

Trial Hearing
WITNESS: UGA-OTP-P-0245

(Open Session)

ICC-02/04-01/15

1 International Criminal Court
2 Trial Chamber IX
3 Situation: Republic of Uganda
4 In the case of The Prosecutor v. Dominic Ongwen - ICC-02/04-01/15
5 Presiding Judge Bertram Schmitt, Judge Péter Kovács and
6 Judge Raul Pangalangan
7 Trial Hearing - Courtroom 3
8 Monday, 21 August 2017
9 (The hearing starts in open session at 9.31 a.m.)
10 THE COURT USHER: [9:31:26] All rise.
11 The International Criminal Court is now in session.
12 PRESIDING JUDGE SCHMITT: [9:31:44] Good morning, everyone.
13 Good morning, Mr Witness.
14 WITNESS: UGA-OTP-P-0245 (On former oath)
15 (The witness speaks Acholi)
16 (The witness gives evidence via video link)
17 THE WITNESS: [9:31:54] (Interpretation) Good morning.
18 PRESIDING JUDGE SCHMITT: [9:31:55] Could the court officer please call the case.
19 THE COURT OFFICER: [9:31:59] Good morning, Mr President, your Honours.
20 The situation in Uganda in the case of The Prosecutor versus Dominic Ongwen, case
21 reference ICC-02/04-01/15.
22 And for the record, we are in open session.
23 PRESIDING JUDGE SCHMITT: [9:32:13] Thank you very much.
24 For the appearances of the parties, we start with
25 Mr Sachithanandan and the Prosecution.

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1 MR SACHITHANANDAN: [9:32:20] Good morning, your Honour. Appearing
2 today with Beti Hohler, Ben Gumpert, Paul Bradfield, Yulia Nuzban, Hai Do Duc,
3 Shahriar Yeasin Khan, Ramu Fatima Bittaye and Colin Black.

4 PRESIDING JUDGE SCHMITT: [9:32:41] Mr Hai Do Duc I don't see yet, but
5 nevertheless, when he appears, we assume --

6 MR SACHITHANANDAN: [9:32:46] I apologise, your Honour. I'm recycling a list
7 from Friday.

8 PRESIDING JUDGE SCHMITT: [9:32:49] You know, no reproach, but that is of
9 course not the purpose of the exercise, so to speak.

10 Mr Cox, please for the Legal Representatives.

11 MR COX: [9:33:01] Good morning, your Honour. With Mr James Mawira, myself,
12 Francisco Cox.

13 PRESIDING JUDGE SCHMITT: [9:33:07] And Mrs Massidda.

14 MS MASSIDDA: [9:33:09] Good morning, your Honour. Mr Orchlon -- I'm
15 checking. Mr Orchlon Narantsetseg, Ms Hyuree Kim and myself, Paolina Massidda.

16 PRESIDING JUDGE SCHMITT: [9:33:21] A very reasonable approach, Mrs
17 Massidda.

18 And for the Defence, Mr Obhof, please.

19 MR OBHOF: [9:33:25] Good morning, your Honour. Thank you. My name is
20 Thomas Obhof. With me today is Chief Charles Achaleke Taku, Ms Abigail
21 Bridgman, Mr Tibor Bajnovic and of course our client, Mr Dominic Ongwen.

22 PRESIDING JUDGE SCHMITT: [9:33:39] Thank you. And I welcome on behalf of
23 the Chamber in the video location in the outside courtroom, so to speak, Mrs Kerwegi
24 as Rule 74 counsel for Mr Witness, and for the Registry, Alejandro Kiss. Thank you
25 very much.

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1 So we can now continue I think with the testimony of the witness and you have still
2 the floor, Mr Sachithanandan.

3 MR SACHITHANANDAN: [9:34:01] Thank you, your Honour.

4 I predict about 10 minutes in open at the moment and then about 15 in closed till the
5 ends.

6 QUESTIONED BY MR SACHITHANANDAN: (Continuing)

7 Q. [9:34:24] Good morning, Mr Witness.

8 A. [9:34:25] Good morning.

9 Q. [9:34:26] Mr Witness, I want to clarify one thing that we discussed early in your
10 testimony. You had mentioned the presence of women and girls in Oka battalion.
11 During that same period of time, that is after Iron Fist, were there also women and
12 girls in Siba battalion?

13 A. [9:35:05] There were women and girls in Siba. All the battalions had women
14 and young girls.

15 Q. [9:35:17] We had also discussed the presence of children of the age of 14 and
16 younger in Oka battalion. Were there or were there not children of the same age in
17 Siba and Terwanga battalions?

18 A. [9:35:40] Yes, they were there.

19 MR SACHITHANANDAN: [9:35:59] Your Honour, I would like to show the witness
20 an exhibit, it is tab 6 of the exhibits binder, UGA-OTP-0237-0197. The redacted
21 version can be shown to the public and the unredacted to the witness.

22 PRESIDING JUDGE SCHMITT: [9:36:16] We are talking about binder 3 or what are
23 we talking about?

24 MR SACHITHANANDAN: [9:36:20] That's correct, binder 3.

25 And could the court officer please give the floor to Ms Hohler so she can display it.

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1 Q. [9:37:13] Mr Witness, do you see a large map in front of you?

2 A. [9:37:16] Yes, I can see, but the writings are not legible.

3 PRESIDING JUDGE SCHMITT: [9:37:26] So we had this, it's not a problem, but we
4 had this issue on one of the last days. So please, we have to have consideration for
5 that. Perhaps since we have colours here and that might indicate something, and we
6 have lines here in colour, coloured that might indicate something, perhaps we just
7 near ourselves what you want to elicit via this path.

8 MR SACHITHANANDAN: [9:37:50]

9 Q. [9:38:00] Mr Witness, we've zoomed in now on the right-hand side of the map
10 where there are some annotations. Do you recognise these annotations?

11 A. [9:38:11] It's not very clear to me. I don't see the writings clearly.

12 PRESIDING JUDGE SCHMITT: [9:38:24] It should be enlarged, yeah, like that,
13 exactly. I see it from here from the court usher, yes.

14 MR SACHITHANANDAN: [9:38:30]

15 Q. [9:38:31] Okay. We've tried to enlarge it a little bit. Is that any clearer?

16 PRESIDING JUDGE SCHMITT: [9:38:47] The problem is I see -- so the question
17 would be if the whole map can -- of course the whole map can be shown to the
18 witness. There is no problem, I would say. And also parts of it can be shown and
19 also the annotations. Otherwise we don't get further. So I think we can simply
20 enlarge, first of all, because we are at this stage, enlarge first of all the handwriting
21 that we see here on the right side and then look if the witness recognises it or not.

22 MR SACHITHANANDAN: [9:39:40]

23 Q. [9:39:41] Yes. Mr Witness, now, we're zooming in, as you can see, on the
24 handwriting on the right side of this map. Can you tell us when you can see it.

25 A. [9:40:00] Yes, the handwritten notes is clear. I can see it now.

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1 Q. [9:40:04] Can you tell us who wrote that?

2 A. [9:40:05] This is not my handwriting. I do not know who wrote this.

3 Q. [9:40:33] That's all right.

4 Can the court officer please pull out the hard copy of the document so that the
5 witness can see the signature on the map. The signature should be on the far right of
6 the map next to the annotations.

7 A. [9:41:06] Yes, I can see where the signature is.

8 Q. [9:41:09] Right. And without telling us your name, could you tell us whether
9 or not it is your signature?

10 A. [9:41:18] My signature is below. The one above it is not mine.

11 Q. [9:41:35] That's all right. But you do see your signature; is that correct?

12 A. [9:41:42] Yes, I can see it.

13 Q. [9:41:45] Okay. Now, looking at the whole hard copy in front of you, could
14 you tell the Court what the map is?

15 A. [9:41:54] This is the map of Acholi subregion. The way I see it, that's the map
16 of Acholi subregion.

17 Q. [9:42:17] Right. And you see these green markings on the map. Can you tell
18 us what those green markings are?

19 A. [9:42:25] The green markings the way I see it, these are places where the LRA
20 rebels were operating from. This is where Dominic Ongwen was moving through.

21 Q. [9:42:57] Okay. We are now going to go back to the annotations on the right
22 side of the map and we're going to zoom in on the annotations. Okay. So can you
23 see the annotations again? I'm going to read out some of these annotations. I'm
24 starting from the top. There is "RV1" and it says "Pre Odek attack".

25 I'm going to skip one and go to the next one. There is one called number 2, "Palaro

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1 Labwor Omar".

2 Then the next one is "RV2 - Abong Mountain - RV for Pajule".

3 I'm going to skip a few and go down, there is one called "RV5 - Order to DO to attack
4 Lukodi".

5 Then the next one is number 3, "Abductions in Lacani".

6 Number 4, "Abductions in Kitgum Matidi".

7 Now I'll stop there. Can you tell us what those are, those annotations?

8 A. [9:44:36] The annotations that was read is how the LRA were conducting their
9 operations, how Dominic, how Dominic was operating with the Oka battalion. From
10 Kitgum Matidi they crossed and came to Tewol (phon) at the point marked "RV3".
11 Then from Tewol people were sent for operation in Kalongo. In Kalongo people
12 were sent to collect food. Then after that people left and came to RV2. The RV2
13 was for people who came from operation from Pajule foothills to the foothills of Ibong
14 mountains.

15 Then from Lacani, the rebels crossed the road at Ogura (phon) towards Koyo. Then
16 from there they moved to Odek crossing the river and entered place called Bolo and
17 they went to Odek.

18 PRESIDING JUDGE SCHMITT: [9:46:31] Perhaps may I shortly, one question that
19 I'm interested in.

20 Mr Witness, do you know who did the green markings on the map?

21 THE WITNESS: [9:46:52] (Interpretation) I did the marking with another person,
22 (Redacted).

23 MR SACHITHANANDAN: [9:47:03]

24 Q. [9:47:03] Thank you, Mr Witness. I'm just going to go to one example of the
25 things you talked about. You said number 3 was Lacani. We're going to quickly

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1 find Lacani on the map. And you can look at the computer screen in front of you so
2 that we'll zoom in, and you can see RV3 there or, rather, number 3 there, Lacani.

3 Okay. You see a big number 3 with a green blob in the middle of your screen?

4 A. [9:47:57] I can see number 2. That's Pajule. I had not seen clearly. It was
5 from Pajule. RV3 is Wol, where people had come from Kitgum Matidi. Then they
6 came to Wol and crossed the road going to Kalongo toward Wol.

7 PRESIDING JUDGE SCHMITT: [9:48:30] There is still a little bit of a
8 misunderstanding I think, a mixing between RV3 and simply 3. So perhaps we -- we
9 have it already zoomed in. Perhaps you would have to centre even or try to centre
10 even more on the number 3 without RV.

11 MR SACHITHANANDAN:

12 Q. [9:48:49] All right. Mr Witness, we've adjusted the map a little now. Now
13 you should only see a number 3 on your map. And please look at the screen, yeah.
14 Look at the screen, because we're trying to zoom in for you. Now, immediately
15 below number 3 we have the word "Lacani" there highlighted in green. Right, you
16 can see, it is immediately above "Pajule", the word "Lacani". Can you see "Lacani"?

17 A. [9:49:18] Yes, I can see it.

18 Q. [9:49:19] Right. Now, on the first day of your testimony we discussed a
19 location called Lacani where you said Fatuma and Ayari were abducted. Can you
20 tell us, is that this location or is this some other location?

21 A. [9:49:36] Yes, this is the location as it is in the map.

22 MR SACHITHANANDAN: [9:49:41] Your Honour, I don't intend to go through
23 each location.

24 PRESIDING JUDGE SCHMITT: [9:49:43] I think it's not necessary. We have eyes to
25 see and we have the map and, as always, it has in the end to be interpreted and to put

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1 into perspective with any other evidence before this Court by the Chamber.

2 MR SACHITHANANDAN: [9:49:56] Thank you. Your Honour, we will have to go
3 into private session now for the end period of the testimony.

4 PRESIDING JUDGE SCHMITT: [9:50:12] Then we go to private session.

5 (Private session at 9.50 a.m.)

6 (Redacted)

7 (Redacted)

8 (Redacted)

9 (Redacted)

10 (Redacted)

11 (Redacted)

12 (Redacted)

13 (Redacted)

14 (Redacted)

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10 (Redacted)
11 (Open session at 9.59 a.m.)
12 THE COURT OFFICER: [9:59:42] We are back in open session, Mr President.
13 PRESIDING JUDGE SCHMITT: [9:59:46] Thank you.
14 And it's now the turn of the legal representatives for the victims. And Mr Cox is
15 rising and he has, as the first of those legal representatives, the word.
16 MR COX: [9:59:57] Thank you, your Honour. We see no need to question this
17 witness.
18 PRESIDING JUDGE SCHMITT: [10:00:01] Okay.
19 Mrs Massidda.
20 MS MASSIDDA: [10:00:03] Thank you, Mr President. We also do not want to
21 further question the witness. Thank you.
22 PRESIDING JUDGE SCHMITT: [10:00:09] Thank you very much.
23 This shortens of course the procedure and I may give the floor to the Defence,
24 Mr Obhof. Take your time with arranging, because you might have thought that the
25 legal representatives would have some questions, so take your time.

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1 MR OBHOF: [10:00:30] I was expecting another 15 minutes.

2 QUESTIONED BY MR OBHOF:

3 Q. [10:00:58] Good morning, Mr Witness.

4 A. [10:00:59] Good morning.

5 Q. [10:01:01] Now, Mr Witness, was there a spiritual aspect of the LRA?

6 A. [10:01:07] Yes.

7 Q. [10:01:25] How did the spirits contact people in the LRA, Mr Witness?

8 A. [10:01:33] The spirits would communicate with Joseph Kony and then he would
9 inform us what the spirits said.

10 Q. [10:01:47] Did the spirits ever issue rules or guidelines to members of the LRA?

11 A. [10:02:01] There was no order from the spirits to LRA members. Most of the
12 senior officers would dream about this. But there was no spirit that would speak
13 through them.

14 Q. [10:02:27] Were there rules though within the LRA, Mr Witness?

15 A. [10:02:31] Yes. Wherever there is a congregation of people there are always
16 rules. So yes, rules existed.

17 Q. [10:02:50] Mr Witness, from your observations, what did people believe would
18 happen to them if they broke these rules?

19 A. [10:03:03] It depends on the rules. Because there are very few rules in the LRA
20 that people do not understand.

21 Q. [10:03:32] Were the consequence for some of the -- for breaking of some of these
22 rules be being shot by a bullet in battle?

23 A. [10:03:43] Yes, that happened but in the past, in the distant past. If the
24 chairman makes a decision, then yes, it did happen.

25 Q. [10:04:07] And just for the record, who is the chairman, Mr Witness?

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1 A. [10:04:14] Kony, Kony is the chairman, he's the chairman of the LRA.

2 Q. [10:04:24] Now, Mr Witness, did Joseph Kony impose rules on the people within
3 the LRA?

4 A. [10:04:33] No, not individually, but generally. All the rules or regulations
5 related to the group as a whole, not a single individual person.

6 Q. [10:04:59] Now, Mr Witness, were you allowed to have sex with somebody who
7 was not your wife?

8 A. [10:05:10] No. That wasn't allowed. He would say that the holy spirit
9 prohibited people from sleeping with somebody else's wife.

10 Q. [10:05:32] What would be the punishment, Mr Witness, for sleeping with
11 someone's wife?

12 A. [10:05:44] You'd be -- a death sentence would be issued and you'd be killed via a
13 firing squad. I saw this in 1997 when two people were killed via firing squad, a man
14 and a woman.

15 Q. [10:06:08] Now, Mr Witness, was there a general rule about not having sex
16 directly before a battle?

17 A. [10:06:22] Yes, those rules existed. Before battle we were prohibited from
18 having sexual intercourse.

19 Q. [10:06:39] If you had sexual intercourse before a battle, would the spirits punish
20 you in any particular way?

21 A. [10:06:52] Kony would say that if you had sexual intercourse before battle, then
22 you're impure. You're impure before the spirits, in which case you will be injured.
23 You will be hurt. And that's what I saw.

24 Q. [10:07:20] Mr Witness, where would this injury take place, is there a specific
25 location on the body that would be injured?

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1 A. [10:07:31] In the olden days, 1991, '92 or '93, you would be shot in the penis.

2 But in -- during the period '99 you would be injured on any part of your body.

3 Q. [10:08:00] Mr Witness, do you know anybody that this type of injury happened
4 to?

5 A. [10:08:09] I saw one major known as Oboke Latigo, and there is an assumption
6 that that's what happened because he was shot -- that's the exact area in which he was
7 shot at.

8 Q. [10:08:38] Mr Witness, it has been said that Joseph Kony is an ajwaka. Is that a
9 correct description from your observations of what people thought of him that were
10 in the LRA?

11 A. [10:09:00] Before I was abducted and I went to the bush, witch doctors, as far as
12 I was aware, witch doctors had certain instruments that they used to perform their
13 tasks like leopard skins, shells, coral shells and other things. But when I went to the
14 bush, I did not see Joseph Kony with these things. Whenever he came out to speak
15 to people about the holy spirit, he would merely come out with a Bible and he would
16 speak about the holy spirit.

17 Q. [10:09:41] Now, when Joseph Kony came out and spoke, from what you
18 witnessed, did it appear that he was being possessed?

19 A. [10:09:52] I saw, I saw whatever happened depended on his mood. So if he's
20 happy, then it's different. But when he's -- for example, if he gets a lot of, he gets a
21 lot of veins on his forehead, then people would actually say that he has been
22 possessed. And whatever he is -- when he's speaking, people would say that he's
23 possessed because of the veins, the visible veins on his forehead. But if he does not
24 have or if he's not possessed by the spirits, then he speaks normally and he acts
25 normally.

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1 Q. [10:10:54] So is it correct to say that you, while you were in the LRA, believed
2 that Joseph Kony would be possessed by spirits?

3 A. [10:11:07] That is what I was told. When I was abducted and taken to the bush,
4 that's what I was told. And even before I was abducted and taken to the bush, I had
5 already heard that Lakwena used the holy spirit. But when I went to the bush, all I
6 heard about was the use of the holy spirit until I left the bush. And that's why I
7 presumed that perhaps it did exist.

8 Q. [10:11:42] Now, from your experience, Mr Witness, did others in the bush
9 believe in the spiritual powers of Joseph Kony?

10 A. [10:11:59] A lot, a lot of people, including Dominic himself, he believed that
11 Kony was possessed by the holy spirit. A lot of us, including myself, we believed,
12 and that's why people stayed for a long time in the bush, because they believed that
13 whatever Kony was telling them came from the holy spirit.

14 Q. [10:12:26] Now, Mr Witness, would you say though that there was a change in
15 Joseph Kony's spiritual powers from when you first were abducted to when you left,
16 when you escaped the LRA?

17 A. [10:12:51] Yes, there were some changes.

18 Q. [10:13:09] What type of changes were there?

19 A. [10:13:15] When the rebels went into Sudan, there was a spirit known as Selindi.
20 Selindi no longer appeared frequently. Selindi would only appear in April and July,
21 and that's when the chairman of the spirits, the spirits possessing Joseph Kony would
22 appear and all of them would communicate through him. And that's what I saw,
23 those are the changes that I saw. The spirit would come, maybe once a year or
24 during certain periods.

25 Q. [10:14:07] Now, Mr Witness -- sorry about this, your Honours.

1 Mr Witness, you mentioned April. Is there anything significant that takes place
2 during the month of April in the LRA?

3 A. [10:14:39] That's the day of the holy spirit known as Juma Oris Dibo (phon).

4 And Kony would say that Juma Oris Dibo was the senior holy spirit. This holy spirit
5 was higher than Selindi and all the other holy spirits that possessed Joseph Kony.

6 Q. [10:15:07] On the same line as we're discussing, did Joseph Kony make
7 prophecies and predictions?

8 A. [10:15:24] Yes. When -- during the periods that he is possessed, they would
9 respect that day, 7 April. The spirit would come, possess him and he would be able
10 to predict whatever is going to happen in the future. An example is Operation Iron
11 Fist. He predicted Operation Iron Fist. He told us that he dreamt about it. He
12 collected people in the church and the spirit spoke. The spirit said that, that
13 he -- there is water. There was an overflowing river and the senior commanders
14 would be abducted. The weak people would not be found until the operation has
15 been concluded. Mothers would be released. So everybody says, whoever says
16 that they'd have a wife or children with them, all these people, would be released.
17 The mothers and children would be released. Nobody would have a wife and
18 children around them.

19 Sometimes he would say that all the food that has been cultivated would be taken by
20 the enemy; the people who cultivated the food themselves would not be able to eat
21 the food. So there was nobody else who had predicted this. But he did.

22 But when he said that when this operation begins, all the women, even pregnant
23 women, would be armed. Everybody would be armed. He said that some of the
24 senior commanders would be captured by the government and others would be
25 killed. And the only people that would be left in his ranks are small children, Otti

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1 and Dominic, and that's what he said. That was -- this was all said before operation
2 Iron Fist.

3 Q. [10:17:30] Now, about another prediction, did Joseph Kony predict the first
4 Ebola outbreak in Uganda in the '90s?

5 A. [10:17:44] Yes. He talked about Ebola and told people to pray, to pray deeply.
6 For one whole month people prayed. People prayed for Acholi. We prayed for our
7 people. We prayed for our families. He said that that disease would come, the
8 disease would kill a lot of people. But the LRA who would be sent to Uganda would
9 not be affected by this disease.

10 Truthfully, when the LRA went to Uganda, they went to civilian houses to take food.
11 Nothing happened to them. They would first smear the doors of civilian houses
12 with shea butter before they entered into the houses, and nothing happened to the
13 LRA soldiers. They were not affected by Ebola, and that's what he said.

14 Q. [10:18:45] Do you remember the names of any of these LRA officers,
15 Mr Witness?

16 A. [10:18:55] Are you talking about the leaders, holy spirit, or are you talking about
17 army commanders?

18 Q. [10:19:10] Sorry for not being specific, Mr Witness. The LRA soldiers who
19 proceeded into northern Uganda and were around people with Ebola but yet did not
20 contract Ebola; do you remember the names of those, any of those persons?

21 A. [10:19:31] I do recall some of them. Acellam was part of the group. Brigadier
22 Odongo Acellam. Dominic Ongwen was also present. There were a number of
23 people. Kwoyello was also present, Kwoyelo Latoni. Okuri was also part of the
24 group. There were many. There were quite a few people. I do recall some of
25 them.

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1 Q. [10:20:25] That's good. We have a few. Thank you very much, Mr Witness.

2 Now, Mr Witness, did Joseph Kony require certain rituals when people first entered
3 the LRA?

4 A. [10:20:44] Yes. That was standard operation. If anybody is newly abducted,
5 the person would be smeared with shea butter and the person would also be smeared
6 with white sand. They referred to it as white sand. It was known as camouflage.
7 This would be smeared, would be mixed with water and shea butter, and smeared on
8 the person's chest. It would be smeared on both men and women, boys and girls.

9 Q. [10:21:24] Now, Mr Witness, if you remember, do you know who or what Bianca
10 is?

11 A. [10:21:39] Bianca?

12 Q. [10:21:48] Yes, Mr Witness, Bianca.

13 A. [10:21:54] Bianca is also a name of a holy spirit, one of the spirits that possessed
14 Kony. There was Bianca and there was also a battalion named after -- named Bianca
15 in the past.

16 Q. [10:22:15] Was there also a spirit called Who Are You?

17 A. [10:22:23] Yes, it existed.

18 Q. [10:22:27] Could you tell Court who the spirit Who Are You is?

19 A. [10:22:38] Who Are You was a spirit, one of the spirits that possessed Kony. It
20 was not visible. It wasn't -- it was Joseph Kony who knew about it. He was
21 possessed with it. He's the one who told the people that he is possessed by a spirit
22 known as Who Are You. And this spirit was responsible for battle. It was
23 responsible for bringing the enemy. The spirit was merciless. If you did not follow
24 its rules, it would bring the army to attack you.

25 Q. [10:23:21] Do you know a spirit by the name of Jink (phon) Brickey?

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1 A. [10:23:31] Can you please repeat it, repeat the name?

2 Q. [10:23:37] No problem. And if I'm pronouncing it wrong, please let me know,

3 Mr Witness. The name of Jean or Jink Brickey?

4 A. [10:23:47] Yes, it also existed, one of the spirits that possessed Kony.

5 Q. [10:23:58] Do you remember one by the name of King Bruce?

6 A. [10:24:09] King Bruce existed. Kony also named his son after King Bruce.

7 Q. [10:24:14] Do you know one by the name of Ing Chu?

8 A. [10:24:28] No, I do not know -- I do not know Eng Shu. I did not hear about

9 Eng Shu. But maybe the pronunciation is wrong, but I do not know about Eng Shu.

10 Q. [10:24:46] It might be wrong. I'll check it tonight and ask you tomorrow,

11 Mr Witness. Thank you.

12 Mr Witness, what is a controller?

13 A. [10:25:06] A controller is a group. This is a group that was selected by Kony

14 used to perform rituals on people who have been abducted. The group would pray

15 where people are encamped. So if people are encamped in a place, in the morning

16 they would get up and pray before leaving. If the commander says we are going

17 into -- we are following that direction, that group would proceed, would go first,

18 spray the area, sprinkle the area with water, with holy water. And before the group

19 actually proceeds in that direction, they were also responsible for building churches

20 so people could pray. They would always perform any tasks that Kony asked them

21 to do. They were responsible for performing only those particular tasks.

22 PRESIDING JUDGE SCHMITT: Mr Obhof, shortly, I have a question before you

23 have left the spirits, so to speak. But I have I think a question that fits in this realm,

24 so to speak.

25 Mr Witness, how did you come to know of these spirits?

1 THE WITNESS: [10:26:30] (Interpretation) We were taught about the spirits.

2 When you go into the LRA, you are told about spirits. You are told that people
3 respect the rules of the Holy Spirit. And these rules come from Kony.

4 PRESIDING JUDGE SCHMITT: [10:26:45] And who did tell you of these spirits,
5 specifically? You know, Mr Obhof has gone with you, together with you, through
6 several names of spirits, and you identified them. If you look back, who did tell you
7 about these spirits or how did you come to know of these spirits, specifically?

8 THE WITNESS: [10:27:09] (Interpretation) When I was abducted and taken to the
9 bush, I was in (Redacted) household. (Redacted) would send his escorts
10 in the evening, and instructors, and tell us that, here in the LRA we follow the rules of
11 the LRA. When you're in the bush, there is time for prayers. When it's time for
12 prayers, you have to go for prayers. On such and such a day, the spirit would
13 appear and speak to people. The person through whom the spirit would speak is
14 Kony. So it was (Redacted) who gave me all this information.
15 Before I went to Sudan, I met Kony. Kony collected everybody together under the
16 foothills of Labwor Omor. He spoke to people and told us that we are going to
17 Sudan. Arrangements have been made to go to Sudan.
18 So the people who are going to Sudan, the commanders who are going to Sudan
19 should always hold their rosaries when they're moving with people. They should
20 have no sexual intercourse with women. And that's what happened; that's what the
21 commanders did. We crossed the border, went to Sudan, and it was while I was in
22 the LRA for a long time that I began to realise how the spirit came and how the spirits
23 spoke through Kony. That's how I learnt about the spirits.

24 PRESIDING JUDGE SCHMITT: [10:28:47] Thank you.

25 Mr Obhof, are you imagining to also entertain also if the witness was at some point in

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1 time a little bit closer to Kony than others, or is this --

2 MR OBHOF: [10:29:04] Yes, your Honour.

3 PRESIDING JUDGE SCHMITT: [10:29:05] Then please continue.

4 MR OBHOF: [10:29:07]

5 Q. [10:29:07] Mr Witness, since we're on the topic of the prayers, is there a special
6 place where the prayers would be held?

7 A. [10:29:19] When we went to Ibong, there was a place in 1995 at Palutaka, there
8 was also a place. The place was covered up. Nobody would actually go into that
9 place. But prayers were generally held anywhere, especially under trees.
10 When we heard, when Juma Oris was -- there was a place when Juma Oris -- there is a
11 place that is dedicated to Juma Oris, a shrine that is dedicated to Juma Oris and
12 nobody is allowed to go to that shrine. That's what I saw.

13 Q. [10:30:07] Now, these places you talked about that you were praying and places
14 like Palutaka, did those places, where the prayer services, where Joseph would be
15 possessed, did that have a specific name, Mr Witness?

16 A. [10:30:28] It was known as the Yard. It wasn't only in Palutaka. Wherever the
17 LRA encamped, a yard was prepared for prayers. They would put up stones with a
18 star and a heart and a moon, so they would have all those symbols, and that's what I
19 saw.

20 Q. [10:30:53] Mr Witness, was there a position called the Yard commander?

21 A. [10:31:06] The person was known as Abongo Papa. At the time that Abongo
22 was in charge, there was another person by the names Onen Angola who was also
23 working with him. He was called Onen Unitu. And later on he was promoted to
24 the rank of captain.

25 MR OBHOF: [10:31:41] Your Honour, I might have to go into -- I will have to go into

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- 1 private session to ask a few follow-up questions, please.
- 2 PRESIDING JUDGE SCHMITT: [10:31:48] Yes. Private session.
- 3 (Private session at 10.31 a.m.)
- 4 (Redacted)
- 5 (Redacted)
- 6 (Redacted)
- 7 (Redacted)
- 8 (Redacted)
- 9 (Redacted)
- 10 (Redacted)
- 11 (Redacted)
- 12 Open session at 10.32 a.m.)
- 13 THE COURT OFFICER: [10:32:55] We're back in open session, Mr President.
- 14 MR OBHOF: [10:32:59]
- 15 Q. [10:33:00] Mr Witness, a few minutes ago we discussed about controllers.
- 16 Were controllers allowed to carry weapons?
- 17 A. [10:33:19] Yes, they do have.
- 18 Q. [10:33:23] Now, Mr Witness, along the same line, what is a technician?
- 19 A. [10:33:30] Technician is the same name for controller. Previously they referred
- 20 to controller as technician. It was just a change in name. It is the same group.
- 21 Previously a technician was said to carry the Kalabash, and his work was to bless,
- 22 sprinkle water and he would pray while holding the rosary.
- 23 Q. [10:34:08] Mr Witness, have you ever heard of the stone bomb?
- 24 A. [10:34:26] Yes, I have heard about it.
- 25 Q. [10:34:32] Did these controllers or technicians have any dealings with these

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1 stone bombs?

2 A. [10:34:43] When I was abducted, that is what I was told, that they're the ones
3 that are in charge of those stones, no one else.

4 Q. [10:34:58] Have you ever seen a stone bomb used, Mr Witness?

5 A. [10:35:08] I have not seen with my own eyes, but what I saw is the white stones
6 that Kony gave to people. And there is a specific time when people are instructed to
7 all the time carry the white stones. And when instructions have been given to
8 people, then the people, the technicians were instructed to give these stones to
9 everyone.

10 After that period of time, this would be withdrawn. But it was depending on the
11 specific time.

12 Q. [10:35:50] Thank you, Mr Witness.

13 MR OBHOF: Your Honour, I would like to move into a short, 5, maybe 10-minute
14 private session.

15 PRESIDING JUDGE SCHMITT: [10:36:00] We go to private session.

16 (Private session at 10.36 a.m.)

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19 (Redacted)

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22 (Redacted)

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10 (Open session at 10.40 a.m.)

11 THE COURT OFFICER: [10:40:53] We are back in open session, Mr President.

12 MR OBHOF: [10:40:58]

13 Q. [10:40:58] Now, Mr Witness, along the lines of the rules we spoke of earlier, was
14 there -- when you first, when you first were abducted by the LRA, was there a general
15 rule about what would happen if somebody escaped and went back home to their
16 village with a weapon?

17 A. [10:41:28] That's what I was told, that anyone who escapes and is
18 re-apprehended would be killed.

19 Q. [10:41:49] Now, Mr Witness, in the early days, what happens -- what would
20 happen if you were not apprehended, or at least what did they tell you would
21 happen?

22 A. [10:42:07] Could you say the question again.

23 Q. [10:42:19] It's no problem, Mr Witness. My apologies. What would happen if
24 the person who escaped the LRA made it back to their home village?

25 A. [10:42:35] The rebels would go and kill people in their home area, as they would

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1 be looking for him, for that person.

2 Q. [10:42:49] So it would be correct to say that they wouldn't just kill the person
3 who escaped, they might -- they would kill his family, maybe some of his tribal
4 brothers. It wouldn't be restricted to the one person, correct?

5 A. [10:43:05] Yes, that's correct.

6 Q. [10:43:09] Mr Witness, do you remember hearing about an attack ordered by
7 Lapaico on a place called Omot?

8 A. [10:43:36] Yes, I recall.

9 MR OBHOF: [10:43:40] Your Honour, I'd like to ask a few founding questions in
10 private, please.

11 PRESIDING JUDGE SCHMITT: [10:43:51] Yes. Private session, please.

12 (Private session at 10.43 a.m.)

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14 (Redacted)

15 (Redacted)

16 (Redacted)

17 (Redacted)

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- 18 (Redacted)
- 19 (Open session at 10.46 a.m.)
- 20 THE COURT OFFICER: [10:46:21] We are back in open session, Mr President.
- 21 MR OBHOF: [10:46:31]
- 22 Q. [10:46:31] Now, Mr Witness, just for the people outside, did you attend the
- 23 attack in Omot in October 2002?
- 24 A. [10:46:43] I did not go.
- 25 Q. [10:46:49] Mr Witness, why was this specific attack ordered by Buk Abudema?

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1 A. [10:47:00] Abudema issued the orders because there was someone who was
2 abducted from Omot area and had escaped with a gun of one of the officers. He
3 went with the gun. So Kony issued orders that that gun should be collected. And
4 that officer whose gun was taken should be punished.

5 Actually, he had said that that officer should be killed because why did he allow a
6 civilian to escape with the gun?

7 So that person was followed and people were killed in Omot. That's what I learnt.

8 Q. [10:47:58] Mr Witness, do you remember about how many people died in Omot
9 during this attack?

10 A. [10:48:09] I do not recall, because there is no rebel who would count the number
11 of people. I do not recall.

12 Q. [10:48:23] Do you remember which specific commander led this attack,
13 Mr Witness?

14 A. [10:48:31] I said clearly that the overall CO who went for the attack is called
15 Oyat Lapaico. He went with other lower ranking officers.

16 Q. [10:48:46] Was there another lower ranking officer by the name of Sunday Otto?

17 A. [10:49:01] Yes, he was there. It was that Otto whose gun was actually -- the
18 person who escaped went with his gun.

19 Q. [10:49:16] Now, Mr Witness, does Sunday Otto have any nicknames that he
20 would use in the bush?

21 A. [10:49:29] He is called Munya Iwata (phon). That is how he nicknamed
22 himself.

23 MR OBHOF: [10:49:49] Your Honour, I'm looking at the time and looking at the next
24 few pages. It might be the best to take the break now and start at 11.20.

25 PRESIDING JUDGE SCHMITT: [10:49:57] I think why not allow ourselves a little bit

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- 1 prolonged break. So we reconvene at 11.30.
- 2 MR OBHOF: [10:50:06] All right. Thank you, your Honour.
- 3 THE COURT USHER: [10:50:08] All rise.
- 4 (Recess taken at 10.50 a.m.)
- 5 (Upon resuming in open session at 11.30 a.m.)
- 6 THE COURT USHER: [11:30:55] All rise.
- 7 PRESIDING JUDGE SCHMITT: [11:31:17] I assume, Mr Obhof, because I extended
- 8 a little bit the break, that you are, I had the impression that you had a flow, so to
- 9 speak, so you were on time, I had the impression. Because of that I allowed myself
- 10 to give us a little bit more time.
- 11 MR OBHOF: [11:31:33] Definitely, your Honour, yes. We will have no problem
- 12 finishing this witness before tomorrow at the last session, so. And right now I still
- 13 estimate we will be done by second session tomorrow.
- 14 PRESIDING JUDGE SCHMITT: [11:31:44] Yes, I think so. You said already that we
- 15 will finish tomorrow second session.
- 16 MR OBHOF: Yes.
- 17 PRESIDING JUDGE SCHMITT: And I think we can assume that.
- 18 So also for Mr Witness, we definitely finish tomorrow with the examination, so you
- 19 have to be a little bit patient, but definitely, let me put it this way, on the latest
- 20 tomorrow at midday you will be done with it. So just to inform you that you have to
- 21 be, as I said, a little bit patient and concentrated for a couple of hours, but it won't
- 22 take very long anymore.
- 23 Is that okay, Mr Witness?
- 24 THE WITNESS: [11:32:20] (Interpretation) That's okay.
- 25 PRESIDING JUDGE SCHMITT: [11:32:26] Please continue.

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1 MR OBHOF: [11:32:32]

2 Q. [11:32:33] Now, Mr Witness --

3 Actually, I'm sorry, your Honour, we will have to ask one to two questions in private
4 session first.

5 PRESIDING JUDGE SCHMITT: [11:32:42] That too means for the gallery that --

6 MR OBHOF: [11:32:46] That means about maybe 90 seconds.

7 PRESIDING JUDGE SCHMITT: [11:32:48] Yes, exactly. So private session.

8 (Private session at 11.32 a.m.)

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16 (Redacted)

17 (Redacted)

18 (Redacted)

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23 (Open session at 11.34 a.m.)

24 THE COURT OFFICER: [11:34:27] We are back in open session, Mr President.

25 MR OBHOF: [11:34:30]

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1 Q. [11:34:31] Mr Witness, there was an original -- sorry, people originally went to
2 Mucwini centre to collect items such as food; is that not correct?

3 A. [11:34:49] That's correct.

4 Q. [11:34:53] Were there people that were abducted on that first day?

5 A. [11:35:06] Yes, people were abducted. But they were released. Some of them
6 were released, some of them were kept back within the LRA ranks.

7 Q. [11:35:23] Now, Mr Witness, did one of the persons who was abducted escape
8 the next day?

9 A. [11:35:36] He escaped after two days.

10 Q. [11:35:43] And what did Joseph Kony order after that escape, Mr Witness?

11 A. [11:35:59] The fellow who escaped first shot people. He shot people and that
12 enabled him to escape. He grabbed a gun from one of the soldiers who was cooking.
13 He shot officers. Some of them died. And then he fled with the gun.
14 Kony was angry about the officer that was killed and he issued instructions, he issued
15 an order that they should go and retaliate and kill people in Mucwini. He said
16 a letter should be written and sent to Mucwini, and people should be told that if
17 somebody is abducted in the LRA, that person, it does not necessarily mean that that
18 person should grab a gun from a member of the LRA and use that gun to kill one of
19 its members. That's what I saw.

20 Q. [11:37:02] And was there any sort of punishment placed upon the town of
21 Mucwini for this one gentleman's act?

22 A. [11:37:13] I heard that people were killed at Mucwini.

23 Q. [11:37:23] Do you remember how many people in Mucwini were killed because
24 of this?

25 A. [11:37:35] I do not know the exact number of people, but I heard over the

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1 domestic radio that maybe 20, 40 or 45. But nobody knew the exact number. When
2 the rebels go to a place or a location, kill somebody, they do not take down notes on
3 how many people were killed.

4 MR OBHOF: [11:38:08] Now, your Honour, we will need to go into private session
5 for approximately five minutes, please.

6 PRESIDING JUDGE SCHMITT: [11:38:17] Private session.

7 (Private session at 11.38 a.m.)

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13 (Redacted)

14 (Redacted)

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20 (Open session at 11.43 a.m.)

21 THE COURT OFFICER: [11:43:09] We are back in open session, Mr President.

22 MR OBHOF: [11:43:27]

23 Q. [11:43:27] Now, Mr Witness, this past week and even today, you discussed some

24 of -- two of Dominic's wives, Fatuma and Ayari. And we're going to walk through

25 a little bit of this. Now, Mr Witness, you stated that Dominic abducted Fatuma from

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1 Lacani; is that correct?

2 A. [11:44:02] Yes, it is, from the Lacani area.

3 Q. [11:44:06] Mr Witness, are you sure that it was Dominic and it was not

4 Buk Abudema that abducted Fatuma?

5 A. [11:44:18] It was Dominic, because at the time Dominic had split and was on his

6 own in Oka battalion, with his group, the Oka battalion. Abudema was the brigade

7 commander of Sinia at the time.

8 Q. [11:44:40] Now, Mr Witness, are you sure that Fatuma was abducted from

9 Lacani and not from Kitgum, which is approximately 35 to 40 kilometres north of

10 Lacani?

11 A. [11:45:10] I confirm what I saw, sir, because Ayari was in Lacani with Fatuma

12 and that's what I saw. Lacani is in a place close to Ogura (phon), a place known as

13 Ogura.

14 Q. [11:45:38] Now, Mr Witness, a similar question about Ayari. Are you sure that

15 Ayari was abducted by Dominic and again not by Buk Abudema?

16 A. [11:45:55] No, it wasn't Buk. It was Dominic.

17 MR OBHOF: [11:46:07] Your Honours, this next question or next few questions will

18 have to be asked in private session.

19 PRESIDING JUDGE SCHMITT: [11:46:14] Private session.

20 (Private session at 11.46 a.m.)

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23 (Redacted)

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- 15 (Open session at 11.59 a.m.)
- 16 THE COURT OFFICER: [11:59:09] We are back in open session, Mr President.
- 17 MR OBHOF: [11:59:17] Now, your Honours, without actually reading what's in this,
- 18 I will say again for the reference point for this same tab number, lines 1034
- 19 through 1037 were the ones I just read out, or I just discussed.
- 20 Q. [11:59:37] Now, Mr Witness, you also mentioned last week that there were no
- 21 abductions at the time that you allege Mr Ongwen to have abducted Fatuma and
- 22 Ayari. Now, Mr Witness, were these ladies abducted before or after Mr Ongwen
- 23 injured his leg from a bullet wound crossing the Patongo road?
- 24 A. [12:00:06] No, it was before the injury.
- 25 Q. [12:00:15] Now, Mr Witness, you also said that these ladies were in the sickbay

1 with Mr Ongwen after he was injured, correct?

2 A. [12:00:30] Yes, that's correct. These children were together with Ongwen.

3 Q. [12:00:38] Now, Mr Witness, what is the punishment for abducting people when
4 there are no abduction orders?

5 A. [12:00:53] When you are a commander, for example, if you are a senior, a senior
6 official, and nobody knows about it, then you are not punished. Every commander
7 does what he does and then he goes and explains it to the commander if it becomes
8 common knowledge, and then he will explain and tell them why he went ahead and
9 abducted people.

10 Q. [12:01:22] And at that time Buk Abudema was Mr Ongwen's commander; is that
11 correct?

12 A. [12:01:33] Yes, he was the brigade commander.

13 Q. [12:01:41] And so Buk Abudema never found out that Dominic allegedly
14 abducted these women during September 2002, a time of no abductions?

15 A. [12:01:59] I think he did not find out because Dominic was moving separately in
16 his group and also Buk would also move separately. The battalions were usually
17 separated. They do not work together because of the fear of the helicopter gunship.
18 They were not supposed to move in a big group.

19 Q. [12:02:28] Mr Witness, did Buk Abudema visit Dominic in sickbay after his
20 injury to his leg?

21 A. [12:02:42] I said yes, he visited, he brought some food items.

22 Q. [12:02:49] And Joseph Kony visited as well. So you are saying the many
23 commanders you listed as visiting Dominic Ongwen during sickbay which was
24 shortly after their alleged abduction, none of them noticed these two new women or
25 these two new girls in sickbay as his ting ting?

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1 A. [12:03:18] No one told these senior commanders. Even myself, who was
2 present, I did not mention it. Even himself, he did not tell these bosses anything.

3 Q. [12:03:45] Now, Mr Witness, we have mentioned over the past few days the
4 words collaborator and coordinator. Do you know a person by the name of Rwot
5 Ywakamoi Oywak.

6 A. [12:04:07] Yes, I know.

7 Q. [12:04:16] Mr Witness, who is that person?

8 A. [12:04:21] He is a chief of the Koyo clan, but he was someone who also
9 supported the LRA. He was also struggling to bring peace in Acholiland. He
10 would coordinate with the rebels, he would talk to them so that they would abandon
11 rebellion and come out of the bush. He was working together with Father Carlos
12 and Bishop Odama.

13 Q. [12:04:54] Now, Mr Witness, do you know a person by Santos Okot Lapolo?

14 A. [12:05:06] I was only hearing of his name. I do not know him personally or
15 physically, but he was the RDC of Kitgum.

16 Q. [12:05:19] Could you please tell Court what you heard about RDC Lapolo.

17 A. [12:05:36] What I heard about Lapolo was that at the time when people were
18 struggling to discuss issues of peace, he sent a bomb item that exploded and hurt
19 somebody called Captain Bwone. He was actually also struggling, actually, in the
20 peace team, in the process of helping to restore peace in northern Uganda.

21 Q. [12:06:23] Mr Witness, were you in sickbay with Mr Ongwen after he was
22 injured in the leg while crossing Patongo road?

23 A. [12:06:42] He went as my CO. (Redacted). So he went, he got
24 injuries, he got injured, and then returned to (Redacted) group. Then (Redacted) selected some
25 officers to go and take care of him, and he handed, he handed them over (Redacted)

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1 Q. [12:07:23] Now, Mr Witness, I am going to list a few names. Can you please
2 tell the Court if you remember if they ever were in sickbay or visited sickbay whilst
3 Mr Ongwen was recovering from his leg injury on Patongo road. The first name, sir,
4 is Lapaicho. Did he ever visit Mr Ongwen?

5 A. [12:07:59] I did not see Lapaicho.

6 Q. [12:08:08] Second person -- pardon me. The second person is Abongomek.

7 A. [12:08:24] Abongomek was in Buk's group.

8 Q. [12:08:41] So did he at any time visit Mr Ongwen in sickbay?

9 A. [12:08:51] He was among the sergeants who brought food items.

10 Q. [12:08:59] Another person, Mr Loum Icaya?

11 A. [12:09:18] Loum did not meet with Dominic in the sickbay.

12 Q. [12:09:28] Next person is Richard Kasule.

13 A. [12:09:40] There was no, no one by the name Kasule. The person that I know
14 that Dominic met with them were the ones that came from Control Altar, and we
15 carried Dominic on a stretcher and took him to Kony. And also the Gilva group.
16 That was the time when even Dominic had already recovered or healed of his wound
17 and would walk with a limp, and he met with this group right across the river. But I
18 did not know of any Kasule.

19 PRESIDING JUDGE SCHMITT: [12:10:23] I may be wrong, but I think, I think at
20 least, that (Redacted), if I am not wrong. Perhaps also Prosecution
21 knows better. I don't want to allege this now because it was a long time ago. But
22 perhaps the -- if I am correct, then the nickname should perhaps be put to the witness.
23 (Redacted).

24 MR OBHOF: [12:10:57] We're live, Mr President.

25 MR SACHITHANANDAN: [12:10:59] Perhaps we can discuss this in private,

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1 your Honour.

2 PRESIDING JUDGE SCHMITT: [12:11:01] Yes, private session.

3 MR OBHOF: [12:11:08] No offence, Mr Witness, but without the witness hearing the
4 discussion.

5 (Private session at 12.11 p.m.)

6 (Redacted)

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- 25 (Open session at 12.14 p.m.)

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1 THE COURT OFFICER: [12:14:39] We are back in open session, Mr President.

2 MR OBHOF: [12:14:48]

3 Q. [12:14:48] To the best of your knowledge, did Oyenga ever visit Ongwen in
4 sickbay?

5 A. [12:15:06] Oyenga came, he came with some members of the Control Altar, he
6 came and joined us in the sickbay. But when UPDF came close to our base, we
7 separated them from Dominic's group. There was another group under someone
8 called Ogila (phon).

9 Q. [12:15:38] Was there somebody in the sickbay called Okello Richard?

10 A. [12:15:50] Richard was Dominic's escort. He also had injuries in the leg.

11 Q. [12:16:06] How about Opio Akula?

12 A. [12:16:15] Opio Akula was Dominic's escort. He is in the size of the boy whose
13 photograph was discussed some time back.

14 Q. [12:16:30] And the last one, Mr Witness, Pai-Pai, was he in the sickbay with
15 Dominic Ongwen?

16 A. [12:16:45] Pai-Pai, I am only hearing this name for the first time. Unless the
17 name was given after I had left. If I recall well, I do not know if there is someone
18 called Pai-Pai, unless, unless I have forgotten of that name.

19 Q. [12:17:15] Mr Witness, did Mr Ongwen have a mobile phone whilst in sickbay?

20 A. [12:17:25] He had, he had a Nokia 1110.

21 Q. [12:17:36] Mr Witness, were you aware of any attempted contacts between
22 Mr Ongwen and General Salim Saleh of the UPDF while Mr Ongwen was in sickbay?

23 A. [12:18:00] (Redacted)

24 (Redacted)

25 (Redacted)

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1 Q. [12:18:28] And this was around the time when Mr Ongwen, this was when
2 Mr Ongwen was in sickbay, correct, Mr Witness?

3 A. [12:18:38] Correct.

4 Q. [12:18:49] Now, do you have any knowledge of whether Mr Ongwen actually
5 communicated with General Salim Saleh?

6 A. [12:19:10] While I was still there, he had not made the contact, unless he did
7 after we had probably gone for an operation. But he had given us instructions that
8 we should try and convince Saleh to come so that he should be shot.

9 MR OBHOF: [12:19:36] Your Honour, I think I might need the next few questions in
10 private session, please.

11 PRESIDING JUDGE SCHMITT: [12:19:42] Private session.

12 (Private session at 12.19 p.m.)

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- 12 (Open session at 12.23 p.m.)
- 13 THE COURT OFFICER: [12:23:00] We are back in open session, Mr President.
- 14 MR OBHOF: [12:23:19]
- 15 Q. [12:23:19] Mr Witness, while Mr Ongwen was in sickbay, did he ever receive
- 16 a visit from Okwonga Alero?
- 17 A. [12:23:44] When -- while I was still with him?
- 18 Q. [12:23:48] That is correct, Mr Witness, whilst you were with him in sickbay.
- 19 A. [12:23:55] Okwonga Alero did not visit him.
- 20 MR OBHOF: [12:24:02] Now I do apologise to everybody who's been here and to
- 21 everybody who's watching, the next approximate 90 minutes will be in private
- 22 session, your Honour.
- 23 PRESIDING JUDGE SCHMITT: [12:24:18] Can I ask you what you are going to
- 24 entertain which would also be perhaps in private session?
- 25 MR OBHOF: [12:24:24] In private session.

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1 PRESIDING JUDGE SCHMITT: [12:24:26] So we go to private session. I want

2 a little bit more information about that. Thank you.

3 MR OBHOF: [12:24:29] Yes, yes.

4 PRESIDING JUDGE SCHMITT: [12:24:30] Private session then.

5 (Private session at 12.24 p.m.)

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- 20 (Recess taken at 12.59 p.m.)
- 21 (Upon resuming in open session at 2.31 p.m.)
- 22 THE COURT USHER: [14:31:37] All rise.
- 23 PRESIDING JUDGE SCHMITT: [14:31:50] I see some new faces in the courtroom.
- 24 We should perhaps just, as I said, out of respect to introduce them.
- 25 Shortly, Mr Obhof, for the Defence.

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1 MR OBHOF: [14:32:02] Yes. For the Defence in the courtroom we have
2 Michael Rowse.

3 PRESIDING JUDGE SCHMITT: [14:32:07] Thank you.

4 And we also have a new face, I think, for today at least, for the Prosecution.

5 MR SACHITHANANDAN: [14:32:15] Yes, I confirm the presence of Yya Aragon.

6 And I believe Mr Do Duc is still not here.

7 PRESIDING JUDGE SCHMITT: [14:32:26] Yes. Of course, you took this from me,
8 you know, this remark.

9 Mr Obhof, please continue.

10 MR OBHOF: [14:32:32] Thank you, your Honour. And I am estimating about the
11 next hour or so inside private session. And I apologise to everyone upstairs.

12 PRESIDING JUDGE SCHMITT: [14:32:39] Then we have to go to private session,
13 unfortunately.

14 (Private session at 2.32 p.m.)

15 (Redacted)

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Trial Hearing
WITNESS: UGA-OTP-P-0245

(Private Session)

ICC-02/04-01/15

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Trial Hearing
WITNESS: UGA-OTP-P-0245

(Private Session)

ICC-02/04-01/15

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- 10 (Open session at 3.46 p.m.)
- 11 THE COURT OFFICER: [15:46:38] We're back in open session, Mr President.
- 12 PRESIDING JUDGE SCHMITT: [15:46:45] Thank you very much.
- 13 Then we take the opportunity and have the break for today, abate the proceedings
- 14 and resume, and we convene tomorrow at 9.30.
- 15 Mr Witness, we have just talked about it. As I said before the break, it will definitely
- 16 be done by midday tomorrow.
- 17 So everybody have a good day.
- 18 THE COURT USHER: [15:47:08] All rise.
- 19 (The hearing ends in open session at 3.47 p.m.)