

SANTO MALO ISLAND COURT
(Civil Jurisdiction)

Land Case No. 1 of 2014
Ref: 17/424 & 1999/2

BETWEEN: KALHU WARTEF

Original Claimant

AN AND: MANASSEH VOCOR

Counter Claimant 1

AND: FAMILY KETHUR

Counter Claimant 2

Coram: Senior Magistrate Hannaline Nalau Ilo
Island Court Justice Victor Andre Moltures
Island Court Justice Robert Tangis
Island Court Justice Kauri Molvarivu

Clerk: Anthony Lessy

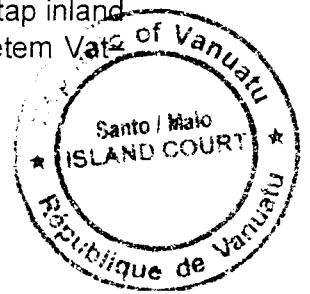
Date of Hearing: 24th June 2025 to 4th July, 2025

JUDGMENT

1. BACKGROUND BLONG CLAIM

Kraon we I stap long claim nem blong hem Vat-Tarosukt-Nahal & Therum. Fest time I regisister wetem Santo Malo Island Court hemi long 1999. From hemi stap longtaem tumas mekem long 2014 oli registerem bakeken mo re-advertisem notice. Folem notice ia igat tu nara party I claim, Family Manasseh Voccor mo Family Kethur.

Kraon we I stap long klem hemi located long east Santo before Hog Harbour village, mo boundary blong Vat-Tarosukt-Nahal istat antap inland long hill plato mo Therum hemi pasis long solwota we I link wetem Vat-Tarosukt – Nahal antap long bush.



Folem boundary map we Original Claimant (OC) hemi claim, Counter Claimant 1 (CC1) hemi counter claim mo disputim se graon se Vat Tarasukt – Nahal hemi wan graon we istap inside long bigfala boundary blong wan graon we nem blong hem Louiaro we hemi blong wan great grand bubu blong family Manaseh Vochor.

Counter Claimant 2 (CC2) hemi disputim boundary blong graon long hemia long Easten part blong graon se hemi overlap long graon blong family blo hem, family Kethur.

2. LAW WE I APPLY LONG CUSTOM GROUND.

2.1 Constitution (Mama Loa)

Article 73: Every ground inside long Republic blong Vanuatu hemi blong ol indigenious kastom ona wetem ol discendent blong olgeta.

Article 74: Rule blong Kastom hemi fomem basis blong onasip mo use blong land long Republic blong Vanuatu.

Article 75: Ol indigenious Citizen blong Republic blong Vanuatu we oli winim ground folem wan recognized system blong land tenure bae I karem perpetual ownership long ground blong olgeta.

2.2 Land Reform Act, Cap 123

5. Application igo long Island Court taem identity blong custom owner hemi dispute

(1) Long any case taem we I gat daot lo custom ona long wan graon we wan alienator I occupaem, wan long ol custom groups we oli klemem graon ia I save apply igo lo Aelan Kot we Island Courts Act [Cap. 167] I establishim, blong hemi faenem onasip blong ground.

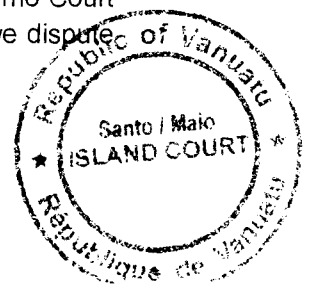
2.3 Island Courts Act, Cap 167

Application blong customary law

Folem provision blong law ia, wan Island Court bae hemi administerem customary law we i prevail inside long territorial jurisdiction blong hem so long as hemi no agensem wan written law mo hemi no agensem justice, morality mo gudfala order.

2.4 Custom Loa blong graon long East Santo

Customary law blong area blong East Santo we i relate long custom land tenure long Area ia follem storian blong ol parties long Court blong ground ia, mo Court ia hemi stap declarem olsem ol stret custom practice/loa blong area we dispute graon hemi stap long hem:



- 1 Right blong ownem ground hemi follem bloodline blong man
- 2 Taem man we I ownem graon I tet we inogat pikinini, raet blong hem igo long sista blong hem wetem ol pikinini blong hem.
- 3 Right blong man we I pem piece graon long fasin blong custom hemi right blong usim graon, right blo ownership hemi stap under custom owner blong graon.
- 4 Hemi wan recognised custom practice long East Santo se ol olfala chief blong wan custom graon mo neighbouring custom graon oli kam tugeta blong wokbaot or cuttem boundary blong graon blong wan family.
- 5 Hemi wan agreed custom practice tu se sapos wan wokbaot blong graon blong cuttem mark blong givim right blong usum graon, bae family we I karem right blong use bae oli mekem wan smol custom igo long man we I cuttem graon olsem custom fasin blong appreciation.

3. STORIAN BLONG OL CLAIMANT

3.1 Original Claimant (OC) Family Wartef (Kalhu Wartef)

Spokesman blong Family Wartef hemi Warlus Wartef. Family Wartef I claim 2 graon we I joen, wan nem blong hem **Vat-Tarosukt-Nahal** mo claim hemi folem bloodline blong man we nem blong hem Har we I hang long family tree blong OC.

Narafala graon we OC family I claim hemi **Therum** we hemi situated taon long pasis blong solwota, claim ia I folem right blong wan woman. Woman ia hemi mama blong bubu blong Family Wartef we nem blong hem hemi Nwarsek. Graon hemi blong brata blong Nwarsek

Family Tri

Claim blong Vat-Tarosukt-Nahal graon hemi folem right blong Har. Har I bonem Warlus, Warlus I bonem Wartef, Wartef I bonem Ser Akura Wartef mo Kalhu Wartef we tufala I papa blong spokesman mo nara brata blong hem.

Claim blong Therum hemi folem right blong mama blong bubu blong family Wartef nem blong hem Nwarsek. Nwarsek pikinini blong hem hemi Wartef mo man blong hem hemi Warlus. Brata blong Nwarsek nem blong hem Nealresu. Nealresu hemi nogat pikinini so sister blong hem Nwarsek nao hemi gat ol pikinini, one long ol pikinini blong Nwarsek hemi Wartef we hemi pupu blong ol family blong OC.

Long custom blong Nekep long East Santo, right blong ownem graon hemi folem male bloodline mo sapos male/man hemi nogat pikinini then right blong hem igo long sista blong hem, woman we I gat pikinini.

Family Wartef I claim se olgeta I descendant blong Warlus we hemi pikinini blong Har mo woman blong Warlus ia Nwarsek from tufala graon ia Vat-Tarosukt – Nahal mo Therum pasis.



Boundary

Boundary blong graon ia Vat-Tarosukt-Nahal graon I start long eastern side I boundary wetem Lorethia graon antap long hill mo boundary mark istap wetem wan stampa blong namalus (we hemi ded finis) igo long wan stampa blong nambanga we hemi ded finis igo long wan nokar tree we hemi stap yet, go long nantao tree mo igo long wan nara nabanga tree we I tet finis tu, mo igo kasem creek B mo igo lo novac tree hemi stap laef yet.

Lo southern boundary, hemi boundary wetem Luthkar custom graon, start lo Novnac tree hemi lo Natavoa blong Grem Path igo long Nabanga tree mo igo Novnac tree we fastaem hemi rod blong ol man Lathi ikam thru long hem, Novnac tree ia I tet finis.

Long west side, istart long novnac tree blong olfala rod blong ol man Lathi hemi go lo wan Nangae tree (we hemi dead finis) mo I go krosem rod kasem Namalaus tree (naluavla) we hemi go daon long Therum.

Boundary map we oli describem long estern side blong Vat- Tarosukt Nahal olfala oli folem mo cuttem long 23 April 1984. Nem blong ol olfala ia igat famil Neki mo Ku we boundary blong olgeta Lorethia, igat Manasseh Johna, James Nar Turket, Arling, Arskwei mo Samuel Turket. Oli folem family Wartef, Ser Akura Wartef, Kalhu Wartef, august Ser Wartef, Kacor Tain, Between Warsal, James Vo Nur mo Thosegar Nur blong cuttem boundary mark.

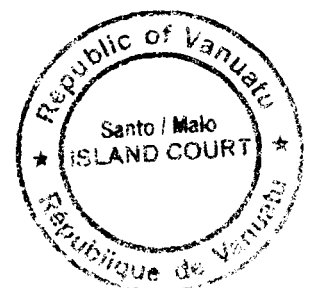
Bakeken long 15 July 1985 family Wartef I folem boundary long southern side we I boundary wetem Luthkar wetem Dr. Titus Path family we igat Titus Path we hemi family Kethur, Fred Isaiah mo Nathre George Meir. Oli wokbaot wetem ol family Wartef we igat Ser Akura, Kalhu Wartef, August Ser Wartef, Nur Saul, Thomas Nial, Willie Mael mo Philip Nare nao I drivem olgeta.

OI boundary mark ia family Waltef I live mo wok long hem kasem tede mo respectem boundary we ol olfala oli katem

Custom identity long graon Vat-Tarosukt-Nahal

Proof blong custom identity blong family Wartef long graon Vat-Tarosukt - Nahal we OC I claim mo shoem long Court long taem blong wokbaot hemi includim nakamal blong Kusu we history I tokbaot se ol Polis blong tufala gavman blong New Hebrides oli sutum we oli callen "Nev al ne hu" we I minim se nakamal we oli sutum mo bullet igo tru long hem.

Grave blong Warlus we hemi pikinini blong Har hemi stap long Vat Torsukt Nahal, mo wan nara proof blong family Wartef long graon ia hemi showem we ol descendant blong olgeta oli wok long graon kasem tede.



Ol **custom identity blong Therum** custom graon hemi nakamal blong Nealresu we hemi stap kolosap lo hill lo wan area we oli callem Vatnethrianiac (Kokonas we hemi gat folk) we fulap man I save long hem.

Long pasis blong Therum ol bubu blong family Wartef oli stap berem bredfruit long solwota blo mekem breadfruit hemi no raep quick mo oli usum olsem bait blong namarae.

Therum hemi minim se taem wave hemi kasem shore hemi faerap or mekem noise

Witness blong OC family Wartef

First witness blong family Wartef hemi Philip Nare we I givim evidence se hemi bin witesem taem we oli go katem graon Vat-Tarosukt-Nahal mo Luthkar wetem ol olfala long 15 July, 1985. Witesem hemi confirmem under oath nem blong ol olfala we oli bin wokbaot mo talem se hem nao I bin drivem ol olfala ia lo truck. Witness ise hemi talem under oath se graon Luiaro mo Luthkar oli stap outside, Luiaro ino kasem solwota.

Second witness blong OC family hemi August Ser Wartef hemi confirm se long numba 23 April 1984, hem tu I bin part blong ol olfala we oli folem mo cuttem boundary mark blong Vat-Tarosukt-Nahal long eastern side wetem family Neki mo Ku. Witness I confirmem nem blong ol olfala we oli wokbaot long boundary, one long olgeta hemi Dr. Titus Path papa blong CC2. Witness hemi re confirm se long 1985 ol olfala oli wokbaot bakeken long boundary mark blong Vat-Tarosukt-Nahal.

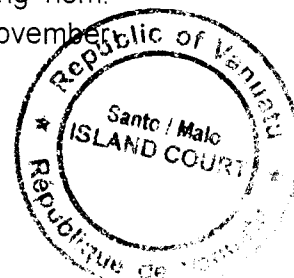
3.2 Counter Claimant 1 (CC1) – Family Vocor

Counter claimant 2 Family Vocor oli stap claim graon we I dispute se graon ia Vat-Tarosukt-Nahal hemi part blong wan bigfala custom graon oli callem Luiaro. Claim se Luiaro hemi graon blong wan high chief (Vuster) nem blong hem vuster Maso we hemi stap long family tree blong family Vocor.

Luiaro graon claim hemi based long 2 recognition blong 2 custom court long 1974 mo 1984 we Minister blong land I endorse long 1985:

Feswan long 1974 village Court I bin sitaon blong lukluk long boundary blong Luiaro we I kaveremap hill kasem solwota we I stap long favour blong family Vocor

Bakeken long 30 October, 1984 Area Land Committee we late Thomas Reuben Seru I chairem mo Petro Rite I secretary I bin lukluk long hem. Decision hemi stap long favour blong family Vocor we I dated 13 November



1984. Ol man we I present long time ia igat Family Vocor, Nial, Iako, Warput mo decision ikam long family Vocor

Later long 13 April 1985 Minister blong Lands Minister Donald Kalpokas I declarem family Vocor olsem land owner blong kraon Luiaro.

Folem hemia long 4 April 1989 first secretary blong Ministry blong Lands Abel Kalori I advisem family Vocor family blong go usim land blong olgeta olsem we oli wantem.

Claimant i claim se long 2014 family Vocor i defendem boundary blong Luiaro taem case blong Lonnoc graon igo long Santo Malo Island Court mo oli winim boundary ia.

Boundary blong graon Luiaro boundary blong hem I kavaremap graon we family Wartef I claim, mo I start antap long bush mo I go kasem solwota long ples we ol Lonoc Bangalow istap long hem naoia.

Family Vocor hemi objectem claim blong family blo OC mo I talem se family Wartef olgeta blong Sara village long East Santo.

Witness blong CC 1 Family Vocor

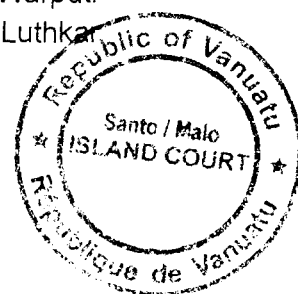
First witness blong family Vocor hemi Chief James Nar mo talem se hem mo family blong hem Samuel Turcet Momo nao I boundary wetem Luiaro long Northside, nem blong graon blong hem hemi Vatrath. Witness se long 2014 long court blong Lonnoc hemi bin witness blong family Vocor lo land blong Luiaro. Witness hemi se since taem hemi smol kasem naoia, hemi never harem nem ia Therum, graon ia hemi Louiario, Therum I stap long difren place.

Witness 2 blong family Vocor hemi Daniel Harris Vocor mo hemi stetem se papa blong hem late Harris Vocor I bin talem long hem se Vuvu Nial I bin mitim Selru long 1937 long Malekula mo talem long hem se graon ia Luiaro hemi blong family Vocor.

3.3 Counter Claimant 2 (CC2) – Family Kethur

Spokesman blong family Kethur hemi Joel Kethur Path mo olgeta oli defendem boundary mark blong custom graon Luthkar hemia long south side. Family Kethur hemi claim se graon Luthkar hemi boundary wetem Luiaro nomo mo inomo gat wan custom graon we I stap long metel blong tufala. Nem blong graon Luiaro istap before Independence kasem today

Description blong boundary blong hem long ples we hemi se I overlap I start long natapoa blong krem igo long east kasem fence blong Vocor Warput. Novnac tree inside long sketch map blong OC hemi stap inside long Luthkar graon.



Witness blong CC 2 Family Kethur

First witness blong family Kethur hemi Yako Warele and hemi givim witness under oath Luiaro graon hemi boundary wetem Luthkar graond olsem family Vocor I soem taem oli winim case blong 2014.

Witness ise papa blong olgeta late Dr. Titus Path I tem se family Wartef igo long graon be graon hemi blong Family Vocor Luiaro. Ol toktok blong ol olfala nao oli ol tru toktok.

Second witness blong CC 2 hemi Bob Manaseh Vocor mo i givim witness under oath se family Kethur graon blong olgeta hemi Luthkar graon mo since long time blong bubu blong olgeta bifo ikam Luthkar hemi boundary wetem Luiaro, inomo gat nara graon bakeken we I stap between long tufala graon ia.

4. EVIDENCE LONG GRAON LONG TIME BLO WOKABAOT.

4.1 Evidence blong OC Family Wartef

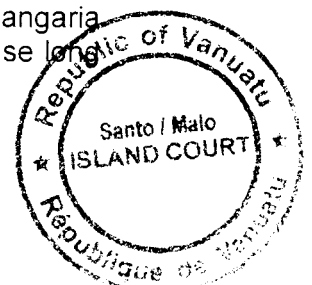
Wokabaot igo long graon hemi tekem every party tugeta blong witesem boundary mark we oli claim mo luk ol custom identity blo olgeta we oli tokbaot long claim blong olgeta. Kot I bin mekem I clear lo beginning se wokbaot tugeta hemi no minim se OC nomo bae I showem ol custom identity blong hem be tufala nara party tu I need blong shoem blong tufala sapos ol custom identity ia I stap long same area or kolosap blong helpem court blo understandem gud ol claim blong olgeta.

Unfortunately, tufala counter claimants tufala ino shoem any customary identity blo tufala long graon. Be tufala i strongly disputem agensem OC se graon we hemi claimem hemi Luiaro graon inogat wan nara graon mo court hemi tekem gud note long hem from tufala party wetem ol witness blong tufala I strongly emphasisem.

OC I bin tekem court folem boundary mark blong Vat-Tarosukt-Nahal mo olsem we I talem long court finis se boundary mark ia oli bin wokabaot blo katem festaem long 23 April 1984 wetem family Neki mo Ku from boundary long eastern side.

First boundary mark we OC I shoem hemi lo south west corner wan place we wan Novnac (nangalat) tree I bin stanap be hemi tet finis. CC 1 mo CC2 tufala I agree long mark be tufala I talem se hemi Luiaro ground nomo mo ino Vat-Tarosukt-Nahal.

Then OC I tekem court igo long next point we hemi settlement mo grave blong Warlus. Long ples ia igat ol nasasa plants we oli stap mo long side igo oli shoem grave. Court ino luk wan grave or wan mark olsem nasasa or nangaria or namele lo ples blong grave; be wan smol hollow eria we oli talem se long



time blong bifo, taem man I tet oli digim hol mo putum body blong hem I rotten nomo long ples be oli no berem.

Tufala counter claimant I objectem ol evidence se hemi wan tru place blong settlement mo grave.

Then boundary mark I extend igo long wan nabanga tree long south side we oli shoem long long court we fanis blong CC2 istap long hem mo hemi argue se lo ples ia boundary I overlap.

Then OC I tekem court igo long wan stampa blong natapoa we hemi se hemi boundary mark blong hem, long ples ia nao CC 2 I disputim hemi hemi overlap and taem court I aksem hem blong hemi shoem boundary mark blong hem, hemi point igo long wan melek tree long wan short distance away nomo. Long ples ia tufala I attempt blong agree long boundary mark be OC stanap strong se mark blong hem ia nao.

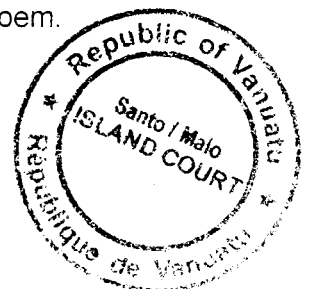
Then OC I tekem court igo long wan area we hemi claim se nakamal blong Kusu istap. Nakamal ia nao we ol Police blong New Hebrides oli sutum brekem mo long lanwis oli refer long hem se "Nev-al-ne hu". Ples ia OC is showem presence blong hem long wan slap cement olfala house blong hem istap long hem. Even though tufala counter claimant I disputim evidence mo talem se olgeta oli never harem history, OC hemi respond se long taem hemi stap buildim house, Ps. Grem Vocor (brata blong spokesman blong family Vocor) ikam stap luk hem tufala I kakae tugeta. Taem company blong logging I kam cuttem ol wood, everyone I karem ol royalty inogat dispute long hem.

Then Court hemi go kasem end blong mark long point blong South East long ol bigfala stampa blong novnac tree (nangalat) tree. Long ples ia every party I agree se novnac tree hemi stret custom boundary mark blong ground, be CC 2 ise graon hemi Luiaro ino Vat- Tarosukt- Nahal olsem OC I talem.

Long ples ia CC 2 I agree long straight line boundary long estern side se hemi boundary mark blong Luiaro wetem Lorethia graon. CC1 tu I confirm se emi boundary mark ia.

Then court hemi go witnesem las boundary mark blong Vat-Torusukt-Nahal long northside mo hemi markem wetem wan stampa natapoa we I dry finis be oli markem wetem 3 stampa coconut mo lo ples ia nao ol man I pass tru long hem blong go taon long solwota. Ples ia hemi significant from nem blong graon Vat-Torusukt-Nahal ikamaot long hem from hemi ples we ol man I pass tru long hem.

CC1 family Vocor I disputim evidence ia mo talem se nem ia ino nem blong graon be nem blo natapoa tri we ol man oli refer long hem se ples blong ol man mo woman ikam mekem trabol long hem. Mo hemia hemi Luiaro graon yet ia. Claimant I point across long direction blong south west mo I talem se wan nakamal blong bubu blong olgeta istap ia be hemi se bae oli no soem.



Kot hemi go witnessem wan olfala stampa blong Namalaus kolosap long creek we hemi ples blong tevel. Ples ia tu wood blong bow & arrow I grow plante long hem.

Tufala counter claimant i disputim se hemi wan special place namalaus blong tevel mo CC1 i challengem OC about wan wire fence blong hem we istap long ground ia, OC I respond se yes mi agree fence blong yu be yumi kam tede blong faenem custom owner blong graon.

Lastly OC I tekem court igo taon long solwota we OC hemi callem Therum custom graon. Long ples ia igat dispute long nem ia Therum we long lanwis blong olgeta se solwota I fareap long hole blong stone from inogat prove blong hem se sol water I faerap. OC hemi agree se I tru inogat wan solwater we I faerap, be hemi history we bubu blong olgeta oli talem.

Then last evidence we OC I tekem court igo long hem hemi stampa blong Natapoa we oli market olsem boundary long solwota. Graon ia igat 2 Creek we oli claim se hemi boundary mark blong Therum. Stampa blong natapoa ia hemi disputed from hemi stanap parallel wetem nara creek we oli talem se hemi boundary mark.

Long ples ia tu, OC mo CC1 tufala I mentionem 2 nakamal, one blong Nielresu mo Harkuk be tufala tugeta ino shoem ol location blong tufala nakamal ia.

5. ASSESSMENT BLONG OL EVIDENCE MO FINDING BLONG KOT

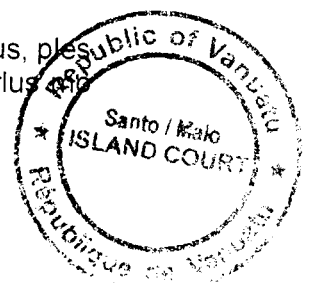
5.1 Custom Identity mo Family history long graon

Article 74 blong Constitution hemi talem se **rule blong custom** hemi formem basis blong ownership mo use blong graon long Republic blong Vanuatu. Long wokbaot blong kot long graon, court hemi wantem luk mo provum ol customary identity blong ol parties we oli tokboat inside long Court folem family tri blong ol claimant.

Court hemi satisfy se claim blong OC long Vat- Tarosokt – Nahal hemi folem custom from hemi folem blood blong man. Man ia hemi Har hemi connect long OC long family tri blong hem. Har I bonem Warlus, Warlus I bonem Wartef, Wartef I bonem Ser Akura Wartef mo Kalhu Waertef we tufala I papa blong spokesman.

Long side blong ol custom identity long graon, despite we court I bin explainem gud long ol parties, CC1 mo CC2 tufala I fail blong shoem any custom identity blong tufala long disputed ground long taem blong wokbaot. Every custom identity blong OC we hemi showem follem history blong graon we hemi claim, CC 1 mo CC2 tufala I disputim everyone, but tufala ino counter disputim wetem any nara evidence we I putum taon storian blong Original Claimant.

Ol evidence blong OC family Wartef long graon hemi grave blong Warlus, ples blong settlement mo nakamal blong Kusu mo haos blong young Warlus.



history blong blo bullet blong masket blong igo inside long nakamal (Nev-al-ne-hu) mo namalaus (naluavle) we oli talem se ples blo ol tevel.

Court hemi satisfy long ol evidence ia oli provum history blong family blong OC long graon ia follem family tri blong hem Warlus we court I witnesem ples blong grave blong hem, court hemi acceptem se Warlus ia nao hemi stap long 4th generation bifo young Warlus we hemi spokesman blong OC family.

Court I considerem tu ol proof blong existence blong family blo OC olsem fanis blong bullock, olfala haos mo even karen blong olgeta hemi ol samting we I shoem se family blong OC oli stap work long graon ia from oli biliv se hemi blong olgeta.

5.2 Issue blong cuttem Custom Boundary blong Vat-Tarosukt-Nahal

CC 1 family Vocor mo CC2 family Kethur I disputim claim blong ownership long graon. Oli agree se ol olfala I bin wokbaot mo Dr. Titus Path hemi wokbaot blong showem graon long family blong OC blo putum olgeta blong work long graon be ino blo oli ownem graon.

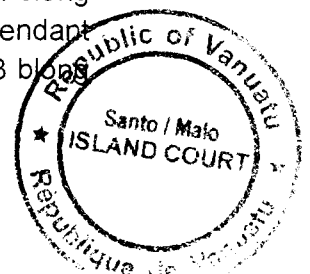
OC hemi strongly denyem toktok ia mo talem se follem custom we I apply long ples ia sapos wan chief I givim graon blong man I wok long hem olsem wan user, then user hemi mas mekem wan smol custom igo long chief blong sealim agreement ia. Be long case ia, OC hemi denyem se family blong hem I bin mekem any custom igo long any olfala we oli wokbaot long graon. Hemia hemi proof se family blong OC ino karem graon olsem wan user. Court I bilivim storiam blong OC se wokbaot blo ol olfala blong cuttem boundary hemi wan exercise we oli confirmem boundary blong family Wartef olsem owner blong graon be ino user blong graon. Hemia from inogat any evidence blo suggestem se graon oli givim long OC family blong oli usum be ino ownem, therefore follem custom blong East Santo taem we inogat custom tok tankiu ceremony, hemi mas wan wokbaot blong confirm boundary blong ownership.

Court hemi satisfy se hemia hemi folem custom blong East Santo we graon istap long hem.

5.3 Custom identity blong Therum Graon

OC I claim graon ia Therum folem right blong wan woman long family blong olgeta Nwarsek. Nealresu we hemi brata blong Nwarsek we I stap long family tri blong OC. Nwarsek pikinini blong hem hemi Wartef mo man blong hem hemi Warlus. Brata blong Nwarsek nem blong hem Nealresu. Nealresu hemi nogat pikinini so sister blong hem Nwarsek nao hemi gat ol pikinini, one long ol pikinini blong Nwarsek hemi Wartef we hemi pupu blong ol family blong OC.

Court hemi doubtem blood connection blong Nealresu wetem family Wartef from long family tri we OC I producim. Taem yumi refer long family tri blong Wartef, Nealresu hemi no connect wetem Kwe mo Har olsem wan descendant blong family blong OC folem meaning blong descendant we Article 73 blong



Constitution istap talem. Even sapos custom blong East Santo hemi allowem se sister blong Nealresu I save karem right blong graon blong hem, Court hemi no convince se Nealrasu hemi who ia man mo hemi kam where, who ia papa mo mama blong hem and sapos hemi tru se hemi brata blong Nwarsek. OC tu inogat any evidence se oli mekem wan custom igo long Nealresu blong karem right blong hem we hemi kam long wan nara tribe blong family we OC ino clarifyem long court.

Court hemi no satisfy long prove blong nem blong graon ia Therum taem we ol nara claimer oli talem se oli never harem nem ia mo OC hemi fail blong showem ples we solwota I faerap long hem.

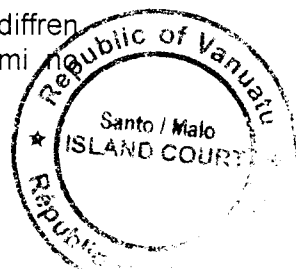
Ino hemia nomo be Court hemi no satisfy long stampa blong natapoa long solwota from hemi no foltaon stret long creek blong boundary mark mo tu natapoa tree ia hemi wan young tree nomo.

Mo laswan, OC hemi fail blong shoem nakamal blong Nealreasu long Court long sapotem claim blong hem.

From olgeta reason ia, Court hemi rejectem claim blong family Wartef long graon Therum.

6. FINDING MO CONCLUSION

1. Court I findem se family Wartef hemi pruvum hem from graon Vat-Tarosukt-Nahal, claim blong hem i stret mo I folem custom blong East Santo we I apply long custom land Tenure. Court hemi no tekem issue wheather Vat-Tarosukt-Nahal hemi wan land we I stap inside long wan nara bigfala custom graon or hemi wan smol custom graon hemwan, according long custom blong East Santo, family Wartef I pruvum se hemi owner blong graon.
2. Court I findem mo acceptem ol boundary mark blong graon Vat-Tarosukt-Nahal olsem we hemi shoem long Court.
3. Court hemi faenem se overlap boundary we family Kethur I disputim long south east part blong graon hemi nogat basis from family Kethur hemi no supportem claim wetem customary identity blong hem blong convincim court se boundary blong family Wartef hemi overlap long custom graon blong hem.
4. Court I faenem se tufala graon we family Wartef I claim tufala I 2 differen graon, Vat-Tarosukt-Nahal hemi stap antap long hill mo hemi connect wetem Therum graon long Solwota.



5. Court hemi faenem se Family Wartef hemi no connect wetem Nealresu olsem stret descendant blong family Wartef, therefore Deed of Sale we hemi present long Court shoem hemi no supportem claim blong hem.
6. Court hemi faenem se family Wartef hemi no pruvum hem from owernerhip blong graon we hemi callem Therum long pasis blong Solwota therefore claim blong hem fail.


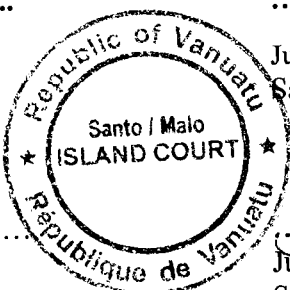
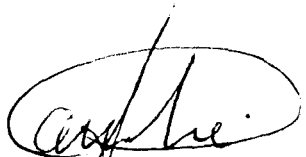
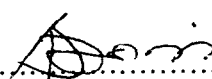
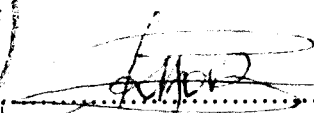
7. DECLARATION

Court hemi stap declarem family Kalhu Wartef olsem custom owner blong graon Vat-Tarosukt-Nahal we I stap long area blong East Santo folem boundary we hemi presentem long court. Boundary map ia hemi attach long Judgment ia mo court hemi kalarem i green mo stampem wetem stamp blong Santo Malo Island Court.

Any parti we ino agree long decision blong Court ia hemi gat 30 days blong appeal.

DATED at Luganville this 4th day of July, 2025.

BY THE COURT

		
Senior Magistrate Port Vila Magistrate Court		Justice Victor Moltures Santo Malo Island Court
		
Justice Robert Tangis Santo Malo Island Court		Justice Kauri Molivalivu Santo Malo Island Court

3.0 SKETCH MAP

VAT-TAROSUKT-NAHAL Mo THERUM

