

Annex 3: E-mail from africastrategy@hotmail.com to mpestman@bfkw.nl,

6 October 2008

Michiel Pestman - RE: Betr.: RE: International Criminal Court; legal representation;CONFIDENTIAL

Van: africa strategy <africastrategy@hotmail.com>
Aan: Michiel Pestman <mpestman@bfkw.nl>
Datum: 6-10-2008 20:38
Onderwerp: RE: Betr.: RE: International Criminal Court; legal representation;CONFIDENTIAL

the LRA DOES NOT RECOGNISE THE INDICTMENTS BY THE CHIEF PROSECUTOR BECAUSE THE INVESTIGATIONS WERE FLAWED. WE DO RESPECT THE ICC AS AN INSTITUTION BUT NOT MOREMO OCAMPO AS THE CHIEF PROSECUTOR. THEREFORE THE LRA LOATHES THE ICC BECAUSE OF THE FLAWED INVESTIGATIONS IN THE UGANDA CASE WHERE UPDF CRIMES AGAINST HUMANITY AND THE CASE OF GENOCIDE BY THE GOVERNMENT OF UGANDA HAS NOT BEEN BROUGHT TO THE KNOWLEDGE OF INTERNATIONAL COMMUNITY. THE ICC HAS LOST CREDIBILITY AS AN INSTITUTION OF JUSTICE AND HAS BEEN TURNED INTO A POLITICAL TOOL . THERE FORE LRA DOES NOT SEE ANY JUSTICE FROM THE HAGUE COURT.

2.THE LRA HAS SIGNED A/R DOCUMENT IN FPA WHICH ARE CLEAR THAT THEY WILL HAVE FRESH INVESTIGATIONS IN UGANDA UNDER THE UGANDAN LAW AND IN SPECIAL DIVISIONS COURT OF THE UGANDA HIGH COURT. WHY SHOULD THE LRA BOTHER ABOUT DEFENCE COUNSEL IN THE HAGUE WHEN THERE WILL BE FRESH INVESTIGATIONS WITH FRESH LAWYERS IN UGANDA? T

3. THE LRA NOTES THAT EVERY TIME UGANDANS WANT TO PUSH FOR SIGNING OF THE PEACE AGREEMENT CALLED FPA ICC TRIES TO LINGER AROUND AND HOLD ON NOTHING IN THIS MATTER THERE BY FRUSTRATING ALL EFFORTS OF UGANDANS HAVING PEACE .

IN SHORT THERE ARE NO INSTRUCTIONS FROM GENERAL KONY FOR NOW AND SINCE YOU HAVE DESIGNED YOUR EUROPEAN COURT OF ICC WITH YOUR BIASED PROSECUTOR OCAMPO

A DETAILED LETTER WILL FOLLOW WHERE THE PRESS WILL BE TOLD OF YOUR ICC MOVES ON LRA
 BYE

> Date: Mon, 6 Oct 2008 15:42:32 +0200
 > From: MPestman@bfkw.nl
 > To: africastrategy@hotmail.com
 > Subject: RE: Betr.: RE: International Criminal Court; legal representation;CONFIDENTIAL
 >
 > Dear Dr. Matasanga,
 >
 > Did you receive my last e-mail about the finances?
 > The Court is not willing to pay for your trip, as you are not
 > officially appointed as Counsel. They might pay for my trip, however, to
 > visit you in Nairobi. Would you be willing and able to meet me there?
 >
 > And have you heard anything from General Kony? I was wondering whether
 > you had received any instructions from him for me. And do you think it
 > would be possible to meet up with him when in Kenia, or is that
 > completely out of the question?
 >
 > I am supposed to file observations on the issue of the victims
 > participating in the Case against the General, but as I have not
 > received any instructions I will ask for an extension of time.
 >
 > Regards,
 >
 > Michiel Pestman
 >

>
 > >>> africa strategy <africastrategy@hotmail.com> 30-9-2008 20:44 >>>
 >
 > Thanks for the reply that i have understood. Yeas you can share my
 > letter with the OPCD because iam not prohibited from anything as a
 > Peace Negotiator. Iam not combatant of LRA as Chief Negotiator for peace
 > and who has the contact of Kony i can meet you,
 >
 > Dr. MATASANGA > Date: Tue, 30 Sep 2008 15:30:55 +0200> From:
 > MPestman@bfkw.nl> To: africastrategy@hotmail.com> Subject: Betr.: RE:
 > International Criminal Court; legal representation;CONFIDENTIAL> > Dear
 > Mr. Nyekorarch-Matsanga,> > Thank you very much for your information. I
 > will not contact or speak> to Ms. Santa Okot anymore.> > I understand
 > that you are in regular contact with General Kony and that> you have
 > asked him for instructions on how to proceed with the Case,> currently
 > pending at the ICC, in which I have been appointed as ad hoc> counsel.
 > You write that you would like to meet me in person to discuss> the
 > details of General Kony's representation.> > I have asked the Office of
 > Public Counsel for the Defence (OPCD) for> information on the financial
 > implications of our meeting. I will keep> you informed about the outcome
 > of this query.> > In your letter you also mention the Special Devisions
 > Court which was> set up in Uganda especially to deal with LRA cases. The
 > ICC would> therefore have no jurisdiction to continue the investigation
 > against the> LRA. I think we should discuss this jurisdictional issue
 > and its> possible consequences for the proceedings under Rule 89 when we
 > meet in> person.> > I am allowed to send a copy of the letter you sent
 > to me to the OPCD> in support of my request for additional finances?> >
 > Regards,> > Michiel Pestman>
 >
 > Make a mini you and download it into Windows Live Messenger
 > <http://clk.atdmt.com/UKM/go/111354029/direct/01/>

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