

IN THE AMBRYM ISLAND COURT OF
THE REPUBLIC OF VANUAU
HELD AT CRAI-COVE, WEST AMBRYM.

LAND CASE 02/1990

24/09/08
DM 27/10

(Land Jurisdiction)

BETWEEN: FAMILY MERMER
(Original Claimant)

AND: AUGUST TALIBAN
(Counter Claimant)

CORAM: MAGISTRATE JERRY BOE
JUSTICE LUKE JOHNNY
JUSTICE ABEL BONG
JUSTICE WILLIE SOSO

CLERK.: SHEMI JOEL

LAND LONG DISPUTE: 'FALI' AT CRAIG COVE., WEST AMBRYM.

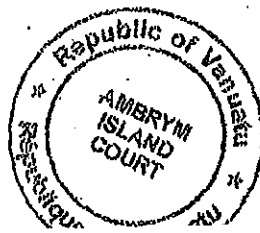
Ambrym Island Kot ibin staon long Craig Cove, West Ambrym, hemia long namba 24th, 25th, 26th, mo 27th November, 2003. Hemia iblong harem wan land dispiut we istap betwin Famili Mermer mo Famili August Taliban. Nem blong graon ia hemi 'Fali'.

Composition Blong Kot

Anda long Island Kot (Amendmen) Act No. 35 of 1989, Cap. 167, Law istap talem se bambai Kot ia imas staon wetem 3 Jastises blong harem kes blong graon. Kot iwandem mekem iklia se wan long ol Jastises ia imas kam long eria blong ples we kot istaon.

Smol Storian Blong Graon ia.

Graon ia nem blong hem 'Fali' mo istap long Craig Cove. Igat fulap man, woman mo pikikinini oli stap long velej ia we istap long Fali baondari Land, ples we raorao i stap long hem.



Igat tu ol graon we Catholic Mission ipem we oli stap long baondari blong 'Fali' land. 'Fali' baondari, map isoem se hemi stat long Uro, eria we Presbyterian Church istap long hem long wan stampa blong Nambanga mo Natapoa mo folem rot iko mo tanem iko long leftsaet long rot ia mo ko stret kasem long ol hil we ol kokonas plantesen istap mo tanem iko taon long si kasem ples we, MV Saraika, irek long hem.

Ol Evitence

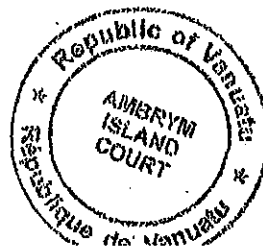
Ol evitence we Kot istap harem hemia ol evitence we oli kastom storian nomo. Kot ia bae ino save usim law blong ol waet man blong sasem land kes ia be bae usim nomo kastom storian we ol paties oli talem long Kot. Forom resen ia bae Kot naoia bambai italem aot ol evitence we hemi harem long ol tufala Paties.

Fesfala Pati we igivim evitence hemi Famili Mermer. Long wan leta we ideted 23rd September, 2003, ikam long Island Kot, olgeta istap apoentem Gilbert Haoul, olsem spokesman blong olgeta.

Storian blong Family Mermer we Gilbert Haoul nao I talem.

Long saet blong Famili Mermer, spokesman blong olgeta italem se namba 1 resen whae oli stap clemen 'Fali' land forom nomo wan woman we nem blong hem hemi Veinkon we hemi kirap long nasara blong 'Fali' mo iko maretem wan man long Melkon. Hemi bonem wan pikinini we nem blong hem Mermer. Forom se mama blong hem ikam aot long nasara blong 'Fali' bae Mermer iautomatically bae kam olsem wan nepheu blong nasara blong 'Fali'. Spokesman italem se long taem ia we Mermer hemi bon, hemi gat wan ankel we hemi stap long 'Fali' mo nem blong hem Soksok Meleun. Hemi talem se Soksok Meleun imaret mo gat 2 pikinini we nem blong olgeta hemi, Sakaran Malguel mo Hur Hur Nembu. Spokesman italem se Sakaran Malguel imaret be inogat pikinini. Hur Hur Nembu imaretem woman ia Keka we hem iblong Venaur. Tufala igat wan gel we nem blong hem Matukon mo Matukon imaret wetem wan man Sulol we nem blong hem hemi Belakon Worwor. Tufala ibonem Lilonto we hemi nepheu blong nasara blong 'Fali'.

Namba 2 resen whae Famili Mermer istap Claimem 'Fali' land forom se Mermer hemi fas nepheu blong nasara blong 'Fali' mo tu se hem ibin grup



taem hemi smol wetem ankel blong hem Soksok Meleun mo Pupu blong hem Hu Hur Nembu . Spokesman italem tu se taem we ankel blong hem, Soksok Meleun, ited, olfala Mermer istap wetem pupu pleple blong hem we hemi Hur Hur Nembu mo mekem ol kastom seremonies long "Fali" nomo. Spokesman italem se long taem ia tu Mermer hemi maret finis mo gat 2 pikinini we nem blong tufala hemi Cyprien Mermer mo Noel Mermer.

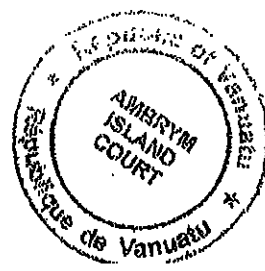
Long taem ia Hur Hur Nembu hemi kam wan olfala man finis be hem inogat wan boy be wan gel ia nomo we hemi Matukon we hemi maret igo stap long Sulol wetem Belakon Worwor. Spokesman blong Famili Mermer italem se long kastom blong Ambrym, Hur Hur Nembu bai mas lusum generesen blong hem. Be hemi save se hemi gat wan pupu pleple istap we hemi Mermer mo hemi kolek hem. Spokesman blong Famili Mermer italem se long taem ia we hemi kolek Mermer mo ol pikinini blong hem we oli Cyprien mo Noel, olgeta tu istap that taem we Hur Hur Nembu istap toktok long papa blong olgeta we hemi Mermer mo tufala ia, Cybrian mo Noel, tufala ibin stap witness toktok ia long ol vilij kots long taem ikam.

Spokesman italem se toktok we olfala Hur Hur Nembu istap talem long Mermer mo tufala pikinini blong hem iko olsem :

- (1) Yufala mas kam stap wetem mi.
- (2) Ankel blong yu (Mermer) Meleun ited finis.
- (3) Sipos mi ted (Hur Hur Nembu) bae yu Mermer mas karem everi ankel mo pikinini ikam stap long "Fali".

Spokesman italem se ol toktok ia tufala ia Cyprien mo Noel ipruvum long ol vilej Kots, District Kot, mo Malmemeli Kot. Spokesman istap talem tu se igat trifala (3) man we oli stap konvemem toktok ia long ol vilej kots we iko finis. Fes man hemi Dengdeng we long taem blong District Kot hearing ol jifs oli bin askem hem abaot histri blong 'Fali' mo spokesman italem se Dengdeng ibin talem se 'Fali' hemi smol Melkon.

Namba 2 man we spokesman istap talem se hemi konvemem toktok ia hemi Pere Cyriaque long taem blong Malmemeli Kot hearing. Spokesman italem se long taem ia Pere Cyrique ikonvemem se hem istap 60 years long work blong hem mo hem isave nomo se ino gat wan olfala long 'Fali', except olfala Mermer.



Namba 3 man we spokesman istap talem se hemi konvemem toktok ia hemi **Lihor**. Hemi talem se Lihor ibin talem long 1990 se wanem **Pere Cyriaque** wetem **Dengdeng** italem oli true.

Spokesman istap talem se ol storian ia nao imekem se Famili Mermer istap klem long 'Fali' land.

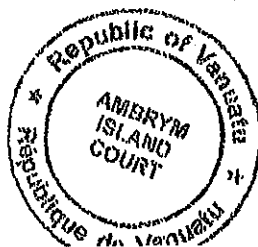
Naoia bae kot idil wetem ol witness blong tufala patis.

Witnis blong Family Mermer.

Fesfala witnis blong Famili Mermer hemi **Sanel Mermer**. Afta hemi swea long Bible, Clerk ibin ridim aot ol statmen blong hem mo askem hem weta hemi agri se hemia hemi statmen blong hem mo sikneja blong hem. Hem iagri se hemia hemi statmen mo sikneja blong hem. **Sanel Mermer** istap talem long Kot se hem bai witness long ol kastom seremonis we pupu Mermer imekem iko long ol olfala blong "Fali", long taem we oli stap tet. Hemia ifolem nomo wanem we papa blong hem **Cyprien Mermer**, **Noel Mermer** mo **Alexander Mermer** istap talem long hem.

Long taem ia Kot ia ibin askem sam kwesten long witnis blong klarifaem sam poens. Fas kwesten ikam long kot nao se wanem taem or yia nao ol papa blong hem we oli **Cybrian**, **Noel** mo **Alexandre** oli bin talem ol storian ia. Witnis iansa se olgeta ibin talem storian ia long 1976 nomo. Long plesia nao kot iwandem save forom wanem nao ol papa blong olgeta ia ino bin talem ol storian ia bifo 1976. Long kwesten ia witnis italem se forom hem istap long School. Hemi konvemem tu se long taem ia tu (1976) raorao forom 'Fali' graon istat. Hemi se bifo ol raorao istat ol papa blong olgeta ineva talem ol storian ia long hem.

Long saet blong **August Taliban** hem ibin kros examinem witnis. Fas kwesten blong hem iko long witnis nao se wanem kastom nao Mermer ibin stap mekem. Long kwesten ia witnis ise ol kastom we Mermer ibin mekem hemia ol kastom we hemi mekem iko long **Hur Hur Nambu** mekem se **Hur Hur Nambu** igivim raet long hem. Bakeken Taliban ikwestenem hem se forom wanem hemi no talem aot ol raet ia long Pierre taem we Pierre istap salem ol graon long 'Fali'. Long kwesten ia witnis ise bae hem ino save ansarem kwestin ia.



Folem hemia **August Taliban** iaskem witnis narafala kwesten bakeken. Kwesten ia se mama blong **Mermer** hem wan nomo ikam long 'Fali' or igat sam man mo woman tu mama blong olgeta ikam long 'Fali'?. Long kwesten ia witnis italem "yes" mama blong **Mermer** hem wan nomo ikam long "Fali". **August Taliban**, taem we hemi harem witnis itok olsem hemi askem narafala kwesten bakeken long witnis ise sipos olsem everiman mo woman "Fali" oli ted? Long kwesten ia witnis italem se hem ino save ansarem kwesten ia be hem isave nomo se **Lilonto** inepheu blong 'Fali'.

Bakeken, **August Taliban**, iaskem witnis sapos hemi save talem whu ia nao ol rili man 'Fali'. Long kwesten ia witnis ise ol reli man 'Fali' inogat. Witnis ikonvemem tu se **Mermer** igat trifala (3) pikinini mo namba 3 pikinini hemi **Alexander**. Hemi konvemem tu se **Mermer** ited long **Lamap**, mo oli berem hem long **Lamap**, **Malakula**.

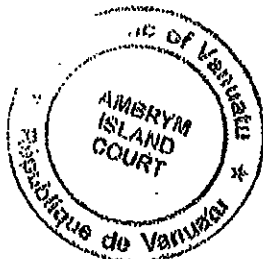
RE- EXAMINESEN.

Afta **August Taliban** ifinis long kros examinesen kwestens, spokesman blong **Famili Mermer** ibin re-examinem witnis mo askem hem sam kwestens. Fasfala kwesten nao se taem we **Pierre** ibin stap salem ol graon long 'Fali' witnis istap wea. Long saet blong kwesten ia witnis iansa se taem **Pierre** ibin stap salem graon hem ino bin stap. Hemi konvemem tu se taem we **Pierre** ibin stap salem ol graon ia long 'Fali', **Pierre** ibin stap nomo long "Fali".

Namba 2 witnis blong **Famili Mermer** hemi **Denis Tasip**. Afta hemi tekem oath blong hem hemi konvemem stetmen mo sikneja blong hem. Witnis istap talem long kot ia se hem bae witnis se tufala olfala ia we hemi **Cyprien** mo **Noel** tufala ibin luk ol seremonis we **Mermer** imekem long 'Fali' mo stap long taem ia we las man 'Fali' ibin promesem **Mermer** blong hem ikam stap nomo long graon blong 'Fali'.

Long wan kwestin blong **Kot** se who nao italem stori ia long hem , hemi se **Cyprien** mo **Noel** mo resen whae tufala italem from ikat raorao long graon ia 'Fali'. Long wan nara kwestin blong kot se ol storian ia hem iharem bifo raorao ikam aot, witnis italem se hem iharem nomo taem we raorao ites stat.

Afta long ol kwestens blong kot, **August Taliban**, ibin kros examinem witnis. Fasfala kwesten we **Taliban** iaskem witnis iko olsem; **Cyprien**



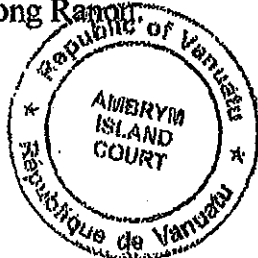
ikilim pig iko long Whu? Long saet ia witness iansa se pupu blong hem we hemi Cybrian ibin talem long hem se hem ibin kilim pig iko long pupu blong hem we hemi **Hur Hur Nambu**. Afta long ansa ia, August Taliban, iaskem wan kwessten bakeken se whu nao ol man ia we witness istap talem se olgeta oli kilim Pig? Long kwessten ia witness iansa mo talem se olgeta ia oli man olsem **Sagaran Malguel, Hur Hur Nambu mo Soksoke Meleun**.

August Taliban iaskem narafala kwessten bakeken we iko olsem ia se; hemi tru se inomo gat man 'Fali'? Long kwesstin ia witness italem hem ino save talem forom se hemi toktok nomo long wanem we pupu blong hem italem. Bakeken, **August Taliban** iaskem wan kwessten weta witness ibin luk Pierre taem we hemi yang. Witness iansa se "yes", hem ibin luk Pierre taem we hemi yang. Long las kwessten blong, August Taliban, hem ibin askem witness se; taem we **Mermer** itet, las kastom oli mekem iko long whu? Long saet ia witness iansa se hem ino save.

Namba 3 witness blong **Famili Mermer** hemi, **Amos Toto**. Afta hemi tekem oath blong hem mo konvemem stemen mo sikneja blong hem, hemi talem long kot se hemi wantem witnessem histri blong, **Pierre Masing Wakon**, we hemi pupu blong August Taliban. Long wan kwesstin blong kot se whu nao ibin talem storian ia long hem se Pierre ikam long Ranon long North Ambrym, witness ise papa blong hem. Witness ikontiniu blong talem se histri isoem se ikat 4 man we lizard ironem olgeta long wan ples long Ranon. Fofala (4) man ia oli ronwe long ples blong ol mo wan ironwe iko long Ranon, wan ironwe ikam taon long plesia long 'Fali' we hemi Pierre, wan ironwe iko long Unua long South Malekula we nem blong hem hemi **Ketness** mo laswan ironwe iko long Pentecost we nem blong hem hemi **Emile**.

Long wan kwesstin we kot iaskem long witness se wanem relasonsip nao papa blong hem mo Pierre tufala ikat. Long saet ia witness italem se long wokbaot blong tufala ia tufala istap lukim tufala olsem ol brothers mo witness italem se hem ibig man finis taem we papa blong hem italem stori ia long hem. Hemi konvemem tu se Pierre ibin stap go long North Ambrym.

Afta we kot ibin askem ol kwesstens ia, **August Taliban**, ibin kros examinem witness. Fasfala kwessten we Taliban ibin askem nao se forom wanem papa blong witness ino soem long Pierre whea hem ikam long hem? Long saet ia witness iansa ise hemi save nomo se papa blong hem ibin talem se ples blong Pierre hemi Valitrovei, klosap long Rapou.



August Taliban ibin askem witnis tu se sipos Taliban iko bak long Ranon bae ol man Ranon isave soem ples blong hem or no? Long kwesten ia witnis italem fastaem se "no" afta ichensem toktok blong hem bakeken mo talem "yes". Hemi ikontiniu blong talem se sipos Taliban ikam long Ranon bae olgeta oli save soem graon mo ol famili blong hem we oli stap long Ranon. Bakeken Taliban iaskem witnis se hemi ibin save se Pierre ibin stap long taem long 'Fali' or no? Long kwesten ia witnis ikonvemem se "yes", Pierre ibin stap long taem long 'Fali'.

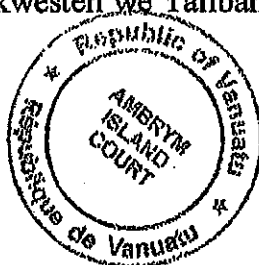
Taem we August Taliban ifinis long askem ol kwestens, spokesman blong famili Mermer irexaminem witnis. Fasfala kwesten nao se forom wanem pupu blong witnis ino soem long Pierre graon blong hem we istap long Ranon. Long saet ia witnis italem se histri blong Pierre hemi wan histri we ol ino stap talem olbaot forom oli mas pem faen sipos oli stap talem.

Bakeken spokesman iaskem witnis se ol famili blong Pierre we oli stap long Ranon, north Ambrym, oli stap kam luk Pierre or no? Long kwesten ia witnis italem se "yes" mo witnis italem tu se ol famili ia tu oli stap kam luk Taliban. Bakeken spokeman iaskem witnis blong hemi konvemem weta Taliban ibin staon long wan kot siting long north Ambrym. Long saet ia witnis ikonvemem se "yes" Taliban ibin staon long kot siting ia mo long taem ia oli bin tokbaot graon ia tu we witnis istap talem se hem iblong Taliban be long taem ia August hemi wan Jastis mo ino wan Pati. Long las kwesten blong spokesman iko long witnis hem iaskem weta Pierre hemi rilated long eni man long Fali. Long saet ia, witnis hemi se "yes" mo hem ikam stap wetem Mermer.

Namba 4 witnis blong Famili Mermer hemi Rene Haoul. Afta long oath blong hem hemi konvemem se hemia nao stetmen mo sikneja blong hem. Hem istap talem long kot se bae hemi witnis se Cyprien italem long hem se bifo hem istap long 'Fali' wetem papa blong hem Mermer be Pierre Masing Wakon ibin stap nomo long Sulol vilej mo istap kam nomo long la Messe.

Long ansa long wan kwestin blong kot se wanem yia Pierre istap long Sulol, witness ise Pierre ifolem Missionary mo ikam long 'Fali' long 1896 mo oli sendem hem iko long Montmatre, hemia long Port Vila.

Afta long ol kwestens we kot istap askem long witnis, August Taliban, ikross examinem witnis. Fasfala kwesten we Taliban ibin askem witnis nao

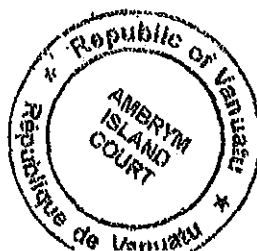


se, whu nao hemi papa blong **Pierre Massing Wakon** taem we hemi stap long Sulol vilej? Long kwesten ia witnis iansa se taem we Pierre istap long Sulol papa blong hem nem blong hem hemi **Roprop Meleun**. Long wan narafala kwesten Taliban istap askem witnis se taem we ol Malmemeli kot blong ol jifs oli kam staon long Craig Cove, oli stap wetem whu? Long saet ia witnis italem se ino wok blong **Famili Mermer** blong putum olgeta long wan haos. Bakeken Taliban iaskem witnis se forom wanem pupu blong hem **Mermer** ino stopem Pierre taem we Pierre ibin stap salem graon long 'Fali? Long kwesten ia witnis istap talem se Pierre ibin stap salem ol graon ia hem wan nomo. Witnis italem tu se **Mermer** long taem ia hemi stap long **Melkon** mo **Moltuk** nao italem long hem blong kam taon long 'Fali' mo stopem Pierre blong no salem Graon.

Namba 5 witnis blong **Famili Mermer** hemi **Robert Tasso**. Afta hemi tekem oath blong hem hemi konvemem se hemia nao stetmen mo sikneja blong hem. Witnis istap talem long kot se hem bai witnis se **Taliban** ikam long **Lamap, Malekula**.

Long wan kwesten blong kot se forom wanem **Taliban** istap long 'Fali', witnis iansa se hem ino save. Hemi talem se hemi save nomo se olgeta blong **Ranu** nao oli kivim graon ia **Tenak** long Taliban, we toktok ia iminim "redi". Long wan kwesten blong kot se wea ples nao Taliban imas stap, witnis ise Taliban imas stap nomo long **Tenak**.

Afta kot ibin askem witnis ol kwestens ia, August Taliban, ibin kros examinem witnis. Fasfala kwesten nao se igat hamas **Taliban** nao oli stap te dei? Long ansa blong hem witnis ise hemi stap tokbaot fas **Taliban** nomo be hemi talem tu se ating igat sambala **Taliban** bakeken. Taliban iaskem tu long witnis se whu nao ikivim raet long hem (witness) blong katem kopra long ples we hem istap katem kopra long hem naoia? Long kwesten ia witnis ise wan man we hemi nepheu blong 'Fali' nao ikivim long hem mo man ia nem blong hem **Tanbon** we hem isalem graon ia long Pupu blong witnis. Bakeken, Taliban iaskem witnis weta **Tanbon** ino gat pikinini or wan pikinini we hemi adobtem. Long saet ia witnis ise sapos **Tanbon** isalem graon blong Pupu blong hem, hemia hemi bisnis blong hem. Witnis ikonvemem tu se **Tanbon** hemi salem graon ia long 6 pound mo wan task pig. Long wan narafala kros-examinesesn kwestin nao se taem **Tanbon** isalem graon **Mermer**, **Cyprien** mo **Noel** oli stap whea? Long saet ia witnis ise hem ino save. Hemi luk pepa nomo. Hemi konvemem tu se hemi usim wan graon nomo we hemi



"lolitaen bob" be ino 2 graon.

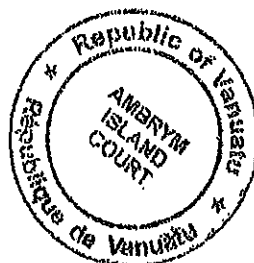
Afta we Agust Taliban ifinis long kros examinsen, spokesman blong famili Mermer ikros examinem witnis. Spokesman ibin askem 2 kwestens nomo. Fafala kwesten nao se whu nao istap usim land ia Tenak tedei? Long kwesten ia witnis ise ol Taliban Famili. Namba 2 kwesten we spokesman ibin askem nao se sipos witnis isave talem long kot sipos igat ol narafala Famili Taliban, istap tedei long Ambrym. Long saet ia witnis ise Famili Taliban hemi wan big Famili.

Naolia yumi kam long ol evitence blong Famili Taliban

Long saet blong, August Taliban, long saet blong introdaksen toktok blong hem, Taliban, istap talem se hem pupu blong hem long taem bifo finis hemi kam long Ranon, Nort Ambrym. Hemi stap talem se hemia inomal long kastom blong Ambrym se ol nasara bifo finis mo tedei oli stap muv araon.

Taliban istap storian long saet blong famili blong hem se igat wan olfala we nem blong hem, Sokso Meleun, mo hem imaretem woman Fonaur we nem blong hem hemi Ligogo. Tufala ia tufala ibonem, Roprop Meleun, mo Roprop Meleun, imaretem wan woman Sulol we nem blong hem hemi Marongbu. Tufala ia ibonem olfala Pierre Massing Wakon. Olfala Pierre Massing Wakon, imaret mo ibonem 2 gel we nem blong tufala hemi Anastasi mo Flore. Flore hemi wan olfala woman mo ino gat pikinini mo hem istap laef yet tedei taem kot ia ibin stap staon blong harem land kes ia. Anastasi hemi maretem wan man we nem blong hem Stanislas Taliban mo ibonem, August Taliban, we hemi fas Counter Claimant long kes ia. Taliban istap talem long kot ia se hem istanap strong long kot ia forom graon blong saet blong Mama blong hem, we hemi graon blong 'Fali'.

Taliban italem tu se hem nao inamba 4 man we mama blong olgeta ikam long 'Fali'. Hemi se fafala man we mama blong hem ikam long Fali hemi "Meleunten". Seken man hemi "Meleun Taliban" mo namba 3 man hemi Tanbon mo hem, August Taliban, hemi kam namba 4 man. Hemi talem se taem we ol olfala ia oli stap bifo ino kat raorao bitwin olgeta koko taem naolia we ol divilopmen oli stap kam antap long 'Fali'. Taliban italem tu se igat wan olfala nomo we istap long 'Fali' long taem ia mo olfala ia nem blong hem hemi Pierre Massing Wakon mo hemi stret pupu blong hem.



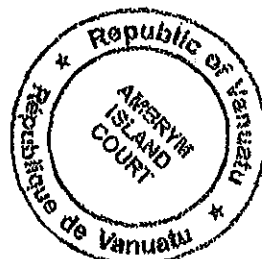
Long storian long saet blong kastom blong Ambrym, **Taliban**, italem se sapos wan Nepheu iwantem kam bak long nasara blong mama blong hem, hem imas mekem kastom iko long ol ankel blong hem. Taliban istap talem tu se igat wan kastom tu we olgeta istap mekem blong kam bak long ples blong mama blong ol. Kastom ia oli stap rifer long hem se hemi 'las kastom' mo oli stap mekem taem we wan man ited. Seremoni blong hem iblong wan man imas kilim wan pig blong hemi kam bak long ples or nasara blong mama blong hem.

Taliban ikonvemem tu se taem we **Mermer** ited, 'las kastom' oli mekem iko long **Pierre Massin Wakon**. Taliban, istap talem se forom olgeta imekem 'las kastom' ia iko long **Pierre Massing Wakon**, hemia hemi wan klia indikesen finis se **Pierre Massing Wakon** hemi man 'Fali'. Taliban italem tu se taem we hemi smol nomo iet mama blong hem ited. Taem ia nao pupu blong hem we hemi **Pierre Massing Wakon** ibin tekem hem aot mo luk aftarem hem. Forom resen ia nao hem istap talem long kot ia se long laef blong hem taem we hemi smol koko taem we hem imaret hem ibin gruap long hand blong olfala Pierre nomo. Taliban italem tu se **Pierre** nao ibin mekem maret blong hem mo hemi gat wan boy wetem wan gel finis bifo Pierre ites tet. Mo tu se hem istap wetem Pierre koko hem ited long 26 September, 1970.

Taliban istap talem tu se long ol laef blong hem taem hemi spentem wetem Pierre hem ibin stap luk ol kastom we Pierre imekem mo ol kastom we ol nara man oli stap mekem ikam long Pierre. Ol samting ia nao **Taliban** istap talem se hem hemi lukim, **Pierre Massing Wakon**, olsem rili man 'Fali'.

Wan nara resen whae **Taliban** istap talem olsem, forom hem ibin luk Pierre ibin salem plante graon iko long ol man mo Catholic Mission we nao ia oli stap liv long hem long Fali. Ikat 14 graon everiwan we **Pierre Massing Wakon** ibin salem mo hemia nao ol nems blong olgeta;

1. Poli Marmar isalem long Catholic Mission
2. Loli Taen bob isalem long Albert Baip
3. Lone Bulbul isalem long sem Yalfang
4. Lone Tinisam isalem long Tete Baip
5. Poli Raholiman isalem long Dominique Sulol
6. Lone Pato isalem long Tugon Jean
7. Lone Jibak isalem long Noel Mermer
8. Poli Tubu Nalili isalem long Catholic Mission



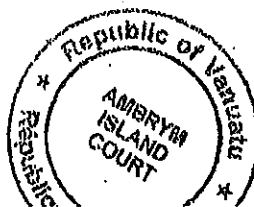
9. Poli Woeke Wo isalem long Bae Charlie
10. Lonre Ho isalem long Lolten Alexis
11. Loli Polwa isalem long Worwor Lino
12. Ran Wap isalem long George
13. Poli Peta Genegere isalem long Guleg Jose
14. Poli weke Salsal isalem long T. Bak Lulu Stanislas

Antap long hernia, **Taliban**, istap talem se forom raet ia we pupu blong hem ikivim long hem olsem ona blong graon long Fali, hem wetem wan woman we nem blong hem hemi, **Lilonto**, tufala nao iagri blong salem wan pis graon we naoia oli builtim Tchimae Coperative istap long hem. **Taliban** istap talem long kot ia se hem nao hem ibin exasisem raet ia we pupu **Pierre Massing Wakon** ibin kivim long hem blong hemi talem long **Lilonto** blong tufala isalem pis graon ia we Tchimae Co-operative istap long hem be ino **Lilonto** mo **Famili Mermer** imekem.

Taliban istap talem long kot ia tu se hem imekem poen ia se **Pierre** istap salem ol graon ia blong shoem long kot se hernia tu hemi wan strong idicasen se **Pierre Massing Wakon** hemi rili man Fali mo forom resen ia nao **Taliban** ise **Pirre** hemi land ona blong Fali. Hemi talem tu se igat plante man oli gat graon long '**Fali**' mo **Mermer** tu igat be hem ino onem baondari blong '**Fali**'. **Taliban** italem se ol man olsem **Tanbon** mo **Meleun Taliban** olgeta everiwan oli gat raet long '**Fali**' graon be ol raet ia idepen tumas sapos oli mekem kastom iko long ol ankel blong olgeta. **Taliban** italem tu se sapos olgeta ia oli salem aot raet blong olgeta hernia imin nomo se olgeta ia oli salem aot raet blong olgeta long '**Fali**'. **Taliban** italem se wan eksampol nao hemi **Meleun Taliban** we hemi salem aot raet blong hem taem we hem salem **San Vale** land iko long Catholic Mission. Forom resen ia **Meleun Taliban** iatomatikali lusum raet blong hem long graon ia. **Taliban** istap talem tu se igat sam woman tu oligat raet long Fali. Wan eksampol nao hemi ol gel blong **Mweta**. **Olgeta** ia oli stap long narafala vilej be oligat sam raet long ol graon blong '**Fali**' we oli pem long **Pierre**. **Taliban** istap talem se olgeta ia oli stap kam long '**Fali**' forom nomo se mama blong olgeta oli kam long '**Fali**'.

Kastom Blong Nepheu mo Tawian

Taliban italem tu se long kastom blong **Ambrym**; ol pikinini blong **Mermer** we oli **Cyprien**, **Noel** mo **Alexander** olgeta oli tawian long '**Fali**'. Forom resen ia, long kastom blong **Ambrym** olgeta oli **Tapoo** blong onem

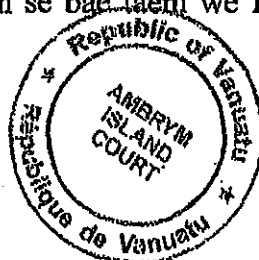


graon long 'Fali'. Taliban ikontiniu blong talem se sapos trifala ia ibin maretem ol woman 'Fali' hemia bai ol pikinini blong olgeta olsem **Kamy Mermer** bae oligat raet blong tokbaot mo onem graon long 'Fali'. Forom olgeta oli no maretem ol woman 'Fali', long kastom blong Ambrym ol ino save tokbaot mo gat raet blong onem graon long Fali . Olgeta isave tokbaot nomo graon we mama blong olgeta ikam aot long hem.

Taliban italem se hem olsem fas counter claiman blong Fali land, long saet blong kastom blong Ambrym hem nao igat ful raet long graon blong 'Fali' mo hemia nao ol resens whae hemi talem se hemi ona blong graon long Fali;

1. Mama blong hem hemi rili woman Fali we nem blong hem hemi Anastasi mo Anastasi hemi pikinini blong Pierre we hemi blong Fali.
2. Famili blong pupu blong hem we hemi **Pierre Massing Wakon** olgeta istap live long Fali graon bitim 5 generations finis mo folem polisi blong Malvatumauri anda Article namba 1 seksen 2 hemi gat full raet olsem wan man Fali. Atikel ia istap talem se sapos wan famili istap liv long wan eria bitim 5 generesen finis bae famili ia iotomatikali ikam man ples ia. Hemi talem se dispiut we istap istat long 1978 mo long taem ia we oli ko long Kot ino gat toktok ia se **Mermer** istap kliemem ful baondari.
3. Pupu blong hem, **Pierre Massing Wakon**, hem ibin salem plande graon iko long ol man Fali olsem we rekod istap talem.
4. Pupu blong hem, **Pierre Massing Wakon**, hem ibin mekem plande kastom iko long ol man Fali bifo finis ikam kasem taem we hemi tet.
5. Pupu blong hem, **Pierre Massing Wakon**, ol man olistap mekem las kastom iko long hem long taem blong tet. Wan gud eksampol nao hemi taem we **Mermer** itet mo 'las kastom' oli bin mekem iko long **Pierre Massing Wakon**.

Taliban ikontiniu blong talem se dispiut blong graon ia istat nomo long 1978 mo long taem ia hem ibin ko long vilej kot wetem **Sanel** mo olfala **Cyprien**. Taliban italem tu se ibin gat wan narafala miting bakeken we hem wetem, **Lilonto**, ibin ko long kot forom graon long Fali. Risen whae oli ko long kot forom **Lilonto** iwantem salem graon blong Fali iko long **Kami Mermer** mo nius istap ko araon se bae taem we **Kami Mermer** ipem aot



graon ia long Lilonto bai ironemaot everiwan we oli stap long Fali eksep Famili Mermer. Forom risen ia nao, Taliban, italem se hem italem long Lilonto blong pem aot raet blong hem ia long wan amaan blong VT 70,000. Taliban italem long kot se hem imas mekem olsem blong protektem ol man we oli stap long Fali. Taliban istap talem tu se long taem ia hem ibin sekan wetem man blong Lilonto. Ol witnisis we oli bin stap that taem blong lukim wanem hem ibin happen igat;

1. Chief Willie Worwor
2. Albert Takuru
3. Sanel Mermer, mo
4. Secretary we hemi Saki Fred.

Taliban italem tu long kot ia se hem ibin ko tu long Malmemeli Kot we hemi highest kot blong ol Jifs blong Ambrym. Long taem ia, kot ibin staon long Wednesday 2nd August 1989, mo ol jifs oli no bin mekem eni decisen. Long taem ia, Taliban, italem se jeaman blong Malmemeli Kot iwantem se ol Patis oli mekem ol storian blong olgeta wanwan nomo mekem se Jif Willie worwor mo Jif Albert blong Olal nao iharem storian blong Taliban Famili. Long taem ia, Taliban, italem se 2 long ol bigfala poens we Famili Taliban imekem iko olsem;

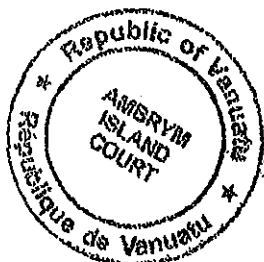
Namba 1 poen se ol man we oli stap long 'Fali' vilej imas stap mo wok tugeta olsem long bifo ikam.

Namba 2 poen se evriwan we oli stap lif long Fali vilej everiwan ikat raet blong mekem bisnis long 'Fali'.

Afta we Taliban imekem ol toktok blong hem ia hemi tekem chance ia tu blong kliarem mo ansarem sam poens we Famili Mermer ibin mekem akensem Famili Taliban long wan leta we spokesman blong Famili Mermer imekem iko long Island Kot Klerk long 27 August, 2003.

Poen namba 1: 'Fali' hem inomo gat rili man blong hem

Long poen ia, Taliban, istap talem se sapos Famili Mermer italem olsem hemia bae ino tru forom se evitence ishoem iklia se ikat sam man we hem ibin talem nems blong ogeta long stat blong storian blong hem se mama blong olgeta ikam long Fali. Ol man ia nems blong olgeta hemi Meleunten, Meleun Taliban, Tanbon mo hem, August Taliban. Taliban



istap talem long kot ia se sapos ino kat reli man Fali whea nao mama blong olgeta ikam long hem.

Poen namba 2: Kleim Blong Famili Mermer ifolem woman ia Venkon

Long saet blong poen ia, Taliban, italem se Mermer hemi nepheu blong 'Fali' be Cyprien, Noel olgeta oli Tawian long 'Fali' mo oli no save klem graon blong 'Fali'. Taliban italem se sapos Cyprien imaretem woman 'Fali' then Kami Mermer, we tufala istap raorao forom graon long Fali bai igat raet blong tokabaot graon blong 'Fali'. Taliban italem se long kastom blong Ambrym, Kamy Mermer, igat raet nomo blong tokbaot graon blong mama blong hem we hem iblong Merak. Taliban istap konvemem long kot ia se mama blong hem iblong 'Fali' be kami mama blong hem iblong Merak. Forom resen ia Taliban istap talem long kot ia se long kastom blong Ambrym, Kamy Mermer, isave tokbaot nomo graon blong mama blong hem be hem ino save tokbaot graon we hemi tawian long hem.

Poen namba 3: Mermer istap 5 generesen finis long 'Fali'

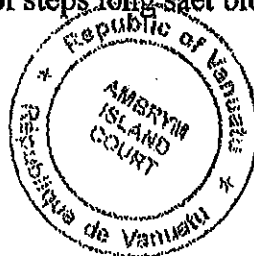
Taliban ideniem hemia mo talem se sapos olsem from wan hem ino baptized.

Poen namba 4: Mermer imekem kastom long ol tet man long 'Fali'

Hemia tu Taliban istap denaem forom risen se hemi stap harem tufala olfala ia nomo we hemi Hur Hur Nambu mo Sakaran Malguel.

Poen namba 5: Mermer imekem "Worwor" long nasara blong 'Fali'

Long poen ia, Taliban, istap bakeken denaem from nomo se "worwor" man ino save mekem long ples blong mama blong hem, hemia forom nomo se worwor hemi wan nasara blong stone we taem we man we imekem worwor itet be ol pikinini blong hem bae oli stanap long worwor blong papa blong ol. Taliban istap talem tu long kot ia se long saet blong "Meleun" (stone) hemia bae itru man isave mekem long graon blong mama blong hem forom hemia hemi wan seremoni blong kilim pig antap long stone blong kasem ol steps long saet blong kastom.



Poen namba 6: Mermer imekem sekomsisem

Long poen ia, Taliban italem se, hemia hemi normal samting nomo. Everiman imekem sekomsisem be ino blong yu gat raet long graon.

Poen namba 7: Hur Hur Nambu italem long Mermer blong karem ol pikikni ikam long 'Fali'

Long poen ia, Taliban, hem ise hemia hemi true from se everiwan we mama blong olgeta ikam long 'Fali' oli gat graon long Fali. Mermer tu igat graon blong hem be mifala imas pem aot long ol ankel blong mifala. Taliban italem se las kastom we Cyprien mo Noel imekem taem we Mermer ited tufala ibin kilim pig mo mekem kastom iko long olfala Pierre Massing Wakon.

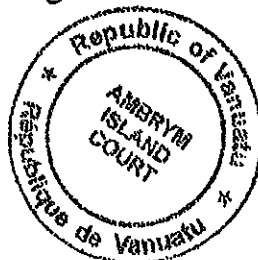
Afta we Taliban ifinis wetem introduksen toktok blong hem hemi kolem ol witnisis blong hem.

Fas Witnis blong August Taliban, Albert Takuru

Fas witnis blong, August Taliban, hemi Albert Takuru. Afta hemi tekem oath blong hem klerk ibin retim aot ol stetmen blong hem. Hemi konvemem se hemia nao hemi stetmen mo sikneja blong hem. Witnis istap talem long kot se hem bae witnis nomo se papa blong hem ibin pem wan pis graon long Pierre Massing Wakon, we hemi pupu blong August Taliban, long wan price we hemi 1 pound. Witnis istap talem long kot ia se forom risen ia nao hemi isave se Pierre nao hemi raet ona blong graon long 'Fali'. Witnis istap talem tu se hem wetem Famili Mermer, olgeta everi wan iblong Melkon be olgeta ibin muv ikam taon long Fali forom nomo mission nao imekem se oli kam stap long 'Fali'.

Long saet blong kros-examinesen Gilbert Haoul iaskem witness blong talem histri blong Pierre, be witness italem se hemi no save talem forom se hemi kam nomo blong witnisem graon we Pierre isalem long Pupu blong hem.

Afta we witnis italem ol toktok ia, spokesman blong Famili Mermer ikros examinem hem bakeken mo askem se sapos papa blong hem ino bin pem graon ia long Pierre, bae witnis ikam witnis long Kot ia or no? Long kwesten ia witnis italem se hem ikam blong witnisem nomo forom se papa



blong hem ibin pem wan pis graon long Pierre mo hemi talem tu se everi storian we ikonvemem histri blong Pierre, August Taliban italem finis mo hem bai ino save ripitim bakaken.

Taem we spokesman blong Famili Mermer iharem witnis itok olsem hemi kirap ikwestenem witnis se whu nao man ibin influencem hem blong toktok olsem? Long saet ia witnis iansarem spokesman mo talem long hem se inogat man ibin influencem hem blong toktok.

Afta long kwestens blong Famili Mermer we ikam long spokesman blong olgeta, Taliban irexaminem witnis mo askem witnis wan kwesten se taem we papa blong hem ibin pem graon long Pierre, wea nao Cyprien mo Noel? Long kwesten ia witnis iansa ise tufala ia istap nomo.

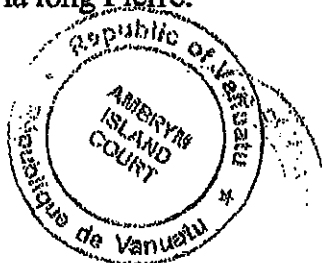
Namba 2 witnis blong August Taliban, Joses Obed.

Afta hemi tekem oath blong hem mo konvemem stetmen mo sikneja blong hem witnis istap talem long kot ia tu se hem bae kivim witnis se papa blong hem tu ibin pem graon long pupu blong, August Taliban, we hemi Pierre Massing Wakon. Witnis istap talem se forom risen ia nao hemi stap lukluk long Pierre Massin Wakon, se hem nao hemi land ona long 'Fali'.

Afta kot ibin harem wanem witnis italem, Kot ibin iaskem witnis sapos hem isave talem hao mas mane nao papa blong hem ibin pem graon ia long hem. Witnis iansa mo talem se Papa blong hem ibin pem long 24 pis kapa we ikivim long Pierre mo hem ino save talem long wanem yia.

Afta long hemia, spokesman blong Famili Mermer ikros-examinem witnis. Fas kwesten nao se, August Taliban wetem Pierre, tufala ia rili man 'Fali' or no? Long kwesten ia witnis ise Pierre hemi wan olfala nomo we istap long 'Fali'. Taem spokesman blong Famili Mermer iaskem ol narafala kwestins witnis ise hem bai ino save ansarem ol kwestens ia forom hem ikam blong tokabaot nomo wanem istap long statement blong hem.

Taem we spokesman blong Famili Mermer iharem witnis itok olsem spokesman ikirap iaskem se sapos papa blong witnis ino bin pem graon ia bai hemi witnis or no? Long kwesten ia witnis ise hem ino save witnis sapos papa blong hem ino pem graon ia long Pierre.



Inogat re-examinsen ikam long August Taliban.

Namba 3 witness blong August Taliban, Saki Fred

Afta we witnis itekem oath blong hem mo konvemem stetmen mo sikneja blong hem, hemi talem long kot se hem tu bae witnis se papa blong hem ibin pem wan pis graon long Pierre Massing Wakon, long 8th July, 1964 long wan amount blong 130 pounds Australian. Witnis istap talem tu se forom risen ia nao hem istap lukim Pierre Massing Wakon olsem wan rili man 'Fali'.

Afta long toktok blong hem ia spokesman blong Famili Mermer ikros-examinem witnis. Fasfala kwesten nao se sapos witnis isave pruvum se Pierre iblong 'Fali'. Witnis iansarem kwesten ia ise hemi kam long kot blong witnisim nomo graon we Papa blong hem ipem long Pierre. Witnis ikontiniu blong talem tu se taem we papa blong hem ipem graon hem italem long hem se Pierre iblong 'Fali'.

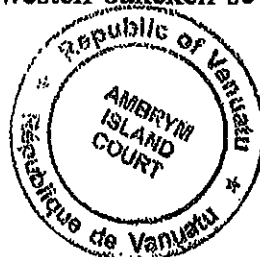
Lasfala kwesten we ikam long spokesman blong famili Mermer hemi ko olsem se, sapos papa blong witnis ino bin pem graon ia long Pierre bai witnis ikam long kot olsem wan witnis or no? Long saet ia witnis ise bai hem ino save witnis sapos papa blong hem ino bin pem graon ia.

Inogat re-examinesen ikam long August Taliban.

Namba 4 witnis blong Famili Taliban, Alexis Lolten

Afta hemi tekem oath blong hem mo konvemem stetmen mo sikneja blong hem, witnis italem se bae hemi witnis se Pierre iblong 'Fali' from Pierre nao ibin lukaotem hem mo sendem hem iko long school mo tu se hem nao itrue man 'Fali'. Witnis italem tu se hem long tingting blong hem, Pierre Massing wakon, hem nao ona long ol graon blong Fali forom se Pierre ibin kivim wan pis graon long hem mo tu se Pierre hem wan nomo ibin stap long 'Fali' mo stap salem ol graon long ol man mo woman sapos oli wantem pem.

Afta long ol totok blong witnis ia, spokesman blong Famili Mermer ikros-examinem witnis. Fasfala kwesten nao se hao nao witnis ibin ko stap wetem Pierre? Long kwesten ia witnis ise forom Pierre ibin tekem hem iko long school. Spokesman iaskem narafala kwesten bakeken se sapos witnis isave



talem sapos Pierre itrue kastom ona long 'Fali'? Long saet ia witnis ise hemi save se Pierre hemi true kastom ona. Witnis ikonvemem tu se long saet blong kastom blong Ambrym sapos wan nepheu imekem kastom iko long ol ankel blong hem, hemi gat raet long ol graon. Hemi konvemem tu se sapos Pierre ino bin kivim graon ia long hem, bai hem ino save witnis long kot ia tedei. Hemi konvemem tu se everi histri blong Pierre olsem we ikamaot long storian blong August Taliban hemi true everiwan.

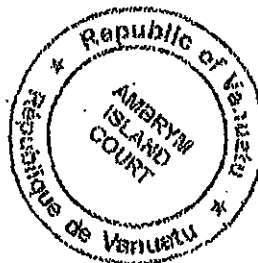
Taem we spokesman blong Famili Mermer ifinis blong kros-examinem witnis, Taliban ibin re-examinem witnis. Fasfala kwesten nao se taem we Pierre ikivim graon long hem, Mermer, istap wea? Long kwesten ia witnis iansa ise Mermer long taem ia hem ibin stap long Melkon be ino long 'Fali'.

Namba 5 witnis blong August Taliban, Saksak Albert

Afta hemi tekem oath blong hem mo konvemem stetmen mo sikneja blong hem, witnis italem long kot se hem bae iwitness long wan graon we Pierre ibin salem long pupu blong hem we hemi Albert. Forom risen ia nao hem istap talem se Pierre nao hemi tru kastom ona blong 'Fali' land.

Afta long toktok blong hem ia, Spokesman blong Famili Mermer ikros-examinem witnis. Fas kwesten nao se whu long ol famili blong hem isave witnis tu se pupu blong hem ibin pem graon ia long Pierre? Long kwesten ia witnis iansa ise papa blong hem ino save witnis long sale blong graon ia be mama blong hem nomo isave witnis long sale ia. Spokesman blong Famili Mermer iaskem witnis tu se sapos ol olfala oli aot long ol nasara mo ol man imekem kastom blong kam bak long nasara bae oli gat raet or no? Long saet ia witnis iansa se "yes".

Afta we spokesman blong Famili Mermer ifinis wetem kros-examinesen, Taliban ibin re-examinem witnis. Kwesten we Taliban ibin askem long witnis nao se taem we pupu blong hem ipem graon ia long Pierre, Mermer istap laef iet or no. Long saet ia witnis ikonvemem se "yes" long taem ia Mermer ibin laef yet long taem ia.



HISTRI BLONG OL PATIS

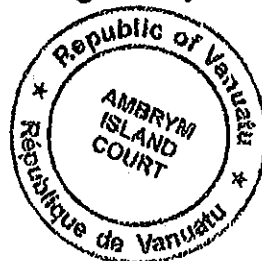
1. HISTRI BLONG TALIBAN

Long saet blong histri blong Taliban, olsem wan witness, Robert Tasso italem se hem hemi kam long Lamap, South Malekula. Long saet blong lukluk blong Kot, histri blong Taliban hem ino wan isiu long land kes ia. Resen forom nomo se Kot ia istaon nomo blong harem dispiut long graon blong 'Fali' be ino graon long Tenak. Sapos dispiut ia istap forom graon long tenak, we hemi graon we istap long nasara blong Taliban, bae histri blong Taliban imas kam wan isiu. Kot ia iwandem kliarem se hemi staon nomo blong harem storian blong graon ia 'Fali' mo graon ia hemi long saet blong Mama. Forom risen ia nao Kot iwantem mekem iklia se histri blong Taliban ino wan samting we Kot iwantem dil wetem. Wanem we kot ia istap staon forom hemi 'Fali' land we hemi graon blong saet blong Mama. Babai Kot idil nomo wetem graon blong 'Fali' we hemi saet blong Mama.

2. HISTRI BLONG FAMILI MERMER

Long saet blong histri blong Mermer, mama blong hem nem blong hem Venkon. Venkon ikam aot long nasara blong Fali mo iko maretem wan man Melkon. Tufala ia ibonem Mermer. Long lukluk blong Kot, Mermer, hemi fas nepheu blong 'Fali'. Be ol pikinini blong hem Cyprien, Noel mo Alexander olgeta oli tawian blong graon long 'Fali'. Long saet blong kastom blong Ambrym ol tawian oli no gat ræet nating blong kleimem graon we oli tawian long hem. Forom risen ia nao kot iwantem talem se folem kastom blong Ambrym ol pikinini blong Mermer we hemi Cyprien, Noel mo Alexander oli no gat ræet blong kleimem graon we oli tawian long hem.

Spokesman blong Famili Mermer italem se ol ræet blong Famili Mermer ikamaot long Hur Hur Nembu we hemi bin singaotem Mermer mo talem long hem blong kam stap long graon blong 'Fali' wetem ol pikinini blong hem. Toktok ia se Cyprien wetem Noel nao tufala iharem mo witnisem long ol vilej Kots. Long saet blong kastom blong Ambrym toktok ia bai ino folem kastom blong Ambrym forom nomo se ræet we Mermer igat ifinis nomo long hem wan forom se hemi nepheu blong nasara long 'Fali'. Ol pikinini blong hem olsem Cyprien, Noel mo Alexander bai oli no save gat ræet long Fali Land forom nomo se olgeta oli tawian long 'Fali'. Sapos toktok ia itrue se Hur Hur Nembu italem long Mermer se bae ikarem ol pikinini ikam stap wetem hem long Fali then folem kastom blong Ambrym ræet ia inosave



kontiniu iko long **Cybrian, Noel mo Alexander**. Raet ia bae finis nomo long **Mermer**. Tedei long kot ol **Famili Mermer** oli stap talem se raet we oligat ifolem nomo toktok blong **Hur Hur Nembu** we italem long **Mermer** blong hem ikarem ol pikinini ikam stap wetem hem long **Fali**. Long saet blong **Kastom blong Ambrym** bae toktok ia ino tru forom bae minim se ol tawian olsem **Cybrian, Noel, Alexander** mo ol pikinini blong olgeta bae oli stap karem raet long **'Fali'** we bae ino stret long **kastom blong Ambrym**.

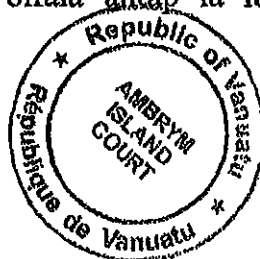
Long saet blong **kastom blong Ambrym** sapos **Cyprien, Noel mo Alexander** ol ibin maretem ol woman **'Fali'**, bai ol pikinini blong olgeta olsem **Kammy Mermer**, we tufala istap raorao wetem **Taliban** long land kes ia, bai oli gat raet blong tokabaot graon blong **'Fali'**. Long saet blong **kastom blong Ambrym** mo long lukluk blong **Kot** raet we **Famili Mermer** igat long nasara blong **'Fali'** istop nomo long **Mermer**. Bai raet ia isave continue nomo sapos ol pikinini blong **Mermer** oli maretem ol woman **'Fali'**. Forom risen ia nao **Kot** iwantem talem se storian we spokesman blong **Famili Mermer** italem se **Hur Hur Nembu** ikivim raet long **Mermer** blong karem ol **Pikinini** blong hem ikam stap long **'Fali'** nasara we oli tawian long hem, bai ino folem wanem we **Kastom blong Ambrym** italem.

Cybrian, Noel, Alexander mo ol pikinini blong olgeta oligat raet nomo blong kleimem graon mo propaties we hemi blong **Mermer** be ol ino save kleimem baondari blong **Fali** or faet forom graon long **Fali** forom olgeta oli tawian long **Fali** mo long saet blong **kastom blong Ambrym** hemi tapoo blong olgeta ifaet forom graon we olgeta itawian long hem.

HISTRI BLONG PIERRE MASING WAKON.

Pierre hemi pupu blong **August Taliban**. **Histri** blong hem ishoem se hem ikam long **Nort Ambrym**, long wan ples we oli kolem **Ranon**. Weta **histri** ia hemi tru or ino tru, hemia ino wan isiu forom se long saet blong **kastom blong Ambrym** mo lukluk blong **Kot**, **Pierre** istap liv mo mekem **kastom long Fali** bitim five (5) generesens finis. Hemia ifolem tu polisi blong **Malvatumauri National Council of Jifs**, we italem se sapos wan man istap long wan ples bitim five generesens finis, then man ia ikam rili man ples.

Long saet blong **famili blong Pierre Massing Wakon**, papa blong hem, hemi **Roprop Meleun** mo **Roprop Meleun** papa blong hem, hemi **Soksok Meleun** we hemi maretem wan woman **Venaur**. Tufala nao ibonem **Roprop Meleun** we imaretem **Maronbu**. Tufala olfala antap ia iblong **'Fali'**.



Roprop Meleun nao ibonem Pierre Masing Wakon mo Pierre Massing Wakon ibonem Anastasi we hemi mama blong August Taliban.

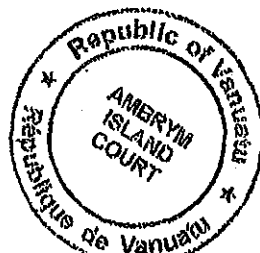
Long Kot tedei, Taliban, istap talem se hem nao i raet ona long graon blong 'Fali' forom pupu blong hem Pierre nao ikivim raet ia long hem mo tu se long kastom blong Ambrym taem mama blong wan man ikam long wan nasara mo iko maret long wan narafala nasara ol pikinini blong hem isave kam bak long graon blong mama blong hem. Raet ia bai depen bigwan long ol kastom we man ia imekem long ol ankel blong hem.

August Taliban, papa blong hem hemi Stanislas Taliban we hemi maretem Anastasi we hemi pikinini blong Pierre Massing Wakon mo ikam aot long nasara blong Fali. Forom risen ia nao, long saet blong kastom blong Ambrym, August Taliban bai hemi fas Nepheu blong Nasara blong 'Fali' hemia bae isemak nomo olsem Mermer. Be forom se Mermer ited finis raet ia blong hem istop long ples ia nomo forom ol pikinini olsem, Cybrian, Noel mo Alexander oli no maretem woman 'Fali' blong mekem raet ia ikontiniu. Long saet blong August Taliban raet ia hemi karem istap forom hemi fas nepheu mo tu se raet ia pupu blong hem Pierre nao ikivim long hem. Forom resen ia Taliban bai isave passem raet iko long ol pikinini blong hem sapos hem itet samtaem.

Long saet blong kastom blong Ambrym sapos wan man ipem aot raet blong wan man or woman hemia iminim se man ia or woman ia ilusum ol raet blong hem. Wan eksampol nao se Taliban ipem aot raet blong Lilonto we hemi nepheu blong Fali. Long taem ia hem ibin kivim VT 70,000 iko long Lilonto, mekem se Lilonto ilusum raet blong hem.

Wokbaot long baondari

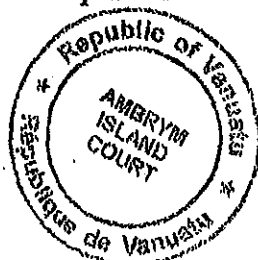
Igat tufala big tingting forom wanem bae ol patis imas wokbaot wetem ol jastisis long ol baondari we oli stap dispiut long hem. Fas wan nao se bae ol patis imas shoem ol baondari blong logeta long kot mo namba 2 resen nao se ol patis oli save shoem sam evitence blong olgeta blong kot iluk mo pruvum se olgeta nao oli land ona. Sapos olgeta patis olinogat ol evidence ia bae kot inosave tekem olsem olgeta ilusum kes. Long saet blong tufala patis tufala tugeta ishoem kot se graon ia istat long Uro vilej taon long sisaet stret long stamba blong natapoa mo nabanga mo ifolem insaet long Uro vilej mo krosem rot we iko long eapot. Afta ifolem bigfala rot iko mo tanem long leftsaet blong bigfala rot ia. Famili Mermer ibin tekem ol jastisis iko thru



long wan bush we olgeta ibin kliarem finis long ol dei we ipas mo kam aot long wan plantesen. Long plantesen ia **Famili Mermer** ibin shoem long kot se graon ia iko tanem long wan krek mo iko antap long wan hil mo folem krek blong wota mo kam daon bakeken long ol plantesen mo folem saet blong plantesen mo smol krek iko kasem ples we MV Saraika irek long hem.

Long saet blong **Famili Taliban** olgeta oli shoem kot se graon ia we oli stap kleimem hemia ol graon we ol olfala mark blong bifo finis oli makem istap long ol stamba blong kokonas mo wud. Taem we **Taliban** istap shoem ol baondari we hemi stap kleimem hemi italem se baondari ia itanem nomo long ol plantesen klosap long wan haos we istap hem wan mo long saet blong bifala rot ia nomo. Baondari iron thru long plantesen mo iko stret long ol hil antap. **Taliban** ishoem tu wan nasara blong hem we hemi mekem kastom long hem mo ol woman ino alao blong ko long hem. Long nasara ia igat ol stone mo stamba wud we iluk olsem olgeta ibin mekem blong mekem ol kastom long hem. **Taliban** ishoem tu se graon ia iko kasem antap long hil mo iron iko long saet blong hil we ol kokonas plantesen istap long hem mo tanem ikam taon kasem stamba blong hil bakeken. Afta **Taliban** ishoem se baondari ia ifolem saet blong kokonas plantesen ikam taon kasem fenis pig blong hem mo folem krek kam kasem ples wea MV Saraika irek long hem. Tufala patis ibin shoem wanem nao tufala igat.

Long obsevasen blong kot taem we ol patis oli stap shoem baondari blong olgeta, kot iluk se **Famili Taliban** hemi shoem wanem nao istap bifo ikam. Wan gud eksampol nao se olgeta ibin stap shoem kot ol olfala mark bifo ikam. Ol mark ia oli stap katem long ol stamba blong kokonas mo wud mo hemi saen olsem ekis. Mo tu taem we oli kam long wan ples oligeta italem kastom nem blong ples ia be ol ino stap usim ol toktok olsem 'maot blong nasiyuru' forom everi ples ia igat kastom nem blong ol. **Taliban** ishoem tu ol ples we pupu blong hem **Pierre** ibin stap bonem kopra mo fitim pig blong hem long hem. **Taliban** ishoem tu wan pis graon we **Pierre** ibin kivim long **Mermer**. Taem we **Taliban** istap shoem kot ol baondari ia hemi stap eksplenem tu resen whae nao long sam ples bae igat ol kona or baondari ino ron stret. **Taliban** istap talem se resen forom nomo se long bifo finis ikam ol man oli wok olbaot mo ol man **Sulol** oli wok iko insaet long baondari blong **Fali** mo ol man **Fali** isemak. **Taliban** istap talem se taem we ol man ikam blong andastanem ol baondari ia oli mekem se ol olfala oli agri se hemia nao bae baondari blong **Fali** mo hemia nao bae baondari blong **Sulol**. **Taliban** italem long ol jastisis se forom resen ia nao bae yumi luk ol olfala mark we oli putum bifo ikam. **Taliban** ishoem tu ol plantesen we istap mo eksplenem



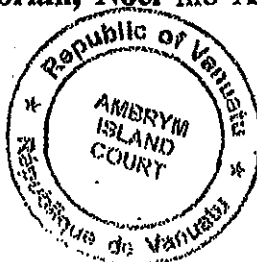
long ol jastisis se **Pierre** nao iona long ol mo italem aot tu nems blong ol man we **Pierre** ikivim raet blong olgeta blong oli wok long graon ia.

Folem everi obsevasen ia mo ol evitence we kot iharem, igat 3 bigfala resens whae kot ia imas talem se **Pierre Massing Wakon** hemi land ona long '**Fali**'.

1. **Pierre Massing Wakon** ibin stap salem ol graon long '**Fali**' istat long taem finis ikam mo ol man we oli bin pem graon ia sambala oli tet finis mo sambala oli stap iet, Olgeta we papa or pupu blong olgeta itet finis olgeta ibin kam witnis long Kot ia blong talem se papa or pupu blong ol ibin pem graon ia long **Pierre Massing Wakon**.
2. Ol 'las kastom' blong ol tet man we oli stap kilim pig olgeta oli stap mekem iko long **Pierre Massing Wakon**. Wan gud eksampol nao long taem we **Mermer** itet, 'las kastom' we **Cyprien** wetem **Noel** imekem hemi go long **Pierre Massing Wakon**
3. **August Taliban** we pupu blong hem hemi **Pierre Massing Wakon** hem istap exacisem raet ia we **Pierre** igivim long hem tedei blong mekem olting insaet long **Fali** vilej, eksampol hem mo **Lilonto** tufala tugeta isalem graon ia we '**Fali**' Co-operative istap long hem mo tu hem ibin pem aot raet blong **Lilonto** long wan amount blong **Vt70,000** afta we hemi harem se **Lilonto** bai isalem aot raet blong hem iko long **Kammy Mermer**.

Folem ol tingting ia kot iwandem talem se ol evitence we kot ifaenem iko olsem:

- (a) Histri blong **Taliban** ino wan isiu long land kes ia forom kot istap dili nomo wetem **Fali** land we hemi graon long saet blong mama.
- (b) Histri blong **Mermer** ishoem se raet we **Mermer** igat ifinis nomo taem we hemi tet forom nomo se hemi nepheu blong **Fali** be ino ol pikinini blong hem we hemi **Cybrian**, **Noel** mo **Alexander** forom olgeta ia oli tawian long **Fali**.
- (c) Raet we **Mermer** ikat bae isave kontiniu nomo sapos ol pikinini blong hem we hemi **Cybrian**, **Noel** mo **Alexander** oli maretem ol



woman **Fali**. Forom se oli maretem ol woman narafala ples, long saet blong kastom blong **Ambrym**, olgeta ol ino save faet or kleimem raet long graon blong **Fali** forom hemia bae akensem kastom blong **Ambrym**.

(d) **Histri** ishoem se **Pierre Massing Wakon** hem ibin stap salem graon long **Fali** long taem finis ikam. Igat ol pruv istap se hemi bin salem 14 pis graon mo hemia hemi inkludim graon we **Pierre** ibin salem long **Catholic Mission**.

(e) **Evitence** ishoem se **Pierre Massing Wakon** generesen blong hem ibin stap live long **Fali** bitim 5 generesen finis. Long kastom blong **Ambrym** taem we wan man istap long wan ples ova 5 generesen hemia iminim se man ia ikam wan man ples ia. Hemia ifolem tu wan polisi blong **Malfatu Mauri Kaonsel** blong ol **Jifs**.

(f) **Evitence** ishoem se **Pierre Massing Wakon** hem ibin stap mekem ol 'las kastom' long **Fali** taem we ol man istap tet mo tu se ol man istap mekem 'las kastom' ia ikam long hem taem we ol man istap tet, eksampol, taem we **Mermer** itet **Cybrian** mo **Noel** tufala imekem kastom ikam long **Pierre Massing Wakon**.

(g) **Evitence** ishoem se taem we **Pierre Massing Wakon** itet **August Taliban** istap exacisem raet ia we **Pierre** ikivim long hem blong hemi mekem ol samting long **Fali** vilej, eksampol hemi mekem se tufala wetem **Lilonto** tufala isalem graon ia we **Fali Co-operative** istap long hem mo hemi pem aot raet blong woman ia **Lilonto** taem we hemi harem se bae **Lilonto** isalem long **Kammy Mermer** mo taem we **Kamy Mermer** ipem bae ronem aot olgeta long **Fali**. Hemi mekem fasin ia blong protektem ol man **Fali**.

(h) **Evitence** ishoem se taem we ol jastisis oli wokbaot long baondari blong graon **Famili Taliban** ibin shoem ol olfala mark we istap bifo finis ikam mo oli shoem ples mo talem kastom nems blong ol ples ia. Mo tu se olgeta ibin shoem whea ples nao baondari blong **Sulol** mo whea ples nao baondari blong **Fali** mo eksplenem ol resens whae nao ol baondari ia ino ron stret.

Folem ol evitence mo ol **histri** we kot ibin harem, kot iwandem talem se long saet blong lukluk blong hem, **Pierre Massing Wakon** nao ikat ful raet long



ol graon long 'Fali' mo raet ia Pierre ibin pasem iko long pupu blong hem we hemi August Taliban.

Deklaresen blong kot

Folem hemia, Ambrym Island Kot long Namba 1 Desemba, 2003, istap deklarem se:

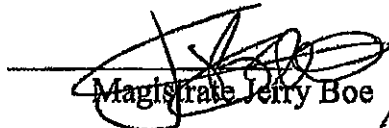
1. Raet ona blong graon ia we oli stap kolem 'Fali' land baondari hemi blong ol Famili AUGUST TALIBAN. Raet ia istat long Nambanga or Natapoa long seasaet long vilej blong Uro mo iko antap folem bigfala rot mo itanem long leftsaet blong rot ia mo ko long wan plantesen. Long ples ia baondari iko stret long ol hil antap mo folem saet blong hil we ol kokonas plantesen istap long hem mo tanem bakeken ikam bak long ol plantesen mo folem plantesen ia mo wan smol krek blong wora ko kasem ples we MV Saraika irek long hem.
2. Folem deklaresen ia Kot iwantem talem se eni divilopmen we bai ikam antap long baondari blong 'Fali' bai hemia istap anda long han blong August Taliban mo ol famili blong hem long naoia mo long taem we bae ikam.
3. Isalnd Kot Act Cap 167, section 22 (1) (a) istap kivim raet long eni pati 30 days blong appeal iko long Supreme Kot sapos oli no hapi long decisen blong kot ia mo period blong appeal ia istat long det ia tedei.

Long Craig Cove, long dei ia namba 1 blong Disemba, 2003.


Justice Luke Johnny


Justice Abel Bong


Justice Willie Soso


Magistrate Jerry Boe

