

INTERNATIONAL CRIMINAL COURT  
OFFICE OF THE PROSECUTOR

WITNESS STATEMENT

WITNESS INFORMATION:

Last Name: APIYO Gender: Female  
First Name: Lilly Father's Name: Augustine OKELLO  
Other names used: N/A Mother's Name: Santa ARACH  
Place of Birth: Koro Passport / ID number:  
Date of Birth/Age: 11 January 1978 / 36 Nationality: Ugandan

Language(s) Spoken: Acholi  
Language(s) Written: Acholi  
Language(s) Used in Interview: Acholi

Occupation: Farmer and rearing pigs

Place of Interview: Gulu

Date(s) and Time(s) of Interview:  
28 April 2015 09:00 – 16:35  
29 April 2015 09:00 – 12:00

Interviewers: [REDACTED] (Investigator) and Elena EGAWHARY (Associate Investigator)

Interpreter: [REDACTED]

Witness statement of Lilly APIYO

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[REDACTED] *EL* [REDACTED] LA [REDACTED]

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Names of all persons present during interview: Lilly APTYO, [REDACTED] Elena EGAWHARY, [REDACTED]

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Signature(s): ELENA EGAWHARY *[Signature]* 29/04/15  
[REDACTED] 29/04/15  
[REDACTED] 29/4/15  
LILLY APTYO LILLY APTYO 29/4/15  
[REDACTED] 29/4/2015

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[REDACTED] *[Signature]* [REDACTED] LA [REDACTED]

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## WITNESS STATEMENT

### Procedure

1. I was introduced to [REDACTED] and Elena EGAWHARY and told that they are investigators with the Office of the Prosecutor (OTP) of the International Criminal Court (ICC). I was introduced to [REDACTED] and told that she is a psychosocial expert with the OTP, of the ICC. I was also introduced to [REDACTED] and told that she is an interpreter with the OTP, of the ICC.
2. The investigators explained to me what the ICC is and described its mandate. They explained the role and mandate of the OTP within the ICC.
3. The investigators explained to me that they are investigating events that took place in Uganda between 01 July 2002 and 2005. I was informed that the OTP is contacting me because they believe I may have information relevant for establishing the truth.
4. I was told that I have the right to be questioned in a language that I fully understand and speak. I confirm that Acholi is a language that I fully understand and speak. I confirm that the language used by the interpreter in this interview is Acholi.
5. The investigators explained to me that this interview is voluntary and that I may end the interview at any time. I understand that I should only answer questions of my own free will and that I am not compelled to incriminate myself or to confess guilt.
6. I was informed that any information I give to the OTP, including my identity, might become subject to disclosure to / might be shared with the participants of the proceedings at the ICC; in particular the Judges, Accused persons, the Counsel of the Accused and the legal representatives of the victims.
7. I was informed that I might be called to testify before the Court in a public hearing. I am currently willing to appear as a witness in Court, if called to testify. I understand that disclosure of my identity and information I have provided may take place whether or not I am called to testify.
8. It was brought to my attention that ICC trials are held in public. It was explained to me that as an exception to the principle of public hearings, the judges may apply protective measures if circumstances require.

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9. The possible security implications resulting from my interaction with the OTP were discussed with me. The investigators have explained to me the reasons and importance of keeping my contacts with the OTP confidential, which I fully understand.
10. Having understood all the above issues, I confirmed my willingness to answer the investigators' questions.
11. The investigators explained to me how the interview was going to be conducted. I was told by the investigators that it is important that I am as accurate as possible in my account; and that I state when I do not know or do not understand the question. I understand that I need to distinguish between what I have experienced or seen myself and what I have heard or learned about from someone else.
12. I was told that at the conclusion of the interview, I would be asked to sign a written statement after having had the opportunity to review it, make any corrections, or add additional information.

### **Background**

13. I have always lived in Lukodi in an area called Lagot Kicol zone, which was outside Lukodi camp. We moved to Lukodi camp around March or April 2004 but I cannot remember the exact date. We moved because the rebels were constantly attacking, abducting and looting food from the villages. The UPDF also asked the villagers to move to the camp because they claimed that the presence of the villagers in the villages was making their work difficult to fight the LRA so they asked people to move to the camp.
14. I remember that some time prior to moving to Lukodi camp, I had left my house to go and hide my clothes and household items in the bush. I had left my two children at home. I hid my clothes and started walking back towards my house not realising that I had walked into an LRA ambush. The rebels were sitting around Lagot Kicol and there were two abductees with them. One of them told me to go to them and I went. It was about 6pm and together with the other abductees we moved at about 7pm and crossed Akweyo stream. The rebels released me after crossing Akweyo stream.
15. I moved to Lukodi with my husband; David KOMAKECH and three children; Innocent ACAA, Sidonia AKELLO and Jovia ACEN. Life was not easy in the camp. We had to be within the camp and in our houses from 4pm in order to allow the UPDF to protect the camp. When we arrived at the camp, there were some people already at the camp. It is at this time when many people arrived at the camp and

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corner. He asked us what they were and I told him that it was beans and maize. He asked us to carry it and follow him; Christine ALANYO took one bag and I took the other. We got out and he set the house on fire.

22. The rebel who entered the house was dark skinned, medium size and medium height. He had short hair. He was in an army like uniform. When I say it was army uniform, I mean that it was a green uniform like that worn by the UPDF soldiers. I knew he was not a UPDF because I had been abducted before and I had seen the LRA uniform. He was carrying a bag but I was too scared to look at him closely. He must have been in his 30s. The rebel spoke to us in Acholi.
23. When Christine ALANYO and I came out of the house, we saw houses on fire and civilians carrying the loot. We were lucky that my house was set on fire once we got out because some people were not that fortunate, they were killed and burnt in their houses. I got to see this when I returned to the camp. The rebels continued setting the houses in the camp ablaze and they also set the UPDF barracks ablaze. There were some rebels escorting the abductees. The abductees and the rebels were walking in the eastern direction. The rebel who forced us out of the house had handed us over to another rebel who escorted us. We continued walking past Lukodi Primary School. We passed the school and found a bag of beans lying outside but within the camp. He asked us to carry the beans. The rebel who was escorting us was a young man, probably in his 20s. It was dark so I could not get a close look at him and he was walking behind us and commanding us to continue walking. He had a gun. I did not see the type of gun because I was overwhelmed at this time.
24. As we were leaving the camp, we could not look at the camp closely to see what else was happening because we had to look ahead at the back of the abductees in front of you.
25. Among the abductees were Miliy AYAA, Beatrice wife of ORYEM and Mary AOL, now deceased. I can remember the other abductees by face but cannot now remember their names.
26. The rebels were not talking to the abductees. Just as we were at the edge of the camp, the UPDF helicopter gunship arrived and the rebels and abductees had to hide. We still had our children on our backs. The rebels asked us to take cover under shrubs or they would cover us with tree branches. They told us not to expose our foreheads.
27. We continued walking to the east and the gunship continued to pursue the rebels. As we were moving, there were children who had already been thrown in the bush and I could hear them crying, "maa, maa," some of the children were lucky and

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*[Handwritten signature]*

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were spared but others were not spared. I could hear their cries but I could not see them because there were so many people and we were trying to hide from the helicopter gunship at the time. I did not see children being killed here but when I returned to the camp I saw children who had been killed, like my sister-in-law's child and one who was shot in the mouth.

28. When we arrived at Unyama stream, we found a baby of about three months lying on the bridge and it was crying and we just passed him. He was not killed and was later found alive. By the time, we returned from the bush, all the children who were left along the way had been collected.

#### **Separation from Sidonia AKELLO**

29. After crossing Unyama, the gunship followed us but then left. One of the younger rebels' *kadogo* – (*kadogo* is Swahili for a child soldier) came to me and said, "do you see any other person with a child?" I did not respond and kept walking. He walked away for a bit and then came back and said, "You are being stubborn, take the child off your back," I removed Sidonia AKELLO and put her down. He took the child and threw her in the bush. At this point I could not look at him closely; all I could think of was death. It was already dark by this time. There were other people who witnessed this but I cannot remember their names.
30. After my daughter was thrown into the bush, the rebels told us to continue moving. We came to a place where there were other abductees. It was a forest like area but I had never been to this area. It was quite far from the camp and it was quite dark.

#### **The LRA resting base**

31. When our group arrived at this forest like area, we were told to continue moving. We followed the group that was already there and we crossed a stream. I do not know the name of this stream. As we were moving, we heard a child crying. It must have just been thrown into the bush. I did not see this happening.
32. I did not notice a particular leader because it was dark and there were so many abductees. We were also carrying loot so I could not look at anyone. I did not hear anything as we were walking.
33. We continued walking until we arrived at a place with a lot of borrasas palm trees (*tugu*). There were several fire places at this location. I was the only abductee in my group because my sister-in-law and her child had managed to escape at the time when the gunship was pursuing the rebels.

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34. When I spoke to OTP investigators on 25 April 2015, investigators noted that I had said that I was in a group of three other women but I would like to clarify that I was alone because by this time, my sister-in-law had already escaped.
35. At the resting place there were the rebels who had abducted us. The rebels lit a fire and started cooking. They were cooking meat and fish. One of the *kadogos* came to me and asked me what had happened to my child. I told him that my child had been thrown away. The *kadogo* responded that, "some people are really bad." I remained seated for some time and in this time, some of the rebels would come and place their guns so close to me but I remained still. One of the rebels came to me and told me to move from where I was seated and go to an area within the compound to join other civilian abductees.
36. I moved to this part of the compound and found other civilians; there were mainly female abductees and two men tied to each other around the waist. The rebels were eating and when they had finished, one of the rebels who seemed to be a commander asked the rebels to give the civilians some food but the rebels responded that there was no more food. The commander did not say anything else to the rebels when they said there was no more food.
37. I think the rebel who asked the other rebels to give the civilians food was a commander because the other soldiers were referring to him as *lapwony*. He was lying apart on the blankets that had been looted from the camp. He was lying apart from the other rebels and the civilian abductees. I do not know the size of his group but he had other rebels with him and he seemed to be in charge of this group. He was wearing civilian trousers and a vest. He was medium height, dark skinned, with short hair. It was dark so I could not see him clearly. He could have been between 29 and 30 in age.
38. The women were all seated together. One of the women asked to go and urinate. She was escorted by one of the rebels and he remained with a gun aimed at her until she was done and then he escorted her back to where we were seated.
39. At some point, the two male captives were asked by the leader to slaughter another goat and he asked the women to move and lie close to him. While we were lying close to him another rebel called out for the wife of ABOLA. The commander who was with us kept quiet but then after a while asked amongst the abductees, "who amongst you is ABOLA's wife?" He then told ABOLA's wife to go. ABOLA's wife got up and went to the rebel as we remained lying down. I do not know what happened to ABOLA's wife while she was at this other place.
40. Shortly after this, the rebel who called for ABOLA's wife again asked for all the female civilians to go towards him. The commander who was with us hesitated but

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eventually got up and with a torch looked at the women and picked out one of the female abductees. This commander then told us to move to the area where the rebel who called ABOLA's wife was. The woman he picked out remained with him; I do not know what happened to her at this time. This woman now lives in Lukodi and we know her as Min AJAK. There were several women who moved towards the other rebel but I do not remember the exact number of the women. It was a mix of women ranging from 20 to 50 years of age. Some of the women with us were Min LAGUM (mother of Lagum), she was ABOLA's wife; Min OCHORA and others I cannot remember.

41. When we moved to where the rebel who had called for ABOLA's wife was seated, we found another commander; he was seated alone with ABOLA's wife. He was seated on the blankets that had been looted from the camp. He had a bag next to him. He was only wearing a pair of shorts and was bare-chested and wore beads of different sizes around his neck. I could not see the colours of the beads because it was dark. I think this commander was more superior to the one who was with us before because he was alone but the previous commander was sitting in a group. This new commander also had a small notebook and was writing in it. He must have been in his mid 30s to late 30s. He had short hair, medium height, was medium sized and dark skinned. He spoke to us in Acholi.
42. This new commander continued writing in his book. He then spoke to us and said that he was from Kitgum. One of the women in our group answered that she was also from Kitgum. She wanted to know where exactly he was from in Kitgum, he did not go on to explain. I do not know why he did not go on to explain. I do not remember the name of this woman. The commander went on to say that "Kony is very upset with you. Did you hear what happened in Atiak?" and we responded, "yes." He then continued to say that, "You! We were supposed to kill all of you. In Atiak everyone was killed but I am going to spare you but we have killed all your children and the husbands that you left in the camp. We are also going to kill all the men we abducted. I am going to release you to go back to the camp and bury your children and husbands. You don't have to mind about them because you will find new husbands and children. You will not go back tonight but you will stay with me until morning when I will release you." We lay down knowing that we would stay there until morning. I had heard before that the LRA had also attacked Atiak and killed people there.

### Release

43. As we were lying down, we heard the same child we heard when we were approaching the resting place and who been thrown along the road. He was crying. One of the rebels ran to this commander and said, "Lapwony, there is a child crying from where we came and we can hear people talking around there." The

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commander got up immediately and put on a pair of trousers but I could not see the colours because it was dark. He also put on a shirt and jacket on top. I could not tell the type of jacket but in the darkness, it appeared black. It had a zip at the front. He also wore gumboots. He told the civilians to take one direction and the rebels to take the opposite direction. He told the civilians not to follow the LRA rebels. We then took one direction and the rebels went in another direction. We left running and falling at the same time. Some of the people running with us said that we were running in the direction of Ajulu but I could not tell.

44. We continued running until we came to a forest. We passed the forest and rested just before a stream. We spent the night there but I do not remember the area. There were other women here too but I cannot remember their names. The two male abductees were not with us when we were released from the bush. Sometime later I heard that the one nicknamed ALORA had returned to Lukodi camp but the other man called OKUMU, remains unaccounted for.
45. We waited until sunrise when we could see clearly. We then started walking and we tried to pay attention to any moving person and if we saw a person, we jumped and hid in the bush. We continued moving until we came to the path that we had followed the night before when we came across a woman who had been seriously beaten, we jumped and hid in the bush until we realised that she was a civilian then we came back to the path. This woman is called Min OCHORA. She was one of the abductees who was with us before but when the LRA commander told us to leave the resting place, she took another route and ran faster than the rest of us. We continued walking and saw someone else and hid again until we realised it was a civilian.
46. We did not encounter anyone else again until we crossed Unyama stream where we saw the body of ALEKA. ALEKA was lying on his back; his head was facing the west. He had no shirt and there was a bullet wound on his chest. I knew ALEKA because he lived in Lukodi camp. I also knew him prior to moving to Lukodi camp when he lived at Laco Anga. We walked until we reached the camp. When we arrived at the camp there was wailing and mourning. There were several bodies in the camp. There were several bodies including that of OLWEDO, OKWERA, Agaja OTIM, Ojara OPEGO and a woman who was killed with her daughter-in-law and grandchild. OLWEDO, OJARA and OKWERA were all shot to death. I was told that the rebels thought that OKWERA was UPDF and that OKWERA had pleaded with them that he was not. OKWERA was fair skinned and the rebels shot him saying that he was a UPDF. Their bodies were close to the place where I reunited with my family on returning to the camp.

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## Return to the Camp

47. When we returned from the bush, one of the mothers; Beatrice, I do not remember her last name, was looking for her son. She had been abducted with us and when we returned, she was looking for her son because he had been following her and the other abductees. She was told that the child had been killed but we could not find the body. I was also looking for my daughter, Sidonia AKELLO, at this time. We then found the body of Beatrice's son in a sack. His neck was broken and he had bruises all over because the abductees and rebels had been stepping on his body in the sack as they moved.
48. There was also another child, a boy who was shot in the mouth. He had been crying for his mother and the rebels shot him. I got to know this when I returned to the camp. This child was the son of my brother-in-law LALOBO.
49. When I met OTP investigators on 25 April 2015, it was recorded that I had witnessed the shooting of this child but this was a mistake as I only saw the body when I returned to the camp.
50. Some of the children along the way to the LRA resting base who had been crying, "maa, maa", were killed and I got to know this when I returned to the camp and saw their bodies.
51. I saw dead bodies covered with blankets. I saw people who had been burnt in the house being removed from the burnt houses. People were using sticks to get them out because some of the houses were still burning.
52. There was so much confusion in the camp. People who had survived the attack were running around trying to find their relatives. My grandmother Victoria LABAKA found my nephew whose neck had been broken. His name was ONENCAN. His body was just left in the camp. He was the son of my brother Christopher ORYEM. He must have been about three years old because his mother was expecting another child. The son of my brother-in-law who had been shot in the mouth was left next to a banana plant. He was the son of LALOBO. I cannot tell how old he was but he could walk and talk. I do not remember the name of this child. I did not wait to see who carried him because at this time I was told that my child was found so I ran to get her. There was also the dead body of a man who had been hiding in a bathroom next to the banana plant. He was drunk and started insulting the rebels so they shot him. I was told this by the people who were at the camp.
53. I ran to where Sidonia AKELLO was supposed to be. When I got there, I found that my husband had returned earlier and had been looking for Sidonia AKELLO and

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that he had found her. He picked her up and brought her to where our other two children were waiting in the middle of the camp. People were moving around the camp to find their lost ones and once they found them, dead or alive, they would gather together in different areas within the camp. The soldiers were also helping people to recover the bodies.

54. As we were standing in this area, people came shouting that the rebels were coming back then we started running towards Gulu Town. My husband got a bicycle and carried the children. We wrapped Sidonia AKELLO in a blanket and fled towards Gulu Town. Sidonia AKELLO was not really hurt but had some bruises on her face, I believe from crying and rubbing her face. When I lifted her, she was heavy, her eyes were closed and she was not crying. I thought she was dead. I tried to breastfeed her but she could not breastfeed. When we got to Gulu Town, a neighbour paid a *boda boda* and Sidonia AKELLO was taken to Lacor Hospital where Sidonia AKELLO was examined and the examination showed no injuries. It is only after the hospital that Sidonia AKELLO started breastfeeding.
55. We remained in Gulu Town at Kasubi and people advised that since Sidonia AKELLO had spent the night in the bush, she needed to be kept warm but we did not have any clothing. Some of the neighbours were kind enough to collect some clothes so we dressed and covered Sidonia AKELLO. We stayed with my maternal grandmother at this time.
56. I cannot remember the exact period when I moved back to Lukodi but it was at the time when most people had returned to Lukodi. I did not stay there for long but moved back to Lagot Kicol which is where I live now in Lukodi.

### Closing Procedure

57. I was informed that individuals who according to the judges qualify as victims will be entitled to participate in future court proceedings and potentially to receive reparations. I was informed of the existence of the Victims' Participation and Reparation Unit and its function, as well as on the procedure for applications. I consent to my personal data being shared with the Victims' Participation and Reparation Unit.
58. It has been explained to me that the Court may decide to share a copy of my witness statement with a State if it is requested. I was informed that in such a case I would be contacted and any possible impact on my security would be assessed.
59. The investigators informed me of the protective measures that may apply during and after the investigation and/or trial proceeding.

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60. I have nothing to add to the above statement nor do I have anything to clarify. I am available to be contacted in the future for clarifications or questions on topics not covered during this interview.
61. I have given the answers to the questions of my own free will.
62. There has been no threat, promise or inducement which has influenced my account.
63. I have no complaints about the way I was treated during this interview.



**WITNESS ACKNOWLEDGMENT**

This statement has been read over to me in the English and the Acholi language and it is true to the best of my knowledge and recollection. I have given this statement voluntarily and I am aware that it may be used in legal proceedings before the International Criminal Court and that I may be called to give evidence in public before the International Criminal Court.

Signed: APIYO Lilly

Dated: 29/11/15



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**INTERPRETER CERTIFICATION**

1. I,  certify that:
2. I am duly qualified to interpret from the Acholi language into the English language and from the English language into the Acholi language.
3. I have been informed by Lilly APIYO that she speaks and understands the Acholi language.
4. I have orally translated the above statement from the English language to the Acholi language in the presence of Lilly APIYO who appeared to have heard and understood my translation of this statement.
5. Lilly APIYO has acknowledged that the facts and matters set out in her statement, as translated by me, are true to the best of her knowledge and recollection and has accordingly signed her signature where indicated.

Signed:  \_\_\_\_\_  
Dated: 29/04/2015

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