

# Office of the National Election Director P.O. Box PS 156

Federated States of Micronesia
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FURTHER AMENDING THE CERTIFICATION AND DECLARATION ISSUED ON JULY 10, 2023 PERTAINING TO CHUUK'S JULY 4, 2023 SPECIAL ELECTION OF THE WINNING CANDIDATE, AS AMENDED ON JULY 21, 2023, TO INCLUDE THE CERTIFIED RESULTS OF THE REFERENDUM ISSUED ON SEPTEMBER 10, 2023 ON THE PROPOSED CONSTITUTIONAL AMENDMENTS RECEIVING THE REQUIRED THRESHOLDS AS MANDATED BY THE FSM CONSTITUTION INCLUSIVE OF A PROPOSED CONSTITUTIONAL AMENDMENT PASSED BY THE STATE OF POHNPEI IN THE SAID ELECTION (FURTHER AMENDED VERSION IN YELLOW).

WHEREAS, THE CERTIFIED AND DECLARED RESULT OF THE WINNING CANDIDATE FOR THE STATE OF CHUUK, AS AMENDED AND THE PROPOSED CONSTITUTIONAL AMENDMENTS RECEIVING THE NECESSARY THRESHOLDS AS REQUIRED BY THE FSM CONSTITUTION ISSUED ON JULY 10, 2023 DID NOT INCLUDE THE PROPOSED CONSTITUTIONAL AMENDMENTS FOR THE STATE OF CHUUK; AND

WHEREAS, THE CHUUK COUNTING AND TABULATION COMMITTEES IN MOST OF THE POLLING PLACES DID NOT COUNT AND TALLY THE BALLOTS FOR THE PROPOSED CONSTITUTIONAL AMENDMENTS FOR THE EXCEPTION OF THE MORTLOCKS OR ELECTION DISTRICT NO. 1; AND

WHEREAS, BASED ON A MOTION FILED AT THE FSM SUPREME COURT, CHUUK NATIONAL ELECTION ACTING COMMISSIONER RAIN HAS BEEN ORDERED TO COUNT THE UNCOUNTED POLLING PLACES FOR THE PROPOSED CONSTTUTIONAL AMENDMENTS; AND

WHEREAS, THE COUNTING AND TABULATION COMMITTEE IN THE STATE OF CHUUK HAS COMPLETED AND THOROUGHLY COUNTED AND TALLIED ALL BALLOTS CAST IN THE SAID ELECTION INCLUSIVE OF ALL KINDS OF ABSENTEE BALLOTS; AND

WHEREAS, THE NATIONAL ELECTION ACTING COMMISSIONER OF STATE OF CHUUK HAS CERTIFED THE RESULTS OF THE JULY 4, 2023 REFERENDUM ON SEPTEMBER 10, 2023 ON THE PROPOSED CONSTITUTIONAL AMENDMENTS.

**NOW, THEREFORE**, PURSUANT TO THE AUTHORITY VESTED UPON ME AS THE NATIONAL ELECTION DIRECTOR IN ACCORDANCE WITH SECTION 711(1) OF TITLE 9 OF THE CODE OF THE FEDERATED STATES OF MICRONESIA, I HEREBY OFFICIALLY CERTIFY

"Smooth and Orderly Elections"

THE TOTAL VOTES RECEIVED BY THE WINNING CANDIDATE AND THE CONSTITUTIONAL AMENDMENTS RECEIVING THE REQUIRED THRESHOLDS AS MANDATED BY THE FSM CONSTITUTION FOR THE STATE OF CHUUK. THE PROPOSED AMENDMENT ON THE THRESHOLD IN THE STATE OF POHNPEI WAS RATIFIED BUT IT WAS MISTAKENLY RECORDED AS NOT MEETING THE ½ THRESHOLDS IN THE JULY 10, 2023 CERTIFIED RESULTS. THIS IS AN ADDITIONAL AMENDMENT THAT THE POHNPEI REGISTERED VOTERS CASTING THEIR VOTES IN THE JULY 4, 2023 REFERENDUM HAVE RATIFIED.

## CHUUK STATE:

Winning Candidate	Total Votes Received	<b>Election District</b>
Fabian Sitan Nimea	3,615	AT-LARGE
Amendments:	<u>Percentage</u>	
Duai Citizenship Eligibility for Congress	86.71% 84.71%	
Healthy Environment Independent Prosecutor	86.58% 86.14%	
Land Case Jurisdiction Presidential Veto	83.04% 83.39%	
Revenue Distribution Revenue Sharing	86.39% 86.17%	
Threshold	84.47%	

#### KOSRAE STATE

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<sup>&</sup>quot;Smooth and Orderly Elections"

Revenue Sharing	87.7%
Threshold	90.9%

### **POHNPEI STATE**

Amendments:	<b>Percentage</b>	
Dual Citizenship	87.47%	
Eligibility for Congress	86.03%	
Independent Prosecutor	80.51%	
Land Case Jurisdiction	86.03%	
Presidential Veto	87.99%	
Revenue Distribution	87.56%	
Revenue Sharing	87.77%	
Threshold	84.46%	

#### YAP STATE:

Amendments:	<b>Percentage</b>
Dual Citizenship	78.63%
Eligibility for Congress	82.58%
Healthy Environment	87.97%
Independent Prosecutor	83.44%
Presidential Veto	82.64%
Revenue Distribution	75.08%
Threshold	79.61%

Based on the above illustrations to sum up, three of the four States in the Federated States of Micronesia have ratified three (3) of the constitutional amendments including the Land Case Jurisdiction, the Right to Healthy Environment and the Revenue Sharing satisfying the ¾ thresholds as required by Section 1 of Article XIV of the FSM Constitution. The four States have collectively ratified the other six (6) constitutional amendments. Thereby, all the nine (9) constitutional amendments have been duly ratified by the registered voters of the FSM who cast their votes in the July 4, 2023 Special Election/Referendum as follows:

Dual Citizenship	All Four States
Eligibility to Run for Congress	All Four States
Land Case Jurisdiction	Chuuk, Kosrae and Pohnpei
Revenue Distribution	All Four States
Right to Healthy Environment	Chuuk, Kosrae and Yap

Revenue Sharing Presidential Veto Office of Independent Prosecutor Threshold

Chuuk, Kosrae and Pohnpei All Four States All Four States All Four States

SO DECLARED ON THIS 12TH DAY OF SEPTEMBER, 2023.

Ausen Tylambert Director

National Election Office

Xc: President Wesley W. Simina

Vice President Aren B. Palik Speaker Esmond Moses

Task Force Chairman Iso Salvador Iriarte

Governor Reed B. Oliver

Governor Alexander R. Narruhn

Governor Tulensa W. Palik

**Governor Charles Chieng** 

Chairman Ricky Carl