

FILED

IN THE TRADITIONAL RIGHTS COURT
REPUBLIC OF THE MARSHALL ISLANDS

Richard G. Hickson
RICHARD G. HICKSON
ASSOCIATE JUSTICE
REPUBLIC OF THE MARSHALL ISLANDS

Rhoda Mawilong,)
)
Plaintiff,)
)
vs.)
)
Frances Laninbit &)
Happy Maddison,)
)
Defendants.)
)

Civil Action No. 2005-096

LEMNAK IN UWAK

High Court Civil Action No. 2005-096 ear mokta komon ronjake eo an iman High Court iumin ruo ran, April 29 im May 3, 2005. [Jouj im etali aoleb nan in kamol ko jen party kein jimor, einwot aer walok ilo Transcript of Proceedings ko iman Associate Justice Richard G. Hickson.

Ro uwan panel eo an Traditional Rights Court rar lo im kile bwe case in ebwe an “lab im ben.” Elab im ben kinke ejelet mantin jolet maron ko ad ion bwidrej. Abnono eo ilo case in ej kin Bokatilkan Wato, eo ej bed ilo Ajeltake, Majuro, Republic eo an Marshall Islands. Party kein ilo case in rej jimor itok jen juon wot nedrer einwot an alikar ilo memembwij eo an nukun kein.

Case in, High Court Civil Action No. 2005-096 ear itok non Traditional Rights Court non jerbale abnono eo ikotan party kein, im ear jino jerbale ilo 3 ran im jemlok ilo 10 ran in October 2005. Menin kenono eo elab ilo case in ej kin won eo ekkar bwe en kabjer maron eo an iroi edrik, alab im and dri jermal ilo Bokatilkan Wato.

Court in an manit ej kwalok lemnak eo an ikijien issue in, bedbed wot iumin mantin Majol. Elab an court in kile aurok eo an manit im ijo kunan non bukot mejlan ta eo ejimwe im emontata non party kein ilo ejelok lemnak in jeb im kakure jabrewot ro ilo bwij kein ruo.

Ro uwan panel in an TRC rej Berson Joseph, Chief Judge, Botlang Loeak, Associate Judge, im Abji Jally, Associate Judge Pro Temp.

I. MANIT AN DRI MARSHALL:

Kalotlot: Kalotlot ej jab jermal non ro ilo nukin eo am. Ej ~~aer~~ kunaer im aer eddo non lale im kejbarok yuk ilo ran in mour ko am. Komaron kalotlot, botab kin men ko wot mweiom. Ilo mol eo, kalotlot ej jermal wot non ro ilikin nukin eo am im rej jab nukum. En melele menin.

II. ABNONO EO:

a) Kajitok No. 1 einwot kar jakemantak: Won eo ekkar im jimwe ian armij rein, Rhoda Mawilong ke ak Frances Laninbit im Happy Maddison?

b) Uwak eo non Kajitok No. 1: Mrs. Rhoda Mawilong.

c) Komlele ko ilo tu-kadu ikijien un ko Uwak eo non Kajitok No. 1 ej bedbed ioer:

1. Ekkar non menmenbwij eo an party kein jimor im kar jakemantak ilo ien ekajet eo, ej kemlet bwe jinen Rhoda ej bwij eo erittolok jen bwij eo an jinen dri jumae abnono ro. Mrs Liene Inok, juon ian witness ro an dri jumae abnono, ilo kar nan ko an make ilo juon ian ien ronjake ko iman Honorable Richard G. Hickson, ear kwalok ke alab eo an Bokatilkan Wato rainin ej Rhoda Mawilong. [Jouj im lale Transcript of Proceedings ko iman Honorable Richard G. Hickson, page 15.]

2. Kalimur eo an Jiaur Litakdikin: Elane emol ke ear wor juon an Jiaur kalimur, innem ear aikuij bwe en kar webben jen droulul eo an 20/20 mokta jen kar March 6, 1986 eo, tore eo im maron eo an 20/20 ear bojtrak im jako. Rainin court in an manit ej kile bwe

kalimur in an Jiaur, ilo mol, ejelok bedbedin kinke elab an kakkure manit ilo an kar jab kebak mokta ro nejin im jibun Lijuiar Litakdikin. Court in ej kile bwe nan im melele ko an dri kamol ro an dri jumae abnono in kin kalimur in an Jiaur rej “hearsay”, ak rej jet nan im melele ko rar ron jen bar ro jet.

3. Kalimur eo an Watak Langrine: Kalimur in ear koman ilo January 2, 1996, enanin 20 jima yio elikin an Jiaur Litakdikin mij. Ilo mol, iumin yio lonlon kein, Watak Langrine ar jab jela ke ear wor juon an Jiaur kalimur non Spark Maddison kin Bokatilkan Wato. Etke Jiaur ear komon an kalimur, kab ejimwe im jeppet ke?

Ilo kalimur ne an Watak Langrine, e make ej ba nan kein, “Ikonan kwalok ao ennan im kamej lok ta eo alab Jiaur Litakdikin ear ba non Spark Maddison, leo eritto nejin Libin Kejon, kora eo jeiu bwe bukon in Bokatilkan jen jabon non jabon en ilok non Spark im lomaro jatin einwot juon enen kalotlot.” [Jouj im lale Kein Kamol No. 1 an Dri Jumae Abnono].

Ekkar non menmenbwij ne an aoleb bamle kane, Kein Kamol No. P-1A an Dri Abnono, ej kwalok ke Watak Langrine ej alab eo eliktata ian ro nejin Lijuiar Litakdikin. Ijowot ke, maron eo an alab ear jab jemlok iben kinke ear wor wot mandren, einwot ro nejin Neri, ro rebojak in bok jikier einwot alab non Bokatilkan Wato. Kin wot un kein, court in ej lo bwe kalimur in an Watak Langrine ejelok kitien kinke ear jab kebak ro tellokier ekkar non manit emanman in ad.

III. Etan im Address ko an Dri Kamol ro an Dri Abnono:

1. Carmen Milne Bigler - Long Island, Majuro Atoll
2. Josephine Milne - Rita Village, Majuro Atoll
3. Elbia Rusin - Rita Village, Majuro Atoll
4. Rhoda Mawilong - Rita Village, Majuro Atoll

IV. Etan im Address ko an Dri Kamol ro an Dri Jumae Abnono:

1. Manini Clanry - Delap Village, Majuro Atoll
2. Stevenson Maddison - Hawaii, USA
3. Samuel Langrine - Delap Village, Majuro Atoll
4. Willie Mwekto - Jenrok Village, Majuro Atoll

V. Kein Kamol ko Emoj Aer Drelontok einwot Kein Kamol ilo Case in:

1. Kein Kamol No. 1 non 9 an Dri Abnono
2. Kein Kamol No. 1 an Dri Jumae Abnono.

VI. Wawein ko jet im Panel in ej Lomnak Kaki ke rebar Lab Tokjeir im Aurok non Case in:

a. Eddo eo non kamol ikijien case in ear bed ion aeran dri jumae abnono ro, botab rar likjab ilo aer kar kajion in kwalok ta ko remol ilo kottobar eo aer. Rar jab maron uwak elon ian kajitok ko an counsel eo an dri abnono. Bareinwot, nan in kamol ko aer rar jab maron kaju buruon court in non an maron erra ilo jibadbar im kottobar eo aer. [Jouj im lale Transcript of Proceedings eo].

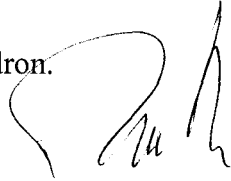
b. Willie Mwekto, watoke einwot juon eo elab an jela im wor melele iben kin manit, court in ej kile im watok ke nan in kamol ko an remon im jimwe ekkar non manit. Botab, nan in kamol ko an rar jab maron jiban dri jumae abnono ro, ro im ear kamol ilo etaer, iman court in an manit. Nan in kamol ko an Willie Mwekto elab aer kar jiban rein uwan panel in an TRC non aer komane opinion in aer.

KIO, KIN MENIN, ekkar non mantin Marshall im bedbed wot ion melele ko ilo case in, court in ej bar kwalok an lemnak juon alen einwot in bwe:

1. Rhoda Mawilong ej armej eo ekkar im jejjet rainin bwe en kabijor maron an Iroj Edrik, Alab im Dri Jerbal ilo Bokatilkan Wato, Ajeltake Village, Majuro Atoll, Republic eo an Marshall Islands.

2. Party kein ilo case in rej jim-jan jim-jatin im Bokatilkan Wato ej aer jimor jolet jen Litakdikin. Ren meloklok ta eo "emeo" ikotaer im jino aer lale dron im kautiej dron kin juon yokwe eo ejelok uwan im jab jolok dron.

Ran: 11/4/05



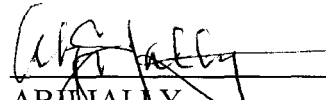
BERSON JOSEPH
Chief Judge, Traditional Rights Court
Republic of the Marshall Islands

Ran: 11/04/05



BOTLANG LOEAK
Associate Judge, Traditional Rights Court
Republic of the Marshall Islands

Ran: 11/04/05



ABJINALLY
Associate Judge Pro Temp
Traditional Rights Court
Republic of the Marshall Islands