

CHAPTER 7.**CUSTOMARY LAW (BIKINI ATOLL)****ARRANGEMENT OF SECTIONS****Section.**

§701. Short Title.

§702. Declaration of Customary Law.

§703. Iroijlaplap of Bikini Atoll.

§704. Limitation of Force and Effect of the Customary Law.

An Act to declare the customary law with respect to the Iroijlaplap right, title and interest in and to Bikini Atoll.

Commencement: March 3, 1994
Source: P.L. 1994-86

§701. Short Title.

This Chapter may be cited as the “Customary Law (Bikini Atoll) Act 1994. [P.L. 1994-86, §1.]

§702. Declaration of Customary Law.

Section 703 of this Chapter is a declaration of the customary law made pursuant to Article X, Section 2 of the Constitution of the Republic of the Marshall Islands. [P.L. 1994-86, §2.]

§703. Iroijlaplap of Bikini Atoll.

The successors of Iroijlaplap Jeimata Kabua are the persons who hold and are entitled to exercise Iroijlaplap right, title and interest in and to Bikini Atoll in the Ralik Chain. [P.L. 1994-86, §3.]

§704. Limitation of Force and Effect of the Customary Law.

As a result of the circumstances attributed to the long time span of the legacy and influence of foreign domination, the customary law as declared in Section 703 of this Chapter shall, notwithstanding the provisions as hereunder set forth, to wit:

(a) that the estate and all rights, title and interest of the late Iroijlaplap Jeimata Kabua in and to Bikini Atoll are hereby recognized and shall continue and be passed onto his descending successors and heirs as the rightful holders thereof, who shall be entitled to inherit and collect a one-third (1/3) portion of any and all income to be henceforth derived or realized from any use of Bikini Atoll, its lagoon, surrounding sea and sky, wholly, or any portion thereof; provided, however, that such rights shall be exclusive of the right to be paid allegiance by the people of Bikini, excepting those Bikinians who wish to maintain their loyalty to and recognition of Iroijlaplap Jeimata Kabua and his successors and heirs; and

(b) that the people of Bikini who wish not to recognize Iroijlaplap Jeimata Kabua and his successors and heirs shall be free, as the customs shall acquiesce, to exercise their rights to establish their own society and system of local governance under the laws of the Republic of the Marshall Islands, and that all Bikinians having land rights on Bikini Atoll

under the customary law shall continue to maintain and enjoy such rights and shall be entitled to receive a two-thirds ($2/3$) portion of any and all income to be henceforth derived or realized from any use of Bikini Atoll, its lagoon, surrounding sea and sky, wholly or any portion thereof; and

(c) that all moneys, income and interest in or from the Bikini Trust Fund, sources from or under the Compact of Free Association, the United States Government, banks, financial institutions and other investments presently enjoyed by the Bikinians shall remain the sole property of the people of Bikini and shall continue to be shared amongst themselves as in the present. [P.L. 1994-86, §4.]