

STANDING COMMITTEE REPORT NO. 17-152

RE: C.R. NO. 17-129/R&D

SUBJECT: A RESOLUTION TO RATIFY THE MARITIME
BOUNDARIES TREATY BETWEEN THE FSM AND RMI

SEPTEMBER 28, 2012

The Honorable Isaac V. Figir
Speaker, Seventeenth Congress
Federated States of Micronesia
Fifth Regular Session, 2012

Dear Mr. Speaker:

Your Committee on Resources and Development, to which was jointly referred C.R. NO. 17-129, entitled:

"A RESOLUTION TO RATIFY THE TREATY BETWEEN THE
FEDERATED STATES OF MICRONESIA AND THE REPUBLIC OF
THE MARSHALL ISLANDS CONCERNING MARITIME BOUNDARIES
AND COOPERATION ON RELATED MATTERS, WHICH WAS SIGNED
ON BEHALF OF BOTH STATE PARTIES ON JULY 5, 2006 IN
MAJURO, THE REPUBLIC OF THE MARSHALL ISLANDS."

begs leave to report as follows:

Congressional Resolution No. 17-129 was transmitted to Congress on March 15, 2012 through Presidential Communication No. 17-203. The resolution is about the FSM-RMI boundary delimitation treaty, and President has urged Congress to ratify it.

On September 26, 2012, your Committees on Resources and Development and External Affairs conducted a joint public hearing on Congressional Resolution No. 17-129. In attendance were Acting Secretary of the Department of Foreign Affairs, Kandi Elieisar, Foreign Service Officer, Brendy Carl, Acting Secretary of the Department of Justice, Johnson Asher, Assistant Attorney General, Jun Bacalando and Lorrie Asher, Executive Director of the National Oceanic Resource Management Authority, Patrick Mackenzie, Chief of Staff, Churchill Edward, and Special

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Assistant to the President on Legislative matters, Semeon Phillip.

At the hearing, your Committee learned that because of an overlap on certain areas of the Exclusive Economic Zone between the FSM and the RMI, the two nations negotiated on this matter and signed the treaty on July 5, 2006.

The treaty is basically boundary delimitation on the overlap boundaries between the Exclusive Economic Zones of the two nations. With this treaty, the two nations exercise sovereign rights over the established and recognized line of delimitation between the Exclusive Economic Zones and the continental shelves pursuant to international treaty obligations.

Your Committee was informed that the same resolution (C.R. No. 15-34) was submitted to the 15th Congress but was not acted upon. Until now, the Department of Foreign Affairs is not able to proceed with exchanging instruments of ratification with the Republic of the Marshall Islands.

Your Committee, therefore, offers the following amendments to the resolution as follows:

1. Page 2, line 11, delete "Third Special" and insert "Fifth Regular" in lieu thereof.

Your Committee on Resources and Development is in accord with the intent and purpose of C.R. No. 17-129, and recommends its adoption in the form attached hereto as C.R. No. 17-129, C.D.1, subject to the concurrence by the Committee on External Affairs.

