

Tuesday, February 07, 2017

Lologo Two Community Trial Court
City of Juba, Rejaf County
Jubek State, South Sudan

Re: Petition For Demanding My Kids From General Malual and Mr. Aleer

Dear Honorable Judges,

I want to bring your undivided attention to something unfair in any culture worldwide. I am agitated and have been suffering from emotional pain. I am not fully alive. The hypocritical people like General Malual Awan Chiengkuach and Mr. Aleer Awan Chiengkuach, who said one thing but did another, have killed me inside because they have stolen my two kids in Nairobi, Kenya, and hid them since October 2006.

Where on earth does a man produce children for other people? We have no customary law that allows man to produce children for others. Therefore, I have decided to petition General Malual Awan Chiengkuach and Mr. Aleer Awan Chiengkuach through Lologo Trial Court in Juba to bring my two kids, Nyadeng and Ayach.

According to the Dinka Customary Law, as written in Wanh-Alel Law: It is a crime for a family-in-law to hide children from their biological father instead of asking for wealth in exchange for children. Therefore, the family-in-law, and only if there is NOT proceeding in marriage, can demand the wealth to out-bond the children and hand them to their biological father.

Regarding this case, General Malual and Mr. Aleer Awan Chiengkuach never asked me for the dowry payments. They have hurt me for many years by hiding my two kids and not supporting them. They prevented my kids from having good lives and having access to school like their children. No one ever produced children to be fathered by another man. I am demanding my biological kids from General Malual and Mr. Aleer Awan Chiengkuach.

Brief backgrounds and feudal historical issues between me and my family-in-laws continue:

Between 2001 and 2004, I have two kids with a half-sister of Gen. Malual Awan Chiengkuach and Mr. Aleer Awan Chiengkuach called Aduk Awan Chiengkuach. After I went to America on January 26, 2004, Mr. Aleer Awan, who is the older brother of Aduk, directed me to talk with all family members in America and Africa such that I should be officially accepted as the husband of their sister Aduk. I did it successfully, and the entire family members accepted me.

The family members recommended me, “Support your children, and the marriage will be done in the future after you have finished your education.” After the family approved me, Mr. Aleer directed me to talk with his older brother, General Malual, for a “final approval.”

In April 2005, I contacted General Malual in Nairobi, Kenya, and he accepted me. “Go to school and marriage will be the next step after you have completed your education. Don’t worry about

the marriage now. You can miss the opportunity to go to school, but you cannot miss the opportunity to get married. I want you to be educated. Aduk is your wife. I have consulted our family members about you, and everybody in our family knew your good character when you were in the Kakuma refugee camp with them. They all loved you to be the husband of our sister Aduk. Your two children are a good sign that you are one of our family members. Therefore, I have finally approved your relationship with Aduk,” Gen. Malual declared, advised, and concluded.

Although I valued and appreciated their kind words and encouragement to complete my education before marriage, in 2006, General Malual and Mr. Aleer Awan Chiengkuach changed their promises in the middle of my relationship with their sister Aduk Awan Chiengkuach without my knowledge. Below is the list of the actual and essential facts.

Please carefully read and analyze these feudal factual issues:

(1) Between 1998 and 1999, Aduk Awan filed a case to divorce her husband, General Ajak Deng Biar, through a local court in the Kakuma refugee camp. The local court affirmed to divorce her husband, but her husband, General Ajak Deng Biar, wasn’t satisfied with the ruling then.

(2) In November 2001, Aduk’s pregnancy appeared. Her brothers and cousins beat her to death until she admitted who impregnated her. “Mamiir impregnated me,” She confessed to them.

(3) After Aduk had confessed her pregnancy, she sent her cousin Yar Aleer Chol to Minor Group 41 in the morning to deliver her message to me. “Tell Mamiir that my pregnancy was discovered last night. My brothers and cousins beat me until I confessed. I am worried about his life. Maybe, some of my family members may attack him, and I don’t want him to be harmed by my family members. Try to tell Mamiir to be very careful with my stepbrother Apam Awan and Cousin Bol Mading, who stayed with him in his house, and his neighbors in Payath, Nyarweng Group 36,” Yar explained to me the exact message from Aduk Awan Chiengkuach.

(4) After Aduk confessed her pregnancy, her family members held a meeting and discussed what could be done. The family members in the meeting agreed, “Mamiir will not be asked because Aduk still didn’t officially divorce her husband. We will see if her husband will file an adultery case against Mamiir.” Aduk’s stepbrother Apam Awan and her cousin Bol Mading who used to sleep in my house told me. One night, they advised and encouraged me, “Don’t worry, Mamiir, about what happened between you and our sister Aduk. Nobody will ask you. If you love her, you can continue with her. We talked about you in our meeting, and nobody hates you. Aduk didn’t love her husband. If you love each other, she will be your wife. You are our best friend, and we have accepted your relationship with Aduk. Please stay with us as usual,” Apam Awan and Bol Mading advised me.

(5) On April 14, 2002, Aduk gave birth to a baby girl, and I named my daughter to be Nyadeng.

(6) In October 2003, Aduk got pregnant again, and she joined me in Nairobi, Kenya. I stayed with her in the apartment I rented.

(7) On January 26, 2004, I went to America, leaving her in Nairobi while she was still pregnant.

(8) In May 2004, Aduk gave birth to a baby boy in Kakuma. General Malual and Mr. Aleer Awan named my son Chiengkuach, while I sent the name with \$ 200.00 to be called Ayach.

(9) On March 15, 2005, Mr. Aleer Awan came to Nairobi, and he directed me to talk with the family members who lived in Africa and America such that I should be officially approved to be

a husband of his sister. I contacted the family members in America and Africa. Luckily, the family members included their older brother General Malual Awan officially approved me. They said, “You take care of your kids. The marriage will be done in the future and after your education.”

(10) On March 30, 2005, Mr. Aleer recommended me, to feed the whole family in the Kakuma refugee camp before he didn’t get a job in South Sudan, and I did it. See some receipts.

(11) In February 2006, Aduk’s former husband, General Ajak Deng Biar, demanded his wife Aduk through a local court in the Kakuma refugee camp. General Ajak said, “Aduk is still my wife and my daughter Alakiir’s mother.” Aduk Awan told me about her reply on the phone with a saying from the Dinka tribe. “One hand cannot clasp itself. Only two hands can clasp themselves; that means a person with two children with me is my right husband.” The local court ruled the case in favor of Aduk, and General Ajak was given his daughter Alakiir Ajak Biar.

(12) In August 2006, Aduk told me she was sick, and I let her come to Nairobi for treatment.

(13) In September 2006, Aduk’s stepbrother Chiengkuach Awan Chiengkuach came to Nairobi and stayed with Aduk. Mr. Chiengkuach told me to pay the dowry to him on the phone, which was a big contradiction to what his family told me. I explained to him that your family members have told me, “You take care of your kids, and the marriage will be done in the future and after completing your education.” Mr. Chiengkuach was not convinced by what I told him. He explained and asked, “You have two children with my sister. I am the older brother of Aduk and head of the Awan family. Why do you fear to pay the dowry now?”

After my long discussions with Mr. Chiengkuach, I asked him, could you tell me the names of your sister’s children? He paused for a few seconds and negatively answered, “I don’t know their names.” I told him that if you don’t know the names of your sister’s children, why do you want me to pay the dowry for what you didn’t know? You must accept what your family members told me in 2005. “I am sorry and accepted my mistake. I was supposed to know the names of my sister’s children first,” Mr. Chiengkuach admitted his mistake. He was angry that I didn’t pay the dowry to him, and he later left without saying goodbye to me.

(14) In 2006, General Malual and Mr. Aleer Awan secretly gave their sister Aduk Awan to be a wife of a man without my knowledge, and she had a child with that man in 2007.

(15) In October 2006, General Malual and Mr. Aleer Awan stole my two kids from Nairobi and hid them, which cut communication with my children’s mother Aduk, and blocked me from feeding them and educating them. My last support was on March 31, 2009, when I sent money (\$ 300.00) to Aduk Awan Chiengkuach in Juba, South Sudan.

(16) General Malual and Mr. Aleer have been controlling my son not to be circumcised because they don’t believe in circumcision.

(17) General Malual and Mr. Aleer have been depriving my kids between the remote village and Bor Town not to attend good education in South Sudan, Kenya, or Uganda.

(18) On Friday, February 20, 2012, I contacted Aduk Awan in Bor Town. I asked her about the situation of the kids. Aduk replied and explained to me on the phone. “The situation of children is

bad. We came from Duk County recently. We have no clean drinking water and food in Bor Town. We need your help,” She concluded. I said ok. I can send you some money as the Somalian Bank (Tawakal Express) is present now in Bor Town, but can I greet my kids? She refused. “You cannot greet them. They are not your children,” Aduk claimed. I asked her, why do you need help from me if they are not my kids? Did somebody marry you with my kids? She didn’t answer my questions. I hung up my communications with her. I called Mr. Aleer Awan, who rejected my request to greet my kids on the phone. “You will greet your children after you completely paid the dowry. If you have finished your education and are ready to pay the dowry, you must come to Nyarweng village,” Mr. Aleer told me on the phone. I called General Malual and asked him if I could greet my kids, but he refused.

(19) On Thursday, July 25, 2013, I contacted General Malual in Juba and told him that my two uncles, Domenic Matiok and Atem Atem Ayach, wanted to meet you. They are willing to give you 15 cattle as an advance dowry payment because where you worked in Wau is very close to Twic County, but he refused. “It is very good idea, but I cannot meet people who didn’t marry my sister Aduk and receive 15 cattle from them. I just knew you and wanted you to come to Nyarweng village. If you have finished your education, please come to Nyarweng village. Our family in Nyarweng village is very famous. All youth in our family are educated,” General Malual explained. I told him that I would graduate in 2014 and I would not do marriage by myself. My uncles will do it to avoid cheating in the marriage. I also asked him if I could greet my kids. “You will not greet your kids before you pay the dowry,” he replied. I said ok and hung up my phone.

(20) On December 14, 2016, I connected my uncle Abraham Chol Ayach Chol with General Majur Aleer Deng, Aduk’s uncle. The two elders met in Juba and discussed moving forward with marriage. Both elders agreed. General Majur went to Bor Town. He met General Malual and Mr. Aleer Awan Chiengkuach. Gen. Majur explained to Gen. Malual and Mr. Aleer that I met Mamiir’s uncle, and he wanted to pay the dowries, but Gen. Malual and Mr. Aleer refused on Friday, January 20, 2017. “I talked with Gen. Malual and Aleer Awan for two days, and they constantly refused to allow your uncle Abraham Chol Ayach to start the dowry payments. Gen. Malual and Aleer Awan claimed that they only knew you and wanted to talk with you face to face rather than on the phone. So, you must come to South Sudan,” General Majur Aleer Deng explained to me on the phone (January 21, 2017) as he joined his two cousins’ demands for my going to the Nyarweng village.

(21) General Malual and Mr. Aleer Awan have been demanding that I go to Nyarweng village while there has been no relationship between the Nyarweng Section and me.

(22) Nyarweng Section has problems with the Red Armies (Lost Boys) in the Kakuma refugee camp. For example, in 1998, the Nyarweng Group 36 attacked the Red Armies of the Minor Group 41 in the Kakuma refugee camp for two days by using spears and rock stones that we cooked.

I know all the facts about the brutal fight against the Lost Boys in the camp because I was a group leader of Minor Group 41. The root cause of the conflict was being cooked for ourselves as we were parentless with no relatives in the Kakuma refugee camp.

In that brutal fight, countless people on both sides were badly wounded. After the battle, they feared attending the court in the camp. However, they chose to apologize in which a local judge Malong Lual Deng and refugee camp chairman Buol Lual Kuot had full knowledge about the issue

of the two groups. Therefore, I must refuse their high demands (Going to Nyarweng village) because General Malual and Mr. Aleer Awan Chiengkuach have a secret plan—Gen. Malual hired killers to kill me, or he wanted their people to kill me as revenge. They have been trying so hard to take away my whole life such that all my evidence will be disappeared, and they will own my two kids without a say from my family members in the future.

General Malual Awan Chiengkuach intentionally rejected receiving my advance dowry payment of 15 cattle in July 2013 from my two uncles (Domenic Matiok and Atem Atem Ayach). In addition, General Malual and Mr. Aleer Awan Chiengkuach refused to accept the dowry payments from my uncle Abraham Chol Ayach on Friday, January 20, 2017.

What do they want? I believe that General Malual and Mr. Aleer have deliberated plans to own my two kids. They renamed my son after their grandfather Chiengkuach, didn't allow my son to be circumcised, stole my two kids in Nairobi and hid them since 2006, deprived them of access to a good school, and they have been preventing me not to greet my kids on the phone.

General Malual and Mr. Aleer Awan have been saying one thing (promised me to marry Aduk Awan). Still, they have done the opposite thing (changed their promises by giving their sister Aduk Awan to somebody else), ultimately establishing an exact definition of hypocrisy.

I believe that the Payath clan in the Nyarweng section has been unjustly against me. They have children with other women, and they took their children after they failed to marry the mothers of their children. For example, first, Mr. Majok Aleer has a baby with a woman from Konger of Twic East in Jonglei State, but he fails to marry her and takes his son from Konger. In Konger, his son was named Atem, while Mr. Majok named his son Aleer Majok Aleer. Second, General Majur Aleer Deng has a baby boy with a girl from Equatoria. However, he took his son Ayom Majur Aleer after he failed to marry a mother of his son, and he put him in school in Uganda.

Lastly, General Malual Awan Chiengkuach has been hiding my two kids while he has a similar case with me. For example, General Malual had two children with a widowed mother of five called Aluel Ajong in the 1990s, and I had two kids with his sister Aduk Awan from 2002 to 2004. General Malual claimed his two children from the Palual clan in Nyarweng Section, and I am claiming my two kids from him.

To compare with my case, General Malual has two children with the widowed mother, who was still in a legal marriage. In contrast, I have kids with his sister Aduk who officially divorced her husband, General Ajak Deng Biar. In addition, General Malual was not interested in marrying the widowed mother Aluel Ajong, while I was willing to marry his sister Aduk Awan.

Ms. Aluel Ajong was married to Bol Ajok Deng Akol. Both couples have four children in their marriage. Unfortunately, Mr. Bol Ajok died. As a result, the widowed Aluel Ajong committed adultery, and she first had a child with General Deng Wek.

Later, General Malual Awan went into a romantic relationship with the widowed Aluel Ajong, and he has two boys with her. General Malual committed adultery because he had two children with

the widowed mother, who was still in a legal marriage. He didn't pay anything to the family members of Mr. Bol Ajok, who passed away.

In 2017, General Malual decided to claim for his two children in a local court in Bor Town, Jonglei State. On Monday, March 20, 2017, the court ruled the two children in favor of General Malual Awan Chiengkuach.

Dinka has a customary law that prevents self-loving people like General Malual not to own somebody's children and avoiding conflict in society. In our Dinka customary law, any man has the right to take his children if the family members of a bride have rejected a bridegroom to pay the dowry or a wife divorced her husband. For example, Aduk Awan divorced her husband, General Ajak Deng Biar. Because of our customary law, General Ajak could take his daughter Alakiir Ajak Biar.

In addition, in August 2012, the head of the Supreme Court in Jonglei State appointed Paramount Chief Alier Aluong Madit to lead the Bor County Supreme Court. During the opening of a County Court in Bor Town, Chief Alier Aluong said, *"a wife, per the Dinka customary laws, has no right to own her children. If she decides to divorce the husband for any reason, the children will go to the latter after paying the fives heads of each of these children. The husband can take his child after the age of two years and above from their mother"* (<http://gurtong.net/ECM/Editorial/tabid/124/ID/13671/Default.aspx> [Bor], November 06, 2013).

General Malual and Mr. Aler Awan Chiengkuach have been refusing me to marry their sister Aduk Awan Chiengkuach. Therefore, I have the right to claim my biological kids through the court system, and I am responsible for paying compensation for my two kids. My son's fake name (Chiengkuach) should be changed to the actual name (Ayach) in the court of South Sudan.

I enclosed my email communications with Aduk's brothers, some receipts, and the conflict between the Nyarweng Community Group 36 and the Minor Group 41 for your review.

Thank you so much for your special attention to this issue. If you have any questions, I can be reached on 719-321-6170 or at paulinochol10@gmail.com.

Respectfully Submitted,



Mamiir Chol Atem
Pursuing a Master of Law in the University of Denver College of Law, Colorado (USA)
Bachelor's Degree in Criminal Justice from the University of Colorado
Associate's Degree in Homeland Security and Emergency Management
Diploma in Homeland Security Specialist from Blair College

REPUBLIC OF SOUTH SUDAN
JUBEK STATE REJAF COUNTY
LOLOGO TWO COMMUNITY

DATE 11/2/2017

SUMMON

SUBJECT: MALUAL MAJOK CHIENGLUAC AND ALEER AWAN CHIENGLUAC

You are here by summon to appear before lologo two community on Date
11/2/2017 at 9:30 am with out failure for the case opened against two of you by

Mr. Chol Ayach Chol

Sign: 



Chief: Joseph Jok jock

Member of council chief of South Sudan

Jubek state Rejaf County

Wednesday, August 02, 2017

Re: My Case is Stuck and Payath Clan Has Rejected Me

To Whom It May Concern:

I am Paulino Mamiir Chol and am one of the Lost Boys. Between 2001 and 2004, I have two kids, a girl and a boy, with Rebecca Aduk Awan Chiengkuach, a sister of Mr. Aleer Awan Chiengkuach, and a half-sister of General Malual Awan Chiengkuach. In 2006, General Malual kidnapped my two kids in Nairobi, Kenya, and he illegally transported them to Duk County in Jonglei State.

In December 2016, I heard where my two kids were staying in Jonglei State. I petitioned General Malual and Mr. Aleer through the Trial Court in Juba. Uncle Chol Ayach Chol submitted my petition letter to the Community Trial court. Still, the court has failed to order General Malual because he is the SPLA General of Division Ten in Jonglei State with total impunity and immunity.

Important facts of my case with General Malual and Mr. Aleer Awan are as follows:

1. Between 2001 and 2005, the Payath clan, including General Malual, accepted me to be the husband of their sister Aduk Awan to take care of my kids when I was a student.
 2. After I went to America, General Malual kidnapped my two kids in Nairobi, and he took them to the Nyarweng village in Duk County of Jonglei State without my knowledge.
 3. General Malual and Mr. Aleer have been confining and depriving my two kids not to attend school in South Sudan or Kenya while their children are in school.
 4. General Malual and Mr. Aleer have been preventing me not to greet my two kids on the phone since 2012, which stopped my support for my two kids.
 5. In July 2013 and January 2017, I tried to make the dowry payments. Still, General Malual and Mr. Aleer refused to meet my family members and refused to receive my dowry payments from my uncles: Atem Atem, Domenic Matiok, and Chol Ayach.
 6. On February 07, 2017, uncle Chol Ayach filed a lawsuit against General Malual and Mr. Aleer through the Lologo Two Community Court in Juba to bring my two kids.
 7. On February 11, 2017, Chief Joseph Jok Jock summoned General Malual and Mr. Aleer.
 8. On February 24, 2017, Chief Jok changed his mind and sent the case to the community per Mr. Chiengkuach Awan Chiengkuach's request, who is a half-brother of Duk Awan.
 9. Between February and April 2017, the case failed in the community because Mr. Chiengkuach demanded the dowries to be paid to him in the absence of Aduk and children in Juba and Mr. Chiengkuach needed me to come to South Sudan.
 10. On Friday, April 28, 2017, Chol Ayach returned to the court. "General Malual is the SPLA General and is on the front line in Jonglei State. The case has to be resolved in Bor Town, Jonglei State," Chief Jok declared and concluded in the court.
 11. Chief Joseph Jok Jock failed to order General Malual, and he refused to forward my case to the high court because General intimidated Chief Joseph Jok Jock.
 12. On Tuesday, July 18, 2017, I arrived in Juba and informed Mr. Chiengkuach about my arrival. I requested to meet Mr. Chiengkuach.
 13. On Monday, July 24, 2017, at 3:27 p.m., I, with my Uncle Cirillo Malou Deng and brother-in-law Abraham Apam Chol met Mr. Chiengkuach at Chandit Pub in Jebel Market. I told him in the meeting that I am interested to proceed with marriage. However, if the Payath
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Paulino Mamiir Chol—My Case is Stuck in the Lologo Two Community Court

clan rejects me not marrying Aduk, I will pay compensation for my two kids and take them to school. Mr. Chiengkuach declared, explained, and concluded, “I am a head family of the Awan Family. Aduk is under my leadership. I will be responsible for whether you will marry Aduk or take your two children. I was the one who gave Aduk to General Ajak Deng Biar, and I took her back after General Ajak Deng mistreated my half-sister Aduk among his wives. I am also the one who gave Aduk to Paulino Mamiir Chol in Kenya without asking Paulino to make the dowry payments in the Kakuma refugee camp, as he was a student. I appreciate you, Paulino Mamiir, that you are educated and have returned to South Sudan. We still know you as the husband of our sister Aduk because you have two children with her. Nobody can deny your two children and reject you to marry Aduk. Aduk is still unmarried. She is staying in Bor Town with your kids. Aleer Awan Chiengkuach is staying in Panyagoor. I will send your message to my family members living in Juba that Paulino Mamiir is ready to proceed with the marriage. The goodness is that my uncle Majok Aleer Deng is present in Juba. General Malual and General Majur have come to Juba as well. I believe that nobody will reject you to marry Aduk or deny you to take your two kids.”

14. On Tuesday, July 25, 2017, Mr. Chiengkuach met with the family members in Juba, including General Malual, General Majur Aleer Deng, and Mr. Majok Aleer Deng.
15. On Tuesday, July 25, 2017, at 8:40 p.m., Mr. Chiengkuach called me at (0) 920-099-998. “Family members rejected you to proceed with marriage because you lost communication with your wife Aduk Awan for a long time. You can convince your wife Aduk. If Aduk still loves you, she will report it to us. You can also visit your two children in Bor Town,” Mr. Chiengkuach revealed and advised me on the phone.

I told him I would not travel to Jonglei State and visit my two kids because I have no relationship with the Payath clan and Aduk Awan.

With those facts in mind, my case is stuck in the lower court, and the Payath clan has rejected me not to proceed with the marriage. I believe that Chief Joseph Jok Jock's decision to send my case to the community and his failure to forward my case to the high court were unfair. In addition, the Payath clan did not accept me to marry their sister Aduk because she (Aduk) has three children with different men after my two kids. Therefore, I am left with only one option: I need my two kids, Nyandeng and Ayach, through the high court from General Malual, Mr. Aleer, and Mr. Chiengkuach. See my petition, summon letters, and e-mail communications with Aduk's brothers (Mr. Aleer and Jok Awan Chiengkuach).

Respectfully Submitted,



Paulino Mamiir Chol
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E-mail: Paulinochol10@gmail.com

جمهورية جنوب السودان

السلطة القضائية

أمانة عامة

محكمة: قضاء حلفاية

الأطراف: قأواينو عامر / هذا / ادول اولاد شاتلق

رقم الملف: رقم / ٤٩٧ / ١٧ - ٢٠

إلى: السيد كاتب الإعلانات في حاتم القضاء

أنت مكلف بإعلان الشخص المذكور أدناه أمامي في اليوم ٩ من شهر سبتمبر

سنة ١٧ الساعة صباحاً ٢٠

بخصوص: شركي

إسم الشخص المراد إعلانه: ادول اولاد شاتلق

عنوان: حلفاية حاتم

التاريخ: ١٦ / ٨ / ١٧

توقيع القاضي: السيد / حاتم / حاتم

إسم القاضي و زوجته: السيد / حاتم / حاتم

إفادة الشخص المنفذ: رجح تاريلام

السيد/ قاضي محكمة: السيد / حاتم / حاتم

قد أعلنت الشخص المذكور في يوم ١٦ / ٨ / ١٧ م

أو لم يتم إعلان الشخص المذكور بسبب: السيد / حاتم / حاتم

التاريخ: ١٦ / ٩ / ١٧

توقيع المنفذ: السيد / حاتم / حاتم

السيد / حاتم / حاتم

السيد / حاتم / حاتم

جمهورية جنوب السودان

السلطة القضائية

إعلان عام

محكمة: قضاء جوبا
الأطراف: قاروليسو ماتيرون / شانتسو اوان ساندو
رقم الملف: 17/17/17
إلى: رئيس مكتب الإعلانات بالجوبا
أنت مكلف بإعلان الشخص المذكور أدناه أمامي في اليوم 9 من شهر 1 سنة 2017 الساعة صباحاً 10
بخصوص: بيلو
إسم الشخص المراد إعلانه: شانتسو اوان ساندو
عنوان: جوبا
التاريخ: 17/17/17
توقيع القاضي: 15 AUG 2017
إسم القاضي و درجته: القاضي
إفادة الشخص المنفذ: القاضي
السيد/ قاضي محكمة: القاضي
قد أعلنت الشخص المذكور في يوم 1 / 1 / 20
أو لم يتم إعلان الشخص المذكور بسبب: القاضي
التاريخ: القاضي

توقيع المنفذ:

السيد/ القاضي
مكتب الإعلان المذكور - أعلام جوبا



توكيل

أنا الموقع إسمي أدناه /فاولينو مامير شول اتيتم بطوعي وبإختياري وبكامل قواي العقلية والبدنية وباهليتي
المعتبرة شرعا وقانونا بهذا قد أوكلت السيد/شريلو ملو دينق كاجباي لينوب عني ويقوم مقامي في متابعة
إجراءات الدعوي المدنية رقم (297) 2017 امام محكمة مقاطعة جوبا.وله في سبيل ذلك الحق في مقابلة
جميع السلطات والجهات المختصة والتوقيع على جميع المستندات المطلوبة نيابة عني ،وكما ان له الحق في
دفع أي رسوم مقررة بشأن ذلك وكما أن له الحق في توكيل غيرها فيما أوكل إليه،وكما أن له حق التقاضي
في جميع المحاكم بمختلف درجاتها .وأزنت لمن يشهد والله على ما أقول شهيد .

الموكل

فاولينو مامير شول اتيتم

جنسية رقم 000449598 إصدار جوبا بتاريخ 2014/12/19م

الشهود

1ميام رينق ادور- جنسية رقم-000415117 بتاريخ 2014/08/30م

2 - دومنيك بول دينق جنسية ج سودان رقم- 000183034 بتاريخ 2013/03/21م

توثيق رقم ش ج م ي / 131 / 2017م

أمامي أنا / شير جيل مجيج يل المحامي وموثق العقود لقد حضر الموكل وشاهديه ووقعوا على هذا
التوكيل بعد تلاوته عليهم وعلمهم بمحتواه .

صدر تحت توقيعني وختمي اليوم 2017/9/09م



جمهورية جنوب السودان - سوق جوبا

Paulino Mamiir Chol—Hai Amarat, Juba

Wednesday, September 06, 2017

The Honorable Justice Achok Chan Reech
National High Court
Juba, South Sudan

Ref: Authorization Letter

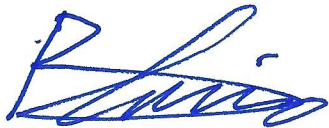
Dear Justice Achok:

I, Paulino Mamiir Chol, authorize my uncle Cirillo Malou Deng, my cousins James Majak Atem, and Gor Kol Ajak to stand in court for the case of my two kids (Nyandeng and Ayach) in my absence.

On Monday, September 11, 2017, I will return to the United States for my further studies. Due to that reason, I will not be present in Juba, South Sudan, and I will be unable to attend the court. Therefore, I highly authorized them to speak on my behalf and sign any court document that will need my signature.

Thank you so much for your kind understanding. If you have any questions, I can be reached at paulinochol10@gmail.com.

Sincerely,



Paulino Mamiir Chol

Tuesday, February 26, 2019

African Court on Human and Peoples' Rights
Mwalimu Julius Nyerere Conservation Centre
Dodoma Road, P.O. Box 6274 Arusha, Tanzania

Re: Petition Letter For Suing General Malual Awan (Majok) Chiengkuach

To Whom This May Concern:

I am Paulino Mamiir Chol, born in Twic County, South Sudan. I was a Former Lost Boy Leader from South Sudan who managed the Resettlement Program of over 4000 Lost Boys in Kakuma refugee camp, Kenya, to the United States from 1997 to 2004. I was the first point of contact for the United Nations officials, South Sudanese officials, and South Sudanese community leaders in the camp. I went to America as a refugee in 2004. I am an American citizen.

I am aware that South Sudan did not sign and ratify the African Charter on the Rights and Welfare of the Child, but South Sudan ratified the Convention on the Rights of the Child on January 23, 2015. Do I have the right to sue Gen. Malual at the African Court for the illegal abduction of my two kids?

Between 2001 and 2004, I have two kids with Aduk Awan Chiengkuach in the Kakuma refugee camp, Kenya. On January 28, 2004, I went to America and left Aduk in Nairobi, Kenya, under my responsibility. In October 2006, General Malual Awan Chiengkuach, a half-brother of Aduk, kidnapped and abducted my two kids in Nairobi, Kenya. General Malual illegally transported my two kids from Kenya to South Sudan, and he confined them in Jonglei State, South Sudan. The action of General Malual cut communication with my two kids' mother Aduk, blocked me from feeding my two kids, and prevented me from putting my two kids to school. My last support was on March 31, 2009, when I sent money (\$ 300.00) to Aduk in Juba, South Sudan.

General Malual, a commander of the SPLA Division ten in Jonglei State, has failed to provide adequate food, clothing, medical care, and education for my two kids, which presents an imminent risk of serious harm to my two kids while he has been supporting his children.

In 2016, I heard that my two kids were living in Jonglei State. I sued General Malual at the State Court and National Court in Juba, South Sudan, to bring my two kids, but the two courts failed to bring General Malual to the courts because of his high ranks in the SPLA Military Leadership.

As the judicial branch is toothless in the Republic of South Sudan to order general Malual, my last option is to sue General Malual from outside South Sudan to bring my two kids. I look forward to hearing from you if I have the right to sue General Malual at the African Court. If you have any questions or would like more information from me, I can be reached at paulinochol10@gmail.com

Respectfully Submitted,



Paulino Mamiir Chol

Pursuing a Master of Law in the University of Denver College of Law, Colorado (USA)
Bachelor's Degree in Criminal Justice from the University of Colorado

AFRICAN UNION

الاتحاد الأفريقي



UNION AFRICAINE

UNIÃO AFRICANA

AFRICAN COURT ON HUMAN AND PEOPLES' RIGHTS
COUR AFRICAINE DES DROITS DE L'HOMME ET DES PEUPLES

P.O Box 6274 Arusha, Tanzania Telephone: +255 27 2970 430 /431/432/433/434

Web site www.african-court.org Email: registrar@african-court.org

Office of the Registrar

Ref. : AFCHPR/Reg.Misc/02/2019/011

Date : 1 March, 2019

Paulino Mamiir Chol
Mobile: 719-232-4960
Email: paulinochol10@gmail.com

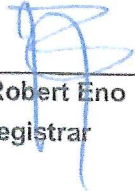
Subject: Acknowledgement of receipt

The Registry of the African Court on Human and Peoples' Rights acknowledges receipt of your email dated 26 February 2019.

Upon review of your email, we wish to advise that the Court deals with Applications filed against State Parties to the Protocol to the African Charter on Human and Peoples Rights on the establishment of an African Court on Human and Peoples Rights, and does not have jurisdiction to hear cases against individuals. Note also that as of 1 March 2019, South Sudan has not ratified the Protocol.

Under Article 3 of the Protocol establishing the African Court on Human and Peoples Rights, the jurisdiction of the Court extends to "all cases and disputes submitted to it concerning the interpretation and application of the Charter ... and any other relevant Human Rights instruments ratified by the States concerned". For more information about the Court please visit: <http://en.african-court.org/>.

Please accept the assurance of our highest consideration.


Dr. Robert Eno
Registrar



Monday, March 4, 2019

East African Court of Justice
Africa Mashariki Road, P. O. Box 1096
Arusha, Tanzania

Re: Petition Letter For Suing General Malual Awan (Majok) Chiengkuach

To Whom This May Concern:

I am Paulino Mamiir Chol, born in Twic County, South Sudan. I was a Former Lost Boy Leader from South Sudan who managed the Resettlement Program of over 4000 Lost Boys in Kakuma Refugee Camp, Kenya to the United States from 1997 to 2004. I was the first point of contact for the United Nations officials, South Sudanese officials, and South Sudanese community leaders in the camp. In 2004, I went to America as a refugee. I am an American citizen.

I know South Sudan is a member of the East African Community and ratified the Convention on the Rights of the Child on January 23, 2015. Does the East African Court of Justice have jurisdiction to hear a case against an individual from the State Member?

Between 2000 and 2004, I have two kids with Aduk Awan Chiengkuach in the Kakuma Refugee Camp, Kenya. On January 28, 2004, I went to America and left Aduk in Nairobi, Kenya, under my responsibility. In October 2006, General Malual Awan Chiengkuach, a brother of Aduk, unlawfully kidnapped and abducted my two kids in Nairobi, Kenya. General Malual illegally transported my two kids from Kenya to South Sudan, and he confined them in Jonglei State, South Sudan. The intentional action of General Malual cut communication with my two kids' mother Aduk, blocked me not to feed my two kids, and prevented me from putting my two kids to school.

General Malual, a commander of the SPLA Division ten in Jonglei State, has failed to provide adequate food, clothes, medical care, and education for my two kids, which presents an imminent risk of serious harm to my two kids while he has been supporting his children.

In 2016, I heard about my two kids living in Jonglei State. I sued General Malual at the State Court and National Court in Juba, South Sudan to bring my two kids, but the two courts failed to bring General Malual to the courts because of his high ranks in the SPLA military leadership.

As the judicial branch has been toothless in the Republic of South Sudan to order General Malual, my last option is to sue General Malual from outside South Sudan to bring my two kids. I am looking forward to hearing from you if the East African Court of Justice has the jurisdiction to hear a case against the individual from the State Member. If you have any questions or would like more information from me, I can be reached at paulinochol10@gmail.com

Respectfully Submitted,



Paulino Mamiir Chol
Pursuing a Master of Law in the University of Denver College of Law, Colorado (USA)
Bachelor's Degree in Criminal Justice from the University of Colorado (2014)



Paulino Chol <paulinochol10@gmail.com>

Case of my kids

1 message

Paulino Chol <paulinochol10@gmail.com>
To: info@panafricanlawchambers.com

Wed, Apr 24, 2019 at 7:23 AM

Dear Lawyer Wani Santino Jada,

I am Paulino Mamiir Chol from South Sudan. I am currently residing in the United States. I learned that you have been a practicing Advocate with experience before the regional court of East African Court of Justice.

On March 04, 2019, I sent my petition letter to the East African Court of Justice about the case of my kids, but there was no reply.

I am wondering, can you represent me at the East African Court of Justice for my kids' case?

I have attached my petition letter for your review. Let me know.

Paulino

 **PETITION LETTER 03-04-2019-EACJ.pdf**
5107K



Paulino Chol <PaulinoChol10@gmail.com>

CHILD ABDUCTION

2 messages

info@panafricanlawchambers.com <info@panafricanlawchambers.com>
To: PaulinoChol10@gmail.com

Fri, May 10, 2019 at 9:25 AM

Dear Paulino,

you have a good case to peruse....however can you furnish us with the court pleadings you filed at the the South Sudan Domestic court including the court ruling?

I can be reached on my whatapp no +256777203152

Looking forward to hearing from you soon

Kind Regard.

ADVOCATE/ WANI SANTINO JADA

Paulino Chol <PaulinoChol10@gmail.com>
To: info@panafricanlawchambers.com

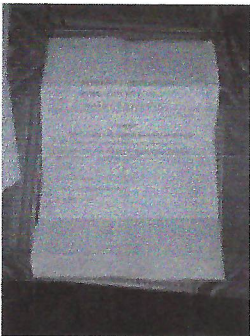
Sun, May 12, 2019 at 8:01 PM

Dear Attorney Santino Wani,

I have attached my materials (petition letter on General Malual Awan Chiengkuach, Summon Letter from State Court, letter to national court, Summon Letter from National Court, my authorization letter, my email communications with Aduk's two brothers (Aleer and Jok Awan Chiengkuach), receipts, and African Court Letter for your review. There was no court ruling.

Paulino

[Quoted text hidden]

9 attachments

STATE COURT.jpg
1086K

PETITION ON GENERAL MALUAL 2017.pdf
442K

LETTER TO NATIONAL COURT 08-02-17.pdf
374K

NATIONAL COURT.pdf
1852K

AUTHORIZATION LETTER.pdf
260K



PAN AFRICAN LAW CHAMBERS (PALC)

Advocates, Solicitors & Legal Consultant, Immigration Attorneys, Company Secretariat, Investment & Tax Consultant, Government Procurement, International Trade, mergers & Acquisitions, Corporate & Commercial Law, Family Law, Intellectual Property Law, Public International Law, Human Rights law, Alternative Dispute Resolution, Civil Litigation, Criminal law, Employment Law, & Real Estate.

ATLABARA B, JUBA-SOUTH SUDAN.

Our Ref PALC/1456/30/7/2019

July 30, 2019

Your Ref

TO:

General Malual Awan (Majok) Chieng kuach,
Division 10 Jonglei State

Through the directorate of military Justice.
South Sudan Defense Force (SSDF)

Dear Gen Malual Awan (Majok),

RE: NOTICE OF INTENTION TO SUE FOR KIDNAPPED AND ABDUCTED CHILDREN.

1. **WE ACT FOR AND ON BEHALF** of **PAULINO MAMIIR CHOL** (hereinafter referred to as a client), who claims that, you kidnapped, abducted, and transported his biological children that was **NYANDENG & AYACH** from Nairobi, Kenya through Kakuma Refugee Camp to South Sudan in October 2005. **Annexed hereto is the picture of the children and their mother.**
2. These children are refugee and are protected by the United Nations Convention of the rights of refugee 1951 and the 1969 OAU Convention Governing the Specific Aspects of Refugee Problems in Africa (hereinafter OAU Convention).
3. You transported the children to a remote part of Jonglei State in South Sudan without the knowledge of their biological father. It is within your knowledge that (1) you have been brainwashing the two kids of my client that they do not have a biological father because you changed their names to your family names. (2) The two kids have not been going to good school that their biological father ought to have afforded to keep them under his responsibility. (3) His children are not enjoying their childhood life that they should have been in if they were to be under their biological father. (4) You have been preventing my client not to communicate with his children.

ADVOCATES & PARTNERS AT PALC:

WANI SANTINO JADA LLB, DLP (LL.P.D) LL.M (Candidate)

LODULE PETER LARU LLB, LL.M.

+211925134277, +211955134277

+211922475511, +211916321969

Emails: info@panafricanlawchambers.com, wani.santino@panafricanlawchambers.com, lodulepeter@panafricanlawchambers.com website: www.panafricanlawchambers.com

REGIONAL PARTNERS AT PALC:

Dr. OTIENO MICHAEL LLB (Hon), DLP, LL.M, PHD, East Africa (EA)

Dr. AHMED AMADO LLB (Hon), DLP, LL.M, PHD West Africa (WA)

Dr. AZAH RUTH LLB (Hon), DLP, LL.M PHD Southern Africa (SA)

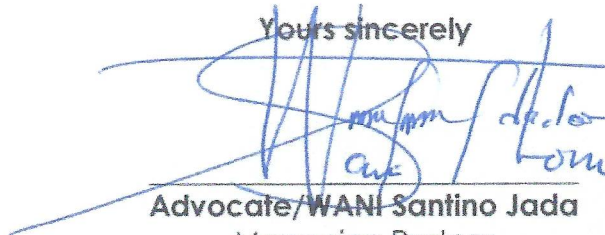
MOHAMED YUSUF AL SUDANI LLB (Hon), LL.M Northern Africa (EA)


When replying please quote the above reference



4. My client was aggrieved by the fact that the children were granted to their biological father at the domestic court in Jungluei, you went further to use your title and position to threaten the chiefs, hence denying my client rights to parenting his true blood (biological children).
5. Your deliberate actions **amount to abuse of power, child abduction, human trafficking, and obstruction of Justice and contravene the best interest of the child** as envisage ARTICLE 17(1) (h) of the Transitional Constitution of South Sudan amended in 2015, section 6 of the South Sudan child Act 2008 and in International convention on the rights of children 1989. It further contravenes Article 6(d) and article 7(2) of the Treaty Establishing the East African Community 1999 and all enabling provisions of laws).
6. You are therefore urged to appear at the office of the law firm for settlement of the matter and you're further urged to make payment of 17,000 USD (seventeen thousand United States dollars) as advocate fees
7. **TAKE NOTICE Pan African Law Chambers (PALC)** advocates has given you **14 days** from today to act upon the claims and upon such failure to your detriment and embarrassment, we shall proceed to file the matter in the **regional court** (East African Court of Justice in Arusha, Tanzania) as the only viable option without further notice.

Yours sincerely


Advocate/WANI Santino Jada
Managing Partner
PAN AFRICAN LAW CHAMBERS (PALC)
Advocate of the complainant


30 JUL 2019
PALC
CHAMBERS

CC: Minister of Justice, Paulino Wanawilla Unango
: Minister of Defense and Veteran Affairs, General Kuol Manyang
: General Chief of Staff, General Jok Riak
: file

SOUTH SUDAN PEOPLE'S DEFENCE FORCES



GENERAL HEADQUARTERS DIRECTORATE FOR MILITARY JUSTICE OFFICE OF THE DIRECTOR

Date: 20th Nov, 2019

To: Pan African Law Chamber
Thro: Ministry of Justice

Subject: Respond to Pan African Chamber concerning Maj. Gen. Malual Majok Ciengkuac.

With due respect and concerning the above mentioned subject and on behalf of our client **Malual Majok** allow us to reply to the accusation raised against him by your client Mr. Paulino Mamiir as follows:-

- 1- **Malual Majok** is not the right person to be sue in this case because he is not the direct brother to **Aduk** but he is a cushion to **Malual Majok** and **Malual Majok** is not called **Malual Awan Majok** as stated; hence the real brother to **Aduk** is **Ciengkuac Awan Ciengkuac** and he is alive.
- 2- The accusation of kidnapping the children by **Malual** is not true but they moved to their homeland **Bor** freely with their Mother by then.
- 3- There is not any legal bound between **Mr. Paulino Mamiir** and **Aduk** but he pregnant her while she was a wife to another person and this is a crime according to **Dinka** culture; also he did not report himself to the family of the lady.
- 4- **Malual Majok** did not threaten your Client's life one day by killing or by any means.
- 5- The Family of **Mrs. Aduk** are ready to seat and solve the matter out of Court by starting the issue from from **Duk County** or in **Juba** here and your Client have to come to **Juba** to sit directly with **Aduk Brother** who is **Ciengkuac Awan no Malual Majok**.
- 6- This matter has been solved one day before traditional Court and your Client loss the case.
- 7- Your Client has to write strong apology directly to **Malual Majok** because he is not the part to that problem.

Attached respond by **Malual Majok**

This end is hereby waiting for your positive respond.

Yrs Obediently

Brig. Gen: L.L.B
Aguer Chol Aguer
Judge Advocate General
Director for Military Justice
SSPDF GHQs- Bilpam

Copies to:-
Mr. Malual Majok
WIL

Republic of South Sudan
South Sudan People's Defense Force
GHQs-Bilpam

To: The Director of Military Justice

Date 13/11/2019

Subject: Reply to the false accusations leveled against me by Mr. Paulino Mamiir Chol regarding alleged Kidnapping and Abduction of his children.

Comrade,

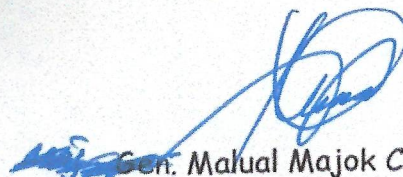
The position of the case in front of you which was totally wrongfully presented against me is maliciously done in bad faith and intention in order to damage my reputation and character by publically recording before court serious allegations of kidnapping and abduction of the children; this is an everlasting damaging of my reputation, therefore I humbly asking your esteem office to consider the following points in order to clear my name in the alleged case:

1. I have been asked to appear before Pan African Law Chamber in Juba for legal procedures!! This cannot come. According to the paramount principles and according to the South Sudan laws I am not obligated/ bound by the law to appear before the opponent's advocate office. The said law firm is an advocate for the compliant Paulino Mamiir Chol. They are working for and on his behalf according to their attached petition of date 30/7/2019. Therefore I **AM NOT BOUND LEGALLY TO APPEAR BEFORE THEM**. I can appear before the local competent Chief's court in Duk not elsewhere regarding this issue.
2. Based on the petition of the complainant, he is talking about and to the wrong person. He is accusing Gen. Malual Awan Ciengkuac, while I am Malual Majok Ciengkuac. See my attached ID Card. Based on this, his petition should be dismissed because he is accusing the wrong person. I am not the direct brother nor the direct responsible person of the alleged wife.

3. Late. Awan Ciengkuac who I know so far is my paternal uncle and he has good number of grownup sons of which his eldest son is Ciengkuac Awan Ciengkuac. He is above fifty years old, a senior officer in South Sudan Defense Force based in Juba. Very importantly he is a person in full charge of their family affairs and also followed by his brothers Aleer Awan Ciengkuac and Akoi Awan Ciengkuac. Therefore how on earth do I become responsible person in their family affairs in the presence of the above members???
4. Complainant stated in his petition that Aleer Awan Ciengkuac is a brother to the Aduk the alleged wife; he also stated the Apam a half-brother to Aduk and her cousin Bol, have been in communication with him and have been receiving money from him. Then how did I come in here??
5. COMRADE, for your information, the complainant is someone I do not know never met neither seen him. So how do I engage with the fugitive who is defaming my name by serious wrongful accusations and allegations??
6. One day the complainant called me on phone regarding the same case and I was very straightforward and frank with him by informing him about the right people in the family of Awan Ciengkuac who can better address the issue. That was when he filed this case against Ciengkuac Awan Ciengkuach, of which I do not know how it ended.
7. **The Family issues: Pursuant to Private International Law:**
 - i. According to our Transitional Constitution of South Sudan of 2011 amended 2015, and our domestic laws the applicable laws see section (6) of the Civil Procedure Act 2007, the applicable law is Dinka Bor Customary law- family law. Therefore the cited sections of American Act are irrelevant to this issue... Beside that we are South Sudanese not American. The alleged wife and children are Dinka not Americans and are here in South Sudan.
 - ii. According to Dinka Bor Customary Law the applicable law is the girl law - Dinka Bor Customary Law.
 - iii. According to Dinka Bor Customary Law local jurisdiction court is Chiefs' court in Duk where Aduk came from and where she is staying with children not Lologo Chief's court in Juba.
 - iv. United Nation Convention on Child Rights did not annulled Dinka Bor Customary Law especially family issues. The same Convention does not allow a man to impregnate a girl from Dinka and takes offspring without

paying dowry or redemption without the consent of her parents-relatives. That should be a severe violation to our Dinka Human Rights concepts.

- v. Those who come to Justice must come with a clean hand. Complainant must be clean to claim his alleged violated rights...
8. Allegations of threatening: I did not threaten him and for what reasons should I ?? These are total mere allegations without a single evidence nor citing a single event. The said wife and the children are not staying me nor am I the responsible person.
 9. It is obvious that I do not have any power over south Sudan courts of law.
 10. Complainant is just smearing and staining my good reputation by alleging heinous accusations.
 11. Complainant filed a case again Ciengkuac Awan Ciengkuac about this issue, what happened that case and why he abandoned it and try to file the same case against me??!!
 12. Since the case is all about the marriage, the children and good relationship between the two families, I do hereby recommend and advise complainant to come and address his case outside the court traditionally with the concerned family of Awan Ciengkuack of which Ciengkauc Awan Ciengkuach is the right person in charge.
 13. Finally, after the above clarification, I do hereby advise him (complainant) to remove my name off the case because I am not the right responsible person of this family.
 14. Lastly dismiss his unfounded allegations and direct him to the appropriate channel and person.


Gen. Malual Majok Ciengkuac

Friday, November 22, 2019

Re: My responses to Judge Advocate General Aguer Chol Aguer and General Malual

My responses to Judge Advocate General Aguer Chol Aguer are as follows:

First claim: “Malual is not the right person to be sued in this case because he is not the direct brother to Aduk, but he is a [cousin] to Malual Majok. The real brother to Aduk is Chiengkuach Awan Chiengkuach and he is alive.” Your claim is not true. Based on my knowledge of the Awan family, General Malual is not a cousin or an uncle to Aduk Awan. He is an older half-brother of Aduk Awan. Chiengkuach Awan Chiengkuach is also a half-brother of Aduk Awan. The real and older brother of Aduk Awan is Aleer Awan Chiengkuach.

The mother of my two kids told me in the Kakuma refugee camp that General Malual is her older half-brother. Majok Chiengkuach Jok was an older brother of Awan Chiengkuach Jok. In addition, Aleer Awan Chiengkuach, an older brother of Aduk Awan and other relatives, told me that, General Malual is the first born of Awan Chiengkuach Jok after Majok Chiengkuach Jok passed away. If General Malual keeps disputing my valid claim, deoxyribonucleic acid (DNA) must be conducted between Aduk and General Malual Awan. I believe that General Malual Awan will never deny DNA results.

Second claim: “The accusation of kidnapping the children by Malual is not true, but they moved to their homeland Bor freely with their mother.” That is not true. General Malual kidnapped my two kids because he was in Nairobi then. I brought my kids to Nairobi, and they left without my knowledge. I learned from other relatives that General Malual planned the kidnapping because he didn’t get anything from me as he never asked me for help while in school. General Malual wanted me to give him money under the table such that the money should not be counted as dowry payment.

Third claim: “there is [no] any legal bound between Mr. Paulino Mamiir and Aduk but he [impregnated] her while she was a wife to another person, and this is a crime according to Dinka culture; also, he did not report himself to the family of the lady.”

That is not true, and it is not a crime if you read my materials. Aduk Awan was not a wife to another person because, in 1999, Aduk Awan filed a case to divorce her husband, General Ajak Deng Biar, through a local court in the Kakuma refugee camp, Kenya. Aduk Awan cited being neglectful and unsupportive of her husband, Gen. Ajak, and living separately for more than six years. The local court affirmed to divorce her husband, but her husband, General Ajak, was not satisfied with the ruling then.

On February 15, 2006, General Ajak demanded his wife Aduk through a local court in the Kakuma refugee camp. Gen. Ajak claimed, “Aduk is still my wife and my daughter Alakiir’s mother.” On the phone conversations, Aduk told me her reply to her former husband Gen. Ajak in the court that an old Dinka is saying: “One hand cannot clasp itself. Only two hands can clasp themselves, that means a person with two children with me is my right husband.” As a result, the local court ruled

the case in favor of Aduk Awan to divorce her husband General Ajak again. The court fined Aduk, and I paid her fine of \$ 200. Gen. Ajak took his daughter Alakiir Ajak Deng.

General Aguer Chol, you claimed that I didn't report to the family of Aduk Awan. That is not true. I spoke with the family members of Aduk Awan, including General Malual. For example, on March 15, 2005, Mr. Aleer Awan Chiengkuach directed me to talk with his family members who lived in Africa, America, and Canada such that I should be approved to be his sister's husband Aduk. I contacted the family members he told me to talk with them in America, Africa, and Canada. Luckily, the family members officially approved me. "Support your children, and the marriage will be done in the future after you have finished your education," family members advised me on the phone at different times. Second, Mr. Aleer Awan directed me to talk with the head family General Malual for final approval. On March 28, 2005, I contacted Malual in Nairobi, Kenya, concerning my relationship with Aduk, and he finally accepted me. "Go to school, and marriage will be the next step after you have completed your education. Don't worry about the marriage now. You can miss an opportunity to go to school, but you cannot miss an opportunity to get married. I want you to be educated. I have consulted our family members about you, and everybody in our family knew your good character when you were in the Kakuma refugee camp with them. They all loved you to be the husband of our sister Aduk Awan. Your two children are a good sign that you are one of our family members. Therefore, I have finally approved your relationship with Aduk. From today onward, Aduk Awan is your wife," General Malual declared, advised, and concluded on the phone when he was in Nairobi, Kenya.

Fourth claim: "Malual did not threaten your client's life one day by killing or by any means." Your claim is not true. I know our leaders because I grew up in the bush. Some of them used to say something, but they meant the opposite. General Malual has been demanding me to go to Nyarweng village while he keeps rejecting the involvement of my family members. For example, on December 14, 2016, I talked with General Majur Aleer Deng about my kids on the phone. "I thought you don't want your two children. Some of my family members told me you do not need your children, but I am aware that nobody can produce children for others. Even I have a child boy with a woman from the Equatoria Region, and I took my son. My son is in school in Uganda. If you really need your two children, or you want to marry Aduk Awan, please connect me to your family members, and I will coordinate the marriage process to go ahead." General Majur explained to me on the phone.

I told him that I had been willing to marry Aduk, but General Malual refused without reasonable explanations. Gen. Majur said, "If you connect me to one of your family members in Juba, I will go to Bor Town and talk with Malual and Mr. Aleer about your willingness to marry Aduk." I told him I would connect you to my uncle Chol Ayach in Juba. Gen. Majur agreed. On December 16, 2016, I connected my uncle Chol Ayach Chol with Gen. Majur Aleer Deng, Aduk's uncle. The two elders met in Juba at Gen. Majur's home and discussed moving forward with the marriage process. Both elders (Chol Ayach and Gen. Majur Aleer) agreed. Gen. Majur went to Bor Town.

On Friday, January 20, 2017, Gen. Majur met his two cousins, General Malual and Aleer Awan. Gen. Majur explained to General Malual and Mr. Aleer Awan that I met Paulino's uncle, and he wanted to marry Aduk Awan. Still, his two cousins, General Malual and Mr. Aleer Awan refused

to meet my uncle Chol Ayach. “I talked with my two cousins Malual and Aleer for two days and they constantly refused to meet your uncle Chol Ayach and to proceed with the marriage procedure. Malual and Aleer claimed that they only knew you and wanted to talk with you face to face rather than on the phone. So, you must come to South Sudan and meet them,” Gen. Majur explained to me on the phone with an unusual voice on January 21, 2017.

After General Malual refused to meet my uncle Chol, we decided to sue them in community court. Still, General Malual threatened Chief Joseph Jok Jock to send the case to the community. Mr. Chiengkuach Awan Chiengkuach took the case of my kids and demanded dowries to be paid without Aduk and children. As a result, the case died in the hand of Chiengkuach Awan, demanding the payment of dowries without Aduk and children. In 2017, I went to Juba. I met Chiengkuach Awan and there was no change. At that time in Juba, other family members who loved me had advised me that the problem was General Malual.

Fifth claim: “The family of Aduk are ready to seat and solve the matter out of court by starting the issue from Duk County or in Juba here, and your client have to come to Juba to sit directly with Aduk brother who is Chiengkuach Awan no Malual.”

That is not true. They are not ready to solve the matter. I tried all options, but it didn’t work out. For example, I talked with General Malual, Mr. Aleer Awan, Mr. Chiengkuach Awan, and General Majur Aleer, but they all refused to sit down with my family members. I went to courts in Juba and no solution. They have a conflict of interests. For example, Mr. Chiengkuach Awan wanted dowries to be paid to him while General Malual and Mr. Aleer planned to kill me, so they should own my kids without any say from my family members. That was why they refused the involvement of my family members. With those reasons in mind, I have ultimately rejected their high demands of solving this case without court. I will meet General Malual in the regional court of East Africa but not in Juba.

Sixth claim: “This matter has been solved one day before traditional court, and your client [lost] the case.” I didn’t lose the case, but General Malual threatened Chief Joseph Jok Jock. In addition, Mr. Chiengkuach Awan requested the case to be solved in the community, but his demand was a fraud, and the case died in his hand. Why does he keep demanding the payment of dowries while Aduk Awan and the kids were not in Juba? Mr. Chiengkuach Awan was not honest about solving the case of Aduk with kids. Mr. Chiengkuach Awan was interested in getting my wealth without Aduk with kids.

Seventh claim: “Your client has to write a strong apology directly to Malual because he is not the part[y] to that problem.” That is not true. General Malual is the sole party. I will write an apology letter to him after the DNA approved General Malual that he is not a half-brother of Aduk Awan. However, General Malual will write an apology letter to my two kids for the harm he did to them. For example, (1) General Malual illegally kidnapped and abducted my two kids in Nairobi, Kenya. (2) General Malual has been depriving my kids of access to school and healthcare while his children are in school and in good health. (3) General Malual detaining my two kids in a bad situation while his children enjoy. (4) General Malual has prevented me from talking with my two

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kids because they should not know they have biological fathers. (5) General Malual prevented my son Ayach from circumcision as he has been against circumcision.

In short, General Ajak Deng Biar took Aduk Awan under the leadership of General Malual Awan when she was a babysitter of General Malual's children. Aduk Awan officially divorced General Ajak in Kakuma refugee camp, Kenya, in 1999, and I went into a relationship with Aduk Awan in 2000. I had a baby girl with Aduk Awan in April 2002 and a baby boy in May 2004.

General Malual is the biological son of Awan and a head family of Awan. There are two pieces of evidence that General Malual is a head family of Awan. First, in 2005, after the older brother of Aduk Awan accepted me to be the husband of his sister Aduk Awan, he sent me an email that said, "What I will tell you more try to talk with those brothers who are with you in America. If they accept you, the last person you can talk to will be our head family Malual, and he is in school in Nairobi." Aleer Awan told me that General Malual is Awan's older son and head family. General Malual was the final person to approve me. Aleer Awan instructed me to talk with all relative members, and I did. The last person I talked with was General Malual, who endorsed me after I spoke with him many times while he was in Nairobi for school. Second, I talked to a younger brother of Aleer Awan called Jok Awan in Canada on the phone and through emails. On Sunday, July 17, 2005, at 5:34:17 pm, Jok Awan asked me through email, "Hi Mamiir, when you last talked to Apam Awan? Did he tell you where Malual Majok is about?" I explained to him over the phone that General Malual was in Nairobi.

Lastly, on July 22, 2013, at 5:56 pm, I asked Jok through email. "Hello Jok, can you send me your telephone number or give me a call at 719-360-5465? I want to talk with you about Aduk. I talked with my uncles, Atem Atem Ayach and Domenic Matiok Matiok in Turalei, about my relationship with Aduk, and they considered it. I decided to tell you what they told me during my conversations with them. Please let me know."

On July 23, 2013, at 5:17 pm, Jok replied to my mail. "Mamiir, I'm working on the tide schedule here, and my phone is 780-881-8191. Maybe you can clearly talk to Aleer Awan about the issues of Aduk. Aleer's # 0955-650-850. [On the other hand], Malual Majok is training army in Wau area."

I replied to his email on July 23, 2013, at 5:46 pm. "Thank you so much, Jok for your quick response. I think that General Malual Majok is the best person I will talk with because one of my uncles who seriously proposed a plan of talking with my in-laws is a judge/prosecutor in Turalei. His name is Domenic Matiok. He wanted 15 cattle to be paid in advance. May you send me the phone number of General Malual? I will call him, and I will talk about it. It will be easy now to connect the two families because General Malual is very close to Turalei. General Malual is also your head family as he was the one who finally approved me last time to be a husband of Aduk Awan. Turalei is about four hours in driving to Wau."

On July 24, 2013, at 4:16 am, Jok replied to my email. "Mamiir, here is Malual Majok's #0912-646-124. I heard yesterday that he has come to Juba on a short visit to welcome Chiengkuach Mabil's wife and government mission. I am heading to work now on 12 hours shift. Jok" Based

on that solid evidence, it has become comical for General Malual Awan to run away from his own traditional and cultural responsibility.

My responses to General Malual Awan are as follows:

First claim: “I am not bound legally to appear before Pan African Law Chamber. Regarding this issue, I can appear before the local competent court in Duk County, not elsewhere.” That is not true. You must appear before the Law Chamber because it is the first step to seeing if you can respect the law. You will be summoned to the regional court if you refuse to show up. You should know that somebody from a different state in South Sudan should sue you in Juba because you are not a general of Duk County. This case was tried twice in Juba but didn’t work out. It is very pointless to claim that you should not be sued elsewhere concerning the case of my kids. After you refuse to show up before the Law Chamber in Juba, you will be summoned to the regional court.

Second claim: “His petition should be dismissed because he is accusing the wrong person.” You are a half-brother of Aduk Awan. If you dispute my valid claim, the DNA must be conducted between you and Aduk Awan. I believe that your biological father is Awan Chiengkuach Jok because you share your father with Aduk Awan, but not your mothers.

Third claim: “Late Awan Chiengkuach, who I know so far is my paternal uncle, and he has good number of grown-up sons, of which his eldest son is Chiengkuach Awan Chiengkuach.” That is not true. You are a biological and first son of Awan Chiengkuach Jok. Will you be able to accept a DNA test between you and Aduk Awan? You are a half-brother of Aduk Awan.

Fourth claim: “Complainant stated in his petition that Aleer Awan Chiengkuach is a brother to Aduk the alleged wife; he also stated Apam a half-brother to Aduk Awan and her cousin Bol Mading, have been in communication with him and have been receiving money from him. Then how did I come in here?” You come in here because you are an older son and a head family of Awan Chiengkuach Jok. In addition, Aleer Awan Chiengkuach recommended that you be Awan's head family, and I spoke with you in that position when you were in Nairobi, Kenya. Why do you want to run away from your own traditional and cultural responsibility? It appeared that you decided to run away from your responsibility because you never received any money from me. I helped members of the Payath clan who asked me for help, but you didn’t ask me for help when I used to talk with you in Nairobi, Kenya.

Sixth claim: “How do I engage with the fugitive who is defaming my name by serious wrongful accusations?” I spoke with you many times, but I never gave you money to be able to see me. Were you a fugitive when you lived in Kenya, or you don’t know the meaning of fugitive? You must understand that the world will read this information in the future. Therefore, you must choose your words carefully. The word fugitive should not apply to both of us because you lived in Kenya.

In addition, if you meant fugitive in terms of criminal, I am not a criminal. Having kids with a woman is not a crime. It is a natural right for every man to have kids with a woman through consent. I loved Aduk, and she loves me to have kids with her as a wife and husband. If I were a criminal, you should have rejected me last time I spoke with you to marry your half-sister Aduk.

Were you having a mental problem when you accepted me to marry your half-sister Aduk? I think you used the term fugitive by mistake because you lack understanding of the meaning of fugitive.

Seventh claim: “One day the complainant called me on the phone regarding the case.” Not one day. I spoke with you many times and different years concerning the case of my kids. You keep telling me that I must come to Nyarweng village. At this time, my answer to your high demand is no. I will not come to Nyarweng village because you wanted to kill me and own my kids without a say from my family as you have been a zonal commander of Division 10 in your area. You will be summoned to the regional court.

Eighth claim: “The applicable law is Dinka Bor Customary Law-family law.” That is not true. The family law from Jonglei State should not apply to other states in South Sudan. Because we are members of the Dinka tribe, the only law that applies to this case is the Dinka Customary Law.

The Dinka customary law states, “It is a crime for a family-in-law to hide children from their biological father instead of asking for wealth in exchange for children. Therefore, the family-in-law, and only if there is NO proceeding in marriage, can demand the wealth to out-bond the children and hand them to their biological father.”

Paramount Chief Alier Aluong Madit in Bor Town of Jonglei State commented on the Dinka Customary Law. “A wife, according to the Dinka customary laws, has no right to own her children. If she decides to divorce the husband for any reason, the children will go to the latter after paying the fives heads of each of these children. The chief explained that the husband could take his child from their mother after two years and above,” The chief explained. Your Dinka Bor Customary Law conflicts with the comments of Chief Alier Aluong. Do you think that Chief Alier Aluong is not from Bor?

I have mentioned International Parental Laws, African Charter, and United Nations Convention on Child Rights in my petition letter because if my kids' information leaks out to the International Human Rights, they will use those laws against you. You must know that South Sudan is a UN member state, ratified the Convention on the Rights of the Child, and has been a state party to the United Nations Convention on the Rights of the Child.

The case should not be dismissed. Who will dismiss my case while you failed to show up before the Law Chamber? If you need to retain your reputation, you should release my two kids from your detaining.

Respectfully Submitted,



Paulino Mamiir Chol