

Hans-Christof von
<von_sponeck@yahoo.com>

Dear Matthias,

Many years have gone by but I want to assure you that there is hardly a day, yes hardly a day, when I do not feel, as you do, deeply ashamed about that we, collectively and individually, have failed to speak out, and disappointed all those who believed in our commitment to bring the verdict of the moral court of KL to the legal court in The Hague.

Following the ICC's unwillingness to accept the KLVCC's request to get involved, efforts by some of us were to re-submit the case to the ICC. By good fortune, Luis Moreno Ocampo, then a former ICC Chief Prosecutor, was willing to help us in achieving this objective. In fact he had mapped out a course of action and had contacted Madame Fatou Bensouda, his successor, to agree - which she did. Nijar Gurdial had come to my home here in Germany to discuss the next steps promised to prepare an appropriate re-submission. This was in 2015. And then nothing happened.

I will not speculate about the 'why' - I also don't find the words for this development - absolutely shameful. I said above that I almost daily think of our failure. I do. Your anger is my anger, with myself and with all of us.

You have given me an opportunity to express my frustration - for this I am truly grateful to you. I am willing to get involved again. I am willing to come to KL to meet Tun. I am willing to contribute to any effort to do the needful in re-raising 'our' case, even if the prospects to have a hearing at the ICC of a case that has become history are more than remote.

A re-submit to the ICC by Tun on behalf of the KLVCC (that to-date formally still exists since it has never been officially terminated) would be the least we can do. Civil society today is much more alert than it was ten years ago due to the failures of governments to act on issues of the global catastrophic disorder and the incapacity of the UN Security Council and the General Assembly to fulfill their mandates for peace, security and justice.

In preparing for a re-submission, we should therefore solicit the support of the major civil society organisations around the world. This will take time but is doable.

I am anxious, very anxious, to hear your views.

Yours,

Hans