

UNITED NATIONS
TRUSTEESHIP
COUNCIL



Distr.
LIMITED

T/COM.10/L.135
4 June 1974

ORIGINAL: ENGLISH

COMMUNICATION FROM THE THIRD YAP DISTRICT LEGISLATURE, HOLD-OVER
COMMITTEE, CONCERNING THE TRUST TERRITORY OF THE PACIFIC ISLANDS

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THIRD YAP DISTRICT LEGISLATURE
HOLD-OVER-COMMITTEE
1974

22 May 1974

Secretary General
of the United Nations
United Nations Building
N.Y., N.Y. 10017

Dear Sir:

I have the honor to transmit herewith a certified copy of resolution No. 3-36, which was adopted by the Hold-Over-Committee of the Yap District Legislature, Third Yap District Legislature, May 1974. Your comments and action will be greatly appreciated.

Respectfully,

(Signed) James Mangefel
Secretary
Yap District Legislature

THIRD YAP DISTRICT LEGISLATURE
HOLD-OVER COMMITTEE

Resolution No. 3-36

A RESOLUTION

Urging the District Administrator of the Yap District to immediately effect certain measures required to counteract the serious danger posed to the lives, land and economic resources of the people of the Yap Islands, resulting from the escape of a deadly sodium arsenite compound into the waters of the Yap Islands caused by negligent conduct on the part of the Trust Territory Government.

WHEREAS, in recent years the Trust Territory Government has retained at its agriculture station in the Yap Islands, several hundred gallons of deadly liquid sodium arsenite despite a 1970 United States Secretary of the Interior prohibition of the use of the substance in the Trust Territory and despite pleas to the Government by concerned persons for removal from the Yap Islands of the sodium arsenite being retained in a quantity sufficient to annihilate the entire human population of the Yap District several times over; and

WHEREAS, the Trust Territory Government had taken no action to remove the sodium arsenite from the Yap Islands when on approximately 30 April 1974, as a result of government negligence in storing and handling the container, a substantial quantity of the sodium arsenite escaped into a stream located in Dachngar Village, Rull Municipality and thence into the adjacent lagoon which gives access to all of the inner waters of the Yap Islands; and

WHEREAS, the escaped sodium arsenite has apparently resulted in the reported destruction of marine and bird life over an expanding area and has had the most serious effect upon the mentality of the inhabitants of the Yap Islands who cannot now, in the face of the danger, feel safe in consuming fish and other marine life taken from the Yap Islands lagoon and its environs; and

WHEREAS, the continuing threat has produced a serious disruption of the marketing of fish and other marine life in the Yap Islands, as well as a curtailment of private fishing and the use of Yap Islands waters for sanitary purposes; and

WHEREAS, as the responsible cause of the escape of the sodium arsenite and because of its "sacred trust" under the Trusteeship Agreement and other applicable law "to protect the inhabitants of the Trust Territory against the loss of their lands and resources", the Government has an extraordinarily serious obligation to preserve the welfare of the people of the Yap Islands in these circumstances; and

WHEREAS, despite its special obligations in the circumstances the Government has not responded with the vigour and resources appropriate to the danger and the needs of the people of the Yap Islands; now, therefore,

BE IT RESOLVED by the Hold-Over Committee of the Yap District Legislature that the District Administrator for the Yap District is hereby urged to immediately effect the following measures:

1. An immediate evaluation by specialists of the existent danger and potential methods of alleviation thereof;
2. Removal of the escaped sodium arsenite from the waters and land of the Yap Islands, if possible;
3. Removal of the remaining stored containers of sodium arsenite from the Yap Islands;
4. Local public broadcasting, not only advising the inhabitants of the Yap Islands as precisely as possible concerning the danger posed by the escaped sodium arsenite, but also providing instructions concerning the kinds of marine life which may safely be consumed and other safe uses of the marine environment;
5. Just compensation or other just provision for all parties who have been injured or deprived of food or water sources by the threat posed by the escaped sodium arsenite; and
6. Transmittal of copies of all governmental reports and other writings concerning the situation to the Yap District Legislature for its continuing information; and

BE IT FURTHER RESOLVED that certified copies of this resolution be transmitted to the Yap District Administrator, the Secretary General of the United Nations, the United States Secretary of the Interior, the High Commissioner of the Trust Territory, the Chairman of the Trust Territory Environmental Protection Board, and the Yap District Agriculturalist.

Signed by the following persons:

Joachim Falmog, Chairman
Joseph Ayin, Member
James Mangefel, Member
Edward Fitlog, Member
Joseph Tamag, Member
Raphael Dabchiren, Member
Hilary Dawei, Member

ADOPTED 17 May 1974
