

Public

Annex B

ANNEX B – OVERVIEW OF EVIDENCE RELIED UPON BY SECTION

II.A KONY’S CRIMINAL RESPONSIBILITY

II. A. 1 INDIRECT CO-PERPETRATION AND ORDERING AND INDUCING

The Prosecution relies on the evidence of:

- 38 former LRA members: P-0010, P-0016, P-0028, P-0030, P-0040, P-0041, P-0045, P-0048, P-0054, P-0057, P-0069, P-0070, P-0071, P-0083, P-0085, P-0133, P-0136, P-0137, P-0138, P-0141, P-0142, P-0144, P-0145, P-0152, P-0172, P-0205, P-0209, P-0231, P-0233, P-0240, P-0264, P-0309, P-0314, P-0406, P-0410, P-0440, P-0455, P-1017;
- 20 Ugandan government intercept witnesses: P-0003, P-0027, P-0029, P-0032, P-0038, P-0059, P-0125, P-0126, P-0152, P-0291, P-0301, P-0303, P-0337, P-0339, P-0370, P-0384, P-0385, P-0386, P-0400, P-0404;
- three direct victims of the LRA: P-0004, P-0023, P-1034;
- one expert witness: P-0422;
- intercepted LRA radio communications and related material (as set out in ICC-02/04-01/05-074-Corr with Conf Anxs A-B; and ICC-02/04-01/05-572 with Conf-Anxs A-D);
and
- other documentary evidence, as cited within this section of the Brief.

II.C.1 INCIDENT-BASED CRIMES

II. C. 1. (i) LWALA GIRLS SCHOOL

The Prosecution relies on the evidence of:

- 10 former LRA members: P-0005, P-0010, P-0028, P-0041, P-0048, P-0069, P-0070, P-0136, P-0138, P-1017;
- 11 direct victims of the attack: P-0002, P-0004, P-0015, P-0021, P-0079, P-0117, P-0129, P-0456, P-1070, P-1079, P-1084;
- three other witnesses: P-0068; P-0075; P-0132;

- one Ugandan government intercept witnesses: P-0038;
- intercepted LRA radio communications and related material; and
- other documentary evidence, as cited within this section of the Brief.

II. C. 1. (ii) ATTACK ON PAJULE IDP CAMP

The Prosecution relies on the evidence of:

- 12 former LRA members: P-0015, P-0016, P-0045, P-0048, P-0070, P-0101, P-0138, P-0144, P-0209, P-0309, P-0330, P-0372;
- 13 direct victims of the attack: P-0001, P-0006, P-0007, P-0008, P-0009, P-0061, P-0067, P-0081, P-0249, P-0379, D26-P-0076, D26-P-0077, D26-P-0081;
- five UPDF officers: P-0003; P-0047, P-0052; P-0084, P-0359;
- intercepted LRA radio communications and related material;
- other documentary evidence, as cited within this section of the Brief; and
- any additional sources cited in sub-annexes E.2.

The Prosecution also refers to Trial Chamber IX's findings in *Ongwen*, namely paragraphs 144-158 (factual findings beyond reasonable doubt) and 1172-1383 (assessment of evidence).

II. C. 1. (iii) ATTACK ON ABIA IDP CAMP

The Prosecution relies on the evidence of:

- 19 former LRA members: P-0005, P-0010, P-0016, P-0040, P-0041, P-0069, P-0070, P-0085, P-0096, P-0098, P-0136, P-0137, P-0138, P-0148, P-0150, P-0152, P-0233, P-0440, P-0455;
- five direct victims of the attack: P-0020, P-0051, P-0056, P-0066, P-0077;
- one UPDF officer: P-0049;
- Ugandan government member: P-0034;
- one other witness: P-0050;
- intercepted LRA radio communications and related material;

- other documentary evidence, as cited within this section of the Brief; and
- any additional sources cited in sub-annexes E.3.

II. C. 1. (iv) ATTACK ON BARLONYO IDP CAMP

The Prosecution relies on the evidence of:

- 13 former LRA members: P-0016, P-0054, P-0056, P-0057, P-0069, P-0070, P-0071, P-0096, P-0098, P-0136, P-0150, P-0152, P-0455;
- five direct victims of the attack: P-0025, P-0062, P-0076, P-0082, P-0467;
- one Ugandan police member: P-0017;
- one Ugandan government member: P-0034;
- one forensic pathologist: P-0036;
- two other witnesses: P-0065, P-0072;
- intercepted LRA radio communications and related material;
- other documentary evidence, as cited within this section of the Brief; and
- any additional sources cited in sub-annexes E.4.

II. C. 1. (v) ATTACK ON ODEK IDP CAMP

The Prosecution relies on the evidence of:

- 15 former LRA members: P-0016, P-0054, P-0142, P-0205, P-0264, P-0309, P-0314, P-0330, P-0340, P-0352, P-0372, P-0406, P-0410, P-0440, P-0455;
- six direct victims of the attack: P-0218, P-0252, P-0268, P-0269, P-0270, P-0275;
- two Ugandan government intercept witnesses: P-0003, P-0059;
- one UPDF officer: P-0359;
- two other witnesses: P-0274; P-0325;
- intercepted LRA radio communications and related material;
- other documentary evidence, as cited within this section of the Brief; and
- any additional sources cited in sub-annexes E.5.

The Prosecution also refers to Trial Chamber IX's findings in *Ongwen*, namely paragraphs 159-177 (factual findings beyond reasonable doubt) and 1384-1642 (assessment of evidence).

II. C. 1. (vi) ATTACK ON PAGAK IDP CAMP

The Prosecution relies on the evidence of:

- six former LRA members: P-0010, P-0030, P-0121, P-0129, P-0133, P-0141;
- six direct victims of the attack: P-0011, P-0012, P-0013, P-0014, P-0139, P-0140;
- three UPDF officers: P-0053, P-0058, P-0064;
- one Ugandan police member: P-0017;
- one forensic pathologist: P-0036;
- one other witness: P-0044;
- intercepted LRA radio communications and related material;
- other documentary evidence, as cited within this section of the Brief; and
- any additional sources cited in sub-annexes E.6.

II. C. 1. (vii) ATTACK ON LUKODI IDP CAMP

The Prosecution relies on the evidence of:

- 10 former LRA members: P-0016, P-0018, P-0054, P-0101, P-0142, P-0145, P-0205, P-0406, P-0410, P-0440;
- four direct victims of the attack: P-0024, P-0026, P-0185, P-0187;
- two Ugandan government intercept witnesses: P-0003, P-0059;
- one UPDF officer: P-0035;
- one Ugandan police member: P-0017;
- one forensic pathologist: P-0036;
- two other witnesses: P-0042, P-0060;
- intercepted LRA radio communications and related material;
- other documentary evidence, as cited within this section of the Brief; and

- any additional sources cited in sub-annexes E.7.

The Prosecution also refers to Trial Chamber IX's findings in *Ongwen*, namely paragraphs 178-189 (factual findings beyond reasonable doubt) and 1643-1857 (assessment of evidence).

II. C. 1. (viii) ATTACK ON ABOK IDP CAMP

The Prosecution relies on the evidence of:

- eight former LRA members: P-0016, P-0054, P-0205, P-0252, P-0330, P-0340, P-0406, P-0440;
- six direct victims of the attack: P-0279, P-0280, P-0281, P-0282, P-0286, P-0304;
- two Ugandan government intercept witnesses: P-0003, P-0059;
- one UPDF officer: P-0359;
- intercepted LRA radio communications and related material;
- three other witnesses: P-0284; P-0293, P-0306;
- other documentary evidence, as cited within this section of the Brief; and
- any additional sources cited in sub-annexes E.8.

The Prosecution also refers to Trial Chamber IX's findings in *Ongwen*, namely paragraphs 190-204 (factual findings beyond reasonable doubt) and 1858-2008 (assessment of evidence).

II.C.2 SYSTEMIC CRIMES

II. C. 2 (i) CRIMES AGAINST CHILDREN ABDUCTED AND INTEGRATED INTO THE LRA

The Prosecution relies on the evidence of:

- 45 former LRA members, including children who were between 15 and 18 years old, composed of -
 - o 15 witnesses who are male and were children under 15 years of age during the charged period: *see* list in sub-annex E.9 - children under the age of 15 – not included in sub-annex E.10.

- 30 other LRA members, including victims of sexual and gender based crimes: P-0005; P-0006; P-0008, P-0015; P-0023; P-0030; P-0045; P-0063; P-0070, P-0099; P-0101; P-0117; P-0129; P-0138, P-0139; P-0140; P-0205, P-0227; P-0233, P-0235; P-0269; P-0340; P-0351; P-0352; P-0396; P-0406; P-0455, P-1030; P-1034; D26-P-0110;
- one expert witness: P-1052;
- intercepted LRA radio communications and related material; and
- other documentary evidence, as cited within this section of the Brief.

II. C. 2 (ii) CRIMES AGAINST WOMEN AND GIRLS

The Prosecution relies on the evidence of:

- 25 former LRA members, P-0005, P-0010, P-0028, P-0037, P-0040, P-0041, P-0048, P-0061, P-0070, P-0083, P-0136, P-0138, P-0142, P-0144, P-0205, P-0233, P-0264, P-0309, P-0314, P-0372, P-0455, P-0456, P-0463, P-0465, P-0467;
 - as well as 31 former forced wives and girls known as *ting tings*, P-0002, P-0004, P-0006, P-0015, P-0021, P-0023, P-0045, P-0063, P-0079, P-0087, P-0099, P-0101, P-0116, P-0117, P-0129, P-0139, P-0140, P-0214, P-0221, P-0226, P-0227, P-0235, P-0236, P-0269, P-0351, P-0352, P-0366, P-0374, P-1030, P-1034, P-1070;
- one expert witness: P-1052;
- intercepted LRA radio communications and related material; and
- other documentary evidence, as cited within this section of the Brief.

II.D CRIMES OF DIRECT PERPETRATION

The Prosecution relies on the evidence of:

- the Two Victims, as particularised in the Pre-Confirmation Brief;
- five other direct victims of gender-based violence: P-0002, P-0015, P-0023, P-0101, P-0129;
- seven former LRA members: P-0016, P-0041, P-0048, P-0070, P-0136, P-0172, P-0455;

- one other witness: D26-P-0130;
- intercepted LRA radio communications and related material; and
- other documentary evidence, as cited within this section of the Brief.