A RESOLUTION

Ratifying the Small Quantities Protocol as a Treaty Between the Federated States of Micronesia and the International Atomic Energy Agency in connection with the implementation and reporting requirements under the Treaty on the Non-Proliferation of Nuclear Weapons.

WHEREAS, the Federated States of Micronesia is a State Party to the Treaty on the Non-Proliferation of Nuclear Weapons as of April 14, 1995; and

WHEREAS, the Treaty is founded on three key pillars, namely: (a) Safeguards, (b) Peaceful Uses of Nuclear Energy, and (c) Nuclear Disarmament; and

WHEREAS, the Treaty also requires States Parties to negotiate, enter into, and conclude the Safeguards Agreement in accordance with the Statute of the International Atomic Energy Agency (IAEA); and

WHEREAS, pursuant to this legal obligation in the Treaty, the FSM and the IAEA concluded the Safeguards Agreement by their signatures on April 21, 2015, in Palikir, Pohnpei, and on June 1, 2015, in Vienna, Austria, respectively; and

WHEREAS, in addition to concluding the Safeguards Agreement, the FSM has the option to conclude a Small Quantities Protocol (SQP) with the IAEA, which essential allows the FSM to hold the implementation of certain provisions of Part II of the Safeguards Agreement in abeyance until such time
that the FSM either comes into possession of nuclear materials for peaceful activities in quantities exceeding the limits established in Article 36 of the Safeguards Agreement, or the FSM decides to construct or allow to be constructed a “facility,” which the Safeguards Agreement defines as “(a) a reactor, a critical facility, a conversion plant, a fabrication plant, a reprocessing plant, an isotope separation plant or a separate storage installation; or (b) any location where nuclear material in amounts greater than one effective kilogram is customarily used”; and

WHEREAS, the conclusion of the SQP brings practical advantages to the FSM since it relieves itself from the burdens of the full application of Part II of the Safeguards Agreements; and

WHEREAS, the SQP requires ratification by the FSM Congress as a treaty; now, therefore,

BE IT RESOLVED by the Twenty-Second Congress of the Federated States of Micronesia, First Regular Session, 2021, that Congress hereby ratifies the Small Quantities Protocol between the Federated States of Micronesia and the International Atomic Energy Agency; and
BE IT FURTHER RESOLVED that certified copies of this resolution be transmitted to the President of the Federated States of Micronesia, the Secretary of the Department of Foreign Affairs and the Secretary of the Department of Justice.

Date: 5/24/21

Introduced by: /s/ Florencio S. Harper

Florencio S. Harper
(by request)