

Proposal No.: CC-PR-4-17

Assigned to: Committee on Government Structure and Function

PROPOSAL TO AMEND CONSTITUTION

To amend Article XIII of the Constitution of the Federated States of Micronesia by adding a new Section 4 to provide an Office of an Independent Prosecutor.

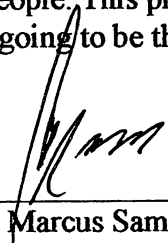
Section 4.

- (a) The Independent Prosecutor shall have the power and duty to prevent, combat and eliminate corruption in government through investigation and prosecution. The Prosecutor may issue subpoenas and compel attendance of witnesses, administer oaths, and exercise other powers and duties as prescribed by statute.
- (b) The Independent Prosecutor shall investigate and prosecute any government officials or individuals who receive and spend public funds or who conspire to the commission of fraud and corruption.
- (c) The President shall appoint an Independent Prosecutor subject to consent by 2/3 of members of FSM Congress who shall serve for a five-year term and for no more than 2 terms.
- (d) The President can remove the Independent Prosecutor subject to approval of the 2/3 of members of the FSM Congress.

PURPOSE AND INTENT OF AMENDMENT:

Conflict of interest and commission of unlawful conduct are rampant in the FSM by government officials and public servants. With an independent prosecutor, impartial to the political appointments process, the independent prosecutor will conduct the investigation of and prosecute those who conduct themselves contrary to the law. The prosecutor will be the beacon of justice for the FSM people. This proposal will ensure that white collar crime, corruption, and abuse of power are not going to be the political culture of the FSM in the future.

Introducer: _____


Marcus Samo

Date: Jan 11, 2020