

August 3, 1995
VIA FAX 670/322-0993

Herman T. Guerrero
President
Third Constitutional Convention
Commonwealth of the Northern Mariana Islands
Saipan, MP 96950

Dear Mr. President:

This is to inform you and the other delegates that I have decided that I cannot, in good conscience, subscribe my name to the draft constitution which has been approved by the Convention.

You are entitled to know the principal reasons for my decision.

Under your leadership and the influence of the majority, what I regard as the most important issue before the Convention was entrusted to a committee whose chair and vice-chair were fundamentally out of sympathy with the very purpose and existence of Article XII. In fact, they were opposed to it.

Under your leadership, an attorney was employed and assigned to the Committee on Land and Personal Rights whose personal, private objective was to accommodate the interests of those who had violated Article XII and deprived many of our citizens of their land. Our objective, under the Covenant and for the benefit of our people, was to see that justice is done in accordance with the terms and objectives of Article XII, not to give amnesty to those who have violated it.

Insufficient time was devoted to this vital and very technical subject and as a result, the Committee leadership and the Committee attorney had their way. With all due respect, Mr. President, most if not all of the delegates were not given sufficient time or the information necessary to get a full understanding of the amendments and the analysis written by

David 8/3/95
Cen

Herman T. Guerrero
August 3, 1995
Page 2

the Committee counsel.

Those who wanted these essential protections to be strengthened have been frustrated and defeated by your majority.

Instead of maintaining her neutrality and objectivity (since she was the only attorney) so that all of the delegates could have the benefit of her advice, the Committee counsel withheld important information and only disclosed it after it was too late.

In the name of "fairness" and "flexibility" the Committee counsel has made highly legalistic and technical amendments to Article XII which cut the very heart out of it. And in highly legalistic and technical wording in the analysis, she has legally forgiven the wrongdoers of the past so that they will never have to relinquish their ill-gotten gains. In other words, they will keep the land which they bought in contravention of Article XII.

As a result, most if not all of the hundreds of hectares of land which has been lost to our people as a result of the illegal transactions of the past 16 years will never be recovered. If the new Article XII is ratified, that will be the inevitable consequence of the actions of a majority of this Convention.

The Committee counsel made it perfectly clear from the beginning that she thought that "void ab initio" was too harsh. Too harsh for whom? Too harsh for our people? Or too harsh for those who violated Article XII, with the advice and help of their lawyers?

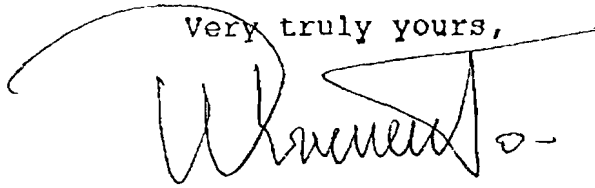
From what I heard during the election of the delegates, the people wanted to be assured that their protection from the loss of their lands would be preserved and strengthened. Instead, it has been weakened for the future and destroyed for the past.

"Void ab initio" is gone and our land is gone with it.

Herman T. Guerrero
August 3, 1995
Page 3

For these reasons, I cannot in good conscience subscribe to a constitution which contains a denial of the most important and fundamental right of our people: the right to retain their land for themselves and all future generations.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Camacho', with a large, sweeping flourish above it that extends to the left and then curves back towards the right.

CARLOS S. CAMACHO