

STANDING COMMITTEE REPORT NO. 18-42

RE: C.R. NO. 18-21/EXAFF

SUBJECT: RATIFYING THE PACIFIC ISLAND FORUM
TREATY

SEPTEMBER 27, 2013

The Honorable Dohsis Halbert
Speaker, Eighteenth Congress
Federated States of Micronesia
Second Regular Session, 2013

Dear Mr. Speaker:

Your Committee on External Affairs, to which was referred C.R. No. 18-21, entitled:

"A RESOLUTION RATIFYING AS A TREATY THE AGREEMENT
ESTABLISHING THE PACIFIC ISLAND FORUM.",

begs leave to report as follows:

C.R. No. 18-21 was transmitted to Congress via Presidential Communication No. 18-20 on May 14, 2013, during the First Regular Session of the Eighteenth Congress. This is a resolution to ratify the Agreement establishing the Pacific Island Forum.

Your Committee conducted a hearing on C.R. No. 18-21 on Tuesday, September 24, 2013, commencing at 8:30 a.m. at the Committee hearing room. Senator Yosiwo P. George, Chairman of the Standing Committee on External Affairs chaired the meeting. Other Committee Members present were Senators Isaac V. Figir and Wesley W. Simina. Staff Attorney Alik Jackson was also present at the hearing.

Samson Pretrick, Carl Apis, Carson Mongkeya, Shanty Asher, Stan Kensoff and McEnroe Ardos, from the Department of Foreign Affairs; Joses Gallen, Steve George; from the Department of Justice; and Pelsesar Petrus from the Office of the President were present.

STANDING COMMITTEE REPORT NO. 18-42

RE: C.R. NO. 18-21/EXAFF

SUBJECT: RATIFYING THE PACIFIC ISLAND FORUM
TREATY

SEPTEMBER 27, 2013

After welcoming remarks, Chairman George opened the hearing and gave an opportunity to the witnesses to comment on the resolution.

Samson Pretrick, the Deputy Assistant Secretary of the Department of Foreign Affairs, explained that the Agreement Establishing the Pacific Islands Forum (the Agreement) was adopted by Forum Leaders and opened for signature in Port Moresby, Papua New Guinea on October 27, 2005.

The Agreement establishes the Pacific Islands Forum as an intergovernmental organization, which has the capacity to admit associate members and invite observers to the Forum. All 16 Forum Members signed the Agreement, but not all have ratified it. The Agreement requires signature and ratification by all 16 Forum Members to enter into force.

During the hearing, your Committee was informed that Australia, the Cook Islands, Kiribati, Nauru, New Zealand, Niue, Papua New Guinea, the Republic of the Marshall Islands, Tuvalu, Vanuatu and the Solomon Islands had already lodged their instruments of ratification with the Government of Fiji, who is the Depositary for the Agreement. Five out of the 16 Forum Members (the FSM, Palau, Tonga, Samoa and Fiji) have not ratified the Agreement. There was no information provided as to why the other Forum Members did not ratify the Agreement.

Your Committee asked why has the FSM waited this long to ratify this Agreement and what is the FSM's membership fee? Testimony received during the hearing revealed that probably this Agreement is not a priority as to why it was never transmitted. On the membership fee, an amount of \$46,000 is appropriated annually.

Your Committee commented that signing the Agreement is a show of interest and ratifying it is a show of commitment. Therefore, Congress must ratify the treaty so the effort in the strengthening of regional cooperation, integration and the alignment of policies to further goals of economic growth, sustainable development, good governance and security amongst Forum Members is legally binding.

STANDING COMMITTEE REPORT NO. 18-42

RE: C.R. NO. 18-21/EXAFF

SUBJECT: RATIFYING THE PACIFIC ISLAND FORUM
TREATY

SEPTEMBER 27, 2013

It was discussed that the Forum Officials Committee met in Suva, Fiji on August 8-9, 2013, and had urged those Forum Members that have not ratified the Agreement to ratify it as soon as practicable.

Your Committee recommends the following amendments to the bill as follows:

1. Page 2, line 10, delete "~~First~~", and insert "Second" in lieu thereof.

Your Committee on External Affairs is in accord with the intent and purpose of C.R. No. 18-21, as amended herein, and recommends its adoption in the form attached hereto as C.R. No. 18-21, C.D.1

STANDING COMMITTEE REPORT NO. 18-42

RE: C.R. NO. 18-21/EXAFF

SUBJECT: RATIFYING THE PACIFIC ISLAND FORUM
TREATY

SEPTEMBER 27, 2013

Respectfully submitted,

/s/ Yosiwo P. George
Yosiwo P. George, chairman

/s/ Berney Martin
Berney Martin, vice chairman

/s/ Tiwiter Aritos
Tiwiter Aritos, member

/s/ Peter M. Christian
Peter M. Christian, member

Isaac V. Figir, member

/s/ Victor Gouland
Victor Gouland, member

Bonsiano F. Nethon, member