

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 Thursday, 13 June 2019
9 (The hearing starts in open session at 9.34 a.m.)
10 THE COURT USHER: [9:34:55] All rise.
11 The International Criminal Court is now in session.
12 Please be seated.
13 PRESIDING JUDGE SCHMITT: [9:35:18] Good morning, everyone.
14 Could the court officer please call the case.
15 THE COURT OFFICER: [9:35:22] Good morning, Mr President, your Honours.
16 The situation in the Republic of Uganda, in the case of The Prosecutor versus Dominic
17 Ongwen, case reference ICC-02/04-01/15.
18 And we are in open session.
19 PRESIDING JUDGE SCHMITT: [9:35:34] Thank you.
20 I ask for the appearances of the parties. For the Prosecution, Mr Sachithanandan.
21 MR SACHITHANANDAN: [9:35:41] Good morning, your Honour.
22 Appearing today, Pubudu Sachithanandan, with Ben Gumpert, Yulia Nuzban, Beti
23 Hohler, Sanyu Ndagire, Natasha Barigye and Suhong Yang.
24 PRESIDING JUDGE SCHMITT: [9:35:52] Thank you.
25 And for the LRVs, Mr Narantsetseg first.

1 MR NARANTSETSEG: [9:35:56] Good morning, Mr President, your Honours. I'm
2 with Ms Caroline Walter and my name's Orchlon Narantsetseg. Thank you.

3 PRESIDING JUDGE SCHMITT: [9:36:03] Ms Sehmi.

4 MS SEHMI: [9:36:04] Good morning, Mr President, your Honours. On behalf of the
5 Legal Representative for Victims, Anushka Sehmi and James Mawira.

6 PRESIDING JUDGE SCHMITT: [9:36:11] Thank you.

7 And then we have the Defence, Mr Obhof.

8 MR OBHOF: [9:36:14] Good morning, your Honour. Today we have Counsel
9 Krispus Ayena Odongo; one of our assistant to counsels, Gordon Kifudde; myself,
10 Thomas Obhof. And of course our client Mr Ongwen is in court today.

11 PRESIDING JUDGE SCHMITT: [9:36:27] Thank you.

12 And we have Rule 74 counsel, Ms Montefusco.

13 MS MONTEFUSCO: [9:36:33] Yes. Good morning, Mr President, good morning,
14 your Honours. I am Nicoletta Montefusco, Rule 74 legal advisor for Witness
15 D-26-P-0068, who is not currently in the courtroom but is present.

16 PRESIDING JUDGE SCHMITT: [9:36:42] But I think we will soon have him in the
17 courtroom. That is why we met here today. Before we start and discuss this
18 Rule 74 issue of course in private session, I would like to address two small
19 organisational matters.

20 Mr Obhof has asked the Chamber to start the afternoon session 15 minutes later
21 because he wants to finish the presentation he is giving at the ICCBA, and of course
22 the Chamber will grant this wish, that is, we don't see a problem there.

23 And the second matter is: what is the situation with regard to witness 75, Mr Obhof?

24 MR OBHOF: [9:37:22] Thank you, your Honour. Thank you for the first, granting
25 the first request. As you saw from the email yesterday evening, our people are

1 waiting to hear back from them, I am expecting an email around 10 a.m. from them to
2 have anything further.

3 From what I understood if they did not receive any phone calls, they would be
4 driving back out again and actually going to the location where the witness is
5 specifically at.

6 PRESIDING JUDGE SCHMITT: [9:37:49] I understand that it might be difficult to
7 start with the witness on Monday, which can happen. So no admonishing anyone,
8 these things simply happen.

9 So from the side of the Chamber there is no problem to start this witness on Tuesday.
10 And I think we -- so that the tension is not too high on you, I think we can simply take
11 it that we start with witness D-75 on Tuesday.

12 MR OBHOF: [9:38:17] Thank you, your Honour, and of course during the break I
13 will be trying to contact people to find more out.

14 PRESIDING JUDGE SCHMITT: [9:38:22] But this should happen of course then
15 Tuesday, we count on that at least.

16 MR OBHOF: [9:38:27] Yes, because when I stated "the field", as I mentioned to
17 the Prosecution this morning, I meant actually in a farming field. So it's some place
18 where with a four-by-four they could get to to find him.

19 PRESIDING JUDGE SCHMITT: [9:38:39] We completely understand.
20 Then we go to private session to discuss these Rule 74 matters.

21 (Private session at 9.38 a.m.)

22 THE COURT OFFICER: [9:38:52] We are in private session, Mr President.

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5 (Open session at 9.47 a.m.)

6 THE COURT OFFICER: [9:47:46] We are in open session, Mr President.

7 PRESIDING JUDGE SCHMITT: [9:47:48] Thank you very much.

8 And first of all, thank you for the fruitful discussion by the parties and participants
9 here. The Chamber will now render its decision on the requested assurances.

10 The Chamber notes that the Defence did not identify specific topics or issues in the
11 prior recorded statement which may lead to the self-incrimination of the witness.

12 The reasons provided by the Rule 74 counsel in request 1542 are also not sufficient to
13 grant such assurances. Paragraphs 13 and 14 relate to arguments of subjective fears
14 of the witness and are not related to matters of self-incrimination.

15 The arguments presented in paragraph 8 alone are not sufficient to justify Rule 74
16 assurances. This is especially the case considering general amnesty and the existing
17 specific amnesty certificate. And, in that regard, the Chamber has noted the
18 submission by the Rule 74 counsel in paragraph 17 of the request.

19 Given the nature of the anticipated testimony and the subsequent low probability of
20 self-incrimination and the existence of an amnesty certificate, as well as the possibility
21 of taking alternate measures to sufficiently protect the witness, the Chamber does not
22 find it necessary to grant the witness assurances pursuant to Rule 74 of the Rules.

23 Accordingly the request is rejected. However, the Chamber may and will resort to
24 the use of private session if it deems it necessary. This is especially the case for
25 actions, especially, not exclusively the case for actions which the witness has done

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1 after becoming full of age.

2 And I am sure that Ms Montefusco remains mandated as legal advisor to the witness,

3 and Defence counsel will also be vigilant in that regard and of course also

4 the Chamber.

5 This concludes the ruling of the Chamber.

6 We can now bring the witness in. And I understand, Ms Montefusco, that you will

7 accompany him and we don't have any problem with that.

8 (The witness enters the courtroom)

9 PRESIDING JUDGE SCHMITT: [9:52:40] Good morning, Mr Witness.

10 WITNESS: UGA-D26-P-0068

11 (The witness speaks Acholi)

12 THE WITNESS: [9:52:44](Interpretation) Good morning.

13 PRESIDING JUDGE SCHMITT: [9:52:46] On behalf of the Chamber I would like to

14 welcome you in the courtroom.

15 THE WITNESS: [9:52:53](Interpretation) Thank you for welcoming me.

16 PRESIDING JUDGE SCHMITT: [9:52:57] Mr Witness, there should be a card in front

17 of you with the solemn undertaking. Could you please kindly read it.

18 THE WITNESS: [9:53:19](Interpretation) I solemnly undertake to speak the truth, the

19 whole truth and nothing but the truth.

20 PRESIDING JUDGE SCHMITT: [9:53:33] Thank you very much. Do you agree

21 with that?

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

23 PRESIDING JUDGE SCHMITT: [9:53:41] Thank you, Mr Witness.

24 Albeit the Chamber has not granted these so-called 74 assurances, the Prosecution has

25 given the assurance that your testimony will not be used either directly or indirectly

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1 against you in any subsequent proceedings by this Court.

2 There is of course one exception, if you would not tell us the truth, but you have
3 already said that you will tell us the truth.

4 If, furthermore, any question is asked that could lead to your self-incrimination, we
5 will hear your answer in private session and the answer will be kept confidential.

6 This means no one outside the courtroom can hear it and it will not be revealed.

7 And we all in this courtroom are vigilant in that respect. We have two parties,
8 especially Defence also, and we have, which is very important, Ms Montefusco will be
9 vigilant in that regard, and also we have a Chamber here who has also a little bit of
10 experience.

11 Before we start with your testimony, Mr Witness, there are some practical matters,
12 very shortly. Everything we say here in the courtroom is written down and
13 interpreted. To allow for the interpretation we have to speak at a relatively slow
14 pace, so we would ask you also to speak not too speedily. Before you came in there
15 were already experienced counsel here admonished for talking too quickly, so this
16 can happen, would not be a problem, but please keep this in mind. And if you, for
17 example, think you need a break, please raise your hand and then I will give you the
18 word and you might address us.

19 We can then start with your testimony and I give Mr Obhof the floor.

20 MR OBHOF: [9:56:13] Thank you very much, your Honour. Your Honour, the first
21 few set of questions for a little bit, less than five minutes, will just be his personal
22 background information. If we could, please, private session.

23 PRESIDING JUDGE SCHMITT: [9:56:26] I think there will be no problem from the
24 Prosecution side to discuss this in private session.

25 So we go to private session for four to five minutes. Normally we can trust

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1 Mr Obhof in his time estimations.

2 (Private session at 9.56 a.m.)

3 THE COURT OFFICER: [9:56:47] We are in private session, Mr President.

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15 (Open session at 10.01 a.m.)

16 THE COURT OFFICER: [10:01:06] We can back to open session, Mr President.

17 PRESIDING JUDGE SCHMITT: [10:01:09] May I make a suggestion, when it, I
18 assume simply that you will start with the abduction of the witness and relatively
19 quickly, we could perhaps ask him for a narrative, so a flow of, because I think he
20 might have a story to tell in that regard.

21 MR OBHOF: [10:01:28] About the first --

22 PRESIDING JUDGE SCHMITT: [10:01:29] It depends a little bit of course on
23 the witness and how comfortable he feels, but I think he is calming down because he
24 sees in this courtroom nobody will be mean, as you said, Mr Obhof. Yes, okay. So
25 please continue.

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1 MR OBHOF: [10:01:45] I do have a few questions about the abduction and

2 then -- (Overlapping speakers)

3 PRESIDING JUDGE SCHMITT: [10:01:49] Absolutely, absolutely.

4 MR OBHOF: [10:01:51] -- and then we'll have the narrative.

5 Q. [10:02:09] Now, Mr Witness, could you tell the Court when you were abducted?

6 A. [10:02:25] I was abducted on 27 April 1997.

7 Q. [10:02:41] And from where were you abducted?

8 A. [10:02:50] I was abducted from Abwoch.

9 Q. [10:02:58] Was anyone else abducted with you?

10 A. [10:03:13] I was abducted together with my cousins.

11 Q. [10:03:27] Now, Mr Witness, how are you able to remember the date of your
12 abduction so vividly?

13 A. [10:03:53] Because that was the day I went through a lot of pain, something that
14 touched my life for the first time.

15 PRESIDING JUDGE SCHMITT: [10:04:04] I think that is really a very impressive
16 description why you would recall a certain date that is so long ago. Just a remark by
17 me.

18 MR OBHOF: [10:04:17]

19 Q. [10:04:17] Now, you heard the Judge speak of a narrative. Could you tell the
20 Court what the first three or four days were like after you were abducted,
21 Mr Witness.

22 A. [10:04:54] Three or four days before my abduction, I was going to school. I was
23 abducted on a Sunday. Monday I was supposed to have gone to school.

24 PRESIDING JUDGE SCHMITT: [10:05:16] And, Mr Witness, what, what happened
25 on the day you were abducted? You recall very clearly the day -- the date, exactly

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1 the day, and what happened on that day? So could you simply tell us what you still
2 recall and have in your mind, if you feel able to do so.

3 THE WITNESS: [10:05:48](Interpretation) Well, what happened on that day was that,
4 during the abduction, LRA rebels came in the night at about 1 am. We were sleeping
5 in our house; myself, Opiyo Walter and Okello Simon. They came and kicked the
6 door open and went inside, flashed torches on us and they instructed us to get up.
7 We got up and they held us by our belt loops. They pulled us out, and when we
8 arrived out we found they had abducted four other people. Those people were not
9 abducted from our area, but they were already moving with them.

10 They started moving within the homestead, and looting food items like sim sim,
11 pigeon peas, beans, and other things like chicken, and they gathered all the things
12 and came with at the centre of the compound where we were. They gave us the
13 items to carry. They gave the items to ourselves, the three newly abducted, together
14 with the other four civilians to carry these items.

15 Then we started walking, going in the direction of Koc. Along the way they kept on
16 abducting people in various homes, they were looting food items, and we walked
17 until daybreak.

18 The next day we arrived at a place called Koc Lee and we walked up to around
19 midday of that day, then they put us down and told the people that around 20 of the
20 abductees were instructed to put down their items and run without looking back.

21 The 20 people put their things down, removed the robes from their waists and they
22 ran away. They left me and Opiyo Walter. Then they got the food items and went
23 and hid somewhere we didn't know.

24 We only left with a few, few of the items that we were able to carry and after putting
25 the others safely, they came back and then they told us to continue with the little that

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1 we had to carry.

2 We walked until the evening, and then we stayed at a place and then they told us that

3 we should forget about our parents, we should not even think about our parents in

4 any way. That was the same way they got themselves in the bush.

5 They asked us if we knew who they were. We told them, no, we did not know who

6 they were. They told us that they were called the Holy. At that time they said one

7 of us should kill the other. They were telling me and Opiyo Walter. They told

8 Opiyo Walter to kill me. I didn't ask them why, but I think they were just scaring

9 me.

10 Then they said they are going to beat us and then they brought some sticks for them

11 and brought four of their soldiers. They put us down, they poured water on

12 ourselves and they said they were conscripting us.

13 They were removing civilian mentalities from our minds so that we can become

14 soldiers. They gave us many strokes, I cannot recall the number of the lashes, but I

15 think could reach about 200 strokes. It reached a point when, while they were

16 beating me, I could no longer feel any pain. I wouldn't feel even when they were

17 beating me.

18 Thereafter, I continued living with them. The next day, because of the severe

19 beating, I could not carry on anymore. They looked at me and felt I couldn't even

20 carry on. They removed the pigeon peas they had given me, which was amounting

21 to about two basins, and they allowed me to walk freely without carrying any

22 luggage until we arrived at a sickbay where some of their colleagues were.

23 Then I was given some treatment. I would -- I was doing so badly I was even

24 urinating blood. I was really weak, but they gave me some medicine and eventually,

25 in about three or so weeks, I started realising some improvements in my health. I

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1 continued staying with them, but I remember when we arrived at the sickbay we
2 were separated. Opiyo Walter was taken to C coy and I remained in A coy.
3 But after some month, I cannot clearly recall how months, Opiyo Walter escaped.
4 They came to me, they pulled me away, tied me up, and they started asking me very
5 many questions. I cannot recall some of the questions. But some of them included,
6 they were asking me where Opiyo Walter was. I told them he was in C coy. They
7 asked me how I came to know about that. Then I told them that when we, we were
8 brought here, Lieutenant Otto separated the two of us.
9 They asked me, "Opiyo Walter has escaped. Why didn't you escape?" I told them,
10 "You told me not to escape."
11 Then they brought other people from the coy where I was, from A coy, and they
12 asked them to decide on what should be done to me. And along the way the leader
13 of the sickbay got a radio message telling him that a mobile unit was approaching and
14 I think they were really close by.
15 That was the point when I was picked and put in the mobile unit and we relocated to
16 a place called Laminlato in Anaka. We stayed there for close to two weeks. We left
17 there and went back to Adibuk.
18 PRESIDING JUDGE SCHMITT: [10:15:15] Mr Witness, please allow me at this
19 moment perhaps to make a short stop, and I think that will be because there was quite
20 a lot of information that you gave us.
21 And I think, Mr Obhof, you might have -- I think not so many, like very often this
22 happens, when the witness has his recollection and it is revived, so to speak, here in
23 this courtroom and speaks freely like it is the case with this witness, it covers quite
24 a lot of information.
25 Mr Obhof.

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1 MR OBHOF: [10:15:48] This is correct. I have maybe I think 10 minute's worth of
2 questions for him.

3 Q. [10:15:55] Mr Witness, you just mentioned Adibok (phon). Where is Adibok
4 located, next to what major town?

5 A. [10:16:11] It's actually called Adibuk. It's in Nwoya district.

6 Q. [10:16:27] Now, I'm going to start back now from the beginning with your
7 narrative. Now, you mentioned that some people were released the next day. Did
8 you ever come to learn why they were released?

9 A. [10:17:06] Those people were released because I think they were abducted to
10 help in ferrying the items that the rebels needed and they had arrived at the
11 destination where the items were supposed to have been delivered.

12 Q. [10:17:21] Now, in that first day or two when you were walking, were there any
13 restraints placed upon you?

14 A. [10:17:43] Yes. They had tied our waists with ropes and we were connected
15 together by rope. I was bound together with Opiyo Walter and none of us could be
16 able to run without the other.

17 Q. [10:18:12] Now after the end of the second day when you joined inside the
18 sickbay, when you went to Adibuk, how familiar were you with this area back in
19 1997?

20 A. [10:18:40] I did not even know the name of the place. I came to know it
21 through them.

22 Q. [10:18:53] At any time after you were abducted, did the -- did your captors ask
23 your name?

24 A. [10:19:10] They asked my name on the day we were beaten severely. Before we
25 were beaten, they asked for our names and then they said they were going to register

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1 us amongst the soldiers.

2 Q. [10:19:29] A question about that: What does that mean, register you amongst
3 the soldiers?

4 A. [10:19:51] You would be registered through beating.

5 Q. [10:20:03] Now when your captors told you that they were the Holy, what did
6 you interpret that to mean, the Holy?

7 A. [10:20:28] To me, at that time, I did not understand it, but what I knew then was
8 that they were rebels.

9 Q. [10:20:47] Were you ever told, or did you ever come to find out, what specific
10 group in the Holy abducted you?

11 A. [10:21:13] I came to know later on that the group was from the sickbay under the
12 leadership of Saidi.

13 Q. [10:21:38] Now on the second day when you received the beating, when they
14 ask you your name, did you give them your real name?

15 A. [10:22:01] I gave them my real name.

16 Q. [10:22:06] Can you tell the Court why you gave them your real name?

17 A. [10:22:21] Because they had asked us to give us our real names. If anybody
18 gave them a wrong one, that person would be killed. Because they had something
19 that would tell them whether you are speaking the truth or you are lying. So, in
20 order to be safe, you have to tell them your real name, the names you used from
21 home.

22 PRESIDING JUDGE SCHMITT: [10:22:58] May I shortly, Mr Obhof.

23 During that first time, the first days after your abduction, did any one of those who
24 had been captured try to escape?

25 THE WITNESS: [10:23:24](Interpretation) The first day or the second day, nobody

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1 from amongst the captured people tried to escape.

2 PRESIDING JUDGE SCHMITT: [10:23:32] And later on?

3 THE WITNESS: [10:23:46](Interpretation) Later on, one of the persons with whom
4 I was abducted, who was called Opiyo Walter, escaped.

5 PRESIDING JUDGE SCHMITT: [10:23:57] You have told this already, and also what
6 happened to you then. Could you perhaps describe this a little bit more in detail
7 what happened to you after Opiyo Walter escaped.

8 THE WITNESS: [10:24:27](Interpretation) What happened to me after Opiyo Walter
9 escaped was, I was beaten again because most times when an individual escapes, if an
10 individual escapes from your group, all the, the recruits within that circle will be
11 beaten. And that was meant to remove the feelings or interest in escaping. That
12 was meant to scare you. And when Opiyo Walter escaped, I think they had made up
13 their mind that I was also going to escape, therefore I should be killed. And the
14 people in A coy, where I was, did not decide that I should be killed. Then I was only
15 beaten up. It was so severe I cannot recall -- I don't even know the number of lashes
16 I was given, but the beating was so severe and it was devastating to me. That was
17 what I recall after Opiyo Walter's escape.

18 PRESIDING JUDGE SCHMITT: [10:26:17] Thank you.

19 There is an additional information in paragraph 8 of the witness statement and I think
20 there is -- will be no -- of course not from the Defence, but no objection by
21 the Prosecution if I read this out to the witness.

22 Mr Witness, I have already told you that I will -- going to read out a short portion of
23 your statement you gave to the Defence. You will recall that you spoke with -- let
24 me have a look. Mr Obhof, was it you who took the testimony of the witness?

25 MR OBHOF: [10:26:51] No, I literally met him for the first time on Tuesday.

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1 PRESIDING JUDGE SCHMITT: [10:26:55] Okay, it doesn't matter. We have here
2 a statement from you, and this UGA-D26-0025-0457 at page 0462, paragraph 8. And
3 it reads as your statement and I would like to ask you if you recall that:
4 "They tied my hands backwards and told me that it was my time to die. They tied
5 a cloth over my face and told me to say final words for my mother."
6 Is this correct?

7 THE WITNESS: [10:27:40](Interpretation) It's correct.

8 PRESIDING JUDGE SCHMITT: [10:27:41] Mr Obhof, please continue.

9 MR OBHOF: [10:27:44]

10 Q. [10:27:45] Mr Witness, earlier today you mentioned that you didn't try to escape
11 because you were told not to. What did the captors, what did your captors tell you
12 what would happen to people if they tried to escape?

13 A. [10:28:17] They told me that whoever attempted to escape and is captured, the
14 person will be killed.

15 PRESIDING JUDGE SCHMITT: [10:28:32] Did you see that persons would be killed
16 after they had tried to escape?

17 THE WITNESS: [10:28:54](Interpretation) I saw one. They tried to escape, was
18 re-apprehended, and those of us who were being kept there and were told not to
19 escape were told to step on that person who was recaptured, keep on stamping on
20 him until he dies. But when we did that and the person did not die, they eventually
21 finished him off.

22 PRESIDING JUDGE SCHMITT: [10:29:38] Mr Obhof.

23 MR OBHOF: [10:29:51]

24 Q. [10:29:52] How did this, this rule about persons who tried to escape, and
25 witnessing it firsthand, how did that affect your mindset about trying to escape?

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1 A. [10:30:26] That rule, well, I tried to follow it, but I felt the life in the bush was

2 unbecoming and eventually I had to defy and I tried to escape. And

3 fortunately -- well, unfortunately I was recaptured, but fortunately I was not killed.

4 But after I survived that, I felt if I had tried to do that again they would kill me. I felt

5 I just had to stay with them, I couldn't do anything else.

6 Q. [10:31:25] You discussed a little bit about this rule of escape and the punishment.

7 Were there any other rules like this in the LRA?

8 A. [10:31:51] Yes, there were other rules in the LRA, especially for the newly

9 abducted or people who were abducted, like myself. When you go there you find

10 that these rules already exist.

11 Q. [10:32:12] Could you please tell Court a few of these rules.

12 A. [10:32:26] The rule that I knew were the rules pertaining to escapes, and you

13 were told that if you escape, then you must be killed. And in order to give an

14 example or set an example for people who have not escaped, telling them that if

15 somebody who tries to escape will be killed, and in order for you to make a decision

16 to stay with them and become part of the LRA, as they want you to become, then

17 I believe that was one of the reasons why they -- why this rule exists, that if you

18 attempt to escape, you will be killed.

19 PRESIDING JUDGE SCHMITT: [10:33:31] I think on the issues of rules, we have had

20 a lot of evidence already.

21 MR OBHOF: [10:33:37] There really aren't that -- there weren't that many questions

22 for him, your Honour --

23 PRESIDING JUDGE SCHMITT: [10:33:38] Yes, yes --

24 MR OBHOF: [10:33:40] I kept it small.

25 PRESIDING JUDGE SCHMITT: [10:33:41] Okay. You're finished with that

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1 already?

2 MR OBHOF: [10:33:42] Yes.

3 PRESIDING JUDGE SCHMITT: [10:33:43] Okay, then. Okay --

4 MR OBHOF: I said if he had a few others there may be a follow-up.

5 PRESIDING JUDGE SCHMITT: [10:33:49] Yes. Yes, okay. Fine.

6 MR OBHOF: [10:34:01]

7 Q. [10:34:01] You said there were a lot of rules for the new people, as the Judge
8 noted. And this is the final follow-up. And you also mentioned about what
9 happened to you. Was there any type of general initiation which happened to
10 persons who had been newly abducted?

11 A. [10:34:30] Yes, there were rituals that were performed. Before you eat, before
12 you eat food that they have cooked, they perform this ritual. Before, before you are
13 beaten, the -- before you are beaten as a means of recruitment into the army, into their
14 group, there is a ritual performed.

15 With respect to the rituals, they use a particular product known as camouflage.

16 They also have oil known as shea oil. When they are performing this ritual, they
17 draw the sign of the cross on your forehead, they draw the sign of the cross on the
18 dorsal part of your hand, they draw the sign of the cross on your chest. They ask
19 you to take your shirt off and then they draw it on your chest, and they also put it on
20 your foot. And then after performing this ritual, you're told that as of that day, as of
21 that time you are now part of the LRA. If you attempt to escape, you will be killed.
22 And that is the ritual that they performed.

23 Q. [10:36:21] Now, I'm also going to ask about something you said earlier today.
24 On the real-time right now, would be on page 22. I'm sorry, my transcript just
25 moved. There you go.

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1 It was with respect to why you gave your real name. You said, "Because they had
2 something that would tell them whether you are speaking the truth or you are lying."

3 And that's why you gave them your real name.

4 Could you explain what they had that could tell you whether you were speaking the
5 truth.

6 A. [10:37:12] They told us that the reason why they are referred to as the Holy is
7 because the full name of their group is known as the Holy Spirit. This means that it
8 is the Holy Spirit that informs them if somebody is lying or somebody is telling the
9 truth.

10 It is the Holy Spirit that, if the Holy Spirit tells them that you are lying, then they will
11 kill you, because they will assume that if you are lying, then you're their enemy, but if
12 you're telling the truth, then they will know that you're telling the truth. And it was
13 based on this information that I decided to tell them the truth and give them my real
14 name.

15 PRESIDING JUDGE SCHMITT: [10:38:11] We should also not forget that the witness
16 was 10 years at the time, Mr Obhof.

17 MR OBHOF: [10:38:18] And we will come back a little bit later, but I just wanted to
18 ask one follow-up on that because it is not precisely clear.

19 Q. [10:38:28] At that time when you were abducted, as the Judge noted at around
20 10, did you believe what you were being told by your captors?

21 A. [10:38:46] I was still a child, I was young, and for these reasons, yes, I did
22 believe that they were speaking the truth. Because the rebels, I personally, in my
23 whole life, had not come across rebels before.

24 Q. [10:39:19] Was the -- this initiation, was this -- did they ask you any questions
25 about your person, about yourself before they conducted these initiations, or did they

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1 wait until after?

2 A. [10:39:49] They asked me, "What is the name of the area from which you were
3 abducted?" I told them that the area is known as Abwoch. After a while, after
4 a short while, approximately two, two weeks, when I was already in the sickbay, the
5 name that I had given them, the name Oloya Christopher was no longer in use.
6 They started referring to me as "Wod Abwoch". And that is the name that they used
7 most of the time, they would refer to me as Wod Abwoch. But I had already actually
8 given them my real name, which is Oloya Christopher.

9 PRESIDING JUDGE SCHMITT: [10:40:43] Does this have a special meaning, this
10 "wod"? Abwoch, of course we can follow that. But does this have something
11 that -- as I said, a special meaning?

12 THE WITNESS: [10:41:03](Interpretation) There is really no meaning. But because
13 I am from Abwoch, the place that I was abducted is known as Abwoch, and that is
14 why they referred to me as Wod Abwoch because I was born in Abwoch and I was
15 abducted in Abwoch.

16 PRESIDING JUDGE SCHMITT: [10:41:26] Thank you.

17 Mr Obhof.

18 MR OBHOF: [10:41:30] That was actually my follow-up question, so you read my
19 mind.

20 Of course, I have counsel here so I knew what it meant.

21 PRESIDING JUDGE SCHMITT: [10:41:40] Of course you could --

22 MR OBHOF: [10:41:43] Yeah.

23 PRESIDING JUDGE SCHMITT: [10:41:44] Very often in a courtroom it is that you
24 can think of something and think -- you might think you know the answer already,
25 but since the witness has to answer we have to ask him.

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1 MR OBHOF: [10:41:55] Exactly.

2 Q. [10:41:58] Now you mention that you had to be taken care of in sickbays during
3 your first three to six months and you mentioned about them giving you medicine.
4 Besides this letting you heal, how did these -- Saidi, how did the people in his sickbay
5 treat you?

6 A. [10:42:36] Well, they treated me like somebody they were taking care of, or
7 somebody who would then become part of their -- of the LRA, but at the time they
8 were just taking care of me. I was not given any time to stay by myself. They did
9 not ask me to perform any tasks or they did not send me, for example, from A coy to
10 B coy, because when they are at a place where they're encamped, let me give you an
11 example, if -- where I am seated now, that will be A coy, where the Defence counsel is,
12 that would be B coy, and where the Chambers are, that is C coy. But obviously there
13 is a distance between these places, approximately a hundred metres. There is
14 a distance between A coy and B coy of approximately a hundred metres. But, they
15 would not send me a hundred metres to go from A coy to B coy, because they thought
16 that if they sent me from one position to another position, this would give me the
17 opportunity to escape. And that was the way that they were taking care of me.

18 PRESIDING JUDGE SCHMITT: [10:44:03] Mr Witness, how long did it take after the
19 beating until you recovered?

20 MR OBHOF: [10:44:13] A point, which beating, because I think he spoke of two
21 beatings?

22 PRESIDING JUDGE SCHMITT: [10:44:18] Thank you for -- that's correct, of course.
23 How long did it take until you recovered from the first beating, which you described
24 as the one that inscripted you, or that registered you into the LRA?

25 THE WITNESS: [10:44:41](Interpretation) It took approximately two months.

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1 PRESIDING JUDGE SCHMITT: [10:44:44] And since you have told us that this
2 happened a second time, the following question is: How long did it take the second
3 time till you recovered?

4 THE WITNESS: [10:45:04](Interpretation) The second occasion, perhaps a month or
5 just over a month. I do not know the exact time frame, but just over a month, I
6 would say.

7 PRESIDING JUDGE SCHMITT: [10:45:20] And although it's a long time ago, but
8 you have described it, how severe the beating was, do you still have anything that,
9 physically, that reminds you of these beatings?

10 THE WITNESS: [10:45:52] Yes, I do have scars.

11 PRESIDING JUDGE SCHMITT: [10:45:54] And, of course, physical marks might not
12 be the only thing. Mentally, psychologically, do you still think of what happened to
13 you at this time?

14 THE WITNESS: [10:46:27](Interpretation) Well, at this particular time, I believe I
15 have become stronger right now, and I just look at that as a past experience.

16 PRESIDING JUDGE SCHMITT: [10:46:47] Thank you. Thank you for this answer.
17 Mr Obhof, please continue.

18 MR OBHOF: [10:46:52]

19 Q. [10:46:54] Now, you told the Court earlier that you hunkered down and tried to
20 escape, which I am assume because of the time frames was in 1997. Now, what
21 happened to you, because you said they spared your life, what happened to you after
22 you tried to escape?

23 A. [10:47:26] When I attempted to escape -- well, we escaped. There were two of
24 us, myself and another guy who is from Lango. We escaped at around 9 p.m. in the
25 night. When we escaped we started running. We ran the whole night. We got to

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1 a place where there were some civilians in the neighbourhood, there is a place where
2 they used to cut, chop wood and burn charcoal. We decided to take a rest in that
3 place. But we thought about the distance from the place that we had run from and
4 we thought that they were not following us, but it turned out after all they were
5 running after us. Shortly after, we heard gumboots after us and at that time they
6 were already upon us. We started running. And because there was a lot of grass,
7 the grass had grown very tall, we did not have any strength to run any faster, so they
8 chased us and they caught us.

9 When they caught us they started beating us and they told us that they were going to
10 take us back to the place where we escaped from. We started walking, going back to
11 where we had escaped from. They told us to walk in front of them and follow the
12 route that we had escaped. Because the grass had become so long and very bushy,
13 our clothes were torn, the grass tore our clothes.

14 We got back to the place where we had escaped from. When we got to in a place,
15 they tied our hands, the both of us. They tied us to a tree. They asked four of their
16 soldiers and instructed them that they have to watch over us while we wait for our
17 death. But while they were still preparing, government soldiers, government
18 soldiers attacked that sickbay. They started shooting at the sickbay. When they
19 started shooting at the sickbay, they untied us. We started running and following
20 the same line that people were running in.

21 People had split up into two groups. I split and went with one group, where -- but
22 the person with whom I was trying to escape split and went to another group. I do
23 not know why they actually split the two of us at that time, but when we got to the
24 place -- someplace in the evening where we encamped, instead of killing me, they
25 started asking me questions, asking me "Why are you trying to escape?" I told them,

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1 I said, "Because I am hungry. There is no food. I am hungry from daybreak to
2 night. When I am served, or when I am given any food, I am given very little food to
3 eat. I am mistreated. I am always being beaten, and that is why I made the
4 decision to escape." And Saidi said that anybody who attempts to escape is killed,
5 those are the rules.

6 Saidi said that -- that person said that if -- Saidi said if anybody who attempts to
7 escape should be killed, but he, as a new ruler or a new leader of that group, is not
8 going to kill me. Instead of killing me, he is going to beat me. So I was beaten
9 instead of being killed. I was beaten so many, so many sticks, so many strokes. I
10 guess maybe even 200.

11 And that was the second, the second time that I was severely beaten.

12 PRESIDING JUDGE SCHMITT: [10:52:25] Mr Witness, when you speak of sticks,
13 how would they look like? How thick would they have been? How long? If you
14 recall it. So that we can also picture it in our minds.

15 THE INTERPRETER: [10:52:52] The sticks, the witness is indicating the size of his
16 fingers, that it could be the size of his finger, but longer. Longer, *maybe an arm's
17 length, or probably longer than that.

18 PRESIDING JUDGE SCHMITT: [10:53:09] Okay, thank you.

19 MR OBHOF: [10:53:16]

20 Q. [10:53:16] You mention that you were, the reason for your escape was that you
21 were, from daybreak to -- from daybreak to dusk you were hungry. Now the little
22 food that you received, how did your sickbay get that little food?

23 A. [10:53:42] The food was normally found when they went to civilian homes, they
24 would go and collect food from there. And that is how I was abducted, they'd come
25 looking for food.

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1 MR OBHOF: [10:54:05] Your Honour, I was going to have him tell a narrative about
2 his, the next (Overlapping speakers)

3 PRESIDING JUDGE SCHMITT: [10:54:11] Absolutely, I thought we were going -- it
4 might concern now crossing to Sudan and this is something completely new.

5 MR OBHOF: [10:54:19] And then --

6 PRESIDING JUDGE SCHMITT: [10:54:20] But, of course, I foresee this, I have
7 foreseen this.

8 We will have now a break, Mr Witness, and for everyone here in the courtroom, and
9 we will meet each other again at half past 11.

10 THE COURT USHER: [10:54:32] All rise.

11 (Recess taken at 10.54 a.m.)

12 (Upon resuming in open session at 11.30 a.m.)

13 THE COURT USHER: [11:30:15] All rise.

14 Please be seated.

15 PRESIDING JUDGE SCHMITT: [11:30:37] So, Mr Obhof, you still have the floor.

16 MR OBHOF: [11:30:43] Thank you very much, your Honour.

17 Q. [11:30:47] Good morning again, hopefully you had a good break, Mr Witness.

18 PRESIDING JUDGE SCHMITT: [11:30:53] I think we would need to connect the
19 witness first.

20 Thank you, thank you very much. And we continue.

21 MR OBHOF: [11:31:01]

22 Q. [11:31:03] Now good, good morning still, and I hope you had a good break,
23 Mr Witness.

24 As you heard myself and the Judge talk before we took our break, we're going to
25 speak a little bit now about your trip to Sudan, so if you could, could you describe

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1 what happened to you between leaving the sickbay in Adibuk and going to the LRA
2 camp in Sudan.

3 A. [11:31:57] When, when I was with the LRA, we left the sickbay and started
4 going to Sudan. We walked in the direction of Alero. We reached Alero. We
5 crossed that -- the area, Alero area. We were heading straight to Lamogi towards
6 Tee Got Guru-guru. We passed Tee Got Guru-guru and we kept walking. We
7 walked and went to Te Got Kilak. From Te Got Kilak, at the time when we were
8 walking, we would walk, but during the day we would encamp, have something to
9 eat, prepare meals, have something to eat and continue. And this would happen
10 when we were not being pursued by government soldiers, when government soldiers
11 were not close to us, but whenever the government soldiers were close, we would
12 keep walking till evening.

13 And then in the evening we would encamp, we would prepare our meals, people
14 would eat. The food that was cooked was not cooked as a whole and shared among
15 everybody. Each group would cook its own food and eat within that group.

16 From Te Got Kilak we went towards Atyiak. From Atyiak we went on to Te Got
17 Okidi, which is also still in the Atyiak area. We walked and crossed the river. We
18 went to Palabek. We went to the river known as Limu.

19 I did not know most of these places -- or, at the time I did not know the names of
20 these places because I had never been to these places. This was the first time that
21 I was going to these places. But the names, I learnt the names from them.

22 When we got to Palabek, we crossed Limu River and then we crossed the border.

23 We crossed the border between Uganda and Sudan and entered into Sudan. I do not
24 recall the exact month that we did that, I've forgotten.

25 When we got to Sudan, we went to the camp which is in Jebellen, the main camp

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1 which is in Jebellen. And when we got to Jebellen that is when they started training
2 us on army tactics.

3 PRESIDING JUDGE SCHMITT: [11:35:29] May I shortly, Mr Witness.

4 Those who left the sickbay together with you, did all of them reach Jebellen in Sudan?

5 THE WITNESS: [11:35:51] (Interpretation) No, they did not all reach Sudan. There
6 were approximately 20 of us at the time, but only 11 of us got to Jebellen, to my
7 recollection. Some of the people, a lot of the younger children died along the way
8 because they had to walk long distances. Their feet were swollen and they could not
9 continue walking. They were killed along the way because there was no other way
10 of taking care of them. The only thing that they had to do was kill them.

11 I myself had swollen feet, but it did not stop me from moving. I kept on moving.

12 PRESIDING JUDGE SCHMITT: [11:36:38] How did they kill them?

13 THE WITNESS: [11:36:54] (Interpretation) They were either beaten, beaten with a
14 club or they were stabbed with a bayonet.

15 PRESIDING JUDGE SCHMITT: [11:37:13] Mr Obhof, I think -- I did not want to
16 interrupt, but I think there was a little bit of a completely new thing with his training;
17 so because of that I thought it is important to know what happened on the way to
18 Sudan.

19 MR OBHOF: [11:37:31] One question for the interpreters so -- because I do know.
20 The phrase "Te Got", if -- I know the interpreters were saying Te Got Kilak, places like
21 that, but could the interpreters for the record please explain what "Te Got" means.

22 THE INTERPRETER: It's a foothill.

23 MR OBHOF: [11:37:54] Thank you very much, Madam Interpreter.

24 THE INTERPRETER: [11:37:57] You're welcome.

25 MR OBHOF: [11:38:13]

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1 Q. [11:38:14] Now, Mr Witness, when you were crossing over in Sudan, is there any
2 specific holiday or any season in which you remember that you were crossing from
3 Uganda into Sudan?

4 A. [11:38:48] It was during the rainy season.

5 Q. [11:38:56] Now, before we go into detail into the stuff in Jebellen, for how long
6 did you stay in Jebellen?

7 A. [11:39:12] We stayed in Jebellen for approximately one year.

8 Q. [11:39:34] Now, when you first arrived in Jebellen, did the LRA have a
9 relationship with any other groups?

10 A. [11:39:49] Yes, they did. They had relationships with the Arabs, and the Arabs
11 would provide them with food supplies as well as medical supplies.

12 Q. [11:40:20] The Judge might stop me with this question, but when you say
13 "Arabs", what do you mean by Arabs?

14 PRESIDING JUDGE SCHMITT: [11:40:29] No, not at all. I think this is absolutely,
15 absolutely a reasonable question.

16 THE WITNESS: [11:40:43] (Interpretation) The Arabs are tribes that are in Sudan.
17 They are under the Sudanese government.

18 MR OBHOF: [11:40:59]

19 Q. [11:41:01] Now, did you see the Arabs bring anything else besides medicines
20 and food?

21 A. [11:41:21] Yes, I did.

22 Q. [11:41:27] Could you please tell the Court what else you saw the Arabs bring to
23 the LRA?

24 A. [11:41:40] The Arabs, other than food and medical supplies, would provide us
25 with medication because within the LRA, there were some people who were doctors.

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1 For example, Saidi, the Saidi that I referred to earlier who was in charge of the sickbay,
2 he was a doctor. There were doctors among the LRA as well. So other than giving
3 us -- other than giving the LRA food and medical provisions, well, that is all I saw
4 them do.

5 Q. [11:42:42] Now, do you know the name of the group which took you from the
6 sickbay in Adibuk to Sudan?

7 A. [11:43:00] No, that group did not have a specific name because sickbay
8 encompasses a number of rebels who come from different brigades and different
9 battalions and they come under the sickbay. So there's soldiers from different
10 battalions and different brigades who come to a sickbay. That's why there was no
11 particular name given to that sickbay.

12 Q. [11:43:53] And when you arrived to Jebellen, did you ever come to learn how
13 the LRA received its weapons and ammunitions?

14 A. [11:44:21] No. I did not find out how they received these things. Because at
15 the time I was still a very young person in their eyes and I was not yet mature or they
16 were not yet able to confide in me and tell me their secrets because at the time, I was
17 not yet considered as a core member of the LRA and that's why I had no knowledge
18 of that.

19 PRESIDING JUDGE SCHMITT: [11:45:03] I think that makes sense, first of all, and
20 you can move on to another point.

21 MR OBHOF: [11:45:09]

22 Q. [11:45:12] After you arrived in Jebellen, did you get the chance to see or meet
23 Joseph Kony?

24 A. [11:45:36] It's extremely difficult to personally see him, but I heard that he was
25 around. I heard that he was around in the place in Jebellen where we were, but well,

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1 I -- it was not possible to see him.

2 Q. [11:46:06] Now, at the end of your discussion about your travels, you talked
3 about training. Could you explain to the Court what kind of -- type of training you
4 received when you arrived at Jebellen?

5 A. [11:46:35] I was -- I received military training. I was trained how to dismantle
6 and put back a gun. I was taught how to fire a gun and I was taught about different
7 kinds of weapons and ammunitions that they had.

8 Q. [11:47:11] Who trained you?

9 A. [11:47:25] There was an army, an army officer named as Otto. I do not know
10 what rank he held.

11 Q. [11:47:44] Do you remember Otto's other name?

12 A. [11:47:54] No, I do not know any other name that they used other than Otto.

13 Q. [11:48:04] For how long did you train?

14 A. [11:48:24] The training took about a year, but it was not continuous.
15 Sometimes you are trained for one month, you take, you take two or three months off,
16 and then they start training again. And that's how they were training us. And this
17 took about a year.

18 Q. [11:48:58] During this time off, what were you doing then?

19 A. [11:49:13] When we get up in the morning we would go on parade, and then
20 after that you would go to the gardens and dig, dig in the gardens. You would work
21 in the gardens of the commanders, the commanders that were there.

22 Q. [11:49:47] Do you remember the name of the commander whose garden you
23 helped to plant, to sow, to harvest? Do you remember his name?

24 A. [11:50:14] No, I do not recall. And we were not told, because we were young at
25 the time. They would not tell you that today you are going to work in this particular

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1 commander's field, or his garden, so I didn't know their names. But I did know that
2 I was going to work in a commander's garden.

3 Q. [11:50:41] How many of these gardens were around Jebellen?

4 A. [11:51:00] There were many. There were many gardens and it's difficult for me
5 to estimate their sizes. Some of them were quite big, they were approximately one
6 acre. Some of them were less than an acre. But there were many, many gardens. I
7 do not know exactly how many there were.

8 Q. [11:51:31] Now, you mentioned before that it was very hard to see Joseph Kony.
9 What was Joseph Kony's function in the LRA?

10 A. [11:52:06] He was the leader of the LRA, but in addition to that there were other
11 commanders that he -- that worked under him. These commanders had different
12 functions and different roles, and there was a hierarchy as well.

13 Q. [11:52:52] During that approximate one year where you trained and you were
14 tending to gardens, did you go on any missions?

15 A. [11:53:16] At the time there were no operations.

16 Q. [11:53:26] And when you arrived at Jebellen were you assigned to any specific
17 group?

18 A. [11:53:43] I was in a particular group, the group was known as Sinia brigade.

19 Q. [11:54:01] And at that time when you were assigned, who was the commander
20 of Sinia brigade?

21 A. [11:54:17] At the time when I was sent to that brigade I was still very young, so I
22 did not know the name of the commander and I was not told his name either.

23 PRESIDING JUDGE SCHMITT: [11:54:47] If you want, you may put paragraph 18 of
24 the former statement to him. But I think -- I don't know how important you think it
25 might be, but I would allow it.

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1 MR OBHOF: [11:55:03] Well, the one thing about 18, to what he's talking about now,
2 is a difference of about one year.

3 PRESIDING JUDGE SCHMITT: [11:55:11] He mentions two commanders in
4 paragraph 18, which it appears to have been that they were appointed in succession.

5 MR OBHOF: [11:55:19]

6 Q. [11:55:20] Mr Witness, when you were assigned to Sinia, was Charles Tabuley
7 the brigade commander?

8 A. [11:55:41] As I stated earlier, when I was initially sent I did not know who the
9 commander was, but after a while I did find out that Charles Tabuley was the brigade
10 commander.

11 PRESIDING JUDGE SCHMITT: [11:56:00] Fair enough, the answer, I would say.
12 When it comes to operations I think we need not ask the witness his particular
13 involvement. We can ask -- these first operations which are referred to in
14 paragraphs 19 and 20 of the statement, we need not refer to the specific contributions
15 by the witness. We can ask this in a generic way, I would say.

16 MR OBHOF: [11:56:29] You have actually read my, read my mind.

17 PRESIDING JUDGE SCHMITT: [11:56:31] To avoid going to private sessions, I think.
18 Yes.

19 MR OBHOF: [11:56:34] Yes.

20 Q. [11:56:39] Now, when you arrived at Jebellen or at any time while you were at
21 Jebellen, did you ever come to learn which group Dominic Ongwen was in?

22 A. [11:56:59] No, I did not.

23 PRESIDING JUDGE SCHMITT: [11:57:07] It might simply be at a later point in time,
24 I think.

25 MR OBHOF: [11:57:11] Yes.

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1 Q. [11:57:12] When do you first remember meeting Mr Ongwen?

2 A. [11:57:21] I recall that I met him sometime in 2001. I recall that it was perhaps
3 in -- between 2000 and 2001. My recollection is a little bit sketchy.

4 Q. [11:57:58] Do you remember where you met him?

5 A. [11:58:13] I recall that we met in Uganda when I had left Sudan and gone back to
6 Uganda. That's when I met him. But I do not recall the exact time.

7 Q. [11:58:39] That's okay. We'll get back to that a little bit later and we'll move
8 into something.

9 Now, any time when you were in Sudan, did anyone attack any LRA base in which
10 you were located?

11 A. [11:59:12] The -- at the time when we were in Jebellen there was no particular
12 group or organisation that attacked us, except when we moved to Rubanga Tek, that
13 is when the Ugandan government attacked us.

14 Q. [11:59:58] Now, you heard us talking about missions. Do you
15 remember -- how long were you in Jebellen before you were sent on your first mission
16 to Uganda?

17 A. [12:00:15] I was in Jebellen for about a year and over, and then I was sent to
18 Uganda.

19 Q. [12:00:50] Now a lot of these questions are going to be in the general, so you
20 don't have to speak about what you specifically did but you can speak about what
21 was done within the group.

22 How did your group eat while you were in Uganda on mission?

23 A. [12:01:13] The group in which I was, or the group where I was, the manner with
24 which we would get food was not different from just going to civilian homes. And
25 at that time most of the civilians had left their original homes, due to the insurgency

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1 the government had gathered the people in camps. Food that had remained in the
2 original homes of the civilians were the ones that we would collect to eat. But that
3 was not sufficient, so we would be required to go to the camps and collect food items
4 from the camps and return with the food to the bush and then use for our survival.

5 Q. [12:02:35] Now while in Uganda what would your group do if it were attacked
6 by UPDF?

7 A. [12:02:51] If we were attacked by the UPDF, and it's a period when Kony had
8 ordered that fighting with the UPDF was allowed, when attacked by the UPDF you
9 would fight back. But if the attack us when we are not prepared to fight against
10 them, then we would flee, we would not fight back. But if Kony has not ordered his
11 soldiers to fight back, every time we are attacked by the UPDFs, we would just run
12 away, we would not fight back because the order had not been given for that.

13 Q. [12:03:54] Do you know or did you ever come to learn why Joseph Kony would
14 sometime give orders not to attack?

15 A. [12:04:08] I came to know later on that it was the spirits in him that would
16 instruct him to stop his soldiers from engaging in battles.

17 Q. [12:04:34] And if you remember, from whom did you hear about these spirits
18 withinside of Joseph Kony?

19 A. [12:04:51] I heard from his soldiers right from the time I was abducted. His
20 soldiers said they were Kony's soldiers and Kony had spirits and all the soldiers also
21 had the spirits. And each time they were talking to, to me or I am talking to them, I
22 have to tell them the truth because they had spirits that would know whether I'm
23 speaking the truth or not.

24 Q. [12:05:30] Now, who would give the order to your group to collect food at the
25 camps?

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1 A. [12:05:50] Our brigade commander.

2 PRESIDING JUDGE SCHMITT: [12:06:02] Who was the brigade commander at that
3 time when you went to collect food?

4 THE WITNESS: [12:06:15] (Interpretation) It was Charles Tabuley.

5 PRESIDING JUDGE SCHMITT: [12:06:21] Just to make it clear. We could infer it
6 from what he has said before, but nevertheless.

7 MR OBHOF: [12:06:28] Well, I'm the king of trying to be precise. I say it all the
8 time.

9 Q. [12:06:36] Now, would he receive orders from anyone to get food from the
10 camp?

11 A. [12:06:53] In reference to food, collection of food, he would not get any
12 instruction from anyone else, because the soldiers who were under him, he was the
13 one in charge of taking care for them. Therefore, he needed to ensure that the
14 soldiers have adequate food to eat and then he would arrange to have them go to
15 collect food from the camps.

16 PRESIDING JUDGE SCHMITT: [12:07:29] I think we can move now to the potential
17 knowledge of Mr Ongwen and how he came to know him, perhaps has worked with
18 him and whatsoever.

19 MR OBHOF: [12:07:42] I'm just going to check. I know he's mentioned a lot of
20 things so I'm going through everything and checking it off, yes.

21 Q. [12:08:09] Mr Witness, how long did you stay in Uganda on this first mission?

22 A. [12:08:28] I was in Uganda for less than a year, but I cannot recollect how many
23 months exactly before I returned to Sudan.

24 Q. [12:08:44] What happened with Charles Tabuley upon the group's return to
25 Sudan?

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1 A. [12:09:02] When I returned to Sudan he stayed back in Uganda. They selected
2 a number of us, but we had a different commander who was coming from a different
3 brigade. He was coming from Gilva brigade and they selected some people and as
4 our overall commander, he stayed back in Uganda and I never got to know what
5 happened to him afterwards. But what happened when we returned, we went and
6 found people had relocated from Jebellen to Rubanga Tek.

7 Q. [12:10:15] Did Tabuley -- pardon me, did Tabuley remain the brigade
8 commander of Sinia?

9 A. [12:10:26] While I was going to Sudan, he was still the brigade commander of
10 Sinia brigade.

11 Q. [12:10:39] When did that change?

12 A. [12:10:52] I would request that you repeat the question.

13 MR OBHOF: [12:10:57] Maybe if I can read from paragraph 20, your Honours.

14 PRESIDING JUDGE SCHMITT: [12:11:06] I think there is no objection by anyone.

15 MR OBHOF: [12:11:15]

16 Q. [12:11:16] Now, I'm going to read from paragraph 20 of your statement, it's page
17 number 0465 at Defence tab 1.

18 "I stayed in Uganda until 2000. When we returned to Sudan, that was when Kony
19 transferred Tabuley to Stockree."

20 Does that help refresh your memory about his position later on?

21 A. [12:11:45] When I left Sudan and returned, I came and found that he had been
22 transferred from, from -- he had been transferred to Stockree, but that happened
23 while I was still in Sudan.

24 Q. [12:12:14] And who took over as the brigade commander of Sinia when Charles
25 Tabuley was transferred to Stockree?

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1 A. [12:12:31] It was a commander called Abudema.

2 Q. [12:12:44] Now, you mentioned that when you went back, you went back to
3 Rubanga Tek. How long did you stay in Rubanga Tek?

4 A. [12:13:02] We did not take long, but I cannot recall the number of months, but it
5 was less than a year. Then we returned to Uganda.

6 Q. [12:13:20] What caused your group to return to Uganda?

7 A. [12:13:36] The reason why we returned to Uganda was because the bulk of the
8 members were in Uganda and it was a small number that was in Sudan, so we had to
9 come to the main group in Uganda.

10 PRESIDING JUDGE SCHMITT: [12:14:07] I think for the background we have other
11 evidence.

12 MR OBHOF: [12:14:11] Yes.

13 PRESIDING JUDGE SCHMITT: [12:14:12] So it's -- I think you can move
14 (Overlapping speakers)

15 MR OBHOF: [12:14:14] I'm going on to what I think you wanted --

16 PRESIDING JUDGE SCHMITT: [12:14:14] Okay, yes.

17 MR OBHOF: [12:14:15] -- me to go on.

18 PRESIDING JUDGE SCHMITT: [12:14:19] Indeed.

19 MR OBHOF: [12:14:20]

20 Q. [12:14:20] You mentioned earlier that you eventually met Dominic Ongwen.
21 How is it that you came to meet Dominic Ongwen?

22 A. [12:14:42] I met him at the time when, when Abudema was the brigade
23 commander of Sinia brigade. Dominic was a CO of a battalion. But the battalion
24 was under Sinia brigade.

25 Q. [12:15:23] And what was your position at that time when you met Dominic

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1 Ongwen?

2 A. [12:15:39] At that time I did not have a rank yet.

3 Q. [12:15:49] And at that time what was your job?

4 A. [12:15:55] I started doing a couple of things at the time when I started living
5 with Dominic Ongwen in his coy, and from there we used to call it his home or
6 household. I started living as one of his escorts. I was not alone, but we were many.
7 I cannot recall all the names.

8 Q. [12:16:49] It's okay. Could you explain to the Court your general duties as an
9 escort for Mr Ongwen.

10 A. [12:17:15] You would not be given tasks on a daily basis, but as a soldier your
11 task would be to ensure the security, his security, rather, and that of his wives. That
12 was your major role and every day from daybreak, whether it's during the day or in
13 the night you should know that that is your task and you should not forget about
14 that.

15 Q. [12:18:03] Do you remember the names of any of Mr Ongwen's wives?

16 A. [12:18:20] I cannot clearly recollect the names of his wives because we used not
17 refer to them by their names, we would refer to them as "Mego". And either one had
18 a child. I remember we used to refer to one as "Min Bak", which is in reference to a
19 child, but the other ones we would refer to them as "Mego", and that was it.

20 Q. [12:19:04] Do you remember how many there were?

21 A. [12:19:12] Four.

22 Q. [12:19:30] How did Mr Ongwen treat his wives? And of course the children,
23 you said that they were there, how did he treat them?

24 A. [12:19:45] He would treat them so well, would take good care of them. And he
25 would take very good care of his children.

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1 Q. [12:20:04] How did this treatment that Mr Ongwen gave his wives, how did that
2 compare to what other LRA commanders, how they would treat their wives and
3 children?

4 A. [12:20:39] Well, I really cannot clearly bring out the difference, but, for instance,
5 if I give you as an example, if I say I live here and this is where I am entirely, it would
6 be difficult for me to know what is happening in another commander's home. So it's
7 hard for me to compare.

8 PRESIDING JUDGE SCHMITT: [12:21:01] It was a very clever observation, frankly
9 speaking.

10 MR OBHOF: [12:21:15]

11 Q. [12:21:16] Now, did you ever come to know how Dominic -- how these wives
12 came to be with him?

13 A. [12:21:28] No, I did not.

14 Q. [12:21:38] Now, as an escort, to whom did you report?

15 A. [12:22:05] We had the leader of the escorts and he was referred to as Obong.

16 Q. [12:22:26] Do you know to who Obong reported?

17 A. [12:22:39] Obong would report to Dominic directly.

18 Q. [12:22:52] Now not on the general day-to-day, but if there was an engagement
19 with the UPDF, what would be the duties of the escorts?

20 A. [12:23:22] If there is an engagement with the UPDF, the role of the escort would
21 be to make sure he's very close to his commander. If the commander is taking
22 position in the battle, he has to be there. If the commander is not going to be there,
23 he would also not be there. That was the kind of task we would perform.

24 Q. [12:23:56] Would all of the escorts go to battle?

25 A. [12:24:08] Not all of them. Some of them would stay back to provide protection

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1 to the wives.

2 Q. [12:24:18] Back a little bit to these wives: What kind of activities did
3 Mr Ongwen's wives perform?

4 A. [12:24:50] The activities they would perform that I could see, other than -- or,
5 that included doing laundry for him and then cooking for him.

6 Q. [12:25:15] Who would take care of the children, say, like who would take care of
7 Bak?

8 A. [12:25:36] Children like Bak would be in the hands of his mother, the mother
9 would be the first person to provide protection to the child. But the second line of
10 protection comes from us as the escorts.

11 Q. [12:26:05] Did you ever see Mr Ongwen's wives taking active part in any
12 battles?

13 A. [12:26:27] Not even once.

14 MR OBHOF: [12:26:56] Sorry, your Honour, it's a new headset and it falls out a lot,
15 that's why I keep pushing it back in my ear.

16 PRESIDING JUDGE SCHMITT: [12:27:05] I think we recognised it. And of course
17 if it had taken a longer time, I would have asked you, perhaps, to make do without it.

18 MR OBHOF: [12:27:16] I am in the market getting new ones, just I need to find a
19 new pair that work well in the court.

20 Q. [12:27:27] Now, when these women were performing their duties, how did they
21 do them? Like when they were washing, did they just get up and do it themselves?
22 Or explain what their routine was.

23 A. [12:27:48] What they would do on daily basis would be similar to what other
24 women who were not in the army would do. The only difference was that they
25 would not do garden work, but cooking and doing laundry was part of the daily tasks

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1 they would perform.

2 PRESIDING JUDGE SCHMITT: [12:28:15] I think we have to move on.

3 MR OBHOF: [12:28:17] Just one final follow-up question from my counsel.

4 PRESIDING JUDGE SCHMITT: [12:28:22] Yes. Okay.

5 MR OBHOF: [12:28:23]

6 Q. [12:28:24] Did anyone force them --

7 PRESIDING JUDGE SCHMITT: [12:28:27] Okay, I understand. Yes.

8 MR OBHOF: [12:28:31]

9 Q. [12:28:32] -- to do this?

10 A. [12:28:37] No one was forcing these women to do their work.

11 Q. [12:28:57] This is going to still stay on a little bit about the role of escorts in
12 general. If there would be a meeting between medium or big commanders, where
13 would a commander's escort be?

14 A. [12:29:30] If there is a big meeting or a meeting for the senior commanders, if I
15 give an example of the way we are sitting right now, this would be how the senior
16 commanders would be sitting in a meeting: The escorts would be positioned about
17 5 metres backwards but surrounding the senior commanders. Could range between
18 5 to a hundred metres behind them.

19 PRESIDING JUDGE SCHMITT: [12:30:19] So do I understand it correctly, that you
20 could not hear what they would talk about?

21 THE WITNESS: [12:30:31] (Interpretation) No, we could not be able to hear what
22 they're talking about.

23 MR OBHOF: [12:30:43]

24 Q. [12:30:46] Now, as an escort, what would be your duties if you learned that
25 someone in the battalion or brigade wanted to escape?

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1 A. [12:31:14] It's very difficult to -- for us escorts to have that kind of information.

2 Q. [12:31:38] A similar, yet related -- a similar and related question: What would
3 be your duty if you learned that the commander in which you were protecting
4 wanted to escape?

5 A. [12:32:07] If your commander wants to escape, the commander would not tell
6 you that he or she is planning to escape. Let me give you an example relating to
7 myself. I did not tell my escort that I intended to escape, but he realised that we
8 were among civilians.

9 (Counsel confers)

10 PRESIDING JUDGE SCHMITT: [12:33:21] I think in the meantime I can ask a
11 question to bridge the gap, so to speak.

12 Mr Witness, you earlier on said that you do not recall the names of the wives. I think
13 you recalled one name. I have here paragraph 24 of your statement, which we have
14 already been referring to. This is the already-known ERN number with the end
15 number 0466 and there you said "one was called Min Bak", you have repeated that
16 today, "another one was Agnes and Min Pe. The other one I am not sure, she was
17 either Dili or Lily."

18 Does that ring a bell when I read this to you?

19 THE WITNESS: [12:34:16] (Interpretation) Yes. I do. And that's why I stated
20 those names. But we usually used to refer to them by the names of their children,
21 but I did not know their actual names.

22 PRESIDING JUDGE SCHMITT: [12:34:39] Thank you, Mr Witness.

23 Mr Obhof, please.

24 MR OBHOF: [12:34:43]

25 Q. [12:34:43] Now, Mr Witness, while you were an escort specifically for

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1 Mr Ongwen, were there intelligence officers within that battalion?

2 A. [12:35:14] The intelligence officers were not based in battalions or brigades.

3 The intelligence were mostly based at Control Altar because Control Altar was
4 the -- in charge of all the other brigades and that is where Kony was based and that is
5 where the intelligence officers were based. But based on my personal knowledge, in
6 the brigade where I was based, there was no intelligence officer, but you as a soldier
7 are your own intelligence officer.

8 Q. [12:36:16] Now, as a --

9 PRESIDING JUDGE SCHMITT: [12:36:19] Again, quite descriptive. Quite, quite
10 clear.

11 MR OBHOF: [12:36:23]

12 Q. [12:36:26] Now, do you remember where in Uganda you were when you
13 became an escort for Mr Ongwen?

14 A. [12:36:50] I recall that at the time we were at a place under the foothills of Kilok
15 hills.

16 Q. [12:37:16] Do you remember around how long you stayed there around the
17 foothills of Kilok?

18 A. [12:37:33] I do not recall.

19 Q. [12:37:36] Do you know where you went following, following your time at the
20 foothills of Kilok?

21 A. [12:38:18] I recall that we left the foothills of Kilok, we bypassed Kitgum Matidi,
22 we went towards Kalongo, and we went to a place known as Namukora. And those
23 are the areas that I recall, that when we left the Kilok foothills, we went to that place.

24 Q. [12:38:55] While the group was walking around Got Atoo and Namukora, did
25 anything significant happen?

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1 A. [12:39:29] I do not recall anything significant happening. I do recall that we
2 went to collect food at a camp known as Apacwa (phon).

3 PRESIDING JUDGE SCHMITT: [12:39:52] I think we should not --

4 THE INTERPRETER: Interpreter corrects: "Omiya Pacwa".

5 PRESIDING JUDGE SCHMITT: [12:40:00] I think we can be more direct and I would
6 ask the question: Did anything happen to Dominic Ongwen at the time in -- let's say,
7 in 2003. Sometime in 2003, did anything happen to him?

8 THE WITNESS: [12:40:15] (Interpretation) Between sometime in 2003, I recall that he
9 sustained an injury, he was shot in the thigh and he was in the sickbay.

10 PRESIDING JUDGE SCHMITT: [12:40:31] Did you stay with him in the sickbay?

11 THE WITNESS: [12:40:44] (Interpretation) I did not stay with him in the sickbay.

12 The -- there were other people who stayed behind with him in the sickbay and I was
13 not one of them.

14 PRESIDING JUDGE SCHMITT: [12:40:57] Do you know how long he stayed in the
15 sickbay?

16 THE WITNESS: [12:41:12] (Interpretation) I cannot remember. I can't remember
17 the exact duration.

18 PRESIDING JUDGE SCHMITT: [12:41:18] And what happened to you during the
19 time when Mr Ongwen was transferred to the sickbay? Where did you go?

20 THE WITNESS: [12:41:35] (Interpretation) We stayed behind with the Sinia, Sinia
21 brigade and we continued roaming around. We were a mobile force. I was not
22 moved to any other group. I stayed within the Sinia group and we continued
23 roaming around.

24 PRESIDING JUDGE SCHMITT: [12:41:56] I think Mr Obhof, you might want to
25 address now Pajule, I would say. This would be I think the next logical step.

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1 MR OBHOF: [12:42:04] Almost. I'm just going to ask a few more things about the
2 injury.

3 PRESIDING JUDGE SCHMITT: [12:42:09] Of course. But then the next
4 (Overlapping speakers)

5 MR OBHOF: [12:42:12] Yes, next step --

6 PRESIDING JUDGE SCHMITT: [12:42:12] -- step would be (Overlapping speakers)

7 MR OBHOF: [12:42:13] Yes, next steps is definitely (Overlapping speakers)

8 PRESIDING JUDGE SCHMITT: [12:42:16] Indeed. Yes, yes, please continue.

9 MR OBHOF: [12:42:18]

10 Q. [12:42:19] Mr Witness, how bad was the injury to Mr Ongwen's leg, to his thigh,
11 I believe you said, to his thigh?

12 A. [12:42:33] It was, it was a bad injury. He was unable to walk. He was shot in
13 the thigh and it broke. He was unable to walk.

14 Q. [12:42:51] At the time of Mr Ongwen's injury, what was his position?

15 A. [12:43:11] At the time, at the time he was the OC of the battalion.

16 Q. [12:43:25] And was Buk still the brigade commander?

17 A. [12:43:37] Yes, he was.

18 Q. [12:43:44] Now, when you -- sorry, yes, what was Mr Ongwen's rank at the time
19 of his injury?

20 A. [12:44:06] At the time he was a major.

21 Q. [12:44:13] Do you remember the names of anyone whom you left Mr Ongwen
22 with at sickbay?

23 A. [12:44:42] I recall a particular commander, he was a captain at the time, and his
24 name is Okot. He stayed behind. He stayed behind as the commanding officer of
25 that sickbay.

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1 Q. [12:45:12] When Mr Ongwen went to the sickbay, what happened to

2 Mr Ongwen's wives?

3 A. [12:45:34] I do not know what happened to his wives because all his wives were
4 with him in the sickbay and I was not there with them.

5 MR OBHOF: [12:45:50] That's actually what I meant to ask, to see if they stayed in
6 the sickbay.

7 PRESIDING JUDGE SCHMITT: [12:45:56] Absolutely logical. So it's perfectly clear.

8 MR OBHOF: [12:46:00]

9 Q. [12:46:02] After Mr Ongwen was injured, who took over his duties as OC?

10 A. [12:46:24] When he sustained his injuries, the person who took over his role was
11 his deputy. That person was also a captain and he was known as Otto.

12 Q. [12:47:07] Now before we break for lunch we're going to start on the beginning
13 of Pajule, so I'll (Overlapping speakers)

14 PRESIDING JUDGE SCHMITT: [12:47:13] Perhaps the general, general things that
15 are related to Pajule, I would say.

16 MR OBHOF: [12:47:17] A few general --

17 PRESIDING JUDGE SCHMITT: [12:47:18] Yes, yes.

18 MR OBHOF: [12:47:18] -- then I'll have him speak a narrative after lunch.

19 PRESIDING JUDGE SCHMITT: [12:47:23] Yes, that's a very good idea.

20 (Counsel confers)

21 MR OBHOF: [12:47:48]

22 Q. [12:47:51] Now, Mr Witness, without talking about your specific role, did you
23 ever go to an attack on Pajule IDP camp?

24 A. [12:48:16] Yes, I was present.

25 Q. [12:48:31] Who was your commander, your specific commander, for this attack?

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1 A. [12:48:52] It was a commander known as Bogi.

2 Q. [12:48:59] In which brigade was Bogi?

3 A. [12:49:16] Bogi was in a brigade known as Control Altar.

4 Q. [12:49:27] Did Bogi have an office in Control Altar?

5 A. [12:49:52] He was one of the high ranking commanders who were responsible
6 for taking care of Kony.

7 Q. [12:50:07] Do you remember any other commanders who were there at Pajule?

8 A. [12:50:31] I do recall, but there were many commanders, but I do recall a few.

9 For example, Otti Vincent, Yadin, and commanders like Raska Lukwiya. There were
10 several commanders, but I cannot recall all their names. There were several. There
11 were many. But even though there were many commanders at the time, the overall
12 commanding officer was Bogi.

13 MR OBHOF: [12:51:25] I have this for later in my questioning, but I think I could do
14 this right now only because it's a short period.

15 PRESIDING JUDGE SCHMITT: [12:51:33] I think it would make sense now to ask
16 about (Overlapping speakers)

17 MR OBHOF: [12:51:37] Short questions.

18 PRESIDING JUDGE SCHMITT: [12:51:43] Yes, yes.

19 MR OBHOF: [12:51:43] (Overlapping speakers)

20 PRESIDING JUDGE SCHMITT: [12:51:44] Yes, yes, no, absolutely.

21 MR OBHOF: [12:51:44] And that's why --

22 PRESIDING JUDGE SCHMITT: [12:51:45] We would not unnaturally stop here.

23 MR OBHOF: [12:51:46] Yes, so I want to pull something from --

24 Q. [12:51:45] You mentioned this Yadin. Who is -- who was, sorry, who was
25 Yadin?

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1 A. [12:52:00] Yadin was one of the high ranking commanders. If I recall, at the
2 time he was a brigadier.

3 Q. [12:52:13] And do you remember in which group he was?

4 A. [12:52:29] He was in Control Altar.

5 Q. [12:52:34] Do you remember in which year this attack happened?

6 A. [12:52:59] I recall that it was in 2003.

7 PRESIDING JUDGE SCHMITT: [12:53:07] Do you know the exact date?

8 THE WITNESS: [12:53:18] (Interpretation) I do not recall the exact date because for
9 us dates were not an important matter.

10 PRESIDING JUDGE SCHMITT: [12:53:29] I think the witness in his statement, which
11 is also, this is paragraph 26, 0467 worded it this way:

12 "We never really considered dates as important, when all you think about is survival,
13 you do not worry about things like dates."

14 Is that the reason why you do not recall the exact date?

15 THE WITNESS: [12:54:03] (Interpretation) Yes, that's correct.

16 MR OBHOF: [12:54:12]

17 Q. [12:54:13] Now, during this attack, where was Dominic Ongwen?

18 A. [12:54:32] He was in sickbay.

19 Q. [12:54:39] Now, just so we're clear, why was he in sickbay?

20 A. [12:54:53] Because he had sustained an injury.

21 PRESIDING JUDGE SCHMITT: [12:54:59] Was this the same injury you mentioned
22 earlier?

23 THE WITNESS: [12:55:09] (Interpretation) Yes, indeed.

24 MR OBHOF: [12:55:15]

25 Q. [12:55:18] What was at the time of this attack Mr Ongwen's office?

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1 A. [12:55:47] During this attack, based on my recollection, he did not have any
2 particular -- he did not have any functions or any role. He was in sickbay at the time.
3 But there were rumours, there were rumours going around that he wanted to cross
4 over, he wanted to go to the Ugandan government. So Kony punished him and
5 took -- and completely demoted him. He became a private as a regular foot soldier,
6 and at the time he did not have any particular function.

7 MR OBHOF: [12:56:40] And this is going to be my last question before we take a
8 break for the witness to start his narrative next session.

9 Q. [12:56:51] This attack on Pajule, from what you heard, who ordered this attack?

10 A. [12:57:09] Kony.

11 Q. [12:57:13] And how do you know Kony ordered this attack?

12 A. [12:57:26] I found out about this later.

13 Q. [12:57:32] And how did you find out?

14 A. [12:57:48] There is another soldier, one of the soldiers who worked with me,
15 who informed me.

16 MR OBHOF: [12:57:57] And I've got to ask this, sorry, one question turned into four.

17 Q. [12:58:02] Do you remember this soldier's name? And if you do, could you
18 please tell Court about it.

19 A. [12:58:16] The soldier was known as Okwera.

20 PRESIDING JUDGE SCHMITT: [12:58:22] I think that's now a good point to have
21 the lunch break, which will be a little bit longer than normally, as indicated at the
22 beginning of the session, for organisational reasons.

23 So we meet again at quarter to 3 today.

24 THE COURT USHER: [12:58:38] All rise.

25 (Recess taken at 12.58 p.m.)

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1 (Upon resuming in open session at 2.46 p.m.)

2 THE COURT USHER: [14:46:14] All rise.

3 Please be seated.

4 PRESIDING JUDGE SCHMITT: [14:46:30] I was tempted to say let there be light, but
5 finally it is there.

6 Mr Obhof, you still have the floor.

7 MR OBHOF: [14:46:44] Thank you very much, your Honour. As an update I talked
8 to our investigator during the break, she said that they have sent somebody out to the
9 farming field as we were speaking in order to contact and try to get 75 on a bus
10 tonight from Gulu.

11 PRESIDING JUDGE SCHMITT: [14:47:04] So this means, as we have already said in
12 the morning, that we start with the witness on Tuesday.

13 MR OBHOF: [14:47:11] Correct.

14 PRESIDING JUDGE SCHMITT: Okay.

15 MR OBHOF: [14:47:12] And again I will be contacting her again around 5 o'clock to
16 figure out (overlapping speakers)

17 PRESIDING JUDGE SCHMITT: [14:47:16] No, that's fine. I already stated that.
18 Please, Mr Obhof.

19 MR OBHOF: [14:47:24]

20 Q. Good afternoon, Mr Witness.

21 A. [14:47:29] Good afternoon.

22 Q. [14:47:31] I have to ask you: How was the food today?

23 A. [14:47:36] It was all fine.

24 Q. [14:47:41] Now, as we alluded to earlier, without talking about your direct
25 actions at Pajule, could you please tell us what happened at Pajule?

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1 A. [14:47:56] What took us to Pajule was to attack the military barracks of the
2 government soldiers. They had their barracks in Pajule camp and we went to attack
3 the barracks --

4 PRESIDING JUDGE SCHMITT: [14:48:33] I think, I think for -- it is difficult for the
5 witness to completely blind out what he might have been involved in. And as I have
6 promised, I think, and these promises have to be kept, we will go to private session to
7 discuss this. I think there is no danger, realistic danger, but nevertheless, since we
8 have talked about this in the morning and, as I said, we have to stick to that, we go to
9 private session shortly when the narrative is being given to us by the witness.

10 (Private session at 2.49 p.m.) * (Reclassified partially in public)

11 THE COURT OFFICER: [14:49:12] We are in private session, Mr President.

12 (Redacted)

13 (Redacted)

14 (Redacted)

15 (Redacted)

16 (Redacted)

17 (Redacted)

18 (Redacted)

19 (Redacted)

20 (Redacted)

21 (Redacted)

22 (Redacted)

23 (Redacted)

24 (Redacted)

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13 Page redacted – Private session.

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22 I have one or two additional questions, Mr Witness, in that regard. You mentioned
23 that you stayed there an hour. Do you recall when the attack started?

24 THE WITNESS: [14:53:51](Interpretation) I remember it started around 6 o'clock
25 or 6.30.

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1 PRESIDING JUDGE SCHMITT: [14:54:11] In the morning or in the evening?

2 THE WITNESS: [14:54:15](Interpretation) It was about 6.30 in the evening.

3 PRESIDING JUDGE SCHMITT: [14:54:23] And how long did it last? It might be
4 very difficult to -- but just an estimation.

5 THE WITNESS: [14:54:35](Interpretation) We left at about 7.30 when it was getting
6 dark.

7 PRESIDING JUDGE SCHMITT: [14:54:45] Okay. Mr Obhof, I think any further
8 questions, who were the leaders of a certain group and so, can be discussed in open
9 session, I think. Yes?

10 Back to open session.

11 MR OBHOF: [14:55:00] Yes, I agree.

12 (Open session at 2.55 p.m.)

13 THE COURT OFFICER: [14:55:05] We are in open session, Mr President.

14 MR OBHOF: [14:55:13]

15 Q. [14:55:15] Mr Witness, you mentioned that the Pajule barracks was next to the
16 Catholic mission. About how far was the barracks from the edge of the IDP camp?

17 A. [14:55:32] The distance was I would say less than 100 metres.

18 Q. [14:55:52] Do you know if there were any serious LRA casualties during that
19 battle?

20 A. [14:56:08] In the battle, there was only one casualty, there was only one person
21 who was killed. The rest of the people only sustained injuries.

22 Q. [14:56:36] Do you know any of the persons who sustained injuries?

23 A. [14:56:47] People were in many different groups, but one of the people who was
24 near me was called Ocira. But the rest of the people I was not able to establish their
25 names.

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1 PRESIDING JUDGE SCHMITT: [14:57:21] Which commanders led the group that
2 went to the barracks?

3 THE WITNESS: [14:57:32](Interpretation) It was one of the commanders, one of the
4 senior commanders out of the many senior commanders, and he was called Bogi.
5 He was the one who led the group.

6 PRESIDING JUDGE SCHMITT: [14:57:54] And do you know who led -- you spoke
7 of two groups if I recall it correctly, do you know who led the other group?

8 THE WITNESS: [14:58:05](Interpretation) The other group that headed towards the
9 camp, the group that went to the camp was led by Raska Lukwiya.

10 PRESIDING JUDGE SCHMITT: [14:58:35] Thank you. And you mentioned one
11 person from the LRA who was killed. Do you know which person was killed?

12 THE WITNESS: [14:58:45](Interpretation) Because the people were so many and that
13 person was coming from a different brigade, I was not able to establish his name.

14 PRESIDING JUDGE SCHMITT: [14:59:07] That's perfectly clear.
15 Mr Obhof.

16 MR OBHOF: [14:59:09]

17 Q. [14:59:12] Before the attack, Mr Witness, was there a meeting of the senior
18 commanders?

19 A. [14:59:24] I did not get to know of any meeting that was held by the senior
20 commanders.

21 Q. [14:59:47] After the attack was over, where did your group which was led by
22 Bogi, where did it go?

23 A. [15:00:06] We started walking going towards Pader, in the direction of Lango
24 border.

25 Q. [15:00:25] During the attack on Pajule, did the LRA use any artillery?

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1 A. [15:00:54] Yes, there was some artilleries that were used.

2 Q. [15:01:07] Which type of artilleries were used?

3 A. [15:01:12] It was a B-10 bomb, it was used for shooting the Mamba. And then
4 other smaller ones like the RPG. There were many.

5 PRESIDING JUDGE SCHMITT: [15:01:36] In the meantime we are knowledgeable, I
6 think.

7 MR OBHOF: [15:01:40] Yes.

8 Q. [15:01:43] Do you remember who was in charge of this artillery for Pajule?

9 A. [15:01:51] Yes, I do recall.

10 Q. [15:02:03] Please tell the Court who was in charge of this.

11 A. [15:02:08] There was a person coming from Teso, he was called Abdallah Singa
12 (phon).

13 Q. [15:02:27] Now after this attack -- and I'm moving on, your Honour, so I don't
14 know if you have anything further on Pajule that you would like to ask.

15 PRESIDING JUDGE SCHMITT: [15:03:07] No. No, I think we have covered
16 everything and you have covered everything. You can move on. And if there is
17 not an absolute need, we -- I think we could not have to go into specific acts by the
18 witness, otherwise we would go to, of course, in private session.

19 But perhaps in the meantime, to continue the whole proceeding, Mr Witness, you said
20 that you were at the time in the group of Bogi, if I have understood it correctly. Did
21 you stay in this group?

22 THE WITNESS: [15:03:46](Interpretation) No, I did not stay long in that group.
23 After the attack, I stayed in that group for a -- for only the period of the attack in
24 Pajule. But I was taken back to Sinia, which was my brigade.

25 PRESIDING JUDGE SCHMITT: [15:04:23] Exactly. So this was a little bit to bridge

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1 the gap, yes.

2 MR OBHOF: [15:04:30]

3 Q. [15:04:31] And at this time after the attack, do you remember who your battalion
4 commander was after the attack in your group in Sinia?

5 A. [15:04:44] My battalion commander was a captain, and he was called Pokot.

6 MR OBHOF: [15:05:06] Now, your Honour, I'm going to ask him to see if he
7 recognises a few names, that would be during this time.

8 Q. [15:05:21] Mr Witness, do you recognise a name called Onek Padibay?

9 A. [15:05:34] Yes, I remember.

10 Q. [15:05:38] Could you tell the Court who Onek Padibay was.

11 A. [15:05:47] Well, I cannot say anything much about Onek Padibay because I did
12 not stay close by with him, so it was difficult for me to know who exactly he was.

13 Q. [15:06:07] How about Icaya Loum?

14 A. [15:06:18] I also saw that one, and I knew him as well, but I did not stay together
15 with him.

16 Q. [15:06:31] Celestino Akuri?

17 A. [15:06:44] I used to know him, I even saw him physically, but I also didn't stay
18 with him.

19 Q. [15:06:55] And the final one, Ocan Labongo?

20 A. [15:07:05] That too I knew, but I did not stay with him either.

21 Q. [15:07:16] Mr Witness, after you rejoined with Pokot's battalion, where did you
22 go?

23 A. [15:07:37] We started moving and we went to Patango. Patango is in Pader
24 district. We left Patango and went to Lira district where we stayed there for some
25 time, I don't recall how long exactly, but we stayed there for some few days.

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1 Q. [15:08:16] And after you stayed there for some few days, where did you go next?

2 A. [15:08:28] Later on, I came to realise that there was a plan already in place for
3 people to go to Soroti and there was a big meeting that covered all the battalions and
4 brigades. The meeting took place in Otuke county that was in Lira district, and there
5 was a plan to go to Soroti, to go and carry out an operation in Soroti. Then an RV
6 was set up for everyone to go and converge there. I did not know of the plan to go
7 to Soroti, but it was in place. When we arrived there all the brigades were there,
8 then they started giving directions to different brigades to move on their own, but all
9 in the direction of Soroti. Then we started moving.

10 Q. [15:10:02] Did you reach Teso?

11 A. [15:10:12] Yes, I did.

12 Q. [15:10:17] For how long -- for around how long did you stay in Teso?

13 A. [15:10:25] I stayed for a period of about a year.

14 Q. [15:10:42] Did Dominic Ongwen ever come down to Teso?

15 A. [15:10:51] He reached there briefly, because at the time when we were going
16 there he stayed back because he was still injured, but when he had recovered, he went
17 there, but for a brief time, and returned.

18 Q. [15:11:21] Now when you say "a brief time", can you help us with a little bit
19 more of a time frame. You mean a couple of days? One week? Two weeks?
20 A month? And if you don't remember, it's okay.

21 A. [15:11:42] According to my observation when I met him, I talked to him, I
22 greeted him, shook his hand, and he asked me how I was. That was only for a day.
23 But he told me then that he was not taking long there, he was returning to Pader.
24 And that was all, that was all he told me. And after we parted ways on that day I
25 don't know how long more he took there, I don't know how many days or weeks or

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1 months he took there again.

2 PRESIDING JUDGE SCHMITT: [15:12:33] Mr Witness, do you recall when this
3 happened? Of course, you -- it is quite sure that you can't recall the date, but
4 perhaps the month or the season when you met Dominic Ongwen.

5 THE WITNESS: [15:12:48](Interpretation) I think it was either July or August.

6 PRESIDING JUDGE SCHMITT: [15:13:08] Thank you.

7 Mr Obhof.

8 MR OBHOF: [15:13:10]

9 Q. [15:13:13] At that time when you met Dominic Ongwen in Teso, what was his
10 office, his position?

11 A. [15:13:26] Because of the length of time with which we had stayed without
12 meeting each other, I did not know which position he was holding at that time. But I
13 saw he was moving with some soldiers, he had some escorts, but I didn't know which
14 position or rank he was holding at that time.

15 MR OBHOF: [15:14:07] Your Honour, if I may, I would like to read paragraph 30.

16 PRESIDING JUDGE SCHMITT: Of course. Of course.

17 MR OBHOF: 0467.

18 Q. [15:14:12] Mr Witness, this is from your statement, it's paragraph 30, I'm just
19 going to read you a small section.

20 PRESIDING JUDGE SCHMITT: [15:14:24] UGA-D26-0025-0467.

21 MR OBHOF: [15:14:30] Sorry, I forgot to say tab 1. Sorry about that, your Honour.

22 Q. [15:14:34] You state:

23 "I was in Soroti for almost a year from about December 2003 to December 2004.

24 Christmas of 2004 found us around Lango/Soroti border, we were heading back to

25 Acholi. Around Aug/Sept Dominic came to Soroti very briefly. I was still in Sinia

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1 and Dominic had become the leader. Dominic didn't stay long in Teso, he only came
2 briefly."

3 Now what I'm wondering is about the area which says "I was still in Sinia and
4 Dominic had become the leader."

5 What is meant by that passage about Dominic's visit to Soroti, that he had become the
6 leader?

7 A. [15:15:39] I think that was recorded wrongly, because what I know is that at the
8 time we were moving around in Soroti we were moving with Abudema as the
9 brigade commander of our group, because Dominic was not there, he had stayed back
10 in the sickbay for the whole year I had mentioned earlier, that's correct. Because we
11 left in December to go to Soroti, and from December onwards until about August,
12 that was when he came and he met with us, we were with Abudema. He found me
13 just like I said, I was a junior soldier who was in his household but I was only taken
14 away because of military duties. He greeted me and asked me how I was living
15 there, how the life was then. He asked me all these questions. I told him I was
16 okay, I was living well. And he said, "No problem. Continue being a loyal soldier."
17 That was what he told me. And then we parted ways that very day.

18 MR OBHOF: [15:17:22] And I just cut out a few questions so we can remain in
19 public.

20 Q. [15:17:37] Now after your time in Teso was over, where did you head to next?

21 A. [15:17:46] When we left Teso we moved, coming backwards towards Acholiland.
22 We got to Acholi and we did not have any time to rest, let's say for one or two or
23 three days or -- we were just walking about. We had guns. And based on the
24 information that I got later, the trip that we were moving from Soroti was intended
25 for us to go all the way to Sudan and we did indeed go all the way to Sudan. We

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1 kept moving. Christmas was still on the way, New Years was still on the way. In
2 January 2005, we entered into Sudan and based on my estimation it wasn't the 10th of
3 January yet.

4 PRESIDING JUDGE SCHMITT: [15:19:06] Mr Witness, during the whole time, did
5 you have any contact with Mr Ongwen or did you meet Mr Ongwen?

6 THE WITNESS: [15:19:16](Interpretation) No, I did not meet him. When we left Teso,
7 going through Acholi and through to Sudan, no, I did not meet him.

8 PRESIDING JUDGE SCHMITT: [15:19:36] So when was the last time that you
9 personally met him?

10 THE WITNESS: [15:19:46](Interpretation) When I went to Sudan, I was not there for
11 a long time. In January, and then in March -- we arrived there in January. In March,
12 we turned and went back to Uganda. When we came back in March I met him at
13 Pader. When I met him at Pader, they had set up an RV, a big RV, but based on the
14 information that I gathered afterwards, that RV was intended for us to move to Sudan
15 and then to Ri-Kwangba.

16 PRESIDING JUDGE SCHMITT: [15:20:49] I think with regard to the movements and
17 the whereabouts of the witness, this is not so important. This is why I asked him
18 when he met Dominic Ongwen for the last time. Of course it might be of interest if
19 he has knowledge about other attacks, but I think you will inquire that, Mr Obhof.

20 MR OBHOF: [15:21:08] Exactly, your Honour. Almost exactly.

21 Q. [15:21:14] Mr Witness, as the Judge alluded, I'm going to ask you about a few
22 more locations and what you know.

23 Mr Witness, did you ever hear about a -- sorry, about an attack on Odek?

24 A. [15:21:46] Yes, I did.

25 Q. [15:21:58] And what did you hear about the attack on Odek?

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1 A. [15:22:03] With respect to the attack on Odek, there is not really much that I can
2 tell you because I was not present, I just heard about the attack.

3 Q. [15:22:27] If you remember, where were you when this attack happened?

4 A. [15:22:35] I do not recall.

5 PRESIDING JUDGE SCHMITT: [15:22:53] I think you can move on.

6 MR OBHOF: [15:22:55] Well, there's a few more reasons, your Honour, for this
7 attack. They might not be quite obvious but --

8 PRESIDING JUDGE SCHMITT: [15:23:01] But the witness has already said that he
9 does not know much about it, but you --

10 MR OBHOF: [15:23:06] Well, it's not about the attack, it's about other people around
11 the same time (overlapping speakers)

12 PRESIDING JUDGE SCHMITT: [15:23:09] That's something different, yes.

13 MR OBHOF: [15:23:11] Yes.

14 Q. [15:23:12] Mr Witness, around this time do you remember who was your
15 battalion leader?

16 A. [15:23:22] At that time, based on my recollection, there was no changeover for
17 battalion commander.

18 Q. [15:24:02] Do you remember who the 2IC for the battalion commander was
19 around that time?

20 A. [15:24:15] I've forgotten his name.

21 Q. [15:24:29] Now around that time do you remember the name of your battalion?

22 A. [15:24:48] At the time I -- I was at the brigade headquarters.

23 Q. [15:25:32] Now, Mr Witness, another location: Lukodi. Did you hear
24 anything about an attack on Lukodi?

25 A. [15:25:46] Yes, I did.

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1 Q. [15:25:59] What did you hear about Lukodi?

2 A. [15:26:05] With respect to Lukodi, I heard that a certain commander, I believe he
3 was called Kalalang to my recollection, and the group in which he belonged are the
4 ones who attacked Lukodi. At the time we were on our way to Sudan. That was
5 around about the time I mentioned earlier, the time that we left Soroti heading
6 towards Sudan.

7 Q. [15:27:01] Do you remember the name of the group in which Kalalang
8 commanded?

9 A. [15:27:07] Kalalang was in Silva (phon).

10 Q. [15:27:28] Now the last place, Mr Witness: Abok. Did you hear about an
11 attack on Abok?

12 A. [15:27:52] Yes, I did hear about the attack, but I'm not very familiar with it.

13 Q. [15:27:59] I'm going to ask one thing too. Mr Witness, you said earlier Silva or
14 Gilva?

15 A. [15:28:11] I said Gilva.

16 Q. [15:28:25] Thank you. Mr Witness, we are going to ask you in a few minutes to
17 have a quick narrative about how you escaped, but I have a few questions
18 beforehand.

19 Before you had escaped, had you ever heard of the Mega FM radio show called Dwog
20 Paco?

21 A. [15:29:21] Yes, I heard.

22 Q. [15:29:28] Now before you left the bush, what had you heard about this radio
23 programme?

24 A. [15:29:37] I heard the announcements that were being made on the radio calling
25 upon us people who were still in the bush to come back home and telling us that if we

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1 did come back home, nothing bad would befall us. They were urging us to come
2 back home. And based on those announcements, I -- it gave me some ideas or
3 thoughts to go back home because we were not allowed to listen to radios for a very
4 long time.

5 Q. [15:30:35] And why were you not allowed to listen to radios?

6 A. [15:30:43] They would say that if we listened to the radio, then these
7 announcements urging us to go back home would be heard by people, and this would
8 give us ideas and it would actually strengthen people's resolve and make them more
9 determined to go back home and actually make them escape as well.

10 Q. [15:31:19] Now when you were in the LRA, what did you hear about what
11 would happen to you if you escaped and went back home?

12 A. [15:31:36] I used to hear that when people went back home, they would be killed
13 because the government would say that anybody who returned would question all
14 returnees asking them why -- what they were doing in the bush and then they should
15 be killed. They would accuse you of taking things, people's things, people's cattle,
16 people's livestock, people's food and all the things that people lost, people who died
17 as well. They would blame that on people who came back, blame that on anybody
18 who was in the bush and that's what they would tell us, they would tell us that we
19 should not go back to the government because if you went back to the government
20 you would be killed.

21 Q. [15:32:53] Did you believe this when you were in the LRA?

22 A. [15:33:07] Of course I did, I did believe that. When I was still in the bush, I did
23 believe that.

24 Q. [15:33:33] From what you heard from other persons within the LRA, did it
25 appear that other persons believed this too?

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1 A. [15:33:45] Yes, most of us held a similar belief.

2 Q. [15:34:03] Who propagated this story? Who propagated this lie?

3 A. [15:34:20] Well, we were not aware that that was a lie. We thought they were
4 telling us the truth. Because our senior commanders, the commanders who were
5 able to listen to radio programmes would tell us, would actually tell us a lie, they
6 would tell us that the government was killing rebel returnees. And on occasion
7 would also make that decision ourselves, especially if one of -- one of us was injured
8 during battle and we did not have the opportunity to carry that person and run away
9 with them. Most times, if the government came across injured LRA soldiers, they
10 would kill them. And that gave us fear. That instilled fear in us.

11 Q. [15:35:45] Now I think we have come to the narrative part, Mr Witness. Could
12 you please explain to the Court how you eventually came to escape the LRA.

13 A. [15:36:00] Thank you.

14 Well, I made a decision to escape. I made a decision not to go back to Sudan. I left
15 Teso. I went to Sudan in January. I was immediately injured upon my arrival in
16 Sudan, I was shot in the knee and I was shot in my arm. I sustained two injuries at
17 the same time. I stayed there for about two months until I was somewhat healed, I
18 was not completely healed yet, and then in March we came back to Uganda.
19 When I came back to Uganda they made arrangements for us to go back to Sudan
20 again, but that was when I made the decision not to go back to Sudan. We came
21 back to Uganda in March and I immediately sustained further injuries. I was shot in
22 my arm. I was shot in the side. I was shot. I think three bullets, three bullets at
23 the same time.

24 Before I healed, before I fully healed, they started plans to go back to Sudan, and at
25 the time I had already made the decision that I was not going back to Sudan, I was

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1 going home. So when the move started they selected soldiers, they selected
2 approximately 20 soldiers, and I was told to lead these soldiers, to go and look for
3 food at a camp in Lacekocot in Pader district. And in all earnest we left.
4 Unfortunately, while we were heading to the camp, we entered into an ambushade.
5 They shot us and people scattered. But at the time I had an escort and he used to
6 help me. I ran with my escort. He ran beside me at all times.
7 When we ran we came across the soldiers and we started walking. When we got to
8 Lacekocot, I went and crossed the Achwa River and headed to Gulu, to Awach. We
9 came and spent the night close to a camp, we could hear everything that was going on
10 in the camp, but I was afraid, I did not go into the camp.
11 I left that place and I went to a place known as Ajulu. On the second night I stayed
12 there. I stayed close to a camp and I could hear everything that was happening in
13 the camp.
14 In the morning, I got up. The civilians that were leaving the camp coming to burn
15 charcoal saw me. We told the person "Do not run," and the person did not run. I
16 explained to the person, I said, "I want to come back home. There is two of us. We
17 are LRA soldiers. Could you please help us? Help us and take us to the camp." I
18 asked him, "Do you think they will kill us?" He said, "No, I don't think they will kill
19 you." I asked, "How many people have come to this camp, people who left the bush
20 and came to the camp who were killed?" And he said no, nobody has been killed. I
21 asked him, "How many people have come -- returned to this camp." He said, "Many
22 people have come back. They've been welcomed and they haven't been killed." So
23 I said, "Please take us." So he took us, he started walking with us. It was him,
24 myself, and the other boy, the boy that I was with known as Olara. He took us to the
25 camp.

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1 When we got there, we went to the LC's home. We were welcomed. They took us
2 to the army barracks. We were welcomed by the soldiers as well. They sent
3 us -- gave us somewhere to sit down. They gave us water, we had a bath. They
4 gave us food, we ate. We spent the night in the barracks and in the morning they
5 took us to Gulu. They took us to the CPS in Gulu town. They first took us to the
6 barracks in Gulu town and then they took us to CPS. We stayed at CPS for a while
7 and then they took us to World Vision, where -- World Vision take care of people who
8 have returned from the bush.
9 I stayed at World Vision. I still had the injuries. I had bullets in my shoulder.
10 They helped me with medical assistance. I was taken to Lacor hospital. There
11 was -- they X-rayed my shoulder and my arm and they found that I still had a bullet
12 in my arm. They operated on my arm, they took out the bullet. They saw that the
13 bullet had broken my rib. It had not yet healed properly so they gave me some kind
14 of belt to tie around my waist. I used that for about three months to heal, so that the
15 bone would, the fracture would heal properly. They took us to World Vision and
16 then they took me home.
17 At the time when I was at World Vision, the Amnesty Commission came, they took
18 me photo, they prepared an amnesty certificate for me and they gave it to me. I
19 went back home with it. And I went and started living in the community, same as
20 everybody who was in the community at the time. And that's how I escaped.
21 PRESIDING JUDGE SCHMITT: [15:43:22] It's amazing the recollection, if you
22 compare it with the witness statement. Mr Obhof.
23 MR OBHOF: [15:43:28] When you lived it you remember it.
24 PRESIDING JUDGE SCHMITT: [15:43:31] No, but nevertheless we have a lot
25 of -- and I specifically have heard a lot of witnesses.

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1 MR OBHOF: [15:43:39]

2 Q. [15:43:46] Now, you mentioned that you were going to Lacekocot to get food.

3 Who sent you to get food? Do you remember the name of the commander?

4 A. [15:44:00] It was Abudema who sent us to get food.

5 MR OBHOF: [15:44:10] Now, if we could turn to tab 2, please. UGA-D26-0025-0470.

6 I don't think in eCourt it has been updated yet, so it will still be at 0457, page 0470.

7 THE COURT OFFICER: I confirm there is no ERN (Overlapping speakers)

8 PRESIDING JUDGE SCHMITT: [15:44:47] Can this be shown to the public, or better
9 not?

10 MR OBHOF: [15:44:50] Now it can --

11 PRESIDING JUDGE SCHMITT: [15:44:51] I would -- I think better not. It's not
12 necessary, I would say.

13 MR OBHOF: [15:44:54] It's on the previous ERN, 0457. I sent it in two days ago,
14 but it hasn't been uploaded yet. The final page of it, 0470. Thanks.

15 THE COURT OFFICER: [15:45:13] It is going to be displayed. On evidence 1
16 channel we have it. And, for clarity, it will not be displayed -- accessible to the
17 public gallery.

18 MR OBHOF:

19 Q. [15:45:35] Mr Witness, something is going to be coming on to your computer
20 screen in a second. Can you see that?

21 A. [15:45:48] Can see it.

22 Q. [15:45:52] Briefly, what is this?

23 A. [15:45:55] This is my certificate, my certificate of amnesty.

24 Q. [15:46:15] And only because we can't read it -- I can see that it says the 16th day
25 of something in 2006. But the month, do you remember which month is written on

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1 the certificate?

2 A. [15:46:38] The certificate was given to me in 2005, it was written in 2005. And
3 then in 2006, when we received support, the -- whatever is written in the middle was
4 in 2006. The stamp is in 2006.

5 Q. [15:47:21] Thank you for correcting that.

6 I believe my counsel has a few questions.

7 PRESIDING JUDGE SCHMITT: [15:47:32] Okay. Thank you very much, Mr Obhof.
8 Then I give Mr Ayena the floor.

9 MR AYENA ODONGO: [15:47:40] (Microphone not activated)

10 PRESIDING JUDGE SCHMITT: [15:47:53] Microphone, please. I think it might be a
11 good, a good idea to have --

12 MR AYENA ODONGO: (Overlapping speakers)

13 PRESIDING JUDGE SCHMITT: -- Mr Kifudde at your right side, under the
14 circumstances.

15 MR AYENA ODONGO: [15:48:07] I didn't know I was speaking to myself,
16 your Honour.

17 QUESTIONED BY MR AYENA ODONGO:

18 Q. [15:48:12] Good afternoon, Mr Witness.

19 A. [15:48:17] Good afternoon.

20 Q. [15:48:19] Like I was introduced in the morning, my name is Krispus Ayena
21 Odongo. I'm going to ask just a few follow-up questions. Number one, you said if
22 they recaptured you after attempting to escape they would kill you. Now what
23 would happen to the home of those who managed to escape and the LRA followed
24 them home to their village?

25 A. [15:49:15] Well, most times the LRA would not follow somebody who has

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1 escaped up to their village. I never get -- I never got to know of any such event.

2 PRESIDING JUDGE SCHMITT: [15:49:40] May I, Mr Ayena.

3 Would it make a difference if a person escaped with a weapon, with a gun, for
4 example?

5 THE WITNESS: [15:49:51](Interpretation) Well, it's the same story because if you
6 have escaped successfully they will not follow you up to your home. The reason
7 why they would not follow you up to your home was because the people who
8 abducted you are the ones who really know your home, but you don't stay with those
9 who abducted you for the whole time. Military activities or services will put you in
10 different hands.

11 PRESIDING JUDGE SCHMITT: [15:50:45] Please proceed, Mr Ayena.

12 MR AYENA ODONGO: [15:50:50]

13 Q. [15:50:51] Now, I'll take you to the sickbay again. Were soldiers in the sickbay
14 also picked to go on standby?

15 A. [15:51:10] They would be chosen different times, different people. You know,
16 if those who were earmarked for going on mobile mission, some of them sustained
17 injuries. The injured would be taken away and would be replaced. The people
18 who have been taking care of those who were at the sickbay would now have to go
19 for mission. Normally they select very few people from the sickbay to go for
20 a standby to go and get food items from the villages and come back home, but they
21 are not sent to go and fight.

22 Q. [15:52:01] And, Mr Witness, when you were talking about Pajule, you said you
23 joined the group that went to the barracks, but you said those who went to the camps,
24 among other things, burnt houses. How -- who told you this?

25 PRESIDING JUDGE SCHMITT: [15:52:32] Or did you see it, or whatsoever. Where

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1 do you have the information from?

2 MR AYENA ODONGO: [15:52:36]

3 Q. Yes, where did you get the information from?

4 Well put, Mr President.

5 A. [15:52:46] I saw it with my eyes because the camp was near the barracks.

6 MR AYENA ODONGO: [15:52:54] I think that's all.

7 PRESIDING JUDGE SCHMITT: [15:52:56] Thank you, Mr Ayena.

8 I think you would need more than 10 minutes or 15 minutes, so this concludes then
9 the hearing for today.

10 Mr Obhof, it doesn't conclude the hearing for today?

11 MR OBHOF: [15:53:10] No. Another update. VWU has unilaterally cancelled
12 Monday and Tuesday. They said that they could not get 75 to read through his
13 transcripts of his statements to the Prosecution and the Defence quick enough, even if
14 he arrived tomorrow.

15 PRESIDING JUDGE SCHMITT: [15:53:27] This should -- must not be the last word
16 (Overlapping speakers)

17 MR OBHOF: [15:53:30] That's why I'm telling you right now, your Honour.

18 PRESIDING JUDGE SCHMITT: [15:53:34] Yes. Thank you for informing me. I
19 think it -- when I say it must not be the last word, we do never expect the impossible,
20 but I have at least the feeling, the impression that it should be possible to start the
21 witness on Tuesday still.

22 So perhaps we have more information tomorrow. I think this can be, at least be
23 made clear until tomorrow and we will hear it then. But I am not very satisfied with
24 this information, frankly speaking.

25 So this concludes then the hearing for today. We resume tomorrow, 9.30, with the

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- 1 questioning by the Prosecution.
- 2 THE COURT USHER: [15:54:11] All rise.
- 3 (The hearing ends in open session at 3.54 p.m.)
- 4 RECLASSIFICATION REPORT
- 5 Pursuant to the Trial Chamber' IX's instructions, ICC-02/04-01/15-497, dated 13 July
- 6 2016, the public reclassified and lesser redacted version of this transcript is filed in the
- 7 case.