

A RESOLUTION

To approve the agreement for the grant of a foreign financial assistance from the United Nations Trust Fund in the amount of \$117,568.00 for the purposes defraying the costs and expenses associated with the task of delineating the outer limits of the FSM Continental Shelf beyond its 200 nautical miles exclusive economic zone.

1 WHEREAS, the FSM Ambassador to the United Nations has
2 executed an agreement for the financial assistance grant from the
3 United Nations Trust Fund, in the amount of \$117,568.00 for the
4 purposes of defraying the costs and expenses associated with the
5 task of delineating the outer limits of the FSM Continental Shelf
6 beyond its 200 miles exclusive economic zone; and

7 WHEREAS, Article 76 of the United Nations Convention on the
8 Law of the Sea (UNCLOS), of which FSM is a party, requires the
9 costal states, of which the FSM is one, to delineate the outer
10 limits of their Continental Shelf; the FSM is an island nation and
11 its surrounding ocean floor with geographic features includes a
12 Continental Shelf, as defined b Article 76 (of the UNCLOS), which
13 permits the FSM to make a submission for the extension of its
14 Continental Shelf beyond the 200 miles EEZ in conformity with the
15 decision adopted by the Eighteen Meeting of States Parties to the
16 UN Law of the Sea Convention; and

17 WHEREAS, studies show that there are three major areas in and
18 adjacent to FSM exclusive economic zone (200 nautical miles) that
19 have potential extensions of the FSM Continental Shelf beyond the

1 200 miles, to wit:

2 (1) The Euripik Rise, extending from the island of Euripik
3 in South Western Yap Sate has a potential extension of 75,000
4 square kilometers; (2) The Nussau Ridge in the Southern part of
5 Chuuk Sate has potential extension of 26,000 square kilometers;
6 and (3) The Ontong Java Plateau in the Southern Pohnpei State has
7 a potential extension of 156,000 square kilometers; and

8 WHEREAS, the FSM needs the \$117,568 for the purpose of
9 defraying the costs and expenses associated with the preparation
10 of FSM's position papers regarding the extension of its
11 Continental Shelf beyond its 200 miles Exclusive Economic Zone;
12 the grant, when received, is a foreign financial assistance,
13 within the meaning of FSM Const. art. XII, section 1(b); 55 FSMC
14 section 210 (1)(b), and, as such, it shall be deposited in the
15 Foreign Financial Assistance Fund established pursuant to FSM
16 Const. art. XII, section 1(b) and 55 FSMC section 210 (3), and the
17 same shall be distributed, in accordance with the "particular
18 distribution" set forth in the terms and conditions of the grant
19 award, pursuant to FSM Const. art. XII, section 1(b), without
20 appropriation; and

21 WHEREAS, adoption of the resolution is in the best interest
22 of the Government of the Federated States of Micronesia; now,
23 therefore

24 BE IT RESOLVED by the Fifteenth Congress of the Federated
25 States of Micronesia, Sixth Regular Session, 2009 that the

1 resolution to approve the agreement for the financial assistance
2 grant from the United Nations Trust Fund in the amount of \$117,568
3 for the purpose of the defraying the costs and expenses associated
4 with the delineating the outer limits of the FSM Continental Shelf
5 beyond the 200 nautical miles exclusive economic zone be, and the
6 same hereby is, approved; and

7 BE IT FURTHER RESOLVED that the grant shall be used and be
8 distributed in accordance with its "particular distribution"
9 pursuant to section 1(b) of article XII of the Constitution of the
10 Federated States of Micronesia, without appropriation; and

11 BE It FURTHER RESOLVED that certified copies of this
12 resolution be transmitted to the President of the Federated States
13 of Micronesia and the Secretary of the Department of Foreign
14 Affairs of the Federated States of Micronesia.

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16 Date: 1/23/09

Introduced by: /s/ Resio S. Moses

Joe N. Suka
(by request)

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