



THE GOVERNOR

STATE OF YAP

EXECUTIVE DECLARATION NO. 2020-008

DECLARATION OF A STATE OF EMERGENCY

UPON THE EXPIRY OF THE SECOND DECLARATION OF A STATE OF EMERGENCY DECREE 2020 ON MAY 27TH, 2020, THIS THIRD DECLARATION IS ISSUED TO CONTINUE PLACING THE ENTIRE STATE OF YAP UNDER A STATE OF PUBLIC HEALTH EMERGENCY IN CONNECTION WITH THE COVID-19 PANDEMIC.

WHEREAS, the World Health Organization declared the outbreak as a Public Health Emergency of International Concern on January 30, 2020, designating its official name as Coronavirus Disease 2019 (COVID-19) on February 11, 2020 and characterized it as a pandemic on March 12, 2020; and,

WHEREAS, on March 25, 2020, the FSM Government on behalf of Yap State has prohibited the disembarkation of aircraft passengers in Yap until further notice to prevent possible introduction of the COVID-19; and,

WHEREAS, as of April 12, 2020, at least 1,767,855 confirmed cases and 108,281 deaths have been reported of COVID-19 globally; 524,903 cases and 20,389 deaths within the United States Mainland; 465 confirmed cases and 8 deaths in the state of Hawaii; 133 confirmed cases and 5 deaths in the Territory of Guam; 11 confirmed cases and 2 death in the Commonwealth of the Northern Mariana Islands; and,

WHEREAS, as of even date as above, the FSM States and including the Republics of the Marshall Islands and Palau have no COVID -19 confirmed cases; and,

WHEREAS, as a result of the new PUI cases, the Governor issued a Decree to restrict movements and instituted a curfew between the hours of 7pm - 6am, daily pending further review; and,

WHEREAS, on April 26, 2020, all quarantine individuals that were released from the government quarantine facilities have completed their additional 14 days home quarantine; and,

WHEREAS, on April 24, 2020, the Yap laboratory conducted additional COVID testing on the 2 PUI cases and found both individuals still negative and were released on the same day; and,

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WHEREAS, while Yap continues to remain COVID-19 negative area, it is highly critical that our border and port of entries continued to be locked and monitored very closely; and,

WHEREAS, the issuance of the Declaration is necessary pending the closure of the borders to incoming and disembarking passengers given the present threat of the COVID-19 pandemic in other countries; and

WHEREAS, the emergency situation brought by the threat of the COVID-19 pandemic has not passed but continues to exist on the ground and the Departments of Health Services, the lead agency and the Yap State Health Taskforce are required to continue in their role; and

WHEREAS, the State of Emergency ensures that the State Government will continue to receive national, regional and international support in funding and technical assistance to mitigate and address the threat of the pandemic within the State; and

WHEREAS, the Declaration of a State of Emergency for the entire State of Yap that was made on March 27th, 2020 had expired on April 26th, 2020 under its own terms and the second such Declaration have also expired on its own term on May 27th, 2020; and

WHEREAS, the Honourable Governor of the Yap State Government had forwarded a written request to the Honourable Speaker of the Yap State Legislature on May 25th, 2020 for the extension of the second Declaration that was to expire on May 27th, 2020; and

WHEREAS, the Office of the Governor has not received any response to date and taking into account the safety, health and the best interest of the public and the State of Yap during this pandemic, it is a necessity within the context and meaning of such doctrine that the State of Emergency shall continue and shall be applied retroactively from May 28th, 2020; and

NOW, THEREFORE, I, HENRY FALAN, in exercise of the powers vested in me as the Governor of the State of Yap and acting in accordance with the advice of the Cabinet and pursuant to the powers vested in me under the Constitution and the laws of the State, I hereby make the following DECREE -

- (1) The State of Yap ("State") recognizes that the outbreak of COVID-19 continues to constitute a public health crisis ("Crisis").
- (2) The Governor as head of the State government shall continue to supervise the State efforts to combat the crisis.

- (3) The Department of Health Services is confirmed as the lead agency ("Agency") to coordinate the State's response to address the crisis.
- (4) The Yap Health Crisis Taskforce ("Taskforce") is designated to work in conjunction with the Agency in combating the crisis.
- (5) The Agency shall continue to report its activities to the Taskforce and the Taskforce shall continue to inform and update the Governor on a regular basis.
- (6) The Agency and the Taskforce shall continue to use the following action plans to combat the crisis:
 - a) Yap COVID 19 Contingency Plan;
 - b) COVID 19 Yap State Action Plan; and
 - c) Yap State Emergency Response & Preparedness Plan
- (7) The Agency and the Taskforce shall continue to work together to address the following:
 - a) Promote public awareness about the crisis and preventative measures;
 - b) Conduct ongoing assessments of the crisis;
 - c) Provide regular updates to State leadership on the status of the crisis;
 - d) Record the State resources utilized in response to the crisis;
 - e) Other tasks as required to adequately respond to the crisis.
- (8) All state agencies are authorised and encouraged to provide staff and administrative support to the Agency and the Taskforce as required. The Agency and the Taskforce may consult with employees of relevant state agencies to accomplish their responsibilities.
- (9) To the extent necessary to accomplish their objectives, the Agency and the Taskforce are authorized to obtain technical and/or financial assistance from the public, private and non-profit sectors.
- (10) In the performance of his role, the Governor is empowered to make decisions and exercise his discretion on any issue relevant to the following:
 - i. Quarantine
 - ii. Border
 - iii. Security
 - iv. Government

- v. Funding
 - vi. Business and Economy
 - vii. Restrictions on Movement
 - viii. Orders and Directives
 - ix. Other matters deemed necessary
- (11) In furtherance to his powers, the Governor may order and issue instructions that may impair civil rights to the extent required for the preservation of peace, health or safety.
- (12) The Governor in conjunction with the national government, may ban any incoming passenger from any aircraft, ship or boat to be carried to, or, to disembark onto the State for a period of up to 30 days, unless and until further reviewed.
- (13) The Governor may access State appropriated funds to mitigate the crisis. From the beginning of the pandemic to date, the State has been blessed with funding assistance from abroad and the Governor and the State of Yap have not used any State fund so far.
- (14) The State Government, Agency and the Taskforce may continue to receive and utilise funding assistance sourced from abroad to combat the pandemic, from national, regional and international governments and organisations.
- (15) The bidding requirements under the relevant legislations are further suspended for a period of 30 days for the purpose of addressing relevant requirements to mitigate the crisis, unless and until further reviewed.
- (16) This State of Emergency Declaration Decree takes immediate effect upon execution.

So Decreed under my hand this June ^{01st}....., 2020.



HENRY FALAN
GOVERNOR