

COW

A RESOLUTION

Expressing the disenchantment of members of the 12th Kosrae State Legislature regarding the unfair and intrusive conduct by certain JEMCO and OIA staff in relation to the administration of FSM Government and its four states of a number of Projects approved by JEMCO under the Compact Sector Grants.

1 **WHEREAS**, US Public Law 108-188 amended the Compact of Free Association Treaty
2 between the United States of America and the Federated States of Micronesia; and

3 **WHEREAS**, the referenced US Public Law, the amended Treaty, and the Fiscal
4 Procedure Subsidiary Agreement all are premised on mutual respect and recognition of their
5 respective independence and sovereignty; and prescribe a dispute resolution procedure ; and

6 **WHEREAS**, pursuant to Title Two, Article 1, Section 211(a) of the amended COFA
7 Treaty all funding assistance derived from this unique and special relationship are to be outlayed
8 in support of the FSM efforts to promote economic advancement, budgetary self-reliance, and
9 economic self-sufficiency of its people; and

10 **WHEREAS**, certain staff from JEMCO and OIA continue to deliberately interfere with
11 the internal budgetary proceedings of some of the State Governments to a point where they end
12 up dictating and micromanage projects implementation, which contravenes the spirit and letter of
13 the Treaty; and

14 **WHEREAS**, under Title Four, Article II of the Treaty a Conference and Dispute
15 Resolution Process, which advocates an open, free and amicable resolution of disputes between
16 the two parties; and

17 **WHEREAS**, the FSM Government has not invoked its rights under the Conference and
18 Dispute Resolution clause under the Treaty since its inception, it is only proper that the FSM

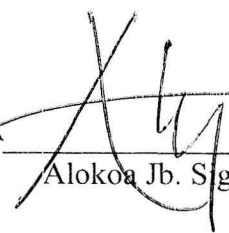
Government invoke it now in order to eliminate once and for all these unnecessary distractions;

NOW AND THEREFORE

BE IT RESOLVED, that the two FSM representatives on JEMCO formally raise the issue with their US Counterparts with a view to resolve it once and for all; the invoking of the already referenced clause on Conference and Dispute Resolution shall be invoked by appropriate officials in the FSM National Government if the issue remained unresolved; and

BE IT FURTHER RESOLVED, that certified copies of the resolution be transmitted to TH Carson K. Sigrah, Kosrae State Governor, H.E. David W. Panuelo, T.H. Wesley W. Simina, Speaker of 21th Congress of FSM.

Date: 9/8/20

Introduced by: 
Alokoa Jb. Sigrah