

Proposal No. CC-PR-4-67

Assigned to: Committee on General Provisions

PROPOSAL TO AMEND CONSTITUTION

To incorporate climate change under ARTICLE XIII General Provisions as section 1(a).

Section 1. The national government of the Federated States of Micronesia recognizes the right of the people to education, health care, and legal services and shall take every step reasonable and necessary to provide these services.

Section 1 (a). The governments of the Federated States of Micronesia recognize climate change as security threat to the environment, and shall take the necessary measures in a timely manner to protect the environment. To that end, the national government shall provide means to the state governments as provided by law in the implementation of practices that are conducive to the sustainability of the environment.

PURPOSE AND INTENT OF AMENDMENT:

Climate change is a global threat in relation to food, water, environmental, and national security. The Federated States is on the cutting edge of this global phenomena. Its environmental integrity and sovereignty are defined by its Constitution in compliance with international laws. Article 1, section 1, of the FSM Constitution states that the waters connecting the islands of the FSM Micronesian archipelago are internal waters regardless of dimensions, and jurisdiction extends to a marine space of 200 miles measured outward from appropriate baselines, the seabed, subsoil, water column, insular or continental shelves, airspace over land and water, and any other territory or waters belonging to Micronesia by historic right, custom, or legal title. FSM islands and waters, however, are being slowly affected by climate change. Both local people and climate change experts have noted the impact of climate change on the environment. The legal implications on FSM's territorial sovereignty have not yet been seriously considered.

The FSM government has adopted a policy that places survivability as an uncompromising priority. In its official policy statement, the national government states its role to mitigate climate change especially at the international level, and adaptation at the domestic level to reduce FSM's vulnerability to climate change's adverse impacts. In this context, FSM reaffirms its rights to exist as a nation under international law, particularly in view of the debate on sovereignty as a result of possible reconfiguration of island territories when some islands may become submerged in the future. This new provision reaffirms FSM's commitment and support toward mitigation efforts at the grassroots level by mobilizing resources, as dictated by statutes and regulation.

Introducer:



Date:

3/05/2020