

Trial Hearing
WITNESS: UGA-D26-P-0138

(Open Session)

ICC-02/04-01/15

1 International Criminal Court
2 Trial Chamber IX
3 Situation: Republic of Uganda
4 In the case of The Prosecutor v. Dominic Ongwen - ICC-02/04-01/15
5 Presiding Judge Bertram Schmitt, Judge Péter Kovács and Judge Raul Cano
6 Pangalangan
7 Trial Hearing - Courtroom 3
8 Monday, 30 September 2019
9 (The hearing starts in open session at 9.31 a.m.)
10 THE COURT USHER: [9:31:53] All rise.
11 The International Criminal Court is now in session.
12 Please be seated.
13 PRESIDING JUDGE SCHMITT: [9:32:10] Good morning, everyone. Could the
14 court officer please call the case.
15 WITNESS: UGA-D26-P-0138
16 (The witness speaks English)
17 THE WITNESS: [9:32:24] Good morning, Mr President.
18 THE COURT OFFICER: [9:32:27] Good morning, Mr President, your Honours.
19 The situation in the Republic of Uganda, in the case of The Prosecutor versus Dominic
20 Ongwen, case reference ICC-02/04-01/15.
21 And for the record, we are in open session.
22 PRESIDING JUDGE SCHMITT: [9:32:39] Thank you.
23 And for Mr Gumpert, first, for the presence of the Prosecution.
24 MR GUMPERT: [9:32:45] Good morning, your Honours, Ben Gumpert. With me
25 today, Sanyu Ndagire and Grace Goh.

1 PRESIDING JUDGE SCHMITT: [9:32:50] Thank you.

2 Mr Narantsetseg, the representatives of the victims.

3 MR NARANTSETSEG: [9:32:54] Good morning, Mr President, your Honours. For
4 the Common Legal Representatives, myself Orchlon Narantsetseg. With me, Ms
5 Caroline Walter. Thank you.

6 PRESIDING JUDGE SCHMITT: [9:33:01] Mr Sehmi.

7 MS SEHMI: [9:33:02] Good morning, Mr President, your Honours. Today in Court,
8 Anushka Sehmi and James Mawira.

9 PRESIDING JUDGE SCHMITT: [9:33:07] And Mr Obhof.

10 MR OBHOF: [9:33:08] I bet it was really easy to find out today. Good morning,
11 your Honours. Today we have Dominic Ongwen in court and myself,
12 Thomas Obhof.

13 PRESIDING JUDGE SCHMITT: [9:33:17] Thank you, Mr Obhof.

14 And of course most importantly we have the next witness here in the courtroom.

15 This is the Defence calling D-138 and it's Ooja Justine Edeku.

16 Good morning, Mr Edeku. On behalf of the Chamber, I would like to welcome you.

17 THE WITNESS: [9:33:38] Thank you, good morning, Mr President. I thank you for
18 welcoming me.

19 PRESIDING JUDGE SCHMITT: [9:33:44] Mr Witness, there should be a card in front
20 of you with a solemn undertaking. Would you please be so kind to read it out loud.

21 THE WITNESS: [9:33:52] Thank you, Mr President.

22 Solemn undertaking: I solemnly declare that I will speak the truth, the whole truth
23 and nothing but the truth.

24 PRESIDING JUDGE SCHMITT: [9:33:58] Thank you, Mr Witness. You have now
25 been sworn in.

1 There is a short practical matter before we start, everything we say here is written
2 down and interpreted and to allow for the interpretation, we have to speak at
3 a relatively slow pace.

4 That is all for these preliminaries and the Defence, Mr Obhof, has now the floor.

5 THE WITNESS: [9:34:29] Thank you, Mr President.

6 MR OBHOF: [9:34:35] Thank you, your Honour.

7 QUESTIONED BY MR OBHOF:

8 Q. [9:34:37] Good morning, Justine.

9 A. [9:34:38] Morning.

10 Q. [9:34:38] Could you please state your current legal name to the Court.

11 A. [9:34:43] I am called Ooja Justine Edeku. Those are my names.

12 Q. [9:34:51] Have you ever been known by any other names?

13 A. [9:34:56] No. Those are my names.

14 Q. [9:35:01] When and where were you born?

15 A. [9:35:05] I was born on 2 February 1969.

16 Q. [9:35:13] And where were you born?

17 A. [9:35:15] I was born in Uganda in a place called Akisim Cell 4.

18 Q. [9:35:25] What nationality and ethnicity are you?

19 A. [9:35:29] I'm Atesot by tribe.

20 Q. [9:35:31] And what do you do for a living?

21 A. [9:35:36] I am a businessman. I also have an orchard. I am a Gombolola
22 internal security officer. I'm chairman, LC2 of my parish.

23 Q. [9:36:02] In relation to the Gombolola internal security officer, what does that
24 entail?

25 A. [9:36:11] It clearly entails that I am responsible for the security, peace and the

1 tranquillity of my country and my place where I come from.

2 Q. [9:36:30] And how long have you been working as a Gombolola internal security
3 officer?

4 A. [9:36:42] I was appointed in 2004, up to date.

5 Q. [9:36:48] Mr Witness, what was the Teso subregion like during the mid-to-late
6 1980s?

7 A. [9:37:08] Teso subregion was like when the Obote II regime was overthrown in
8 1986. It so happened that the soldiers of the Obote regime who ran to their villages
9 and because of the fear they had, they -- and they feared the coming government of
10 the NRA, of His Excellency Yoweri Kaguta Museveni. And those soldiers were
11 forced to enter the bush and mobilise the masses to join them in the bush in fighting
12 against the NRA government, which overthrew -- overthrew the government of
13 Obote II.

14 It so happened that most of the people were taken to the bush, even the youth, small
15 children recruited as child soldiers and at that time, there was a rebellion in Teso,
16 Lango and Acholi. It also happened that when the religious leaders came in to
17 sensitize the people, the danger about to fighting government and whatever was
18 happening, most of them were given amnesty. They surrendered, they came out,
19 but most of the people were killed by the army of the ruling government because of
20 all that insurgency at that time. Some came out, some feared because of their lives
21 they remained, but that the war ended around '91, '92, the war was over in Teso.
22 But it continued in Acholi, where we also had the Lakwena rebellion under the
23 command of Alice Lakwena who happened to be the auntie of the LRA Commander
24 Kony. At first, Kony was in Teso fighting together with the UPA rebels, but
25 he -- what -- he made some atrocities by cutting the lips off people in Serere, where

1 one of the commanders, honourable Omax Omeda, who was the commander
2 of Serere in Teso, and he was Atesot by ethnicity tribe, when he learnt about that,
3 Kony escaped at night from Teso, through Lango and went to Acholi and he joined
4 the -- the -- Auntie Lakwena, his auntie, and they started the Holy Spirit Movement
5 fighting the government.

6 By that time, the war in Teso got over after the -- when the mobilisation of the
7 religious leaders came in, but it continued from there. Alice Lakwena came again
8 back to Teso, fighting and ended up in Jinja where she was defeated by the NRM
9 government soldiers.

10 But Kony did not come back because of the fear of the atrocities he committed in Teso.

11 By -- by then, Dominic Ongwen was not there. I remember that time it was Kony
12 with the other commanders who most of them have been killed and they started now
13 their -- their LRA, Lord's Resistance Army rebellion in Acholi, which spread all over
14 Lango. But most of the Langis also surrendered to government and that war ended
15 there, but it continued in Acholi for over 17 years.

16 What Kony used to do was to abduct children, force them to become child soldiers,
17 recruit them. Their group could arrest -- kidnap children, give those children to kill
18 their own parents, rape their own sisters, beat them in a brutal way, hack them, kill
19 them.

20 Now when that child is taken to join them, will be doing all bad things knowing for
21 sure he or she has lost his or her parents.

22 But nevertheless nobody was willing to join Kony, including Dominic Ongwen who
23 was recruited as a child soldier. Some of these people they were just forced to join,
24 not willingly, they arrest them.

25 PRESIDING JUDGE SCHMITT: [9:42:22] Thank you for the moment.

1 MR OBHOF: [9:42:23] You've answered a lot of my questions.

2 PRESIDING JUDGE SCHMITT: [9:42:24] Yes, you have already answered a lot of
3 questions that have not been asked by Mr Obhof. But it's good, it's good. It's okay.

4 MR OBHOF: [9:42:31] It is, it's very good.

5 Q. [9:42:34] Just one follow-up question on the rebellion in Teso. You mentioned
6 the UPA, could you please state what the UPA was?

7 A. [9:42:45] The UPA was the Uganda People's Army under the command of the
8 former Hitler Eregu in Teso, the special force commander of Obote II, who at one time
9 was commanding the forces in Luwero during the Obote II regime when Museveni
10 was in the bush fighting the UNLA government in around the '80s, before he
11 overthrew the government.

12 And when those people were defeat -- when Museveni defeated the -- the UNLAs, it
13 so happened that the rebels whom at one time were -- who -- who got information he
14 had injured Museveni in the bush, was about to kill him and Museveni had injuries in
15 his legs when he was in the bush by Commander Eregu Hitler. And it so happened
16 that he feared to come out of the bush, and he formed a rebellion in Teso, which he
17 actually made people of Teso to suffer, and he took off through Moroto, up to Kenya,
18 Giligili. And he left some of the civilian child soldiers whom he was -- he had
19 recruited, took off and they came back to -- those soldiers came back -- those children
20 came back to Uganda through Moroto and most of them were killed by the
21 Karamojong cattle rustlers and warriors, and some of them who managed to arrive in
22 Teso surrendered, and that one brought to an end of the war of the UPA in Uganda.

23 PRESIDING JUDGE SCHMITT: [9:44:29] Thank you.

24 Mr Obhof, I think you can now go straightaway to Teso --

25 MR OBHOF: [9:44:30] Yes.

1 PRESIDING JUDGE SCHMITT: [9:44:30] -- 2003.

2 MR OBHOF: [9:44:36] Yes, exactly.

3 Q. [9:44:39] As the Judge just mentioned, Justine, could you tell the Court what
4 happened in Teso during 2003?

5 A. [9:44:50] Thank you, Mr President. In 2003, LRA invaded Teso through
6 Alebtong, entered Obalanga and settled in a place called Aridai, one of the famous
7 villages in Teso, in Obalanga. That was in Amuria district by then, now separated to
8 be Kapelebyong district because they have created a new district now there.

9 It so happened that when they came, the information was spread all over and we got
10 the information through the people who were taking off, who were running. And
11 they attacked, their first attack in Teso by the LRA under the command of Charles
12 Tabuley, Tabuley, Opio, Lieutenant Nono and some other commanders whom we
13 managed later on to put them out of action.

14 When the government came in, they -- first of all, before that, they attacked Obalanga
15 very early in the morning, after settling in Aridai, and killed a number of people and
16 burnt their houses, kidnapped so many children, women, raped, looted property,
17 took cows and so many things, and hacked many people in Obalanga.

18 I remember when the -- that attack happened, it was spread all over through the local
19 FM news radio scene in Teso, and it so happened that in the district where I am,
20 Soroti, where it so happens we also have the flying school and the military barracks
21 and the presidential lodge, the matter reached and the RDC, resident district
22 commissioner of Soroti, by then, Peter Mwasiga (phon), the late, communicated to
23 Kampala, called for a security meeting immediately in Soroti district.

24 I happened to attend that meeting, personally attended it and there were no soldiers
25 in the town, there were very few. In Soroti flying school we had only a section of

1 soldiers, 11 soldiers. In the military barracks, we had one battalion of soldiers,

2 one -- one platoon, sorry, one platoon of soldiers, 30, 35, and they could not be able to

3 contain the -- the force of the rebels.

4 So the RDC, the resident district commissioner by then, called a meeting very fast and

5 we attended that meeting and communicated to his excellency, the president of the

6 Republic of Uganda, that is none other than His Excellency Yoweri Kaguta Museveni,

7 who actually replied when -- in their communication, and the RDC came and met us

8 and said the president has directed him to mobilise the reserve forces and the former

9 UPA rebels and the cadres.

10 When I talk about the cadres, those are people who have been trained in the National

11 Leadership Institute. They can be trained like in three weeks -- in one month, three

12 months they are knowledgeable of what -- knowledgeable of the gun and they're

13 ready to defend any attack or any aggression in the country, that is under the article

14 17 of the constitution of the Republic of Uganda. It empowers the citizens of the

15 country to defend their country in case of any attack or in case of any -- any war.

16 So the president then directed most of us and the -- by then, the RDC of Kasese, being

17 born of Teso, by names Musa Ecweru, who came back home from Kasese to help in

18 mobilization because he was a former rebel of the UPA who surrendered and

19 was given amnesty.

20 And then Omax Omeda, the former UPA rebel, who was given amnesty and one time

21 was a minister of works -- state for works and also a minister of state for health and

22 one -- and who -- who became RDC, Gulu, Soroti, Amuria until he was retired, all to

23 carry out mobilisation for the cadres and the reserve forces very fast to contain and

24 curtail the subversive activities of the LRA presence in Teso.

25 PRESIDING JUDGE SCHMITT: [9:49:34] Mr Witness, what was your role in the

1 process?

2 THE WITNESS: [9:49:37] My role in the process, I was -- were charged as a cadre,
3 I'm a cadre 31, trained from NALI. My role was mobilising the former cadres and
4 the former UPA veterans and the UNLA and also government veterans who had
5 retired to help in the situation because there was massive killing by then and people
6 were not happy. From morning up to this time, you will find that the LRAs would
7 have killed more than 100 people and the situation was tense.

8 So we had to mobilise and make sure that we get support from the energetic youth.

9 Since we knew the terrain, the terrain of the area and the location of where the rebels
10 could be, we would help direct the soldiers and also fight.

11 So government gave out guns to all of us, including me, including me were armed,
12 and we were given -- those ones who were not trained were taken to Serere for one
13 week's training for those veterans to rehearsal, for rehearsal.

14 Then those ones who were not knowledgeable of the -- of guns and fighting
15 military -- military, they were trained for one month, some were three weeks,
16 depending on the sharpness of one and they would take you to the battlefield and
17 front line and they also see how to curtail the subversive activities of the LRA. And
18 that was by then, by then commanded by the UPDF.

19 Every unit of the Arrow, and those people were called Arrow Boys, they were not
20 using arrows as such, but they were using guns, that was their nickname given to the
21 civilians and the cadres and the veterans who were mobilised. They used to call
22 them Arrow Boys, but they were armed with guns, AK-47 rifles and the other
23 machinery, weapons of the government. So ...

24 PRESIDING JUDGE SCHMITT: [9:51:45] Was it successful? Were these formations,
25 these cadres successful in the end?

1 THE WITNESS: [9:51:52] Yeah, they were successful, Mr President. It so happened
2 that I personally, I was in the one that day -- one night deployed in one of the
3 detachments in Odudui, of which whereby the LRA came at dawn and attacked us. I
4 was one of the commanders and it so happened that when they attacked us, we had
5 a fight with them and we managed to put out of action one of the commanders of the
6 LRA called Opio, was a very notorious commander, a very notorious, and we
7 managed to put him out of action.

8 We also managed to put one of the commanders called Lieutenant Nono, under my
9 command, I remember with the help of the UPDF. And we also managed to in
10 the -- within the shortest time possible, one week after that one, we managed to put
11 out the overall commander of the LRA who was sent to Teso, that was Charles
12 Tabuley, in Anyara. It was a very dangerous, fierce battle and we managed to put
13 him out of action by the Arrow Boys of which the rebels, the -- the UPDFs, even they
14 feared to -- to the enforcers. That's why we even lost some of our Arrow Boys there,
15 the gallant fighters of Teso.

16 But I remember very well in that information there I've given you, Dominic Ongwen
17 who -- did not come to Teso. The only person who came to Teso, according to our
18 intelligence sources, was Vincent Otti.

19 Vincent Otti came to Teso after Tabuley and Opio and Nono and other commanders
20 had established themselves in the first arrival and on -- Vincent Otti close to Katakwi
21 district through -- through water. When he crossed there, we got the information
22 and there was a helicopter, a helicopter gunship and also the reinforcement of the
23 Arrows. I remember we picked as commanders of the Arrows and the UPDF,
24 we waylaid them when they are coming back from -- because it was one -- one route.

25 It was a very tense, fierce battle and we injured Otti. Otti Vincent was injured on the

1 leg, but we failed to abduct -- to get him because they were -- they were very armed.
2 They were really very armed. They -- they overpowered us, but we asked for
3 reinforcement. That's why Otti survived. Otherwise, we would have put Otti out
4 of action that day. But we injured him.

5 PRESIDING JUDGE SCHMITT: [9:54:45] Thank you.

6 Mr Obhof, rarely is your work so much done by the witness, to put it this way.

7 MR OBHOF: [9:54:49] The witness can speak very well, he's very eloquent.

8 PRESIDING JUDGE SCHMITT: [9:54:52] There is really not a lot left, but we have
9 to say this is remarkable.

10 MR OBHOF: [9:54:59]

11 Q. [9:55:01] Justine, a few follow-up questions. What were the -- or what was the
12 age bracket in which the government and the local persons recruited for the Arrow
13 Boys?

14 A. [9:55:16] The age bracket for the recruitment of the Arrow Boys was 18 years
15 and above. As per the constitution of the Republic of Uganda, it doesn't allow to
16 recruit child soldiers below 18. So there were even many and the number of the
17 Arrow Boys recruited were 10,600 Arrow Boys. That were -- that is including the
18 cadres, the reserve force, the former UPA fighters and the -- the ones who were
19 voluntarily joining because of what is -- what was happening, the situation at the
20 moment were, those are the ones who took actually the government to recruit them
21 for one month. But the ones who already were knowledgeable of the gun and
22 the -- they only went for refreshment was only one week. Like some of us who -- we
23 didn't even go for refreshment because we're already well trained and we know what
24 it means.

25 Q. [9:56:13] Can you describe the uniforms in which the Arrow Boys wore?

1 A. [9:56:19] Thank you very much, Mr President. The uniforms which the Arrow
2 Boys were putting on was plain green, different from the UPDF for purposes of
3 identity. But also when the war proceeded, at times they could mix for camouflage,
4 could mix, because once the enemy got to know the uniform of the Arrow Boys, so
5 they could really know that the Arrow Boys did not have support weapons at times,
6 they would realise that you -- you realise that when they get to know that you're
7 putting on a plain uniform, they would come with their heavy weaponry, like the G2s,
8 rocket-propelling guns, so many which they had. So for us, when we camouflage
9 and mix up, they fear because they know that it is the government troops.
10 But now what happened, we -- we actually devised a method of deployment and the
11 method of deployment was that every platoon of the Arrow Boys was commanded by
12 the UPDF officer, and also most of the Arrow Boys, when you are going to the field,
13 battle, they would mix up the uniforms so that to confuse the enemy and we
14 succeeded.

15 And we would go and lay ambushes, permanent ambushes in some places. Like in
16 a place like this one, we had the communication gadgets, you would go and lay an
17 ambush or even finish it three or four days without leaving that place, everywhere
18 ambushes with the communication and the food packed in our bags.

19 So that's how we managed to eliminate the LRA rebels in Teso within the shortest
20 time possible and they -- they got finished and they took off, the remnants took off.

21 Q. [9:58:13] Now what were the terms of remuneration?

22 A. [9:58:16] The terms of remuneration, they were paying Arrow Boys 60,000
23 shillings per month, but to my disappointment most of the Arrow Boys were -- did
24 not get their pay because of the bureaucracy of the UPDF soldiers who were given to
25 be their commanders. They could adapt the money of the Arrow Boys. And also the

1 president, his excellency, the president of the Republic of Uganda, General
2 Yoweri Kaguta Museveni, had given Arrow Boys morale, that he would give each
3 Arrow Boy at the end of the war iron sheets and some money to purchase cement and
4 to buy bricks to construct their houses. And he gave morale to Arrow Boys, but
5 after the war, up to now - to my disappointment - the government of Uganda has not
6 bothered to take care of the Arrow Boys, the pledge which was pledged by the
7 government by giving them the iron sheets, cement and some packing. So some of
8 them are disappointed up to now, they are not very happy. But some of them were
9 made to join the UPDF, asked to LDU, but some just remained at home. And some
10 have died, those ones injured (indiscernible), those ones even who died in the
11 battlefield have not been compensated up to now. So there is that tense, you know,
12 unhappiness in the -- the Arrow Boys.

13 Q. [9:59:36] When the Arrow Boy units were made, when they had their own
14 companies and battalions, where did the Arrow Boys live?

15 A. [9:59:48] Arrow Boys were living in the same detachments and the barracks with the
16 other soldiers, but most of the Arrow Boys were deployed to guard the civilians in the
17 camps. You know, we opened the camps for the safety of the civilians and their
18 property. Well, much as it is the responsibility of the government of the Republic of
19 Uganda by the constitution to keep the lives, property of the people, government
20 failed to actually keep the lives and property of the people. That's why you find that
21 most of the children were kidnapped and recruited in the rebel ranks. And like the
22 accused, I'm sure he was -- was abducted when he was young, not willingly, and I
23 don't blame him for that because it was a forceful thing, to force him to go and join
24 the -- the rebel ranks and for the safety of his life. He was there and whatever he
25 was doing was not because he wanted it, but he wanted to be, you know, safe and

1 maybe he saves his life as an innocent ignorant person who was recruited as a child
2 soldier.

3 So you find that the -- that's why when government was recruiting, it was by that of
4 the age bracket. For us, we were recruiting Arrow Boys at the age of 18 and above,
5 not below 18 because it is unconstitutional for the Republic of Uganda.

6 Q. [10:01:28] Around what time was it when the LRA was completely flushed out
7 of Teso?

8 A. [10:01:35] Mr President, LRA invaded Teso in June 2003, and that war did not
9 last for long, it lasted for four months. By the six -- five, six months, they were
10 completely flushed out of Teso. By 2004, Teso was clean because there was no
11 remnants. They didn't have enough intelligence and support in Teso. They
12 abducted most of our children. They also abducted most of the women. They
13 raped. They killed. I personally, I lost two of my family members. I lost my -- my
14 uncle called Aeru (phon) who was killed very early in the morning when he was
15 going to his garden with a hoe. He was hacked and killed in a brutal manner. One
16 of the sons of my brother, called Odeke (phon), the young boy, school-going age who
17 was in primary 6, very early in the morning, the same morning, who was actually
18 killed and it so happened that I felt a bit disturbed. As one of the Arrow
19 commanders, I went to -- we went and buried them. I remember that day I was not
20 myself. The reinforcement of the army, Arrows and the UPDF, together with the
21 heavy weaponry, together with one of the commanders of the UPDF, by then chief of
22 staff Lakara, we joined hands and we went and got the dead bodies. And with the
23 help of the helicopter, they were able to be flushed, to leave the dead bodies and they
24 allowed us to bury. I buried my dear ones at a late hour and I feel a bit touched.
25 But we flushed them. We flushed them. Mr President, give me two minutes.

1 PRESIDING JUDGE SCHMITT: [10:03:35] Of course, Mr Witness. This is
2 absolutely understandable and it must be very difficult when the memory comes back.
3 And these things never leave a person.

4 Do you need a longer break? Or you can tell us when you can continue.

5 THE WITNESS: [10:04:00] No. Let's proceed.

6 PRESIDING JUDGE SCHMITT: [10:04:02] Okay. Thank you, Mr Witness.
7 Mr Obhof.

8 THE WITNESS: [10:04:03] Mr President, let's proceed.

9 MR OBHOF: [10:04:07] I only have one final question because you have, you have
10 spoken so eloquently and there has been little need to ask many questions because
11 you have narrated much of what happened.

12 Considering your position when you were appointed in 2004 to GISO, what were the
13 differences - if you were able to identify any - between the way the Arrow Boys were
14 set up and were able to flush out the LRA so quickly and with the Amuka and LDU,
15 which were in Lango and in Acholi, what were the differences? What made the
16 Arrow Boys so much more successful?

17 A. [10:04:51] Thank you very much, Mr President. What made us the Arrow Boys
18 very much successful, we were united and we were determined to have peace and
19 freedom in our territory. Because without peace, we could not proceed and we
20 could not do anything beneficial and developmental in our area. So we had to make
21 sure that with or without the support of any other foreign country, under article 17 of
22 the constitution of the Republic of Uganda, which mandates us to defend any
23 aggression within our locality and to rise up and to defend our people, as they were
24 being killed innocently and arrested and raped and taking their property, so our unity
25 and courage and also our faith as Christians to God, children of God, we united and

1 we managed to make sure that LRA was flushed and most of the commanders who
2 had entered Teso, all were put out of action, as I named them before. Most of them
3 we managed to put them out of action because they didn't know the terrain, the
4 location, the geography of the area and we knew better and we could communicate,
5 we had the communication gadgets and we managed to put them out of action
6 because of the unity and peace that we wanted. Thank you.

7 Q. [10:06:22] Thank you, Justine.

8 MR OBHOF: Your Honour, that would do it for the Defence for right now.

9 PRESIDING JUDGE SCHMITT: [10:06:24] Okay.

10 Mr Gumpert, any questions?

11 MR GUMPERT: [10:06:27] None, your Honour.

12 PRESIDING JUDGE SCHMITT: [10:06:29] From the representatives of the victims,
13 Mr Narantsetseg.

14 MR NARANTSETSEG: [10:06:32] No questions. Thank you.

15 PRESIDING JUDGE SCHMITT: [10:06:35] Ms Sehmi.

16 MS SEHMI: [10:06:36] Your Honour, just a couple of questions.

17 PRESIDING JUDGE SCHMITT: Yes, please.

18 QUESTIONED BY MS SEHMI:

19 Q. [10:06:39] Good morning, Mr Witness. My name is Anushka Sehmi and I'm
20 going to ask you a few questions on behalf of the victims participating in this case.

21 A. [10:06:50] You're welcome, Mr President.

22 Q. [10:06:51] Mr Witness, you mentioned the establishment of camps in Teso, could
23 you tell the Court whether people moved to these camps voluntarily?

24 A. [10:07:03] Yes. Thank you, Mr President, with that question. People moved
25 to the camps voluntarily because of the -- the safety of themselves and they knew the

1 people who were guarding them in these camps were their -- their children, sons of
2 the area, boys of the area who could secure them peacefully and give them the
3 security and who could curtail the subversive activities of the enemy, which is the
4 LRA, and everybody moved to the camp voluntarily.

5 Q. [10:07:42] And Mr Witness, could you describe what the living conditions were
6 like in these camps?

7 A. [10:07:48] They were tense because there was no freedom in the camp. You
8 know, in the camp you don't live like you are living in your home. You know, when
9 you are living in your home everything you get free -- freely at any time, any time
10 you want. But in the camp you have to seek for permission or you have to be
11 escorted even outside to get firewood. You have to be given water. You have to be
12 supplied with food, posho, beans, and the diet was not proper because of that
13 insecurity and insurgency, and people were very many and the government could not
14 manage to feed all these people effectively as they have been eating in their homes.
15 So there was a lot of, you know -- and also there was a violation of human rights.
16 You would find that at times the soldiers could you know rape also or lure, lure the
17 young girls, that is defiling. Because of the poverty level, you know, they didn't
18 have money, they could lure young girls and even propose women to sex and infect
19 them with HIV/AIDS, also infect them with gonorrhoea, other diseases like UTI and
20 the rest of it, it became too much to other people, unlike those days when people were
21 free and the treatment and the medication. The NGOS tried to come in, but they
22 could not contain the situation because of the number of the influx of the IDPs.

23 Q. [10:09:19] Thank you, Mr Witness. And were children able to go to school
24 while they were living in the camps?

25 A. [10:09:24] Well, Mr President, they were -- not all of them were able to go to

1 school. Okay, we tried to create the IDP schools within the camps, but the -- the
2 studying was not proper in the education there, because most of the time you could
3 hear gunshots, killings. The child is in the class, he hears that one of his relatives or,
4 you know, a neighbour or friend has been killed or has been injured, and there was
5 no proper education by then. And even those ones who were managing education
6 had to shift their children to far schools.

7 I, for one, I want to give you an example. I shifted one of my child, the daughter,
8 who is now pursuing a bachelor's in comprehensive nursing and midwifery in Lira
9 government university, to one of the schools in Mukono, Stella Maris Nsube, in P-1
10 when she was very young. But thank God I was able to -- to finance the payment.
11 It was a Catholic-funded school and it so happened that one of the reverend fathers
12 helped me to take, Father Michael Corcoran by then, and I had to pay only transport
13 and some upkeep there as we were continuing to fight because this was my -- one of
14 my girls who was very bright and I could not leave her just to stay at home. But
15 they could not manage the schooling at -- no, where the war was because there was a
16 tense, fierce battle fighting in -- within the area.

17 Q. [10:10:48] Thank you, Mr Witness.

18 MS SEHMI: Your Honour, I have no further questions.

19 PRESIDING JUDGE SCHMITT: [10:10:53] Mr Obhof, also no further questions, I
20 assume?

21 MR OBHOF: [10:10:54] Yes.

22 PRESIDING JUDGE SCHMITT: [10:10:55] Mr Edeku, this concludes your testimony.
23 On behalf of the Chamber, I would like to thank you that you came to this Court to
24 help us establish the truth. We wish you a safe trip back home.

25 THE WITNESS: Thank you very much, Mr President.

Trial Hearing
WITNESS: UGA-D26-P-0138

(Open Session)

ICC-02/04-01/15

1 (The witness is excused)

2 PRESIDING JUDGE SCHMITT: [10:11:09] This also concludes the hearing for today.

3 We continue in two weeks on Monday 14 October, 9.30, let me word it this way,

4 possibly with D-36 or not?

5 MR OBHOF: [10:11:22] I am meeting with the Office of the Prosecutor about this

6 within the next day about trying to arrange everything to fit nicely in the schedule,

7 your Honour.

8 PRESIDING JUDGE SCHMITT: [10:11:29] Okay. Then we meet again in two

9 weeks at 9.30.

10 THE COURT USHER: [10:11:33] All rise.

11 (The hearing ends in open session at 10.11 p.m.)

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