

Civil Action #2007-029

Traditional Rights Court ear jino ronjake Civil Action #2007-029 ilo November 26-29, 2007, ilo Uliga courthouse, Majuro, Marshall Islands. Ro uwan Panel eo ear Associate Judge Botlang Loeak, Associate Judge Kalemén Jinuna, im Chief Judge Berson Joseph.

Case in ar itok non court in an manit bwe en etale ekkar non jimwe im manit, kin abonono eo ikotan nukin kein, **won eo ejimwe im ekkar bwe en kabjer maron eo an dri jermal ilo wato Kiniloke.** Aet, case in ej ikijjen wot title eo an dri jermal. Court in an manit ej kile bwe manit eo elab an aurok im “e wot emaron bukot mejlan abonono in ilo case in.”

JELATE ABONONO EO:

A. Kajitok eo jakemantak: Won eo ejimwe im ekkar bwe en kabjer maron eo an dri jermal ilo Kiniloke Wato?

a) Uwak eo non kajitok eo: FRED de BRUM

Ilo December 1, 1989, maron eo an dri jermal ilo Kiniloke Wato ar jino ilok non ibben Fred de Brum iumin kabbe eo an Leroij Kalora Zion im alab Lejka Mack. Jouij im lale plaintiff exhibit A. Document in ej emon im kajur tok wot non rainin.

Fred de Brum ar juon ian dri jermal ro an Ministry of Social Services eo ekon bok edron elon program ko ekoba program in mona eo an ritto, hot lunch non school ko, loan non low income housing, youth program, woman affairs kab ko jet. Im Fred de Brum ej ba, “Jen wot program in mona eo an ritto, ar ijji jemdrom eo airro ibben dron.”

Elon alen Lejka Mack ej boktok legal documents ko an bwe in ukuti jen kajin English non kajin Marshall kab elon men drikdrik ej aikuiji. “Iar monono in jibane ilo men otemjej. im ilo ien otemjej.” Fred ear ba. Kin wot wawen kein rellon im ellab ar komoni non Lejka Mack,

Lejka ar monono in lelok jimettan in Kiniloke Wato. Leroij Kalora Zion im alab/dri jermal Lejka Mack rar jimor kwalok tu-ar (lagoon side) in Kiniloke Wato bwe Fred de Brum en bed ie.

Lejka Mack, ilo kar toren mour eo an ar kabjer maron ko jimor an alab im dri jermal ilo Kiniloke Wato. **Rainin, ejimwe im jejjet bwe ro nejin ren title dri jermal.** Court in an manit ej kile wawen in einwot an alikar ilo menmenbwij eo an family kane (3) jilu. Ekar bok wot maron eo an alab ilo Kiniloke Wato, im jab Enemanet Island, Monbukwe im Kabronlok Wato. Rainin, alab eo an wato kein ruo (2), Monbukwe im Kabronlok ej Tarmute Motlok. Ejab claimed ke ej alab eo an Enemanet Island. Ak ej claimed ke ekkar im jimwe bwe en kabjer maron eo an alab ilo Kiniloke Wato. Dri abonono eo ar kajitok, “Etoke ejelok an Tarmute Motlok **itok-limo** kin Enemanet Island? Ta kinke ejelok an **lease agreement ke?**”

Ak elane kin dri jumae abonono eo Winton Maun, ejjab maron kabjer maron eo an dri jermal ilo Kiniloke Wato kinke ejab e dri jermal eo. Ejab kin menin wot, ak kinke e ej nejin bwij, ej in-line non bok maron eo an alab ilo Kabronlok im Monbukwe wato. Ej wato ko drekein im eor an Winton Maun maron in alab ie. Ekkar non mantin Marshall, nejin kora eban dri jermal!!

Wawen in ej bareinwot kalikar ke ejab jimwe an Winton Maun kalek mweo imon im ej kaleke kio ion Kiniloke Wato. Emwij an kar ilok none juon order jen High Court bwe en bwijrak jen an kaleke, **ak ear jab eoron order eo.** Mottan wot jidrik im enaj dredrelok mweo imon. Jab eoron order ej tellokin wot High Court, im court in an manit ej lelok edro in none.

Mene abonono eo ilo case in ar kin wot maron eo an dri jermal ilo Kiniloke Wato, ak ar bareinwot wor konono kin maron eo an alab. Tarmute, kora eo jinen dri abonono in, ej claim ke ej alab in Kiniloke Wato. Defendant’s Exhibit “C” kab “D” rej jimor kamol menin. (Jouij im lali)

Court in an manit ar bareinwot ron ilo konono ko ke ar wor **ajej bwidrej** non kora ro jilu nejin Lair. Enemanet Island non Linna im bwijjin, Kabronlok im Monbuke Wato non Likabin im

ro bwijjin, im Kilinoke Wato non wot Likwonjin im ro bwijjin. Court in an manit ar bareinwot ron ke ro bwijjin Likwonjin ejelok air claim ilo Enemanet Island, im ilo Kabronlok im Monbuke .

Wato. Ak ro bwijjin Likabin, einwot Tarmute, im dri jumae abonono eo rej jimor claim ke rej alab im dri jermal ilo Kiniloke Wato. Kajitok eo ar wanlintak, etoke ejelok air claim ilo Enemanet Island, ak eor wot ilo Kiniloke Wato? **Kajur an lease?**

B. NAMES OF PLAINTIFF’S WITNESSES AND THEIR ADDRESSES:

- | | | |
|--------------------|---|----------------|
| 1. Fred de Brum | - | Small Island |
| 2. Elai Jerilong | - | Rairok Village |
| 3. Glady Jerilong | - | Rairok Village |
| 4. Bira Lejka | - | Small Island |
| 5. Alson Isaiha | - | Rairok Village |
| 6. Diction Timethy | - | Small Island |
| 7. Allan Lanki | - | Jenrok |

C. KEIN KAMOL AN DRI ABONONO:

1. Plaintiff’s Exhibit A - Kon non maron eo an Dri Jermal

D. NAMES OF DEFENDANT’S WITNESSES AND ADDRESSES:

- | | | |
|--------------------|---|----------------|
| 1. Winton Maun | - | Kiniloke Wato |
| 2. Jenta Maun | - | Jenrok Village |
| 3. Jitenboru Konou | - | Rairok |
| 4. Willie Mwekto | - | Jenrok Village |

E. KEIN KAMOL AN DRI JUMAE ABONONO:

1. Defendant’s Exhibit A - Consent to built house on oceanside
2. Defendant’s Exhibit B - Lease agreement new weather station
3. Defendant’s Exhibit C - Consent to build house on lagoon side
4. Defendant’s Exhibit D - Consent to construct sea wall
5. Defendant’s Exhibit E - Copy of Geneology
6. Defendant’s Exhibit F - Copy of Court decision 1971
7. Defendant’s Exhibit G - Copy of Court order 2002

Civil Action #2007-029 ar itok non court in an manit bwe en etale won ekkar bwe en kabjer maron eo an dri jermal ilo Kiniloke Wato, im edredrelok an court in an manit kalikare, ej Fred de

Brum. Ej juon webben im burukuk an iroj, alab im dri jermal ro air Kiniloke Wato. Unin an lon lokabokbok ko rainin, ej kinke ro rej bok maron (title) kio, rej jab melele ta webben ko ro mokta lok rar kowebbeni. Emol menin einwot an walok ilo case in, im ko jet bareinwot.

Court in an manit ar ronjake juon kajitok jen council eo an plaintiff non juon ian witness ro an defendant: “Eor ke an family eo an defendant rights (jimwe) ion Enemanit Island?” Ejelok uwak. Mr. Talafou Manase, council eo an plaintiff, ar kemeleleik ke eor juon an Kiniloke Lease Agreement. Ar wonmanlok wot im ba, “Emaron men eo ej komon unin an defendant Winton Maun **ikidrelel im kowan Order eo an Court**. Ear jab eoron Order eo an Court wot, ak ar rube im kakkure mwe imon, im bareinwot binana ko kotkan Fred de Brum. Jet kein wawen elab air ben im ellab im court in an manit ej jakimanlok non High Court. Ekoba mwen imon kio im enanin dredrelok.

Elane kin maron eo an alab ilo Kiniloke Wato, ar wor konono ko ke ar wor ajej bwidrej non bwij ko jilu. Im elane emol ke ar wor ajej, inem alab eo an Kiniloke Wato rainin emaron wor oktak. Botab, kinke ear lab wot konono kin maron eo an dri jermal, im drik ien konono kin maron eo an alab. Kin menin, maron eo an alab (rights) emaron wonlintak bar juon ien ejab etto!!

Kin menin, bar juon alen, FRED de Brum ej **Dri Jermal** in tu-ar wot in Kiniloke Wato..

Berson Joseph
Chief Judge, TRC

Botlang R. Loek
Associate Judge, TRC

Kalamen Jinuna
Associate Judge, TRC