

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 Judge Raul Pangalangan
6 Trial Hearing - Courtroom 3
7 Tuesday, 26 September 2017
8 (The hearing starts in open session at 9.37 a.m.)
9 THE COURT USHER: [9:37:33] All rise.
10 The International Criminal Court is now in session.
11 PRESIDING JUDGE SCHMITT: [9:37:50] Good morning, everyone, especially staff
12 and counsel in the video-link location.
13 I repeat myself: Good morning, everyone, especially staff and counsel in the
14 video-link location.
15 Could the court officer please call the case.
16 THE COURT OFFICER: [9:38:15] Good morning, Mr President, your Honours.
17 The situation in the Republic of Uganda, in the case of The Prosecutor versus
18 Dominic Ongwen, case reference ICC-02/04-01/15.
19 And for the record, we are in open session.
20 PRESIDING JUDGE SCHMITT: [9:38:33] Thank you very much.
21 I ask for the appearances of the parties.
22 MS NUZBAN: [9:38:37] Good morning, your Honours. Good morning,
23 everybody. Yulia Nuzban for the Prosecution. With me in Court,
24 Pubudu Sachithanandan, Ben Gumpert, Paul Bradfield, Beti Hohler, Julian Elderfield,
25 Ramu Fatima Bittaye, Jasmina Suljanovic, Hai Do Duc, Yya Aragon and Yeasin Khan.

1 Thank you.

2 PRESIDING JUDGE SCHMITT: [9:39:07] Thank you very much.

3 And Mr Manoba for the first team of the Legal Representatives of the Victims.

4 MR MANOBA: [9:39:09] Good morning, Mr President, your Honours.

5 Joseph Manoba and James Mawira.

6 PRESIDING JUDGE SCHMITT: [9:39:13] Thank you.

7 Mr Narantsetseg.

8 MR NARANTSETSEG: [9:39:21] Good morning, Mr President, your Honours.

9 Orchlon Narantsetseg with Caroline Walter. Thank you.

10 PRESIDING JUDGE SCHMITT: [9:39:24] And Mr Obhof for the Defence.

11 MR OBHOF: [9:39:26] Good morning, your Honour. Today for the Defence is
12 counsel Krispus Ayena Odongo, Chief Charles Achaleke Taku, Ms Abigail Bridgman,
13 our client Mr Ongwen is in the very back behind us, and myself, Thomas Obhof.

14 PRESIDING JUDGE SCHMITT: [9:39:40] Thank you very much.

15 The Prosecution is now calling P-172 as its next witness. And before commencing,
16 the Chamber notes briefly that the VWU does not recommend any protective
17 measures for this witness, except the protection of the identity of certain family
18 members. As counsel have already been informed, and noting paragraphs 48 to 55
19 of decision 612, the VWU has determined that certain special measures are necessary
20 to assist the witness in his testimony.

21 We will now discuss the matter of assurances for the witness pursuant to Rule 74 of
22 the Rules of Procedure and Evidence, and Mrs Thompson, who is in the video link
23 location, made a request for Rule 74 assurances on filing 1004, and to discuss these
24 matters, we have to go into private session.

25 (Private session at 9.40 a.m.)

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(Private Session)

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1 (Redacted)

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23 (Redacted)

24 (Open session at 9.42 a.m.)

25 THE COURT OFFICER: [9:42:29] We're back in open session, Mr President.

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- 1 PRESIDING JUDGE SCHMITT: [9:42:32] Thank you, Wilfred.
- 2 The Chamber will now render its decision on the requested assurances.
- 3 The Chamber notes that the Prosecution's summary of the anticipated testimony
- 4 indicates that it does not intend to question the witness in relation to acts committed
- 5 when he was in the LRA that may lead to his self-incrimination. Given the nature of
- 6 the anticipated testimony and the subsequent low probability of self-incrimination, as
- 7 well as the possibility of taking alternate measures to sufficiently protect the witness,
- 8 the Chamber does not find it necessary to grant the witness assurances pursuant to
- 9 Rule 74 of the Rules. The Chamber may, however, resort to the use of private
- 10 session if it deems it necessary.
- 11 And this concludes the ruling of the Chamber, and this is also in accordance with
- 12 what the parties have already submitted.
- 13 Mrs Thompson, in light of this ruling, the witness counsel - that is you - need not
- 14 remain in the video link location for the duration of the testimony. Thank you very
- 15 much for coming and assisting us. Thank you.
- 16 MS THOMPSON: [9:43:41] Thank you.
- 17 PRESIDING JUDGE SCHMITT: [9:43:43] I think we can now bring the witness into
- 18 the video link location. I will have to explain this to him, what happened.
- 19 (The witness enters the video-link room)
- 20 PRESIDING JUDGE SCHMITT: [9:44:24] Mr Witness, do you hear me?
- 21 WITNESS: UGA-OTP-P-0172
- 22 (The witness speaks Acholi)
- 23 (The witness gives evidence via video link)
- 24 THE WITNESS: [9:44:31] (Interpretation) Yes, I am hearing you.
- 25 PRESIDING JUDGE SCHMITT: [9:44:33] Mr Witness, good morning. I'm the

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1 Presiding Judge of the Chamber of the International Criminal Court. You are going
2 to testify before the International Criminal Court and on behalf of the Chamber,
3 I would like to welcome you to the courtroom.

4 I will now read, Mr Witness, the oath to tell the truth to you that every witness who
5 testifies before this Court must agree to. So please be so kind to listen carefully what
6 I say to you and then I ask you if you agree or not. Please listen.

7 I solemnly declare that I will speak the truth, the whole truth and nothing but the
8 truth.

9 Mr Witness, have you understood what I have read out to you?

10 THE WITNESS: [9:45:26] (Interpretation) Yes, I have understood.

11 PRESIDING JUDGE SCHMITT: [9:45:28] Do you agree?

12 THE WITNESS: [9:45:31] (Interpretation) Yes, I do agree.

13 PRESIDING JUDGE SCHMITT: [9:45:34] Thank you. Then we continue.

14 Mr Witness, you know that we had assigned you a lawyer who provided you with
15 legal advice about possible self-incrimination. We have enquired before you came
16 into the video link location with the parties that it is highly unlikely, and especially
17 the Prosecution does not want to elaborate on matters that could self-incriminate you
18 at all. So there is nothing to worry about. And because of that, we have not
19 granted these assurances because there is no necessity for it. That is to explain it
20 for you.

21 However, if for whatever reason we cannot foresee at the moment there might be a
22 question asked that may lead to your self-incrimination, we go to private session,
23 which is to protect you. And then -- and all of us are vigilant of that, and especially
24 the Judges and the Presiding Judge are vigilant of that, but it is highly unlikely that
25 we have to elaborate on that. And that is the reason why Rule 74 counsel is not there

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1 in the video-link location, because there will be, with all likelihood, no need for it.

2 Have you understood?

3 THE WITNESS: [9:47:04] (Interpretation) Yes, I've understood.

4 PRESIDING JUDGE SCHMITT: [9:47:06] I have to discuss with you a couple of

5 practical matters for your testimony that you should have in mind. As you are

6 aware of, I think is that everything what we say here and what you say in the

7 video-link location is interpreted and is broadcast and it -- because of the

8 interpretation we have to speak clearly and at a relatively low pace, and I would ask

9 you to do so too so that everybody can follow, especially the interpreters, and then all

10 the people here in the courtroom that we can hear what you have said.

11 Also please, I think there is no microphone there and I hear you, and obviously the

12 interpreters hear you very well so there is no need to further discuss this.

13 If you yourself have any questions, please raise your hand and then I will give you

14 the word and then you can explain what your concern is or what you want. For

15 example, also if you think you need a break because you're exhausted or for whatever

16 reasons. Have you understood that too, Mr Witness?

17 THE WITNESS: [9:48:19] (Interpretation) Yes, I have understood it.

18 PRESIDING JUDGE SCHMITT: [9:48:22] Thank you very much, Mr Witness. We

19 then start with your testimony and we start with the Prosecution and I give the

20 Prosecution the floor.

21 MS NUZBAN: [9:48:28] Thank you, your Honours.

22 QUESTIONED BY MS NUZBAN:

23 Q. [9:48:33] Good morning, sir. We ever met before. My name is Yulia Nuzban

24 and I will be asking you questions on behalf of the Prosecution. Would you please

25 introduce yourself.

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1 A. [9:48:50] Thank you very much. My name is Apire Ray. I was born in
2 Kitgum at a place call Lamola. I am 67 years old now. I was abducted when I was
3 38 years old.

4 Q. [9:49:21] Who abducted you, sir?

5 PRESIDING JUDGE SCHMITT: [9:49:27] Ms Nuzban, about the age I'm, having a
6 prepared a little bit for the witness, you know, because we are -- I would not say that
7 we are very close from age point of view to the witness, but I'm interested if he is
8 really 67. We have a birthday that would indicate that he is a little bit younger than
9 me, only a little bit, but I'm not sure. I'm not sure.

10 THE WITNESS: [9:49:54] (Interpretation) Sixty-seven years old.

11 PRESIDING JUDGE SCHMITT: [9:49:58] Then he is 67. Then we have to accept
12 that.

13 MS NUZBAN: [9:50:04] Your Honour, I will clarify the year of birth, if that is fine
14 with you.

15 PRESIDING JUDGE SCHMITT: [9:50:09] No, it was just that I'm a little bit
16 surprised, and we had in advance a discussion with the team and I said they made
17 him too old, but it was obviously my misunderstanding.
18 So please continue.

19 MS NUZBAN:

20 Q. [9:50:27] Sir, you said you were abducted. Who abducted you?

21 A. [9:50:32] I do not know who had abducted me, but when I had stayed with
22 them I realised that it was some army that abducted me, but I do not know who they
23 were.

24 Q. [9:50:51] What was the name of the army that abducted you?

25 A. [9:51:03] The Holy Spirit Movement.

1 Q. [9:51:08] Can you tell us very briefly the story of your abduction.

2 A. [9:51:24] I was abducted when I was drunk. I was drinking in a pub. I was
3 taken to a place called Lalur Lake Oding. From there, when I was sobering up, I
4 realised I was in a house together with many other people. The person who was
5 next to me -- I inquired from the person who was next to me and asked where we
6 were. He hit me with his elbow and then he told me that we have been abducted by
7 the Holy Spirit Movement. I started panicking with fear. We slept until morning.
8 When it was almost dawn a commander called Oyuk came and opened the door and
9 ordered us all to go out. We all went out. We were all bound together, tied on our
10 waists. When we were outside he started telling us that we had all been recruited
11 into the army of Lakwena, which at that time was called the Holy Spirit Movement.
12 He warned us never to try escaping. He said when you escape you would be killed.
13 Thereafter I still continued panicking because I was fearing. We were picked from
14 there and taken to Goma hill. We spent the night and the next day we left Goma hill
15 and went to Cwero. From Cwero we spent the night, then the next day we were
16 taken to a place where we found Kony. I didn't know he was Kony but later realised
17 and found out that he was Kony. Kony then came and he started telling us
18 how -- how the Holy Spirit Movement started and told us that it was a spiritual thing.
19 Later on we were split into different groups, but before we were split we were taken
20 containing for a training and we were trained on how to dismantle a gun, how to
21 operate a gun, and that took one week.

22 When we finished that, Kony himself came and started distributing people: Those
23 who were fighting, those who were working in the yard, and those who were
24 teaching, those who had -- providing medical assistance were all put in different
25 groups. The fighting group was put separately. For me, I was taken to the medical

1 group. That is, briefly, how I was abducted.

2 Q. [9:55:07] Thank you, sir.

3 Just to clarify, in what year were you abducted?

4 A. [9:55:15] In the year 1988.

5 Q. [9:55:28] How long did you stay in Lakwena?

6 A. [9:55:38] I stayed for 16 years.

7 Q. [9:55:46] Do you remember the day when you left Lakwena? The date, I
8 apologise, do you remember the date when you left Lakwena?

9 A. [9:55:58] I left on 26 April -- I mean, of June 2004.

10 Q. [9:56:09] Let's discuss your role in Lakwena. You told us that people were
11 divided into different groups. What role were you assigned?

12 A. [9:56:26] I said earlier that I was assigned in the medical team to treat people.

13 Q. [9:56:37] Did you have any other roles?

14 A. [9:56:43] When there are many patients, many injured people, I was also
15 trained as a teacher to train people.

16 Q. [9:56:56] What were your responsibilities as a teacher?

17 A. [9:57:09] As a teacher I would teach Bible.

18 Q. [9:57:15] Let's turn to your role in the medical team. What were your
19 responsibilities?

20 A. [9:57:33] I would treat those who were injured during war, during battles,
21 rather, people have syphilis or sexual transmitted diseases, and I also provide services
22 for women in labour.

23 Q. [9:57:57] Where did you treat your patients?

24 A. [9:58:06] I would treat them from a place which has been designated in the
25 bush.

1 Q. [9:58:17] Is there a name to describe such a place?

2 A. [9:58:25] Such a place is usually called a sickbay.

3 Q. [9:58:34] Can you describe a sickbay for us?

4 A. [9:58:41] A sickbay is a place where those who are sick are taken to stay. A
5 person like me, who is a medical person supposed to treat, I would be in charge of
6 them. I would mind their wounds, I would clean their wounds every morning and
7 evening with warm water and I would use traditional herbs, traditional Acholi herbs
8 in their wounds. When their wounds are covering up and they are healed, they
9 would go back to their units. A sickbay is for weak people, those who are injured.

10 Q. [9:59:34] Was sickbay a stationary place?

11 A. [9:59:45] When the UPDF is not pursuing us we can even stay for one month.
12 And other times we stay for two weeks when the UPDF has not known of our
13 location. Because it is not easy to transfer the sick and injured, that's why we stay in
14 one location when it is not so insecure.

15 Q. [10:00:11] Who would help you to transfer the sick and the injured?

16 A. [10:00:19] Those who would help us to transfer the sick and to care for the sick
17 always, every time they bring someone who is injured there is someone who has
18 brought the person. Some of them leave, but those -- some of those who bring the
19 sick will remain. If, for example, an injured soldier has wives and other women in
20 his household, they would help. I also had women in my household. They would
21 also help me to treat the injured.

22 Q. [10:01:01] How many people per patient would there be helping to treat and
23 take care of the patient?

24 A. [10:01:14] It depends on the degree of injury of the person. If a person has a
25 broken leg, then the person could have up to four people. Sometimes when an

1 injured person has a bullet which has gone through his body, then the person can
2 have only two persons to care for him or her. But mostly it is those with a serious
3 injury such as broken legs, that's when they have at least up to four people.

4 Q. [10:02:05] How is the sickbay protected?

5 A. [10:02:20] The sickbay, people are selected from amongst those who brought
6 the injured. Then some are also sent to protect the sickbay. So they protect the
7 sickbay and also they act as the guard, and others go on patrol.

8 Q. [10:02:56] How many soldiers would there be assigned to do these tasks of
9 protecting the sickbay?

10 A. [10:03:10] It depends on the nature of the fighting. If there was no fighting,
11 then there could be few people. But if there was fighting, there could be between
12 30 -- 20 to 30 people in the sickbay.

13 Q. [10:03:34] Sir, would these people be armed?

14 A. [10:03:52] Yeah, these fighters have weapons.

15 Q. [10:03:56] What about the brigades, what functions did brigades perform in
16 relation to the sickbay?

17 A. [10:04:15] The work of the brigade is to protect the injured person and the sick,
18 and also to provide food.

19 Q. [10:04:28] In the years 2003, 2004, what brigades protected your sickbay?

20 A. [10:04:47] 2003, 2004 I was no longer in sickbay.

21 Q. [10:05:03] Where were you, sir?

22 A. [10:05:15] The leader of the sickbay was somebody else, it was Tulu.

23 Q. [10:05:26] In the years 2003, 2004, who protected Tulu's sickbay?

24 A. [10:05:45] Tulu came with soldiers because he was a major, so most times a
25 major has soldiers with whom he came to the sickbay.

1 Q. [10:06:00] I'll ask you more questions about it later, but in speaking about
2 brigades, what brigades protected Tulu's sickbay in the years 2003, 2004?

3 A. [10:06:31] In 2003, 2004 I had no plan to continue staying in the LRA, so I did
4 not pay a lot of attention on who was protecting the sickbay.

5 Q. [10:06:47] Let's talk about ranks. What was your rank when you left -- when
6 you left the LRA in June 2004?

7 A. [10:07:07] I was demoted. I was a captain. But for some disturbances that I
8 experienced while in the bush, I was demoted. I think later on when they realised
9 that I wanted to return home, then I was again given -- my rank was restored. That
10 was in 2002.

11 Q. [10:07:36] When did you receive your rank?

12 A. [10:07:55] People received their ranks from Palutaka while still in the Sudan in
13 1995. When the LRA had left Uganda and went to Sudan, that is when, that was the
14 time when they had already developed link with the Arabs. So later on the Arabs
15 found that the LRA did not have ranks and they advised the LRA, they advised Kony
16 that "You should have ranks because we have ranks. When you come to us without
17 ranks it is not good." So later on I was given the rank of captain.

18 Q. [10:08:47] Why did you personally receive the rank of captain?

19 A. [10:09:00] I have experience and I am knowledgeable and skilled in treating,
20 treating people, and also in giving education or skilling other people, that is why
21 I was given that rank.

22 Q. [10:09:20] I now would like to ask you some questions about your knowledge
23 of Dominic Ongwen. When did you first get to know Mr Ongwen?

24 A. [10:09:39] I knew Dominic Ongwen in 1992. It was during a Christmas
25 season when everyone was cold and gathered at a certain place. Then there was a

1 girl called Atong Lilly who was with me. She was amongst the people whom Kony
2 had sent me and they had brought Atong Lilly to me during that Christmastime.
3 That's when I started seeing Dominic. Dominic, we would refer to him as Odomi.
4 So when Kony started referring to Dominic as his brother-in-law, that's when I started
5 knowing him. He was not very old, he was still a young person.

6 Q. [10:10:58] Who was Mr Dominic in relation to Atong Lilly?

7 A. [10:11:17] I said Atong said that Dominic was her brother, so Dominic calls
8 Atong his sister.

9 Q. [10:11:31] And just to be clear, how did Atong Lilly come to be with that group
10 of people that brought her to you?

11 A. [10:11:53] Could you say the question again?

12 Q. [10:11:58] How did Atong Lilly come to be with that group of people that you
13 later saw that came to you?

14 A. [10:12:19] I earlier said that Atong Lilly was captured from the sickbay. She
15 was with me in the sickbay. Kony had sent his soldiers who were with me at the
16 sickbay, so they had gone to collect food and Atong Lilly was captured. And over
17 the Christmas, that is when Atong Lilly was sent to him.

18 Q. [10:12:45] Thank you. How would you describe Mr Ongwen as a person?

19 A. [10:13:05] In calling or in reference I should call Ongwen my son. He was a
20 good person. He would listen. He's respectful and is mindful of the people. That
21 is how I saw Ongwen.

22 Q. [10:13:28] I would like to turn to a different topic now and ask you some
23 questions about your unit towards the end of your stay in the LRA.

24 In 2003-2004 which unit were you part of?

25 A. [10:13:58] In 2003-2004 I was in Control Altar.

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1 MS NUZBAN: [10:14:29] Your Honour, there seems to be a discrepancy on the face
2 of it. If I may have your permission to refresh the memory --

3 PRESIDING JUDGE SCHMITT: [10:14:44] Yes, please continue.

4 MR OBHOF: [10:14:46] Your Honour, the Defence would just the --

5 PRESIDING JUDGE SCHMITT: [10:14:52] Yes, of course, the reference. But what
6 would you like to refer him to, of course?

7 MR OBHOF: [10:14:53] We would like all references, including the reference in tab
8 3 on page 2392 where he states all sickbays were underneath Control Altar.

9 PRESIDING JUDGE SCHMITT: [10:15:01] Yes. Why not pick that up, indeed, so
10 you don't have to do it later on?

11 And perhaps you would have to repeat it, but perhaps we start with the reference that
12 Ms Nuzban wants to put to the witness and then you can make your -- can throw in
13 your other reference.

14 MS NUZBAN: [10:15:31] Just a moment, your Honour.

15 PRESIDING JUDGE SCHMITT: [10:15:36] Please tell me, then I can continue in the
16 meantime.

17 MR OBHOF: [10:15:40] Your Honour, I'm looking at tab 3, that's

18 UGA-OTP-0243-2381, page 2391, where, on line 361 where the interviewer asks in
19 relationship to sickbay:

20 "Does it come under any particular brigade or any particular commander within the
21 LRA?"

22 And then the witness stated: "Kony himself is Control Altar ... it's under Control
23 Altar."

24 PRESIDING JUDGE SCHMITT: [10:16:15] Yeah, yeah.

25 Just shortly, Mr Witness, I have here a transcript of an interview that you had

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1 together with the investigators, and I read a portion out to you and perhaps you tell,
2 you tell us, now that you are sitting in this video location, what you think about it, if
3 it is correct or if it is not correct. I read it out to you.

4 You said: "Sickbay is" - like today- "just like a military hospital. But it's mobile."
5 And then the question was: "Does it come under any particular brigade or any
6 particular commander within the LRA?"

7 And then your answer is recorded here: "Kony himself is Control Altar ... it's under
8 Control Altar."

9 So that was your answer at the time. When you hear that today, does that sound
10 correct?

11 THE WITNESS: [10:17:24] (Interpretation) I even stated that even Tulu had -- was
12 under Control Altar. Even in the sickbay in which I was, it was under Control Altar.

13 PRESIDING JUDGE SCHMITT: [10:17:33] Thank you very much, Mr Witness.
14 Do we need then the other reference or is there a different notion to it?

15 MS NUZBAN: [10:17:41] Your Honour, I'll ask some other clarifying questions.

16 PRESIDING JUDGE SCHMITT: [10:17:45] Please continue.

17 MS NUZBAN: [10:17:46]

18 Q. [10:17:47] Mr Witness, were you part of a smaller unit within Control Altar?

19 A. [10:18:07] Sickbay usually is not close to the big group. The sickbay is usually
20 isolated in the bush to take care of the sick. So if there is any information that needs
21 to go to them, they are usually sent that information. But usually the sickbay is
22 isolated and is located separately.

23 Q. [10:18:33] And to be clear, in 2003-2004, who was in charge of the sickbay that
24 you were part of?

25 A. [10:18:54] In 2003-2004 it was Tulu. Sometimes he's called Toolbox, was the

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1 one in charge.

2 Q. [10:19:07] When did -- when was Tulu brought to your sickbay?

3 A. [10:19:24] In 2003, because they had lost trust in me and Tulu was brought to
4 take over the command of the sickbay from me.

5 Q. [10:19:40] What was his rank in 2004, and to be precise, in May 2004?

6 A. [10:19:58] He was a major.

7 Q. [10:20:00] Where is Tulu now?

8 A. [10:20:07] Tulu is dead now.

9 Q. [10:20:13] Apart from you and Tulu, who else was in your sickbay in 2004?

10 And you already told us that there were soldiers. Perhaps you can mention the
11 names of these soldiers.

12 A. [10:20:41] I do not quite recall because most of the people with whom I was, I
13 cannot now recall them.

14 PRESIDING JUDGE SCHMITT: [10:20:58] If you deem this information relevant,
15 just put the names to him and if he recalls, I think without further ado, so to speak.

16 MS NUZBAN: [10:21:12] Thank you, your Honour.

17 Q. [10:21:14] Sir, does the name Onen Michael mean anything to you?

18 A. [10:21:23] Well, if I'm reminded like that, then I can recall because, you know,
19 when I return home, my health deteriorated, so I did not put a lot of interest in other
20 things. Yes, I do recall that one.

21 Q. [10:21:45] What was Onen Michael's role in May 2004?

22 A. [10:22:08] Onen Michael was a signaller.

23 Q. [10:22:15] Whose signaller was he?

24 A. [10:22:25] Tulu's signaller.

25 Q. [10:22:27] What were his responsibilities as Tulu's signaller?

1 A. [10:22:42] His role was to carry the radio, move along with it. When it was
2 time to communicate, he would set up the antenna, he would tune in and they would
3 communicate.

4 Q. [10:22:58] What was his rank in 2004?

5 A. [10:23:14] I do not recall.

6 Q. [10:23:19] Let's move on, sir. Does the name Abonga Wondano mean
7 anything to you?

8 A. [10:23:47] Yes. If it is mentioned, it can remind me. Yes, Abonga Wondano
9 was there.

10 Q. [10:23:58] When you say "there", you mean in the sickbay with you and Tulu?
11 Am I correct, sir?

12 A. [10:24:16] Yes, correct.

13 Q. [10:24:18] What was Abonga Wondano's role in May 2004?

14 A. [10:24:29] His role was to protect the sick and the injured.

15 Q. [10:24:39] What was his rank in 2004?

16 A. [10:24:52] Abonga was a lieutenant while still in the Sudan, but when they
17 came to Uganda he was demoted. I am not sure whether his rank was restored.

18 Q. [10:25:08] Where is he now?

19 A. [10:25:18] He's in the UPDF.

20 Q. [10:25:20] When did he leave the LRA?

21 A. [10:25:28] I do not recall. I only came to see him when he was now home.
22 Maybe when I left, he also left. Could be around 2004.

23 Q. [10:25:44] I'm going to put another name to you. Onek Dinka, does it mean
24 anything to you?

25 A. [10:26:00] Onek Dinka, not Onen. Yes, I also recall. I do remember him.

- 1 Q. [10:26:10] What was Onek Dinka's role in May 2004?
- 2 A. [10:26:25] I do not recall his role and rank.
- 3 Q. [10:26:33] Where is he now?
- 4 A. [10:26:40] He's dead.
- 5 Q. [10:26:46] How did these soldiers come to work with Tulu?
- 6 A. [10:26:58] I earlier explained that some soldiers came with Tulu and others
7 were sent to Tulu.
- 8 Q. [10:27:12] Who are Odong and Kinyera?
- 9 A. [10:27:22] Odong and Kinyera were actually young people who -- when at the
10 time I had released my wife, I was now staying alone, so (Redacted)
11 (Redacted)
- 12 Q. [10:27:56] Were they armed?
- 13 A. [10:27:58] They were not armed.
- 14 Q. [10:28:02] How old were Odong and Kinyera in 2004?
- 15 A. [10:28:13] Kinyera was 14 years old and Odong was 13 years old.
- 16 Q. [10:28:23] Let's turn to radio communication. You told us that Onen Michael
17 was Tulu's signaller. When did your sickbay get the radio?
- 18 A. [10:28:41] Tulu came with the radio.
- 19 Q. [10:28:46] Can you very briefly describe that radio to us?
- 20 A. [10:28:51] The radio is carried on the back and you move along with it. It
21 uses a frequency and when there is need for communication, it is set up and tuned in.
- 22 Q. [10:29:21] How would Tulu know when to switch on the radio?
- 23 A. [10:29:29] They will have agreed on the exact time to set up. So when it was
24 time -- most time it was 10 o'clock in the morning and later in the evening they would
25 also put up the antenna. I would hear them talking on the radio.

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1 Q. [10:29:57] How often would the radio be used? Would it be daily, weekly,
2 monthly?

3 A. [10:30:18] If people were settled, if there was no emergency, it was used every
4 day, 10 a.m. and 5 p.m. But if there was insecurity, the area was insecured, then it
5 was not used because people would be on the move. It depends on the security of
6 the area.

7 Q. [10:30:44] And what did you see happen after each radio communication?

8 A. [10:30:58] Whenever they have sent radio communication, they would ensure
9 people understand. If there is nothing to tell people, they would just have their own
10 conversation.

11 Q. [10:31:15] I want you to concentrate on radio communications in May 2004.
12 What radio communications do you remember taking place in May 2004?

13 A. [10:31:48] What I recall in May is what I heard from the younger soldiers.
14 They said that Kony told Tulu that the world was saying he was no longer there, he
15 had died. So he wanted to show the world that he was still alive. Tulu should
16 prepare a standby and he would send Dominic to him so that they would go and fight.
17 That is what I heard. I remember hearing what they said.

18 Q. [10:32:33] How did these young soldiers learn about the radio communication
19 you just described?

20 A. [10:33:02] The low-ranked soldiers were privy to the information from their
21 colleagues, so when you asked them they would tell you everything that is said on
22 radio because they would always hear. That is also how I heard.

23 PRESIDING JUDGE SCHMITT: [10:33:21] Perhaps in the meantime I may ask a
24 question.

25 I would like to ask you if Tulu, as the commander, was the only person who was

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1 entitled to use the radio?

2 THE WITNESS: [10:33:42] (Interpretation) Yes, he was the only one entitled to use
3 the radio.

4 PRESIDING JUDGE SCHMITT: [10:33:45] Thank you.

5 MS NUZBAN: [10:33:46] One moment, your Honour. I'm consulting the transcript.

6 Q. [10:34:03] Do you know the name of the person that told about this radio
7 communication to the young soldiers on that occasion?

8 A. [10:34:20] I do not recall at this moment.

9 Q. [10:34:25] Where were you -- where was the sickbay, rather, when this radio
10 communication happened?

11 A. [10:34:45] I was in a position, so whenever the radio is set up I normally leave
12 and then I ask the younger soldiers later what they heard and then they would tell me
13 whatever they heard on radio. I do that so that I also know if they are talking
14 anything on me or about me, because I was also supposed to be killed.

15 Q. [10:35:13] In terms of geographic landmarks or places, where was the sickbay
16 when this communication took place?

17 A. [10:35:41] That place was close to a centre known as Loyo Ajonga, west of
18 Loyo Ajonga, and Loyo Ajonga was east of that place.

19 Q. [10:36:02] You said that in the communication it was told that Dominic
20 Ongwen will come. Did Dominic Ongwen in fact come? Did Dominic Ongwen in
21 fact come?

22 A. [10:36:24] It took about one hour, perhaps one hour or more; you know, it's not
23 easy to estimate time. Between one hour and one hour and a half. I heard there
24 was shouting in the defence area, people were shouting. I suspected that there were
25 new arrivals. When I came, I indeed found there was new arrivals. That meant

1 Dominic Ongwen had arrived.

2 Q. [10:36:57] Who arrived with Dominic Ongwen?

3 A. [10:37:11] Dominic Ongwen arrived with his troops.

4 Q. [10:37:20] Can you remember the number of troops that you saw?

5 A. [10:37:30] I do not recall because I went -- I did not go close, but I would hear
6 them talking and making noise.

7 Q. [10:37:50] Can you describe the troops that you saw, Ongwen's troops, head to
8 toe?

9 A. [10:38:04] Some soldiers had civilian clothes, others had camouflage military
10 uniform. I saw when they were already leaving. I did not see when they had
11 settled down. But I didn't see them also at close range. Others had civilian clothes,
12 others had military clothes, others wore gumboots, others were barefooted, others
13 had caps, others did not have. But most of them I could see had guns.

14 Q. [10:38:43] How about, Ongwen? Can you describe him the moment you saw
15 him?

16 A. [10:38:49] He was also wearing camouflage army military, military uniform.
17 He had a cap and his escort was holding his gun.

18 Q. [10:39:06] Can you describe the escort that was holding Ongwen's gun?

19 A. [10:39:23] The escort who held Odomi's gun had another gun but also was
20 wearing gumboots. It was not so close and the grass was really high up. I couldn't
21 see very clearly.

22 Q. [10:39:43] Would you be able to tell the age of the escort that was holding the
23 guns?

24 A. [10:39:58] He could be about 16, between 15 and 16.

25 Q. [10:40:11] What was the name of Ongwen's unit?

1 A. [10:40:21] At that time people were split into smaller groups, but he was in
2 Gilva.

3 Q. [10:40:35] Sir, what happened after Ongwen's arrival?

4 A. [10:40:54] When Ongwen arrived he found Tulu had already prepared a
5 standby, and as soon as he arrived they did not take long and they left and went.

6 Q. [10:41:14] Did Ongwen address the standby at any point?

7 A. [10:41:29] I could hear his voice, I could hear that he was speaking, but I could
8 not hear what he was saying. I could only hear him saying that people should be
9 ready to go.

10 Q. [10:41:44] How many troops did you see Ongwen briefing?

11 A. [10:42:00] When he had combined his troops with that of Tulu it could be well
12 between 50 and 60.

13 Q. [10:42:12] Could you tell the number of troops from the sickbay that were part
14 of that combined group?

15 A. [10:42:26] I cannot estimate now.

16 Q. [10:42:37] What happened after the briefing?

17 A. [10:42:51] They left, and those who remained behind continued to prepare
18 food. And then in the evening they slept.

19 Q. [10:43:13] At that point did you know where the combined forces were going?

20 A. [10:43:24] I learnt of it that Kony had said the world claims he was no longer
21 existing, he wanted Ongwen to go and show that he was still alive.

22 Q. [10:43:47] Did you know at that point the location where they were going?

23 A. [10:44:00] I learnt. I investigated and realised that they had gone to Lukodi.

24 Q. [10:44:11] When did you learn it?

25 A. [10:44:19] I learnt when they talked on radio that the world claims that he does

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1 not exist, the world therefore needs to be reminded that he still exists. That the
2 world would be -- would understand from Lukodi, so the younger soldiers told me
3 that they were going to attack Lukodi.

4 Q. [10:44:58] I'd like to ask you a few more questions about Tulu's soldiers that
5 were part of the combined force.

6 In terms of health, how would you describe Tulu's soldiers?

7 A. [10:45:22] At that time people were not fighting much, so people were healthy.
8 We would just wait for people to come in the sickbay. We were taking care of
9 women mainly.

10 Q. [10:45:40] How many Tulu's soldiers went to Lukodi?

11 A. [10:45:48] I do not know. I didn't understand.

12 Q. [10:45:56] Sir, should I repeat the question or you -- should I repeat the
13 question?

14 MR TAKU: [10:46:10] Your Honour, I'm sorry. This question was asked three
15 times and the witness said "I do not remember, I do not remember" --

16 PRESIDING JUDGE SCHMITT: [10:46:17] I think when he -- I also understood it
17 when he said "I did not understand" that he means understand in a way that he did
18 not come to know it at the time. But that is perhaps my interpretation. I think you
19 can move on.

20 MS NUZBAN: [10:46:27] I will move on.

21 PRESIDING JUDGE SCHMITT: [10:46:30] I think we won't get an exact figure.

22 MS NUZBAN: [10:46:34]

23 Q. [10:46:35] Sir, do you remember the names of Tulu's soldiers that went to
24 Lukodi?

25 A. [10:46:52] I said here that I do not recall most names now. If I am reminded

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1 though, I will try to remember.

2 Q. [10:47:03] You mentioned earlier Onen Michael. Did Onen Michael go to
3 Lukodi?

4 A. [10:47:17] I was reminded about Onen Michael and I said I knew him.
5 Indeed Onen Michael went.

6 Q. [10:47:28] Did Odong and Kinyera go to Lukodi?

7 A. [10:47:37] No, they did not.

8 Q. [10:47:39] Why not?

9 A. [10:47:41] They were still too young.

10 Q. [10:47:49] How far was Lukodi from your position?

11 A. [10:48:04] It is not easy to estimate because there's nothing to compare with the
12 distance.

13 PRESIDING JUDGE SCHMITT: [10:48:12] Perhaps shortly, because it immediately
14 suggests itself. You spoke about Odong and Kinyera and said they were too young.
15 Do you know, in hindsight, how old they were at the time?

16 THE WITNESS: [10:48:35] (Interpretation) I said earlier that Kinyera was 14 and
17 Odong was 13. In that attack, mainly the older soldiers went.

18 PRESIDING JUDGE SCHMITT: [10:48:49] Thank you.

19 Please continue.

20 MS NUZBAN: [10:48:53]

21 Q. [10:48:54] When did the sickbay fighters return?

22 A. [10:49:05] They came between midday or 1. When people returned, I saw
23 certain things which had been recovered from there, clothes, food, which were taken
24 to Tulu's place. And then there were also weapons recovered during the attack.
25 For me, I was given one gun, which I also came with home. I gave it to the UPDF.

1 Q. [10:49:42] You said that the fighters came back with weapons, food and clothes.
2 And you said that they -- that they were taken to Tulu's place. What happened with
3 these items at Tulu's place?

4 A. [10:50:12] The things were distributed. I said that it was distributed later.
5 I was given a gun. The clothes and the food were all distributed amongst the people.

6 Q. [10:50:28] Did all of Tulu's soldiers come back?

7 A. [10:50:39] I do not recall, but I understood that Onen Michael went with
8 Dominic.

9 Q. [10:50:53] And just to be clear, did you see Ongwen after this attack?

10 A. [10:51:05] After the attack Ongwen did not come back to the sickbay.
11 Ongwen passed through other routes.

12 Q. [10:51:16] Apart from sickbay fighters, did anyone new come to your location?

13 A. [10:51:32] No. There was no one.

14 Q. [10:51:36] Did you speak to those who went to Lukodi about what happened
15 in Lukodi?

16 A. [10:51:51] I talked to some people. I do not recall their names now, but they
17 told me that it was a fierce battle, because they found the soldiers who were guarding
18 the civilians, you needed to first attack the soldiers before reaching the civilians, and
19 the soldiers also had civilians in the crossfire. That is why there were many injuries.
20 That is what I heard, but I do not recall the names of those who told me.

21 Q. [10:52:31] Thank you, sir. Let's turn to a different topic now.
22 What other LRA attacks in 2003-2004 do you recall?

23 A. [10:53:03] I recall the attack in Pajule.

24 Q. [10:53:14] Do you remember any other attacks from 2003-2004?

25 A. [10:53:26] I also recall Opit.

1 Q. [10:53:33] Concentrate on the Opit attack, sir. When was Opit attacked?

2 A. [10:53:48] The attack in Opit was not long after Lukodi attack. It was the
3 same message that Kony sent for the Lukodi attack that was sent for the Opit attack.
4 It was close by. The attacks took place around the same time.

5 MS NUZBAN: [10:54:14] Your Honour, may I request to refresh witness's memory
6 on the date?

7 PRESIDING JUDGE SCHMITT: [10:54:20] Yes, you can, of course.

8 MS NUZBAN: [10:54:22] Thank you.

9 PRESIDING JUDGE SCHMITT: [10:54:24] And you can do it quickly. You can
10 simply say, "In a statement, you have stated that at the time that it was on a certain
11 date. Does this refresh your memory?" and then move on. I think we can shorten
12 this.

13 MS NUZBAN: [10:54:39] Thank you, your Honour.

14 Q. [10:54:40] Sir, when you spoke to the OTP investigators in 2015, you said that
15 Opit happened towards the end of 2003. You also said you don't remember the exact
16 date of the attack. Does that refresh your memory?

17 A. [10:55:06] I do not recall now.

18 Q. [10:55:12] Who attacked Opit?

19 A. [10:55:21] We were in the sickbay with Tulu. Dominic Ongwen came and
20 stayed with us, when he had come from the battle.

21 Q. [10:55:32] What did Dominic have with him when he came back from the
22 battle?

23 A. [10:55:46] He came with food, some of which were given to Tulu. A few
24 things like clothes were also there. Even food was not a lot, it was little.

25 Q. [10:55:59] Did you see it with your own eyes?

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- 1 A. [10:56:05] Yes, I saw with my own eyes.
- 2 Q. [10:56:10] Did you talk to anybody from Ongwen's group about the fighting?
- 3 A. [10:56:20] I talked with Ongwen himself.
- 4 Q. [10:56:26] What did Ongwen tell you about the attack?
- 5 A. [10:56:34] Ongwen hardly speaks. He just told me that he went for operation.
- 6 Q. [10:56:43] How about others in Ongwen's group? Did you speak to anybody
- 7 else about the attack?
- 8 A. [10:56:52] No, I did not speak with anyone else.
- 9 MS NUZBAN: [10:57:04] Your Honour, may I please refresh witness's memory?
- 10 And the reference --
- 11 PRESIDING JUDGE SCHMITT: [10:57:09] The reference now for this one, please.
- 12 MS NUZBAN: [10:57:11] Yes, the reference is at tab 6. The ERN is 0243-2444 and
- 13 it's at page 2457, lines 416-420.
- 14 PRESIDING JUDGE SCHMITT: [10:57:39] Yes, please continue.
- 15 MS NUZBAN: [10:57:45]
- 16 Q. [10:57:49] Sir, when you spoke to the OTP investigators in 2015, you said that
- 17 you spoke to the lower-ranking soldiers, who told you that the fighting was easy.
- 18 Does that refresh your memory?
- 19 A. [10:58:11] Oh, yes, it does remind me.
- 20 Q. [10:58:14] What else do you remember?
- 21 A. [10:58:19] What I recall now is that the UPDF fled.
- 22 PRESIDING JUDGE SCHMITT: [10:58:32] And I think there was not more at the
- 23 time. Even so, I think we can move to another point or have a break now.
- 24 MS NUZBAN: [10:58:40] Just two or three questions and --
- 25 PRESIDING JUDGE SCHMITT: [10:58:43] Of course, of course.

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1 MS NUZBAN: [10:58:45] -- then we can take a break, with your permission.

2 Q. [10:58:50] Sir, what was Ongwen's unit at the time?

3 A. [10:59:00] People were split into really small groups, but it was in Sinia
4 that -- when Sinia big group split, they remained in Sinia. When Gilva people split,
5 they remained in Gilva.

6 Q. [10:59:20] And in terms of health, how would you describe Ongwen when you
7 spoke to him?

8 A. [10:59:33] At that time, you know, Ongwen was shot earlier, so he was limping
9 at this time. He was healthy, but he was limping at the time.

10 Q. [10:59:45] Thank you, sir.

11 MS NUZBAN: [10:59:46] Your Honour, perhaps it's a good time to take a break.

12 PRESIDING JUDGE SCHMITT: [10:59:50] I picked that up. So we have the break
13 until 11.30.

14 THE COURT USHER: [10:59:55] All rise.

15 (Recess taken at 10.59 a.m.)

16 (Upon resuming in open session at 11.32 a.m.)

17 THE COURT USHER: [11:32:37] All rise.

18 PRESIDING JUDGE SCHMITT: [11:32:53] So, Ms Nuzban, you still have the floor.

19 MS NUZBAN: [11:32:57] Thank you.

20 Q. [11:33:00] Sir, let's turn to the topic of women and children in the LRA. You
21 told us you were abducted in 1980s, in late 1980s. You were a mature man then. At
22 that time who did the LRA abduct in terms of age and gender?

23 A. [11:33:29] At the time I was abducted they were not yet abducting young
24 people and they were also not yet abducting women. It was mainly men who were
25 being captured.

- 1 Q. [11:33:52] What was the age of abducted men at the time?
- 2 A. [11:34:04] They would abduct more older men from 18 years upwards.
- 3 Q. [11:34:14] When did this practice change?
- 4 A. [11:34:27] I think it changed around the year 2000, 1990s, but I do not recall the
5 exact year in which it changed.
- 6 Q. [11:34:41] Who ordered the abduction of children?
- 7 A. [11:34:55] Most of the things that happened in the LRA, abductions, even my
8 abductions, all the orders come from Kony.
- 9 Q. [11:35:08] Where were the children abducted from?
- 10 A. [11:35:21] Some of the children were abducted from Acholiland, others in
11 Lango, even some from Teso.
- 12 Q. [11:35:35] How long did this practice of abducting children go on for?
- 13 A. [11:35:46] I think even up to today it's happening, he's still abducting people in
14 Central Africa, in Congo. He hasn't stopped.
- 15 Q. [11:36:03] Let's turn to the issue of women in the LRA. What was their role in
16 the LRA?
- 17 A. [11:36:18] The women were trained how to shoot a gun, and when you are
18 home their roles were to cook and to carry the cooking utensils.
- 19 Q. [11:36:34] Who ordered the abduction of women?
- 20 A. [11:36:44] I am repeating this for the second time. It is the orders comes from
21 Kony. He is the father of LRA, so every order come from him.
- 22 Q. [11:36:56] Why did Kony order the abduction of women?
- 23 A. [11:37:09] The abduction of women is to give morale to the soldiers and also to
24 remove that feeling of escape. You know, as human beings we have certain feelings
25 and so when they are older people they have sexual feelings, so when the women are

1 taken to them, that such feelings will always be satisfied.

2 Q. [11:37:39] How do you know that, sir?

3 A. [11:37:50] He would openly say that, and when people are gathered he openly
4 states that fact.

5 Q. [11:37:59] Did Dominic Ongwen have wives in the LRA?

6 A. [11:38:11] Dominic Ongwen had wives. You know, Dominic Ongwen was a
7 forgiving person. So there were some women that were in Dominic's household
8 because they were -- there was nobody to take care of them so Dominic Ongwen,
9 being a kind person, started care of such women. They were actually mainly
10 widows. There was nobody to take care of them so he offered to look after such
11 widows.

12 Q. [11:38:50] Do you remember the names of these women?

13 A. [11:38:57] I remember one, which due to Ongwen's kindness, the lady was
14 called Ayot and the husband was called Kajura. She was an old, she was an old lady
15 who was just staying alone, and so Dominic with his kindness went and picked her
16 and started looking after her. So later on the lady saw how Ongwen was taking care
17 of her and she did not even want to go to another person. So she stayed with
18 Dominic until when she escaped.

19 Q. [11:39:43] How do you know that, sir?

20 A. [11:39:53] I saw with my own eyes.

21 Q. [11:40:06] Did Ayot have any other names?

22 A. [11:40:09] Florence Ayot. She was communally referred to as Flo.

23 Q. [11:40:20] Did Flo Ayot have any nicknames?

24 A. [11:40:26] She was called Min Bak.

25 Q. [11:40:36] Do you remember the names of other wives of Dominic Ongwen?

1 A. [11:40:47] I do not recall the other wives. I only know, I only know that one
2 called Ayot. The others I do not recall them now.

3 Q. [11:41:06] You told us you helped in delivery of women when you were in the
4 sickbay. Can you remember if any of Ongwen's wives were under your care as
5 patients?

6 A. [11:41:34] I do not recall. There were very many people who were with me.

7 Q. [11:41:44] Let's talk about the time when you left the LRA. You told us you
8 left the LRA in June 2004. Can you tell us briefly about the circumstances in which
9 you escaped?

10 A. [11:42:07] Yes, I can explain. On 24th, it was on the 25th, around 25th or 24th
11 there was a girl called Amony who was beaten. She had gone to Tulu to ask, that
12 she heard of the death of her father so she should be released to come home. So
13 when Tulu heard Amony talking about returning home, he asked his soldiers to beat
14 Amony. Amony was beaten and when she came to me she had -- she had pooped on
15 herself and she had faeces all over her. So with that pain I saw I was really, really
16 annoyed and I told Amony that "Stay here with me, I am going to send you home".
17 So Amony thought I was just joking and later on -- but I had told her not to tell any
18 other person, but later on Amony went and told other women, so she started
19 distributing some of her items that I was going to send her back home.
20 The next day in the morning people were selected to go and collect cassava because
21 they had run out of food. So I asked who was the commander of those that were
22 going to collect cassava. So Tulu said "You should go with them because you are
23 mature and you can take care of them so that they can return early." Indeed we
24 went, I picked Odong and Kinyera and we started moving with them. So when we
25 reached the cassava plantation I asked, I called Amony "Go and uproot the cassava.

1 Odong and Kinyera, you also have to go and uproot some cassava. Today we are
2 going to leave."
3 All these children unfortunately were scared. They thought I was just lying to them.
4 So when we uprooted the cassava I asked all the soldiers that had come with us that
5 we should go back. I had already asked Amony to remain behind me. So they
6 remained behind me and we walked for some distance until when now I knew that
7 they could no longer see us, then I told them "Stop here, put down the cassava."
8 And we started running back. So when we ran backwards, we actually tried to close
9 the track -- our track, so that it will not be -- we will not be followed. So when we
10 started moving we found the UPDF foot track, then when we saw the UPDF I thought
11 they were going to shoot at us. So I told these people that we should go back, and
12 then Kinyera knew one of the road and said this road usually leads to Gulu. So we
13 started following this track and we moved up to a point. It was dark, we reached
14 Ogul and we spent a night. Then it was the next day of 26th, in Ogul we found
15 people would come home to uproot cassava, they would come from the camp. So I
16 saw one of the women who had come to the cassava garden. I went to her and told
17 her not to scare, not to be scared of us. I told her we are not bad people, go and tell
18 the UPDF that we have returned, we are home, let them come and pick us.
19 So the UPDF -- this lady went to the UPDF and the UPDF told this lady to come to tell
20 us that we should go. So I told Amony and the other children that "Let us go.
21 Don't fear." But they were very scared because they heard that the UPDF was near.
22 So I encouraged them, I encouraged these children until when we came and found the
23 UPDF.
24 The UPDF actually had -- even they wanted to flee, they had tried to start running
25 away from us, but we -- I was the one who told them that no, we are not bad people.

1 We surrendered. We put up our hands, put the guns down and they came and
2 collected the gun, and together with us we went to their detach.
3 That is how I escaped.

4 Q. [11:47:24] Thank you, sir. Now I would like you to tell us about the time after
5 you left the LRA. Have you heard of radio Mega FM?

6 A. [11:47:45] When I reached home it was the 26th. There was a certain man
7 called Lacambel. That -- there was a radio programme on Mega FM that when
8 people, when there are returnees from the bush, the new returnees should be taken to
9 speak on that radio.

10 So on the 26th Lacambel came and collected me and we went to the radio programme
11 to talk to those who were still in the bush so that I could encourage them and tell
12 them to return home.

13 So I talked to them and told them, "My brothers and my sisters, please return home.
14 There is no problem at all. It's me, Ray, who is speaking to you." So indeed after a
15 few days some people came. Then that programme kept on occurring every
16 Saturday and every Tuesday and that's what I would be doing since my return.

17 Q. [11:48:52] What was the name of the programme?

18 A. [11:49:03] The programme was called Dwog cen Paco, meaning please return
19 home.

20 Q. [11:49:13] How long did you do this for?

21 A. [11:49:19] It was -- I spoke for a long time. It was I think from, from 2004 up
22 to 2007 I would still go to the radio programme. I do not quite recall exactly now.

23 Q. [11:49:48] Can you give examples of people who heard your message on the
24 radio and came out?

25 A. [11:49:59] Quite many. There were quite many people. I sent message,

1 many children, many women, people who returned in 2005, 2006, 2007. And there
2 are others who recently returned because all would get my message, because I did not
3 only speak on the radio, I also took my photograph which I kept sending in the bush.
4 My voice was recorded and sent to some radio stations in Congo, in the Sudan and
5 Central Africa so that those who were still in the bush can listen to my voice and
6 know that I am still alive, when you return nothing wrong will happen to you.
7 But Kony was very elusive and said that when you return you will, you will actually
8 die. I realised that he had changed his tactic and was telling people that when you
9 return home you will be told. So this actually planted a lot of fear in the children
10 and some adults who were with him.

11 Q. [11:51:26] I am particularly interested in the LRA commanders that came out
12 as a result of your appeals. Can you give us a few examples.

13 A. [11:51:46] Banya Kenneth, Sam Kolo, Okwonga Alero, Odongo Michael.
14 These are only commanders, senior commanders. Oyat Lapaicho.

15 Q. [11:52:06] I have now come to the final part of my examination and I would
16 like to ask you a few questions about Dominic Ongwen.

17 When was the last time that you spoke with Dominic Ongwen?

18 A. [11:52:33] I spoke to Dominic Ongwen during the time of the peace talk when
19 the LRA and the government of Uganda had agreed that people should be gathered
20 in the Sudan.

21 So Ongwen came from a certain place and came to Opit, and at that time he was
22 speaking with Lacambel and they came and collected me, together with Banya, to go
23 and meet Dominic Ongwen. So we went with Lacambel. Lacambel had already
24 sent his -- Dominic's wife to Opit. And the wife sent the mobile phone to Ongwen
25 and we started talking to Ongwen, explaining to him the benefit, the advantages of

1 ICC, also the bad side of the people who were telling him not to return. We
2 explained to him, we talked to him for close to -- or, over one hour and then we
3 returned.
4 When we returned we unfortunately -- well, you know, we had an accident when we
5 were crossing a certain river, but fortunately nothing wrong happened to us.
6 We later on came to know that some of the children who came from him, so many
7 people were calling him again on phone telling him that if you return, you are going
8 to be killed. If you return they are going to take you to ICC. That is actually what I
9 learned later on, so many other people were calling him and telling him a lot of things,
10 not to return. So the result of our talking to him was not fruitful.

11 Q. [11:54:46] You said that Ongwen when he spoke to you was in Opit. Where
12 were you, Lacambel and Banya?

13 A. [11:55:05] He was in Opit, somewhere in the bushes. It was -- we were the
14 only ones who were at the centre. So there was some distance between us and him.

15 Q. [11:55:17] Can you, sir, remember the name -- apologies, the year when this
16 happened?

17 A. [11:55:34] During the peace talk I do not recall the year, but I only know the
18 event as it was a peace talk. It could be around 2006. I do not quite recall.

19 Q. [11:55:48] You said that Lacambel approached you about it. Who arranged
20 this telephone conversation?

21 A. [11:56:05] I explained earlier that this radio programme, it was organised by
22 the UPDF, it was the UPDF that was coordinating.

23 Q. [11:56:18] Where did the phones that you and Ongwen used come from?

24 A. [11:56:30] It was Lacambel's phone.

25 Q. [11:56:35] You said that the conversation lasted about an hour. How long did

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1 you yourself speak to Ongwen?

2 A. [11:57:02] I spoke to him for about one hour.

3 Q. [11:57:12] How about Lacambel?

4 A. [11:57:22] All of us, we all took some times talking to Dominic Ongwen until
5 when the phones became heated up.

6 Q. [11:57:37] Sir, when you spoke to Ongwen, what examples did you use to
7 illustrate your point?

8 A. [11:58:08] The examples that I used, majorly I used myself as an example. But
9 on the issue of ICC, I told him that ICC is not bad. We told him that when you go to
10 ICC you will not be killed. That is what I told him.

11 Q. [11:58:31] Can you remember what other examples you used during your
12 conversation with Dominic Ongwen?

13 A. [11:58:44] I do not recall now.

14 Q. [11:58:48] Sir, I have no more questions to you, for you.

15 MS NUZBAN: [11:58:53] Your Honours, there is no further questions for the
16 Prosecution. This is it.

17 PRESIDING JUDGE SCHMITT: [11:58:58] Thank you very much. Perhaps I have
18 two or three short follow-up questions.

19 The first question, Mr Witness, is: This girl Amony, do you know how old she was?

20 THE WITNESS: [11:59:18] (Interpretation) I could see from her facial appearance,
21 but I do not know her exact age, but she was somebody a little older.

22 PRESIDING JUDGE SCHMITT: [11:59:32] Of course we cannot expect and we do
23 not expect that you know the actual age, but if you would give an estimate what you
24 thought at the time how old she might have been.

25 THE WITNESS: [11:59:53] (Interpretation) She was above 30 years of age, because

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1 she came with her husband Kajura and then it was Kajura who now received her.

2 She even had children already.

3 PRESIDING JUDGE SCHMITT: [12:00:09] When you talk, now later, when you
4 talked with Dominic Ongwen on the telephone for an hour, as you have said, could
5 you describe the mood in which this conversation took place, the atmosphere, so to
6 speak?

7 THE WITNESS: [12:00:41] (Interpretation) Me and Dominic loved ourselves a lot,
8 because Dominic liked people, I also like people. The reason why I went to him was
9 because me and him liked each other. I went there because of my people. I was
10 speaking for him peacefully. We were actually making jokes as well and explaining
11 so that he understands my message.

12 I tried to persuade him so that he can come out, but he also kept telling us that "You
13 are just trying to trick me. When I come back home, you will kill me."

14 PRESIDING JUDGE SCHMITT: [12:01:25] Thank you very much, Mr Witness.

15 And I would ask the Legal Representatives of the victims if they have any questions?

16 MR MANOBA: [12:01:31] Just a handful, Mr President.

17 PRESIDING JUDGE SCHMITT: [12:01:35] Please continue, Mr Manoba.

18 MR MANOBA: [12:01:38] Thank you, Mr President.

19 QUESTIONED BY MR MANOBA:

20 Q. [12:01:40] Mr Witness, my name is Joseph Manoba and I represent victims in
21 this case and will be putting a few questions to you.

22 And my first question to you is: Before you escaped, was it a common occurrence
23 for you to hear about other people trying to escape, especially those who were
24 abducted?

25 A. [12:02:21] From about the year 2000, when Otti Lagony was killed and

1 Canodonga was also killed, people started escaping. By the time I escaped, yes,
2 indeed people were already escaping.

3 Q. [12:02:40] Thank you, Mr Witness.

4 Do you know any specific individual that may have escaped before your own escape?

5 A. [12:02:57] Yes. There was Onekamon.

6 PRESIDING JUDGE SCHMITT: [12:03:03] And I think we have, already it has been
7 asked and answered, for example, when it comes to certain commanders also, so we
8 don't have to dwell on that more.

9 MR MANOBA: [12:03:15] I'm guided, Mr President.

10 Q. [12:03:20] Mr Witness, are there any people you know about who tried to
11 escape but couldn't escape, were not lucky to escape, so to speak?

12 A. [12:03:41] I remember the wife of Ocan Bunia. She escaped and went to the
13 Arabs. Unfortunately, the Arabs were in link with Kony and they brought back the
14 woman. When they brought her back, Kony ordered all the women to go to him to
15 gather up together in a place that he had prepared. When the women came, Kony
16 asked the women to judge the person who escaped. The women pleaded that she
17 should not be killed, she should be left alive. Even Kony's wife protested the killing
18 of the woman, the planned killing of the woman. The woman was called Fatuma.
19 She was called Fatuma. Kony's wife refused that Ocan Bunia's wife should be killed.
20 Later on Kony himself came with a gun and asked "Where is the woman?" His
21 escorts disarmed him and Kony said that he didn't want to see the woman there.
22 Later on the woman was taken away and tied to a tree. And the women were
23 gathered together to see and the woman was shot while tied up on the tree. She was
24 killed and was left. When she had fallen down she was left there. That is what I
25 saw personally, someone who tried to escape and was not successful.

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1 Q. [12:05:27] Thank you, Mr Witness.

2 When this woman was killed are there any burial ceremonies that were conducted for
3 this woman?

4 A. [12:05:52] No, I did not see. That was done to instill fear among the women
5 and also among the soldiers.

6 Q. [12:06:09] Is this, would you say this is how your own community deals with
7 people who were killed or dead?

8 A. [12:06:31] When Kony orders that you should be killed, you will definitely be
9 killed. And the killing was taking place even within the LRA, not only in the
10 communities.

11 PRESIDING JUDGE SCHMITT: [12:06:47] I think we had this. I think we do
12 not -- it's relatively clear that this is not -- would not be the normal custom in any
13 society.

14 MR MANOBA: [12:06:59] Thank you, Mr President. That ends my questioning.

15 PRESIDING JUDGE SCHMITT: [12:07:02] Thank you, Mr Manoba.

16 Mr Narantsetseg, do you have any further questions.

17 MR NARANTSETSEG: [12:07:06] Mr President, thank you for the opportunity, we
18 have no further questions. Thank you.

19 PRESIDING JUDGE SCHMITT: [12:07:10] Thank you very much.

20 For the further planning I think we should have the afternoon session starting with
21 the Defence. I think you are prepared. And this would mean that we can finish the
22 Defence questioning in the first session tomorrow, which again the follow-up means
23 that we can start with P-47 in the afternoon session, two hours, which further looking
24 means that we should be able to finish 47 on Thursday, so that 47 would not have to
25 wait three days over the weekend and to come back on Monday. So I think just for

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1 your mindset and for your planning.

2 I think we can shorten the lunch break a little bit so that we have, that we can finish
3 also a little bit earlier. I would suggest that we resume at 2 o'clock and have the
4 afternoon session from 2 until half past 3.

5 And we try to fix the echo so that it's more comfortable to listen in the afternoon.

6 THE COURT USHER: [12:08:20] All rise.

7 (Recess taken at 12.08 p.m.)

8 (Upon resuming in open session at 2.00 p.m.)

9 THE COURT USHER: [14:00:11] All rise.

10 PRESIDING JUDGE SCHMITT: [14:00:32] I think we have a new face on the Defence
11 bench. Perhaps you could introduce your colleague.

12 MR OBHOF: [14:00:40] Thank you, your Honour. Yes, we do have a new face
13 today, it's one of our interns, Mr Roy Kitur. Also our counsel Krispus Ayena
14 Odongo sends his apologies. He's still feeling a little ill, so he's staying away this
15 afternoon.

16 PRESIDING JUDGE SCHMITT: [14:00:53] Then perhaps tell him our best wishes for
17 his health.

18 And I give you the floor, Mr Obhof.

19 MR OBHOF: [14:01:01] Thank you.

20 QUESTIONED BY MR OBHOF:

21 Q. [14:01:07] Good afternoon, Mr Witness.

22 PRESIDING JUDGE SCHMITT: [14:01:16] Perhaps you repeat it because he did not
23 hear you.

24 MR OBHOF: [14:01:21]

25 Q. [14:01:21] Good afternoon, Mr Witness.

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1 Can you hear me down there, Edin?

2 A. [14:01:33] Yes, I am hearing you now.

3 Q. [14:01:43] I hope you had a good lunch and today we will be done in about an
4 hour and a half and you will be able to go back and relax afterwards.

5 A. [14:01:55] Yes, it was a good lunch.

6 Q. [14:02:00] Now, Mr Witness, during your interviews with the Prosecution
7 investigators, was anybody present from the UPDF in the rooms that the interview
8 took place?

9 A. [14:02:22] No, there was no one else.

10 Q. [14:02:26] Mr Witness, was anybody present from any other type of Ugandan
11 government agency during your interviews in 2015?

12 A. [14:02:45] No, there was no one.

13 Q. [14:02:53] Mr Witness, what is the UNLA?

14 PRESIDING JUDGE SCHMITT: [14:03:04] Before you answer, Mr Witness. It
15 would be good if we could perhaps downgrade a little bit the noise, to call this noise,
16 an echo would be really a nice word for it. It's very loud. It would be good if we
17 could be able to improve this.

18 So they are reducing the volume and it may help. So let's just continue. Perhaps
19 you repeat your question and then we give it a try. And in the end we will have to
20 endure it.

21 MR OBHOF: [14:03:51] We will see what happens.

22 Q. [14:03:55] I'll repeat it again, Mr Witness.

23 What was the UNLA?

24 A. [14:04:08] The UNLA was an army that Obote came with from Tanzania to help
25 to chase Idi Amin.

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- 1 Q. [14:04:25] Now, Mr Witness, did you serve in the UNLA?
- 2 A. [14:04:33] Yes, I did serve.
- 3 Q. [14:04:37] And what position did you hold in the UNLA, Mr Witness?
- 4 A. [14:04:47] No, I said it is Banya who served.
- 5 Q. [14:04:56] Sorry about that, Mr Witness. I didn't hear Mr Banya's name.
- 6 And it appears our counsel has arrived. I guess he's toughing it out.
- 7 Now, in tab 18, that's UGA-OTP-0272-0521 at page 0523, your report, when you
- 8 arrived at CPU states that you used to be a soldier in the UNLA. So that is incorrect,
- 9 Mr Witness; is that right?
- 10 A. [14:05:42] That report is not right.
- 11 Q. [14:05:49] Now, Mr Witness, earlier today when you discussed your abduction
- 12 you did not state that you were abducted but the LRA but you remember abducted
- 13 by the Holy Spirit Movement. When did the LRA, sorry --
- 14 A. [14:06:07] It is the Holy Spirit Movement that abducted me.
- 15 Later on it was transformed and became LRA.
- 16 Q. [14:06:20] Do you know when it became called the LRA, Mr Witness?
- 17 A. [14:06:35] It was in the year 1990.
- 18 Q. [14:06:44] And which groups eventually became part of the LRA, Mr Witness?
- 19 A. [14:06:56] The Holy Spirit Movement was transformed and it became LRA.
- 20 Q. [14:07:07] Mr Witness, are you familiar with a former group called
- 21 Lalil Lok Cilil?
- 22 A. [14:07:23] Yes, I know the group Khalil.
- 23 Q. [14:07:31] What was the group Khalil, Mr Witness?
- 24 A. [14:07:41] The first rebellion against the NRA were the Khalil.
- 25 Q. [14:07:53] Now did Khalil also go by the name of the UPDA.

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1 A. [14:08:03] Yes, Khalil was also known as UPDA.

2 Q. [14:08:12] Now you mentioned that Mzee Banya was a former UNLA. Was
3 most of Khalil made of former UNLA soldiers?

4 A. [14:08:33] Yes, most of them were from UNLA because they are the ones who
5 started the rebellion.

6 Q. [14:08:46] Now, did many of those forces of those fighters who were in Khalil,
7 were they abducted by the Holy Spirit Movement?

8 A. [14:09:03] I do not know exactly.

9 Q. [14:09:14] Mr Witness, you discussed earlier today about how you were
10 assigned as a medic when you were -- after you were abducted. About how long
11 was it from when you were abducted to when you were assigned as a medic?

12 A. [14:09:36] It did not take long. It could be between one or, between one and
13 two weeks. As soon as the training on how to use a gun was finished, that is when
14 I was assigned.

15 Q. [14:09:59] Now, you also discussed earlier today about rank within the Holy
16 Spirit Movement and the LRA. Did rank within the LRA have any significant
17 meaning?

18 A. [14:10:25] It was not very significant at the time.
19 When we were in Sudan - that was 1995 - that was when they started giving people
20 ranks. When Palutaka was attacked, everyone was referred to as "lapwony".

21 Q. [14:10:54] Now, Mr Witness, who is Abonga Papa?

22 A. [14:11:05] Abonga Papa is the head catechist, the one who leads the catechists.

23 Q. [14:11:24] Mr Witness, from your knowledge, do militaries generally have
24 a head catechist and a whole division of catechists?

25 A. [14:11:41] The way the Holy Spirit Movement or LRA started, it started with

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1 religious fighters. Later on it was transformed and became soldiers, or the regular
2 soldiers.

3 Q. [14:12:09] Mr Witness, who led the LRA?

4 A. [14:12:23] The LRA is led by Kony Joseph.

5 Q. [14:12:29] Could someone disobey an order from Joseph Kony?

6 A. [14:12:39] People would strictly follow. I tried to disobey, but I survived death.

7 Q. [14:12:56] Could someone remove Joseph Kony from power from the LRA for
8 ordering an illegal act?

9 A. [14:13:12] There was no one who could do that, apart from God.

10 Q. [14:13:23] Now, Mr Witness, who is or who was Otti Lagony?

11 A. [14:13:35] Otti Lagony was the second-in-command deputising Kony.

12 Q. [14:13:49] What happened to him when he started questioning Joseph Kony?

13 A. [14:14:03] What happened is that when he heard that Lagony was asking too
14 many questions, he was accused of planning to escape. When Kony heard that, he
15 captured Lagony, arrested Lagony. He first -- Kony first gathered people to ask their
16 opinion and asked, "What should we do to Lagony?" I was there personally. I
17 refused that Lagony should not be killed. Even Otti Vincent refused that Lagony
18 should not be killed. Later on in the evening Lagony was brought out and was taken
19 and killed.

20 Q. [14:15:00] Was anyone else killed at the same time or around the same time as
21 Otti Lagony?

22 A. [14:15:10] There was a brigadier known as Canodonga who was killed together
23 with Lagony.

24 PRESIDING JUDGE SCHMITT: [14:15:26] How were they killed, do you know that?

25 THE WITNESS: [14:15:39] (Interpretation) They were in the detention in Gilva.

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1 Then they were collected from there. They were all in Gilva, so when they picked
2 them from there, many soldiers collected them and went with them, and they went
3 and killed them. When they returned to our base, they informed us that they are
4 now dead.

5 MR OBHOF: [14:16:01]

6 Q. [14:16:01] Mr Witness, do you remember which brigade was tasked with killing
7 Otti Lagony and Canodonga?

8 A. [14:16:19] That was Trinkle.

9 Q. [14:16:24] And who was the head of Trinkle brigade at that time, Mr Witness?

10 A. [14:16:30] It was Acellam Mike.

11 Q. [14:16:39] And that's Michael Odongo Acellam?

12 A. [14:16:47] Yes.

13 Q. [14:16:51] Now, Mr Witness, was it normal for Trinkle brigade to carry out the
14 executions of Joseph Kony?

15 A. [14:17:10] For me, also the people who were -- who beat me and were about to
16 kill me were from Trinkle. Even that woman who was killed was killed by Trinkle.

17 Q. [14:17:26] Now, as you mentioned that there were rumours that these gentlemen
18 were planning to escape, I am going to talk a little bit about that, Mr Witness.

19 Mr Witness, what would happen -- well, first, was it easy to escape from the LRA
20 during the Sudan years?

21 A. [14:17:59] It was not easy to escape from the LRA when we were in Sudan.
22 Because when you escape, they would -- you would find the SPLA and they would
23 kill you. For that reason, everybody was scared. Even the commanders were
24 scared. There was always a threat to kill people. That made people scared.

25 Q. [14:18:27] Mr Witness, what about the pre-Sudan years from, let's say, when you

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1 were abducted up until 1994? Was it easy to escape from the LRA then?

2 A. [14:18:49] That was impossible. You wouldn't dare. First, there was fear
3 everywhere. They would tell us that if you escape and when you are -- when
4 you are found, they will kill you. Or if you, you go home, they would follow you
5 home and they would burn down your village. And if you also went to the
6 government, the government would kill you. So there was fear back at home and
7 there was also fear for retaliation from the LRA.

8 Q. [14:19:30] Mr Witness, you mentioned this, about the attack on the village.
9 Was such a punishment known widely within the LRA, that if you escaped and went
10 back to your village, they would come and kill everybody in your village and burn it
11 down?

12 A. [14:19:57] It happened when we were in Sudan. I just heard what was
13 happening in Uganda.

14 Q. [14:20:10] Did you ever personally witness this, Mr Witness?

15 A. [14:20:18] No, I did not see. But I would hear those who had come from
16 Uganda talk about it.

17 Q. [14:20:31] Now I'm going to move a little bit on to your time inside of sickbay,
18 Mr Witness.

19 Do you remember how often the sickbay you worked in received shipments of plaster
20 of Paris?

21 A. [14:21:07] It is not clear. I am not hearing it clearly. Could you repeat the
22 question, please?

23 Q. [14:21:21] Of course, Mr Witness.

24 Before I repeat that question, I'll go back and ask one more about the type of
25 punishments. Do you -- would people tell you the name of any towns or any

1 villages which were burned down as a sort of punishment for people who escaped
2 the LRA? Do you remember the name of any specific villages?

3 A. [14:21:54] I do not recall that at this time. It was hearsay and I was told a long
4 time ago.

5 Q. [14:22:06] Now on to the medical issues. When you were working in sickbay,
6 Mr Witness, how often did your sickbay receive shipments of plaster of Paris?

7 A. [14:22:36] Sometimes when there is no food, we would feed on animals. They
8 would kill animals and we eat. For us, we used to feed on animals, and then we
9 would also look for wild yams known as ladidi.

10 Q. [14:22:58] Sorry, Mr Witness, there must have been an interpretation problem.
11 I'm talking about -- I'll rephrase it a different way. Did you ever receive regular
12 shipments of antibiotics?

13 A. [14:23:19] No, we would not get it regularly. Sometimes we would get, yes.

14 Q. [14:23:27] And how would you get, especially after Operation Iron Fist, how
15 would you get antibiotics in sickbay?

16 A. [14:23:45] I would use traditional Acholi herbs mainly. The medicine that
17 would come would not be brought to me.

18 Q. [14:24:02] So you didn't have modern medicine? You would use, like you said,
19 herbs from the land?

20 A. [14:24:11] No, we never used modern medicine. We only used the traditional
21 herbs.

22 Q. [14:24:17] So, Mr Witness, if somebody had a fracture inside of their thighbone,
23 how would you go about to repair that?

24 A. There are some traditional herbs where you use the bark of the tree to put it
25 together. It can stick there for one month and act as a plaster, and then the person

1 would get healed, the bones would get healed.

2 Q. [14:24:58] How would you reset a bone that was shattered by a bullet?

3 A. [14:25:13] It is that same medicine I am talking about. That's a very powerful
4 herb. It will put back the bones, the shattered bones, together and it would heal.
5 There are so many people who got healed with that herb.

6 Q. [14:25:35] Now, Mr Witness, how did you come to learn about these herbs?

7 A. [14:25:50] I inherited it. My mother was a herbalist back home, so I learnt
8 through her.

9 Q. [14:26:04] Did you learn some of them from Joseph Kony as well, Mr Witness?

10 A. [14:26:13] Yes, indeed. Some of the herbs were shown to us by him.

11 Q. [14:26:22] Now, Mr Witness, did Joseph Kony ever tell you how he came to
12 learn about some of these different herbs which would help heal people?

13 A. [14:26:41] When I explained earlier how the LRA started, it was through
14 the holy spirit, so he would say that it was the spirit that would show him these
15 herbs.

16 Q. [14:26:59] Now, Mr Witness, are there also clans who are known to be
17 specialised in these type of Acholi medicines for the fractures -- I'm sorry, for
18 fractures?

19 A. [14:27:20] It was in Koch. The clan is in Koch, and they are known for that.

20 Q. [14:27:31] Now, Mr Witness, you stated that the sickbays were part of
21 Control Altar and generally speaking different brigades would send their injured to
22 different sickbays; is that correct, Mr Witness?

23 A. [14:27:59] Yes, that is correct.

24 Q. [14:28:03] Now, Mr Witness, do you know who, after Iron Fist, who would have
25 been the major medical personnel comparable to yourself who would have been

1 helping people in Stockree brigade?

2 A. [14:28:26] People were scattered. After Iron Fist, sickbay was also scattered
3 and we were split into smaller groups. And there was no one in the sickbay at that
4 time.

5 Q. [14:28:45] So at that time, after Iron Fist, you were one of the senior-most
6 medical personnel within the LRA; would that be correct, Mr Witness?

7 A. [14:29:07] The medical persons had been split into two. There were others who
8 would use modern medicine, while others used herbs. Those who used the modern
9 medicine had, like, a military hospital. They would use the facilities that were
10 modern. And those who would use the traditional herbs were under Abonga Papa.

11 Q. [14:29:32] Do you remember some of the names of these persons, whether they
12 used traditional medicine or if they used modern medicine?

13 A. [14:29:48] Yes, I do recall. One person who was in charge of modern medicine
14 was called Onen, but Onen is long dead.

15 Q. [14:30:06] Do you remember anybody else, Mr Witness?

16 A. [14:30:13] One person was called Saidi. He is still in the bush up to now.

17 MR OBHOF: [14:30:33] Your Honour, if I could have a private session for about two
18 minutes. Once we go into private, I will explain the reason for it.

19 PRESIDING JUDGE SCHMITT: [14:30:41] Okay, private session.

20 (Private session at 2.30 p.m.)

21 (Redacted)

22 (Redacted)

23 (Redacted)

24 (Redacted)

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12 (Open session at 2.35 p.m.)

13 THE COURT OFFICER: [14:35:20] We are back in open session, Mr President.

14 MR OBHOF: [14:35:35]

15 Q. [14:35:35] Now, Mr Witness, on the vein of women in the LRA, could you
16 explain to the Court how women who were widowed, how they were treated within
17 the LRA?

18 A. [14:36:04] The widows, when your husband dies, there is a standing order that
19 you stay for at least one month to mourn your husband. Then after one month you
20 are taken to the well. They will shave your hair and then they will smear you with
21 the shea oil. Then they will ask you to select the man that you want, or even men
22 were asked to come and line, to line up, and then the women would make their choice.
23 That is how it was done.

24 Q. [14:36:55] Now, from what you remember, were women forced to choose a man
25 or could they remain alone?

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1 A. [14:37:15] These women were not forced. But on your own -- but on your own,
2 you would not stay because there are so many things that are needed. Food, shelter,
3 there are a lot of things that is needed. So if you stay alone, who would give you
4 these items?

5 So women were looking at that aspect and they would make a decision to go to stay
6 with a man. That happened. I witnessed it with my own eyes at Abonga Papa's
7 homestead. I saw one woman who complained, saying that, "Am I very ugly that
8 men do not want me?" So he -- she just came up with something which she cooked
9 in her own head, that she had a dream. And that dream, she came up with it and it
10 was taken to Kony that she has now seen a man that insofar interest. And I think it
11 was granted. So that happens.

12 So if you are a lady and you stay alone, there will come a certain time when you will
13 start developing sexual interest and you will start developing interest to live with
14 your partner. So this is what happened.

15 Q. [14:39:00] And it was the woman's right to choose the man, not the other way
16 around; is that correct, Mr Witness?

17 A. [14:39:21] The woman -- the women had the right to choose the husband they
18 wanted. Even the men had the right to choose the women they wanted, but of
19 course they will have to go into a courtship.

20 Q. [14:39:38] That's where I wanted to move on to. So if a woman was attracted to
21 a man, they would first discuss and negotiate their marriage, sort of like a courtship?
22 Is that what you're stating, Mr Witness?

23 A. [14:40:02] Yes, that is exactly what I am explaining.

24 Q. [14:40:10] Mr Witness, you mentioned a woman earlier today by the Min Bak,
25 otherwise known as Ayot Florence. Do you remember a woman named Lucy Santa?

1 A. [14:40:31] I do not recall. I only recall Florence Ayot, because her house was
2 burnt and I do not know where she is at the moment.

3 Q. [14:41:09] Mr Witness, you mentioned the burning of her house, when did that
4 happen?

5 A. [14:41:22] The house could have been burnt either this year or last year. I do
6 not quite recall. I only heard -- I heard from my wife that Min Bak's house was
7 burnt.

8 Q. [14:41:47] Earlier today also you mentioned a woman by the name of
9 Atong Lilly. Who did she marry?

10 A. [14:42:08] Joseph Kony.

11 Q. [14:42:11] Now, as you stated, that's around 1992 or so, that's when you first
12 started noticing Dominic Ongwen. At that time was Dominic Ongwen a full-grown
13 man?

14 A. [14:42:38] Dominic Ongwen, in my observation at that time, he was still young.

15 Q. [14:42:48] I know you stated that at the time the Holy Spirit Movement did not
16 abduct children. In your opinion was Mr Ongwen an exception to that rule?

17 A. [14:43:19] When I was abducted in 1988 I only found adult people. But
18 towards 1990s, that's when I started seeing young people from the age of 14, 15, 16.
19 That's when I started seeing many younger people coming in.

20 Q. [14:43:54] I'm sorry, Mr Witness, I'm going to backtrack on the issue of wives.

21 Now, Mr Witness, you mentioned how women would have both physical needs, as in
22 sexual, and they would also have to be able to take care of themselves.

23 When women were looking for husbands, if they were widowed, were they looking
24 for a sergeant or a 2nd lieutenant, or were they looking for somebody who would
25 take care of them, would be able to feed them and would treat them well and maybe

1 might have been the rank of captain or major?

2 A. [14:44:48] Well, that happens. Even here at home it happens because women
3 looks for where she can be taken care of and she will go there. But if there is no one
4 who can take care of her, then she will not go there.

5 Q. [14:45:15] Now back on to Ms Atong Lilly. Do you know if she had children
6 with Joseph Kony?

7 A. [14:45:28] She gave birth to six children with Kony.

8 Q. [14:45:38] Now with Dominic's sister being so close to Joseph Kony, in your
9 opinion would it have made it easier for him to escape, or harder for him to escape?

10 A. [14:46:05] At that time it was not possible for Dominic to escape, because he uses
11 the young children. He says he has a spirit which is called Silly Salindi. It means
12 work or use those, the stupid ones. So he was using the young children like Dominic
13 and he actually had brainwashed them, he had influenced them to the level that they
14 cannot even think about home and so they cannot escape.

15 Q. [14:46:43] Thank you, Mr Witness. Now that you mention Mother Silly Salindi,
16 do you know or do you remember a person by the name of Achama Jackson?

17 A. [14:47:05] I do recall he was amputated.

18 Q. [14:47:18] Now, Mr Witness, what was the Oracle House?

19 A. [14:47:34] This was, this was just a shed which was organised under the tree,
20 then people, people will gather to pray, sort of like a prayer place and it's a place
21 where people gathered to pray and the hymns that are sung are the usual songs that
22 are sung in ordinary churches.

23 Q. [14:48:02] Mr Witness, what is a controller?

24 A. [14:48:15] Controller, according to him, are the ones that sing, they are the
25 singers, whose role are to cleanse people and also they are the ones that perform those

1 rituals when fighters were going to the battlefield.

2 Q. [14:48:47] Similar question, Mr Witness, what were or what are technicians?

3 A. [14:49:01] Technician and controller almost have similar, similar roles. They
4 stay together, but for them they work majorly on guns, so Kony would say that they
5 make a symbol of a gun and then prayers are said over it so that this becomes -- when
6 you fire it, it becomes guns. So this is the work of the technicians?

7 Q. [14:49:39] Mr Witness, what was the charcoal stove used for with the
8 technicians?

9 A. [14:49:58] The stove is similar to the one that is used here at home. You use
10 charcoal, you use black charcoal, put it on top and you put fire, light fire on it and,
11 and the symbol of the gun is made and put over that charcoal stove.

12 Q. [14:50:26] Now, Mr Witness, why would the symbol of the weapon be placed on
13 top of the charcoal stove?

14 A. [14:50:37] He says that it is by, for the spirit to control it so that this gun doesn't
15 shoot people.

16 Q. [14:50:53] And would the technicians be at the front of the battle or would they
17 be behind the battle, a few kilometres away?

18 A. [14:51:12] The controllers go ahead and the technicians remain.

19 Q. [14:51:22] Mr Witness, what is the Yard?

20 A. [14:51:35] The Yard is a place where the technicians and the controllers actually
21 stay to pray. That's where they organise and make the models, the models that are
22 going to be used. So they also come up -- they draw up a map of the location in
23 which they are going to fight, so that's the map which they draw within that place.
24 So then they hold, they hold in their hand a calabash or a gourd with water in it
25 which they shake and as they are shaking the water in that gourd they are also

1 praying at the same time.

2 Q. [14:52:29] Would just anyone be allowed in the Yard or were there restrictions
3 on who could and who could not enter the Yard?

4 A. [14:52:45] Not anyone is allowed to enter the Yard.

5 Q. [14:52:51] Who would be allowed to enter the Yard, Mr Witness?

6 A. [14:53:05] The only people allowed to the Yard, if Kony orders that people -- that
7 such-and-such a people should go to pray, then they are taken to the yard.

8 Sometimes could be the sick, it could also be newly abducted. Sometimes everybody,
9 everyone goes to pray there when Kony orders.

10 Q. [14:53:30] But on a general daily basis it would only be Joseph Kony, controllers
11 and technicians allowed in the Yard; is that right, Mr Witness?

12 A. [14:53:47] That's correct.

13 Q. [14:53:57] Now, Mr Witness, were children baptised in the Yard?

14 A. [14:54:06] Sometimes when there were many children, they are also taken to the
15 yard and they are baptised from the Yard.

16 Q. [14:54:18] Now, Mr Witness, would the controllers sing with inside of the yard
17 on a regular basis at night?

18 A. [14:54:33] They sing. Sometimes they sing throughout the night. That was
19 mainly at the beginning.

20 Q. [14:54:45] Now, Mr Witness, what are Air Stiblis?

21 A. [14:54:57] Air Stiblis is a particular medication that -- Kony says it prevents the
22 government soldiers to come from the location in which you are. So sometimes it is
23 actually put and stuck on trees and it is -- it is lighted and then the smoke will be
24 blowing around. And he says that smoke will prevent the UPDF from coming close
25 to the location.

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1 Q. [14:55:43] Now, Mr Witness, were there certain things that you could not do
2 when the Air Stiblis were present?

3 A. [14:56:00] Yes, there are things that are supposed to be observed. Mostly we
4 used it in the sickbay. There should observe silence when people are cooking.
5 There should be no smoke. These are some of the things that are observed.

6 Q. [14:56:33] Now, Mr Witness, does the date of August 7th mean anything within
7 the -- sorry, April 7th mean anything within the LRA?

8 A. [14:56:53] April 7th he says is the day that the holy spirit came upon him. It
9 is celebrated.

10 Q. [14:57:13] Now, Mr Witness, when Joseph Kony was being possessed, can you
11 just please explain to Court what would happen when Joseph Kony was being
12 possessed?

13 A. [14:57:39] When I saw, he would come dressed in a white tunic, and a table is
14 placed and there is water which is in a container and put in that water on top of the
15 table. Then when Kony comes, he puts his hand into that water, then he makes the
16 sign of the cross. Then his eyes, his eyes would change. It would be red. And the
17 spirit will now start speaking and it will say, "I am so-and-so spirit and I am the one
18 speaking." So that is what I saw.

19 Q. [14:58:29] Now, we will eventually get to the names of these spirits, but you
20 mentioned one earlier, Silly Salindi. How would Joseph Kony speak when he was
21 being possessed by Mama Silly Salindi?

22 A. [14:58:56] Mama Salindi talks about fighting. It is mainly concerned with the
23 fightings or -- but the other spirits, there are other spirits which are like teachers; they
24 only educate or teach people on what to do.

25 Q. [14:59:34] Now, when Joseph Kony was being possessed by, let's say,

1 Silly Salindi, did his voice change at all?

2 A. [14:59:46] Whenever Silly Salindi comes, Kony would be speaking like a woman,
3 because he says Silly Salindi is a woman. His voice would therefore change. He
4 would speak in a very low tone. He would speak like a woman, in the tone of
5 a woman.

6 Q. [15:00:14] How about Who Are You? How would Joseph Kony's voice be, and
7 his demeanour, his actions be, when he was being possessed by Who Are You?

8 A. [15:00:33] Whenever he is possessed by Who Are You, he would be very fierce.
9 His eyes would be shining and he would turn red. And people would fear, because
10 he would speak very fiercely and would instill a fear in people.

11 Q. [15:00:58] When Kony was being possessed, did he remember everything or did
12 somebody have to write everything down that was spoken?

13 A. [15:01:20] There are secretaries. One was called Okodi. They would write
14 down everything that he speaks out whenever he is possessed. When he goes back
15 home after the possession, then they would brief him on what the spirit was saying.

16 Q. [15:01:45] Now, I know it's been a long time so I'm going to list the names of
17 some of these spirits for you, Mr Witness, and if you could just give a short synopsis
18 of each one, please.

19 The first one is Juma Oris.

20 A. [15:02:12] Juma Oris was not fierce. He was the chairperson.

21 Q. [15:02:24] What kind of spirit was Juma Oris, Mr Witness?

22 A. [15:02:34] Juma Oris was not a very fierce one. It is Who Are You which is very
23 fierce. Juma Oris was there to correct people. He also did not want people to be
24 sinning. He wanted people to be pure.

25 Q. [15:02:53] And just for the Court to -- we are going through with

1 UGA-D26-0022-0001. That's tab 19, and right now we are going to the list on
2 page 0004.

3 Now, we have spoken a little bit about Silly Salindi, Mr Witness. Who was
4 Silly Salindi.

5 A. [15:03:30] She was a spirit.

6 Q. [15:03:32] And where was Silly Salindi from?

7 A. [15:03:38] Silly Salindi was from Sudan.

8 Q. [15:03:43] And what was her role within the spirits?

9 A. [15:03:52] She says she is the operation commander.

10 Q. [15:04:01] Now, Mr Witness, of course you mentioned that Who Are You was
11 very fierce. Where was Who Are You from?

12 A. [15:04:15] I do not recall that right now.

13 Q. [15:04:20] Now, did Who Are You also go by another name?

14 A. [15:04:34] It is Juma Oris that went with another name. I am not aware of any
15 other name that Who Are You went by.

16 Q. [15:04:45] Do you know the name of the spirit named Jink Brickey?

17 A. [15:04:54] That is for Juma Oris, yes, I do know.

18 Q. [15:05:00] What was Who Are You's position amongst the spirits?

19 A. [15:05:17] Who Are You was mainly on aeroplane, things like aeroplanes, things
20 that fly. He was in charge of the warplanes that fly up.

21 Q. [15:05:36] Now, the next spirit, Mr Witness, is Willing Sue.

22 A. [15:05:50] That --

23 Q. [15:05:57] Where was Willing Sue from, Mr Witness?

24 A. [15:06:02] I do not know. I do not recall now.

25 Q. [15:06:10] Do you remember what Willing Sue did, Mr Witness?

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1 A. [15:06:27] I do not recall.

2 Q. [15:06:30] Now, Mr Witness, did Willing Sue have anything to do with
3 camouflaging people on the ground so that helicopters or planes would not be able to
4 see the LRA?

5 A. [15:07:02] I do not recall that. No, that was not Willing Sue. That was
6 Who Are You.

7 Q. [15:07:11] The next spirit, Mr Witness, is King Bruce. Do you remember where
8 King Bruce is from?

9 A. [15:07:22] I do not recall. They said he performs miracles.

10 Q. [15:07:30] Did King Bruce have anything to do with the stone bombs?

11 A. [15:07:45] That was happening at the time before we were abducted. We just
12 heard about these things.

13 Q. [15:08:00] Do you remember a spirit by the name of Soli Yakobo?

14 A. [15:08:10] Soli Yakobo was in charge of finances.

15 PRESIDING JUDGE SCHMITT: [15:08:18] Mr Obhof, are there a lot of spirits to
16 follow and go through?

17 MR OBHOF: [15:08:28] There are 13 in total, your Honour. And this is the
18 foremost person, one of the two foremost people, on the spirits, the person who has
19 dealt with them directly.

20 PRESIDING JUDGE SCHMITT: [15:08:38] And how many of these 13 have we
21 already had?

22 MR OBHOF: [15:08:42] That was number six, but the other ones are much, much
23 shorter.

24 PRESIDING JUDGE SCHMITT: [15:08:47] So we would appreciate it if we went
25 through it relatively quickly.

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1 MR OBHOF: [15:08:56]

2 Q. [15:08:56] Doctor Salan? Yes, Doctor Salan.

3 A. [15:09:05] Doctor Salan is a doctor. He would be the one to train people on
4 medication.

5 Q. [15:09:17] And Owora?

6 A. [15:09:26] I do not recall the role of Owora now, because he didn't really do
7 much.

8 Q. [15:09:37] How about Hawa?

9 A. [15:09:48] Was in charge of time or time management.

10 Q. [15:09:57] Sinaska?

11 A. [15:10:06] I do not recall what his role was. I've forgotten most of these things
12 now.

13 Q. [15:10:11] That's okay. That's perfectly okay. Major Byankey?

14 A. [15:10:27] It was Bianca.

15 Q. [15:10:36] And do you remember the role of Major Bianca?

16 A. [15:10:45] I do not recall the role.

17 Q. [15:10:50] The last one, Rwanga?

18 A. [15:11:06] About Rwanga, that one was a martyr from Uganda, because he said
19 he would be the one to bring peace.

20 Q. [15:11:26] Now, Mr Witness, you slightly touched upon this earlier when
21 you are discussing about the issue of widows, what significance did dreams play in
22 the LRA?

23 A. [15:11:53] It was very important. But there are specific people whose dreams
24 were very important. There are those whose dreams are not relevant, but those who
25 dream and the dreams are important were there.

1 Q. [15:12:12] Mr Witness, whose dreams would be considered relevant?

2 A. [15:12:23] It was mainly me.

3 Q. [15:12:33] And when you had dreams what would you do?

4 A. [15:12:43] Whenever I dream I would share with people, I would tell people,
5 and that thing would really happen for real.

6 Q. [15:12:52] And would it be an issue where you would see it and it would
7 happen or would you have the dream, it would be interpreted and that would
8 happen? Which scenario would it be, Mr Witness?

9 A. [15:13:12] Sometimes it comes like a proverb, sometimes I see an image of what
10 would happen. And when I sit alone I try to analyse and interpret, then I would tell
11 people. Even right now in my life it happens whenever I have a dream. It still
12 happens. Like my coming here, I knew about it. I told people that I was going for
13 a long distance. I even told my wife and she understood. I usually get most of the
14 things that happen in a dream and I know it beforehand.

15 Q. [15:14:00] Now, Mr Witness, could you think about one or two other examples
16 whilst you were in the LRA where you had a dream and it came true?

17 A. [15:14:24] The dream that I heard was about -- first I dreamt about myself. I
18 dreamt that I was abducted and was tied up on a tree -- on a bicycle, rather. And
19 some -- I was supposed to be killed, but someone came and pleaded with them not to
20 kill me and he came and took me away. It did not take long and I was abducted by
21 Otim Munu that had abused them that they were from Nairobi. They took me to
22 Kony and Kony said I should be tied in the boot of the vehicle and taken to him.
23 Because we were far away, people were in Nisitu and we were in Jebellin.
24 When I heard that these people wanted to tie me up, to burn me up, someone came
25 and warned me and told me that they would kill you. I asked what's the problem?

1 He said Kony had sent a message that they should take and they kill you. I escaped
2 and I went to the Arabs, I stayed with the Arabs, then Arabs brought me back.
3 When they brought me back they warned that if you kill this man, then we will not be
4 in good terms. That is what happened to me. I dreamt.
5 Then I also dreamt about Kony itself. I even wrote it down and gave it to his
6 secretary so that they can take it to him. I dreamt that six girls were fighting against
7 two girls. It was a fierce fighting and two girls would wrestle down the six girls, and
8 the six girls would wrestle down the two girls in return. When I told those of Banya
9 to stop these people, those of Banya feared, then I went myself and separated them
10 from fighting. They stopped and I told them there's no need to fight.
11 When they stopped they started to talk amongst themselves, but later on resumed the
12 fighting. Someone got up, someone who was huge got up and said "Let them fight.
13 I will be the one to separate them myself."
14 Thereafter I dreamt that there was, there was black ants, there were black ants that
15 were moving in a line. I don't know whether you know black ants. They -- the
16 black ants went to get the white ants, so the leader of the black ants was taken away
17 and he got confused.
18 When I took the dream to Kony, Kony said that I am dreaming about what the
19 soldiers would do and they become aware. I was then beaten 400 strokes of a cane.
20 Then he called me and told me I should not reveal my dreams. He said that he
21 knows that I know these things, but I shouldn't reveal them. That is what I saw
22 personally.
23 Q. [15:18:09] Thank you, Mr Witness. So it's safe to say that Joseph Kony took
24 your dreams very seriously; is that correct?
25 A. [15:18:23] Yes, that's correct.

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1 Q. [15:18:29] Now is Joseph Kony the only one in charge of interpreting dreams,
2 Mr Witness, or could other people interpret dreams?

3 A. [15:18:45] No, there was no one else. He was the only one.

4 Q. [15:18:52] Now, Mr Witness, did you ever dream about our client,
5 Mr Dominic Ongwen?

6 A. [15:19:05] I did not just dream about him. It was those of Okuti Obur Nyeko.
7 I did not dream about Dominic. My skill on getting things, investigating and finding
8 out information is high. I got information about Dominic Ongwen from other
9 people.

10 PRESIDING JUDGE SCHMITT: [15:19:27] And of course such information would be
11 perhaps of more interest than a dream, because it's always difficult to interpret
12 dreams.

13 MR OBHOF: [15:19:40]

14 Q. [15:19:40] Mr Witness, do you know if Joseph Kony would take, would interpret
15 Dominic Ongwen's dreams?

16 A. [15:19:57] I was not in good terms with Kony because of my dream. I don't
17 know whether Ongwen also dreamt and took it to Kony for interpretation.

18 Q. [15:20:17] Finally on dreams, Mr Witness, was there a specific time in which
19 persons were supposed to report their dreams on radio call to Joseph Kony?

20 A. [15:20:42] I was not very close to radio call always.

21 MR OBHOF: [15:20:50] Now, your Honour, right now would seem like a logical
22 steps because my next section would be about 30 minutes. I could figure that
23 tomorrow I would need between 60 to 75 minutes to finish.

24 PRESIDING JUDGE SCHMITT: [15:21:02] So we would have enough time to finish
25 in the first session so that we can stick with the schedule that we have already

Trial Hearing
WITNESS: UGA-OTP-P-0172

(Open Session)

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1 envisioned starting with the next witness in the afternoon -- not afternoon, it's 12.30 I
2 think I said. At 12.30.
3 MR OBHOF: [15:21:19] Yes.
4 PRESIDING JUDGE SCHMITT: [15:21:20] Then I follow this proposal and we
5 conclude the hearing for today, also Mr Witness, but we resume tomorrow. We
6 thank you for today and we see each other tomorrow and here in the courtroom at
7 9.30 again.
8 MR OBHOF: [15:21:33] One more second.
9 PRESIDING JUDGE SCHMITT: [15:21:34] Mr Ayena, yes.
10 MR AYENA ODONGO: [15:21:37] I wish to apologise, Mr President, I was not
11 feeling so well. But considering the enormity of what is going on, when I took some
12 painkillers I decided to walk in. I know that there was an explanation that I might
13 not come.
14 PRESIDING JUDGE SCHMITT: [15:21:57] No, but we already -- we appreciate very
15 much that you came in and we wish you the very best for your health and that you
16 tomorrow, in all your strength that you normally have come back to the courtroom
17 again.
18 MR AYENA ODONGO: [15:22:14] I hope that the witness will dream well about me.
19 PRESIDING JUDGE SCHMITT: [15:22:17] We will see.
20 So we shall abate the proceedings for today and tomorrow 9.30.
21 THE COURT USHER: [15:22:23] All rise.
22 (The hearing ends in open session at 3.22 p.m.)