



THE GOVERNOR

STATE OF YAP

EXECUTIVE DECLARATION NO. 2020-009

DECLARATION OF A STATE OF EMERGENCY

UPON THE EXPIRY OF THE THIRD DECLARATION OF A STATE OF EMERGENCY DECREE 2020 ON JUNE 26TH, 2020, THE FOURTH 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, 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, the reopening of several borders worldwide has caused an unprecedented surge in COVID-19 cases and deaths; and

WHEREAS, as of July 8, 2020, at least 11,500,302 confirmed cases and 535,759 deaths have been reported of COVID-19 globally; 303 confirmed cases and 5 deaths in Guam and 31 cases and 2 deaths in the CNMI; and

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

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 imminent threat of the COVID-19 pandemic has not passed but continues to exist on the ground and the Departments of

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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 27th March, 2020 had expired on April 26th, 2020 under its own terms and the second such Declaration have similarly expired on its own term on May 27th, 2020; and

WHEREAS, the third Declaration was issued on June, 01st 2020 and applied retroactively from May 28th, 2020 to have expired on June 28th, 2020; and

WHEREAS, the FSM National Congress has issued Congressional Resolution no. 21-175, as adopted by the Twenty First Congress of the FSM, Sixth Special Session-2020 on July 10th, 2020. The Resolution has extended the National Declaration of a State of Emergency for FSM to September 30th, 2020 at the request of the President; and

WHEREAS, the Yap State Government hereby adopts the same approach consistent with the FSM National Government in recognition of the danger the COVID 19 pandemic presently pose worldwide and regionally. Based on the continued advice and strong recommendation of the State Agency and Taskforce, a fourth Emergency Declaration is required, to apply retroactively from June 29th, 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 Taskforce, 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 July ²²....., 2020.


HENRY FALAN
GOVERNOR