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STATEMENT OF THE YAP DISTRICT LEGISLATURE DELEGATION

It is the feeling of the majority, though not necessarily all of the members of the Yap District Legislature, that those Titles and Annexes of the Draft Compact of Free Association which have been agreed upon by the Micronesian and United States Delegations are, on the whole, acceptable. This is not to say that we feel there is no room for improvement, as there certainly is. I should like now to point out two specific areas of particular concern to the people of Yap.

The first area of concern to us is Subsection (4) of Section (a) of Annex B of the Draft Compact. This subsection gives the United States "Continuing rights to use of existing Coast Guard facilities." The Coast Guard presently maintains a Loran Station on Yap which is a powerful radio transmitter used as a navigational aid for United States Navy ships and aircraft in the Western Pacific. This Loran Station occupies a considerable amount of Yap's limited land area under a 99-year lease that has been in existence for approximately ten years. While we do not wish to deny this valuable navigational aid to the United States military or to the many civilian ships and aircraft of countless countries which navigate by its powerful radio signal, we do feel that the lease should be renegotiated and that this should be provided for in the final Compact.

Land and ownership of land is uniquely important in all Micronesian cultures, and especially in the Yapese culture, because we have so little of it. A man's identity and very name in the Yapese culture

is dependant upon the ownership of land. As to the 99-year lease which the Coast Guard holds to lands on Yap, we feel both that the term is too long and the compensation too small. The lease deprives a number of Yapese families of the use of their land for almost two generations. We, therefore, strongly feel that the final Compact should require the renegotiation of the Coast Guard Yap Loran Station lease, and we urge the Joint Committee on Future Status to work toward the inclusion of such a provision in the Compact.

The second area of particular concern to the people of Yap, as far as the Draft Compact is concerned, also involves the ownership and use of lands, specifically those lands which the present Trust Territory Code in Chapter I of Title 67 refers to as "marine areas." The Code provides that the Government owns all "marine areas" below the ordinary high-water mark. Government ownership to these lands was first asserted by the Japanese during their administration of Micronesia, and the present Trust Territory Government has continued to claim ownership to these lands.

Traditionally, for unnumbered decades and probably for centuries, individual Yapese families held extensive and exclusive rights to specific portions of these so-called "marine areas" inside the Yap reef. Though these exclusive rights probably did not and do not now amount to fee simple ownership in the common law sense, they were extensive in scope and approached fee simple ownership.

The Draft Compact is completely silent on the question of ownership of these "marine areas" which lie inside the various reefs

surrounding our Micronesian islands. Since the traditional rights of our people to these "marine areas" have been challenged and clouded for a number of years by the claim of ownership of two different administering governments, we feel that the final Compact should include a clear and unequivocal renunciation by the United States of any claim of ownership whatsoever to the "marine areas" inside our reefs. This would allow these areas to revert to their pre-Japanese status and would allow Micronesian, and particularly Yapese families and individuals to reassert their traditional rights over their portions of these lands. It is very important to us that such a renunciation of ownership by the United States appear in the final Compact. If the United States does not intend to make any claim of ownership to "marine areas" then surely it would not object to specifically renouncing such ownership in the final Compact.

In closing, I want to congratulate the Joint Committee, on behalf of the people of Yap, for the considerable success which it has had in the negotiations to date. We all wish you continued success in your difficult endeavor, and we look forward to the day when the final product of your labors can be presented to the people of Micronesia. We only hope that the final product will include the two provisions which I have outlined here today.

Thank you.