

1 International Criminal Court
2 Trial Chamber IX
3 Situation: Republic of Uganda
4 In the case of The Prosecutor v. Dominic Ongwen - ICC-02/04-01/15
5 Presiding Judge Bertram Schmitt, Judge Péter Kovács and
6 Judge Raul Cano Pangalangan
7 Trial Hearing - Courtroom 3
8 Monday, 19 February 2018
9 (The hearing starts in open session at 9.31 a.m.)
10 THE COURT USHER: [9:31:27] All rise.
11 The International Criminal Court is now in session.
12 PRESIDING JUDGE SCHMITT: [9:31:52] Good morning, everyone, after the little bit
13 prolonged break.
14 And could the court officer please call the case.
15 THE COURT OFFICER: [9:31:59] Thank you, Mr President.
16 The situation in the Republic of Uganda, in the case of The Prosecutor versus
17 Dominic Ongwen, case reference ICC-02/04-01/15.
18 And we are in open session.
19 PRESIDING JUDGE SCHMITT: [9:32:11] Thank you very much. And then for the
20 appearances, first the Prosecution, Mr Gumpert himself, I would say, and yes, we can
21 easily recognise that you don't do this too often.
22 MR GUMPERT: [9:32:32] I think I have to call that a fair comment.
23 Ben Gumpert, with me today, Ramu Fatima Bittaye, Sanyu Ndagire, Julian Elderfield,
24 Beti Hohler, and Paul Bradfield.
25 PRESIDING JUDGE SCHMITT: [9:32:47] Thank you very much. And for the

1 Legal Representatives of the Victims, Mr Cox first.

2 MR COX: [9:32:53] Good morning, your Honour. With me Mr James Mawira and
3 myself, Francisco Cox.

4 PRESIDING JUDGE SCHMITT: [9:32:58] Thank you.

5 Mrs Massidda.

6 MS MASSIDDA: [9:33:00] Good morning, your Honours. For the Common Legal
7 Representative team, Orchlon Narantsetseg, Caroline Walter, Laura Mahecha, a new
8 face in courtroom, and myself, Paolina Massidda.

9 PRESIDING JUDGE SCHMITT: [9:33:14] Thank you very much.

10 And for the Defence, Mrs Bridgman.

11 MS BRIDGMAN: [9:33:16] Good morning, Mr President, your Honours. My name
12 is Abigail Bridgman, together with lead counsel, Krispus Ayena Odongo,
13 Chief Charles Achaleke Taku, Thomas Obhof, Tibor Bajnovic and our client
14 Mr Ongwen is in court.

15 PRESIDING JUDGE SCHMITT: [9:33:32] Thank you very much.

16 And we have also Rule 74 counsel, please. Microphone please, Mr Waldman.

17 MR WALDMAN: [9:33:47] I do apologise, Mr President. Your Honours, of course
18 legal adviser for Witness P-0406.

19 PRESIDING JUDGE SCHMITT: [9:33:55] Thank you very much. That's no problem.

20 As you have seen when we started, this happens to everyone in the courtroom.

21 The Prosecution is now calling P-406 as its next witness. And before commencing
22 the Chamber notes briefly that protective measures are granted to this witness by
23 virtue of decision 612 and that the VWU recommends no further protective measures.
24 We will now have to discuss the issue of the Rule 74 assurances and to do that we go
25 to private session shortly.

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1 (Private session at 9.34 a.m.) *(Reclassified partially in public)

2 THE COURT OFFICER: [9:34:38] We are in private session, Mr President.

3 PRESIDING JUDGE SCHMITT: [9:34:40] Thank you.

4 (Redacted)

5 (Redacted)

6 (Redacted)

7 (Redacted)

8 (Redacted)

9 (Redacted)

10 (Redacted)

11 (Redacted)

12 (Redacted)

13 (Redacted)

14 (Redacted)

15 (Redacted)

16 (Redacted)

17 (Redacted)

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- 1 (Redacted)
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- 5 (Redacted)
- 6 (Redacted)
- 7 (Redacted)
- 8 (Redacted)
- 9 (Redacted)
- 10 We go back to open session now.
- 11 (Open session at 9.37 a.m.)
- 12 THE COURT OFFICER: [9:37:11] We are in open session, Mr President.
- 13 PRESIDING JUDGE SCHMITT: [9:37:14] The Chamber will now render its decision
- 14 on the requested assurances. Mindful of the factors specified in Rule 74(5)
- 15 of the Rules, the Chamber has decided to provide assurances pursuant to Rule 74 of
- 16 the Rules in order to enable the witness to testify without fear of the consequence of
- 17 self-incrimination.
- 18 And this concludes the ruling of the Chamber. And we can now bring the witness
- 19 into the courtroom.
- 20 (The witness enters the courtroom)
- 21 PRESIDING JUDGE SCHMITT: [9:39:07] Mr Witness, good morning. Do you hear
- 22 me?
- 23 WITNESS: UGA-OTP-P-0406
- 24 (The witness speaks Acholi)
- 25 THE WITNESS: [9:39:13] (Interpretation) Yes, I do.

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1 PRESIDING JUDGE SCHMITT: [9:39:14] You are going to testify before the
2 International Criminal Court, and on behalf of the Chamber, I would like to welcome
3 you in the courtroom.

4 THE WITNESS: [9:39:24] (Interpretation) Thank you.

5 PRESIDING JUDGE SCHMITT: [9:39:26] Mr Witness, I will now read the solemn
6 undertaking to tell the truth that every witness who testifies before this Court must
7 agree to. So please listen carefully and afterwards I will ask you if you agree.
8 I solemnly declare that I will speak the truth, the whole truth and nothing but the
9 truth.

10 Mr Witness, do you understand?

11 THE WITNESS: [9:39:53] (Interpretation) Yes, I do.

12 PRESIDING JUDGE SCHMITT: [9:39:56] Do you agree?

13 THE WITNESS: [9:39:57] (Interpretation) Yes, I do.

14 PRESIDING JUDGE SCHMITT: [9:40:01] Thank you, Mr Witness. You are now
15 sworn in.

16 We continue now with the protective measures that we have put in place for your
17 testimony. First of all, we have face distortion; that means that no one outside the
18 courtroom can see your face during your testimony. We will also use what we call
19 a pseudonym. In accordance with that we will refer to you only as "Mr Witness" and
20 not with your real name. This is so that the public does not know your name. And
21 when you answer questions that will not give away your identity and your name, we
22 will do this in open session. On the other hand, when we discuss matters that
23 are -- that might reveal your identity, we will go to private session. Private session
24 means that there is no broadcast and no one outside the courtroom can hear what you
25 say.

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1 Mr Witness, you also have been assigned a lawyer to provide you with legal advice
2 about possible self-incrimination, Mr Waldman, sitting to your right here. If there is
3 any issue in that respect, you can consult him. The Chamber gives you the
4 assurance --

5 THE WITNESS: [9:41:14] (No interpretation)

6 PRESIDING JUDGE SCHMITT: [9:41:15] The Chamber gives you the assurance that
7 your testimony will not be used against you in any subsequent proceedings before
8 this Court. This applies of course as long as you do not commit any offences or
9 misconduct when you testify. This means this applies only when you tell us the
10 truth. If any question is asked that could lead to your self-incrimination, we will
11 hear that in private session, what I have explained to you, and will keep this
12 information confidential.

13 Now, Mr Witness, do you understand all that, this long speech what I have given to
14 you?

15 THE WITNESS: [9:41:51] (Interpretation) I have understood.

16 PRESIDING JUDGE SCHMITT: [9:41:54] Before we start with your testimony, a few
17 practical matters. Everything we say here in the courtroom is written down and
18 interpreted and to allow for the interpretation, it is important to speak clearly and at
19 a relatively slow pace. And please speak into the microphone and only start
20 speaking when the person that has asked you a question has finished.

21 If you personally have any questions yourself, raise your hand, then we know that
22 you wish to say something and we give you the floor.

23 So we can now commence with the questioning. Please, Mr Gumpert, you have the
24 floor.

25 MR GUMPERT: [9:42:35] Your Honours, may I start with a confession and an

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1 apology?

2 PRESIDING JUDGE SCHMITT: [9:42:39] Why not.

3 MR GUMPERT: [9:42:40] And I'm grateful to Mr Waldman who pointed out my
4 error, at least obliquely. In providing the highlighted summary dealing with matters
5 which will be questioned about in private session, I concentrated solely on matters
6 relating to the witness's identity. There are just a few other matters. An example, if
7 I can give one, is paragraph 24 of the summary.

8 PRESIDING JUDGE SCHMITT: [9:43:14] You can be assured that this has not come
9 unnoticed. But, of course, so we will not -- so simply you indicate that and of course
10 the assurance is as the assurance is and to give -- to make the assurance valid, we will
11 have to go to private session when it comes, for example, to these matters. So please
12 continue.

13 MR GUMPERT: [9:43:35] I am grateful. May we start please in private session,
14 briefly.

15 PRESIDING JUDGE SCHMITT: [9:43:50] Private session.

16 (Private session at 9.43 a.m.) *(Reclassified partially in public)

17 THE COURT OFFICER: [9:43:52] We are in private session, Mr President.

18 QUESTIONED BY MR GUMPERT:

19 (Redacted)

20 (Redacted)

21 (Redacted)

22 (Redacted)

23 (Redacted)

24 (Redacted)

25 (Redacted)

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1 (Redacted)

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9 (Redacted)

10 (Redacted)

11 PRESIDING JUDGE SCHMITT: [9:46:15] We go back to open session.

12 (Open session at 9.46 a.m.)

13 THE COURT OFFICER: [9:46:30] We are back in open session, Mr President.

14 MR GUMPERT: [9:46:35]

15 Q. [9:46:36] Please would you explain to the Judges what happened on the last day
16 that you went to school?

17 A. [9:46:50] On the 3rd we heard that there were rebels around, Holy were around
18 in the Paimol area. On the 3rd we were sent home from school. In the night, on the
19 3rd at around 10 p.m. the Holy came and abducted us from the house where we were
20 spending the night. There were five of us. Myself, my brother were both tied
21 together. They tore the uniform and used that to bind us together. My other two
22 brothers were also tied together.

23 The people who tied us together told us to take them to the shop. We took them to
24 the shop and they asked "Whose shop is this?" I told them, "I do not know the
25 owner of the shop." And they said, "Oh, you are being rude" and I was beaten with

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1 a machete. I started crying and they told me, "Even if you cry there is nothing that is
2 going to -- nobody is going to save you. Just keep quiet. No point in crying." I
3 stopped crying.
4 We started walking, going towards our sub-county. We got to that place. When
5 we got to that place, they pillaged stuff, they took biscuits, they took sweets, they took
6 sodas, they took cooking oil, and other small merchandise were taken from the shop.
7 After that we turned around and went and spent the night in a place called Acholi
8 Nyek. When we spent the night there at Acholi Nyek, in the morning we started
9 walking, going back towards the sub-county. We met another group in that area.
10 There was a group and the leader of that group was Raska. One of the commanders
11 known as Okello came and took my hand, told me to wait for him. He gave me
12 a chair and a tent to carry. I carried those things. We started walking. We went to
13 a place known as Orunya. When we got to that place, in the place known as Orunya,
14 they cooked food, we sat down and started eating. When we started eating, they
15 collected us all together, they gathered us all together and said anybody from 20
16 upwards hands up. We -- those people lifted up their hands. The -- those people
17 were left behind and the others, we started moving with them.
18 We went, spent a night known as Kuwic-Owil (phon). I do not know the name of
19 that place very well, but it's somewhere in the bush. We stopped, they cooked, we
20 ate. We left at around 3 p.m. We went towards an area known as Adilang and we
21 went towards Lango. We went and stayed in that place. We went to a place known
22 as Arec. When we stayed in that area, the Arec area, in the morning people were
23 marching, there was a parade.
24 Some people were sent to collect water from the well. When they left, there was
25 gunfire, gunfire against the Holy. I was with one of the commanders known as

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1 Okello.

2 THE INTERPRETER: [9:51:01] Could the witness pleased be asked to speak up a bit
3 and articulate a little bit.

4 PRESIDING JUDGE SCHMITT: [9:51:07] Mr Witness, I have been told by the
5 interpreters that you perhaps please speak up a little bit and perhaps also a little bit
6 slower, I would say. It would also be advised. But that's perfectly normal. No
7 reproach by anyone. Also professional here in the courtroom, every once in a while
8 speaks a little bit too quick. So please a little bit slower.

9 Mr Gumpert, if you wanted perhaps to put additional questions to what we have
10 already heard, this might be the right time.

11 MR GUMPERT: [9:51:38] I am grateful. I didn't want to interrupt too early.

12 PRESIDING JUDGE SCHMITT: [9:51:41] No, it's -- it's correct. We had this in the
13 past and in principle it's of course also something that we are used in a civil law
14 system that witnesses are encouraged to narrate. And we also allowed this here in
15 the courtroom and I think it's a good thing. But every once in a while we should
16 perhaps really make a stop and take stock a little bit what has happened and what has
17 been said, especially.

18 MR GUMPERT: [9:52:13]

19 Q. [9:52:14] So, Mr Witness, I'm going to ask you some questions so that we
20 understand fully what it is that you've just told us.

21 I want to start with your brothers. You told us that you were sleeping at about
22 10 o'clock in the evening and you were with some of your brothers. How old were
23 the brothers that you were with that night?

24 A. [9:52:48] My brothers were -- I was the oldest among them. There was one
25 who was already married. He was known (Redacted)

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1 (Redacted)

2 (Redacted)

3 Q. [9:53:34] Thank you. And just so that we are clear, were these brothers in the
4 sense that your mother or father were also their mother or father, or were they your
5 clan brothers?

6 A. [9:53:59] (Redacted)

7 (Redacted), those are my

8 step -- stepbrothers. One father, two mothers.

9 Q. [9:54:24] Thank you.

10 You said that the people who abducted you and who tied you up by tearing their
11 uniforms to make strips of cloth were from the Holy. Can you tell us any other
12 name which the Holy use?

13 A. [9:54:49] They are also known as the LRA.

14 Q. [9:54:59] Apart from you and your brothers, were any other people abducted
15 from your home village? Don't tell us their names, but tell us whether there were
16 people who were abducted?

17 A. [9:55:14] Yes, they were abducted. There were people who were abducted.

18 Q. [9:55:22] Can you tell us the age of the youngest person, the approximate age of
19 the youngest person who was abducted together with you?

20 A. [9:55:41] Perhaps 11, if I guess. Maybe 11, 12. Because those were the
21 youngest I could see.

22 Q. [9:55:51] The people you've talked about so far were all boys. Was it only boys
23 who were abducted or were there girls and women as well?

24 A. [9:56:09] A lot of people were abducted on that day, girls inclusive.

25 Q. [9:56:18] And how do you go about estimating the age of a person, when you

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1 tell us that you think the youngest was about 12, what sort of features do you use to
2 estimate a person's age?

3 A. [9:56:43] It's the physical characteristics. Sometimes it's the face. They look
4 very young in the face. Sometimes you look to see whether they are growing any
5 beards and usually very young people do not have any beards.

6 Q. [9:56:59] And what about for girls?

7 A. [9:57:07] With girls, it's usually by the breasts, you can identify their age by their
8 breasts, because if somebody has already -- who has big breasts, you can guess that
9 they are older. But if they have small breasts or if their breasts are still sprouting,
10 then you guess that they are younger.

11 Q. [9:57:34] You told us that shortly after your abduction -- I think you mentioned
12 a place was named Nyek, I have got that as N-Y-E-K -- your abductors asked people
13 who were 20 or over, 20 years old or over to raise their hands. Did I understand
14 correctly?

15 A. [9:58:03] Yes. I said I believe it was Orunya when they said people who are 20
16 upwards should lift up their hands.

17 Q. [9:58:16] Now, I want to be clear. What happened to the people who put their
18 hands up? Where did they go?

19 A. [9:58:26] Those people were released and sent back home.

20 Q. [9:58:31] And roughly how many abductees did that leave, people who were
21 under 20?

22 A. [9:58:50] There was about eight or seven that were released. Most of us, the
23 rest of us stayed. There were many. There was people who came from different
24 places, from Paimol, from other areas. So there were so many people who were
25 collected, people from Acholi Nyek, from Kapere. They abducted people from

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1 a number of places.

2 Q. [9:59:21] Still staying with the time very shortly after you are abducted, I want
3 to ask you about some names to see if they remind you of anything. The first name
4 is a person called Ojuko. Does the name Ojuko mean anything to you in respect of
5 the time when you were abducted?

6 A. [9:59:45] The name Ojuko is somebody who I gave an example of. I said he
7 was killed on the grounds that he could not walk when we were in the Gulu area. I
8 recall that he was killed. He was told that if you unable -- if you are unable to walk,
9 they would kill you, and that's what they used to do. If you're not able to walk,
10 they'll kill you on the roadside.

11 Q. [10:00:18] Did you yourself see Ojuko killed?

12 A. [10:00:28] Yes, I saw with my own eyes he was killed on the roadside as I was
13 seeing. The 'cruits were the ones that were made to kill him, because at the time we
14 had just been abducted we were told to kill this person.

15 Q. [10:00:50] You used a word a moment ago which was written down in front of
16 us as 'cruits. Can you explain to us what you mean by 'cruits who were made to kill
17 this person?

18 A. [10:01:11] That's when you are newly abducted.

19 Q. [10:01:16] So the newly abducted persons were made to kill Ojuko as an
20 example because he wasn't walking fast enough. Do we understand correctly?

21 A. [10:01:28] Yes.

22 Q. [10:01:32] There is another name I want to ask you about, and that name is
23 Padwat. What can you tell us about a person called Padwat at this time?

24 A. [10:01:48] I know Padwat. He also comes from the village where I was
25 abducted from. So he was there and he wanted to escape. He had gone to collect

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1 water. So he wanted to run away from the women who had gone to collect water.

2 So when he was got, instructions were given that he should killed. So he was

3 stepped on and he died.

4 Q. [10:02:47] After he was stepped on, was his killing concluded in any particular
5 way?

6 A. [10:03:09] He was hit with a club and he died.

7 Q. [10:03:17] Did you know at that time the names of the people who gave the
8 orders for Padwat to be killed?

9 A. [10:03:38] I was in Raska's group, but I do not recall the names of the other
10 people.

11 Q. [10:03:52] You mentioned a person called (Redacted) Tell us more about your
12 relationship with this person (Redacted).

13 A. [10:04:16] (Redacted) was the commander whose chair I would carry.

14 Q. [10:04:24] Did the person who carried a commander's chair have a particular
15 name or title in the LRA, in the Holy?

16 A. [10:04:43] They would call him lapwony, but they would refer to us as escorts.

17 Q. [10:04:52] So you became (Redacted) escort and he was your lapwony?

18 A. [10:05:01] Yes.

19 Q. [10:05:03] Tell the Judges how (Redacted) selected you to be his escort, you
20 rather than anybody else.

21 A. [10:05:24] On the day we were abducted, the following day, on the 4th in the
22 morning, (Redacted) came. I said we were in an area called Acholi Nyek, on the way
23 to our sub-county. So he came and told us to squat down. So we squatted down.
24 And he came, held me by my arms and asked me to jump up. So I jumped up and
25 he told me to be his escort. So he gave me his bag, his chair and also his tent and I

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1 carried on my back.

2 Q. [10:06:04] So do we understand the jumping was some kind of a test for you?

3 A. [10:06:17] I think so.

4 Q. [10:06:29] What other duties apart from carrying the chair and accompanying
5 his lapwony would an escort have?

6 A. [10:06:50] His roles are to prepare the beds.

7 Q. [10:07:11] That's it? That's all? Carrying the chair and preparing the beds?

8 A. [10:07:19] The escorts' roles are to carry chairs, prepare the beds and also to
9 move along with him wherever he is going.

10 Q. [10:07:32] Can we come back to your brothers now. We don't need to deal with
11 them by name. You told us that there was a time shortly after your abduction where
12 there was some fighting. Did I understand you correctly?

13 A. [10:07:55] Yes. That was correct.

14 Q. [10:07:59] And this was fighting with government troops, was it? LRA against
15 government troops?

16 A. [10:08:15] Correct.

17 Q. [10:08:16] Did your brothers do anything at about the time of this fighting?

18 A. [10:08:29] Two of my brothers were going to the well to collect water. So after
19 the fighting they never returned back. They escaped from where they had gone to.

20 Q. [10:08:45] If my arithmetic is correct, that leaves two more brothers who at this
21 stage are still in the bush with you. Did they stay long or not?

22 A. [10:09:12] Some people were again collected, they were selected to go to a place
23 called Orum, and from there two of my brothers again escaped.

24 Q. [10:09:26] What were your abductors saying about you once all your brothers
25 had escaped like this?

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1 A. [10:09:48] Some of the LRA started saying that I should also be killed. But my
2 commander called (Redacted) said I should not be killed because I have not done
3 anything wrong.

4 Q. [10:10:11] Do you know the names of the people who were saying you should
5 be killed?

6 A. [10:10:25] Some of the Holy commanders, I do not recall their names now.

7 Q. [10:10:38] Mr Witness, I am going to ask you from now on, this has been my
8 error and I apologise for it, to refer to your commander, your lapwony, as person
9 number 1. What position did person number 1, your lapwony, have? What was his
10 function in the LRA? Did you come to know that?

11 A. [10:11:16] Person number 1 was referred to as IO.

12 Q. [10:11:24] Can you explain to us what IO stands for?

13 A. [10:11:41] IO stands for intelligence, so in the military that person would be an
14 intelligence person.

15 Q. [10:11:53] And did you come to know in what unit person number 1 was acting
16 as the intelligence officer?

17 A. [10:12:13] The group in which we were was called Sinia.

18 Q. [10:12:29] I want to move to a different topic now.

19 When was the first time in the bush that you heard the name Dominic Ongwen or
20 Odomi?

21 A. [10:13:00] I heard around about the month of September, because I do recall it
22 was said that he had gone for an attack in Abim at Morulem hospital. So when they
23 returned at someplace in Pader, that's when I -- we were told that he was shot. So
24 we went to see him. We found that he was shot on the right-hand side of the thigh.
25 So we left and we were told that he was sent to the sickbay.

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1 Q. [10:13:52] You have made it plain that you yourself weren't present when he
2 was shot. But did you see him yourself wounded with your own eyes?

3 A. [10:14:16] I saw, I saw with my own eyes when the other commanders were
4 seeing the injured part, because they had opened it and the other commanders were
5 seeing, so I was also standing nearby and I saw.

6 Q. [10:14:30] And when you speak of commanders, does that include person
7 number 1, your lapwony?

8 A. [10:14:46] Yes.

9 Q. [10:14:50] Just one matter of clarification. You said this is in about September,
10 what year is that?

11 A. [10:15:04] That was in 2002.

12 Q. [10:15:19] I want to try to understand something of the order in which things
13 happened. One thing which may help us to understand that is the answer to this
14 question: Did you ever receive any training, military training, for instance, in guns
15 or parading while you were in the LRA?

16 A. [10:15:52] Yes.

17 Q. [10:16:01] Which country were you in when you received this training?

18 A. [10:16:06] I was in Sudan.

19 Q. [10:16:10] So the questions which I'm asking you now are designed to help you
20 to tell the judges about things which happened before you went to Sudan. Do you
21 understand me?

22 A. [10:16:27] Yes, I do.

23 Q. [10:16:31] Have you heard of a place called Gang Akulu?

24 A. [10:16:41] I heard Gang Akulu.

25 Q. [10:16:49] What happened at Gang Akulu?

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1 A. [10:16:58] At Gang Akulu, the LRA killed people there and cooked people in
2 a pot and people were -- the cooked bodies were given to people to eat. So the
3 government soldiers came and attacked the group, and people who were there all
4 scattered.

5 Q. [10:17:27] Were you yourself present when this happened or did you hear about
6 it from other people?

7 A. [10:17:43] I was not there, but I heard from other people.

8 Q. [10:17:48] Can you tell us the name of the person or persons you heard about it
9 from?

10 A. [10:18:08] There were two children, some other children were Otto's escort,
11 Otto Nyinyi Aye Wati. One of them escaped with his magazine, I think about seven
12 magazines which were fully loaded with bullets.

13 So they followed these children up to there and then later on went back to fight in
14 that area. That's what I heard.

15 Q. [10:18:41] So if I have understood correctly, you heard about this from the
16 escorts of a commander who was involved, the commander you have just named.
17 Have I understood correctly?

18 A. [10:19:00] Yes.

19 Q. [10:19:07] And that took place before you went to Sudan, where you received
20 military training?

21 A. [10:19:22] Yes, before I went to Sudan.

22 Q. [10:19:26] Have you heard of a place called Awere in Gulu?

23 A. [10:19:43] Yes.

24 Q. [10:19:43] Did anything happen there, again, before you went to Sudan?

25 A. [10:19:56] In Awere we went for an attack. I do not recall the month, but at

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1 least sweet potatoes were planted around the camp. So we went from the direction
2 of Awere senior secondary school at the edge of the river. So we positioned ourself
3 along. And instructions were given, and we started firing and we started moving
4 towards the camp. Some people went to collect medicines from the health centre.

5 Q. [10:20:43] Was person number 1 with you during this attack at Awere?

6 A. [10:20:57] He was there, he was present.

7 Q. [10:21:00] And what happened to him during that attack?

8 A. [10:21:12] In that attack he was still alive. Later on he again went back to loot
9 at the shop and he was shot from there.

10 Q. [10:21:28] Shot and killed?

11 A. [10:21:30] Yes. He was killed.

12 MR GUMPERT: [10:21:35] Your Honours, may we go for one or at most two
13 questions into private session.

14 PRESIDING JUDGE SCHMITT: [10:21:39] Yes, of course.

15 Private session.

16 (Private session at 10.21 a.m.) *(Reclassified partially in public)

17 THE COURT OFFICER: [10:21:43] We're in private session, Mr President.

18 MR GUMPERT: [10:21:58]

19 Q. [10:21:59] Your lapwony has been killed. Did you become somebody else's
20 escort?

21 A. [10:22:11] Yes.

22 Q. [10:22:15] What was the name of that person?

23 (Redacted)

24 (Redacted)

25 Q. [10:22:37] Can we from now on call that person person number 2, please,

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1 Mr Witness?

2 A. [10:22:45] Correct.

3 MR GUMPERT: [10:22:47] We are ready to go back into public session.

4 PRESIDING JUDGE SCHMITT: [10:22:51] Yes, public session.

5 (Open session at 10.22 a.m.)

6 THE COURT OFFICER: [10:22:55] We are back in open session, Mr President.

7 MR GUMPERT: [10:23:06]

8 Q. [10:23:07] You have told us that there came a time when you went to Sudan and
9 that you received some training there. I want to try to understand your best estimate
10 of how long after Dominic Ongwen was shot you went to Sudan. Can you tell us,
11 please, weeks, months or what season it was? Anything which may help us to
12 understand when you went to Sudan?

13 A. [10:23:46] We went to Sudan in 2002, around November or December. We had
14 already celebrated Uhuru in Uganda and we moved towards Sudan.

15 Q. [10:24:08] Under whose leadership did the group of which you were part move
16 to Sudan?

17 A. [10:24:22] I was in Buk Abudema's group.

18 Q. [10:24:32] Did that group have a name?

19 A. [10:24:39] He was in Sinia.

20 Q. [10:24:47] When you and the other members of Sinia arrived in Sudan, were you
21 taken to meet any particular person?

22 A. [10:25:07] We went and met with Joseph Kony.

23 Q. [10:25:13] If I understand correctly, this is three months or so after your
24 abduction. How many other abductees do you estimate were with you when --

25 A. [10:25:28] Correct. Correct.

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1 Q. [10:25:32] How many other abductees do you estimate were with you when you
2 were presented to Joseph Kony?

3 A. [10:25:51] There were many people, but the people with whom we conduct, we
4 did training included myself and another person called Oyoo, Opio. I think we were
5 about four. The person who gave us the training includes Odoki Denis, we were at
6 (Redacted) adaki, this was the person number 2.

7 Q. [10:26:31] I will come to the training, and I'm grateful for those details, but
8 before we get to the training, as I understand it, you were taken to be in the presence
9 of Joseph Kony. Everybody probably knows the answer to this question, but who
10 was the overall leader of the LRA?

11 A. [10:27:02] It is Joseph Kony.

12 Q. [10:27:03] And when you are presented to him at that moment, roughly how
13 many abductees like you are being presented to this, to the overall leader?

14 A. [10:27:25] At that point we were many. I think I estimate to about 40 and above
15 because we were, people were many when we were taken. I did not count, but we
16 were many.

17 Q. [10:27:40] And was that just boys like you or boys and girls?

18 A. [10:27:53] Both boys and girls.

19 Q. [10:27:58] Concentrate, if you would, on what happened to the girls at that point
20 and shortly after. Tell the Judges what happened to the girls.

21 A. [10:28:20] When they abduct girls they distribute the girls. Some of the girls
22 were given to Kony's homestead. Those others that remain are given to the other
23 commanders who are in the bush, because they consider that any girl from 12 years
24 and above is able to conceive, so they distribute to the different commanders. Some
25 of them are referred to as ting tings. Their roles were to take care of the children of

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1 the wives of the commanders.

2 Q. [10:28:57] And below what age, approximately, would you be treated as
3 a ting ting rather than a wife?

4 A. [10:29:25] That could be from 12, 12, 13, 14, those are the ones that are kept as
5 ting tings.

6 Q. [10:29:38] Now I would like to turn to the training which you began to describe.
7 I think you said that there were four of you who were being trained; is that correct?

8 A. [10:29:56] Yes, that's correct.

9 Q. [10:30:00] Could you just name again the persons who were conducting the
10 training, the trainers, what were they called?

11 A. [10:30:16] There was Odoki and Denis.

12 Q. [10:30:23] Did you know what units Odoki and Denis belonged to?

13 A. [10:30:36] They belong to Sinia, but they were under the leadership of
14 commander number 1.

15 Q. [10:30:51] Just so that I'm clear, commander number 1, person number 1, is that
16 the person you told us lost his life at Awere, or some other person?

17 A. [10:31:19] The person who lost his life at Awere is the commander who was in
18 charge of me, but this is number 2.

19 Q. [10:31:31] So Denis and Odoki were under the command of person number 2, do
20 I understand correctly, when they are giving you training?

21 A. [10:31:47] Yes, that's correct.

22 Q. [10:31:49] Thank you. Just describe briefly, if you would, what the nature of
23 this training was, what sort of things were you being taught how to do?

24 A. [10:32:11] We were taught how to march, parade. We were taught how to
25 dismantle a gun and reassemble it. We were taught how to clean a gun. And after

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1 the training we were given three bullets each to try that out. And we did that while
2 we were in Sudan.

3 Q. [10:32:38] When you say to try it out, do you mean to fire the gun, to fire those
4 three bullets?

5 A. [10:32:47] Yes, we were asked to fire them.

6 Q. [10:32:53] You were about 16 when you were been given this training. What
7 do you estimate was the age of these other three boys in your group of four?

8 A. [10:33:15] I believe number 2 was younger, maybe about 12 years old. Oyoo
9 and Opio were approximately 15, 16 years old. I believe that we were more or less
10 the same age.

11 Q. [10:33:43] I was a bit confused by you saying number 2. Let's leave numbers
12 out of it. So there were four boys, three of you are about 16 and one's about 12; have
13 we understood correctly?

14 A. [10:34:02] Yes.

15 Q. [10:34:06] Now, were you the only boys who were being trained in Sudan at this
16 time or were you aware of other groups being trained?

17 A. [10:34:24] When the -- the person, if -- while we were there each person whose
18 leadership you are under trains that group. So the group that I was in, there were
19 four of us that were being trained. But there were other people in other groups who
20 were also being trained.

21 Q. [10:34:49] Forgive me if I always seem to be asking the same question, but how
22 old do you estimate were the youngest boys being trained in those other groups?

23 A. [10:35:10] When they abduct people, they abduct people from the ages of 11, 12.
24 If someone is young, I would estimate that the youngest would be 11, 12.

25 Q. [10:35:29] Your trainers, you have told us, were called Odoki and Denis. Can

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1 you remember the names of any of the other trainers who were training these boys
2 how to fight and how to march?

3 A. [10:35:52] No, I do not recall the other names because there are so many
4 different commanders there. And other people stay in different areas.

5 Q. [10:36:06] If I may, I'm going to put a name to you to see if that refreshes your
6 memory. Do you remember the name Oyenga?

7 A. [10:36:19] Yes, he was one of the commanders in the bush.

8 Q. [10:36:25] Was he there with you in Sudan?

9 A. [10:36:34] Yes, he was with us in Sudan.

10 Q. [10:36:38] What was the name of the group that he was a part of?

11 A. [10:36:48] I believe that he was in Sinia, but I believe it was a different battalion,
12 possibly known as Siba.

13 Q. [10:37:01] Did I hear correctly, Siba?

14 A. [10:37:07] Yes.

15 Q. [10:37:10] Can you remember the names of boys being trained by Oyenga in
16 Sudan?

17 A. [10:37:26] There was one person from my home area known as Ogola, he was
18 under the leadership of Oyenga. I do not know any others.

19 Q. [10:37:50] What happened to Ogola?

20 A. [10:37:59] Ogola, something happened to him in 2004. And he was shot, he
21 was first shot in the leg, they shattered the bone in his leg. And when he was shot
22 they took him at around midnight and he died. His commander was shot in the arm.
23 And -- or he, he was shot in the arm. In that year, at the end of -- then in 2004 he was
24 shot, he was shot the last time, and that's when he was shot and killed. He died and
25 he remained in Sudan and we came back to Uganda.

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1 Q. [10:39:05] Does the name Opio ring a bell with you, Mr Witness?

2 A. [10:39:17] Opio was also a commander who was there.

3 MR GUMPERT: [10:39:34] Would your Honour just give me a moment.

4 PRESIDING JUDGE SCHMITT: [10:39:37] Of course.

5 MR GUMPERT: [10:40:21] I'm grateful. Sorry for the delay.

6 PRESIDING JUDGE SCHMITT: [10:40:23] No problem.

7 MR GUMPERT:

8 Q. [10:40:26] I don't know how common the name Opio is. Can I ask you to think
9 again as to whether you can remember any other person called Opio who you met
10 while you were in the LRA?

11 A. [10:40:50] There was Opio with whom I trained. There was Opio who was also
12 a soldier. I do not know which Opio you are referring to.

13 Q. [10:41:06] I want to ask you about the Opio who was trained with you. He was
14 one of the four, was he?

15 A. [10:41:18] Yes, that's correct.

16 Q. [10:41:20] And after your training what happened to this boy Opio; do you
17 know?

18 A. [10:41:33] Opio was -- there were some people among us who died. Because
19 we fought and then we were split up.

20 Q. [10:42:02] And do we understand that Opio was one of those who died?

21 A. [10:42:12] I, I do not know if Opio lost his life as well.

22 MR GUMPERT: [10:42:22] I'll leave that.

23 Q. [10:42:25] You've told us that you first saw Dominic Ongwen or Odomi when he
24 was wounded, he had been shot in the leg, this was in September 2002. Did I
25 understand correctly?

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1 A. [10:42:45] I understood.

2 Q. [10:42:50] While you were in Sudan did you see Dominic Ongwen at any time?

3 A. [10:43:01] I saw him in 2004 in Sudan.

4 Q. [10:43:14] Can you tell us the circumstances in which you met him in 2004 in
5 Sudan.

6 A. [10:43:30] You know, I was in, in charge of the commander number 2's chair,
7 and when they met, when they were having dinner, they would always sit together
8 and I would go and hand the chair over to my commander and they would sit and
9 have dinner together.

10 Q. [10:43:56] Can you remember anything that you heard Dominic Ongwen say
11 while you were with him or in his presence in Sudan?

12 A. [10:44:15] No, I did not hear anything.

13 MR GUMPERT: [10:44:32] Your Honours, I have an application to refresh the
14 witness's memory.

15 PRESIDING JUDGE SCHMITT: [10:44:38] Yes, of course.

16 MR GUMPERT: [10:44:39] The ERN number of the relevant transcript is
17 UGA-OTP-0270-1048. And the relevant page is 1052. So that's page number 4 of
18 that transcript. And the line is line 131.

19 Q. [10:45:15] Mr Witness, I want to read you something which you said when you
20 were being asked questions by the Prosecution investigators to see if it reminds you
21 of something which you may have forgotten. And this is the line or these are the
22 words you said:

23 "This one, Dominic had been telling us when we were in Sudan with Kony. He tells
24 us we should not kill civilians unless one who has tried to run away. We should
25 only kill the government soldier and I don't know why he says this."

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1 Does that remind you of something which you heard Dominic Ongwen saying while
2 you were in Sudan?

3 A. [10:46:20] Yes, it does.

4 Q. [10:46:28] And is what I have just read what you remember him saying?

5 A. [10:46:33] Yes.

6 Q. [10:46:34] Thank you. When did you -- sorry, when did you first come back
7 from Sudan and your training to Uganda? Can you remember the date, the month?

8 A. [10:47:11] We came back to Uganda around, round about February or March in
9 2003 and that's when we went back to Uganda.

10 Q. [10:47:28] With whom did you go back to Uganda?

11 A. [10:47:39] In 2003 I was under commander number 2 and Abudemba, and we
12 came back with them to Uganda. At the time I was not yet under the leadership of
13 Dominic Ongwen.

14 Q. [10:47:58] So far as you were aware, where was Dominic Ongwen at this time in
15 early 2003?

16 A. [10:48:14] At the time, because in 2002 we left Dominic Ongwen in the sickbay in
17 Uganda, and I believe that he was still in Uganda at the time, but I do not know the
18 whereabouts.

19 Q. [10:48:34] I don't ask you in great detail, but what sort of things was the unit you
20 were part of doing when it returned to Uganda in early 2003?

21 A. [10:48:55] We were in the area known as Kalabong. Namukora would go and
22 collect goats and would collect foodstuff like chicken, chickens, cows, goats and
23 would take them to a place known as -- if I recall, we walked around the area of
24 Namukora and would go to the Pader area. But at the time the river, the level of the
25 water in the river was high, but we were moving in that area.

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1 Q. [10:49:44] Had any particular orders been given concerning LRA activities at
2 that time, early 2003?

3 A. [10:50:01] When we were in that area we were told that they wanted us to go to
4 Soroti.

5 Q. [10:50:17] And what was it that you were commanded to do in Soroti?

6 A. [10:50:26] When we went to Soroti we were instructed to go and abduct people,
7 and we should abduct people between the ages of 17 under to 10, and we should
8 attack any barracks that we find. If we find one that we cannot attack, then we
9 should leave it alone. And those are some of the instructions that we were given
10 when we were heading to Soroti.

11 Q. [10:51:03] From whom did these orders come? Who was giving these orders?

12 A. [10:51:16] They told us that the orders came from Kony. And they said he
13 instructed Buk Abudema to carry out these instructions. Tabuley was already in
14 Soroti at the time, so we were instructed to go and meet Tabuley in Soroti.

15 Q. [10:51:41] And who was it who was giving you the orders personally? From
16 whose mouth did you hear these orders relayed?

17 A. [10:51:55] From Buk Abudema.

18 Q. [10:52:05] Did you yourself take part in operations, attacks in Soroti at this time?

19 A. [10:52:17] Yes, we did.

20 Q. [10:52:23] Can you name some of the places where attacks were carried out?

21 A. [10:52:34] In Soroti there was a place known as Abalanga that was attacked.

22 Q. [10:52:47] Can you remember what the LRA did during the attack at Abalanga?

23 A. [10:52:59] The -- attacked soldiers and the soldiers also attacked us. We
24 pillaged stuff and people were also abducted.

25 Q. [10:53:20] Can you remember what happened to people's homes at Abalanga?

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1 A. [10:53:31] They would shoot houses or they would set houses on fire and they
2 would also take foodstuff, things like flour, groundnuts and any other foodstuffs
3 available.

4 Q. [10:53:46] What happened to the inhabitants of the civilian houses?

5 A. [10:53:57] Some people were locked in the houses and then the houses were set
6 on fire. I do not know whether they died, whether they did not die in those houses.
7 I do not know.

8 Q. [10:54:21] You have told us that one of the aims of the campaign, if I can call it
9 that, in Soroti was to abduct people. I am going to ask you again, apologies for
10 labouring it, what ages would the youngest people being abducted in that campaign
11 be? How old would the youngest abductees be?

12 A. [10:54:53] The youngest that would be abducted at the time was between 10 to
13 11 and then 17, 18. Most of the older people, 20 and above, were abducted to carry
14 luggage. And on occasion some of the older people 20 and above would be released.
15 On occasion they would keep them behind.

16 Q. [10:55:23] What happened to you towards the end of this campaign in Soroti,
17 you personally?

18 A. [10:55:41] In Soroti there was nothing, nothing really that happened to me,
19 nothing bad that happened to me. But I was under the, under the commander. But
20 I do not recall if anything happened to me while I was in Soroti.

21 Q. [10:56:10] It's probably my poor geography, Mr Witness, and sorry for that. Let
22 me be more precise. Does the name of a place called Akwanga mean anything to
23 you?

24 A. [10:56:31] Akwanga is in Lira district, and that is an army barracks known as
25 Baralegi. At the time that we were fighting there, that's when I was shot.

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1 Q. [10:56:44] Can you tell us approximately when this happened? Do you have
2 a month for that, when you were shot?

3 A. [10:57:01] At the time we were moving between Teso and Lango, so that was
4 between 2002/2003. I cannot actually recollect the actual month. But I was shot by
5 a bomb splinter on my side in the Okwang area.

6 Q. [10:57:24] Was that a wound which meant you had to go to the sickbay or were
7 you able to carry on operating?

8 A. [10:57:35] I was carried for a while. I stayed there for a bit, because it was -- it
9 wasn't very bad. It wasn't a bad injury, it was more superficial.

10 Q. [10:57:51] Have you heard of an LRA commander called Tabuley?

11 A. [10:58:03] Yes, I have.

12 Q. [10:58:07] Did you hear what happened to Tabuley during the course of 2003?

13 A. [10:58:20] Yes, I did.

14 Q. [10:58:24] What happened to him?

15 A. [10:58:34] In 2003 we were with them together. And on one particular day in
16 July of 2003, to my recollection, there was a commander known as Otti Vincent who
17 attacked Pajule. And there was a gunship from Soroti to an area where we were.
18 We were in a particular position, we had encamped there to cook. Tabuley said the
19 gunships were going between -- were going to Pajule because Otti Vincent had
20 attacked Pajule.

21 And that helicopter flew over us at about 9, and at around 2, when it was coming
22 back, because those helicopters would shuttle twice in a day, at around 5 it would
23 come back. And we were told -- Tabuley issued an order that we should shoot that
24 helicopter. When he told us to shoot the helicopter, and we were told to take some
25 okra, some okra and apply to the nozzle of the gun so that everybody's gun would

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1 fire, and if your gun did not fire something would happen to you.

2 So when the helicopter was coming back, Tabuley started firing at the gun -- at the
3 helicopter. He tied something on the nozzle of the gun and he started shooting the
4 helicopter, and he told people to start shooting the helicopter. He said they should
5 use the SPG, the RPG, anything that the LRA had, they should use it to shoot at that
6 helicopter. And we started shooting at the helicopter and that then they started
7 attacking us.

8 Tabuley left to go to the road between Lira and Soroti. He said he was going to
9 attack a bus.

10 After that, while he was there, we were told, because I personally did not go to that
11 ambush, but later on we heard that Tabuley had been shot. When Tabuley was shot,
12 I believe he -- we stayed there for a while and then he died. We stayed there for
13 a while and then we went back to Uganda. That's what happened to Tabuley.

14 PRESIDING JUDGE SCHMITT: [11:01:33] I think, Mr Gumpert, this would be the
15 right time to have a coffee break.

16 MR GUMPERT: [11:01:39] I wonder if I may just ask -- well, it is going to take about
17 five minutes to put what has just been described into a temporal perspective.

18 PRESIDING JUDGE SCHMITT: [11:01:50] No problem, then we extend a little bit
19 the coffee breaks. No problem. Please continue.

20 MR GUMPERT: [11:01:59] Thank you.

21 Q. [11:01:59] When is Independence Day celebrated in Uganda, what month?

22 A. [11:02:05] In October.

23 Q. [11:02:08] And I think you have referred to it once before, it's also known as
24 Uhuru or liberation, freedom; is that right?

25 A. [11:02:19] Yes, we call it Uhuru; Independence Day is also known as Uhuru.

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1 And that's the day that Obote became president, he took over from the British colony.

2 MR GUMPERT: [11:02:38]

3 Q. [11:02:40] Quite right. And I want you to think very hard about the time when
4 Tabuley died. Was it before or after the celebration of Uhuru in that year?

5 A. [11:03:01] It was after Uhuru, because we had Uhuru in Teso.

6 Q. [11:03:10] I ask because a moment ago you spoke about the attack on Pajule, the
7 one which provoked the helicopters, as being around July. So do we understand
8 correctly that it was a period of some months after that attack in July, something until
9 October, and just after that Tabuley died? Have we understood the time sequence
10 correctly?

11 A. [11:03:55] Yes, Pajule was attacked. We stayed in the bush and then he died.

12 Q. [11:04:01] Thank you.

13 Having cleared that up, your Honours, if I may, we can take the break now.

14 PRESIDING JUDGE SCHMITT: [11:04:06] Yes. And since it should not be too short,
15 perhaps 20 minutes to 12 o'clock. It is a little bit, it's not a very even, it's of course an
16 even number, but I think we can keep this in mind, although it is a little bit out of the
17 normal order, 20 to 12.

18 MR GUMPERT: [11:04:28] Thank you.

19 THE COURT USHER: [11:04:30] All rise.

20 (Recess taken at 11.04 a.m.)

21 (Upon resuming in open session at 11:42 a.m.)

22 THE COURT USHER: [11:42:37] All rise.

23 PRESIDING JUDGE SCHMITT: [11:42:55] Mr Gumpert, you still have the floor.

24 MR GUMPERT: [11:43:02] I'm grateful, your Honour. And I should say that the
25 Prosecution team has been augmented by Colleen Gilg. Otherwise we remain the

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1 same.

2 PRESIDING JUDGE SCHMITT: [11:43:13] Yes, indeed, I see.

3 MR GUMPERT: [11:43:16]

4 Q. [11:43:16] Mr Witness, we left matters before the break with the death of the
5 commander named Tabuley. Who took over command of the troops which Tabuley
6 had commanded?

7 A. [11:43:36] I do not know who took over the command, but the group in which I
8 was was led by Abudema.

9 Q. [11:44:01] And what was the name of that group?

10 A. [11:44:11] The group which was led by Tabuley was called Stockree.

11 Q. [11:44:25] And the group which was led by Abudema, what was that called?

12 A. [11:44:33] It was Sinia.

13 Q. [11:44:43] Were there any other smaller units which were part of Sinia and the
14 names of which you knew?

15 A. [11:44:56] There were others called Siba, Terwanga, Oka. These are the groups
16 that I can call because other groups I do not know. The names are difficult.

17 Q. [11:45:27] Well, let's just stay with the three which you named, which I think I
18 understood as Siba, Terwanga and Oka. Did I understand correctly?

19 A. [11:45:43] Correct.

20 Q. [11:45:45] At this time, the time when Tabuley died, did you know the names of
21 the people who commanded these smaller groups, let's take them one by one. Did
22 you know the name of the commander of Siba?

23 A. [11:46:03] Siba I think is -- was Oyenga, Oyenga who was in charge.

24 Q. [11:46:19] What about Terwanga?

25 A. [11:46:27] He was called Lapwony Paicho.

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1 Q. [11:46:36] And Oka?

2 A. [11:46:39] Oka was Dominic Ongwen.

3 Q. [11:46:44] How long after the death of Tabuley did Abudema continue to be the
4 commander of Sinia?

5 A. [11:46:57] It was after we had returned from Teso, then Buk Abudema said he
6 was now in charge of division and Dominic Ongwen should now be in Sinia as the
7 commander.

8 Q. [11:47:27] You talked about returning from Teso, so where were you returning
9 to at this time after the campaign in Teso?

10 A. [11:47:42] We were returning towards Pader area. We had left Teso and we
11 were coming towards Pader.

12 Q. [11:48:02] Can you help us with the month or the year that we are in as you're
13 approaching Pader and you get the news about your new brigade commander?

14 A. [11:48:26] That should be 2003, around November, December. That's when we
15 knew that Dominic Ongwen was in charge of Sinia.

16 Q. [11:48:49] From that time onwards did you stay in Uganda or did you ever go to
17 another country?

18 A. [11:49:02] We stayed in Uganda until November, then we went to Sudan.

19 Q. [11:49:20] November of which year you went to Sudan?

20 A. [11:49:28] 2004.

21 Q. [11:49:35] And who was the commander of Sinia at that time in November 2004?

22 A. [11:49:48] That time Dominic was the commander of Sinia.

23 Q. [11:50:01] The questions I'm going to ask you now are all about that period of
24 about 12 months between November 2003 when you say you hear of Ongwen's

25 promotion and November 2004 when you go to Sudan again. Do you understand?

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1 A. [11:50:30] Yes.

2 Q. [11:50:33] I want to ask you firstly about what happened to abducted women
3 and girls once Ongwen became the commander. Can you remember an occasion
4 when he had to deal with abducted women and girls after he became the
5 commander?

6 A. [11:51:03] There was one time when some of the girls who would be abducted
7 were sent to him. When they are sent to him, he would distribute them to the other
8 commanders. So when they are distributed, some of them are said to become their
9 wives. The one that I do recall very well was when I think we were in an area in
10 Labwor Omor they gave one girl, I do not recall the girl now very well, she was given
11 to one old man called Obol to become his wife. And this girl was refusing and he
12 ordered that the girl should be beaten. Why should the girl refuse to go there? So
13 this girl was beaten, she was beaten. She cried until she accepted to go with that old
14 man. That's what I remember.

15 Then one day we were crossing a certain river, Aswa river, there was a girl who was
16 abducted from Odek. I think she was called Lalam. She used to stay in Okwee's
17 household. So while we were crossing the river, some brown soldier, I'm told -- I
18 hear they called him Wod Lango, was the one who tried to rescue the girl as she was
19 about to be swept off by the running water and he rescued her and she -- and he went
20 with this girl. Then later on this commander says "This girl dreams a lot during
21 night so she should be killed." Then I remember one commander called Odoki
22 refused that this girl should not be killed. But this is what I do recall.

23 Q. [11:53:23] Just a few questions to make sure I've understood you. The
24 commander who refused that that last girl should be killed, did I understand you to
25 say Odoki?

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1 A. [11:53:51] That he did not refuse, it was said that she should be killed, that
2 person is called Odoki.

3 Q. [11:54:04] So, forgive me if I'm being slow, who gave the order that she should
4 be killed?

5 A. [11:54:18] I said it was Okwee who gave the orders for her to be killed because
6 he said that that girl dreams a lot at night so she must be a witch, so she must be
7 killed.

8 Q. [11:54:49] And then the girl who was given to the older man, Obol, who gave
9 that order that that girl should be given to Obol?

10 A. [11:55:07] You know the girls are sent to Dominic Ongwen, so the people who
11 distribute are the people like Okwee, there's also Robert Mugabe. They were the
12 ones who would stay together. So when the women were abducted, they are first sent
13 to them and then now they are the ones who give to the other commanders.

14 Q. [11:55:34] And who was it who gave the order that this girl should be beaten
15 when she refused to be Obol's wife?

16 A. [11:55:49] That was Dominic.

17 Q. [11:56:00] Was she beaten?

18 A. [11:56:04] She was beaten.

19 Q. [11:56:09] And did she submit to become Obol's wife in the end?

20 A. [11:56:18] Yes, she went.

21 Q. [11:56:22] Can you tell us approximately how old this girl, the one who became
22 the wife of Obol and Lalam were when these things happened?

23 A. [11:56:42] That girl, I think she could be around 17 to -- 16 to 17 years old. She
24 already had breasts coming out.

25 Q. [11:57:02] So that's the girl who became Obol's wife. What about Lalam, the

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1 girl who was thought to be a witch, about how old was she?

2 A. [11:57:17] That girl could be about 14 to 15 years old.

3 Q. [11:57:32] Thank you. I'd like you to be shown now a diagram, and I'll spell
4 out the ERN number, it's *UGA-OTP-0263-2804. Thank you. I'm sorry, tab 18 for
5 those of us working from paper. It has the witness's signature on it, so regrettably
6 it's not something we can show to the public.

7 Now, Mr Witness, on the screen in front of me I can see a drawing which has the
8 words "HQ position" and "Annex 2" at the top. Have you seen that drawing before?

9 A. [11:59:05] I did draw that drawing.

10 Q. [11:59:09] Thank you. I'm going to ask you to explain it just briefly from the
11 centre outwards. Right at the middle we can see a circle within which are three
12 words, "escorts, "Ongwen" and "wives". That's right in the middle.

13 When you drew that, what was it that you were trying to depict?

14 A. [11:59:50] I was asked to draw when we reached a particular place how people
15 would settle down in a position. So I drew to depict a position.

16 So the one in the middle, in the middle is the Dominic Ongwen's homestead. Then
17 the others that I have indicated coming downwards could be commanders'

18 homesteads, it could be Okwee's homestead, Robert Mugabe's homestead, could also
19 be Abongomek's homestead. Others are homesteads of other commanders that are
20 also there in the bush.

21 So if you look at the other sides, if Dominic is in the middle, you would also see that
22 his wives are also there and also the escorts are near there.

23 Then downwards you would see other homesteads, like Okwee's homestead and
24 others.

25 Then outside at the extreme end of the circle is Dog Adaki. So if you are an abductee,

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1 some of you would stay there.

2 Then if you look at the entrance, that is where they put the guard. The guard
3 usually are positioned at the entrance.

4 And then, for instance, if we leave this place to go to another position, then they
5 would send back patrol from where you left to see that the soldiers are not following
6 you. But if the patrol brings back information that there are government soldiers,
7 then you leave that location immediately.

8 Q. [12:02:00] Thank you. That's very clearly explained and I'm grateful.

9 I just have one follow-up. Outside the circle which you have described as the Dog
10 Adaki, we can read these words up on the top left "Terwanga" and underneath that
11 "Lapaicho". Top right, "Siba" and underneath that "Oyenga Pokot". In the bottom
12 right we can see "Oka" and underneath that "Ocan". And in the bottom left we can
13 see "Trinkle" and the words "Don't recall".

14 What were you trying to indicate by writing or by causing those names to be written
15 on this document?

16 A. [12:02:51] This I was indicating the headquarter, the Sinia's headquarter. Then
17 at the sides, these are the battalions that I said were there, the battalions were Oka,
18 Siba, Trinkle. So these ones were headed by different commanders. For example,
19 Siba was headed by Pokot, and Oka was also there. So in this particular one there
20 was Ocan in Oka. So these were the commanders who were in charge of the
21 different battalions.

22 Q. [12:03:37] Thank you. That's very clear. And that's all I have to ask you about
23 that drawing.

24 Can we move on now to what I think is tab 19, the ERN is UGA-OTP-0263-2805.

25 And we will just wait for that to appear on the screen in front of you, Mr Witness.

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1 And we can read on this, it's annex number 3, "Ongwen's home position". What
2 were you showing by drawing this diagram? What are we looking at here?

3 A. [12:04:44] I was showing Dominic's homestead when people are now positioned
4 in the place, this is what I was showing, where he lives and where he sleeps.

5 Q. [12:05:04] So if I understand correctly, this is a kind of close-up of the diagram
6 we were looking just a moment ago, this is the very centre but in more detail; is that
7 right?

8 A. [12:05:21] Correct.

9 Q. [12:05:27] Thank you. I've got nothing more to ask about that.

10 We can see that you have indicated where the escorts would be. How many
11 personal escorts did Dominic Ongwen have typically at a position like this?

12 A. [12:05:57] He had escorts, I do not know how many. But there was one who
13 was more older, was called Korea, but the others, I do not know them.

14 Q. [12:06:15] So was Korea in charge of the other escorts?

15 A. [12:06:23] Yes, I would say Korea was more senior in Dominic's homestead and
16 he would also carry his phones.

17 Q. [12:06:34] So we've understood you don't know their names, but tell us about
18 their ages. In fact, tell us about the youngest of the other escorts and recruits in
19 Dominic's own household.

20 A. [12:06:55] I think 11 or 12 years would be the youngest.

21 Q. [12:07:04] And would boys this young have guns or not?

22 A. [12:07:11] Some of them would have guns, some of them would carry Dominic's
23 gun, and others would carry his bag and other things. But I would see Korea, Korea
24 would be the one with the gun.

25 But if you also find that -- you see the young ones who have the guns, that means

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1 those ones have stayed for a while in the bush, because if you haven't stayed for long
2 in the bush, you are not given a gun.

3 Q. [12:07:53] I just want to be clear there, do I understand correctly it's not so much
4 how old you are but how long you have been in the bush which will determine
5 whether you have a gun or not?

6 A. [12:08:08] Yes, they consider the length of stay in the bush, then you are given
7 a gun.

8 Q. [12:08:20] Can we turn now to the women whom Dominic Ongwen described as
9 his wives. Roughly how many wives, I understand it may have changed over time,
10 but on average how many women would be staying with Ongwen in his own
11 personal position?

12 A. [12:08:45] He could have two or three wives as his wives.

13 Q. [12:09:07] Were there other women, apart from his wives, who were in this
14 personal position?

15 A. [12:09:26] Yeah, there would be young girls, the ting tings who would carry
16 some of the items belonging to his wives.

17 Q. [12:09:40] I want to ask you about discipline within the Sinia brigade. Perhaps
18 we can take you as an example. Were you ever subjected to any disciplinary
19 measures, any punishments?

20 A. [12:09:59] Yes. You know, when you are there, for example, when they are
21 communicating over their radio, let me give you an example: There was a time
22 when I imitated their communication and I was beaten because I had imitated their
23 voices. When they are communicating over the radio, they do not want you to
24 imitate anything.

25 Q. [12:10:38] You mean, you were sort of making fun of the way they talked on the

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1 radio, do we understand that? And you were punished for that?

2 A. [12:10:50] I was -- yeah, I was trying to -- I was trying to imitate what they were
3 saying so that -- just for fun.

4 Q. [12:11:00] How were you punished?

5 A. [12:11:05] I was beaten with a stick.

6 Q. [12:11:13] I think you told us that one of your duties as an escort was to make
7 the bed for your lapwony; is that correct?

8 A. [12:11:33] Yes, that's correct.

9 Q. [12:11:35] Were you ever subjected to any disciplinary measures relating to
10 making your commander's bed?

11 A. [12:11:47] If you do not make the bed properly, then you are beaten.

12 Q. [12:11:56] Did you ever have any responsibility for guarding recent abductees
13 that you can remember?

14 A. [12:12:08] I said I took care of some people. Some abductees were in Teso, and
15 two of them escaped. And when the two escaped I was beaten, I was asked why I let
16 them escape.

17 Q. [12:12:32] Perhaps in fairness we need to understand. That happened in Teso,
18 so is that before Dominic Ongwen became the commander?

19 A. [12:12:45] He wasn't there at the time, I did not see him there.

20 Q. [12:12:53] Thank you for that clarification.

21 Now I want to ask you about operations during the time that Dominic Ongwen was
22 your brigade commander, was the commander of Sinia. Tell us, please, the names of
23 the locations which you can remember where Sinia carried out operations while it
24 was under his command?

25 A. [12:13:24] I recall a place somewhere in Gulu. We went to Odek. I -- I learnt

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1 that the place was known as Odek, because I had never been before. Before we left
2 people were selected. And the commanders who went there were Okwee. We
3 were told that when we go there, we should go and attack the army barracks, burn
4 down the camp, abduct people and take food from Odek. There was a barracks at
5 Odek. There were two barracks. There was one barracks belonging to the LDU
6 and there was one barracks belonging to the UPDF. The UPDF had their school and
7 the LDU had their own barracks. When we walked we crossed the road. When we
8 crossed the road we made the formation. We went towards the barracks. One
9 formation went towards the barracks, one went towards the camp. We went and we
10 started shooting that place. People died, houses were also burned.
11 But at the barracks the soldiers fled, some of them died as well. But I do not know
12 the exact number of casualties because, when we are fighting, the LRA are fighting,
13 we fight very fast and leave because we are afraid of the gunships coming to attack us.
14 But there were some bombs, there were some mortars and other weapons that had
15 been brought. But the UPDF started firing at us from the school and we ran and we
16 dispersed. So I do not know the number of people that died in Odek or the number
17 of people that got burnt or the number of people that were injured because we ran.
18 We left because we were afraid of the gunship, and that's one of the things that I saw.
19 Q. [12:15:33] Thank you, Mr Witness. I want to ask some questions on matters of
20 detail. Can I remind you when I do, if you have to refer to your commander, your
21 lapwony, please speak about person number 2, do you recall?
22 A. [12:15:55] Yes, I do.
23 Q. [12:15:55] Thank you. I'm going to go back to the beginning. You said that
24 you were given orders to attack the army barracks, burn down the camps, abduct
25 people and take food from Odek. Who did you hear giving you those orders?

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1 A. [12:16:21] It was -- the orders were being issued to the commanders. There was
2 Okwee, and (Redacted) There was Dominic. And, you know, when
3 they select people, they select -- they send the people to Dominic and then he instructs
4 people, he addresses you and tells you that you are going for an operation at this
5 location. Usually they do not tell you exactly where you are, but when you get there
6 you can ask somebody which area are we in, and they will tell you. But because I
7 had never been to Gulu before so I did not know the name of the place, but I asked
8 and somebody told me that it was Odek.

9 So they would select the commanders, they would tell the commanders who are
10 going and they would also point out the overall commander. I heard him say ...

11 PRESIDING JUDGE SCHMITT: [12:17:29] I think you can -- I have here "I heard him
12 say", perhaps you continue what you heard him say, Mr Witness, if you recall it.

13 THE WITNESS: [12:17:45] (Interpretation) He said people from 18 under should be
14 abducted, food should be taken, and the camp should be burned and the barracks
15 should be attacked. Those are the things that I heard him say.

16 MR GUMPERT: [12:18:03]

17 Q. [12:18:04] Just to be clear, who is "him"? Who is speaking here?

18 A. [12:18:14] It's the commander known as Dominic Ongwen. He was the one
19 who was addressing the soldiers in front of him.

20 Q. [12:18:25] One of the things that he ordered you the attackers to do was to take
21 food. Where would you be taking that food from?

22 A. [12:18:42] Food would be taken from the camp.

23 Q. [12:18:49] What would happen if the people in the camp didn't want to give up
24 their food?

25 A. [12:18:59] They would kick down the door. Once the door is kicked down,

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1 they would first fire bullets. Once they fired bullets people would -- some people
2 would enter into the houses and they would kick down the door and go and take the
3 food. But people in the camp do not resist. If soldiers do not come to support them
4 or to rescue them, they do not resist.

5 Q. [12:19:29] You heard Dominic Ongwen giving instructions -- giving orders.
6 When was the last time you saw him before the attack itself?

7 A. [12:19:49] I saw him during the day at approximately ten or 11, that was when
8 he was addressing people. And later on in the evening between 5 to 6 p.m., that's
9 when we headed out.

10 Q. [12:20:18] But as I understand it, you personally were present during the attack
11 in the camp; is that correct?

12 A. [12:20:30] I was with my commander.

13 PRESIDING JUDGE SCHMITT: [12:20:38] If you want to go more into details,
14 I think we should go to private session.

15 MR GUMPERT: [12:20:44] Very well.

16 PRESIDING JUDGE SCHMITT: [12:20:44] If we -- if you want to entertain what the
17 witness might have done there. So we have to go to private session, I would say.

18 MR GUMPERT: [12:20:54] Yes. I'm grateful. I will. I'm just trying to concentrate
19 on -- sorry, Mr Witness.

20 PRESIDING JUDGE SCHMITT: [12:20:59] You encircle it a little bit.

21 MR GUMPERT: [12:21:00] Yes.

22 PRESIDING JUDGE SCHMITT: [12:21:00] I understand. Please continue.

23 MR GUMPERT: [12:21:02]

24 Q. [12:21:02] For the moment I'm just focusing on what you saw of Mr Ongwen, of
25 Dominic Ongwen. We will come to your own actions in a moment in private. But

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1 you were present with him and he gave you orders. We have heard that. You went
2 to the camp. Was he there? Did you see him there or did you not?

3 A. [12:21:27] We were in one formation. But after that I did not see him.

4 Q. [12:21:38] So when did you next see him after that?

5 A. [12:21:45] I saw him the next day after we went back from the operation.

6 Q. [12:21:55] Thank you.

7 And now I'm going to ask that we go into private session.

8 PRESIDING JUDGE SCHMITT: [12:22:00] Private session.

9 (Private session at 12.22 p.m.) *(Reclassified partially in public)

10 THE COURT OFFICER: [12:22:12] We are in private session, Mr President.

11 MR GUMPERT: [12:22:15] I'm grateful.

12 Q. [12:22:16] That means nobody outside the courtroom can hear, and it means that
13 you can speak the name of your lapwony, your commander, freely.

14 So as the attack began where did you go and who were you with?

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 (Redacted)

4 (Redacted)

5 (Redacted)

6 (Redacted)

7 (Redacted)

8 (Redacted)

9 (Redacted)

10 (Redacted)

11 (Redacted)

12 (Redacted)

13 (Redacted)

14 Q. [12:25:27] In the camp after the barracks, in the camp, what else could you see?

15 A. [12:25:38] In the camp, I saw dead bodies.

16 Q. [12:25:49] Were these the bodies of LRA fighters?

17 A. [12:25:55] I saw civilians, civilian casualties.

18 PRESIDING JUDGE SCHMITT: [12:26:04] Think this could be addressed in open

19 session (Redacted)

20 (Redacted)

21 Perhaps I do it, if you allow me.

22 MR GUMPERT: [12:26:22] Please do, yes.

23 PRESIDING JUDGE SCHMITT: [12:26:26] Mr Witness, did you see houses burning

24 in the camp?

25 THE WITNESS: [12:26:32](Interpretation) Yes.

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- 1 PRESIDING JUDGE SCHMITT: [12:26:34] Do you know how it came that the houses
2 burnt?
- 3 THE WITNESS: [12:26:40](Interpretation) They would light a match and then set fire
4 to the house.
- 5 (Redacted)
6 (Redacted)
7 (Redacted)
8 (Redacted)
9 (Redacted)
10 (Redacted)
11 (Redacted)
- 12 MR GUMPERT: [12:27:15] Then we can go to open session. I'm going to deal with
13 the dead bodies which he mentioned a moment ago.
- 14 PRESIDING JUDGE SCHMITT: [12:27:23] Yes, open session.
15 (Open session at 12.27 p.m.)
- 16 THE COURT OFFICER: [12:27:31] We are in open session, Mr President.
- 17 MR GUMPERT: [12:27:35]
- 18 Q. [12:27:37] Mr Witness, you spoke about seeing civilians who had been killed.
19 I'm sorry if this is disturbing, but can you help us to understand, can you recall any
20 particular bodies which you saw and how they had been killed?
- 21 A. [12:27:59] I saw three people who had been hit with a club.
- 22 Q. [12:28:13] And where had they been hit?
- 23 A. [12:28:19] Their heads, they had been clubbed on the head.
- 24 Q. [12:28:23] Were you able to see the club itself?
- 25 A. [12:28:30] Yes, they left it there.

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1 MR GUMPERT: [12:28:36] Your Honours, I'm going to ask that another sketch
2 which the witness made.

3 PRESIDING JUDGE SCHMITT: [12:28:41] Of course.

4 MR GUMPERT: [12:28:42] It may be at tab 20. In any event the ERN is
5 UGA-OTP-0263-2806.

6 PRESIDING JUDGE SCHMITT: [12:28:59] It looks promising, because we have here
7 written on left upper side "Odek".

8 MR GUMPERT: [12:29:06] Indeed. I'm grateful. Thank you, your Honour.

9 Q. [12:29:09] That is going to come up on the screen in front of you, Mr Witness,
10 this diagram. Just wait for a moment.

11 Just take your time. Have you seen that drawing before today?

12 A. [12:29:41] I'm the one who drew this.

13 Q. [12:29:44] And we can see, let's start with where you just left off, we can see
14 three red crosses, three red Xs pretty much in the centre of the circle of this drawing.

15 What did you mean to indicate when you drew those three red crosses? Can you see
16 them?

17 A. [12:30:10] Yes, I can.

18 Q. [12:30:15] What do they represent?

19 A. [12:30:20] The middle, that's how we entered into the camp. There was
20 a formation, and that's how we enter into the camp. From the barracks we went to the
21 camp, and the three are the civilians, the three Xs are the civilians. We crossed the
22 road and we found three dead bodies. And there is one X, there is one X on one side
23 and then the other X is on one side.

24 Q. [12:30:56] Thank you.

25 With your Honour's leave, I'm not going to try to elicit a detailed explanation from

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1 the map.

2 PRESIDING JUDGE SCHMITT: [12:31:07] Note it's often with maps that if they are
3 drawn good, they are sort of self-explanatory, and if they are drawn bad, you can't
4 read anything out of it.

5 So, but I have perhaps a question.

6 Simply, Mr Witness, you have also an arrow at the top where it reads, "LDU ran".

7 Can you explain what you meant by that, "LDU ran"?

8 THE WITNESS: [12:31:42](Interpretation) That is the barracks that we went to.

9 When we fired our guns, the LDU ran. If you look somewhere down here, you
10 have, you have a school, a structure of the school, and that's when the UPDF were
11 based.

12 PRESIDING JUDGE SCHMITT: [12:32:01] Okay, thank you.

13 MR GUMPERT: [12:32:02]

14 Q. [12:32:03] Thank you. I haven't got any more questions relating to that
15 document.

16 Now I want to ask you about what happened after that attack. When you left Odek,
17 where did you go to?

18 A. [12:32:31] When we left Odek, we went, we went towards Lango, in those areas.
19 I do not know those areas very well.

20 Q. [12:32:54] Apart from the attackers, people like you, were there any other people
21 with your group as you left Odek?

22 A. [12:33:12] I do not know if there were other people, because we would usually
23 go ahead with my commander, so I do not know the group that was behind.

24 Because when you are in the bush, if you stay in somebody's household, when you
25 move, you move together and each group moves as a household.

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1 Q. [12:33:35] That's very fair of you.

2 Did there come a time when there was a rendezvous, when the group all gathered
3 together after the attack at Odek?

4 A. [12:33:50] When -- after the operation, yeah, people would meet.

5 Q. [12:33:57] Okay. And on this occasion when people met, who was present
6 apart from the attackers? Who else had been brought to that place?

7 A. [12:34:13] I saw some children who had been abducted and civilians who were
8 there.

9 Q. [12:34:28] Concentrate on the children if you would for the moment. Can you
10 tell us how young you think the youngest of those abducted children was?

11 A. [12:34:41] Between 11, 12, the youngest were round about that age.

12 Q. [12:34:52] And were they boys or girls or both?

13 A. [12:34:58] There were boys and girls as well.

14 Q. [12:35:04] Did you come to know the name of any of the abducted girls?

15 A. [12:35:11] There's one girl, one of the girls who was killed. There was also
16 a girl who was with Okwee known as *Achan. But I do not know the other names
17 because they were distributed to different places, so it's very difficult to know their
18 names.

19 Q. [12:35:40] Perhaps with your Honour's leave I can remind you of something you
20 said a little earlier. Do you recall speaking about a girl called Lalam just before the
21 break?

22 A. [12:35:57] Lalam, yes, that was the, that was the girl who was at Okwee's home,
23 the girl who was accused of dreaming and the girl who was killed along the Aswa
24 bank, river bank.

25 Q. [12:36:10] So she had been abducted during this attack on Odek? That's your

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1 evidence, as I understand it?

2 A. [12:36:20] She was abducted from Odek, because I saw her then and then she
3 was killed.

4 Q. [12:36:30] What happened to these abductees? They are there at the rendezvous
5 with you, some of them 11 or 12. What happens to them there and who does it?

6 A. [12:36:51] When they abduct people from the bush, I do not know the exact
7 numbers that were abducted, but if I guess, I can -- well, when they bring people, they
8 distribute people among themselves, so it's very difficult to determine the numbers
9 that have been abducted. You see people and they make a decision to distribute
10 them. So they say, "Take such and such a number and send them to this place, that
11 place and that place."

12 Q. [12:37:27] Can you remember which commanders it was on this occasion after
13 Odek who were distributing the abductees?

14 A. [12:37:39] The commander who was distributing the abductees was Okwee.

15 Q. [12:37:52] You spoke earlier about the Dog Adaki, I think it was when you were
16 describing the outer circle in the diagram of the position. Do you recall any of the
17 boys in this distribution being distributed to the Dog Adaki?

18 A. [12:38:21] I did, I saw some who were sent to us or dog adaki picked them up
19 and brought them to the dog adaki.

20 Q. [12:38:35] Can I ask you to focus your recollection back on those boys. What
21 was the age of the youngest boy who was distributed to the dog adaki?

22 A. [12:38:50] 14, 15 perhaps. I'm guessing, I do not know the exact ages, but I'm
23 guessing. I did not ask their ages.

24 Q. [12:39:05] I think we all understand you are doing your best to estimate.

25 One last question about Odek. I'm sorry, it's about age yet again. Amongst the

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1 attackers, not the abductees now, but the attackers, what was the age of the youngest
2 person, never mind whether they had a gun, but who went along to the attack in
3 Odek, the youngest person in your estimation?

4 A. [12:39:40] Perhaps 14, 15. You know, even when you are in the bush, even
5 when you are young, if you have been there for a while, you are armed, you are given
6 a gun; or if they take you to Sudan, you are also armed, you are given a gun. If they
7 shoot soldiers and killed them, they take the gun and give it to you.

8 Q. [12:40:08] And at the rendezvous, at the RV point, who was the most senior
9 commander present there?

10 A. [12:40:22] The most senior commander, the commander in charge of Sinia was
11 Dominic Ongwen.

12 Q. [12:40:34] Thank you. We began speaking about Odek when you mentioned it
13 as the name of one of the places where Sinia had carried out operations in the year
14 after Dominic Ongwen became the commander. Apart from Odek, can you name
15 another location where Sinia brigade carried out an operation during that period?

16 A. [12:41:09] The other locations, well, when I was there, I did not know the -- the
17 name of that place very well, I heard Lukome, but the place was known as Lukodi,
18 that place was also attacked.

19 Q. [12:41:39] Thank you. Was that before or after the attack on Odek as you
20 remember it?

21 A. [12:41:46] Odek had already been attacked and then Lukodi was attacked.

22 Q. [12:41:58] I'm going to try and take this relatively shortly. Before the attack on
23 Lukodi, who gave the orders about what was to happen?

24 A. [12:42:17] The person who issued instructions was Dominic Ongwen. If there
25 was no food, then he would issue instructions for us to go and collect food from

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1 a particular camp.

2 Q. [12:42:31] Mr Witness, I think we all understand that you are giving evidence
3 about some things which happened a number of times, but can I ask you to try and
4 concentrate on this particular occasion. Not what would happen, but if you can,
5 what did happen before the attack on Lukodi? Can you remember who gave the
6 orders about what was to happen at Lukodi?

7 A. [12:43:00] The person who issued those orders was Dominic Ongwen because
8 perhaps soldiers had left and they knew that the soldiers had left that area and that's
9 why they made a decision to send people. Or maybe something bad happened to
10 them while they were at Lukodi so they are planning a revenge attack. Or if they
11 know that there is no barracks in that place or if there's a small barracks that they
12 have the capacity to attack, for example, if it's only manned by the LDU and not by
13 the UPDF, then they make a decision to go and attack because they first send people
14 on a reconnaissance mission and then make the decision after that. I wait. When
15 my commander instructs me and says "Let's go", then we go. Because I cannot just
16 go there anyhow.

17 Q. [12:44:05] And can you remember what orders Dominic Ongwen did give?
18 What were the attackers to do when they got to Lukodi?

19 A. [12:44:17] He said that some soldiers should go to the barracks, others should go
20 to the camp and that they should take food items and abduct some children. And
21 also for the civilians, those who run away, they should not be disturbed, they should
22 just be let to go. And most times he also says civilians should not be shot using guns
23 but instead the soldiers are the ones to be shot at.

24 Q. [12:45:05] You told us that the civilians should not be shot using guns. Are
25 there any other measures which would be used in respect of civilians?

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1 A. [12:45:25] Most times if it's a stubborn civilian who is believed has the interest of
2 escaping, would be caught and then those ones who are still new, tied up and hit on
3 the back of their head.

4 Q. [12:45:46] Hit until what happened?

5 A. [12:45:50] Until they die. Sometimes they are hit with a club, a relatively -- of
6 bigger size. They call it dul; that's what they use.

7 Q. [12:46:11] Did you personally take part, did you personally go to the camp at
8 Lukodi?

9 A. [12:46:20] I went with my commander.

10 Q. [12:46:29] And can you tell us approximately how many attackers there were?

11 A. [12:46:37] I estimate to be 40, 40 and above. That is all the -- everyone
12 combined. Because some people are new recruits, they do not have guns, their role
13 is just to make noise and beat jerrycans to provide morale. I'm just estimating
14 because you are not allowed to count while you are there.

15 Q. [12:47:17] And you've told us you were there with person number 2, your
16 commander; is that right?

17 A. [12:47:27] Correct.

18 Q. [12:47:35] Did you have a gun during this attack?

19 A. [12:47:41] Yes, I had.

20 Q. [12:47:44] What was person number 2 doing during the attack?

21 A. [12:47:52] Person number 2, we moved with them, when we reached the
22 roadside -- because if we are just crossing the road going to the location of the attack,
23 some people first remain at the roadside squatting down, then they send some people
24 up to climb the tree to check and see if there's anything. If they find that there is
25 nothing, then the rest of the people are allowed to cross and go. So once people are

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1 lined up, for you now, you move along your direction. Like for my case I would
2 move with my commander where he's heading to.

3 Q. [12:48:50] You have told us that Dominic Ongwen issued the orders before the
4 attack. Did you see him personally line up for the attack or not?

5 A. [12:49:02] I saw him from the position, where people were selected from, so he
6 would come and address those who have been selected. So I saw him from there.
7 Because if we are now moving, everyone leaves the position and -- because as people
8 are leaving, people now split into groups depending on which direction they're going.
9 So you take your direction, so at the time when we separated, I now never saw him.

10 Q. [12:49:42] Were any support weapons used in the course of the attack?

11 A. [12:49:50] The gun that was used was the 12 that I said Abongomek was the one
12 operating.

13 MR GUMPERT: [12:50:12] Your Honours, I'm going to come to some matters now
14 which I submit should probably be dealt with in private session.

15 PRESIDING JUDGE SCHMITT: [12:50:18] Yes, private session.

16 (Private session at 12.50 p.m.) *(Reclassified partially in public)

17 THE COURT OFFICER: [12:50:21] We are in private session, Mr President.

18 MR GUMPERT: [12:50:25]

19 Q. [12:50:27] What did you see when you got to the barracks, Mr Witness?

20 A. [12:50:41] I saw as we were going to the barracks, there was shooting of guns,
21 but I did not see any substantial thing in the barracks because we ran and went
22 towards the camp because the soldiers were really firing.

23 (Redacted)

24 (Redacted)

25 Q. [12:51:16] Once you got past the barracks to the camp, what did you see there?

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1 A. [12:51:29] What I saw was some people who are pushed inside and they are
2 locked inside and the house set on fire and some houses burning and smoke
3 billowing. So these are some of the things I saw. Because it took some time now, I
4 do not recall everything.

5 Q. [12:51:57] Were people abducted from Lukodi?

6 A. [12:52:03] Yes, they abducted people.

7 Q. [12:52:09] Can you remember what happened to these abductees as they were
8 being led away from Lukodi?

9 A. [12:52:19] When people are abducted, they are tied up and they move along
10 with. But what I recall is that one of the commanders was shot and died during the
11 Lukodi attack. That commander was called Robert Mugabe.

12 Q. [12:52:49] Thank you. Can I ask you once again to go back and concentrate on
13 the abductees, as they are being led away, do you remember any particular event
14 which caught your attention as you were seeing people being led away?

15 A. [12:53:14] You know, when someone wants to run away, such are person are
16 shot and killed, but I do not know if there's anything else that happened. Maybe if I
17 had said it before, I could have forgotten now, but all what I'm saying is what I saw.

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 (Redacted)

4 (Redacted)

5 (Redacted)

6 (Redacted)

7 (Redacted)

8 (Redacted)

9 (Redacted)

10 (Redacted)

11 (Redacted)

12 PRESIDING JUDGE SCHMITT: [12:55:02] And were there orders to do so?

13 THE WITNESS: [12:55:08](Interpretation) When you have now left the position to go
14 for the attack, the order is given. Dominic Ongwen would say, "You go and burn the
15 camp". If it was a military barracks, you attack the barracks and overrun it. And
16 then also when you go to the camp you also get food, loot food and come back with it.
17 These are the instructions that are usually given.

18 PRESIDING JUDGE SCHMITT: [12:55:39] Open session?

19 Open session.

20 (Open session at 12.55 p.m.)

21 THE COURT OFFICER: [12:55:49] We are back to open session, Mr President.

22 MR GUMPERT: [12:55:52]

23 Q. [12:55:54] Mr Witness, I want to come back to the abductees and when I asked
24 about them last you said that if people wanted to runaway they would be shot and
25 killed, but if anything else happened maybe if you had said it before, you might have

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1 forgotten. And I'm going to ask the Presiding Judge's permission to remind you of
2 something which you said to the Prosecution investigators.

3 PRESIDING JUDGE SCHMITT: [12:56:27] Yes.

4 MR GUMPERT: [12:56:29]

5 Q. [12:56:30] Mr Witness, you were being asked a similar question and it's on -- it's
6 at UGA-OTP-0270-1073 and it's at page 1087 and the line is line 485. And I'm going
7 to remind you of something which you said.

8 The interviewer said: "Do you recall anything about those abductees from Lukodi?"

9 And you said: "What I remember, some of them when we were moving they were
10 killing some of them."

11 And the interviewer said: "Do you know why they were killing them?"

12 And you said: "I don't know why they were killing them. Maybe their legs were
13 swollen or they couldn't leave them because they would report to the UPDF where
14 we were moving to."

15 And then lastly you said: "I saw a man with ... some logs to hit, they called the new
16 recruits to kill him and they killed him."

17 Does that remind you of an incident which occurred after the attack at Lukodi?

18 A. [12:58:07] Yes, I've understood.

19 Q. [12:58:14] Is it right that you saw an abductee who couldn't move fast enough
20 being killed?

21 A. [12:58:25] I saw.

22 Q. [12:58:27] And explain to us when you say "they called the new recruits to kill
23 him", who was it who actually caused him to lose his life?

24 A. [12:58:48] The person who said it was Okwee, Okwee was the one who gave the
25 instruction, but the person who was given the instruction to kill, I do not recall the

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1 name because he was still newly abducted person.

2 Q. [12:59:05] And who gave the order, who called this newly abducted person up
3 to do this thing?

4 A. [12:59:14] Okwee was the one who gave the orders to the other lower-ranking
5 officers because even some of those other people there, the lower-ranking ones are
6 also called lapwony, so when such orders are given, then they would go and collect
7 the new recruits. And once you have been picked, you cannot refuse, you have to go
8 and do the order and execute the orders. If you refuse, then they will also kill you.

9 Q. [12:59:48] Two more questions and again I'm afraid it's about the ages of the
10 people. The attackers at Lukodi, you said that some people, the young ones went
11 without guns just to make a noise. How young would the youngest person be of
12 those type of people who were there banging jerrycans together?

13 A. [13:00:21] From the ages of 12, 13, 14, because if you have -- you are, you are
14 abducted and you have been selected to go to a particular place, they will -- the
15 soldiers will pick the recruits, they will go with you to help carrying luggages. So if
16 they do not abduct people, it is these new recruits who will carry the luggage. But if
17 they abduct the new people, then these ones, the new recruits, their role would be to
18 provide protection to the abductee.

19 Q. [13:01:09] And these new recruits who killed the man who couldn't walk fast
20 enough, how young would the youngest of those be?

21 A. [13:01:23] Mostly I guess to be 12 to 13.

22 Q. [13:01:35] Mr Witness, I'm almost done with Lukodi, which is just as well
23 because we've the lunch break, but if I may just introduce the sketch.

24 PRESIDING JUDGE SCHMITT: [13:01:44] 21.

25 MR GUMPERT: [13:01:46] 21. Can that be shown to the witness. It's

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1 UGA-OTP-0263-2807, tab 21.

2 PRESIDING JUDGE SCHMITT: [13:02:24] I think it's now shown to the witness.

3 MR GUMPERT: I'm sorry, I was distracted. Yes.

4 Q. Well, Mr Witness, have you seen that drawing before?

5 A. [13:02:35] Yes, I drew it.

6 Q. [13:02:38] And is that intended to demonstrate to a person who looks at that
7 plan how the attack on Lukodi was carried out?

8 A. [13:02:50] Yes.

9 Q. [13:02:57] Thank you.

10 PRESIDING JUDGE SCHMITT: [13:03:01] Perhaps again, Mr Witness, the red
11 crosses that you made, what do they represent?

12 THE WITNESS: [13:03:12](Interpretation) The one on the upper part indicating the
13 direction to the barracks, how we came and entered. Then the one down, coming
14 downwards, that is the civilians house. These were where the camp -- this was
15 where the camp was in Lukodi.

16 PRESIDING JUDGE SCHMITT: [13:03:34] And I was not specific enough. The Xs,
17 the red X that you drew in the lower part, lower middle part, these three Xs down,
18 down the page in red, what do they represent?

19 THE WITNESS: [13:03:54](Interpretation) These Xs are civilian homes. And also
20 this is the direction from which we came and entered so I indicated with the red X.

21 PRESIDING JUDGE SCHMITT: [13:04:14] Thank you.

22 MR GUMPERT: [13:04:16] May I just press a moment longer on that.

23 PRESIDING JUDGE SCHMITT: [13:04:19] Yes, Yes, please.

24 MR GUMPERT: [13:04:21]

25 Q. If I may, I'm going to carry on where his Honour the Judge left off. Just

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1 concentrate on what you've done in red. The highest point in red is a kind of

2 squiggly circle and the name Robert. Who is Robert?

3 A. [13:04:41] I said Robert Mugabe was killed.

4 Q. [13:04:51] So is that where you saw Robert Mugabe's body?

5 A. [13:04:59] Yes, that is where I saw his body from.

6 Q. [13:05:04] Okay. The next, we are going down the plan, is a red mark which
7 says "govt soldier" and an X. What did you see at that point where that X is in red,
8 right in the middle?

9 A. [13:05:30] That is where the government soldiers were attacked from.

10 Q. [13:05:40] And then we can see "civ camp" and what looks like some drawings
11 of houses, and then three red Xs with the word "civ" next to each of them. What did
12 you see at each of those three red Xs?

13 A. [13:06:06] That represents the dead civilians. That's where the civilians
14 were -- the dead bodies were found.

15 PRESIDING JUDGE SCHMITT: [13:06:18]

16 MR GUMPERT: [13:06:19] Can we break there, your Honour.

17 PRESIDING JUDGE SCHMITT: [13:06:21] Yes, I think that's a good idea.

18 Until 2.30.

19 THE COURT USHER: [13:06:29] All rise.

20 (Recess taken at 1.06 p.m.)

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

22 THE COURT USHER: [14:32:28] All rise.

23 PRESIDING JUDGE SCHMITT: [14:32:43] Mr Gumpert, rightfully still standing, so
24 you have the floor.

25 MR GUMPERT: [14:32:49] Thank you, your Honour.

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1 Q. [14:32:55] Mr Witness, I have two or three more questions about the attack on
2 Lukodi, I should have asked you earlier and I didn't. What time of day did the
3 attack on Lukodi begin?

4 A. [14:33:16] The attack on Lukodi started at around 5 to 6.

5 Q. [14:33:24] It's probably clear, but you mean 5 or 6 in the evening rather than the
6 morning, yes?

7 A. [14:33:32] Yes, in the evening.

8 Q. [14:33:38] And how soon after that did it get dark as you remember it?

9 A. [14:33:47] It was a little while before it became dark, because by the time we
10 went into the camp it was already dark.

11 Q. [14:34:01] So we have to understand that the events which you have described
12 you saw were taking place in the dark; is that right?

13 A. [14:34:15] Yes, I saw these events while it was dark.

14 Q. [14:34:24] I want to come now to the next morning. Where were you the next
15 morning?

16 A. [14:34:35] The morning after, we were in the convoy and then we met with
17 Dominic Ongwen.

18 Q. [14:34:55] Did you see any persons who had been abducted from Lukodi that
19 next morning?

20 PRESIDING JUDGE SCHMITT: [14:35:04] May I shortly.

21 Mr Witness, could you come a little bit closer to the microphone, then the interpreters
22 can hear you better, just a little bit closer to the desk and to the microphone. Thank
23 you very much.

24 Please, Mr Gumpert.

25 MR GUMPERT: [14:35:20]

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1 Q. [14:35:20] That next morning when you'd spoken about seeing Dominic
2 Ongwen in the convoy, did you see any of the persons who had been abducted that
3 morning?

4 A. [14:35:37] Yes, I did.

5 Q. [14:35:40] Can you remember approximately how many of them you saw?

6 A. [14:35:48] I saw a number of people, a lot of people. I do not know the exact
7 number though.

8 Q. [14:35:56] Understood. And of those people, can you tell us about the ages as
9 you assessed them of the youngest people amongst those abductees?

10 A. [14:36:11] The youngest were approximately 12, 14. There were others who
11 were 16, 15 as well. There were also some who were much older, 20 and above, and
12 they were carrying luggage.

13 Q. [14:36:33] Perhaps you can help us to understand the task which these older
14 people had. What kind of luggage were they carrying?

15 A. [14:36:47] Based on my observation, possibly flour, beans, cooking oil. Some of
16 them were carrying some stuff in their hands as well.

17 Q. [14:37:02] Can you give us some understanding of the size of the things that
18 they would be carrying or their weight?

19 A. [14:37:14] There were some things that are quite big.

20 THE INTERPRETER: [14:37:24] The witness indicates above the table. Some were
21 at table level and some were close to the witness's height, sitting.

22 MR GUMPERT: [14:37:36]

23 Q. [14:37:36] And what sort of things were these that might have been as high as
24 you when you're sitting down in that chair? What sort of objects are we talking
25 about?

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1 A. [14:37:50] It's probably bags of flour or bags of beans, and that's, that's the way
2 I've estimated it.

3 Q. [14:38:05] It may be because you're more familiar with the way of life, do these
4 bags of flour or beans have particular weights that you can tell us about?

5 A. [14:38:22] Some of them had 50 kilos written on the sack.

6 Q. [14:38:43] Thank you. I'm going to move on now from Lukodi if I may. And
7 once again I remind you, we came to Odek and Lukodi because I asked you to name
8 places where the Sinia brigade had carried out operations during the year after
9 Dominic Ongwen became it's commander.

10 Apart from Odek and Lukodi, can you tell us the name of any other place where you
11 know that the Sinia brigade carried out an operation?

12 A. [14:39:24] Well, when there was a commander known as --

13 THE INTERPRETER: [14:39:35] Could the witness please repeat the name of the
14 commander.

15 PRESIDING JUDGE SCHMITT: [14:39:41] Mr Witness, could you please repeat the
16 name of the commander. The interpreter did not get it. Thank you very much.

17 THE WITNESS: [14:39:50] (Interpretation) The commander was known as Ocan as
18 well as Odhiambo.

19 MR GUMPERT: [14:40:03]

20 Q. [14:40:03] So this commander who went by two names, Ocan and Odhiambo,
21 carried out an operation. Where was that?

22 A. [14:40:16] We went to -- there was an army coming from Barlonyo. They came
23 and attacked us in an area known as Agelec, which is in Pader district. As we were
24 still there, the gunships came and attacked a number of LRA soldiers, quite many,
25 and they selected people. I was not selected. I did not go, but I saw people who

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1 had been abducted and people who were brought. They said that they attacked the
2 barracks. They chased away the soldiers. They burnt houses. They killed a lot of
3 people. They found people at the bore hole and they bombed people who were at
4 the bore hole. Soldiers ran away from the barracks; they fled. One or two -- there
5 were one or two casualties at the barracks. Those are some of the tales that I heard
6 them talking about.

7 Q. [14:41:20] And the -- I know you weren't there, but the location where you were
8 told that this operation took place was what?

9 A. [14:41:28] It's known as Barlonyo.

10 Q. [14:41:37] Was this man, this commander, Ocan Odhiambo, was he in the same
11 unit as you or a different unit?

12 A. [14:41:52] Odhiambo was in a different unit. Ocan was in Sinia, which is a
13 battalion. He was in charge of Oka battalion because Dominic had already left that
14 battalion.

15 PRESIDING JUDGE SCHMITT: [14:42:09] But this seems to indicate that we are
16 talking about different people, because when he was in another unit and -- doesn't it?

17 THE WITNESS: [14:42:23] (Interpretation) Yes, that's correct, there were two
18 different people.

19 PRESIDING JUDGE SCHMITT: [14:42:26] So I think we should or we could focus
20 perhaps on events where the witness took part in and was perhaps an eyewitness or
21 not.

22 MR GUMPERT: [14:42:38] I'm grateful for that indication and I will act upon it.

23 Q. [14:42:43] Let's leave aside then Barlonyo, which you only heard about, can you
24 tell us from your own experience, from the evidence of your own eyes about
25 operations at any other location?

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1 A. [14:43:00] The other attacks were at Abok.

2 Q. [14:43:10] Yes. I'm going to ask you then, if I may, some questions about the
3 attack at Abok. Was that an attack in which you personally took part?

4 A. [14:43:25] Yes, I did.

5 Q. [14:43:35] When we come to your own actions at Abok, I will again ask to go
6 into private session. But before that, would you tell us please who gave the orders
7 for an attack to be carried out at Abok?

8 A. [14:43:49] It was Dominic Ongwen who issued the orders.

9 Q. [14:44:00] Were you yourself physically present when he issued those orders?

10 A. [14:44:05] I went with my commander. When he selects people, commanders
11 are informed. So my commander was informed. I took his seat, his chair, and all
12 the people that had been selected were lined up. Dominic Ongwen addressed them
13 and instructs them as to what they're supposed to do and then people get up and
14 head out.

15 Q. [14:44:39] Thank you. That's very clear.

16 Two follow-up questions. Firstly, what were the orders on this occasion? What
17 was it that Dominic Ongwen told you, the attackers, that you should do?

18 A. [14:44:54] We were told to go and collect food; people, abduct people, and burn
19 down the camp, attack the barracks as well. If -- once the barracks is attacked and
20 the soldiers have fled, the barracks should be burnt down as well.

21 Q. [14:45:17] And apart from your commander, person number 2 as I understand it,
22 don't name him, can you name any other commanders who were present when
23 Dominic Ongwen was giving these orders?

24 A. [14:45:36] There were other commanders. There was Owor, there was
25 Odokonyero and other commanders as well. I cannot recall all their names.

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1 Q. [14:45:51] After the orders had been given, how many people set out to take part
2 in the attack on Abok?

3 A. [14:46:05] Maybe 30 or 40, not that many people went to Abok.

4 Q. [14:46:16] And perhaps you can help us by breaking down that number, 30 or 40,
5 into people who had guns or people who had other functions and tell us about the
6 ages of the people involved.

7 A. [14:46:43] You know, it's very difficult when you are in the bush to ask each and
8 every individual how old they are. When people have guns, they do not go there to
9 fight. You do not count people, you do not count one, two, three, four, five people.
10 You are among them so you are a part of it; so I do not count everybody.

11 Q. [14:47:12] I understand the pressure of the moment, if we can call it that.
12 Apart from the people with guns, were there other people who had other jobs on this
13 attack?

14 A. [14:47:27] There are other people who I mentioned earlier. For example, the
15 recruits, who hold things when we are going there because they have their own tasks.
16 Some of them blow whistles. Some of them hit jerrycans. Some of them make
17 noises. So each and every person has a task.

18 Q. [14:47:51] And are these recruits of the same sort of ages as you have described
19 before?

20 A. [14:48:01] 13, 14, 15, 16 as well.

21 Q. [14:48:15] Yes. Now, this is the third operation about which you've spoken.
22 You told us that the first was Odek and after that Lukodi. In a timeline, where does
23 Abok come, before or after Lukodi?

24 A. [14:48:35] Lukodi had already been attacked before we went to Abok.

25 Q. [14:48:46] Can you describe to us, please, I won't interrupt you, describe briefly

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1 how the attack took place?

2 PRESIDING JUDGE SCHMITT: [14:48:59] And please, for the moment, don't
3 mention what you did.

4 THE WITNESS: [14:49:03] (Interpretation) When we went, we got to a place, there
5 was a formation. You would see there was a road, and people crossed the road. It
6 was dusk at the time. There was gunfire and we -- on that day there was also a 12.
7 I think, no, there was no 12. So I believe Abongomek was not there on that day. So
8 we went, we went to the camp. They abducted people. The camp was also burnt.
9 And those are the things that I saw. I do not know if I mentioned anything else
10 previously that I've forgotten about on this occasion.

11 MR GUMPERT: [14:50:05]

12 Q. [14:50:05] Well, Mr Witness, I'm going to ask now that we go briefly into private
13 session.

14 PRESIDING JUDGE SCHMITT: [14:50:11] Private session.

15 (Private session at 2.50 p.m.) *(Reclassified partially in public)

16 (Private)

17 (Private)

18 (Private)

19 (Private)

20 (Private)

21 (Private)

22 (Private)

23 (Private)

24 (Private)

25 (Private)

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1 (Private)

2 (Private)

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10 (Private)

11 (Private)

12 (Private)

13 (Private)

14 (Private)

15 (Private)

16 (Private)

17 (Private)

18 (Private)

19 (Private)

20 (Private)

21 (Private)

22 What happened to the civilian dwellings at Odek, did they survive the attack or were
23 they damaged?

24 PRESIDING JUDGE SCHMITT: [14:53:15] At Abok.

25 MR GUMPERT: [14:53:16] I'm sorry. I'm very grateful.

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1 Q. [14:53:19] At Abok, this third attack, did they survive or were they damaged?

2 A. [14:53:28] My commander, number 2, set the houses alight. We left. I do not
3 know whether the people who were in the house died or whether they were able to
4 come out and flee. I do not know what happened afterwards.

5 (Private)

6 (Private)

7 (Private)

8 (Private)

9 (Private)

10 (Private)

11 (Private)

12 (Private)

13 PRESIDING JUDGE SCHMITT: [14:54:35] I think we can go back to open session

14 and, although he has sort of answered, perhaps you can come back to it.

15 Open session.

16 (Open session at 2.54 p.m.)

17 THE COURT OFFICER: [14:54:51] We are in open session, Mr President.

18 MR GUMPERT: [14:55:00]

19 Q. [14:55:01] Mr Witness, I'm asking you questions about events inside a house
20 when you were there with your commander, with person number 2. And I'm not
21 asking you to tell us anything which you did.

22 How many civilians approximately were there in this house?

23 A. [14:55:32] There were approximately, I do not know, but I'm guessing, maybe 10,
24 10 or more. There were quite a number of people in that house. I did not count
25 them.

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1 Q. [14:55:46] No. We understand that it's an estimate.

2 Now, you've spoken about an order which your commander gave and your actions
3 after that. I want to move on to the next thing that happened. Were any of the
4 civilians, the about 10 civilians, selected in particular to do something?

5 A. [14:56:16] They had selected one in particular to carry food, to take the food out
6 of the house. But the person refused to get up.

7 Q. [14:56:33] And you've told us what happened then. Eventually, did some of
8 these civilians carry food out from the house?

9 A. [14:56:46] Some of them refused to come out. Some of them did come out and
10 they did carry stuff. We left with them. But the people who stayed behind in the
11 house were set alight. So the house was set on fire with the people inside it.

12 Q. [14:57:09] Yes. That's what I want to ask you about. So some of the people in
13 the house came out carrying food. Who was it who set that house on fire with the
14 other people still inside?

15 A. [14:57:25] It was my commander, commander number 2.

16 Q. [14:57:35] What did he do to stop the people inside the house coming out when
17 it was burning?

18 A. [14:57:44] He bolted the door. He bolted the door, and the door was locked
19 from the outside.

20 Q. [14:58:02] After that hut had been set on fire in that way, do you remember
21 going to another hut?

22 A. [14:58:17] We left and went to another place.

23 Q. [14:58:22] Were there people inside that place? Were there civilians inside that
24 place?

25 A. [14:58:31] There were people, people in their houses, in houses, because when

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1 people heard gunfire, people would run into the houses.

2 Q. [14:58:43] Mr Witness, I'm trying to ask you to focus on a particular event.

3 Perhaps I can -- do you recall there being a goat with which -- or, do you remember a
4 goat being taken or involved in this attack?

5 A. [14:59:05] There was a goat that was tied outside the house and got burnt as
6 well.

7 Q. [14:59:15] Thank you. So that's the house I'm asking you about. Perhaps I can
8 ask you in order again. Who went to that house?

9 A. [14:59:31] It was a commander number 2, as well as myself.

10 Q. [14:59:36] Can you remember how many people were inside it?

11 A. [14:59:42] There were a number of people. I do not know the exact number of
12 people in the house, but there were quite a number of people.

13 Q. [14:59:53] Can you remember their -- well, I'm not really asking about their ages.
14 Were they grownups or were they children?

15 A. [15:00:04] It was a mixture of children and adults in that house.

16 Q. [15:00:12] And explain to us what you can remember happening which involved
17 a goat.

18 A. [15:00:22] The goat was outside the house, and people were in the house. And
19 the house was set on fire. Everything burnt down, including the goat.

20 Q. [15:00:40] Do you remember any events which took place at or close to the
21 school during the course of this attack?

22 A. [15:00:58] From that school I think we saw some dead bodies, but I do not recall.

23 MR GUMPERT: [15:01:17] If I may, I'm going to ask the witness to look at tab 22.

24 It's the last of the camp documents.

25 PRESIDING JUDGE SCHMITT: Yes, of course.

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1 MR GUMPERT: [15:01:26]

2 Q. [15:01:27] Mr Witness, in front of you in just a moment you will see a drawing,
3 and I'm going to wait until that appears and then I'll ask you some questions about it.
4 It's tab 22, your Honours. And the ERN is UGA-OTP-0263-2808.

5 PRESIDING JUDGE SCHMITT: [15:02:06] I think it's now displayed.

6 MR GUMPERT: [15:02:08] Yes. Yes, thank you.

7 Q. [15:02:12] Mr Witness, have you seen that drawing before today?

8 A. [15:02:20] I drew this picture.

9 Q. [15:02:28] Now again I'm going to ask you to concentrate, as I have done before,
10 on the markings in red. I can see two of them. One of them is on the right-hand
11 side. It's next to a drawing of what looks as though it might be a hut. There is a red
12 X and there's the word "burnt". Can you explain to the judges what happened at
13 that point which you've marked with a red X and that word?

14 A. [15:03:04] In this school, that's where I saw one person killed and there was a
15 dead body. Then where you see written "camp", that's where the camp was, and I
16 also saw another corpse there. That's what I talked about.

17 PRESIDING JUDGE SCHMITT: [15:03:30] I think he has also answered the first one
18 that you wanted to know, on the left side.

19 MR GUMPERT: [15:03:35] Indeed, that's what I was building up to. But it's all
20 happened rather more quickly and easily than I thought it might.

21 Q. [15:03:46] Who was it who shot the person near the school?

22 A. [15:03:52] The person who shot, who shot was my commander, person number
23 2.

24 Q. [15:04:07] And the person who was shot, the person who was hit by the bullet,
25 was that a UPDF soldier or a civilian, a man or a woman, a child or an adult?

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1 A. [15:04:24] It was, that person was a male adult. I saw it was dark, but it was a
2 male person. And then the one in the camp was also an adult person.

3 Q. [15:04:48] Staying with the man at the school, could you see what he was
4 wearing? Was it a uniform or civilian clothes?

5 A. [15:05:00] That person had a uniform.

6 Q. [15:05:12] And the person at the camp, the other red X mark that you have made,
7 what were they wearing?

8 A. [15:05:24] I think that person was putting on civilian clothings.

9 Q. [15:05:34] Thank you.

10 I want to ask you again about abductees, people who were taken captive during the
11 course of this attack on Abok. While you were near the school, did you see any
12 abductees?

13 A. [15:06:00] I saw some people who were abducted.

14 Q. [15:06:10] Apart from your commander, person number 2, did you see any other
15 commander with abductees near the school?

16 A. [15:06:23] I saw other commanders like Odokonyero was there. Because when
17 people have taken up their position, each one, each other soldier would be under the
18 command of his commander, so I did not see the others how they were.

19 MR GUMPERT: [15:07:09] May I refresh the witness's memory as to a name --

20 PRESIDING JUDGE SCHMITT: Yes.

21 MR GUMPERT: -- just a single name?

22 PRESIDING JUDGE SCHMITT: [15:07:13] Perhaps you can simply put the name to
23 him.

24 MR GUMPERT: [15:07:16] Yes.

25 PRESIDING JUDGE SCHMITT: [15:07:16] And that might accelerate things a

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1 little bit.

2 MR GUMPERT: [15:07:19] Yes.

3 Q. [15:07:20] Does the name Kidega ring a bell when you are thinking about
4 commanders who you saw at Abok?

5 A. [15:07:28] He was one of the rebels who was also there. He was referred to as
6 lapwony. He was also there.

7 Q. [15:07:45] So lapwony means he was a commander; do I understand correctly?

8 A. [15:07:50] Yes. He was part of the fighters.

9 Q. [15:07:58] Can we concentrate now on the abductees that you saw near the
10 school. Again, if you'd be so kind I would like you to try to remember and describe
11 their ages and their sexes; were they men or women? Were they adults or children?
12 And how young approximately the youngest one was.

13 A. [15:08:31] The youngest would range from 11 years old, 12. There were also
14 other older ones for 20 years and above, both men and women. I even saw adult
15 men.

16 Q. [15:08:56] Were there girls present?

17 A. [15:09:04] There were girls.

18 Q. [15:09:10] Can you remember what happened to some of these abducted girls
19 when they were taken away from their homes in Abok, where did they go to?

20 A. [15:09:27] These people were taken to the bush.

21 Q. [15:09:37] I understand that. Can you remember with more precision who it
22 was who was responsible for these girls after they were taken away from Abok?
23 Can you remember that?

24 A. [15:09:55] The commander who went there was Odokonyero, there was also
25 Okello Ladinge (phon) and there were other commanders. So I do not know of the

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1 commanders who was the overall commander there.

2 MR GUMPERT: [15:10:26] Your Honour, if I may, I'm going to ask to refresh the
3 witness's memory on this precise point.

4 PRESIDING JUDGE SCHMITT: [15:10:34] Yes.

5 MR GUMPERT: [15:10:34] I'm looking now at the transcript which is at tab 12 and
6 ERN is 0270-1116. And I'm going to remind the witness briefly of what he said on
7 page 1128 about girls taken from the attack at Abok. I'm going to read from line 412.

8 Q. [15:11:22] Mr Witness, you were asked about some girls whom you described to
9 the investigators as having been taken from Abok, girls of about 12 years old.

10 And you said this: "After we had finished, I saw they were taken to the home of
11 Dominic Ongwen. From there I don't know, maybe if they took them somewhere
12 else."

13 And then you said this: "... there's one LRA fighter who stays at Dominic's home
14 who is called Korea ... He came and got food that should be taken to his home. And
15 then those girls who I also saw, they took also along, he also went along with them.
16 He's always the one who comes and picks food and people who are going to be taken
17 to Dominic's home."

18 Does that refresh your memory about what happened to some of the girls whom you
19 saw abducted at Abok?

20 A. [15:12:43] I do recall.

21 Q. [15:12:50] And is what you described there that I've just read out what did
22 happen to them?

23 A. [15:12:59] That happened after the attack. We had returned back to the
24 position. So at the time of distribution, as I explained earlier, that's when Korea
25 came and picked those people from where we were. Some people were taken to

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1 Odokonyero, others were taken to Okwee's homestead and some other commanders
2 who I cannot now recall. Because they could pick two from here, in another place
3 they pick like four. It depends on how -- if there is need. If other points are lacking,
4 then next time they will be given. That's what I do recall.

5 Q. [15:13:53] And Korea, the person you've described, what was his function in
6 regard to Dominic Ongwen at this time?

7 A. [15:14:11] He was the chief escort to him and he was the one in charge of the
8 other people who were in Dominic's homestead.

9 Q. [15:14:31] Now, at this time you were still the escort to person number 2; is that
10 correct?

11 A. [15:14:38] Correct.

12 Q. [15:14:46] Did any of the abductees from Abok join person number 2's
13 household that you can remember?

14 A. [15:14:54] Some people were taken there.

15 Q. [15:15:06] Can you remember any names of boys who were taken to person
16 number 2's household, having been abducted at Abok?

17 A. [15:15:17] There were some boys who were abducted and taken there, but most
18 times they're transferred to the dog adaki where Odoki was. But I do not recall their
19 names, but they were taken to the dog adakis.

20 Q. [15:15:49] Mr Witness, I'm done with specific questions about Abok. I have a
21 few general questions and then I will have concluded my examination.

22 PRESIDING JUDGE SCHMITT: [15:16:08] And I think, Mr Cox, you will have
23 questions for the witness; is this correct?

24 MR COX: [15:16:12] Your Honour, actually, we have talked with Ms Massidda, and
25 they'll be doing questions.

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1 PRESIDING JUDGE SCHMITT: [15:16:18] Then, Mrs Massidda, of course the
2 question would be how many questions.

3 MS MASSIDDA: [15:16:24] Yes.

4 PRESIDING JUDGE SCHMITT: [15:16:25] Excuse me.

5 MS MASSIDDA: [15:16:26] Thank you, your Honour. I could easily guess that
6 question. Ms Walter will question the witness and it will take I think 20, 25 minutes
7 maximum.

8 PRESIDING JUDGE SCHMITT: [15:16:39] So this would mean of course that we --

9 MS MASSIDDA: [15:16:40] This afternoon.

10 PRESIDING JUDGE SCHMITT: [15:16:41] -- finish with the Prosecution and the
11 LRV today and then we'll have Mrs Bridgman tomorrow.

12 MS MASSIDDA: [15:16:48] Thank you, your Honour.

13 PRESIDING JUDGE SCHMITT: [15:16:49] Finishing tomorrow, Mrs Bridgman.
14 Yes.

15 Please continue, Mr Gumpert.

16 MR GUMPERT: [15:17:01] I'm grateful.

17 Q. [15:17:06] I want to ask you more generally firstly about commanders within the
18 Sinia group. On one of the diagrams you indicated who the various battalion
19 commanders were as far as you remembered. I'm going to put a name to you, if I
20 may, which appears in your interview. It's the name Cow, Odong Cow. Is that a
21 name which you recall from the time when you were in the bush?

22 A. [15:17:55] Yes, I saw him. He was with Lapwony Paicho. He was a
23 commander.

24 Q. [15:18:11] And can we be precise or more precise about the time. Is this during
25 the period that you've been describing when the attacks on Odek, Lukodi and Abok

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1 took place?

2 A. [15:18:33] Yes, I was seeing that commander at those times.

3 Q. [15:18:39] Thank you. In general terms, what was the policy of the unit
4 commanded by Dominic Ongwen, Sinia, towards civilians? What orders were given
5 about how civilians should be treated?

6 A. [15:19:05] The orders that were given about civilians, they would say civilians
7 should be abducted and if a civilian tried to run away, then they should see what to
8 do. But also they do not want you to escape. Most times when you have just been
9 abducted they perform some rituals. They put some shea butter oil on your
10 forehead, on your arm, so that when you try to escape that will confuse you and they
11 will again re-arrest you.

12 Q. [15:20:06] Were there particular things that civilians had which the LRA
13 wanted?

14 A. [15:20:22] The LRA wanted many things from the civilians.

15 Q. [15:20:32] Can you give us some examples of the things which civilians had and
16 the LRA wanted?

17 A. [15:20:43] For instance, food, including goats, chicken, cattle. They
18 would -- those ones they would take. But for sheep, pigs, those ones they do not eat
19 them, so they are not taken. There was no smoking, no drinking alcohol. That's
20 what happens.

21 Q. [15:21:14] What about things apart from food, were there any things apart from
22 food that civilians had that the LRA wanted?

23 A. [15:21:26] When they see that you have gumboots and they try to chase you and
24 you cannot, they cannot find you, they will shoot you. If you will resist giving them,
25 they will just shoot you if they try to chase you.

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1 Q. [15:21:52] Apart from food or other objects, what else would LRA fighters
2 demand that civilians do for them?

3 A. [15:22:29] The ones that I have talked about are the ones that I know. I do not
4 know what other things that they would want from the civilians. But yeah, they also
5 want that people should be abducted to help them in fighting, and also of course to
6 pick things like the jackets, like gumboots, just like I've mentioned.

7 Q. [15:22:47] Let me ask you more directly, did LRA fighters always know their
8 direction, the way they were travelling in the bush? And if they didn't, what would
9 they do about it?

10 A. [15:23:06] For that case, if they find you home they will abduct you and they will
11 ask you to show them direction. And if you do not show them the correct route,
12 then they could even shoot you because they say you are probably taking them to the
13 government soldiers.

14 Q. [15:23:34] Lastly, very briefly. You have told us about your abduction. Tell us
15 about your escape.

16 A. [15:23:53] During a time when we were in Sudan we were attacked. We were
17 with Dominic. Even Joseph Kony was there. And there was an attack in Sudan.
18 We spent about three to four days without eating because we were in the middle
19 intense attacks. Then one day we entered in an ambush of government soldiers. In
20 front there were soldiers. Even from behind, behind us there were soldiers. So we
21 separated. We were 12, and moved along with them. Then five of those remained
22 behind because their feet were swollen, their feet were swollen and they could not put
23 on gumboots, so they remained behind.

24 So we moved and crossed the border and came to the areas of Lukung, an area called
25 Aweno Olwii which is in Kitgum district. So when we reached that place, we

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1 stationed there. We went to a garden, uprooted cassava and started cooking.

2 Then as we were preparing food, they brought some commanders of Holy.

3 Okello Ladinge was there, and there was also Tabu came, and they ask us "Who are

4 you?" Then we responded "We are Holy people." And they ask "Which group are

5 you in?" Then we told them we were from Dominic Ongwen's group. We asked

6 them "What about you? Who are you?"

7 They also said they were from Dominic's group and then they asked us to join them.

8 So we joined them. And when we joined them we found Dominic was there. They

9 were roasting some meat. Then we found them and we also joined in the roasting.

10 I did not see Okwee there because we had already separated. I was, the next

11 morning, I was taken to an OP to see if there were soldiers coming.

12 So at that point I fell asleep and somehow I woke up suddenly and started walking

13 towards the road. When I reached the roadside I climbed up the tree to see if the

14 soldiers were coming. Then I could not see some soldiers. Then I came down. I

15 went and hid the gun which I had and started walking. Then the soldiers got me

16 and asked me to sit down. I sat down and they started asking me questions, where I

17 came from. I told them I come from Pader. They asked me if I came with a gun. I

18 told them no, I did not, because I feared that they would kill me. So they said "You

19 have to tell the truth."

20 They brought some gentleman called Oyet. He's from Pader. He told me "If you

21 tell the truth, you will not be killed."

22 Then there was a commander who came there who asked me to introduce myself,

23 where I come from. And I told them my name, my name (Redacted) I come

24 from (Redacted) in Pader district. She asked me about my mother. I told her my

25 mother is (Redacted) and my father (Redacted).

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1 PRESIDING JUDGE SCHMITT: [15:28:22] I think it's -- I think we should not go too
2 much into detail with the escape story. I think we have the main facts that we would
3 need we have on the record.

4 MR GUMPERT: [15:28:32] I'd enjoin the witness to deal with it very briefly. Of
5 course people have different conceptions of what brief is.

6 PRESIDING JUDGE SCHMITT: [15:28:40] No. Not only what we -- I think what is
7 a pattern is that the witnesses who have been in the bush, when it comes to their
8 escape the stories are very vivid, detailed. That's of course the importance for the
9 particular witnesses. And this is absolutely correct. But I think really in this
10 instance, I think we have enough information.

11 MR GUMPERT: [15:29:08]

12 Q. [15:29:08] Then I just have one last question: The year and the month when
13 you escaped?

14 A. [15:29:13] I escaped in 2004 in December.

15 Q. [15:29:28] Thank you very much, Mr Witness. Those are all the questions that I
16 have for you.

17 Thank you, your Honour.

18 PRESIDING JUDGE SCHMITT: [15:29:33] Thank you, Mr Gumpert.

19 And then I think it was Mrs Walter. Yes, Mrs Walter has the floor. I was not sure
20 because on the transcript it was absolutely not identifiable who it was, but in the
21 realtime -- Mr Cox is laughing because he has also seen it obviously.

22 So Mrs Walter, please.

23 MS WALTER: [15:30:03] Thank you, Mr President.

24 QUESTIONED BY MS WALTER:

25 Q. [15:30:07] Good afternoon, Mr Witness.

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1 A. [15:30:08] Good afternoon.

2 Q. [15:30:08] You may remember we met a couple of days ago during the courtesy
3 meeting?

4 A. [15:30:13] Yes, I do remember.

5 Q. [15:30:18] Thank you. I'm going to ask you a couple of questions on behalf of
6 the victims we represent in this case.

7 A. [15:30:31] Okay. Go ahead.

8 Q. [15:30:33] Thank you. Before coming to your abduction, I would like to start by
9 asking you to please briefly describe your life before your abduction.

10 A. [15:30:40] Before my abduction, there was education. People used to go to
11 schools. I would get up in the morning, take a bath and go to school. When I came
12 back in the evening, I would build a bonfire. On occasions in the evening I would go
13 hunting for rats. And sometimes I would make footballs out of things and would
14 play football.

15 Q. [15:31:16] Thank you. Thank you very much, Mr Witness.

16 PRESIDING JUDGE SCHMITT: [15:31:19] Mr Witness, when you say you would
17 make footballs out of things, out of which things did you make footballs?

18 THE WITNESS: [15:31:26] (Interpretation) We would collect clothes, for example,
19 tie them together in a bundle and then use that as a football.

20 PRESIDING JUDGE SCHMITT: [15:31:38] And how, how did you make it really
21 round that it really could function as a football?

22 THE WITNESS: [15:31:51] (Interpretation) You fold it, you make it into, you shape
23 it into a round shape and then, yeah, you make it into a ball.

24 PRESIDING JUDGE SCHMITT: [15:31:57] Thank you very much. Mrs Walter.

25 MS WALTER: [15:31:59] Thank you, Mr President.

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1 Q. [15:32:01] Thank you, Mr Witness. I will now ask you a few questions about
2 your time in captivity, please.

3 You mentioned that you were abducted with two of your brothers who later were
4 able to escape. My question is: While you were still in captivity, did you know
5 what had happened to them, whether they were still alive?

6 A. [15:32:29] You know, we were in different places, so I did not know exactly
7 what happened to them. But they are still alive at the moment.

8 Q. [15:32:45] I'm glad to hear that, Mr Witness.

9 Were you fearful about the fate of the rest of your family when you got abducted?

10 A. [15:32:56] I thought that if by the time I came back home my parents would be
11 dead. I thought they would have killed them already.

12 Q. [15:33:13] And could you share your fears with anybody while you were in the
13 LRA?

14 A. [15:33:19] Well, it's difficult. Yeah, you cannot ask anybody. You can't.

15 Q. [15:33:32] I understand very well, Mr Witness.

16 Now I'd like the Court to understand the living condition you had while you were in
17 the bush. Were you getting sufficient food and water, for instance?

18 A. [15:33:49] When we had just been abducted, there was water and food. It was
19 plenty. But between 2003 and 2004, life became extremely hard, and we did not
20 have sufficient food. If you wanted food, you had to go to the camps and fight.

21 Q. [15:34:15] Thank you, Mr Witness. What about, for instance, could you dress
22 sufficiently to avoid being cold?

23 A. [15:34:26] No. When we had just been abducted, yes, we did have clothing.
24 But between 2003/2004, we were wearing tattered clothes. We did not have
25 bedsheets on occasion to cover ourselves as well.

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1 Q. [15:34:48] What about the sleeping arrangements in fact?

2 A. [15:35:03] The commanders, yeah, did have beds. But for us, we just slept
3 anywhere we could rest our heads.

4 Q. [15:35:12] Thank you, Mr Witness.

5 Now, you mentioned that you were made to participate in attacks. At that time, and
6 please pardon my boldness, were you scared?

7 A. [15:35:26] Yes, I was scared.

8 Q. [15:35:34] Do you remember what you were thinking then?

9 A. [15:35:36] Because at the time I had never been involved in any battle, so I was
10 scared. I was scared of doing things that I had not previously done, like killing
11 people, beating people, burning houses. Those are things that I'd never done
12 previously in my life.

13 Q. [15:36:03] That's perfectly understandable, Mr Witness.

14 Now turning to the tasks you were given, were they difficult to carry out for you, as
15 you just started to mention? They were tasks you were not used to perform.

16 A. [15:36:21] It was very difficult. It was done under duress.

17 Q. [15:36:29] Thank you, Mr Witness.

18 Now in the course of these attacks, you mentioned seeing civilians being looted and
19 killed and houses being burned, adults and children being abducted. Was it hard for
20 you to witness all of this?

21 A. [15:36:51] Yes, it was very hard to witness all these things, killing people,
22 burning houses, abducting people from their homes and taking them to the bush.
23 That's not a good thing.

24 Q. [15:37:09] Thank you, Mr Witness. Indeed, this must have been very hard to
25 witness.

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1 Now, you also mentioned seeing some girls being abducted and forcibly distributed.

2 Once again, if I can ask you, how did that make you feel?

3 A. [15:37:27] Well, I saw this happening because the commander who is my
4 commander was the one who was usually in charge of distributing girls. They
5 would bring them to him because he was in the operations room, and he would
6 distribute them.

7 Q. [15:37:54] I understand, Mr Witness. I will now turn to the injuries you may
8 have sustained while you were in the bush. You mentioned this morning that you
9 were beaten sometimes and that you also got shot. How bad were those injuries?

10 A. [15:38:17] When we were fighting, there was a piece of shrapnel, a bomb
11 shrapnel that caught my side.

12 Q. [15:38:33] And could you, could you have these injuries treated while you were
13 there in the bush?

14 A. [15:38:43] Most times when somebody is injured they used shea butter. They
15 put shea butter on the, on the wounds.

16 Q. [15:38:53] And are you still suffering from these injuries nowadays?

17 A. [15:39:01] I have chest pains because of the heavy luggage that we carried when
18 we were going to Sudan. When you are going to Sudan, you have to carry food
19 yourself.

20 Q. [15:39:18] I appreciate that, Mr Witness.

21 I'm now turning to the last part of my questioning about your escape and your life
22 after you escaped.

23 In relation to the injuries you just mentioned, did it prevent you from living normally
24 or working, for instance, the pain you just mentioned in your chest?

25 A. [15:39:44] Sometimes it's painful. Sometimes it's okay. It does not stop me

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1 from going out, but it depends on the distance that I'm walking. If I'm walking long
2 distances, then it becomes a problem.

3 Q. [15:40:07] In relation to this injury, did you benefit from any type of assistance
4 after your return, medical assistance, that is?

5 A. [15:40:22] When I came back I went to -- I did not go to any hospital.

6 Q. [15:40:36] Thank you, Mr Witness. Now, when you managed to go back home,
7 could you reunite with your family?

8 A. [15:40:44] When I went back home, sometimes I was afraid because when you
9 see soldiers as well, you remember past events and think an attack could take place
10 immediately. When I hear any helicopters, I react. I want to run and hide because
11 it reminds me of my time in the bush and I always have -- I always think I'm still in
12 the bush, I have flashbacks. But now I'm okay, much better.

13 Q. [15:41:21] I'm glad you're feeling better, Mr Witness.

14 Now, did the experience you had in the bush made it more difficult to reconnect with
15 your family members?

16 A. [15:41:35] Sometimes I get nightmares. I think bad thoughts. And back home
17 there are certain traditional rituals that they perform so that these things do not
18 disturb you.

19 Q. [15:41:58] I understand. What about your community, were they able to
20 welcome you when you came back?

21 A. [15:42:08] Yeah, people will welcome you, but it's not so open. Sometimes
22 there is problems as well.

23 Q. [15:42:23] You mentioned problems. Are you referring to isolation or possible
24 stigmatisation maybe?

25 A. [15:42:33] Yes, sometimes there is stigmatisation. Sometimes people talk about

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1 you. They refer to you as Holy. If you go to a certain place, you have to be humble,
2 because if there is any indication of any chaos, they will say "Oh, you're behaving like
3 a Holy".

4 Q. [15:42:55] And did this stigmatisation affect your family as well?

5 A. [15:43:02] Yeah, they could tell my father, for example, if he's in any kind of
6 argument or anything is, "Oh, now you're behaving like your son".

7 Q. [15:43:19] And were you given any support in the process of reintegration?

8 A. [15:43:26] When I escaped, I was in World Vision in a place known as
9 Kicwe (phon) in Kitgum. When I was leaving, they gave me beddings and a blanket.
10 They also gave me clothes. And those are the things that I went back with.

11 Q. [15:43:47] Thank you, Mr Witness. Now, you mentioned that you were
12 attending school when you were abducted. Were you able to continue school once
13 you were back?

14 A. [15:43:59] I tried, I tried to go back to school, but it was difficult. I could not
15 cope. So I stopped.

16 Q. [15:44:10] May I ask you how many years of education you lost because of your
17 abduction?

18 A. [15:44:18] Two years.

19 Q. [15:44:26] And did you lose any further professional opportunities because of
20 that?

21 A. [15:44:32] My father was unable to get resources to pay my school fees any
22 more.

23 Q. [15:44:51] I'm sorry to hear that, Mr Witness.

24 How long did it take you to rebuild your life after you managed to come back home
25 with your family?

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1 A. [15:45:03] About a year, 2005, and then 2006, that's when I started getting used
2 to people and rebuilding my life.

3 Q. [15:45:23] And now turning to the present and, rather, the future. You
4 mentioned this mornings you had a wife and two children. How many people are
5 you in charge of?

6 A. [15:45:35] I have my wife and my children and my brother (Redacted) is also my
7 dependent and my younger -- and a sister known as (Redacted), she's also my dependent.

8 Q. [15:45:59] Thank you, Mr Witness. Without mentioning any further name
9 please, should it happen, how do you care for your family nowadays? Do you have
10 a job?

11 A. [15:46:14] Before I contracted TB, I was a farmer. I would farm sorghum and
12 sesame seeds. I would sell some of those things and use that to pay for their school
13 fees. But in 2016 I contracted TB and that has affected me. So now I'm only able to
14 farm on small scale.

15 Q. [15:46:47] For the sake of clarity, Mr Witness, does TB refer to tuberculosis?

16 A. [15:46:54] Yes, it does.

17 Q. [15:46:55] I'm sorry to hear you suffer from this.
18 Are you given some medicine to address that?

19 A. [15:47:09] Yes, I did get medication.

20 Q. [15:47:12] Very well. Now, if you remember, what did you want to become
21 before these events? What were your dreams?

22 A. [15:47:30] I wanted to attain my education and I aspired to become a doctor or a
23 business person. And maybe if I had become a doctor I would have been able to
24 construct my own house and pay my children, send them to school so that we could
25 have an easy life.

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1 Q. [15:47:52] Well, I certainly wish that it's something you can still do in the future,
2 Mr Witness.

3 So just to conclude the questioning, what are your wishes for the future?

4 A. [15:48:04] My future wishes are that if I attain some social strength or resources,
5 that I should be able to build a house, a stronger brick house, buy myself a bull for
6 ploughing, a plough bull, and have some sort of business so that I do not -- I have
7 resources, I have an income to be able to pay my children in school. Because if I
8 build a brick house with corrugated iron sheets, then I no longer live in a hut, which
9 is more likely to burn down easily.

10 Q. [15:48:46] Thank you very much, Mr Witness.

11 This concludes our questioning, Mr President.

12 Mr Witness, thank you for sharing what you went through with us.

13 PRESIDING JUDGE SCHMITT: [15:48:58] Thank you, Mrs Walter.

14 THE WITNESS: (Interpretation) Thank you too.

15 PRESIDING JUDGE SCHMITT: [15:49:02] Excuse me. Thank you, Mrs Walter.

16 Mrs Bridgman, we start tomorrow with your questioning at 9.30. You were not very
17 happy when I said that we expect that you will finish tomorrow, but this is, let me put
18 it this way, this is a mixture of expectation and hope. So we don't want to put you
19 under, under pressure in that respect.

20 Also another thing, more in general, but you will understand me, I leave it to your
21 professional sensibility if you have to address the issue that we addressed this
22 morning at the beginning of the session at all, and if you think it is necessary, how
23 you do this.

24 MR TAKU: [15:49:44] Your Honours, I just seek permission from -- to tell you so
25 you're aware, that tomorrow, probably Wednesday and Thursday, I may be

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1 committed somehow. I may come into the courtroom briefly, but I will be very

2 committed in some other important assignment, your Honours, yes.

3 PRESIDING JUDGE SCHMITT: [15:50:03] Thank you very much for informing us.

4 MR TAKU: [15:50:06] Yes.

5 PRESIDING JUDGE SCHMITT: [15:50:06] So Mrs Bridgman, did you want to say

6 something? I don't think so. No.

7 So then we interrupt for today and we continue tomorrow at 9.30.

8 THE COURT OFFICER: [15:50:16] All rise.

9 (The hearing ends in open session at 3.50 p.m.)

10 RECLASSIFICATION REPORT

11 Pursuant to the Trial Chamber' IX's instructions, ICC-02/04-01/15-497, dated 13 July

12 2016, the public reclassified and lesser redacted version of this transcript is filed in the

13 case.