

1 International Criminal Court
2 Trial Chamber IX
3 Situation: Republic of Uganda
4 In the case of The Prosecutor v. Dominic Ongwen - ICC-02/04-01/15
5 Presiding Judge Bertram Schmitt, Judge Péter Kovács and
6 Judge Raul Cano Pangalangan
7 Trial Hearing - Courtroom 3
8 Monday, 10 July 2017
9 (The hearing starts in open session at 9.31 a.m.)
10 THE COURT USHER: [9:31:29] All rise.
11 The International Criminal Court is now in session.
12 Please be seated.
13 PRESIDING JUDGE SCHMITT: [9:31:50] Good morning, everyone.
14 Could the court officer please call the case.
15 THE COURT OFFICER: [9:31:56] Good morning, Mr President, your Honours.
16 The situation in Uganda, in the case of The Prosecutor versus Dominic Ongwen, case
17 reference ICC-02/04-01/15.
18 And for the record, we're in open session.
19 PRESIDING JUDGE SCHMITT: [9:32:10] Thank you.
20 I call for the appearances of the parties.
21 MR BRADFIELD: [9:32:15] Good morning, Mr President, and your Honours.
22 Appearing for the Prosecution today are Adesola Adeboyejo, Benjamin Gumpert,
23 Sanyu Ndagire, Yulia Nuzban, Pubudu Sachithanandan, Yya Aragon, Shahriar Khan,
24 Ramu Fatima Bittaye, and myself Paul Bradfield.
25 PRESIDING JUDGE SCHMITT: [9:32:37] Thank you, Mr Bradfield.

1 And now the Legal Representatives of the Victims.

2 MR MANOBA: [9:32:42] Good morning, Mr President, your Honours. Joseph
3 Manoba and James Mawira for first team of legal representative.

4 PRESIDING JUDGE SCHMITT: [9:32:49] Thank you.

5 And for the second team.

6 MR NARANTSETSEG: [9:32:52] Good morning, Mr President, your Honours.
7 Orchlon Narantsetseg and my colleague Caroline Walter for the common legal
8 representative. Thank you.

9 PRESIDING JUDGE SCHMITT: [9:32:59] Thank you.

10 And now I turn to the Defence. Mrs Bridgman.

11 MS BRIDGMAN: [9:33:03] Good morning, Mr President, your Honours. I am
12 Abigail Bridgman and I am here with co-counsel Chief Charles Taku, and two interns,
13 Barnabie Augusta and Nuria Feliu. Thank you. And our client Mr Ongwen is in
14 court.

15 PRESIDING JUDGE SCHMITT: [9:33:22] Thank you very much, Mrs Bridgman.

16 The Prosecution is now calling P-218 as its next witness. The Chamber turns now to
17 his testimony. Before commencing, the Chamber notes briefly that no protection
18 measures were requested. As a preliminary matter the Chamber notes the VWU
19 assessment email recommending protective measures for this witness, this was on
20 July 6, 2017. The Chamber notes that the Prosecution never requested protective
21 measures for this witness. The Chamber also notes that the VWU's assessment does
22 not indicate that there is an objectively justifiable risk to the witness's well-being.
23 Under the circumstances, the Chamber considers that no protective measures are
24 required for this witness.

25 And now we can turn to the testimony of this witness and the video link can be

Trial Hearing
WITNESS: UGA-OTP-P-0218

(Open Session)

ICC-02/04-01/15

1 connected.

2 This is -- I would not say bring him into the courtroom, because to the video link he is
3 still sitting there -- already sitting there, as I see.

4 THE COURT OFFICER: (Via video link) [9:34:53] So, Witness, the connection is
5 now established.

6 PRESIDING JUDGE SCHMITT: [9:34:57] Thank you very much. And I see that the
7 video connection is working well.

8 Mr Witness, do you hear me?

9 WITNESS: UGA-OTP-P-0218

10 (The witness speaks Acholi)

11 (The witness gives evidence via video link)

12 THE WITNESS: [9:35:05] (Interpretation) Yes, I can hear you clearly.

13 PRESIDING JUDGE SCHMITT: [9:35:09] And I can say that I hear you also clearly,
14 so we have a very good picture and we have also very good audio.

15 Mr Witness, good morning, first of all. On behalf of the Chamber I would like to
16 welcome you, yes, to the courtroom because you are visible in this courtroom.

17 You are going to testify before the International Criminal Court, and I will now read
18 the oath to tell the truth to you that every witness who testifies before this Court must
19 agree to.

20 So please listen, Mr Witness. I solemnly declare that I will speak the truth, the whole
21 truth and nothing but the truth.

22 Mr Witness, do you understand what I have read to you?

23 THE WITNESS: [9:36:20] (Interpretation) Yes, I have understood.

24 PRESIDING JUDGE SCHMITT: [9:36:23] Do you agree, Mr Witness?

25 THE WITNESS: [9:36:25] (Interpretation) I agree that I will tell the truth.

1 PRESIDING JUDGE SCHMITT: [9:36:29] Thank you. We will continue now.
2 Before we start with your testimony let me explain some practical matters that you
3 please keep in mind when you give your testimony. Everything we say here in the
4 courtroom is written down and interpreted. It is therefore important to speak clearly
5 and at a slow pace, but as I heard it from the past minutes you will have no problem
6 with that.

7 Please speak also in the microphone, if you have one in front of you. And what is
8 more important, only start speaking when the person asking you the question has
9 finished its question.

10 If you have any questions yourself raise your hand so we know that you wish to say
11 something. Have you understood all that?

12 THE WITNESS: [9:37:16] (Interpretation) I have understood.

13 PRESIDING JUDGE SCHMITT: [9:37:19] We can then start your testimony. And I
14 give Mr Bradfield the floor.

15 MR BRADFIELD: [9:37:24] Thank you, your Honour.

16 QUESTIONED BY MR BRADFIELD:

17 Q. [9:37:31] Good morning, Mr Witness.

18 A. [9:37:33] Good morning.

19 Q. [9:37:36] Can you hear me okay?

20 A. [9:37:38] Yes, I can hear you clearly.

21 Q. [9:37:42] Very good. Mr Witness, you might remember that my name is Paul
22 Bradfield, and today I will be asking you some questions for the Prosecution. If at
23 any time you do not understand the question, or would like me to repeat it, that's
24 okay. Just let me know.

25 So, Mr Witness, for the record, can you please tell us your full name?

1 A. [9:38:29] My name is Lakoch P'Oyoo.

2 Q. [9:38:35] And, Mr Lakoch, when were you born?

3 A. [9:38:45] I was born in 1958.

4 Q. [9:38:53] Do you remember the month?

5 MR BRADFIELD: [9:39:11] I wonder is there some IT difficulty, your Honour.

6 PRESIDING JUDGE SCHMITT: [9:39:15] It seems to, because there is an indication
7 "no camera connected", so there seems to be some sort of problem.

8 The technicians are working on it, what we already have assumed. And it is a little
9 bit surprising because it started so well, the audio. It was like the witness was here
10 in the courtroom. But let's be patient, like always.

11 Mr Gumpert.

12 MR GUMPERT: [9:39:46] Entirely speculative, and certainly whenever I speak about
13 matters technical I hope you have a large pinch of salt in your fingers, but it's raining
14 in Kampala at the moment, I have just come back from there. I don't know if it's
15 raining this instant, but --

16 PRESIDING JUDGE SCHMITT: [9:40:06] No, I would not, Mr Gumpert, see this
17 music as a comment to what you said. But it's -- but it might be. It is speculative,
18 but we will see.

19 But now we see the witness again and perhaps, Mr Bradfield, try to connect your
20 person to the witness again.

21 MR BRADFIELD: [9:40:29]

22 Q. [9:40:29] Mr Witness, can you hear me again?

23 A. [9:40:33] Yes, I can hear you.

24 Q. [9:40:36] Very good. Just before we lost you, you told us you were born in 1958.
25 I am just asking if you remember the month.

1 A. [9:40:53] On 19 September 1958.

2 Q. [9:40:57] Thank you. And can you tell us from which part of Uganda do you
3 come from?

4 A. [9:41:14] I come from Olam village, Palaro parish, Odek sub-county in Omoro
5 district. It is newly created from Gulu district. That's where I come from, from this
6 part of Uganda.

7 Q. [9:41:36] And what's your first and native language, Mr Lakoch.

8 A. [9:41:48] I speak Acholi as my mother tongue.

9 Q. [9:41:52] Now, Mr Lakoch, do you remember meeting with me, together with an
10 investigator from the Prosecution, and giving your statement to us in July 2015?

11 A. [9:42:11] Yes, I recall.

12 Q. [9:42:16] Now can I ask the court officer in the field to please open tab 1 for the
13 witness, and this is ERN UGA-OTP-0238-0720.

14 Mr Witness, do you have that document in front of you?

15 A. [9:43:13] Yes, I have it.

16 Q. [9:43:16] Now, Mr Witness, do you see your name and signature on the bottom
17 of that first page of that document?

18 A. [9:43:29] Yes, I see my signature.

19 Q. [9:43:33] Now can I ask the court officer to please turn to the second page of that
20 document, and that's page 0721 of the same ERN.

21 Mr Witness, do you see two initials at the bottom of that page?

22 A. [9:44:06] I have seen.

23 Q. [9:44:08] And whose initials are they?

24 A. [9:44:18] Those are my initials.

25 Q. [9:44:23] Thank you.

1 Now could I ask the court officer to please go to the second last page of the same
2 document, and that's page 0729 of the same ERN.

3 Mr Witness, do you see your name and signature at the bottom of that page?

4 A. [9:45:06] I have seen.

5 Q. [9:45:07] Very good. I am now going to read to you what it says just above that
6 signature. And it states, quote:

7 "I, Lakoch P'Oyoo, have had this statement read over to me in the Acholi language
8 and it is true to the best of my knowledge and recollection. I have given this
9 statement voluntarily and I am aware that it may be used in legal proceedings before
10 the International Criminal Court and that I may be called to give evidence in public
11 before the International Criminal Court."

12 End of quote.

13 Could I now ask the court officer in the field to open tab 2 of the binder, and that's
14 ERN UGA-OTP-0238-0731.

15 Is it in front of you, Mr Witness?

16 A. [9:46:34] Yes.

17 Q. [9:46:35] Now, Mr Witness, we will discuss the content of this drawing later, but
18 for now just tell me who drew this sketch?

19 A. [9:46:54] I drew this sketch.

20 Q. [9:46:57] And can you see your name and signature at the bottom of this page?

21 A. [9:47:07] Yes. It's clear. I can see it.

22 Q. [9:47:12] Now, Mr Witness, I understand that you have been able to read
23 through both your statement and this sketch in the last few days; is that correct?

24 A. [9:47:28] That's correct.

25 Q. [9:47:31] And when you gave your statement to us, Mr Witness, did you tell the

1 truth?

2 A. [9:47:43] Yes, I told the truth.

3 Q. [9:47:47] And can you confirm that it was made to the best of your knowledge
4 and recollection?

5 A. [9:48:01] I confirm that it is to the best of my knowledge and my recollection.

6 Q. [9:48:07] Thank you very much.

7 Now, Mr Witness, on 5 December 2016 the Judges of this Chamber decided that your
8 statement may be accepted under Rule 68(3) of the Rules.

9 Now, what this means is that, instead of having to give your evidence in full, the
10 judges may accept your written statement as your evidence if you agree to that. So,
11 Mr Witness, do you understand and agree to that?

12 A. [9:49:01] I agree. Because that is my true statement.

13 Q. [9:49:07] Thank you very much. Now you will still be asked a few extra
14 questions by myself for the Prosecution, by the lawyers for the victims, the Defence,
15 and the Judges. Is that okay?

16 A. [9:49:30] Yes, I have understood.

17 MR BRADFIELD: [9:49:33] So I will proceed, your Honours, unless --

18 PRESIDING JUDGE SCHMITT: [9:49:35] Yes. It was, in my opinion, very well
19 done in that respect. I think we all know we have to establish the requirements of
20 Rule 68(3) and to do it this way I think is a feasible way, to word it this way.

21 MR BRADFIELD: [9:49:53] Thank you, your Honour.

22 Q. [9:49:55] So, Mr Witness, I will now ask you a few extra questions, not very
23 many.

24 But my first few questions relate to the sketch that you drew, so can I ask the
25 court officer to ensure that he has tab 2 in front of him again, please.

1 Do you see it, Mr Witness?

2 A. [9:50:33] Yes, I can see it.

3 Q. [9:50:36] Very well. Mr Witness, what does this sketch represent?

4 A. [9:50:49] This sketch that I have drawn represents Odek camp, as the -- as at the
5 time when the LRA came and attacked the camp, so I drew this sketch to represent
6 that situation.

7 Q. [9:51:15] Thank you. If you look to the top half of the sketch there is
8 a rectangular-shaped box with the words "LDU barrack" underneath. It's upside
9 down, but can you see that?

10 A. [9:51:38] Yes, I can see it.

11 Q. [9:51:39] So my question is this, Mr Witness: From the edge of the camp to the
12 location of the LDU barracks, how far would that distance be? Would it be shorter
13 or longer than a football field, for example?

14 A. [9:52:06] Could be equal to the size of a football field, depending on from which
15 point the measurement is taken, because the camp have different points, some points
16 are closer to the barracks, some points are further away from the barracks, so -- but it
17 is not far from the barracks.

18 Q. [9:52:31] Thank you. Staying with this sketch, if I can draw your attention to
19 the top of the drawing and there is a word called "Lakim", do you see that?

20 A. [9:52:49] Yes, I have seen.

21 Q. [9:52:50] And below that word there are two broken lines moving downwards,
22 do you see that?

23 A. [9:53:03] I have seen.

24 Q. [9:53:04] Mr Witness, what are trying to show by drawing these two lines?

25 A. [9:53:17] Here I was trying to indicate the direction from which the LRA rebels

1 came when they came and attacked Odek camp. As you can see, they came from up
2 in one group and then they split. One group went to the barracks, one group went
3 to the camp. So that is the direction in which the LRA came when they came to
4 attack Odek camp.

5 Q. [9:53:59] Now, Mr Witness, I have just one question in relation to the attack itself
6 on Odek.

7 And for your Honours' reference I am referring to paragraph 21 of the statement.

8 You said, Mr witness, in your statement, quote, that:

9 "There were men, women and children among the rebels. I could tell they were
10 children by their small size."

11 Now, Mr Witness, my question is: How old was the youngest child that you saw on
12 that day among the rebels, if you could estimate for us?

13 A. [9:54:49] That time was actually -- the fighting was on and I was seeing them
14 from a little distance away. But I could see several young children amongst them,
15 so -- but to estimate their ages it's a bit difficult because I saw them from a distance.
16 I was also trying to protect myself, because if you stand and wait you will also be in
17 the trouble.

18 Q. [9:55:21] That's okay, Mr Witness.

19 Now, what did you see these children among the rebels doing in the camp?

20 A. [9:55:36] The children I saw amongst the rebels were moving together with the
21 adults who were amongst them. They were also doing everything that the adults
22 were doing. Some of them had guns and they were firing the guns. They were also
23 moving in the camps, they were looting. Everything that the rebels were doing, they
24 were also doing as rebel soldiers.

25 Q. [9:56:03] Just to clarify, when you say "everything the rebels were doing", what

1 do you mean by "everything"?

2 A. [9:56:20] If I give as an example looting of the stores, the student stores that was
3 at the camp, the children were carrying items like powder milk, sugar. Yeah, the
4 children were carrying these items.

5 Q. [9:56:43] Thank you, Mr Witness.

6 I would now like to move to the day after the attack when you returned to the camp.

7 At paragraph 30 you said that many people had also been injured as a result of the
8 attack.

9 Now, Mr Witness, what kind of injuries did people suffer?

10 A. [9:57:20] The injuries that many people got were actually gunshot wounds, they
11 were actually injuries that resulted from bullet wounds that they received.

12 Q. [9:57:40] And did you speak to these people that suffered the gunshot wounds?

13 A. [9:57:55] I spoke to a few. I did not speak to all of them.

14 Q. [9:58:01] And the few that you did speak to, did they tell you how they suffered
15 those injuries?

16 A. [9:58:13] The ones I spoke to, I spoke to a certain woman, together with her
17 husband, who were injured. She told me that at the time that the gunfire intensified
18 they had closed themselves inside and -- but they had shut their doors, they had
19 closed their doors very tightly and no one could open it. So when the rebels came,
20 tried to open the door, it was hard to open, they fired their guns inside the house and
21 that's how they got the injuries. That's what they told me.

22 Q. [9:58:54] And what was the name of that lady?

23 A. [9:59:05] The woman I spoke to is called Akello Santa.

24 Q. [9:59:12] And apart from Akello Santa, do you remember the names of any other
25 people that you spoke to who were injured?

1 A. [9:59:26] I also spoke to one person called Okello Aldo, he was actually seriously
2 injured.

3 Q. [9:59:36] And what was his serious injury?

4 A. [9:59:43] He had injuries in his mouth and actually was hit by the bullet in the
5 mouth and he died of that shot.

6 Q. [9:59:58] Mr Witness, sorry to take you back one step. You mentioned that you
7 saw the children looting student stores. What do you mean by a student store?

8 A. [10:00:22] At the time the government was providing food for students.
9 Because of the insecurities the food was not being kept at the school. The food was
10 being stored in a building in the camp where the soldiers protecting people in the
11 camp could actually take care of the food as well. And that was the store that was
12 looted. The store was in the middle of the camp, the store where they kept the food,
13 so they would take the food from the store and then take it to the school, but the store
14 itself was within the camp.

15 Q. [10:01:19] Thank you, Mr Witness.

16 Now, Mr Witness, in your statement at paragraph 32 you say that a total of 64 people
17 died after the attack and that you counted 61 of these bodies yourself.

18 Mr Witness, can you describe the types of injuries visible on these dead bodies?

19 A. [10:02:01] The dead bodies that I saw were mostly shot. They had gunshot
20 wounds. I did not see anybody who died in any other manner other than through
21 a gunshot. Most of the people who died died from gunshot wounds.

22 Q. [10:02:26] Thank you, Mr Witness.

23 In your statement at paragraph 28 you also mentioned that a four-year-old boy was
24 among the dead civilians. Now my question is: Apart from this four-year-old boy,
25 was any child younger than that killed after the attack?

1 A. [10:03:01] Yes. Other children died. There were dead children. I did not
2 state that last time in my witness statement, but, yes, there were other dead children.

3 Q. [10:03:17] Could you estimate how many children died in the attack?

4 A. [10:03:28] I do not recall the exact number of children that died, but yes, there
5 were dead children. I do not recall the exact number.

6 Q. [10:03:38] And what about their age range, the youngest to the highest, of these
7 children, if you can remember?

8 A. [10:03:57] The youngest, to my estimation, was four years old. And the slightly
9 older children were about 13 years old.

10 Q. [10:04:18] And what was the cause of death of these children, if you know.

11 A. [10:04:27] They were all shot.

12 Q. [10:04:32] And did you learn who shot them, Mr Witness?

13 A. [10:04:45] The people who were shooting the camp inhabitants were LRA
14 soldiers, so I believe that they are the ones that shot the children.

15 Q. [10:05:06] Mr Witness, in your statement at paragraph 39 you mention that you
16 lost your brother Latigo Titus James and your cousin David Ojok, and that you
17 learned that they were murdered in the bush after being abducted. Now my
18 question is: Were you told who did the act of killing these men?

19 A. [10:05:42] Yes, I was told. I was told that it was the LRA soldiers that killed
20 those people from the bush.

21 Q. [10:05:54] And just to clarify, who told you that, Mr Witness?

22 A. [10:06:08] It was Onek Charles who gave me this information. He was among
23 the people that was abducted. On the day that the LRA attacked the camp, they
24 were abducted on that same day. Luckily for him he was there for a few days and
25 then he escaped and came back home. But at the time that the people were being

1 killed he was still there. I do believe that those people are actually dead because
2 they have not yet come back home to date and we have not heard anything about
3 them, or from them, so I do believe that the information the person gave me is correct.

4 Q. [10:06:47] You said Odek Charles was abducted. How old was he when he was
5 abducted from Odek?

6 A. [10:07:05] I do not recall exactly how old he was. But Odek Charles was born
7 in 1987, the same year that I had my first child. So that was the same year that I had
8 my firstborn.

9 Q. [10:07:27] Thank you, Mr Witness. I am coming to the end of my questioning.

10 My last few questions will focus on the map you drew.

11 So if I can ask the court officer in the field to open tab 2 again.

12 And I forgot to say this earlier, but this can also be displayed to the public.

13 Mr Witness, do you see this map in front of you again?

14 A. [10:08:14] Yes, I'm looking at it.

15 Q. [10:08:16] (Microphone not activated)

16 PRESIDING JUDGE SCHMITT: [10:08:27] Microphone, please Mr Bradfield.

17 MR BRADFIELD: [10:08:32] I don't know if that's big enough for your Honours to
18 see on the screen. Can it be zoomed in?

19 Q. [10:09:00] Mr Witness, do you see the left side of that picture, there is a box and
20 the words written "Graves of the killed people." Do you see that?

21 A. [10:09:19] Yes, I'm looking at it.

22 Q. [10:09:24] Mr Witness, which killed people are you referring to here?

23 A. [10:09:39] I'm referring to the people that were shot on the day that Odek was
24 attacked. The people that were shot, the people were collected and then buried in
25 that area, the people who died on the day that Odek was attacked.

1 I would like to add that, in the Acholi culture, if somebody dies the kind of death that
2 these people died, people who are shot, they do not bury them within the homestead.
3 The people are taken and buried away from the homestead, they are either buried in
4 the bush or they are buried close to the river.

5 So, most of the people that died were buried in the places that I have indicated. The
6 people that died on that day, on the day of the attack, were buried in those locations.

7 Q. [10:10:46] Mr Witness, you said that, to quote you, "the kind of death that these
8 people suffered" was a reason they were buried elsewhere. Why was that?

9 A. [10:11:08] I said that it is in the Acholi culture that if anybody dies, dies out of
10 injuries, for example, the person is shot, the person is not buried within the
11 homestead. That is our traditional culture. These people were buried in the places
12 that I indicated on the map and that's not within the homestead, they were buried in
13 some forest. That's just cultural.

14 Q. [10:11:38] Now, Mr Witness, this particular grave site visible on the map, does it
15 have a local name that the community refers to it by?

16 A. [10:11:58] No, there is no particular name. It's just a burial site, that's it. There
17 is no other name that was given to it. That's not the only place that people were
18 buried. So if people died anywhere they are buried, they find somewhere that the
19 people are buried. So there is no particular name that has been given to this place.

20 Q. [10:12:25] At paragraph 40 of your statement, Mr Witness, you refer to a place
21 called Kal, and that 35 people were buried in this area. Can you describe on this
22 map where Kal is located.

23 A. [10:12:53] Kal is an area that was created next to the camp, next to Odek camp.
24 Kal, under the traditional Acholi culture is close to that place, the place that I have
25 indicated, that's the place where people were buried. That is the place known as Kal.

1 The people who were in that place gave a small stone, a place that is actually not
2 cultivatable, so they donated that area and the people that died were buried in that
3 area because the place cannot be cultivated.

4 Q. [10:13:51] Now, Mr Witness, on the right side of this map you have also written
5 that some people were buried along this river. Which river is this?

6 A. [10:14:14] People were buried -- not everybody was buried at Kal. Some
7 people were taken and buried close to the river, and that is also acceptable under the
8 rules, because that is also not a homestead. That is Odek river. Some people were
9 buried along Odek river and some people were buried next to Agwengtina stream,
10 that also comes to Odek, that's where some of the people were buried. In respect to
11 your question, the river is known as Odek river.

12 Q. [10:14:58] Thank you, Mr Witness, and this is my last question now.
13 In your statement, Mr Witness, you mentioned that you personally buried your uncle
14 called Okullu Adonia, who was 80 years old. Now using this map that you have
15 drawn can you describe to us where you buried him?

16 A. [10:15:38] The map on this diagram that I drew, Okullu Adonia was buried next
17 to the river. Next to the stream Agwengtina, there is a small stream that is on the
18 right known as Agwengtina, and that is where Okullu was buried.

19 Q. [10:16:05] Mr Witness, those are all my questions.
20 Thank you for your answers.

21 PRESIDING JUDGE SCHMITT: [10:16:08] Thank you, Mr Bradfield.

22 And I ask now the legal representative of the witness if they have questions.

23 MR MANOBA: [10:16:16] I do, Mr President.

24 PRESIDING JUDGE SCHMITT: [10:16:19] Then you have the floor.

25 MR MANOBA: [10:16:21] Thank you, Mr President.

1 QUESTIONED BY MR MANOBA:

2 Q. [10:16:25] Good morning, Mr Witness.

3 A. [10:16:31] Good morning.

4 Q. [10:16:33] I equally have a few questions to put to you and I will ask -- I will be
5 asking you questions about life before the camp, life in the camp, and briefly, life after
6 the camp. Do you understand me?

7 A. [10:16:58] Yes, I do understand.

8 Q. [10:17:00] Thank you, Mr Witness. My first question then, Mr Witness, is how
9 would you describe your life before you moved into the camp?

10 A. [10:17:22] Before we moved into the camp we had a good life. But when we
11 were about to go into the camps there was a great insecurity. The LRA would come
12 and attack people on regular occasions, attack people in their homes, looking for food
13 and abducting people, people that they wanted to recruit into their ranks. So the
14 insecurity was extremely high at the time so people left their homes and went to the
15 camps.

16 Q. [10:18:03] Thank you, Mr Witness. And how did you know that it is the LRA
17 that was causing this insecurity in your homes?

18 A. [10:18:23] We knew that it was the LRA fighters, because the LRA had not just
19 begun at that time. There were some people who were in the bush who had come to
20 the camps. When the LRA came we knew that the LRA had come, they would come,
21 they would abduct you. If you are an older person or a mature person and they do
22 not have any malintent, they would ask you questions and they would tell you
23 to -- ask you to show where the small children can be found. If you show them
24 where the small children are, they would go, they would abducted the children and
25 take the children to be recruited into their ranks. The government soldiers did not

1 do that.

2 And when they came they would also come with the intention to pillage. They
3 would look for food. They wanted you to give them the food that they wanted, food
4 that they did not have to prepare. For example, if they found chickens they would
5 take the chickens, if they found anything in the household, any edible stuff in the
6 household, they would take it. Clothings, they would also take that. So we knew
7 that that was the LRA.

8 Q. [10:19:42] Thank you, again. Let's talk about the life then in the camp once you
9 had moved in. How would you describe living in the camp?

10 A. [10:20:07] Life in the camp, well, personally, the life in the camp was not very
11 good. The LRA were interested in children, so one of the things that I did was send
12 my own children to town. But I myself and my mother and my brothers, we stayed
13 in the camp. Life in the camp was not easy.

14 When Odek camp was initially set up, the government soldiers -- or the government
15 did not actually provide us with food, we had to leave the camps and then go and
16 collect food from Awere camp, which is approximately 5 miles away from Odek, and
17 then come back to Odek and stay at that camp. The protection that we had in the
18 camp wasn't easy. At around 4 p.m. we were all -- between 4 and 6 you would have
19 to go into your house and shut the door.

20 The next morning, in order to leave the camp, you had to wait until 9 a.m. before
21 leaving the camp. That wasn't easy, that kind of life was not easy. And that is the
22 way we were living in the camps.

23 Q. [10:21:54] Thank you, Mr Witness.

24 Mr Witness, in paragraph 14 of your witness statement you mentioned that security
25 was provided by the local defence unit. I would like to ask you: Was this

1 protection that was offered by the LDU sufficient for the camp community residents,
2 in your own assessment?

3 A. [10:22:38] The LDUs that were, were in the camp were not enough to take care
4 of all the people that were in the camp. First of all, they were very few in number.
5 They -- at night, for example, they would not stay in the camp, because they were
6 very few. Which means that the LRA had opportunities to come into the camp, to
7 come and enter into the camp even at night, so it wasn't sufficient because there were
8 very few.

9 Q. [10:23:23] Mr Witness, we turn to the last part now, the life -- your life after the
10 attack. You lost brothers, you said. Can you tell or describe to the Court what has
11 been -- what has it been like after the loss of these brothers of yours?

12 A. [10:24:00] Following the death of my brothers, whom I lost during that attack, I
13 personally was not happy about it. I was saddened. I stayed in the camp, but life
14 was not the same. Shortly after that, shortly after Odek camp was attacked, they
15 came and tried to attack the camp on another occasion, but, luckily, on that occasion
16 government soldiers -- the government had taken initiative and they chased away the
17 soldiers.

18 The government increased the security in the camp around 2005, they increased
19 security in the camps to take care of people in the camps, and after that people
20 continued to live in the camps until they went back home. But at least after that
21 attack life was a little bit easier. Between 2005 people were in the camp, but we were
22 not under extreme pressure, for example, to get into your house at 4 o'clock and stay
23 in till morning. We could stay out a little bit longer and converse with our friends
24 and we were no longer obliged to stay into the camp until 9 a.m. before leaving the
25 camp. I suppose that was because there were more security soldiers within the,

1 within the camp. That is how we survived after the attack. We continued living in
2 the camp in that manner until we went back home.

3 Q. [10:25:54] Thank you. Mr Witness, did you bury your brothers?

4 A. [10:26:12] No, I did not bury my brothers. I did not bury my brothers because
5 my brothers were abducted from the camp, they were taken to the bush, they were
6 killed in a location that I do not know. The person who came and informed us of
7 their death does not recall the place that they were killed, because when people were
8 in the bush at the time you did not know the location of the places. Maybe if you
9 come to a site, for example, a school, then you have an idea of the location of the place,
10 otherwise you wouldn't be able to know the place. So when this person came back
11 he did not know where they were buried, so I did not bury my brothers. The only
12 person that I buried was my uncle who was killed in the camp.

13 Q. [10:27:05] Thank you, Mr Witness.

14 When a person -- is it important in your culture, is it important that a person who has
15 been killed is buried -- is buried, or some rituals are done?

16 A. [10:27:36] In the Acholi traditional culture, if somebody is killed it's important
17 the person should be buried. But the kind of burial is different from the normal
18 burial. In those circumstances they would dig a grave, but not a very deep grave,
19 then they would put the dead person in the grave. Once the person is in the grave
20 they would bring firewood, firewood known as oduku. Then they would use that
21 firewood to, they would use that wood to cover the dead body until there is no space
22 or nothing can go into the grave, and that's how they do it.

23 Q. [10:28:31] Mr Witness, is this what you did for the brothers that you lost?

24 A. [10:28:40] Yes. That's what we did. We also -- once we did that, once we
25 buried the person we would put some kind of gravestone to show that somebody was

1 buried here. So once the person has been buried you put a stone mark, you put
2 a marker to indicate that somebody has been buried here, and that's what we did for
3 all the dead people.

4 PRESIDING JUDGE SCHMITT: [10:29:17] I think, Mr Manoba, he has referred now
5 to the people that have been buried in Odek and not people who might have died in
6 the bush. But I think we can leave it this way.

7 MR MANOBA: [10:29:30] Thank you, Mr President.

8 Q. [10:29:33] Mr Witness, did your brothers have any children that were left? And
9 if they did, who is taking care of them?

10 A. [10:29:54] Yes. My brothers were survived by children. Latigo Charles left
11 three children. Ojok David was survived by three children as well. We are the
12 ones who are taking care of the children at the moment. We, people at home, are the
13 ones who are taking care of them. I am taking care of Latigo Titus', Ojok David's
14 children are being taken by my other brother -- are being taken care of by my other
15 brother.

16 Q. [10:30:36] (Microphone not activated)

17 PRESIDING JUDGE SCHMITT: [10:30:45] Please, microphone, Mr Manoba.

18 MR MANOBA: [10:30:52] Thank you, Mr President.

19 Q. [10:30:54] Mr Witness, finally, what would you say has been the impact on the
20 community as a result of the death of the very many people that you have talked
21 about?

22 A. [10:31:15] The several deaths that occurred in the villages, especially in the
23 camps, had brought some -- had some impacts, not so much on the people, because
24 after their death people continued staying in the camp and later on returned. But it
25 brought a lot of problems to the people because the people who lost their persons are

1 left with a burden of taking care of the children or the orphans. So, well, the changes
2 that probably happened following this is the fact that, you know, you have the
3 burden of taking care of orphans.

4 Q. [10:32:14] Thank you, Mr Witness.

5 Mr President, that concludes our questioning.

6 PRESIDING JUDGE SCHMITT: [10:32:17] Thank you.

7 Any questions by Mr Narantsetseg?

8 MR NARANTSETSEG: [10:32:24] Thank you, Mr President, for the opportunity. In
9 light of the evidence led by my learned colleague Mr Joseph Manoba we propose no
10 further questioning. Thank you.

11 PRESIDING JUDGE SCHMITT: [10:32:34] Thank you. And I would like to ask you
12 now, Mrs Bridgman, for the planning purposes for today. Of course, as always, we
13 know Rule 68(3) witness no time pressure. But if you can already estimate how long
14 your questioning would last, if you could tell us then we could perhaps arrange today
15 in a manner that suits the best for everybody.

16 MS BRIDGMAN: [10:32:59] Thank you, Mr President.

17 I would like to say three sessions would be sufficient for us, but it's hard to estimate
18 before we start, because usually the beginning always gives us an idea of how far we
19 are progressing.

20 PRESIDING JUDGE SCHMITT: [10:33:18] You can imagine that my question has, as
21 a background, if we perhaps could finish the witness today. This would be
22 a possibility if we perhaps extended a little bit. This is the only question.
23 Mr Taku, please.

24 MR TAKU: [10:33:33] Your Honours, it turns out that this is a very important
25 witness for the Defence, looking at his statements, because we intend to follow up on

1 some of the answers he gave to explore more. He is in the position to clarify
2 the Court on so many issues that have arisen in this case and it therefore will take
3 slightly more time today, but we are very sure that tomorrow we must finish with
4 this witness.

5 PRESIDING JUDGE SCHMITT: [10:34:01] Okay, when we say three sessions I think
6 it should at least finish after the first session tomorrow.

7 But the next question would be, Mrs Bridgman, are you prepared to start immediately
8 or would you prefer -- and I can really leave it up to you -- that we have the morning
9 break now and then we start after a break?

10 MS BRIDGMAN: [10:34:20] You are putting me in a very difficult position. We are
11 happy to start, but of course we are also happy to take the break.

12 PRESIDING JUDGE SCHMITT: [10:34:28] Then we take the break first, I would say,
13 because we have now had two questionings.

14 Mr Witness, we have now a morning break and I think we can have it, in light of what
15 has been said, since we are not finishing today with all likelihood, until a quarter past
16 11, and then from a quarter past 11 to 1 o'clock, and then the normal afternoon
17 session.

18 THE COURT USHER: [10:34:53] All rise.

19 (Recess taken at 10.34 a.m.)

20 (Upon resuming in open session at 11.14 a.m.)

21 THE COURT USHER: [11:15:00] All rise.

22 PRESIDING JUDGE SCHMITT: [11:15:22] So, Mr Taku or Mrs Bridgman has the
23 floor. I am not sure.

24 Mrs Bridgman has the floor.

25 MS BRIDGMAN: [11:15:30] Thank you, Mr President.

1 QUESTIONED BY MS BRIDGMAN:

2 Q. [11:15:37] Good morning, Mr Witness.

3 A. [11:15:40] Good morning.

4 Q. [11:15:41] I am going to ask you a few questions from what the Prosecution has
5 asked you and from other -- about other things that the Defence has found to be
6 important for the case. And I'm going to start with your date of birth. You just told
7 the Prosecution that you are born in 1958. And you have a birth certificate, correct?

8 A. [11:16:11] Yes, I said that. That's correct.

9 Q. [11:16:19] Now, Mr Witness, this birth certificate is found at the Defence binder
10 and it's at tab 4.

11 The ERN number is UGA-OTP-0272-1026. I would like --

12 A. [11:16:52] There is no birth certificate in this file. But what we use is the
13 national ID. The national ID has information regarding my date of birth.

14 Q. [11:17:09] Mr Witness, if you -- if the court officer could kindly show you tab 4
15 of the Defence binder.

16 PRESIDING JUDGE SCHMITT: [11:17:20] It should appear then on the screen,
17 Mr Witness, in short time.

18 MS BRIDGMAN: [11:17:43]

19 Q. [11:17:44] Mr Witness, can you see the document?

20 A. [11:17:59] Yes, I can see it.

21 Q. [11:18:01] Do you recognise it?

22 A. [11:18:20] Yes, I do. Yes, I recognise it.

23 Q. [11:18:26] Did you procure this document?

24 A. [11:18:37] Yes, I did.

25 Q. [11:18:38] Can you please kindly explain to the Court the process in -- the steps

1 you took to get this document.

2 A. [11:18:56] I obtained the document by getting information from the Prosecution.
3 The Prosecution informed me that I should have a birth certificate. I should also
4 have a national identity card, because they had not yet found me. And based on
5 those grounds I started looking for my birth certificate and I went with my national
6 identity card. I did not know whether it was, it was needed for the file. I thought
7 they needed it for other information, so I went to the village chief and asked for this
8 information.

9 Q. [11:19:54] Thank you, Mr Witness. So when you went to the village chief you
10 asked him to help you get a birth certificate; is that correct?

11 A. [11:20:12] That's correct.

12 Q. [11:20:14] Is it the village chief that granted you this certificate?

13 A. [11:20:26] Yes, he gave it to me because he was the one who was in the office at
14 the time.

15 Q. [11:20:31] Is he the one who signed this certificate?

16 A. [11:20:38] Yes, he did.

17 Q. [11:20:40] And he also placed a stamp on the certificate; is that correct?

18 A. [11:20:46] That's correct.

19 Q. [11:20:50] Mr Witness, what is the name of your village chief?

20 A. [11:21:00] Lawoko Bosco.

21 Q. [11:21:05] And, Mr Witness, what is the name of your village?

22 A. [11:21:14] I'm from Olam village. It's in Palaro parish in Odek sub-county,
23 Omoro district.

24 Q. [11:21:35] Thank you, Mr Witness. Now please correct me if I am wrong, but
25 when I read the stamp on this document it says a parish chief. Would you help me

1 clarify if it was the village chief or the parish chief that gave you this certificate.

2 A. [11:22:01] It was the parish chief. The parish chief is the one who issued the
3 certificate. He is overall over the parish.

4 Q. [11:22:16] Did you have to show the parish chief any documentation, for
5 instance, to prove your age?

6 A. [11:22:34] They did not ask me for any other evidence. They asked me for my
7 date of birth and it's the same date of birth that is on my national identity card, so the
8 information was already on the national identity card.

9 Q. [11:22:56] Did you have to show any proof to the authorities about your date of
10 birth before you got your national identity card?

11 A. [11:23:20] There was nothing that I could show. There are a lot of people that
12 do not have birth certificates. You tell them your date of birth because the date of
13 birth is the most important thing and you would know your date of birth. There is
14 nothing else that you produce to them.

15 Q. [11:23:42] So you don't even have, for instance, let's say if I walked into the
16 parish chief's office, all I would have to say is that I was born on this date and that
17 would be sufficient for proving my date of birth?

18 A. [11:24:05] If you have nothing else to produce, if you don't have any other
19 documentation, then that is enough. But if you do have your national identity card
20 that certifies when you were born, then you produce and show them the national
21 identity card. They examine the national identity card and then make the decision
22 based on that information.

23 Q. [11:24:31] And, Mr Witness, reading from this document it says "The
24 Registration of Births and Deaths Act of 1966". Would I be right to assume that from
25 1966 this is how dates of births have been confirmed?

1 A. [11:25:07] I did not quite understand that.

2 PRESIDING JUDGE SCHMITT: [11:25:10] Just tell him that you mean it in a more
3 general way, apart from him personally, perhaps, that he understands it.

4 MS BRIDGMAN: [11:25:19] Yes. Thank you, Mr President.

5 Q. [11:25:21] So, Mr Witness, just from your general understanding, people do not
6 have to show any other proof before they get, for instance, a birth certificate, other
7 than what they tell the officer their date of birth is?

8 A. [11:25:47] You tell them and then they give you a certificate, a birth certificate.
9 But these days people have national identity cards so, if you go to them, they ask you
10 for your national identity card. The information that is on the national identity card
11 should be -- should replicate the information in your birth certificate.

12 Q. [11:26:11] And just one last follow-up question on that. When did people start
13 getting national IDs? Do you remember?

14 A. [11:26:29] I do not recall. But it's -- it's not been that long. It's a process that
15 started recently. I do not recall the exact year.

16 Q. [11:26:41] Does 2015 sound about right?

17 A. [11:26:51] Yes, perhaps, it could be around that time.

18 Q. [11:26:57] Now, Mr Witness, the statement that you just briefly discussed with
19 Mr Prosecutor, on the very first page -- and your Honours, that's tab 1 of the Defence
20 binder, UGA-OTP-0238-0720 -- on the very first page.

21 Mr Witness, that statement has an indication that you were born in Kitgum Hospital;
22 is that correct?

23 A. [11:27:38] That's correct.

24 Q. [11:27:40] Did you get a birth certificate from Kitgum Hospital?

25 A. [11:27:50] No, I did not get it from Kitgum Hospital. The certificates are being

1 issued from, from Kal.

2 Q. [11:28:02] Do you know generally if when children are born in hospitals they get
3 birth certificates?

4 A. [11:28:20] No, I haven't seen that. Because most -- in most clinics do not
5 actually give people birth certificates, the smaller clinics.

6 Q. [11:28:33] Is Kitgum Hospital a small clinic?

7 A. [11:28:44] I was born a long time ago. And the place that I'm based at the
8 moment is also far from Kitgum. Kitgum Hospital is not a small hospital.

9 Q. [11:29:03] Would I be correct to say that even though perhaps they won't -- any
10 clinic, even a small one, even if it doesn't give you a birth certificate, it still keeps
11 records of births?

12 A. [11:29:25] Yes, that's correct.

13 Q. [11:29:27] So from what you have just told the Court, it was just out of
14 convenience that you did not go to Kitgum Hospital but just went to the parish chief
15 to get this birth certificate?

16 A. [11:29:52] To be honest, the certificates are usually given at sub-counties. If
17 you want a certificate, a birth certificate, you go to the sub-county, you pay a tax,
18 5,000 shillings, and then they will issue you with a birth certificate. And that is why
19 I also went to the sub-county.

20 Q. [11:30:15] Thank you, Mr Witness. Could you please tell the Court the names
21 of your parents?

22 A. [11:30:36] My father was Oyoo Boasi, my mother is Abonyo Esesa.

23 Q. [11:30:57] How many siblings did you have and can you please tell us their
24 names?

25 A. [11:31:14] There were eight of us. The oldest is Akullu Carolina, a girl, the

1 second one is Atoo Sabina, the third one is Anna Ogoto P'Oyoo, the person after me is
2 Okello Johnson Losome (phon). After Okello is Adong Christine, after Adong
3 Christine is Latigo Titus James, then after that is Kiden Jenny. And the last, the last
4 one is Oyella Grace.

5 Q. [11:33:06] Thank you, Mr Witness. Are you married?

6 A. [11:33:16] Yes, I'm married.

7 Q. [11:33:22] Can you please tell us the name of your wife or wives if you have
8 more than one.

9 A. [11:33:35] I only have one wife, her name is Ajok Nighty.

10 Q. [11:33:56] Can you please tell us the names of your children?

11 A. [11:34:02] There is Komakech Francis is my firstborn. Adong Scovia P'Oyoo,
12 that's my second born. Lalam Joyce, Opio Simon Peter, Odong Richard, Aciro Irene,
13 Ojok Sunday, and the last one is Okello Dennis.

14 Q. [11:35:54] Mr Witness, do you know someone called Acan Helen Opoka?

15 A. [11:36:06] Acan Helen Opoka, yes, I know that person.

16 Q. [11:36:17] Are you related to her in any way?

17 A. [11:36:25] That's my, my uncle's wife.

18 Q. [11:36:42] Do you also have an uncle called Kilama Hillary?

19 A. [11:37:00] A Kilama Hillary is the child of my father's brother, my cousin.

20 Q. [11:37:09] Thank you, Mr Witness.

21 Now, you just told the Court earlier today that you come from Olam. How far is
22 Olam from Odek centre?

23 A. [11:37:36] Olam is a village. There is a river that separates Olam from Odek
24 centre. It's Odek river that separates Odek and Olam. The distance is not far.

25 Q. [11:37:59] So when you say you moved to the camp, you actually did not have to

1 move far; is that correct?

2 A. [11:38:13] No, I did not move that far.

3 Q. [11:38:20] Mr Witness, have you ever heard of something called Cilil?

4 A. [11:38:33] Yes, I have heard of Cilil.

5 Q. [11:38:40] Can you please tell the Court what Cilil is?

6 A. [11:38:48] Cilil is a jargon that was being used to refer to rebels. It was the first
7 rebel group that was set up following the overthrow of the government by Museveni,
8 when Museveni overthrow Tito, when he overthrew Tito. This rebel group started
9 an insurgency and they were based in our area. I do not know the exact name of that
10 particular group, but they were referred to as Cilil, and they are the ones who named
11 themselves Cilil, because when they passed by they would tell you go and tell them
12 that we passed by, go and let them know that we passed by. So they were, in a way,
13 threatening people and letting people know that -- telling people that if government
14 soldiers came by you should let them know that the rebel group passed by. It's
15 a rebel group, their name is not exactly Cilil, but Cilil is a term that they used to use.

16 Q. [11:40:16] If I say Uganda People's Democratic Army, does this sound familiar?

17 A. [11:40:30] I have heard about it, but I am not very sure about.

18 Q. [11:40:35] Mr Witness, what happened to the Cilil people?

19 A. [11:40:51] That particular rebel group, Cilil, I do not know the exact year, but I
20 do recall that they entered into negotiations with the government and the
21 government -- and they became government soldiers.

22 Q. [11:41:15] What about if I say the Olum-Olum, does that mean anything to you?

23 A. [11:41:28] It's the same group. People were referring to them by different
24 names, but it's the same group.

25 Q. [11:41:38] What about if I say the Holy?

1 A. [11:41:45] If you talk about the Holy, then you are talking about a rebel group
2 that was also in the northern region, and their leader was Lakwena Alice.

3 Q. [11:42:07] What about the LRA?

4 A. [11:42:12] The LRA is also a rebel group in the northern -- based in the northern
5 region, and their leader was Joseph Kony.

6 Q. [11:42:24] So the Cilil, the Holy and the LRA were three different groups; is that
7 correct?

8 A. [11:42:37] That is correct, they are three separate rebel groups.

9 Q. [11:42:44] Were they all operating around the same time when Odek was
10 attacked?

11 A. [11:42:56] At the time that Odek was attacked Cilil was no longer in existence.
12 The Holy was also no longer in existence, it was the LRA that was still in existence.

13 Q. [11:43:15] Now, Mr Witness, at paragraph 16 of your statement, and that's
14 Defence tab 1, you stated that you will never forget April 1, 1987, when, according to
15 you, Kony went to the bush. Now, Mr Witness, you grew up with Kony; is that
16 correct?

17 A. [11:43:44] Yes, we grew up together. Joseph Kony and I grew up together.

18 Q. [11:43:51] As a matter of fact, you knew each other very well as childhood
19 friends; is that correct?

20 A. [11:44:02] That's correct. We knew each other very well. And we come from
21 the same area, we lived in the same area.

22 Q. [11:44:13] When did your relationship with Joseph Kony end?

23 A. [11:44:23] The relationship between Joseph Kony and myself ended when he
24 went into the bush, and after that we never met. That's how things -- that's how the
25 relationship came to an end.

1 Q. [11:44:41] So are we saying that April 1 of 1987 was the last time you saw
2 Joseph Kony?

3 A. [11:44:57] That wasn't the last day. I saw him again on another occasion,
4 because when -- initially when Kony went to the bush he was not violent against
5 civilians from the start. He was still friendly. Sometimes he would come by and
6 we would see him, and after that occasion I did see him again. But after that no,
7 I didn't see him. Because at the time he had become ferocious and violent and if he
8 found me then I would also be in problem.

9 Q. [11:45:35] Do you recall perhaps the year when he started becoming ferocious?

10 A. [11:45:48] I do not recall. I don't recall.

11 Q. [11:45:54] Now, just before 1 April 1987, were there any incidences or
12 occurrences that led up to that date, regarding Joseph Kony?

13 A. [11:46:20] As I told you, there were several rebel groups. Not that something
14 else happened, but with Kony, perhaps it was maybe his plan or God's plan which
15 made him to go to the bush. Not that something bad had happened that made him
16 to go to the bush, no.

17 Q. [11:46:53] Mr Witness, are you familiar with the Got Awere, the Awere rock?

18 A. [11:47:04] Yes, I know Got Awere very well.

19 Q. [11:47:09] Can you tell us a little bit more about Got Awere?

20 A. [11:47:29] Got Awere is in Odek sub-county, it's in the boundary with Palaro
21 parish and Lamola parish. So in line with the frequently asked questions, what
22 happened at Got Awere is this: At the time Kony had the idea to go to the bush, he
23 went to pray at the top of Got Awere. That's what I can tell you.

24 Q. [11:48:11] Do you know if Kony came back to Got Awere every so often?

25 A. [11:48:31] I do not know, because when Kony is coming back to Got Awere he

1 would not remind anybody at home, he would find his own way. Because, as I said,
2 he had become arrogant so he would -- you know, I don't know how frequently he
3 would come to that place.

4 Q. [11:48:52] Mr Witness, what is an ajwaka?

5 A. [11:49:07] Ajwaka, in my understanding, is a person, a person who has been, has
6 gone through a ritual, and this person therefore becomes a spirit medium and the
7 people who believe in this person would come to him or her in case of sickness or if
8 there is something that they would like to understand. So this person would
9 perform his witchcrafts he practises, and, yeah, this is a person who is called ajwaka.

10 Q. [11:49:56] Mr Witness, was Mr Kony as ajwaka, in your knowledge?

11 A. [11:50:08] Kony tried to be an ajwaka, but afterwards he abandoned it. He
12 started concentrating on his fighting role, that's what he continued with.

13 Q. [11:50:29] Are you aware of Kony being possessed by the spirits?

14 A. [11:50:39] According to what he says, because there is nothing that I can use to
15 confirm that he has been, that maybe he is possessed with the Holy Spirit. But it's
16 according to what we hear him saying, but I do not have any concrete evidence to
17 confirm.

18 Q. [11:51:04] Is it your testimony before this Court that you never witnessed Kony
19 being possessed by the spirits or acting as an ajwaka?

20 A. [11:51:22] When somebody is possessed by spirits it is not seen, but you actually
21 go by what he says. But when somebody is possessed you do not see it with your
22 naked eyes.

23 PRESIDING JUDGE SCHMITT: [11:51:38] May I shortly perhaps, Ms Bridgman.

24 Mr Witness, the Presiding Judge perhaps has some questions to you in that respect.

25 Did you have contact with Joseph Kony before -- immediately before 1 April 1987,

1 shortly before he went to the bush?

2 THE WITNESS: [11:52:04] (Interpretation) Yes, I would meet with him.

3 PRESIDING JUDGE SCHMITT: [11:52:08] How often would you meet with him?

4 THE WITNESS: [11:52:13] (Interpretation) We would meet frequently. We were in
5 the same village, our homesteads close by. I would meet him frequently.

6 PRESIDING JUDGE SCHMITT: [11:52:27] So you talked to each other also during
7 that occasions?

8 THE WITNESS: [11:52:38] (Interpretation) When we meet we chat.

9 PRESIDING JUDGE SCHMITT: [11:52:42] And did he tell you why he went to the
10 bush or why he would want to go to the bush?

11 THE WITNESS: [11:52:54] (Interpretation) Kony said and told several people that he
12 is going to fight because the spirit, the fighting spirit has befallen him, so he is going
13 to fight. He is not only going to send the spirits to fight but he is going to fight
14 himself. This he told many people and, actually, I was also present.

15 PRESIDING JUDGE SCHMITT: [11:53:27] Did you argue with him about that?

16 THE WITNESS: [11:53:33] (Interpretation) I did not say anything. Because there
17 was insurgency, people thought maybe something good, they would find something
18 good. So I did not tell him anything.

19 PRESIDING JUDGE SCHMITT: [11:54:01] So you said that you knew him for quite
20 a long time before that, and also until he went to the bush. In your opinion, thinking
21 back, did he change, did he change his character, did you find something significant
22 in his behaviour that changed?

23 THE WITNESS: [11:54:26] (Interpretation) Very many things changed. Because
24 when Kony was still home he was a happy person, he was not arrogant, he was
25 not -- but when he went to the bush he became a very rude person. So even when he

1 finds me, that even we group together, he would still abduct me to go and work with
2 him. If he finds even a child near his home, that child would be abducted to become
3 his fighter. So yes, indeed there were very many changes. And when we hear
4 about him, you have to go and hide, you have to, you know, protect yourself. So it
5 was a different Kony that we had at home.

6 PRESIDING JUDGE SCHMITT: [11:55:19] You also said that one cannot see if
7 a person -- from the outside -- see if a person is possessed by spirits. Is there any
8 indication for a person, for example, who knows another person, if this person is
9 possessed by a spirit?

10 THE WITNESS: [11:55:45] (Interpretation) There are no indications or signs, but
11 people would confirm from his statement that he has spirits. But there is nothing
12 special that you would really see on this person that is possessed. He would still
13 remain a person, a normal person. But from what he says, that he has spirit, is
14 actually what you believe. But there is not any other way that you can actually be
15 able to tell that this person is possessed.

16 PRESIDING JUDGE SCHMITT: [11:56:19] Thank you, Mr Witness.
17 And thank you, Ms Bridgman, for your indulgence. Please continue.

18 MS BRIDGMAN: [11:56:25] Thank you, your Honour.

19 Q. [11:56:27] Now, Mr Witness, just briefly to follow up on the Judge's questions,
20 even for someone whom you knew, when he spoke when he allegedly was possessed
21 by the spirits, did his voice change at all?

22 A. [11:56:56] His voice, yes, there were some changes in the voice, at least, there
23 were some changes in his voice.

24 Q. [11:57:10] So in that way he sounded different from the normal Kony that you
25 were used to, correct?

1 A. [11:57:22] Yes, there were differences, there were differences. He is different
2 from this normal voice that you would hear when you are actually having a normal
3 chat. But at least you would notice some difference.

4 Q. [11:57:40] Do you know if Kony, before he went to the bush, if he could heal the
5 sick?

6 A. [11:57:55] Yes, Kony was performing some healing rituals.

7 Q. [11:57:59] Did he also enable women who couldn't have children to conceive?

8 A. [11:58:11] I did not see. I did not see a single one that happened.

9 Q. [11:58:17] Do you remember if he was able to lift curses placed on people?

10 A. [11:58:32] At the time when he was still an ajwaka, yes, he would do that.

11 Q. [11:58:41] Now, Mr Witness, do you recall the time when Kony disappeared and
12 returned sometime in 1986 singing Christian hymns and denouncing witchcraft?

13 A. [11:59:04] I do not recall. 1986, I do not recall.

14 Q. [11:59:13] You just told the Court that Kony told different people about the spirit
15 that possessed him telling him to go and fight. Did he call -- was it a meeting or did
16 he just tell random people if he met you on the road, how did he deliver this
17 information to the different people?

18 A. [11:59:43] When the spirit came on to Kony in the night, the next day in the
19 morning he started telling people in the villages that at some point people should
20 gather at their home so that he could speak to people. So people came and gathered
21 at his home and then he told them that information, but he did not went to tell them
22 one by one. He actually told people who had gathered at their home.

23 Q. [12:00:39] Mr Witness, do you remember ever making notes -- or, let's say,
24 taking notes of that meeting when he gathered everyone?

25 A. [12:00:58] No, he did not write anything. He did not write anything down.

1 Q. [12:01:04] Did you write anything down?

2 A. [12:01:10] I also did not write.

3 Q. [12:01:14] Do you know if anyone wrote anything down?

4 A. [12:01:22] I don't know.

5 Q. [12:01:29] Mr Witness, if I say Silly Silindi, does that mean anything to you?

6 A. [12:01:52] Yes, it reminds me of something. Silly Silindi, if I remember from
7 Kony's talk, is one of the spirits that Kony says had possessed him.

8 Q. [12:02:07] Did he explain what that spirit was telling him?

9 A. [12:02:21] He was talking not only on this one spirit, but says he had several
10 spirits, and that the spirits wanted him to go and fight, to go and wage war and fight
11 face to face. But not this fighting where you stay home and then the spirit would
12 just go to support the fighters, but you have to go physically. So this is what he was
13 telling people. So Silly Silindi was one of the many spirits.

14 Q. [12:03:02] Do you remember the names of other spirits that possessed Kony,
15 telling him to go and fight?

16 A. [12:03:16] He told me about Juma Oris. I still remember that.

17 Q. [12:03:23] Any other names?

18 A. [12:03:29] The others now I cannot recall.

19 Q. [12:03:33] If I say King Bruce, does that remind you of anything?

20 A. [12:03:51] I recall -- yes, I can still recall that. You know, this thing happened
21 quite some time ago so you can really forget. I heard about King Bruce as one of the
22 spirits.

23 Q. [12:04:05] What about Who Are You?

24 A. [12:04:12] I heard about Who Are You?

25 Q. [12:04:18] What about Jean Brickey?

1 A. [12:04:24] I did not hear about that.

2 Q. [12:04:27] What about Bianca?

3 A. [12:04:32] Yes, I heard about Bianca.

4 Q. [12:04:38] So all this you heard before Kony officially went to the bush; is that
5 correct?

6 A. [12:04:49] I heard before Kony went to the bush.

7 Q. [12:04:54] So officially Kony launched his rebellion from Odek; is this correct?

8 A. [12:05:08] Kony started his preparation for waging war from Odek. He started
9 his preparation from Odek. But where he went and got his group that he started
10 using was from Acet.

11 Q. [12:05:35] Do you know why he did not get his group from Odek?

12 A. [12:05:45] When Kony left Odek he still -- he did not -- he was not yet having
13 weapons. He just left with a few children without any weapons with him. He
14 didn't have guns. He was just moving empty handed. So that means starting to
15 fight from Odek would not be possible because you cannot start fighting without
16 guns. But the preparation, the planning, yes, began from Odek.

17 Q. [12:06:21] You just mentioned that he left with some children, how old were
18 these children?

19 A. [12:06:34] I do not now recall the year, the ages. But at least they were quite
20 mature, they were not very young children. At least they were fairly mature. You
21 know, in Acholi, to say, when I say "children" doesn't mean that they are very young.
22 Children means somebody who come from that particular area or someone who is
23 still under the care of his parents.

24 Even myself, if my parents are still there, they would still refer to me as a child. So
25 that reference is made actually to you being a child within that area or to your parents.

1 It doesn't mean that they were very young children.

2 Q. [12:07:26] I appreciate that clarification, Mr Witness. Now, how did he get
3 these children? Did they volunteer or did he force them to go with him?

4 A. [12:07:41] He did not force any of them. These people volunteered themselves.
5 Kony did not force them.

6 Q. [12:07:50] Do you recall how many they were?

7 A. [12:08:00] Sorry, could you say the question again? I have not understood your
8 question.

9 Q. [12:08:05] These children that went with Kony, do you remember how many
10 they were? Was it a big group, was it a small group?

11 A. [12:08:16] They were about nine of them.

12 Q. [12:08:23] So, Mr Witness, earlier you mentioned something to the effect that
13 there was insecurity in northern Uganda and people thought something good was
14 going to come out of Kony, if I recall properly. Would these nine people have had
15 the same thought, that perhaps if they joined Kony in rebellion, something good
16 would come out of it?

17 A. [12:08:56] I think they had that idea. Because as I told you, it was actually not
18 easy, actually, it was not easy to stay at home because there was insurgency all over.
19 There was insurgency, there were different rebel groups, as I told you. They were
20 also disturbing people, abducting people, looting people's property, people were
21 actually in a difficult situation. So when you see your child leave to go and join
22 a particular rebel group or a fighting group, there is nothing you would say. Even
23 those people that were abducted, they thought maybe it would bring, you know,
24 some changes, maybe they will have some changes.

25 Q. [12:09:53] Mr Witness, why did people feel that way? Wasn't the government

1 offering protection?

2 A. [12:10:13] People had this feeling. Let me take you back a bit. At the time
3 when the current government took over power, this government, their presence took
4 long to be felt in northern Uganda. So they were really quite a number of rebel
5 groups, fighting groups in that area. So these different fighting groups were actually
6 terrorising the people in the villages, they want cattles, so that they would go with it,
7 they would come and approach your cassava, loot your property. Government had
8 not yet extended full authority up north where we are, so it therefore means that we
9 were still under the control and governance of these rebel groups. If at that time the
10 government had full control and authority, then these kind of things like meetings
11 that Kony would call at his home would not happen.

12 Well, government presence was there but was still in major towns, in other places, but
13 deep in the villages it was still lacking. So this idea of RC was not yet there, so that
14 means the government branches and authorities had not yet penetrated the villages,
15 so people were actually running away from the insurgencies that were caused by
16 these different groups.

17 Q. [12:12:10] Thank you, Mr Witness. Would you be able to give the Court a year,
18 perhaps, when the government -- when you would say the government had some
19 control of northern Uganda, or the deep places in northern Uganda?

20 A. [12:12:38] I do not recall quite clearly. But if I can recollect well, the
21 government started having full control around 1988. That's when they started
22 appointing people to work, like RCs. For example, you would hear about an RC of
23 Odek, but this person would be staying in town. So if I recall very well, it was in
24 1988, that's when the RCs were actually appointed.

25 Q. [12:13:25] And, Mr Witness, just for clarity, when you say "RC" you mean

1 resistance council, which then later became local council?

2 A. [12:13:40] Yes, that's it.

3 Q. [12:13:42] Okay, thank you, Mr Witness.

4 Now, you talk about 1988. If I mention 1 November 1988, does that date have any
5 significance to you?

6 A. [12:14:04] Yes, it reminds me on this date there was an operation by the
7 government forces in our area, and in this operation they did very many things. It
8 reminds me of the government operation.

9 Q. [12:14:29] Was this operation called Operation Fagia?

10 A. [12:14:37] I do not know the name of the operation, because we were actually on
11 the run. At that time the situation was bad, so when you see any soldier that you do
12 not understand or you are not sure about, you just have to take, you know, you just
13 have to run. So I do not know the name of the operation, but we were just on the
14 run.

15 Q. [12:15:04] Mr Witness, you just said that very many things happened. Can you
16 tell the Court what things happened during that operation -- sorry, first of all, how
17 long did that operation last?

18 A. [12:15:30] In my area the -- okay, let me say this. They came and left on the
19 third day. They left after three days and moved somewhere else.

20 Q. [12:15:53] What happened in your area, what did they do?

21 A. [12:16:01] When they came to Odek area several things happened. They looted,
22 they looted a lot of things. Looting was at its peak. They burnt people's homes.
23 Some people were taken, some people were killed. They -- there was one guy who
24 was in the army known as Captain Ofoke (phon), his home was bombed. Those are
25 some of the things that happened. Most of the people that were found were killed.

1 Q. [12:16:52] And this was by the government; is that correct?

2 A. [12:17:00] Yes, it was the government soldiers.

3 Q. [12:17:05] Did you ever get an explanation why they did this?

4 A. [12:17:15] I did not get any explanation.

5 Q. [12:17:21] Do you know how many people were killed from your area during
6 this operation?

7 A. [12:17:32] I do not recall the exact number of people that were killed. I do not
8 recall the number. But I do know two or three people that were killed in this
9 operation.

10 Q. [12:17:50] If I gave, let's say, a number of 70 people, would that be about
11 accurate?

12 A. [12:18:07] I do not recall. In that -- in my area I don't think it affected up to 70
13 people. Not more than 70 people were killed. That number is too big.

14 Q. [12:18:29] Were people detained and taken somewhere else?

15 A. [12:18:41] People were arrested. Yes, they did arrest some people. They
16 arrested some people. They were taken from Odek and sent to Acet.

17 Q. [12:18:58] Do you know what -- I'm sorry.

18 A. [12:19:05] When the operation left Odek, at the time the operation was at Odek
19 school, they would come, they would conduct their operation and come back to Odek
20 school. Then they moved from Odek to Acet. When they moved to Acet, they went
21 with some people that they had arrested.

22 Q. [12:19:32] Do you know if children were killed during this operation?

23 A. [12:19:46] No. I did not hear of any child deaths during this operation. Most
24 of the people that died were adults.

25 Q. [12:19:57] Did you hear of any women being raped by the government soldiers?

1 A. [12:20:09] Yes, I did.

2 Q. [12:20:17] Did you ever hear that perhaps it was because -- okay, sorry.

3 When you say the operation moved from your area to other places, did this operation
4 go throughout the whole of northern Uganda?

5 A. No. I do not know. I do not know when the operation left Odek. I don't
6 know where it went. At the time it was also very difficult to come by information.
7 You are always alert. It was also difficult to meet people from other areas, people
8 from a distance. Because it was best for you to stay in a place where you could
9 safeguard your own security, so I do not really know whether the operation was
10 conducted in all places or where they went. But I do know that after Odek they
11 moved to Acet. They did not come back to Odek. They moved to Acet.

12 Q. [12:21:26] Thank you, Mr Witness.

13 Did you ever hear of government soldiers accusing residents of Odek for harbouring
14 Joseph Kony or for supporting him to start his rebellion?

15 A. [12:21:59] If the government said that, then that is correct, because Kony was not
16 being harboured in Odek. Kony was actually born in Odek. And whatever
17 happened to Kony started from Kony's homestead itself. So if the government was
18 alleging that the Odek people were harbouring Kony at the time that he was
19 preparing for the insurgency, then that is the truth, because Kony was at his home.
20 He started the insurgency from their home. He did not go and start the insurgency
21 anywhere. It was from their home. So if the government is alleging that the Odek
22 people were harbouring Kony, then that's true. At the time there was a lot of
23 insecurity and people thought perhaps Kony would be -- would be a saviour. So
24 maybe somebody did help. Maybe people helped.

25 Q. [12:23:06] Now, you briefly told us that the government forces moved from

1 Odek to Acet. Could you please estimate for us the distance between Odek and
2 Acet?

3 A. [12:23:26] The distance between Odek and Acet is 5 miles.

4 Q. [12:23:38] Now, Mr Witness, at paragraph 11 of your statement you told
5 the Prosecution that the first IDP camp was in Acet, created in 1997, and that Odek
6 was created in 2003; is that correct?

7 A. [12:24:01] Yes, that's correct.

8 Q. [12:24:05] So between 1997 and 2003, did you and your family stay in Odek or
9 you moved to Acet camp?

10 A. [12:24:24] 2003 and 1997, my family stayed at home. I would like to enlighten
11 you. Most of the people that initially fled from Odek sub-county to go to Acet camp
12 were people -- well, people from the north. So people from the Payira region and
13 Moroto region. That's where the insurgency started from in 1997 and they fled to the
14 camps. But most of the people who were towards Lango or towards the south were
15 still in their homesteads. They stayed at home until the height of the insurgency in
16 2003 -- and 2003, and then they fled to the camps, but at the time I was still at home.
17 One side of Odek, which was in Binya parish, the people in that area had already
18 started fleeing because that place was more in the bush. And that was the area
19 where there was insecurity. For us, we left in 2003 and that's when we left.

20 Q. [12:26:07] Thank you, Mr Witness. Just to clarify, you are saying that the
21 insurgency was worse the further north you went and it only got worse towards the
22 south sometime in 2003/2004; is that correct?

23 A. [12:26:35] Yes, that's correct. Can you please repeat the question? 2003 is
24 when we went to the camp. But from 1997 people from other areas had already
25 started fleeing. 2002 we were still at home.

1 Q. [12:27:01] Mr Witness, are you familiar with an operation by the government
2 called Operation Iron Fist?

3 A. [12:27:17] No. I'm not familiar with it.

4 Q. [12:27:24] You also mentioned in paragraph 11 that the government did not
5 want civilians at home because they were being abducted and increasing the number
6 of soldiers in the LRA; is that correct?

7 A. [12:27:41] That's correct. At the time that the -- at the height of the insurgency
8 the government was also pressurising people to move into the camps, because if you
9 stayed home then you would be abducted and taken. And that's correct. The
10 government was pressurising people to move into the camps.

11 Q. [12:28:06] Now, when you say that the government was pressurising people,
12 what does that really mean, in practice?

13 A. [12:28:24] The government was telling people to leave because there was
14 nothing or nobody to protect people from their homes to prevent them being
15 abducted from the rebels. If people moved to the camps then the government would
16 have the authority or would be able to take soldiers to protect people within the
17 camps. So even though they are trying to abduct people from the camps, it would
18 not be so easy because there would be security at the camps. And that's what the
19 government was doing, so that people should leave their homes and then move to the
20 camp so that it's easier to protect them, and to prevent people from being scattered all
21 over in their homesteads where they would not have the necessary protection.

22 PRESIDING JUDGE SCHMITT: [12:29:22] Mr Witness, what would have happened
23 if a family, if the people would not have gone to the camp?

24 THE WITNESS: [12:29:42] (Interpretation) You could not refuse. First of all, you
25 could not refuse to go to the camp when everybody is going to the camp. If you

1 stayed behind, that would be -- that wouldn't be good for you.

2 Secondly, if people refuse to go to the camp, then they would -- they would know that
3 the LRA has the power to come and abduct these people. The LRA would be able to
4 come and abduct them. That's what would happen.

5 Further, if you stayed behind or if some of you decided to stay behind, the
6 government, the government would also assume -- or, as far as the government is
7 concerned, if anybody is abducted then, then the people are being taken to boost the
8 army ranks because that was the LRA practice. So the government would not allow
9 anybody to stay in their homesteads. The government would take you to the camp,
10 the government would physically take you to the camp or the LRA would come and
11 abduct you. But, luckily, nobody stayed behind, nobody refused to move to the
12 camp, everybody moved to the camp.

13 PRESIDING JUDGE SCHMITT: [12:31:09] Mrs Bridgman.

14 MS BRIDGMAN: [12:31:11]

15 Q. [12:31:18] Now, Mr Witness, are you aware of any civilians who were helping
16 the LRA, perhaps by giving them food, shelter, information, anything like that?

17 A. [12:31:38] No. I had not -- I do not have that information or knowledge. But
18 the LRA would not ask people for food. At the beginning, yes, they would ask. But
19 sometime in the middle of the insurgency they would no longer ask. I do not know
20 of anybody who was helping them or give them information, no, I do not know. But
21 at the time they were taking food by force.

22 Q. [12:32:26] Now, Mr Witness, when civilians were pressured to move into the
23 camps, were they also expected to work with the government soldiers? For instance,
24 were they expected to make alarms or notify the government if they saw any LRA
25 rebels around?

1 A. [12:32:56] No, they did not ask us to raise any alarms. But before people went
2 to the camps the government would inform us that if you see any LRA soldiers, then
3 go and report to the government soldiers. You can report to the LC or you could go
4 directly and report this to the soldiers. This was before people moved into the
5 camps. But the -- there was nothing, we were not told to raise any alarms. If
6 people were asked to raise alarms, then, yeah, perhaps that was in a different place,
7 not where I was.

8 Q. [12:33:43] Did people give that information to the soldiers every time they saw
9 any activity that seemed to be LRA related?

10 A. [12:33:56] People were giving such information. People were making these
11 reports. If people saw the rebels they would report.

12 Q. [12:34:09] Now, this move to the camps and the reporting, what was Kony's
13 reaction to it? Was he happy with the new move?

14 A. [12:34:36] I do not know what Kony was thinking. But when people went to
15 the camps, if you are unlucky and you come across Kony's people in any -- anywhere,
16 then you know that you are going to die. As soon as they find you, they will kill
17 you.

18 I do not know why they did that. Perhaps they thought that all the civilians were
19 supporting the government, the government which was their enemy. So people
20 were taking care of themselves in the camp areas. If you are unlucky and you meet
21 them along the way, then that's a problem. But most times people did not actually
22 move away from the camps, people stayed within the vicinity of the camps because if
23 you moved anywhere out of the camps and you are found, you would be killed.

24 Q. [12:35:40] Mr Witness, are you familiar with a ritual known as agat, A-G-A-T?

25 A. [12:35:56] Can you repeat that?

1 Q. [12:36:01] Agat.

2 A. [12:36:09] Agat is an Acholi word. That hasn't happened to me. I have heard
3 about it but I have not been involved in it. As somebody explained it to me, in the
4 Acholi traditional culture it's the elders that perform this ritual. If a child -- let me
5 say "child" -- I am not talking about ages but I am talking, as I explained earlier, in
6 Acholi traditional culture anybody that is born in a particular area is referred to as
7 a child. so if you as a child do something wrong and you are admonished but you do
8 not listen to your elders and continue doing what you are doing, then the elders
9 perform this ritual called agat. I do not know how they perform it or I do not know
10 what they do, but that's what they do. If they do this to you then you will befall a lot
11 of problems in this world. And that's my understanding of agat. I haven't seen the
12 ritual, I haven't seen anybody perform it, it hasn't happened next to me, but that's
13 what I have heard about it.

14 Q. [12:37:32] Mr Witness, have you ever heard of the government asking the people
15 of Palaro, where Kony comes from, to perform this ritual against him?

16 A. [12:37:58] No, I haven't heard, I haven't heard of that. In my area and the area
17 where Kony comes from, they do not usually perform that ritual. And that's one of
18 the reasons why I have not seen it myself, because it's very rare, it rarely ever happens
19 in that region so I have never heard of anything that the government asked the people,
20 the elders to perform this agat ritual on Kony.

21 Q. [12:38:35] Thank you, Mr Witness.

22 Now, when people moved to the camps were they allowed to go back to their villages
23 to farm?

24 A. [12:39:01] When people moved to the camps, people were allowed to go and
25 cultivate their crops. If your home is very near to the camp, very close to the camp,

1 but if your home is at a distance from the camp, for example, 1 kilometre away from
2 the camp then you are not granted such permission. But when it became relatively
3 peaceful then they allowed people to move further from the camps. That was
4 around 2005. At least people would move away from the camps to cultivate their
5 crops.

6 Q. [12:39:44] You mentioned in paragraph 13 of your statement that the camp
7 residents were originally getting their food from Awere. Where did the people from
8 Awere get the food from?

9 A. [12:40:06] People from Awere were also getting their food the same time -- in the
10 same manner as people from Odek. They would bring the food to Awere camp and
11 then Odek people would move 5 kilometres from Odek to go to Awere and collect
12 their food and then go back with it to Odek. But it was all in the same manner.

13 Q. [12:40:30] Was it the government which was providing this food?

14 A. [12:40:38] It was the United Nations' World Food Programme. They are the
15 ones who were distributing the food.

16 Q. [12:40:50] Thank you, Mr Witness.

17 Now, in paragraph 12 you told the Prosecution investigators that you were a teacher
18 in Odek and Agweno primary schools. Were schools around that time still
19 operating?

20 A. [12:41:18] Schools were operational. Agweno is a school that is somewhere in
21 the bushes in a place known as Lakim. But as I stated, from towards Sudan the
22 problem started earlier so people moved from that area and came to Odek primary
23 school. Odek primary school is not far from the camp, so when people go to school,
24 when the children go to school and we are teaching, they send some soldiers to come,
25 some mobile units to come and protect the children. So schools were operational.

1 Q. [12:42:11] Mr Witness, how far is Agweno or Lakim from Odek?

2 A. [12:42:24] I do not know, but approximately 4 to 5 kilometres towards Sudan.

3 Q. [12:42:40] Now, in your statement you also stated that it was not a school -- it
4 was -- the day of the attack school was out. There was no school that day; is that
5 correct?

6 A. [12:42:58] I do not recall, but I do -- I do not recall properly, but if -- to my
7 recollection, I was not at school on that day.

8 Q. [12:43:13] Mr Witness, can you generally just, for clarity, help the Court to
9 understand the school times in Uganda, so, for instance, term 1, term 2, term 3, which
10 months do they fall in?

11 A. [12:43:33] The first term usually begins in February, it may begin in February, to
12 April. The second term may begin in May to August, the third term from September
13 to December. That is my understanding of the system, how the terms are set out.

14 Q. [12:44:06] And, generally speaking, how long are the holidays for each block?
15 For instance, let's take one at a time, for term 1 how long is the holiday before you go
16 to term 2?

17 A. [12:44:27] There is perhaps one month. Sometimes it's one month and
18 sometimes it's not up to a month. Sometimes it's three weeks. So it depends on, it
19 depends on the timing. Sometimes the holidays are longer, sometimes the holidays
20 are shorter. I do not have the accurate records of that, but they change.

21 Q. [12:44:57] Thank you, Mr Witness.

22 And for term 2 as well is it about three weeks to four weeks?

23 A. [12:45:08] Yes. Sometimes the holidays are longer, sometimes they are shorter.
24 I do not have accurate records for that, but I do know that sometimes the holidays are
25 longer, sometimes they are shorter.

1 Q. [12:45:24] Would I be correct to say that the December holiday is the longest,
2 usually?

3 A. [12:45:34] That's correct.

4 Q. [12:45:43] Now, Mr Witness, you told the Court that part of the reason the
5 government was asking civilians to move to the camps was to offer security to the
6 camp residents. Did they give that security, in your opinion?

7 A. [12:46:12] The government tried to protect people, even though they did not
8 provide sufficient protection.

9 Q. [12:46:35] At paragraph 14 of your statement you said that Odek camp was
10 protected by the LDU made of local men and youth who were trained and paid by the
11 government; is that correct?

12 A. [12:46:55] That's correct. These people were recruited and were also trained.
13 The LDUs, they were the ones protecting the camp.

14 Q. [12:47:09] Now you said that they were led by one Lieutenant Odong, was he
15 from the LDU as well or from the NRA or UPDF?

16 A. [12:47:28] I am not sure. Odong was actually brought to lead the group that
17 was in Odek camp. He is not a person from within that area, so I am not sure if he
18 was an LDU member or UPDF, because sometimes the commander of the group is
19 brought from another place, so I am not sure whether he was an LDU or UPDF.

20 Q. [12:47:58] But the rest of the LDU forces were generally from the area, correct?

21 A. [12:48:07] Yes. They were recruited and they were mixed up, they were mixed
22 up with the people who were recruited from other areas, not only the people
23 recruited from Odek. They were actually mixed up but they were still LDUs. The
24 UPDF would also be there once in a while. They would also -- a few of them would
25 come at some point, but also they would also move away because they were mobile.

1 But they would also be present, but not all the time. LDUs were the ones that were
2 actually protecting the camp.

3 Q. [12:48:49] Now, you have mentioned that they were mixed up with people from
4 other places. Do you know if some of the people originally from Odek were
5 transferred to provide services to other camps?

6 A. [12:49:08] Yes, these people were actually integrated into one group, so I am
7 sure even some of the children from Odek who were not there now could have gone
8 to protect other camps.

9 Q. [12:49:22] Now, these LDU people, did they volunteer or were they pressured
10 by the government to join the LDU?

11 A. [12:49:41] I think these people volunteered themselves, because government
12 came with the idea of recruiting, so if one does not want would not join. So the
13 reason why these people took long and stayed longer in this kind of job, because
14 I think they had volunteered themselves.

15 Q. [12:50:08] Now, in your statement you particularly described them as local men
16 and youth. Would you please give us the age ranges of these people?

17 A. [12:50:28] These were adults. They were adults. They were not actually
18 young people, they were adults.

19 Q. [12:50:43] Did the government require a certain level of education for people to
20 be eligible to join?

21 A. [12:50:58] There was no specific education requirement. This was not required.

22 Q. [12:51:07] Do you recall where these LDU forces were trained from?

23 A. [12:51:21] I recall that they were being trained just behind Odek school, from the
24 eastern side. That's where they were being trained from.

25 Q. [12:51:39] Who was conducting this training?

1 A. [12:51:47] I do not know who was conducting the training. I did not reach the
2 very place where they were. It was not easy to see soldiers when you are a civilian
3 so you would not actually go where they are doing the training because when you go
4 you could be beaten. So I did not know who was training them.

5 Q. [12:52:12] How long did this training last?

6 A. [12:52:19] They took some time, they took some time. I do not know the exact
7 duration, but they took a longer time.

8 Q. [12:52:31] Would it be three months, six months, perhaps?

9 A. [12:52:41] Not more than six months; could be three months.

10 Q. [12:52:51] Now, you stated in paragraph 15 of your statement that they were
11 armed with small machine guns and rocket propelled grenades. Who armed these
12 people?

13 A. [12:53:12] The government. The government gave them everything.

14 Q. [12:53:21] So would I be correct to assume that they also provided training in the
15 use of these particular weapons?

16 A. [12:53:37] Correct. That's correct.

17 Q. [12:53:39] Did you ever hear about any accidents amongst the troops, for
18 instance, during their training or maybe after they had been passed out?

19 A. [12:53:54] I did not hear.

20 Q. [12:54:07] And still in paragraph 15 you stated that a number of soldiers, both
21 UPDF and LDUs -- no, that a few UPDF corporals and sergeants arrived only a short
22 time before the attack on Odek and that there had been previous attacks on the camp
23 and around the camp; is that correct?

24 A. [12:54:44] Yes, there were a few attacks before this attack of 29th. But the rebels
25 that tried to conduct the attack were repulsed.

1 Q. [12:55:00] Do you recall if anyone was killed or injured in those attacks or
2 attempted attacks?

3 A. [12:55:11] There were no injuries, there were no deaths as well.

4 Q. [12:55:15] How about abductions?

5 A. [12:55:22] There were no abductions. The LRA did not reach the camp. They
6 started firing from a distance and they were actually repulsed. So there was nothing
7 else that happened.

8 Q. [12:55:39] Now, you earlier told the Court that most of the disturbances were up
9 north and it was not until 2003 that Odek and its environs was under attack from the
10 LRA. But I want you to try and recall if there were any attacks whatsoever, either in
11 1997, 1998 or 1999, where people were abducted from Odek?

12 A. [12:56:30] I do not recall clearly. But I remember there were abductions, there
13 were abductions. It doesn't mean that Kony's people did not reach that area. At
14 least when they come they would do an operation or they would abduct people, but I
15 do not quite recall a specific, a specific one, but yes, they were abducting people that
16 side. So when they come once and they go to another area, they would stay in that
17 area for a long time because it was in the wilderness and it was not easy to get
18 a report about them.

19 Q. [12:57:19] So there were incursions and disturbances around Odek before the
20 big attack in 2004, correct?

21 A. [12:57:32] Correct.

22 Q. [12:57:34] And people were killed and abducted during those attacks, correct?

23 A. [12:57:43] In which attack? I did not get that clearly.

24 Q. [12:57:51] Okay, I will rephrase the question. So you just admitted that there
25 were other disturbances and incursions in Odek and around Odek before the

1 April 2004 attack. My question is: During those -- let me call them operations -- the
2 LRA still managed to abduct some people; is that correct?

3 A. [12:58:27] When the LRA is coming for an operation they would come to abduct,
4 they would come to loot food, and this was actually happening frequently. Even
5 before the main attack they would abduct people to go and join their army. They
6 would come and collect food. If they find food they would loot the food and they
7 would take that to help them in the bush. So that was happening.

8 Q. [12:59:03] And yet despite all these incidents the government did not send
9 reinforcements or a higher-ranking commander to join the LDU forces that were
10 protecting the camp; is this correct?

11 A. [12:59:23] Government tried to send protection, maybe a section to come and
12 join the LDU and stay with them for some time. But to send a bigger unit to be
13 stationed in Odek did not happen until -- it was until after the attack, that's when the
14 protections in the camp improved.

15 Q. [12:59:51] Thank you, Mr Witness.

16 I think this is a good place to stop.

17 PRESIDING JUDGE SCHMITT: [12:59:55] Indeed. Thank you Ms Bridgman.

18 Thank you, Mr Witness.

19 For this moment we will have now a lunch break until 2.30.

20 THE COURT USHER: [13:00:03] All rise.

21 (Recess taken at 1.00 p.m.)

22 (Upon resuming in open session at 2.31 p.m.)

23 THE COURT USHER: [14:31:25] All rise.

24 Please be seated.

25 PRESIDING JUDGE SCHMITT: [14:31:49] Good afternoon, Mr Witness, we

1 continue with your testimony.

2 And Mrs Bridgman has still the floor.

3 MS BRIDGMAN: [14:32:00] Thank you, Mr President.

4 Q. [14:32:04] Mr Witness, welcome back from the lunch break.

5 A. [14:32:11] Yes, thank you.

6 Q. [14:32:14] I am going to continue our questioning and I would like to explore
7 more about the LDUs that we were discussing before we broke off for the lunch break.

8 Now, these LDUs, were they staying in the barracks?

9 A. [14:32:36] Yes, the LDUs were staying in the barracks.

10 Q. [14:32:42] And this is the barracks that you indicated on the sketch that you
11 provided to the Prosecution, correct?

12 A. [14:32:54] Correct. That barracks, they were the ones what erected the small
13 huts that they would stay in, so they were in that barracks.

14 Q. [14:33:11] Mr Witness, on whose land was that barracks located?

15 A. [14:33:25] I do not know whose land on which the barracks was located, but
16 there was somebody's home by the names Olam Wilberforce whose homestead was
17 nearby, but I do not know whose land on which it was.

18 Q. [14:33:47] And you told this Court earlier that some of the LDUs, well most of
19 the LDUs were from the Odek area. So did they have their families living in the
20 barracks or in the camp?

21 A. [14:34:16] The LDUs, their family members were living in the camps.

22 Q. [14:34:27] Did these soldiers come to visit their family members in the camp
23 very often?

24 A. [14:34:40] The camp is not far away from the barracks. If it is any distance then
25 it is like about a hundred metres. So they are free to come and see their families and

1 there was no problem with it because they were the ones even providing the
2 protection.

3 Q. [14:35:01] Were the families free to go into the barracks as they pleased?

4 A. [14:35:13] If there is something that takes you there, yes, you can go. But, you
5 know, the barracks during wartime is a place that you wouldn't like to go frequently.
6 But if you have a problem or you have something that you would like to know or get
7 you can go. Maybe it could be going to your husband or maybe you are going to
8 your father, yes, then you can go.

9 Q. [14:35:38] So in that case let's take the example of the husband, if your husband
10 was an LDU, did you as a wife stay in the camp and the husband stayed in the
11 barracks? How did that work?

12 A. [14:36:01] There was nothing wrong with that. Because, you know, in any
13 place where there is war, it's different from places where there are no wars. So if
14 there is fighting in the barracks, maybe the wife is in the camp, so you are actually
15 viewed to be in a fairly safe place. So there is no problem with that. It just happens
16 that that is what happens during wartime.

17 Q. [14:36:45] I'm sorry, Mr Witness, I think I haven't understood your explanation.
18 So would the husband stay in the barracks and the wife stay in the camp or they
19 would stay together unless there was, let's say, an attack?

20 A. [14:37:12] The man stays in the barracks, the wife could be living in the camp.
21 But the man who stays in the barracks are also the ones -- the men who stay in the
22 barracks are also the ones that protect the camp. So it is possible that the wife is
23 living in the camp but the husband is in the barracks. But as I said, where there is
24 war there are different ways of protection, so it is possible that the woman can stay in
25 the camp just like other people, but the husband will have time to come and visit her

1 in the camp.

2 PRESIDING JUDGE SCHMITT: [14:37:57] I think you can move to another point
3 now.

4 MS BRIDGMAN: [14:38:00]

5 Q. [14:38:01] So in the instance where the husband comes to visit the wife in the
6 camp, do you recall if they would come wearing their uniforms or would they carry
7 their guns with them to the camp, or would they be dressed up and looking like
8 civilians?

9 A. [14:38:29] Soldiers, during wartime, have got very limited time to stay without
10 uniforms on them, and also to stay without guns, they have very limited time.
11 Because fighting can break any time, so if you don't have your gun then you have to
12 flee without your gun. So even when they come to protect the camp, they come with
13 their guns. So the camp is not protected without any weapon, so they actually have
14 weapons and they also have uniforms.

15 Q. [14:39:06] Now, Mr Witness, these uniforms, can you describe them for us?

16 A. [14:39:19] The LDU uniforms, the colours are like brown, brown, brownish.
17 I can say exactly brownish, not very -- all red, not all red or all brown, but it's just
18 patched up. It is difficult to explain colours in Acholi. I can call it brown in colour.

19 Q. [14:39:49] Thank you, Mr Witness.

20 Now, how was the relationship between the government soldiers and the camp
21 residents?

22 A. [14:40:09] The relationship at the beginning was not very good. The reason
23 why I say it was not very good because the soldiers were putting a lot of pressure and
24 actually they were, you know, putting the civilians under tension. When
25 they -- when they tell you to close your -- stay indoors and you don't follow, they

1 would beat you, and that was what was happening. But later on they realised that
2 their role there was to provide protection to the people, so they started, you know,
3 understanding and they started working, cooperating well with the people. So at
4 a certain time when you are actually within the camp and you are within your
5 household, and the soldiers are also within the camp, they would stay and they
6 would not actually, you know, beat you. So that means there was -- your
7 relationship was improving.

8 Q. [14:41:16] Were there ever any complaints regarding the soldiers' behaviours,
9 for instance, issues with alcoholism?

10 A. [14:41:33] I have not understood your question. Could you say it again?

11 Q. [14:41:38] Were there ever any complaints about the soldiers' behaviour, for
12 example, about their use of alcohol?

13 A. [14:41:54] I did not hear of any complaints. I did not hear. In relation to the
14 behaviours of the soldiers in terms of their drinking or -- I did not hear.

15 Q. [14:42:12] Did you hear anything relating to rapes?

16 A. [14:42:27] As for the soldiers that were protecting us in the camp, I did not hear.

17 Q. [14:43:17] Did you ever hear about them using money to lure other people's
18 wives?

19 A. [14:42:53] I did not hear.

20 Q. [14:42:57] Did you ever hear about female abductees returning home and being
21 raped by UPDF soldiers before reuniting them with their families?

22 A. [14:43:22] I did not hear about that. Because these people, when they return
23 they do not stay with the soldiers who are in the camp. When they return they are
24 taken to the town where they are kept either in World Vision or at GUSCO. So when
25 they stay there, then they are actually sent back to their families. If it happened, then

1 maybe it happened not in my area.

2 Q. [14:44:00] Did you ever hear of male abductees who have returned home being
3 forced to join the government forces?

4 A. [14:44:22] I did not hear about that, but it is in your own interest, if you want to
5 go back to the army then you can go. But if you feel that you are now fed up and
6 you are tired of being in the army and you want to continue staying home, then you
7 stay home. So it was an individual choice.

8 Q. [14:44:44] Did you ever hear about government soldiers taking crops from
9 people's gardens or looting property?

10 A. [14:45:08] I did not hear. When these people were forcefully taking people's
11 property, maybe they were taking during the time when they go for operations, for
12 the operations where there were no people. So when they find items there, yes,
13 maybe they can take. But to hear that they've, you know, forcefully took people's
14 properties, I did not know about it.

15 Q. [14:45:39] Now, Mr Witness, if I might take you back to 1988, do you remember
16 that government operation we talked about, do you recall if there was ever any
17 enquiry into that conduct?

18 A. [14:46:06] Yeah, during the operations I think I told you what happened. The
19 1988 operations, many bad things happened there and you cannot compare that with
20 the time when we were in the camp. The soldiers that conducted that operation,
21 their character is not comparable to those that were providing protection in the camp.
22 I said LDUs and some few UPDF members were the ones that were providing
23 protection in the camp, but it is not the same group that did the operation in 1988.
24 This is what I explained earlier. So my response is in line with the LDUs and the few
25 UPDF soldiers that were providing protection in the camp.

1 Q. [14:47:03] Thank you, Mr Witness.

2 Now, just in the spirit of further clarification, perhaps you can help me understand
3 who those other soldiers were from 1988, because I assumed it was still the
4 government soldiers or UPDF or, better yet, NRA that soon came to be UPDF?

5 A. [14:47:36] The operation in 1988 was done by government soldiers. And I told
6 you what they were doing, I told you this earlier. The government soldiers is one,
7 but they recruited LDUs to help them and support them. So the LDUs are actually
8 recruited as part of government soldiers, they were given uniforms and they were
9 also given -- paid money. So we now take them as government soldiers.

10 Q. [14:48:16] Thank you, Mr Witness.

11 Now moving on to the events of 29 April 2004, at paragraph 18 of your statement you
12 told the Prosecution that there was a meeting that day under a mango tree. Do you
13 recall what was discussed during that meeting, generally speaking?

14 A. [14:48:50] I recalled what was said. There was a meeting and the overall
15 commander at that time came to talk to the people in the camp. That was in the
16 morning. Then soldiers came from the roadside, the side of Payira, and crossed the
17 road going in the direction of Lango area. So people were saying the LRA soldiers
18 had crossed the road, that means they are within the area, so people should stay calm,
19 but obviously be observant because, as government army, they know what they are
20 going to do. They will send some soldiers to lay ambush in wait when they return,
21 so people should stay calm. This is what was said in the meeting.

22 Q. [14:50:15] That meeting or that briefing, was it a regular occurrence, was
23 it -- was this something that was regularly done for the camp leader to -- well, the
24 soldiers to invite camp dwellers to come and have a briefing, let's say?

25 A. [14:50:40] The army commanders regularly talk to people in the camps. If there

1 is anything or information they usually pass it to the people, because they wanted to
2 have a good relationship with the civilians.

3 Q. [14:51:25] When you say "the army commanders", do you mean Odong or do
4 you mean perhaps other commanders from the mobile forces of the UPDF?

5 A. [14:51:43] I am talking about Odong, Odong. But also from within the barracks
6 he also has some other commanders that help him. So when he comes to address the
7 civilians he does not move alone, he comes along with his other colleagues.

8 Q. [14:52:09] Where was the closest UPDF barracks located in relationship to Odek
9 IDP camp?

10 A. [14:52:23] The UPDF barracks, which is, which was very near Odek, is not a very
11 big barracks that we can compare with the one in Gulu main barracks. These were
12 actually smaller barracks that were, you know, created. If I remember, there were
13 also other barracks just like the ones that LDU created in Odek. So when the UPDF
14 also come they also, you know, put up their barracks. So there were also other
15 places where the UPDF were stationed, which was like -- they were like not
16 a barracks but it was like their base. And this was at Opit. But if you are talking
17 about a big, you know, a big army barracks then it was in Gulu.

18 Q. [14:53:20] How far is Opit from Odek?

19 A. [14:53:29] The distance between Opit and Odek is about 21 miles.

20 Q. [14:53:40] So to go back to that meeting under the mango tree, you said it was
21 convened in the morning; is that correct?

22 A. [14:53:55] It was not in the morning; this meeting was called in the evening.
23 People were reminded that early morning today the LRA soldiers were sighted
24 crossing the road going towards Lango. But the meeting took place in the evening.

25 Q. [14:54:18] Do you know who sighted those LRA soldiers moving to Lango?

1 A. [14:54:28] The LRA soldiers that were moving towards Lango area were sighted
2 by, by people who had gone to their gardens. So when they were moving to their
3 gardens, that's when the LRA came across them. And one of the women who was
4 amongst those were -- was called Betty Ocora, and then there was another person
5 called Ojara who was also abducted, but this lady came back to the camp.

6 Q. [14:55:18] Do you know if Ocora came back to the camp immediately after
7 sighting the LRA that morning?

8 A. [14:55:31] Yes, when she saw the LRA in the morning she returned back to the
9 camp.

10 Q. [14:55:40] So she did not proceed to the garden; is that correct?

11 A. [14:55:47] She did not proceed to the garden. Everyone who wanted to go to
12 their garden returned back home.

13 Q. [14:56:02] Did she ever say how many LRA soldiers she saw that morning?

14 A. [14:56:13] She did not mention. Because when she saw them she just took off.
15 But Ojara, who was there, was the one who was abducted.

16 Q. [14:56:32] Just to clarify, was Ojara and Ocora together when they saw the LRA?

17 A. [14:56:42] All of them, all of them were going to the garden, but Ojara was
18 ahead of them, Betty was behind. So when these people started chasing after Ojara,
19 Betty started running backwards. But the distance between them was close and they
20 could see each other.

21 Q. [14:57:12] So you say Ojara was abducted but returned soon thereafter. Did he
22 return during the attack, before the attack or way after the attack?

23 A. [14:57:33] Ojara returned after the attack had already -- he did not return the
24 same day, but he returned the following day.

25 Q. [14:57:53] So the LRA are spotted in the morning, you have the meeting with the

1 camp leaders that afternoon. Did they give you any precautionary measures to take
2 just in case there was an attack?

3 A. [14:58:18] The army leadership had already put it as a by-law that when you
4 hear any gunshots which seems to be like fighting, you should enter your house and
5 lock yourself inside. There is no any other way of protection that they gave, just
6 enter your house and lock yourself inside.

7 Q. [14:58:53] Now, you also told this Court earlier, and also reflected in your
8 statement at paragraph 19, that Odong told you that some government soldiers had
9 left the camp to prepare an ambush for when the LRA returned from Lango; is this
10 correct?

11 A. [14:59:17] That's correct.

12 Q. [14:59:21] And this information was shared with all the camp dwellers at the
13 meeting under the mango tree; correct?

14 A. [14:59:33] Yes, it was mentioned in the meeting that took place under the mango
15 tree.

16 Q. [14:59:40] And you also said that about 11 soldiers remained in the camp to offer
17 protection to the civilians. Is this correct?

18 PRESIDING JUDGE SCHMITT: [14:59:51] May I shortly interrupt, Mrs Bridgman.
19 The procedural function of a Rule 68(3) introduction of former statement is that this
20 former written statement, as acknowledged by the witness and he has no objections,
21 is part of the evidence here in the courtroom. We have just to picture for ourself that
22 as if he had said it, for example, on another hearing day viva voce here in the
23 courtroom, this is the procedural function. So it is not necessary to ask the witness
24 every information that is in the Rule 68(3) statement. If this is correct just assume
25 this is the statement of the witness, and then from then on continue. So that would

1 shorten a little bit the procedure and would make your life also easier, I would say.

2 MS BRIDGMAN: [15:00:46] Thank you for your guidance, your Honour.

3 Q. [15:00:55] Now, Mr Witness, when Odong was giving this information to the
4 camp dwellers, did he even mention that he asked for reinforcement from Opit
5 barracks in preparation for any attack?

6 A. [15:01:22] No, he did not state that. Because the rebel group that had gone by
7 was a small group. It was a small group so it wasn't -- it wasn't such a big group.
8 He did not tell people whether or not he had requested for reinforcement from Opit.
9 But he told us to stay calm and stay strong and he told us that the soldiers that were
10 within -- within Odek would go and follow up the rebels.

11 Q. [15:02:10] Could you help estimate for us how many people were present for
12 that meeting.

13 A. [15:02:24] I cannot estimate the number of people that were present. But most
14 of the people that were in the camp, the camp inhabitants were present. Only very
15 few were absent, so there were many people.

16 Q. [15:02:43] Is it possible, Mr Witness, that while you were getting this briefing
17 from Odong some members of the LRA could have been part of that meeting?

18 A. [15:03:04] I cannot respond to that. I cannot guess whether or not they were
19 present. I can't guess that.

20 Q. [15:03:17] Is it your testimony, Mr Witness, that the leader of the government
21 forces at Odek shared the military strategy for an imminent attack with everyone at
22 that meeting?

23 A. [15:03:49] Every day that we were in the camp, when the LRA crosses heading
24 towards Lango they would wait for them on their way back, they would ambush
25 them on their way back. But when they are going towards Lango you do not know

1 what direction they are going to or the distance they are going to. Perhaps they are
2 going to Lango, but far away. So what they usually do is send soldiers to set up an
3 ambush and wait for them on the way back. So they sent the soldiers to go and
4 follow up and find out which direction they may cross back on their way back.

5 Q. [15:04:38] And this setting up of ambushes was common knowledge to everyone,
6 is that what you're saying?

7 A. [15:04:53] That is something that happened habitually. There was no plan. It
8 wasn't planned. It just happened. When these people cross or when they pass by
9 they would always set an ambush guessing what direction they would walk back
10 from. They would always send soldiers in that direction.

11 Q. [15:05:19] Now, Mr Witness, you talked about previous disturbances on Odek,
12 but I want to ask if you knew about any other attacks on other camps before the Odek
13 attack. Had you heard about other LRA attacks?

14 A. [15:05:49] Are you asking about different places that the LRA attacked?

15 Q. [15:05:57] Yes, Mr Witness.

16 A. [15:06:06] There were no other attacks. But they would attempt, they would
17 attempt and attack other places. But there was nothing as bad as what happened in
18 Odek. For example, at Acet camp, the LRA went and attacked Acet camp but they
19 were defeated. They targeted the barracks but there were a number of soldiers in the
20 barracks, they were defeated and they fled. They retreated. But at Odek, they
21 defeated the soldiers at Odek and then they did whatever it is, they went on
22 a rampage.

23 Q. [15:07:05] At paragraph 21 of your statement you said that just before the attack
24 you were standing with a few people, including the camp leader. What was the role
25 of a camp leader?

1 A. [15:07:28] The camp leader was selected by the people in the camp. When you
2 are selected as a camp leader you are to ensure that there is security within the camp.
3 Most importantly, given that there were so many people in the camp it was very
4 important to ensure hygiene. There were also other, other people who had other
5 roles, for example, block leaders whose responsibility was to ensure that the camp
6 was cleared and cleaned habitually to stop diseases spreading within the camp.
7 That's what the camp leader did. The camp leader also ensured that the people
8 under his responsibility were also receiving food, the food that was being distributed.
9 When we were in the camp life was extremely difficult and we survived on food aid.
10 We were unable to go and cultivate enough food to feed everybody within the camp
11 because there was no, no land, we couldn't do that. So the camp leader was
12 responsible for ensuring that there was enough food that was distributed to people
13 living within the camps and that was one of his roles.

14 Q. [15:08:58] Thank you, Mr Witness.

15 Would the camp leader also be in charge of collating information regarding the camp
16 dwellers?

17 A. [15:09:26] I do not know whether he was doing that. But I suppose he -- one of
18 the things that he did was collate the number of people that were in the camps to
19 ensure that when they brought food they brought enough food for everybody. So I
20 suppose that's one of the things that he did.

21 Q. [15:09:50] So along those lines he could be the kind of person who would make
22 lists of people who were killed or abducted or injured during the Odek attack,
23 correct?

24 A. [15:10:12] If it's a strong -- if it's a strong person and he is not afraid of what
25 happened, if he is not afraid of seeing dead bodies, then he can take the time and

1 collect that information. But if he is somebody who is scared, somebody who is
2 afraid, then he would not be able to do that job.

3 Q. [15:10:40] Now, Mr Witness, you know your camp leader, would he be the kind
4 of person to have reliable lists?

5 A. [15:10:49] I know the camp leader.

6 Q. [15:10:53] Would he be the kind of person to have reliable lists of those who
7 were killed or injured or abducted from Odek?

8 A. [15:11:14] You see the person, but sometimes you see a person physically. But
9 you do not know how strong or weak the person is. The person might say, "Okay, I
10 did it", but you do not know whether or not he actually did it. But he was selected.
11 If the person selected was a strong person, then it's possible that he may have that list.
12 But if he wasn't leaving the camp, going out of the camp, then perhaps he wouldn't
13 have the list, or the list would get lost. But I think he may have that list.

14 Q. [15:11:57] Now, Mr Witness, I know you personally were involved in the
15 burying of people who died during the attack. Do you remember if the camp leader
16 was with you during that exercise?

17 A. [15:12:21] There were many people. There were many people when people
18 were being buried. We did not meet up, get one person, bury that person. But
19 people would be taken, buried in one place. So some of us would be burying in one
20 location, other people would be burying in another location. In the location that
21 I was helping to bury the people, the camp leader was not in that location but perhaps
22 he was at another location.

23 Q. [15:12:57] For this particular attack, do you know if someone collected that
24 information and made lists?

25 A. [15:13:19] I also -- I personally had a list, but my list got lost. Because as I

1 stated earlier, we were unsettled, we were not in one place. There is a person named
2 Olanya George, he also had a list, and I guess that perhaps he still has that list.

3 Q. [15:13:51] Who is Olanya George?

4 A. [15:13:57] Olanya George is a person that was one of the inhabitants at Odek
5 camp. He lived in Odek camp. When they were trying to make a list of the people
6 who had survived or people who were dead, he was also present. He took down
7 a list as well, he made a list.

8 Q. [15:14:27] Did he have any particular responsibilities within the camp?

9 A. [15:14:38] No, he had no particular responsibility in the camp. But he did that
10 on his own initiative to have information, but he did not have any particular role.

11 Q. [15:14:55] Now, you just stated that "when they were trying to make a list of
12 people who had survived", when you say "they" who are you talking about?

13 A. [15:15:17] Are you talking about the list of people who survived? I did not
14 quite get your question. Could you please repeat your question?

15 Q. [15:15:28] We have just been discussing lists. You said you made a list that you
16 lost and we were talking about the camp leader perhaps having made a list. And
17 then when you mentioned Olanya George you said he took his own -- on his own
18 initiative he made a list. And I will read to you exactly what he said, and that's at
19 page 87, you said:

20 "Olanya George is a person that was one of the inhabitants at Odek camp. He lived
21 in Odek camp. When they were trying to make a list of people who had survived or
22 people who were dead, he was also present."

23 And my question is: When you say "they were trying to make a list", who is "they"?

24 A. [15:16:42] When the list of people was being drawn up, this wasn't a formal
25 thing that we sat down and discussed that so-and-so died. The list was being done

1 while people were walking through the camps. Olanya George was one of the
2 people who was walking through the camps writing down the names of the people
3 who had died, writing down the names of the relatives of the dead as well. So they
4 would write down the name and then the next of kin, they would write down the
5 name and the person's next of kin, and that was the list that was being prepared.
6 There was no formal meeting, there was no formal discussion, but people were just
7 walking randomly. It was a haphazard event. They were writing down the name
8 of the dead person and the next of kin and Olanya George was among the people that
9 was doing this.

10 Q. [15:17:47] Thank you, Mr Witness.

11 Now, at paragraph 20 of your statement you said that at the beginning of the attack
12 initially the civilians did not run away. Would you please explain to the Court why
13 the civilians did not run away?

14 A. [15:18:20] The civilians did not run away initially. Was stated earlier, the
15 soldiers that protected people in the camp advised us that if you hear any gunfire
16 enter into your house and lock the door. And that's what people did, people obeyed
17 that order. If you decided to get out of your house and run, where would you go?
18 There was nowhere to go. So what people did was get into their house, get into their
19 houses, lock the doors and stay in their homes. And that is why I stated that. I also
20 entered into my house and locked the door.

21 Q. [15:19:25] Mr Witness, at paragraph 34 of your statement you talk about the
22 food that was looted from the food store and you said that no other possessions were
23 taken from the camp. Is it your testimony, Mr Witness, that your house or your
24 neighbours' houses were not looted?

25 A. [15:19:59] That was my statement. They did not take anything from my house

1 in the camp. Perhaps it wasn't because they weren't interested in taking anything
2 but there wasn't anything of interest to them. But one of the things that possibly
3 helped me was because in the camp we survived with food aid and things that are
4 distributed to us. Those things don't last long. So I suppose one of the reasons why
5 they did not pillage the camp very much was because most of the food was in the
6 store. There was a lot of food in the store for the students. They went, they found
7 food in the store and took the food that was in the store. I did not see anything else
8 that was taken.

9 Q. [15:21:02] Mr Witness, did you personally inspect the food store?

10 A. [15:21:16] I did. The next day it was empty, there was nothing in that store.

11 Q. [15:21:44] Mr Witness, for the LDU soldiers who had not been sent for the
12 ambush, do you recall where they were when the shooting started?

13 A. [15:22:07] Most of the LDUs, once the firing started they had just actually left the
14 meeting. They hadn't even walked as far as to the barracks when the attack started,
15 the barracks was being attacked.

16 Q. [15:22:29] So the LRA attacked the barracks, the 11 soldiers are not in the
17 barracks, which direction did they run?

18 A. [15:22:57] Not all the 11 were not in the barracks. There were some that were
19 left behind to guard the barracks. But the ones who were caught off guard, the ones
20 that did not go into the barracks ran towards Lango.

21 Q. [15:23:21] When you say they "ran towards Lango", was that towards the camp
22 or away from the camp?

23 A. [15:23:39] They ran through the camp, they passed the camp, and then they
24 headed towards Lango, which is southwards. They ran together with some of the
25 camp inhabitants that were fleeing, the civilians in the camp. They ran in the same

1 direction.

2 Q. [15:24:06] So the LRA rebels were pursuing these soldiers from the barracks
3 through the camp; is that correct?

4 A. [15:24:25] I did not see the LRA pursuing these soldiers, but they were firing
5 their gunshots at the barracks. I do not know what happened at the barracks
6 because I also fled. Some of the LRA soldiers were running, were running while
7 firing their shots, they were running towards the store while firing their shots. I did
8 not see them. I saw them running and I also took off.

9 Q. [15:25:01] Now, regarding your own reaction to the gunfire, when you started
10 you briefly mentioned earlier that you also went into your house. How long did you
11 stay in your house before you fled?

12 A. [15:25:26] I, I closed the door, I locked the door, but I wasn't in my house.
13 When the attack started I was at the camp leader's house. We stayed in the camp.
14 We locked ourselves in the camp leader's house. I could not go back to my house,
15 which was a bit of a direction from the camp leader's, it was a bit far. We stayed in
16 the house for about five minutes or more. When we heard heavy gunshots coming
17 towards us we came out of the house. When we came out of the house we decided
18 that we believed that the government soldiers have been defeated, that's why the
19 gunshots are coming towards the camp. We came out and we saw the LRA. They
20 were running towards us. I also started running. We all scattered and ran off.

21 Q. [15:26:33] Mr Witness, would it be fair for me to say that when you started
22 running you did not stop or slow down until you were out of danger about 1
23 kilometre away along the Odek river, as reflected in paragraph 22 of your statement?

24 A. [15:27:04] No, I did not run in that manner. I ran. I jumped into the water in
25 Odek river. Odek river is next to the camp. I followed the river and then I went

1 to -- at the junction with Agwengtina stream. I stayed there for a bit because there
2 was heavy gunfire. You do not run. When you are running away from soldiers
3 you do not just keep on running. You have to fall down, you have to hide. When
4 the gunshots subside you continue running. I did not just keep on running. I
5 would run, hide, run, hide until I got to that place. I rested a little bit.

6 Q. [15:28:01] Now, during this period of resting or hiding and falling down, is it
7 when you had a chance to look back at the rebels?

8 A. [15:28:22] First of all, I had seen them before I started running. Secondly, when
9 I was resting, when I was at Agwengtina, I was in a very good position to see them.
10 I saw them pillaging the store, taking food from the store. Some of them were firing
11 their guns. At the position where I was I had clear sight of the store. When I
12 started running for the first time I had already seen them.

13 PRESIDING JUDGE SCHMITT: [15:28:53] How far away had you been from the
14 store when you were in the river, could you estimate it?

15 THE WITNESS: [15:29:12] (Interpretation) It's not far. It's not more than a hundred
16 metres.

17 PRESIDING JUDGE SCHMITT: [15:29:17] Thank you.

18 MS BRIDGMAN: [15:29:20]

19 Q. [15:29:20] Now, Mr Witness --

20 PRESIDING JUDGE SCHMITT: [15:29:29] Continue, Mrs Bridgman. I was just
21 interested in the position where the witness was and how far it was away, his
22 observation point.

23 MS BRIDGMAN: [15:29:41] Thank you, your Honour.

24 Q. Mr Witness, when we look at the sketch that you provided of the IDP camp --
25 and this is tab 2 of the Defence binder, UGA-OTP-0238-0731.

1 If the court officer would be kind enough to display it to the witness.

2 Could you help us, from just the sketch, tell us where you were hiding along the
3 Agwengtina stream at the time you observed the LRA soldiers.

4 A. [15:30:48] I ran and ran southwards. I entered in Odek river. I followed Odek
5 river towards -- going towards, heading towards the bridge and then I branched off.
6 I branched off at the Agwengtina stream, this stream here. So when you branch off
7 you have to climb back a bit because there are some trees around that area and that
8 was where I stayed. That's where I rested because I could see, I could see what was
9 happening at the store from the hill. Because there were a lot of trees blocking me as
10 well so I could see that. But it is not more than a hundred metres.

11 Q. [15:31:54] So were you still along the stream or you were up on the hill?

12 A. [15:32:03] I was up. At the beginning of the stream there is a -- there are trees
13 known as ogwari (phon). It's a thorned shrub and you cannot go through these
14 shrubs. I walked by, I passed by the ogwari shrubs and went and hide behind and I
15 saw other people, people firing their guns, other people taking food. Because I could
16 not go through the stream because of the ogwari shrubs, which has thorns, so I
17 bypassed the shrubs and I went behind it.

18 Q. [15:32:44] How long did you stay under those shrubs?

19 A. [15:32:55] I cannot estimate. But once the gunshots had subsided I continued
20 running and went -- kept on running forward. The gunfire subsided for a short time
21 and then I kept on running. But while they were looting, while they were pillaging
22 there was heavy gunfire. But as soon as the gunfire subsided I got up and started
23 running. I cannot estimate the time that I was there. But you know when you are
24 in a moment of battle you can't think about those things.

25 Q. [15:33:31] So you observed these LRA soldiers pillaging the food store while you

1 were in your hiding spot. Were you still with --

2 A. [15:33:44] Yes, I was seeing them.

3 Q. [15:33:47] Were you also hiding at this same point with Ajok Nighty and the
4 children?

5 A. [15:33:59] When I left that place, that's when I ran and came across Ajok Nighty
6 and her children who were also running in the same direction.

7 Q. [15:34:13] Is this Ajok Nighty the same one you mentioned earlier, your wife?

8 A. [15:34:23] No, this is a different Ajok Nighty, not my wife. My wife was not in
9 the camp on that day, she was in town with my children. They have similar names.

10 Q. [15:34:46] So apart from the trees that were next to your hiding spot, were there
11 huts in-between where you were hiding and the food store?

12 A. [15:35:04] No, there was no house. There are no homes in that location, no
13 home whatsoever. There is grass. Up till this date, nobody has a house there.

14 Q. [15:35:28] So what you observed in your hiding spot, how many LRA were at
15 the food store?

16 A. [15:35:46] That I cannot now estimate.

17 Q. [15:35:57] When you were in your hiding spot did you worry that you could be
18 discovered, or was it safe enough for you to remain for, let's say, five minutes?

19 A. [15:36:16] I was scared that if the LRA, with the kind of mind that they have that
20 they go and look for people from wherever they were hiding. I told myself if "I stay
21 here much longer then they will find me." Of course I was the other side of the
22 stream, of the river, but I could see the other side, so I decided to move away from
23 that place.

24 Q. [15:36:48] Mr Witness, I am visualising a chaotic and confusing period where
25 the preservation of life was perhaps the only consideration. Would that be a fair

1 assessment, from what you have described to us?

2 A. [15:37:12] Well, if there is conflict, people are mindful of their life, of their life.

3 But also to protect your life you have to be observant and see what is happening,

4 because if you concentrate about your life only and you are not seeing what is

5 happening, then you might have problems, so you also need to be alert to see where

6 you are going, what is it ahead of you.

7 Q. [15:37:43] This observation, would it also include seeing what's behind you?

8 A. [15:38:01] If something bad is coming from behind you, yes, you have to look

9 behind, you have to look back. For example, when I was on the hill the other side

10 there was gunfire from the side of the camp. So I had to, yes, be able to see what was

11 happening behind me at that time when I was still hiding, so that if the gunshots

12 subside then I can decide to go ahead. Yes, I was looking back.

13 Q. [15:38:56] Mr Witness, you talked about a heavy downpour at paragraph 24 of

14 your statement. Now I would like to know from you did it start running when the

15 fighting was still going on or after the gunfire had subsided?

16 A. [15:39:27] The rain began when the gunshots were subsiding. You know, guns

17 just don't go silent at once. It was there were still gunshots, but it was subsiding.

18 When we had sat at a certain tree resting, then the rains came and it started raining.

19 Q. [15:39:57] Mr Witness, at paragraph 23 of your statement you told

20 the Prosecution investigators that some of the LDUs who were returning from the

21 ambush shot at you while you were hiding and only stopped when they realised that

22 you were not the enemy and began shooting towards the camp. Is it the same camp

23 where some of the civilians were still hiding in their houses?

24 A. [15:40:39] Yes, in the same camp. After I, I left the place where I was resting, as

25 I told you, then I started with my movement following the Agwengtina stream. So

1 when I reached the school, as I told you, we were many. So when these people were
2 returning they heard gunfire, I think they thought we were also rebels, and they
3 started shooting at us. We all fell down so as to protect ourselves. So when they
4 realise that we were not exchanging gunfire, they left and returned to shoot towards
5 the camp where the LRA were.

6 Q. [15:41:57] Mr Witness, do you recall filing an application to participate in the
7 victims' programme of this Court?

8 A. [15:42:18] I recall.

9 Q. [15:42:24] Do you recall all the information you gave to those people for your
10 application?

11 A. [15:42:40] Well, if I can recollect clearly, since this happened a long time ago, yes,
12 then I can remember.

13 Q. [15:42:54] And the information we have is that these applications were made in
14 2015. Does that sound about right?

15 A. [15:43:07] Yes.

16 MS BRIDGMAN: [15:43:14] Your Honours, this is Defence binder tab 3,
17 UGA-D26-0012-0184.

18 Q. [15:43:42] Mr Witness, in that document -- and, your Honours, I'm referring to
19 pages 185, 186, 187 and 188.

20 PRESIDING JUDGE SCHMITT: [15:44:21] Is this still the victims' application?

21 MS BRIDGMAN: [15:44:28] Yes, your Honour, this is the witness's victims'
22 application.

23 Q. [15:44:33] Mr Witness, in that document we have several pages where the
24 people you lost during that attack are documented. Is it correct, Mr Witness, that
25 this information was affirmed by the parish chief in the LC-1 of your village?

1 A. [15:45:18] These are the people I lost, the ones that I have documented. The
2 LC-1 and the parish chief confirm this.

3 Q. [15:45:30] Now, for instance, for page 185 I see a Kilama Hillary. Who is
4 Kilama Hillary and how are you related to him?

5 A. [15:45:55] Kilama Hillary is my nephew. My father is elder to the father of
6 Kilama Hillary.

7 Q. [15:46:13] Now if you go back just one page before that, at 184, on the very
8 first -- the answers to the first questions, and I will read this, it says: "The LRA also
9 abducted my uncle, Kilama Hillary, and later killed him."
10 Can you please help me understand if it's an uncle or a nephew, or the relationship
11 you have with this person?

12 A. [15:46:57] Well, it is not very easy to explain this relationship, especially to
13 somebody who is not an Acholi. In Acholi, this child to your father's brother, you
14 will not call him my nephew or any other name, but you will call that person your
15 brother. So Kilama, who is the son to my father's brother, in the exact Acholi
16 tradition, I should write my brother, I should call him my brother. But since the
17 Court uses English they know how this works, this would actually be the son to
18 my -- the younger brother of my father, so in Acholi this would be your brother. But
19 the way it is translated in English it is in a different way, it would appear it would be
20 called nephew. Thank you.

21 Q. [15:48:22] Now, Mr Witness, you testified earlier that your two brothers who
22 were abducted and killed later, allegedly killed later, you did not bury them, but you
23 buried your uncle Okullu Adonia, am I correct about that?

24 A. [15:48:53] Yes, that is correct.

25 Q. [15:48:59] Did you see the wounds that killed your uncle?

1 A. [15:49:07] Yes, I saw the wounds that killed my uncle. He was shot in the chest
2 from the back, and the bullet came out from the front, from his chest, and he fell on
3 his belly.

4 Q. [15:49:32] Did you get a death certificate for your uncle?

5 A. [15:49:40] I did not get.

6 Q. [15:49:46] And these attestations that we see on your victims' application, this is
7 just information that you provided to the LC and the parish chief, but not that they
8 had a death certificate or anything to indicate how your relatives died; is this correct?

9 A. [15:50:12] They did not have any document.

10 Q. [15:50:32] And, Mr Witness, you also said that when you returned to the camp
11 it's when you saw all the dead and injured people, but you did not personally see
12 anyone being shot; is this correct?

13 A. [15:50:52] Yes. To see someone who is being shot I did not see, but I found
14 when they were already killed.

15 Q. [15:51:01] And you also earlier mentioned that the LDU people were shooting at
16 you and later they shot towards the camp. So, Mr Witness, is it possible that the
17 LDUs could have shot some of the people in the camp, is that fair to say?

18 A. [15:51:34] Well, that I do not understand and cannot explain how guns or bullets
19 move. It could probably hit at somebody and does not go through. But when you
20 see the kind of death and killing in that camp, sometimes you may not confirm that it
21 was the LDU, who are the very people who were protecting the people. By all
22 means that must have been LRA because they were opening the doors, when they
23 open the door and they find you inside they will shoot at you and kill you. It was
24 not LDU, unless it was maybe during exchange of gunfire and the bullets, you know,
25 get to you but doesn't go through. But also there is no confirmation.

1 Q. [15:52:31] And in your statement you said that you do not know of any
2 investigation that took place after the attack. Now, from what you have just stated
3 now, do you know if there was a ballistics examination to determine the type of
4 weapon that caused the death of the people in the camp?

5 A. [15:53:10] As I said, any investigation that was conducted, until up to the time
6 that we buried the people was not there, there was no investigation, because the, the
7 bodies were already decomposing and we just rushed to bury them. I do not know
8 whether any postmortem or investigations were done to understand what kind of
9 bullets were -- actually killed these people. If it was done, well then I will probably
10 understand that later.

11 Q. [15:54:04] So you really have no way of knowing which bullets killed some of
12 the people, it could have been the LDU bullet, it could have been a stray bullet during
13 the crossfire, or it could have been the LRA?

14 A. [15:54:25] There is no way I can understand. There is no way I can investigate
15 to confirm that this was LDU bullets or this was LRA bullets. But as I said, actions
16 such as shooting and firing inside the house, opening, breaking people's doors and
17 finding people and killing them, that makes me to conclude that these were LRA
18 doing it. Because these people, when they were coming, they were now firing and
19 shooting so that the LRA can leave the camp, and indeed they did leave the camp.

20 Q. [15:55:08] Is it your testimony, Mr Witness, that all the people that were killed in
21 Odek were shot inside of their houses?

22 A. [15:55:22] Not, not all of them were shot from inside, some were shot from
23 outside when they were trying to run and escape. They were trying to escape
24 because the situation had now become unbearable, so they got shot.

25 Q. [15:55:45] Mr Witness, before the attack on Odek, do you recall a fire that razed

1 down several homes three or four weeks before the attack?

2 A. [15:56:07] I remember there was a fire in the camp. It was not once, I think it
3 was about two times, if I can recall. And it would actually burn a wide, a very big
4 area.

5 Q. [15:56:25] Were these accidental fires that just happened to happen?

6 A. [15:56:38] The fire that burnt the camp was the kind of fire that would start from
7 within the huts in the camp, sometimes it could be a result of someone cooking using,
8 maybe, at the time when somebody is trying to prepare food and the oil could spark
9 a fire and it would get to the grasses, the grass of the roof. But the one that
10 happened in the last time, according to what I heard, someone was trying to prepare
11 honey. The person had harvested honey and was actually preparing the honey and,
12 unfortunately, in that process it exploded and fire caught the house and it spread to
13 all other huts in the camp. So it therefore means these were actually fires that were
14 started when people were actually cooking within the camp.

15 Q. [15:57:55] And in your statement you said that although the barracks had been
16 burned down no other hut was burned down. Is that my understanding of the
17 events of that time?

18 A. [15:58:14] LRA did not burn any house in the camp. It was the barracks that
19 they burnt, but in the camp they did not burn any house.

20 Q. [15:58:45] Now, Mr Witness, you mentioned the women who were released and
21 returned home at paragraph 33 of your statement. Do you recall how many days
22 had passed after the attack before they came back home?

23 A. [15:59:09] I recall that, but these women were abducted on the 29th. If I can
24 remember correctly, they started returning on the 1st. They only spent one night in
25 the bush.

1 Q. [15:59:37] Did they also tell you that they saw Mr Ongwen while they were in
2 the bush?

3 A. [15:59:49] They did not tell me that they saw Ongwen.

4 Q. [15:59:57] Did they go further than Lakim?

5 A. [16:00:07] They went past Lakim. Wherever they were released from they also
6 do not know. As I told you, in the bush there where there were no people, it was not
7 easy to sometimes know location of that place because Lakim was actually behind
8 them. So after they passed Lakim and went further, now they could not know
9 where they were, but they had actually passed Lakim.

10 Q. [16:00:43] At --

11 PRESIDING JUDGE SCHMITT: [16:00:48] (Microphone not activated) You are
12 looking at the watch, it is absolutely justified, but I could imagine that you perhaps
13 would not need so much time anymore, so if it was, perhaps, at the maximum half an
14 hour, I would suggest if we could think about extended hours today so that the
15 witness would not have to return tomorrow.

16 But of course if you can't tell us how -- you know better your envisioned line of
17 questioning.

18 MS BRIDGMAN: [16:01:24] I think we should be able to be done in half an hour.

19 PRESIDING JUDGE SCHMITT: [16:01:28] So I suggest if, and I don't think that it is
20 not possible that we simply continue and try to finish the witness's testimony so that
21 you, Mr Witness, don't have to come back tomorrow for only half an hour or
22 45 minutes or something like that.

23 So please, Mrs Bridgman, please continue.

24 MS BRIDGMAN: [16:01:49]

25 Q. [16:01:50] Thank you, your Honour.

1 At paragraph 36 of your statement you talk about a lady who informed you that
2 Mr Ongwen's group was operating in the Odek area. By any chance do you
3 remember her now?

4 A. [16:02:19] This woman, woman told me that she had just returned, she was with
5 Ongwen. And from that area, in our area, the LRA group that was led by Ongwen
6 were the ones that were operating in that area, so whatever was happening there it
7 was Ongwen who was doing that. But I now do not recall the name of that woman.

8 Q. [16:02:56] Did she participate in the Odek attack?

9 A. [16:03:05] He was not there.

10 PRESIDING JUDGE SCHMITT: [16:03:11] I think the witness understood, because
11 he answered "He was not there", understood if Mr Ongwen was there. I don't know,
12 perhaps -- I am speculating, but you wanted to know if this woman was there during
13 the attack, so perhaps you would have to put the question again to the witness.

14 MS BRIDGMAN: [16:03:30]

15 Q. [16:03:31] Mr Witness, my question was was this woman present at the attack?

16 A. [16:03:46] At the time of the attack in Odek I do not know whether she was in
17 Odek or she was still with Ongwen. Maybe you could say the question again.

18 Q. [16:04:06] No, I think you have answered it just fine.

19 PRESIDING JUDGE SCHMITT: [16:04:09] And of course when we look at
20 paragraph 36 "I was told", this is not something that the witness has own knowledge,
21 so to speak.

22 MS BRIDGMAN: [16:04:26]

23 Q. [16:04:26] Now, Mr Witness, do you recall the circumstances under which you
24 got this information? Was it a personal conversation, was it an interview? How
25 did this woman share this information?

1 A. [16:04:54] The woman discussed this with me because she wanted to, to know
2 me. She wanted to know who came and did whatever they did at Odek, who
3 committed the violence at Odek. If you hear something, it's important to go to that
4 person, talk to that person and try to get some information from them. So I was
5 having a discussion with this lady and she started sharing this information with me.
6 She told me that she was with Ongwen and she escaped. The rebel group that was
7 participating or active in Odek and in the areas, the surrounding areas was Ongwen's
8 group. And that's the information that she shared with me.

9 There was no more -- we did not have any further discussions, she said she came back
10 but she said that it was Ongwen's group that was active in that area.

11 Q. [16:06:07] Did this woman also tell you if Mr Ongwen personally was at Odek?

12 A. [16:06:20] No, she did not tell me that. She didn't say anything to that effect.
13 She did not tell me who exactly was among the soldiers who came to attack Odek.
14 She told me that it was Ongwen's group that was active in that area.

15 Q. [16:06:43] Now, you talked about the abducted women who returned, who were
16 released and came back home. Did they tell you about the killing of the men?

17 A. [16:07:02] The women that were released and came back did not tell us anything
18 about the killing of the men that were abducted. When the women were released,
19 the men had not yet being killed so they did not tell us anything to that effect.

20 Q. [16:07:26] So you got this information about the killing of the abducted men
21 from Onek? Did Onek tell you --

22 A. [16:07:37] I got the information from Onek. I got the information from Onek.

23 Q. [16:07:47] When did you get this information?

24 A. [16:07:59] If I can recall, perhaps two weeks, approximately two weeks after the
25 event, around that time.

1 Q. [16:08:21] Did Onek say that he witnessed these killings?

2 A. [16:08:30] Onek said he saw this, he witnessed it. And he told me who was
3 killed first. He said he witnessed the whole thing. This was among the threats that
4 the LRA would threaten abducted people, they would tell people that if you escape
5 this is what we are going to do to you. So when they kill these people they were
6 made to witness it and when he came back this is what he told us.

7 Q. [16:09:09] Now, you mentioned earlier that the UPDF sent reinforcements soon
8 after the attack. Do you recall how much, how much time elapsed between the
9 attack and when other UPDF -- the reinforcements came in?

10 A. [16:09:41] No, I do not know the exact time that the reinforcements came in.
11 But I know that the next day, when people were burying the dead people, there was
12 a large group of army soldiers following the LRA, taking the direction that the LRA
13 had retreated to.

14 Q. [16:10:10] And the information that you got from Onek was that -- what did he
15 say the men -- how did he say the men were killed?

16 A. [16:10:36] Onek told me that the men were hacked with a machete, nobody was
17 shot. They were all hacked with a machete.

18 Q. [16:10:54] Now, you also mentioned that no one knew the location of the place
19 where these men were killed. But was there any effort by the government soldiers to
20 follow the LRA tracks to try and find where these men were killed, so maybe to
21 recover their remains?

22 A. [16:11:25] On the morning after the attack the government soldiers followed the
23 LRA. I do not know how far they followed them, but we heard that they came
24 across the bodies that were -- the LRA killed, but we do not know how far they
25 pursued the LRA. Perhaps they pursued them further, but they did not, they did not

1 give us any information, but all they said is that they did not find the dead bodies.

2 Q. [16:12:11] Mr Witness, do you recall how soon after the attack any senior army
3 commander came to visit the camp?

4 A. [16:12:36] I do not recall. After the attack I was -- I left. I went to Gulu town
5 and stayed there for approximately three to four days. Because when something like
6 this happens your family is also worried about you, so I decided to go and visit my
7 family to reassure them. So perhaps if the government soldiers came the days that I
8 wasn't there I do not know, but I did not see them.

9 Q. [16:13:21] Had you returned to the camp when RDC Max Omeda and Minister
10 Betty Aketch Okullo visited the camp?

11 A. [16:13:38] No, I wasn't there. I wasn't there.

12 Q. [16:13:46] Were you present when memorial prayers were organised by Bishop
13 John Baptist Odama?

14 A. [16:14:08] Yes, on that day I was present.

15 Q. [16:14:10] Are you familiar with the Odek memorial stone that was erected in
16 remembrance of those who lost their lives?

17 A. [16:14:32] Yes, I know that there is a memorial stone.

18 Q. [16:14:39] Did you in any way participate in the community consultations
19 regarding this?

20 A. [16:15:08] I recall that the NGO is -- there is an NGO that came and talked to us
21 about this memorial stone. It wasn't only on one occasion, it was on several
22 occasions they sought our advice and asked us what they wanted us to do to
23 remember the people that were killed in the camp, and people suggested a memorial
24 stone to remember them with. I was among some of the meetings, but they came on
25 so many occasions I wasn't present at every meeting.

1 Q. [16:15:48] Mr Witness, is this NGO you are referring to the JRP?

2 A. [16:15:55] Yes, the NGO is the JRP.

3 Q. [16:16:03] Mr Witness, do you know how many names are reflected on that
4 memorial stone at Odek?

5 A. [16:16:17] I do not know the exact number of names on the stone, but they were
6 trying to find the names of people who had died since there wasn't any clear record.
7 So I do not know how many names are on the memorial stone.

8 Q. [16:16:42] Do you know if all the names of those who lost their lives are reflected
9 on that stone?

10 A. [16:17:00] As there were some people who were trying to follow up on the
11 names, to try and collect all the names to ensure that they were all on the memorial
12 stone, yeah, they did collect a number of names. There is no living person's name on
13 that stone.

14 Q. [16:17:26] Do you remember when these consultations with JRP took place?

15 A. [16:17:44] No, I do not recall.

16 Q. [16:17:46] Did JRP tell you why they were interested in Odek several years after
17 the attack?

18 A. [16:18:04] The first group that came told us the reason why they were interested
19 in coming to Odek. They told us that Odek, Odek went through so many problems
20 during the war and the information is not known worldwide, nobody had written
21 anything about the events that took place in Odek. So they came to highlight the
22 different problems that the people went through during the war. And especially
23 what happened in Odek, the different deaths should all be written about. They were
24 not concerned about only the deaths that happened at Odek camp. They did not
25 also -- weren't particularly interested in only deaths that resulted from the LRA

1 attacks. They wanted to find out information on deaths from the government
2 soldiers and from the LRA. And that's what the first group did. They were given
3 a lot of information to this effect. They told us that they would go, they would
4 prepare, they would write a book or document this information and bring it to us. I
5 haven't seen a copy of this book. On another occasion they came back and
6 asked -- they consulted with us and asked what should be done and people decided
7 that a memorial stone should be set up as a memory to the dead. And that's
8 all -- that's the information I know about the JRP.

9 Q. [16:19:54] Thank you, Mr Witness. Now, during these discussions did JRP also
10 ask the community how they felt Mr Ongwen's case and the peculiar circumstances of
11 his trial?

12 A. [16:20:18] No, I do not recall. I don't remember such a question. Maybe they
13 asked the question when I wasn't there.

14 Q. [16:20:28] Now, when you were speaking to the Prosecution, did they ever ask
15 you about any atrocities committed by the government soldiers?

16 A. [16:20:48] No. I do not recall. I do not recall if they asked such a question, but
17 if they did perhaps I have forgotten. That's not something that was documented.
18 That's something that I memorised. And sometimes you do forget. If they did ask
19 then I do not recall that question.

20 Q. [16:21:20] Mr Witness, do you recall how many times you have met with
21 the Prosecution?

22 A. [16:21:32] I met with them on several occasions. I did not record or document
23 every meeting, but I met with them on a number of occasions.

24 Q. [16:22:00] You met them in July 2015 for your statement, does that sound
25 familiar to you?

1 A. [16:22:12] Yes, I do recall that occasion.

2 Q. [16:22:17] Do you also recall meeting with them in August 2016?

3 A. [16:22:32] I did not memorise all the dates, but as I stated earlier I met them on
4 several occasions.

5 Q. [16:22:46] Do you recall the purpose of the various occasions you met them,
6 apart of course from July 2015 when you were making your statement?

7 A. [16:23:04] I believe that on the first occasion that we met they invited people to
8 come meet them. They told people what was happening regarding -- with respect to
9 the Ongwen case. They came to Odek camp and talked to people. They went to, to
10 the sub-county, they convened a meeting there and they -- that's what they told
11 people about what was going on with the Ongwen case. That was the first instance
12 that I met them.

13 On the other occasions that I met them was for to give them information. Perhaps
14 they wanted to clarify something in my statement and they wanted clarification on
15 that, but mostly based on what I told them and they needed clarification on that.

16 Q. [16:24:15] Now, for that time you went, when they came to Odek camp to talk to
17 people, did you go as a resident of Odek or did you go as a witness of the Prosecution
18 in this case?

19 A. [16:24:39] They did not come to the camp. They came to the sub-county
20 headquarters because the camp no longer existed. I went as an Odek inhabitant. I
21 did not go as a witness. I could not actually even go as a witness because I wasn't
22 aware of anything that was taking place. I went as an Odek inhabitant. I went to
23 the meeting to find out why the meeting had been convened.

24 Q. [16:25:11] Were you facilitated by the Prosecution for that trip?

25 A. [16:25:27] No, they did not give anybody any assistance whatsoever. This was

1 a meeting that was very close to home so nobody received any kind of assistance.
2 They consulted with us and people, people gave them their views and they left. And
3 we stayed.

4 Q. [16:25:48] Do you remember how many people were at that meeting?

5 A. [16:25:58] There were many people, there were very many people. They, they
6 did not only call people who were living in Odek or within the vicinity, but it was
7 more, more -- they called people in Odek sub-county as well. So it wasn't limited to
8 people in the camp. And when people heard that there was a discussion in this
9 regard, many people came. There were very many people.

10 Q. [16:26:34] Do you remember the time you went to Lira?

11 A. [16:26:46] I do recall that I went to Lira. But I do not recall the exact date that I
12 went, but yes, I did go to Lira.

13 Q. [16:26:58] Does August 2016 sound about right when you went to Lira?

14 A. [16:27:16] Yes, it could be around that time. I do not recall. But I do recall
15 going to Lira. I don't recall the date.

16 Q. [16:27:25] What had you gone to do in Lira?

17 A. [16:27:36] On that day I wasn't present and one of the people from
18 the Prosecution team came to Odek to look for me. I wasn't in Odek, I had gone
19 somewhere else, and he left instructions that if -- when I returned then I should follow
20 them and -- him or her and go to Lira. I came to Odek, I was given this information,
21 and the next morning I went to Lira. When I got there I called the person and the
22 person came and met me. When he met me he told -- he or she told me that, "We
23 came to see you. We had come to discuss the Court case against Dominic Ongwen.
24 We have read your witness statement and we decided that you should come and
25 testify on our behalf. We want two things from you. We want you to bring your

1 national ID and we also want you to bring your birth certificate so that we could
2 prepare a travel document in case it becomes necessary for you to travel abroad."
3 That's what I was told in Lira.

4 MS BRIDGMAN: [16:29:11] Your Honours, this is in reference to tab 7 of the Defence
5 binder, the main document, a reimbursement form, is UGA-OTP-0272-1025.

6 Q. Now, Mr Witness, during this exercise did you ever talk about the substance of
7 your statement, do you remember?

8 A. [16:29:49] When I went to Lira, when I went to Lira I did not discuss my
9 statement. I was told this information and I left when they took my photograph.
10 And I had gone without my birth certificate so they told me that I have to try every
11 possible way to obtain a birth certificate. And that's what we discussed. There was
12 nothing other than that that we discussed.

13 MS BRIDGMAN: [16:30:30] Your Honours, I am almost done but I might need just
14 a few more minutes to go through this.

15 PRESIDING JUDGE SCHMITT: [16:30:36] Now we have gone so far, so I think we
16 should really come -- not come to an end but really exercise this until we really can
17 finish and conclude the testimony of this witness.

18 MS BRIDGMAN: [16:30:47] I appreciate it, your Honour.

19 PRESIDING JUDGE SCHMITT: [16:30:49] So please continue.

20 MS BRIDGMAN: [16:30:51]

21 Q. Mr Witness, do you recall the time you went to Gulu in October 2016?

22 A. [16:31:07] Even though I do not recall the exact date, I believe that I do recall
23 going to Gulu.

24 Q. [16:31:14] And you recall spending a night in Gulu during that period that you
25 remember?

1 A. [16:31:22] I did spend a night in Gulu.

2 Q. [16:31:27] What had you gone to do in Gulu that time?

3 A. [16:31:41] I went to Gulu on several occasions. I do not recall what I went for,
4 specifically in October, but I went to Gulu, for example, to clarify something or to
5 correct something on my witness statement.

6 MS BRIDGMAN: [16:32:04] And, your Honours, this is tab 8 of the Defence binder,
7 UGA-OTP-0273-2737.

8 Q. [16:32:36] Do you also recall meeting with the Prosecutors on
9 11 November 2016?

10 A. [16:32:52] I said I do not recall the exact dates.

11 MS BRIDGMAN: [16:33:00] Your Honours, that's tab 9, UGA-OTP-0274-9280.

12 Q. [16:33:11] Mr Witness, I also have another indication for 30 November 2016 and
13 it's a trip to Gulu.

14 Your Honours, that's tab 10, UGA-OTP-0274-9318.

15 Do you recall that trip, Mr Witness, by any chance?

16 A. [16:33:39] I reiterate that I went to Gulu on several occasions, but I do not recall
17 the exact dates. I did go to Gulu on several occasions.

18 Q. [16:34:00] Do you recall going anywhere or meeting with the Prosecution in
19 February this year, Mr Witness?

20 A. [16:34:24] I do not recall the dates. But I did meet with the -- I did meet with
21 them on several occasions.

22 MS BRIDGMAN: [16:34:33] Your Honours, that's tab 11, UGA-OTP-0276-3915.

23 PRESIDING JUDGE SCHMITT: [16:34:42] I think if we have documents here we
24 simply assume that the witness has met Prosecutor, because he does not recall the
25 exact dates. And if there are follow-up questions to that, for example, to the reason

1 why he met with the Prosecution, you can ask. But otherwise I think the witness has
2 several times, as he also says, reiterated, he doesn't know exactly when it was. But
3 we can assume that the documents reflect that the witness met several times with
4 the Prosecution.

5 MS BRIDGMAN: [16:35:15] Your Honours, the reason I am asking, I was hoping to
6 glean some information from the witness himself about what the purpose of those
7 meetings were.

8 PRESIDING JUDGE SCHMITT: [16:35:24] I already indicated that it might be less
9 about the exact dates and more about what was talked about. Absolutely clear what
10 your intention is.

11 MS BRIDGMAN: [16:35:41]

12 Q. [16:35:42] And, Mr Witness, lastly, the latest meeting with the Prosecutor in May
13 of 2017, we have indications of you meeting sometime between the 5th and 10th
14 May 2017. Do you recall this meeting? I believe you were in Kampala.

15 A. [16:36:09] Yes, I do recall. That happened very recently, so I recall that.

16 Q. [16:36:28] Do you remember if you travelled alone or were you with another
17 person for this trip?

18 A. [16:36:39] I travelled alone.

19 Q. [16:36:49] Do you have a support person with you for this meeting with
20 the Prosecutor?

21 A. [16:37:09] As I stated, that Acholi is the language that I speak and fully
22 understand. The people that I met had an interpreter. I did not bring the person
23 myself. As I stated, I went by myself.

24 Q. [16:37:32] Mr Witness, I have receipts.

25 Your Honours, I'm referring to tab 13, in particular UGA-OTP-0277-1224,

1 UGA-OTP-0277-1222.

2 PRESIDING JUDGE SCHMITT: [16:38:00] Just mention the last four digits.

3 MS BRIDGMAN: [16:38:06] Yes, 1221, 1223.

4 Q. Mr Witness, in all these receipts it appears to indicate meals and refreshments
5 for two people. Can you help me understand who the two people are?

6 A. [16:38:41] I said that I went on my own, but they provided me with food twice.
7 I was given food on two occasions, for two occasions, not for two people.

8 Q. [16:39:07] And can you tell the Court what you were doing with the Prosecution
9 for about a period of five days?

10 A. [16:39:28] When? What was I doing when?

11 Q. [16:39:33] The receipts indicate from the 8th to the 12th of May this year and you
12 said you remember vividly this particular period. Can you explain your activities
13 with the Prosecution for this period?

14 A. [16:39:53] Yes, I can. I did not stay with them throughout this period, but
15 the Prosecution would write the receipt right from the outset of my journey, from the
16 onset of my journey. I left on the 8th, I spent the night in Gulu. On the 9th I left
17 Gulu, I travelled to Kampala. I spent the night in Kampala. On the 10th I met with
18 these people. And I also spent the night in Kampala on that day, because it was late
19 and I could not go back to Gulu late. And then I went back to Gulu. I was not with
20 them throughout the duration of the five days. I -- some of these were from the
21 whole journey from the time I left my home.

22 Q. [16:41:06] Thank you, Mr Witness. I have no further questions.

23 PRESIDING JUDGE SCHMITT: [16:41:10] Thank you, Mrs Bridgman.

24 Thank you, Mr Witness. On behalf of the Chamber I really would like to thank you
25 for answering our questions and the questions of the parties and participants here in

Trial Hearing
WITNESS: UGA-OTP-P-0218

(Open Session)

ICC-02/04-01/15

- 1 the courtroom. And I would like to thank you on behalf of the Chamber in assisting
- 2 the Chamber to establish the truth. This concludes your testimony, Mr Witness.
- 3 (The witness is excused)
- 4 PRESIDING JUDGE SCHMITT: [16:41:34] This concludes also the hearing for today.
- 5 We resume tomorrow at 9.30 with P-144.
- 6 THE COURT USHER: [16:41:45] All rise.
- 7 (The hearing ends in open session at 4.41 p.m.)