



Republic of the Marshall Islands  
*Jepilpilin Ke Ejukaan*

## RESOLUTION NO. 46

Sponsored by:

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HON. MINISTER JOHN M. SILK

Received by:

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HON. SPEAKER KENNETH A. KEDI

NITIJELA OF THE REPUBLIC OF THE MARSHALL ISLANDS  
38TH CONSTITUTIONAL REGULAR SESSION, 2017



Republic of the Marshall Islands  
*Jepilpilin Ke Ejukaan*

RESOLUTION 46

**A RESOLUTION** requesting the *Nitijela* to approve the signing and ratification by the Republic of the Marshall Islands to the *Treaty on the Prohibition of Nuclear Weapons*

**WHEREAS**, the *Treaty on the Prohibition of Nuclear Weapons* (hereinafter "the Treaty"), a copy of which is attached as Exhibit "A", was passed by the United Nations General Assembly on July 7, 2017 whereby one hundred twenty-two (122) countries voted in favor, one (1) country voted against and one (1) country abstained while sixty-nine (69) countries did not vote;

**WHEREAS**, signature and ratification of at least fifty (5) countries is required for the Treaty to come into effect with fifty-three (53) countries signing and only three (3) countries ratifying as of September 22, 2017;

**WHEREAS**, the Treaty prohibits State Parties to develop, test, produce, stockpile, station, transfer, use and threaten to use nuclear weapons as well as assist and encourage these prohibited activities;

**WHEREAS**, the Treaty may have legal implications on the *Compact of Free Association between the Government of the Republic of the Marshall Islands and the Government of the United States of America*, particularly on the defense and security aspects as well as the testing, disposal and discharge provisions by the United States under Section 314(a) and the storage of radioactive or toxic chemical materials intended for weapons use by the United States under Section 314(b), both of which are under Title Three;

1       **WHEREAS**, at such time as the Treaty enters into force, the Republic could,  
2 with respect to individuals under its jurisdiction who are affected by the use or  
3 testing of nuclear weapons, be required to adequately provide adequate assistance,  
4 including medical care, rehabilitation and psychological support, and could, with  
5 respect to contaminated areas, be required to take necessary and appropriate  
6 measures towards environmental remediation, as addressed in Article 6 of the  
7 Treaty, without prejudice to the duties and responsibilities of the United States or  
8 others, under international law or bilateral agreements, including the  
9 abovementioned Compact of Free Association;

10  
11       **WHEREAS**, the Government of the Republic of the Marshall Islands has  
12 consistently sought to seek redress by the United States and the United Nations for  
13 the lingering effects of the U.S. Nuclear Weapons Testing Program conducted from  
14 1946 to 1958;

15  
16       **WHEREAS**, the Cabinet, at its meeting on October 5, 2017, approved the  
17 Republic's signing and ratification of the Convention;

18  
19       **WHEREAS**, Article V, Section 1(3)(d) of the Constitution requires that no  
20 treaty shall be finally accepted without the approval of the *Nitijela*, signified by  
21 Resolution.

22  
23       **NOW THEREFORE BE IT RESOLVED**, by the People of the Republic of the  
24 Marshall Islands, through their *Nitijela* at its 38th Constitutional Regular Session  
25 further to Article V, Section 1(3)(d) of the Constitution, that the *Nitijela* hereby  
26 approves the Republic of the Marshall Islands' signing and ratification of the *Treaty*  
27 *on the Prohibition of Nuclear Weapons*.

28  
29       **BE IT FURTHER RESOLVED** that the Minister of Foreign Affairs shall execute and  
30 transmit depository letters and acceptance documents to the United Nations  
31 Secretary-General.

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NITIJELA OF THE REPUBLIC OF THE MARSHALL ISLANDS  
38TH CONSTITUTIONAL REGULAR SESSION, 2017

RESOLUTION 46

SIGNATURES

DATE: 10/9/17 INTRODUCED BY John Silk [Signature]  
Print Name Signature

DATE: \_\_\_\_\_ INTRODUCED BY \_\_\_\_\_  
Print Name Signature

DATE: \_\_\_\_\_ INTRODUCED BY \_\_\_\_\_  
Print Name Signature

DATE: \_\_\_\_\_ INTRODUCED BY \_\_\_\_\_  
Print Name Signature

DATE: \_\_\_\_\_ INTRODUCED BY \_\_\_\_\_  
Print Name Signature