

A RESOLUTION

Ratifying the Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict.

1 WHEREAS, the Federated States of Micronesia acceded to the
2 Convention on the Rights of the Child (the "Convention") on May 5,
3 1993; and

4 WHEREAS, the Convention provides in article 38, paragraph 3,
5 that States Parties shall take all feasible measures to ensure
6 that persons who have not attained the age of fifteen years do not
7 take a direct part in hostilities, and that the States Parties
8 shall refrain from recruiting any person who has not attained the
9 age of fifteen years into their armed forces; and

10 WHEREAS, the Optional Protocol to the Convention on the
11 Rights of the Child on the Involvement of Children in Armed
12 Conflict (the "Protocol"), which the Federated States of
13 Micronesia signed pending ratification on May 8, 2002, cited *inter*
14 *alia* that an optional protocol to the Convention raising the age
15 of possible recruitment of persons into armed forces and their
16 participation in hostilities will contribute effectively to the
17 implementation of the principle that the best interests of the
18 children are to be a primary consideration in all actions
19 concerning children; and

20 WHEREAS, the Protocol explicitly provides in article 2 that
21 States Parties shall ensure that persons who have not attained the

1 age of eighteen years are not compulsorily recruited into their
2 armed forces; and

3 WHEREAS, the Protocol further requires States Parties to
4 raise the minimum age for the voluntary recruitment of persons
5 into their national armed forces from fifteen years as set out in
6 article 38, paragraph 3, of the Convention, taking account of the
7 principles contained in that article and recognizing that under
8 the Convention persons under eighteen years are entitled to
9 special protection; and

10 WHEREAS, it is in the best interest of the Nation to provide
11 further protection for Micronesian children to keep them free from
12 the hazards arising out of any armed hostilities in a manner and
13 in accordance with the terms set forth in the Protocol; and

14 WHEREAS, the accession of the Federated States of Micronesia
15 to the terms of the Protocol will further enhance the commitment
16 of the Nation as expressed in its ratification of the Convention
17 to strengthen protection of the rights and welfare of children;
18 now, therefore,

19 BE IT RESOLVED by the Sixteenth Congress of the Federated
20 States of Micronesia, Fifth Regular Session, 2010, that the
21 Optional Protocol to the Convention on the Rights of the Child on
22 the Involvement of Children in Armed Conflict is hereby ratified;
23 and

24 BE IT FURTHER RESOLVED that the President is hereby
25 encouraged to take such steps as are necessary or required to

1 register the ratification by the Congress of the Federated States
2 of Micronesia as expressed in this resolution to the depository of
3 the Convention and the Protocol; and

4 BE IT FURTHER RESOLVED that certified copies of this
5 resolution be transmitted to the President of the Federated States
6 of Micronesia and to the Governors of the four States.

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8 Date: 9/10/10

Introduced by: /s/ Joe N. Suka

Joe N. Suka
(by request)

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