

**Annex 2: Letter from David Nyekorach-Matsanga (PhD.MA.BA (Hons).Dip.Mass
Com) to Mr. Michiel Pestman, 29 September 2008**

LORD'S RESISTANCE

Private Bag



ARMY / MOVEMENT

UGANDA

29th September.2008

Mr. Michiel Pestman

Ad-hoc Counsel

ICC The Hague

Netherlands

Dear Sir

RE: YOUR APPOINTMENT AS AD-HOC COUNSEL FOR GENERAL KONY AND OTHERS AS PER YOUR LETTER NO. ICC-02/04-01/05 AND YOUR APPEAL TO PRE-TRIAL CHAMBERS¹¹

I refer to the above matter that we discussed on phone this afternoon after receiving your E-mail which was also copied to Santa Okot a none LRA representative in any form.

We want to state that the only representative of LRA/M and General Kony and others in the world is the undersigned. I am also the Chief Negotiator for LRA and Leader of LRA Peace Delegation in the Juba Peace Process. So I handle all brief for the LRA/M and I can be asked any questions regarding the LRA and General Kony which are within the boundaries of the Peace talks and the matter of ICC.

We want to make it clear that Santo Okot is no longer a member of LRA /M peace delegation as she crossed to government and working with the Uganda government. Any information that you pass to her regarding Kony and others will harm the LRA and defense in the case at ICC.

We also want to inform you that I have passed the same information contained in the direction of Judge Mauro Politi on 17th September 2008 to the LRA High Command for further instructions. Once General Kony notifies us on what to tell you we shall do so and we would prefer to discuss the details in person so that nothing is twisted.

We are waiting for those instructions from General Kony and others on how we can handle the matter meanwhile it would be good if we had a meeting where the LRA would be briefed face to face about the direction of events as they now appear to be unfolding in the ICC.

In the light of the new developments we don't know whether the ICC would like to proceed with the case while we have already resolved as Ugandans that we shall handle the matters from Uganda as per our AGREEMENT of Accountability and Reconciliation that we signed in 2007. It is clear from that Agreement that Ugandan Special Divisions Court will handle the LRA cases that the ICC is longing to put their hands on.

These are some of the issues that you might shade light on and tell us the usefulness of Ad-hoc Counsel for defense in this case given the many unresolved riddles that have plunged the LRA case since 2006. The nature of the ICC biased investigations and political rhetoric from the Chief Prosecutor as opposed to the very Justice that the court was created to serve in the Rome Statute of 1998 many watchers in the world puzzled.

We wait for quick response on this matter so as to make preparations for such a meeting that will discuss very fundamental changes that are being introduced in the LRA case without much information given to us so as to understand the implications of such underhand maneuvers that have been the hallmark of ICC since the indictments of LRA commanders since 2005.

Hoping to hear from you

I remain

Yours truly

David Nyekorach –Matsanga (PhD. MA. BA (Hons). Dip .Mass Com)

LEADER OF LRA PEACE DELEGATION.

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