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PRE-TRIAL CHAMBER II

Before: Judge Cuno Tarfusser, Single Judge

SITUATION IN UGANDA

IN THE CASE OF

THE PROSECUTOR v. DOMINIC ONGWEN

Public

Victims' Pre-Confirmation Brief

Source: Victims' Legal Representatives

Document to be notified in accordance with regulation 31 of the *Regulations of the Court* to:

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I. INTRODUCTION

1. The Legal Representatives of Victims (“Legal Representatives”) with status to participate in these proceedings submit this pre-confirmation brief pursuant to Article 68(3) of the Rome Statute (“Statute”) and the decision of the Single Judge prescribing participatory rights of victims of 27th November 2015.¹ This submission is factual and premised on law.
2. This pre-confirmation brief is submitted on behalf of the 1434 participating victims represented by the Legal Representatives. These victims are mostly persons who suffered crimes during the attacks on the Odek, Lukodi and Abok IDP camps. Others suffered from “thematic” crimes that did not occur in the context of attacks on one of the IDP camps as set out in the Document Containing Charges (“DCC”).
3. The Legal Representatives’ pre-confirmation brief is based on views collected from victims obtained through consultations undertaken in three districts in northern Uganda from 12th to 15 January 2015 as well as information provided by victims in their applications for participation. The views and information corroborate the Prosecution’s DCC and pre-confirmation brief.² The views of the victims support the Prosecution assertions that Dominic Ongwen committed war crimes and crimes against humanity in Abok IDP Camp, Lukodi IDP Camp, and Odek IDP Camp as well as persecution, crimes of sexual violence and crimes involving the use of child soldiers over a wider area. Because the Legal Representatives do not currently represent victims from the attack on Pajule, this brief does not make specific submissions on that attack.

¹ *Prosecutor v Dominic Ongwen*, ICC-02/04-01/15-350, 27 November 2015. Decision on contested victims’ applications for participation, legal representation of victims and their procedural rights.

² *Prosecutor v Dominc Ongwen*, ICC-02/04-01/15-375-Conf-AnxC, 21 December 2015 Prosecution’s Submission of the Document containing the Charges, the Pre –Confirmation Brief and the list of Evidence.

Background to the crimes

4. Victims of the crimes which Dominic Ongwen is charged with recall that from about the year 1987, the government of Uganda and particularly its armed forces, the Uganda People's Defence Force ("UPDF") formerly the National Resistance Army ("NRA") were involved in fighting the Lord's Resistance Army ("LRA"), headed by Joseph Kony. According to recollections from victims, the LRA was initially made up of fighters from the defeated self-styled Holy Spirit Movement led by Alice Lawkenya and former fighters of the defunct Uganda National Liberation Army ("UNLA") overthrown in 1986 by the NRA under President Yoweri Kaguta Museveni.
5. Victims state that some time in the early 1990s they were asked, and in some cases forced, by the UPDF to leave their homes and go to Internally Displaced Peoples ("IDP") camps as part of the UPDF strategy against the LRA in northern Uganda following failed military campaigns to defeat this rebel group and stop its continued attacks on civilian targets on roads and homes. Such camps were established at Odek, Abok and Lukodi, the locations which are included in the DCC. In 2004, Odek, Abok and Lukodi IDP Camps were attacked by the LRA. Victims state that extreme violence was used against innocent camp members not involved in the hostilities between the LRA and the UPDF. In all the attacks on civilians in Odek, Abok and Lukodi, civilians were an object of attack.

II. INDIVIDUAL CRIMINAL RESPONSIBILITY OF DOMINIC ONGWEN

6. In the period 1st July 2002 and 31st December as set out in the DCC, victims believe that Dominic Ongwen was a serving and senior commander of the LRA while fighting the UPDF. They believe that he was responsible for implementing the policy of the LRA organisation and the orders of Joseph Kony as the overall commander and Leader of the LRA, and that this included attacking civilians and in their homes and IDP camps. The victims believe that Dominic Ongwen allowed fighters under his command to commit crimes against the civilian

population, and that he failed to hold accountable fighters under his command for crimes they perpetrated.

7. Victims observe that the accused Dominic Ongwen was a senior military commander in the LRA during the relevant period and that he remained in this rebel group refusing to take advantage of the Amnesty Law³ put in place by the government to allow for all Ugandans engaged in armed rebellion to renounce violence and be amnestied. Whilst some 21000⁴ fighters and commanders like Sunday Otto, Richard Odong Kau, had taken advantage of the amnesty law by 2006,⁵ Dominic Ongwen remained fighting and participating in the commission of crimes until he was apprehended in 2015 and brought before the Court.
8. Victims explained that all members of the LRA were asked by government to return home and some did but Dominic Ongwen and others remained in the bush because “they wanted to destroy all people in the north”.⁶
9. Many victims of the IDP camp attacks at Odek, Lukodi and Abok recall that after the respective attacks they came to the knowledge that Dominic Ongwen was one of the LRA commanders who had participated or ordered the attack against the IDP camp. Some obtained this knowledge from abductees who had escaped and returned to their communities. Other victims, who had themselves been abducted, gave first-hand accounts of having observed Dominic Ongwen exercising his commanding role.

³ Uganda Amnesty Act, 2000. The Act declared amnesty in respect of any Ugandan who has at any time since the 26th day of January, 1986 engaged in or is engaging in war or armed rebellion against the government of the Republic of Uganda by:

- (a) Actual participation in combat;
- (b) Collaborating with the perpetrators of the war or armed rebellion;
- (c) Committing any other crime in the furtherance of the war or armed rebellion; or
- (d) Assisting or aiding the conduct or prosecution of the war or armed rebellion.

⁴ Louise Mallinder, “Uganda at Crossroads: Narrowing the Amnesty”, (March 2009) p 31.

<http://www.law.qub.ac.uk/schools/SchoolofLaw/Research/InstituteofCriminologyandCriminalJustice/Research/BeyondLegalism/filestore/Filetoupload,415421,en.pdf> (14/01/2016).

⁵ *Ibid.*, p 24.

⁶ Words used by victims a/06342/15 and a/06560/15.

10. Victim a/06424/15 told her Legal Representatives that she was abducted on the day of attack of the IDP camp at Lukodi and made to move with the LRA fighters to Awac. The victim also asserted that Dominic Ongwen later appeared and introduced himself to the abductees and collected all the women and divided them amongst his fighters where upon they were sexually abused and later released.
11. Victim a/06926/15 was abducted during the attack on Odek IDP camp and that described how he heard Ongwen say that Kony had told him that "if the people of Odek continued living in the IDP camps they will finish us because we are siding with the government."
12. Victim a/05497/15 asserts that Dominic Ongwen is responsible for the attack on Lukodi IDP camp because a UPDF commander based in Gulu prior to the attack made a public communication on national radio informing the people of an impending attack on the camp and other places by Dominic Ongwen or his fighters and warned the public to be careful.
13. Victim a/05527/15 at the time of the attack was a home guard at the camp. After the rebels attacked the camp, he and others pursued the attackers to Palaro, Gulu District and there they managed to rescue one person who informed them that the fighters that attacked the camp at Lukodi belonged to Dominic Ongwen from the conversation deduced amongst the rebel forces.
14. Victim a/05394/15 told the Legal Representatives that several days after the attack on the IDP camp at Lukodi, someone died and his body was taken to Pader District for burial. Along the way they as the mourners made a stop, they found a young boy who was attending a retail small shop. The boy inquired where they were from and the mourners informed him they were from Lukodi. The response prompted the young boy to narrate to them that he was familiar with the place having been part of the attack. The boy stated that they had been directed to kill anything alive and that he was at the time with Dominic Ongwen.

15. The victims consider that as a senior commander in the LRA, Dominic Ongwen was involved in planning, ordering and overseeing various aspects of LRA policies which are reflected in the thematic crimes charged, including: abducting children and specifically girls for distribution amongst LRA commanders and fighters; persecuting civilians because of the alleged perception that civilians were working with Government of Uganda to fight against the LRA; and conscripting and using child soldiers.
16. Victim a/06689/15 states that LRA commanders were allocated operational areas in the whole of northern Uganda. Dominic Ongwen' operation command area was from parts of Acholi sub region covering Lukodi to Lango and later Soroti. Other commanders operated elsewhere. Dominic Ongwen was a commander of "Sinia" which was responsible for the area containing the IDP camps covered by the DCC.
17. Dominic Ongwen failed as an individual and senior commander in the LRA ranks to hold to account or prevent the use of sexual violence including the use of force and or threats to use force against his victims. Indeed he actively ordered and encouraged such acts. Victims note that Dominic Ongwen must be held criminally responsible for having ordered attacks and as a commander for not holding his fighters to account for the crimes committed against the civilian populations in accordance with Articles 25 and 28 of the Statute respectively.

II. CONTEXTUAL ELEMENTS OF THE CRIMES

Existence of an Armed Conflict

18. Victims consulted recall that between July 2002 and December 2005, there was a violent internal conflict in Northern Uganda between the LRA and the UPDF. The conflict involved frequent violent clashes between the LRA and the UPDF, with horrific consequences for civilians in the conflict area. Victims state that the conflict commenced some time in 1987 and peace was only restored after the LRA was given and guaranteed safe passage out of Uganda following calls for a peace process initiated in Juba by the government in South Sudan.

Existence of a Widespread and Systematic Attack on a Civilian Population

19. Victims state that in the period defined in the DCC, the LRA attacked civilian populations living in IDP camps and committed heinous crimes against civilians, including, but not limited to: murder; torture, sexual slavery, rape, the conscription and use of child soldiers as well as pillage and the destruction of property. The attacks against civilians were widespread: they included not only those specific attacks covered by the DCC, but also attacks on other camps and villages. The attacks were committed in a systematic manner with knowledge that the attack was against a civilian population.
20. Victims confirm that the LRA attacks against civilians were perpetrated in several districts of Uganda with knowledge that the civilian population had been moved to the IDP camps by the Government of Uganda with the specific purpose of protecting the population.

III.CONDUCT AMOUNTING TO WAR CRIMES AND CRIMES AGAINST HUMANITY

21. Victims consider that the individual victimisation suffered at the hands of the LRA and fighters under the direct command of Dominic Ongwen amount to the specific war crimes and crimes against humanity as set out in the DCC, based on their experiences detailed below.

Attack on Odek IDP Camp

22. Eighty-six victims represented by the Legal Representatives suffered crimes in the attack on Odek IDP Camp.
23. Victims from this village recall that the attack on the camp occurred on 29 April 2004. It was clear that the attack was intentionally targeted at civilians. This was demonstrated by the violent conduct of the perpetrators, who killed civilians indiscriminately; torched their dwelling places; destroyed their food and properties; abducted adults and children, who were forced to carry looted items

to the LRA meeting points; and attacked police and military posts meant to provide security for IDP camp dwellers..⁷

24. The attackers were clearly LRA and could not be mistaken for any other military group. Victims recall that the attackers had people who blew a whistle before the attack and these attackers spoke fluently in the local Acholi dialect as they issued orders. In the community the LRA was notorious for using the same methods in other previous IDP camp attacks.
25. The LRA fighters attacked the camp in broad daylight and were undeterred by the presence of UPDF detachments within or near the IDP camp. The attackers included armed men and children. However their age notwithstanding, the attackers were aggressive and acted violently towards civilians.
26. The participating victims who survived this attack describe specific actions of the attackers which support the charges in the DCC. For example, of the 86 victims who survived that attack and are now represented by the Legal Representatives: 52 victims described that they suffered harm as the result of a murder during the attack; 61 victims described that they experienced torture, cruel treatment or other inhumane acts during the attack; 32 victims described being enslaved by the LRA and forced to carry pillaged items; 39 victims described acts of pillage during the attack; 4 victims described suffering rape, while 1 became a sexual slave as a result of the attack; and 3 victims described becoming child soldiers as a result of the attack.
27. The extremity of the violence used is reflected in some of the accounts provided by the victims:
28. Victim a/06998/15 described how the LRA shot civilians, including three of her family members, as they tried to flee. Women who carried children on their backs were shot and killed.

⁷ The victims' accounts of the attack are also corroborated by the Justice and Reconciliation Project report: "Forgotten Victims: Recounting Atrocities Committed in Odek Sub County by LRA and NRA", (21st November 2014).

29. Numerous victims (for example a/06996, 06901/15, 06906/15, 06917/15) spoke of seeing many dead bodies in the camp after the attack. Victim a/06922/15 says she still suffers trauma as a result of seeing a pig eating the body of a child.
30. A number of victims described being abducted and forced to carry heavy loads pillaged items (for example 06992/15, 06906/15). They also described how some of the people they were abducted with (including sometimes their family members) were later killed in their presence.

Attack on Lukodi IDP Camp

31. One thousand, two hundred and five victims represented by the Legal Representatives suffered crimes in the attack on Lukodi IDP Camp.
32. Those victims explain that the attack, which took place on 19 May 2004, was targeted at civilians: civilians were indiscriminately killed; their homes burned; their food and possessions looted; men, women, girls and boys were abducted and forced to carry looted items to the LRA meeting points; police and military posts intended to provide security for IDP camp dwellers were attacked.⁸
33. The attackers were clearly LRA fighters. They could not be mistaken for any other military group. As with the Odek attack, victims from Lukodi informed the Legal Representatives that they heard whistles being blown as the attack began and that the attackers spoke fluently in Acholi as they issued orders. As with the attack that took place in Odek IDP Camp, the attack took place in broad daylight and with ruthless brutality.
34. The participating victims from Lukodi who survived this attack also provided accounts which support the allegations in the DCC. For example, of the 1205 of these victims who are represented by the Legal Representatives: 441 victims described suffering harm as the result of a murder committed during the attack; a further 33 victims described suffering harm as the result of an attempted murder

⁸ This attack is also documented in the Justice and Reconciliation Project report: "The Lukodi Massacre 19th May 200", Field Note XIII, (April 2011).

during the attack; 298 victims described conduct during the attack that could be categorised as either torture, inhuman treatment or other inhuman acts; 69 victims were enslaved during the attack and made to carry pillaged items for the LRA; 607 victims had their possessions pillaged during the attack, and 852 victims had their property destroyed; and 9 victims were raped during the attack while one was taken into sexual slavery.

35. The victims described the horror of the attack in the following terms: victim a/06054/15 describes the attack on Lukodi camp as terrifying as the sounds of gunshots reverberated across the skies, with people desperately trying to run to safety, resulting in stampedes and injuries. Those who were not lucky enough to escape were killed instantly, with bodies lying strewn everywhere. Houses were also burnt to the ground, and property pillaged. She recalls a particularly horrific incident where the only child of a family she knew was mercilessly butchered.
36. Victim a/6114/15 also described returning to the camp after the attack and seeing the dead bodies of many people, as well as the remains of people burned to death in their huts.
37. Victim a/06672/15 was only four years old when the attack occurred. He was rescued from his burning home by an uncle, but witnessed two of his brothers burned to death.
38. Victim a/06667/15 described that the LRA torched huts, and that her grandmother was burned to death inside her home. The same victims also described how the rebels put her stepson in an empty sack and stamped on the sack until her son was dead.
39. Victim a/06626/15 described how she was abducted by the rebels and forced to carry stolen goods. Her two month old son, whom she was carrying on her back, was severely beaten by the rebels and became unconscious. Although she eventually escaped, her husband who was also abducted never returned. She also

remembers witnessing horrible things while she was with the rebels including women being raped and people being murdered.

Attack on Abok IDP Camp

40. One hundred and seventeen victims represented by the Legal Representatives suffered crimes in the attack on Abok IDP Camp.
41. Victims from this camp recall the attack which took place on 8 June 2004. They believed that the attack was targeted at civilians living in the camp because of the violent conduct of the attackers. The pattern of attack was again similar to the attacks on the Odek and Lukodi IDP Camps, such that civilians were killed indiscriminately; their huts torched; their food and belongings stolen; people including children abducted and forced to carry looted items; police and military posts intended to provide protection to the civilians were attacked. As with the Odek and Lukodi attacks, the perpetrators were clearly LRA fighters.
42. The victims from Abok Camp who are represented by the Legal Representatives also described a range of crimes which support the allegations made in the DCC, for example: 76 victims suffered harm due to a murder committed during the attack; 12 were victims of an attempted murder during the attack; 75 victims described acts which could be categorised as torture, cruel treatment or other inhumane acts; 27 victims were enslaved by the LRA during the attack and made to transport stolen goods; and 27 victims had their possessions pillaged during the attack while 98 had their property destroyed.
43. Like the victims of Odek and Lukodi, victims from Abok described horrific events:
44. Victim a/06681/15 was discovered hiding with her husband and their 5 year old son, when they were found and shot. She survived only because she became soaked by the blood of her dead family members and the rebels believed she was also dead.

45. When victim a/06696/15 saw the attack beginning he hid in a hole and stayed there until the next day. When he emerged he found his father and son had been shot, his brother abducted, and all of his huts burned to the ground.
46. Victim a/06684/15 was at home with her father and sister when the attack occurred. The rebels shot her father dead and abducted her and her sister. She later escaped but discovered that her mother had committed suicide upon hearing the news of her husband's death and her daughters' abduction.
47. Victim a/06685/15 was only four years old at the time of the attack. She was stabbed in the head and stepped on by the attackers.

Sexual and Gender Based Violence

48. Victims recall that the LRA attacks on IDP camps in Odek, Lukodi, Abok as well as many other similar attacks, were characterised by the abductions of children including girls as young as 8 years old. Other victims were raped during the course of LRA attacks. Of the victims represented by the Legal Representatives, 30 describe having been raped by a member of the LRA while 17 describe having been subjected to sexual slavery.
49. Victims note that many girls were abducted and taken to LRA Camps in the bush. Some lived in the bush for up to three years. Some girls who were lucky managed to escape and returned home carrying babies or were pregnant. These girls at the time of their abduction were minors, schoolchildren, and had not yet been given in marriage by their parents because they were not mature to engage in any sexual relations.
50. Victim a/06114/15 confirms that when girls were abducted, upon reaching the LRA camps, they were distributed amongst soldiers. She asserted that it didn't matter how young one was. She said this happened when Dominic Ongwen was a Brigade Commander. Victim a/06424/15 confirms this assertion by a/06114/15.
51. The abducted girls also reported that upon reaching camps, they were distributed to commanders and fighters within the LRA ranks as wives or sexual partners.

52. The girls were often under threats and violence at the hands of their captors if they refused to give in to sexual demands. Victims reported that they had been informed by their daughters or nieces upon return that some girls were violently treated for refusing to give into sexual demands of the LRA fighters.
53. Victims recall that they were informed by their daughters and abducted returnees that girls and women victims of sexual violence, were subjected to violent regime of torture including being forced to provide sexual relations and satisfaction to LRA commanders and fighters without their own will and or consent because as abducted persons they were held in servitude and under the control of their captors either as commanders or fighters. In effect these women and girls were treated as the personal property of their captors.
54. Victims note that the conduct of LRA commanders and fighters in perpetrating sexual violence using the threat of force and use of actual violence upon their victims is at odds with the social and cultural fabric of indigenous groups and particularly the Acholi and Lango ethnic groups in Uganda. The conduct renders the victim powerless and dependent on his/her perpetrator.
55. The said conduct amounts to the various crimes as contained in the Prosecution DCC, that is, forced marriage, rape, torture, sexual slavery and enslavement.

Crime of Persecution

56. Victims have described the features of the various LRA attacks which indicate that they can be characterised as persecution against civilian populations residing in the IDP camps.
57. Victims recall that the attacks on the IDP camps at Odek, Lukodi and Abok in 2004 were perpetrated against civilians because of untrue belief, held by the LRA, that civilians were working with the government to fight against the LRA⁹

⁹ In this respect as well, victims' accounts are corroborated by reports of the Justice and Reconciliation Project, "Forgotten Victims: Recounting Atrocities Committed in Odek Sub County by LRA and NRA", Field Note 21, (November 2014). See also Justice and Reconciliation Project, "The Lukodi Massacre 19th May 200", Field Note XIII, (April 2011).

58. Victims note that the violent conduct of persecution of victims in the IDP camps was also calculated to intimidate, cause fear, and force survivors to join the LRA ranks in its fight against the government of Uganda and particularly the UPDF.

Conscription and Use of Children to Engage in Hostilities.

59. Victims state that in the period covered by the DCC, the LRA was aware that children including both boys and girls were residents of IDP camps (mentioned in the DCC and other IDP camps established in the northern part of Uganda) with their families; attending school, engaged in family chores including fetching water, collecting firewood and food outside the precincts of the camp. Victims further state that in the same period named above, the LRA and its command structure made it a policy to attack IDP camps, schools and other places where children would be found and abduct children with the purposes of recruiting them into their ranks, arm them and use them in hostilities against their own families and the UPDF.

60. 48. Victims confirm that many of their children and/or siblings were abducted from IDP camps, schools and other places where children could be found. The LRA forcibly conscripted these children and engaged them in hostilities when they attacked villages and IDP camps, including the camps named in the DCC. At least one victim (a/06998/15) represented by the Legal Representatives was abducted twice as a child: having escaped and returned to her family she was again abducted in a subsequent LRA attack.

61. 49. Victims told that some of their abducted children have since escaped and returned from captivity. However many more have not returned and continue to be held in the rebel ranks against their free will.

V. IMPACT OF THE CRIMES ON THE VICTIMS

62. Victims note that the crimes perpetrated against them individually have had a devastating effect on their lives, culture and livelihoods.

Psychological and Emotional Trauma

63. Many people continue to suffer mental trauma as a result of the crimes. Although victims have very limited access to medical or psychological care, and have not had formal diagnoses this trauma is clear in many cases. For example:

- Victim a/06114/15 says his cousin was killed and carried in a red blanket for burial. Since then sighting a red blanket anywhere triggers an immediate recollection of the events in which his cousin was killed and of his corpse.
- Victim a/06089/15 says many people hear voices around them when in truth nobody is present around them. He attributes it to seeing many dead bodies, many injured people immediately after the attack on the IDP camp.
- Victim a/06707/15 describes having nightmares and terrible memories that keep coming back. She says she does strange things in her sleep and has constant headaches.
- Victim a/06992/15 also has nightmares. He says that when he is alone he has flashbacks to what happened to him in the past.
- Victim a/06996/15 was abducted at age 11 and was trained and used by the LRA as a fighter. He said he could not continue his education and he now suffers trauma and can't forget the people whom he killed.

64. In addition to psychological trauma of course, victims feel severe emotional pain as a result of the deaths of family members and the suffering that they have witnessed their family and friends experience.

Physical Harm

65. Many victims suffered physical injuries and illnesses. Few have access to medical care and the harm suffered continues to cause physical pain and interfere with victims' daily lives. Abductees were often forced to carry heavy loads or luggage, some looted from their own households, and victims were never allowed to rest. Any person who requested to rest was killed. The effect of carrying heavy loads has led many people to suffer from chest pain or other injuries and has rendered

them incapable of farming, carrying items on their heads, walking any distance, or performing other such daily chores. Some victims have bullets in left in their bodies up until the present day. Diseases including HIV/AIDS, cancers, stomach ulcers, all largely unknown before the attack on the camps, have increased amongst the victim communities.

Material harm

66. The victims also suffered severe blows to their livelihoods and basic survival systems. Property was stolen or destroyed: houses were destroyed. Families lost cows and goats, which had provided them with a source of livelihood, as well as other property. The pillaging and destruction of property has left many victims permanently impoverished and unable to educate their children. Many children are orphaned and their guardians are unable to provide for their needs such as education. Some children have been forced to steal for survival. Children who were abducted lost the opportunity to pursue their education, others could no longer afford to be schooled due to the loss of their family income or the death of their family breadwinners.

VI. VICTIMS' VIEWS ON THE CONFIRMATION OF CHARGES HEARING

67. The victims participating in this case have expressed the fact that they have waited 10 long years for justice and many had lost all hope for accountability for the crimes that had been callously inflicted upon them. These views are illustrated by victim a/06342/15 who stated that "the proceedings before the Court are very important for us as we all want to go to The Hague and give our views to the Judges." He urged the Legal Representatives to present the views of the victims "so that the Court can deal with impunity." This sentiment was shared by most victims including one who added that if Dominic Ongwen is not convicted then impunity will continue to prevail.

68. Victim a/06501/15 stated that the LRA fighters under Dominic Ongwen were very brutal and wants the Court to confirm the charges against him so he can be punished for the crimes he perpetrated on civilians.

69. Victim a/05905/15 states that on the day of the Lukodi attack, LRA rebels came to her home and took her son by using force and threats, and asked him to show them where the other boys were hiding, which he did leading to the abduction of the other boys. Her co-wife and community members accuse her of supporting the rebels to abduct their children. She holds Dominic Ongwen responsible and wants the charges against him confirmed so he can be punished for the harm that she has suffered.

70. Some victims say they want reparations for the harm they have suffered. For example a/07065/15 mentions the need for medical treatment. Most victims consulted clearly spoke to the lack of reparations programs by the government and expressed their hope that the proceeding before the ICC will shed light to their state of oblivion, poverty and disenfranchisement.

71. However much more than reparations the victims speak of truth and justice and the role of the ICC and participating victims in achieving these things. For example, victims explained that they want to participate for these reasons:

- “For my voice to be heard and justice to be done” (a/07101/15)
- “For the truth to be found out” (a/07100/15)
- [The ICC process] is important because it helps us the victims to access the truth of situations and the pains we went through.” (a/7089/15)
- “I am seeking justice, I need ICC to make sure our voice are heard. I went through a lot of suffering that I cannot forget.” (a/07056/15)
- “My participation is a part of justice.” (a/07095/15)
- “Since I am the real victim, my voice and my situation can help seek justice for me and the rest of the victims.” (a/07097/15)

72. For many of the victims, justice is closely associated with punishment:

- “I believe that with the help of the ICC, one day justice will be served and all those who played a role will be punished” (a/07057/15)

- “I need to see justice served, the LRA blocked my future, so they need to pay for what they did” (a/07051/15)

73. Some victims see the process of justice as about preventing crimes in the future.

One victim said: “I suffered a lot so I am seeking justice through the help of the ICC so that no one else becomes a victim of the LRA.” (a/07055/15).

74. It is particularly noteworthy that those victims who were conscripted as child soldiers share the views of the other victims regarding the need to punish him. For example a/06707/15 who was abducted and forced to fight with the LRA for four years said “I need Ongwen punished.” Victim a/06992/15 who was also abducted and forced to fight with the LRA says that he wants Dominic Ongwen to have a fair trial, but if convicted he must be punished.

75. Many victims also were doubly victimised both by the LRA and the UPDF as a result of the perception that they were supporting the other side of the conflict. Most victims expressed their frustration that no one was judging the crimes they suffered to hands of the UPDF and that even though Dominic Ongwen was criminally responsible he was by no means the only one that had committed heinous crimes against them. Victims put the blame both in the government and the LRA.

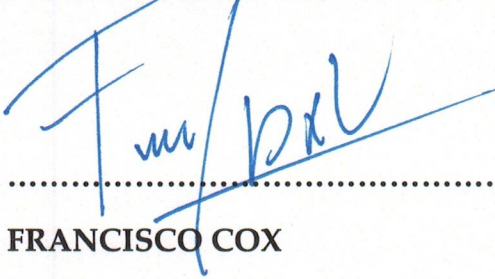
76. While they also wish to see justice done for the wrong committed by the UPDF, they are nonetheless support the prosecution of senior LRA commanders by the Court.

VII. CONCLUSION

77. For all of the reasons explained above, the victims represented by the Legal Representatives are anxious to see justice done in this case. They ask that the Chamber confirm the charges brought by the Prosecutor against Dominic Ongwen so that a fair trial can be held in which the victims’ voices will be heard and justice can be served.



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JOSEPH AKWENYU MANOBA



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FRANCISCO COX

Dated this 18th day of January 2016

At Kampala, Uganda