RESOLUTION NO. 46

Sponsored by:

HON. MINISTER JOHN M. SILK

Received by:

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

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

WHEREAS, the Cabinet, at its meeting on October 5, 2017, approved the Republic’s signing and ratification of the Convention;

WHEREAS, Article V, Section 1(3)(d) of the Constitution requires that no treaty shall be finally accepted without the approval of the Nitiijela, signified by Resolution.

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

BE IT FURTHER RESOLVED that the Minister of Foreign Affairs shall execute and transmit depository letters and acceptance documents to the United Nations Secretary-General.
NITIJELA OF THE REPUBLIC OF THE MARSHALL ISLANDS
38TH CONSTITUTIONAL REGULAR SESSION, 2017

RESOLUTION 46

SIGNATURES

DATE: 10/9/19  INTRODUCED BY John Silk
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