

Annex 9: Letter from Dr. Adam Branch to Mr. Michiel Pestman, 15 October 2008



SAN DIEGO STATE
UNIVERSITY

Department of Political Science
College of Arts and Letters
San Diego State University
5500 Campanile Drive
San Diego CA 92182 - 4427
Tel: 619 594-6244
Fax: 619 594-7302

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Michiel Pestman
Böhler Advocaten
Keizersgracht 560-562
1017 EM Amsterdam

Dear Mr. Pestman:

I am writing to briefly inform you of my opinion concerning the difficulty of making contact with the accused members of the Lord's Resistance Army, or LRA.

The fundamental problem is that, since the breakdown of peace talks earlier this year, establishing contact with the LRA leadership, including the accused, has become extremely difficult. Whereas earlier this year it might have been possible for you to accompany a peace delegation to meet with the accused or for you to provide information to the accused through reliable and accountable channels, that possibility appears to have been closed off for now and for the foreseeable future.

At present, as far as I know, no one has the ability to contact the accused directly. Instead, people on the outside must wait for the rebels to contact them, usually via mobile phone, at unpredictable times. Even former members of the LRA peace delegation admit as much (with the exception discussed below). The consequences of not being able to contact the LRA leadership were clearly evident in episodes earlier this year in which Joseph Kony or other members of the LRA command failed to show up for meetings, leaving the peace delegates and negotiators without recourse.

The one person who does occasionally claim to be able to contact the rebels directly is David Nyekorach-Matsanga, who, according to himself, is still the chair of the LRA peace delegation. However, Mr. Matsanga's honesty and motives have been publicly impugned by other members of the LRA peace delegation, civil society activists, and, most recently, the Acholi Paramount Chief. Mr. Matsanga has been publicly accused of being involved in the peace talks for his own self-aggrandizement and profit and been accused of actively sabotaging the peace negotiations. These accusations precipitated the resignation of a large portion of the LRA peace delegation, including former MP Santa Okot, on the basis that they did not trust and would not work with Mr. Matsanga.

Additionally, there are serious doubts about whether or not Mr. Matsanga is actually in contact with the LRA leadership. He has been accused of only pretending to be in contact with the LRA leadership, while in fact falsifying his putative communications with them. Because of the difficulty of contacting the LRA leadership, since the breakup of the peace team there has been no way, aside from Mr. Matsanga's own claims, to verify his assertion that he remains the chair of the LRA peace delegation or even to verify whether he is in contact with the rebels.

Finally, there is the very basic problem that two of the four accused, namely, Vincent Otti and Okot Odhiambo, may be dead. There has been no definitive verification of their deaths, but

reports of their deaths have circulated for several months, and their deaths are generally accepted as fact on the ground in northern Uganda.

In short, given the apparent lack of responsible and accountable channels for contacting the LRA leadership, the uncertainty over Mr. Matsanga's character and claims, and the fact that two of the four accused may be dead already, I conclude that contacting the rebel leadership is a very difficult task at present and could require significant time and effort.

Please do not hesitate to contact me for further clarification.

Yours truly,

A handwritten signature in black ink, appearing to read 'A. Branch', with a stylized flourish at the end.

Adam Branch

Assistant Professor
Department of Political Science
San Diego State University