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REPUBLIC OF THE MARSHALL ISLANDS

**IN THE TRADITIONAL RIGHTS COURT
OF THE
REPUBLIC OF THE MARSHALL ISLANDS**

In re the matter of the Application for the Citizenship by Registration of TEINAUEA TIARE YEE ON,	CIVIL ACTION NO. 2024 – 01336 HCT/FPS/MAJ
BY	
TEINAUEA TIARE YEE ON Rikajitok,	LOMNAK & UWAAK EO AN
v.	COURT EO AN MANIT
REPUBLIC OF THE MARSHALL ISLANDS,	
Ruak.	

**UWAAN PANEL EO : Nixon David
Associate Judge, TRC**

**Atte Lang
Pro Tem Associate Judge, TRC**

**Claire T. Locak
Associate Judge, TRC**

**JIKIN RONJAKE EO : Majuro Courthouse
Uliga Village, Majuro Atoll
Marshall Islands**

RAAN IN RONJAKE EO : November 13-14, 2024

I. Naan in Keppelok

Case in ejelet maron ko ion bwidej ilo aeto Namok ilo aelon in Mili, Marshall Islands (“Namok”). Teinauea Tiare Yee On (“Teinauea”), rikajitok eo ilo case in ‘ej ba ej alap im dri jerbak nan Namok bedbed ion menmenbwij eo an im kab *Kalimur* eo ear jake maantak nan rejetak kajitok eo an nan eorom juon citizen in Majol. Erein rej walok im alikar einwot Exhibit 1 im Exhibit 2.

Rikajitok in ej juon citizen in Republic eo an Kiribati im ear jab maron in jede imaan court ilo torein ronjake eo. Ijowotke, ear maron bed juon ian ro ilo bamle eo an, Ngaia Toti, eo im ej mour im jermal ilo Majol in.

Kien eo an Majol ("Republic"), ruak ro ilo case in, ejjab erra ilo an wonmanlok pepa in nan kotlok an rikajitok in eorom juon citizen bedbed ion an ba bwe elap an etolok kotoan eo an rikajitok eo einwot juon eo ej itok jen ebeben eo kein kajiljino ilo laajrak in botoktok eo jen Koonat, eo im rikajitok eo ej ba bwe ear belele im emakit nan Kiribati ilo jemlokin lok 1800 ko im iio ko imaan ilo 1900 ko. Republic in ej kajitikin im bere *Kalimur* eo an rikajitok in, im jake maantak kajitok in, ta juon eo ej walok jen botoktok emaron in ke jolet e jimwe im maron ko an alap ilo bwidej ne armij eo ej walok jen e ear emakit im etal jen Majol 100 jima iio ko remootlok.

Padre kein rej erra ke iroiylaplap eo rainin an Namok ej Iroiylaplap Driktak Jibas, jipeel eo juon ej Riktak Jibas.

II. Tarbok / Kajitok Eo

Tarbok ak kajitok eo imaan Court in ej nan etale ne rikajitok Teinauea Tiare, juon eo ej itok jen ebeben eo kein kajiljino jen juon emaan in Majol, emaron in ke kabwijer jimwe im maron ko an alap im dri jermal ilo Namok, im naj kar an ro imaanlok, ak emoj ke an jemlok kitien an maron in jolet e jimwe im maron kein an alap ak dri jermal.

Kin un kein rej laajrak lal, kemij loe bwe Teinauea ejjab kabwijer maron ko an alap ak dri jermal ilo Namok.

III. Melele Ko Remool

Kemij loe bwe Koonat, armij eo imaantata ilo menmenbwij in an rikajitok in, ej juon kora, ejjab emaan. Ear wor ruo nejin kora, Kirdrere eo ear emakit im etal nan Kiribati, im Kirdrimoi eo ear bed wot ilo aelon in Mili. Kirdrere ear wor emen nejin emaan im rikajitok

in ej jen ebenben eo kein kaemen jen emaan eo edriktata im ej walok ilo menmenbwij eo (Exhibit 1).

Einwot juon eo ej itok jen ebenben eo kein kaemen jen juon emaan in Majol, Teinauea ej maron in mour im mona jen ekkan ak bwidej eo einwot juon ajri in botoktok, mekarta emoj an jemlok an maron jolet e maron ko an alap im dri jermal einwot juon eo ej walok jen Koonat, im, elane enaj bok melim eo jen ibben Alap im Irojlaplap eo. (*Tobin*, 1956 ilo 18-21; *Motlok v. Lebeiu*, 7 TTR 359 (1976)).

Armij ro bwijin Kirdrere, im aer maron nan jolet e title eo an alap, emoj an jemlok wot ilo ebenben eo tok lal einwot ke ear etal maron eo an alap nan Jeblo, kora eo nejin Kirdrimoi. Mantin Majol ej kemlet bwe jej jolete maron ko ad ion bwidej jen ibben kora ro jined, ijelokin wot ne enaj wor wawein ko iumin mantin Majol im renaj ukote ak komman menin an oktak jen jekjek in. (*Lokkon v. Nakap*, 1 MILR (Rev.) 69, 71 (1987); *Motlok v. Lebeiu*, 7 TTR 359 (1976); J. A. Tobin, *Land Tenure in the Marshall Islands* at 16-17 (1956); Amata Kabua, *Customary Land Titles and Inherent Rights: A General Guideline in Brief* at 19 (1993); Public Law P.L. 2023-67, *Customary Law (Succession of Customary Title, Right and Interest) (Ralik Chain) Act* (2023)).

Ear wor nejin Kirdrimoi kora naetan Jeblo. Ro bwijin Kirdrimoi rej kabwijer maron ko an *bwij* eo an Koonat einwot ke ear jab bojrak an wor nejier kora iumin iio ko rej mootlok ilo Majol. Irojlaplap Jibas ear kamoool im ba bwe Alap eo rainin an bamle eo an Koonat im rej walok im alikar ilo menmenbwij eo aer ej Nemur, juon eo ej walok jen Kirdrimoi.

Mekarta menmenbwij eo an rikajitok in ej kalikar ke ej walok ilo laajrak ko an juon bamle in Rimajol, Court in ej loe bwe menmenbwij in ejjab jen aeto Namok. Namok, einwot an kar Irojlaplap Jibas kamoool kake, ej juon kotra an bwij eo an iroj im ej itok jen e. Lellap eo jibun rikajitok in, Koonat, ejjab mottan bwij in an Irojlaplap Jibas.

Elane Namok ej juon kotra, innem ejimwe an wor an Irojlaplap Jibas maron iumin manit nan an droor armij nan aer jermal im alal ie ak ajalok, ijowotke, kein kamool ko jaki maantak ilo case in rej einjuon jen dron im oktak jen an rikajitok eo ba bwe ear etal nan e alap ak dri jermal maron ko ion Namok.

IV. Etale Mantin Majol Ko Rejelet Case In Ibben Melele Ko Remool

A. Menmenbwij Eo

Ilo menmenbwij in (Exhibit 1) ej walok im alikar eltan pein Irojlaplap Driktak Jibas im Alap Nita A. Jibas. Ej walok naan kein "Menmenbwiji an Koonat im Obaia Namok Is, Mili Atoll, Marshall Islands." Ilo ad kalimjok im lale, menmenbwij in ej an bamle eo an Koonat im rej itok jen Namok. Ilo naan in kamool ko an, Irojlaplap Jibas ear ba bwe rikajitok in ej mottan wot bamle eo an Koonat. Ijowotke, ear bareinwot kamool im ba bwe alap eo rainin an bamle eo an Koonat ej Nemur, juon eo ej itok jen bwij eo edriklok an Kirdrimoi, ejjab Alap Nita A. Jibas, eo im ej walok im alikar etan ilo menmenbwij eo einwot juon eo ej kamool bwe menmenbwij in ej an Namok.

Namok, einwot an Irojlaplap Jibas ba, ej juon *kotra* an bwijjin iroj in bamle eo an. Ear kamool im ba bwe ear ajalok nan rikajitok in maron ko an alap im dri jermal ilo Namok kin wot *tolemour* eo nan e. Kemij loe bwe naan in kamool kein ikjen an *tolemour* Namok nan rikajitok in, eidraptok ibben *Kalimur* eo im ear bareinwot kamool ke ear kommane ilo iio ne 2023, nan rejetake laajrak in bamle eo an rikajitok in ilo pepa in application eo an.

Kalimur eo ej kwalok ke emaan ro emen nejin Kirdrere rej rijolet nan maron ko an alap im dri jermal ilo Namok. (Exhibit 2). Rikajitok eo ej juon ajri in ebeben eo kein kaemen jen emaan eo edriktata nejin Kirdrere, im ebeben jiljino jen Koonat.

B. Tolemour

Tolemour ej mantin Majol eo ej kwalok kadkadin an juon iroj ajalok bwidjej eo kin wot an ejmour im mour jen an uno. (*Anjoij v. Wame*, 5 TTR 337 (1971)). *Tolemour* i juon *kotra* emaron wonmanlok, ak emaron in jemlok einwot juon *tolemour*, bedbed wot ion ta eo

Irojlaplap eo tokelik enaj kommane. (*Id.*, at 339; *Tobin*, 1956 at 57). Irojlaplap Jibas emaron likit rialal ilo Namok, ijowotke, einwot an kar Court in ba imaanlok, rikajitok in ear ba ej alap im dri jermal bedbed wot ion laajrak eo an ilo menmenbwij eo im Kalimur eo ear jaki maantak, im kin an Irojlaplap eo kile einwot juon alap im dri jermal an Namok.

Teinauea ear jab likit tolemour ilo naan in kajitok ko an ak ilo naan ko an mokta jen ien ronjake in nan Court in,¹ ijowotke, Irojlaplap Jibas ear ba ilo naan in kamool ko an ke ear ajelok maron ko an alap im dri jermal ilo Namok, juon *kotra*, bedbed ion *tolemour*.

Bar juon alen, wawein in eidraptok ibben naan ko an Teinauea einwot an ba bwe ej walok jen juon ian rijolet ro ewalok etaer ilo *Kalimur* eo jake maantak nan rie pepa in kajitok eo an.

C. Kotra

Irojlaplap Jibas ear kamool im ba bwe Namok ej juon *kotra* im ej kabwijer aolep maron ko jilu ilo bwidaj; Irojlaplap, Alap im Senior Dri Jermal. Einwot juon *kotra*, ebed ibben aolep maron ko, iumin manit, nan an droor armij ak rialal ie, ak emaron in bar ajelok. (*Anjouij v. Wame*, 5 TTR 339 (1971)).

Kein kamool ko nan kalikar kain bwidaj root Namok ear itok wot jen naan in kamool ko an Irojlaplap Jibas. Ejelok uwaan iroj bwij eo an ear bed nan kwalok im kalikar ke Namok ej juon *kotra*. Kemij loe bwe elane Namok ej juon *kotra*, innem Irojlaplap Jibas emaron in kile im lelok maron im title ko an alap im dri jermal nan Teinauea. (*Id.*; *Tobin*, 1956 at 57). Ijowotke, einwot kar ba imaanlok, rikajitok eo ear jab ba bwe Namok ej juon *kotra* im emoj ajelok nan e kin tolemour ilo kajitok eo an ak ilo Rule 2 Statement eo an nan Court in. Im einwot ke emoj kar ba imaanlok, wawein in eidraptok ibben *Kalimur* eo. Rikajitok eo ear bedbed wot ion an ba bwe ej itok einwot juon eo jen ebeben eo kein kajiljino

¹ Petitioner's Rule 2 Statement at 2 (filed Sept. 23, 2024).

jen Koonat, eo im ear emakit im etal jen aelon in Mili nan Kiribati elonlok jen 100 iio ko rej mootlok.

V. Naan in Kojjemlok

Elkin etale kein kamool ko ilo pepa im naan in kamool ko jen rikamool ro, kemij kile bwe Teinauea ej juon eo ej itok jen ebeben eo kein kaemen jen juon emaan in Majol. Kin menin, Teinauea ej juon ajri in laajrak eo an botoktok ilo menmenbwij eo an Koonat, im ewor an jimwe in jokwe im mour jen bwidej eo. Ejelok an jimwe in kabwijer maron im title ko an alap ak dri jermal einwot juon eo jen ebeben eo kein kaemen ilo laajrak eo an juon emaan in Majol, ijelokin wot ne enaj wor an melim jen Irojilaplap, Alap im Senior Dri Jermal ro an rainin, innem emaron in jokwe ilo bwidej ko an bamle eo laajrak ilo menmenbwij eo an Koonat.

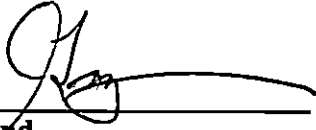
Bareinwot, Court in ej loe bwe menmenbwij eo an Teinauea ejjab itok jen Namok. Kemij jab maron in kamool, ilo torein, ne Namok, einwot juon kotra, ear etal nan Teinauea ilo kilan tolemour ke, ak ilo kilan ajelok nan lollap ro jimaan im ej laajrak etaer ilo *Kalimur* eo. Kin menin, kemij jab maron in kamool im kabine ke Teinauea emaron in kabwijer maron ko an alap im dri jermal ilo Namok kinke ewor ruo wawein ko rej einjuon jen dron im oktak, einwot an ba ke ej juon rijolet in maron im title kein.

Nan kojemloke, Teinauea emaron in mour ak jokwe, im mona jen bwidej eo im ej an lellap eo jibwin, Koonat, kin melim eo jen Irojilaplap, Alap im Senior Dri Jermal ro an, einwot juon Rimajol ak iKiribati. Ilo mool, einwot juon ajri in ebeben eo kein kaemen ilo laajrak eo an botoktok, ewor an jimwe in mour ilo bwidej eo, ak ko, an bamle eo. Kinke wawein drein mour in mantin Majol, jooj ej lale dron im jela nae dron ilo iakwe.

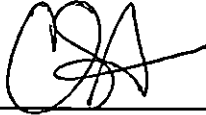
Dated: 22 November 2024.



Nixon David
Associate Judge, TRC



Atte Land
Associate Judge, TRC



Claire T. Loeak
Associate Judge, TRC