

**Cour
Pénale
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**International
Criminal
Court**

Original: **English**

No.: **ICC-02/04-01/05**

Date original: **17 April 2025**

Date public redacted version: **24 April 2025**

PRE-TRIAL CHAMBER III

Before: Judge Althea Violet Alexis-Windsor, Presiding Judge
Judge Iulia Antoanella Motoc
Judge Haykel Ben Mahfoudh

SITUATION IN UGANDA

IN THE CASE OF THE PROSECUTOR v. JOSEPH KONY

Public
with Public Annexes A, B C, D and Confidential Annexes E (composed of sub-annexes)

**Public redacted version of “Pre-Confirmation Brief,” ICC-02/04-01/05-593-Conf, 17
April 2025**

Source: Office of the Prosecutor

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1. This Pre-Confirmation Brief (“Brief”) sets out the Prosecution’s legal and factual argumentation in support of the charges against Joseph KONY (“**KONY**”) proposed for confirmation and contained in the amended Document Containing the Charges (“DCC”), filed simultaneously.¹ It seeks to guide the Chamber, Parties, and Participants through the most relevant evidence the Prosecution relies on² to show substantial grounds to believe that **KONY** is responsible for the charged crimes and should be committed to trial upon arrest or surrender.
2. From at least 1 July 2002 until 31 December 2005, the ongoing conflict between the Government of Uganda and the Lord’s Resistance Army (“LRA”) led by **KONY** resulted in the displacement of civilians from their homes. Consequently, the government established internally displaced person camps (“IDP camps”) in northern Uganda to accommodate them.³
3. The evidence shows that in the period relevant to the charges, **KONY** and his co-perpetrators jointly and through the LRA fighters under their control attacked several such IDP camps. The LRA, under **KONY**’s orders, directed the gravest acts of violence towards the IDP camps of Pajule, Abia, Barlonyo, Odek, Pagak, Lukodi, and Abok. Furthermore, in the time relevant to the charges the LRA abducted at least thousands of civilians, including women and children, including from the Lwala Senior Secondary Girls School (“Lwala Girls School”). The evidence supporting this charged conduct is set out in section II.C.1, relevant to **Counts 1-14**.
4. **KONY** and his co-perpetrators, through the LRA fighters under their control, committed systemic crimes against women and children, in particular, against persons under the age of 18 years old in northern Uganda. The evidence supporting this charged conduct is set out in section II.C.2, relevant to **Counts 15-29**.
5. **KONY** is further charged as a direct perpetrator of gender-based crimes (including sexual, reproductive and other gender-based violence), also committed in northern Uganda, as described below in section II.D, relevant to **Counts 30-39**.
6. On 4 February 2021, Trial Chamber IX convicted **KONY**’s co-perpetrator and former subordinate, Dominic Ongwen (“Ongwen”), of crimes related to the attacks on Pajule, Odek, Lukodi and Abok, as well as systemic crimes against women and children.⁴ Where appropriate, the Prosecution refers in this Brief to the Trial Chamber’s findings.
7. Appended to this Brief are 25 annexes. Annex A contains an index of all annexes. Annex B contains an overview of the evidence relied on in each section of this Brief.

¹ Pursuant to ICC-02/04-01/05-538, paras. 26-28, and regulation 52(2) of the Regulations of the Court.

² In order to comply with the page limit as ordered (ICC-02/04-01/05-538, para. 29), the Prosecution has limited itself to citing its best evidence to substantiate the charges. Nevertheless, the Prosecution relies on its simultaneously filed List of Evidence in its entirety.

³ **P-0422’s Report**: [UGA-OTP-0270-0004](#) at 0024-0025, para. 36.

⁴ ICC-02/04-01/15-1762-Red (“Ongwen TJ”).

I. THE SUSPECT

8. **Paras. 1-2 DCC: KONY's** date of birth is estimated based on recordings of intercepted communications and the testimony of P-0422.⁵ His role within and authority over the LRA are set out below.

II. THE CHARGES

A. KONY'S CRIMINAL RESPONSIBILITY

1. Indirect Co-Perpetration (Article 25(3)(a))⁶

9. The evidence shows substantial grounds to believe that **KONY** is responsible for the charged crimes as an indirect co-perpetrator because he and his co-perpetrators used the LRA fighters under their control to carry out the charged crimes, according to their Common Plan (as defined in the DCC). The Prosecution alleges that **KONY** and his co-perpetrators relied on the obedience of the LRA fighters to execute their orders. In this way, the LRA fighters were used as tools by **KONY** and the co-perpetrators, through which they executed the Common Plan and committed the crimes. Accordingly, the evidence shows that the conduct of the individual LRA fighters is attributable to **KONY**.

10. **Paras. 3-6 DCC:** Witnesses with knowledge of the internal structure of the LRA refer to **KONY** variously as the "overall leader," "president of the LRA," "chief commander" or "chairman."⁷ The members of the Common Plan, each for at least part of the charged period, as set out in the LRA command diagram at Annex C, include the following individuals:⁸ Vincent Otti ("Otti"), who was KONY's deputy;⁹ Tolbert Nyeko Yadin ("Nyeko"), who held

⁵ **ISO Logbook:** [UGA-OTP-0066-0002](#) at 0102 (left page); **Book:** [UGA-OTP-0286-0074](#) at 0079; **P-0422's Report:** [UGA-OTP-0270-0004](#) at 0013; [UGA-D26-0018-3803](#) at 3819.

⁶ For a summary of the elements of indirect co-perpetration, see *Ongwen TJ*, paras. 2783-27888, with reference to other jurisprudence of the Court.

⁷ **P-0023:** [UGA-OTP-0150-0063](#) at 0066, paras. 12, 15; **P-0040:** [UGA-OTP-0209-0461](#) at 0463, lns. 45-56, at 0484, lns. 655-656; **P-0048:** [UGA-OTP-0209-0099](#) at 0114, ln. 410; **P-0054:** [UGA-OTP-00001027](#), p. 6, lns. 21-23; **P-0070:** [UGA-OTP-00000598](#), p. 56, lns. 6-19; **P-0085:** [UGA-OTP-0215-0621](#) at 0627, lns. 182-186, [UGA-OTP-0222-0434](#) at 0450, lns. 524-528; **P-0138:** [UGA-OTP-00000607](#), p. 12, ln. 16 - p. 13, ln. 19; **P-0133:** [UGA-OTP-0228-0641](#) at 0670, lns. 971-974; **P-0142:** [UGA-OTP-00000678](#), p. 24, ln. 23; **P-0172:** [UGA-OTP-00000961](#), p. 44, ln. 4; **P-0209:** [UGA-OTP-00000635](#), p. 20, ln. 25 - p. 21, ln. 2; **P-0440:** [UGA-OTP-00000648](#), p. 75, ln. 8; [UGA-D26-0018-0506](#) at 0567-0568; [UGA-OTP-00001348](#); **KONY on himself**, see **Transcript Radio Mega FM:** [UGA-OTP-0023-0011](#) at 0012; [UGA-OTP-0023-0002-Track01](#); [UGA-OTP-0023-0002-Track02](#).

⁸ See Annex C. See also [UGA-OTP-00001354](#); [UGA-OTP-0016-0597](#); [UGA-OTP-0016-0639](#); [UGA-OTP-0025-0103](#); [UGA-OTP-0025-0114](#). For the period of 2002, see **UPDF logbook:** [UGA-OTP-0197-0896](#) at 0924-0925; **UPDF logbook:** [UGA-OTP-0197-0975](#).

⁹ On the role of Otti, see: **P-0054:** [UGA-OTP-00001027](#), p. 7, lns. 6-7; **P-0083:** [UGA-OTP-0218-0821](#) at 0843, lns. 763-776; **P-0085:** [UGA-OTP-00000632](#), p. 27, ln. 11; **P-0133:** [UGA-OTP-0228-0641](#) at 0670, lns. 971-978; **P-0231:** [UGA-OTP-00000968](#), p. 46, ln. 17; **P-0309:** [UGA-OTP-00000669](#), p. 43, lns. 7-8; **P-0240:** [UGA-OTP-0286-1246](#) at 1265, ln. 647; **UPDF Logbook:** [UGA-OTP-0242-6018](#) at 6070 (right page); **UPDF Logbook:** [UGA-OTP-0254-0725](#) at 1005-1006; **UPDF Logbook:** [UGA-OTP-0197-0308](#) at 0359 (left page); **ISO Logbook:** [UGA-OTP-0062-0145](#) at 0295 (right page), 0323 (right page); **ISO logbook:** [UGA-OTP-0063-0194](#) at 0237; **Audio:** [UGA-OTP-0163-0427-Track01](#).

varying positions such as Chief of Staff and Army Commander;¹⁰ Raska Lukwiya (“Lukwiya”), who rose from Commander of Stockree Brigade, to Division Commander, Deputy Army Commander and then Army Commander;¹¹ Okot Odhiambo (“Odhiambo”), who was the commander of Trinkle Brigade, then Stockree Brigade, Gilva Brigade and rose to Deputy Army Commander and Army Commander;¹² Charles Tabuley (“Tabuley”), who was first in charge of Sinia Brigade and then became Division Commander;¹³ Ocan Bunia (“Bunia”), who was Brigade Commander of Gilva Brigade;¹⁴ Buk Abudema (“Abudema”), who was Brigade Commander of Gilva Brigade, then Sinia Brigade, then Stockree Brigade, and then Division;¹⁵ Ongwen, who was appointed Brigade Commander of Sinia Brigade;¹⁶ Charles Kapere (“Kapere”), who was in charge of Stockree Brigade, Trinkle Brigade, and Sinia Brigade at

¹⁰ On the role of Nyeko, see: P-0138: [UGA-OTP-00000609](#), p. 18, lns. 20-23; P-0085: [UGA-OTP-00000632](#), p. 26, lns. 22-23; [UGA-OTP-0222-0434](#) at 0449, lns. 513-523, at 0450, lns. 524-557, at 0451, lns. 558-593, at 0452, lns. 594-628; Uganda Police Report: [UGA-OTP-0256-0340](#) at 0340-0341; ISO Logbook: [UGA-OTP-0063-0194](#) at 0331 (left page); ISO Logbook: [UGA-OTP-0232-0234](#) at 0435; UPDF Logbook: [UGA-OTP-0254-0725](#) at 1003; ISO Logbook: [UGA-OTP-0061-0002](#) at 0009 (left page, right page); P-0085: [UGA-OTP-00000632](#), p. 28, lns. 14-15; ISO Logbook: [UGA-OTP-0063-0002](#) at 0005 (left page); ISO Logbook: [UGA-OTP-0068-0146](#) at 0153 (left page), 0297, 0325, 0341.

¹¹ On the role of Lukwiya, see: P-0205: [UGA-OTP-0273-1933](#) at 1950, lns. 578-584; P-0023: [UGA-OTP-0150-0063](#) at 0069, paras. 39-45; P-0144: [UGA-OTP-00000698](#), p. 33, lns. 17-22; ISO Logbook: [UGA-OTP-0064-0093](#) at 0098 (left page); ISO Logbook: [UGA-OTP-0065-0002](#) at 0083 (right page); ISO Logbook: [UGA-OTP-0232-0234](#) at 0435; UPDF Logbook: [UGA-OTP-0197-0697](#) at 0811 (left page); UPDF Logbook: [UGA-OTP-0254-1077](#) at 1363; [UGA-OTP-00001350](#).

¹² On the role of Odhiambo, see: ISO logbook: [UGA-OTP-0063-0194](#) at 0237 (left page); Uganda Police Report: [UGA-OTP-0255-1036](#) at 1037, 1039; Uganda Police Report: [UGA-OTP-0256-0340](#) at 0341; ISO Logbook: [UGA-OTP-0065-0002](#) at 0084; ISO Logbook: [UGA-OTP-0232-0234](#) at 0413-0415, 0436; ISO Logbook: [UGA-OTP-0133-0289](#) at 0334 (left page); UPDF Logbook: [UGA-OTP-0242-6018](#) at 6129, 6142 (left page); UPDF Logbook: [UGA-OTP-0197-2040](#) at 2131 (right page); ISO Logbook: [UGA-OTP-0061-0002](#) at 0068 (right page) - 0069 (left page), 0121 (right page), 0146 (left page), 0165 (right page); UPDF Logbook: [UGA-OTP-0254-1077](#) at 1363; ISO Logbook: [UGA-OTP-0066-0002](#) at 0025 (right page), 0104; [UGA-OTP-00001352](#).

¹³ On the role of Tabuley, see: ISO Logbook: [UGA-OTP-0063-0194](#) at 0311 (left page), 0326 (right page); UPDF Logbook: [UGA-OTP-0242-6018](#) at 6070 (right page); ISO logbook: [UGA-OTP-0232-0234](#) at 0413; ISO Logbook: [UGA-OTP-0064-0002](#) at 0086 (left page); ISO Logbook: [UGA-OTP-0063-0002](#) at 0060 (left page, right page); ISO Logbook: [UGA-OTP-0232-0234](#) at 0240, 0489; ISO logbook: [UGA-OTP-0066-0002](#) at 0017 (left page); ISO logbook: [UGA-OTP-0133-0289](#) at 0317, 0333; P-0070: [UGA-OTP-0208-0146](#), 0153 - 0155, lns. 200 - 250, [UGA-OTP-00000599](#), p. 21, lns. 12 - 23.

¹⁴ On the role of Bunia, see: ISO Logbook: [UGA-OTP-0065-0002](#) at 0079 (left page); ISO Logbook: [UGA-OTP-0232-0234](#) at 0413-0415, at 0437; ISO Logbook: [UGA-OTP-0063-0002](#) at 0067, at 0123 (left page), at 0133-0135; ISO Logbook: [UGA-OTP-0068-0146](#) at 0161 (right page); ISO Logbook: [UGA-OTP-0232-0234](#) at 0485-0486; ISO Logbook: [UGA-OTP-0066-0002](#) at 0028 (right page), at 0077 (right page); P-0138: [UGA-OTP-00000607](#), p. 18, ln. 15 - p. 20, ln.14.

¹⁵ On the role of Abudema, see: ISO Logbook: [UGA-OTP-0064-0093](#) at 0167 (left page); ISO Logbook: [UGA-OTP-0232-0234](#) at 0414, 0436; ISO Logbook: [UGA-OTP-0133-0289](#) at 0333; UPDF Logbook: [UGA-OTP-0197-2040](#) at 2081 (right page), 2131 (right page); ISO Logbook: [UGA-OTP-0061-0002](#) at 0121 (right page), 0188 (left page); UPDF Logbook: [UGA-OTP-0242-7309](#) at 7401(left page); UPDF Logbook: [UGA-OTP-0197-0697](#) at 0825 (right page); ISO Logbook: [UGA-OTP-0068-0146](#) at 0332 (right page); ISO Logbook: [UGA-OTP-0066-0002](#) at 0028 (left page) - 0029 (right page); ISO Logbook: [UGA-OTP-0062-0002](#), at 0007 (right page), 0010 (right page); UPDF Logbook: [UGA-OTP-0197-0308](#) at 0334 (left page); ISO Logbook: [UGA-OTP-0062-0145](#) at 0249 (right page), 0288 (right page); ISO Logbook: [UGA-OTP-0062-0145](#) at 0314 (right page); [UGA-OTP-00001356](#).

¹⁶ On the role of Ongwen, see: ISO Logbook: [UGA-OTP-0061-0002](#) at 0122 (right page); ISO logbook: [UGA-OTP-0062-0002](#) at 0004 (left page); Uganda Police Report: [UGA-OTP-0256-0241](#) at 0241; P-0205: [UGA-OTP-00000657](#), p. 4, ln. 13 - p. 6, ln. 12; P-0455: [UGA-OTP-00000864](#), p. 5, ln. 174, pp. 14-15, lns. 495-518; See Ongwen TJ, paras. 1013-1083.

different points in time;¹⁷ Lakati, who was a Major General in Sinia Brigade and then served as Deputy Chief of Staff and then Chief of Staff;¹⁸ and Jimmy Ocitti (“Ocitti”), who was a Colonel and Chief of Personnel Administration in Control Alter.¹⁹

11. While Control Altar functioned as headquarters of the LRA,²⁰ the principal unit in the LRA hierarchy was the brigade. There were four brigades: Sinia, Stockree, Gilva and Trinkle,²¹ each headed by a Brigade Commander.²² Insider witnesses describe how the brigades of the LRA were divided into battalions²³ and further into companies known as “coy”.²⁴ Each battalion and coy were led by a commander.²⁵ From September 2003, there was also a division called Jogo.²⁶

12. Insider witnesses describe how **KONY** held the ultimate power to decide the fate of all LRA members, including senior commanders.²⁷ Many, especially young members of the LRA, believed **KONY** had spiritual powers and was omniscient: beliefs which he used to exert control over the LRA and its members.²⁸ The evidence shows that **KONY** generally issued orders

¹⁷ On the role of Kapere, see: ISO logbook: [UGA-OTP-0068-0146](#) at 0320; ISO Logbook: [UGA-OTP-0065-0002](#) at 0079 (left page); UPDF Logbook: [UGA-OTP-0197-2162](#) at 2198 (right page); UPDF Logbook: [UGA-OTP-0242-6018](#) at 6070 (right page); UPDF Report: [UGA-OTP-0255-1036](#) at 1040; ISO Logbook: [UGA-OTP-0232-0234](#) at 0413-0415, 0437; UPDF Logbook: [UGA-OTP-0242-6018](#) at 6142 (left page), UPDF Logbook: [UGA-OTP-0254-0725](#) at 1005; Uganda Police Report: [UGA-OTP-0025-0668](#) at 0669-0670, 0672-0674; UPDF Logbook: [UGA-OTP-0197-1670](#) at 1678 (right page); UPDF Logbook: [UGA-OTP-0242-7309](#) at 7471 (right page); UPDF Logbook: [UGA-OTP-0242-6018](#) at 6159 (right page); ISO Logbook: [UGA-OTP-0062-0002](#) at 0010 (right page); ISO Logbook: [UGA-OTP-0066-0002](#) at 0029 (left page).

¹⁸ On the role of Lakati, see: ISO Logbook: [UGA-OTP-0063-0194](#) at 0326 (right page) - 0327 (left page); ISO Logbook: [UGA-OTP-0065-0002](#) at 0083 (right page); ISO Logbook: [UGA-OTP-0062-0002](#) at 0004 (left page); UPDF Report: [UGA-OTP-0242-1032](#) at 1033; ISO Logbook: [UGA-OTP-0068-0146](#) at 0161 (right page) - 0162 (left page); ISO Logbook: [UGA-OTP-0068-0146](#) at 0218 (left page, right page); ISO Logbook: [UGA-OTP-0152-0002](#) at 0045 (right page); P-0048: [UGA-OTP-0209-0099](#) at 0114-0115, lns. 410-446.

¹⁹ On the role of Ocitti, see: UPDF Logbook: [UGA-OTP-0197-2162](#) at 2198 (right page); P-0138: [UGA-OTP-00000609](#), p. 20, lns. 15-19; P-0006: [UGA-OTP-00000622](#), p. 25, ln. 1 - p. 27, ln. 18, p. 39, lns. 15-19; [UGA-OTP-0144-0072](#) at 0081-0082, paras. 56, 63, 65.

²⁰ P-0440: [UGA-OTP-00000648](#), p. 68, lns. 1-4; P-0138: [UGA-OTP-00000607](#), p. 13, lns. 22-23; P-0455: [UGA-OTP-00000868](#), pp. 13-14, lns. 433-507; [UGA-OTP-0015-0004](#).

²¹ P-0070: [UGA-OTP-00000598](#), p. 57, lns. 3-6, p. 60, lns. 6-12.

²² P-0070: [UGA-OTP-00000598](#), p. 62, ln. 21 - p. 63, ln. 20.

²³ P-0054: [UGA-OTP-00001027](#), p. 22, lns. 5-8; P-0070: [UGA-OTP-00000598](#), p. 60, ln. 13 - p. 61, ln. 10, p. 64, lns. 2-13; P-0205: [UGA-OTP-00000657](#), p. 20, lns. 17-19.

²⁴ P-0205: [UGA-OTP-00000657](#), p. 20, lns. 20-21, p. 53, lns. 2-23; [UGA-OTP-00000656](#), p. 39, ln. 25, p. 40, lns. 1-3; P-0379: [UGA-OTP-00000666](#), p. 69, lns. 6-9.

²⁵ P-0205: [UGA-OTP-00000657](#), p. 20, lns. 20-21, p. 53, lns. 2-23; [UGA-OTP-00000656](#), p. 39, ln. 25, p. 40, lns. 1-3; P-0379: [UGA-OTP-00000666](#), p. 69, lns. 6-9.

²⁶ P-0070: [UGA-OTP-00000598](#), p. 57, lns. 9-11, p. 62, lns. 15-20; P-0205: [UGA-OTP-00000656](#), p. 35, lns. 1-4; P-0231: [UGA-OTP-00000609](#), p. 29, lns. 18-20; ISO logbook: [UGA-OTP-0232-0234](#) at 0413-0414; Ongwen TJ, paras. 123, 862.

²⁷ P-0023: [UGA-OTP-0150-0063](#) at 0068, para. 27; P-0070: [UGA-OTP-00000600](#), p. 25, lns. 14-22; P-0231: [UGA-OTP-00000968](#), p. 13, lns. 19-24, p. 14, lns. 5-9, p. 17, lns. 7-10, p. 62, lns. 15-18; P-0455: [UGA-OTP-00000859](#), p. 3, lns. 76-87.

²⁸ P-0422: [UGA-OTP-00000966](#), p. 31, lns. 9-23; P-0028: [UGA-OTP-0217-0125](#) at 0126-0127, lns. 30-54; [UGA-OTP-0217-0241](#) at 0258, lns. 583-588; P-0070: [UGA-OTP-00000600](#), p. 19, lns. 11-22, p. 22, ln. 14 - p. 25, ln. 6, [UGA-OTP-0208-0371](#) at 0406, lns. 962-965, at 0408-0409, lns. 1026-1034; P-0085: [UGA-OTP-0215-0621](#) at 0636-0637, lns. 479-541; P-1034: [UGA-OTP-00000639](#), p. 35, ln. 20 - p. 36, ln. 17; [UGA-OTP-00000640](#), p. 36, ln. 19 - p. 37, ln. 23; P-0138: [UGA-OTP-00000608](#), p. 7, ln. 25 - p. 8, ln. 7, 16-18, p. 16, lns. 1-19, p. 32, lns. 3-

directly or regularly through his deputy, Otti, to brigade commanders, who communicated them to battalion commanders. These commanders in turn communicated these orders to their subordinates.²⁹ **KONY** gave orders and directions daily to his commanders, received reports, and communicated other decisions via radio to the unit commanders.³⁰ **KONY** regularly planned operations – including those related to the charged crimes - with his co-perpetrators, predominantly using the LRA radio and coded communications.³¹ Senior LRA commanders

18; **P-0172**: [UGA-OTP-00000962](#), p. 14, lns. 6-16, p. 16, lns. 24-25, p.17, lns. 1-3; **P-0085**: [UGA-OTP-00000632](#), p. 12, lns. 8-10, p. 73, ln. 10 - p. 76, ln. 11; **P-0233**: [UGA-OTP-00000604](#), p. 7, ln. 20 - p. 9, ln. 9; **P-0410**: [UGA-OTP-00000627](#), p. 37, lns. 2-23.

²⁹ **P-0016**: [UGA-OTP-00000643](#), p. 76, lns. 4-10, p. 85, ln. 1 - p. 86, ln. 23; **P-0040**: [UGA-OTP-0209-0461](#) at 0484-0485, lns. 655-674; **P-0041**: [UGA-OTP-0221-0162](#) at 0184, lns. 721-726, at 0185, ln. 758; **P-0048**: [UGA-OTP-0209-0099](#) at 0119, lns. 540-553; **P-0069**: [UGA-OTP-0220-0098](#) at 0122, lns. 828-870; **P-0070**: [UGA-OTP-00000598](#), p. 80, lns. 1-20; [UGA-OTP-00000600](#), p. 33, lns. 11 - p. 34, ln. 4; **P-0071**: [UGA-OTP-0228-3708](#) at 3717-3718, lns. 282-347; **P-0138**: [UGA-OTP-00000607](#), p. 13, lns. 19-21; [UGA-OTP-00000608](#), p. 11, lns. 21 - p. 12, ln. 2, p. 31, lns. 15-21; **P-0141**: [UGA-OTP-0228-4871](#) at 4895-4896, lns. 866-871; **P-0205**: [UGA-OTP-00000657](#), p. 19, ln. 3 - p. 20, ln. 21; [UGA-OTP-00000658](#), p. 54, lns. 22-23, p. 55, lns. 2-6; **P-0455**: [UGA-OTP-00000857](#), p. 9, lns. 313-316, p. 13, lns. 453-456; [UGA-OTP-00000864](#), p. 19, lns. 655-658; [UGA-OTP-00000868](#), pp. 13-15, lns. 456-516; **ISO Logbook**: [UGA-OTP-0062-0002](#) at 0004 (left page); **ISO Logbook**: [UGA-OTP-0066-0002](#) at 0114 (right page).

³⁰ **P-0403 Report**: [UGA-OTP-0272-0446](#) at 0459-0471; **LRA insider witnesses**: **P-0023**: [UGA-OTP-0150-0063](#) at 0067, paras. 18-23; **P-0070**: [UGA-OTP-00000598](#), p. 82, lns. 7 - p. 83, ln. 23; **P-0085**: [UGA-OTP-0215-0155](#) at 0163-0167, lns. 212-357; **P-0138**: [UGA-OTP-00000608](#), p. 31, lns. 15-21, p. 38, ln. 9 - p. 39, ln. 18; **P-0440**: [UGA-OTP-00000648](#), p. 68, ln. 13 - p. 70, ln. 12, p. 74, ln. 13 - p. 76, ln. 16; [UGA-OTP-00000649](#), p. 7, ln. 14 - p. 15, ln. 1, p. 25, lns. 12-13, p. 66, ln. 9 - 68, ln. 6; [UGA-OTP-0262-0198](#); [UGA-OTP-0262-0199](#); [UGA-OTP-0262-0200](#); [UGA-OTP-0262-0205](#); [UGA-OTP-0262-0176](#); [UGA-OTP-0262-0298](#); [UGA-OTP-0262-0399](#); [UGA-OTP-0262-0425](#); **Intercept witnesses**, see **P-0003**: [UGA-OTP-00000651](#), p. 11, ln. 8 - p. 14, ln. 21, p. 17, ln. 24 - p. 22, ln. 25, p. 23, ln. 1 - p. 26, ln. 16, p. 29, ln. 8 - p. 32, ln. 24, p. 35, ln. 8 - p. 56, ln. 19, p. 61, ln. 9 - p. 63, ln. 6, p. 72, ln. 1 - p. 76, ln. 6; [UGA-OTP-00000653](#), p. 55, ln. 16 - p. 58, ln. 18; [UGA-OTP-00000654](#), p. 20, lns. 1-25; **P-0027**: [UGA-OTP-0207-0256](#) at 0258-0259, paras. 9-20; [UGA-OTP-0249-0444](#) at 0448-0449, paras. 20-29; **P-0032**: [UGA-OTP-0069-0796](#) at 0797-0800, paras. 8-27; [UGA-OTP-0150-0030](#) at 0031-0033, paras. 5-7, 9-14, 19-20; [UGA-OTP-0246-0003](#) at 0010-0013, paras. 25-43; **P-0059**: [UGA-OTP-00000645](#), p. 17, lns. 8-25, p. 21, ln. 5 - p. 33, ln. 17, p. 36, ln. 14 - p. 51, ln. 9, p. 57, ln. 2 - p. 61, ln. 25; [UGA-OTP-00000647](#), p. 17, ln. 12 - p. 18, ln. 19, p. 21, lns. 18-25, p. 27, ln. 15 - p. 32, ln. 13; **P-0038**: [UGA-OTP-00001104](#), p. 5, lns. 8-18, p. 8, ln. 6 - p. 10, ln. 20; [UGA-OTP-0069-0784](#) at 0787-0789, paras. 10-22; **P-0125**: [UGA-OTP-00000960](#), p. 52, lns. 18-23, p. 56, ln. 23 - p. 59, ln. 11, p. 64, ln. 19 - p. 70, ln. 2, p. 76, lns. 7-22, p. 82, lns. 10-18; [UGA-OTP-00000969](#), p. 5, ln. 13 - p. 7, ln. 19, p. 20, ln. 5 - p. 22, ln. 18; **P-0126**: [UGA-OTP-0253-0764](#) at 0771-0778, paras. 38-81; [UGA-OTP-0175-0300](#) at 0305-0307, paras. 28-48; **P-0291**: [UGA-OTP-0246-0061](#) at 0064, paras. 18-20, at 0066-0071, paras. 24-57; **P-0301**: [UGA-OTP-0249-0423](#) at 0425-0428, paras. 16-30, at 0429-0432, paras. 33-50; **P-0303**: [UGA-OTP-0258-0723](#) at 0725-0728, paras. 19-36; **P-0370**: [UGA-OTP-0258-0687](#) at 0690-0691, paras. 22-29, at 0693-0695, paras. 37-43, 47-51; **P-0384**: [UGA-OTP-0260-0491](#) at 0493-0495, paras. 18-27; **P-0385**: [UGA-OTP-0260-0498](#) at 0501, paras. 19-24; **P-0386**: [UGA-OTP-0260-0508](#) at 0510-0513, paras. 17-26; **P-0029**: [UGA-OTP-0027-0231](#) at 0234-0240, paras. 11-69; **P-0337**: [UGA-OTP-0256-0201](#) at 0204-0205, paras. 21-29, at 0207-0210, paras. 36-57; [UGA-OTP-0267-0445](#) at 0447-0453, paras. 14-47; **P-0339**: [UGA-OTP-00000964](#), p. 7, ln. 22 - p. 10, ln. 10, p. 13, ln. 3 - p. 18, ln. 12, p. 23, ln. 1 - p. 42, ln. 2, p. 44, ln. 19 - p. 47, ln. 8; **P-0400**: [UGA-OTP-0264-0015](#) at 0019-0022, paras. 26-43; **P-0404**: [UGA-OTP-0267-0470](#) at 0474-0477, paras. 25-48. The recorded communications summarised in logbooks are cited throughout this document, see also: [UGA-OTP-0197-1078](#); [UGA-OTP-0197-1224](#); [UGA-OTP-0197-1360](#); [UGA-OTP-0197-1866](#); [UGA-OTP-0197-2319](#); [UGA-OTP-0232-0623](#). See also shorthand rough notes disclosed ICC-02/04-01/05-572+Conf-Anx's A-D. For an assessment of the intercept evidence, see *Ongwen TJ*, paras. 555-589, 614-846.

³¹ **Report**: [UGA-OTP-0272-0446](#) at 0450, paras. 13-15, at 0454-0457, paras. 27-39.

were expected to report on the radio thrice daily.³² Victims as well as insider witnesses explain that **KONY's** orders were complied with and reinforced throughout the LRA.³³

13. When **KONY** was geographically removed from LRA units operating in northern Uganda, brigade commanders ensured compliance with **KONY's** general orders and directions. They made operational and tactical decisions, such as identifying locations for attacks against civilians, including systemic abductions and distribution of abducted children and women, following either specific orders or broader strategic orders given by **KONY**.³⁴ Thus, they worked together with **KONY** by translating his general orders into concrete acts with some degree of independence.³⁵

14. The evidence also shows that **KONY** maintained a violent disciplinary system within the LRA, which was based on severe punishments, through which he and his co-perpetrators wielded control over LRA fighters.³⁶ During the charged period, the LRA was composed of a sufficient number of fungible individuals capable of replacement to guarantee that the orders were conducted, if not by one subordinate, then by another.³⁷

15. **Para. 7 DCC:** The following paragraphs set out the evidence for the implementation of the Common Plan through essential contributions to the attacks against civilians in northern Uganda perceived to be supporting the Ugandan government and to sustaining the LRA.

16. **Sub-para. 7(i) DCC:** P-0070 testified that the LRA felt unsupported by civilians and therefore targeted them.³⁸ P-0138 stated that in 2003, **KONY** gave the instruction that the LRA needed to start killing the civilians "because they were stubborn."³⁹ Further, he stated that in Teso all men were presumed to be part of the Arrow groups, a local defence unit.⁴⁰ P-0406 stated that **KONY** ordered civilians to be killed because they informed the government when

³² **Report:** [UGA-OTP-0272-0446](#) at 0450, paras. 13-15.

³³ **P-0041:** [UGA-OTP-0229-0038](#) at 0076-0077, lns. 1289-1312; **P-0070:** [UGA-OTP-0208-0146](#) at 0162, lns. 462-469; [REDACTED]; **P-0142:** [UGA-OTP-00000679](#), p. 24, ln. 18 - p. 25, ln. 21; **P-0172:** [UGA-OTP-00000961](#), p. 44, lns. 5-6; **P-0233:** [UGA-OTP-00000604](#), p. 34, lns. 21-23; **P-0455:** [UGA-OTP-00000868](#), p. 13, lns. 456-460, p. 14, lns. 506-507, pp. 16-17, lns. 551-590.

³⁴ See sections II.C.2. **P-0040:** [UGA-OTP-00000649](#), p. 49, lns. 10-23; [UGA-OTP-0209-0530](#) at 0552-0553, lns. 589-627; [UGA-OTP-0209-0461](#) at 0484-0485, lns. 655-674; [UGA-OTP-0209-0569](#) at 0594, lns. 733-739, at 0596, lns. 799-815; **P-0045:** [UGA-OTP-0218-0171](#) at 0186, lns. 494-515; **P-0069:** [UGA-OTP-0220-0125](#) at 0135, lns. 328-352; **P-0070:** [UGA-OTP-00000598](#), p. 56, lns. 20-25; [UGA-OTP-00000599](#), p. 25, lns. 9-15; **P-0071:** [UGA-OTP-0228-3680](#) at 3694-3695, lns. 492-516; **P-0138:** [UGA-OTP-00000607](#), p. 13, lns. 10-23, p. 35, ln. 4 - p. 36, ln. 1; **P-0141:** [UGA-OTP-0228-4871](#) at 4896-4897, lns. 870-910; **P-0205:** [UGA-OTP-00000657](#), p. 19, lns. 1-13, p. 20, lns. 4-21; **P-0209:** [UGA-OTP-00000635](#), p. 28, lns. 9-19, p. 30, lns. 12-21, p. 31, ln. 1 - p. 32, ln. 6; **P-0233:** [UGA-OTP-00000603](#), p. 39, ln. 11 - p. 40, ln. 15; **P-0264:** [UGA-OTP-00000674](#), p. 77, lns. 20-21.

³⁵ See the analysis in *Ongwen* TJ, paras. 871-873.

³⁶ See para. 25 below.

³⁷ **P-0231:** [UGA-OTP-00000968](#), p. 42, lns. 9-17; **P-0455:** [UGA-OTP-00000865](#), pp. 5-12, lns. 178-393; **ISO Logbook:** [UGA-OTP-0068-0002](#) at 0029 (right page), 0047 (right page), 0054 (right page); **ISO Logbook:** [UGA-OTP-0068-0146](#) at 0253 (right page); **ISO Logbook:** [UGA-OTP-0232-0234](#) at 0529.

³⁸ **P-0070:** [UGA-OTP-00000599](#), p. 24, ln. 21 - p. 25, ln. 2.

³⁹ **P-0138:** [UGA-OTP-00000607](#), p. 20, lns. 8-14.

⁴⁰ **P-0138:** [UGA-OTP-00000607](#), p. 22, lns. 20-23.

they encountered the LRA.⁴¹ P-0070 testified about **KONY**'s resentment about civilians living in IDP camps.⁴² Additionally, the records of intercepted radio communications demonstrate ample orders given to LRA fighters to direct violence against civilians based on their alleged collaboration with the Ugandan government or lack of support for the LRA.⁴³

17. The evidence demonstrates that in the relevant timeframe **KONY** regularly issued orders, both general and specific, typically via the radio,⁴⁴ to LRA units to attack civilians who were perceived as supporting the Ugandan government in different areas of northern Uganda, namely, to kill and physically mistreat these civilians, for example as part of the "Teso Campaign"⁴⁵ and to destroy or take their property.⁴⁶ The orders were implemented by LRA members, including those regarding the charged attacks.⁴⁷

⁴¹ **P-0406**: [UGA-OTP-00000630](#), p. 20 lns. 7-13.

⁴² **P-0070**: [UGA-OTP-00000599](#) p. 26, lns. 8-14. See also **UPDF logbook**: [UGA-OTP-0255-0228](#) at 0355-0356.

⁴³ **ISO logbook**: [UGA-OTP-0063-0194](#) at 0327-0328; **ISO logbook**: [UGA-OTP-0064-0002](#) at 0025, 0086, 0085, 0124, 0191; **ISO logbook**: [UGA-OTP-0065-0002](#) at 0020, 0064, 0105; **ISO logbook**: [UGA-OTP-0068-0146](#) at 0151.

⁴⁴ On orders to hurt or kill civilians from recorded communications, see: **ISO Logbook**: [UGA-OTP-0064-0093](#) at 0140 (left page); **ISO Logbook**: [UGA-OTP-0068-0002](#) at 0053 (right page); **ISO Logbook**: [UGA-OTP-0063-0002](#) at 0027 (left page bottom, right page top), 0170 (left page); **ISO Logbook**: [UGA-OTP-0068-0146](#) at 0249 (right page) - 0250 (left page), 0269 (right page); **UPDF Logbook**: [UGA-OTP-0242-6212](#) at 6321 (right page); **UPDF Logbook**: [UGA-OTP-0197-2162](#) at 2190 (left page), 2225 (right page) - 2226 (left page); **ISO Logbook**: [UGA-OTP-0232-0234](#) at 0542; **ISO Logbook**: [UGA-OTP-0066-0002](#) at 0015 (right page), 0077 (right page), 0146 (left page), 0147 (right page), 0173 (left page, right page); **ISO Logbook**: [UGA-OTP-0062-0145](#) at 0188 (right page) - 0189 (left page); **ISO Logbook**: [UGA-OTP-0152-0002](#) at 0123 (right page) - 0124 (left page), 0126 (left page); **UPDF Logbook**: [UGA-OTP-0254-1077](#) at 1133-1134, 1204-1205, 1207, 1213; **Uganda Police Report**: [UGA-OTP-0012-0025](#) at 0027; **ISO Logbook**: [UGA-OTP-0061-0002](#) at 0045 (left page), 0096 (right page), 0101 (right page); **UPDF Logbook**: [UGA-OTP-0255-0228](#) at 0355-0356; **ISO Logbook**: [UGA-OTP-0163-0007](#) at 0086-0087. On orders to stop or postpone harming civilians, see: **ISO Logbook**: [UGA-OTP-0063-0002](#) at 0007 (left page, right page), 0026-0027; **UPDF Logbook**: [UGA-OTP-0254-3399](#) at 3452 (left page), 3458 (right page), 3461 (left page); **ISO Logbook**: [UGA-OTP-0062-0145](#) at 0331 (left page) - 0332 (left page); **ISO Logbook**: [UGA-OTP-0152-0002](#) at 0041 (left page), 0043 (right page) - 0044 (left page), 0057 (right page), 0058 (right page), 0060 (left page, right page).

⁴⁵ On killing and otherwise harming civilians, see: **P-0010**: [UGA-OTP-0221-0556](#) at 0569-0570, lns. 424-461; **P-0028**: [UGA-OTP-0217-0100](#) at 0103-0104, lns. 97-116; [UGA-OTP-0217-0171](#) at 0175, lns. 114-153, at 0184-0185, lns. 477-487, at 190, lns. 696-706; [UGA-OTP-0217-0125](#) at 0141, lns. 556-561; **P-0040**: [UGA-OTP-0209-0436](#) at 0451-0452, lns. 458-478; [UGA-OTP-0209-0602](#) at 0623-0624, lns. 637-669; [UGA-OTP-0220-0704](#) at 0707, lns. 75-112; [UGA-OTP-0220-0678](#) at 0685-0686, lns. 246-264, at 0701-0702, lns. 839-874; **P-0041**: [UGA-OTP-0221-0162](#) at 0187-0188, lns. 841-888; [UGA-OTP-0221-0195](#) at 0214-0217, lns. 628-725; **P-0048**: [UGA-OTP-0209-0179](#) at 0190-0192, lns. 311-373; **P-0069**: [UGA-OTP-0220-0170](#) at 0175-0177, lns. 0168-230; **P-0070**: [UGA-OTP-0208-0107](#) at 0109-0115, lns. 50-205, at 0119-0120, lns. 313-362; [UGA-OTP-0208-0146](#) at 0154-0155, lns. 229-269, at 0172-0173, lns. 749-790; [UGA-OTP-00000599](#), p. 21, lns. 11-23, pp. 23-26; **P-0023**: [UGA-OTP-0150-0063](#) at 0069-0070, paras. 37-47; **P-0085**: [UGA-OTP-0222-0462](#) at 0468-0471, lns. 212-322; **P-0138**: [UGA-OTP-0228-0467](#) at 0495-0497, lns. 941-1006; [UGA-OTP-00000607](#), pp. 17-22, p. 66, lns. 13-21 (see also [UGA-OTP-0247-1102](#)); **P-0410**: [UGA-OTP-00000627](#), p. 28, ln. 14 - p. 29, ln. 11; **P-0455**: [UGA-OTP-00000867](#), pp. 19-20, lns. 647-692.

⁴⁶ On destruction of property and looting, see: **P-0069**: [UGA-OTP-0220-0125](#) at 0126-0129, lns. 24-131; **P-0070**: [UGA-OTP-00000598](#), p. 79, lns. 10-19; [UGA-OTP-00000599](#), p. 15, ln. 11 - p. 16, ln. 2, p. 24, lns. 6-12; **P-0406**: [UGA-OTP-00000630](#), pp. 40-41; **P-0410**: [UGA-OTP-0267-0207](#) at 0211, para. 32, at 0218, paras. 92-93; **P-0455**: [UGA-OTP-00000859](#), pp. 4-6, lns. 141-192; **P-0085**: [UGA-OTP-0215-0182](#) at 0197-0199, lns. 490-572; [UGA-OTP-0215-0077](#) at 0094-0095, lns. 459-484; **P-0138**: [UGA-OTP-00000608](#), p. 39, lns. 2-10; [UGA-OTP-00000607](#), p. 25, lns. 21-24, p. 26, lns. 1-11; **P-0142**: [UGA-OTP-0273-2508](#) at 2532, lns. 864-865, at 2533, lns. 899-901. See also **ISO logbook**: [UGA-OTP-0060-0149](#) at 0217 (left page); **ISO Logbook**: [UGA-OTP-0068-0146](#) at 0150 (left page), 0151 (right page), 0207 (right page), 0210 (right page).

⁴⁷ See para. 16 above, and section II.C.1.

18. **KONY's** orders to LRA commanders to kill or otherwise harm civilians were constant and followed by his commanders, as evinced by the following examples:

- a. On 19 June 2002, **KONY** ordered Odhiambo to attack a place named Oculud. He also ordered other LRA commanders to abduct young boys and girls and start killing people.⁴⁸
- b. In late July 2002, **KONY** and his LRA fighters attacked Mucwini, killing civilians.⁴⁹
- c. On 7 August 2002, **KONY** and Otti instructed that killings by the LRA should be doubled. **KONY** said that “all LRA should know that their closest relatives are the guns which they [hold] in their hands.” He ordered his soldiers not to spare anyone they came across.⁵⁰
- d. On 9 September 2002, **KONY** ordered all his commanders to “start serious killing of people” across northern Uganda.⁵¹
- e. On 25 November 2002, **KONY** ordered all LRA commanders to target Kamdini and Minakulu and to burn “all homes and bushes”. Otti passed this order to Abudema and Odhiambo and instructed other commanders to target areas in Acholi and Lango.⁵²
- f. On 31 March 2003, **KONY** ordered an attack on Oroko IDP camp to burn down all houses and kill civilians. **KONY** explicitly ordered the LRA commander Bunia to kill up to 800 people in the camp.⁵³
- g. On 4 April 2003, **KONY** ordered that people around Lagile should be killed⁵⁴ and instructed that the LRA should if possible “finish” all Acholi.⁵⁵ In April 2003, when Ongwen reported that he had attacked Awere/Lagile camp, killed 20 civilians, and abducted people, including a Red Cross worker, **KONY** instructed Ongwen to kill that person.⁵⁶ **KONY** also instructed all LRA units to engage in ambushes and camp attacks seriously and target the areas of Okinga, Acholi Bur, Lagile, and Laguti.⁵⁷
- h. On 7 May 2003, **KONY** instructed Otti to plan attacks against civilians in towns like Gulu, Kitgum, Lira, and Pader. Otti, in turn, on 8 May 2003 instructed Lukwiya, Angola,

⁴⁸ ISO logbook: [UGA-OTP-0063-0194](#) at 0216 (right page).

⁴⁹ ISO logbook: [UGA-OTP-0063-0194](#) at 0327 (left-right page); P-0246: [UGA-OTP-0256-0139](#) at 0151, para. 77; P-0455: [UGA-OTP-00000867](#), pp. 19-25, lns. 664-870.

⁵⁰ ISO Logbook: [UGA-OTP-0064-0002](#) at 0019 (left page).

⁵¹ ISO logbook: [UGA-OTP-0067-0002](#) at 0085 (right page).

⁵² ISO Logbook: [UGA-OTP-0065-0002](#) at 0060 (right page); ISO logbook: [UGA-OTP-0066-0201](#) at 0236 (left page).

⁵³ ISO Logbook: [UGA-OTP-0065-0143](#) at 0229 (left page); ISO logbook: [UGA-OTP-0063-0002](#) at 0067 (left page).

⁵⁴ ISO Logbook: [UGA-OTP-0063-0002](#) at 0079 (right page) - 0080 (left page); ISO Logbook: [UGA-OTP-0065-0143](#) at 0242 (left page, right page), 0245.

⁵⁵ ISO Logbook: [UGA-OTP-0063-0002](#) at 0157 (right page).

⁵⁶ ISO Logbook: [UGA-OTP-0063-0002](#) at 0083 (right page), 0161; ISO Logbook: [UGA-OTP-0065-0143](#) at 0246 (left page); UPDF logbook: [UGA-OTP-0254-3399](#) at 3558. See also P-0379: [UGA-OTP-00000666](#), p. 8, ln. 19 - p. 10, ln. 20.

⁵⁷ ISO Logbook: [UGA-OTP-0063-0002](#) at 0133 (right page), 0134 (right page) - 0135 (left page). See also P-0205: [UGA-OTP-0273-1753](#) at 1758-1769, lns. 169-524.

and Ongwen to plan attacks together.⁵⁸ In mid-May 2003, **KONY** ordered Otti to start killing in the Lango area. This is the start of a stream of intercepted messages from **KONY** in which he ordered violence of all kinds, including killings against civilians in the Lango and Teso areas. Tabuley was at this time operating in the Lango area with other senior commanders and more senior commanders came down from Sudan to join Otti in Teso.⁵⁹ In a call to his commanders on 10 May 2003, **KONY** then said that they should start killing civilians seriously.⁶⁰ Such orders continued in the weeks following.⁶¹

- i. On 3 June 2003, **KONY** instructed that schools and universities be targeted and students killed.⁶² He also instructed Tabuley to attack Kitgum town before moving to Lango.⁶³
- j. In June 2003, Otti remained in charge of the Teso operations as designated by **KONY**. On 10 June 2003, in a conversation with **KONY**, Otti ordered attacks on Alooi, Aboko, Bar and Amugu.⁶⁴ Intercept logbooks record the commanders speaking about their military strategy in the Lango and Teso areas as well as attacks on civilians.⁶⁵ On 16 June 2003, **KONY** instructed Otti to hit the Lango area mercilessly and to then proceed into the Teso area to intensify abductions.⁶⁶ On 24 June 2003, the LRA abducted schoolgirls from the Lwala Girls School.⁶⁷
- k. On 19 July 2003, from Sudan, **KONY** ordered all units to move to Soroti for operations.⁶⁸
- l. Then again in September 2003, **KONY** endorsed Otti's plan to resend Tabuley and Bunia to the Teso areas. **KONY** ordered the LRA to start killing "seriously" from Soroti to Atiak (Acholi), and that Otti should promote those officers who are better in this to boost morale and so that such acts are continued. Otti informed **KONY** that he divided the commanders and assigned them to these operations.⁶⁹

⁵⁸ ISO Logbook: [UGA-OTP-0063-0002](#) at 0191 (left page); ISO Logbook: [UGA-OTP-0061-0206](#) at 0294 (right page).

⁵⁹ ISO Logbook: [UGA-OTP-0060-0002](#) at 0027 (left page).

⁶⁰ ISO Logbook: [UGA-OTP-0068-0146](#) at 0156 (right page).

⁶¹ ISO logbook: [UGA-OTP-0068-0146](#) at 0188 (right page), 0209 (right side), 0215 (left side), 0216 (right side), 0269 (right side). Insider witnesses on the operations in Teso: P-0138: [UGA-OTP-0228-0467](#) at 0495-0497, Ins. 941-1006; [UGA-OTP-00000607](#), pp. 17-22; P-0455: [UGA-OTP-00000865](#), pp. 14-21, Ins. 461-735.

⁶² ISO Logbook: [UGA-OTP-0068-0146](#) at 0218 (left page).

⁶³ ISO logbook: [UGA-OTP-0068-0146](#) at 0219 (right page).

⁶⁴ ISO Logbook: [UGA-OTP-0068-0146](#) at 0238 (left side); UPDF logbook: [UGA-OTP-0242-6212](#) at 6405 (left side).

⁶⁵ On general orders to harm Lango civilians from KONY to Otti, see: ISO logbook: [UGA-OTP-0068-0146](#) at 0247, 0249 (left side), 0253 (right side). On attacks in northern parts of Lango reported by LRA under Tabuley, see: ISO Logbook: [UGA-OTP-0068-0146](#) at 0245-0247, 0251; see also Report: [UGA-OTP-0010-0006](#) at 0071.

⁶⁶ ISO Logbook: [UGA-OTP-0068-0146](#) at 0253 (right page).

⁶⁷ See section II.C.1.i) and fn. 465.

⁶⁸ ISO logbook: [UGA-OTP-0060-0149](#) at 0198 (left side); UPDF logbook: [UGA-OTP-0254-0725](#) at 0782.

⁶⁹ ISO Logbook: [UGA-OTP-0232-0234](#) at 0441-0442; ISO logbook: [UGA-OTP-0133-0289](#) at 0337 (left side and right side); UPDF logbook: [UGA-OTP-0254-0725](#) at 1006.

- m. On 9 October 2003, **KONY** ordered Tabuley to start killing Teso people immediately. **KONY** made plans concerning operations in Soroti District/Teso.⁷⁰
- n. On 10 October 2003, the LRA attacked Pajule IDP camp.⁷¹ **KONY** told Otti that his main target was civilians because they were the ones making the Uganda People's Defence Force ("UPDF") follow the LRA.⁷²
- o. In November 2003, **KONY** instructed that Lango people should suffer. He also ordered Kapere to start killing without sparing anybody in Kitgum.⁷³ On 11 November 2003, **KONY** ordered LRA fighters to kill Lango, Acholi, and Teso people. He explicitly instructed the killing of Lango women.⁷⁴
- p. On 20 November 2003, **KONY** instructed Otti to expand LRA operations throughout northern and eastern Uganda committing serious atrocities, under the "Iron Hook" plan.⁷⁵
- q. 23 January 2004, **KONY** instructed the killing of civilians, from infants to the elderly, as it was the civilians who were putting pressure on the government to fight the LRA.⁷⁶
- r. On 4 February 2004, the LRA attacked Abia IDP camp.⁷⁷
- s. On 12 February 2004, **KONY** instructed his commanders to adopt the tactics shown by Odhiambo in Abia camp attack, where many people were killed.⁷⁸ On 21 February 2004, the LRA attacked Barlonyo IDP camp.⁷⁹
- t. On 25 February 2004, **KONY** stated that "people in Lira Palwo are very bad people and Commander Onen should organise and kill them seriously".⁸⁰ A few weeks later, in mid-March 2004, Ongwen jointly with other commanders attacked Lira-Palwo IDP camp, killing over 20 civilians and burning houses.⁸¹
- u. In March 2004, **KONY** ordered that no living creature should be left alive because all the people in Uganda were fighting the LRA.⁸²
- v. On 11 April 2004, **KONY** instructed the LRA not to concentrate only on the UPDF but to kill "anybody they come across", specifically women as they are the "worst".⁸³

⁷⁰ ISO logbook: [UGA-OTP-0232-0234](#) at 0544.

⁷¹ See section II.C.1.ii).

⁷² ISO logbook: [UGA-OTP-0232-0234](#) at 0547-0548.

⁷³ ISO logbook: [UGA-OTP-0066-0002](#) at 0028 (right page) - 0029 (left page).

⁷⁴ ISO logbook: [UGA-OTP-0066-0002](#) at 0038 (left page, right page).

⁷⁵ ISO logbook: [UGA-OTP-0066-0002](#) at 0069 (right page) - 0070 (left page).

⁷⁶ ISO logbook: [UGA-OTP-0061-0002](#) at 0016 (left page, right page).

⁷⁷ See section II.C.1.iii).

⁷⁸ ISO logbook: [UGA-OTP-0061-0002](#) at 0069 (left page).

⁷⁹ See section II.C.1.iv).

⁸⁰ ISO logbook: [UGA-OTP-0061-0002](#) at 0101.

⁸¹ UPDF logbook: [UGA-OTP-0242-7309](#) at 7417; ISO Logbook: [UGA-OTP-0061-0002](#) at 0165; UPDF Report: [UGA-OTP-0018-0028](#) at 0040. See P-0455: [UGA-OTP-00000878](#), pp. 20-26, lns. 698-931.

⁸² ISO Logbook: [UGA-OTP-0061-0002](#) at 0188 (left page).

⁸³ ISO Logbook: [UGA-OTP-0061-0206](#) at 0223 (left page).

w. In April 2004, **KONY** specifically mentioned Odek IDP camp as a target.⁸⁴ On 29 April 2004, the LRA attacked Odek IDP camp.⁸⁵

x. In May and June 2004, further attacks followed in Pagak (16 May 2004), Lukodi (19 May 2004) and Abok (8 June 2004).⁸⁶ The orders to target civilian lives and property indiscriminately decreased but continued in 2005.⁸⁷

19. **Sub-para. 7(ii) DCC:** Insider witnesses confirm that **KONY** regularly issued general orders and strategic directions, such as deciding what areas the LRA fighters should target and what activities should be the focus of LRA operations, and how to prioritise and/or conduct attacks against civilians.⁸⁸ This is corroborated by intercepted conversations throughout the relevant timeframe.⁸⁹

20. **Sub-para. 7(iii) DCC:** The evidence demonstrates that thousands of persons were abducted and enslaved by the LRA in the charged period.⁹⁰ **KONY** regularly ordered LRA commanders to abduct civilians to replenish the LRA, which they complied with.⁹¹ **KONY**, at times, also issued specific orders targeting specific populations of northern Uganda (Lango, Teso, Acholi), specific types of targets (for example, schools or IDP camps), or geographical areas.⁹² P-0231 testified that "...whoever you come across, whoever is able to fight you abduct

⁸⁴ **Uganda Police Report:** [UGA-OTP-0017-0047](#) at 0049.

⁸⁵ See section II.C.1.v).

⁸⁶ See sections II.C.1.vi), vii), viii).

⁸⁷ **ISO logbook:** [UGA-OTP-0152-0002](#) at 0177 (left page), 0178 (left page); **ISO logbook:** [UGA-OTP-0254-1077](#) at 1284 (bottom) - 1285 (top); **ISO logbook:** [UGA-OTP-0152-0002](#) at 0122, 0123 (right side), 0126 (left side); **ISO logbook:** [UGA-OTP-0170-0077](#) at 0085-0086; [UGA-OTP-0151-0002](#) to [UGA-OTP-0151-0042](#).

⁸⁸ **P-0016:** [UGA-OTP-0221-1200](#) at 1209-1211, lns. 300-376; **P-0040:** [UGA-OTP-0220-0678](#) at 0701-0702, lns. 805-874; **P-0070:** [UGA-OTP-0208-0146](#) at 0152, lns. 170-174; [UGA-OTP-0208-0107](#) at 0130-0131, lns. 626-666; [UGA-OTP-0208-0146](#) at 0150-0151, lns. 103-138; **P-0069:** [UGA-OTP-0220-0068](#) at 0074-0075, lns. 181-244; **P-0085:** [UGA-OTP-0215-0155](#) at 0165, lns. 276-292; **P-0138:** [UGA-OTP-00000607](#), p. 18, ln. 8 - p. 20, ln. 14; **P-0455:** [UGA-OTP-00000865](#), pp. 16-19, lns. 543-654.

⁸⁹ See paras. 18-23 above; and section II.C. See also **ISO Logbook:** [UGA-OTP-0063-0194](#) at 0327 (left page), 0338-0339; **ISO Logbook:** [UGA-OTP-0065-0002](#) at 0058 (right page); **ISO Logbook:** [UGA-OTP-0063-0002](#) at 0028 (right page); **ISO Logbook:** [UGA-OTP-0068-0146](#) at 0155 (right page), 0216 (right page), 0218 (right page) - 0219 (left page); **ISO Logbook:** [UGA-OTP-0232-0234](#) at 0547-0548, 0612-0613; **UPDF Logbook:** [UGA-OTP-0255-0228](#) at 0278; **ISO Logbook:** [UGA-OTP-0152-0002](#) at 0044 (left page); **ISO Logbook:** [UGA-OTP-0061-0206](#) at 0222 (right page), 0223 (left page); **UPDF Logbook:** [UGA-OTP-0197-2162](#) at 2239 (left page); **ISO Logbook:** [UGA-OTP-0064-0002](#) at 0005; **ISO Logbook:** [UGA-OTP-0063-0194](#) at 0339 (left page); **ISO Logbook:** [UGA-OTP-0063-0002](#) at 0174 (right page); **ISO Logbook:** [UGA-OTP-0068-0146](#) at 0151 (right page); **ISO Logbook:** [UGA-OTP-0066-0002](#) at 0025 (right page); **UPDF Logbook:** [UGA-OTP-0197-2040](#) at 2050 (left page).

⁹⁰ **P-0422:** [UGA-OTP-00000966](#), p. 62, lns. 10-17; **P-0142:** [UGA-OTP-0273-2508](#) at 2532-2534, lns. 856-865, at 2533-2534, lns. 894-951.

⁹¹ On orders to abduct civilians, see: **P-0233:** [UGA-OTP-00000603](#), p. 46, lns. 13-18, p. 49, lns. 7-9; **P-0071:** [UGA-OTP-0228-3708](#) at 3730-3731, lns. 745-795, at 3735, lns. 921; **P-0010:** [UGA-OTP-0218-0293](#) at 0301, lns. 260-289; **P-0070:** [UGA-OTP-00000598](#), pp. 80-81; [UGA-OTP-0228-2834](#) at 2842, lns. 270-289.

⁹² **P-0138:** [UGA-OTP-00000607](#), p. 23, ln. 12 - p. 24, ln. 13; **P-0041:** [UGA-OTP-0221-0195](#) at 0219, lns. 809-812, at 0225, lns. 1010-1015; [UGA-OTP-0221-0227](#) at 0230, lns. 75-84; **P-0070:** [UGA-OTP-00000598](#), pp. 80-88; [UGA-OTP-0228-2834](#) at 2842, lns. 270-289; [UGA-OTP-00000599](#), p. 15, lns. 11-25; **P-0085:** [UGA-OTP-0215-0182](#) at 0188-0189, lns. 176-237; [UGA-OTP-00000632](#), p. 31, ln. 23 - p. 32, ln. 9; **P-0406:** [UGA-OTP-00000629](#), p. 28, lns. 5-17, p. 29, lns. 8-15; **P-0455:** [UGA-OTP-00000858](#), p. 22, lns. 741-767; [UGA-OTP-00000868](#), pp. 22-23, lns. 771-798; [UGA-OTP-00000865](#), p. 17, lns. 566-576; [UGA-OTP-00000870](#), p. 26, lns.

that person.”⁹³ Following abduction, recruits who were deemed suitable were integrated into the LRA.⁹⁴ Upon initiation, recruits were given training within the brigades.⁹⁵

21. Several witnesses testified in the *Ongwen* trial about standing orders emanating from **KONY** for abductions of women and girls.⁹⁶ P-0205 stated that in 2002, **KONY** issued an order to abduct ‘beautiful girls’ and that in execution of the order, girls from 12 to 20 years old were abducted.⁹⁷ With respect to the campaign to enter the Teso area, P-0070 testified that **KONY** gave the order, over the LRA radio, to abduct ‘young beautiful girls’.⁹⁸ P-0040 stated that brigade commanders could not abduct girls unless specifically instructed by **KONY**.⁹⁹ These witnesses statements are corroborated by intercepted conversations of **KONY** himself.¹⁰⁰

22. As further set out at paras. 140-143, **KONY** and the leadership of the LRA, i.e., his co-perpetrators, engaged in a coordinated and methodical effort, relying on the LRA fighters under their control, to abduct children, including those under the age of 15 years old, in northern Uganda and force them to join the LRA. The evidence shows that the LRA then subjected the children to forced labour, including to take part in hostilities.¹⁰¹ The children also served as servants and escorts in the households of LRA commanders, including in **KONY**’s household. In a recorded conversation with his commanders, **KONY** explained that it was much easier to work with children whom he captured and trained to become LRA soldiers because they didn’t mind about material goods.”¹⁰²

23. **Sub-para. 7(iv) DCC:** As set out at paras. 153-158, witnesses, especially victims, describe how **KONY** and his co-perpetrators engaged in a coordinated and methodical effort, relying on LRA soldiers under their control to abduct women and girls in northern Uganda and force them to serve in the brigades as domestic servants.¹⁰³ Insider witnesses, such as P-0070, describe how **KONY** devised and enforced the rules governing abducted women and girls, for instance that young girls were first made “*ting tings*” and older girls forced to become “wives”,

934-958; [UGA-OTP-00000874](#), p. 4, lns. 116-129; **ISO logbook:** [UGA-OTP-0063-0194](#) at 0331; **ISO Logbook:** [UGA-OTP-0068-0146](#) at 0253 (right page); **ISO Logbook:** [UGA-OTP-0232-0234](#) at 0545; **ISO Logbook:** [UGA-OTP-0068-0146](#) at 0151 (left page).

⁹³ **P-0231:** [UGA-OTP-00000968](#), p. 73, lns. 11-21.

⁹⁴ **P-0205:** [UGA-OTP-00000657](#), p. 31, ln. 23 - ln. 5.

⁹⁵ See paras. 144-145 below.

⁹⁶ **P-0142:** [UGA-OTP-00000679](#), p. 28, ln. 24 - p. 29, ln. 4.

⁹⁷ **P-0205:** [UGA-OTP-00000657](#), p. 20, ln. 22 - p. 21, ln. 4, p. 23, ln. 12 - p. 24, ln. 14, p. 27, lns. 4-9; **ISO Logbook:** [UGA-OTP-0068-0146](#) at 0161 (right page).

⁹⁸ **P-0070:** [UGA-OTP-00000598](#), p. 85, ln. 10 - p. 88, ln. 8.

⁹⁹ **P-0040:** [UGA-OTP-0220-0779](#) at 0799, lns. 702-710.

¹⁰⁰ On orders to abduct women, see: **ISO logbook:** [UGA-OTP-0063-0194](#) at 0216 (right page), 0233 (right page); **ISO logbook:** [UGA-OTP-0232-0234](#) at 0347; **UPDF logbook:** [UGA-OTP-0254-0455](#) at 0561; **ISO logbook:** [UGA-OTP-0068-0146](#) at 0229; **ISO logbook:** [UGA-OTP-0232-0234](#) at 0424, 0545; **ISO logbook:** [UGA-OTP-0061-0002](#) at 0035.

¹⁰¹ See paras. 144-145 below.

¹⁰² **ISO logbook:** [UGA-OTP-0066-0201](#) at 0239 (left page).

¹⁰³ See section II.C.2.ii).

as well as other rules, for example regarding behaviour during menstruation.¹⁰⁴ Insider witnesses as well as victims state that **KONY** oversaw and often decided on the distribution of girls and women¹⁰⁵ and issued orders in this respect.¹⁰⁶

24. **Sub-para. 7(v) DCC:** Witnesses state that **KONY** himself used children as escorts,¹⁰⁷ and girls and women as forced conjugal partners or wives, babysitters, and domestic servants.¹⁰⁸

25. **Sub-para. 7(vi) DCC:** Insider witnesses describe how **KONY** ensured a violent disciplinary system throughout the LRA and that all LRA members followed his rules.¹⁰⁹ This is corroborated by intercepted LRA radio communication.¹¹⁰ **KONY** ordered the killing or physical punishment of senior LRA members and typically delegated such decisions when it came to low-level LRA members and newly abducted persons.¹¹¹ **KONY** used threats as well

¹⁰⁴ **P-0070:** [UGA-OTP-0208-0254](#) at 0276-0277, lns. 627-660; [UGA-OTP-00000599](#), p. 35, ln. 7 - p. 37, ln. 13. See also **P-0040:** [UGA-OTP-0209-0762](#) at 0779-0780, lns. 600-611, 640-650; **P-0264:** [UGA-OTP-00000674](#), p. 2 -4, lns. 24-4; **P-0023:** [UGA-OTP-0150-0063](#) at 0071, para. 64; **P-0021:** [UGA-OTP-0139-0097](#) at 0106, para. 55; **ISO Logbook:** [UGA-OTP-0061-0002](#) at 0027 (right page) - 0028 (left page).

¹⁰⁵ **P-0028:** [UGA-OTP-0217-0241](#) at 0244, lns. 76-88; **P-0040:** [UGA-OTP-0209-0762](#) at 0779-0780, lns. 600-611, 640-650; **P-0048:** [UGA-OTP-00000779](#), p. 27, lns. 2-22; **P-0070:** [UGA-OTP-00000599](#), p. 35, ln. 7 - p. 37, ln. 13; [UGA-OTP-00000600](#), p. 43, ln. 21 - p. 44, ln. 1; [UGA-OTP-0208-0254](#) at 0276-0277, lns. 623-660; **P-0071:** [UGA-OTP-0228-3853](#) at 3862-3863, lns. 298-319, at 3865, lns. 383-391; **P-0085:** [UGA-OTP-00000632](#), p. 46, ln. 14 - p. 48, ln. 19; **P-0138:** [UGA-OTP-0228-0568](#) at 0577, lns. 279-285; [UGA-OTP-0228-0568](#) at 0578-0579, lns. 328-357; **P-0205:** [UGA-OTP-00000657](#), p. 11, lns. 6-8; **P-0231:** [UGA-OTP-00000963](#), p. 44, lns. 4-12; **P-0455:** [UGA-OTP-00000874](#), pp. 11-13, lns. 394-455; [UGA-OTP-00000876](#), p. 6, lns. 186-219; **P-1017:** [UGA-OTP-00000920](#), p. 19, lns. 660-661, p. 20, lns. 696-697; [REDACTED].

¹⁰⁶ **P-0028:** [UGA-OTP-0217-0241](#) at 0244, lns. 76-88; **P-0070:** [UGA-OTP-0208-0214](#) at 0222, lns. 198-206, [UGA-OTP-0208-0254](#) at 0288, lns. 978-985; **P-0085:** [UGA-OTP-00000632](#), pp. 46-48; **P-0048:** [UGA-OTP-00000779](#), p. 27, lns. 2-22; [UGA-OTP-0209-0256](#) at 0261, lns. 111-136. See also from recorded conversations: **ISO Logbook:** [UGA-OTP-0068-0146](#) at 0229 (right page), 0251 (right page); **ISO logbook:** [UGA-OTP-0064-0002](#) at 0033; **ISO logbook:** [UGA-OTP-0068-0146](#) at 0229.

¹⁰⁷ [REDACTED]; **P-0023:** [UGA-OTP-0150-0063](#) at 0066, para. 9, at 0070, para. 47; **P-0063:** [UGA-OTP-0043-0021](#) at 0033, para. 81; **P-0099:** [UGA-OTP-0234-0049](#) at 0054, para. 29.

¹⁰⁸ See para. 156 below. See also section II.D.

¹⁰⁹ **P-0016:** [UGA-OTP-00000643](#), p. 82, ln. 11 - p. 83, ln. 3; **P-0023:** [UGA-OTP-0150-0063](#) at 0068, paras. 27-29, at 0071, paras. 57-61, at 0074, para. 84; **P-0028:** [UGA-OTP-0217-0287](#) at 0302, lns. 508-538; **P-0070:** [UGA-OTP-00000599](#), p. 41, ln. 21 - p. 42, ln. 14, p. 59, ln. 24 - p. 63, ln. 12; [UGA-OTP-0208-0107](#) at 0132, lns. 707-709; **P-0085:** [UGA-OTP-00000632](#), p. 9, ln. 16 - p. 11, ln. 18; **P-0138:** [UGA-OTP-00000608](#), p. 36, ln. 12 - p. 37, ln. 13; **P-0172:** [UGA-OTP-00000962](#), p. 12, lns. 11-12; [UGA-OTP-00000961](#), p. 38, lns. 10-25; **P-0209:** [UGA-OTP-00000635](#), p. 8, ln. 22 - p. 9, ln. 22, p. 26, lns. 21-25; **P-0231:** [UGA-OTP-00000963](#), p. 20, lns. 15-25; [UGA-OTP-00000968](#), p. 75, lns. 4-10; **P-0233:** [UGA-OTP-00000603](#), p. 49, ln. 5 - p. 50, ln. 1; **P-0314:** [UGA-OTP-00000682](#), p. 29, ln. 11 - p. 30, ln. 10; **P-0440:** [UGA-OTP-00000649](#), p. 40, lns. 9-15; **P-0455:** [UGA-OTP-00000853](#), pp. 17-18, lns. 614-650; [UGA-OTP-00000851](#), pp. 17-22, lns. 619-785; [UGA-OTP-00000858](#), pp. 23-24, lns. 778-824; **P-0264:** [UGA-OTP-00000674](#), p. 61, lns. 4-13.

¹¹⁰ See, e.g., **ISO Logbook:** [UGA-OTP-0063-0002](#) at 0071 (right page) - 0072 (left page), 0073 (right page); **ISO Logbook:** [UGA-OTP-0068-0146](#) at 0171 (right page) - 0172 (left page); **ISO Logbook:** [UGA-OTP-0062-0002](#) at 0010 (right page); **ISO Logbook:** [UGA-OTP-0062-0145](#) at 0243 (right page) - 0244 (left page); **ISO Logbook:** [UGA-OTP-0068-0002](#) at 0082 (right page); **ISO Logbook:** [UGA-OTP-0066-0002](#) at 0038 (right page); **ISO Logbook:** [UGA-OTP-0061-0002](#) at 0186 (left page); **ISO Logbook:** [UGA-OTP-0065-0002](#) at 0113 (left page).

¹¹¹ **P-0040:** [UGA-OTP-0209-0813](#) at 0816, lns. 77-87; **P-0045:** [UGA-OTP-00000597](#), p. 49, lns. 16-25; [UGA-OTP-0218-0015](#) at 0026, lns. 374-379; **P-0048:** [UGA-OTP-0209-0337](#) at 0338-0340, lns. 20-86; [UGA-OTP-00000779](#), p. 22, lns. 15-20; **P-0085:** [UGA-OTP-0215-0621](#) at 0622, lns. 39-68, at 0626, lns. 160-167; **P-0142:** [UGA-OTP-00000679](#), p. 28, lns. 9-23; **P-0172:** [UGA-OTP-00000961](#), p. 44, lns. 11-19; [UGA-OTP-0275-1947](#) at 1956-1958, lns. 271-378; **P-0205:** [UGA-OTP-00000658](#), p. 30, ln. 12 - p. 31, ln. 21; **P-0231:** [UGA-OTP-00000963](#), p. 11, ln. 6 - p. 13, ln. 9, p. 43, ln. 4 - p. 44, ln. 1.

as rewards to ensure LRA commanders and fighters complied with his orders.¹¹² Through this system, **KONY** - together with his co-perpetrators - was able to control the members of the LRA, especially of lower rank, who acted as tools in the commission of the crimes.

26. **Sub-para. 7(vii) DCC:** Insider witnesses as well as intercepted conversations demonstrate that **KONY** took decisions and issued orders such as the transfer of commanders between units,¹¹³ decisions on the movements of units,¹¹⁴ the size of each unit,¹¹⁵ the necessity for meetings between commanders,¹¹⁶ and decisions on communication and security.¹¹⁷ The evidence shows that **KONY** was the sole authority for decisions on promotions and demotions of commanders in the LRA.¹¹⁸

27. **Sub-para. 7(viii) DCC:** The recordings of intercepted communications demonstrate that **KONY** planned and organised the supply of weapons and ammunition to LRA units operating in northern Uganda.¹¹⁹ **KONY** controlled the arsenal of arms available to the LRA by, for example, instructing his subordinates to excavate previously buried weapons and ammunition in (then) Sudan and Uganda.¹²⁰ **KONY** also organised the transportation or

¹¹² **P-0040:** [UGA-OTP-0209-0602](#) at 0623, lns. 627-634; [UGA-OTP-0209-0786](#) at 0789, lns. 64-86; **P-0070:** [UGA-OTP-0208-0146](#) at 0150-0151, lns. 103-1124; **P-0085:** [UGA-OTP-0215-0106](#) at 0125, lns. 623-629; **P-0205:** [UGA-OTP-00000657](#), p. 4, ln. 13 - p. 5 ln. 21; **ISO Logbook:** [UGA-OTP-0232-0234](#) at 0359, 0442, 0485; **ISO Logbook:** [UGA-OTP-0061-0002](#) at 0153 (left page, right page), 0186 (left page); **ISO Logbook:** [UGA-OTP-0063-0194](#) at 0311 (left page); **ISO Logbook:** [UGA-OTP-0068-0146](#) at 0207 (right page), 0220 (right page); **ISO Logbook:** [UGA-OTP-0066-0002](#) at 0070 (right page) - 0071 (left page).

¹¹³ **ISO Logbook:** [UGA-OTP-0064-0093](#) at 0166 (right page) - 0167 (right page); **ISO Logbook:** [UGA-OTP-0232-0234](#) at 0413-0415; **ISO Logbook:** [UGA-OTP-0061-0002](#) at 0122 (right page); **UPDF Logbook:** [UGA-OTP-0254-1077](#) at 1208.

¹¹⁴ **P-0455:** [UGA-OTP-00000857](#), pp. 7-9, lns. 242-312; **ISO Logbook:** [UGA-OTP-0068-0146](#) at 0151 (right page), 0254 (left page); **UPDF Logbook:** [UGA-OTP-0242-6212](#) at 6321(left page); **ISO Logbook:** [UGA-OTP-0063-0194](#) at 0306 (left page).

¹¹⁵ **P-0028:** [UGA-OTP-0217-0171](#) at 0185, lns. 500-504; **ISO Logbook:** [UGA-OTP-0063-0002](#) at 0171 (right page), 0191 (left page); **ISO Logbook:** [UGA-OTP-0066-0002](#) at 0146 (left page).

¹¹⁶ **P-0455:** [UGA-OTP-00000865](#), pp. 16-17, lns. 552-574, pp. 18-20, lns. 627-702; **ISO Logbook:** [UGA-OTP-0064-0093](#) at 0122 (right page); **ISO Logbook:** [UGA-OTP-0065-0002](#) at 0124 (right page); **ISO Logbook:** [UGA-OTP-0063-0002](#) at 0010 (left page); **ISO Logbook:** [UGA-OTP-0068-0146](#) at 0153 (right page), 0155 (left page), at 0328 (right page); **ISO Logbook:** [UGA-OTP-0061-0206](#) at 0209 (left page).

¹¹⁷ **ISO Logbook:** [UGA-OTP-0066-0002](#) at 0095 (left page, right page), 0103 (left page) - 0104 (left page), 0114 (left page) - 0115 (right page); **ISO Logbook:** [UGA-OTP-0068-0146](#) at 0191 (right page), 0192 (left page), 0218 (left page, right page); **ISO Logbook:** [UGA-OTP-0061-0002](#) at 0153 (left page, right page).

¹¹⁸ **P-0040:** [UGA-OTP-0209-0813](#) at 0816, lns. 77-87; [UGA-OTP-0220-0779](#) at 0797, lns. 644-648; **P-0069:** [UGA-OTP-0220-0037](#) at 0039-0040, lns. 68-76; **P-0070:** [UGA-OTP-00000600](#), p. 33, lns. 2-6; [UGA-OTP-0208-0179](#) at 0185-0186, lns. 160-180; **P-0071:** [UGA-OTP-0228-3680](#) at 3702, lns. 760-776; **P-0136:** [UGA-OTP-0221-1364](#) at 1374-1375, lns. 348-380; **P-0205:** [UGA-OTP-00000657](#), p. 4, ln. 13 - p. 6, ln. 12; **UPDF Logbook:** [UGA-OTP-0197-2162](#) at 2198 (right page) - 2200 (left page); **UPDF Logbook:** [UGA-OTP-0254-1077](#) at 1363-1366; **ISO logbook:** [UGA-OTP-0170-0077](#) at 0090-0091.

¹¹⁹ **ISO Logbook:** [UGA-OTP-0063-0194](#) at 0261 (right page), 0293 (left page); **ISO Logbook:** [UGA-OTP-0065-0002](#) at 0049 (left page), 0073 (left page), 0129 (right page); **ISO Logbook:** [UGA-OTP-0063-0002](#) at 0072 (left page), 0187 (right page), 0188 (left page), 0189 (left page); **ISO Logbook:** [UGA-OTP-0068-0146](#) at 0215 (right page); **ISO Logbook:** [UGA-OTP-0232-0234](#) at 0389; **ISO Logbook:** [UGA-OTP-0066-0002](#) at 0070 (right page), 0146 (left page); **ISO Logbook:** [UGA-OTP-0061-0206](#) at 0276 (right page).

¹²⁰ **P-0057:** [UGA-OTP-0069-0515](#) at 0519, paras. 33-35; see also **ISO Logbook:** [UGA-OTP-0063-0002](#) at 0068 (right page), 0122 (left page); **ISO Logbook:** [UGA-OTP-0232-0234](#) at 0369; **ISO Logbook:** [UGA-OTP-0068-0146](#) at 0192 (right page).

distribution of weapons and ammunition to his forces in Uganda,¹²¹ and gave instructions on dividing the weapons and ammunition between the different units.¹²²

28. **Para. 8 DCC:** The evidence as set out above shows that **KONY** meant to engage in the charged conduct and intended pursuant to articles 30(2)(a) and (b), or was aware that the charged crimes would be committed in the ordinary course of events, pursuant to article 30(3). **KONY** was aware of the criminality of the Common Plan, and knew that the crimes would be committed in the ordinary course of events because of its implementation. **KONY** was also aware of the organised and hierarchical structure of the LRA, which allowed him and the other co-perpetrators to have joint control over the crimes. On the latter aspect, the Prosecution can show that **KONY** was aware of his critical role in implementing the Common Plan and his ability to control, jointly with others, the organised structure of power that was the LRA. These subjective elements can be inferred from his essential contributions, including his own statements via the LRA radio communications to his commanders.¹²³

2. In the alternative, Ordering and Inducing pursuant to Article 25(3)(b)

29. **Paras. 9-10 DCC:** The Prosecution relies on **KONY**'s standing orders to harm, including kill, civilians in the charged period in northern Uganda,¹²⁴ as well as the concrete orders issued in relation to the charged crimes.¹²⁵ In the alternative, the evidence shows that **KONY** directed and/or prompted his subordinates to commit the charged crimes, including by his statements encouraging crimes against civilians,¹²⁶ blaming civilians for the ongoing

¹²¹ **P-0040:** [UGA-OTP-0220-0779](#) at 0796, lns. 602-616; **P-0085:** [UGA-OTP-0215-0132](#) at 0138-0139, lns. 186-239; **P-0141:** [UGA-OTP-0228-4692](#) at 4728-4729, lns. 1230-1252, at 4730, lns. 1298-1310; **P-1017:** [UGA-OTP-00000918](#), pp. 11-14, lns. 378-476; **ISO Logbook:** [UGA-OTP-0063-0002](#) at 0124 (left page); **ISO Logbook:** [UGA-OTP-0232-0234](#) at 0359; **ISO Logbook:** [UGA-OTP-0061-0206](#) at 0209 (right page) - 0210 (left page).

¹²² **P-0455:** [UGA-OTP-00000865](#), pp. 1-2, lns. 30-43; *see also* **ISO Logbook:** [UGA-OTP-0063-0002](#) at 0005 (left page), 0010 (left page), 0170 (right page); **ISO Logbook:** [UGA-OTP-0068-0146](#) at 0171 (left page); **ISO Logbook:** [UGA-OTP-0066-0002](#) at 0131 (left page); **ISO Logbook:** [UGA-OTP-0061-0206](#) at 0270 (left page).

¹²³ *See, e.g.,* **ISO Logbook:** [UGA-OTP-0064-0002](#) at 0049 (right page); **ISO Logbook:** [UGA-OTP-0063-0002](#) at 0025 (left page) - 0026 (right page), 0185 (left page, right page); **ISO Logbook:** [UGA-OTP-0232-0234](#) at 0307-0309, 0430; **ISO Logbook:** [UGA-OTP-0066-0002](#) at 0035 (right page), 0077 (right page); **Uganda Police Report:** [UGA-OTP-0012-0025](#) at 0027; **ISO Logbook:** [UGA-OTP-0061-0002](#) at 0068 (right page) - 0069 (left page), 0165 (left page, right page); **ISO Logbook:** [UGA-OTP-0061-0206](#) at 0304 (right page); **ISO Logbook:** [UGA-OTP-0068-0002](#) at 0021 (right page) - 0022 (left page); **ISO Logbook:** [UGA-OTP-0063-0194](#) at 0311 (left page); **ISO Logbook:** [UGA-OTP-0068-0146](#) at 0161 (right page) - 0162 (left page); **UPDF Logbook:** [UGA-OTP-0197-0308](#) at 0353 (left page); **UPDF Logbook:** [UGA-OTP-0254-1077](#) at 1201; **UPDF Logbook:** [UGA-OTP-0242-7500](#) at 7747.

¹²⁴ *See* para. 18 above.

¹²⁵ *See* section C.1.

¹²⁶ *See* paras.18-22. *See also* **P-0010:** [UGA-OTP-0221-0556](#) at 0569-0570, lns. 446-461; **P-0041:** [UGA-OTP-0221-0162](#) at 0187-0188, lns. 841-868; [UGA-OTP-0221-0195](#) at 0214, lns. 628-645, at 0215-0217, lns. 680-725; **P-0145:** [UGA-OTP-00000623](#), p. 51, ln. 25 - p. 52, ln. 6; **ISO Logbook:** [UGA-OTP-0063-0194](#) at 0216 (left page, right page), 0226 (left page); **ISO Logbook:** [UGA-OTP-0068-0002](#) at 0084 (left page); **ISO Logbook:** [UGA-OTP-0063-0002](#) at 0028 (right page), 0133 (right page), 0134 (right page), 0157 (right page), 0185 (left page, right page); **ISO Logbook:** [UGA-OTP-0232-0234](#) at 0612-0613; **ISO Logbook:** [UGA-OTP-0061-0002](#) at 0096 (right page); **UPDF Logbook:** [UGA-OTP-0242-6212](#) at 6321 (right page).

conflict,¹²⁷ demonising and dehumanising civilians,¹²⁸ praising LRA perpetrators;¹²⁹ and rewarding those perpetrators through promotions, distributing of forced wives, and other enslaved persons.¹³⁰ The requisite mental elements are inferred from this evidence.

3. Direct Perpetration pursuant to article 25(3)(a)

30. **Para. 11 DCC:** Reference is made to the evidence set out below at Section D.

B. CONTEXTUAL ELEMENTS

1. Contextual Elements of War Crimes (Article 8)¹³¹

31. **Para. 12 DCC:** P-0205, a former LRA fighter, testified that in June 2002, Gilva, Sinia, and Stockree Brigades, as well as Control Altar entered Uganda under the overall control of Otti.¹³² P-0422, an expert witness with extensive knowledge of the armed conflict, testified to the origins of the LRA under **KONY** in both a spiritual and military sense. Further, he provides details of the internal communications, structure and tactics of the LRA.¹³³ P-0070, a former battalion commander, testified on the armed conflict and provided examples of the ongoing armed hostilities in the timeframe relevant to the charges,¹³⁴ as do other insider witnesses.¹³⁵

32. P-0138 testified that **KONY's** aim was to overthrow President Yoweri Museveni's government.¹³⁶ The UPDF was the LRA's principal military opponent, in addition to local

¹²⁷ See paras. 16-18 above.

¹²⁸ **P-0085:** [UGA-OTP-0215-0047](#) at 0073-0074, lns. 722-757; **ISO Logbook:** [UGA-OTP-0068-0002](#) at 0058 (right page); **ISO Logbook:** [UGA-OTP-0063-0002](#) at 0157 (right page); **ISO Logbook:** [UGA-OTP-0061-0002](#) at 0101 (right page).

¹²⁹ See paras. 60, 74, 84, 98, 111, 125 below. See also **ISO Logbook:** [UGA-OTP-0064-0093](#) at 0098 (right page); **ISO Logbook:** [UGA-OTP-0068-0002](#) at 0081 (left page); **ISO Logbook:** [UGA-OTP-0232-0234](#) at 0477; **ISO Logbook:** [UGA-OTP-0066-0002](#) at 0035 (left page); **ISO Logbook:** [UGA-OTP-0061-0002](#) at 0165 (right page).

¹³⁰ See section II.C.2. See also **ISO Logbook:** [UGA-OTP-0063-0194](#) at 0218 (left page), 0236 (right page); **ISO Logbook:** [UGA-OTP-0063-0002](#) at 0042 (right page); **ISO Logbook:** [UGA-OTP-0232-0234](#) at 0359, 0424, 0441-0442; **ISO Logbook:** [UGA-OTP-0066-0002](#) at 0007 (left page), 0070 (right page) - 0071 (left page); **ISO Logbook:** [UGA-OTP-0061-0002](#) at 0071 (left page); **ISO Logbook:** [UGA-OTP-0063-0194](#) at 0311 (left page); **ISO Logbook:** [UGA-OTP-0068-0146](#) at 0220 (right page).

¹³¹ The Prosecution also refers the Chamber to the conclusions drawn by Trial Chamber IX in *Ongwen*, which relate to the same timeframe, and are largely based on the same witnesses and evidence as cited in this Brief. Further, the High Court of Uganda at Gulu summarised the history and evolution of the armed conflict in the *Kwoyelo* case. See *Ongwen* TJ, paras. 142-143, 1149-1153, paras. 2807-2817; *Kwoyelo* Judgment: [UGA-OTP-00001132](#), paras. 6-15, 120.

¹³² **P-0205:** [UGA-OTP-00000656](#), p. 17, ln. 25 - p. 18, lns. 5.

¹³³ **P-0422:** [UGA-OTP-00000966](#), p. 26, ln. 1- p. 28, ln. 2, p. 38, lns. 1-2, p. 52, ln. 10 - p. 54, ln. 15, p. 66, ln. 10- p. 67, ln. 22, p. 69, ln. 1- p. 70, ln. 3, p. 79, lns. 2-22, [UGA-OTP-00000967](#), p. 95, ln. 6 - p. 96, ln. 10, [UGA-OTP-0270-0004](#) at 0020-0035, paras. 30-51.

¹³⁴ **P-0070:** [UGA-OTP-00000599](#), p. 4, lns. 4-12; p. 17, lns. 2-6, p. 21, ln. 16 - p. 23, ln. 24.

¹³⁵ **P-0309:** [UGA-OTP-00000670](#), p. 14, ln. 7- p. 16, ln. 25, p. 22, lns. 23-25, p. 24, lns. 1-14, p. 28, lns. 15-25, [UGA-OTP-00000671](#), p. 38, lns. 17-18, p. 66, lns. 22-25; **P-0406:** [UGA-OTP-00000629](#), p. 15, lns. 10-16; **P-0045:** [UGA-OTP-0218-0223](#) at 0238-0239, lns. 512-561; **P-0145:** [UGA-OTP-0219-0180](#) at 0186-0187, lns. 185-221.

¹³⁶ **P-0138:** [UGA-OTP-00000607](#), p. 24, lns. 7-18. See also **P-0406:** [UGA-OTP-00000630](#), p. 17, lns. 9-22; **Mega FM:** [UGA-OTP-0023-0002-Track01](#), [UGA-OTP-0023-0002-Track02](#); **Mega FM:** [UGA-OTP-0023-0011](#) at 0014; [UGA-OTP-0023-0011](#); [UGA-OTP-0150-0005-Track01](#); [UGA-OTP-0150-0005-Track02](#); See also **LRA documents:** [UGA-OTP-0269-0791](#); [UGA-OTP-0012-0326](#). See **P-0422:** [UGA-OTP-00000966](#), p. 40, ln. 6- p. 41, ln. 24.

defence groups. P-0047 provides insight into the structure and deployment of UPDF forces.¹³⁷ As to the local defence units that fought on the UPDF side, P-0059 testified to their proximity to the UPDF, and that they were recruited locally and generally had smaller weapons.¹³⁸ Insider witnesses P-0138, P-0218 and P-0359 give details of how these local groups supported the UPDF in the fight against the LRA.¹³⁹ There is video footage on their recruitment process.¹⁴⁰

33. Documentary evidence, such as recordings of intercepted LRA radio communications, provide an uninterrupted timeline of hostilities, as LRA commanders reported to **KONY** daily during the charged period about their clashes with UPDF soldiers and the aim of removing Museveni from power.¹⁴¹ Reports of civil society organisations,¹⁴² including video footage,¹⁴³ are also relied upon for the nature and extent of the hostilities.

34. **Para. 13 DCC:** To show that the LRA was an organised armed group, the Prosecution relies on several insider witnesses,¹⁴⁴ as well as logbooks of intercepted radio communications.¹⁴⁵ Insider witnesses describe the hierarchical structure of the LRA, with **KONY** as its highest authority, the different units, their commanders and the stringent chain of command.¹⁴⁶ As to the LRA's training and disciplinary system, the Prosecution relies on several insider witnesses, who describe how they were trained (often already as children) and what happened if they disobeyed.¹⁴⁷ Logbook entries of intercepted LRA radio communication

¹³⁷ **P-0047:** [UGA-OTP-0027-0177](#) at 0185, paras. 50-51, [UGA-OTP-00000606](#), p. 6, ln. 1- p. 7, ln. 15, p. 9, ln. 10- p. 10, ln. 10.

¹³⁸ **P-0059:** [UGA-OTP-00000647](#), p. 46, ln. 2 - p. 47, ln. 1.

¹³⁹ **P-0138:** [UGA-OTP-00000607](#), p. 20, ln. 24 - p. 21, ln. 3; **P-0218:** [UGA-OTP-00000696](#), p. 51, lns. 9-13; **P-0359:** [UGA-OTP-00000602](#), p. 16, ln. 7 - p. 17, ln. 23.

¹⁴⁰ **Video:** [UGA-OTP-00001369](#), at 07:28-08:15.

¹⁴¹ **ISO logbook:** [UGA-OTP-0063-0194](#) at 0204, 0245, 0331, 0339; **ISO logbook:** [UGA-OTP-0068-0002](#) at 0056; **ISO Logbook:** [UGA-OTP-0061-0206](#) at 0289, 0329 (left page); **UPDF Logbook:** [UGA-OTP-0254-1077](#) at 1207, 1284; [UGA-OTP-0248-0224](#); *See also Report:* [UGA-OTP-0256-0293](#); [UGA-OTP-0256-0302](#); [UGA-OTP-0256-0343](#); [UGA-OTP-0256-0347](#); [UGA-OTP-0207-0745](#); see fn. 30 above.

¹⁴² **Report:** [UGA-OTP-0231-0188](#) at 0193, 0202, 0205-0206; **Report:** [UGA-OTP-0010-0006](#) at 0011-0146; **Report:** [UGA-D26-0018-0429](#); **Media:** [UGA-OTP-0132-0513](#); **UNDSS:** [UGA-OTP-0159-0109](#); [UGA-OTP-0159-0109](#); [UGA-OTP-0159-0168](#); [UGA-OTP-0159-0229](#); **Report:** [UGA-OTP-0231-0383](#); **UPDF report:** [UGA-OTP-0233-0245](#); [UGA-OTP-0233-0462](#); [UGA-OTP-00001346](#).

¹⁴³ **Videos:** [UGA-OTP-00001366](#); [UGA-OTP-00001363](#); [UGA-OTP-00001360](#) at 08:27-11:55; **Audio:** [UGA-OTP-0253-0750](#).

¹⁴⁴ **P-0138:** [UGA-OTP-00000607](#), p. 13, lns. 18-23, [UGA-OTP-00000608](#), p. 32, ln. 25, p. 33, lns. 1-3; **P-0144:** [UGA-OTP-00000697](#), p. 15, lns. 7-8, [UGA-OTP-00000698](#), p. 19, lns. 8-16; **P-0209:** [UGA-OTP-00000634](#), p. 9, lns. 7-12, [UGA-OTP-00000635](#), p. 20, lns. 22-25, p. 21, lns. 1-7; **P-0231:** [UGA-OTP-00000609](#), p. 46, lns. 16-17; **P-0440:** [UGA-OTP-00000648](#), p. 68, lns. 1-4; **P-0070:** [UGA-OTP-00000598](#), p. 57, lns. 3-6, 14-25, p. 58, lns. 1-4, 11-25; p. 60, lns. 6-12; **P-0085:** [UGA-OTP-00000632](#), p. 20, lns. 13-18; **P-0172:** [UGA-OTP-00000605](#), p. 3, lns. 17-21.

¹⁴⁵ **ISO Logbook:** [UGA-OTP-0064-0093](#) at 0166 (right page) - 0167 (right page); **ISO Logbook:** [UGA-OTP-0232-0234](#) at 0414-0415; **UPDF Logbook:** [UGA-OTP-0254-0725](#) at 0992-0994. *See also* [UGA-OTP-0015-0052](#); [UGA-OTP-0233-0198](#); [UGA-OTP-0233-0207](#); [UGA-OTP-0225-0228](#).

¹⁴⁶ *See* paras. 10-12 above.

¹⁴⁷ **P-0070:** [UGA-OTP-00000599](#), p. 3, lns. 17-20, p. 41, lns. 13-25, p. 42, lns. 1-14, p. 63, lns. 10-12, [UGA-OTP-0208-0146](#) at 0150-0151, lns. 103-138; **P-0309:** [UGA-OTP-00000670](#), p. 32, lns. 1-25, p. 33, lns. 1-2, p. 33, lns. 15-18, p. 34, lns. 1-8, p. 41, lns. 6-18, **P-0252:** [UGA-OTP-00000693](#), p. 50, lns. 12-25, p. 51, lns. 1-25, p. 52, lns. 1-3, p. 61, lns. 4-13, p. 82, lns. 23-25; **P-0314:** [UGA-OTP-00000682](#), p. 18, lns. 8-25, p. 19, lns. 1-5, p. 20, lns. 18-25, p. 21, lns. 1-6, p. 29, lns. 11-25, p. 30, lns. 1-15.

provide insight into this ruthless disciplinary system, recording **KONY** ordering that those who try to escape or have “mixed feelings” should be killed.¹⁴⁸ **KONY** provided instructions on training, distribution of weapons, communications and structure of LRA units.¹⁴⁹ As to weaponry, witnesses describe the types of weapons and ammunitions the LRA possessed, including heavy weaponry,¹⁵⁰ as well as the significant support received from Sudan.¹⁵¹ Further, in documentary evidence, such as intercepted radio communications, LRA commanders listed the weaponry (including helicopters) used by the UPDF, the weapons and equipment the LRA regularly seized (“charged”) from them, and the towns attacked.¹⁵² Visual evidence shows the weaponry used by the two armed groups, including LRA heavy artillery.¹⁵³

35. **Para. 14 DCC:** The relevant nexus requirement as well as **KONY** and the LRA perpetrators’ relevant awareness is shown by evidence in relation to each charged incident.¹⁵⁴

2. Contextual Elements of Crimes Against Humanity (Article 7)

36. **Para. 15 DCC:** As to the “course of conduct” requirement of article 7(2)(a) the Prosecution relies on the evidence presented for each charged incident, as well as section II.C. 2. Further, intercept as well as witness evidence demonstrate the regular and serious LRA attacks against civilians and civilian infrastructure.¹⁵⁵ The Prosecution also relies on documentary evidence on the nature and effects of the attacks against civilians, especially against children, across the territory of northern Uganda in the relevant timeframe.¹⁵⁶

37. **Paras. 16-17 DCC:** The Prosecution relies on the evidence of witnesses, including insider witnesses, as well as logbook entries of intercepted communications to demonstrate the

¹⁴⁸ **ISO Logbook:** [UGA-OTP-0066-0002](#) at 0038 (right page).

¹⁴⁹ **ISO Logbook:** [UGA-OTP-0068-0146](#) at 0207 (right page); **ISO Logbook:** [UGA-OTP-0061-0002](#) at 0186 (left page); **UPDF Logbook:** [UGA-OTP-0254-0455](#) at 0640.

¹⁵⁰ **P-0056:** [UGA-OTP-0069-0681](#) at 0683, para. 16; **P-0085:** [UGA-OTP-00000632](#), p. 18, lns. 18-22, p. 19, lns 5-13; **P-0098:** [UGA-OTP-0165-0002](#) at 0010, para. 52; **P-0142:** [UGA-OTP-00000678](#), p. 13, lns. 5-10; **P-0144:** [UGA-OTP-00000697](#), p. 13, lns. 4-24, p. 14, lns 8-14, p. 30, lns. 15-18; **P-0264:** [UGA-OTP-00000673](#), p. 67, lns. 15-18; **P-0410:** [UGA-OTP-00000627](#), p. 31, lns. 12-15, p. 64, lns. 13-17.

¹⁵¹ **P-0205:** [UGA-OTP-00000657](#), p. 34, lns. 5-13.

¹⁵² **ISO Logbook:** [UGA-OTP-0063-0194](#) at 0209 (right page), 0211 (left page, right page), 0213 (right page), 0217 (left page), 0219 (left page), 0230 (right page), 0236 (left page, right page), 0238 (right page), 0249 (left page); **ISO Logbook:** [UGA-OTP-0068-0146](#) at 0147 (right page), 0168 (right page), 0175 (right page), 0191 (left page), 0200 (right page), 0209 (left page), 0238 (right page), 0244 (left page), 0299 (right page), 0302 (left page); **UPDF Logbook:** [UGA-OTP-0254-0455](#) at 0596, 0602-0603, 0630, 0641-0642, 0675, 0683-0684; **UPDF Logbook:** [UGA-OTP-0242-6212](#) at 6358 (left page), 6367 (right page) - 6368 (right page), 6377 (right page), 6405 (right page); **UPDF Logbook:** [UGA-OTP-0242-6018](#) at 6022 (left page); **UPDF Logbook:** [UGA-OTP-0254-1077](#) at 1194; **Police Logbook:** [UGA-OTP-0151-0021](#) at 0021-0022; **UPDF video:** [UGA-OTP-0021-0010](#) at 00:09:30-00:20:43; **UPDF Report:** [UGA-OTP-0037-0282](#).

¹⁵³ **Forensic report:** [UGA-OTP-00001384](#); **Annex to Forensic report:** [UGA-OTP-00001386](#); **Photograph:** [UGA-OTP-0011-0571](#) at 0573, 0574, 0576-0578; [UGA-OTP-0016-0603](#); [UGA-OTP-0016-0613](#); [UGA-OTP-0016-0627](#); [UGA-OTP-0016-0629](#); [UGA-OTP-0016-0651](#); **Forensic report:** [UGA-OTP-00001297](#). See also related to these reports, [UGA-OTP-00001389](#).

¹⁵⁴ See sections II.C, D.

¹⁵⁵ See para. 18, and section II.C.1. See also *Ongwen* TJ, paras. 1158-1171.

¹⁵⁶ **Photographs:** [UGA-OTP-00001334](#); [UGA-OTP-00001336](#); [UGA-OTP-00001338](#); [UGA-OTP-00001340](#); [UGA-OTP-00001358](#); [UGA-OTP-0016-0635](#) at 0635-0636; [UGA-OTP-0016-0641](#); [UGA-OTP-0016-0646](#);

relevant organisational policy.¹⁵⁷ Documentary evidence also speaks to the LRA's aim of overthrowing the government.¹⁵⁸ Further, there are regular references in the intercepted communications to the LRA's overall goal of removing President Museveni from power.¹⁵⁹

38. Further, the evidence set out for each of the charged crimes shows a pattern of systematic attacks against civilians across the entirety of the territory of northern Uganda, which is a strong indicator in and of itself that the LRA perceived the civilians residing there, in particular those living in government-established IDP camps, as associated with the government and therefore the enemy.¹⁶⁰ The LRA also targeted civilians to sustain its operations, abducting and enslaving thousands of children and women.¹⁶¹

39. **Para. 18 DCC:** The relevant nexus requirement, as well as **KONY** and the LRA perpetrators' relevant knowledge and intention, is demonstrated by the testimony of insider witnesses as well as intercept evidence, as set out above.¹⁶²

C. CRIMES OF INDIRECT CO-PERPETRATION, ALTERNATIVELY ORDERING AND INDUCING

1. INCIDENT-BASED CRIMES (COUNTS 1-14)

[UGA-OTP-0016-0647](#); [UGA-OTP-0016-0649](#); [UGA-OTP-0016-0650](#); [UGA-OTP-0016-0654](#); [UGA-OTP-0016-0655](#); [UGA-OTP-0016-0656](#); [UGA-OTP-0016-0659](#); [UGA-OTP-0016-0661](#); [UGA-OTP-0025-0846](#); [UGA-OTP-0025-0847](#); [UGA-OTP-0025-0848](#); [UGA-OTP-0025-0849](#); [UGA-OTP-0025-0850](#); [UGA-OTP-0025-0851](#); [UGA-OTP-0021-0055](#); [UGA-OTP-0025-0831](#); [UGA-OTP-0025-0832](#); [UGA-OTP-0025-0833](#); [UGA-OTP-0025-0836](#); [UGA-OTP-0025-0837](#); [UGA-OTP-0025-0838](#); **Video:** [UGA-OTP-00001365](#) at 00:00-23:25; [UGA-OTP-00001366](#) at 00:00 – 23:03; [UGA-OTP-00001369](#) at 00:00-23:46; [UGA-OTP-00001372](#) at 00:00-12:25; [UGA-OTP-00001375](#) at 00:00-19:52; [UGA-OTP-00001378](#) at 00:00-29:58; [UGA-OTP-00001381](#) at 00:00-19:47; [UGA-OTP-0016-0653](#); [UGA-OTP-0021-0051](#); [UGA-OTP-0021-0053](#); [UGA-OTP-0021-0054](#); [UGA-OTP-0130-0056](#); [UGA-OTP-0025-0833](#); [UGA-OTP-0025-0835](#); **Reports:** [UGA-OTP-0044-0044](#) at 0044-0047; [UGA-OTP-0231-0188](#) at 0193, 0206-0216, 0225-0231; [UGA-OTP-0159-0150](#); [UGA-OTP-0130-0073](#); [UGA-OTP-0132-0488](#); [UGA-OTP-0132-0492](#); [UGA-OTP-0132-0498](#); [UGA-OTP-0132-0506](#); [UGA-OTP-0132-0509](#); [UGA-OTP-0132-0512](#); [UGA-OTP-0192-0493](#); [UGA-OTP-0285-0097](#); [UGA-OTP-0069-0404](#); [UGA-OTP-0231-0890](#); [UGA-OTP-0256-0240](#); [UGA-OTP-0021-0056](#).

¹⁵⁷ **P-0045:** [UGA-OTP-00000597](#), p. 44, lns. 13-21; **P-0097:** [UGA-OTP-00000946](#), p. 35, lns. 15-25, p. 36, lns. 1-2; **P-0138:** [UGA-OTP-00000608](#), p. 33, lns. 18 - p. 34, ln. 4, [UGA-OTP-00000607](#), p. 24, lns. 7-11; **P-0231:** [UGA-OTP-00000963](#), p. 20, lns. 8-12; **P-0264:** [UGA-OTP-00000674](#), p. 59, lns. 1-8; **P-0406:** [UGA-OTP-00000630](#), p. 17, lns. 9-22.

¹⁵⁸ **LRA Manifesto:** [UGA-OTP-0269-0791](#) at 0794, 0796; **Constitution of LRA:** [UGA-OTP-0012-0326](#) at 0329-0330, 0342; **LRA Notes:** [UGA-OTP-0253-0162](#); [UGA-OTP-0026-0094](#); [UGA-OTP-0026-0273](#); [UGA-OTP-0253-0165](#). See **P-0422:** [UGA-OTP-00000966](#), p. 41, lns. 7-8.

¹⁵⁹ **ISO Logbook:** [UGA-OTP-0063-0194](#) at 0245 (left page), 0331, 0339 (right page); **ISO Logbook:** [UGA-OTP-0068-0146](#) at 0254 (right page); **ISO Logbook:** [UGA-OTP-0232-0234](#) at 0484-0485; **UPDF Logbook:** [UGA-OTP-0242-6018](#) at 6147 (right page) - 6148 (right page); **ISO Logbook:** [UGA-OTP-0066-0002](#) at 0045 (right page), 0055, 0056 (left page); **UPDF Logbook:** [UGA-OTP-0254-0229](#) at 0356-0359; **ISO Logbook:** [UGA-OTP-0061-0002](#) at 0098 (left page), 0176 (left page, right page); **ISO Logbook:** [UGA-OTP-0061-0206](#) at 0289 (left page), 0327 (right page); **UPDF Logbook:** [UGA-OTP-0242-7309](#) at 7491 (left page) - 7493 (left page); **UPDF Logbook:** [UGA-OTP-0242-7194](#) at 7262 (right page) - 7264; **Police Logbook:** [UGA-OTP-0037-0002](#) at 0086, 0139-0140.

¹⁶⁰ See paras. 16-18 above; and section II.C.1.

¹⁶¹ See section II.C.2.

¹⁶² See paras. 16-18 above; and section II.C.

i) **Attack on Lwala Girls School**¹⁶³

40. **Para. 19 DCC:** As to **KONY** and Otti's orders to target schools to abduct schoolgirls, the Prosecution relies on the intercepted LRA radio communications by which these orders were transmitted,¹⁶⁴ and the testimony of LRA members P-0070 – who personally heard **KONY** giving such orders by radio,¹⁶⁵ and P-0069 – who saw the order in transcribed form.¹⁶⁶ For Tabuley's tasking of his subordinate commanders, the Prosecution relies on the testimony of four LRA members, including battalion commander [REDACTED] (P-0041, ["REDACTED"]).¹⁶⁷ For Lagulu's and Kapere's identification of the Lwala Girls School as a target, and selection of fighters, the Prosecution relies on the testimony of four LRA members, including [REDACTED] (P-0041) and [REDACTED] (aka [REDACTED], P-1017) – whom they selected to command the attack,¹⁶⁸ as well as one abducted schoolgirl.¹⁶⁹

41. **Para 20 DCC:** For Stockree Brigade attacking the Lwala Girls School on or about 24 June 2003 and directing acts of violence against the approximately 230 schoolgirls, see the testimony of LRA commander P-1017, six of the abducted schoolgirls, and two [REDACTED] members.¹⁷⁰ That **KONY** and the LRA perpetrators intended civilian schoolgirls to be the object of the attack is demonstrated by **KONY's** order, passed down the ranks, to abduct schoolgirls.¹⁷¹ It follows from this that they were aware of the factual circumstances establishing the schoolgirls' civilian status.

¹⁶³ For **Photographs** of the school compound, see: [UGA-OTP-00000017](#); [UGA-OTP-00000018](#); [UGA-OTP-00001392](#); [UGA-OTP-00001393](#); [UGA-OTP-00001394](#); [UGA-OTP-00001395](#); [UGA-OTP-00001396](#); [UGA-OTP-00001397](#); [UGA-OTP-00001398](#).

¹⁶⁴ **UPDF Logbook:** [UGA-OTP-0254-0455](#) at 0560-0561, 0588, 0600, 0701; **ISO Logbook:** [UGA-OTP-0060-0002](#) at 0038 (right page) - 0039 (left page); **ISO Logbook:** [UGA-OTP-0063-0002](#) at 0185 (left page); **ISO Logbook:** [UGA-OTP-0068-0146](#) at 0252 (left page); **ISO Logbook:** [UGA-OTP-0241-2490](#) at 2668.

¹⁶⁵ **P-0070:** [UGA-OTP-0228-2834](#) at 2838-2847, lns. 119-436; [UGA-OTP-00000598](#), p. 85, ln. 24 - p. 86, ln. 25.

¹⁶⁶ **P-0069:** [UGA-OTP-0220-0098](#) at 0101-0103, lns. 90-146.

¹⁶⁷ **P-0041:** [UGA-OTP-0221-0106](#) at 0121, lns. 488-489; [UGA-OTP-0221-0195](#) at 0219-0225, lns. 800-1037; [UGA-OTP-0221-0227](#) at 0228-0230, lns. 19-93; **P-0069:** [UGA-OTP-0220-0068](#) at 0085-0086, lns. 591-627; [UGA-OTP-0220-0098](#) at 0099-0101, lns. 18-99; **P-0070:** [UGA-OTP-0228-2834](#) at 2838-2847, lns. 119-436; [UGA-OTP-00000599](#), p. 6, ln. 9 - p. 7, ln. 4; **P-1017:** [UGA-OTP-00000923](#) at 0001-0003, lns. 34-93.

¹⁶⁸ **P-0041:** [UGA-OTP-0221-0227](#) at 0230-0250, lns. 94-777; **P-1017:** [UGA-OTP-00000922](#) at 0012-0014, lns. 406-466, at 0016, lns. 534-566; [UGA-OTP-00000923](#) at 0001-0006, lns. 34-189, at 0009-0015, lns. 305-503; **P-0010:** [UGA-OTP-0221-0527](#) at 0535-0536, lns. 264-295; **P-0070:** [UGA-OTP-0228-2834](#) at 2847, lns. 437-455.

¹⁶⁹ **P-0015:** [UGA-OTP-0043-0131](#) at 0137, para. 28.

¹⁷⁰ **On the attack generally,** see: **P-1017:** [UGA-OTP-00000922](#) at 0007, lns. 239-251, at 0009, lns. 298-305, at 0017-0018, lns. 534-560, 616-625; [UGA-OTP-00000923](#) at 0017-0018, lns. 594-614, at 0021-0023, lns. 726-769; **P-0002:** [UGA-OTP-0070-0002](#) at 0005-0007, paras. 14-28; **P-0004:** [UGA-OTP-0229-0230](#) at 0239-0240, lns. 304-325; **P-0015:** [UGA-OTP-0043-0131](#) at 0135-0137, paras. 19-28; **P-0021:** [UGA-OTP-0139-0097](#) at 0100-0101, paras. 17-23; **P-0075:** [UGA-OTP-0139-0047](#) at 0057-0059, paras. 55-67; **P-0079:** [UGA-OTP-0043-0110](#) at 0114-0115, para. 23. **On the timeframe of the attack,** see: **P-0068:** [UGA-OTP-0139-0007](#) at 0014, para. 44, at 0015, para. 49; **P-0075:** [UGA-OTP-0139-0047](#) at 0057, para. 55. **On the number of schoolgirls present,** see: **P-0075:** [UGA-OTP-0139-0047](#) at 0050, para. 15; [UGA-OTP-0147-0002](#) at 0009, para. 31; [UGA-OTP-0147-0165](#) at 0166; [UGA-OTP-0147-0169](#) at 0169; **P-0456:** [UGA-OTP-00000519](#) at 0003, para 14.

¹⁷¹ See para. 40 above.

42. **Para. 21 DCC:** As to the LRA fighters' abduction of at least 70 schoolgirls from their dormitories, see the testimony of eight abducted schoolgirls¹⁷² and two [REDACTED] members,¹⁷³ Uganda Police reports,¹⁷⁴ press articles,¹⁷⁵ as well as intercepted LRA radio communications.¹⁷⁶

43. **Para. 22 DCC:** For the LRA fighters' pillaging of items from the Lwala Girls School, as well as the nearby Lwala stage (bus stop) and Otuboi centre, see the testimony of nine abducted schoolgirls, one LRA member, and two [REDACTED] members.¹⁷⁷ That the items were taken without the consent of the owners, and with the intent to appropriate them for private or personal use, is inferred from the circumstances of the appropriation, *i.e.* during an armed attack, and upon an order to steal civilian property.¹⁷⁸

44. **Para. 23 DCC:** As to the LRA's treatment of the abducted girls while they were forced to march away from the Lwala Girls School, the Prosecution relies on the testimony of ten of the abducted schoolgirls, seven LRA members, and two [REDACTED] members.¹⁷⁹

¹⁷² **P-0002:** [UGA-OTP-0070-0002](#) at 0005-0007, paras. 14-28, 34; **P-0004:** [UGA-OTP-0229-0230](#) at 0231-0232, lns. 26-69, at 0241, lns. 361-366; **P-0015:** [UGA-OTP-0043-0131](#) at 0135-0136, paras. 17-26, at 0138, para. 41; **P-0079:** [UGA-OTP-0043-0110](#) at 0113-0114, paras. 16-18; **P-0456:** [UGA-OTP-00000519](#), pp. 4-5, paras. 18-21; **P-0021:** [UGA-OTP-0139-0097](#) at 0100-0101, paras. 17-21; **P-1079:** [UGA-OTP-00001403](#), pp. 3-5, paras. 14-19, 26-27; **P-1084:** [UGA-OTP-00001409](#), pp. 3-4, paras. 14-17. For corroborative documentation in relation to some of these schoolgirls, see also: [UGA-OTP-0132-0653](#) at 0654 (for P-0002); [UGA-OTP-0030-0016](#) at 0016-0017; [UGA-OTP-0116-0041](#) at 0041-0042; [UGA-OTP-0244-1616](#) at 1616-1619 (for P-0015); [UGA-OTP-0201-0233](#) (for P-0021); [UGA-OTP-0147-0053](#) at 0099 (for P-0075) and [UGA-OTP-0132-0647](#) (for P-0079).

¹⁷³ **P-0068:** [UGA-OTP-0139-0007](#) at 0015-0016, paras. 54-55; **P-0075:** [UGA-OTP-0139-0047](#) at 0061, para. 76; [UGA-OTP-0147-0002](#) at 0004, para. 6, at 0006, para. 13; [UGA-OTP-0147-0157](#) at 0157-0164, in particular at 0162; [UGA-OTP-0147-0169](#) at 0169. See also **Police file:** [UGA-OTP-0024-0101](#) at 0101-0107.

¹⁷⁴ **Uganda Police Reports:** [UGA-OTP-0024-0047](#) at 0051; [UGA-OTP-0024-0053](#) at 0054-0058; [UGA-OTP-0024-0060](#) at 0060-0063; [UGA-OTP-0024-0067](#) at 0068-0070; [UGA-OTP-0024-0073](#) at 0073-0074; [UGA-OTP-0024-0075](#) at 0076-0077; [UGA-OTP-0024-0078](#) at 0079; [UGA-OTP-0024-0081](#) at 0081-0083; [UGA-OTP-0024-0084](#) at 0085; [UGA-OTP-0024-0088](#) at 0088-0091; [UGA-OTP-0024-0093](#) at 0093-0094; [UGA-OTP-0024-0100](#); **Uganda Police Diary of Investigations:** [UGA-OTP-0248-1610](#) at 1610-1734.

¹⁷⁵ **News Report:** [UGA-OTP-0025-0081](#) at 0081-0082; [UGA-OTP-0025-0083](#); [UGA-OTP-0130-0071](#) at 0071.

¹⁷⁶ **ISO Logbook:** [UGA-OTP-0068-0146](#) at 0277 (left page). See also [UGA-OTP-0018-0028](#) at 0043-0044; **P-0038:** [UGA-OTP-0025-0078](#) at 0078-0079; **P-0038 Incident Report:** [UGA-OTP-0025-0080](#).

¹⁷⁷ On pillaging at Lwala Girls School, see: **P-0068:** [UGA-OTP-0139-0007](#) at 0019, paras. 72-73; **P-0075:** [UGA-OTP-0139-0047](#) at 0058-0059, paras. 64-66; **P-0002:** [UGA-OTP-0070-0002](#) at 0006, para. 24; **P-0079:** [UGA-OTP-0043-0110](#) at 0114, para. 18; **P-0015:** [UGA-OTP-0043-0131](#) at 0135-0136, para. 21; **P-0021:** [UGA-OTP-0139-0097](#) at 0101, para. 18; **P-0004:** [UGA-OTP-0229-0230](#) at 0244, lns. 449-469; **P-0456:** [UGA-OTP-00000519](#), p. 5, para. 22. On pillaging at Lwala stage and Otuboi centre, see: **P-0004:** [UGA-D26-0025-0097](#) at 0100, para. 3; [UGA-OTP-0229-0230](#) at 0233, lns. 77-81; [UGA-OTP-0228-2509](#) at 2515, ln. 210; **P-0002:** [UGA-OTP-0070-0002](#) at 0007, para. 30; **P-0015:** [UGA-OTP-0043-0131](#) at 0137, para. 30; **P-0021:** [UGA-OTP-0139-0097](#) at 0102, para. 24; **P-0079:** [UGA-OTP-0043-0110](#) at 0114, para. 19; **P-0456:** [UGA-OTP-00000519](#), p. 6, para. 32; **P-1070:** [UGA-OTP-00001138](#), p. 7, paras. 31-32; **P-1079:** [UGA-OTP-00001403](#), p. 7, para. 37; **P-1084:** [UGA-OTP-00001409](#), p. 5, para. 24; **P-0010:** [UGA-OTP-0221-0527](#) at 0534, lns. 211-240; **P-0068:** [UGA-OTP-0139-0007](#) at 0018, paras. 67-68; **P-0075:** [UGA-OTP-0139-0047](#) at 0061, para. 78.

¹⁷⁸ See para. 17, fn. 46, above.

¹⁷⁹ On the girls' state of dress, walking barefoot and tied together, see: **P-0002:** [UGA-OTP-0070-0002](#) at 0006, paras. 16-17; **P-0004:** [UGA-OTP-0229-0230](#) at 0232, lns. 61-67, at 0233-0234, lns. 96-112; **P-0015:** [UGA-OTP-0043-0131](#) at 0135, paras. 19-20; **P-0021:** [UGA-OTP-0139-0097](#) at 0101, para. 19; **P-0129:** [UGA-OTP-0173-0081](#) at 0084, paras. 10-15; **P-0079:** [UGA-OTP-0043-0110](#) at 0114, paras. 18-20, at 0115, para. 29; **P-1070:** [UGA-OTP-00001138](#) at 0004, para. 20, at 0007, para. 34; **P-1079:** [UGA-OTP-00001403](#) at 0004, para. 17, at 0005, paras. 26-27; **P-1084:** [UGA-OTP-00001409](#) at 0003-0004, paras. 16-19; **P-0456:** [UGA-OTP-00000519](#) at 0006,

45. **Para. 24 DCC:** As to the release of at least 12 schoolgirls the day following the attack, and the escape of some others, for the purpose of **Count 10**, see the testimony of four abducted schoolgirls,¹⁸⁰ and two [REDACTED] members,¹⁸¹ and one [REDACTED],¹⁸² as well as intercepted LRA radio communications.¹⁸³ As to some abducted girls being taken to **KONY**, who chose two to become his “wives”, the Prosecution relies on the testimony of four abducted schoolgirls, including one of the two selected to be his “wife” [REDACTED],¹⁸⁴ and two LRA members.¹⁸⁵ As to the distribution of other abducted girls to other LRA commanders (subject of **Count 15**), see the testimony of five abducted schoolgirls,¹⁸⁶ and four LRA members.¹⁸⁷

46. **Para. 25 DCC:** For the schoolgirls’ severe pain and suffering, the Prosecution refers to the evidence cited above at para. 44. Rather than imposing lawful sanctions, the LRA perpetrators selected, violently abducted and recruited school-aged girls, with the purpose of coercion, intimidation and/or punishment, and for reasons of discrimination. **KONY** and the LRA perpetrators’ awareness of the factual circumstances that established the character of the inhumane act is inferred from their physical presence and/or control over the crimes.

paras. 30-32; **P-1017:** [UGA-OTP-00000922](#) at 0017, lns. 559-560; **P-0041:** [UGA-OTP-0221-0073](#) at 0078, lns. 144-164; **P-0048:** [UGA-OTP-0221-0355](#) at 0375, lns. 675-686. On LRA fighters forcing the girls to carry heavy loads (personal belongings and looted items) for long distances, see: **P-0002:** [UGA-OTP-0070-0002](#) at 0007, para. 30; **P-0004:** [UGA-D26-0025-0097](#) at 0100, para. 3; [UGA-OTP-0229-0230](#) at 0245-0246, lns. 494-526; **P-0015:** [UGA-OTP-0043-0131](#) at 0137, paras. 30-31; **P-0021:** [UGA-OTP-0139-0097](#) at 0102, paras. 24-25; **P-0079:** [UGA-OTP-0043-0110](#) at 0114, paras. 19-21, at 0115 para. 29; **P-1079:** [UGA-OTP-00001403](#) at 0006, para. 34, at 0007, para. 37; **P-1070:** [UGA-OTP-00001138](#) at 0006, paras. 31-32 ; **P-0129:** [UGA-OTP-0173-0081](#) at 0085, para. 16 ; **P-0028:** [UGA-OTP-0217-0192](#) at 0217, lns. 839-846; **P-0068:** [UGA-OTP-0139-0007](#) at 0019, paras. 72-73, **P-0075:** [UGA-OTP-0139-0047](#) at 0061, para. 78. On the girls being under armed guard to prevent escape, beaten, and under the constant threat of beatings or death, see: **P-0015:** [UGA-OTP-0043-0131](#) at 0135, para. 19, at 0137, para. 33, at 0138, para. 39; [UGA-OTP-0173-0081](#) at 0085, para. 19; **P-0021:** [UGA-OTP-0139-0097](#) at 0102, paras. 25-27; **P-0129:** [UGA-OTP-0173-0081](#) at 0085, para. 17; **P-0004:** [UGA-OTP-0228-2545](#) at 2550-2551, lns. 157-170; [UGA-D26-0025-0097](#) at 0100, para. 5; **P-1070:** [UGA-OTP-00001138](#) at 0004, para. 21; **P-0041:** [UGA-OTP-0229-0161](#) at 0173-0176, lns. 402-480; [UGA-OTP-0221-0106](#) at 0114, lns. 241-272, at 0115, lns. 284-303, at 0116, ln. 320, at 0117, lns. 355-369, at 0118, lns. 377-396; **P-0136:** [UGA-OTP-0221-1619](#) at 1646, lns. 969-989; **P-0070:** [UGA-OTP-00000599](#), p. 10, ln. 17 – p. 11, ln. 10; [UGA-OTP-0228-2891](#) at 2894, lns. 109-110; **P-0005:** [UGA-OTP-0069-0426](#) at 0438, para. 117; **P-0456:** [UGA-OTP-00000519](#), p. 6, para. 35.

¹⁸⁰ **P-0129:** [UGA-OTP-0173-0081](#) at 0085, para. 18; **P-0002:** [UGA-OTP-0070-0002](#) at 0007-0008, paras. 34-35; **P-0015:** [UGA-OTP-0043-0131](#) at 0138, paras. 36-42; **P-0021:** [UGA-OTP-0139-0097](#) at 0101, para. 21.

¹⁸¹ **P-0075:** [UGA-OTP-0139-0047](#) at 0061, para 77; [UGA-OTP-0147-0165](#) at 0167; **P-0068:** [UGA-OTP-0139-0007](#) at 0020, para. 76.

¹⁸² **P-0132:** [UGA-OTP-0175-0046](#) at 0049-0050, para. 14; [UGA-OTP-0175-0060](#) at 0060-0064.

¹⁸³ **ISO Logbook:** [UGA-OTP-0068-0146](#) at 0277 (left page); **ISO Logbook:** [UGA-OTP-0241-2490](#) at 2680.

¹⁸⁴ [REDACTED].

¹⁸⁵ **P-0070:** [UGA-OTP-00000599](#), p. 12, lns. 5-13; **P-0041:** [UGA-OTP-0229-0144](#) at 0149-0150, lns. 150-175.

¹⁸⁶ **P-0004:** [UGA-OTP-0229-0230](#) at 0261-0262, lns. 1024-1066; [UGA-OTP-0229-0263](#) at 0264-0265, lns. 20-42; [UGA-OTP-0228-2509](#) at 2523, lns. 461-472, at 2533-2535, lns. 821-886; [UGA-OTP-0228-2660](#) at 2686, lns. 855-863; **P-0002:** [UGA-OTP-0070-0002](#) at 0008-0009, paras. 35, 38-45, at 0015, para. 88; **P-0015:** [UGA-OTP-0043-0131](#) at 0140-0141, paras. 56-58, at 0143, paras. 72-73; **P-0117:** [UGA-OTP-0171-0098](#) at 0105, paras. 43-50; **P-0021:** [UGA-OTP-0139-0097](#) at 0104, paras. 36-40.

¹⁸⁷ **P-0028:** [UGA-OTP-0217-0192](#) at 0215, lns. 779-780; [UGA-OTP-0217-0218](#) at 0230-0231, lns. 404-459; **P-0048:** [UGA-OTP-0209-0227](#) at 0254-0255, lns. 745-779; **P-0138:** [UGA-OTP-00000607](#), p. 30, ln. 4 – p. 31, ln. 17; **P-0070:** [UGA-OTP-0228-2806](#) at 2827, lns. 745-774; [UGA-OTP-00000599](#), p. 12, lns. 5-15; [UGA-OTP-00000600](#), p. 43 ln. 21 – p. 44, ln. 1.

47. **Para. 26 DCC:** As to the LRA fighters' exercising the right of ownership over the abducted schoolgirls, the Prosecution refers to the evidence cited above at paras. 42 and 44. It further relies on the pattern of conduct by which **KONY** and the LRA perpetrators exercised the right of ownership over all abducted women and children, as set out below at paras. 144-149, 156-160.

48. **Para. 27 DCC:** For the LRA's severely depriving the schoolgirls of their fundamental rights as particularised, the Prosecution refers to the evidence cited throughout this section at paras. 40-47. As to **KONY's** and the LRA perpetrators' intention to discriminate against the schoolgirls on the basis of their gender and age, the Prosecution refers to paras. 20-23 above.

ii) Attack on Pajule IDP Camp

49. **Para. 28 DCC:** As to the LRA attacking Pajule IDP camp on or about 10 October 2003 and directing acts of violence against the approximately 15,000 to 30,000 civilian residents, *see* the testimony of six direct victims, three LRA members and two UPDF officers, as well as intercepted LRA radio communications.¹⁸⁸

50. **Paras. 28-29 DCC:** That **KONY** and the LRA intended civilian camp residents to be the object of the attack is demonstrated by **KONY's** general orders to attack civilians.¹⁸⁹ It follows from this that they were aware of the factual circumstances establishing the camp residents' civilian status.

51. **Para. 29 DCC:** As to Otti being the overall commander of the attack, and as to other commanders including Ongwen, Lukwiya, and Bogi Bosco, *see* the testimony of two LRA members¹⁹⁰ and one UPDF officer.¹⁹¹ As to the participation of fighters from Control Altar, Trinkle Brigade and Sinia Brigade, the Prosecution relies on the testimony of three LRA members.¹⁹²

¹⁸⁸ On the attack generally, and its timeframe, *see*: **P-0007**: [UGA-OTP-0147-0214](#) at 0216-0217, paras. 10-11; **P-0008**: [UGA-OTP-0137-0002](#) at 0004-0005, paras. 7, 13-14; **P-0009**: [UGA-OTP-00000689](#), p. 11, ln. 21 – p. 12, ln. 2, p. 14, lns. 4-6, 12-25; **P-0081**: [UGA-OTP-0070-0029](#) at 0031-0033, paras. 8, 16-18, at 0379, para. 57; **P-0379**: [UGA-OTP-00000666](#), p. 21, lns. 12-24; **P-0067**: [UGA-OTP-00000611](#), p. 8, lns. 4-12, p. 38, lns. 11-21; **P-0138**: [UGA-OTP-00000607](#), p. 48, ln. 3; **P-0144**: [UGA-OTP-00000697](#), p. 31, lns. 7-8; **P-0330**: [UGA-OTP-00000661](#), p. 4, ln. 25 – p. 5, ln. 9; **P-0047**: [UGA-OTP-0027-0177](#) at 0180, para. 13, at 0182, para. 25, at 0190, para. 91; **P-0084**: [UGA-OTP-0139-0149](#) at 0155, paras. 33-34, at 0163, para. 82; **ISO Logbook**: [UGA-OTP-0232-0234](#) at 0547-0551; **UPDF Logbook**: [UGA-OTP-0254-0725](#) at 1070-1073; **UPDF Logbook**: [UGA-OTP-0254-1991](#) at 2116-2121; [UGA-OTP-0069-0416](#); [UGA-OTP-0255-0030](#); [UGA-OTP-0255-0035](#); [UGA-OTP-0255-0810](#); [UGA-OTP-0256-0335](#); [UGA-OTP-0256-0336](#). On the number of camp residents present, *see*: **P-0007**: [UGA-OTP-0147-0214](#) at 0222-0223, para. 55; **P-0007's Report**: [UGA-OTP-0147-0239](#) at 0239; **P-0008**: [UGA-OTP-0137-0002](#) at 0013, para. 60; [UGA-OTP-0137-0058](#) at 0058-0060; **P-0084**: [UGA-OTP-0139-0149](#) at 0161, para. 66.

¹⁸⁹ *See* paras. 16-18 above. *See also*, in relation to Pajule IDP camp in particular: **ISO Logbook**: [UGA-OTP-0232-0234](#) at 0547.

¹⁹⁰ **P-0144**: [UGA-OTP-00000697](#), p. 20, lns. 12-24; **P-0209**: [UGA-OTP-00000634](#), p. 11, ln. 20 – p. 14, ln. 9.

¹⁹¹ **P-0052**: [UGA-OTP-0207-0196](#) at 0207, para. 60.

¹⁹² **P-0070**: [UGA-OTP-00000599](#), p. 34, lns. 11-19; **P-0144**: [UGA-OTP-00000697](#), p. 19, lns. 6-17; **P-0209**: [UGA-OTP-00000634](#), p. 11, ln. 20 – p. 13, ln. 19, p. 27, lns. 8-14.

52. **Para. 30 DCC:** For the number, age and weaponry of LRA fighters, see the testimony of five LRA members,¹⁹³ four direct victims,¹⁹⁴ and three UPDF officers.¹⁹⁵ As to the actions of the different LRA groups, the Prosecution relies on the testimony of four LRA members,¹⁹⁶ three direct victims,¹⁹⁷ and three UPDF officers.¹⁹⁸

53. **Para. 31 DCC:** As to the at least four civilians killed during and in the immediate aftermath of the attack by beating and shooting, the Prosecution relies on the testimony of one UPDF officer and one victim of the attack.¹⁹⁹ It further relies on the specific evidence underlying the list of four individually identifiable Pajule murder victims at sub-annex E.2.i.

54. **Para. 32 DCC:** For the LRA fighters' pillaging of items from civilian homes and shops, the Prosecution relies on the testimony of eight direct victims,²⁰⁰ six LRA members²⁰¹ and three UPDF officers.²⁰² That the items were taken without the consent of the owners, and with the intent to appropriate them for private or personal use, is inferred from the circumstances of the appropriation, *i.e.* during an armed attack, and pursuant to an order to steal civilian property.²⁰³

55. **Para. 33 DCC:** As to the LRA fighters' abduction of several hundred civilian residents, the Prosecution relies on the testimony of four LRA members,²⁰⁴ five direct victims including

¹⁹³ **P-0144:** [UGA-OTP-00000697](#), pp. 30-33; [UGA-OTP-00000698](#), p. 43, lns. 12-13; **P-0048:** [UGA-OTP-00000779](#), pp. 59-62; **P-0309:** [UGA-OTP-00000669](#), p. 48, lns. 13-15, p. 54, lns.1-12; **P-0045:** [UGA-OTP-00000596](#), p. 96, lns. 2-4; **P-0209:** [UGA-OTP-00000634](#), p. 29, lns. 2-4.

¹⁹⁴ **P-0006:** [UGA-OTP-0144-0072](#) at 0075, paras. 11, 14; [UGA-OTP-00000622](#), p. 9, lns. 1-11, p. 37, lns. 15-20; **P-0249:** [UGA-OTP-00000687](#), p. 12, lns. 1-11, p. 21, lns. 14-18, p. 23, lns. 3-9; [UGA-OTP-00000688](#), pp. 3-5; **P-0379:** [UGA-OTP-00000666](#), p. 26, lns. 6-8, p. 27, lns. 5-18; **P-0067:** [UGA-OTP-00000611](#), p. 10, lns. 5-6.

¹⁹⁵ **P-0047:** [UGA-OTP-0027-0177](#) at 0182, para. 30, at 0191-0192, paras. 96-98, at 0193, paras. 108-110; **P-0084:** [UGA-OTP-0139-0149](#) at 0153, para. 20, at 0176, para. 137; **P-0052:** [UGA-OTP-0207-0196](#) at 0206, paras. 52, 55.

¹⁹⁶ **P-0372:** [UGA-OTP-00000625](#), pp. 20-21; **P-0045:** [UGA-OTP-00000597](#), p. 9, ln. 23 – p. 10, ln. 25; **P-0144:** [UGA-OTP-00000697](#), p. 25, lns. 22-25, p. 26, ln. 1, p. 29, lns. 15-25, p. 32, lns. 5-16, [UGA-OTP-00000698](#), p. 45, lns. 18-23; **P-0309:** [UGA-OTP-00000669](#), p. 54, lns. 15-22.

¹⁹⁷ **P-0006:** [UGA-OTP-0144-0072](#) at 0076, paras. 18-19; [UGA-OTP-00000622](#), p. 11, lns. 8-15; **P-0008:** [UGA-OTP-0137-0002](#) at 0006, para. 16; **P-0067:** [UGA-OTP-00000611](#), p. 8, lns. 8-12; [UGA-OTP-00000612](#), p. 5, lns. 1-7.

¹⁹⁸ **P-0084:** [UGA-OTP-0139-0149](#) at 0164-0165, paras. 83-87, at 0168, paras. 103-104; **P-0047:** [UGA-OTP-0027-0177](#) at 0188, paras. 72, 74, at 0189, para. 77, at 0192, paras. 100-101; **P-0052:** [UGA-OTP-0207-0196](#) at 0206, paras. 53, 56, at 0208, para. 62.

¹⁹⁹ **P-0084:** [UGA-OTP-0139-0149](#) at 0169-0170, para. 108; **P-0061:** [UGA-OTP-0144-0043](#) at 0047, paras. 20-21.

²⁰⁰ **P-0006:** [UGA-OTP-0144-0072](#) at 0075, paras. 12-13; [UGA-OTP-00000622](#), p. 11, lns. 16-22, p. 12, lns. 3-5, p. 40, lns. 9-11; **P-0009:** [UGA-OTP-00000689](#), p. 17, lns. 14-19, p. 24, ln. 14; **D26-P-0081:** [UGA-OTP-00001028](#), p. 32, lns. 9-11; [UGA-OTP-00001031](#), p. 25, lns. 6-7; **P-0249:** [UGA-OTP-00000687](#), p. 18, lns. 1-13, p. 21, lns. 2-4; [UGA-OTP-00000688](#), p. 10, ln. 16 – p. 11, ln. 9; **P-0061:** [UGA-OTP-0144-0043](#) at 0046, para. 18; **D26-P-0076:** [UGA-OTP-00001030](#), p. 16, lns. 12-14; **P-0081:** [UGA-OTP-00001028](#), p. 34 ln. 16 – p. 35, ln. 3; [UGA-OTP-0070-0029](#) at 0034, para. 25; [UGA-OTP-00001031](#), p. 24, lns. 1-12; **P-0067:** [UGA-OTP-00000611](#), p. 15, lns. 11-13, p. 22, ln. 20 – p. 23, ln. 13, p. 28, lns. 3-6 p. 52, lns. 2-4; [UGA-OTP-00000612](#), p. 9, lns. 9-19.

²⁰¹ **P-0309:** [UGA-OTP-00000669](#), p. 62, ln. 12 – p. 63, ln. 13, p. 65, lns. 17-21; **P-0372:** [UGA-OTP-00000625](#), p. 20, lns. 14-21; **P-0330:** [UGA-OTP-00000660](#), p. 78, lns. 8-10; [UGA-OTP-00000661](#), p. 4, ln. 10 – p. 5, ln. 20; **P-0045:** [UGA-OTP-00000597](#), p. 5, lns. 1-10, p. 10, lns. 2-5; **P-0015:** [UGA-OTP-0043-0131](#) at 0146-0147, para. 92; **P-0101:** [UGA-OTP-00000614](#), p. 26, lns. 6-13.

²⁰² **P-0084:** [UGA-OTP-0139-0149](#) at 0164-0165, paras. 84, 88, at 0170-0171, paras. 113-114; **P-0047:** [UGA-OTP-00000605](#), p. 37, lns. 19-25; [UGA-OTP-0027-0177](#) at 0195, para. 124; **P-0052:** [UGA-OTP-0207-0196](#) at 0208-0209, paras. 66, 70.

²⁰³ See para. 17, fn. 46, above.

²⁰⁴ **P-0138:** [UGA-OTP-00000607](#), p. 33, lns. 14-15; **P-0144:** [UGA-OTP-00000697](#), p. 48, lns. 3-11; **P-0309:** [UGA-OTP-00000669](#), p. 63, lns. 15-20; **P-0372:** [UGA-OTP-00000625](#), p. 22, ln. 23 – p. 23, ln. 2.

abductees,²⁰⁵ three UPDF officers,²⁰⁶ and intercepted LRA radio communications.²⁰⁷ It further relies on the specific evidence underlying the list of 42 individually identifiable Pajule enslaved persons appended at sub-annex E.2.ii. As to the LRA's treatment of the abducted civilians as particularised while they were forced to march away from the camp, the Prosecution relies on the testimony of six LRA members,²⁰⁸ six direct victims,²⁰⁹ and one UPDF officer.²¹⁰

56. **Para. 34 DCC:** For the purpose of **Count 10**, witness testimony and documentary evidence shows that a large group of abductees – mainly the weak, older, or very young – was released the day following the attack,²¹¹ with others escaping over the following days.²¹² Three of the abductees were killed after a short period of enslavement.²¹³ Documentary evidence further indicates, also for **Count 10**, that at least 170 adult males were abducted.²¹⁴

57. **Para. 35 DCC:** As to the abductees' severe pain and suffering, the Prosecution refers to the evidence cited above at para. 55. Rather than imposing lawful sanctions, the LRA perpetrators selected, violently abducted and recruited civilians, with the purpose of coercion, intimidation and/or punishment, and for reasons of discrimination. **KONY's** and the LRA

²⁰⁵ **P-0001:** [UGA-OTP-0138-0002](#) at 0008, para. 23; [UGA-OTP-0138-0284](#) at 0284; [UGA-OTP-0138-0291](#) at 0292; **P-0007:** [UGA-OTP-0147-0214](#) at 0221, para. 40; **P-0008:** [UGA-OTP-0137-0002](#) at 0011, paras. 49-50, [UGA-OTP-0137-0029](#) at 0031-0032, at 0034-0042, [UGA-OTP-0137-0190](#); **P-0009:** [UGA-OTP-00000689](#), p. 14, lns. 9-11, p. 23, lns. 6-9, p. 79, lns. 14-21; **D26-P-0076:** [UGA-OTP-00001030](#), p. 29, lns. 6-12.

²⁰⁶ **P-0047:** [UGA-OTP-0027-0177](#) at 0194, para. 119; **P-0084:** [UGA-OTP-0139-0149](#) at 0165, para. 88; **P-0052:** [UGA-OTP-0207-0196](#) at 0208-0209, paras. 66-67.

²⁰⁷ **Audio recording:** [UGA-OTP-0247-1110](#) from 00:14:23 to 00:14:41 – see commentary by **P-0016:** [UGA-OTP-00000642](#), p. 54, lns. 18-22.

²⁰⁸ **P-0309:** [UGA-OTP-00000669](#), p. 61, ln. 11 – p. 62, ln. 11, p. 63, lns. 1-13; **P-0330:** [UGA-OTP-00000661](#), p. 4, ln. 23 – p. 6, ln. 11, p. 7, lns. 1-3, p. 12, ln. 17 – p. 13, ln. 4; **P-0372:** [UGA-OTP-00000625](#), p. 24, lns. 12-13; **P-0138:** [UGA-OTP-00000607](#), p. 44, lns. 11-15; **P-0144:** [UGA-OTP-00000697](#), p. 40, ln. 12 – p. 41, ln. 7, p. 41, lns. 21-25. See also [UGA-OTP-0132-0494](#); [UGA-OTP-0273-0041](#) at 0041-0047; [UGA-OTP-0275-0003](#); **P-0015:** [UGA-OTP-0043-0131](#) at 0146-0147, para. 92.

²⁰⁹ **P-0067:** [UGA-OTP-00000611](#), p. 23, lns. 5-11, p. 37, lns. 5-12; **P-0249:** [UGA-OTP-00000687](#), p. 13, lns. 10-14, 22-25, p. 14, ln. 1, p. 18, lns. 24-25, p. 19, lns. 1-3, p. 28, lns. 18-22, p. 33, lns. 7-12, p. 34, lns. 9-17, 25, p. 35, lns. 1-24, p. 37, lns. 13-18, p. 42, lns. 13-18; **D26-P-0081:** [UGA-OTP-0070-0029](#) at 0033, paras. 19-20; [UGA-OTP-00001031](#), p. 27, lns. 1-5; **P-0379:** [UGA-OTP-00000666](#), p. 34, lns. 18-23; **P-0061:** [UGA-OTP-0144-0043](#) at 0046-0047, paras. 18-19; **D26-P-0077:** [UGA-D26-0022-0316](#) at 0324, para. 29.

²¹⁰ **P-0359:** [UGA-OTP-00000601](#), p. 56, lns. 2-24, p. 58, lns. 16-23.

²¹¹ **P-0144:** [UGA-OTP-00000697](#), p. 49, ln. 1 – p. 50, ln. 2; **P-0309:** [UGA-OTP-00000669](#), p. 68, ln. 11 – p. 69, ln. 17; **P-0372:** [UGA-OTP-00000625](#), p. 23, lns. 12-14, p. 54, lns. 1-6; **P-0101:** [UGA-OTP-00000614](#), p. 27, lns. 3-18; **P-0047:** [UGA-OTP-0027-0177](#) at 0194, para. 119; **P-0001:** [UGA-OTP-0138-0002](#) at 0008, para. 23; [UGA-OTP-0138-0284](#) at 0284; [UGA-OTP-0138-0291](#) at 0292; **P-0008:** [UGA-OTP-0137-0002](#) at 0007, para. 21; **P-0007:** [UGA-OTP-0147-0214](#) at 0221, para. 43; **P-0009:** [UGA-OTP-00000689](#), p. 15, lns. 17-25; **P-0006:** [UGA-OTP-0144-0072](#) at 0079-0080, paras. 36, 45-47; **P-0061:** [UGA-OTP-0144-0043](#) at 0049-0050, para. 40; **D26-P-0076:** [UGA-OTP-00001030](#), p. 12, ln. 17 – p. 13, ln. 6.

²¹² **P-0101:** [UGA-OTP-00000614](#), p. 26, lns. 19-22; **P-0008:** [UGA-OTP-0137-0002](#) at 0007, paras. 21, 24; **P-0007:** [UGA-OTP-0147-0214](#) at 0218, para. 20.

²¹³ For the three victims, see sub-annex E.2.i, entries 1, 2, 4. As to the victim at entry 1, see **P-0007:** [UGA-OTP-0147-0214](#) at 0218, para. 22; **P-0067:** [UGA-OTP-00000611](#), p. 30, ln. 1 – p. 31, ln. 19. As to the victim at entry 2, see **P-0067:** [UGA-OTP-00000611](#), p. 27, lns. 2-20. As to the victim at entry 4, see **P-0006:** [UGA-OTP-0144-0072](#) at 0080, para. 50; **P-0061:** [UGA-OTP-0144-0043](#) at 0050, paras. 45-46.

²¹⁴ **P-0008:** [UGA-OTP-0137-0002](#) at 0011, para. 49; [UGA-OTP-0137-0029](#) at 0034-0049 (combined total of 177 listed abductees: age=18+; sex=M).

perpetrators' awareness of the factual circumstances establishing the character of the inhumane act is inferred from their physical presence and/or control over the crimes.

58. **Para. 36 DCC:** For the LRA fighters' exercising the right of ownership over the abducted civilians, the Prosecution refers to the evidence cited above at para. 55. *See also* paras. 144-149, 156-160 below for the pattern of conduct by which **KONY** and the LRA perpetrators exercised the right of ownership over all abducted women and children.

59. **Para. 37 DCC:** As to the LRA's severely depriving the camp residents of their fundamental rights, the Prosecution refers to the evidence cited throughout this section at paras. 49-58. As to **KONY's** and the LRA perpetrators' intention to discriminate against the civilian camp residents on the basis of their perceived affiliation with and/or support for the Ugandan government, the Prosecution refers to paras. 16, 17, 18(n, q, u).

60. **Para. 38 DCC:** For Otti reporting the results of the attack to **KONY** over LRA radio, and **KONY's** laughing in response, *see* the intercepted LRA radio communications of this discussion,²¹⁵ supplemented by the testimony of three radio operatives.²¹⁶

iii) Attack on Abia IDP Camp

61. **Para. 39 DCC:** As to the LRA attacking Abia IDP camp on or about 4 February 2004 and directing acts of violence against the approximately 12,000 to 15,000 civilian residents, the Prosecution refers to the testimony of five direct victims, one [REDACTED], and one UPDF officer, as well as intercepted LRA radio communications and a UPDF report.²¹⁷

62. **Paras. 39-40 DCC:** That **KONY** and the LRA intended civilian camp residents to be the object of the attack is demonstrated by **KONY's** general orders to attack civilians.²¹⁸ It follows from this that they were aware of the factual circumstances establishing the camp residents' civilian status.

63. **Para. 40 DCC:** As to **KONY** reiterating his orders in the weeks prior, the Prosecution relies on intercepted LRA radio communications, including communications in which **KONY**

²¹⁵ **Intercept Audio:** [UGA-OTP-0247-1102](#) from 00:28:45 to 00:31:32; **Intercept Audio:** [UGA-OTP-0247-1110](#) from 00:12:09 to 00:16:00. *See also*, generally, **ISO Logbook:** [UGA-OTP-0254-0725](#) at 1070; **ISO Logbook:** [UGA-OTP-0254-0229](#) at 0237; **ISO Logbook:** [UGA-OTP-0242-6018](#) at 6159 (right page); **ISO Logbook:** [UGA-OTP-0232-0234](#) at 0547-0548, 0562; **UPDF Logbook:** [UGA-OTP-0254-1991](#) at 2117.

²¹⁶ **P-0003:** [UGA-OTP-00000652](#), p. 3, ln. 17 - p. 10, ln. 17, p. 12, ln. 22 - p. 17, ln. 24; [UGA-OTP-0132-0105](#) at 0134-0136; [UGA-OTP-0132-0243](#) at 0265-0269 (*see, on KONY's laughter*, at 0265, notation 12:42); **P-0016:** [UGA-OTP-00000642](#), p. 53, ln. 13 - p. 55, ln. 9; **P-0138:** [UGA-OTP-00000607](#), p. 48, ln. 10 - p. 49, ln. 24, p. 54, ln. 8 - p. 68, ln. 9.

²¹⁷ *On the attack generally, and its timeframe, see:* **P-0066:** [UGA-OTP-0146-0049](#) at 0055, paras. 46-47; **P-0051:** [UGA-OTP-0069-0592](#) at 0596, paras. 33-34; **P-0056:** [UGA-OTP-0069-0681](#) at 0682, paras. 7-9; **P-0020:** [UGA-OTP-0069-0574](#) at 0578-0579, paras. 28, 33-36; **P-0077:** [UGA-OTP-0069-0543](#) at 0548, para. 33; **P-0050:** [UGA-OTP-0069-0639](#) at 0647, paras. 65-66; **P-0049:** [UGA-OTP-0146-0072](#) at 0077, para. 35; **ISO Logbook:** [UGA-OTP-0061-0002](#) at 0047 (right page); **UPDF report:** [UGA-OTP-0255-1117](#), pp. 1117-1118. *On the number of camp residents present, see:* **P-0050:** [UGA-OTP-0069-0639](#) at 0642, para. 25; **P-0049:** [UGA-OTP-0146-0072](#) at 0075, paras. 21-22.

²¹⁸ *See* paras. 16-18 above. *See also*, in relation to Abia IDP camp in particular, **P-0070:** [UGA-OTP-0228-2919](#) at 2934, lns. 539-544.

told Odhiambo to plan an operation to kill more Langi than ever before,²¹⁹ supported by the testimony of seven LRA members.²²⁰ As to Odhiambo's instructions to his subordinates, including George Labongo and Vincent Okema, to attack Abia IDP camp, the Prosecution relies on the combined testimony of eight LRA members.²²¹

64. **Para. 41 DCC:** For the number of LRA fighters, the Prosecution relies on the testimony of three LRA members,²²² one direct victim,²²³ one [REDACTED],²²⁴ and one UPDF officer.²²⁵ As to their attacking the various parts of the camp as particularised, *see* the testimony of five LRA members,²²⁶ four direct victims,²²⁷ and three other witnesses.²²⁸

65. **Para. 42 DCC:** As to the at least 116 civilians killed during and in the immediate aftermath of the attack, the Prosecution relies on the specific evidence underlying the list of 116 individually identifiable Abia murder victims appended at sub-annex E.3.i. It further refers to the general descriptions provided in the testimony of three direct victims,²²⁹ three LRA members,²³⁰ one UPDF officer,²³¹ one [REDACTED],²³² and a UPDF report.²³³

²¹⁹ **Ugandan Police Report:** [UGA-OTP-0012-0057](#) at 0059; **UPDF Logbook:** [UGA-OTP-0254-4143](#) at 4208 (right page) – 4209 (left page). *See also* **ISO Logbook:** [UGA-OTP-0061-0002](#) at 0016 (left page).

²²⁰ **P-0070:** [UGA-OTP-0228-2891](#) at 2902, lns. 380-402, at 2905, lns. 485-494, at 2907, lns. 561-578; **P-0085:** [UGA-OTP-0215-0106](#) at 0129-0130, lns. 761-823; **P-0138:** [UGA-OTP-00000607](#), p. 20, ln. 8 – p. 22, l. 23; **P-0150:** [UGA-OTP-0228-1042](#) at 1061, lns. 618-626; [UGA-OTP-0228-1089](#) at 1112-1113, lns. 758-786; **P-0041:** [UGA-OTP-0221-0162](#) at 0189-0190, lns. 918-926, 957-958; **P-0040:** [UGA-OTP-0220-0704](#) at 0713, lns. 313-330, at 0715, lns. 399-404; [UGA-OTP-0209-0461](#) at 0485-0489, lns. 686-805; **P-0455:** [UGA-OTP-00000879](#), pp. 21-24, lns. 740-843; [UGA-OTP-00000880](#), pp. 16-17, lns. 554-582.

²²¹ **P-0098:** [UGA-OTP-0165-0002](#) at 0010-0011, paras. 56-64; **P-0233:** [UGA-OTP-00000603](#), p. 32, l. 14 – p. 35, ln. 1; **P-0010:** [UGA-OTP-0218-0385](#) at 0399-0401, lns. 484-547; **P-0150:** [UGA-OTP-0228-1089](#) at 1110-1111, lns. 675-717; **P-0070:** [UGA-OTP-0228-2919](#) at 2921-2925, lns. 66-206; [UGA-OTP-0228-2891](#) at 2911-2912, lns. 702-759; **P-0085:** [UGA-OTP-0215-0182](#) at 0195, lns. 412-425; **P-0096:** [UGA-OTP-0228-1901](#) at 1910-1913, lns. 293-397, at 1929-1933, lns. 947-1093; **P-0136:** [UGA-OTP-0228-5619](#) at 5658-5661, lns. 1345-1477, [UGA-OTP-0221-1489](#) at 1491-1493, lns. 44-119, [UGA-OTP-0221-1425](#) at 1451, ln. 936.

²²² **P-0005:** [UGA-OTP-0069-0426](#) at 0445, para. 173; **P-0098:** [UGA-OTP-0165-0002](#) at 0010, paras. 54-55; **P-0136:** [UGA-OTP-0228-5664](#) at 5672, lns. 270-271.

²²³ **P-0056:** [UGA-OTP-0069-0681](#) at 0683, paras. 13, 18.

²²⁴ [REDACTED].

²²⁵ **P-0049:** [UGA-OTP-0146-0072](#) at 0084, para. 92. *See also* **UPDF report:** [UGA-OTP-0255-1117](#) at 1118.

²²⁶ **P-0096:** [UGA-OTP-0228-1901](#) at 1911, lns. 326-337, at 1913, lns. 395-397, at 1916-1918, lns. 494-586; **P-0098:** [UGA-OTP-0165-0002](#) at 0010, para. 52, at 0013, paras. 78-79; **P-0136:** [UGA-OTP-0221-1457](#) at 1459, lns. 64-70, at 1461, lns. 122-123; [UGA-OTP-0221-1489](#) at 1494, lns. 155-157; **P-0150:** [UGA-OTP-0228-1089](#) at 1122, lns. 1077-1105; **P-0233:** [UGA-OTP-00000603](#), p. 30, ln. 17 – p. 31, ln. 7.

²²⁷ **P-0051:** [UGA-OTP-0069-0592](#) at 0596, paras. 35-36; **P-0056:** [UGA-OTP-0069-0681](#) at 0683, paras. 11, 16; **P-0066:** [UGA-OTP-0146-0049](#) at 0055, para. 49, at 0057, para. 65; **P-0077:** [UGA-OTP-0069-0543](#) at 0548, paras. 37-39, at 0549, paras. 41-45.

²²⁸ **P-0034:** [UGA-OTP-0146-0095](#) at 0100, para. 39; **P-0050:** [UGA-OTP-0069-0639](#) at 0647-0648, paras. 72-76, 83, at 0649, paras. 88, 90; **P-0049:** [UGA-OTP-0146-0072](#) at 0077, paras. 35-41, at 0079, para. 50, at 0082, para. 80, at 0084, para. 94.

²²⁹ **P-0051:** [UGA-OTP-0069-0592](#) at 0598-0599, paras. 50-52; **P-0056:** [UGA-OTP-0069-0681](#) at 0684, para. 25; **P-0066:** [UGA-OTP-0146-0049](#) at 0061, para. 92.

²³⁰ **P-0096:** [UGA-OTP-0228-1901](#) at 1934-1935, lns. 1135-1175; **P-0098:** [UGA-OTP-0165-0002](#) at 0013, para. 79; **P-0150:** [UGA-OTP-0228-1089](#) at 1124, lns. 1142-1156.

²³¹ **P-0049:** [UGA-OTP-0146-0072](#) at 0079-0081, paras. 56, 60-61, 64.

²³² **P-0050:** [UGA-OTP-0069-0639](#) at 0649-0650, paras. 93-98.

²³³ **Ugandan Police report:** [UGA-OTP-0024-0119](#) at 0120.

66. **Para. 43 DCC:** For the at least 68 civilians who survived despite life-threatening injuries, the Prosecution relies on the specific evidence underlying the list of 68 individually identifiable Abia attempted murder victims appended at sub-annex E.3.ii. It further refers to the figures provided by one direct victim, and in contemporaneous documentation.²³⁴

67. **Para. 44 DCC:** As to the LRA setting fire to around 182 civilian homes, thereby burning and destroying the camp residents' property, see the testimony of seven LRA members,²³⁵ four direct victims,²³⁶ and three other witnesses,²³⁷ as well as photographic evidence.²³⁸ As to the LRA perceiving the residents as the adversary due to their association with the Ugandan government, see paras. 16, 17, 18(n, q, u). That **KONY** and the LRA perpetrators were aware of the factual circumstances establishing the status of the property, and that the destruction was not required by military necessity, is inferred from the circumstances of the destruction, *i.e.* during an armed attack, and upon an order to destroy civilian property.²³⁹

68. **Para. 45 DCC:** For the LRA fighters' pillaging of items from civilian homes and shops, the Prosecution refers to the testimony of two direct victims,²⁴⁰ five LRA members²⁴¹ and one UPDF officer.²⁴² That the items were taken without the consent of the owners, and with the intent to appropriate them for private or personal use, is inferred from the circumstances of the appropriation, *i.e.* during an armed attack, and upon an order to steal civilian property.²⁴³

69. **Para. 46 DCC:** As to the LRA fighters' abduction of at least 20 civilian residents, including children, the Prosecution relies on the specific evidence underlying the list of 20 individually identifiable Abia enslaved persons appended at sub-annex E.3.iii. It further refers to the general descriptions given by two LRA members and one UPDF officer.²⁴⁴ As to the

²³⁴ **P-0077:** [UGA-OTP-0069-0543](#) at 0551-0552, paras. 55, 56, 60-66; **P-0050's list:** [UGA-OTP-0070-0071](#) at 0072-0073.

²³⁵ **P-0150:** [UGA-OTP-0228-1089](#) at 1125, lns. 1176-1197; **P-0096:** [UGA-OTP-0228-1901](#) at 1913, lns. 407-409, at 1924, lns. 771-772, 782-783, at 1927, lns. 884-897, at 1931, lns. 1018-1020, at 1932, lns. 1063-1064, at 1934, ln. 1140; **P-0152:** [UGA-OTP-0200-0015](#) at 0026, para. 66; **P-0233:** [UGA-OTP-0276-2583](#) at 2605, lns. 718-724; **P-0136:** [UGA-OTP-0221-1489](#) at 1500, lns. 406-409; **P-0098:** [UGA-OTP-0165-0002](#) at 0013, para. 79; **P-0010:** [UGA-OTP-0218-0385](#) at 0400, lns. 516-519.

²³⁶ **P-0066:** [UGA-OTP-0146-0049](#) at 0061, paras. 96-98; **P-0056:** [UGA-OTP-0069-0681](#) at 0684, para. 25; **P-0077:** [UGA-OTP-0069-0543](#) at 0549, para. 45, at 0552-0553, para. 70; **P-0051:** [UGA-OTP-0069-0592](#) at 0598-0599, para 52.

²³⁷ **P-0034:** [UGA-OTP-0146-0095](#) at 0102, para. 57; **P-0050:** [UGA-OTP-0069-0639](#) at 0647, paras. 75-76, at 0654, para. 137; **P-0049:** [UGA-OTP-0146-0072](#) at 0083, paras. 85-88.

²³⁸ **Photograph:** [UGA-OTP-0146-0039](#).

²³⁹ See para. 17, fn. 46, above.

²⁴⁰ **P-0056:** [UGA-OTP-0069-0681](#) at 0684, paras. 28-29; **P-0020:** [UGA-OTP-0069-0574](#) at 0581, paras. 52-53, 56.

²⁴¹ **P-0098:** [UGA-OTP-0165-0002](#) at 0012, para. 74; **P-0005:** [UGA-OTP-0069-0426](#) at 0448, para. 200; **P-0096:** [UGA-OTP-0228-1901](#) at 1919, ln. 603, at 1923, lns. 745-757, at 1936, lns. 1209-1210; **P-0137:** [UGA-OTP-0228-5892](#) at 5916-5918, lns. 852-866, 884-895; **P-0152:** [UGA-OTP-0200-0015](#) at 0026, para. 66.

²⁴² **P-0049:** [UGA-OTP-0146-0072](#) at 0083, para. 88.

²⁴³ See para. 17, fn. 46, above. See also, in relation to Abia IDP camp in particular: **P-0136:** [UGA-OTP-0228-5619](#) at 5660, lns. 1422-2445; **P-0150:** [UGA-OTP-0228-1089](#) at 1110, lns. 675-702.

²⁴⁴ **P-0096:** [UGA-OTP-0228-1938](#) at 1954-1955, lns. 518-542, 551-575;

P-0098: [UGA-OTP-0165-0002](#) at 0012, para. 74; **P-0049:** [UGA-OTP-0146-0072](#) at 0064, para. 89.

LRA's treatment of the abducted civilians in their forced march from the camp, see the testimony of four LRA members,²⁴⁵ two direct victims,²⁴⁶ one [REDACTED],²⁴⁷ and a UPDF officer.²⁴⁸

70. **Para. 47 DCC:** As to three adult male abductees being murdered by the LRA shortly after the attack, for the purposes of **Count 10**, the Prosecution relies on the direct testimony of the [REDACTED], P-0020.²⁴⁹ Additionally, and also for **Count 10**, the Prosecution relies on the testimony of witness P-0050, [REDACTED].²⁵⁰

71. **Para. 48 DCC:** For the abductees' severe pain and suffering, the Prosecution refers to the evidence cited above at para. 69. Rather than imposing lawful sanctions, the LRA perpetrators selected, violently abducted and recruited civilians, with the purpose of coercion, intimidation and/or punishment, and for reasons of discrimination. **KONY** and the LRA perpetrators' awareness of the factual circumstances that established the character of the inhumane act is inferred from their physical presence and/or control over the crimes.

72. **Para. 49 DCC:** As to the LRA fighters' exercising the right of ownership over the abducted civilians, the Prosecution refers to the evidence cited above at para. 69. *See also* paras. 144-149, 156-160 below for the pattern of conduct by which **KONY** and the LRA perpetrators exercised the right of ownership over all abducted women and children.

73. **Para. 50 DCC:** For the LRA's severely depriving the camp residents of their fundamental rights, the Prosecution refers to the evidence cited throughout this section at paras. 61-72. As to **KONY's** and the LRA perpetrators' intention to discriminate against the civilian camp residents on the basis of their perceived affiliation with and/or support for the Ugandan government, the Prosecution refers to paras. 16, 17, 18(n, q, u).

74. **Para. 51 DCC:** As to Odhiambo's report to **KONY**, and **KONY's** praise, the Prosecution relies on the intercepted LRA radio communications of this discussion,²⁵¹ supplemented by the testimony of six LRA members.²⁵² As to **KONY's** later pointing to the attack as an example for all LRA units, and his order to Odhiambo to conduct an even larger

²⁴⁵ **P-0148:** [UGA-OTP-0192-0740](#), at 0742, para. 16; **P-0152:** [UGA-OTP-0200-0015](#) at 0026, para. 66; **P-0005:** [UGA-OTP-0069-0426](#) at 0448, para. 199; **P-0098:** [UGA-OTP-0165-0002](#) at 0012, para. 74.

²⁴⁶ **P-0056:** [UGA-OTP-0069-0681](#) at 0684, paras. 30, 35, at 0687, para. 65; **P-0020:** [UGA-OTP-0069-0574](#) at 0581-0583, paras. 52-67, at 0584, para. 79, at 0585-0586, paras. 85-86, 89.

²⁴⁷ [REDACTED].

²⁴⁸ **P-0049:** [UGA-OTP-0146-0072](#) at 0084, para. 89.

²⁴⁹ **P-0020:** [UGA-OTP-0069-0574](#) at 0584-0586, paras. 73, 83-87. *For these three murdered abductees, see* entries 106-108 at sub-annex E.3.i, and entries 17-19 at sub-annex E.3.iii.

²⁵⁰ **P-0050:** [UGA-OTP-0069-0639](#) at 0653, para. 123.

²⁵¹ **ISO Logbook:** [UGA-OTP-0061-0002](#) at 0047 (right page); **UPDF Logbook:** [UGA-OTP-0242-7309](#) at 7364 (right page). *See also* **Uganda Police Report:** [UGA-OTP-0016-0053](#) at 0056.

²⁵² **P-0069:** [UGA-OTP-0220-0198](#) at 0208-0212, lns. 316-477; **P-0440:** [UGA-OTP-0218-0594](#) at 0606-0607, lns. 394-446; **P-0136:** [UGA-OTP-0221-1489](#) at 1501-1502, lns. 438-463; **P-0070:** [UGA-OTP-0228-2919](#) at 2928, lns. 302-331; **P-0041:** [UGA-OTP-0229-0038](#) at 0076-0077, lns. 1298-1312; **P-0016:** [UGA-OTP-0221-1200](#) at 1226-1227, lns. 877-912.

attack, the Prosecution relies on the intercepted LRA radio communications in which **KONY** made such utterances,²⁵³ as well as the testimony of one LRA member.²⁵⁴

iv) Attack on Barlonyo IDP Camp

75. **Para. 52 DCC:** For the LRA's attack of Barlonyo IDP camp on or about 21 February 2004 and directing acts of violence against the approximately 1,000 to 4,800 civilian residents, see the testimony of five direct victims, five LRA members, and three other witnesses, as well as intercepted LRA radio communications and documentary evidence.²⁵⁵ See also the Prosecution's collection of photographic evidence relevant to all aspects of the attack.²⁵⁶

76. **Paras. 52-53 DCC:** That **KONY** and the LRA intended civilian camp residents to be the object of the attack is demonstrated by **KONY**'s general orders to attack civilians.²⁵⁷ It follows from this that they were aware of the factual circumstances establishing the camp residents' civilian status.

77. **Para. 53 DCC:** As to **KONY**'s orders in the weeks prior to attack camps in Lango and Teso, the Prosecution refers to the evidence cited at para. 63 (see also the evidence of **KONY**'s encouragement following the Abia attack, cited at para. 74). As to Odhiambo being the overall

²⁵³ **UPDF Logbook:** [UGA-OTP-0197-0697](#) at 0825 (left page); **ISO Logbook:** [UGA-OTP-0061-0002](#) at 0069 (left page), at 0098 (left page); **UPDF Logbook:** [UGA-OTP-0197-0460](#) at 0543.

²⁵⁴ **P-0070:** [UGA-OTP-0208-0146](#) at 0154, lns. 229-230; [UGA-OTP-0228-2919](#) at 2928, lns. 302-316.

²⁵⁵ On the attack generally, and its timeframe, see: **P-0062:** [UGA-OTP-0069-0733](#) at 0735-0736, paras. 19, 27, at 0739, para. 54, at 0742, para. 87; **P-0082:** [UGA-OTP-0069-0616](#) at 0617, para. 8, at 0619, para. 23; **P-0025:** [UGA-OTP-0069-0497](#) at 0499, para. 11; **P-0467:** [UGA-OTP-00000510](#), p. 6, para. 42, p. 8, para. 53; [UGA-OTP-00000511](#); **P-0076:** [UGA-OTP-0036-0067](#) at 0071-0072, para. 41; [UGA-OTP-0036-0078](#); **P-0152:** [UGA-OTP-0200-0015](#) at 0031, paras. 99-100, at 0032, para. 107; **P-0096:** [UGA-OTP-0228-1814](#) at 1822, lns. 242-261; [UGA-OTP-0228-2014](#) at 2019-2020, lns. 143-183; **P-0057:** [UGA-OTP-0069-0515](#) at 0521, paras. 44, 48; **P-0150:** [UGA-OTP-0228-1129](#) at 1141-1143, lns. 365-438; **P-0455:** [UGA-OTP-00000879](#), p. 18; [UGA-OTP-00000880](#), pp. 18, 22-23; **P-0065:** [UGA-OTP-0069-0467](#) at 0469, para. 14, at 0478, para. 95; **P-0072:** [UGA-OTP-0069-0701](#) at 0703-0704, paras. 12, 18, at 0705, paras. 28-31; **P-0017:** [UGA-OTP-0036-0007](#) at 0016, para. 66, at 0019, para. 89; **ISO Logbook:** [UGA-OTP-0061-0002](#) at 0093 (right page); **UPDF Logbook:** [UGA-OTP-0254-4143](#) at 4249 (right page) - 4250 (left page); **UPDF Logbook:** [UGA-OTP-0242-7309](#) at 7380 (right page) - 7381 (left page); **UPDF Logbook:** [UGA-OTP-0254-2284](#) at 2497; **Operation Order:** [UGA-OTP-0015-0167](#) at 0167, para. 1; **Ugandan Police report:** [UGA-OTP-0018-0028](#) at 0038, para. 12; **Ugandan Police Report:** [UGA-OTP-0018-0047](#) at 0089, para. 144; [UGA-OTP-0037-0153](#) at 0205-0206, para. 144; **Police Brief:** [UGA-OTP-0015-0346](#) at 0346; **Police Report:** [UGA-OTP-0015-0158](#) at 0158, paras. 1.1-1.3; **P-0056's sketch:** [UGA-OTP-0018-0026](#) at 0026. On the number of camp residents present, see: **P-0062:** [UGA-OTP-0069-0733](#) at 0735, para. 14; **P-0076:** [UGA-OTP-0036-0067](#) at 0070, para. 28; **P-0065:** [UGA-OTP-0069-0467](#) at 0469, para. 14; **P-0072:** [UGA-OTP-0069-0701](#) at 0702-0703, para. 9; **Police Report:** [UGA-OTP-0015-0158](#) at 0158, para. 1.2; **Police Brief:** [UGA-OTP-0015-0346](#) at 0346.

²⁵⁶ **Photographs:** [UGA-OTP-0011-0004](#) through to [UGA-OTP-0011-0480](#); [UGA-OTP-0015-0032](#); [UGA-OTP-0016-0644](#); [UGA-OTP-0021-0057](#) through to [UGA-OTP-0021-0074](#); [UGA-OTP-0025-0814](#) through to [UGA-OTP-0025-0830](#); [UGA-OTP-0130-0075](#) through to [UGA-OTP-0130-0081](#); [UGA-OTP-0171-0205](#) through to [UGA-OTP-0171-0221](#); [UGA-OTP-0200-0012](#); [UGA-OTP-0200-0013](#); [UGA-OTP-0248-1793](#).

²⁵⁷ See paras. 16-18 above.

commander during the attack of at least 63 LRA fighters from three units, see the testimony of eight LRA members,²⁵⁸ one direct victim,²⁵⁹ and a Uganda Police report.²⁶⁰

78. **Para. 54 DCC:** For the LRA attacking various parts of the camp, the Prosecution refers to the testimony of four LRA members,²⁶¹ as well as a Uganda Police report.²⁶²

79. **Para. 55 DCC:** As to the at least 313 civilians killed during and in the immediate aftermath of the attack, the Prosecution relies on the specific evidence underlying the list of 313 individually identifiable Barlonyo murder victims appended at sub-annex E.4.i. It further refers to the general descriptions in the testimony of seven LRA members,²⁶³ five direct victims,²⁶⁴ and five other witnesses, some of whom comment on contemporaneous documentary evidence.²⁶⁵

80. **Para. 55 DCC:** For the at least 85 civilians who survived despite life-threatening injuries, the Prosecution relies on the specific evidence underlying the list of 85 individually identifiable Barlonyo attempted murder victims appended at sub-annex E.4.ii.

81. **Para. 56 DCC:** As to the LRA fighters' pillaging of items from civilian homes and shops, the Prosecution refers to the testimony of four LRA members,²⁶⁶ one direct victim,²⁶⁷ and Ugandan Police reports.²⁶⁸ That the items were taken without the consent of the owners, and with the intent to appropriate them for private or personal use, is inferred from the

²⁵⁸ **P-0070:** [UGA-OTP-0208-0146](#) at 0154-0155, lns. 229-241, [UGA-OTP-0228-3010](#) at 3022, lns. 423-428, [UGA-OTP-00000599](#), p. 22, lns. 17-24; **P-0016:** [UGA-OTP-0221-1200](#) at 1227-1228, lns. 925-940; **P-0054:** [UGA-OTP-00001026](#), p. 14, lns. 17-22; **P-0057:** [UGA-OTP-0069-0515](#) at 0520, paras. 41-43; **P-0069:** [UGA-OTP-0220-0170](#) at 0179-0180, lns. 290-325; **P-0136:** [UGA-OTP-0221-1489](#) at 1511-1513, lns. 809-857, at 1519, lns. 1076-1089, at 1520-1521, lns. 1124-1137, at 1522, lns. 1189-1190; **P-0152:** [UGA-OTP-0200-0015](#) at 0026, para. 70, at 0028-0030, paras. 80-93; **P-0098:** [UGA-OTP-0165-0002](#) at 0015-0016, paras. 98-101.

²⁵⁹ **P-0467:** [UGA-OTP-00000510](#), p. 5, para. 32.

²⁶⁰ **Ugandan Police Report:** [UGA-OTP-0018-0028](#) at 0038.

²⁶¹ **P-0057:** [UGA-OTP-0069-0515](#) at 0521-0522, paras. 50-55; **P-0096:** [UGA-OTP-0228-2014](#) at 2020-2022, lns. 187-249, at 2028, lns. 462-463; **P-0152:** [UGA-OTP-0200-0015](#) at 0031-0032, paras. 95-107; **P-0455:** [UGA-OTP-00000879](#), p. 17.

²⁶² **Police Report:** [UGA-OTP-0015-0158](#) at 0160, paras. 5.2-5.4.

²⁶³ **P-0057:** [UGA-OTP-0069-0515](#) at 0521-0522, paras. 51-60; **P-0096:** [UGA-OTP-0228-1938](#) at 1969-1971, lns. 1045-1106; [UGA-OTP-0228-2014](#) at 2021-2023, lns. 212-291, at 2025-2026, lns. 355-406; **P-0150:** [UGA-OTP-0228-0951](#) at 0982-0984, lns. 1026-1080; [UGA-OTP-0228-1129](#) at 1150, lns. 666-695; **P-0152:** [UGA-OTP-0200-0015](#) at 0032, para. 107; **P-0098:** [UGA-OTP-0165-0002](#) at 0018, paras. 116-123; **P-0455:** [UGA-OTP-00000880](#), p. 22, ln. 766 – p. 24, ln. 832; **P-0071:** [UGA-OTP-0228-3819](#) at 3836, lns. 544-564.

²⁶⁴ **P-0062:** [UGA-OTP-0069-0733](#) at 0737, para. 39, at 0738, para. 43, at 0739, para. 54; **P-0082:** [UGA-OTP-0069-0616](#) at 0620, paras. 33-36, at 0622, paras. 50-55; **P-0076:** [UGA-OTP-0036-0067](#) at 0072, para. 49, at 0073, paras. 58-60; **P-0467:** [UGA-OTP-00000510](#), p. 8, paras. 53, 56; **P-0025:** [UGA-OTP-0069-0497](#) at 0501, para. 41.

²⁶⁵ **P-0034:** [UGA-OTP-0146-0095](#) at 0109-0110, paras. 117-126, commenting upon **List:** [UGA-OTP-0146-0002](#) at 0002-0014; **P-0036:** [UGA-OTP-0036-0042](#) at 0053-0054, paras. 95-101, commenting upon **Forensic medical report:** [UGA-OTP-0018-0012](#) at 0021-0023; **P-0065:** [UGA-OTP-0069-0467](#) at 0476, paras. 77-79; **P-0072:** [UGA-OTP-0069-0701](#) at 0711, para. 75; **P-0017:** [UGA-OTP-0036-0007](#) at 0013, para. 39, commenting upon **Ugandan Police Report:** [UGA-OTP-0015-0158](#) at 0160, 0163.

²⁶⁶ **P-0056:** [UGA-OTP-0069-0681](#) at 0686, para. 53; **P-0057:** [UGA-OTP-0069-0515](#) at 0523, paras. 63, 67; **P-0098:** [UGA-OTP-0165-0002](#) at 0019, para. 128; **P-0152:** [UGA-OTP-0200-0015](#) at 0032, paras. 104-105, at 0033, paras. 111-115.

²⁶⁷ **P-0467:** [UGA-OTP-00000510](#), p. 6, para. 40, p. 8, paras. 57-59.

²⁶⁸ **Ugandan Police report:** [UGA-OTP-0018-0028](#) at 0038, para. 12; **Ugandan Police Report:** [UGA-OTP-0018-0047](#) at 0089, para. 144; [UGA-OTP-0037-0153](#) at 0205, para. 144.

circumstances of the appropriation, *i.e.* during an armed attack, and upon an order to steal civilian property.²⁶⁹

82. **Para. 57 DCC:** For the LRA setting fire to at least 300 civilian huts, thereby burning and destroying the property of the camp residents, *see* the testimony of five LRA members²⁷⁰ and three direct victims,²⁷¹ as well as documentary evidence,²⁷² and LRA intercepted radio communications in which Odhiambo reported to **KONY** that he had burnt all the houses in the camp.²⁷³ As to the LRA perceiving the residents as the adversary due to their association with the Ugandan government, *see* paras. 16, 17, 18(n, q, u). That **KONY** and the LRA perpetrators were aware of the factual circumstances establishing the status of the property, and that the destruction was not required by military necessity, is inferred from the circumstances of the destruction, *i.e.* during an armed attack, and upon an order to destroy civilian property.²⁷⁴

83. **Para. 58 DCC:** For the LRA's severely depriving the camp residents of their fundamental rights, the Prosecution refers to the evidence cited throughout this section at paras. 75-82. As to **KONY's** and the LRA perpetrators' intention to discriminate against the civilian camp residents on the basis of their perceived affiliation with and/or support for the Ugandan government, the Prosecution refers to paras. 16, 17, 18(n, q, u).

84. **Para. 59 DCC:** As to Odhiambo's report to **KONY**, who was pleased and asked other LRA rights to follow Odhiambo's example the Prosecution relies on the intercepted LRA radio communications,²⁷⁵ and the testimony of an LRA member.²⁷⁶ An intercepted LRA radio communication shows that **KONY** promoted Odhiambo on 13 March 2024.²⁷⁷

²⁶⁹ See para. 17, fn. 46, above.

²⁷⁰ **P-0056:** [UGA-OTP-0069-0681](#) at 0686, paras. 45-47, para. 49; **P-0057:** [UGA-OTP-0069-0515](#) at 0522, para. 59; **P-0098:** [UGA-OTP-0165-0002](#) at 0018, para. 116; **P-0054:** [UGA-OTP-00001026](#), p. 14, lns. 23-24; **P-0152:** [UGA-OTP-0200-0015](#) at 0033, para. 112.

²⁷¹ **P-0062:** [UGA-OTP-0069-0733](#) at 0738, para. 43, at 0739, paras. 60-61, at 0740, para. 68; **P-0082:** [UGA-OTP-0069-0616](#) at 0620, para. 37; **P-0467:** [UGA-OTP-00000510](#), p. 8, para. 56.

²⁷² **Police Brief:** [UGA-OTP-0015-0346](#) at 0346; **Ugandan Police Report:** [UGA-OTP-0015-0158](#) at 0160, paras. 5.7, 5.16; [UGA-OTP-0018-0028](#) at 0038, para. 12; **Ugandan Police Report:** [UGA-OTP-0018-0047](#) at 0089, para. 144, [UGA-OTP-0037-0153](#) at 0205-0206, para. 144; **Video:** [UGA-OTP-0021-0012](#) at 00:02:45, 00:55:27, 00:56:18; **Photographs:** [UGA-OTP-0011-0174](#); [UGA-OTP-0011-0178](#); [UGA-OTP-0011-0179](#); [UGA-OTP-0011-0180](#); [UGA-OTP-0011-0182](#).

²⁷³ **ISO Logbook:** [UGA-OTP-0061-0002](#) at 0093 (right page).

²⁷⁴ See para. 17, fn. 46, above.

²⁷⁵ **ISO Logbook:** [UGA-OTP-0061-0002](#) at 0093 (right page), at 0096 (right page), at 0098 (left page); **UPDF Logbook:** [UGA-OTP-0197-1866](#) at 1982 (right page); **UPDF Logbook:** [UGA-OTP-0254-4143](#) at 4249 (right page) - 4250 (left page), at 4282 (left page, right page); **UPDF Logbook:** [UGA-OTP-0242-7309](#) at 7380 (right page) - 7381 (left page). See also **Audio translation:** [UGA-OTP-0132-0026](#) at 0040-0044, 0050-0053.

²⁷⁶ **P-0455:** [UGA-OTP-00000879](#), p. 16, lns. 549-550; [UGA-OTP-00000880](#), p. 28, lns. 973-975; [UGA-OTP-00000881](#), p. 5, lns. 166-173, p. 6, lns. 209-215, p. 8, lns. 259-283, p. 13, lns. 470-472.

²⁷⁷ **ISO Logbook:** [UGA-OTP-0061-0002](#) at 0146 (left page); **UPDF Logbook:** [UGA-OTP-0254-4143](#) at 4282; **UPDF Logbook:** [UGA-OTP-0254-2284](#) at 2582; **UPDF Logbook:** [UGA-OTP-0197-1866](#) at 2026 (left page).

v) **Attack on Odek IDP Camp**

85. **Para. 60 DCC:** As to the LRA attacking Odek IDP camp on or about 29 April 2004 and directing acts of violence against the approximately 2,000 to 3,000 civilian residents, the Prosecutions refers to the testimony of four direct victims (including two camp leaders).²⁷⁸

86. **Paras. 60-61 DCC:** That **KONY** and the LRA intended civilian camp residents to be the object of the attack is demonstrated by **KONY**'s general orders to attack civilians.²⁷⁹ It follows from this that they were aware of the factual circumstances establishing the camp residents' civilian status.

87. **Para. 61 DCC:** As to the number and composition of the LRA fighters involved, and as to Ongwen being the overall commander of the attack, the Prosecution relies on the testimony of nine LRA members.²⁸⁰ As to **KONY** reiterating his orders in the weeks prior, particularly in relation to Odek, see the testimony of three LRA members, including [REDACTED] (P-0455).²⁸¹

88. **Para. 62 DCC:** For the LRA attacking in two groups, the Prosecution refers to the testimony of three LRA members.²⁸² As to Ongwen's order to target everyone at the camp, loot food and abduct civilians, the Prosecution relies on the testimony of three LRA members.²⁸³

89. **Para. 63 DCC:** As to the LRA fighters' pillaging of items from civilian homes and shops, the Prosecution refers to the testimony of nine LRA members.²⁸⁴ That the items were taken without the consent of the owners, and with the intent to appropriate them for private or personal use, is inferred from the circumstances of the appropriation, *i.e.* during an armed attack, and upon an order to steal civilian property.²⁸⁵

²⁷⁸ On the attack generally, and its timeframe, see: **P-0218:** [UGA-OTP-0238-0720](#) at 0722-0723, paras. 11, 17-18; **P-0268:** [UGA-OTP-0248-0013](#) at 0016-0017, paras. 22-23; **P-0274:** [UGA-OTP-0244-3375](#) at 3378, para. 24; **P-0325:** [UGA-OTP-0264-0242](#) at 0245, para. 20. On the number of camp residents present, see: **P-0274:** [UGA-OTP-0244-3375](#) at 3377, para. 16; **P-0325:** [UGA-OTP-0264-0242](#) at 0244, para. 15.

²⁷⁹ See paras. 16-18 above.

²⁸⁰ **P-0309:** [UGA-OTP-00000669](#), p. 74, ln. 8 – p. 75, ln. 6; **P-0314:** [UGA-OTP-00000683](#), p. 2, lns. 18-25, p. 5, lns. 1-14, p. 10, lns. 8-14; **P-0330:** [UGA-OTP-00000661](#), p. 16, lns. 4-11; **P-0406:** [UGA-OTP-00000630](#), p. 41, ln. 21 – p. 42, ln. 15; **P-0054:** [UGA-OTP-00001026](#), p. 29, lns. 4-12; **P-0410:** [UGA-OTP-00000627](#), p. 39, ln. 15 – p. 40, ln. 8; **P-0142:** [UGA-OTP-00000680](#), p. 67, lns. 5-7; **P-0205:** [UGA-OTP-00000656](#), p. 41, ln. 2 – p. 43, ln. 21; **P-0264:** [UGA-OTP-00000673](#), p. 65, lns. 2-4.

²⁸¹ **P-0410:** [UGA-OTP-00000627](#), p. 28, ln. 1 – p. 29, ln. 1; **P-0142:** [UGA-OTP-00000679](#), p. 4, ln. 3 – p. 5, ln. 11; **P-0455:** [UGA-OTP-00000877](#) at pp. 7-9, lns. 218-318.

²⁸² **P-0309:** [UGA-OTP-00000669](#), p. 77, ln. 24 – p. 78, ln. 2; **P-0406:** [UGA-OTP-00000629](#), p. 42, lns. 7-10; [UGA-OTP-00000630](#), p. 43, lns. 19-25; **P-0410:** [UGA-OTP-00000627](#), p. 31, lns. 11-12.

²⁸³ **P-0205:** [UGA-OTP-00000656](#), p. 43, ln. 9 – p. 44, ln. 9; **P-0264:** [UGA-OTP-00000673](#), p. 41, lns. 6-22, p. 44, lns. 8-15; **P-0410:** [UGA-OTP-00000627](#), p. 34, lns. 12-17.

²⁸⁴ **P-0142:** [UGA-OTP-00000678](#), p. 33, lns. 17-19; [UGA-OTP-00000679](#), p. 5, lns. 16-22; **P-0264:** [UGA-OTP-00000673](#), p. 61, lns. 12-21; **P-0309:** [UGA-OTP-00000669](#), p. 82 ln. 14 – p. 83, ln. 1; **P-0330:** [UGA-OTP-00000661](#), p. 22, lns. 1-4, p. 23, ln. 3, p. 24, lns. 9-10, p. 25, lns. 2-7; **P-0340:** [UGA-OTP-00000595](#), p. 34, ln. 21 – p. 35, ln. 12; **P-0372:** [UGA-OTP-00000625](#), p. 42, ln. 22 – p. 43, ln. 1; **P-0410:** [UGA-OTP-00000627](#), p. 32, lns. 7-8, p. 46, lns. 15-18; **P-0314:** [UGA-OTP-00000683](#), p. 17, ln. 22 – p. 18, ln. 3; **P-0205:** [UGA-OTP-00000656](#), p. 45, lns. 10-18.

²⁸⁵ See para. 17, fn. 46, above. See also, in relation to Odek IDP camp in particular, para. 88, fn. 283, above.

90. **Para. 64 DCC:** For the at least 51 civilians killed by the LRA during the attack and in their retreat, the Prosecution relies on the specific evidence underlying the list of 51 individually identifiable Odek murder victims appended at sub-annex E.5.i. It further refers to the descriptions provided in the testimony of three direct victims (including two camp leaders)²⁸⁶ and two LRA members.²⁸⁷

91. **Para. 64 DCC:** As to the at least 10 civilians who were targeted for killing but did not die, the Prosecution relies on the specific evidence underlying the list of 10 individually identifiable Odek attempted murder victims appended at sub-annex E.5.ii. As to the rape committed during the attack, the Prosecution relies on the testimony of the victim, [REDACTED].²⁸⁸

92. **Para. 65 DCC:** For the LRA's retreat, the Prosecution refers to the testimony of two direct victims²⁸⁹ and three LRA members.²⁹⁰ As to the LRA's abduction of at least 40 civilians, the Prosecution relies on the specific evidence underlying the list of 40 individually identifiable Odek enslaved persons appended at sub-annex E.5.iii. It further refers to the general descriptions provided in the testimony of two LRA members²⁹¹ and two direct victims.²⁹²

93. **Paras. 65-66 DCC:** As to the LRA's treatment of the abducted civilians while they were forced to march away from the camp, the Prosecution relies on the testimony of seven LRA members and five direct victims.²⁹³

²⁸⁶ **P-0218:** [UGA-OTP-0238-0720](#) at 0726, para. 32; [UGA-OTP-00000696](#), p. 72, lns. 12-20; **P-0274:** [UGA-OTP-0244-3375](#) at 3382, para. 54, at 3384, para. 75; **P-0325:** [UGA-OTP-0264-0242](#) at 0245, para. 20, at 0248, para. 36.

²⁸⁷ **P-0264:** [UGA-OTP-00000673](#), p. 53, ln. 19 – p. 54, ln. 6, p. 58, lns. 4-18, p. 60, lns. 7-21; **P-0330:** [UGA-OTP-00000661](#), p. 20, ln. 4 – p. 21, ln. 6. See also **Uganda Police Reports:** [UGA-OTP-0256-0313](#); [UGA-OTP-0256-0314](#).

²⁸⁸ [REDACTED].

²⁸⁹ **P-0218:** [UGA-OTP-0238-0720](#) at 0724, para. 24; **P-0270:** [UGA-OTP-0241-0168](#) at 0173, para. 34.

²⁹⁰ **P-0264:** [UGA-OTP-00000673](#), p. 62, lns. 8-12; **P-0314:** [UGA-OTP-00000683](#), p. 11, lns. 18-20; **P-0410:** [UGA-OTP-00000627](#), p. 32, lns. 9-11.

²⁹¹ **P-0314:** [UGA-OTP-00000683](#), p. 12, lns. 21-24; **P-0330:** [UGA-OTP-00000661](#), p. 22, lns. 8-13.

²⁹² **P-0268:** [UGA-OTP-0248-0013](#) at 0019, para. 36; **P-0275:** [UGA-OTP-0244-3398](#) at 3402, para. 33.

²⁹³ On abductees, including children, walking long distance barefoot, see: **P-0268:** [UGA-OTP-0248-0013](#) at 0017, para. 27, at 0019, para. 36, at 0022, para. 57; **P-0275:** [UGA-OTP-0244-3398](#) at 3402, para. 32, at 3405, para. 56. On abductees, including children, being forced to carry heavy loads for long distance under armed guard and threat of beatings or death, see: **P-0406:** [UGA-OTP-00000629](#), p. 46, lns. 4-10, p. 50, lns. 9-13; **P-0264:** [UGA-OTP-00000673](#), p. 64, lns. 8-18; **P-0309:** [UGA-OTP-00000669](#), p. 83, lns. 4-7; **P-0330:** [UGA-OTP-00000661](#), p. 22, lns. 5-7; **P-0410:** [UGA-OTP-00000627](#), p. 45, lns. 13-21; **P-0142:** [UGA-OTP-00000678](#), p. 36, ln. 21 – p. 37, ln. 18; **P-0352:** [UGA-OTP-0260-0315](#) at 0334, para. 126-127; **P-0268:** [UGA-OTP-0248-0013](#) at 0019, paras. 36, 40-41, at 0020, paras. 43-45, 47; **P-0275:** [UGA-OTP-0244-3398](#) at 3401, paras. 27-28, at 3405, para. 57; **P-0269:** [UGA-OTP-00001121](#), p. 39, ln. 7 – p. 40, ln. 24. On abductees suffering grave physical abuse such as beatings with sticks and guns, see: **P-0268:** [UGA-OTP-0248-0013](#) at 0019, para. 41, at 0020, para. 46; **P-0275:** [UGA-OTP-0244-3398](#) at 3403, para. 43; **P-0406:** [UGA-OTP-00000629](#), p. 46, lns. 4-13. On an abductee being forced to beat another abductee to death, see: **P-0252:** [UGA-OTP-00000693](#), p. 66, lns. 1-12, p. 69, lns. 21-24. On an abductee being forced to watch other abductees being killed, see: **P-0275:** [UGA-OTP-00000610](#), p. 65, lns. 4-19; [UGA-OTP-0244-3398](#) at 3405, paras. 57-58. On mothers being forced to abandon their children on the side of the road, including a child left in a rubbish pit, see: **P-0268:** [UGA-OTP-0248-0013](#) at 0019, para. 38; **P-0270:** [UGA-OTP-0241-0168](#) at 0174, para. 48; **P-0269:** [UGA-OTP-00001121](#), p. 38, lns. 2-16; **P-0275:** [UGA-OTP-0244-3398](#) at 3402, para. 31.

94. **Para. 67 DCC:** For the purpose of **Count 10**, the witness testimony shows that a group of at least two women was released the day after the attack,²⁹⁴ and that at least three persons, including young children, were rescued by the UPDF.²⁹⁵ Also included among the abductees were 14 persons – including nine adult males – killed during the retreat from the camp.²⁹⁶

95. **Para. 68 DCC:** As to the abductees' severe pain and suffering, the Prosecution refers to the evidence cited above at paras 92-93. Rather than imposing lawful sanctions, the LRA perpetrators selected, violently abducted and recruited civilians, with the purpose of coercion, intimidation and/or punishment, and for reasons of discrimination. **KONY** and the LRA perpetrators' awareness of the factual circumstances that established the character of the inhumane act is inferred from their physical presence and/or control over the crimes.

96. **Para. 69 DCC:** For the LRA fighters' exercising the right of ownership over the abducted civilians, the Prosecution refers to the evidence cited above at paras. 92-93. *See also* paras. 144-149, 156-160 below for the pattern of conduct by which **KONY** and the LRA perpetrators exercised the right of ownership over all abducted women and children.

97. **Para. 70 DCC:** As to the LRA's severely depriving the camp residents of their fundamental rights, the Prosecution refers to the evidence cited throughout this section at paras. 85-96. As to **KONY's** and the LRA perpetrators' intention to discriminate against the civilian camp residents on the basis of their perceived affiliation with and/or support for the Ugandan government, the Prosecution refers to paras. 16, 17, 18(n, q, u).

98. **Para. 71 DCC:** For Ongwen's report to **KONY**, and **KONY's** being pleased with the result, the Prosecution relies on intercepted LRA radio communications,²⁹⁷ supplemented by the testimony of radio operatives P-0003, P-0059, P-0016 and P-0440.²⁹⁸

vi) **Attack on Pagak IDP Camp**

99. **Para. 72 DCC:** As to the LRA attacking Pagak IDP camp on or about 16 May 2004 and directing acts of violence against the approximately 14,000 civilian residents, the Prosecution

²⁹⁴ **P-0268:** [UGA-OTP-0248-0013](#) at 0021, paras. 52-54; **P-0269:** [UGA-OTP-00001121](#), p. 48, ln. 9 – p. 50, ln. 11.

²⁹⁵ **P-0359:** [UGA-OTP-00000601](#), p. 60, ln. 17 – p. 62, ln. 19.

²⁹⁶ *See generally*, **P-0330:** [UGA-OTP-00000661](#), p. 25, lns. 9-25. *As to the killing of the nine men, see: P-0218:* [UGA-OTP-0238-0720](#) at 0727-0728, para. 39; [UGA-OTP-00000696](#), p. 13, ln. 21 – p. 14, ln. 3; **P-0325:** [UGA-OTP-0264-0242](#) at 0248-0249, para. 41; **P-0269:** [UGA-OTP-00001121](#), p. 44, lns. 15-21; **P-0252:** [UGA-OTP-00000693](#), p. 65, lns. 19-23; **P-0274:** [UGA-OTP-0244-3375](#) at 3381, para. 44, at 3384, para. 72. *See, for all 14 individually named victims:* entries 38-51 at sub-annex E.5.i; and entries 24-36, 40 at sub-annex E.5.iii.

²⁹⁷ **Intercept Audio:** [UGA-OTP-0051-0074](#) (original); [UGA-OTP-0235-0038-Track02](#) at 00:05:36 – 00:07:55 (enhanced version).

²⁹⁸ **P-0003:** [UGA-OTP-00000652](#), p. 18, ln. 1 – p. 23, ln. 11; [UGA-OTP-0248-0263](#) at 0300-0302, 0315-0324; **P-0016:** [UGA-OTP-00000641](#), p. 42, ln. 4 – p. 55, ln. 3; [UGA-OTP-00000643](#), p. 62, ln. 16 – p. 63, ln. 7; [UGA-OTP-0259-0065](#) at 0066-0075; **P-0059:** [UGA-OTP-00000646](#), p. 2, ln. 23 – p. 6, ln. 13; [UGA-OTP-0248-0462](#) at 0499-0501, 0513-0522; **P-0440:** [UGA-OTP-00000649](#), p. 21, ln. 17 – p. 24, ln. 1; [UGA-OTP-0262-0298](#) at 0336-0338, 0352-0361.

relies on the testimony of three direct victims, two UPDF officers, one [REDACTED], and intercepted LRA radio communications.²⁹⁹

100. **Paras. 72-73 DCC:** That **KONY** and the LRA intended civilian camp residents to be the object of the attack is demonstrated by **KONY**'s general orders to attack civilians.³⁰⁰ It follows from this that they were aware of the factual circumstances establishing the camp residents' civilian status.

101. **Para. 73 DCC:** As to **KONY** reiterating his orders to kill civilians, including in Pagak, the Prosecution relies on the testimony of two LRA members,³⁰¹ and intercepted LRA radio communications.³⁰² As to the composition of the LRA fighters involved, and as to Otti being the overall commander and Thomas Kwoyelo ("Kwoyelo") being another senior commander, the Prosecution relies on the testimony of five LRA members,³⁰³ two UPDF officers,³⁰⁴ and intercepted LRA radio communications.³⁰⁵

102. **Para. 74 DCC:** For the number of LRA fighters and their weaponry, the Prosecution relies on the testimony of three UPDF officers,³⁰⁶ one LRA member,³⁰⁷ one direct victim³⁰⁸ one Uganda Police officer,³⁰⁹ and one forensic report.³¹⁰ As to the manner in which the LRA groups attacked, *see* the testimony of two direct victims³¹¹ and three UPDF officers.³¹²

103. **Para. 75 DCC:** As to the at least 58 civilians killed during and in the immediate aftermath of the attack, the Prosecution relies on the specific evidence underlying the list of 58 individually identifiable Pagak murder victims appended at sub-annex E.6.i. As to the at least

²⁹⁹ On the attack generally, and its timeframe, *see*: **P-0011:** [UGA-OTP-0069-0202](#) at 0206, para. 27; **P-0012:** [UGA-OTP-0069-0002](#) at 0004, paras. 12-15; **P-0013:** [UGA-OTP-0069-0176](#) at 0178, paras. 12-13; **P-0053:** [UGA-OTP-0024-0303](#) at 0311, para. 44; **P-0058:** [UGA-OTP-0024-0284](#) at 0290, para. 37; **ISO Logbook:** [UGA-OTP-0061-0206](#) at 0315 (right page); **UPDF Logbook:** [UGA-OTP-0255-0228](#) at 0248-0249. On the number of camp residents present, *see*: **P-0044:** [UGA-OTP-0043-0086](#) at 0088-0089, para. 10, at 0101; **P-0053:** [UGA-OTP-0024-0303](#) at 0308, para. 24, **P-0058:** [UGA-OTP-0024-0284](#) at 0288, para. 18.

³⁰⁰ *See* paras. 16-18 above. *See also* **P-0030:** [UGA-OTP-0220-0853](#) at 0874, lns. 740-744, 751, 755, at 0875, ln. 759.

³⁰¹ **P-0030:** [UGA-OTP-0218-1045](#) at 1066-1067, lns. 728-747; [UGA-OTP-0220-0974](#) at 0989-0991, lns. 399-432; **P-0141:** [UGA-OTP-0228-4871](#) at 4889-4890, lns. 625-671.

³⁰² **UPDF Logbook:** [UGA-OTP-0255-0228](#) at 0245.

³⁰³ **P-0010:** [UGA-OTP-0221-0602](#) at 0629, lns. 908-918; **P-0030:** [UGA-OTP-0218-1078](#) at 1083-1084, lns. 168-197; [UGA-OTP-0220-0853](#) at 0864, lns. 376-377, 379-381, at 0865, lns. 419-420, at 0869-0873, lns. 550-718; **P-0129:** [UGA-OTP-0173-0081](#) at 0095, para. 75; **P-0133:** [UGA-OTP-0228-0822](#) at 0826, lns. 109-112, at 0832-0834, lns. 326-388; **P-0121:** [UGA-OTP-0171-0043](#) at 0048, para. 25.

³⁰⁴ **P-0053:** [UGA-OTP-0024-0303](#) at 0319-0320, paras. 92-93, 96; **P-0058:** [UGA-OTP-0024-0284](#) at 0297, para. 81.

³⁰⁵ **UPDF Logbook:** [UGA-OTP-0255-0228](#) at 0248-0249; **ISO Logbook:** [UGA-OTP-0061-0206](#) at 0315 (right page).

³⁰⁶ **P-0053:** [UGA-OTP-0024-0303](#) at 0311, para. 45, at 0312, para. 49, at 0314, para. 64; **P-0058:** [UGA-OTP-0024-0284](#) at 0291, para. 43; **P-0064:** [UGA-OTP-0027-0200](#) at 0202, para. 12.

³⁰⁷ **P-0133:** [UGA-OTP-0228-0822](#) at 0826, lns. 109-126.

³⁰⁸ **P-0012:** [UGA-OTP-0069-0002](#) at 0004, para. 14.

³⁰⁹ **P-0017:** [UGA-OTP-0036-0007](#) at 0033, para. 187.

³¹⁰ **Report:** [UGA-OTP-00001297](#) at 0008-0020.

³¹¹ **P-0013:** [UGA-OTP-0069-0176](#) at 0179, para. 22; **P-0014:** [UGA-OTP-0069-0161](#) at 0164, para. 20.

³¹² **P-0053:** [UGA-OTP-0024-0303](#) at 0311-0313, paras. 45, 47-49, 51-53, 55; **P-0058:** [UGA-OTP-0024-0284](#) at 0291, para. 41; **P-0064:** [UGA-OTP-0027-0200](#) at 0203, para. 16.

16 civilians who were targeted for killing but did not die, the Prosecution relies on the specific evidence underlying the list of individually identifiable Pagak attempted murder victims appended at sub-annex E.6.ii. As to the manner in which the LRA attempted to kill civilians, see the general descriptions provided by three direct victims³¹³ and two UPDF officers.³¹⁴

104. **Para. 76 DCC:** For the LRA fighters' pillaging of items from civilian homes and shops, the Prosecution relies on the testimony of six direct victims³¹⁵ and two UPDF officers.³¹⁶ That the items were taken without the consent of the owners, and with the intent to appropriate them for private or personal use, is inferred from the circumstances of the appropriation, *i.e.* during an armed attack, and upon an order to steal civilian property.³¹⁷

105. **Para. 77 DCC:** As to the LRA setting fire to at least 500 civilian homes, thereby burning and destroying the camp residents' property, the Prosecution relies on an intercepted LRA radio communication in which Otti reported to **KONY** the destruction by fire of at least 500 huts,³¹⁸ supported by the testimony of one camp leader who had counted the burnt huts,³¹⁹ four direct victims,³²⁰ and two UPDF officers.³²¹ As to the LRA perceiving the residents as the adversary due to their association with the Ugandan government, see paras. 16, 17, 18(n, q, u). That **KONY** and the LRA perpetrators were aware of the factual circumstances establishing the status of the property, and that the destruction was not required by military necessity, is inferred from the circumstances of the destruction, *i.e.* during an armed attack, and upon an order to destroy civilian property.³²²

106. **Para. 78 DCC:** For the LRA's abduction of at least 51 civilians, the Prosecution relies on the specific evidence underlying the list of 51 individually identifiable Pagak enslaved persons appended at sub-annex E.6.iii. As to the LRA's treatment of the abducted while they

³¹³ **P-0011:** [UGA-OTP-0069-0202](#) at 0209-0211, paras. 53-54, 56-59; **P-0013:** [UGA-OTP-0069-0176](#) at 0180-0182, paras. 30-43; **P-0012:** [UGA-OTP-0069-0002](#) at 0008, paras. 45-46.

³¹⁴ **P-0053:** [UGA-OTP-0024-0303](#) at 0317-0318, paras. 80-87; **P-0058:** [UGA-OTP-0024-0284](#) at 0294-0295, paras. 61-66.

³¹⁵ **P-0011:** [UGA-OTP-0069-0202](#) at 0207, paras. 35-36, at 0208, para. 42; **P-0012:** [UGA-OTP-0069-0002](#) at 0004-0006, paras. 17, 20-21, 26-27, 30; **P-0013:** [UGA-OTP-0069-0176](#) at 0179, para 19; **P-0014:** [UGA-OTP-0069-0161](#) at 0163, paras. 14-15, at 0164, para. 17; **P-0139:** [UGA-OTP-0191-0004](#) at 0007, paras. 16, 18; **P-0140:** [UGA-OTP-0191-0027](#) at 0031, paras. 18-19.

³¹⁶ **P-0053:** [UGA-OTP-0024-0303](#) at 0312-0313, paras. 55-57; **P-0058:** [UGA-OTP-0024-0284](#) at 0296, paras. 76-77.

³¹⁷ See para. 17, fn. 46, above.

³¹⁸ **Uganda Police Report:** [UGA-OTP-0017-0255](#) at 0259; see also at 0261; **ISO Logbook,** [UGA-OTP-0061-0206](#) at 0315 (right page); **UPDF Logbook:** [UGA-OTP-0255-0228](#) at 0249.

³¹⁹ **P-0044:** [UGA-OTP-0043-0086](#) at 0094, para. 34.

³²⁰ **P-0013:** [UGA-OTP-0069-0176](#) at 0180, para. 25; **P-0014:** [UGA-OTP-0069-0161](#) at 0163, paras. 12-13; **P-0139:** [UGA-OTP-0191-0004](#) at 0007, paras. 12, 16; **P-0140:** [UGA-OTP-0191-0027](#) at 0031, para. 21.

³²¹ **P-0058:** [UGA-OTP-0024-0284](#) at 0293, para. 55, at 0296, para. 75; **P-0064:** [UGA-OTP-0027-0200](#) at 0203-0205, paras. 15, 17, 23.

³²² See para. 17, fn. 46, above.

were forced to march away from the camp, the Prosecution relies on the testimony of six direct victims, two UPDF officers, and one [REDACTED].³²³

107. **Para. 79 DCC:** For the purpose of **Count 10**, the witness testimony shows that at least 27 abductees were killed,³²⁴ and at least eight escaped,³²⁵ in the days following the attack.

108. **Para. 80 DCC:** For the abductees' severe pain and suffering, the Prosecution refers to the evidence cited above at para. 106. Rather than imposing lawful sanctions, the LRA perpetrators selected, violently abducted and recruited civilians, with the purpose of coercion, intimidation and/or punishment, and for reasons of discrimination. **KONY** and the LRA perpetrators' awareness of the factual circumstances that established the character of the inhumane act is inferred from their physical presence and/or control over the crimes.

109. **Para. 81 DCC:** As to the LRA fighters' exercising the right of ownership over the abducted civilians, the Prosecution refers to the evidence cited above at para. 106. *See also* paras. 144-149, 156-160 below for the pattern of conduct by which **KONY** and the LRA perpetrators exercised the right of ownership over all abducted women and children.

110. **Para. 82 DCC:** For the LRA's severely depriving the camp residents of their fundamental rights, the Prosecution refers to the evidence cited throughout this section at paras. 99-109. As to **KONY's** and the LRA perpetrators' intention to discriminate against the civilian camp residents on the basis of their perceived affiliation with and/or support for the Ugandan government, the Prosecution refers to paras. 16, 17, 18(n, q, u).

³²³ On the LRA forcing abductees to walk in lines and carry looted items and wounded rebels, see: **P-0011:** [UGA-OTP-0069-0202](#) at 0207-0208, paras. 39-45; **P-0012:** [UGA-OTP-0069-0002](#) at 0004, para. 17, at 0005, paras. 21, 25-27, at 0006, para. 30; **P-0013:** [UGA-OTP-0069-0176](#) at 0079, paras. 19, 24; **P-0014:** [UGA-OTP-0069-0161](#) at 0164-0165, paras. 17, 21; **P-0139:** [UGA-OTP-0191-0004](#) at 0007, paras. 12, 14, at 0009, para. 30; **P-0140:** [UGA-OTP-0191-0027](#) at 0031, paras. 19-21. On the LRA beating abductees, including mothers and their children, sometimes to a state of unconsciousness, see: **P-0011:** [UGA-OTP-0069-0202](#) at 0209-0210, paras. 52-58; **P-0012:** [UGA-OTP-0069-0002](#) at 0004-0005, paras. 17-18, at 0005-0006, para. 27, at 0008, paras. 45-49; **P-0013:** [UGA-OTP-0069-0176](#) at 0180-0181, paras. 32-37; **P-0014:** [UGA-OTP-0069-0161](#) at 0165-0166, paras. 27-30; **P-0140:** [UGA-OTP-0191-0027](#) at 0031, para. 22; **P-0044:** [UGA-OTP-0043-0086](#) at 0093, para. 32. On the LRA killing abductees, including children and a pregnant woman, see: **P-0011:** [UGA-OTP-0069-0202](#) at 0208, para. 43, at 0210-0211, paras. 59-61; **P-0012:** [UGA-OTP-0069-0002](#) at 0005-0006, para. 27, at 0008, para. 44; **P-0013:** [UGA-OTP-0069-0176](#) at 0181, para. 38; **P-0014:** [UGA-OTP-0069-0161](#) at 0165-0166, paras. 29-30; **P-0140:** [UGA-OTP-0191-0027](#) at 0030, para. 12; **P-0064:** [UGA-OTP-0027-0200](#) at 0205, para. 27; **P-0044:** [UGA-OTP-0043-0086](#) at 0093, para. 32. On abductees witnessing or being forced to watch their fellow abductees being beaten by LRA fighters, see: **P-0011:** [UGA-OTP-0069-0202](#) at 0209-0210, paras. 52-57; **P-0012:** [UGA-OTP-0069-0002](#) at 0004-0005, para. 18, at 0005-0006, para. 27, at 0007-0008, paras. 38-46; **P-0013:** [UGA-OTP-0069-0176](#) at 0180-0181, paras. 30-36; **P-0014:** [UGA-OTP-0069-0161](#) at 0165-0166, paras. 27-30; **P-0140:** [UGA-OTP-0191-0027](#) at 0030, para. 17, at 0031, para. 22, at 0033. On abductees receiving death threats from LRA fighters, see: **P-0011:** [UGA-OTP-0069-0202](#) at 0069, paras. 43-44, at 0209, para. 52; **P-0012:** [UGA-OTP-0069-0002](#) at 0004, para. 17, at 0008, para. 44; **P-0013:** [UGA-OTP-0069-0176](#) at 0181, para. 36; **P-0053:** [UGA-OTP-0024-0303](#) at 0317-0318, paras. 80-87.

³²⁴ See, for all 27 individually named victims: entries 1, 5, 6, 8, 10, 11, 13, 14, 16, 18-24, 27-30, 32, 33, 34, 37-39, 52 at sub-annex E.6.(i); and entries 1, 5, 6, 8, 10, 11, 13, 14, 16, 18-24, 27-30, 32-35, 38, 50, 51 at sub-annex E.6.(iii).

³²⁵ See, for all eight individually named victims: entries 39, 40, 42-44, 46, 47, 49 at sub-annex E.6.iii.

111. **Para. 83 DCC:** Intercepted LRA radio communications show Otti discussing the attack on Pagak with **KONY**, who reiterated his orders.³²⁶

vii) Attack on Lukodi IDP Camp

112. **Para. 84 DCC:** As to the LRA attacking Lukodi IDP on or about 19 May 2004 and directing acts of violence against the approximately 7,000 civilian residents, the Prosecution relies on the testimony of five LRA members, four direct victims, two camp leaders, one UPDF officer, one Uganda Police member, and one Uganda Police report.³²⁷

113. **Paras. 84-85 DCC:** That **KONY** and the LRA intended civilian camp residents to be the object of the attack is demonstrated by **KONY's** general orders to attack civilians.³²⁸ It follows from this that they were aware of the factual circumstances establishing the camp residents' civilian status.

114. **Para. 85 DCC:** As to the number and composition of the LRA fighters involved, and Ongwen being the overall commander, the Prosecution relies on the testimony of seven LRA members,³²⁹ one direct victim³³⁰ and one UPDF officer.³³¹ As LRA members, a direct victim, and other witnesses confirm, the LRA fighters were armed with various weapons.³³²

³²⁶ As to 17 May 2004 communications, see: **ISO Logbook:** [UGA-OTP-0061-0206](#) at 0315 (right page); **UPDF Logbook:** [UGA-OTP-0255-0228](#) at 0248-0249; **Police Report:** [UGA-OTP-0017-0255](#) at 0259. As to 1 June 2004 communications, see: **UPDF logbook:** [UGA-OTP-0255-0228](#) at 0315; **Police Report:** [UGA-OTP-0016-0476](#) at 0479; **UPDF Logbook:** [UGA-OTP-0255-0228](#) at 0313. As to 2 June 2004 communications, see: **Uganda Police Report:** [UGA-OTP-0016-0472](#) at 0474.

³²⁷ On the attack generally, and its timeframe, see: **P-0406:** [UGA-OTP-00000629](#), p. 62, lns. 1-7; **P-0410:** [UGA-OTP-00000627](#), p. 59, ln. 12 – p. 60, ln. 23; **P-0018:** [UGA-OTP-00000677](#), p. 9, lns. 10-14; **P-0142:** [UGA-OTP-00000678](#), p. 60, lns. 19-22; **P-0205:** [UGA-OTP-00000656](#), p. 54, ln. 24 – p. 55, ln. 23; **P-0024:** [UGA-OTP-00000685](#), p. 19, ln. 25 – p. 20, ln. 21; **P-0187:** [UGA-OTP-00000636](#), p. 8, lns. 7-9, p. 9, ln. 16 – p. 10, ln. 9; **P-0185:** [UGA-OTP-0233-1020](#) at 1023-1024, paras. 14-17; **P-0026:** [UGA-OTP-0069-0018](#) at 0021, paras. 17-19; **P-0060:** [UGA-OTP-0069-0034](#) at 0041, para. 52; **P-0042:** [UGA-OTP-0150-0191](#) at 0197, para. 26; **P-0017:** [UGA-OTP-0036-0007](#) at 0036, para. 205; **P-0035:** [UGA-OTP-0036-0082](#) at 0087, para. 34; **CID Report:** [UGA-OTP-0023-0022](#) at 0022. On the number of camp residents present, see: **P-0017:** [UGA-OTP-0036-0007](#) at 0035, para. 201; **P-0042:** [UGA-OTP-0150-0191](#) at 0196, para. 21; **CID Report:** [UGA-OTP-0023-0022](#) at 0022.

³²⁸ See paras. 16-18 above.

³²⁹ **P-0145:** [UGA-OTP-00000623](#), p. 11, ln. 21 – p. 12, ln. 2, p. 15, lns. 7-18, p. 21, lns. 13-20, p. 35, lns. 12-20; **P-0142:** [UGA-OTP-00000678](#), p. 43, ln. 10 – p. 48, ln. 22; [UGA-OTP-00000679](#), p. 6, ln. 9 – p. 7, ln. 2; **P-0054:** [UGA-OTP-00001026](#), p. 30, ln. 8 – p. 31, ln. 11; **P-0018:** [UGA-OTP-00000676](#), p. 62, lns. 6-8; **P-0406:** [UGA-OTP-00000629](#), p. 54, lns. 10-14, p. 59, lns. 9-13; **P-0410:** [UGA-OTP-00000627](#), p. 61, lns. 16-24, p. 63, ln. 23 – p. 64, ln. 12; **P-0101:** [UGA-OTP-00000614](#), p. 28, lns. 12-21, p. 30, lns. 6-8; **P-0205:** [UGA-OTP-00000656](#), p. 54, lns. 10-22.

³³⁰ **P-0185:** [UGA-OTP-0233-1020](#) at 1023-1024, para. 15.

³³¹ **P-0035:** [UGA-OTP-0036-0082](#) at 0088, para. 37.

³³² **P-0142:** [UGA-OTP-00000678](#), p. 59, ln. 25 – p. 60, ln. 3; **P-0406:** [UGA-OTP-00000629](#), p. 55, lns. 10-12; **P-0410:** [UGA-OTP-00000627](#), p. 64, lns. 13-17; **P-0024:** [UGA-OTP-00000685](#), p. 34, ln. 23 – p. 35, ln. 14; **P-0036:** [UGA-OTP-0036-0042](#) at 0058, para. 130; **P-0035:** [UGA-OTP-0036-0082](#) at 0088, para. 39; **P-0017:** [UGA-OTP-0036-0007](#) at 0036, para. 207.

115. **Para. 86 DCC:** For one LRA group going to attack the soldiers at the barracks, and the second heading directly to the civilian residential area, the Prosecution relies on the testimony of four LRA members,³³³ four direct victims,³³⁴ and one camp leader.³³⁵

116. **Para. 87 DCC:** As to the at least 48 civilians killed by the LRA during the attack and in their retreat, the Prosecution relies on the specific evidence underlying the list of 48 individually identifiable Lukodi murder victims appended at sub-annex E.7.i. It further refers to the general descriptions provided in the testimony of three LRA members,³³⁶ three direct victim,³³⁷ and other witness and documentary evidence.³³⁸

117. **Para. 87 DCC:** For the at least 11 civilians who were targeted for killing but did not die, the Prosecution relies on the specific evidence underlying the list of 11 individual Lukodi attempted murder victims appended at sub-annex E.7.ii.

118. **Para. 88 DCC:** As to the LRA fighters' pillaging of items from civilian homes and shops, the Prosecution relies on the testimony of four LRA members,³³⁹ three direct victims³⁴⁰ and two camp leaders.³⁴¹ That the items were taken without the consent of the owners, and with the intent to appropriate them for private or personal use, is inferred from the circumstances of the appropriation, *i.e.* during an armed attack, and upon an order to steal civilian property.³⁴² Intercepted LRA radio communications also show that two days prior to the attack, on 17 May 2004, Ongwen sought and obtained permission from **KONY** to attack any camp for food.³⁴³

119. **Para. 89 DCC:** For the LRA setting fire to at least 200 civilian huts, thereby burning and destroying the camp residents' property, the Prosecution relies on the testimony of two

³³³ **P-0205:** [UGA-OTP-00000656](#), p. 54, ln. 24 – p. 55, ln. 23; **P-0410:** [UGA-OTP-00000627](#), p. 59, lns. 12-24; **P-0018:** [UGA-OTP-00000677](#), p. 9, lns. 6-9; **P-0142:** [UGA-OTP-00000678](#), p. 58, lns. 7-12.

³³⁴ **P-0187:** [UGA-OTP-00000636](#), p. 10, lns. 1-3, p. 18, lns. 7-12, p. 19, ln. 25 – p. 20, ln. 6; **P-0026:** [UGA-OTP-0069-0018](#) at 0021, paras. 18-19, at 0023, para. 37; **P-0185:** [UGA-OTP-0233-1020](#) at 1023, para. 14; **P-0024:** [UGA-OTP-00000685](#), p. 22, lns. 18-23.

³³⁵ **P-0060:** [UGA-OTP-0069-0034](#) at 0041-0042, para. 54; [UGA-OTP-0069-0048](#).

³³⁶ **P-0406:** [UGA-OTP-00000629](#), p. 55, ln. 25 – p. 57, ln. 6; **P-0410:** [UGA-OTP-00000627](#), p. 64, ln. 20 – p. 65, ln. 20; **P-0018:** [UGA-OTP-00000677](#), p. 12, lns. 2-5, p. 17, lns. 16-23.

³³⁷ **P-0024:** [UGA-OTP-00000685](#), p. 19, ln. 25 – p. 20, ln. 11, p. 22, lns. 6-8; [UGA-OTP-00000686](#), p. 51, lns. 12-20; **P-0187:** [UGA-OTP-00000636](#), p. 20, ln. 24 – p. 21, ln. 5; **P-0185:** [UGA-OTP-0233-1020](#) at 1024, paras. 16-17.

³³⁸ **P-0017:** [UGA-OTP-0036-0007](#) at 0037, para. 210; **CID Report:** [UGA-OTP-0023-0022](#) at 0024; **Uganda Police Report:** [UGA-OTP-0256-0312](#); **Photographs:** [UGA-OTP-0016-0637](#); [UGA-OTP-0016-0638](#).

³³⁹ **P-0142:** [UGA-OTP-00000678](#), p. 64, ln. 17 – p. 65, ln. 3, p. 68, lns. 18-24; [UGA-OTP-00000679](#), p. 5, lns. 16-19; **P-0018:** [UGA-OTP-00000677](#), p. 9, lns. 19-25, p. 11, lns. 20-25; **P-0410:** [UGA-OTP-00000627](#), p. 60, ln. 8, p. 67, lns. 3-4, p. 67, ln. 25 – p. 68, ln. 11; **P-0205:** [UGA-OTP-00000656](#), p. 55, lns. 17-19, p. 56, lns. 4-9.

³⁴⁰ **P-0024:** [UGA-OTP-00000685](#), p. 19, ln. 25 – p. 20, ln. 12, p. 25, lns. 11-13, p. 26, ln. 17 – p. 27, ln. 1; **P-0185:** [UGA-OTP-0233-1020](#) at 1024, para. 17; **P-0026:** [UGA-OTP-0069-0018](#) at 0022, para. 31.

³⁴¹ **P-0042:** [UGA-OTP-0150-0191](#) at 0200, para. 46; **P-0060:** [UGA-OTP-0069-0034](#) at 0042, para. 60.

³⁴² See para. 17, fn. 46, above.

³⁴³ **UPDF Logbook:** [UGA-OTP-0254-2982](#) at 3037 (right page); **ISO Logbook:** [UGA-OTP-0061-0206](#) at 0314 (right page).

LRA members,³⁴⁴ two direct victims,³⁴⁵ two camp leaders,³⁴⁶ one Uganda Police member³⁴⁷ and a forensic pathologist.³⁴⁸ As to the LRA perceiving the residents as the adversary due to their association with the Ugandan government, the Prosecution refers to paras. 16, 17, 18(n, q, u). That **KONY** and the LRA perpetrators were aware of the factual circumstances establishing the status of the property, and that the destruction was not required by military necessity, is inferred from the circumstances of the destruction, *i.e.* during an armed attack, and upon an order to destroy civilian property.³⁴⁹

120. **Para. 90 DCC:** As to the LRA's abduction of at least 30 civilians, the Prosecution relies on the specific evidence underlying the list of 30 individually identifiable Lukodi enslaved persons appended at sub-annex E.7.iii. It further relies on the general descriptions provided by three LRA members³⁵⁰ and one camp leader.³⁵¹ As to the LRA's treatment of the abducted civilians while they were forced to march away from the camp, the Prosecution relies on the testimony of two direct victims and five LRA members.³⁵²

121. **Para. 91 DCC:** For the purpose of **Count 10**, the witness testimony shows that at least six abductees were killed when they were not able to carry luggage or walk fast enough,³⁵³ and at least four escaped or were rescued,³⁵⁴ in the days following the attack. According to P-0142, all but two boys who were integrated into the LRA escaped, were released or killed.³⁵⁵

³⁴⁴ **P-0406:** [UGA-OTP-00000629](#), p. 55, ln. 25 – p. 57, ln. 11; **P-0410:** [UGA-OTP-00000627](#), p. 60, lns. 6-7.

³⁴⁵ **P-0185:** [UGA-OTP-0233-1020](#) at 1025, para. 22; **P-0024:** [UGA-OTP-00000685](#), p. 26, ln. 21 – p. 27, ln. 3.

³⁴⁶ **P-0042:** [UGA-OTP-0150-0191](#) at 0200, para. 52; **P-0060:** [UGA-OTP-0069-0034](#) at 0042-0043, paras. 61-63.

³⁴⁷ **P-0017:** [UGA-OTP-0036-0007](#) at 0037, para. 214.

³⁴⁸ **P-0036:** [UGA-OTP-0036-0042](#) at 0057, para. 123.

³⁴⁹ See para. 17, fn. 46, above.

³⁵⁰ **P-0406:** [UGA-OTP-00000629](#), p. 56, lns. 5-6, p. 63, lns. 5-16; **P-0142:** [UGA-OTP-00000678](#), p. 67, ln. 21- p. 68, ln. 17; **P-0410:** [UGA-OTP-00000627](#), p. 67, lns. 6-20.

³⁵¹ **P-0042:** [UGA-OTP-0150-0191](#) at 0201, para. 55.

³⁵² On abductees being tied together, forced to walk in line and to carry heavy loads, see: **P-0024:** [UGA-OTP-00000685](#), p. 26, lns. 11-14, p. 27, ln. 13 – p. 28, ln. 1, p. 29, lns. 10-16, p. 36, lns. 22-23; **P-0187:** [UGA-OTP-00000636](#), p. 11, lns. 21-23, p. 12, lns. 13-16; **P-0018:** [UGA-OTP-00000677](#), p. 21, lns. 5-14, 18-23, **P-0142:** [UGA-OTP-00000679](#), p. 12, lns. 19-21; **P-0406:** [UGA-OTP-00000629](#), p. 56, lns. 5-11, p. 63, lns. 5-19, p. 63, ln. 23 – p. 64, ln. 5; **P-0410:** [UGA-OTP-00000627](#), p. 67, ln. 18 – p. 68, ln. 4; **P-0205:** [UGA-OTP-00000656](#), p. 55, lns. 17-19. On abductees, including women carrying their children, suffering grave physical abuse such as beatings, see: **P-0024:** [UGA-OTP-00000685](#), p. 20, lns. 23-24, p. 27, ln. 16 – p. 28, ln. 1, p. 33, ln. 25 – p. 34, ln. 9, p. 39, lns. 5-17; **P-0187:** [UGA-OTP-00000636](#), p. 12, lns. 9-16; [UGA-OTP-00000637](#), p. 52, ln. 22 – p. 53, ln. 6; **P-0410:** [UGA-OTP-00000627](#), p. 68, lns. 5-7. On children crying and mother being forced to abandon their children, see: **P-0018:** [UGA-OTP-00000677](#), p. 16, ln. 4 – p. 17, ln. 8; **P-0024:** [UGA-OTP-00000685](#), p. 39, lns. 5-12, p. 40, lns. 8-12; **P-0187:** [UGA-OTP-00000636](#), p. 13, lns. 4-8, p. 21, ln. 13 – p. 22, ln. 3, p. 25, ln. 19 – p. 26, ln. 11. On abductees stepping on dead bodies on their way, see: **P-0187:** [UGA-OTP-00000636](#), p. 13, lns. 1-4; **P-0410:** [UGA-OTP-00000627](#), p. 67, lns. 13-15. On a female abductee being raped by an LRA fighter, see: **P-0187:** [UGA-OTP-00000636](#), p. 32, ln. 15 – p. 33, ln. 5; [UGA-OTP-00000637](#), p. 37, ln. 20 – p. 38, ln. 9.

³⁵³ On these six murdered abductees, see entries 43-48 at sub-annex E.7.i; and entries 22-27 at sub-annex E.7.iii.

³⁵⁴ On these two abductees, see: entries 1 and 8 at sub-annex E.7.iii. See further as to entry 1: **P-0024:** [UGA-OTP-00000685](#), p. 46, ln. 4 – p. 47, ln. 11, p. 55, ln. 20 – p. 56, ln. 9; [UGA-OTP-0023-0396](#). See further as to entry 8: **P-0187:** [UGA-OTP-00000636](#), p. 35, ln. 23 – p. 36, ln. 4, p. 37, ln. 19 – p. 39, ln. 12; [UGA-OTP-0023-0395](#). See, in general, **P-0042:** [UGA-OTP-0150-0191](#) at 0201, para. 54.

³⁵⁵ **P-0142:** [UGA-OTP-00000679](#), p. 16, ln. 9 – p. 18, ln. 14.

122. **Para. 92 DCC:** For the abductees' severe pain and suffering, the Prosecution refers to the evidence cited above at para. 120. Rather than imposing lawful sanctions, the LRA perpetrators selected, violently abducted and recruited civilians, with the purpose of coercion, intimidation and/or punishment, and for reasons of discrimination. **KONY** and the LRA perpetrators' awareness of the factual circumstances that established the character of the inhumane act is inferred from their physical presence and/or control over the crimes.

123. **Para. 93 DCC:** As to the LRA fighters' exercising the right of ownership over the abducted civilians, the Prosecution refers to the evidence cited above at para. 120. *See also* paras. 144-149, 156-160 below for the pattern of conduct by which **KONY** and the LRA perpetrators exercised the right of ownership over all abducted women and children.

124. **Para. 94 DCC:** For the LRA's severely depriving the camp residents of their fundamental rights, the Prosecution refers to the evidence cited throughout this section at paras. 112-123. As to **KONY's** and the LRA perpetrators' intention to discriminate against the civilian camp residents on the basis of their perceived affiliation with and/or support for the Ugandan government, the Prosecution refers to paras. 16, 17, 18(n, q, u).

125. **Para. 95 DCC:** As to Otti discussing the attack on Lukodi with **KONY**, who encouraged him to continue, the Prosecution relies on the intercepted LRA radio communications.³⁵⁶ As to **KONY's** 30 May 2004 promotion of Ongwen, the Prosecution relies on the intercepted radio communications,³⁵⁷ supplemented by the testimony of radio operatives P-0003, P-0059, P-0016 and P-0440.³⁵⁸ According to an ISO Logbook, on 31 May 2004, Otti referenced the attack on Lukodi, stating that the LRA fighters "should carry forward b[ecau]se civ[ilians] are their first enemy."³⁵⁹

viii) **Attack on Abok IDP Camp**

126. **Para. 96 DCC:** As to the LRA attacking Abok IDP camp on or about 8 June 2004 and directing acts of violence against the approximately 7,000 to 13,000 civilian residents, *see* the testimony of one LRA member, three direct victims, and three camp leaders.³⁶⁰

³⁵⁶ **ISO Logbook:** [UGA-OTP-0061-0206](#) at 0329 (both pages); **UPDF Logbook:** [UGA-OTP-0254-2982](#) at 3050 (left page); **UPDF Logbook:** [UGA-OTP-0255-0228](#) at 0277-0279.

³⁵⁷ **Audio recording:** [UGA-OTP-0239-0112-Track02](#) at 00:12.25 to 00:15.48.

³⁵⁸ **P-0003:** [UGA-OTP-00000652](#), p. 40, ln. 18 – p. 43, ln. 7; [UGA-OTP-0248-0143](#) at 0179-0182; **P-0016:** [UGA-OTP-00000642](#), p. 3, ln. 2 – p. 6, ln. 15; [UGA-OTP-0259-0116](#) at 0118-0122; **P-0059:** [UGA-OTP-00000646](#), p. 23, ln. 21 – p. 26, ln. 13; [UGA-OTP-0248-0381](#) at 0417-0419; **P-0440:** [UGA-OTP-00000649](#), p. 42, ln. 11 – p. 44, ln. 13; [UGA-OTP-0262-0425](#) at 0438-0445. *See also* **ISO Logbook:** [UGA-OTP-0062-0002](#) at 0004 (left page); **UPDF Logbook:** [UGA-OTP-0254-2982](#) at 3062 (left page); **UPDF Logbook:** [UGA-OTP-0255-0228](#) at 0305-0306; **Police Logbook:** [UGA-OTP-0037-0002](#) at 0107.

³⁵⁹ **ISO Logbook:** [UGA-OTP-0062-0002](#) at 0007 (right page).

³⁶⁰ *On the attack generally, and its timeframe, see:* **P-0054:** [UGA-OTP-00001026](#), p. 34, lns. 20-22; **P-0280:** [UGA-OTP-00000691](#), p. 43, lns. 14-20, p. 45, lns. 10-21; **P-0286:** [UGA-OTP-00000616](#), p. 9, lns. 12-24; **P-0304:** [UGA-OTP-00000618](#), p. 7, lns. 13-22; **P-0284:** [UGA-OTP-0244-1180](#) at 1184-1185, para. 29; **P-0293:** [UGA-OTP-00000619](#), p. 15, ln. 7 – p. 16, ln. 12. *On the number of camp residents present, see:* **P-0284:** [UGA-OTP-0244-](#)

127. **Paras. 96-97 DCC:** That **KONY** and the LRA intended civilian camp residents to be the object of the attack is demonstrated by **KONY's** general orders to attack civilians.³⁶¹ It follows from this that they were aware of the factual circumstances establishing the camp residents' civilian status.

128. **Para. 97 DCC:** As to **KONY** and others instructing Ongwen to continue to attack civilians in IDP camps in the weeks preceding the attack, the Prosecution relies on LRA intercepted radio communications.³⁶² As to the LRA fighters coming from Sinia brigade, Ongwen being the overall commander, and Okello Kalalang being another commander involved, the Prosecution relies on the testimony of five LRA members,³⁶³ three direct victims,³⁶⁴ two camp leaders³⁶⁵ and one UPDF officer.³⁶⁶

129. **Para. 98 DCC:** For the number and composition of LRA fighters involved, the Prosecution relies on the testimony of three LRA members,³⁶⁷ one direct victim³⁶⁸ and one camp leader.³⁶⁹ As to their actions on the ground, the Prosecution relies on the testimony of two LRA fighters³⁷⁰ and three direct victims.³⁷¹ As direct victims and camp leaders confirm, the LRA fighters were armed with various weapons.³⁷²

130. **Para. 99 DCC:** As to the at least 28 civilians killed by the LRA during the attack and their retreat, the Prosecution relies on the specific evidence underlying the list of 11 individually

[1180](#) at 1185, para. 25; **P-0293:** [UGA-OTP-00000619](#), p. 11, ln. 12 – p. 12, ln. 12; [UGA-OTP-0244-1197](#); **P-0306:** [UGA-OTP-0261-0277](#) at 0279-0280, para. 15; [UGA-OTP-00000615](#), p. 51, ln. 21 – p. 53, ln. 19; [UGA-OTP-0247-1269](#).

³⁶¹ See paras. 16-18 above.

³⁶² **UPDF Logbook:** [UGA-OTP-0255-0228](#) at 0278, 0313; **UPDF Logbook:** [UGA-OTP-0254-2982](#) at 3050 (left page) - 3051 (left page), at 3065 (right page) – 3066 (left page); **ISO Logbook:** [UGA-OTP-0061-0206](#) at 0329 (both pages).

³⁶³ **P-0054:** [UGA-OTP-00001026](#), p. 33, ln. 5 – p. 34, ln. 19; [UGA-OTP-00001027](#), p. 26, lns. 9-11; **P-0205:** [UGA-OTP-00000656](#), p. 67, lns. 13-25; **P-0252:** [UGA-OTP-00000693](#), p. 74, ln. 23 – p. 76, ln. 7, [UGA-OTP-00000694](#), p. 6, ln. 14 – p. 7, ln. 16; **P-0330:** [UGA-OTP-00000661](#), p. 28, ln. 14 – p. 29, ln. 7; **P-0406:** [UGA-OTP-00000629](#), p. 66, lns. 5-20.

³⁶⁴ **P-0304:** [UGA-OTP-00000618](#), p. 27, ln. 21 – p. 28, ln. 3; **P-0280:** [UGA-OTP-00000691](#), p. 66, ln. 16 – p. 67, ln. 7; **P-0286:** [UGA-OTP-00000616](#), p. 47, lns. 10-16.

³⁶⁵ **P-0293:** [UGA-OTP-00000619](#), p. 35, lns. 11-15; **P-0306:** [UGA-OTP-0261-0277](#) at 0283, para. 33.

³⁶⁶ **P-0359:** [UGA-OTP-00000601](#), p. 65, ln. 19 – p. 66, ln. 7, p. 67, lns. 7-11.

³⁶⁷ **P-0330:** [UGA-OTP-00000661](#), p. 29, lns. 8-11; **P-0406:** [UGA-OTP-00000629](#), p. 67, lns. 1-20; [UGA-OTP-00000630](#), p. 66, lns. 11-12; **P-0054:** [UGA-OTP-00001026](#), p. 35, lns. 9-18, p. 36, lns. 5-17.

³⁶⁸ **P-0280:** [UGA-OTP-00000692](#), p. 38, lns. 8-15.

³⁶⁹ **P-0293:** [UGA-OTP-00000619](#), p. 23, ln. 2 – p. 24, ln. 12.

³⁷⁰ **P-0330:** [UGA-OTP-00000661](#), p. 31, ln. 12 – p. 32, ln. 7; **P-0054:** [UGA-OTP-00001026](#), p. 33, ln. 13 – p. 34, ln. 2.

³⁷¹ **P-0286:** [UGA-OTP-00000616](#), p. 10, lns. 4-10, p. 21, lns. 1-17; **P-0304:** [UGA-OTP-00000618](#), p. 57, lns. 17-21, p. 67, lns. 5-11; **P-0280:** [UGA-OTP-00000691](#), p. 45, ln. 20 – p. 46, ln. 6, p. 51, lns. 15-17, p. 55, lns. 7-16, p. 57, lns. 13-16; [UGA-OTP-00000692](#), p. 42, ln. 25 – p. 44, ln. 22.

³⁷² **P-0280:** [UGA-OTP-00000691](#), p. 53, lns. 11-14; **P-0282:** [UGA-OTP-0261-0246](#) at 0249-0250, paras. 20, 23; **P-0286:** [UGA-OTP-00000616](#), p. 23, lns. 2-7; **P-0284:** [UGA-OTP-0244-1180](#) at 1186-1187, paras. 34-35; **P-0293:** [UGA-OTP-00000619](#), p. 24, lns. 5-16.

identifiable Abok murder victims appended at sub-annex E.8.i. *See also* the general descriptions in the testimony of three camp leaders,³⁷³ three direct victims³⁷⁴ and two LRA members.³⁷⁵

131. **Para. 99 DCC:** For the at least four civilians who were targeted for killing but did not die, the Prosecution relies on the specific evidence underlying the list of individual Abok attempted murder victims appended at sub-annex E.8.ii.

132. **Para. 100 DCC:** As to the LRA fighters' pillaging of items from civilian homes and shops, *see* the testimony of four LRA members,³⁷⁶ four direct victims,³⁷⁷ three camp leaders³⁷⁸ and a UPDF report.³⁷⁹ That the items were taken without the consent of the owners, and with the intent to appropriate them for private or personal use, is inferred from the circumstances of the appropriation, *i.e.* during an armed attack, and upon an order to steal civilian property.³⁸⁰

133. **Para. 101 DCC:** For the LRA setting fire to several hundred civilian huts, thereby burning and destroying the camp residents' property, the Prosecution relies on the testimony of two LRA members,³⁸¹ two direct victims,³⁸² two camp leaders,³⁸³ and various documentary evidence.³⁸⁴ The LRA also destroyed goods and foodstuff belonging to civilians.³⁸⁵ As to the LRA perceiving the residents as the adversary due to their association with the Ugandan government, the Prosecution refers to paras. 16, 17, 18(n, q, u). That **KONY** and the LRA perpetrators were aware of the factual circumstances establishing the status of the property, and that the destruction was not required by military necessity, is inferred from the circumstances of the destruction, *i.e.* during an armed attack, and upon an order to destroy civilian property.³⁸⁶

³⁷³ **P-0293:** [UGA-OTP-00000619](#), p. 22, ln. 22 – p. 24, ln. 3, p. 26, ln. 20 – p. 27, ln. 4, p. 38, ln. 4 – p. 40, ln. 1; [UGA-OTP-00000620](#), p. 11, lns. 5-18; **P-0306:** [UGA-OTP-0261-0277](#) at 0282, para. 28; [UGA-OTP-00000615](#), p. 7, ln. 6 – p. 8, ln. 15; **P-0284:** [UGA-OTP-0244-1180](#) at 1187, para. 36.

³⁷⁴ **P-0281:** [UGA-OTP-0261-0257](#) at 0262-0263, para. 26; **P-0280:** [UGA-OTP-00000691](#), p. 78, ln. 25 – p. 79, ln. 10; **P-0286:** [UGA-OTP-00000616](#), p. 70, lns. 3-7.

³⁷⁵ **P-0330:** [UGA-OTP-00000661](#), p. 32, ln. 17 – p. 33, ln. 7, p. 35, ln. 23 – p. 36, ln. 21; **P-0406:** [UGA-OTP-00000629](#), p. 71, ln. 9 – p. 72, ln. 19.

³⁷⁶ **P-0340:** [UGA-OTP-00000595](#), p. 38, ln. 23 – p. 39, ln. 1, p. 40, lns. 7-22, p. 41, lns. 1-3; **P-0330:** [UGA-OTP-00000661](#), p. 33, lns. 8-14, p. 34, lns. 3-6, p. 35, lns. 13-16; **P-0252:** [UGA-OTP-00000693](#), p. 79, ln. 24 – p. 80, ln. 16, p. 81, lns. 7-9; **P-0406:** [UGA-OTP-00000630](#), p. 69, lns. 4-7.

³⁷⁷ **P-0281:** [UGA-OTP-0261-0257](#) at 0261, para. 18; **P-0282:** [UGA-OTP-0261-0246](#) at 0250-0251, para. 25; **P-0286:** [UGA-OTP-00000616](#), p. 17, lns. 7-12, p. 33, lns. 13-18; **P-0304:** [UGA-OTP-00000618](#), p. 18, lns. 7-13.

³⁷⁸ **P-0284:** [UGA-OTP-0244-1180](#) at 1188, para. 41; **P-0293:** [UGA-OTP-00000619](#), p. 24, lns. 5-11, p. 26, lns. 3-7; **P-0306:** [UGA-OTP-0261-0277](#) at 0282, para. 32.

³⁷⁹ **UPDF Report:** [UGA-OTP-0037-0153](#) at 0177, para. 51.

³⁸⁰ *See* para. 17, fn. 46, above.

³⁸¹ **P-0330:** [UGA-OTP-00000661](#), p. 32, lns. 6-7, 15-21; **P-0406:** [UGA-OTP-00000629](#), p. 68, ln. 8, p. 70, lns. 7-12.

³⁸² **P-0282:** [UGA-OTP-0261-0246](#) at 0251, para. 26; **P-0279:** [UGA-OTP-0258-0478](#) at 0484, para. 32.

³⁸³ **P-0293:** [UGA-OTP-00000619](#), p. 23, ln. 18 – p. 24, ln. 3, p. 41, ln. 24 – p. 42, ln. 4; **P-0306:** [UGA-OTP-0261-0277](#) at 0282, para. 31.

³⁸⁴ **Police Reports:** [UGA-OTP-0256-0308](#); [UGA-OTP-0256-0307](#); [UGA-OTP-0016-0434](#) at 0439; **UPDF Report:** [UGA-OTP-0037-0153](#) at 0177, para. 51.

³⁸⁵ **P-0281:** [UGA-OTP-0261-0257](#) at 0263, para. 30; **P-0304:** [UGA-OTP-00000618](#), p. 8, lns. 1-3, p. 17, lns. 16-19; **P-0293:** [UGA-OTP-00000619](#), p. 41, lns. 12-23; **P-0306:** [UGA-OTP-0261-0277](#) at 0282, para. 31.

³⁸⁶ *See* para. 17, fn. 46, above.

134. **Para. 102 DCC:** As to the LRA's abduction of at least 13 civilians, the Prosecution relies on the specific evidence underlying the list of 13 individually identifiable Lukodi enslaved persons appended at sub-annex E.8.iii. It further relies on the general descriptions provided by two LRA members,³⁸⁷ one direct victim,³⁸⁸ two camp leaders³⁸⁹ and documentary evidence.³⁹⁰ As to the LRA's treatment of the abducted civilians while they were forced to march away from the camp, the Prosecution relies on the testimony of one LRA member, five direct victims and various documentary evidence.³⁹¹

135. **Para. 103 DCC:** For the purpose of **Count 10**, witness testimony shows that one abductee was killed³⁹² and three escaped or were released in the days following the attack.³⁹³ Witness evidence shows, for **Count 10**, that a further two adult males were abducted.³⁹⁴

136. **Para. 104 DCC:** For the abductees' severe pain and suffering, the Prosecution refers to the evidence cited above at para. 134. Rather than imposing lawful sanctions, the LRA perpetrators selected, violently abducted and recruited civilians, with the purpose of coercion, intimidation and/or punishment, and for reasons of discrimination. **KONY** and the LRA perpetrators' awareness of the factual circumstances that established the character of the inhumane act is inferred from their physical presence and/or control over the crimes.

137. **Para. 105 DCC:** As to the LRA fighters' exercising the right of ownership over the abducted civilians, the Prosecution refers to the evidence cited above at para. 134. *See also* paras. 144-149, 156-160 below for the pattern of conduct by which **KONY** and the LRA perpetrators exercised the right of ownership over all abducted women and children.

138. **Para. 106 DCC:** For the LRA's severely depriving the camp residents of their fundamental rights, the Prosecution refers to the evidence cited throughout this section at paras.

³⁸⁷ **P-0406:** [UGA-OTP-00000629](#), p. 68, ln. 8, p. 74, lns. 11-13, p. 75, lns. 9-17, p. 77, lns. 12-19; **P-0330:** [UGA-OTP-00000661](#), p. 35, lns. 1-12.

³⁸⁸ **P-0286:** [UGA-OTP-0248-0060](#) at 0087, para. 145.

³⁸⁹ **P-0284:** [UGA-OTP-0244-1180](#) at 1188, para. 44; **P-0306:** [UGA-OTP-0261-0277](#) at 0281, para. 25.

³⁹⁰ **Police Report:** [UGA-OTP-0256-0307](#) at 0307; **UPDF Report:** [UGA-OTP-0037-0153](#) at 0177.

³⁹¹ On abductees, including children and elderlies, being tied together, forced to walk barefooted in line for long distance and to carry heavy loads, including looted items and wounded LRA fighters, see: P-0279: [UGA-OTP-0258-0478](#) at 0483-0484, paras. 27-29; P-0280: [UGA-OTP-00000691](#), p. 51, lns. 9-13, p. 52, ln. 25 – p. 53, ln. 4, p. 53, lns. 15-21; P-0282: [UGA-OTP-0261-0246](#) at 0252, para. 35; P-0286: [UGA-OTP-00000616](#), p. 25, lns. 4-25, p. 28, ln. 17 – p. 29 ln. 4, p. 33, lns. 6-12; [UGA-OTP-00000617](#), p. 16, lns. 5-7; P-0304: [UGA-OTP-00000618](#), p. 20, lns. 15-18, p. 34, ln. 23 – p. 35, ln. 18; P-0330: [UGA-OTP-00000661](#), p. 37, lns. 10-17. On abductees being under armed guard to prevent escape, severely beaten, and under constant threat of beatings or death, see: P-0279: [UGA-OTP-0258-0478](#) at 0483-0484, paras. 28-30; P-0280: [UGA-OTP-00000691](#), p. 52, ln. 25 – p. 54, ln. 1; P-0286: [UGA-OTP-00000616](#) p. 25, ln. 4 – p. 26, ln. 23, p. 29, lns. 1-4; [UGA-OTP-00000617](#), p. 15, lns. 7-10; P-0304: [UGA-OTP-00000618](#), p. 21, ln. 11 – p. 23, ln. 14, p. 60, lns. 17-24. On abductees being forced to kill people or to watch others being killed, see: P-0280: [UGA-OTP-00000691](#), p. 54, lns. 2-19, p. 75, lns. 6-15, p. 75, ln. 22 – p. 76, ln. 17, p. 78, lns. 5-15.

³⁹² See entry 11 at sub-annex E.8.i; and entry 3 at sub-annex E.8.iii.

³⁹³ See entries 4, 11, 13 at sub-annex E.8.iii. See also **P-0284:** [UGA-OTP-0244-1180](#), para. 44; **Police Report:** [UGA-OTP-0256-0307](#) at 0307; **UPDF Report:** [UGA-OTP-0037-0153](#) at 0177.

³⁹⁴ See entries 1, 5, at sub-annex E.8.iii.

126-137. As to **KONY's** and the LRA perpetrators' intention to discriminate against the civilian camp residents on the basis of their perceived affiliation with and/or support for the Ugandan government, the Prosecution refers to paras. 16, 17, 18(n, q, u).

139. **Para. 107 DCC:** As to Ongwen communicating the results of the attack to **KONY** and other LRA commanders, *see* the intercepted radio communications of this discussion,³⁹⁵ supplemented by the testimony of radio operatives P-0003, P-0059, P-0016 and P-0440.³⁹⁶

2. SYSTEMIC CRIMES (COUNTS 15-29)

i) Crimes against Children Abducted and Integrated into the LRA

Campaign of abductions of children³⁹⁷

140. **Para. 108 DCC:** Insider witnesses describe that it was **KONY's** central policy that the LRA fighters abduct young girls³⁹⁸ and boys.³⁹⁹ Their statements are corroborated by logbook entries, which demonstrate concrete and standing orders.

- In an intercepted radio communication of 22 July 2002, in which **KONY**, Otti, Tabuley, Lakati, Odhiambo, Opiro, Nyeko and Kwoyelo took part, **KONY** congratulated Stockree commander Tabuley on abducting 200 children and promised a promotion should the new recruits reach him safely.⁴⁰⁰
- In September 2002, **KONY** ordered that all young children found in villages should be taken to him as they would become LRA soldiers.⁴⁰¹
- On 16 November 2002, **KONY** instructed that each commander should abduct at least 50 boys under the age of 10.⁴⁰² Also, in November 2002, **KONY** stated that no LRA member should abduct persons over 15 years of age and instructed Otti only to abduct young children who are easy to control.⁴⁰³
- In May 2003, **KONY** said that abducted students should be turned into fighters.⁴⁰⁴

³⁹⁵ **Audio:** [UGA-OTP-0235-0049-Track01](#), at 00:16:13-00:19:03, 00:20:20-00:22:22.

³⁹⁶ **P-0003:** [UGA-OTP-00000652](#), p. 33, ln. 14 - p. 38, ln. 19; [UGA-OTP-0248-0106](#) at 0124-0127; **P-0016:** [UGA-OTP-00000641](#), p. 64, ln. 10 - p. 67, ln. 17; [UGA-OTP-0259-0086](#) at 0088-0090; **P-0059:** [UGA-OTP-00000646](#), p. 15, ln. 25 - p. 23, ln. 18; [UGA-OTP-0248-0524](#) at 0542-0550; **P-0440:** [UGA-OTP-00000649](#), p. 36, ln. 14 - p. 39, ln. 23; [UGA-OTP-0262-0363](#) at 0381-0389. *See also* **UPDF Logbook:** [UGA-OTP-0254-2982](#) at 3078 (left page); **UPDF Logbook:** [UGA-OTP-0255-0228](#) at 0324.

³⁹⁷ The victims included under **Count 15** also include children abducted during the charged attacks in sections II.C.1.ii)-viii), who were also integrated into the LRA for a more protracted period of time. *See also* fn. 454 below.

³⁹⁸ *See* section II.C.2.ii). *See also* **P-0205:** [UGA-OTP-00000657](#), p. 27, lns. 4-15; **P-0455:** [UGA-OTP-00000874](#), p. 4, lns. 113-140.

³⁹⁹ **P-0070:** [UGA-OTP-00000598](#), p. 87, ln. 5 - p. 88, ln. 8; **P-0233:** [UGA-OTP-00000603](#), p. 25, ln. 9 - p. 26, ln. 14; **P-0138:** [UGA-OTP-00000607](#), p. 23, ln. 1 - p. 24, ln. 18; **P-0410:** [UGA-OTP-00000627](#), p. 6, lns. 2-25, p. 25, ln. 16 - p. 26, ln. 25.

⁴⁰⁰ **ISO logbook:** [UGA-OTP-0063-0194](#) at 0311 (left page).

⁴⁰¹ **ISO Logbook:** [UGA-OTP-0064-0093](#) at 0121 (right page).

⁴⁰² **ISO Logbook:** [UGA-OTP-0065-0002](#) at 0034 (right page) - 0035 (left page).

⁴⁰³ **ISO Logbook:** [UGA-OTP-0065-0002](#) at 0049 (right page), 0073 (left page).

⁴⁰⁴ **ISO logbook:** [UGA-OTP-0068-0146](#) at 0161 (left page).

- In June 2003, **KONY** instructed a commander who had abducted 49 students, seven of whom were female, that the abductees should be kept well, and that all beautiful girls should be kept for officers.⁴⁰⁵ Even the interventions of a catholic bishop did not persuade **KONY** to return a group of abducted seminary students from Lacor.⁴⁰⁶
- On 11 November 2003, **KONY** again ordered attacks on schools to abduct more recruits.⁴⁰⁷
- In May 2004, **KONY** instructed Otti and Lukwiya to abduct children to replace the ones who had escaped.⁴⁰⁸

141. Several contemporaneous documentaries demonstrate the LRA's practice of abducting children, the effects of the abductions and severe mistreatment of children.⁴⁰⁹

142. **Para. 109 DCC:** For its estimation, the Prosecution relies on [REDACTED] on returning abductees.⁴¹⁰ The assessment demonstrates that among this group of returned abducted, hundreds were below the age of 15. Further, reports and lists collected from [REDACTED] demonstrate the sheer scale of the victimisation.⁴¹¹ The Prosecution has listed identified victims who were under the age of 15 at the time of their abduction in sub-annexes E.9 and E.10 respectively.

Targeting children specifically due to their age

143. **Para. 115 DCC:** P-0070 states that **KONY** and the LRA perpetrators targeted children based on their age because they were considered easier to train and indoctrinate, make subservient and less likely to be able to escape.⁴¹² P-0045 testified that **KONY** ordered children to be abducted who were aged ten and above because they were able to walk and could help to

⁴⁰⁵ ISO logbook: [UGA-OTP-0068-0146](#) at 0251 (right page).

⁴⁰⁶ UPDF logbook: [UGA-OTP-0197-1224](#) at 1300 (right page); ISO logbook: [UGA-OTP-0068-0146](#) at 0186 (right page); ISO logbook: [UGA-OTP-0066-0002](#) at 0198 (right page).

⁴⁰⁷ ISO Logbook: [UGA-OTP-0066-0002](#) at 0039 (right page).

⁴⁰⁸ Police Report: [UGA-OTP-0017-0187](#) at 0189.

⁴⁰⁹ Video: [UGA-OTP-0032-0023](#) at 01:15:00-00:42:00; Video: [UGA-OTP-0032-0007](#) at 00:00:00-00:02:55; Video: [UGA-OTP-0283-1550](#) at 00:00:00-00:42:24; Report: [UGA-OTP-0133-0059](#) at 0079; Report: [UGA-OTP-0224-0004](#) at 0015-0016; Report: [UGA-OTP-0229-0609](#) at 0613; Video: [UGA-OTP-00001366](#) at 00:01:47-00:06:28, 00:13:00-00:14:31; Video: [UGA-OTP-00001399](#) at 00:03:37-00:05:55; Video: [UGA-OTP-00001372](#) at 00:01:43-00:01:50, 00:03:10-00:04:28, 00:04:48-00:05:23, 00:06:17-00:06:40; Video: [UGA-OTP-00001375](#) at 00:00:00-00:02:30; Video: [UGA-OTP-0021-0008](#) at 00:00:00-03:05:12. See also [UGA-OTP-0132-0514](#).

⁴¹⁰ [REDACTED]. See also [UGA-OTP-0161-0249](#); [UGA-OTP-0163-0433](#). Examples of forms: [UGA-OTP-0170-0318](#); [UGA-OTP-0170-0328](#); [UGA-OTP-0170-0338](#); [UGA-OTP-0170-0345](#); [UGA-OTP-0172-0002](#); [UGA-OTP-0172-0010](#); [UGA-OTP-0172-0014](#); [UGA-OTP-0172-0019](#); [UGA-OTP-0172-0023](#); [UGA-OTP-0172-0027](#); [UGA-OTP-0238-0821](#); [UGA-OTP-0238-0839](#); [UGA-OTP-0240-0025](#); [UGA-OTP-0263-0063](#); [UGA-OTP-0270-0166](#).

⁴¹¹ Report: [UGA-OTP-0229-0609](#) at 0621-0630; List: [UGA-OTP-0170-0624](#); [UGA-OTP-0233-1079](#).

⁴¹² P-0070: [UGA-OTP-00000598](#), p. 87, lns. 5-25.

carry “luggage”, and to be trained as fighters.⁴¹³ KONY instructed the abduction of young girls as they were less likely to carry sexually transmittable diseases.⁴¹⁴

Enslavement of children, including by use in hostilities

144. **Paras. 110-111 DCC:** KONY and the LRA perpetrators exercised the powers attached to the right of ownership in multiple ways. First, children could be moved from one LRA commander to the next, and between units.⁴¹⁵ Second, children had to carry heavy loads, often for long periods in difficult terrain.⁴¹⁶ Third, they were unable to leave the LRA without risking severe physical punishment or death.⁴¹⁷

145. **Paras. 110-111, 114 DCC:** Fourth, depending on their gender, they were forced to perform predominantly different tasks. P-0070 explains that whenever boys under the age of 15 were abducted, they would immediately be subjected to training on how to operate a gun, how to march, and how to participate in fighting.⁴¹⁸ This is corroborated by victims.⁴¹⁹ Children took part in the fighting against the UPDF and attacks against civilians.⁴²⁰ Children were subjected to the associated risks of armed conflict to their psychological well-being and physical integrity, including the risk of being wounded or killed in a battle.⁴²¹ For the girls, their predominantly

⁴¹³ P-0045: [UGA-OTP-00000598](#), p. 28, lns. 2-13. See also P-0070: [UGA-OTP-00000598](#), p. 87, lns. 5-22; P-0455: [UGA-OTP-00000863](#), p. 14, lns. 490-497.

⁴¹⁴ See para. 161 below.

⁴¹⁵ P-0018: [UGA-OTP-0159-0002](#) at 0003-0009, paras. 7-36; [UGA-OTP-0256-0031](#); P-0005: [UGA-OTP-0069-0426](#); P-0330: [UGA-OTP-00000660](#), p. 57, lns. 3-19.

⁴¹⁶ On carrying luggage, see: P-0057: [UGA-OTP-0069-0515](#) at 0517, paras. 11-12; P-0097: [UGA-OTP-0165-0035](#) at 0037, para. 12; P-0139: [UGA-OTP-0191-0004](#) at 0007, para. 16, at 0009, paras. 30-31; P-0456: [UGA-OTP-00000519](#), p. 10, paras. 65-66; P-0467: [UGA-OTP-00000510](#), p. 5, para. 27, p. 10, para. 74; P-0275: [UGA-OTP-0244-3398](#) at 3404, para. 47, at 3408, para. 85; P-0465: [UGA-OTP-00000526](#), p. 6, para. 33; P-0005: [UGA-OTP-0069-0426](#) at 0430, paras. 39-40.

⁴¹⁷ P-0455: [UGA-OTP-00000863](#), p. 21, ln. 757 - p. 24, ln. 871; P-0456: [UGA-OTP-00000519](#), p. 13, para. 96; P-0467: [UGA-OTP-00000510](#), p. 15, para. 109.

⁴¹⁸ P-0070: [UGA-OTP-00000599](#), p. 3, lns. 16-22.

⁴¹⁹ For examples of duties of abducted children, mainly boys, see: P-0467: [UGA-OTP-00000510](#), pp. 4-5, paras. 21-27, p. 7, para. 48, p. 8, paras. 57-58, p. 10, para. 74, pp. 12-14, paras. 89-102; P-0098: [UGA-OTP-0165-0002](#) at 0007, paras. 32-33, at 0010-0011, paras. 51-66; P-0056: [UGA-OTP-0069-0681](#) at 0686, para. 56; P-0070: [UGA-OTP-00000599](#), p. 3, lns. 16-22; P-0148: [UGA-OTP-0192-0740](#) at 0741-0742, paras. 10-13; P-0057: [UGA-OTP-0069-0515](#) at 0517, para. 14; P-0275: [UGA-OTP-0244-3398](#) at 3401, para. 25, at 3404-3405, paras. 53-56; P-0307: [UGA-OTP-0266-0425](#) at 0435-0436, para. 49, at 0440-0441, paras. 68-73; P-0309: [UGA-OTP-00000670](#), p. 31, ln. 16 - p. 34, ln. 18; P-0379: [UGA-OTP-00000666](#), p. 57, lns. 5-17; P-0372: [UGA-OTP-00000625](#), p. 51, ln. 17 - p. 52, ln. 25; [UGA-OTP-00000788](#), p. 49, lns. 7-24; P-0463: [UGA-OTP-00000712](#), p. 6, paras. 27-28, p. 7, paras. 36-37; P-0465: [UGA-OTP-00000526](#), p. 13, paras. 75-76; UPDF Notes: [UGA-OTP-0233-0133](#); [UGA-OTP-0233-0147](#); [UGA-OTP-0233-0171](#); [UGA-OTP-0233-0190](#).

⁴²⁰ For examples of participation in hostilities and attacks, see: P-0057: [UGA-OTP-0069-0515](#) at 0517-0519, paras. 13-32, at 0521-0525, paras. 47-78; P-0098: [UGA-OTP-0165-0002](#) at 0007-0008, paras. 32-33, at 0008-0009, para. 42, at 0011-0012, paras. 67-69; P-0465: [UGA-OTP-00000526](#), p. 9, para. 49, p. 12, para. 66, pp. 12-13, paras. 70-73; P-0005: [UGA-OTP-0069-0426](#) at 0434, para. 83, at 0439-0440, paras. 126-130, at 0444, paras. 163-164, at 0445-0449, paras. 168-209.

⁴²¹ On injuries and impact, see: P-0056: [UGA-OTP-0069-0515](#) at 0517, para. 15; P-0057: [UGA-OTP-0069-0515](#) at 0518, para. 20; P-0097: [UGA-OTP-0258-0489](#) at 0495, para. 29; [UGA-OTP-00000946](#), p. 72, lns. 18-19; P-0252: [UGA-OTP-00000693](#), p. 55, lns. 15-25; P-0307: [UGA-OTP-00000628](#), p. 68, lns. 5-7, p. 74, lns. 12-15; [UGA-OTP-0266-0425](#) at 0435-0436, para. 49; P-0379: [UGA-OTP-00000666](#), p. 27, lns. 3-13; P-0410: [UGA-OTP-00000628](#), p. 3, lns. 14-24; P-0467: [UGA-OTP-00000510](#), p. 14, para. 99, p. 17, paras. 121-123; Video: [UGA-OTP-00001366](#) at 00:16:04-00:16:58.

assigned labour and submission to sexual and reproductive violence is set out below at paras. 161, 157-158. However, some of the abducted girls were also forced to participate in hostilities.⁴²²

146. **Paras. 112-115 DCC:** Victims describe that the LRA beat abducted children using a cane or a panga and otherwise physically and mentally mistreated them.⁴²³ [REDACTED].⁴²⁴ He was forced to carry loot and was [REDACTED]. [REDACTED] was a beating with [REDACTED] stokes on his back.⁴²⁵ [REDACTED], Odhiambo ordered [REDACTED] and other [REDACTED] boys to beat a man with sticks who then died.⁴²⁶ [REDACTED] under the threat of death.⁴²⁷ [REDACTED] was made to kill during the attack on [REDACTED] IDP Camp, including a [REDACTED] in a house, as otherwise the LRA would have killed him.⁴²⁸ [REDACTED] was forced to [REDACTED], who had tried to escape, to set an example.⁴²⁹ He also had to [REDACTED] with him.⁴³⁰

147. Like the adults in the LRA, abducted children were constantly threatened with physical violence or death if they broke LRA rules.⁴³¹ P-0139, for instance, was once told by an LRA fighter that she was supposed to [REDACTED] because she was walking too slowly and was going to be killed like that person.⁴³² The children – like LRA soldiers more generally - were submitted to harsh living conditions. They were made to walk long distances and were often barefoot, with swollen and injured feet, thirsty and hungry.⁴³³ P-0129 recalled that a boy died

⁴²² **P-0018:** [UGA-OTP-0159-0002](#) at 0009-0012, paras. 37-54; [UGA-OTP-00000676](#), p. 32, lns. 19-24.

⁴²³ For examples of beatings and other severe mistreatment, see: **P-0005:** [UGA-OTP-0069-0426](#) at 0433, paras. 65-67; **P-0056:** [UGA-OTP-0069-0681](#) at 0687, para. 67; **P-0057:** [UGA-OTP-0069-0515](#) at 0517-0518, paras. 18-21, 23, at 0521, para. 51; **P-0098:** [UGA-OTP-0165-0002](#) at 0005-0006, paras. 19-24; **P-0275:** [UGA-OTP-0244-3398](#) at 3403, para. 43; **P-0455:** [UGA-OTP-00000870](#), p. 10, lns. 349-356, p. 11, ln. 390 - p. 12, ln. 412, p. 13, ln. 453 - p. 15, ln. 522; **P-0264:** [UGA-OTP-00000673](#), p. 20, ln. 19 - p. 22, ln. 15; **P-0139:** [UGA-OTP-0191-0004](#) at 0011, paras. 49-51.

⁴²⁴ [REDACTED].

⁴²⁵ [REDACTED].

⁴²⁶ [REDACTED].

⁴²⁷ [REDACTED].

⁴²⁸ [REDACTED].

⁴²⁹ [REDACTED].

⁴³⁰ **P-0098:** [UGA-OTP-0165-0002](#) at 0006, para. 23. See also **P-0275:** [UGA-OTP-0244-3398](#) at 3406, paras. 68-69; **Video:** [UGA-OTP-00001366](#) at 00:19:04-00:19:56.

⁴³¹ **P-0070:** [UGA-OTP-00000600](#), p. 25, lns. 15-22; **P-0309:** [UGA-OTP-00000682](#), p. 29, ln. 20 - p. 30, ln. 3.

⁴³² **P-0139:** [UGA-OTP-0191-0004](#) at 0011, para. 51.

⁴³³ On living conditions, see: **P-0056:** [UGA-OTP-0069-0681](#) at 0687, para. 65; **P-0057:** [UGA-OTP-0069-0515](#) at 0524, para. 77; **P-0097:** [UGA-OTP-00000946](#), p. 68, lns. 11-25; **P-0098:** [UGA-OTP-0165-0002](#) at 0056, para. 27; **P-0129:** [UGA-OTP-0173-0081](#) at 0090, paras. 48-49; **P-0226:** [UGA-OTP-00000788](#), p. 21, ln. 22 - p. 22, ln. 1; **P-0252:** [UGA-OTP-00000693](#), p. 77, lns. 21-22; **P-0264:** [UGA-OTP-00000673](#), p. 22, lns. 6-10; **P-0314:** [UGA-OTP-00000682](#), p. 29, ln. 24 - p. 30, ln. 3; **P-0330:** [UGA-OTP-00000662](#), p. 37, lns. 4-6; [UGA-OTP-0244-3398](#) at 3406, para. 66; **P-0340:** [UGA-OTP-00000595](#), p. 18, lns. 10-25, p. 50, lns. 19-25; **P-0463:** [UGA-OTP-00000712](#), p. 6, para. 29; **P-0465:** [UGA-OTP-00000526](#), p. 6, para. 33, p. 10, para. 54; **P-0410:** [UGA-OTP-00000627](#), p. 80, lns. 23-24; **P-0467:** [UGA-OTP-00000510](#), p. 12, para. 86, p. 19, para. 138; **P-0252:** [UGA-OTP-00000694](#), p. 30, lns. 11-16; **P-0406:** [UGA-OTP-00000629](#), p. 84, lns. 16-20; **P-0372:** [UGA-OTP-00000625](#), p. 65, ln. 25 - p. 66, ln. 4.

of thirst, and a girl had her very [REDACTED].⁴³⁴ P-0140 had a swollen leg from walking barefoot long distances and was threatened to be killed if she could no longer walk.⁴³⁵

148. Abducted children were also deprived of education.⁴³⁶ As P-0097 recalled, “[i]n the bush, there was no school, no education. What was happening there was purely walking about.”⁴³⁷ Similarly, other abducted children did not graduate school because the LRA fighters abducted them.⁴³⁸ P-0275 was wearing his school uniform at the time of his abduction and had a pencil in his pocket. When the LRA fighters saw the pencil, they threw it away and told P-0275 that he was not returning to school.⁴³⁹

149. From the manifold abuse that abducted children suffered at the hands of the LRA fighters, some developed long-term health problems, including ulcers, bronchitis, and chronic back and chest pains.⁴⁴⁰

Children born in captivity

150. **Para. 113 DCC:** Regarding the victimisation of children born to enslaved women and girls, the Prosecution relies on the testimony of insider witnesses,⁴⁴¹ witnesses who became mothers or worked as babysitters,⁴⁴² children born in captivity, including to **KONY**,⁴⁴³ as well as open source material.⁴⁴⁴ P-0030 states that most of the officers who were “in the bush” had children, and that the babies were born in the bush.⁴⁴⁵ P-0352 describes seeing very young boys and was told that they had been born in the bush: “[...] they did very hard tasks. They did not bathe. They had to carry dead animals on their heads and you could see the blood running down over their faces. A child could not manage to do that.”⁴⁴⁶ In addition, logbook recordings reference LRA commanders including **KONY** discussing children born into the LRA.⁴⁴⁷

⁴³⁴ **P-0129:** [UGA-OTP-0173-0081](#) at 0090, para. 48.

⁴³⁵ **P-0140:** [UGA-OTP-0191-0027](#) at 0032, para. 28, at 0033, para. 35.

⁴³⁶ **P-0006:** [UGA-OTP-0144-0072](#) at 0079, para. 38; **P-0309:** [UGA-OTP-00000670](#), p. 60, lns. 9-10; **P-0340:** [UGA-OTP-00000595](#), p. 49, lns. 17-20; **P-0374:** [UGA-OTP-00000951](#), p. 17, lns. 1-9; **P-0351:** [UGA-OTP-00000613](#), p. 12, lns. 11-15; **P-0252:** [UGA-OTP-00000693](#), p. 70, ln. 22 - p. 71, ln. 3; **P-0467:** [UGA-OTP-00000510](#), p. 19, para. 142; **P-0465:** [UGA-OTP-00000526](#), p. 20, para. 113.

⁴³⁷ **P-0097:** [UGA-OTP-00000946](#), p. 71, lns. 21-22, p. 78, ln. 15.

⁴³⁸ **P-0227:** [UGA-OTP-00000798](#), p. 5, lns. 20-24; **P-0235:** [UGA-OTP-00000638](#), p. 3, lns. 15-19.

⁴³⁹ **P-0275:** [UGA-OTP-0244-3398](#) at 3404, para. 48.

⁴⁴⁰ **P-0463:** [UGA-OTP-00000712](#), p. 16, paras. 87-88; **P-0097:** [UGA-OTP-00000946](#), p. 70, lns. 1-2, p. 77, lns. 12-14, 19-22; **P-0314:** [UGA-OTP-00000662](#), p. 38, lns. 4-6, 14-15; **P-0410:** [UGA-OTP-00000628](#), p. 3, lns. 14-24; **P-0467:** [UGA-OTP-00000510](#), p. 19, paras. 138-141; **P-0252:** [UGA-OTP-00000694](#), p. 29, ln. 18 - p. 30, ln. 4.

⁴⁴¹ **P-0455:** [UGA-OTP-00000875](#), p. 10, lns. 342-363, pp. 12-13, lns. 412-462.

⁴⁴² **P-0099:** [UGA-OTP-00000945](#), p. 59, lns. 21-25; **P-0101:** [UGA-OTP-00000614](#), p. 43, lns. 14-18; **P-0227:** [UGA-OTP-0235-0125](#) at 0138-0139, paras. 89-92, at 0142, paras. 113-115; **P-0235:** [UGA-D26-0010-0019](#), p. 7, para. 16; **P-0351:** [UGA-OTP-0263-0002](#) at 0010, para. 59; **P-0396:** [UGA-OTP-0267-0246](#) at 0253, para. 49; [REDACTED]; [REDACTED]; **P-0015:** [UGA-OTP-0043-0131](#), p. 9, para. 47; **P-0063:** [UGA-OTP-0043-0021](#) at 0034, para. 86; **P-0117:** [UGA-OTP-0171-0098](#) at 0108, para. 65.

⁴⁴³ **D26-P-0110:** [UGA-OTP-00001280](#), p. 5, ln. 16 - p. 9, ln. 16.

⁴⁴⁴ **Video:** [UGA-OTP-00001366](#) at 00:14:50-00:16:03; **Report:** [UGA-OTP-0229-0609](#) at 0621, 0627, 0631-0633.

⁴⁴⁵ **P-0030:** [UGA-OTP-0218-0984](#), p. 20, lns. 699-704.

⁴⁴⁶ **P-0352:** [UGA-OTP-0260-0315](#) at 0328, para. 92.

⁴⁴⁷ See paras. 159-160 below.

[REDACTED] explains that **KONY** ordered that all his children should train to become soldiers.⁴⁴⁸ P-0023 lists **KONY**'s many children.⁴⁴⁹

151. Children born in captivity were subjected to harsh and hazardous living conditions, including the risk of being wounded or killed in crossfire and lack of access to adequate medical facilities, sanitation, nutritious food, and education.⁴⁵⁰ P-0099 – who gave birth in the bush – describes the impossibility of nurturing her child there: “I was unable to produce milk for my child and it was extremely difficult for me to live with that child in the bush under those conditions.”⁴⁵¹ The impact on children born in captivity carries into their life after captivity, with most suffering severe stigmatisation.⁴⁵²

152. From the [REDACTED], among the persons recorded as born in captivity, 171 records had a date of birth between 1 July 2002 and 31 December 2005, including 84 girls and 87 boys.⁴⁵³

ii) **Crimes against Girls and Women Abducted and Integrated into the LRA**

Campaign of abductions of women and girls⁴⁵⁴

153. **Para. 116 DCC:** The Prosecution relies on a study assessing the data provided by [REDACTED] of abductees returning from LRA captivity.⁴⁵⁵ Furthermore, the Prosecution provides at sub-annex E.10 a list of 204 individually identifiable women and girls who were abducted and integrated into the LRA. Trial Chamber IX in *Ongwen* concluded that “a safe estimate can be drawn that there were at any time during the period of the charges over one hundred abducted women and girls in Sinia [Brigade].”⁴⁵⁶ The women and girls were abducted based predominantly on **KONY**'s standing orders.⁴⁵⁷

Captivity and distribution of women and girls to LRA fighters and commanders

154. **Paras. 117-119 DCC:** The LRA fighters placed the abducted girls and women under armed guard and threatened them with death if they attempted to escape.⁴⁵⁸ The abducted girls

⁴⁴⁸ [REDACTED].

⁴⁴⁹ P-0023: [UGA-OTP-0150-0059](#).

⁴⁵⁰ P-0045: [UGA-OTP-00000597](#), p. 17, lns. 8-15; P-0101: [UGA-OTP-00000614](#), p. 43, lns. 14-18; P-0235: [UGA-D26-0010-0019](#), p. 7, para. 16; [REDACTED].

⁴⁵¹ P-0099: [UGA-OTP-00000945](#), p. 59, lns. 21-25.

⁴⁵² P-0269: [UGA-OTP-00001121](#), p. 65, ln. 20 - p. 66, ln. 10.

⁴⁵³ [REDACTED].

⁴⁵⁴ **Count 10** encompasses those women and girls abducted from the attack sites who were killed, released, or managed to escape within a short period of time after their abduction, while **Count 15** covers victims not abducted from these specific attacks as well as those who were distributed and integrated into the LRA for protracted periods of time.

⁴⁵⁵ [REDACTED].

⁴⁵⁶ *Ongwen* TJ, para. 2141.

⁴⁵⁷ See paras. 20-23 above.

⁴⁵⁸ See scetion II.C.1.i); P-0235: [UGA-OTP-00000638](#), p. 11, lns. 9-24; P-0456: [UGA-OTP-00000519](#), paras. 52-57; P-1030: [UGA-OTP-00000705](#), paras. 38, 46; see also *Ongwen* TJ, paras. 206, 215, 2029, 2183-2191.

and women were often made to carry looted items through the bush.⁴⁵⁹ Unless they were released or managed to escape early on,⁴⁶⁰ they were distributed to LRA commanders and fighters without having a say, thereby integrated into the armed group and deprived of their liberty for protracted periods of time.⁴⁶¹ P-0138 explained that “if a girl refused the person that she was given to...that means [she] will be killed.”⁴⁶² Girls and women were often distributed as a reward to LRA fighters, forced to stay within the assigned unit and move with their commander around northern Uganda.⁴⁶³ This distribution by force was **KONY**’s prerogative in general, or, in his absence, delegated to Otti or even LRA Brigade and Battalion commanders.⁴⁶⁴

155. The large group of girls abducted from the Lwala Girls School is emblematic of the LRA’s systematic abductions and enslavement of women and girls. Several LRA commanders, including Kapere, Tabuley and Otti, coordinated this abduction and later distribution under **KONY**’s command. To demonstrate the girls’ abduction and distribution, the commanders involved, and the girls’ severe mistreatment, the Prosecution relies on the accounts of several abducted women and insider witnesses who participated in the abductions, as well as intercepted communications. The route the girls were forced to take is depicted in Annex D.⁴⁶⁵

⁴⁵⁹ See section II.C.1.i). See also **P-0006**: [UGA-OTP-00000622](#), p. 9, lns. 14-23; **P-0227**: [UGA-OTP-00000798](#), p. 6, lns. 22-25, p. 9, lns. 1-2, p. 12, lns. 9-10; **P-0235**: [UGA-OTP-00000638](#), p. 5, ln. 12 - p. 9, ln. 6, p. 13, lns. 6-11; **P-0117**: [UGA-OTP-0171-0098](#) at 0100-0101, paras. 8-12.

⁴⁶⁰ See the cases falling under **Count 10** for the short term enslavement of abducted women and girls at para. 45 above.

⁴⁶¹ See sub-annex E.10; **P-0079**: [UGA-OTP-0043-0110](#) at 0117, paras. 40-41; **P-0117**: [UGA-OTP-0171-0098](#) at 0106, paras. 55-56; **P-0226**: [UGA-OTP-00000788](#), p. 33, lns. 4-5; **P-0351**: [UGA-OTP-00000613](#), p. 7, ln. 22 - p. 8, ln. 6.

⁴⁶² **P-0138**: [UGA-OTP-00000607](#), p. 28, ln. 9 - p. 29, ln. 22.

⁴⁶³ **P-0023**: [UGA-OTP-0150-0063](#) at 0071-0072, para. 67; **P-0070**: [UGA-OTP-0228-3099](#) at 3115-3116, lns. 545-574; **P-0079**: [UGA-OTP-0043-0110](#) at 0117, paras. 40-41; **P-0214**: [UGA-OTP-0234-0026](#) at 0038, para. 78; **P-0227**: [UGA-OTP-0235-0125](#) at 0132, paras. 46-49, at 0134, para. 63; **P-0236**: [UGA-OTP-00000784](#), p. 11, lns. 8-21; **P-0351**: [UGA-OTP-0263-0002](#) at 0007-0008, paras. 38-45, at 0012-0014, paras. 71-90; **P-1030**: [UGA-OTP-00000705](#), pp. 9-10, paras. 41-45.

⁴⁶⁴ **P-0138**: [UGA-OTP-00000607](#), p. 28, lns. 12-20; **P-0070**: [UGA-OTP-0228-3099](#) at 3111-3114, lns. 424-533; **P-0117**: [UGA-OTP-0171-0098](#) at 0104-0105, paras. 40-43, at 0105, para. 47; **P-0226**: [UGA-OTP-00000788](#), p. 27, ln. 11 - p. 29, ln. 12; **P-0227**: [UGA-OTP-0235-0125](#) at 0135-0136, paras. 73-75; **P-0129**: [UGA-OTP-0173-0081](#) at 0086-0087, paras. 23-27; **P-0099**: [UGA-OTP-00000945](#), p. 19, ln. 5 - p. 22, ln. 11. For examples of distribution instructions from the intercept materials, see: **ISO Logbook**: [UGA-OTP-0068-0146](#) at 0229 (right page), 0251 (right page); **ISO logbook**: [UGA-OTP-0063-0194](#) at 0340 (left page).

⁴⁶⁵ For the underlying evidence of the route and distribution of the Lwala victims, see: 24/06/2003 – 25/06/2003 from Otuboi to Orungo, Katakwi District – Kapere to Tabuley: **P-0015**: [UGA-OTP-0043-0131](#) at 0137, para. 32; **P-0002**: [UGA-OTP-0070-0002](#) at 0007, para. 31; **P-0041**: [UGA-OTP-0221-0073](#) at 0077, lns. 108-140, at 0080, lns. 210-242; [UGA-OTP-0221-0227](#) at 0252, lns. 839-853; [UGA-OTP-0221-0195](#) at 0220, lns. 851-855; [UGA-OTP-0229-0161](#) at 0113, lns. 205-209, 215, 229-230, at 0174, lns. 409-441; **P-0070**: [UGA-OTP-00000599](#), p. 8, lns. 1-25; **P-0037**: [UGA-OTP-0221-1017](#) at 1051, lns. 1117-1150; **ISO logbook**: [UGA-OTP-0068-0146](#) at 0277 (left side); **UPDF logbook**: [UGA-OTP-0242-6018](#) at 6047; **ISO logbook**: [UGA-OTP-0068-0146](#) at 0282 (left side); **ISO Logbook**: [UGA-OTP-0241-2490](#) at 2680; **UPDF logbook**: [UGA-OTP-0242-6018](#) at 6049; **UPDF logbook**: [UGA-OTP-0254-0725](#) at 0733; 26/06/2003 – 01/07/2003 from Orungo to Olyel Widyel, Pader District – Tabuley, Otti, Kapere, Okuti, Labongo: **P-0136**: [UGA-OTP-0221-1619](#) at 1644-1646, lns. 958-990; **P-0010**: [UGA-OTP-0221-0527](#) at 0531, lns. 105-139, at 0543, lns. 545-551; **P-0015**: [UGA-OTP-0043-0131](#) at 0139-0140, paras. 47-49, 52; [UGA-OTP-0191-0254](#) at 0257, paras. 10-17; **P-0070**: [UGA-OTP-00000599](#), p. 10, lns. 1-25; [UGA-OTP-0228-2863](#) at 2888, lns. 870-904; **P-0004**: [UGA-OTP-0229-0263](#) at 0290, lns. 956-989, **ISO logbook**: [UGA-OTP-0068-0146](#) at 0286 (right side), 0290 (left side), 0291 (left side), 0294 (right side); **UPDF logbook**:

Forced wives

156. **Para. 121 DCC:** More mature girls and women - among those abducted and distributed - were coerced to become forced wives of LRA fighters, as instructed by **KONY**.⁴⁶⁶ A part of the abducted group of [REDACTED] girls was distributed to several LRA commanders,⁴⁶⁷ including Otti⁴⁶⁸ and **KONY**.⁴⁶⁹ P-0142 estimated that more than 100 so-called “wives” were in the Sinia Brigade from 2003 to 2004 alone.⁴⁷⁰ P-0070 testified that most of the LRA commanders in the bush had “wives”, some fighters had 10, some had 20, and **KONY** himself had approximately 90.⁴⁷¹ [REDACTED], lists over a dozen of **KONY**’s “wives” by name, [REDACTED].⁴⁷² **KONY** is also recorded referencing his “wives” or women to be made his “wives” in conversations with the LRA commanders.⁴⁷³ The testimony of former “wives” or people close to them,⁴⁷⁴ as well as open source materials,⁴⁷⁵ provide corroboration. Provided at sub-annex E.10 is a list of 177 of individually identifiable forced wives.

[UGA-OTP-0254-0725](#) at 0742, 0746; **UPDF logbook:** [UGA-OTP-0254-0725](#) at 0751; **UPDF logbook:** [UGA-OTP-0242-6018](#) at 6051; by 08/07/2003 from Pader District to Tim Pa Lukok – [REDACTED]; **P-0015:** [UGA-OTP-0043-0131](#) at 0139-0140, paras. 47-56; [UGA-OTP-0191-0254](#) at 0257, paras. 15-17; **P-0070:** [UGA-OTP-0228-2863](#) at 2888, lns. 870-904, at 2885, lns. 783-793; [UGA-OTP-00000599](#), p. 12, lns. 7-20; **P-0041:** [UGA-OTP-0221-0106](#) at 0113, lns. 205-209, 215, 229-230; **P-0136:** [UGA-OTP-0221-1619](#) at 1648, lns. 1033-1039; [UGA-OTP-0221-1654](#) at 1656, lns. 48-61; **P-0004:** [UGA-OTP-0228-1469](#) at 1499, lns. 1024-1051; [UGA-OTP-0228-2509](#) at 2531, lns. 763-764; [UGA-OTP-0228-1469](#) at 1504, lns. 1216-1237; **P-0129:** [UGA-OTP-0173-0081](#) at 0086, paras. 23-26; **P-0028:** [UGA-OTP-0217-0192](#) at 0207-0216; **ISO Logbook:** [UGA-OTP-0060-0149](#) at 0175 (right side) - 0176 (left side), 0181; **ISO logbook:** [UGA-OTP-0068-0146](#) at 0298, 0300 (right side), 0302 (right side), 0303 (left side), 0324; **ISO Logbook:** [UGA-OTP-0060-0149](#) at 0175 (right page) – 0176 (left page), 0178 (right side) - 0179 (left side); **UPDF Logbook:** [UGA-OTP-0254-0725](#) at 0763.

⁴⁶⁶ See para. 23 above.

⁴⁶⁷ **P-1070:** [UGA-OTP-00001138](#), p. 12, paras. 62-64; **P-0015:** [UGA-OTP-0043-0131](#) at 0141, para. 58, at 0144, para. 77; **P-0002:** [UGA-OTP-0070-0002](#) at 0008, paras. 38-39; **P-0021:** [UGA-OTP-0139-0097](#) at 0104, paras. 39-44; **P-0079:** [UGA-OTP-0043-0110](#) at 0117, para. 40; **P-0456:** [UGA-OTP-00000519](#), p. 9, paras. 61-62; **P-0117:** [UGA-OTP-0171-0098](#) at 0104-0105, paras. 39-43. See also **ISO Logbook:** [UGA-OTP-0068-0146](#) at 0324.

⁴⁶⁸ **P-0129:** [UGA-OTP-0173-0081](#) at 0091-0092, para. 55; **P-0015:** [UGA-OTP-0043-0131](#) at 0141-0142, paras. 64-66, at 0147, para. 97. See also **P-0021:** [UGA-OTP-0139-0097](#) at 0104, para. 37; **P-0144:** [UGA-OTP-00000697](#), p. 68, lns. 19-23, p. 69, lns. 1-9.

⁴⁶⁹ See section II.D.

⁴⁷⁰ **P-0142:** [UGA-OTP-00000679](#), p. 40, ln. 8.

⁴⁷¹ **P-0070:** [UGA-OTP-00000599](#), p. 39, lns. 1-4, p. 39, ln. 18 - p. 41, ln. 6; see also **Photographs:** [UGA-OTP-0028-0058](#) at 0059, 0063, 0065.

⁴⁷² [REDACTED]; See also [UGA-OTP-0150-0055](#).

⁴⁷³ **KONY** on own “wives”, including births, see: **ISO logbook:** [UGA-OTP-0062-0145](#) at 0278 (left page); **UPDF:** [UGA-OTP-0197-0308](#) at 0419 (left page); **ISO logbook:** [UGA-OTP-0061-0002](#) at 0037-0038 (left page); **ISO logbook:** [UGA-OTP-0063-0194](#) at 0245 (left page); **ISO logbook:** [UGA-OTP-0232-0234](#) at 0347; **ISO logbook:** [UGA-OTP-0065-0143](#) at 0215 (left page); **ISO logbook:** [UGA-OTP-0152-0002](#) at 0057, 0067-0068 (left page); **ISO logbook:** [UGA-OTP-0152-0002](#) at 0115 (right side) - 0116 (left side), 0144 (left side), 0147-0148, 0153, 0166, 0175, 0194; **ISO logbook:** [UGA-OTP-0170-0077](#) at 0192.

⁴⁷⁴ See [REDACTED]; **P-0023:** [UGA-OTP-0150-0063](#) at 0072-0074, paras. 70-85; **P-0048:** [UGA-OTP-0209-0256](#) at 0262, lns. 148-151; **P-0099:** [UGA-OTP-00000945](#), p. 21, lns. 4-11, p. 22, lns. 2-4, p. 24, lns. 15-19; **P-0226:** [UGA-OTP-00000788](#), p. 36, lns. 4-5; **P-0015:** [UGA-OTP-0043-0131](#) at 0136, para. 27, at 0140, para. 56, at 0143-0144, paras. 75-76, as well as section II.D in relation to Victim 2.

⁴⁷⁵ See also for the pattern: **Video:** [UGA-OTP-00000701](#) at 00:00:55-00:04:00; **Video:** [UGA-OTP-0283-2088](#) at 00:01:06-00:01:29; **Video:** [UGA-OTP-0283-2066](#) at 00:00:00-00:12:33; **Video:** [UGA-OTP-00001369](#) at 00:18:04-00:19:11; **Video:** [UGA-OTP-0032-0005](#) at 00:19:37-00:29:00; **Video:** [UGA-OTP-0032-0017](#) at 00:20:00-00:34:30, 00:34:40-00:41:40; **Video:** [UGA-OTP-0032-0019](#) at 00:00:00-00:03:45; **Video:** [UGA-OTP-0032-0021](#) at 00:00:00-00:27:08; [UGA-OTP-0281-1865](#).

157. **Para. 122 DCC:** Witnesses describe that forced wives had to maintain an exclusive sexual relationship with the LRA fighter to whom they were distributed.⁴⁷⁶ They were also expected to bear children,⁴⁷⁷ perform domestic chores⁴⁷⁸ and carry out hard manual labour.⁴⁷⁹

158. **Para. 123 DCC:** Forced sexual intercourse (rape) was part of being a forced wife in the LRA. The evidence shows that hundreds of women and girls abducted and integrated into the LRA, who were referred to as “wives” or “sisters”, were subjected to regular forced sexual intercourse by LRA fighters. In the words of insider witness P-0233: “When I am talking about husband and wife, that includes sexual intercourse.”⁴⁸⁰ P-0226, like other insider witnesses, explains that women and girls could not refuse sexual intercourse with men they had been assigned to and mentioned killings and beatings as possible punishment for violation of this rule.⁴⁸¹ This is corroborated by the accounts of 22 victims of rape.⁴⁸²

Forced pregnancies

159. **Para. 124 DCC:** As a result of the sexual intercourse within the coercive environment of the LRA, at least hundreds of women and girls became pregnant, having no choice as to whether, when, or with whom to have a child. While there are no exact statistics available, the Prosecution relies on a [REDACTED] of abductees returning from captivity with children,⁴⁸³

⁴⁷⁶ [REDACTED]; P-0021: [UGA-OTP-0139-0097](#) at 0106, para. 53; P-0227: [UGA-OTP-0235-0125](#) at 0133, paras. 55-58, at 0137, paras. 82-84; P-1030: [UGA-OTP-00000705](#), p. 9, para. 39; P-0226: [UGA-OTP-00000788](#), p. 53, lns. 16-20; P-0235: [UGA-OTP-00000638](#), p. 21, ln. 12 - p. 22, ln. 18; P-0264: [UGA-OTP-00000674](#), p. 11, lns. 3-12; P-0467: [UGA-OTP-00000510](#), p. 17, para. 119. See section II.D in relation to Victim 2; see also *Ongwen* TJ, paras. 206, 2037-2038.

⁴⁷⁷ [REDACTED]; P-0227: [UGA-OTP-0235-0125](#) at 0138, paras. 89-90; [REDACTED].

⁴⁷⁸ [REDACTED].

⁴⁷⁹ On types of forced labour, see: P-0099: [UGA-OTP-00000945](#), p. 40, lns. 4-18; P-0227: [UGA-OTP-0235-0125](#) at 0133-0134, paras. 51, 62, 70-72; P-0307: [UGA-OTP-0266-0425](#) at 0439, para. 65; P-0351: [UGA-OTP-0263-0002](#) at 0010, paras. 57, 60, at 0013, paras. 77, 80-82, at 0014, paras. 88-89; P-0374: [UGA-OTP-0263-0023](#) at 0031, para. 62; P-0352: [UGA-OTP-0260-0315](#) at 0324, paras. 65, 70; [UGA-OTP-00000954](#), p. 17, lns. 4-5, p. 21, lns. 10-15; P-0079: [UGA-OTP-0043-0110](#) at 0119, paras. 59-60; P-0307: [UGA-OTP-0266-0425](#) at 0439-0440, paras. 65-67; P-0396: [UGA-OTP-0267-0246](#) at 0258, paras. 85-87.

⁴⁸⁰ P-0233: [UGA-OTP-00000603](#), p. 58, ln. 13 - p. 59, ln. 15.

⁴⁸¹ P-0226: [UGA-OTP-0235-0235](#) at 0242, paras. 50-53, at 0245, paras. 76-77.

⁴⁸² On individual accounts of forced sexual intercourse, see: P-0006: [UGA-OTP-0144-0072](#), p. 10, paras. 56-57; [UGA-OTP-00000622](#), p. 16, ln. 15, p. 27, lns. 2-10; P-0099: [UGA-OTP-00000945](#), p. 32, ln. 2 - p. 33, ln. 11, lns. 20-24; P-0101: [UGA-OTP-00000614](#), p. 17, ln. 1 - p. 18, ln. 9, p. 19, lns. 9-20, p. 21, lns. 2-10, p. 50, ln. 4 - p. 51, ln. 1; P-0214: [UGA-OTP-00000794](#), p. 22, ln. 18 - p. 24, ln. 21, p. 25, lns. 15-21, p. 27, ln. 19 - p. 28, ln. 8; P-0226: [UGA-OTP-00000788](#), p. 38, ln. 20 - p. 41, ln. 14; P-0227: [UGA-OTP-00000798](#), p. 38, ln. 8 - p. 41, ln. 8; P-0235: [UGA-OTP-00000638](#), p. 31, ln. 25 - p. 36, ln. 3; [REDACTED]. See also *Kwoyelo Judgment*: [UGA-OTP-00001132](#), paras. 393, 406, 382. For [REDACTED].

⁴⁸³ [REDACTED] (Note that the number of 155 “child mothers” exceeds the charging period.)

the accounts of witnesses,⁴⁸⁴ and open source material.⁴⁸⁵ The expectation of women to produce children was central to **KONY**'s policy: the creation of a new tribe.⁴⁸⁶

160. The pregnant women and girls were not free to leave the LRA and were subjected to the same coercive and violent environment, including forced exclusive conjugal relationships and sexual abuse, during the period of their pregnancy.⁴⁸⁷ The women and girls relied upon for the charge of forced pregnancy include at least three forced wives of Ongwen⁴⁸⁸ and one forced wife of [REDACTED].⁴⁸⁹ While the [REDACTED] fathered by **KONY** was conceived and born outside the period relevant to the charges and outside Uganda, this further supports the existence of a pattern of forced pregnancy, with which **KONY** is charged.⁴⁹⁰

Young girls groomed to become "wives"

161. **Para. 120 DCC:** The LRA specifically targeted young girls for abduction into the LRA,⁴⁹¹ as **KONY** considered them less likely to have sexually transmittable diseases.⁴⁹² In a radio interview in December 2002, Otti stated: "I want to assure you that the girls whom we collect and send to the bush are our mothers. We always collect the young ones who are not infected with HIV...."⁴⁹³ Witnesses state that abducted girls whom the LRA did not consider mature enough to have sexual intercourse and become "wives" were referred to as *ting tings*.⁴⁹⁴ This includes at least 11 witnesses,⁴⁹⁵ although the number of girls subjected to this status in the charged period is significantly higher.⁴⁹⁶ For example, P-0015 describes 10 *ting tings* assigned to Otti's household in 2003 alone.⁴⁹⁷

⁴⁸⁴ See fns. 488 and 489 below. See also **P-0227:** [UGA-OTP-00000798](#), p. 43, ln. 25 - p. 45, ln. 7; **UGA-OTP-0235-0125** at 0138, para. 89; **P-0465:** [UGA-OTP-00000526](#), p. 16, para. 87; **P-1030:** [UGA-OTP-00000705](#), p. 11, para. 51; **P-0083:** [UGA-OTP-0218-0797](#) at 0810-0813, lns. 450-558; **P-0023:** [UGA-OTP-0150-0063](#) at 0071, paras. 62-67, at 0072, paras. 67-70; **P-0455:** [UGA-OTP-00000877](#), pp. 3-4, lns. 100-128.

⁴⁸⁵ **Video:** [UGA-OTP-0283-2066](#) at 00:00:44 – 00:02:10.

⁴⁸⁶ **P-0083:** [UGA-OTP-0218-0797](#) at 0810, lns. 450-459, at 0811, lns. 460-496, at 0812, lns. 497-532, at 813, lns. 533-558; **P-0023:** [UGA-OTP-0150-0063](#) at 0071, paras. 62-67, at 0072, paras. 67-70; **P-0455:** [UGA-OTP-00000877](#), pp. 3-4, lns. 100-128; **1034:** [UGA-OTP-00001146](#), p. 15, paras. 86-87; **P-0221:** [UGA-OTP-00001292](#), p. 17, lns. 559-567; [UGA-OTP-00001290](#), p. 21, lns. 731-736.

⁴⁸⁷ **P-0227:** [UGA-OTP-0235-0125](#) at 0138, paras. 89-90; [UGA-OTP-00000798](#), p. 44, lns. 16-24; **P-0235:** [UGA-OTP-00000638](#), p. 43, ln. 22 - p. 44, ln. 14.

⁴⁸⁸ **P-0101:** [UGA-OTP-0165-0102](#) at 0103-0104, paras. 7-10; **P-0214:** [UGA-OTP-00000794](#), p. 28, lns. 8-11, p. 29, lns. 1-2; [UGA-OTP-0234-0026](#) at 0039, para. 83; **P-0221:** [UGA-OTP-00001292](#), pp. 2-6, lns. 44-208, p. 8, lns. 269-273, p. 13, lns. 426-446, p. 36, lns. 1291-1235, pp. 40-41, lns. 1375-1389; [UGA-OTP-00001293](#), pp. 2-31, lns. 65-1050; [UGA-OTP-00001294](#), pp. 6-26, lns. 188-889; [UGA-OTP-0267-0160](#); [UGA-OTP-0278-0529](#).

⁴⁸⁹ **P-0006:** [UGA-OTP-00000622](#), p. 25, ln. 1 - p. 27, ln. 18, p. 39, lns. 15-19; [UGA-OTP-0144-0072](#) at 0081-0082, paras. 56, 63, 65.

⁴⁹⁰ [REDACTED]. See [UGA-OTP-0150-0059](#).

⁴⁹¹ See also sub-annex E.10.

⁴⁹² See **ISO Logbook:** [UGA-OTP-0063-0194](#) at 0236 (right page); [UGA-OTP-0064-0002](#) at 0033 (right page); **P-0099:** [UGA-OTP-0234-0049](#) at 0054, para. 32; **P-0455:** [UGA-OTP-00000863](#), pp. 13-14, lns. 454-489.

⁴⁹³ **Transcript:** [UGA-OTP-0023-0011](#) at 0020.

⁴⁹⁴ **P-0455:** [UGA-OTP-00000871](#), pp. 2-3, lns. 36-91; **P-0079:** [UGA-OTP-0043-0110](#) at 0119, paras. 61-62; **P-0467:** [UGA-OTP-00000510](#) p. 16, paras. 117-119.

⁴⁹⁵ P-0015, P-0021, P-0116, P-0226, P-0235, P-0236, P-0139, P-0140, P-0351, P-0352 and P-0465.

⁴⁹⁶ **Report:** [UGA-OTP-00001133](#), pp. 3-4. See sub-annex E.10 for a list of 48 identified *ting tings*.

⁴⁹⁷ **P-0015:** [UGA-OTP-0043-0131](#) at 0141, para. 61.

162. P-0140, the former *ting ting* of an LRA commander, described her tasks as carrying goods, collecting water, cooking, and taking care of children and babies.⁴⁹⁸ This is corroborated by the accounts of other witnesses, who were similarly made to work as *ting tings* and groomed to become “wives”.⁴⁹⁹ Their age did not guarantee protection from sexual violence, however.⁵⁰⁰

Severe physical and mental abuse

163. **Paras. 125-127 DCC:** Witnesses describe being severely beaten and threatened with violence for resisting sexual intercourse and other sexual violence or for breaking or attempting to break LRA rules.⁵⁰¹ In P-0236’s words: “[i]f there is anything wrong, you’re beaten. If you do anything wrong, you are beaten.”⁵⁰² Women and girls were beaten hard, sometimes killed, for attempting to escape.⁵⁰³ For instance, P-0227 saw a girl being beaten so badly that she could not eat.⁵⁰⁴ P-0352 described how two girls were killed by LRA fighters.⁵⁰⁵ A logbook entry of an intercepted radio communication recorded that **KONY** in December 2002 ordered the beating of a woman with 50 strokes for refusing to hand over a young child as a “babysitter”.⁵⁰⁶

164. Some abducted women and girls were forced to beat or participate in the killing of other abductees, for example, because they had tried to escape.⁵⁰⁷ P-0139 was [REDACTED].⁵⁰⁸ P-0015 describes [REDACTED], after which LRA fighters stabbed the boys to death for trying

⁴⁹⁸ **P-0140:** [UGA-OTP-0191-0027](#) at 0036, para. 56.

⁴⁹⁹ **P-0139:** [UGA-OTP-0191-0004](#) at 0009, para. 33; **P-0015:** [UGA-OTP-0043-0131](#) at 0141, paras. 61-62, at 0145, para. 83; **P-0116:** [UGA-OTP-0171-0133](#) at 0136, para. 14, at 0142-0143, paras. 69-71; **P-0021:** [UGA-OTP-0139-0097](#) at 0104, paras. 39-42, at 0106, para. 51; **P-0235:** [UGA-OTP-00000638](#), p. 13, lns. 4-11; **P-0236:** [UGA-OTP-00000784](#), p. 11, lns. 6-18; **P-0352:** [UGA-OTP-0260-0315](#) at 0325, para. 70; [UGA-OTP-00000954](#), p. 17, lns. 4-5, p. 20, ln. 22 - p. 21, ln. 25, p. 32, lns. 1-9, p. 39, ln. 10 - p. 40, ln. 8; **P-0023:** [UGA-OTP-0150-0063](#) at 0071, para. 66; **P-0140:** [UGA-OTP-0191-0027](#) at 0036, para. 56; **P-0226:** [UGA-OTP-00000788](#), p. 32, lns. 18-24, p. 36, lns. 13-15, p. 40, lns. 7-15; **P-0227:** [UGA-OTP-0235-0125](#) at 0132, para. 51, at 0136, paras. 76-78; **P-0236:** [UGA-OTP-00000784](#), p. 14, lns. 9-19; **P-0351:** [UGA-OTP-0263-0002](#) at 0010, para. 60; **P-0456:** [UGA-OTP-00000519](#), pp. 8-10, paras. 47, 50, 52, 54-57, 61, 66; **P-0463:** [UGA-OTP-00000712](#), pp. 9-10, para. 50; **P-0099:** [UGA-OTP-00000945](#), p. 21, ln. 21 - p. 24, ln. 13.

⁵⁰⁰ **P-0264:** [UGA-OTP-0256-0139](#) at 0163, para. 147; **P-0214:** [UGA-OTP-00000794](#), p. 20, lns. 1-8, p. 22, ln. 18 - p. 28, ln. 8; **P-0087:** [UGA-OTP-0043-0049](#) at 0066-0067, paras. 96-101.

⁵⁰¹ See fn. 482 above. *On beatings*, see, e.g.: **P-0351:** [UGA-OTP-0263-0002](#) at 0013, paras. 80-82; **P-1030:** [UGA-OTP-00000705](#), pp. 10-11, para. 49; **P-0021:** [UGA-OTP-0139-0097](#) at 0106, paras. 53, 55; **P-0079:** [UGA-OTP-0043-0110](#) at 0118, paras. 46-48; **P-0264:** [UGA-OTP-00000674](#), p. 11, lns. 9-12.

⁵⁰² **P-0236:** [UGA-OTP-00000784](#), p. 13, lns. 17-18. See also **P-0226:** [UGA-OTP-00000788](#), p. 47, lns. 1-5.

⁵⁰³ *On Odhiambo killing a “wife”*, see: **P-0070:** [UGA-OTP-0228-3099](#) at 3100-3111, lns. 20-396. *On other cases of beating*, see: **P-0227:** [UGA-OTP-0235-0125](#) at 0137-0138, paras. 84-88; **P-0314:** [UGA-OTP-00000682](#), p. 34, ln. 10 - p. 35, ln. 5; **P-0396:** [UGA-OTP-0267-0246](#) at 0259, para. 97; **P-0117:** [UGA-OTP-0171-0098](#) at 0101, para. 27; *Ongwen TJ*, paras. 2183-2191.

⁵⁰⁴ **P-0227:** [UGA-OTP-0235-0125](#) at 0137, para. 84.

⁵⁰⁵ **P-0352:** [UGA-OTP-0263-0023](#) at 0041, paras. 127-128.

⁵⁰⁶ **ISO Logbook:** [UGA-OTP-0065-0002](#) at 0115 (right page); **ISO logbook:** [UGA-OTP-0066-0201](#) at 0295 (left page).

⁵⁰⁷ *On beating and/or killing others*, see: **P-0117:** [UGA-OTP-0171-0098](#) at 0111, para. 98; **P-0226:** [UGA-OTP-00000788](#), p. 62, ln. 12 - p. 63, ln. 21; [UGA-OTP-00000785](#), p. 61, lns. 3-9; **P-0235:** [UGA-OTP-00000638](#), p. 23, ln. 23 - p. 25, ln. 20; **P-0352:** [UGA-OTP-00000954](#), p. 33, ln. 6 - p. 34, ln. 4. *Ongwen TJ*, paras. 209-210, 2192-2195.

⁵⁰⁸ **P-0139:** [UGA-OTP-0191-0004](#) at 0011, paras. 49-51.

to escape.⁵⁰⁹ In one instance, an abducted girl was made to carry the severed head of an abductee who had been killed for trying to escape.⁵¹⁰

165. Abducted women and girls suffered hunger, dehydration, injuries sustained during sexual intercourse or from executing domestic chores, poor hygiene, intake of substances triggering menstruation, pregnancy, childbirth, and a high risk of postnatal complications, all in a coercive environment that denied them the options of medical treatment and medication.⁵¹¹

D. CRIMES OF DIRECT PERPETRATION (COUNTS 30-39)

The case of Victim 1 (REDACTED)

166. **Paras. 128, 132 DCC:** As to [REDACTED] victimisation, the Prosecution relies on her statements and testimony.⁵¹² In addition, D26-P-0130 corroborates parts of her statements from his perspective.⁵¹³ Parts of her narrative are also corroborated by insider witnesses, like P-0455, a [REDACTED], and former KONY “wives”.⁵¹⁴ Documentary evidence supports her testimony.⁵¹⁵ While [REDACTED] was abducted and enslaved outside the timeframe relevant to the charges, she continued to be enslaved, also on the territory of northern Uganda in the relevant timeframe and suffered wide-ranging harm including from continuous physical violence, meeting the elements of the charged crimes. She also continued to be confined while pregnant with her third child and on the territory of northern Uganda in 2005.⁵¹⁶

*The case of Victim 2 (REDACTED)*⁵¹⁷

167. **Paras. 129, 132 DCC:** As to the LRA’s abduction of [REDACTED], and handover to KONY on or about 8 July 2003, the Prosecution relies on the testimony of [REDACTED]

⁵⁰⁹ **P-0015:** [UGA-OTP-0043-0131](#) at 0139-0140, paras. 48, 50-51.

⁵¹⁰ **P-0006:** [UGA-OTP-00000622](#), p. 25, ln. 20 - p. 26, ln. 9.

⁵¹¹ On the conditions in captivity, see: **P-0087:** [UGA-OTP-0043-0049](#) at 0059, para. 50, at 0067, paras. 98-99; **P-0219:** [UGA-OTP-0173-0081](#) at 0090, para. 48; **P-0117:** [UGA-OTP-0171-0098](#) at 0113, para. 107; **P-0021:** [UGA-OTP-0139-0097](#) at 0104, para. 42; **P-0079:** [UGA-OTP-0043-0110](#) at 0118-0119, paras. 46-48, 57-58; **P-0099:** [UGA-OTP-0234-0049](#) at 0058, para. 60; **P-0214:** [UGA-OTP-00000794](#), p. 28, ln. 4 - p. 29, ln. 9; **P-0226:** [UGA-OTP-00000788](#), p. 38, lns. 1-24, p. 39, lns. 1-2, p. 40, lns. 13-15, p. 43, lns. 17-19; **P-0352:** [UGA-OTP-00000954](#), p. 39, ln. 24 - p. 40, ln. 8; **P-0463:** [UGA-OTP-00000712](#), p. 16, paras. 87-88; **P-1030:** [UGA-OTP-00000705](#), p. 11, paras. 51, 54-55; **P-0374:** [UGA-OTP-00000951](#), p. 15, lns. 18-24; **P-0352:** [UGA-OTP-00000954](#), p. 39, lns. 24-25, p. 40, lns. 2-8; **P-0456:** [UGA-OTP-00000519](#), p. 17, paras. 129-132; [REDACTED]. See also [UGA-OTP-0248-0002](#) at 0006-0008; [UGA-OTP-0181-0034-Track01](#).

⁵¹² [REDACTED]. See also [REDACTED].

⁵¹³ **D26-P-0130:** [UGA-D26-0025-0001](#), pp. 1, 5, 18.

⁵¹⁴ **P-0016:** [UGA-OTP-00000643](#), p. 59, lns. 1-20; **P-0455:** [UGA-OTP-00000855](#), pp. 4-5, lns. 120-162; [UGA-OTP-00000856](#), pp. 8-9, lns. 250-283; **P-0172:** [UGA-OTP-00000961](#), p. 12, ln. 24 - p. 13, ln. 17, [UGA-OTP-0275-1858](#), pp. 22-24, ln. 742-813; [REDACTED]; **P-0023:** [UGA-OTP-0150-0063](#) at 0073, para. 78; **P-0101:** [UGA-OTP-0191-0265](#) at 0268, para. 9. See [UGA-OTP-0233-0230](#), where [REDACTED] is also listed.

⁵¹⁵ **Rehabilitation centre file:** [UGA-OTP-0244-1782](#). See also **Media:** [UGA-OTP-0233-1444](#), [UGA-OTP-0285-0097](#).

⁵¹⁶ [REDACTED].

⁵¹⁷ KONY’s conduct prior to this timeframe in relation to [REDACTED] is alleged on the basis of indirect co-perpetration (alternately, ordering and inducing) as set out in sections II.A.1 and II.A.2.

herself,⁵¹⁸ four other [REDACTED] abductees,⁵¹⁹ and six LRA members,⁵²⁰ as well as intercepted LRA radio communications.⁵²¹ As to **KONY's** selection of [REDACTED] for his household, the Prosecution relies on the testimony of [REDACTED] herself,⁵²² three other abductees,⁵²³ and one LRA member.⁵²⁴

168. **Paras. 130, 132 DCC:** The Prosecution relies on the testimony of [REDACTED] on i) **KONY** forcing her to become his “wife” and to have sexual intercourse;⁵²⁵ ii) this first occurring in July/August 2003, after about two weeks in **KONY's** household and about [REDACTED] following her abduction, while still in northern Uganda;⁵²⁶ and iii) her resulting great suffering and serious injury to mental and physical health.⁵²⁷ **KONY's** awareness of [REDACTED] civilian status, as well as the factual circumstances that established the character of the inhumane act, is inferred from his physical presence and control over the crimes. There is nothing in the evidence to suggest a context of lawful sanctions; to the contrary, that [REDACTED] attempts to refuse sexual intercourse with **KONY** led to punishment by beating demonstrates that **KONY** acted with the purpose of coercion, intimidation and/or punishment.

169. **Paras. 130-131 DCC:** As to **KONY's** exercising the right of ownership over [REDACTED], who was under his custody and control until her rescue on or about [REDACTED] 2004, the Prosecution relies on the testimony of [REDACTED] herself.⁵²⁸ It further relies on the pattern of conduct by which **KONY** and the LRA perpetrators exercised the right of ownership over all “wives”, as set out above at paras. 156-160.

170. **Para. 133 DCC:** As to **KONY** severely depriving the two victims of their fundamental rights as particularised, the Prosecution refers to the evidence cited throughout this section at

⁵¹⁸ [REDACTED].

⁵¹⁹ [REDACTED].

⁵²⁰ **P-0070:** [UGA-OTP-00000599](#), p. 12, lns. 5-15; **P-0041:** [UGA-OTP-0221-0106](#) at 0133, lns. 917-942; [UGA-OTP-0229-0144](#) at 0149-0150, lns. 150-175; **P-0048:** [UGA-OTP-0209-0227](#) at 0246-250, lns. 526-642, at 0254-0255, lns. 750-779; [UGA-OTP-0209-0256](#) at 0257, lns. 6-22; **P-0136:** [UGA-OTP-0221-1619](#) at 1646-1653, lns. 9868-1235; [UGA-OTP-0221-1654](#) at 1658-1659, lns. 120-164; **P-0028:** [UGA-OTP-0217-0192](#) at 0206-0209, lns. 474-529, 572-585, at 0213-0214, lns. 712-771.

⁵²¹ As to the abduction occurring [REDACTED], see para. 41, fn 170, above, and in particular ISO Logbook: [UGA-OTP-0068-0146](#) at 0277 (left page). As to the handover occurring on or about 8 July 2003, see the entries leading up to this date with preparations for the handover: ISO Logbook: [UGA-OTP-0068-0146](#) at 0297 (left side) – 0298 (right side); ISO Logbook: [UGA-OTP-0060-0149](#) at 0175 (right side) – 0177 (right side); see the entries suggesting that KONY met with Otti on 8 July 2003: ISO Logbook: [UGA-OTP-0068-0146](#) at 0302 (left side) – 0303 (left side); ISO Logbook: [UGA-OTP-0060-0149](#) at 0180 (right side) – 0181 (right side); UPDF Logbook: [UGA-OTP-0254-0725](#) at 0763.

⁵²² [REDACTED]; [REDACTED].

⁵²³ **P-0015:** [UGA-OTP-0043-0131](#) at 0140, paras. 52-56; **P-0021:** [UGA-OTP-0139-0097](#) at 0103-0104, para. 35; **P-0129:** [UGA-OTP-0173-0081](#) at 0086, paras. 24-26.

⁵²⁴ **P-0023:** [UGA-OTP-0150-0063](#) at 0073, para. 75.

⁵²⁵ [REDACTED]; [REDACTED]; [REDACTED].

⁵²⁶ [REDACTED]. See also para. 167, fn. 521, above.

⁵²⁷ [REDACTED].

⁵²⁸ [REDACTED].

paras. 166-169. As to **KONY's** intention to discriminate against the two victims on the basis of their gender and age, the Prosecution refers to paras. 20-23, 140-143, 153.

171. **Para. 134 DCC:** As to **KONY's** intention and knowledge, the Prosecution relies on the evidence cited above at para 28.

E. CONCLUSION

172. The evidence in this Brief demonstrates substantial grounds to believe that **KONY** committed the crimes charged in the DCC. The Prosecution requests the Chamber to confirm all charges against **KONY** and to commit this case for trial, pending his arrest or surrender.

A handwritten signature in blue ink, consisting of a stylized 'K' followed by a horizontal line and a dot.

Karim A.A. Khan KC, Prosecutor

Dated this 24th day of April, 2025
At The Hague, the Netherlands