

**7<sup>th</sup> August 2013**

**Hon. Chairperson Abuk Papiti,  
Select Committee for Vetting of National Ministers,  
National Legislative Assembly,  
Republic of South Sudan,  
Juba.**

**RE: Response to the allegations that I falsely assumed and  
executed the functions of a Judicial Officer during the liberation  
days**

Hon. Abuk Papiti,

I am writing to your esteemed end in relation to the above mentioned subject, which concerns and pursuant to the queries raised by the Honorable Chairperson and Members charged with the vetting of nominated Members to the Cabinet of the Government of the Republic of South Sudan and particularly to the effect that I did preside over Court Marshall cases during the struggle purporting as a commissioned Captain, and furthermore as a Lawyer.

To begin with, I joined the SPLM/A Movement on the 27<sup>th</sup>, February 1984, and thereafter went to Political School in March 1984 and subsequently commissioned as 1<sup>st</sup> Lieutenant on the 16<sup>th</sup>, June 1984, on the strength of my degree in B.A in Political Science and Anthropology (pre-law) U.S.A, copies of my degree are already with you. From October 1984, until April 1985, I worked with Radio SPLM/A, where I went to Shield two (2) for further military training.

In August 1985, I was deployed under the command of then Maj. Dr. Riek Machar Teny as Operation Officer, therefrom I was deployed again in the same battalion as commander of the 1<sup>st</sup> Company (coy). On our way to Nuba Mountains for operations, our promotion commissioning us as Captain came out and was backdated to 1<sup>st</sup> July 1985.

After we liberated much of Western Upper Nile Zone, I was relieved from active combat by then Maj. Dr. Riek Machar Teny and appointed as a Judicial Officer in Leer and later transferred to Tharkuer in Bul Area, not on grounds of my person possessing a law degree, but because of the Military rank as far as the GMC which at that time didn't require a law degree. Thus, by the same token, the then Maj. Dr. Riek Machar Teny appointed Lawrence Lony who was a secondary school graduate as a Judicial Officer for Panaru area, and George Kiel was appointed as Judicial Officer of Ador and Nyuong. It is imperative to note that the latter was not even educated, yet all the same he served as a judicial Officer by the sheer fact of his rank in the military.

Without prejudice to the foregoing paragraph, the only qualified judge in the whole battalion at that time was Dengtiel Ayuen Kur, who was a Judge in the old Sudan.

My mere chairing of the Court Marshall was due to my rank as a Captain, as Court Marshall is chaired by at least the rank of captain and above, and any decision made therefrom by the said Court Marshall is referred to the zonal commander, and the said zonal commander forwards it to the C-in-C for confirmation. It is worth noting that the SPLM Penal Code, 1983/4 is silent on the qualifications of who should be appointed to serve as a judicial officer.

The Appellate Court which was the highest court of the Wolf battalion then, was chaired by the Zonal Commander, the then Maj. Dr. Riek Machar Teny and he heard all appeals of both civil and criminal in nature. As such the buck stopped with the Zonal Commander who had the prerogative of affirming or overruling decisions from the lower court.

A case example was when then Commander Dr. Riek Machar Teny reversed the decision of General Court Marshall of sentencing Malak Ayuen to death and accordingly set him free.

Moreover, the Alternate Commander of the High Command the then, Commander, Dr. Riek Machar Teny chaired a General Court Marshall in which 2<sup>nd</sup> Lt. Mayek Riak was sentenced to death, just to mention but a few of the many General Court Marshall cases that Dr. Riek Machar Teny presided over.

Needless to mention is that Dr. Riek Machar Teny had no Law Degree and by profession he is a Mechanical Engineer, yet all the same presided over many General Court Marshal appellate cases.

Accordingly from the foregoing, I posit that the argument that alleges that I chaired Court Marshall Courts, must fail as it has no basis, based on the brief history I have elucidated herein.

Towards that end, the living witnesses who can attest to these facts is the current President of the Republic of South Sudan, Gen. Salva Kiir Mayardit and Dr. Riek Machar Teny, who was commanding me under Wolf Battalion.

Have the assurance of my highest regards and consideration.

**Telar Ring Deng,  
Appointed Minister of Justice,  
Republic of South Sudan,  
Juba.**

**Cc**

**H.E. Gen. Salva Kiir Mayardit - President of the Republic of  
South Sudan.**

**Rt. Hon. James Wani Igga- Speaker- National Legislative  
Assembly**

**Dr. Riek Machar Teny.**