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To His Excellency the Minister of National Defence

Ngaliema, Kinshasa

Copy for information:

1. His Excellency the President of the Democratic Republic of the Congo
2. His Excellency the Minister of Justice and Keeper of the Seals

Both at Gombe, Kinshasa

Your Excellency,

Re: Payment of the salary of Colonel Mathieu Ngudjolo Chui, who is currently in detention in The Hague, The Netherlands

I am writing in my capacity as Lead Counsel for Colonel Mathieu Ngudjolo Chui, who is currently in detention in Scheveningen, in The Hague, The Netherlands, in the case brought against him by the Prosecutor of the International Criminal Court in the situation in the Democratic Republic of the Congo.

I write further to my letters of 29 October 2008 and 4 March 2009 on the above matter. In my 4 March 2009 letter, I requested a ministerial order from you to enable payment of Mr Mathieu Ngudjolo's salary.

You will recall that Colonel Ngudjolo informed me that his salary had not been paid since September 2008 on the grounds that he had not submitted his biometric data to the competent collection authority of the Armed Forces of the Democratic Republic of the Congo. You will easily understand that as he was in detention, it was impossible for him to do so.

As I pointed out to you in my previous letters, my client is severely importuned as a result of this situation, since his salary is his family's only source of income.

Colonel Kamwanba, the acting Secretary-General for Defence, informed us that as it was impossible for Colonel Ngudjolo's biometric data to be collected, only a ministerial order from you could enable payment of his salary.

Accordingly, I requested a ministerial order in my letter of 4 March 2009.

I thus now wish most respectfully to repeat this request on behalf of my client.

I would be happy to discuss this matter further if necessary.

Yours sincerely,

Jean-Pierre Kilenda Kakengi Basila

[signed]