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.

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

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

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

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

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

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

BE IT RESOLVED by the Fifteenth Congress of the Federated States of Micronesia, Sixth Regular Session, 2009 that the
resolution to approve the agreement for the financial assistance grant from the United Nations Trust Fund in the amount of $117,568 for the purpose of the defraying the costs and expenses associated with the delineating the outer limits of the FSM Continental Shelf beyond the 200 nautical miles exclusive economic zone be, and the same hereby is, approved; and

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

BE IT FURTHER RESOLVED that certified copies of this resolution be transmitted to the President of the Federated States of Micronesia and the Secretary of the Department of Foreign Affairs of the Federated States of Micronesia.

Date: 1/23/09

Introduced by: /s/ Resio S. Moses

Joe N. Suka
(by request)