A RESOLUTION

Ratifying a treaty entitled a Third Arrangement Implementing the Nauru Agreement setting forth additional terms and conditions of access to the Fisheries zones of the Parties.

WHEREAS, the Federated States of Micronesia is a party to the Nauru Agreement Concerning Cooperation in the Management of Fisheries of Common Interest, hereinafter referred to as the "Nauru Agreement"; and

WHEREAS, the purpose of the "Nauru Agreement" was to ensure that the signatory nations cooperate in the management of their respective fisheries zones so that their citizens can be assured of receiving the Maximum benefits from their resource; and

WHEREAS, the Federated States of Micronesia also ratified as a treaty, the first implementing arrangement to the Nauru Agreement setting forth the minimum terms and conditions of access to the fishery zones of the parties by Congressional Resolution No. 2-101; and

WHEREAS, the treaty entitled "An Agreement Implementing the Nauru Agreement setting forth minimum Terms and Conditions of Access to the Fishery Zones of the Parties", signed on May 2, 1982, is a subsidiary agreement to the "Nauru Agreement" and necessary for the proper implementation of the "Nauru Agreement"; and

WHEREAS, the Federated States of Micronesia also signed as
an executive agreement the second arrangement implementing the Nauru Agreement setting forth additional minimum terms and conditions of access to the Fisheries Zones of the Parties, which is the second subsidiary agreement to the “Nauru Agreement”; and

WHEREAS, on the 16th day of May 2008, six of the eight countries to the Parties to the Nauru Agreement signed a third arrangement implementing the Nauru Agreement setting forth additional terms and conditions of access to the fisheries zones of the Parties, which is the third subsidiary agreement to the “Nauru Agreement”; and

WHEREAS, the third Implementing Arrangement imposes measures for catch retention by purse seine vessels, restricts fishing in the High Seas, imposes a 100 percent observer coverage of all purse seine vessels and imposes a condition of a license that the automatic location communicator of a licensed vessel be switched on and operating properly at all times during the period of validity of a license issued by a Party; and

WHEREAS, the third Implementing Arrangement requires ratification as a treaty as the Arrangement seeks to impose conditions on the High Seas adjacent to the exclusive economic zone of the Federated States of Micronesia, in order to ensure the sustainability of the Tuna stock; now, therefore,

BE IT RESOLVED by the Sixteenth Congress of the Federated
States of Micronesia, Fifth Special Session, 2010, that the treaty entitled the "Third Arrangement Implementing the Nauru Agreement setting forth additional terms and conditions of access to the fisheries zones of the Parties", as attached hereto, is hereby ratified pursuant to the authority granted in article IX, section 4 of the Constitution of the Federated States of Micronesia; and

BE IT FURTHER RESOLVED that a certified copy of this Resolution be transmitted to the President of the Federated States of Micronesia.

Date: 2/10/11

Introduced by: /s/ Joe N. Suka
Joe N. Suka
(by request)