



30 August 2023

Dear Ventora Development Communications Team,

We acknowledge receipt of your letters of 25 July and 10 August 2023, and we would like to reiterate our willingness to arrange a meeting with Mr Gertler in response to his offer to present us with “all documents, materials and calculations that [we] might wish to see regarding [his] business activities in the Democratic Republic of Congo,” (as stated in his letter of 17 March 2023, and in subsequent correspondence).

Please find below answers to your questions in the hope that we can move forward with the meeting. At this stage, we believe it would be productive for a number of representatives from our side to hold a virtual meeting with your team to discuss the appointment of facilitators, the modalities of the meeting and next steps. We hope you agree that this will be more efficient and will help move us forward. If you agree, could you please let us know preferred dates and times between now and 15 September that would work for you.

In the meantime, here is our response to the matters raised in your correspondence:

- We see no problem in publishing all our correspondence in a chronological order and we will endeavour to do so.
- We still do not understand the reasons that led you to reject our list of candidates to facilitate our meeting, which we submitted on 1 June 2023 after receiving their approval. In order to help us move forward, we await your explanation as to why the candidates in question would not be “neutral”. We agree that you could communicate this to us confidentially or during our virtual meeting.
- We have reviewed the profiles of your proposed candidates – while we believe our facilitator should not be linked to the Congolese judiciary (making your first proposed profile not suitable), we think that the second proposed profile might be suitable in principle. We would appreciate it if you could confirm the individual’s name so we can come back to you with a final decision.
- On the confidentiality of the candidates’ names at this stage: we accept that candidate names be kept confidential until all parties agree to the selection. Could you clarify

whether you will agree to publish the name of the facilitator once we have reached a mutual agreement?

- We are fully committed to an “open, honest and transparent discussion at the joint meeting in the near future,” as we have always been, and we hope that Mr. Gertler will honour his pledge to present us with all the documents and contracts relevant to his businesses in Congo so we can “review past transactions with full transparency and openness,” (as stated in his letter of 17 March 2023, and in subsequent correspondence).
- As civil society groups we are committed to maintaining a constructive dialogue and it is our mandate to make our research findings available to the public. However, as you know, it is our practice to seek comments and responses from the parties involved in our reports and we will continue to do so before publication.
- On the defamation proceedings in Congo against Resource Matters and our colleague Jean-Claude Mputu: we would like to refer you to Resource Matters and Mr Mputu’s lawyers’ separate letter dated 13 July 2023 as we believe that any matter related to these proceedings should be directly dealt with through their lawyers to avoid any misunderstanding.

Yours sincerely,

- The Congo is not for Sale Coalition (CNPAV)
- Human Rights Watch
- Resource Matters (also a member of CNPAV)
- Rights and Accountability in Development - RAID (also a member of CNPAV)
- The Sentry