electorate rejected COFA, which was central to its independence. It took seven referendum votes before COFA was approved. In developing its Constitution, Palau was the first country to embed an anti-nuclear free statement in its Constitution. The language was in direct conflict with the terms of the COFA (Leibowitz, 1996). One of the early concerns about COFA was due to the anxiety of the possible loss of land. For Palauans, the loss of land was more than the loss of ownership. Land is key to the future as well as the present. Without land, “the bonds between generations suffer greatly” (Gerston, 1989/1990).

A second event occurred in 2006, when Palau signed the Micronesia Pledge, committing to the conservation of the marine and twenty percent of the terrestrial environment by 2020.

In 2015, two major actions were announced by President Remengesau that would simultaneously impact the relationship with China and the economy. In 2008, there were 634 Chinese visitors, representing less than one percent of the total visitors to Palau. At the height of the tourism market in 2015, fifty-four percent of the visitors were Chinese (Visitor Arrivals, 2021), with ninety percent of flights coming from Hong Kong and Macau. President Remengesau announced that the number of chartered flights would be reduced by half because of the environmental damage to land caused by the increased volume of tourism. The result was a significant reduction in the number of visitor arrivals, affecting the tourism business significantly and the number of land leases. As the then President of the Palau Visitors Bureau, Leilani Reklai was quoted, at the height of tourism, “Guys were running around buying land.” (Lyons, 2018). Fortunately, a pragmatic decision – shifting its marketing strategy - economic fallout was averted. Instead of the low-value, high-impact Chinese market, Palau pursued “high-value, low-impact sustainable tourism” (ibid). President Remengesau, in defense of this decision, wrote:

“To protect our quality of life- our environment, culture, and communities – while supporting responsible tourism growth, we must combine traditional knowledge with innovative management and best practices to present Palau as a special destination to be respected, understood, and highly valued.” (Basilius & Whitman, 2016)

However, news outlets perceived the reduction in tourism numbers as China’s punishment for Palau’s refusal to switch diplomatic relations with Taiwan (Cameron, 2021; Chan, 2018; Reklai, 2018). But, the decision to reduce the number of flights was in play three years

prior to China's "punishment". While the perception is that Palau's decision was influenced by China, the reality is that it was influenced by the need to preserve culture and land, not by China policy.

Also in 2015, President Remengesau signed into law the establishment of the Palau National Marine Sanctuary. Its purpose was to create a "no-take" sanctuary within Palau's Economic Exclusive Zone (EEZ), preventing the extraction of resources and commercial fishing within eighty percent of its waters. However, domestic and traditional fishing would be allowed within twenty percent of the EEZ waters. The law was to be implemented within five years. By 2020, the "not take" zone was completely closed to commercial fishing (Department of Economic and Social Affairs, n.d.). While limiting its fishing zone is about protecting its marine resources rather than land, it points to the importance of culture. The law was later amended to allow certain commercial exports of fish within the domestic fishing zone (DFZ); long-line fishing within the DFZ, revenue from exported fish caught inside DFZ and new boundaries created for the DFZ.

The series of laws enacted to preserve land, ocean, and culture, despite the risks to Palau's economy, indicates culture's importance to the Palauan community.

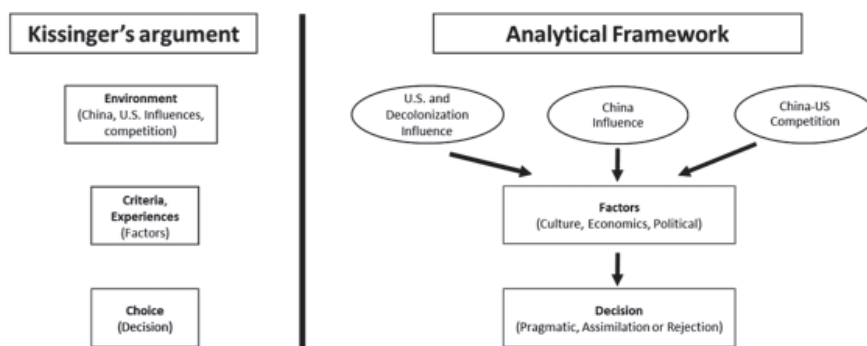
## ANALYTICAL FRAMEWORK AND METHODOLOGY

### I. Analytical Framework

This paper applies the argument of Henry Kissinger (1966) as an analytical framework to explain Palau's 2008 decision on the land tenure policy. Henry Kissinger (1966), the Secretary of State under U.S. President Richard Nixon, argued that policymakers' foreign policy decisions are made considering their environment, the criteria by which the decision outcome will be measured, and their personal experiences. It could be said that Kissinger's argument is derived from the constructivist theory, which theorizes that there are two basic tenets 1) shared ideas, not material forces, determine the human association, and 2) identities and purpose are construed by these shared ideas, rather than by nature (Wendt, 1999). Mimiko & Mbada (2014) writes that foreign policy is not the result of only external stimuli but is also processed through the domestic processes of a state. Often, the decision is made by a leader, but only after consultation with various institutions, private and public, as well as personalities wishing to advance interests or collective influence by foreign institutions. Therefore, national interests and identities are social constructs based on a shared understanding of knowledge. Additionally, these social constructs are in

response to domestic and international norms. (Wendt, 1999; Mingst et al, 2019).

The analytical framework (see *Figure 1* below) identifies the environment as China-U.S. influences. Palau's perspectives on culture, economy, and politics are the criteria and experiences to be measured.



*Figure 1: Analytical Framework*

## II. Methods

Utilizing Kissinger's argument, the research was constructed in three stages. The first stage reviews the historical events leading to the decision. The second stage determines the strength and role of China and U.S. influences, and the third stage analyzes how culture, economics, and politics might be factors in the decision. Using a semi-structured interview method, twenty-six individuals (traditional chiefs, elected officials, journalists, historians, and entrepreneurs) were interviewed in Palau between October and November 2022. These individuals were chosen for the following reasons (see *Table 1* below):

*Table 1: Interviewed Individuals*

Role	Reason for choice
Traditional Chief	Legally protected role as advisor to the President on all matters related to laws and policies impacting traditional culture
Elected Official	Elected by citizens and represent citizens' wishes
Journalist	Verifies the mood of the environment at the time of change (2008)
Historian	Verifies the mood of the environment at the time of change (2008)
Entrepreneur	Provide perspectives on economic development.

Permission was requested and granted to record using the iPhone recorder. Interviewees were promised confidentiality and were advised that they were free to refuse to answer

questions and could stop the interview at any time, with or without reason. The length of interviews ranged from 45 minutes to one and a half hours.

The interviews were conducted one-on-one in an area of their choice. The basic questions asked were the following:

1. What policy decisions were due to Chinese influence?
2. What policy decisions were due to U.S. influence?
3. How did the Chinese influence the policy change of land tenure (50-to-99-year leases)?
4. How did the U.S. influence the policy change of land tenure (50 to 99-year leases)?

Follow-up questions were asked regarding their perception of the strength of China and U.S. influences on government policies and land tenure. Questions regarding how they felt about China and the U.S. and reasons for their reply were also asked. Why was the land tenure policy changed from their perspectives? What reasons did landowners have for agreeing to 99-year leases? Why not allow non-citizens to buy land?

## RESULTS

The original four and follow-up questions posed to the interview participants and their responses are listed in *Table 2*. The statements were then coded and analyzed into seven broad statements. The analysis (see Figure 2) shows that 25% of the statements indicate that China had no influence. Statements such as “we do not trust China” were also included in the “China has no influence” category. However, it is important to note that the participants differentiated between the Chinese government ( “we do not trust China” ) and Chinese businesses. 15% of the statements inferred that Chinese businesses were the reason for the leases, with 21% indicating financial needs being the reason for the leases. The combined responses for financial reasons and Chinese business influences add to 36% or just over one-third of the responses, indicating financial or economic reasons for the land tenure policy change.

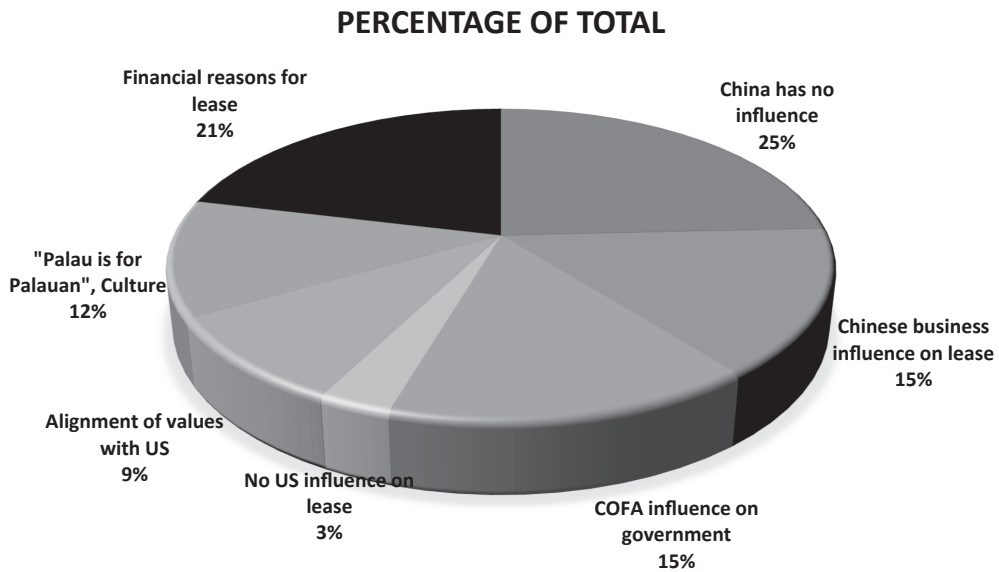
However, 9% stated that the values of Palau (democracy, independence, and human rights) are aligned with those of the U.S. By 2008, the U.S. presence in Palau was over six decades long, first as a colonizer and then as a COFA partner. Therefore, the alignment of values and the expression of this sentiment was unsurprising, suggesting that the U.S. influence is felt in Palau. Only 3% stated that the U.S. did not influence the land tenure decision. However, this, and the alignment of values, are insufficient to suggest that the U.S. was indeed a factor in the 2008 land tenure policy decision.

The larger figure of 12% stating that culture was a factor and the statement “Palau is for Palauans” are the better indicators of culture as a factor. It is crucial to remember that significant events have already taken place that signal the importance of culture. 1) It took eight referendums to approve the COFA agreement, partly because of the fear of losing land that should be passed on to the next generation and partly because of the nuclear issue. 2) Palau had taken steps to preserve its land and environment as early as 2006.

Therefore, the statement of “Palau of Palauans” and the importance of culture was no longer a debate but instead a given. Two other points that support that U.S. influence did not factor in the decision are 1) Land to be used by the U.S. was pre-arranged under COFA, and 2) The U.S. had not encouraged U.S. companies to invest in Palau.

Table 2: Questions and general answers

Question	Answers
What policy decisions were due to Chinese influence	China has no influence. Some political leaders have business partnerships with Chinese businesses but not with the Chinese government. COFA will not allow the Chinese government into the country
What policy decisions were due to US influence	Policy decisions that were agreed upon with the U.S. under COFA <b>The US influences government policies because of COFA</b>
How did the Chinese influence the policy change of land tenure (50-to-99-year leases)	Not the Chinese government. The Chinese businesses wanted to extend the leases to 99 years. They were saying 50 years was not long enough for the investment they wanted to put in. Chinese business people were bringing cash and showing them to the landowners. Many of the landowners did not know any better. They thought they were getting a good deal.
How did the U.S. influence the policy change of land tenure (50-to-99-year leases)	COFA already defined which land was to be used by Americans. <i>The U.S. must be renegotiated with the landowners if they want more land.</i> <i>The U.S. did not influence the change in the Constitution</i>
How strongly do you think the Chinese influence is on the government	Very little. We do not trust the Chinese. We do not want to have to learn the Chinese language We believe in the U.S. values of democracy, freedom and human rights
How strongly do you think the U.S. influence is on the government?	Very strong. We have a long relationship with the U.S. We have COFA so the U.S. has a strong relationship with the U.S. The U.S. had abandoned us.
<b>Follow up questions</b>	<b>Replies</b>
What is your perception of the strength of China's influence in Palau	China does not influence in Palau. But many politicians have Chinese business partners. It's an open secret. Some are calling for a closer relationship with the Chinese.
What is your perception of the strength of U.S. influence in Palau	<b>Very strong.</b> The kids speak mostly English now. The traditions are not as strong.
Why do you believe that the land tenure policy was changed?	We needed foreign investments, and the Chinese businessmen were going to invest. But they wanted 99 years.
What reasons did the landowners have for agreeing to 99-year leases	Their children's education. To take care of their family. They wanted to move to the States (U.S.). They needed money for their medical care. They were greedy. For their self-interests Many did not understand the agreements – they just saw the money in front of them.
How important is land	Land is very important. There are many cases in court over land, families fighting over land.
Why not allow non-citizens to buy land	Palau is for Palauans. The court cases keep Palau from getting sold to foreigners, but not good for our economy. The only land owned by a foreigner is the U.S. embassy.



*Figure 2: Analysis of Statements*

## CONCLUSION

This research aimed to determine the contributing factors to Palau's decision to amend its Constitution, extending the period of land leases from 50 years to 99 years. The central question also asked how China and the U.S. influences, if any, may have contributed to the vote on the Constitutional amendment. Although the decision was made fifteen years ago, the central question is still relevant today because Palau continues to be concerned with its economic development and the protection of its environment.

Today's land tenure is far different from land tenure centuries ago, but the culture and its attachment to land tenure still has meaning for the people of Palau. The empirical data from this research suggests that culture and the need for foreign investment were two factors that contributed to the decision to amend the land tenure policy, not the influence of either the U.S. or Chinese governments. However, the historical context of the decision must also be considered. When the Palauan electorate voted to amend their Constitution and land tenure in 2008, Palau was a new country, having formally proclaimed independence from the U.S. only fourteen years prior in 1994 (PalauGov.pw). During this period, both the U.S. and China economies were shifting – China was gaining economic influence in the region while the U.S. was experiencing an economic downturn in what was

called the “Great Recession” , the U.S. engagement in the Middle East, and resulting in the decline of interest in Palau. Palau also perceived the decline in interest as abandonment, resulting in fear of losing economic and financial aid if COFA were to end. It was also the period when the U.S.-China trade relations had normalized, signaling the acceptance of China as a source of foreign investments. Concurrently, Palau was under pressure from Chinese businesses, the banking institutions (Asian Development Bank, International Monetary Fund), and the U.S. Congress to “fix its land issues,” which prevented foreign investment badly needed for the new economy of Palau.

However, the statement that “Palau is for Palauans” is an important point that is supported by the Palau government’s various actions, despite the economic risks, to protect its environment, land, and culture. While the statement “Palau is for Palauans” cannot be seen in government literature, the sentiment is emphasized in its Constitution’s Preamble, the government website, and the series of laws enacted to protect their land for future generations. This statement also supports the argument that China or U.S. governments and the Chinese-US competition were not significant factors in this domestic decision. Although the COFA could heavily influence the Palauan government and thus influence Palau’s culture, economic, political, and international and domestic policies, it was not a factor in the decision to amend the land tenure. U.S. interest was in its security and strategic goals. Additionally, under COFA (ratified in 1993, before the 2008 decision), the U.S. already has access to land it wishes to use. Therefore, land tenure policy change does neither benefit the U.S. nor impact the U.S. presence in Palau.

Culture and land are tied to the Palauan identity. This has been proven several times when Palau took economic risks to protect its culture and preserve its land. By allowing long-term, 99-year leases, Palau found a pragmatic compromise to preserving culture and retaining land for future generations while allocating land for foreign investment and economic development. The inheritance of land by future generations means Palau will continue to be for Palauans.

The data on grants and aid by the Chinese government was unavailable. Additionally, the system for data analysis of recorded leases was not readily accessible. Thus, the lack of data on these two areas limited the in-depth analysis of the extent of the influence of Chinese businesses.



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