

A RESOLUTION

Ratifying a treaty entitled a Third Arrangement Implementing the Nauru Agreement setting forth additional terms and conditions of access to the Fisheries zones of the Parties.

1 WHEREAS, the Federated States of Micronesia is a party to
2 the Nauru Agreement Concerning Cooperation in the Management of
3 Fisheries of Common Interest, hereinafter referred to as the
4 "Nauru Agreement"; and

5 WHEREAS, the purpose of the "Nauru Agreement" was to
6 ensure that the signatory nations cooperate in the management
7 of their respective fisheries zones so that their citizens can
8 be assured of receiving the Maximum benefits from their
9 resource; and

10 WHEREAS, the Federated States of Micronesia also ratified
11 as a treaty, the first implementing arrangement to the Nauru
12 Agreement setting forth the minimum terms and conditions of
13 access to the fishery zones of the parties by Congressional
14 Resolution No. 2-101; and

15 WHEREAS, the treaty entitled "An Agreement Implementing
16 the Nauru Agreement setting forth minimum Terms and Conditions
17 of Access to the Fishery Zones of the Parties", signed on May
18 2, 1982, is a subsidiary agreement to the "Nauru Agreement" and
19 necessary for the proper implementation of the "Nauru
20 Agreement"; and

21 WHEREAS, the Federated States of Micronesia also signed as

1 an executive agreement the second arrangement implementing the
2 Nauru Agreement setting forth additional minimum terms and
3 conditions of access to the Fisheries Zones of the Parties,
4 which is the second subsidiary agreement to the "Nauru
5 Agreement"; and

6 WHEREAS, on the 16th day of May 2008, six of the eight
7 countries to the Parties to the Nauru Agreement signed a third
8 arrangement implementing the Nauru Agreement setting forth
9 additional terms and conditions of access to the fisheries
10 zones of the Parties, which is the third subsidiary agreement
11 to the "Nauru Agreement"; and

12 WHEREAS, the third Implementing Arrangement imposes
13 measures for catch retention by purse seine vessels, restricts
14 fishing in the High Seas, imposes a 100 percent observer
15 coverage of all purse seine vessels and imposes a condition of
16 a license that the automatic location communicator of a
17 licensed vessel be switched on and operating properly at all
18 times during the period of validity of a license issued by a
19 Party; and

20 WHEREAS, the third Implementing Arrangement requires
21 ratification as a treaty as the Arrangement seeks to impose
22 conditions on the High Seas adjacent to the exclusive economic
23 zone of the Federated States of Micronesia, in order to ensure
24 the sustainability of the Tuna stock; now, therefore,

25 BE IT RESOLVED by the Sixteenth Congress of the Federated

1 States of Micronesia, Fifth Special Session, 2010, that the
2 treaty entitled the "Third Arrangement Implementing the Nauru
3 Agreement setting forth additional terms and conditions of
4 access to the fisheries zones of the Parties", as attached
5 hereto, is hereby ratified pursuant to the authority granted in
6 article IX, section 4 of the Constitution of the Federated
7 States of Micronesia; and

8 BE IT FURTHER RESOLVED that a certified copy of this
9 Resolution be transmitted to the President of the Federated
10 States of Micronesia.

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12 Date: 2/10/11

Introduced by: /s/ Joe N. Suka

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Joe N. Suka
(by request)

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