



Association of Pacific Island Legislatures

American Samoa
Commonwealth of the Northern Mariana Islands
FSM, State of Chuuk
FSM, State of Kosrae
FSM, State of Pohnpei
FSM, State of Yap
Island of Guam
Republic of Kiribati
Republic of the Marshall Islands
Republic of Nauru
Republic of Palau
State of Hawaii

A RESOLUTION

APIL Resolution No. 39-GA-22, CD1

“Strongly supporting the Government of the Republic of the Marshall Islands in its efforts to ensure that any extension of its Compact of Free Association with the United States of America will finally resolve the unsettled issues stemming from U.S. nuclear bomb tests and waste disposal.”

1 **WHEREAS**, the close ties between the Republic of the Marshall Islands, the
2 Federated States of Micronesia and the Republic of Palau and the United States
3 of America date back to the events of World War II, which developed over the
4 Navy and Trust Territory Administrations and have culminated in the political
5 relationship between these three countries and the United States of America
6 known as “Free Association”; and

7 **WHEREAS**, the three treaties of Free Association which govern the unique
8 relationship between these three countries of the Micronesian region of the
9 Pacific, often referred to as the “Freely Associated States”, are all undergoing
10 negotiations for the third phase of this treaty relationship; and

11 **WHEREAS**, the Compacts of Free Association, as originally conceived, are
12 intended to achieve three principal goals: (1) provide self-government for what
13 became the three nations that came out of the Trust Territory, (2) continue U.S.
14 financial assistance and U.S. federal domestic programs and services, and (3)
15 continue national security rights sought by the United States; and

1 **WHEREAS**, under the current Compacts of Free Association, as amended,
2 the United States provides the Freely Associated States with annual financial
3 assistance, including contributions to a U.S.-controlled trust fund and technical
4 assistance through the Department of the Interior and grants and domestic
5 programs and services from other Federal agencies, including but not limited to
6 disaster response and recovery and hazard mitigation programs of the Federal
7 Emergency Management Agency, Department of Education programs, including
8 Pell Grants, IDEA, and a Supplemental Education Grant, and services by the
9 National Weather Service, the U.S. Postal Service, the Federal Aviation
10 Administration, the Federal Communications Commission, and U.S.
11 representation to the international Frequency Registration Board of the
12 International Telecommunication Union; and

13 **WHEREAS**, the Preamble to the Compacts of Free Association recognize
14 that the previous relationship of the Freely Associated States and the United States
15 of America has been based upon the International Trusteeship System of the
16 United Nations Charter where the peoples of the Trust Territory have
17 progressively developed their institutions of self-government, and that in the
18 exercise of their sovereign right to self-determination they have, through their
19 freely-expressed wishes, adopted Constitutions appropriate to their particular
20 circumstances; and

21 **WHEREAS**, the Association of Pacific Island Legislatures recognizes that
22 each of the Freely Associated States in their negotiations with the United States
23 for the implementation of the third phase of our freely associated relationship with
24 the United States have important issues unique to that individual country and its
25 people; and

1 **WHEREAS**, it the sense of the General Assembly of the Association of
2 Pacific Island Legislatures that this organization is and should be supportive of
3 the efforts of each Freely Associated State to forge truly responsive revisions and
4 additions to the existing language of the current Compacts of Free Association;
5 and

6 **WHEREAS**, for many years, the Association of Pacific Island Legislatures
7 have been noting the deficiencies in the relationships between the United States
8 and the Republic of the Marshall Islands concerning the inadequacies of the U.S.
9 response to the adverse effects of the nuclear tests conducted by the United States
10 in the Marshall Islands, the harm that has done to the health of the Marshallese
11 people, the dislocation of the Marshallese from their home islands and the
12 continuing threats from the radioisotopes left in the Marshallese food chain and
13 environment caused by the extensive nuclear bomb detonations; and

14 **WHEREAS**, from 1946 to 1958, while the U.S. administered the Marshall
15 Islands in trust for the United Nations, it exploded 67 nuclear bombs in, on, and
16 above the Bikini and Enewetak atolls in the Marshall Islands, with the explosive
17 force of 60% of all U.S. nuclear tests - vaporizing whole islands, carving craters
18 into shallow lagoons, exiling entire communities and hundreds of people from
19 their homes for the foreseeable future, used people of Utrik and Rongelap Atolls
20 as guinea pigs to study the impact of radiation exposure of human beings (without
21 their consents) in an human experiment study called Project 4.1, denying them
22 safe access to their lands, causing birth defects, cancers, deaths, inadequately
23 disposing of radioactive waste from the bomb detonations in the Marshall Islands
24 and the U.S. State of Nevada. The peoples of Rongelap and Bikini atolls in the
25 Marshall Islands cannot live on their islands due to high radiation in the food chain

1 and the environment, and the United States Government has since provided
2 inadequate funding and taken inadequate measures to address these problems; and

3 **WHEREAS**, in the Marshall Islands the total yield of sixty-seven tests was
4 108,492 kilotons, equivalent to the explosive force of over one hundred million
5 tons of TNT and more than seventy-five times the total yield of the US nuclear
6 tests in the Nevada Test Site of 1,404 TNT; and

7 **WHEREAS**, the Marshall Islands tests also produced dramatically more
8 fallout than the nuclear incidents in Nevada. According to the US Centers for
9 Disease Control and Prevention, approximately 6.3 billion curies of iodine-131, a
10 radioactive element, were released in the RMI due to the nuclear testing, an
11 amount that dwarfs the 150 million curies in the Nevada Test Site; and

12 **WHEREAS**, Runit Dome on Enewetak Atoll built by the U.S. to house some
13 of its radioactive waste is the most visible manifestation of the U.S. nuclear legacy
14 in the Marshall Islands, a symbol of the sacrifices of Marshallese for whom the
15 U.S. was responsible, made for U.S. security, and the broken promises they
16 received in return. This “concrete coffin,” “the Tomb,” is leaking due to rising
17 sea levels, and it is essential that the people of Enewetak and the ocean be
18 protected from radiation exposure from the Dome and radioactive waste left
19 elsewhere on Enewetak Atoll and in its lagoon; and

20 **WHEREAS**, the RMI Compact of Free Association, as amended, provides
21 for the continuation of a defense arrangement that has connected the United States
22 and RMI since the end of World War II. The Compact as amended obligates the
23 United States to defend these island nations against attack, while providing the
24 United States with continued access to the Kwajalein Atoll which is strategically
25 located in the middle of the Marshall Islands, and it is used for missile testing and
26 space tracking activities. Additional rights were retained by the United States

1 under the Compact – the ability to deny access to the islands by third-party
2 militaries and block actions by the governments that are incompatible with the US
3 defense authority and responsibilities; and

4 **WHEREAS**, it is the sense of this General Assembly of the Association of
5 the Pacific Island Legislatures that the concerns of the Republic of the Marshall
6 Islands with respect to its relations with the United States under the Compact of
7 Free Association as identified herein are well justified and definitely require
8 negotiation attention; now, therefore,

9 **BE IT RESOLVED** by the Association of Pacific Island Legislatures, 39th
10 General Assembly, FSM State of Pohnpei, October 12-14, 2022, that this
11 Assembly hereby speaks in solidarity and that it strongly supports the Government
12 of the Republic of the Marshall Islands, and Marshallese people in their efforts to
13 ensure that any extension of its Compact of Free Association with the United
14 States of America will finally resolve and fix the unsettled issues stemming from
15 U.S. nuclear bomb tests and waste disposal; and

16 **BE IT FURTHER RESOLVED** that the Association of Pacific Island
17 Legislatures welcomes the United States Declaration on U.S.-Pacific Partnership
18 dated September 29, 2022, which acknowledges the nuclear test legacy; however,
19 it is critically important that the United States commits to resolve and pay the
20 claims and adjudicated unpaid awards of the Republic of the Marshall Islands;
21 and

22 **BE IT FURTHER RESOLVED** that the APIL President shall certify and
23 the APIL Secretary shall attest to the adoption hereof, and that copies of the same
24 shall thereafter be transmitted to the President of the United States of America,
25 His Excellency Joseph R. Biden, U.S. Special Presidential Envoy for Compact
26 Negotiations, Honorable Ambassador Joseph Yun, the Honorable Speaker Nancy

1 Pelosi of the Congress of the United States of America, the President of the
2 Republic of the Marshall Islands, the Speaker of the Nitijela of the Republic of
3 the Marshall Islands, and to the Chief Executive and the Legislative Presiding
4 Officers of each member jurisdiction of the Association of the Pacific Island
5 Legislatures.

DULY AND REGULARLY ADOPTED ON THE 14TH DAY OF OCTOBER, 2022.



SHELTEN G. NETH
PRESIDENT



VINNIE V. F. SABLAN
SECRETARY

