

**IN THE TANNA OUTER ISLAND'S ISLAND COURT  
OF THE REPUBLIC OF VANUATU**

-----  
(Customary Jurisdiction)

*Civil Case No. 24/377 IC/CHFL*

**BETWEEN:** FAMILY KATAWA  
Original Claimant

**AND:** FAMILY NIPIKO KAMANATUAN  
Defendant

**AND:** FAMILY NAPRAPOR  
1<sup>st</sup> Counter Claimant

**AND:** JEAN PAUL NAKO  
2<sup>nd</sup> Counter Claimant

**AND:** HENRY NAUS  
3<sup>rd</sup> Counter Claimant

Jastices: Sam Naieu  
Jimmy Natigin Nipiknam  
Kamellu Iarris Iataka

Clerk: Joel Jacob

Date of Hearing: 24<sup>th</sup> to 27<sup>th</sup> March 2025  
Date of Decisiion: 19<sup>th</sup> September 2025

Venue: Isangel court house

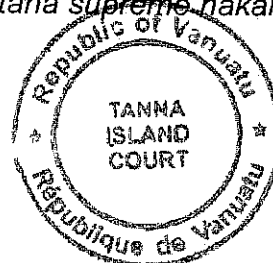
**MATTER:** DISPUTE OVER KATAWA CHIEFLY TITLE OLSEM SUPREME (IENI)  
INSAET LONG ENVITANA NAKAMAL

**JUDGMENT**

Klem long keis ia hemi blo faenemaot paramount chief blo Envitana. Family Katawa hemi ting se hem nao hemi stret paramount chief blo Envitana mekem se today istap dispiutum mo askem kot ia blong kivim mo mekem ruling iko long favor blo hem.

Issue;

a. Itru se Katawa hemi paramount chief long Envitana supreme nakamal?



Law: Section 10 blo island court act cap 167 application blo customary law; subject to the provision of the act, an island court shall administrator the customary law prevalling within the territorial jurisdiction of the court so far as the same is not conflict with any written law and is not contrary to justice morality and good order.

**Brief storian:**

**Original claimant:** Masing Jack hemi statem storian blo hem mo talem se Katawa nao hemi fes settler lo Envitana. Hemi supreme leni mo, ikat 5 kijin nakamal we hem nao iolsem door or rod blo karen blo olketa. Hemi-talem se division ijes stat nomo lo taem blo tufala sip ia "Nimrikuen mo Kouiameta". Taem ia nao dispute ikam andap from ol kastom otoriti ia.

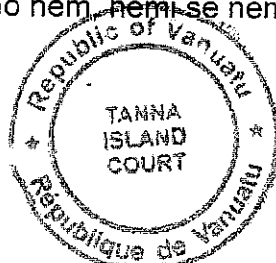
Taem kot hemi cross examinatem hem, hemi se oli bin kilim apu blo hem mo hem i ronwe. Hemi ko live lo white sand be kastom basket istap nomo lo Envitana. Hemi talem se hem nao hemi leni blo Tupunus be since lo taem ia kasem today, hem ineva perfomem wan Niel or wan Toka. Taem ol man oli ricivim hem, oli putum hem lo middle between lo church mo nakamal mo duty blo hem hemi blo toktok from kakae nomo.

1<sup>st</sup> Witness lawia Jimmy hemi se hem nao ibing kivim Nouruan lo Katawa mo ino save se ikat amas Katawa naia lo Envitana. Hemi confirmem se Katawa ia we hemi witnisim (original claimant) ino putum any naio yet kasem tete. Witness hemi reconfirmem lo kot ia pakeken se OC hemi no perfomem any kastom lo Envitana. Hemi tru, Envitana hemi supreme nakamal we ikat leremara, leni mo ol Tupunus be oli disputed istap.

Lo taem blo re-examination question, witness hemi se naio ia we oli stap tokbaot, oli putum from absence blo wan man. Also hemi se Katawa ia i ded finis be blood blo hem istap yet tete. Benjiman Bob hemi talem tu se Iaramara blo Imasa ikivim kel blo hem, leni (Nauruan) iko lo Envitana lo Katawa after hemi stap without wan title. Ronie Ringiau hemi second witness blo OC. Hemi se hem nao hemi captain taem we oli stap putum ol leni raon lo Tanna. Hemi putum Katawa nomo be Tupunus inosave mo inokat. Yet, hemi se ino save kud lo ol story to do wetem Envitana. Lastly, witness ise taem we ikam blo putum Katawa lo Envitana, ikat man istap vinis lo Envitana be ino save who ia olketa?

**Defendant:** Family Nipiko Kamanatuan hemi appear lo kot ia blo defendem title ia or leni or Supreme blo Envitana. Hemi se hem nao hemi supreme or lani rau lo Envitana. Be today, ikat ol second settler or ol man kam oli kam karemout authority ia lo supreme nakamal lo Kipanu tribe.

Lo ol cross examination question, hemi talem olsem; hemi se hemi no klemem mo ino save lo nem ia Katawa insaet lo Envitana. Hemi kamaot lo generation blo Nako Nakus. Taem OC hemi kwistinim hem lo blood mo nem, hemi se nem nao



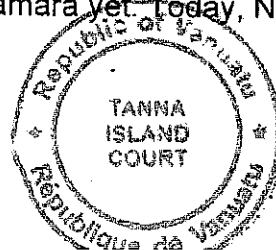
hemi more important than blad. Hemi save apu blo OC from se oli connect. Hemi no save ansarem OC as to why nao apu blo OC istill olem nem ia Katawa yet today? Hemi se trifala apu ia ikarem toktok olsem; blo fes bon iko lo nakamal, last bon iko lo church mo ino save se OC (original claimant) iko wea? Lastly hemi ansarem OC se Nasiap Nakus hemi Yaramara blo lenepkasu. Hemi se god blo hem Kalpapeng istap wetem hem mo duty blo hem hemi Tupunus. Yam hemi openem mo Taro hemi klosem. Nipir nao istap mekem tufala tupunus ia. Hemi se hem nao hemi origin lo Envitana mo Niprei, Kokowi, Katawa mo Naus oli kamout lo hem. Katawa ia we hemi mensem hemi ded finis. Niprei ironem Katawa from hemi wantem stilim title blo Kamanatuan afta Yakel nao ijes kilim hem. Taem kot iaskem grave blo Katawa, hemi se ino save se istap wea. Hemi se papa blo ankie blo hem, Nako nao hemi olem longfala feta long Envitana. Neprei Sam hemi fes witniss. Hemi se Nipiko Kamanatuan hemi man blo faet mo afta we hemi faet, hemi mas swaepem wetem taro. Hemi save Kamanatuan nomo olsem leni blo Envitana. lasu Yaritonga hemi stap witnisim se Nipiko Kamanatuan nao hemi leni lo Envitana.

**1<sup>st</sup> Counter claimant:** CC1 hemi presentem case blo hem mo talem se hemi kam lo kot ia today ino from jifly taetel blo Envitana. Intrest blo hem hemi from overlap blo kastom boundries mo power we ol nara parties oli presentem lo kot ia. Hemi stap expresem hem se boundary blo Envitana ia hemi kam too far mo kafremap or overlapem smol pis kastom boundary blo Kiaper la Kapiar we hemi leni blo letap supreme nakamal.

Taem kot hemi kros examinatem hem, hemi confirmem pakeken se intrest blo hem hemi lo overlap ia nomo be blo tokbaot Katawa mo Kamanatuan, hemi no save lo olketa. Also hemi stap blo defendem boundary blo Kiapep we Envitana hemi overlapem. CC1 hemi blo letap mo blo tokbaot anything to do wetem Envitana, hemi no intrest lo hem from hemi kat own boundry. Taem kot hemi kross examinatem every witniss blo CC1, oli talem sem toktok nomo se purpose blo kam lo kot mo witnisim CC1 hemi from overlap we kastom boundry mo power blo Envitana we ikam insaet lo letap. Oli no intrest lo anything to do wetem Envitana mo oli no save lo nem ia Katawa. Lo wan re-examination question, Jack hemi confirmem pakeken se border or boundry blo Envitana hemi overlap mo ino save tokbaot jifly title blo Envitana.

**2<sup>nd</sup> Counter Claimant:** Hemi talem se insaet lo supreme nakamal lo Envitana, lawirai nao ileni lo hem. Ikat 2 leni nomo lo Envitana. 1 hemi olem sot feta (Nipiko Apeng) mo narawan iolem lonfala feta (lawiria). Hemi se Katawa ia we istap lo Envitana hemi wan man nating nomo. Hemi ded finis mo blad blo hem inomo kat today. Hemi se OC hemi no stret blad blo Katawa ia, hemi kamaot lo family Kauwiap.

Taem kot hemi questionem hem, hemi se lawirai nomo iolem longfala feta, laramara ino olem any feta from lo time ia, inokat laramara yet Today, Nakou



nao iolem longfala feta ia. Hemi save lo Nipiko Kamanatuan from hem tu hemi pat blo Kamanatuan. Hemi se hem nao wetem Naus tufala i ronemaot Katawa lo Envitana after Iarei ijies kilim hem. Hemi se bladline ia hemi vinis finis be today OC mo CC3 nao tufala stap usum nem ia Katawa.

Etapakao hemi witnis mo talem se Kamanatuan hemi wan man blo hem mo Kamanatuan nao iko karem lawirai. Taem ia Naus inokat yet. Hemi save Katawa lo time ia mo hem nao hemi kilim ded Katawa mo hemi kat natatao blong hem. Bifo ikam lo Envitana, hemi luk Nipir vinis blo Kamanatuan. Witniss hemi confirmem se Kamanatuan wetem lawirai tufala sem man nomo mo tufala istap lo wan family tree nomo. Kamanatuan hemi leni mo Ieramara blo Envitana hemi Keitaho. Hemi se bifo iwok wetem Kamanatuan be today hemi wok wetem lawirai.

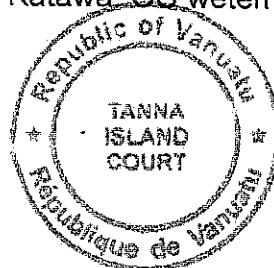
Daniel hemi steitem se blad blo Kamanatuan hemi finis be today hemi Nawirai. Hemi confemem tu se tufala nem ia (Kamanatuan wetem Nawirai) tufala isem man nomo. Lastly hemi se ino save anything to do wetem Katawa ia.

**3rd Counter Claimant:** Lo statement blo Henry Naus, hemi se Katawa mo Naus tufala istret man Envitana mo Katawa nao hemi Iarmaru we blad blo hem hemi laef tete. Long taem blo nokiar (toka dance), Katawa hemi putum feta blo kueria lo head blo hem mo hemia hemi minim se hemi wan high rang insaet lo Envitana.

Long ol kross examination questions, hemi talem se hem nao hemi Katawa be Naus ia hemi wan difren man pakeken. Difren man be hemi klemem Katawa. Hemi no kivim any risen as to why nao hemi no usum nem ia Katawa lo fes conference mo ino bin kam in olsem wan party? Hemi talem se Naus mo lawirai nao oli ronem Katawa be hemi no ded. Nipiko mo Naus oli jes kilim Katawa mo tete lawirai istap acting lo tittle ia. Also ino save se why nao hemi no usum Katawa lo family tree blo hem? Hemi stap lo kot ia from nem ia Katawa mo Naus. Naus nao hemi leni. Hemi pefomem toka niel be ino stap lo Envitana. Hemi confemem se Katawa N hemi OC we Kaviar ibonem hem. Ol family blo Katawa (OC) oli life yet mo oli stap olsem sadow nomo. Witniss hemi talem se Katawa Nares nao hemi high jif lo Envitana be ino Katawa Neplau. Stret pikinini blo Katawa ia nao hemi lateknu. Hemi talem pakeken se Katawa Neprau nao hemi supreme lo Envitana. Katawa we hemi CC3, hem nao istap today lo Envitana.

**Kot assessment folem ol storian blo each party:**

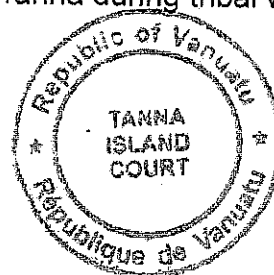
1. OC, Defendant, CC2 mo CC3 oli klemem leni blo Envitana
2. CC1 hemi appear lo kot ia blo defendem wan kastom boundry we Envitana hemi overlapem
3. Defendant, CC1 mo CC2 oli no disputum nem ia Katawa, OC wetem CC3 nao oli disputum nem ia.



4. OC mo CC3 oli se blad blo nem ia Katawa i life yet today be defendant mo CC2 oli se blad blo Katawa inomo kat. Blad ia ided vinis.
5. OC mo CC3 oli se Katawa nao hemi leni or supreme lo Envitana
6. Defendant mo CC2 tufala istap klemem wan man nomo se hem nao hemi leni blo Envitana. Wan iklemem Kamanatuan mo wan iklemem lawirai. 2 difren nem, wan man nomo.
7. OC mo CC3 iklemem Katawa. OC hemi usum nem ia Katawa mo itokbaot Katawa lo storian blo hem. CC3 hemi usum nem ia Naus be itokbaot tufala nem ia, Katawa mo Naus. Family tree blo tufala ino Semak. OC hemi conectem woman ia Nauruan olsem leni blo Imasa afta iko maretem Katawa olsem Iaramara blo Envitana.
8. Original claimant (OC) hemi se Katawa nao hemi leni blo Envitana. Defendant hemi se Kamanatuan nao hemi leni blo Envitana. Counter claimant namba 2 hemi se lawirai nao hemi leni blo Envitana. Counter claimant namba 3 hemi se Naus nao hemi leni blo Envitana.

**After lo every storian mo ol assessment we kot ia hemi mekem, hemia nao hemi findings blo kot akensem issue we istap;**

- ❖ Family Naprapor (CC1), full context blo claim blo yu hemi no inline lo issue. Kot ia hemi nokat power blo arem mo decide lo ol issue to do wetem boundary blo overlap from wan area to another.
- ❖ Envitana hemi wan supreme nakamal mo ikat leni, Yeramara mo Tupunus blo hem.
- ❖ Nem ia Katawa hemi wan kastom nem we wan man or family nomo i save usum folem blad from father to son. Family Katawa (OC), yu nao yu soem mo linkim nem ia lo family tree blo yu ikam kasem today.
- ❖ Family Nipiko Kamanatuan (defendant) mo Jean Paul Nako (CC2), yutufala itokbaot wan man nomo. Man ia hemi Kamanatuan or lawirai. Man ia ino part lo nem ia Katawa. Man ia tu hemi mekem sam activity lo Envitana we, isoemout se hemi wan high rang lo saet blo kastom.
- ❖ Henry Naus (CC3), yu tokbaout Naus mo Katawa lo storian blo yu be, family tree blo yu ino linkim kud yu lo Katawa. Yu stap performem sam kastom finis isoemout se yu tu wan high man lo Envitana.
- ❖ OC (family Katawa), oli ronemout yu lo taem blo tribal war mo yu ko stap lo white sand be, kastom basket blo yu istap nomo lo Envitana.
- ❖ Defendant mo counter claimant 1 nao oli kam kilim mo ronemaout Katawa long Envitana, Kipanu tribe.
- ❖ Establment blo Envitana supreme nakamal i stat long sip Nimrukwen Kowiameta mo ikam olsem wan 12 nakamal blo Tanna during tribal war.



**After lo ol findings ia, hemia nao hemi declaration mo order blo kot:**

**Declaration**


1. *Family katawa (Original Claimant) yu nao yu stret Katawa we yu exist longtaem ikam kasem tete. Yu nao yu rightful holder lo kastom nem ia "Katawa" mo, yu leni insaet lo Envitana supreme nakamal.*
2. *Kot hemi declarem se Nipiko Kamanatuan wetem Jean Paul Nako, yufala ikamout lo wan man nomo.*
3. *Kot hemi declarem se Henry Naus yu no Katawa be yu yu Naus.*


**Order**

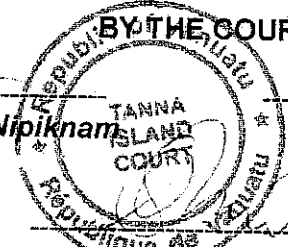
1. *Kot istap odarem Family Katawa (OC), Family Nipiko Kamanatuan (defendant), Jean Paul Nako (CC2) mo Henry Naus (CC3), yufala mas mekem wan kastom reconciliation between yufala blo klinim face blo yufala from yufala everywan blo Envitana nomo. Bae Katawa nao hemi okonaesem program blo reconciliation ia. Lo reconciliation ia, bae Katawa yu mas krupum ol people blo yu tuketa mo putum kud yufala lo governing structure blo kastom we ifolem kastom structure blo wan leni lo Tanna.*
2. *Henry Naus, yu mas mekem wan kastom reconciliation iko lo original claimant (family Katawa) from nem ia Katawa we yu stap usum se hemi blo yu, be hemi no blo yu.*
3. *Sipos ikat any activity iapen lo overlap ia we Famiy Naprapor hemi mensenem, baé imas done in good faith between Jif blo Envitana mo Jif blo Etap while yufala stap wait lo wan difren kot we hemi kat power blo stretem issue blo overlap ia.*
4. *Sipos anywan lo olketa parties ino folem order or ibrekem order ia, bae police isave arestem hem mo karem hem ikam lo kot from contempt blo kot order.*

Anywan lo ol parties ia ino klad lo decision ia, hemi kat 30 days blo apilim iko lo Magistrate kot stat tete iko.

**Deidet long Isangel, Tanna Island, this 19<sup>th</sup> September 2025**

  
\_\_\_\_\_  
**Jimmy Natigin Nipiknam**

  
\_\_\_\_\_  
**Kamellu Iarris Iataka**

  
\_\_\_\_\_  
**Justice Sam Naieu**