

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, 23 September 2019
9 (The hearing starts in open session at 9.32 a.m.)
10 THE COURT USHER: [9:32:53] All rise.
11 The International Criminal Court is now in session.
12 Please be seated.
13 PRESIDING JUDGE SCHMITT: [9:33:15] Good morning, everyone.
14 Could the court officer please call the case.
15 THE COURT OFFICER: [9:33:21] Thank you, Mr President, your Honours.
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 for the record, we are in open session.
19 PRESIDING JUDGE SCHMITT: [9:33:36] Thank you.
20 I ask for the appearances of the parties. Mr Zeneli for the Prosecution.
21 MR ZENELI: [9:33:41] Good morning, your Honours. Myself Shkelzen Zeneli,
22 Ben Gumpert, Jasmina Suljanovic and Grace Goh for the Prosecution.
23 PRESIDING JUDGE SCHMITT: [9:33:47] Thank you.
24 Ms Sehmi for the representatives of victims.
25 MS SEHMI: [9:33:51] Good morning, Mr President, your Honours. On behalf of

1 the Legal Representative of Victims, Maria Radziejowska, James Mawira and
2 Anushka Sehmi.

3 PRESIDING JUDGE SCHMITT: [9:34:01] Mr Narantsetseg.

4 MR NARANTSETSEG: [9:34:03] Good morning, Mr President, your Honours.

5 Orchlon Narantsetseg with Ms Caroline Walter. Thank you.

6 PRESIDING JUDGE SCHMITT: [9:34:09] Thank you.

7 And for the Defence.

8 MR OBHOF: [9:34:10] Good morning, your Honours.

9 Today we have Gordon Kifudde, Chief Charles Achaleke Taku, myself Thomas Obhof,
10 and our client Dominic Ongwen is in court.

11 PRESIDING JUDGE SCHMITT: [9:34:18] Thank you.

12 And you wanted to address us shortly, so we go for that into private session.

13 MR OBHOF: [9:34:24] Yes.

14 (Private session at 9.34 a.m.)

15 THE COURT OFFICER: [9:34:36] We are in private session, Mr President.

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Trial Hearing
WITNESS: UGA-D26-P-0049

(Private Session)

ICC-02/04-01/15

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13 (Open session at 9.36 a.m.)
14 THE COURT OFFICER: [9:36:24] We are in open session, Mr President.
15 PRESIDING JUDGE SCHMITT: [9:36:26] Thank you.
16 And as I said, the witness can now be brought to the video-link location.
17 (The witness enters the video-link room)
18 PRESIDING JUDGE SCHMITT: [9:37:14] Good morning, Ms Amony. Do you hear
19 me?
20 WITNESS: UGA-D26-P-0049
21 (The witness speaks Acholi)
22 (The witness gives evidence via video link)
23 THE WITNESS: [9:37:22](Interpretation) Good morning. Yes, I can hear you.
24 PRESIDING JUDGE SCHMITT: [9:37:25] You are going to testify before the
25 International Criminal Court. On behalf of the Chamber, I would like to welcome

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1 you to the video-link location.

2 THE WITNESS: [9:37:35](Interpretation) Thank you.

3 PRESIDING JUDGE SCHMITT: [9:37:37] I will now read to you the oath that every
4 witness has to take when testifying before this court, so please listen carefully:

5 I solemnly declare that I will speak the truth, the whole truth and nothing but the
6 truth.

7 Madam Witness, do you understand the undertaking?

8 THE WITNESS: [9:38:03](Interpretation) Yes, I do.

9 PRESIDING JUDGE SCHMITT: [9:38:06] Do you agree with it?

10 THE WITNESS: [9:38:10](Interpretation) I agree.

11 PRESIDING JUDGE SCHMITT: [9:38:12] Thank you. You are now sworn in.

12 And just a small practical matter. Everything we say here at the video-link location,
13 you and the participants here in the courtroom, is written down and interpreted, and
14 to allow for the interpretation we have to speak at a relatively slow pace so that the
15 interpreters can follow and everybody understands.

16 The Defence has the floor now for the examination by the Defence. I assume
17 Mr Kifudde? No, I assume wrong.

18 Then it's Mr Obhof. Mr Kifudde pretended with his earphones.

19 MR OBHOF: [9:39:24] Thank you, your Honour.

20 Okay, I'm the reason why I wasn't hearing it, my headphones weren't plugged in. I
21 apologise to everyone about that.

22 Thank you, your Honour.

23 QUESTIONED BY MR OBHOF:

24 Q. [9:39:44] Good morning, Ms Witness.

25 A. [9:39:54] Thank you. Good morning.

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1 Q. [9:39:56] Now can you please state your name to the Court.

2 A. [9:40:06] My name is Amony Evelyn.

3 PRESIDING JUDGE SCHMITT: [9:40:11] I think I would also be agreeable if we
4 would discuss the matter of her whereabouts now in private, could also be done.
5 But I leave it up to you.

6 MR OBHOF: [9:40:23] I mean, I have it -- I did it all towards the end on purpose just
7 for that.

8 PRESIDING JUDGE SCHMITT: [9:40:27] Good, good. Fine, fine, then please
9 proceed.

10 MR OBHOF: [9:40:31]

11 Q. [9:40:31] Have you gone by any other name?

12 A. [9:40:43] During the time of my captivity in the LRA, I changed my name, I was
13 called Atoo Betty.

14 Q. [9:40:54] When and where were you born?

15 A. [9:41:03] I am a Ugandan, I was born in Gulu district. But now the district was
16 divided into Amuru and I come from Amuru. I was born in 1982, 25th of November.

17 Q. [9:41:29] Where did you grow up as a child?

18 A. [9:41:38] I grew up -- began my early childhood with my parents in Atiak.
19 Unfortunately, I separated with my parents when I was 12 years old, so most of my
20 growth and upbringing I was in the hands of the LRA.

21 Q. [9:42:02] What was your highest level of education before you were abducted?

22 A. [9:42:14] I was in primary 4. I had just been promoted to go to primary 5, that
23 is when I was abducted.

24 Q. [9:42:33] As of today, what is your highest level of education?

25 A. [9:42:47] Upon my return home I went back to school, but I only was able to

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1 reach primary 6. I did not go beyond that.

2 MR OBHOF: [9:43:00] I have about four questions in private session for this first
3 part. It will take about three to five minutes.

4 PRESIDING JUDGE SCHMITT: [9:43:06] Yes. Thank you, Mr Obhof. We go to
5 private session for these three to five minutes.

6 (Private session at 9.43 a.m.)

7 THE COURT OFFICER: [9:43:27] We are in private session, Mr President.

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- 11 (Open session at 9.46 a.m.)
- 12 THE COURT OFFICER: [9:46:25] We are back in open session, Mr President.
- 13 MR OBHOF: [9:46:40]
- 14 Q. [9:46:40] Ms Witness, could you please tell the Court when you were abducted
- 15 by the LRA?
- 16 A. [9:46:55] Thank you. I was abducted in 1994.
- 17 Q. [9:47:09] Where were you abducted?
- 18 A. [9:47:13] I was abducted from Atiak, from a place called Pupwonya. I was
- 19 from school and I was going back home, and that is when I came across the LRA.
- 20 Atiak is in Amuru district.
- 21 Q. [9:47:41] Do you remember which specific group of the LRA abducted you?
- 22 A. [9:47:48] I was abducted by Stockree brigade.
- 23 Q. [9:48:01] Who was the leader of Stockree brigade at that time?
- 24 A. [9:48:10] It was Lukwiya Raska.
- 25 Q. [9:48:20] Was this the first time the LRA tried to abduct you?

1 A. [9:48:32] That was the second time. In the first time they tried to abduct me,
2 but they left me because I was very young. It was now in the second abduction, that
3 that's when they took me.

4 Q. [9:48:51] During the second time, how many people -- with how many people
5 were you abducted?

6 A. [9:49:05] We were five.

7 Q. [9:49:08] How many of those five people remained with the LRA after being
8 abducted?

9 A. [9:49:36] Well, of the five of us, three escaped before we reached Sudan. Only
10 two of us managed to reach Sudan. Of the two of us who reached Sudan, one, one
11 person died and I returned alone.

12 Q. [9:49:58] You mention that you told the LRA that you used the name Betty Atoo
13 when you were with the LRA. Why did you use that name?

14 A. [9:50:17] You know, the LRA, when you escape from them, they will follow you.
15 So I felt that I should change my name to protect my family, because I saw in some
16 cases, in some families, when their child escaped, the LRA follows that escapee up to
17 their home and they would be punished. So I felt that to protect my family and my
18 clan I should change my name and use another name.

19 Q. [9:50:53] When you say "punished", what do you mean by punished?

20 A. [9:51:07] Punishment includes many things. One of them is killing people.
21 When you escape they will follow you up to the area where you are from. They will
22 burn down houses in that area. They will kill people, they will kill any living thing
23 that they will find there. They will also loot and take with them some food items.
24 So those are the things that I saw that are referred to as punishments.

25 Q. [9:51:43] When you were abducted, where did you think the LRA was taking

1 you?

2 A. [9:52:00] According to what they told me, they asked me to lead and show for
3 them the way. But later on I realised that we were just continuing and moving on.
4 They told me they were taking me to Kampala.

5 Q. [9:52:22] In reality, to where were you and the other girl who eventually died,
6 where were you led to?

7 A. [9:52:49] We were taken to Sudan. The person, the other person who died was
8 a boy; was not a girl, but was a boy.

9 Q. [9:53:00] Those first few days or week or so after your abduction, did you know
10 these areas that you were taken to?

11 A. [9:53:20] No, I did not know, because they went with us into the bush. But
12 when we now met with other people, that's when they started telling us that we are
13 now at the foothill of Kilak. That's how I came to start relying that, oh, now we are
14 in the bush in this place called Kilak areas.

15 Q. [9:53:53] At that time when you were abducted when you were in Kilak, how
16 easy would it have been for you to find your way back home if you escaped?

17 A. [9:54:13] It was not easy. I was very young and I even didn't know how I
18 would -- I should be able to, to move. It was difficult to know because that was in
19 just the wilderness, a place you wouldn't even believe people can actually live there,
20 because it is just in the jungle.

21 Q. [9:54:37] As you were entering Sudan, can you describe to the Court the type of
22 problems or obstacles a person may have faced if they tried to escape from the LRA
23 while there in Sudan?

24 A. [9:55:10] There were several things that you would come across. First was
25 presence of big water bodies. When we were going to Sudan we would have to

1 cross and we would cross with the help of a rope that you hold and you go across.

2 Secondly, movement. You walk for very long distance. When we were about to

3 reach Sudan, because of the long walk, all my feet was sore up and you wouldn't

4 actually even think of escaping because you would be very exhausted, very tired.

5 In addition, there was no food. The people didn't have anything to eat. People

6 would eat some wild fruits and plants and, as a result of that, many children also died

7 due to what they are eating.

8 There were also other rebel groups in the Sudan and if you move and they come

9 across to you, they would kill you very mercilessly. So these were some of the

10 things that people came across while they were moving to Sudan.

11 Q. [9:56:31] You mentioned earlier too that three other young children escaped at
12 the time you were abducted.

13 How quickly after your abduction did these persons escape?

14 A. [9:56:50] We didn't take a long time. I think one person escaped like after three

15 days. But the other two stayed for some time and then they escaped. But even

16 when they escaped the LRA chased after them. One of them was caught and,

17 unfortunately, he was killed. But the other two were lucky and were able to reach

18 home. So when I returned, I found they were home.

19 But, again, even when he return home, when the LRA came at some point, the person

20 was caught and killed, and that was done and people were shown that if you escape

21 that is exactly what will be done to you.

22 MR OBHOF: [9:57:49] Your Honour, I'm going to ask for a very quick private
23 session for about two minutes, please.

24 PRESIDING JUDGE SCHMITT: [9:57:55] Yes, private session.

25 (Private session at 9.58 a.m.)

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- 1 THE COURT OFFICER: [9:58:06] We're in private session, Mr President.
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- 20 (Open session at 9.59 a.m.)
- 21 THE COURT OFFICER: [10:00:02] We are in open session, Mr President.
- 22 MR OBHOF: [10:00:18]
- 23 Q. [10:00:18] Ms Witness, earlier, a few minutes ago, you described the obstacles
- 24 one would face if they were trying to escape from Sudan. How did these obstacles
- 25 affect your emotional willingness to try to escape?

1 A. [10:00:48] I was extremely afraid, because when we went to Sudan, at a place
2 known as Luwudu, there is somebody who attempted to escape with me. We
3 walked for about one week and we thought we were actually entering into Uganda.
4 But, you know, there are so many hills and mountains in Sudan that are similar to the
5 ones in Uganda. The LRA found us and, unfortunately, the soldier who had taken
6 me with him was killed.

7 But I was beaten, I was beaten 50 strokes, and that actually made me decide not to
8 attempt to escape because I thought if I attempted to escape the LRA would follow
9 you.

10 And secondly, I also came to realise that the hills and the mountains in Sudan are
11 very similar to the ones in Uganda.

12 Q. [10:01:47] Now, if you know, could you tell the Court why you were spared
13 when the other gentleman was killed for the escape attempt?

14 A. [10:02:05] The reason why the gentleman was killed was on grounds that he was
15 older and that he was the one who had persuaded me. He himself said that he
16 persuaded me because he knew my family, he knew my uncle who was
17 a businessman with him, and he thought he should return me home. He told them
18 that this girl is a young girl and I thought it would be best for me to take her back
19 home. And on those grounds he was killed.

20 Q. [10:02:43] Who made the decision to spare your life?

21 A. [10:02:53] Well, I do not know which of the commanders made that decision, but
22 when we arrived in Sudan there were several commanders; Raska Lukwiya, was
23 there, Otti Vincent was also there, Otti Lagony was also there, as well as Kony and
24 other more junior commanders. So I do not know who amongst them made the
25 decision that I should be spared. But I noted that I was spared and all they did was

1 beat me.

2 Q. [10:03:27] Around how long after your abduction did you attempt to escape
3 with this gentleman?

4 A. [10:03:51] That was in November. We entered in Sudan in October and that
5 was towards the end of November. Because when we had just entered into Sudan
6 I was unable walk, but at the time that we were attempting to escape at the end of
7 November I was able to at least limp.

8 Q. [10:04:22] Now, around the time of your abduction, were any rituals performed
9 upon you and the others who were abducted?

10 A. [10:04:43] Yes, there were rituals that were performed. Personally, they
11 smeared me with camouflage. Camouflage is mixed with shea butter, and that is
12 what I saw them doing, performing on me and using on me.

13 Q. [10:05:16] If you know, can you tell the Court why these rituals, or the reason
14 behind these rituals being performed upon you and others?

15 A. [10:05:31] I do not know the exact reasons why the rituals are performed, but I
16 heard them say that when someone joins the LRA the rituals are performed to stop
17 you from attempting to escape and go home.

18 Secondly, if you are possessed by some sort of evil spirit or any -- anything like that,
19 then that is also to cleanse you and make you a holy person.

20 When I was there I saw them performing certain ritual with the charcoal stove. They
21 would tell us that the charcoal stove would actually show them if any battle was
22 going to take place. They would also be able to foretell whether the LRA was going
23 to win that battle or lose that battle using that charcoal stove. So those are some of
24 the things that I heard them say.

25 Q. [10:06:29] The rituals which happened right after your abduction, did you notice

1 any difference between the rituals performed on females and those performed on
2 males?

3 A. [10:06:53] The difference between the rituals performed on men and women is
4 that, at one point in Sudan, they were told that the Holy Spirit had instructed that
5 women should be smeared. The women would be smeared on their waist, on their
6 chest and on the back. And that is one of the differences that I witnessed.

7 After they smeared the women in this manner, I noticed that all the women that had
8 been smeared in this manner conceived in the LRA.

9 Q. [10:07:38] At the time these rituals were being performed, and shortly thereafter,
10 did you believe what you heard about the purpose of these rituals?

11 A. [10:08:03] Yes, I did believe, because I saw everybody, including myself, become
12 pregnant. And this is why I believed that perhaps whatever it is that these people
13 talk about, the myths that they believe in do actually happen.

14 Q. [10:08:39] Ms Witness, you mentioned what happened to people who tried to
15 escape and you gave us some details.

16 When did you first know about these punishments that the LRA would mete out
17 against persons who escaped or tried to escape?

18 A. [10:09:09] It was shortly after I had been abducted, because I immediately
19 witnessed what happened to the other person, the person that they brought us all to
20 witness being killed. So that was the first time that I saw this.

21 Q. [10:09:35] Now maybe later on down the road during your years in the LRA, did
22 you hear anything about what would happen to persons who escaped but made it
23 back to the government and made it back to Uganda? What would happen to those
24 persons, other than what the LRA may do?

25 A. [10:10:08] I heard at the time that we were in Sudan that if you escape and go to

1 Uganda and surrender to the UPDF, if you are female you would be raped and then
2 killed. If you are male, you would also be mistreated, you would be tortured and
3 killed as well.

4 So from 1994 to about 2000, if anybody escapes, people were killed. Because they
5 said as soon as you are captured, even if you spend only one night with the LRA, if
6 you escape and go back to Uganda, the UPDF would consider you their enemy and
7 kill you.

8 Q. [10:11:06] When you were in the LRA did you believe what you were being told
9 about this?

10 A. [10:11:17] Yes, I did. I did believe. Because when the fighting started in
11 Sudan, there are some people who escaped. We walked and came towards the
12 border and we found women, women who had escaped from the LRA who had been
13 killed by the UPDF. They'd been stabbed by bayonets. There were also condoms,
14 the condoms that had been used to rape them, were scattered around the women.
15 So that really gave me -- it made me afraid.

16 Q. [10:12:04] Now, in terms of punishment in the LRA, what was the punishment
17 for rape?

18 A. [10:12:23] In the LRA there are rules. If you have not been given a woman as
19 your wife, you are not allowed to sleep with that woman, to have sexual relations
20 with that woman. If you do have sexual relations with that woman, two things
21 would happen: One, you are either punished or you are told that the Holy Spirit
22 would punish you.

23 And if you are sent to battle and you are a man who has had sexual relations with
24 a woman who is not your wife, then your private parts would be shot. And those
25 are some of the things that they would tell us in the LRA.

1 Q. [10:13:06] These rules, who came up with these rules?

2 A. [10:13:18] They would tell us that these rules came from the Holy Spirit.

3 Q. [10:13:30] And how did the Holy Spirit send its messages to the persons in the
4 LRA?

5 A. [10:13:41] The Holy Spirit would communicate through Joseph Kony. There
6 was one of his administrators known as Okodi who would take note of everything
7 that the Holy Spirit was saying. So when the Holy Spirit was communicating
8 through Kony, Okodi would take note of everything that was said and then later on
9 they would communicate to people and inform people what Lakwena said. As far
10 as they were concerned, they used to tell us that Lakwena was the Holy Spirit.

11 Q. [10:14:21] What would happen to somebody if an order came down from
12 Joseph Kony to Lakwena and the person refused to follow such order?

13 A. [10:14:47] You would be punished, and these are the ways you would be
14 punished:

15 If there is battle, nobody among the LRA would be hurt or injured other than you.
16 The bullets would be aimed at you, you're the one who would be shot and killed, and
17 people would know that you did not follow Lakwena's rules.

18 There were also certain things that Lakwena prohibited us from eating. Smoking,
19 pork, we were prohibited from drinking alcohol, from using hibiscus. So there are
20 certain things that we were prohibited from doing by Lakwena, and if you did not
21 obey those rules then something would happen to you and Kony would identify you
22 as somebody who did not follow Lakwena's rules.

23 Q. [10:15:47] You mentioned earlier about something which -- about the record
24 number of births in the LRA after a ritual was performed. Now, before that, before
25 the LRA had large bases in Sudan, what would happen to a woman who became

1 pregnant?

2 A. [10:16:26] When we were not yet in Sudan, if someone conceives the person
3 would be released and sent back home.

4 But when the LRA were settled in Sudan, if someone conceived, then -- let me say, for
5 example, when people were in Jebellen and Aruu, if any woman conceived, the
6 woman and the children would be taken to Nisitu and they would also be taken to
7 a reserve near the river around Juba.

8 PRESIDING JUDGE SCHMITT: [10:17:00] Madam Witness, do you know why this,
9 let me word it this way, policy changed? Why was it later in Sudan welcomed when
10 there was a high number of pregnancies?

11 THE WITNESS: [10:17:25](Interpretation) Based on what I was informed, we were
12 told that the Holy Spirit has now released women. At the time they had told us that
13 we were under constant attack and we were being pursued, so if -- if there were many
14 women who were conceiving it would be difficult to protect them and take care of
15 those people. But later on, the LRA -- the Holy Spirit gave rules and said people can
16 conceive now because we were safe. So they would send -- people would be from
17 different areas, for example, Atiak, people from Padibe, and people from other areas
18 of Uganda, when they conceived they would say that we were now -- they were now
19 going to have a new breed of Acholi.

20 PRESIDING JUDGE SCHMITT: [10:18:19] Mr Obhof.

21 MR OBHOF: [10:18:28]

22 Q. [10:18:29] Ms Witness, right after your abduction while you were in Uganda,
23 were you trained at all?

24 A. [10:18:45] The training that I received was to pray, how to lead the rosary, and
25 that was the training that I received then.

1 Q. [10:19:02] When did you first receive military-type training?

2 A. [10:19:19] I received military-type training when we were in Sudan in 1995.

3 That is when they started training people how to use firearms, assemble them,
4 dismantle them, clean them. And that was when the Arabs came and started
5 teaching us how to do these things.

6 Q. [10:19:41] From what you witnessed during your training, was there any
7 difference between the way in which females and males were trained?

8 A. [10:20:01] When we are being trained we are trained in the same manner, but
9 the only difference is when there is a standby. When there's a standby it's only men
10 that are selected and the women are left behind.

11 Q. [10:20:22] Do you know why the Arabs were involved in your training?

12 A. [10:20:35] No, I do not have any knowledge of that. Because when we arrived
13 in Sudan, we noticed that there were -- the Arabs were coming. I actually did not
14 know that those people were Arabs. I thought they were white people. It was only
15 later on that we were told that these were Arabs. I do not know the reason why
16 these people were coming to the LRA.

17 Q. [10:21:02] You also mentioned a term, "standby". What was a standby?

18 A. [10:21:16] Based on what we were told - I personally do not understand the
19 meaning of standby - but what we were told is that these are people who are being
20 sent to battle. And based on my observation, on the way that they were selected and
21 the way that they were sent, that means they were being sent to fight the Dinka.

22 Because when we were in Sudan the LRA were also fighting against the Dinka, the
23 Dinka would come to where the LRA were encamped and attack us. So the LRA
24 would also go to where the Dinka settlements were and attack the Dinka from there.

25 Q. [10:21:58] Other than training, did the Arabs provide anything else to the LRA

1 while you were in Sudan?

2 A. [10:22:14] Based on my observation, they initially started providing us with food.

3 Because in Luwudu we did not have food, so they started providing us with food.

4 Later on, they started bringing firearms and ammunition.

5 Q. [10:22:45] Do you remember for how long this relationship existed between the

6 LRA and the Arabs?

7 A. [10:22:59] Well, it's really difficult for me to estimate, because in 1994 when I

8 went there the LRA was already in Sudan, so I do not know how the relationship was

9 established. When I arrived there they already had a relationship, from 1994 to 2001.

10 When Iron Fist started, that is when the relationship was severed. And that was the

11 time when the Arabs joined hands with the UPDF and other soldiers to fight against

12 the LRA. So I do not really know how long. If you deduct the years from 1994 to

13 2001, then you will be able to establish the actual number of years.

14 PRESIDING JUDGE SCHMITT: [10:23:50] I think you can move on from that.

15 MR OBHOF: [10:23:56]

16 Q. [10:23:57] Now, Ms Witness, you mentioned a few locations like Luwudu, Aruu,

17 Jebellen and Nisitu. Can you remember any other locations which you lived in

18 while in Sudan?

19 A. [10:24:20] Palutaka, Pajok, Magwi, Rubanga Tek, Kempaju, Bin Rwot.

20 Q. [10:24:50] We are going to talk --

21 A. [10:24:53] Those are the places that I recall. But in Sudan we lived in a number

22 of places, I do not recall every single place instantaneously.

23 Q. [10:25:06] Do you know any reason why the LRA kept going to different places

24 while in Sudan?

25 A. [10:25:27] Well, I really do not know. But based on my observation, I believe it

1 was because we were constantly being pursued and because of war. If the LRA
2 encamped in a particular place for a long time, then the Dinka would come and attack
3 them. Soldiers would also come from Uganda and attack them. And I believe
4 those are the reasons why they did not settle in one place for a long time. But, on the
5 other hand, I was also very young at the time and I do not know why they kept on
6 moving from one place to another.

7 Q. [10:26:08] I would like to talk a little bit about Jebellen. Do you remember for
8 how long you stayed at Jebellen?

9 A. [10:26:24] We -- when people were in Jebellen I was already pregnant, so I did
10 not actually spend a long time in Jebellen. I came towards the end, I think it was in
11 October. After I had had my child, I had already given birth, and that was in 1997
12 when I came to Jebellen. But the LRA was in Jebellen for a long time. I do not
13 know the number of months that they spent there.

14 Q. [10:27:01] From what you observed and from what you remember, how did the
15 LRA feed itself while you were in Jebellen?

16 A. [10:27:17] Food was brought by vehicles, the Arabs would bring the food from
17 Juba. The LRA would also cultivate their own food.

18 Q. [10:27:37] If food was being brought to Juba, do you know why the LRA would
19 cultivate its own food?

20 A. [10:27:54] Food was not always brought every day. Food was brought at
21 certain, at scheduled times, for example, once a month. But there were times when it
22 took a while before they brought us food and the LRA was actually -- the LRA was
23 a big group, there were many people in the LRA, and we needed to sustain ourselves.
24 So when the food was not being brought by the Arabs, we relied on the food that we
25 cultivated.

1 Q. [10:28:39] Earlier today you mentioned about how the spirits would speak
2 through Joseph Kony. How would these spirits speaking through Joseph Kony
3 come about in the everyday life of the LRA?

4 A. [10:29:18] There was no scheduled times for when the Holy Spirit would come.
5 It came at any time. There was no time, there was no scheduled time that the spirit
6 would come and talk to Joseph Kony.

7 Q. [10:29:40] Would anything happen when the spirit came and spoke to
8 Joseph Kony?

9 A. [10:29:56] Based on my observation, there were changes, there were changes in
10 him.

11 If it's a female spirit, then he would wrap himself with a wrapper, his voice would
12 change, it would become high-pitched like a woman. There is a spirit known as
13 Silindi, there was a spirit also known as Juma Oris. When Juma Oris came,
14 Juma Oris was more ill-tempered, and when he -- when Kony was possessed by
15 Juma Oris, then he would be more ill-tempered and aggressive and people would say
16 that is Juma Oris because Juma Oris was confrontational. We did not know, for
17 example, when, when he was possessed how he would react.

18 When it started, when he was possessed, when he was at home with us, then we
19 would know that he is possessed. But at other times they would take him
20 somewhere else and we wouldn't know what was happening.

21 Joseph Kony was a jolly person, he loved chatting, he loved laughing, and there were
22 times when these changes manifested. If we noticed that these changes were present,
23 then we would know that he is being possessed by the spirits.

24 PRESIDING JUDGE SCHMITT: [10:31:17] Madam Witness, when this happened
25 how did you react? Or did you react at all?

1 THE WITNESS: [10:31:32](Interpretation) Well, there is not much that I can do, apart
2 from trying my best to get away from him and stay aside, because then I also would
3 be scared.

4 PRESIDING JUDGE SCHMITT: [10:31:45] That is an answer.
5 Mr Obhof.

6 MR OBHOF:

7 Q. [10:31:57] While you were in the LRA and you are seeing this, did you believe
8 that spirits were speaking through Joseph Kony?

9 A. [10:32:13] I -- I believed, for the reason that if you try to come up with an idea,
10 come up with an idea, for instance, of trying to escape, then he will tell you that, you
11 see, you are trying to form up your opinion and mine to escape, but if you escape
12 you are not going to reach where you want to go.

13 So, really, that is what made me to start believing that indeed he has spirit. Because
14 how else would he know the kind of thinking that I am having? Because that's
15 a personal thing which I am going through at that moment and I have not shared
16 with anybody and he comes to know about it. So that's what made me to believe.

17 Q. [10:33:19] Now, from what you heard from others, did others tell you that they
18 believed that Joseph was being possessed as well?

19 A. [10:33:43] I would hear from some of the people whom I found them there and
20 they would say, yes, indeed that's the Holy Spirit, because there are some situations
21 that he would also predict and estimate the number of people who would be injured
22 during, during a battle, and indeed that is exactly what would happen. And that is
23 also how I started believing and agreeing with what some of the people would say.

24 Q. [10:34:19] Considering your proximity to Joseph Kony, would he make
25 predictions often?

1 A. [10:34:46] Yes, he would predict some of those things. For instance, the journey
2 to Congo, he was talking about it, that in the future they would not only fight in
3 Uganda but they would also go and fight in the Congo, Central Africa. So that is one
4 of the thing that he kept on saying even earlier, when we were still in Sudan.

5 Q. [10:35:13] In your opinion, how often did Kony's predictions come true?

6 A. [10:35:32] Your Honour, that prediction most of the time happens.

7 Q. [10:35:46] When Kony was being possessed, did he remember what he was
8 speaking to persons?

9 A. [10:36:08] He would, he would not know. For him, he would not know, it
10 would be read back to him. As I told you earlier, Okodi would be recording
11 everything that he is talking at that time, then later on when the spirits have left him,
12 then it will be read back to him.

13 Q. [10:36:32] When the spirits begin to possess Kony, for how long would these
14 spirits possess him during a normal day?

15 A. [10:36:53] It depends on the, the report that the spirit came with. Sometimes it
16 can last a whole day from morning to evening. During that time he would not eat,
17 he would not even drink water. It takes quite a long time, especially when the report
18 that the spirit came with, when the spirit came with a lot of messages, especially most
19 times it is Juma Oris's spirit that takes quite a long time when he is possessed with.

20 Q. [10:37:37] Now while relaying these messages, while being possessed by the
21 spirits, how would the message get out to other persons in the LRA?

22 A. [10:38:02] If, for instance, the spirit delivers the message today, it takes like
23 another day and then people are gathered together, then Okodi will read the message.
24 Or Okodi will hand over the book to Kony and then Kony will read the message
25 himself. So it is those two people who actually pass on the message to the people.

1 Sometimes people are gathered during a prayer session and then the message that is
2 delivered by the spirit is passed on to the people.

3 Q. [10:38:55] Ms Witness, how did you become a wife to Joseph Kony?

4 A. [10:39:09] I was abducted, I was abducted in 1994, and upon my abduction,
5 immediately I was taken to his household. He first starting taking care of me as
6 a ting ting. Because when you are taken there as a young person, when you are
7 a girl, then you are referred to as a ting ting. So when I stayed in his household for
8 some time, then later on he made me to become his wife.

9 PRESIDING JUDGE SCHMITT: [10:39:41] Ms Witness, how did this happen?

10 Perhaps in more detail.

11 THE WITNESS: [10:39:55](Interpretation) When we were in Palutaka, he called me
12 and he told me that, "From today onwards, I will not -- I will no longer take you as
13 a babysitter in my home. I had brought you here as my babysitter, but right now,
14 from now onwards you are going to become my wife." Then I told him, "But that is
15 not possible because, first of all, you told me that you are my father, so how is it
16 possible that I can become your wife?"

17 So I ran away from his home and went to Otti Vincent's home. So when I went to
18 Otti Vincent, he told me that he is also under the command of Kony, "so if you
19 continue staying in my home, Kony will kill me. So it is good that I take you back to
20 Kony's home." So in the morning he took me back. We went to Commander
21 Omona Field's home and from there they took me to Kony's home. They started
22 questioning me and beating me, asking me why I had to take that information to
23 operation room.

24 So after that, he pressured me and had sex with me and told me that it was because of
25 my father and my mother who gave birth to a beautiful girl like me, that is why I am

1 now going to become his wife. So if there is a anything wrong, then I should blame
2 them for that. At that time I was 14 years old.

3 PRESIDING JUDGE SCHMITT: [10:41:39] That would have been my next question.
4 And although it was a long time ago, this must have been an incisive thing that
5 happened in your life. Do you recall how you felt at the time?

6 THE WITNESS: [10:42:05](Interpretation) I felt very bad because, first of all, he was
7 an adult, not young anymore. When you compare my age and his age, he was an
8 old person.

9 PRESIDING JUDGE SCHMITT: [10:42:21] Thank you.
10 Mr Obhof.

11 MR OBHOF: [10:42:30]

12 Q. [10:42:30] How did Joseph treat you while you were a ting ting?

13 A. [10:42:40] He would treat me well, would say that I was a good babysitter. I
14 took care of his children. I babysitted Salim. And he would not actually disturb me.
15 However, some of his senior wives were the ones that would beat me in some
16 situations.

17 MR OBHOF: [10:43:08] Your Honour, if we could go to a quick private session,
18 maybe two or three minutes.

19 PRESIDING JUDGE SCHMITT: [10:43:16] Private session.
20 (Private session at 10.43 a.m.)

21 THE COURT OFFICER: [10:43:23] We are in private session, Mr President.

22 (Redacted)

23 (Redacted)

24 (Redacted)

25 (Redacted)

Trial Hearing
WITNESS: UGA-D26-P-0049

(Private Session)

ICC-02/04-01/15

- 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 (Redacted)
- 15 (Redacted)
- 16 (Redacted)
- 17 (Redacted)
- 18 (Redacted)
- 19 (Redacted)
- 20 (Open session at 10.45 a.m.)
- 21 THE COURT OFFICER: [10:45:34] We are back in open session, Mr President.
- 22 MR OBHOF: [10:45:47]
- 23 Q. [10:45:49] Ms Witness, when you lived with him, did Joseph Kony carry a gun?
- 24 A. [10:46:09] For him, the rule does not allow him to carry a gun. However, he
- 25 would carry a small pistol. But his escorts are the ones who carry for him the big

1 guns.

2 Q. [10:46:35] When Kony would have a meeting with, say, Otti Vincent or
3 Otti Lagony or Raska Lukwiya, where were the wives at that time?

4 A. [10:46:55] If they are going to meet in our home, we would be sent away, we
5 would go to the *dog adaki*, so whatever they are discussing the women do not get to
6 know.

7 PRESIDING JUDGE SCHMITT: [10:47:10] Ms Witness, you mentioned other wives
8 of Joseph Kony. Do you recall how many there were at the time when you lived
9 there?

10 THE WITNESS: [10:47:27](Interpretation) The ones that I recall, the wives with
11 whom he sired children, we were 27. That was the time when I was still there. But
12 as of now I now do not know how many he has added. The 27 that I have
13 mentioned are the ones that have given birth and they have children. And then if
14 you add with the ting tings that are also in his household, in total we were 60 in
15 number.

16 PRESIDING JUDGE SCHMITT: [10:48:02] And of the women that gave birth, how
17 many children? Of course you would not have counted, perhaps, one after the other,
18 but just that we have an idea, perhaps.

19 THE WITNESS: [10:48:25](Interpretation) Well, he had many children, but
20 unfortunately some of them died during the war. Some of them died, also their
21 mothers died, so I really do not know the exact number.

22 But of the wives, the wife that had the most number of children had six children.
23 The others would be having, like, three, four, two, like that.

24 PRESIDING JUDGE SCHMITT: [10:48:58] Thank you.

25 Mr Obhof.

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1 MR OBHOF: [10:49:04]

2 Q. [10:49:06] Ms Witness, you mentioned the *dog adaki* a minute or so ago. What
3 type of persons would be in the *dog adaki*?

4 A. [10:49:26] Mostly it's the, the young boys and the soldiers. Well, let me say that
5 some commanders would be stationed at the *dog adaki*. Depending on how the
6 headquarter has been organised, usually they -- the big commander is in the middle,
7 in the centre, then the other commanders are in the second ring, and it moves on to
8 the next, to the brigades and that's how they would organise themselves.

9 Q. [10:50:07] During these meetings, where would Kony's escorts be located?

10 A. [10:50:24] The escorts would be where they are. The first escorts would stand
11 next to him, those are the senior escorts like the ADC, people like Okodi, those ones,
12 they would stand nearby, next to him. Then there are those ones whose ranks are
13 lower would now start lining up behind. The lance corporals, the privates would
14 now line accordingly how they are supposed to be arranged when such a meeting
15 takes place.

16 MR OBHOF: [10:51:13] Your Honour, I think this would be a logical stop. Probably
17 finish in about the first hour of the next session, about one hour, and I can assure you
18 we will be done by the end of the session, end of second session.

19 PRESIDING JUDGE SCHMITT: [10:51:27] That's fine.

20 Mr Zeneli, the obvious question, but you might not know yet, but I still give it a try.

21 MR ZENELI: [10:51:30] About 30 minutes, your Honour.

22 PRESIDING JUDGE SCHMITT: [10:51:31] Perhaps we are finished by the lunch
23 break. So we have now a coffee break until 11.30.

24 Thank you for the moment, Ms Witness.

25 THE COURT USHER: [10:51:44] All rise.

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1 (Recess taken at 10.51 a.m.)

2 (Upon resuming in open session at 11.35 a.m.)

3 THE COURT USHER: [11:35:08] All rise.

4 Please be seated.

5 PRESIDING JUDGE SCHMITT: [11:35:30] Mr Obhof, you still have the floor.

6 MR OBHOF: [11:35:33] Thank you, your Honour.

7 Q. [11:35:35] Good afternoon, Ms Witness.

8 A. [11:35:41] Good afternoon.

9 Q. [11:35:44] Now, Ms Witness, could you please tell the Court about your first
10 encounters with Dominic Ongwen.

11 A. [11:36:12] Thank you, your Honour. In 1994 when we were going to Sudan,
12 that is when I came to know Dominic Ongwen. And the reason why I came to know
13 Dominic Ongwen was because we were trying to cross a river and the water was
14 taking me -- I was being taken by the water and he was one of the people who helped
15 me cross the river.

16 PRESIDING JUDGE SCHMITT: [11:36:46] Ms Witness, do you recall or have an idea
17 how old Dominic Ongwen was at the time?

18 THE WITNESS: [11:37:01] (Interpretation) Dominic Ongwen was -- based on my
19 information, he was still a young person because in the LRA they assess people based
20 on their age. If someone is young, then it is the people of the same age who help that
21 person. So I was 14 at the time and it was those of Dominic that were helping me, so
22 if I'm to guess how old he was, I would guess that perhaps he was 14 or 15. I did not
23 ask him his age, but I'm guessing that perhaps he was 14 or 15.

24 PRESIDING JUDGE SCHMITT: [11:37:41] Yes.

25 Mr Obhof.

1 MR OBHOF: [11:37:44]

2 Q. [11:37:46] If they had not interceded when you were crossing the river, what
3 would have happened to you?

4 A. [11:38:03] Well, there are many people who came to help me. There was
5 Joseph Kony, there was Dominic Ongwen, and there were other people. If they had
6 not interceded, if they had not helped me, then the water would have swept me away.
7 I had already actually swallowed a lot of water at the time and they helped me get the
8 water out of my system. But I do recall that Dominic Ongwen was one of the people
9 who helped me.

10 Q. [11:38:37] While in Sudan how often did you get to see Dominic Ongwen?

11 A. [11:38:55] He was in a different brigade, so it would take time before I actually
12 saw him.

13 Q. [11:39:07] Can you describe his personality that you observed while in Sudan?

14 A. [11:39:21] Based on my observation, Dominic Ongwen was somebody who liked
15 children. If I take -- use me as an example, whenever he would meet me, he would
16 greet me in a jolly manner. And as far as I was concerned, he was somebody who
17 loved people.

18 Q. [11:39:44] You said that Dominic loved children. Did he play with your
19 children?

20 A. [11:40:03] Well, the child that I was talking about was me because at the time I
21 did not have a child yet and Dominic did not have children either at the time that I
22 knew him. But when I had already given birth and he was older as well, then there
23 were rules, because you know the LRA had rules, so at the time he was not allowed to
24 come and play with me or joke with me because you're not allowed to joke and play
25 around with someone's wife.

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1 Q. [11:40:37] What would be the punishment for somebody who would come and
2 joke around with someone else's wife?

3 A. [11:41:05] You would be beaten, and that person would be beaten. If you went
4 to play with somebody else's wife, you would be beaten. The LRA had rules. Let
5 me give you an example. The women who were in Kony's household, it was
6 extremely difficult for those women to go to somewhere else, to go to a brigade or a
7 different division or anywhere else. If you wanted to go somewhere else, you had to
8 go and ask for permission and give a detailed explanation as to why you wanted to
9 go to another brigade or battalion. The rules were extremely strict with regards to
10 women who were in Joseph Kony's household.

11 Q. [11:41:50] Ms Witness, we're going to be moving forward. Do you remember
12 Operation Iron Fist?

13 A. [11:42:09] Yes, I do recall. If -- I believe it was in 2001. I believe it started in
14 2001, if I'm not mistaken.

15 Q. [11:42:21] Where were you personally located when Iron Fist started?

16 A. [11:42:35] At the time I was at Rubanga Tek.

17 Q. [11:42:42] Who led the attack against the LRA during Iron Fist?

18 A. [11:42:57] Well, I do not know the government commanders that led the attack.
19 Or perhaps I didn't understand the question. Could you please repeat the question?
20 Maybe it wasn't very clear. If you're talking about the UPDF, then I have no clue as
21 to who led the attack.

22 PRESIDING JUDGE SCHMITT: [11:43:17] The witness has a point here, frankly
23 speaking. And of course I think --

24 MR OBHOF: [11:43:22] She did answer it.

25 PRESIDING JUDGE SCHMITT: [11:43:25] And also these military structures and

1 actions, I think we had other witnesses who were closer to these kind of events.

2 MR OBHOF: [11:43:34] I was just looking for the UPDF.

3 PRESIDING JUDGE SCHMITT: [11:43:37] (Overlapping speakers) answered that
4 already.

5 MR OBHOF: [11:43:39] Yes.

6 Q. [11:43:44] After Iron Fist started, to where did you go?

7 A. [11:43:57] When Iron Fist started, we all started moving away from Sudan to go
8 towards the Apatalanga Hills.

9 Q. [11:44:11] For how long did you stay around the Apatalanga Hills?

10 A. [11:44:28] Well, your Honour, I do not know, I cannot recall the exact number of
11 months that we stayed there, but we stayed for a while on the hills. And then we
12 came down and continued. We went to Agoro. And then went to Tim-Palokok, we
13 encamped there for a while, but I do not know the exact number of months. I don't
14 know how many months we spent on the hill.

15 Q. [11:44:57] After Iron Fist what happened to all the women and children and the
16 handicapped in the LRA?

17 A. [11:45:31] They started releasing the women, the women who were unable to
18 continue walking. Because we had stayed for a long time without having to move
19 for distances, and this, this movement was extremely strenuous on people. People
20 were hurting, people were in pain. So Kony ordered that people should be released.
21 They brought us and some people were released at Atiak, some people were released
22 at Pajule. They started sending back women and children, sending them back home.

23 Q. [11:46:08] You started giving us a narrative about your journeys after Iron Fist.
24 Could you give a narrative to the Court about how you came to leave the LRA?

25 A. [11:46:42] Thank you, your Honour. I left the LRA in 2004, after we had been

1 attacked from Birinyang. My child was captured from there, so I decided that it was
2 time for me to go back home. I went and I asked Kony that I wanted to come and
3 stay with the LRA who were in Uganda. There was Owor, Lakati and Acellam who
4 had come to meet us there. Initially he said no, but then afterwards he said "Yes,
5 you can go and stay with these people in Uganda". But at the time I had already
6 made a decision that I was going to escape because they had already captured my
7 child.

8 When I got to Uganda, I stayed in Palabek, and while I was in Palabek and I got the
9 opportunity to escape. I escaped with my child. But unfortunately I tried to escape
10 with some of the other foot soldiers who had been abducted from around the Teso
11 subregion. Tabuley is the one who had taken them. I wanted to escape with them
12 because they had put us together in the sickbay. So I escaped with those children,
13 but unfortunately we went and entered into an ambush and we were shot by soldiers
14 in Palabek and I was captured then by the soldiers. And that's how I came to go
15 back home.

16 Q. [11:48:23] What was going through your mind when you were captured by the
17 UPDF?

18 A. [11:48:48] On the day that I was captured it wasn't very easy because when they
19 were attacking us, when we entered the ambush, I raised my hand to let them know
20 that I intended to surrender, I did not have any weapons, but they continued shooting
21 at us. I was shot and the bullets went through my clothes. And the people who
22 captured us told us that -- one of them told us that he shot me 12 times, but
23 fortunately I was not injured by those bullets.

24 I was actually afraid and I thought they were going to kill me because when they
25 captured me they asked me a number of questions and they asked me whose

1 household I had stayed with. I did not actually tell them that I had stayed with
2 Kony, I told them that I stayed with a different brigade. But the people who were in
3 the UPDF -- people who were in the LRA and were now in the UPDF started telling
4 those soldiers that I was in Kony's household and I was extremely frightened. The
5 soldiers were very happy that they had captured me, but I personally, I was very
6 frightened.

7 And based on the way that they treated me, I was placed in an army vehicle and I was
8 very fearful of being placed in that -- in the vehicle. So I was extremely frightful. I
9 did not know what was going to happen to me. I did not know whether I was going
10 to survive, based on the way that they treated Acellam Odongo.

11 When Acellam Odongo was captured, he was following me because I escaped from
12 them, and they also came and entered in the same ambush. They shot him when
13 I was watching. They started shooting them, they shot his buttocks, they shot his
14 legs. And those are some of the things that made me fearful. I thought that if we
15 got to a clearing, they were also going to kill me.

16 But fortunately when we went to Palabek, when we entered to Palabek, they did not
17 do anything. It was the people who wanted to come and start stoning us, and that
18 was the time when I was afraid, they -- of the community because the community
19 were looking at me as somebody who has done something wrong. So in the evening
20 when Otema Awany came with the helicopter, he came, he picked me up and he took
21 me to the division. And that is what happened on the day that I was captured.

22 Q. [11:51:29] Now, with the UPDF, could you describe the treatment they gave you
23 after you were captured over the next few months?

24 A. [11:51:55] When I initially came back, when they had just brought me back to
25 the fourth division, I had had a baby and I hadn't had a bath for two weeks, I was

1 weak as well. So they took me to hospital and then they took me to Gulu
2 Independent Hospital. And after that I was taken to GUSCO. When you are
3 handed over to GUSCO, then the soldiers leave you alone.
4 But then I started encountering some problems in 2006 when the peace talks were
5 about to begin. I was given a phone, I was given this phone by the RDC and he told
6 me that I needed to speak with that phone. When I started speaking with the phone,
7 the person who called me was Otti Vincent. So the phone had been given to us, but
8 at the time they were also listening to what we were saying. They asked us how life
9 was and I told them life was extremely difficult. Back home we were being
10 stigmatised. It was difficult for us to get food. I used to go to St Monica, cultivate
11 food and use that food to feed myself and the children. So I told them that these are
12 some of the problems that we people who have come back from the bush are
13 encountering.

14 Well, there is a lot of information. I don't know whether I can give the Court all this
15 information.

16 PRESIDING JUDGE SCHMITT: [11:53:33] If you want to proceed at the moment, I
17 think I said it in the morning already, you are here to tell your story, what happened
18 to you. Of course we won't sit here for days, but you are now speaking, if you want
19 to continue at the moment, please do that.

20 THE WITNESS: [11:53:54] (Interpretation) Thank you, your Honour.

21 In 1996 I got information from Kony telling me that my child who had been captured
22 by the soldiers was in Busia, so I left with my children and went to Busia. When I
23 went to Busia I came to understand that my child was not actually there and then
24 there was a great confusion. I reported to the police, the police sent information to
25 the army, the army came and collected me from the Busia border. Busia is a border

1 between Kenya and Uganda. When they picked me up from there, they took me to
2 the prison, to the army prison in the fourth division. Life was not easy at the time.
3 I was beaten, I was questioned, they kept on interrogating me, asking me how Kony
4 was, and I did not have that information because at the time I had already left the
5 bush and come back home.

6 So those are some of the things that, some of the hardships that I went through.

7 But later on they started forcing me that I had to take people back to the bush for
8 peace talks. They told me that I had escaped from the LRA, but the government was
9 also coercing me to go back to the LRA. So life was extremely difficult for me at the
10 time. And I started questioning and asking myself, why did I ever escape and come
11 back home? Because as far as I was concerned, I did not know the reason why Kony
12 had started the rebellion, but at the end of the day, everything seemed to fall on me.

13 PRESIDING JUDGE SCHMITT: [11:55:46] Thank you, Madam Witness.

14 Mr Obhof.

15 MR OBHOF: [11:55:50]

16 Q. [11:55:51] A few short follow-up questions. When you began talking, it states
17 in the transcript that this -- with the phone calls and with going back up for the peace
18 talks was in 1996.

19 PRESIDING JUDGE SCHMITT: [11:56:06] I think we have understood. I think she
20 meant 2006.

21 MR OBHOF: [11:56:10] Okay.

22 PRESIDING JUDGE SCHMITT: [11:56:11] I simply assumed that.

23 THE WITNESS: [11:56:15] (Interpretation) It was 2006. I beg your pardon.

24 PRESIDING JUDGE SCHMITT: [11:56:18] No problem. Sometimes we can
25 conclude it from other information that we already have.

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(Private Session)

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1 Mr Obhof.

2 MR OBHOF: [11:56:26] Actually, your Honour, if I could have maybe about three
3 minutes of a private session, please.

4 PRESIDING JUDGE SCHMITT: [11:56:37] Private session.

5 (Private session at 11.56 a.m.)

6 THE COURT OFFICER: [11:56:51] We're in private session, Mr President.

7 (Redacted)

8 (Redacted)

9 (Redacted)

10 (Redacted)

11 (Redacted)

12 (Redacted)

13 (Redacted)

14 (Redacted)

15 (Redacted)

16 (Redacted)

17 (Redacted)

18 (Open session at 11.58 a.m.)

19 THE COURT OFFICER: [11:58:16] We are back in open session, Mr President.

20 MR OBHOF: [11:58:30]

21 Q. [11:58:32] Madam Witness, when you were in Busia did you talk with the police
22 at all?

23 A. [11:58:45] Yes, I did speak to the police.

24 Q. [11:58:53] Do you remember signing witness statements with the police in
25 Busia?

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1 A. [11:59:11] Yes, they asked us to sign something.

2 Q. [11:59:18] Were you read these witness statements in a language which you
3 understand?

4 A. [11:59:35] No. They did not read it. They asked us questions, they asked us
5 how we left, and then we were told that we should go back, we were told that the
6 soldiers would come and take us back to Gulu, and then we signed. They did not
7 read it, they did not translate it, so we do not know exactly what it was that we
8 signed.

9 Q. [12:00:03] Ms Witness, did anything come about from this trip in terms of legal
10 matters?

11 A. [12:00:26] It was the way that the soldiers were treating us. You know, when
12 you are in the hand of soldiers, they treat you in a different manner. You are beaten,
13 the food that we were being given when we were in the fourth division, and those
14 were things that were kind of -- the treatment was not humane.

15 MR OBHOF: [12:00:52] I'm just going to read tab 2 and tab 3.

16 PRESIDING JUDGE SCHMITT: [12:00:56] Absolutely, yes.

17 MR OBHOF: [12:00:58] Or sorry, tabs 3 and 4, UGA-OTP-0208-0433 and tab 4 is
18 UGA-OTP-0208-0441.

19 PRESIDING JUDGE SCHMITT: [12:01:13] But please tell the witness where you're
20 reading from.

21 MR OBHOF: [12:01:17] Yes.

22 Q. [12:01:17] Now, Madam Witness, these are the police statements which we just
23 briefly discussed which you stated that you were told to sign before they were read to
24 you. Those were the numbers I just read.

25 That's part of it, your Honour, really all I wanted to do with those, just so that part

1 could be understood. Thank you.

2 Now, Ms Witness, when you returned back to Gulu, how were you treated there?

3 A. [12:02:02] Well, when I returned to Gulu from Busia, it was -- life was very
4 difficult. I would not even move. So many people -- some people would come and
5 want to abuse me, why do I still want to go back to the bush? A lot of things. So
6 life was really very difficult.

7 Q. [12:02:33] Now, you mentioned, it's at page 44 of the real-time, that "I had to
8 take people back to the bush for peace talks. They told me that I had escaped from
9 the LRA, but the government was also coercing me to go back to the LRA." Could
10 you please tell the Court in a narrative what you mean by going back to the LRA and
11 what happened.

12 A. [12:03:12] You know, when you escape from someone, you will always be
13 thinking that if you go back to that person, something bad will happen again to you.
14 So the RDC at that time was Ochora Walter. After he bought that phone and
15 brought it to me, he said that they are working hard to ensure the peace talk go ahead.
16 And I am one of those people that they see that I can play an important role, because
17 if I go there, then the LRA would be able -- or would accept to come back home.
18 So in my own mind I was just reflecting and saying, look, I was there with them and
19 now I have escaped, and if I go back again and participate, they will, you know, look
20 at me as a bad person and that can bring problems to me in future.
21 Because to me I think that should be the role of the government. Instead, the
22 government should have been the one to say and refuse my participation on grounds
23 that, look, this girl has just been in the LRA and has just escaped so should be
24 protected.

25 So, indeed, this is one of the things which made me very scared. And up to now I

1 still worry and think about it because out of the three women that were there, for
2 example, Lilly who went was also detained there, she never came back. Then there
3 was another person called Cecilia Akulu who also went during that peace process.
4 She also never came back. So that is one of the things that if I think about, it actually
5 saddens me because if I had gone, I would not have returned. And up to now no
6 one can tell me where these people are.

7 Q. [12:05:29] How is it that you came back?

8 A. [12:05:46] Well, I had my own way. I deceived Kony and told him that when I
9 returned, I got a certain man, a soldier, with whom I was in a relationship and I got
10 HIV infection. So for him he fears this thing of HIV/AIDS, so he allowed me to come
11 back home. Secondly, my mother was very sick and was weak and I explained that
12 to him, but he told me if it is only a matter of sickness of my mother, that cannot
13 prevent me from staying with him. But then I still pleaded to him and told him,
14 "Look, my mother is weak. In addition to that, the children that we have, no one will
15 take care of them except me, so if you want a good future for our children, let me go.
16 I will struggle in my own ways to feed them." So when he heard my plea, he
17 accepted and I came back.

18 But for the other two colleagues of mine, the other two wives, I do not know what
19 happened to them because he would talk to them individually. So I think they could
20 have decided to accept to stay with him.

21 PRESIDING JUDGE SCHMITT: [12:07:11] Ms Witness, when you say you deceived
22 him, I take it that you simply -- for example, about your own sickness, that you
23 simply lied to him?

24 THE WITNESS: [12:07:27] (Interpretation) Yes, I just lied to him.

25 PRESIDING JUDGE SCHMITT: [12:07:30] So for the record.

1 Mr Obhof.

2 MR OBHOF: [12:07:38]

3 Q. [12:07:39] As you were leaving, did you say anything to the UPDF who were
4 supposed to take you all back to Uganda?

5 A. [12:08:05] Could you say the question again?

6 Q. [12:08:09] After you had outwitted Joseph Kony and you were leaving from the
7 peace talks to be brought back to Uganda, did you say anything to the government
8 people, Walter Ochora and the UPDF people, about Cecilia and Atong?

9 A. [12:08:43] Yes, I came to Ochora and Norbert Mao. I told them that, "Look,
10 Atong has remained behind -- is going to remain behind. Isn't there a way that I can
11 go back with them?" Those people told me, "You have to hurry and get to the plane
12 because you should know that if you are unlucky and you are coming back, you
13 should just hurry and come back. Don't mind about these other people. Those
14 people will come back one day according to what God has planned for them." So I
15 did not see anything else that they talked about.

16 Q. [12:09:34] I'm going to move on to my last subject.

17 Ms Witness, the book that you authored, did you write this book in English?

18 A. [12:10:00] I wrote my book in Acholi and then it was translated into English.

19 Q. [12:10:11] Do you know the person who translated it into English?

20 A. [12:10:24] I know.

21 Q. [12:10:33] Do you still have the original manuscript in Acholi which you wrote?

22 A. [12:10:52] You know, last year thieves broke into my house and they stole some
23 of the things in my house, including a copy of that manuscript. So I do not have any
24 copy in Acholi.

25 Q. [12:11:12] Why did you write this book?

1 A. [12:11:25] Well, your Honours, I wrote this book for three reasons. First, I
2 wanted to speak about women and children's rights, the effect of war that the
3 children and women go through, and I also wanted my children to know about the
4 experiences that I went through.

5 Q. [12:12:02] Thank you very much, Evelyn.

6 MR OBHOF: [12:12:04] Your Honour, this will be it for the Defence.

7 PRESIDING JUDGE SCHMITT: [12:12:10] Thank you very much, Mr Obhof.

8 I give the floor to the Prosecution, Mr Zeneli.

9 MR ZENELI: [12:12:16] Thank you, your Honour.

10 QUESTIONED BY MR ZENELI:

11 Q. [12:12:27] Good afternoon, Madam Witness.

12 A. [12:12:54] Thank you, good afternoon.

13 Q. [12:12:56] I have a book in my hand. Do you recognise it?

14 A. [12:13:05] Yes, I do.

15 Q. [12:13:07] Is this your book?

16 A. [12:13:14] Correct, that is my book.

17 Q. [12:13:17] And if I understand correctly, Erin Baines helped you to edit it and
18 publish it, right?

19 A. [12:13:36] Correct.

20 Q. [12:13:39] And you met with Erin a lot of times and discussed what stories to
21 put in the book; is that correct?

22 A. [12:13:56] Correct.

23 Q. [12:13:59] And everything that was chosen for the book you were very careful to
24 make sure that it had your agreement to it, right?

25 A. [12:14:19] Correct, your Honours.

1 Q. [12:14:23] You were the one that made the final decisions which stories to
2 include; is that correct?

3 A. [12:14:40] Correct.

4 Q. [12:14:44] And you say that these stories are true.

5 And, your Honour, I'm going to quote from UGA-OTP-0286-2030, page 2044.

6 And, Evelyn, I'm reading one sentence. You say: "I eyewitnessed these events.

7 These are things I went through. They happened to me; they are not something
8 someone else told me."

9 You confirm this, right?

10 A. [12:15:28] Yes, I confirm.

11 Q. [12:15:43] Evelyn, I'll just ask one short question. When my learned friend was
12 talking about your time with -- your experience with Dominic, the very first that you
13 mentioned when he saved you from almost drowning, do you remember that?

14 A. [12:16:12] I do remember.

15 Q. [12:16:15] I just want you to help me understand that when you spoke about it,
16 you said Dominic and those of Dominic helped you get saved; is that correct?

17 A. [12:16:34] Correct.

18 Q. [12:16:36] Do you by "those of Dominic" mean that he had soldiers with him at
19 that time?

20 A. [12:16:49] At that time Dominic did not have his own soldiers. You know, in
21 the LRA people have groups in coys, but there is someone who is the overall. So in
22 that group where he was, it was a group of children. As I said in the LRA, children
23 would be in a small group, in another group, and that's what I was meaning by
24 saying Dominic and his other people.

25 Q. [12:17:26] You remember Dominic was strong enough at that time to help you; is

1 that correct?

2 A. [12:17:44] Because he would not carry me alone. There were four people, him
3 together with his colleagues were able to carry me because I was only 12 years by
4 then.

5 PRESIDING JUDGE SCHMITT: [12:18:06] I think when the witness talked about
6 that she said she was 14 at the time, I have not looked it up, but yes, I think you will
7 continue from that. I think it's not of major importance, if she was born -- I think we
8 can reckon that she was born around 1982.

9 MR ZENELI: [12:18:31]

10 Q. [12:18:31] Madam Witness, now let's just think about the time when you were
11 abducted, you spoke very briefly about it, and particularly I would want you to think
12 about the moment when you were at Te Kilak, okay? Raska Lukwiya ordered the
13 newly abducted children to go and beat to death one of the newly abducted ones who
14 tried to escape, correct?

15 A. [12:19:18] Correct.

16 Q. [12:19:20] And it's true, is it not, that you did not beat that child that tried to
17 escape, you chose to stay away and you chose not to hit him; is that correct?

18 A. [12:19:43] Correct.

19 Q. [12:19:47] And you did the same thing when Raska brought a second child who
20 had tried to escape, you still chose not to beat him to death; is that correct?

21 A. [12:20:08] Correct.

22 Q. [12:20:12] Do you remember when you were beaten for pouring sorghum out of
23 your head?

24 A. [12:20:27] That was in 1994. If I can recall correctly, it was during
25 Independence Day.

1 Q. [12:20:38] Now, Kony was very angry at that time, wasn't he, because he had
2 ordered his soldiers to go to Te Kilak to steal food, to loot food, remember that?

3 A. [12:21:01] I remember.

4 Q. [12:21:04] And he was so angry because the UPDF had killed all of the LRA
5 soldiers that he had sent to loot, correct?

6 A. [12:21:16] Correct.

7 Q. [12:21:26] And when that happened Kony said that he would kill many people
8 for this loss; is that correct?

9 A. [12:21:41] Yes, he said that.

10 Q. [12:21:45] And you thought Kony considered people like hens that could be
11 killed at any time, didn't you?

12 A. [12:22:09] Correct.

13 Q. [12:22:14] And you thought that Kony thought that people were or considered
14 them to be like hens - chicken, that is, if I'm told it's incorrect from the
15 records - because Kony wanted to kill civilians for those loss -- for the loss of his
16 fighters, correct?

17 A. [12:22:45] Correct.

18 Q. [12:22:49] Now, when Kony came to talk to you about the sorghum that you
19 poured out of your head, you talked back to him, didn't you? And he reprimanded
20 you for that, didn't he?

21 A. [12:23:09] Yes, I was severely beaten for why I would respond to a senior
22 person.

23 Q. [12:23:23] That's true and they beat you like 50 strokes to your neck and they
24 beat you to the point you couldn't stand up; is that correct?

25 A. [12:23:36] Correct.

1 Q. [12:23:40] And Kony brought you medicine, but you pretended like you took it
2 but you did not take it; is that correct?

3 A. [12:23:55] Correct.

4 Q. [12:23:58] It was at that time that Kony also told you to forget about home, right,
5 not to try to escape?

6 A. [12:24:16] Yes, he said that.

7 Q. [12:24:21] And just before he made you a ting ting to his house he sent you for
8 about a month at Otti Lagony's house, correct?

9 A. [12:24:37] Correct.

10 Q. [12:24:38] And when he sent his escorts to pick you up, you refused, you did not
11 go, correct?

12 A. [12:24:52] Correct, because I felt that I wanted to stay at Lagony's home.

13 Q. [12:25:04] Kony had to come and pick you up himself, that's true, right?

14 A. [12:25:14] Correct.

15 Q. [12:25:16] And it's also true that because you did not want to be his ting ting you
16 wanted to escape; is that correct?

17 A. [12:25:29] Correct.

18 Q. [12:25:32] But the security in Kony's house was always tight, right? That's how
19 you remember it, correct?

20 A. [12:25:47] Correct.

21 Q. [12:25:51] And Kony accused you of trying to escape, right?

22 A. [12:26:02] Correct.

23 Q. [12:26:03] And he told you to stop, didn't he?

24 A. [12:26:15] Yes, he said, he warned me that if I continue then I will be killed.

25 Q. [12:26:21] Then you reached Luwudu and there you became Kony's ting ting,

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1 right?

2 A. [12:26:33] Correct.

3 Q. [12:26:34] Now, life of a ting ting in LRA, it's very difficult isn't it,

4 Madam Witness?

5 A. [12:26:47] Correct.

6 Q. [12:26:49] And you were asked to do so many chores. You were asked to take

7 care of the two babies in his household, fetch water, firewood, cook, clean the house,

8 sweep the compound, scrub the saucepans, wash clothes, all these works, right,

9 Madam Witness?

10 A. [12:27:20] Correct.

11 Q. [12:27:21] It wasn't just your life as a ting ting, this was the life of all the ting

12 tings in the LRA, correct?

13 A. [12:27:39] Correct.

14 Q. [12:27:40] They were simply being used as slaves by the LRA fighters to do all

15 these chores; isn't that right?

16 A. [12:27:52] Correct.

17 Q. [12:27:53] And you and them suffered from all this work, didn't you?

18 A. [12:28:07] Correct.

19 Q. [12:28:08] But you had no choice, you had to do them, didn't you?

20 A. [12:28:18] Correct.

21 Q. [12:28:19] Because if you didn't, you would be punished, you would be beaten;

22 isn't that correct?

23 A. [12:28:32] Correct.

24 Q. [12:28:36] And women and girls in the LRA were punished for not following the

25 rules, were they not?

1 A. [12:28:50] That is what was done.

2 Q. [12:28:52] They were punished if they did not do what these men that they were
3 given to ordered them to do, correct?

4 A. [12:29:14] Yes, usually there is a man that is given -- that you are given to. And
5 also the movement had rules and if you violate those rules, you would be punished.

6 Q. [12:29:34] One of the many things for which you were punished, you yourself
7 were punished, was for the escape of one of the young recruits that was given to you,
8 right?

9 A. [12:29:53] Correct.

10 Q. [12:30:00] When she escaped, they beat you for it, they blamed you for her
11 escape; isn't that correct?

12 A. [12:30:12] Correct.

13 Q. [12:30:15] The girls and women were abducted by the LRA so that the LRA
14 fighters could have sex with them, right?

15 A. [12:30:35] That's correct.

16 Q. [12:30:37] I mean, you told us today that Kony himself had many wives, right?

17 A. [12:30:46] Yes.

18 Q. [12:30:47] And the LRA fighters and commanders chose these women to be their
19 wives, correct?

20 A. [12:31:02] Junior commanders did not select them, wives. Junior commanders
21 were given wives. Some of them had numerous wives but not as many as the senior
22 commanders. There are some of the boys who went back home with only one wife.

23 Q. [12:31:22] You were just 14 when Kony made you his wife, correct?

24 A. [12:31:36] That's correct.

25 Q. [12:31:37] You did not want to be his wife?

- 1 A. [12:31:46] That's correct.
- 2 Q. [12:31:46] (Overlapping speakers)
- 3 PRESIDING JUDGE SCHMITT: [12:31:49] Please repeat the question. The last one
- 4 we have not got because of the answer.
- 5 MR ZENELI: [12:31:58]
- 6 Q. [12:31:59] But you had no choice, did you?
- 7 A. [12:32:04] I had no choice because if you compare the distance from Sudan and
- 8 you also look at somebody who has a gun, and I don't have a gun, somebody who has
- 9 soldiers and I who has nothing, I had no right to accept that. You know, when you
- 10 are there, you stay with somebody, not out of love, but you stay with somebody
- 11 because you need to protect your own life.
- 12 Q. [12:32:38] And that's what he told you, didn't he, he told you you have to choose
- 13 between life or death, and if you wanted to live, you had to be his wife; isn't that true?
- 14 A. [12:32:52] Yes, that's correct.
- 15 Q. [12:32:54] And he pointed a gun to your head; isn't that true?
- 16 A. [12:33:04] He pointed a pistol at me.
- 17 Q. [12:33:08] And he impregnated you, correct?
- 18 A. [12:33:15] That's correct.
- 19 Q. [12:33:19] And that was very painful, wasn't it?
- 20 A. [12:33:29] Yes.
- 21 Q. [12:33:30] You did not want the baby, did you?
- 22 A. [12:33:37] No, I did not want a child. I had the desire to go to school and learn.
- 23 Q. [12:33:47] You did not want the baby to the point that you actually tried to abort,
- 24 not once, three times; isn't that right?
- 25 A. [12:34:01] That's correct.

1 Q. [12:34:02] And the Congolese --

2 A. [12:34:04] Because at the time I was young and based on my observation of my
3 age I thought I would not be able to give birth.

4 Q. [12:34:15] So young were you, Madam Witness, that you, when you went to
5 collect water, still wanted to play with the children; isn't that true?

6 A. [12:34:30] That's correct.

7 Q. [12:34:34] And even though Kony had mentioned and talked about the
8 importance of the children and this Acholi race, you still tried to abort the baby three
9 times with the help of the Congolese lady; isn't that correct?

10 A. [12:34:59] That's correct.

11 Q. [12:35:03] Now, think of the time when Bakita was born and she became very
12 sick and think of that time when you -- you confronted Kony, correct? You went and
13 confronted him, that's correct, right?

14 A. [12:35:26] Yes.

15 Q. [12:35:29] You told him you did not want to be his wife, you told him to let you
16 be simply a slave in his house and he said, "Okay, you won't be my wife"; is that
17 correct?

18 A. [12:35:53] Yes.

19 Q. [12:35:58] Madam, you know Kony very well, right? First as his forced
20 ting ting and then as his forced wife. You were with him for 11 years, but you knew
21 him, you knew him well enough to know that he was not a man to say one thing and
22 keep to that word. He would actually say one thing and do another; isn't that
23 correct?

24 A. [12:36:25] Yes.

25 Q. [12:36:31] Because also he told you, yes, he still wanted you to be his wife, right?

1 A. [12:36:45] Yes.

2 Q. [12:36:48] And yet you refused him, you refused to do anything Kony asked you
3 to do. When he asked you to bring him water, you said no to him, right?

4 A. [12:37:05] Yes.

5 Q. [12:37:08] In fact, you told Kony, you told him to his face that if -- you know, he
6 could beat you or kill you, but you would not do anything he would ask from you;
7 isn't that true?

8 A. [12:37:29] Yes.

9 Q. [12:37:32] When Kony asked you to sleep with him, you refused him, you told
10 him no.

11 A. [12:37:42] Yes.

12 Q. [12:37:45] When he asked you to bring him his comb, you again told him no,
13 you refused him?

14 A. [12:37:56] Yes.

15 Q. [12:37:58] Even when he threatened to kill you, you still refused him, correct?

16 A. [12:38:08] Yes.

17 Q. [12:38:11] Now, do you remember when Kony then sent for his top commanders
18 and called them to his house? And these commanders included Lagony, Vincent
19 Otti, Matata and the others; he called them to his house, correct?

20 A. [12:38:32] Yes.

21 Q. [12:38:33] And Vincent Otti wanted to hear your story, correct?

22 A. [12:38:41] That's correct.

23 Q. [12:38:43] And when he heard you tell him your story, he reprimanded Kony,
24 didn't he?

25 A. [12:38:55] Yes.

- 1 Q. [12:38:57] He told Kony that what he had done to you was bad, correct?
- 2 A. [12:39:07] Yes.
- 3 Q. [12:39:08] He told Kony that he should not have slept with you, correct?
- 4 A. [12:39:15] That's correct.
- 5 Q. [12:39:17] That he should not have impregnated you, right?
- 6 A. [12:39:24] That's correct.
- 7 Q. [12:39:26] Because you were still so very young, right?
- 8 A. [12:39:32] Yes.
- 9 Q. [12:39:34] And Otti reprimanded Kony for that, correct?
- 10 A. [12:39:44] That's correct.
- 11 Q. [12:39:45] And then Kony apologised to you, right?
- 12 A. [12:39:52] Yes.
- 13 Q. [12:39:53] And then he sent you off to Juba, correct?
- 14 A. [12:40:01] That's correct.
- 15 Q. [12:40:03] He impregnated you for a second time, correct?
- 16 A. [12:40:09] Yes.
- 17 Q. [12:40:11] And you still had no choice; isn't that right?
- 18 A. [12:40:19] Yes.
- 19 Q. [12:40:21] I mean, if you weren't an abductee, you would have refused Kony for
- 20 good, correct?
- 21 A. [12:40:30] That's correct.
- 22 Q. [12:40:34] Think about the time when Kony had yellow fever, when he almost
- 23 died; do you remember that time?
- 24 A. [12:40:47] Yes, I do recall that time.
- 25 Q. [12:40:51] He tried to kill you, didn't he?

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1 A. [12:40:58] Yes, he did try.

2 Q. [12:41:01] He had that very sharp knife in his hand and missed you and instead
3 of you, hit the bed; isn't that right?

4 A. [12:41:15] That's correct.

5 Q. [12:41:18] And the reason he wanted to kill you was because he could not bear
6 the thought of him dying and you being taken over by his commanders as their wife,
7 correct?

8 A. [12:41:41] That's correct.

9 Q. [12:41:45] Let's talk about Stella for a very short minute. You remember Stella,
10 right?

11 A. [12:41:54] Yes, I do.

12 Q. [12:41:57] Now, you told us that the women and girls were abducted by the
13 LRA, distributed as ting tings, correct?

14 A. [12:42:08] That's correct.

15 Q. [12:42:10] And as wives to commanders, correct?

16 A. [12:42:18] That's correct.

17 Q. [12:42:20] As well as LRA fighters, correct?

18 A. [12:42:29] That's correct.

19 PRESIDING JUDGE SCHMITT: [12:42:32] We also are sometimes a little bit too fast,
20 Mr Zeneli, especially me, for example.

21 MR ZENELI: [12:42:41]

22 Q. [12:42:49] Now, let's just also talk about the women whose so-called husbands
23 were killed during their time in the bush. Now, those women could not leave the
24 LRA, could they? They couldn't escape, correct?

25 A. [12:43:13] No, they were not able to leave.

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1 Q. [12:43:18] (Microphone not activated)

2 PRESIDING JUDGE SCHMITT: [12:43:20] Microphone, please.

3 MR ZENELI: [12:43:23]

4 Q. [12:43:23] So they were simply handed over to the other LRA fighters and
5 commanders, correct?

6 A. [12:43:34] Yes, that was the practice.

7 Q. [12:43:39] I mean, let's face it, even if they were able to suggest who they should
8 or could have been handed over to, it wasn't a real choice, was it? They could not
9 leave the LRA, could they?

10 MR OBHOF: [12:43:55] Objection, your Honour.

11 PRESIDING JUDGE SCHMITT: [12:43:56] Yes.

12 MR OBHOF: [12:43:57] Well, one thing, it's a multiple level question. He's asking
13 several different questions at once.

14 PRESIDING JUDGE SCHMITT: [12:44:01] I think you are right. I think you
15 should -- I agree with you, Mr Obhof.

16 You should split it. It might be a difference if you are released or to which
17 commander afterwards you would be handed over, if there was a choice. I would
18 also prefer it if you would differentiate between these two things.

19 Let me ask a question, perhaps, Mr Zeneli.

20 So when this happened, Ms Witness, and one fighter, one so-called husband died, did
21 the woman then have a choice amongst the other commanders whom she would be
22 then relating to, being a wife or whatsoever?

23 THE WITNESS: [12:44:54] (Interpretation) Yes. If you're a widow, then you are
24 allowed to select someone to become your husband.

25 PRESIDING JUDGE SCHMITT: [12:45:02] But you were not allowed to simply leave

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1 the LRA?

2 So this is the differentiation, I think, Mr Obhof.

3 THE WITNESS: [12:45:11] (Interpretation) No, you're not allowed to leave the

4 LRA. The rules do not allow you to. You as a widow are allowed to point to

5 somebody that you have an interest in, that man will come and court you. And it's

6 not just a matter of you upping and going to that man and becoming his wife, no.

7 You have to court each other and then go and talk to the higher ranking officers and

8 then permission will be given before you go ahead and live as husband and wife.

9 It's not like home where you court someone and then that person becomes your wife.

10 PRESIDING JUDGE SCHMITT: [12:45:53] I think we understand that.

11 Mr Zeneli.

12 MR ZENELI: [12:45:58]

13 Q. [12:46:00] Even in that case, that wasn't always the case, was it?

14 A. [12:46:07] That's correct.

15 Q. [12:46:09] Because the reason that Stella was killed was that she tried to escape,

16 correct?

17 A. [12:46:21] Yes.

18 Q. [12:46:23] And Stella tried to escape because when the person she was assigned

19 to, this Commander Lagony, was killed, she was assigned to Bunia, wasn't she?

20 A. [12:46:45] That's correct.

21 Q. [12:46:47] But she did not want that, did she?

22 A. [12:46:55] No.

23 Q. [12:46:57] She wanted to run away from him, she wanted to escape from the

24 LRA, and she couldn't, could she?

25 A. [12:47:13] That's correct.

1 Q. [12:47:16] Now before she was killed, everybody was assembled when Stella
2 was caught; is that correct?

3 A. [12:47:34] That's correct.

4 Q. [12:47:35] They sent for all the women and girls to be brought and hear the story
5 of Stella, correct?

6 A. [12:47:47] That's correct.

7 Q. [12:47:53] And they beat Stella in front of all of you, in front of everyone
8 gathered there, correct?

9 A. [12:48:03] That's correct.

10 Q. [12:48:05] They beat her to the point of open wounds on her back side, didn't
11 they?

12 A. [12:48:16] That's correct.

13 Q. [12:48:19] So much was her pain that you started to cry?

14 A. [12:48:29] Yes.

15 Q. [12:48:29] You wished Stella had escaped, didn't you?

16 A. [12:48:36] That's correct.

17 Q. [12:48:43] She wanted to escape because Bunia wanted to have sex with her,
18 correct?

19 A. [12:48:52] That's correct.

20 Q. [12:48:57] And she told everyone there of the pain and humiliation he had
21 caused her; isn't that correct?

22 A. [12:49:10] Yes.

23 Q. [12:49:11] So deep was this pain and humiliation of Stella that she couldn't bear
24 it, she wanted to leave, correct?

25 A. [12:49:27] That's correct.

1 Q. [12:49:28] And in spite of all this, in spite of her humiliation and her pain,
2 Livingstone turned to all of you and instead of protecting Stella, he protected Bunia,
3 correct?

4 A. [12:49:49] That's correct.

5 Q. [12:49:51] They made an example of Stella that day, correct?

6 A. [12:50:04] That's correct.

7 Q. [12:50:05] And they told all of you women and girls there to not do as she had
8 tried to do, correct?

9 A. [12:50:19] That's correct.

10 Q. [12:50:21] They told you that you had no choice, that you had to be with the
11 man you were assigned to, didn't they?

12 A. [12:50:34] That's correct.

13 Q. [12:50:37] They told you that you had to endure them, no matter how big the
14 humiliation and pain, correct?

15 A. [12:50:50] Yes.

16 Q. [12:50:58] And then they beat Stella, didn't they?

17 A. [12:51:07] Yes.

18 Q. [12:51:09] And then they killed her, didn't they?

19 A. [12:51:17] That's what happened.

20 Q. [12:51:21] Now, the commanders in the LRA didn't always do as Kony told
21 them to, correct?

22 A. [12:51:45] Your Honour, not all of them followed Kony's rules because there are
23 sometimes when Kony would complain that a certain commander has gone and done
24 something that he, Kony, was unaware of.

25 Q. [12:52:06] And this was just one example of those when the LRA fighters and

1 commanders did not do as Kony ordered them; is that correct?

2 A. [12:52:23] Yes.

3 Q. [12:52:27] I mean Kony had told them not to kill Stella, but they did, they went
4 ahead and killed her, correct?

5 A. [12:52:40] Precisely.

6 Q. [12:52:46] And just think of your time, the time you spent with Lakati, just very
7 briefly on that. So the commanders didn't always tell Kony everything that
8 happened in the field, in the operations, did they?

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

10 Q. [12:53:17] When you were at Lakati's group, you heard Lakati give some orders
11 to his fighters to attack civilians to do very bad things to civilians, correct?

12 A. [12:53:32] Yes.

13 Q. [12:53:35] And then when you told Kony about them and when Kony spoke to
14 Lakati, Lakati denied those orders, correct?

15 A. [12:53:50] That's correct.

16 Q. [12:53:53] Orders that you yourself had heard him say, correct?

17 A. [12:54:02] Yes.

18 Q. [12:54:05] He even told you not to tell Kony everything; isn't that true?

19 A. [12:54:17] That's correct.

20 Q. [12:54:19] Lakati told you not to report him to Kony, correct?

21 A. [12:54:28] That's correct.

22 Q. [12:54:30] Because if you wanted to grow up into a good officer in the LRA, he
23 told you, then you should not tell Kony what was happening; is that correct?

24 A. [12:54:48] That's correct.

25 Q. [12:54:49] And so he told you not to tell Kony, not to report him to Kony

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1 because that wasn't considered a good thing for a good LRA officer, correct?

2 A. [12:55:08] Yes.

3 Q. [12:55:11] Madam, you yourself believed that if you were not good to your
4 fighters, as an LRA commander, they would actually escape, correct?

5 MR OBHOF: [12:55:27] Objection, your Honour. Speculation. The witness wasn't,
6 wasn't a fighter. She was a ting ting, then a wife.

7 PRESIDING JUDGE SCHMITT: [12:55:33] I understand what you want to ask, but
8 you would perhaps to reword it. I agree with Mr Obhof. She was not a fighter.

9 Or perhaps I think you can simply move on.

10 MR ZENELI: [12:55:46] Or perhaps with your indulgence just rephrase it.

11 PRESIDING JUDGE SCHMITT: [12:55:50] Of course. I have suggested that.
12 Rephrase it.

13 MR ZENELI: [12:55:53]

14 Q. [12:55:54] That was one of the advices you gave Lakati, wasn't it?

15 A. [12:56:02] Yes.

16 Q. [12:56:03] You told Lakati that if he wasn't good, nice to his fighters, they would
17 escape and tell the UPDF where his position was, correct?

18 A. [12:56:27] Yes.

19 MR ZENELI: [12:56:32] Point be it, your Honour, that even though she might not
20 have been at that position structure, she still has witnessed and experienced it.

21 PRESIDING JUDGE SCHMITT: [12:56:43] Yes, and that is of course different.
22 Otherwise I would have intervened of course.

23 MR ZENELI: [12:56:49] I notice the time. Perhaps we take a break now and then
24 pick it up after lunch. I'm perhaps going to need another 20 to 30 minutes.

25 PRESIDING JUDGE SCHMITT: [12:57:05] Yes, okay. I think then we have indeed a

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1 lunch break until 2 o'clock. Thank you for the moment.

2 MR OBHOF: [12:57:11] Your Honour.

3 PRESIDING JUDGE SCHMITT: [12:57:12] Yes.

4 MR OBHOF: [12:57:13] I would just ask that the Prosecutor not read every single
5 story from the book and maybe expedite it a little bit, instead of going over step by
6 step, asking her the same question three times.

7 PRESIDING JUDGE SCHMITT: [12:57:25] No, this is a matter of style, so to speak,
8 and there was nothing inappropriate in it. And since this book has roughly
9 170 pages, I think Mr Zeneli would need a couple of days to go through every story,
10 so I don't assume that he is going to go through every story. And when he says
11 20 minutes are only left, then -- I've just been told we continue at 2.30, not 2 o'clock.
12 Why not, 2.30, so that we have a decent lunch break.

13 So for another 20, 30 minutes at the maximum I would say, Mr Zeneli, after 2.30.

14 Thank you.

15 THE COURT USHER: [12:58:14] All rise.

16 (Recess taken at 12.58 p.m.)

17 (Upon resuming in open session at 2.30 p.m.)

18 THE COURT USHER: [14:30:18] All rise.

19 Please be seated.

20 PRESIDING JUDGE SCHMITT: [14:30:38] Good afternoon.

21 Mr Zeneli, you still have the floor.

22 MR ZENELI: [14:30:47] Thank you, your Honour.

23 Q. [14:30:54] Good afternoon, Madam Witness.

24 A. [14:31:10] (No interpretation)

25 Q. [14:31:13] I only have a few more questions left and we will soon be done.

1 Now, when we were talking earlier we were speaking about how bad life was in the
2 bush, even more so for the women and girls. And it was true that most of the
3 women and girls continued to suffer through this life in the bush, continued to
4 bear -- to have children, to give birth to them with no choice on the matter, correct?

5 A. [14:32:12] Correct.

6 Q. [14:32:15] And you yourself were in this position like many other women and
7 girls in the LRA, correct?

8 A. [14:32:36] Correct.

9 Q. [14:32:39] Now, when you had had Winnie, your second child, you asked Kony
10 to release you, correct?

11 A. [14:32:54] Correct.

12 Q. [14:32:58] And he did not release you, did he?

13 A. [14:33:09] He did not.

14 Q. [14:33:13] In fact he just laughed at you, didn't he?

15 A. [14:33:23] Correct.

16 Q. [14:33:27] He told you that "If you are to be released, then I will be the one to
17 decide, not you", didn't he?

18 A. [14:33:43] Yes.

19 Q. [14:33:51] Not only did Kony not release you, but he told you that you were still
20 going to give birth to many of his children, correct?

21 A. [14:34:09] Correct.

22 Q. [14:34:11] And you wanted to escape again, correct?

23 A. [14:34:23] Correct.

24 Q. [14:34:24] People were escaping at the time from the LRA, you were hearing
25 them on the local radio, correct?

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1 A. [14:34:42] Correct.

2 Q. [14:34:46] Madam Witness, you remember the event in Rubanga Tek, the big fire
3 where Fatima was killed, where in total nine people were killed? You remember
4 that, correct?

5 A. [14:35:12] I remember.

6 Q. [14:35:22] That day three of Kony's wives were killed, nine children, one escort,
7 and even another woman called Ajok, they were all killed that day, correct?

8 A. [14:35:41] Correct, your Honours.

9 Q. [14:35:51] And Kony was so sad that day, wasn't he?

10 A. [14:36:04] Correct.

11 Q. [14:36:06] The LRA commanders took all the guns from him, didn't they?

12 A. [14:36:19] Correct.

13 Q. [14:36:21] Even though he would ask for his guns back or his pistol back, they
14 didn't give it to him, did they?

15 A. [14:36:40] They did not.

16 Q. [14:36:44] Now, you spoke to Kony that day and he told you how sad he was
17 that Fatima was killed, correct?

18 THE INTERPRETER: Your Honour, could the witness say the last response again.

19 PRESIDING JUDGE SCHMITT: [14:37:18] I'm asked, Ms Witness, that you please
20 repeat the last answer. It did not come through.

21 THE WITNESS: [14:37:35] (Interpretation) I said correct.

22 PRESIDING JUDGE SCHMITT: [14:37:38] I think I even now understand this in
23 Acholi after a couple of years here.

24 Thank you, Ms Witness.

25 Mr Zeneli.

1 MR ZENELI: [14:37:49]

2 Q. [14:37:52] He also told you that he was so sad because one of his favourite sons
3 was also killed that day, correct?

4 A. [14:38:09] Correct.

5 Q. [14:38:12] And he told you that it was really hard to be a prophet, correct?

6 A. [14:38:28] Correct.

7 Q. [14:38:31] But you really didn't believe that he was a prophet, did you?

8 A. [14:38:47] No.

9 Q. [14:38:49] Because in fact you told him, you told him that he could not predict
10 the future, didn't you?

11 A. [14:39:07] Yes.

12 Q. [14:39:15] Now, think about the time when you were in Palabek. You were in
13 Sudan until you had -- you were pregnant with your third child; isn't that correct?

14 A. [14:39:37] Correct.

15 Q. [14:39:41] And then you begged Kony to let you go to Uganda and he did not let
16 you go, he wanted to keep Bakita with him so that you would not escape, correct?

17 A. [14:40:03] Correct.

18 Q. [14:40:06] You begged him, Lakati spoke to him, and then he finally let you go
19 with Bakita to Uganda, correct?

20 A. [14:40:20] Correct.

21 Q. [14:40:21] And am I correct to understand that this was when you were heavily
22 pregnant towards 2004, beginning of 2005?

23 A. [14:40:47] Correct.

24 Q. [14:40:51] Now, once you were in Uganda, remember when you had to walk to a
25 rendezvous to meet with Raska Lukwiya, you were really pregnant at that time; do

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1 you remember that?

2 A. [14:41:12] Yes, I remember.

3 Q. [14:41:16] The battles had also become very difficult, very tough at that time,
4 correct?

5 A. [14:41:27] Correct.

6 Q. [14:41:30] It wasn't easy for the LRA groups in Uganda to move around, correct?

7 A. [14:41:42] Correct.

8 Q. [14:41:45] One of the reasons why Raska Lukwiya had decided to release some
9 of the pregnant women was because of that; isn't that correct?

10 A. [14:42:02] Correct.

11 Q. [14:42:04] And when he saw how difficult it was for you being that pregnant to
12 move around, he said he was going to ask Kony to release you, correct?

13 A. [14:42:24] Correct.

14 Q. [14:42:26] And he did, but Kony still did not release you, correct?

15 A. [14:42:37] Correct.

16 Q. [14:42:38] Even though you were pregnant, correct?

17 A. [14:42:47] Correct.

18 Q. [14:42:50] Even though you were in Uganda, correct?

19 A. [14:42:58] Correct.

20 Q. [14:43:01] Kony refused to release you even when you were back with Lakati's
21 group in Uganda, correct?

22 A. [14:43:16] Correct.

23 Q. [14:43:19] You begged him to let you go, but he didn't, right?

24 A. [14:43:29] Correct.

25 Q. [14:43:30] And you ended up giving birth to the third child in the bush, correct?

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1 A. [14:43:42] Correct.

2 Q. [14:43:46] Very briefly I want to talk about Ociju's escape. You remember Ociju,
3 right?

4 A. [14:44:01] I do recall him.

5 Q. [14:44:08] Ociju discussed his escape with you, didn't he; he talked with you
6 about it, correct?

7 A. [14:44:21] Correct.

8 Q. [14:44:23] But you did not want to slow him down and even though he asked
9 you to escape with him, you told him to go alone, correct?

10 A. [14:44:46] Correct.

11 Q. [14:44:48] And after he discussed his escape with you, that night he escaped, he
12 managed to escape, correct?

13 A. [14:45:01] Correct.

14 Q. [14:45:03] He did not even escape alone, he escaped with another boy, correct?

15 A. [14:45:14] Correct.

16 Q. [14:45:17] And next you heard him on the radio telling you to take care of
17 yourself and telling you that you had to go home as well, right?

18 A. [14:45:38] Correct.

19 Q. [14:45:43] Now, during your peace talks when you had to go back to Kony, you
20 told us you lied to him, you told him that you had contracted HIV, right?

21 A. [14:46:04] Yes.

22 Q. [14:46:06] Because you did not want to sleep with him again, did you?

23 A. [14:46:13] Correct.

24 Q. [14:46:15] It was Vincent Otti that suggested you lie to him, right? It was Otti
25 who told you to tell him that you had HIV, correct?

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1 A. [14:46:40] It was me who told Otti how I think and feel about it and he
2 supported it.

3 Q. [14:46:55] Did Otti suggest you tell Kony that you had HIV?

4 A. [14:47:09] I shared with him, I shared with him what I think and what I feel and
5 he just supported it.

6 PRESIDING JUDGE SCHMITT: [14:47:24] I think you can move on.

7 MR ZENELI: [14:47:27]

8 Q. [14:47:30] Let's just talk about your own attempts to escape. And I promise this
9 is going to be very short and we will be done. So you told us today that you first
10 tried to escape with a boy from Atiak, the very first time, correct?

11 A. [14:47:56] Correct.

12 Q. [14:47:57] And then when you were in Luwudu - I apologise for my
13 pronunciation - but when you were in Luwudu, when you had just become a ting ting,
14 you tried to escape again, correct?

15 A. [14:48:20] Correct.

16 Q. [14:48:27] But you were caught and brought back and beaten for that, correct?

17 A. [14:48:38] Correct.

18 Q. [14:48:41] Another time when you tried to escape was when you had reached
19 Lango, correct?

20 A. [14:49:06] I do not quite recall that bit now.

21 Q. [14:49:12] You were asked to walk for four days without any stop and then
22 reached Lango. Does that refresh your memory?

23 A. [14:49:33] Yes, now I can remember.

24 Q. [14:49:38] And so you decided to hide and you did hide, remember?

25 A. [14:49:50] Yes, I recall.

1 Q. [14:49:53] Otti had to send eight commanders to find you and he found you,
2 correct?

3 A. [14:50:07] Correct.

4 Q. [14:50:10] In addition to those attempts, you tried to escape again with the help
5 of the nun from Uganda, remember that?

6 A. [14:50:31] That was from Juba.

7 Q. [14:50:36] That's correct. And at the time you were pregnant with Winnie, your
8 second child, correct?

9 A. [14:50:51] Correct.

10 Q. [14:50:54] And you made plans on that day to get on the plane with the nun
11 from Uganda, and as you went to the camp to pick Bakita, unfortunately you went
12 into labour and could not escape, correct?

13 A. [14:51:23] Correct.

14 Q. [14:51:28] So, Madam Witness, even though you were so close to Kony for
15 11 years, even though he had warned you not to escape, even though the security
16 around his house was so tight, even though he tried to kill you, ordered you be
17 beaten, even though he talked to spirits, you still tried to escape, correct?

18 A. [14:52:27] Correct. But in most occasions when I tried to escape, he would not
19 be nearby, he would not be close. Like in that instance he was in Uganda and I was
20 in Juba.

21 Q. [14:52:45] And you did not try to escape once, twice, three times, you tried four
22 times, several times you tried, correct?

23 A. [14:53:03] Correct.

24 Q. [14:53:05] You stood up to Kony, correct?

25 A. [14:53:15] Correct.

- 1 Q. [14:53:16] You refused him, correct?
- 2 A. [14:53:23] Correct.
- 3 Q. [14:53:24] You lied to him, correct?
- 4 A. [14:53:34] Correct.
- 5 Q. [14:53:34] You told him he could not predict, correct?
- 6 PRESIDING JUDGE SCHMITT: [14:53:38] You don't have to repeat it. I think we
- 7 had all the answers in that regard.
- 8 MR ZENELI: [14:53:46]
- 9 Q. [14:53:47] And today, madam, you're raising your children; isn't that correct?
- 10 A. [14:53:57] Correct.
- 11 Q. [14:53:59] And not only are you raising your children, you're helping to raise
- 12 other's children as well; isn't that right?
- 13 A. [14:54:13] Correct.
- 14 Q. [14:54:17] You're even writing books, right?
- 15 A. [14:54:23] Correct.
- 16 Q. [14:54:25] And you are here today telling your story to this Court, correct?
- 17 A. [14:54:35] Correct.
- 18 Q. [14:54:37] Thank you, Madam Witness.
- 19 MR ZENELI: [14:54:40] No further questions, your Honour.
- 20 PRESIDING JUDGE SCHMITT: [14:54:43] Thank you, Mr Zeneli.
- 21 For the Legal Representatives of Victims, any questions?
- 22 MS SEHMI: [14:54:46] Your Honour, I do have some questions.
- 23 PRESIDING JUDGE SCHMITT: [14:54:49] Yes, please.
- 24 QUESTIONED BY MS SEHMI:
- 25 Q. [14:54:53] Good afternoon, Madam Witness.

1 A. [14:54:57] Good afternoon.

2 Q. [14:55:00] (Overlapping speakers) and I'm going to be asking you a few
3 questions on behalf of the victims participating in this case.

4 A. [14:55:15] (No interpretation)

5 Q. [14:55:15] Madam Witness, could you please tell the Court what your life was
6 before you were abducted?

7 A. [14:55:32] Thank you. Before my abduction I was a child who was growing
8 with my parents. I saw my future was bright. But once I was abducted everything
9 changed.

10 Q. [14:55:52] Thank you. And, Madam Witness, what impact did your abduction
11 and spending 11 years with the LRA have on your life today?

12 A. [14:56:15] Thank you. The most serious impact that I have is that I have a lot of
13 thoughts. I see the problems that women are going through, everything, it comes
14 back to me. I see the women who are struggling and I compare with the life that
15 I was through and also thinking about the women and children who were born
16 during the war.

17 Q. [14:56:51] Right. And do you have any ongoing injuries or ailments as a result
18 of your time in the bush?

19 A. [14:57:07] Yes, I do have. I have pain. I have pain in my chest, quite often I
20 experience this pain. Ever since I came back a medical examination revealed that I
21 have a problem with my bladder, I get frequent urge to go for urination. This is part
22 of the problem I came back with from the bush. And also I think because of carrying
23 heavy load I get a lot of pain in my head. This is some of the things that I currently
24 am experiencing.

25 Q. [14:57:56] Right. And, Madam Witness, you told us today that when you came

1 back from the bush you faced stigma from your community. I wanted to know do
2 you or your children continue to face this type of stigma today?

3 MR OBHOF: [14:58:11] Your Honour, I don't generally object to the question, but
4 she said she faced stigma in Gulu, which is different from stigma from her
5 community which is in Atiak. I would have no problem with a further question,
6 but --

7 PRESIDING JUDGE SCHMITT: [14:58:22] I think, I think when we talk about stigma,
8 is it not essential where it comes from and where it is located.
9 So the question would be, Ms Witness, simply do you still face stigma whenever you
10 are in Uganda, wherever you are?

11 THE WITNESS: [14:58:49] (Interpretation) Thank you. When you compare
12 previous time and now, there is a bit of difference now. And secondly, in relation to
13 Atiak where there was a massacre, I cannot stay there with my children. I feel it's
14 safer for me to stay in town where many people do not know me. But in Atiak there
15 are many people who were murdered and the people whose -- who lost their loved
16 ones don't feel happy.

17 MS SEHMI: [14:59:28]

18 Q. [14:59:29] Thank you. Madam Witness, you stated in your book that you work
19 with other women, returnees such as yourself. Do they face similar problems with
20 reintegration or stigma?

21 A. [14:59:48] Your Honour, the problem depends on where you are coming from
22 because there are some areas where there was massive massacre. The community
23 there do not segregate between you, whether you are a man or a woman, they just
24 discriminate you, they just stigmatise you. That is why most of the women who
25 returned are concentrated in town. They cannot go and live outside the town area

1 for fear of stigmatisation.

2 Secondly, also in the villages you cannot get odd jobs that you can do and you earn
3 some money. But in town you can get some of these odd jobs which you can earn
4 money and you can live on that and not many people would know who you are. So
5 this is part of the problems that many of the mothers who returned are going through.
6 The issue of stigma is not only on us, the mothers, even our children, because our
7 culture shows that children belong to the clan of their fathers, but you see that many
8 of the children born in the bush, many of them do not know their clans. Even
9 though we are struggling now to try and trace and link up these children to their
10 clans, some of them we find, some of them we do not find. So it means these
11 children who do not now get to know their clans, you know, they feel stigmatised
12 because people talk so much, talk bad against them.

13 Q. [15:01:42] Thank you, Madam Witness. And apart from your time with
14 GUSCO, have you received any type of assistance or support in relation to your
15 experiences with the LRA?

16 A. [15:02:01] We did not get any support, but we petitioned the government of
17 Uganda if they can assist us. We did that in 2014, but up to now we are still waiting.
18 We do not know when it will come. But all I need to tell you that victims are dying
19 because some mothers came back with serious injuries and they are losing their lives.
20 We do not know if government will ever remember us.

21 Q. [15:02:37] Thank you for that, Madam Witness.

22 MS SEHMI: [15:02:39] Your Honour, I have no further questions.

23 PRESIDING JUDGE SCHMITT: [15:02:42] Thank you, Ms Sehmi.

24 Mr Narantsetseg.

25 MR NARANTSETSEG: [15:02:44] No questions. Thank you.

1 PRESIDING JUDGE SCHMITT: [15:02:49] Thank you.

2 Mr Obhof, do you have -- of course. You're entitled to.

3 QUESTIONED BY MR OBHOF:

4 Q. [15:03:04] Good afternoon, Madam Witness.

5 A. [15:03:11] Good afternoon to you too.

6 Q. [15:03:14] We'll get this over with in a few minutes, it won't be too long.

7 Now, in terms of treatment, which women got better -- did Kony's wives, what type
8 of treatment did you receive in respect to other women in the LRA?

9 A. [15:03:43] If you lived in Kony's household, the stigmatisation is higher
10 compared to the wives of privates or other people. If the community finds out that
11 so-and-so was Kony's wife and so-and-so was a private's wife the way they treat you
12 is different. There is a distinction because as far as the community is concerned,
13 people who lived within Kony's household were supportive of whatever it is that he
14 was doing.

15 Q. [15:04:20] Now, when you were in the LRA, same question, when you were in
16 the LRA, how were Kony's wives treated in respect to other women?

17 A. [15:04:36] Within the LRA people were treated equally, but the main problem
18 that we had, people in Kony's household, was the fact that we were not free to go and
19 mingle with other people. For example, if you want to go and meet your friends or
20 other people within other brigades, you are not allowed. If you wanted to go and
21 visit a friend, a relative or anybody that you know from another brigade, you are not
22 allowed to go. So we were kind of excluded.

23 Q. [15:05:13] Did Kony treat his wives equally?

24 A. [15:05:26] As a man, it's not really possible to treat everybody equally.

25 Q. [15:05:36] Now, the Prosecutor talked earlier today about Stella. How did

1 Stella's husband die?

2 A. [15:05:57] Otti Lagony was killed.

3 Q. [15:06:01] Did he -- how did he die?

4 A. [15:06:13] Well, I saw on one occasion when we were at Nisitu, when they came
5 and arrested a number of commanders and they were taken to Nisitu. I did not
6 see -- the people that I saw -- I did not see Otti Lagony and Okello Director, but I did
7 hear that they were killed. And I do believe that they were actually killed because I
8 did not see them within the LRA for a long time. And their wives, the wives that
9 were left behind were distributed to other commanders. And it's based on those
10 grounds that I do believe that they were actually killed. But I did not see how they
11 were killed. They were arrested at dawn and they were taken, and whatever
12 happened to them I do not know. I do not want to tell the Court lies because I did
13 not actually see what happened to them.

14 Q. [15:07:18] Now, the Prosecutor also talked earlier today about Lakati. Now,
15 according to the rules spoken through -- or by the spirits spoken through Joseph Kony,
16 what would be the punishment if Joseph Kony found out that Lakati lied to him?

17 A. [15:07:53] Most times with respect to commanders if they -- if there is any kind
18 of insubordination they are either demoted or they are arrested and put in prison.

19 Q. [15:08:09] And you also spoke today with the Prosecution about Mr Otti Vincent.
20 Where is -- where does Otti Vincent hail -- from where does he hail?

21 A. [15:08:25] Otti Vincent hails from Atiak.

22 Q. [15:08:34] How comfortable were you speaking with a fellow clan member from
23 Atiak?

24 A. [15:08:56] Your Honour, you know, when we are in the bush we do not have
25 close relatives with us, so if there is somebody who hails from your area, irrespective

1 of whether or not you know that person personally, for example, Otti Vincent, he's
2 from Atiak and I'm also from Atiak, so I was under the impression that I could talk to
3 him as somebody who came from the same area with myself.

4 Q. [15:09:28] Now, considering, as you spoke today, that he informed you to lie,
5 that he was okay with you lying to Joseph Kony, and considering your work with the
6 peace process, did you come to find out what happened to Otti Vincent?

7 A. [15:10:00] Thank you, your Honour. When I came back from Juba I heard from
8 one boy who was still there, at around 7 a.m. You know, when the peace talks were
9 going on, there were certain people who were still in the bush who used to call me.
10 So there is this chap known as Otim Lalwodo (phon) who called me and told me:
11 "My sister, right now I'm calling you, I'm in the bush by myself, but right now Otti
12 Vincent has been shot and killed." And I asked him, "Why was Otti killed?" And
13 he told me that the people who went for peace talks informed Kony that Otti wanted
14 to escape, and based on that information, Kony sent soldiers who went and killed
15 Otti.

16 Secondly, he told me that one of my cousins known as Otim was also killed. He was
17 shot and killed at the same time with Otti Vincent. Otim was somebody from our
18 home and I do believe that he was actually killed because up to date their bodies have
19 not been found, their whereabouts are unknown. And this boy who spoke to me
20 over the phone told me that there was also a guy who was in Gilva known as
21 Adjumani. Adjumani was also part of the group that was killed with Otti. And I
22 heard what this person told me, but I did not witness it because at the time I was no
23 longer in the LRA. And that's how I found out that Otti was dead.

24 Q. [15:12:02] Thank you, Ms Witness. One final question: Earlier today too the
25 Prosecution asked you some questions about how you confronted Joseph Kony, about

1 how you told Joseph Kony that he could not make predictions. Now, considering
2 what had happened that day, that people inside of your household had died during
3 an attack, what was your state of mind while you were arguing, yelling, saying all
4 these things to Joseph Kony?

5 A. [15:12:50] Your Honour, I do not know what possessed me at that time, what
6 gave me the courage, but when I saw dead people, I saw how people had been
7 burned, and there was especially one girl who was from our home, Aromo, she
8 burned with all her children and died. So I do not know whether it was the pain of
9 seeing all the suffering, of seeing the people dead. And I myself kept on thinking if
10 God has not taken me, then I'm not -- if God had not taken me, then I am not coming
11 back because I was extremely angry at that time.

12 Q. [15:13:32] Thank you very much for coming today, Evelyn. I truly appreciate
13 everything that you've come and spoken about today.

14 MR OBHOF: [15:13:40] Your Honour, thank you very much.

15 PRESIDING JUDGE SCHMITT: [15:13:42] Thank you very much, Mr Obhof.

16 Ms Amony, we all here in the courtroom are aware that it is extremely difficult to talk
17 freely and openly about all those deeply burdensome events of the past. That you
18 did so today shows strength, courage and commitment and is a big personal
19 achievement. On behalf of the Chamber I would like to thank you that you came to
20 the video-link location, testified today and helped the Court establish the truth. We
21 wish you a safe trip back home.

22 THE WITNESS: [15:14:29] (Interpretation) Thank you, your Honour.

23 (The witness is excused)

24 PRESIDING JUDGE SCHMITT: [15:14:33] This concludes also the hearing of today.

25 Tomorrow we have to cancel the hearing for reasons outside of the control of the

Trial Hearing
WITNESS: UGA-D26-P-0049

(Open Session)

ICC-02/04-01/15

- 1 Chamber. The next witness will hopefully surely come on Thursday, 9.30, and it will
- 2 be D-13. Thank you.
- 3 THE COURT USHER: [15:14:53] All rise.
- 4 (The hearing ends in open session at 3.14 p.m.)