



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. 64-BOD-07

“Calling for unified regional support from the Board of Directors of the Association of the Pacific Island Legislatures (APIL) for the Republic of the Marshall Islands’ pursuit for Nuclear Justice in recognition of the evolving needs and challenges faced by the Marshallese People under the Compact of Free Association, particularly in seeking just and adequate compensation for the ongoing consequences of the U.S. Nuclear Testing Program, including the safe resettlement of affected displaced human populations and the restoration to economic productivity of the affected Islands.”

1 **WHEREAS**, the Republic of the Marshall Islands (RMI), the Federated States of
2 Micronesia (FSM), and the Republic of Palau are sovereign nations under the Compact of
3 Free Association (COFA) with the United States of America, which establishes critical
4 economic, political, and security partnerships between the United States and these freely
5 associated states; and

6 **WHEREAS**, 1946-1958, the United States detonated 67 nuclear weapons on
7 Bikini and Enewetak Atolls in the Marshall Islands, which resulted in severe health
8 consequences, forced relocation, culture loss tied with loss of lands, as well as biological
9 and ecological consequences, which are ongoing and continue to this day and into the
10 future; and

11 **WHEREAS**, the total yield of the 67 nuclear weapons detonated in the Marshall
12 Islands measured in megatons, far exceeding combined yield of all nuclear tests
13 conducted at the Nevada Test Site, causing vast and unparalleled to the environment,
14 health, and culture of the Marshallese people; and

15 **WHEREAS**, the Compact of Free Association, while providing significant
16 benefits and assistance, also acknowledged the continuing need to address those harm by
17 the U.S. Nuclear Testing program by including through mechanisms described in Article
18 IX of the “Agreement between the Government of the United States and the Government
19 of the Marshall Islands for the Implementation of Section 177 of the Compact of Free
20 Association” hereinafter referred to as the “Section 177 Agreement”; and

21 **WHEREAS**, Section 177 of the Compact of Free Association, provides that “the
22 Government of the United States accepts the responsibility for compensation owing to
23 citizens of the Marshall Islands...for loss of use and damage to property and injury to
24 person resulting from the nuclear testing program which the Government of the United

1 States conducted in the Northern Marshall Islands between June 30, 1946, and August 18,
2 1958”, and

3 **WHEREAS**, the Section 177 Agreement, which established a trust fund for
4 compensation, was based on limited scientific knowledge and an incomplete disclosure of
5 radiological damage, resulting in an inadequate amount of funding that failed to fully
6 compensate the Marshallese people for the severe and lasting consequences of the nuclear
7 testing program; and

8 **WHEREAS**, the United States provided a total of \$150 million in compensation
9 to the Republic of the Marshall Islands under the Section 177 Agreement – an amount
10 widely regarded as unjust and inadequate given the vaporization and contamination of
11 ancestral lands, the displacement of human populations particularly when compared to
12 the over \$2 billion in claims to American Uranium miners and nuclear down-winders
13 victims under the Radiation Exposure Compensation Act (RECA); and

14 **WHEREAS**, the Nuclear Claims Tribunal (NCT), established under Section 177,
15 was mandated to adjudicate and compensate claims related to and resulting from nuclear
16 ailments from the nuclear testing program but became defunct due to lack of funding,
17 leaving billions of dollars in awarded compensation unpaid; and

18 **WHEREAS**, injuries and damage resulting from the U.S. Nuclear Testing
19 Program could not have been discovered, or could not have been determined, prior to
20 coming into force of the compact, and such injuries, damages, and adjudication render the
21 terms of the Section 177 Agreement manifestly inadequate to address the damages
22 resulting as a consequence of the Nuclear Testing Program; and

23 **WHEREAS**, in lieu of an assessment of damages by the Federal Courts, the
24 Government of the Marshall Islands accepted the U.S. proposal to espouse and settle the
25 claims of the Marshallese people, leading to the establishment of an internal RMI Nuclear
26 Claims Tribunal to further adjudicate these claims, as the U.S. acknowledged that its
27 technical assessment of radiological damage was a “best effort” due to the limitations at
28 the time of the *1986 Compact of Free Association*; and

29 **WHEREAS**, in addition to Nuclear Claims Tribunal, the U.S. in exchange for the
30 RMI espousing and settling its citizens claims, to adopt a Change Circumstance
31 Procedures, through which Congress the authority and responsibility at a later date to
32 determine the adequacy of the measures adopted under the 177 Agreement to compensate
33 for the injuries and damages caused by the U.S. Nuclear Testing Program; and

34 **WHEREAS**, the United States and the Republic of the Marshall Islands have
35 recently renewed and extended the RMI’s right to submit a Change Circumstance Petition
36 (CCP) to the U.S. Congress pursuant to Article IX, as part of the renewed Compact
37 Agreement, acknowledging the need for further consideration of changing circumstances
38 that continue to adversely affect the nation; and

39 **WHEREAS**, the Republic of the Marshall Islands recognizes the importance of
40 regional cooperation and collective advocacy through the Association of Pacific Island

Legislatures (APIL) in addressing shared concerns, including the ongoing impact of nuclear testing on Pacific Island communities; and

WHEREAS, the Association of Pacific Island Legislatures (APIL) serves as a vital platform for regional solidarity and coordinated advocacy on critical issues affecting Pacific Island nations; and


WHEREAS, the Association of the Pacific Islands Legislatures (APIL), in solidarity with the Republic of the Marshall Islands, calls upon the United States Government to declassify all remaining information related to the 12-year U.S. Nuclear Weapons Testing Program in the Marshall Islands, with an emphasis on documents detailing long-term adverse impacts on Marshallese health; now, therefore,

BE IT RESOLVED by the Board of Directors of the Association of Pacific Island Legislatures, 64th Board of Directors meeting, Majuro, Republic of the Marshall Islands, February 25-26, 2025, that the Board of Directors, on behalf of the Association of Pacific Island Legislatures, hereby formally endorses this Resolution and collectively supports the Republic of the Marshall Islands (RMI) in its pursuit of nuclear justice; and

BE IT FURTHER RESOLVED that APIL members are encouraged to emphasize the urgency of this matter as the Republic of the Marshall Islands, through its Changed Circumstances Working Committee prepares to review and update the 2000 Changed Circumstance Petition for resubmission to the United States Congress; and

BE IT FURTHER RESOLVED that the APIL President shall certify and APIL secretary shall attest to the adoption hereof and that copies of the same shall be thereafter transmitted to the United States Government and all relevant stakeholders and to the Chief Executives and Legislative Presiding Officers of each member jurisdiction of the APIL.

DULY AND REGULARLY ADOPTED ON THE 26TH DAY OF FEBRUARY, 2025



SPEAKER EDMUND S. VILLAGOMEZ
PRESIDENT



SENATOR VICTOR BAMOG
SECRETARY

