

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 Wednesday, 24 January 2018
8 (The hearing starts in open session at 9.36 a.m.)
9 THE COURT USHER: [9:36:21] All rise.
10 The International Criminal Court is now in session.
11 PRESIDING JUDGE SCHMITT: [9:36:40] Good morning, everyone.
12 Could the court officer please call the case.
13 THE COURT OFFICER: [9:36:58] Thank you, Mr President.
14 The situation in Uganda, in the case of The Prosecutor versus Dominic Ongwen,
15 ICC-02/04-01/15.
16 We are in open session.
17 PRESIDING JUDGE SCHMITT: [9:37:08] Thank you.
18 For the appearances of the parties, please, prosecution first. Mrs Gilg.
19 MS GILG: [9:37:14] Colleen Gilg for the Prosecution.
20 Good morning, your Honours. With me, Shkelzen Zeneli, Benjamin Gumpert,
21 Pubudu Sachithanandan, Yulia Nuzban, Paul Bradfield, Agnese Valenti,
22 Jasmina Suljanovic, Ramu Fatima Bittaye and Sanyu Ndagire.
23 PRESIDING JUDGE SCHMITT: [9:37:32] And for the Legal Representatives of the
24 Victims.
25 MR NARANTSETSEG: [9:37:35] Good morning, Mr President, your Honours.

1 My name is Orchlon Narantsetseg. I'm with Ms Caroline Walter, and our field
2 counsel, Ms Jane Adong, is at the video-link location. Thank you.

3 PRESIDING JUDGE SCHMITT: [9:37:45] Thank you very much.

4 And Mr Manoba.

5 MR MANOBA: [9:37:47] Good morning, your Honours. Joseph Manoba and
6 James Mawira.

7 PRESIDING JUDGE SCHMITT: [9:37:51] Thank you.

8 And for the Defence finally. We have many options who could inform us for the
9 Defence who is present.

10 MR OBHOF: [9:38:01] Good morning, your Honour. Today with us we have our
11 counsel, Krispus Ayena Odongo; our co-counsel, Chief Charles Achaleke Taku; one of
12 our consultants, Ms Eniko Sandor; our case manager, Tibor Bajnovic; myself,
13 Thomas Obhof; and our client is in Court today, Mr Dominic Ongwen.

14 PRESIDING JUDGE SCHMITT: [9:38:23] Thank you very much.

15 And we have also a witness there on the video-link location. We see the witness
16 very well, and I hope also, Madam Witness, that you can hear me and also see me
17 very well.

18 And Mrs Adong is also on the video-link location and much better to see than in
19 during former testimonies. So the frame of the picture is much wider than it used to
20 be in the past.

21 The Prosecution is calling this witness, which is Prosecution Witness 366, as the next
22 witness. We note briefly before commencing that protective measures are granted to
23 this witness by virtue of decision 612 and that the VWU recommends no further
24 protective measures. But as counsel have already been informed, the VWU has
25 determined that certain special measures are necessary to assist the witness in her

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1 testimony.

2 Madam Witness, good morning. You are going to testify before the International
3 Criminal Court, and on behalf of the Chamber --

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5 (The witness speaks Acholi)

6 (The witness gives evidence via video link)

7 THE WITNESS: [9:39:32] (Interpretation) Good morning.

8 PRESIDING JUDGE SCHMITT: [9:39:34] And on behalf of the Chamber, I would
9 like to welcome you in the courtroom because the video-link location is an extension
10 of this courtroom.

11 I will now read to you, Madam Witness, the solemn undertaking to tell the truth that
12 every witness who testifies before this Court must agree to. So please listen carefully
13 what I am reading to you and then I ask you if you agree.

14 I solemnly declare that I will speak the truth, the whole truth and nothing but the
15 truth. Madam Witness, do you understand what I have read to you?

16 THE WITNESS: [9:40:13] (Interpretation) Yes, I have understood.

17 PRESIDING JUDGE SCHMITT: [9:40:17] Do you agree?

18 THE WITNESS: [9:40:19] (Interpretation) Yes, I agree.

19 PRESIDING JUDGE SCHMITT: [9:40:21] Thank you. I will now explain to you
20 the protective measures that we have put in place for your testimony. First of all,
21 what we call face distortion; that means that no one outside the courtroom can see
22 your face during your testimony.

23 Secondly, we will use a pseudonym. That means that we will not name you with
24 your real name but we will only refer to you as "Madam Witness", as I am doing here
25 at the moment. That is sure -- that is to make sure that the public does not know

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1 your name. And when you answer questions that will not give away your identity,
2 we will do this in open session, and open session means that the public can hear what
3 is being said in the courtroom.
4 On the opposite, when you are asked to give information or you give information that
5 might reveal your identity, we do this in private session, and private session means
6 that there is no broadcast and no one outside the courtroom can hear your answer.
7 Before we start, a few practical matters, the most important being that I would ask
8 you to speak a little bit slowly. Everything we say here in the courtroom is written
9 down and interpreted and to allow for the interpretation, it is important that we all
10 try to speak at a relatively slow pace so that the interpreters can follow.
11 If you have any questions yourself, please raise your hand. Then we know that you
12 wish to say something and I will give you the word.
13 So this should be enough as the preliminary matters.
14 Mr Taku.
15 MR TAKU: [9:42:06] Yes, your Honours. With your leave, your Honours, I
16 intend to place on the record two very important issues relating to the intended
17 testimony of this witness.
18 Ordinarily, your Honours, under Rule 68(3) the only requirement is for this witness to
19 agree to the statement to be admitted and the Defence can cross-examine. The
20 Defence will only have the right to object when the evidence is given -- if the witness
21 is testifying viva voce and an issue arises.
22 But, your Honours, I'm perfectly aware of your standing -- or, of your decision to
23 make standing objections, which we respect. We do not necessarily agree, but we
24 respect the order of the Court.
25 But we want to say, your Honour, that in respect to this witness, two critical issues

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1 arise. Previously, in one occasion when we raised objections about the scope of the
2 evidence, especially about -- on charged crimes, on the temporal jurisdiction of the
3 charges and of the Court, the Prosecutor clarified in one instance that the evidence
4 was led to prove an element of widespread and systematic nature. Although it was
5 belated and it was in the course of the proceedings or the testimony of the witness,
6 there was at least notice, that we knew the proposal with the evidence which was led.
7 In the case like this, where there are a multiplicity of charges, a multiplicity of modes
8 of liability, 70 charges with seven modes of liabilities arising out of 300 and something
9 charges that we may see, you will find, your Honours, that specificity becomes very,
10 very important, especially if the purpose of the evidence is to prove modes of liability.
11 The Prosecutor should indicate, by the time the witness is coming to testify, which
12 specific modes of liability if the Prosecutor is relying on the same evidence to prove
13 the charges and the multiple modes of liability.
14 Lack of specificity and notice to an accused as to which specific modes of liability, that
15 evidence of uncharged allegations or let out of the temporary -- out of the temporal
16 jurisdiction of the charges, or even of the Court, your Honours, it becomes -- it causes
17 prejudice.
18 And I say this: We are aware that this Court was established on 1 July 2002, and that
19 is the charged period, to -- from -- so 30 December 2005, when evidence is led about
20 the period in which the Court did not exist and the charges have not even been
21 criminalised, your Honours.
22 Now, your Honours say that in some circumstances it could be for context. We
23 perfectly agree. All international courts do that and we are entitled to know the
24 context, because we cannot hear these cases in a vacuum. But when the evidence
25 which perhaps -- which is led, or actually is not even criminalised, when the Court

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1 did not even exist, is led for the purposes of proving modes of liability, multiple
2 modes of liability or multiple charges, your Honour, it becomes problematic.
3 And therefore we expect, your Honours, that when this situation arises, the
4 Prosecutor, in calling the witness, should at least notify us: We are calling this
5 witness to come, the testimony will be led to prove the following modes of liability.
6 They cannot just leave it for the Judges, lead it to unspecified modes of liability so that
7 the Judges at the end will be able to determine which is which. That is not the role
8 for the Judge; it is for the Prosecutor to do that. And in this particular case, and
9 considering your last decision on this, your Honours, I think it's very fair that the
10 Prosecutor should.
11 The witness has been called, and you have a wide latitude to listen to the witness,
12 even to call evidence if you think that would be in the interests of justice. But we
13 would merely say that there is a specific issue of notice in this case which we would
14 say are multiple times in multiple forms, and as this witness testifies, we want to
15 place this again among our standing objections, your Honours.
16 PRESIDING JUDGE SCHMITT: [9:46:34] Thank you very much. Any reply by
17 the Prosecution?
18 MS GILG: [9:46:37] Your Honours, I think that this matter has already been litigated
19 and addressed, and you've ruled on the 68(3) issue in your decision. This witness's
20 evidence does extend into the charged period, and also we consider that the evidence
21 prior to that is, as Defence counsel has indicated, relevant for the context here.
22 I also would note that to the extent that there was any consideration of a notice issue
23 on -- from the Defence angle that this could have been addressed through inter partes
24 communication, which it was not, and we don't consider that there is any such issue
25 here.

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1 (Trial Chamber confers)

2 PRESIDING JUDGE SCHMITT: [9:47:47] So we -- the Chamber has the following
3 short ruling: The objection is rejected. I repeat what we have said several times.
4 We have, of course, the confirmed charges. We have four attacks that form part of
5 the charges confirmed. We have in addition, of course, are aware, so to speak, of the
6 temporal scope and of the temporal limitation of our jurisdiction, but there are, we
7 have to say first, that this does not mean that other than four attacks and also
8 incidents that might lie before the temporal jurisdiction cannot be evidence of other
9 facts and circumstances are that described in the charges.
10 Examples could include, for example, contextual elements, modes of liability,
11 conscription and the use of child soldiers, and in addition, the witness is expected to
12 testify about incidents that extend in to the charged period.
13 And finally, with all evidence received in this case, the Chamber will consider the
14 appropriate use of the evidence when it deliberates its judgment.

15 So we then start with the questioning by the Prosecution.

16 MS GILG: [9:49:17] Thank you, your Honour. For my first questions I seek your
17 leave to go into private session.

18 PRESIDING JUDGE SCHMITT: [9:49:25] We go to private session.

19 (Private session at 9.49 a.m.) *(Reclassified partially in public)

20 THE COURT OFFICER: [9:49:33] We are in private session, Mr President.

21 QUESTIONED BY MS GILG:

22 Q. [9:49:39] Good morning, Madam Witness. I neglected to mention to you that
23 if you do not understand any of my questions, please tell me and I will ask it a
24 different way.

25 What is your name?

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- 1 (Redacted)
- 2 (Redacted)
- 3 (Redacted)
- 4 Q. [9:50:14] And is that in Uganda?
- 5 A. [9:50:20] Yes. In Uganda.
- 6 (Redacted)
- 7 (Redacted)
- 8 MS GILG: [9:50:37] Your Honours, we can return to public session.
- 9 PRESIDING JUDGE SCHMITT: [9:50:40] Yes, public session.
- 10 (Open session at 9.50 a.m.)
- 11 THE COURT OFFICER: [9:50:46] We are back to open session, Mr President.
- 12 MS GILG: [9:50:54]
- 13 Q. [9:50:55] Madam Witness, I'm going to ask you now about a few documents.
- 14 Do you have a national ID card?
- 15 A. [9:51:09] Yes, I do.
- 16 MS GILG: [9:51:13] Could the court officer please show the witness tab 2, the ERN
- 17 UGA-OTP-0265-0298. It is a confidential document.
- 18 Q. [9:51:32] Madam Witness, do you see a document there before you?
- 19 A. [9:51:42] Yes, I have seen.
- 20 Q. [9:51:44] Please look at the top left side. Do you see a photograph there?
- 21 A. [9:51:54] Yes, I am seeing a photograph.
- 22 Q. [9:51:57] Who is that?
- 23 A. [9:52:01] That is my photograph.
- 24 Q. [9:52:04] And is this your national ID card?
- 25 A. [9:52:12] It is my national ID card.

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1 Q. [9:52:14] And on the right-hand side of the document do you see your date of
2 birth?

3 A. [9:52:38] Yes, I have seen.

4 Q. [9:52:41] Could the court officer please show the witness tab 3. The ERN is
5 UGA-OTP-0265-0077. This is also a confidential document.

6 Do you see the document, Madam Witness?

7 A. [9:53:07] Yes, I have seen.

8 Q. [9:53:09] Can you look at the top left side. Do you see a photograph there?

9 A. [9:53:18] Yes, I have seen.

10 Q. [9:53:23] Who is that?

11 A. [9:53:27] That's me.

12 Q. [9:53:29] And is this your amnesty card?

13 A. [9:53:35] Yes, it is mine.

14 Q. [9:53:37] And on the right-hand side of your amnesty card there is a date
15 6 March 2003. Do you see that?

16 A. [9:53:54] Yes, I have seen.

17 Q. [9:53:57] Now, Madam Witness, I understand that before coming here today
18 you were able to review your statement. Is that correct?

19 A. [9:54:11] Yes, that's correct.

20 Q. [9:54:14] Please, could the court officer show the witness tab 1. The ERN is
21 UGA-OTP-0260-0289, and it is classified as confidential.

22 Can you see the document, Madam Witness?

23 A. [9:54:42] Yes.

24 Q. [9:54:44] Please look at the bottom of the first page. Do you see your
25 signature there?

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1 A. [9:54:54] Yes, I have seen.

2 Q. [9:54:56] Please, could the court officer turn to the second last page in this tab.

3 It's page 21 of 22 of the document, and the ERN is -- ends with 0309.

4 Do you see the page, Madam Witness?

5 A. [9:55:21] Yes, I have seen.

6 Q. [9:55:22] I want you to look at the bottom of the page where there is a
7 signature. Is that your signature?

8 A. [9:55:33] Yes, it is my signature.

9 Q. [9:55:36] And right below your signature there is a date, 19 April 2016. Do
10 you see that date?

11 A. [9:55:49] Yes, I have seen.

12 Q. [9:55:52] Is this document your witness statement that you gave to the
13 Prosecution in April 2016?

14 A. [9:56:10] Yes.

15 Q. [9:56:12] Did you tell the truth when you gave your statement?

16 A. [9:56:24] I told the truth.

17 Q. [9:56:25] And was the information you provided to the best of your knowledge
18 and recollection?

19 A. [9:56:39] That is as far as I remember and as far as I know.

20 Q. [9:56:43] Thank you. Madam Witness, the Judges can use the documents I
21 just showed you as evidence when they make up their minds about this case. But
22 this happens only if you do not object. Do you have any objection to the Judges
23 using the documents as evidence?

24 A. [9:57:15] I have no objection.

25 MS GILG: [9:57:16] Your Honours, I believe this satisfies the Rule 68(3)

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1 requirements.

2 PRESIDING JUDGE SCHMITT: [9:57:22] You believe correctly, Mrs Gilg. Please
3 continue.

4 MS GILG: [9:57:27] Thank you.

5 Q. [9:57:29] Madam Witness, as I think you've been explained, I'm not going to
6 ask you questions about everything you said in your statement. Now I'm just going
7 to ask you a few questions about three topics.

8 For my first question, I want you to focus your mind on the time when you were in a
9 place called the bay. I'm going to read a few lines from your statement, and then I
10 will ask you a question.

11 Your Honours, these lines are from paragraphs 98 to 99 and 101.

12 Madam Witness, you said this: "I went there because my right foot had been pricked
13 by a tree stump and had become swollen. Odomi was also at the bay at this time. I
14 stayed in the bay for two months and when I left the bay he was still there.

15 Korea, Doctor and Odong Kau were also at the bay at this time. Korea stayed there
16 the whole time and the whole time Odomi was there and they came back to the group
17 together."

18 My question is this: Did you see Korea and Odomi return to the group with your
19 own eyes?

20 A. [9:59:03] Yes, I saw with my own eyes.

21 Q. [9:59:08] Madam Witness, I'm going to move on to my second topic now.

22 Your Honours, I'll be referring to paragraph 94 of the statement. Could we please go
23 into a brief private session so I can remind the witness of a name.

24 PRESIDING JUDGE SCHMITT: [9:59:25] Yes, private session.

25 (Private session at 9.59 a.m.) *(Reclassified partially in public)

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- 1 THE COURT OFFICER: [9:59:32] We are in private session, Mr President.
- 2 MS GILG: [9:59:36]
- 3 (Redacted)
- 4 (Redacted)
- 5 (Redacted)
- 6 (Redacted)
- 7 (Redacted)
- 8 (Redacted)
- 9 (Redacted)
- 10 A. [10:00:25] I have understood.
- 11 PRESIDING JUDGE SCHMITT: [10:00:27] Open session.
- 12 (Open session at 10.00 a.m.)
- 13 THE COURT OFFICER: [10:00:30] We are in open session, Mr President.
- 14 MS GILG: [10:00:41]
- 15 Q. [10:00:42] Madam Witness, you said that you saw a girl being beaten for
- 16 refusing to become a wife. Could you please describe for the Court what exactly you
- 17 saw on that day?
- 18 A. [10:00:55] I saw with my own eyes that day, the girl was brought before
- 19 Odomi there. They came with Otto. Otto had already mentioned that the girl did
- 20 not accept him as her husband. Then they said that if she did not want to become a
- 21 wife, they should first teach her a lesson so that she can accept to be a wife. She was
- 22 beaten and then she was taken back and became Otto's wife.
- 23 Q. [10:01:54] Do you know who decided that this girl should be the wife of Otto
- 24 George?
- 25 A. [10:02:12] No, I do not know who made the decision.

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- 1 Q. [10:02:16] Did Otto George move in the same group as you?
- 2 A. [10:02:27] Could you please repeat the question? I did not quite get it well.
- 3 Q. [10:02:31] What I'm trying to understand is whether Otto George was in your
4 group or was he in another group?
- 5 A. [10:02:47] No, he was not in a separate group. He was in my group.
- 6 Q. [10:02:52] And do you know who was his commander?
- 7 A. [10:02:59] I beg your pardon? Could you please repeat the question? Could
8 you please speak a little bit louder because I can't hear you clearly.
- 9 Q. [10:03:07] Yes, of course. My apologies. Do you know who Otto George
10 reported to, who was his commander?
- 11 THE COURT OFFICER: [10:03:25] (Via video link) Your Honours, may I interrupt?
12 We did not receive the English interpretation.
- 13 PRESIDING JUDGE SCHMITT: [10:03:33] So I think this would have to be fixed
14 first. So we wait a moment before we continue.
- 15 THE COURT OFFICER: [10:03:52] May I ask the English interpreters to run sound
16 test right now. Thank you.
- 17 THE INTERPRETER: [10:03:57] One, two, three. Can you hear me? Can you hear
18 me? Hello? The English booth calling, can you hear me? Hello?
- 19 PRESIDING JUDGE SCHMITT: [10:04:14] Yes, the voice is nice, the wording is
20 nice, but unfortunately the problem does not seem to be solved.
- 21 So I'm informed that it might take a few minutes. I would have thought we could
22 stay here, perhaps, and wait until it's fixed, but since there is a little bit of timely
23 uncertainty in the whole process, I think the Chamber will go out of the courtroom
24 and we will be informed when everything is fixed, please.
- 25 Thank you for the moment.

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1 THE COURT USHER: [10:05:28] All rise.

2 (Recess taken at 10.05 a.m.)

3 (Upon resuming in open session at 10.14 a.m.)

4 THE COURT USHER: [10:14:32] All rise.

5 PRESIDING JUDGE SCHMITT: [10:14:50] I have been informed that everything
6 should be fixed by now and, like always when such things happen, I'd like to say that
7 I am more surprised that it so rarely happens given the technical problems that one
8 could have.

9 So please, Mrs Gilg, continue.

10 If you want to move to another point I would have a question.

11 MS GILG: [10:15:16] I was going to stick with this.

12 PRESIDING JUDGE SCHMITT: [10:15:19] Then I wait if you bring it up, otherwise
13 I would intervene.

14 MS GILG: [10:15:24]

15 Q. [10:15:25] Madam Witness, can you hear me now?

16 A. [10:15:29] Yes, I can.

17 Q. [10:15:31] Good. Now, you said before that the girl was brought before
18 Odomi before she was beaten. Was Odomi the most senior person present or was
19 someone else more senior there?

20 A. [10:15:51] Odomi was the most senior person.

21 Q. [10:15:54] And do you know who ordered the girl to be beaten?

22 A. [10:16:05] I do not know who issued the orders for the girl to be beaten, but it
23 was much later on when I was taken to beat the girl that I became aware of it. I -- the
24 person said that I saw what happened to (Redacted) she was beaten because she
25 refused to become Otto's wife, and that's why I knew why she was beaten.

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1 PRESIDING JUDGE SCHMITT: [10:16:34] Madam Witness, is a question by the

2 Presiding Judge: Can you describe how the girl was beaten?

3 THE WITNESS: [10:16:51] (Interpretation) The girl was brought there, she was

4 beaten. At the time I was still in Odomi's household and I was close by. Even

5 though I'm cooking, his tent would be close to where I was. I saw them bringing the

6 girl. When they brought the girl, they started saying -- they told her to lie down.

7 The girl lay down. When she lay down they started beating her, they really beat her.

8 After they beat her they left her and they took her back.

9 PRESIDING JUDGE SCHMITT: [10:17:31] How did they beat her? Did they use

10 any tools, anything to beat her or did they beat her with their hands or with their

11 fists?

12 THE WITNESS: [10:17:44] (Interpretation) They used sticks.

13 PRESIDING JUDGE SCHMITT: [10:17:48] And did you see what happened

14 afterwards to the girl? Was she wounded? What did she do?

15 THE WITNESS: [10:18:00] (Interpretation) When we would go to the river to fetch

16 water, she would complain about chest pains. She would also say that she feels a lot

17 of pain when she's taking a bath. I did not actually lift up her clothes to check her

18 back, but I assumed that when she said she felt pain, she had wounds and sores on

19 her body and her back.

20 PRESIDING JUDGE SCHMITT: [10:18:30] Thank you.

21 Mrs Gilg.

22 MS GILG: [10:18:32]

23 Q. [10:18:32] Madam Witness, let's now move to the last topic. I want to ask you

24 to focus your mind on the moment when you returned to your home area, after you

25 left the bush. I'm going to read you one thing that you said in your statement about

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1 the man who was your forced husband. Like before, I'm not going to say his name.

2 Your Honours, I'm referring to paragraph 128 of the statement.

3 Madam Witness, you said this: "He wanted me to stay with him when we returned
4 but my parents refused. Also I did not want to stay with him because I had been
5 given to him forcefully."

6 To your knowledge, why did your parents refuse for you to stay with this man?

7 A. [10:19:47] To my understanding, my parents did not want me to stay with this
8 man because I had been away from my parents for a very long time. My parents
9 looked at me and my age and they wanted to send me back to school when I returned
10 home. They did not want me to stay with the man, and they also looked at the man
11 and made the decision that the man was way older than I was, and that was also my
12 opinion, that he was much older than I was.

13 Q. [10:20:25] And apart from your family, did you tell anyone else in your village
14 or your home area that you had been forced to be a wife in the LRA?

15 A. [10:20:41] No. People do not know, but people from my home, my family,
16 know because when I came back, people who had not been abducted were not aware
17 that I had been turned into a wife because I was still young at the time.

18 Q. [10:21:09] Why did you choose not to tell anyone else besides your family?

19 A. [10:21:24] If I told people about this, people would think about it, people
20 would gossip about it, and it would be a constant reminder to me. So I -- it was
21 unnecessary for me to tell people other than the people at home. So I -- it was
22 important for me, for my family, to know. Even when -- even though I did decide to
23 go to school, if you tell people about all the things that happen to you, when you go
24 back to school, people would gossip. They would say, "Oh, look at her; she was a
25 wife of a Holy. Oh, look at her; she was a wife of a Holy." And it would make my

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1 life difficult. That's why I did not tell people other than my family.

2 Q. [10:22:12] Thank you, Madam Witness. I'm done with my questions now.

3 MS GILG: [10:22:16] Your Honours.

4 PRESIDING JUDGE SCHMITT: [10:22:17] Thank you, Mrs Gilg. And for the
5 Legal Representatives, Mr Narantsetseg.

6 MR NARANTSETSEG: [10:22:22] Thank you, Mr President, your Honours. As
7 we have informed your Honours on a previous occasion, our field counsel Ms Jane
8 Adong will question the witness at video-link location.

9 PRESIDING JUDGE SCHMITT: [10:22:33] Yes, very well. So I give Mrs Adong,
10 let us say, the floor. Mrs Adong, please.

11 MS ADONG: [10:22:42] (Via video link) Thank you, your Honours.

12 QUESTIONED BY MS ADONG:

13 Q. [10:22:47] Good morning, Witness. I will start by asking you a few questions
14 about your abduction and events immediately before your abduction.

15 Witness, could you please briefly describe your life before your abduction.

16 A. [10:23:18] Prior to my abduction, life was easy for me because when I take into
17 account the time that I was abducted, I would starve, I did not have anything to eat.

18 But prior to my abduction, life was easy. I could find food whenever I wanted food;

19 I went to school; I would get up in the morning and go to school. In the evening

20 I would come back home. If I had some chores, such as cooking to do, I would do

21 those chores. And when I was abducted, they made us walk for the long distances.

22 There were occasions when I would walk for approximately a week without any

23 breaks. And this is something that we did not do while I was at home. The longest

24 distances, for example, I would walk was to go fetch water at the stream and come

25 back.

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1 Q. [10:24:14] You were abducted twice. Concerning your second abduction, in
2 your statement you mentioned that you were at your parents' house and sleeping in a
3 hut with your sister when the LRA came to the hut and abducted you.

4 For your Honours, I'm looking at page 0291 of the statement.

5 Witness, do you still vividly remember this day?

6 A. [10:25:08] I did not quite understand your question. What day are you
7 talking about? Are you referring to the first abduction or are you referring to the
8 second abduction, the day I was abducted on the second occasion? If you're talking
9 about the second occasion, yes, I do remember vividly.

10 Q. [10:25:34] Yes, you are correct, I'm referring to the second one.

11 PRESIDING JUDGE SCHMITT: [10:25:40] I think she has already answered,
12 Mrs Adong. She has presumed that it was the second occasion, and she has
13 answered that she vividly recalls it.

14 MS ADONG: [10:25:55] (Via video link)

15 Q. [10:25:55] What are your feelings about this abduction at the moment?

16 A. [10:26:06] It's extremely painful for me.

17 Q. [10:26:13] Now, did you know what had happened to the rest of your family
18 after you were abducted?

19 A. [10:26:29] No. When I was abducted, I did not know what happened to my
20 family after I left.

21 Q. [10:26:38] Were you fearful about the fate of your family after your abduction?

22 A. [10:26:49] Yes, I was fearful.

23 Q. [10:26:54] Now, in your victim's participation form you mention that while
24 you were in the bush you were missing your parents and you felt lonely.

25 And for the record I'm looking at page 1, question 2.

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1 Now, Witness, could you confide in anybody while you were in the bush?

2 A. [10:27:36] I did not have anybody to confide in.

3 Q. [10:27:48] Could you form friendship with anybody during your time in the
4 bush?

5 A. [10:27:59] When you're in the bush we would stay together, we would stay
6 together, but we would not -- we would stay cordially without any fights between us,
7 or squabbles. We would stay cordially.

8 Q. [10:28:21] Thank you. I will now ask you a few questions about your time in
9 captivity.

10 Could you please briefly describe your life in the bush?

11 A. [10:28:49] When I was in the bush, life was extremely difficult because life in
12 the bush is not as easy as life at home. At the time that I was babysitting I was
13 mistreated; I was given heavy luggage to carry in addition to carrying the baby as
14 well. There was hunger; I was constantly hungry; I was thirsty, dehydrated. There
15 was a time when we trekked for about one week. We did not have any water.
16 I was constantly thirsty. That time I was extremely thirsty, because if there is no
17 water, you have to find a stem or some leaves that you believe that if you chew on
18 them it would actually soothe your throat. If there is nothing like that, then you ask
19 somebody. If that person has some water, and the person is not as thirsty as you are,
20 then you ask them for water. People die from dehydration. I saw people dying
21 from dehydration next to me. Sometimes you tell somebody, can you please urinate.
22 You urinate, and then you drink your own urine because if you are extremely thirsty,
23 sometimes you don't even have urine. But if you see somebody who still has urine,
24 you can actually ask that person for urine and drink it, because life is that hard.

25 Q. [10:30:23] Thank you, Witness. Now were you dressed sufficiently to avoid

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1 being cold?

2 A. [10:30:38] When we were in the bush, those of us who were not soldiers did
3 not have enough clothings. If you are lucky, the person in whose household you are
4 based could give you a jacket or something to wear, but if we are attacked or if there
5 is a war or a fight, you might throw the bag that you are carrying and leave
6 everything behind and just run.

7 Q. [10:31:04] Where did you sleep?

8 A. [10:31:12] When I was initially abducted we would sleep in the tent. During
9 the nighttime, we would spend the night in the tent. They would set up a tent.
10 When we got to an encampment place, the place where we're supposed to cook and
11 where we're supposed sleep, in the evening, they would set up a tent and we would
12 spend the night in the tent.

13 Q. [10:31:34] Would you describe your sleeping condition as comfortable, as
14 being comfortable?

15 A. [10:31:50] No, there was no comfort because you are not allowed to sleep
16 peacefully and you need to be alert. There could be an attack any time. Wherever
17 you will spend the night, you cannot be free because there can be an attack any time.
18 For that matter, you should keep your luggage tied up and close up the bag so that in
19 case of anything, you can just leave and carry your bag and move. For that matter,
20 you cannot sleep peacefully.

21 Q. [10:32:25] How were the hygiene condition?

22 A. [10:32:35] In regard to hygiene, they emphasise cleanness. You should bathe
23 regularly when you are in an encampment place, you should go to the stream and
24 bathe before you go and start cooking.

25 Q. [10:32:54] Now, Witness, in your victims' participation, you provided that you

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1 were tied to a tree and beaten 50 strokes: This was punishment for the escape of
2 three girls. And that you bled all over your body and also you became very weak.
3 For the record, this is at page 03 (inaudible).

4 Now, did you get any other injuries from the beating?

5 A. [10:33:57] I was not tied to a tree. I don't know whether my statement was
6 recorded well.

7 PRESIDING JUDGE SCHMITT: [10:34:19] But then, Madam Witness, simply tell
8 us what happened, what you recall today, and then you can also tell us if you
9 sustained wounds that even perhaps you today feel that are visible today, if it is so.

10 THE WITNESS: [10:34:48] (Interpretation) The beatings that I was received, I was
11 beaten and got so many injuries on my body. I was able to clean with warm water
12 and they also injected me with some drugs and they healed. I don't have any injury
13 on me now. It was injuries due to beating, but they healed.

14 PRESIDING JUDGE SCHMITT: [10:35:21] Do you sometimes recall what
15 happened at the time? Do you recall the beatings in your daily life nowadays?

16 THE WITNESS: [10:35:36] (Interpretation) Sometimes when I am seated, I -- since
17 it happened long ago, I tend to forget it.

18 PRESIDING JUDGE SCHMITT: [10:35:58] Mrs Adong.

19 MS ADONG: [10:36:00] (Via video link) Thank you, your Honours.

20 Q. [10:36:06] Now, in the same victims' participation form and also in your
21 statement at pages 0297 to 0299, you stated that you were forced to kill many people
22 during your time. How did it make you feel?

23 A. [10:36:50] When I was still there, I would -- it would disturb me and I would
24 feel as if they would also kill me, because you don't know why that person was killed.
25 And sometimes you think that maybe I am not even doing the right things and I

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1 could be killed any time tomorrow or today. I would only be thinking about my life.

2 I would be thinking whether I would be alive or I would be dead.

3 PRESIDING JUDGE SCHMITT: [10:37:32] May I please, Mrs Adong.

4 Do these things that happened, these killings, sometimes come back to you in your
5 daily life nowadays? I mean the thoughts.

6 THE WITNESS: [10:37:53] (Interpretation) Sometimes it gives me nightmares and
7 it traumatises me, but sometimes I -- it doesn't have any problem.

8 PRESIDING JUDGE SCHMITT: [10:38:12] Thank you.

9 Mrs Adong.

10 MS ADONG: [10:38:16] (Via video link)

11 Q. [10:38:16] Now, Madam Witness, without mentioning names, you may recall
12 that you were made to walk on the body of somebody you knew. Do you recall that
13 incident?

14 A. [10:38:45] Yes, I do recall.

15 Q. [10:38:47] And for the record, I'm looking at the statement at page 0299.

16 How did you feel about this?

17 A. [10:39:10] It made me so sad when it happened, and for a long time I could
18 only think about it until I returned home.

19 Q. [10:39:26] Do you know why you were made to walk over the body of this
20 person?

21 A. [10:39:39] The people who took me and told me to walk on the dead body,
22 they told me that so that I could forget and think about it.

23 Q. [10:39:58] I don't think we can go any further with that, your Honours.

24 PRESIDING JUDGE SCHMITT: [10:40:05] May I shortly.

25 (Pause in proceedings)

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1 PRESIDING JUDGE SCHMITT: [10:40:21] I think now it's fixed. So please
2 continue, Mrs Adong.

3 MS ADONG: [10:40:28] (Via video link) The witness would like to address the Court,
4 My Lord.

5 PRESIDING JUDGE SCHMITT: [10:40:34] Of course, Madam Witness. I told you
6 if you want to, you can address us. So please go forward.

7 MS ADONG: [10:40:45] (Via video link) She would request for a short break,
8 My Lord.

9 PRESIDING JUDGE SCHMITT: [10:40:48] I think we have a break perhaps until
10 11 o'clock and then we continue.

11 THE COURT USHER: [10:40:58] All rise.

12 (Recess taken at 10.41 a.m.)

13 (Upon resuming in open session at 11.01 a.m.)

14 THE COURT USHER: [11:01:44] All rise.

15 PRESIDING JUDGE SCHMITT: [11:02:03] Madam Witness, do you feel able to
16 continue after this break?

17 THE WITNESS: [11:02:26] (Interpretation) Yes, I do.

18 PRESIDING JUDGE SCHMITT: [11:02:27] Then, Mrs Adong, you may continue
19 with your questions.

20 MS ADONG: [11:02:36] (Via video link) Thank you, your Honour.

21 Q. [11:02:43] Madam Witness, in your victim participation form you stated that
22 you were terribly beaten and raped by an LRA soldier and later by their commander
23 you were distributed to as a wife.

24 The records I'm looking at the participation form at page --

25 PRESIDING JUDGE SCHMITT: [11:03:29] Mrs Adong.

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1 MS ADONG: [11:03:30] (Via video link) 0359.

2 PRESIDING JUDGE SCHMITT: [11:03:34] You don't have to refer to that. We
3 have also in the statement which is incorporated by our rule 68(3) already. You can
4 simply continue with your questions.

5 MS ADONG: [11:03:50] (Via video link)

6 Q. [11:03:50] Now, Madam Witness, were you injured; were you injured in any
7 way during any of those acts?

8 A. [11:04:11] I did not sustain any injuries other than the time when I was beaten,
9 but that has healed up now.

10 Q. [11:04:20] I'm talking about the time when you were raped, in particular the
11 second time.

12 A. [11:04:35] On the day that I was raped, I bled. When the bleeding stopped,
13 then I just continued with my life.

14 PRESIDING JUDGE SCHMITT: [11:04:51] Madam Witness, do you recall how old
15 you have been when you were raped for the first time and also later on then for the
16 second time?

17 A. [11:05:02] When I was abducted, to my recollection, well, I don't recall very
18 well my exact age.

19 THE INTERPRETER: [11:05:28] Could the witness please be asked to speak up a bit
20 louder.

21 PRESIDING JUDGE SCHMITT: [11:05:33] Madam Witness, the interpreter just
22 asked me to tell you to speak a little bit up so that she can hear you better. So could
23 you perhaps repeat what you have said.

24 THE WITNESS: [11:05:52] (Interpretation) I do not recall the age I was at the time.

25 PRESIDING JUDGE SCHMITT: [11:05:59] Okay. Mrs Adong, please continue.

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1 MS ADONG: [11:06:04] (Via video link) Thank you, your Honour.

2 Q. [11:06:08] Now, without mentioning names, in your statement you also make
3 mention of Ongwen's wife who used to give you a hard time. Can you explain to the
4 Court how she made life difficult for you?

5 MR TAKU: [11:06:40] Your Honour, the evidence is already on record.

6 PRESIDING JUDGE SCHMITT: [11:06:45] (Overlapping speakers)

7 MR TAKU: [11:06:46] (Overlapping speakers)

8 PRESIDING JUDGE SCHMITT: [11:06:47] I agree with Mr Taku.

9 Mrs Adong, this is on the record, meaning that, again, via this procedural tool, Rule
10 68(3), the former witness statement is part of the evidence here in the courtroom, so
11 you would not have to ask this because we have the information.

12 Thank you, Mr Taku, that's correct.

13 MS ADONG: [11:07:11] (Via video link) Thank you, your Honour.

14 Q. [11:07:15] Madam Witness, were you ever punished for doing something
15 wrong during your time at Mr Ongwen's household?

16 MR TAKU: [11:07:28] The question is extremely wide.

17 PRESIDING JUDGE SCHMITT: [11:07:32] Yes.

18 MR TAKU: [11:07:33] And unfocussed.

19 PRESIDING JUDGE SCHMITT: [11:07:35] Mrs Adong, again, we have information
20 that could point into that direction, so I would ask you to refer to questions that might
21 have to do with the impact that certain acts and incidents that happened to the
22 witness have had and perhaps have still today.

23 MS ADONG: [11:08:03] (Via video link) Thank you for the guidance.

24 Q. [11:08:09] Witness, you say that you lost your dignity and you feel ashamed
25 most of the time because you were raped. Do you still feel that way about yourself?

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1 A. [11:08:34] These days, I don't think about what happened in the past so often,
2 but if something happens that reminds me of past events, then, yes, it makes me sad.

3 Q. [11:08:56] Have you been given any psychological support to deal with your
4 trauma from being raped?

5 A. [11:09:13] Yes, when we were at GUSCO, they counselled us, they advised us.
6 So, yes.

7 Q. [11:09:28] Do you feel that this is adequate?

8 A. [11:09:43] We were given assistance, but in my opinion if it was possible,
9 I would have preferred that they continue giving me such assistance from time to
10 time.

11 Q. [11:09:58] Now, finally, I would like to ask you a few questions about your
12 escape and your life since you escaped.

13 How would you describe the time reunited you were -- how would you describe the
14 time you were reunited with your family?

15 A. [11:10:37] When I came back, when they came to see me while I was still at
16 World Vision, when I was at GUSCO, my mother, father and my siblings came to see
17 me. I was extremely happy to see them. I was very happy about the way that they
18 welcomed me, and when I went back home I was also very happy at the way that my
19 family welcomed me when I came back home, because when I was in the bush life
20 was extremely difficult and I thought that I was never going to see my family ever
21 again.

22 Q. [11:11:23] Now, apart from your abduction, did your family suffer from any
23 other harm?

24 A. [11:11:44] The suffering that my family had was, at the time of my abduction,
25 my mother was extremely worried about me. She was constantly concerned about

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1 my life. She did not know whether I was alive or dead. I was very young at the
2 time, and she thought I would not be able to keep up with the walking.

3 Q. [11:12:05] Now, how were you welcomed by your community? Was there
4 stigmatisation or isolation?

5 A. [11:12:19] The people in my area welcomed me very well, but people would
6 talk about it. People would talk about it. People would point fingers at me.
7 People would say, "well, this person has just come back", and this made my life a little
8 bit difficult. People used to assume that when you are in the bush you would -- you
9 committed atrocities, so when you come back home you're likely to commit the same
10 atrocities against people back home. So, yeah, people used to talk about it.

11 Q. [11:13:04] Now, apart from yourself, did it have any impact on your family?

12 A. [11:13:18] When my family hear people talking about that, then of course it
13 would stress them out. They would ask themselves, why are people talking like
14 that?

15 Q. [11:13:31] Now, were you given any support in the process of your
16 reintegration?

17 A. [11:13:47] When I sent back -- when I was sent back home, I was -- I studied
18 tailoring. I went to a tailoring school and after that I was given a bed, beddings.
19 I was given some items of clothings. Those are some of the things that they
20 provided.

21 Q. [11:14:10] Do you feel that the training you had in tailoring is adequate to help
22 you sustain your self-independence?

23 A. [11:14:26] Yes, I can sew clothes very well.

24 Q. [11:14:38] Do you have the necessary machinery and other materials?

25 A. [11:14:46] No, I do not have any of the equipment. I just underwent the

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1 course but I was not given a sewing machine.

2 Q. [11:15:03] Do you think that if you had the machines and other materials, you
3 would be able to improve on your life?

4 A. [11:15:12] Yes, it would improve my life.

5 Q. [11:15:23] Witness, you had to drop out of school. Before your abduction, did
6 you enjoy your studies?

7 A. [11:15:41] Yes, I did enjoy my studies.

8 Q. [11:15:44] What did you want to become before your abduction?

9 A. [11:15:55] I wanted to become a doctor.

10 Q. [11:16:00] Why didn't you return to school after you had escaped?

11 A. [11:16:08] It was difficult for me. Additionally, I was abducted when I was
12 only in primary 3, so I thought if I went back to school and rejoined at primary 3 level,
13 then it would be difficult. At the time I was also extremely confused, and that's why
14 I made -- I decided to undertake the tailoring course.

15 Q. [11:16:46] In your victim participation form you talk about having nightmares.
16 Do you still have these nightmares?

17 A. [11:17:04] Sometimes I do, but not all the time. Perhaps after one or two
18 months I may have nightmares. Yes, I still do have nightmares, but it's not so
19 regular. Perhaps every -- after one month or so.

20 Q. [11:17:23] Are you getting any psychological or medical support for this?

21 A. [11:17:33] No.

22 Q. [11:17:40] How do you feel when you are reminded of your experience in the
23 bush?

24 A. [11:17:50] When I'm reminded of my experiences in the bush I become
25 emotional again, it makes me sad, I start thinking about it, I think about life in the

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- 1 bush.
- 2 Q. [11:18:07] And how do you deal with those feelings?
- 3 A. [11:18:15] Most times I pray, I like praying.
- 4 Q. [11:18:32] Do you have dependents?
- 5 A. [11:18:47] I did not quite understand your question. In what way?
- 6 Q. [11:18:52] Do you have people whom you are responsible for?
- 7 A. [11:19:01] Yes, I do.
- 8 Q. [11:19:07] How many?
- 9 A. [11:19:09] My brother's child.
- 10 Q. [11:19:16] You have moved on in life. Do you have a child of your own?
- 11 A. [11:19:32] Yes, I do.
- 12 Q. [11:19:34] Who is responsible for this child?
- 13 A. [11:19:42] The child is with my mother and father, and me as well.
- 14 Q. [11:19:52] Do you have enough earnings to care for these dependents?
- 15 A. [11:20:10] No, not really, I do not have enough earnings.
- 16 Q. [11:20:15] What are your wishes for the future?
- 17 A. [11:20:25] My wishes for the future are to -- I would like to get a sewing
- 18 machine, if I have my own sewing machine then I can sew clothings and have a
- 19 business.
- 20 Q. [11:20:42] Madam Witness, thank you.
- 21 I have no further questions of this witness, My Lord.
- 22 PRESIDING JUDGE SCHMITT: [11:20:49] Thank you, Mrs Adong.
- 23 And we had already a break so I would ask the Defence to start with the examination,
- 24 and I assume Mr Taku will do that.
- 25 So you have the floor, Mr Taku. Take your time to arrange yourself.

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1 QUESTIONED BY MR TAKU:

2 Q. [11:21:25] Good morning, Mr Witness.

3 A. [11:21:26] Good morning.

4 Q. [11:21:32] In your testimony before the Court you stated that you were
5 abducted in January 2000, that's the first abduction. The second abduction was in
6 December 2000. And that you were released probably on or before 3 March 2003.
7 Your Honours, tab 1 --

8 PRESIDING JUDGE SCHMITT: [11:22:13] No, no. It's okay. We know.

9 MR TAKU: [11:22:16]

10 Q. [11:22:17] Witness, as you sit here today, Witness, do you confirm first that
11 this statement is correct, or you have something to change or to modify the answer
12 you already gave to the Court?

13 A. [11:22:34] There is nothing to modify.

14 Q. [11:22:45] Indeed, you testify that in your KICWA files you indicate that your
15 date of abduction was October 2002, but you clarified that you were confused, you
16 were confused about the exact date when you gave that date October 2002?
17 Nevertheless, you maintained your date of return as 2003. Can you clarify for the
18 Court specifically when was your date of return?

19 A. [11:23:38] I came back home in 2003, but I get confused about the dates.

20 Q. [11:23:50] That's understood. But could it be that you returned -- no, let me
21 say, could it be that you actually returned in February 2003? Because that's when
22 you filled your amnesty form.

23 PRESIDING JUDGE SCHMITT: [11:24:24] There a reference would be nice.

24 MR TAKU: [11:24:27] Yes, your Honours. UGA-OTP-0267-0293, tab 11. You
25 indicated that, in your amnesty form, that the date of return is February 2003. Could

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1 it be that that is the exact date, the month you returned?

2 PRESIDING JUDGE SCHMITT: [11:24:54] You said tab 11, Mr Taku?

3 MR TAKU: [11:24:59] Yes, your Honour. No, tab 10, tab 10. I'm sorry, tab 10,
4 your Honours. No, it's tab 11, it's tab 11.

5 PRESIDING JUDGE SCHMITT: [11:25:12] Yes. But the problem is not if it is tab
6 10 or tab 11, the problem is if the Judge -- or, the Judges have a binder which ends
7 with tab 6. It's not of help to know if it is tab 10 or tab 11. So we would perhaps be
8 provided with the Defence binders.

9 MR TAKU: [11:25:36] I'm very sorry about that, your Honours.

10 PRESIDING JUDGE SCHMITT: [11:25:39] That can happen, it's no problem, it's no
11 problem, but simply that we can follow. Thank you very much. And indeed it
12 seems to be tab 11. And now we are, let me put it this way, on top of the situation
13 we hope.

14 MR TAKU: [11:25:59] Yes, your Honour. That's 20th day of February 2003.

15 That's the date that she says she returned. And --

16 PRESIDING JUDGE SCHMITT: [11:26:13] I think we should -- we have it on the
17 record the witness has already said that the exact dates might be March, this is the
18 end of February, I think we leave it at that. It is clear from this declaration form
19 what is stated here.

20 MR TAKU: [11:26:29] Yes, your Honours. Yes.

21 PRESIDING JUDGE SCHMITT: [11:26:32] And of course we -- I don't know if you
22 want to dwell into that, if we look on the back of, back side, back, then we see that we
23 have here "age 12 years".

24 MR TAKU: [11:26:45] Yes, your Honours.

25 PRESIDING JUDGE SCHMITT: [11:26:46] And also, the witness has already also

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1 pointed out upon questioning by me that she did not exactly know her age.

2 MR TAKU: [11:26:56] Exactly, your Honours.

3 PRESIDING JUDGE SCHMITT: [11:26:57] And we know that we have different,
4 different possible ages that can be derived from the record on the record.

5 MR TAKU: [11:27:04] Yes, your Honours.

6 PRESIDING JUDGE SCHMITT: [11:27:07] Thank you.

7 MR TAKU: [11:27:08] Thank you, your Honours. I mean that --

8 PRESIDING JUDGE SCHMITT: [11:27:09] I only wanted to -- exactly, that that was
9 meant to expedite a little bit the proceeding.

10 MR TAKU: [11:27:17]

11 Q. [11:27:18] Witness, how did you determine that, the date of your abduction as
12 December 2000, the second abduction?

13 A. [11:27:36] When I was at home, at the time I was in school I was aware of the
14 months. Because if you go to school -- I knew the dates -- if you go to school you
15 have to write down dates, and that's how come I knew about it.

16 Q. [11:27:58] Yes, but, Witness, in your, in your evidence paragraph 17, and let
17 me read out, that out, you said:

18 "When I came out of the house I saw many soldiers in the compound. I know they
19 were soldiers because they had guns. Some of them were standing around and
20 others were picking mangos from the trees." End of quote.

21 Now, Witness, the mango season in your area is not in December, is it? Is it?

22 A. [11:28:48] These are the dry season mangos. We do have dry season mangos
23 as well.

24 Q. [11:28:56] Now, you said you were abducted twice. Indeed, in paragraphs 11
25 to 12 of your statement you said you talked to Okello Director, Okello Director, also

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1 known as Okello Can Odonga. Witness, my question is: what would you say,
2 Witness, if I put it to you that you could not have spoken to Okello Director in 2000,
3 or even 2001, because he was executed with Otti Lagony in 1999? What would you
4 say to that?

5 PRESIDING JUDGE SCHMITT: [11:30:18] Yes, we have -- it's always like that
6 when we put things to the witness and say we have other evidence, it's a little bit, it
7 gives a little bit of a feeling that we should at least make clear to the witness the
8 options that are on the table.

9 So, Madam Witness, when Defence puts something to you in the form that Mr Taku
10 has done, this is only a suggestion that he makes that is different from what you have
11 said. So your reaction can be "No, I know this was the person Okello Director", the
12 answer can be "I'm not absolutely sure about the person", or the answer can be "I do
13 not remember."

14 So don't, don't feel under a psychological pressure to accept what is put to you.
15 I think I have to say that with a witness who is not informed about the procedure in a
16 common law system. I hope it was not too complicated, Madam Witness, but when
17 such a question is put to you it is simply a suggestion different from what you said,
18 and this does not at all mean that you have to revise what you said, you simply can
19 answer "It's like I said", or if you come to know now, if you think about it, it was
20 different, then you tell us too. So could you please answer about the person.

21 MR TAKU: [11:31:47] Or if you want I might rephrase and put it more specifically,
22 if your Honours believe, in order to allay her, what concerns she might have.

23 PRESIDING JUDGE SCHMITT: [11:31:57] Yes, give it a try.

24 MR TAKU: [11:31:59]

25 Q. [11:32:00] Witness, we received other evidence to the effect that

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1 Okello Director, also known as Okello Can Odonga, was executed in 1999 with
2 Otti Lagony, was the deputy to Joseph Kony in the LRA, and therefore you may well
3 have mistaken, all the information you provided is incorrect, because you could not
4 have spoken to him when he was no longer alive in 2000 or even 2001. What would
5 you say to that?

6 A. [11:32:50] Well, I do not recall properly whom I talked to.

7 PRESIDING JUDGE SCHMITT: [11:32:59] That's fine, Madam Witness.

8 Absolutely. Please.

9 MR TAKU: [11:33:06]

10 Q. [11:33:07] Witness, you also testified at paragraph 16 that you knew that the
11 group that abducted you were the Holy because the Holy were the group that were
12 moving around abducting people at that time. Were you aware of other groups that
13 were abducting people in your locality and other areas at that time or other times
14 before then?

15 A. [11:33:51] I had no knowledge of any other group.

16 Q. [11:33:56] What makes you now believe that it was the Holy that abducted
17 you?

18 A. [11:34:10] Well, at that time the only group that was abducting people was
19 Holy. There was no word of government troops, for instance, or, say, UPDF were
20 abducting people. It was only known that the Holy were the ones abducting people.

21 Q. [11:34:43] And again I ask, Witness, when you talk about the Holy abducting
22 people in your locality in northern Uganda, 2000, even 2001, Witness, are you sure
23 that you are not referring to another period before 1999?

24 A. [11:35:26] I do not know of any other period.

25 Q. [11:35:42] You've told the Court in your statement, paragraph 16, and also

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1 paragraph 11, that the group that abducted you first in January and thereafter,
2 January 2000 and after December, that group was known as Gilva. Who told you,
3 Witness, in January 2000 that the group was called Gilva?

4 A. [11:36:28] Are you talking about my first abduction?

5 Q. [11:36:35] Yes, the first abduction.

6 A. [11:36:42] They are people who had stayed for long in the bush.

7 Q. [11:36:46] Yes, they have stayed for long in the bush, but who told you that
8 they were called Gilva, they were in the group called Gilva?

9 A. [11:37:07] The lady with whom I was staying had already stayed there for long.
10 She told me that when you are here, you stay without worrying about home. She
11 told me that she had stayed for five or six years and encouraged me to stay freely, and
12 told me the group we are in is called Gilva, and she told me that I should not worry.

13 Q. [11:37:36] The lady you met when you were already in the bush, who you
14 stayed -- who gave you these assurances and told you the group was called Gilva; is
15 that correct?

16 A. [11:37:55] Yes.

17 PRESIDING JUDGE SCHMITT: [11:37:59] We are talking about the first abduction,
18 and if I understood it correctly, Madam Witness was only for a couple of days in the
19 bush there.

20 MR TAKU: [11:38:11]

21 Q. [11:38:11] So when this woman told you that she had been there for a long
22 time, five or six years, and that the group was called Gilva and gave you these
23 assurances, was it during your second abduction?

24 A. [11:38:37] It was the first one.

25 Q. [11:38:47] Can you tell the Court the name of this woman, if you know?

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1 A. [11:38:58] I do not recall the name now.

2 Q. [11:39:07] Where did this woman give you this information that the group was
3 called Gilva? Where, the location?

4 A. [11:39:23] I do not recall the location, but at that time we had come to start
5 cooking and we were about to sleep there. I do not recall the exact location.

6 Q. [11:39:47] Now, in your testimony you said that in the second abduction they
7 recognised you, those who came to abduct you the second time that recognised you,
8 you recognised them, and you said they were the same person that had abducted you
9 the first time, suggesting they were members of Gilva. Would I be correct to say
10 this?

11 A. [11:40:17] It's difficult to answer that because people mix up all the time.
12 Every time the group meets together, they would stay together. For that matter, it is
13 difficult for me to say exactly which group.

14 Q. [11:40:50] In paragraph 16, Witness, of your statement you said:
15 "Three men entered the house. I knew they were from the Holy because that was the
16 group moving around and abducting people at that time ... I knew it was them
17 because they were the same people who had abducted me the first time."
18 Are these the same people who abducted you the first time that you said were
19 members of Gilva?

20 A. [11:41:31] I recognised one person from the group, the person who entered the
21 house.

22 Q. [11:41:49] Yes, Witness, and this person, Witness, you said his name was
23 Ngwinya Aye Wata and that -- you said he recognised you from the first abduction.
24 Did -- did he ever tell you what made you so memorable that he remembered you
25 from the first abduction?

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1 A. [11:42:52] No, he did not tell me the reason why he recognised me, but he
2 recognised me because in the first abduction I saw him and he also saw me, and that
3 is why he recognised me.

4 Q. [11:43:24] And from the discussion we just had about being a member of Gilva,
5 you recognised that he was a member of the Gilva group that abducted you the first
6 time?

7 PRESIDING JUDGE SCHMITT: [11:43:35] This, I think this does not exactly reflect
8 what the witness has said. The witness has said it's difficult for her to answer if this
9 was the Gilva group because people mix up all the time. So there might have been
10 changes, there might have been interchange between different parts of the Holy. So
11 it is not correctly worded if you say she recognised him as a person from Gilva. So
12 you would have to rephrase it. And I personally think we have really delved into
13 that point sufficiently, but if you have a new direction, please.

14 MR TAKU: [11:44:18] She recognised at least one member of the group that
15 abducted her, whom she recognised them as Gilva, and I'm just saying that: Is
16 that -- that man that you recognised in the second abduction, was he the same person
17 that you say you recognised -- and I called the name -- is it the same person that you
18 recognised? Because she didn't give the name, I imagine --

19 PRESIDING JUDGE SCHMITT: [11:44:40] And she -- but I think she already not
20 only said now, but already it is in the statement that this person called Otto or
21 with -- also with another name, Acholi name, was -- this was one of those people who
22 abducted her also the first time. I think we can have -- we have this on the record.

23 MR TAKU: [11:44:58]

24 Q. [11:44:59] Witness, did you also remember hearing someone by the name Otto
25 4-4?

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1 A. [11:45:15] No, I did not.

2 Q. [11:45:17] What about Otto Sunday?

3 A. [11:45:27] No, I did not hear.

4 Q. [11:45:32] At paragraph 22, Witness, you also said that Bob was there the first
5 time you were abducted. Can you describe him to the Court?

6 PRESIDING JUDGE SCHMITT: [11:45:43] Mrs Gilg is rising.

7 MS GILG: [11:45:46] Your Honours, she does not mention the first time that she was
8 abducted that Bob was there, I believe. "Who I had seen the first time" -- excuse me,
9 sorry.

10 PRESIDING JUDGE SCHMITT: [11:45:59] No, no. She does mention that.

11 Mr Taku is perfectly right. So we stay calm and we simply continue.

12 So, Madam Witness, this is again -- and this quite often will happen during the
13 examination now, that we are referring to your former statement, and this is again
14 such a case. Paragraph 22 reads as your statement: "The day after I was abducted I
15 saw a man called Bob, who I had seen the first time I was abducted." That was
16 correct. And the question of Mr Taku was if you recall the man and if you could
17 describe him.

18 THE WITNESS: [11:46:59] (Interpretation) I saw Bob when I was abducted for the
19 first and the second time. He was small-bodied and dark-skinned. He wasn't very
20 tall.

21 PRESIDING JUDGE SCHMITT: [11:47:17] Thank you.

22 MR TAKU: [11:47:20]

23 Q. [11:47:23] Witness, paragraph 25, under the confines of confidentiality I won't
24 mention the name of the individual, but you recount that incident when you say you
25 were raped by a soldier.

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- 1 And he said, and I quote: "If I told anyone what he was going to do, he will say I
2 tried to sneak away." Paragraph 25. Do I -- (Overlapping speakers)
- 3 PRESIDING JUDGE SCHMITT: [11:47:52] "And they would kill me."
- 4 MR TAKU: [11:47:54] "And they would kill me."
- 5 Do I mention the name of the soldier, your Honour?
- 6 PRESIDING JUDGE SCHMITT: [11:48:00] I don't see a reason why you could not
7 mention the name of the soldier of the Holy.
- 8 MR TAKU: [11:48:06] The Holy. Your Honour, thank you.
- 9 Q. [11:48:09] That soldier of the Holy, his name is Odokonyero. Odokonyero.
10 Did you know why he said you were not supposed to mention it, and that if you
11 mentioned it, he would say you were going to sneak away and you would be killed.
12 Did you know why did he not want you to mention it?
- 13 A. [11:48:47] I do not know.
- 14 Q. [11:48:57] Paragraph 27, Witness, you also said, "He feared the commander
15 would realise what he was doing." Would it be fair to say that, Witness, in that -- in
16 the Holy, the Holy soldiers were not permitted to rape, and that's why he didn't want
17 his commanders to know, because he feared the commanders would realise what was
18 happening?
- 19 A. [11:49:36] While in the Holy they will not allow you to sleep with a woman
20 who has not being assigned to you and who has not been blessed already, because
21 they say if you sleep with a woman without authorisation, you would be shot at your
22 manhood, but it would happen without people knowing.
- 23 Q. [11:50:09] Did you also come to know that Joseph Kony had put a rule that if
24 anybody of LRA would rape a woman, the person should be executed?
- 25 A. [11:50:37] I did not understand.

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1 PRESIDING JUDGE SCHMITT: [11:50:39] Perhaps, may I, Mr Taku.

2 Madam Witness, did you come to know during your time in the bush of a rule
3 ordered by Joseph Kony that anybody who would rape a woman, apart from an
4 assigned -- apart from being an assigned wife, would be killed, that any such person
5 would be killed? Did you come to know of such a rule? Have you ever heard of it?

6 THE WITNESS: [11:51:18] (Interpretation) In regard to that rule, I don't know
7 whether it was Kony who mentioned it, who said it, but those who had stayed there
8 for long would talk about it, but I never heard from Kony himself.

9 MR TAKU: [11:51:34]

10 Q. [11:51:34] Witness, paragraph 28 you stated that, you said that Odokonyero's
11 commander was Bob, and I quote, "I did not see him after we joined the bigger group
12 in Atiak with Odomi." Therefore, Witness, you said you did not see him in Atiak
13 with Odomi and that Odomi did not know what Odokonyero had done to you?

14 A. [11:52:17] Yes, that is correct.

15 Q. [11:52:25] Now, we received evidence or had evidence here that you received
16 help from GUSCO. Now, how did you receive help from GUSCO about your
17 alleged rape? How could you have received help if you didn't tell GUSCO. We
18 review it, tab 10, paragraph 6 and 4, UGA-OTP-0244-1958 at page 1961, 6 and 4,
19 Witness.

20 PRESIDING JUDGE SCHMITT: [11:53:09] Please, one after the other, Mr Taku.
21 We are referring now to tab 10 and that is the application form sponsorship
22 programme.

23 MR TAKU: [11:53:21] Page 1961, 6 and 4.

24 PRESIDING JUDGE SCHMITT: [11:53:28] And what are you referring now
25 specifically, because we have several pages here.

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1 MR TAKU: [11:53:33] It's page 1961, your Honours.

2 PRESIDING JUDGE SCHMITT: [11:53:37] Yes.

3 MR TAKU: [11:53:38] Section 4.

4 PRESIDING JUDGE SCHMITT: [11:53:48] And specifically now what, which part?

5 MR TAKU: [11:53:57] Was she given to a commander.

6 PRESIDING JUDGE SCHMITT: [11:54:03] Yes, okay good. Please continue.

7 MR TAKU: [11:54:08] Yes.

8 Q. [11:54:10] So, Witness, you did not disclose this fact about the rape to GUSCO,
9 Witness. Did you?

10 A. [11:54:29] No, I did not. It is possible. Let me just repeat it. When you
11 reach GUSCO they would ask you whether you were someone's wife or not. Then I
12 told them I was someone's wife. It is therefore obvious that in the bush there is no
13 courtship. They would just make you a wife, and they would sleep with you
14 without your consent. The GUSCO people assumed that rape was involved because
15 I told them that I was a wife while in the bush.

16 Q. [11:55:23] Well, Witness, we have the application and the information before
17 the Court. The Court will examine it scrupulously, the different questions asked and
18 the answers you gave with regard to specific -- what you went through in the bush.
19 It's contained in that tab 10, and the Court will look at it, Witness.

20 But let me move quickly to another issue. You discussed how others were abducted
21 from the village, and then you said later when you arrived at the bigger
22 group -- that's paragraph 19, your Honours -- can you describe the bigger group that
23 you say you arrive at? What made you say it was a bigger group, and it was bigger?
24 How big was it?

25 A. [11:56:35] The group that abducted me, they called them standby from the

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1 bush. They would be sent to work. They would be sent for an operation, and they
2 would tell them to go and work and abduct people. They mainly go to abduct
3 people. They are not big group, it's a small group. They are not very many usually,
4 and you could actually estimate the number of people who have abducted you. But
5 when you go to the bigger group there are so many people, and you will know who is
6 who.

7 Q. [11:57:22] So would it be right to say that you met -- you came to this bigger
8 group before you arrive at Atiak?

9 A. [11:57:43] Could you repeat your question, please.

10 Q. [11:57:47] This smaller group that abducted you, would I be right to say that
11 they came to this bigger group before -- that group and the bigger group came to the
12 group that was at Atiak?

13 A. [11:58:11] Yes.

14 Q. [11:58:19] And it was obvious at Atiak that you say you saw Odomi for the
15 first time, correct?

16 A. [11:58:39] Yes.

17 Q. [11:58:42] Now, Witness, you said that in your statement, paragraph 22, 23,
18 that the group that Odomi controlled was called C coy. In fact, paragraph -- C coy
19 battalion. Do you remember saying that?

20 A. [11:59:34] I was asked many questions and I do not recall all. If it is recorded
21 there, I could have said it. I don't remember it.

22 PRESIDING JUDGE SCHMITT: [11:59:44] I could not have worded it more exactly,
23 because I like to repeat this when we have Rule 68(3) witness statements. The
24 witness has said it like that. So you can simply put the question to her, for example,
25 what a C coy would mean or how she understood it or whatsoever.

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1 MR TAKU: [12:00:07] Thank you, your Honours. Exactly, that's where I was
2 going.

3 Q. [12:00:11] So what do you understand C coy to mean?

4 A. [12:00:28] According to my understanding, like when you are at home, when
5 you are in a group, and they would put you, for example, in a farming group and you
6 name your group. So that group would have a name. Therefore, in the bush also
7 there are names of groups that exist. That is how I see it. I do not understand it
8 well, but that is what I think.

9 Q. [12:01:01] Who told you that Odomi was in charge of C coy?

10 A. [12:01:23] When you're in the bush, the way the person acts or behaves
11 actually makes it apparent. The uniform that he wore was also different from what
12 other people had. And at times when you're in the bush, when they cook, when
13 I was still at Odomi's household, when they cook, they would refer to it as the
14 high-table meal, and the high-table meal is a meal that is taken to the superior person
15 within the group and, once that person has received his meal, then other people do
16 receive their meals. And that's how I can respond to your question.

17 Q. [12:02:05] Yes, I understand. If I understood you well, you were coming face
18 to face, you knew Odomi for the first time in Atiak, and you said he was in charge, he
19 controlled a group called C coy. My question is: Who told you -- or, differently put,
20 at what time, point in time were you told that the group that Odomi was controlling
21 at Atiak was called C coy?

22 A. [12:02:49] It took, it took a long time before I knew that. But after a while
23 people would talk about it. You know, when we are sitting, we do have
24 conversations. So people who have been in the bush longer than I would speak
25 about this.

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1 Q. [12:03:09] Are you therefore implying, Witness, that for all the time you are in
2 the bush, and at least for the time that you were with Odomi, and obviously in the
3 bush, Odomi was in charge of that group called C coy?

4 A. [12:03:26] No. I do not know whether he was only responsible for C coy or
5 whether he was responsible for another group as well.

6 Q. [12:03:46] Apart from the -- calling the group C coy, did they call it by any
7 other name that you can -- you know or you can tell the Court?

8 A. [12:04:01] No, there is no other name that I know.

9 Q. [12:04:11] While in the bush did you at any time hear the name Oka battalion?

10 A. [12:04:27] No, I did not, I did not hear that name.

11 Q. [12:04:32] Did you hear the name of a commander called Tabuley?

12 A. [12:04:44] Could you please repeat that name?

13 Q. [12:04:46] Tabuley. At the time of your abduction --

14 A. [12:04:52] Yes, I did hear about that name. Yes, I did. I heard about
15 Tabuley.

16 Q. [12:05:00] Did you hear that at the time of, around the time of your abduction
17 Tabuley was the commander of Oka battalion? Was in command, was in command
18 of Oka, of Oka?

19 A. [12:05:23] No, I do not know whether he was the commander or something
20 else.

21 Q. [12:05:31] Now, Witness, if I -- if I tell you that coy means company within the
22 LRA, does that assist you to know more about the unit that you say Odomi
23 commanded?

24 A. [12:06:12] No, I did not quite understand that.

25 Q. [12:06:22] Did you ever hear about an individual called Anang?

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1 A. [12:06:32] Who is the person called?

2 Q. [12:06:37] Anang. Anang.

3 A. [12:06:37] No, I did not hear about that person.

4 Q. [12:06:40] The reason I ask this question, Witness, because Anang was in
5 charge of C coy in Oka battalion in 2000 and when all the other LRA forces were in
6 Sudan. Does that ring a bell, does that remind you about it? Does it ring a bell?

7 PRESIDING JUDGE SCHMITT: [12:07:06] She has already, she has answered, she
8 said she does not know the name. Please continue. Perhaps a remark, we had this
9 also in other instances the, how to word it, the horizon of understanding of a person
10 differs respective to the role the person has in an -- in a group, in an army, in an
11 institution, even. Your perspective and how you perceive things and the things that
12 you keep with you that you remember differ largely according to the role you exercise
13 in a group. It was just a remark, no reproach or nothing else.

14 MR TAKU: [12:07:53] I agree, your Honour. The degree of proximity alleged and
15 when the witness offered evidence --

16 PRESIDING JUDGE SCHMITT: [12:08:03] No, it's clear, but --

17 MR TAKU: -- herself --

18 PRESIDING JUDGE SCHMITT: -- but she has said she does not know the person, so
19 I think we don't go further. Yeah.

20 MR TAKU: [12:08:09] Okay.

21 Q. [12:08:10] Now, Witness, paragraph 30 you were asked by the -- well, in your
22 statement, in answer to the question about your description of Odomi, you said he
23 was dark and stout. To be very, very precise, that description, Witness, relates to
24 when you immediately saw him the first time, when you saw him at Atiak, you
25 observed that he was dark and stout. Correct?

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1 A. [12:09:00] When I saw him, because I was in his household, I knew that he was
2 stout and that he was dark.

3 Q. [12:09:13] You also testify that he did not wear dreadlocks, his head was
4 clean-shaven, he didn't wear dreadlocks, Witness. At that particular time you are
5 describing --

6 A. [12:09:32] At the time he did not have dreadlocks.

7 Q. [12:09:35] And you say he was clear -- he was clean-shaven. Now, in
8 paragraph 31, Witness -- now, let me just clarify that, Witness. What would you say,
9 Witness, if I, if I tell you that we received evidence that within the time frame of your
10 testimony, and even after, Odomi was -- always had dreadlocks, Odomi was never
11 dark and stout, within the context of his community, this description of the person
12 you say Odomi is completely wrong? What would you say to that, Witness?

13 PRESIDING JUDGE SCHMITT: [12:10:36] I would not allow the question like that,
14 Mr Taku, because we received evidence, we would have to put it on the table. This
15 is -- and I think to discuss the evidence and, for example, to confront the evidence that
16 might contradict testimony of the witness here in the courtroom is something we
17 would have to do later on. It's simply that we can ask the witness, "Now you are
18 sitting here, the video location, if you try to recall, was the person that you identified
19 or that for you was Odomi, was this person dark, stout, very tall and did not have
20 dreadlocks?" Simply we -- because the description might be of some importance,
21 that's absolutely admitted, then we can ask this even though we have it on the record.
22 So I put the question:

23 Madam Witness, now with a -- after admittedly a relatively long time, if you hear
24 your description in your witness statement, please listen, "Odomi was not very tall.
25 He was dark and stout. He did not have dreadlocks, but he cut his hair. I could not

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1 guess his age."

2 If you hear this again, what you have said formerly, would you still agree how you
3 have perceived it at the time?

4 THE WITNESS: [12:12:14] (Interpretation) Yes, that was my observation.

5 PRESIDING JUDGE SCHMITT: [12:12:19] Did Odomi later on at some point in
6 time change his hair?

7 THE WITNESS: [12:12:30] (Interpretation) When I was in the bush, no, he did not
8 change it. Perhaps he changed it afterwards.

9 PRESIDING JUDGE SCHMITT: [12:12:38] So I think really, Mr Taku, I think this --

10 MR TAKU: [12:12:41] Thank you, your Honour.

11 PRESIDING JUDGE SCHMITT: [12:12:43] -- also you have the information.

12 Please continue.

13 MR TAKU: [12:12:47]

14 Q. [12:12:48] Now, paragraph 31, Witness, you describe that when you met the
15 group with Odomi in the morning, you talk about how Odomi, Otto, Onen, and Oling
16 had a meeting, Witness. What would you say, Witness, if I were to tell you that
17 Oling was in a battalion called Terwanga? First, did you ever hear or know about a
18 battalion called Terwanga?

19 A. [12:13:37] No, I was not in that group. I was not part of that group. I did
20 not see the group, but I heard about the group. I recall on one occasion we met.
21 When the whole group met, there was somebody that stayed with us and the person
22 made a comment and said -- I told the person, I said, "Oh, how come there are so
23 many people today?" And the person told me, "Oh, we have met the other group
24 known as Terwanga." Because that person had been in the bush longer than I was,
25 the person knew people from Terwanga.

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1 Q. [12:14:14] Yes, Witness, it is perfectly possible for someone to forget certain
2 facts after a long time. What would you say if I put to you that the person you said,
3 Oling, whom you say you saw in Odomi's group, was indeed in the battalion called
4 Terwanga, the one you heard about? Does that help you to change?

5 PRESIDING JUDGE SCHMITT: [12:14:44] But again we -- again, this might be
6 evidence that is at your disposal that has not been analysed, and please ask the
7 witness simply if she still today, if you want to clarify it, if she still today is convinced
8 or has it in her recollection that a person named Oling also took part. And then, then
9 the consequences that follow out of that, and the analysis, is something to do later on.

10 MR TAKU: [12:15:14] My question, your Honours, if I may explain, was
11 predicated on the fact that she said she later on heard about a group, Terwanga. In
12 fact, they came in contact with them. And I said, "Now that you heard about this
13 group, Witness, as you sit here today what would you say, does it help you to revise
14 your answer that you gave to the Court already, that this man indeed wasn't with
15 Odomi but was indeed a member of this group?" It was in this context that I asked
16 the question.

17 PRESIDING JUDGE SCHMITT: [12:15:43] So at the time -- we are referring here to
18 paragraph 31.

19 MR TAKU: [12:15:46] Yes.

20 PRESIDING JUDGE SCHMITT: [12:15:47] At the time, Madam Witness, you said
21 the commanders sat together and you mentioned these four names, and these were
22 Odomi, Otto, Onen, and Oling. Again, the question: Do you still have today in
23 mind that these were the four persons you saw sitting together at the time?

24 THE WITNESS: [12:16:11] (Interpretation) Yes, I do recall that they were sitting
25 together at that time.

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1 PRESIDING JUDGE SCHMITT: [12:16:20] How did you come to know that these
2 were the four persons? Did somebody tell you or how did you come to know it?

3 THE WITNESS: [12:16:37] (Interpretation) I knew after I had been in the bush for a
4 while. You know, when we had initially just been brought, they gathered us
5 together, all the people that had been abducted. We were not far off from where
6 they were. They were on one side and we were on one side. They were not
7 discussing whatever it is they were discussing in secret. They were making
8 discussions and saying, "Take this person to distribute this person to so-and-so, this
9 person to so-and-so." So I do recall that they were sitting together.

10 PRESIDING JUDGE SCHMITT: [12:17:12] Please continue, Mr Taku.

11 MR TAKU: [12:17:14]

12 Q. [12:17:15] Well, Witness, I did note that you said they were discussing in secret,
13 but the question I would like to ask, Witness, is: How did you know that these
14 persons were called Otto, Onen and Oling? Who told you about this? Did they tell
15 you their names themselves or somebody told you that these persons were called?

16 A. [12:17:46] You know, when you are in the bush, they refer to them as
17 Lapwony Oling, Lapwony Otto, and that's how I came to learn about their names. I
18 did not hear their names immediately thereafter, but I heard about it later on, because
19 I heard Lapwony Otto and Lapwony Oling.

20 Q. [12:18:08] Now, let me try to put it in context. At what point in time did you
21 hear that Oling, the person you saw who later on you said was called Lapwony Oling,
22 at what time and in what context did you come to know that was his name?

23 A. [12:18:44] At the time he was not doing anything in particular. Well, let me
24 give you an example. If you are back home, you receive visitors. If the visitor has
25 been there for a while, even the neighbours would know the name of the guest or the

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1 visitor.

2 PRESIDING JUDGE SCHMITT: [12:19:04] I think we should move now to another
3 point.

4 MR TAKU: [12:19:07] Yes, your Honour.

5 PRESIDING JUDGE SCHMITT: [12:19:09] Please.

6 MR TAKU: [12:19:09]

7 Q. [12:19:10] Onen, did you know another name for this Onen or you only knew
8 him as Onen?

9 A. [12:19:26] No, I do not know any other name.

10 Q. [12:19:30] Kamdulu, does it ring a bell? Onen Kamdulu?

11 A. [12:19:45] No, I do not recall that very well.

12 Q. [12:20:09] Witness, were you ever told from the time you were in the bush
13 that -- within the period January 2000 to early 2002, were you ever told that
14 Dominic Ongwen was in Sudan and that he came back to Uganda after sustained
15 military operations conducted by the government of Uganda - again, their base in
16 Sudan - so-called Iron Fist. Were you ever told about this?

17 A. [12:21:24] No, nobody told me.

18 Q. [12:21:30] Have you heard about the name Kwoyelo, Kwoyelo?

19 A. [12:21:40] No.

20 Q. [12:21:44] Well, obviously you would have not heard the name, Witness, but
21 for the purposes of the record, for the purposes of the record, may I suggest, Witness,
22 that Kwoyelo was the only member of -- commander of the LRA who was -- remained
23 in Uganda in the sickbay.

24 PRESIDING JUDGE SCHMITT: [12:22:02] This is a declaration and not a question.

25 MR TAKU: [12:22:06] And I want to ask her if she heard about that, if she heard

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1 that a commander, specific commander. She doesn't (Overlapping speakers)

2 PRESIDING JUDGE SCHMITT: No. She might --

3 MR TAKU: -- know the name.

4 PRESIDING JUDGE SCHMITT: [12:22:13] It would be surprising if she does not
5 know the name, if she has heard anything about this underlying fact which has to do
6 with a possible conduct of this person.

7 MR TAKU: [12:22:27] Yeah.

8 Q. [12:22:31] Now, at paragraph 34, Witness -- now, before I move to that, your
9 Honour, I move to -- I'm very sorry.

10 Witness, did you also hear that Dominic Ongwen was wounded? He had an injury
11 in November 2002 and was in the sickbay until he was arrested from there by
12 Vincent Otti, he and one Kidega and taken to Control Altar? Did you ever hear
13 about that?

14 A. [12:23:28] No, I did not.

15 Q. [12:23:33] Now, Witness, let's go to paragraph 33 of your evidence. You
16 testified that on your first night Korea made a cross on you with shea butter and told
17 you that if the LRA will find -- you were saying you were to escape -- no, that that
18 was intended to -- paragraph 34, your Honour, yes. That the very first night Korea
19 made a sign of the cross on you with shea butter and told you that if the LRA were to
20 find you if you were to escape, you will be killed, I think. Let me see.

21 PRESIDING JUDGE SCHMITT: [12:24:39] They would find her.

22 MR TAKU: [12:24:41] Yes.

23 PRESIDING JUDGE SCHMITT: [12:24:42] And, yes, they would find her. So one
24 of the reasons why this would be exercised was to prohibit the freshly abductees to
25 escape, to try to escape.

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1 MR TAKU: [12:24:58] Yes, your Honour. Thank you very much.

2 Q. [12:25:02] Did you know -- did the shea butter have anything to do -- now,
3 Witness, did he explain to you why he had to make a sign of the cross on you with the
4 shea butter?

5 A. [12:25:34] He told me that I can eat with people and he also told me that if I
6 attempt to escape, regardless of whether I stay home for five years or so, they would
7 still come and find me and re-abduct me.

8 Q. [12:25:57] Did he tell you in that instance that this rule and this ritual were
9 ordered or imposed by Joseph Kony within the LRA regarding all abductees?

10 A. [12:26:17] No, he did not.

11 Q. [12:26:25] Did you believe that your legs would swell if you thought about
12 escaping, by virtue of the ritual performed on you?

13 A. [12:26:51] I thought that this could happen for real. What I kept on thinking
14 was that if I attempt to escape, they would follow me, find me and re-abduct me. I
15 thought about that. Because I had never heard of anything like that when I was back
16 home. I had never heard that if you are smeared with shea butter, then something
17 happens. I had never heard about that at home. I only heard about that when
18 I was in the bush, and I started questioning it because I thought that something like
19 that would happen.

20 Q. [12:27:36] At paragraph 36 you talk about Aber, that Aber slept in the tent
21 with Odomi. First before I ask the question, how did you know that this person was
22 called Aber?

23 A. [12:28:09] The person was called in the bush as Mego Aber. All the other ting
24 tings, if you ask for something, if you need anything, for example soap, and you talk
25 to them, they would refer you to Mego Aber. They would tell you, "Go and ask

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1 Mego Aber."

2 Q. [12:28:35] Now, who told you that Mego Aber was Odomi's wife?

3 A. [12:28:44] The reason why I knew that she was Odomi's wife was because she
4 slept with Odomi and she was also pregnant at the time.

5 Q. [12:29:17] Witness, what would you say if I were to put to you that at the time
6 that you testified you were abducted and you were in the bush, there was nobody in
7 Odomi's household called Aber and that he had no wife at that time within his
8 household called Aber? What would you say to that, please?

9 PRESIDING JUDGE SCHMITT: [12:29:54] Again, Madam Witness, you can answer,
10 "I have said what I remember, what I have seen." You can say, "If you put this to me,
11 okay, I have second thoughts. I differ from what I have said earlier." Or you can
12 say, "I don't remember."

13 So the question would be, Madam Witness: Even today at the video location, would
14 you say that the person that you saw with Odomi was called Aber, was the woman
15 called Aber?

16 THE WITNESS: [12:30:45] (Interpretation) Yes, she was called Aber.

17 PRESIDING JUDGE SCHMITT: [12:30:58] And, Madam Witness, was this - let me
18 word it this way - from your first days on in the bush when you came to know Odomi
19 or only later on?

20 THE WITNESS: [12:31:16] (Interpretation) It was later on.

21 PRESIDING JUDGE SCHMITT: [12:31:18] That might be difficult, of course, after
22 such a long time, and we heard from many witnesses that the sense of time is
23 something very difficult if you live in the bush. But I give it a try. Could you
24 perhaps near yourself and try to remember how long after you were abducted Aber
25 was, as you say, the wife of Odomi?

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1 THE WITNESS: [12:31:55] (Interpretation) Had been there for a while but I do not
2 recall the exact duration or time.

3 PRESIDING JUDGE SCHMITT: [12:32:03] Nobody would expect that from you.
4 Please continue, Mr Taku.

5 MR TAKU: [12:32:08]

6 Q. [12:32:10] Witness, if I understood you well, you said that she was pregnant
7 while you were there, if I understood you well. Witness, what I would say, Witness,
8 that Aber did not have her first child until December 2005 or January 2006.

9 PRESIDING JUDGE SCHMITT: [12:32:33] The question then would be, so you said
10 she was pregnant; did you also, when you were still in the bush, did she also give
11 birth to this child? Did you see that? Of course, not necessarily "see that", but did
12 you come to know that?

13 THE WITNESS: [12:33:05] (Interpretation) By the time she was giving birth I was
14 still in the bush, but I do not recall the sex of the child.

15 PRESIDING JUDGE SCHMITT: [12:33:14] So she still says that she gave birth
16 during her time in the bush.

17 MR TAKU: [12:33:20] Do I give the reference?

18 PRESIDING JUDGE SCHMITT: [12:33:23] Yes, please.

19 MR TAKU: [12:33:24] (Redacted)

20 (Redacted)

21 PRESIDING JUDGE SCHMITT: [12:33:42] Thank you very much, Mr Taku.

22 Q. [12:33:46] Witness, what about Fatuma? You said that you met Fatuma
23 in -- when did you say you met Fatuma?

24 A. [12:34:04] I do not recall the day I met her, but when I was taken there to live
25 in Odomi's household, that is when I found Fatuma there.

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1 Q. [12:34:16] Was it shortly after you arrived there, because, if I understand, in
2 your testimony you said two weeks, two weeks after your abduction you were taken
3 to Odomi and you spent about eight months with him, in another location, one year.
4 We will come to that. So was it early, as soon as you got to the household, or you
5 found her, or she came after, or you met her there when you came?

6 A. [12:34:59] I found her there.

7 Q. [12:35:06] Considering, Witness, you were taken to Odomi's house two weeks
8 after your abduction and you found Fatuma there, Witness, what would you say,
9 Witness, if I said that Fatuma came to Odomi's house sometime in August or
10 September 2001?

11 PRESIDING JUDGE SCHMITT: [12:35:26] Do you have a reference for that?
12 Perhaps it would make it easier, then we have it again on the record.

13 MR TAKU: [12:35:34] Yes, one minute, your Honour. It just disappeared. When
14 it comes I will get the reference, your Honour.

15 PRESIDING JUDGE SCHMITT: [12:35:41] Yes, okay.

16 MR TAKU: [12:35:42] Obviously, the evidence of, I think, 54 evidence is here --

17 PRESIDING JUDGE SCHMITT: [12:35:48] So --

18 MR TAKU: [12:35:50] (Redacted)

19 (Redacted)

20 (Redacted)

21 PRESIDING JUDGE SCHMITT: [12:36:03] Could it also have been, Madam
22 Witness, that this woman called Fatuma later joined the household after quite a bit of
23 time you had been already in the bush?

24 THE WITNESS: [12:36:26] (Interpretation) I found Fatuma was already there.

25 MR TAKU: [12:36:31]

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1 Q. [12:36:33] Ayari, Witness, paragraph 33, Witness --

2 A. [12:36:40] I also found Ayari there.

3 Q. [12:36:44] If I suggest, I put it to you, Witness, that Ayari was abducted and
4 found herself there not earlier than September 2002. Does that help you to reflect
5 and to provide to the Court the exact timeline on which you found her?

6 A. [12:37:14] I do not recall dates. It was not easy to remember days and dates
7 while you are in the bush.

8 Q. [12:37:24] But in terms of presence in that household, you and Ayari, who
9 came there first?

10 PRESIDING JUDGE SCHMITT: [12:37:39] Perhaps allow me, Mr Taku, perhaps
11 Mr Obhof can try to find the reference for Fatuma, I think, for Fatuma it was, and let
12 me put one question to Madam Witness.

13 Madam Witness, I already said that it's very, very difficult to estimate time when you
14 live in these circumstances, like you have already told us. Do you have an idea how
15 long the time was you have stayed at all in the bush? You see what I mean? You
16 would not know if it was 1,000 days, 1,500 but would you say it was a year, it was
17 two years, three years? You see what I mean? Could you try to narrow it a little bit?
18 But only if you can. If you say it is too difficult, we have to be satisfied with that
19 answer.

20 THE WITNESS: [12:38:54] (Interpretation) From what I see, I could have stayed
21 there for about two years and a half, coming to three.

22 PRESIDING JUDGE SCHMITT: [12:39:03] Please, Mr Taku.

23 MR TAKU: [12:39:05]

24 Q. [12:39:07] Yes, Witness, but you previously stated that you, all the time in the
25 bush, you stayed in Odomi's house for eight months, Witness. So for the rest of time

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1 where were you, you went to whose household? What were you doing?

2 A. [12:39:32] I was babysitting in his household. I was babysitting a child there
3 and the rest of the time I was with (Redacted) as his wife.

4 Q. [12:39:54] We will come to that individual later, but for now if I read the
5 Prosecution well, you stated somewhere that -- one minute, your Honours.

6 (Counsel confers)

7 MR OBHOF: [12:40:57] Your Honour, if you want to we can go into private session
8 to read the transcript references you had asked for earlier while they find everything.

9 PRESIDING JUDGE SCHMITT: [12:41:08] Yes. We go shortly into private session.

10 We want to have it on the record.

11 (Private session at 12.41 p.m.) *(Reclassified partially in public)

12 THE COURT OFFICER: [12:41:16] We are in private session, Mr President.

13 (Redacted)

14 (Redacted)

15 (Redacted)

16 (Redacted)

17 PRESIDING JUDGE SCHMITT: [12:41:46] Thank you very much.

18 We can go back to open session.

19 (Open session at 12.41 p.m.)

20 THE COURT OFFICER: [12:41:54] We are back to open session, Mr President.

21 MR TAKU: [12:42:10] Your Honours, my assistant is looking for the paragraph
22 where she said that for the time she was in the bush she spent eight months in the
23 household of Odomi.

24 PRESIDING JUDGE SCHMITT: [12:42:21] But I think it's -- she also said that for a
25 long period she stayed with the person called (Redacted). So this would be another

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1 household, I would assume, if this was the husband that was given to her, so to speak.

2 You can continue with another line of questioning.

3 MR TAKU: [12:42:47] Okay, your Honours. Let me proceed.

4 Q. [12:42:55] Now, Witness, at paragraph 37 you testified that after joining

5 Odomi's group you kept moving towards Soroti. When you say you kept moving

6 towards Soroti, Witness, might I understand that you kept on moving to Soroti with

7 Odomi or with some other LRA group?

8 A. [12:44:07] We were moving together.

9 Q. [12:44:22] Now, how long did you join the LRA when they start moving

10 towards Soroti with Odomi?

11 A. [12:44:58] I do not recall it now.

12 Q. [12:45:06] Two months? Three months? We know you don't recall the exact

13 date, but can you estimate in terms of weeks, months?

14 A. [12:45:28] It is not easy to estimate.

15 Q. [12:45:33] Witness, it's not easy to estimate, but what would you say, Witness,

16 if I were to inform you now that LRA did not go to Soroti until 2002?

17 PRESIDING JUDGE SCHMITT: [12:45:48] That does the same thing. If she does

18 not remember, she does not remember, and everything else is a statement that you

19 derive from evidence that you say that you have at your disposal. I think she has

20 given the answer, so you would have to put the next question to her.

21 MR TAKU: [12:46:05]

22 Q. [12:46:06] Witness, irrespective of this testimony, were you aware or were you

23 not, Witness, that at this point in time, within this time frame, Odomi was injured and

24 was in the sickbay?

25 A. [12:46:23] I do not recall the day he got the injury and where he got the injury

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1 from, but it's true, I remember he was in a bay.

2 Q. [12:46:48] Witness, among the people in Odomi's household you mention an
3 individual called Acen. You remember where Acen is the woman you said (Redacted)
4 (Redacted). Her name was Acen. Do you remember this
5 Acen, do you remember her by any other name while in the bush?

6 A. [12:47:18] It is not Aceng, but Acen. You would refer to her as Acen. It's not
7 Aceng but Acen. I do not know any other name that she's referred to, but for us as
8 ting ting, we only refer to her as Mego Min Alanyo.

9 Q. [12:47:47] Witness, as you sit here today, and reflecting on the evidence you
10 gave already, have you come to realise, either from the evidence that we've read or
11 your own reflection, that there was nobody, no wife; Odomi did not have any wife by
12 the name Acen. Obviously, she didn't have any woman. (Redacted)
13 (Redacted) supposedly alleged to be the wife of Odomi. Maybe if
14 they said it was the wife of another commander, somebody who answers by that
15 name, but obviously, Odomi did not have a wife by that name. What would you say
16 to this?

17 A. [12:48:44] (Redacted)
18 (Redacted). But anyway, in the bush people would know she's actually back
19 home, and (Redacted)

20 Q. [12:49:09] Are you suggesting, Witness, that you had a discussion with some
21 persons and individuals who were in the bush and whom have known Odomi to
22 discuss about Odomi prior to coming to give your testimony?

23 A. [12:49:37] There is no one I discussed anything with. (Redacted)
24 (Redacted) Sometimes we would discuss what happened to us while
25 we were in the bush, just the two of us, not with other people.

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1 Q. [12:50:02] Now, Nancy.

2 PRESIDING JUDGE SCHMITT: [12:50:17] Yes.

3 MR TAKU: [12:50:19]

4 Q. [12:50:20] Yes, Nancy. Witness, what would you say, Witness, please think
5 critically about this, that Nancy never became a wife to Odomi. Odomi never had a
6 wife and Nancy never became the wife of Odomi, what would you say to that?

7 A. [12:50:46] About Nancy, she was someone from there. I knew her because
8 she was still young. She was still a bit childish, so the elderly women, like Acen,
9 Min Alanyo, and Min Ayari, and also Odomi himself, they would see the
10 stubbornness of Nancy, like she was sleeping around. They would say that for you,
11 you are a prostitute. That is why Lapwony would take you and sleep with you in
12 the tent there. They would see the way she was behaving. She was stubborn and
13 childish and would play about with the young boys. And therefore it was assumed
14 that she liked to play around with boys.

15 So sometimes maybe Odomi also sees Nancy playing about with the boys and
16 thought she was ready to be a woman and would call her, take her to the tent and
17 sleep with her. For example, if something happens at home, like an adult person
18 takes a young girl and sleeps with her in the house, they will assume that that person
19 is your wife because you have spent the night with her alone at night, and that's how
20 people would see it. That is how I can respond to that.

21 Q. [12:52:37] Again, Witness, I put to you, Witness, that you were not in the
22 household of Odomi because within the time frame Odomi was in the sickbay and
23 remained there even after you left, was arrested from there, and therefore you could
24 not have been in his household when he was in the sickbay. What would you say to
25 this, Witness?

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1 A. [12:53:15] I have already stated what I remember and what I know.

2 PRESIDING JUDGE SCHMITT: [12:53:27] Yeah, I think we have to simply accept
3 this and move to the next point.

4 MR TAKU: [12:53:33]

5 Q. [12:53:34] Witness, if I remember, not to waste a lot of time, you clearly told
6 the Court that you did not -- were not in the position to estimate your age at the time
7 of your abduction. Is that still your evidence?

8 A. [12:54:00] I tried to estimate that I could have been 11. It is an estimation. I
9 could have been more or less. Because I'm just estimating. I did not know.

10 Q. [12:54:19] Well, Witness, the reason I ask this question with the knowledge
11 you are obviously estimating, you would not really know, so I would not belabour
12 that point more --

13 PRESIDING JUDGE SCHMITT: [12:54:32] Yes, I think so. We have, I think,
14 documents that refer us to a birth date some time in 1990 or in 1992. When she was
15 abducted, as she says, in December 2000, her estimation, she could be 11, would refer
16 her to the birth date of 1990, for example. I think this is not really sophisticate -- not
17 a really sophisticated answer.

18 MR TAKU: [12:55:05] Yes, your Honours. Tab 7, your Honours, tab 7,
19 UGA-OTP-0265-0295.

20 PRESIDING JUDGE SCHMITT: [12:55:25] It's good that we, and I think you would
21 submit it, and as I already said, we have this on the record. This points now to 1993.
22 That would make her 7 or nearly 8 when she was abducted. She herself says she
23 seems to think that she was perhaps 11.

24 MR TAKU: [12:55:44] Well, she's actually quoted on -- (Overlapping speakers)

25 PRESIDING JUDGE SCHMITT: [12:55:49] This is not absolutely clear, so if

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1 something regarding to fact is not absolutely clear, there are certain rules, legal rules,
2 that we normally follow.

3 MR TAKU: [12:56:03] Yeah.

4 Q. [12:56:04] Now, Witness, let's go to paragraph 127, where you talk about how
5 you left the bush, how you came out of the bush after spending a night at the barracks
6 the following day, paragraph 127. You were taken to GUSCO. And -- one minute.

7 (Counsel confers)

8 MR TAKU: [12:56:48] Your Honours, because somebody is telling me it is 12.56. I
9 did not know, but maybe you will tell us.

10 PRESIDING JUDGE SCHMITT: [12:56:57] We have, I think, I would pick this
11 suggestion up and we can have now the lunch break, but I would have to inquire how
12 long your questioning would last, so we would have to finish exactly at 4 o'clock
13 today.

14 MR TAKU: [12:57:12] Yes, your Honour.

15 PRESIDING JUDGE SCHMITT: [12:57:13] And also this is really -- we cannot
16 extend today, to put it this way. So how long would it last, your questioning?

17 MR TAKU: [12:57:23] Your Honours, I think when we come back we will finish.

18 PRESIDING JUDGE SCHMITT: [12:57:28] The question, of course, would be if we
19 shorten the lunch break or if we simply give it a try at 2.30, but that should be -- the
20 probability should be very, very high that you can --

21 MR TAKU: [12:57:41] Yes, your Honour.

22 PRESIDING JUDGE SCHMITT: [12:57:42] Okay. Then we have the lunch break
23 until 2.30.

24 THE COURT USHER: [12:57:46] All rise.

25 (Recess taken at 12.57 p.m.)

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1 (Upon resuming in open session at 2.32 p.m.)

2 THE COURT USHER: [14:32:03] All rise.

3 PRESIDING JUDGE SCHMITT: [14:32:26] Good afternoon, everyone.

4 Good afternoon, Madam Witness.

5 So we continue with the examination by the Defence. Mr Taku has still the floor.

6 MR TAKU: [14:32:37] Thank you, your Honours.

7 Q. [14:32:38] Good afternoon, Witness.

8 A. [14:32:45] Good afternoon.

9 Q. [14:32:49] Now, paragraph 127 of your evidence, you stated how when you
10 came out of the bush and after spending a night at the barracks, the following day
11 you were taken to GUSCO.

12 Now, Witness, at tab 10, tab 10, your Honours, UGA-OTP- --

13 PRESIDING JUDGE SCHMITT: [14:33:33] No -- exactly, yes, please. But I think we
14 had the UGA number already of this one.

15 MR TAKU: [14:33:40] Oh, yes, your Honour.

16 PRESIDING JUDGE SCHMITT: [14:33:42] Perhaps we can shorten it and simply say,
17 that, yeah, which is it? It starts from 1958, perhaps simply tell us which page.

18 MR TAKU: [14:33:52] 1960.

19 PRESIDING JUDGE SCHMITT: [14:33:55] Okay.

20 MR TAKU: [14:33:59]

21 Q. [14:34:00] Witness, in order, I will refer to a number of answers you gave to the
22 questions that you were asked in GUSCO.

23 Towards the bottom, your Honour. I'm not going to mention any name, probably.

24 Sorry.

25 MS GILG: [14:34:24] Your Honours, if I may.

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1 PRESIDING JUDGE SCHMITT: [14:34:26] Yes.

2 MS GILG: [14:34:27] It's not an objection, but just a point of clarification for the
3 record. As we understand it, this document is from an organisation that isn't
4 actually GUSCO. It related to a different organisation. So if we are putting it in the
5 context of her time at GUSCO, this document was probably not produced there.

6 PRESIDING JUDGE SCHMITT: [14:34:49] That's correct. It's a document that was
7 provided by Sponsoring Children Uganda.

8 MR TAKU: [14:34:56] Yes, I am sorry, your Honour.

9 PRESIDING JUDGE SCHMITT: [14:34:58] It doesn't matter. It's no problem. And
10 of course with all documents, since we have them on the record, at least we cannot
11 mix them and their significance, we are not mix it. And it's also called "Application
12 Form Sponsorship Programme". But, nevertheless, there is some information
13 entailed, so please continue, Mr Taku.

14 MR TAKU: [14:35:19] Yes.

15 Q. [14:35:20] Witness, did you go to this organisation, Sponsoring Children
16 Uganda?

17 A. [14:35:28] Yes, I did.

18 Q. [14:35:35] And they asked you some questions, you provided answers. And of
19 course they provided some assistance to you, correct?

20 A. [14:35:48] Yes, they did.

21 Q. [14:35:53] Now, Witness, a series of questions were asked about your condition
22 in the bush.

23 Your Honours, towards the end at page 1960, and the question was: "Was she forced
24 to participate in looting? Yes." They ticked yes.

25 "Abducting other children? No. Burning houses? No. Killing civilians? No."

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1 And there's handwritten information there, "forced to participate in beating civilians".

2 And now: "Was she taken to Sudan? No." And not applicable.

3 Now --

4 PRESIDING JUDGE SCHMITT: [14:36:40] And the question? Of course we have it
5 on the record, yeah.

6 MR TAKU: [14:36:44] Yes.

7 Q. [14:36:46] Now, witness, I just wanted to read that one. A series of questions
8 will follow when I get to other areas.

9 Did you remember being asked these questions by this association?

10 A. [14:37:11] Yes, they asked me those questions a long time ago. I do not recall
11 every single, every single thing.

12 PRESIDING JUDGE SCHMITT: [14:37:22] When you say "a long time ago",
13 Madam Witness, was it shortly after you came, after you returned from the bush or
14 did it take a while? So that we, you know, so that we can put this document into
15 a certain time period, because I at least do not recognise immediately when it was
16 produced.

17 THE WITNESS: [14:37:54] (Interpretation) It was I came out, stayed home for
18 a while and then they came and asked. I had stayed home for a while. Not such
19 a long period, but I was at home for some time.

20 PRESIDING JUDGE SCHMITT: [14:38:08] Thank you.
21 Please, Mr Taku.

22 MR TAKU: [14:38:12]

23 Q. [14:38:13] You were also asked - the same page, your Honours - "Did she sustain
24 wounds from bullets? Bomb splinters?" Then, of course, "No. No."

25 Then they specify "Thorns" in handwriting. "indicate part of the body: Legs."

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1 Legs that is splinter, your Honour.

2 PRESIDING JUDGE SCHMITT: [14:38:40] But as I repeat, we have this document

3 and we will read it, of course. And I think we don't have to read it by ourselves now.

4 You should draw out a question out of it, if you want, or several questions, and put it

5 to the witness.

6 MR TAKU: [14:38:57] Yes.

7 Q. [14:38:59] Witness, how long were you in that organisation?

8 A. [14:39:13] I was there for approximately nine months. As indicated there, I do

9 not recall the exact duration, but I believe it was nine months because at the time

10 I was undergoing a course.

11 PRESIDING JUDGE SCHMITT: [14:39:34] So now having looked closer through the

12 document, you could infer from it, from two informations that as date of birth 1990

13 and then next page 15 years, that it must have been sometime in 2005 perhaps.

14 MR TAKU: Yes, your Honour.

15 PRESIDING JUDGE SCHMITT: So this would match what the witness said, that she

16 was a while at home, but it was not such a long period.

17 MR TAKU: Yes, your Honour.

18 PRESIDING JUDGE SCHMITT: Please continue.

19 MR TAKU: [14:39:59]

20 Q. [14:40:01] Now, Witness, you stated at paragraph 54 that you aided in the killing

21 at a place called Pece, Pece. Would I be fair to say that location Pece is in Gulu, in

22 Gulu municipality, municipality?

23 A. [14:40:39] It is in Gulu, but I do not know the other name.

24 Q. [14:40:49] Now, just, just for us to be very, very clear, Witness, is it correct that

25 there is a football stadium in Pece, in fact, that football stadium was constructed

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1 around 1958, even before Uganda became independent? When Uganda was still
2 a colony, was built by the (inaudible), did you know about or did you see that football
3 field in Pece?

4 A. [14:41:24] No, I did not.

5 Q. [14:41:29] Did you also know that there is a popular football team in northern
6 Uganda called Gulu United FC?

7 PRESIDING JUDGE SCHMITT: [14:41:40] I think we will soon, although especially
8 this Presiding Judge is always interested in football issues, but I think we will soon
9 see where you are heading at, Mr Taku.

10 MR TAKU: [14:41:53] Yes, your Honour.

11 PRESIDING JUDGE SCHMITT: Okay, please.

12 MR TAKU: Yeah.

13 Q. [14:41:54] In fact, that stadium is the home of this popular football team that
14 most of the people in Gulu, northern Uganda, they go there to play football, so it's
15 a very, very popular place. In addition, there's a prison around Pece. Did you
16 know whether there was this football club and about the prison?

17 A. [14:42:27] No, I did not know.

18 Q. [14:42:29] Now, the reason I ask the question, Witness, is that I ask these
19 questions, Witness, just to, to put to you clearly that Mr Ongwen and Odomi, sorry,
20 not -- Odomi, and the people you indicate could not have taken refuge or occupied
21 that territory in Pece because it's in Gulu municipality?

22 PRESIDING JUDGE SCHMITT: [14:43:08] But again, Mr Taku, if we put such things
23 to the witness we would have to have a reference and a -- but simply ask if she is, if
24 she is sure that these incidents happened how she described it. And if you have
25 evidence that would point to another direction, we will have to assess it.

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1 MR TAKU: [14:43:31] Yes.

2 Q. [14:43:32] Witness, now, having heard about these locations, of course you say
3 you do not know, the question I ask about the prison, about the football field and
4 about the fact that of course you agree that Pece is in Gulu, so having heard about this
5 Witness, do you still say that Mr Ongwen -- not Ongwen, Odomi, that this -- the
6 activities, as you said in paragraph 54, that a doctor, somebody called Doctor was in C
7 coy and others stayed in that location to wait for government soldiers and that they
8 caught civilians who were trying to escape and also committed atrocities in that
9 location?

10 PRESIDING JUDGE SCHMITT: [14:44:29] This is very difficult, I think, for the
11 witness to understand. Also the relation between the football field and the possible
12 incidents is also difficult to follow. I would simply, if you want, I would agree, read
13 that part of paragraph 54 to the witness and simply ask her if she also now, putting it
14 again to her, although we have it already on the record, she says this is her statement.
15 But it's too complicated if you look at that, if you look here in the transcript.

16 MR TAKU: [14:45:09] Yes.

17 Q. Witness --

18 PRESIDING JUDGE SCHMITT: [14:45:12] And there are too many different
19 questions entailed in this questioning.

20 MR TAKU: [14:45:17]

21 Q. [14:45:17] Yes. Witness, paragraph 54 you said:

22 "Once, when we were staying at the civilian homestead in Pece, in Gulu area, two
23 girls who lived in the household of Doctor escaped, but they were caught by the OP,
24 who brought them back. Doctor was the person who gave people medication. He
25 was Doctor in C coy and as I said, he was one of the commanders who would eat with

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1 Odomi. When someone was sick he would give them medication. OPs are the
2 soldiers who stay on guard and wait for government soldiers and ... civilians or
3 people from Holy who were trying to escape."

4 So my question, Witness, is that how was it possible from when you said that Pece
5 was in Gulu and from the question I've put to you, the question I've put to you, how it
6 was possible for the Holy or LRA soldiers to occupy civilian settlement, civilian
7 homestead in municipal area in Gulu?

8 PRESIDING JUDGE SCHMITT: [14:46:33] That is indeed a question that would be
9 interesting.

10 So you said, Madam Witness, that you were staying at a civilian homestead in Pece
11 and how did that, how did that come about that you ended up, so to speak, at that
12 time in a civilian homestead?

13 THE WITNESS: [14:46:53] (Interpretation) We did not stay in town. That village, if
14 there are any civilians who have been abducted, civilians who are going to look for
15 food, they would ask the civilian "What is this area known as?" or "What's this area
16 called?" then the civilian would respond and say "This area is known as Pece." It
17 was not in the town, it was somewhere in the village, it was somewhere in the bushes.
18 It wasn't in the town.

19 PRESIDING JUDGE SCHMITT: [14:47:26] Thank you.

20 MR TAKU: [14:47:27]

21 Q. [14:47:28] There, my question is witness, how far was it from Gulu town?

22 A. [14:47:38] I do not know. I cannot respond to that. I do not know the
23 distance.

24 Q. [14:47:53] But while there, Witness, did you know that Pece was in the
25 proximity of Gulu town or the municipality of Gulu town, were aware of that fact?

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1 A. [14:48:09] No, I was not aware of that.

2 Q. [14:48:14] Who told you then that that place was called Pece?

3 A. [14:48:26] It was the civilians. You know, at the time civilians lived in that area.

4 So occasionally they would abduct a civilian who was maybe going to cultivate

5 something from their field, banana's or something, and they would ask the civilian

6 "What is this area known as?" and then the civilian would respond and say "This area

7 is known as Pece", and that's how I knew that the area was Pece.

8 Q. [14:48:53] If I may, you say at the time civilians lived in that area, can you tell

9 the Court how many civilian settlements you saw in that area, if you can remember?

10 A. [14:49:13] No, I do not know how many civilian settlements were in that area.

11 Q. [14:49:19] When they were having this discussion with the civilian and asking

12 him the name of that location, where were you?

13 A. [14:49:34] Even I, even I can ask a civilian. For example, sometimes they

14 abduct civilians, put them in a house. If I go to -- if I go into that house to do

15 something, if I go into that house to perform a chore, to grind, I may ask that person,

16 for example, if it's a lady, I will ask her, "Mum, what's the name of this place?" and

17 she would respond and tell me what the name of the place is, because I would have

18 an interest in knowing where I was.

19 Q. [14:50:04] From the fact that you said they asked the civilian about the name of

20 the location, Witness, did it appear to you as if those members of the LRA did not

21 know the destination to which -- and the area in which they were residing? They

22 just moved at random?

23 A. [14:50:41] You know, when you are in the bush, you walk aimlessly. You do

24 not start walking from one place, one location to another location knowing exactly

25 where you are going. Perhaps the commanders or the superior people would know

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1 where we are going. But I personally would not know. When they start walking, I
2 follow. If they say, "Let's go to this place", I follow. I don't ask questions at the time,
3 but if I somehow encounter a civilian, I may ask the person what is the name of this
4 area, and that's how I'll find out where we are.

5 Q. [14:51:17] Who specifically asked the name of that area from the civilian?

6 A. [14:51:42] There are so many people who ask. If we get to a certain location,
7 almost everybody wants to know where they are. So they ask. I personally asked
8 as well.

9 PRESIDING JUDGE SCHMITT: [14:51:53] I think we simply -- what we can draw
10 out of this discussion is that the witness came to the information that this happened in
11 a place called Pece which was in the area of Gulu. So we simply have to take this as
12 a fact and continue -- as her statement and continue, not as a fact.

13 MR TAKU: [14:52:44]

14 Q. [14:52:45] Now, Witness, the incident you talk about in paragraph 61, I wouldn't
15 call the name of the person for now, but when it will be time for us to go to the closed
16 session. I don't want to ask for many closed sessions. I will ask very shortly, but
17 not many.

18 No, your Honour, it requires a very brief closed session.

19 PRESIDING JUDGE SCHMITT: [14:53:19] I also would suggest that. Private
20 session.

21 MR TAKU: [14:53:22] Very briefly, yes.

22 (Private session at 2.53 p.m.) *(Reclassified partially in public)

23 THE COURT OFFICER: [14:53:25] We are in private session, Mr President.

24 MR TAKU: [14:53:39]

25 (Redacted)

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1 (Redacted)

2 (Redacted)

3 (Redacted)

4 (Redacted)

5 (Redacted)

6 (Redacted)

7 A. [14:54:31] Yes.

8 PRESIDING JUDGE SCHMITT: [14:54:34] Back to open session?

9 MR TAKU: [14:54:36] Yes, your Honours, yes.

10 PRESIDING JUDGE SCHMITT: [14:54:40] Open session.

11 (Open session at 2.54 p.m.)

12 THE COURT OFFICER: [14:54:41] We are back in open session, Mr President.

13 MR TAKU: [14:54:53] Thank you, your Honour.

14 Q. [14:54:55] Now, Witness, at paragraph 61, you said -- just to be very clear, you
15 said this occurred "a couple of weeks after I was abducted by the Holy".

16 I am interested in, quote, "a couple of weeks after I was abducted by the Holy". So
17 could this have been in January or February 2001?

18 A. [14:55:27] It is very difficult for me to talk about months. If you start asking me
19 about months, it's really going to be very difficult for me to respond.

20 Q. [14:55:41] Now, let's move quickly to Sudan. We will come to, to talk about
21 months when we have clear events, a clear indicator or sign posts in which we can,
22 we can ask the question and perhaps recite the answer. But let's move.

23 Paragraph 68, you describe the trip, the trip to Sudan, to a place called Bin Rwot,
24 paragraph 68 - Rwot, but a different Rwot, Bin Rwot, Rwot, thank you - to pick
25 supplies. Now, you said that you went with Gilva battalion and C coy.

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1 But, Witness, I am curious to find out something. Your first meeting with
2 the Prosecution in March 2016, to answer, you said that you think Odomi was the
3 battalion commander of Trinkle. That is tab 9, your Honours, page 1515. That's
4 information provided by the Prosecutor.

5 So let's be very sure, Witness, we have received information from you that you said
6 Odomi was the commander of C coy. Now, in this -- in this information you have
7 provided, you say he was the commander of Trinkle. Witness, can you explain to
8 the Court, are you by that saying that C coy and Trinkle -- or Trinkle is another name
9 for C coy? Or explain to the Court what, what you mean.

10 A. [14:57:56] I do not recall that particularly well, if you refer to it in that manner.
11 Because there were so many questions. Perhaps there was a mix-up somewhere,
12 maybe I forgot and there was a mix-up somewhere, then that may be the reason why.

13 PRESIDING JUDGE SCHMITT: [14:58:18] Madam Witness, just a question for our
14 understanding: Do you know the difference between a battalion and brigade, for
15 example? Do you have any knowledge about that? Was that of any -- or is that of
16 any interest for you?

17 THE WITNESS: [14:58:46] (Interpretation) Perhaps the reason why I knew that
18 somebody is in a particular battalion depends on the people. I -- the duration that I
19 stayed in the bush, sometimes you hear people talking. Someone would say, "Oh,
20 such-and-such a person is in Gilva brigade, such-and-such a person is in Trinkle
21 battalion." So on the occasions that we meet, then I would know that, "Oh, we have
22 met with Trinkle, we have met with Gilva." So I would identify the groups by the
23 people.

24 PRESIDING JUDGE SCHMITT: [14:59:21] Please continue.

25 MR TAKU: [14:59:25]

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1 Q. [14:59:26] So you identify the group Odomi belonged to by the information you
2 got from the people who were in the bush with you, correct?

3 A. [14:59:51] The group that I recall, the group that Odomi was in, the group that
4 I was told, there were some people who were in the bush for longer than I was.
5 They would say he was in C coy. You know, at the time I was young and I did not
6 know all these things very well. But people kept on referring to C coy, C coy and I
7 did not know exactly what that meant. But I knew they said he was in C coy.

8 Q. [15:00:21] Well, let's move on. That answer probably explains that you were
9 young and they kept on saying, "C coy, C coy, C coy" persistently.
10 But let's move on. You also said at paragraph 68 that the trip to Sudan was before an
11 attack that took place in Pajule and that you were staying with Odomi at that time.
12 Witness, when did the attack take place in Pajule?

13 A. [15:01:00] I do not know the exact date and month. But it could have taken
14 about 2002 or 2003. I am not sure. I am just estimating. I do not know the exact
15 date and month.

16 Q. [15:01:22] But were you still in the bush and in the household of Odomi when
17 the attack in Pajule occurred?

18 A. [15:01:40] I was not in his household anymore.

19 Q. [15:01:44] But were you still in the bush?

20 A. [15:01:53] Yes, I was in the bush.

21 Q. [15:02:22] Were you ever told, since you were not in his household, that at the
22 time that the attack occurred in Pajule, Odomi was -- had been arrested and was in
23 Control Altar by Vincent Otti, he and Kidega were under arrest at Control Altar?
24 Were you ever told?

25 A. [15:02:55] No, I was not told. A lot of years, say things normally circulate

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1 between certain cycles.

2 PRESIDING JUDGE SCHMITT: [15:03:08] And we have heard from other witnesses
3 that several attacks on Pajule occurred. One of them later on would be one of the
4 charged attacks. But I recall vividly a witness who said that Pajule was attacked
5 over the years several times. So it is difficult to know to which attack the witness
6 refers to. That is not easy to distil.

7 MR TAKU: [15:03:34] Yes, but the witness will be in the position about -- the
8 question about the location of Odomi. (Overlapping speakers)

9 PRESIDING JUDGE SCHMITT: [15:03:43] It was just a comment, it was a comment
10 by me. You can continue.

11 MR TAKU: [15:03:46] Yes, your Honour. Your Honours, when I mentioned tab 9,
12 maybe with your permission, let me give the UGA number.

13 PRESIDING JUDGE SCHMITT: [15:03:56] Yes, of course.

14 MR TAKU: [15:03:57] UGA-OTP-0257-1513-R01, page 1515.

15 Q. [15:04:19] Please, when asked this question, I don't want you -- if you know that
16 the name -- you give a name that will reveal identity, we will go to closed session.
17 You were no longer in the house of Odomi when the attack on Pajule you talk about
18 was -- occurred.

19 Your Honours, let's go to --

20 PRESIDING JUDGE SCHMITT: [15:04:39] No, you can circumscribe the person.
21 You don't have to mention the name of the person, but you can simply say "the
22 husband that was given to you", or something like that. If you may.

23 MR TAKU: [15:04:51] Yes.

24 Q. [15:04:53] Where were you? Were you in the house of the husband that was
25 given to you, or you were with someone else?

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1 A. [15:05:09] I was with him.

2 Q. [15:05:12] Okay. We will come back to that shortly.

3 MR TAKU: [15:05:24] Your Honours, we had already dealt with the question of

4 Sudan when we read out the application at that time, and that was tab 6,

5 UGA-D26-0012-05 (inaudible) -- 359, where she ticked Sudan, not only no, but it said

6 "not applicable", you remember. But if you want me to deal with that, to come back

7 to that with her, I can do that later.

8 PRESIDING JUDGE SCHMITT: [15:05:52] But we are now talking about tab 10, I

9 would assume.

10 MR TAKU: [15:05:55] No, tab 6, about Sudan. No tab 10, tab 10, tab 10.

11 PRESIDING JUDGE SCHMITT: [15:06:01] I think I'm -- I think tab 10 is correct.

12 MR TAKU: [15:06:05] Tab 10, I'm sorry, your Honours, sorry. Oh, yes.

13 Q. [15:06:12] So, that organisation where you stayed for several months, at

14 (inaudible) for eight months, but you stayed for several months, in that form, when

15 you filled the form, and they asked whether you had been to Sudan, not only did you

16 tick "no", but you also, you also wrote "not applicable". Witness, why is that? Can

17 you explain how that came about?

18 A. [15:07:09] At times, I could have not been asked that question. I did not take

19 long in Sudan. I was there for only one week.

20 Q. [15:07:27] And what would you say, Witness, if I, I put to you that Odomi did

21 not go to -- back to Sudan until 2006 during the peace process, when he was given

22 safe passage to go back to Sudan. He never went back to Sudan. And that's so he

23 could not have been in the region of Sudan with you, what do you say to that?

24 A. [15:08:10] I have said what I can recall.

25 Q. [15:08:15] Let's move to something else quickly.

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1 PRESIDING JUDGE SCHMITT: [15:08:19] And perhaps just also a remark, because
2 we had this so often times. We had several institutions that helped people in
3 Uganda and we have also our victims' applications forms, and we always see that it is
4 a difference if you have somebody in the courtroom and questioning him or her in the
5 courtroom to the situation we have, like you would word it, perhaps, on the ground.
6 So it's -- what I would really assume what we are doing is much more solid. To put
7 it this way. Please, Mr Taku, continue.

8 MR TAKU: [15:08:59] Yes, it may be for the purpose of Court proceedings but also
9 with regard to proximity and intimacy and also the nature of the assistance and the
10 special assistance of the particular organisation, which she didn't say for two, three
11 days; she stayed for many months. Had the opportunity to talk with them, to assist
12 her. I think among other organisations they would assist her more than others.
13 And I think it was in the position also for them to observe her and to assist her and
14 probably ask -- maybe they are still assisting her or still she is anticipating to hear
15 from them.

16 PRESIDING JUDGE SCHMITT: [15:09:37] I also think a problem is that all these
17 institutions who talk with the people whom they want to help, we cannot really now
18 investigate how the situation at the time was. We don't know if they understood
19 each other correctly, if, how these ticks came into place, but we know how
20 a testimony in this courtroom comes into place. And we have transcripts here.
21 And everybody, there is transparency, everybody can follow. But there is, of course,
22 no transparency at all when it comes to these institutions, which is not a reproach,
23 which is in the nature of things. But as I said, this is simply a remark. You know,
24 sometimes I tend to do this and I interrupted you. So please continue, Mr Taku.

25 MR TAKU: [15:10:23] I have always thought that at times first responders, first

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1 responders, for example, with regard to women, and childs, children and other
2 vulnerable groups, first responders, always good for them also to come before the
3 Court and also to help us, all of us, to understand a number of things better than, but
4 whether they will come we don't yet know, but let's proceed and see how far we can
5 go.

6 PRESIDING JUDGE SCHMITT: [15:10:49] Yes, please do that, Mr Taku.

7 MR TAKU: [15:10:52]

8 Q. [15:10:53] Now, in paragraph 69 -- and do not give the name of the individual;
9 we will get the name of the individual when we will get into closed session -- you
10 stated that you were given to marriage to that individual, that it was Christmas again.
11 Now, are you suggesting, Witness, that you were abducted during the Christmas in
12 December, that's 2000, and it was Christmas again. Are you talking about Christmas
13 the next year, the very next Christmas after the Christmas you were abducted?

14 A. [15:11:39] I was abducted when it was the -- near Christmas time.

15 Q. [15:11:45] Yes. In your statement, paragraph 69, you said you were given to
16 this man, this man for marriage. And you said it was Christmas again, suggesting it
17 was the Christmas season. That's what I am saying, that, are you referring to the
18 very next Christmas after the Christmas you were abducted?

19 A. [15:12:22] It was a different Christmas.

20 Q. [15:12:29] So it was a different Christmas. How many Christmases after the
21 Christmas you were abducted were you given --

22 Your Honours, let us go to a closed session.

23 PRESIDING JUDGE SCHMITT: [15:12:45] No, no, I would -- I dare to interrupt you,
24 but I think you could even argue that it is asked and answered already. Because
25 when we follow, like I always like to repeat, the idea that the Rule 68(3) statement is

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1 her statement here in the courtroom, then 69 says, "I remember it was one year
2 because I stayed there until it was Christmas again."

3 MR TAKU: [15:13:16] Thank you, your Honour.

4 PRESIDING JUDGE SCHMITT: [15:13:17] So the answer is already given. So
5 please.

6 MR TAKU: [15:13:19] Thank you so much, your Honour.

7 Q. [15:13:31] Well, Witness, we had the opportunity to look at tab 10. I take into
8 consideration the general observations the Presiding Judge made, but in tab 10, they
9 asked whether you were given to a particular commander. You said no, you
10 checked no. Did you tell those people in that organisation, tab 10, did you tell them
11 that you were given as a wife to this specific individual in the bush?

12 A. [15:14:21] The person to whom I was given I do not know his rank, but I think
13 must be an escort, according to what I observed. I do not know whether he was
14 a commander or something else.

15 PRESIDING JUDGE SCHMITT: [15:14:40] Madam Witness, Mr Taku refers to the
16 following: This form that we have already discussed from Sponsoring Children
17 Uganda, this application form. There we have, and for the record, this is page 1961,
18 there is a question noted: "Was she" -- meaning in that case you -- "given to
19 a commander?" And then it is written: "She was a baby sister." And it is ticked
20 "no". Do you know how this answer that is here given, "she was a baby sister", and
21 ticking "no" to the question "was she given to a commander", how this came about?

22 THE WITNESS: [15:15:47] (Interpretation) I am not understanding this.

23 PRESIDING JUDGE SCHMITT: [15:15:50] You know, when, when it is ticked, the
24 question is: Was she given to a commander and it is ticked "no" in your case. And
25 you say in your statement to the Prosecution you were given, you were given to

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1 a commander. There seems to be something that does not really match and the
2 question is, we want to enquire that, how -- if you have a recollection that you talked
3 with these people and how you, how it came that they ticked "no".

4 THE WITNESS: [15:16:39] (Interpretation) I don't know how it was recorded or
5 asked. I -- perhaps I did not understand. But I was, I was given. I was given out.

6 PRESIDING JUDGE SCHMITT: [15:16:54] Might it be that -- my colleague gives it to
7 me -- that there is a misunderstanding or a sort of, yeah, a misunderstanding between
8 the word of "commander" and you said you were given to a bodyguard, which you
9 would perhaps not have identified as a commander. Could that be an explanation?

10 THE WITNESS: [15:17:24] (Interpretation) Yes.

11 MR TAKU: [15:17:26] Okay. Let's go with the bodyguards.

12 PRESIDING JUDGE SCHMITT: [15:17:30] Yes. But really, but really this
13 also -- (Overlapping speakers)

14 MR TAKU: [15:17:34] (Overlapping speakers)

15 PRESIDING JUDGE SCHMITT: [15:17:36] This also shows how careful we have to
16 be when we really assess such, such answers that appear from documents. So there
17 might easily, because this was simply a misunderstanding by me, frankly speaking,
18 which also happens, still also happens in a courtroom, and it can of course also
19 happen in circumstances which are not so formal and which do not follow certain
20 procedures.

21 Please continue.

22 MR TAKU: [15:18:03] We are comfortable to go, to pursue, the line of bodyguard or
23 any other person by that name. We are very, very comfortable to pursue that line.

24 Q. [15:18:18] But, Witness --

25 Your Honours, a very short private session, your Honours.

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- 1 PRESIDING JUDGE SCHMITT: [15:18:31] Private session.
- 2 MR TAKU: [15:18:33] Yes.
- 3 (Private session at 3.18 p.m.) *(Reclassified partially in public)
- 4 THE COURT OFFICER: [15:18:36] We are in private session, Mr President.
- 5 MR TAKU: [15:18:48]
- 6 (Redacted)
- 7 (Redacted)
- 8 (Redacted)
- 9 (Redacted)
- 10 (Redacted)
- 11 (Redacted)
- 12 (Redacted)
- 13 (Redacted)
- 14 (Redacted)
- 15 (Redacted)
- 16 (Redacted)
- 17 (Redacted)
- 18 (Redacted)
- 19 (Redacted)
- 20 (Redacted)
- 21 (Redacted)
- 22 (Redacted)
- 23 (Redacted)
- 24 (Redacted)
- 25 (Redacted)

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1 (Redacted)

2 (Redacted)

3 PRESIDING JUDGE SCHMITT: [15:21:55] Back to open session?

4 MR TAKU: [15:21:57] Yes, yes, your Honour.

5 PRESIDING JUDGE SCHMITT: [15:22:00] Open session.

6 (Open session at 3.22 p.m.)

7 THE COURT OFFICER: [15:22:01] We are in open session, Mr President.

8 MR TAKU: [15:22:28]

9 Q. [15:22:28] Witness, how many Kidegas did you know in Odomi's group?

10 A. [15:22:45] I knew only one. If there were others, I did not know them.

11 Q. [15:22:55] And this one that you knew is the one that you previously said was
12 a bodyguard or some -- or he performed other functions, is that the one?

13 A. [15:23:15] (Redacted)

14 Q. [15:23:21] What was his function? Was he a bodyguard? An escort? Or
15 what was his duty?

16 A. [15:23:36] I do not know or pay attention to what he does exactly. But he
17 would sit close to where Odomi was. Wherever Odomi was, he would be close there.
18 I do not know what exactly he was doing, but he was like an escort.

19 Q. [15:23:59] Were you aware, Witness, or did you know or were you aware, about
20 an incident in which Odomi and one other soldier under his command were arrested
21 on the orders of Vincent Otti from the sickbay and taken to Control Altar? First,
22 were you present, were you there? And did you know about that?

23 A. [15:24:43] I did not know about that.

24 Q. [15:24:52] Now, let me provide more details, Witness. Maybe it might be -- it
25 might kick your memory. Did you hear or get information, know about a certain

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1 Kidega Pakpala?

2 PRESIDING JUDGE SCHMITT: [15:25:15] She has answered that already, no.

3 MR TAKU: [15:25:17] I am asking the question in a different direction, your

4 Honours. I am not asking about whether she knows the person.

5 PRESIDING JUDGE SCHMITT: [15:25:24] No, but -- no, we have it in paragraph 79

6 and she has said today that Pakpala is not of any -- this is asked and answered.

7 MR TAKU: [15:25:32] I am talking about the time of leaving the bush, whom she

8 escaped with. That's what my answer -- the question relates to.

9 PRESIDING JUDGE SCHMITT: [15:25:40] Yes, it might be, but she has already said

10 that Pakpala does not ring a bell, in any instance does not ring a bell, and she has said

11 it at the time: "I have been asked" -- by the Prosecution -- "if I have ever heard the

12 name Pakpala. I have not."

13 MR TAKU: [15:26:03]

14 Q. [15:26:04] (Redacted)

15 (Redacted) Since you know the location where he lives, you know his

16 home, do you know what, what he is doing now? His profession now?

17 A. [15:26:32] When I left World Vision -- when he left World Vision, I do not know

18 where he went and I do not know what he does.

19 Q. [15:26:51] Now, Witness, I put to you, Witness, that there was no (Redacted)

20 (Redacted)

21 (Redacted) who was under Odomi at the point in time relevant

22 to his testimony, no such individual was under the command of Odomi. What

23 would you say to this?

24 A. [15:27:39] What I can say is that I have stated what I remember and what I know,

25 and I have stated the names I know and how I also refer to that person and the way

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1 that person is called from there also. There is nothing more I can say.

2 Q. [15:27:59] Since you left World Vision, you have never seen him. Are you
3 suggesting that he was also in World Vision?

4 A. [15:28:16] He was in World Vision.

5 PRESIDING JUDGE SCHMITT: [15:28:24] But I understood that because he was
6 older, he was in World Vision and she was in another institution.

7 MR TAKU: [15:28:40]

8 Q. [15:28:40] Well, Witness, clearly you do not know any other -- you knew only
9 one Kidega, and I have put to you that there was no Kidega (Redacted) or no
10 Kidega -- however, however, Witness, what would you say, Witness, if I put to you
11 that there was, however, someone called Kidega Pakpala and that he did not -- he
12 left in Congo in 2008 or 2009?

13 Your Honours, we refer the Court to T-22 -- T-122-CONF, 52. The entire page is
14 useful, and that is testimony of P-231.

15 PRESIDING JUDGE SCHMITT: [15:29:47] But I think also we simply can move on.
16 The witness has stated several times that she does not know Kidega Pakpala, so we
17 don't get any further here.

18 MR TAKU: [15:30:05]

19 Q. [15:30:05] Do you also know whether this person applied for amnesty? That's
20 (Redacted)

21 A. [15:30:25] I do not know.

22 Q. [15:30:28] Did you know -- let's leave Odomi's group a bit and go to another
23 group. Did you know whether there was an individual in Terwanga called Kidega
24 Celle? Did you ever hear about that, and who fled, who escaped in 2009 in Congo?
25 Did you ever hear about that, that individual?

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1 A. No, I did not.

2 PRESIDING JUDGE SCHMITT: [15:31:02] Also this is -- we also have already in
3 paragraph 79: "I do not remember anyone else called Kidega."

4 MR TAKU: [15:31:07] Okay, thank you.

5 PRESIDING JUDGE SCHMITT: [15:31:09] She has already said. So we simply, we
6 simply have to leave the name and all additions to this name for now and go to
7 another point.

8 MR TAKU: [15:31:26] Okay, let's move to something else, your Honours, with your
9 direction.

10 Q. [15:31:46] Now, at paragraph 99 you said that Odomi was in sickbay because he
11 was shot in an attack in Lira, had a wound on his thigh. Witness, who gave you the
12 information that Odomi was shot on his thigh, was injured on his thigh in an attack in
13 Lira?

14 A. [15:32:30] I was personally there. I was there in Lira.

15 Q. [15:32:43] Witness, would it surprise you, Witness, that Odomi was never in Lira;
16 in any case he did not sustain an injury in Lira, he sustained an injury in an attack
17 between Kalongo and Patongo? Were you ever in any attack, any combat with
18 Odomi when Odomi participated in Kalongo and Patongo, in which he was injured?

19 A. [15:33:27] There are so many battles. It is really difficult to remember exactly
20 every, each and single battle. But I do recall that there was a battle in Lango. I
21 recall that.

22 Q. [15:33:44] And what would you say, Witness, if I informed you now that
23 Odomi -- now, before I put the question, which place in Lira did this battle occur in
24 which you were present, you participated and you were present, and saw Odomi
25 injured on his thigh?

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1 A. [15:34:27] You know, sometimes when you ask -- there are certain questions that
2 you ask. If you ask me to remember something, it might not be that easy for me to
3 remember instantaneously.

4 Q. [15:34:41] Okay, let me put a more general question. Which places in Lira did
5 you go with Odomi at the time you were there in the LRA?

6 A. [15:35:15] You know, when you are in the bush, you are constantly on the move.
7 If we -- perhaps maybe later on I might remember. There are certain things that I
8 remember certain times and there are certain things that I forget, because we were
9 constantly on the move.

10 PRESIDING JUDGE SCHMITT: [15:35:39] But you were present when Odomi was
11 injured? You were present at this attack?

12 THE WITNESS: [15:35:54] (Interpretation) When -- okay, let me put it this way,
13 when the gunfire started I was present. I wasn't a fighter because I was not armed.

14 PRESIDING JUDGE SCHMITT: [15:36:11] But that was exactly what I wanted to
15 know. But I have understood it correctly. And later on have you been at the same
16 time like Odomi at the sickbay?

17 THE WITNESS: [15:36:31] (Interpretation) It was -- my foot was swollen, and then
18 when the swelling went down I left the sickbay and I left him behind there.

19 PRESIDING JUDGE SCHMITT: [15:36:43] Please continue, Mr Taku.

20 MR TAKU: [15:36:45]

21 Q. [15:36:45] Now, similar questions: You say -- did you ever go to -- were you
22 present during an attack at a place called Abim?

23 A. [15:37:11] I do not recall that one. But, you know, this fighting takes place all
24 the time. Sometimes you fight every other day, sometimes you fight every day,
25 sometimes they fight two or three times a day, so it's really difficult for me to

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1 remember each and every single event.

2 Q. [15:37:34] I know that. Now, the reason -- well, you say you don't know about

3 Abim. And the reason why I asked that question was because it was after a failed

4 attempt in that battle in Abim that Odomi was injured, at a place called Patongo,

5 Kalongo -- between Kalongo and Patongo. But that was not in Lira.

6 However, Witness, let me ask you about the time frame. I know very well that you

7 have difficulties on dates, a specific time frame. But if I were to suggest that Odomi

8 was shot in November 2002, does that trigger your memory? Does that help you,

9 since you were present, and it was a traumatic attack and injury that sent him to the

10 sickbay where you say you saw him? Does that trigger your memory about the day

11 or the time frame in which he was shot on the thigh?

12 A. [15:38:51] I can respond this way: When -- if you are in the bush, in order for

13 me to know the date, there is some sort of special occasion, for example, there is some

14 feast or there is independence or there is Christmas, that's when I would know that

15 this date is such a day because I did not know the days. But they would be listening

16 to the radio and they would know the dates. But when I was at home I knew, I

17 knew the date that Christmas was celebrated, I knew the date that independence was

18 celebrated, on 9 October. So if they say it is Independence Day then I will, I will

19 know. If they say it is Christmas Day, then I would know that we are in December.

20 But other than that, it was very difficult to estimate the exact times.

21 Q. [15:39:44] Did he sustain the injury before you were given as a wife to that man,

22 or he sustained an injury after you were given as a wife to the man?

23 A. [15:40:07] I had already been given to him as a wife.

24 Q. [15:40:13] Now, when you were -- you saw Odomi in that sickbay, where were

25 his wives that you testify about? Were they in the sickbay with him or they were

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1 elsewhere?

2 A. [15:40:47] To my recollection he was not with all his wives in the bay. The
3 women were in the group. They would go and stay in the group. To my
4 recollection, they were not all in the bay.

5 Q. [15:41:07] Who were in the bay?

6 PRESIDING JUDGE SCHMITT: [15:41:15] This is also asked and answered,
7 paragraph 100: At the bay Odomi had two wives with him, Aber and Nancy.

8 MR TAKU: [15:41:26] Yes.

9 Q. [15:41:27] So where was this bay situated? Where was the bay situated?

10 A. [15:41:40] The bay, when you talk about the bay, the bay is not stationary.
11 Because when you are talking about the bay, the bay is based in the forest. So
12 you cannot actually -- they -- they cannot stay stationary because they know that even
13 in the forest helicopters can come and attack, soldiers can come and attack. So they
14 were constantly mobile. They would stay in one location for three weeks, move, or
15 stay in another location for three months. So it's very difficult for me to pinpoint the
16 exact location where the bay was, was stationed.

17 Q. [15:42:20] No, I ask that question in respect of when you came to the bay and
18 saw them. Where was it at the time you came to the bay?

19 A. [15:42:48] The bay was in an area, because I remember to my recollection there
20 were some civilians in that area, so the bay was in Gulu area.

21 Q. [15:43:09] How long were you in the bay?

22 A. [15:43:20] It's very difficult for me to estimate the exact time.

23 PRESIDING JUDGE SCHMITT: [15:43:25] Paragraph 98, "I stayed at the bay for two
24 months."

25 MR TAKU: [15:43:40]

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1 Q. [15:43:40] Now, you said that Odong Kau stayed there with Odomi and he was,
2 and he was there when -- when you left --

3 A. [15:43:52] Odong Kau was in the bay.

4 Q. [15:43:54] Yes, paragraph 110.

5 Did you know a man called Otto Sunday?

6 A. [15:44:14] No, I did not -- I have not heard of that name Otto Sunday before.

7 Q. [15:44:20] Did you know, Witness, that Odong Kau escaped from the bay in
8 February or early March 2003? Were you aware of that?

9 A. [15:44:44] No, I wasn't.

10 Q. [15:45:15] Witness -- tab 6, your Honours, at page 0361.

11 Witness -- that is your victims' application, your Honours. And page 0361. And
12 you said, "On the 10/10/2003, Ongwen instructed us to go and attack Pajule camp and
13 I participated in that attack because Pajule was reported to have very many UPDF
14 soldiers and our intention was to kill the UPDF soldiers, loot foodstuff and abduct
15 people."

16 Witness, again, this issue has arisen and previously we discussed about it. Did
17 Ongwen instruct you to attack Pajule camp on 10/10/2003, Witness? As you sit here
18 today, tell the Court, did Ongwen instruct you to attack Pajule camp on 10/10/2003?

19 A. [15:47:08] I, I get confused about dates. Perhaps he stated that we are going on
20 this particular day, but I do not know. But I was present. I was not present. I did
21 not go to the centre, but I was present. But we stayed on the sidelines. Because we
22 were not armed.

23 Q. [15:47:41] Now, Witness, this information you provided to the victims' lawyer
24 on 06/09/2016 after you made the statement which is the subject of your evidence,
25 which are admitted in evidence of this case where you provided this information,

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1 where you talk about the attack in Pajule previously in your statement you did not
2 clarify, you did not specify almost five months after the victims' counsel made -- and
3 you specify and you say, "On 10/10/2003 Ongwen instructed us to go and attack
4 Pajule camp. I participated in that attack because Pajule is reported to have very
5 many UPDF soldiers and the intention was to kill UPDF soldiers, loot foodstuff," and
6 you even talked about other details of what happened in the attack.

7 So, Witness, you said -- always said that the dates, the were important dates that you
8 remember. You remember Christmas Day, you remember Independence Day, and
9 events, those were the signposts in which you say you remember events. Did
10 you -- do you know the Independence Day of Uganda? And if you know, was the
11 attack on, or proximate, or after the Independence Day of Uganda?

12 A. [15:49:26] I do not know.

13 Q. [15:49:30] Okay, let's move on.

14 PRESIDING JUDGE SCHMITT: [15:49:31] But first a question. You have to keep in
15 mind that we have to finish at 4 o'clock.

16 MR TAKU: [15:49:39] Yes, your Honours.

17 PRESIDING JUDGE SCHMITT: [15:49:41] And I really would only like to point out,
18 it is on the record, that we have on tab 3, a certificate of amnesty for the witness
19 issued on 6 March 2003 and have also on record on tab 11 the declaration form,
20 application for amnesty 20 February 2003.

21 MR TAKU: [15:50:11] Thank you, your Honour.

22 PRESIDING JUDGE SCHMITT: [15:50:12] And the attack on Pajule was on
23 10 October 2003.

24 MR TAKU: [15:50:15] Yes, your Honour. Sometimes, we were not there, the
25 memory of the witness on a number of issues, critical issues in which she was

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1 a personal participant, personally participated is something that I want to enquire
2 into.

3 PRESIDING JUDGE SCHMITT: [15:50:32] But I simply, I simply wanted to say that
4 we read these documents and we see what -- but perhaps, Mr Taku, let me ask
5 a question:

6 Madam Witness, your amnesty application and also the amnesty that was granted
7 seems to suggest that you came out of the bush sometime in February or March 2003.
8 And when you refer to an attack on Pajule in October 2003, this would mean that this
9 was after you have come back from the bush. So there seems to be a little bit of
10 a contradiction. Could you explain this.

11 THE WITNESS: [15:51:41] (Interpretation) Well, we may have gone to Pajule on
12 another -- and then there was also a battle at Pajule on another occasion. Because
13 I was not yet home to know which -- at which particular time it happened.

14 PRESIDING JUDGE SCHMITT: [15:51:59] Thank you.

15 Please continue, Mr Taku.

16 MR TAKU: [15:52:00]

17 Q. [15:52:02] But to counter that, at the very page in the last paragraph you say "In
18 December 2003 I escaped in order to come back home."

19 PRESIDING JUDGE SCHMITT: [15:52:09] I have seen it, yes.

20 MR TAKU: Yes, your Honour.

21 PRESIDING JUDGE SCHMITT: We have seen it.

22 MR TAKU: [15:52:12] So, your Honour --

23 PRESIDING JUDGE SCHMITT: [15:52:17] But perhaps we should not leave the
24 witness in the dark, so to speak. Also in this, in your application form as a victim in
25 these proceedings, at the end you said you escaped in December 2003, and not in

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1 February or March 2003. So also there is a little bit of a timely discrepancy, so to
2 speak. Do you have an explanation for that?

3 THE WITNESS: [15:52:53] (Interpretation) There may be a discrepancy because there
4 was a confusion. Maybe there was a mix-up. At the time I was confused.

5 PRESIDING JUDGE SCHMITT: [15:53:09] Thank you.

6 MR TAKU: [15:53:09] Your Honours, I have completed the -- let me leave it to my
7 lead counsel.

8 PRESIDING JUDGE SCHMITT: [15:53:18] Mr Ayena, please.

9 MR AYENA ODONGO: [15:53:24] Thank you very much, Mr President and your
10 Honours.

11 QUESTIONED BY MR AYENA ODONGO:

12 Q. [15:53:36] Madam Witness, I shall just put a few follow-up questions to you.
13 And with your permission, Mr President, I will begin from where he left.

14 This attack on Pajule, do you remember whether it was a day after Uhuru Day?

15 A. [15:54:05] It's difficult for me, dates are a difficult thing for me.

16 Q. [15:54:08] (Overlapping speakers) I'm putting this to you because you made it
17 very clear that the dates that make -- that made it possible for you to know the times
18 of the year were either Uhuru Day or Christmas Day. Those are the most significant
19 days that guided you. So in this case would you remember whether this attack was
20 immediately after Independence Day, just to help Court?

21 A. [15:54:59] I could respond to that question, but I really, really need to think
22 about it. I really need to think about an event and identify it to an event and that
23 would remind me. I really, I really have to think about it before I answer. I need to
24 link it to something. Did it happen before, was there an event that happened before
25 Independence or after Independence. I really need to think about that.

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- 1 MR AYENA ODONGO: [15:55:31] I am sorry.
- 2 PRESIDING JUDGE SCHMITT: [15:55:32] This applies to everybody in the
3 courtroom.
- 4 MR AYENA ODONGO: [15:55:37] (Overlapping speakers) following me.
- 5 PRESIDING JUDGE SCHMITT: [15:55:40] Yes, yes.
- 6 MR AYENA ODONGO: [15:55:42]
- 7 Q. [15:55:43] Madam Witness, according to records available you escaped on
8 3 December. Can you tell Court whether by 3 December --
- 9 PRESIDING JUDGE SCHMITT: [15:55:53] Which records are these?
- 10 MR AYENA ODONGO: [15:55:55] I'm referring to tab, is it tab 6? Yes. UGA- --
- 11 PRESIDING JUDGE SCHMITT: [15:56:16] It is simply -- no, no, we know, but we
12 have also other dates on the record.
- 13 MR AYENA ODONGO: [15:56:21] Yes.
- 14 PRESIDING JUDGE SCHMITT: [15:56:21] And this is what I try to show, so to speak,
15 when I referred to other documents which might suggest that she escaped in
16 February, February 2003, not December.
- 17 MR AYENA ODONGO: [15:56:36] I was referring to this particular one.
- 18 PRESIDING JUDGE SCHMITT: [15:56:38] Absolutely. But you would then start
19 simply, "you have said in your victims' application form --
- 20 MR AYENA ODONGO: Yes.
- 21 PRESIDING JUDGE SCHMITT: -- or it's written down December 2003.
- 22 MR AYENA ODONGO: Yes.
- 23 PRESIDING JUDGE SCHMITT: And from there on continue.
- 24 MR AYENA ODONGO: [15:56:52] I am guided, your Honour.
- 25 Q. [15:56:56] In your victims' application, Madam Witness, you stated that you

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1 escaped in December 2003. My question to you is: When you escaped then was
2 Dominic Ongwen still in the sickbay, was he still injured?

3 A. [15:57:30] When I escaped, at the time I was escaping he was no longer in the
4 bay. He was already mobile, but he was limping because he still had -- his foot was
5 still injured. But he was mobile.

6 Q. [15:57:51] I put it to you, Madam Witness, that the injury that Dominic Ongwen
7 got around this time was massive and within three months he was not able to walk.
8 What do you say about that?

9 A. [15:58:28] To my recollection the information I have given you is what I recall.
10 He would walk, he would walk for short distances and rest. His -- his leg was still
11 being treated because they would use warm water to treat it. When you are in the
12 bush, if you have an injury you have to keep on moving because if you are constantly
13 being carried on a stretcher, they would -- once there is a battle, people will throw
14 you. And if you are in the bay, nothing happens to you. And that's why he would
15 try, he tried, by all means, to put his foot down and tried to move. But at the time
16 his foot was -- his leg was still being treated. I remember they used to use warm
17 water to do that.

18 PRESIDING JUDGE SCHMITT: [15:59:24] Also, Mr Ayena, of course the time also
19 applies to you, so I would ask you to come to an end soon.

20 MR AYENA ODONGO: [15:59:29] Would you give me five minutes?

21 PRESIDING JUDGE SCHMITT: [15:59:32] At the most. Yes, please.

22 MR AYENA ODONGO: [15:59:35] And then maybe a further five after that.

23 PRESIDING JUDGE SCHMITT: [15:59:39] No. No, no. We are not on the market
24 here. So five minutes and that's it.

25 MR AYENA ODONGO: [15:59:46] I am guided.

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1 Q. [15:59:48] Madam Witness, short questions because we don't have a lot of time.

2 Now, you were abducted, according to your story you were abducted at night; am I
3 right?

4 A. [16:00:01] Yes.

5 Q. [16:00:01] Okay. If you were abducted at night, you said -- how was it possible
6 for Otto to recognise you from inside the house? Was there light in the house?

7 A. [16:00:25] They had torches, they were holding torches. When you are in the
8 bush most people had torches. So he had a torch.

9 Q. [16:00:35] And he was flashing on your face; is that correct?

10 A. [16:00:44] He came into the house because at the time that they were coming in
11 they already had their torches on. So we came -- we got up. As soon as I got up he
12 saw me and I saw him and recognised him as well.

13 Q. [16:01:02] This all happened inside the house, and the --

14 A. [16:01:10] Yes.

15 Q. [16:01:11] -- question I will put to you next is, you said some of the soldiers
16 were standing outside around and others were picking mangos. Can you tell Court
17 how you could have -- first of all, how they could have recognised that the tree on the
18 compound was a mango tree and how you saw them picking mangos at night when
19 Otto entered the house?

20 A. [16:01:50] Those fighters are Acholi, you know. They know all the types of
21 trees. They have torches. So people had torches. When people are in the bush
22 they have torches. So they would shine the lights up in the mango trees. The -- we
23 have mangos during the dry season. In December there are mangos. So at the time
24 there were mangos. So they shone the torches in the tree. They saw mangos.
25 They climbed up the tree because at the time that I came out of the house some of the

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1 people were coming down the trees and some of them were eating the mangos that
2 they'd picked.

3 PRESIDING JUDGE SCHMITT: [16:02:31] Not too quick, but quickly come to an end,
4 please.

5 MR AYENA ODONGO: [16:02:36] Because of the five-minute restriction.

6 Q. [16:02:44] Madam, you talked about C coy battalion, you talked about Odomi
7 being the battalion commander of C coy. Did you hear the name Sinia when you
8 were in the bush?

9 A. [16:03:09] Yes. I have heard, I have heard of that name. I have heard the
10 name Sinia because people who have been in the bush long, and sometimes when
11 people stay in the bush for a long time, maybe they know somebody who is in Sinia.
12 So sometimes during conversations they would say, "Oh, I haven't seen this person
13 from Sinia for a long time" and that's how I knew the name Sinia.

14 Q. [16:03:40] Did you bother to know that C coy was just a unit in one of the -- in
15 each of the battalions?

16 PRESIDING JUDGE SCHMITT: [16:03:57] Mr Ayena, really, it's -- this has been
17 explored, I think. And we have discussed also the different understanding and
18 knowledge with respect to the horizon of certain witnesses and their role in the bush.
19 So I think we have explored this.

20 MR AYENA ODONGO: [16:04:19] Okay. I am guided, your Honour.
21 Maybe last, but not least.

22 Q. [16:04:32] At tab 3 -- at tab 10, rather, you were asked as to whether you were
23 wounded at the battlefield and you said yes. Can you tell Court in which battlefield
24 you got wounded?

25 A. [16:04:55] I did not sustain any injury during battle. But I was beaten. I had

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1 injuries or I had marks from being beaten.

2 MR AYENA ODONGO: [16:05:08] Your Honours, I think that will end my
3 follow-up questions.

4 PRESIDING JUDGE SCHMITT: [16:05:13] Thank you, Mr Ayena. This concludes
5 the hearing for today.

6 Madam Witness, this concludes your testimony. On behalf of the Chamber I would
7 like to thank you for coming to the video-link location, having taken this upon you,
8 and that you help us to establish the truth. And on behalf of the Chamber I wish you
9 a safe trip back to your home.

10 (The witness is excused)

11 PRESIDING JUDGE SCHMITT: As I said, this concludes the hearing for today.

12 Tomorrow we have witness 372, obviously.

13 THE COURT USHER: [16:05:53] All rise.

14 (The hearing ends in open session at 4.05 p.m.)

15 RECLASSIFICATION REPORT

16 Pursuant to the Trial Chamber' IX's instructions, ICC-02/04-01/15-497, dated 13 July
17 2016, the public reclassified and lesser redacted version of this transcript is filed in the
18 case.