

A RESOLUTION

Ratifying an Amendment to the Fisheries Partnership Agreement between the European Community and the Federated States of Micronesia on Fishing in the Federated States of Micronesia, by amending the Protocol and Annex.

1 WHEREAS, the Federated States of Micronesia and the
2 European Community entered an agreement entitled "PARTNERSHIP
3 AGREEMENT between the European Community and the Federated
4 States of Micronesia on fishing in the Federated States of
5 Micronesia" (the "Agreement") on 12 October 2006; and

6 WHEREAS, the Agreement was for a duration of nine years
7 from 2007 to 2016 with a protocol for payment which was for
8 three years from 2007 to 2010; and

9 WHEREAS, the Agreement is in three parts, being the main
10 text of the Agreement, the Protocol and the Annex; and

11 WHEREAS, the main text spells out the principles and rules
12 that will govern the fishing activities of vessels flying the
13 flags of the member States of the European Union in the FSM
14 EEZ; and

15 WHEREAS, the Protocol describes the operational functions
16 of the Agreement, including the number and type of vessels that
17 can operate in the FSM EEZ, the financial contributions of the
18 European Community and the fishing operators, and the
19 responsibilities of the Parties; and

20 WHEREAS, the Annex covers technical matters such as

1 registrations, license application, use of agents, reporting
2 requirements, observer placement and VMS requirements; and

3 WHEREAS, in January 2007, by Congressional Resolution No.
4 14-114, the Federated States of Micronesia ratified the
5 Agreement as a treaty; and

6 WHEREAS, in February 2009, by Congressional Resolution No.
7 15-197, the Fifteenth Congress of the Federated States of
8 Micronesia urged the President through agencies such as NORMA
9 and the Department of Resources and Development, to initiate a
10 review of the Agreement with a view to amend, rectify, and
11 otherwise change provisions of the Agreement that may not be in
12 the best interest of the FSM; and

13 WHEREAS, in May 2010, the Federated States of Micronesia
14 had reviewed the Agreement with the European Community and
15 agreed to amend the Protocol and the Annex to the Agreement;
16 and

17 WHEREAS, the Amendment to the Protocol seeks to specify
18 the financial contributions involved by either party to the
19 Agreement; and

20 WHEREAS, the proposed change to the Annex of the Agreement
21 is mostly a reorganization of the provisions to make it clearer
22 to the vessel operators so as to guide them about the technical
23 issues relating to licensing and fishing in the FSM EEZ; and

24 WHEREAS, the amendments to the Protocol and Annex to the
25 Agreement are essential components of the Agreement and require

1 ratification as a treaty; now, therefore,

2 BE IT RESOLVED by the Sixteenth Congress of the Federated
3 States of Micronesia, Fifth Special Session, 2010, that the
4 Amendment to the Protocol and the Annex to the treaty entitled
5 the "PARTNERSHIP AGREEMENT between the European Community and
6 the Federated States of Micronesia on fishing in the Federated
7 States of Micronesia" (the "Agreement"), attached hereto, is
8 hereby ratified pursuant to the authority granted in article
9 IX, section 4 of the Constitution of the Federated States of
10 Micronesia; and

11 BE IT FURTHER RESOLVED that certified copies of this
12 Resolution be transmitted to the President of the Federated
13 States of Micronesia.

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15 Date: 11/17/10

Introduced by: /s/ Joe N. Suka

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Joe Suka
(by request)

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