

Trial Hearing

(Open Session)

ICC-02/04-01/15

WITNESS: UGA-D26-P-0006

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 Friday, 9 November 2018
9 (The hearing starts in open session at 9.31 a.m.)
10 THE COURT USHER: [9:31:21] All rise.
11 The International Criminal Court is now in session.
12 Please be seated.
13 PRESIDING JUDGE SCHMITT: [9:31:37] Good morning, everyone.
14 Could the court officer please call the case.
15 THE COURT OFFICER: [9:31:43] Good morning, Mr President, your Honours.
16 Situation in the Republic of Uganda, in the case of The Prosecutor versus Dominic
17 Ongwen, case reference ICC-02/04-01/15.
18 And for the record, we are in open session.
19 PRESIDING JUDGE SCHMITT: [9:31:57] Thank you.
20 I call for the appearances of the parties. First, Ms Hohler for the Prosecution.
21 MS HOHLER: [9:32:03] Thank you, your Honour.
22 For the Prosecution today, Ben Gumpert, Pubudu Sachithanandan, Adesola
23 Adeboyejo, Julian Elderfield, Colin Black, Hai Do Duc, Grace Goh, Jasmina Suljanovic,
24 Milena Bruns, Laura de Leeuw, Yulia Nuzban, and myself Beti Hohler.
25 PRESIDING JUDGE SCHMITT: [9:32:21] Thank you very much.

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1 Mr Cox, for the Legal Representatives of the Victims.

2 MR COX: [9:32:27] Good morning, Mr President, your Honours.

3 With me, Mr James Mawira, Ms Anushka Sehmi, Ms Maria Radziejowska, and myself

4 Francisco Cox.

5 PRESIDING JUDGE SCHMITT: [9:32:35] Thank you.

6 And Mr Narantsetseg.

7 MR NARANTSETSEG: [9:32:37] Good morning, Mr President, your Honours.

8 My name is Orchlón Narantsetseg, with me Ms Caroline Walter. Thank you very

9 much.

10 PRESIDING JUDGE SCHMITT: [9:32:42] Thank you.

11 And for the Defence, Mr Obhof.

12 MR OBHOF: [9:32:45] Morning, your Honours. My name is Thomas Obhof.

13 With us today is Krispus Ayena Odongo, Beth Lyons, Tibor Bajnovic, Chief Charles

14 Achaleke Taku, Roy Titus Ayena. And of course our client, Mr Ongwen, is present.

15 PRESIDING JUDGE SCHMITT: [9:33:01] Thank you. I think you can -- no, we go

16 shortly to private session. You want to address an issue there.

17 Then we go to private session, shortly, for the audience.

18 (Private session at 9.33 a.m.)

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17 (Open session at 9.34 a.m.)

18 THE COURT OFFICER: [9:34:59] We are back in open session, Mr President.

19 PRESIDING JUDGE SCHMITT: [9:35:05] Thank you very much. Then we can
20 bring the witness in. And thank you for raising these issues, Mr Obhof.

21 (The witness enters the courtroom)

22 PRESIDING JUDGE SCHMITT: [9:36:54] Good morning, Madam Witness, do you
23 hear me?

24 WITNESS: UGA-D26-P-0006

25 (The witness speaks Acholi)

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1 THE WITNESS: [9:37:07] (Interpretation) Yes, I do.

2 PRESIDING JUDGE SCHMITT: [9:37:07] On behalf of the Chamber and the Judges,
3 and everyone here in the courtroom, I would welcome you to the courtroom.

4 Every witness who testifies before this court has to make a solemn undertaking to tell
5 the truth, and I will read this undertaking to you and ask you then if you understand
6 and agree. So please listen to me.

7 THE WITNESS: [9:37:31] (Interpretation) Okay.

8 PRESIDING JUDGE SCHMITT: [9:37:31] I solemnly declare -- I read it to you and --

9 THE WITNESS: [9:37:37] (Interpretation) Do you want me to read it for you?

10 PRESIDING JUDGE SCHMITT: [9:37:40] If you can. My information is different,
11 but if you want to read it, please read it, that's much better. Please read the solemn
12 undertaking, if you want.

13 THE WITNESS: [9:37:53] (Interpretation) Okay. You go ahead and read it,
14 your Honour.

15 PRESIDING JUDGE SCHMITT: [9:37:56] Okay. I solemnly declare that I will speak
16 the truth, the whole truth and nothing but the truth.

17 Madam Witness, do you understand the undertaking?

18 THE WITNESS: [9:38:12] (Interpretation) Yes, I have understood it.

19 PRESIDING JUDGE SCHMITT: [9:38:14] Do you agree with it?

20 THE WITNESS: [9:38:19] (Interpretation) Yes, I do agree with it.

21 PRESIDING JUDGE SCHMITT: [9:38:21] Thank you. You have now been sworn in.

22 Before we start with your testimony, I would first like to explain to you some
23 protective measures that we have put in place for you:

24 We have put face distortion, so that nobody outside the courtroom can see your face
25 during your testimony; voice distortion, so that nobody can identify your voice when

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1 you speak. We use also what we call a pseudonym. In accordance with that, I'm
2 speaking of you as "Madam Witness" or "Ms Witness" and not with your real name.
3 That is to make sure that the public does not get to know your name.
4 When you are described -- asked to describe anything that relates directly to you that
5 could identify you, then we go to private session, what we call private session.
6 Private session means that no one outside the courtroom can hear you. And if
7 anything is said during open session, for example, now, that could identify you, we
8 can have -- we can have this expunged from the record, and we cut it out, so that
9 nobody can identify you.
10 Then I have some other matters before we start, some practical matters. You know
11 that everyone here in the courtroom, what we say here -- what everyone says here in
12 the courtroom is written down and interpreted. And to allow for the interpretation,
13 we have to speak at a relatively slow pace, and we should only start speaking when
14 the person who has finished the question -- has asked the question has finished the
15 question. So please only -- no overlapping speaking, so to speak.

16 I will now give the floor to Mr Obhof for the Defence examination.

17 MR OBHOF: [9:40:14] Thank you, your Honour.

18 QUESTIONED BY MR OBHOF:

19 Q. [9:40:17] Morning, Ms Witness.

20 A. [9:40:21] Good morning.

21 THE INTERPRETER: [9:40:24] Could the witness please speak up before we start?

22 PRESIDING JUDGE SCHMITT: [9:40:28] Madam Witness, I'm just informed by the
23 interpreters to ask you to speak a little bit louder so that they can hear you better.

24 Thank you.

25 MR OBHOF: [9:40:41] Now, your Honour, I would ask that we get some

- 1 background information from the witness, and we can go to private session.
- 2 For the people in the audience, maybe seven to 10 minutes.
- 3 PRESIDING JUDGE SCHMITT: [9:40:52] Okay. Thank you very much. Private
- 4 session.
- 5 (Private session at 9.40 a.m.)
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1 (Open session at 9.51 a.m.)

2 THE COURT OFFICER: [9:51:25] We are back in open session, Mr President.

3 MR OBHOF: [9:51:43]

4 Q. [9:51:45] Now, Ms Witness, when the LRA arrived at your home before you
5 were abducted, did you think that you would be abducted?

6 A. [9:52:04] No, I did not know or think that I was going to be abducted. But at
7 the time, LRA used to come around the area and government soldiers also used to
8 come around the area, but when they came we would run.

9 Q. [9:52:23] Ms Witness, why did -- when the LRA soldiers came, why did you
10 think that you would not be abducted?

11 A. [9:52:38] The reason why I thought I would not be abducted was because I was
12 very young, so I thought they would not abduct me.

13 Q. [9:52:54] Now, without saying any names, you were also with a female cousin.
14 What did the LRA say about that female cousin?

15 A. [9:53:13] They said they were not going to take her because she's mature, she's
16 a mature person, so they're not going to take her. They're only going to take me.

17 Q. [9:53:37] Now, again without saying any names, did anyone try to stop the LRA
18 from abducting you?

19 A. [9:53:47] Yes, they did try. The person who tried, I refer to her as my mother,
20 she said, please do not go with her because, first of all, I'm a young person. And
21 secondly, I was not -- I was ill at the time and I would not be able to walk. But they
22 did not listen to her pleas and they told her that they are going to take me, and they
23 took me.

24 Q. [9:54:19] Around what age were you when the LRA abducted you?

25 A. [9:54:30] When the LRA abducted me I was approximately nine to 10 years old.

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1 Q. [9:54:44] Now when the LRA abducted you, did they tell you to carry anything?

2 A. [9:54:59] Yes, they gave me luggage to carry.

3 Q. [9:55:11] Now, without saying any names, did the soldiers abduct any other
4 person from your family that day?

5 A. [9:55:24] The soldiers abducted my uncle, my father's brother. And as we were
6 on the move they abducted some other boys. They were going dancing. But,
7 luckily, the boys ran away. My uncle was taken with us, but then we got to
8 the -- one of the riverbanks and he was released.

9 Q. [9:55:56] Now, you stated that boys ran away. How were they able to run
10 away?

11 A. [9:56:16] The reason why they were able to run was because when they were
12 abducted they kept on walking, but then they realised that the people who abducted
13 us were not that many, but I was not aware of that. So when we got to a certain
14 homestead, they entered into the granary and started taking out nuts, so they lifted
15 the top of the granary, threw it down and ran.

16 Q. [9:56:58] And when those boys did that, when they ran away, what were you
17 thinking at that time?

18 A. [9:57:08] I thought that I should have also ran away, but I was of the opinion
19 that perhaps there were more than -- more in number. And I was young, so I
20 thought that if they run and catch me, they would kill me, because I heard rumours
21 that when you escape from them, they would kill you.

22 Q. [9:57:37] That actually leads me to my next question. Now you gave them
23 a fake name and you said you heard rumours that they would run after you and kill
24 you. Without saying any names, who told you this?

25 A. [9:58:04] We heard that from home because people used to talk about it, they

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1 would say if you're abducted by the rebels, if you attempt to escape, please make sure
2 that they don't reapprehend you, otherwise they would kill you. Alternatively, if
3 you run as well, they might come to your home and kill in your home. So if you are
4 abducted you decide to not to run. And they themselves tell you -- as soon as they
5 abduct you, they tell you that if you attempt to escape they are going to kill you.

6 Q. [9:58:56] Now, Ms Witness, after these boys ran away, what did the men who
7 abducted you -- where did you go next?

8 A. [9:59:12] When the boys ran off, we walked; we went towards a place known as
9 Apar. We got to that place, and we got to the Aswa riverbanks. When we got to
10 the Aswa riverbanks, my uncle was released. I found another uncle there and he
11 said, "Ha, yesterday I asked you why you did not state your name, because I saw
12 somebody that resembled you and I was not sure whether that was you." And I told
13 him, I said, "I did not tell them my name because I thought, if I did tell them my name,
14 it would not be good." And he told me, "If you had actually told them your real
15 name, then perhaps I could have asked them to release you." He went, he talked to
16 them, and they told him, they said, "No, we cannot release her, because there are
17 other people who also have relatives here, if we release your relative, other people
18 will feel bad about it. So no, we have to take her."

19 So we continued walking, and then we went to the bay to where Ray was.

20 PRESIDING JUDGE SCHMITT: [10:00:25] So the reason was not that you stated
21 wrong name, but simply a matter of principle, as I understand it. Simply, it came to
22 my mind, I think I should say that, even after all these years.

23 MR OBHOF: [10:00:39]

24 Q. [10:00:43] Now, Ms Witness, just so we are clear, because you've mentioned two
25 uncles. And without saying the name, this second uncle that talked to you that said

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1 he could have gotten you released, was this the uncle which we stated in private
2 session?

3 A. [10:01:12] Yes.

4 Q. [10:01:17] Now, you stated that the LRA leader Ray said that you could not be
5 released. Did he give any biblical reason for why you could not be released?

6 A. [10:01:40] He gave one reason that they cannot release me. Because the LRA's
7 rule say that people should be abducted. Because even Jesus Christ abducted people,
8 so why should I be abducted? They were also abducted, so they cannot release me.

9 Q. [10:02:01] Now, Ms Witness, did you eventually come to learn why you, as
10 a young girl, why you were abducted?

11 A. [10:02:29] Yes, I did. I was told that we were abducted because those of us who
12 are young, they were going to take us for prayers, because that was big prayers where
13 there would be ceremony and they would require young girls who have not yet
14 begun menstruation.

15 Q. [10:02:56] Now, without saying any names, how many young girls were present
16 for those prayers?

17 A. [10:03:11] We were four.

18 Q. [10:03:20] And who led those prayers?

19 A. [10:03:26] (Redacted)

20 (Redacted).

21 Q. [10:03:56] Now these young girls in the prayer session, what did they do during
22 this prayer session?

23 A. [10:04:09] What we did, we also prayed, but we sat in the front rows. We first
24 laid the seat -- organised the seats, and then brought water. And then we sat and
25 joined in the prayers. Joseph Kony were -- sat in the first row in front, then we sat in

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1 the row behind them, then the rest of the people sat behind us.

2 Q. [10:04:46] So did you take an active role -- you and these other girls, did you
3 take an active role in this prayer session?

4 A. [10:05:01] We did not lead the prayers, they did the leading of the prayers.
5 Then for us, we joined in the chorus.

6 Q. [10:05:15] Now at that time, from what you understood, what was supposed to
7 happen to you and the other young girls after the prayer session was over?

8 A. [10:05:32] Nothing much happened after the prayers. A sheep was burnt and
9 people were told that, as you return, you should not look back. You should move
10 straight ahead of you and go back to where you are staying. So we moved straight
11 and returned. I did not know what happened behind when we left, but a sheep was
12 burnt.

13 Q. [10:06:10] After this had completed, did you think you were going to be
14 released?

15 A. [10:06:27] I even thought that they were going to release us. Actually, there
16 were instruction that we should be released. But when we were taken to operation
17 room, from there it was changed, because we were told that it seems there is
18 something which is not right, there's a problem where we are going, so they said they
19 cannot release us.

20 From there, I was taken to person number 1's household. And the rest of the people
21 were later on also distributed to other people. I was taken to person number 1's
22 household. When I reached there, he was going to Kitgum and he said I cannot
23 move and reach there. So he took me back to person number 1's place.

24 Q. [10:07:22] Now, you said there were instructions that you were to be released.
25 Who gave these instructions?

1 A. [10:07:41] The person who instructed that we should be released was
2 Joseph Kony. But when we were taken to operation room, the people there said
3 there were UPDF soldiers following us so they cannot release us.

4 Q. [10:08:04] Now, at that time of your abduction, was Joseph Kony the sole leader
5 of the LRA?

6 A. [10:08:26] At the time I was abducted, when I went there I found he was the
7 leader, he was the leader, but he was not alone. There was somebody who was his
8 second in command, because he cannot be alone in the leadership.

9 MR OBHOF: [10:08:46] For the audience, I would like to go for private session for
10 one question, your Honour, please.

11 PRESIDING JUDGE SCHMITT: [10:08:53] Private session.

12 (Private session at 10.08 a.m.)

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14 (Redacted)

15 (Redacted)

16 (Redacted)

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25 (Open session at 10.10 a.m.)

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1 THE COURT OFFICER: [10:10:19] We are back in open session, Mr President.

2 PRESIDING JUDGE SCHMITT: [10:10:29] Perhaps I have one question.

3 Ms Witness, I have also a question to you: When you were abducted -- I know it's

4 a very long time, it's been a very long time ago, 27 years, but can you try to recall how

5 you felt in the first days. How did you cope with the situation, if you really have

6 a recollection on your feelings at the time, on your mood at the time?

7 THE WITNESS: [10:10:57] (Interpretation) At the moment I was abducted I felt very,

8 very bad and hurt, because I imagine today I have been abducted, how am I going to

9 move? Because I am -- I usually hear people say that they move very long distance.

10 Maybe I will die. Because at that time around our home we would hear, when these

11 people move and cross the river, sometimes they drown, people drowned in the river,

12 so how will I cross such big waterbodies? So, indeed, I was very, very afraid.

13 PRESIDING JUDGE SCHMITT: [10:11:45] And you also of course had not your

14 parents with you. Did you miss them in these first days? And did you miss them

15 in the following month and years, and so on?

16 THE WITNESS: [10:12:02] (Interpretation) When I was abducted, indeed I felt I

17 missed them because even, you know, when you leave your parents or any of your

18 relatives, you will certainly miss them and you will think about them.

19 MR OBHOF: [10:12:33] You asked two of my later questions. Thank you,

20 your Honour.

21 Q. [10:12:38] Now, Ms Witness, how long did you stay in the household of person

22 1?

23 A. [10:12:50] I spent close to a year and some months. Because I did not stay

24 consistently with him, sometimes I go back to the -- the boss, and then I return and

25 stay with him.

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1 Q. [10:13:18] Now again, without saying the names of the persons, what were your
2 general duties in person 1's household?

3 A. [10:13:41] When I was at his home, because he was instructed to take care of me,
4 so I did not do quite a lot of things, especially when there was no movement, but if
5 there was movement, I would carry some few items and we go with it. If we were
6 stationed, I would also wash the -- the white kanzas for the boss.

7 Q. [10:14:18] Now, Mrs Witness, is there a name for this type of person?
8 Somebody who washes a commander's clothes, that carries his food, is there a name
9 in the LRA for that type of person?

10 A. [10:14:37] Yes, there is. Most times we were referred to as ting ting.

11 Q. [10:14:54] Now, around the time of your abduction, did anyone in the LRA
12 perform any rituals upon you?

13 A. [10:15:14] Once you go to LRA, what is done, the first thing before you share
14 food with them, is you have to be anointed. Before that, you cannot eat together
15 with them.

16 Q. [10:15:32] How long after your abduction were you anointed?

17 A. [10:15:42] It was the first day I was abducted. They put shea butter oil on my
18 forehead, my hand and then the main event took place at Ray's place. Then they
19 also put camouflage on us and then we were also submerged in water.

20 Q. [10:16:30] Were you ever told the reason for the camouflage being placed upon
21 you?

22 A. [10:16:38] Yes, they did. First, they say it helps to cleanse you of any bad thing
23 that you have. Also, if you are sick, it helps you. And they say it makes you feel
24 that you are not alone. You are also part of the people that are already there because
25 you have already been anointed with the Holy Spirit so you -- you feel you're safe.

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1 Q. [10:17:17] How did you feel after these rituals were performed upon you?

2 A. [10:17:31] After this ritual was performed, I did not have any specific feeling, I
3 just found I was just like a normal human being.

4 Q. [10:17:48] Now you mentioned three rituals: the anointing, the camouflage and
5 the submersion in water. Was it common for all these rituals to be performed on
6 persons who were newly abducted into the LRA?

7 A. [10:18:12] All these three rituals are performed, but the submersion in water
8 usually is done only when people are free. But if people are in -- on move, it is
9 usually not done. But the camouflage and the anointing with the shea butter oil is
10 a must. Once you have been abducted, you have to go through that ceremony.

11 Q. [10:18:50] Do you know if these rituals were different for males and females?

12 A. [10:19:13] This ritual is not done differently. The only thing is that when
13 females were being anointed, they are separated, and also the boys are separated.
14 But the items remain the same. The only slight difference is also for a pregnant
15 woman; what is used for anointing a pregnant woman is also different.

16 Q. [10:19:41] And how is that different for a pregnant woman?

17 A. [10:19:53] Because usually pregnant mothers are given a specific stone, which
18 they hold in their hand; that is said to prevent other infections from getting to her.

19 Q. [10:20:19] Do you know who made these rituals mandatory on newly abducted
20 persons in the LRA?

21 A. [10:20:29] I do not know because when I was abducted, I found those rituals
22 already in place; I found people are anointed. But the person who says people
23 should be anointed was the commander who was in charge of the group and in the
24 person of Kony; so I found the ritual practice already existing.

25 MR OBHOF: [10:21:13] For the audience and for the Judges, I would like to move

1 into a private session for about six to seven questions. It would be about 10 to 15
2 minutes.

3 PRESIDING JUDGE SCHMITT: [10:21:31] Private session.

4 (Private session at 10.21 a.m.)

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ICC-02/04-01/15

1 (Redacted)

2 (Redacted)

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8 (Redacted)

9 (Open session at 10.28 a.m.)

10 THE COURT OFFICER: [10:28:34] We are back in open session, Mr President.

11 MR OBHOF: [10:28:40]

12 Q. [10:28:42] Now, Ms Witness, you stated earlier that you stayed in person 1's
13 household for around, give or take, about a year. Now where did you go after you
14 left the household of person 1?

15 A. [10:29:09] I went straight to Kony's place.

16 Q. [10:29:20] Now just so we have a little bearing of time, was this before or after
17 the LRA's move to Sudan?

18 A. [10:29:38] Before he had moved to Sudan. That was at the time when he was
19 heading towards the peace talk process in 1993.

20 Q. [10:29:58] Now did Joseph Kony have any wives at this time?

21 A. [10:30:12] When I went to his household, he had four wives, but the four wives
22 were released and he was left with about three girls.

23 Q. [10:30:35] And why were those wives released?

24 A. [10:30:47] They were pregnant.

25 Q. [10:30:51] Do you know if those women remained at home after giving birth?

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1 A. [10:31:05] When they gave birth, they did not stay home. He brought them
2 back. One of them went to the Sudan with him at the outset, but one of them, when
3 they went to collect her there was a battle. So he did not have the time to
4 immediately send her after -- with the others. So we stayed with them until we went
5 with them to the Sudan later.

6 Q. [10:31:52] Now you mentioned the peace talks. Do you remember what person
7 or persons spoke for the government during the initial parts of the peace talks
8 in 1993?

9 A. [10:32:10] The government representatives, the ones I know are Betty Bigombe.

10 Q. [10:32:35] Do you know if Rwot Yusuf Adek took part of these peace talks?

11 MR GUMPERT: [10:32:47] Your Honour, that's about the fifth time that a suggestion
12 is being made. Last time your Honour said we were too late. That's why I spring
13 to my feet now. My learned friend should stop doing this and, respectfully, you
14 should make him stop doing it.

15 PRESIDING JUDGE SCHMITT: [10:33:02] I think this has a different connotation.

16 So, first of all, when we have a party-driven process, it's also up to the parties to make
17 objections, yes or no, first of all. I interrupt when I think it's objectionable. I don't

18 see a big issue with putting such a name to her. If we have something in -- if -- you
19 can always ask her if she recalls the names. And when she says she does, at the

20 moment, only recall Betty Bigombe and we have in her former statement, we would

21 have another name, then you can simply refer her to that name. That would be in

22 accordance with what we have done consistently during the Prosecution case.

23 So perhaps in the future, without any tension here, unnecessary tension in the

24 courtroom, we simply exercise it like that. Yes? So Mr Obhof, if you have

25 a reference in one of the former statements, read it to the witness to refresh her

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1 memory, and then we have the same procedure that we have from the start of this
2 trial.

3 MR OBHOF: [10:34:04] I shall move on, your Honour.

4 PRESIDING JUDGE SCHMITT: [10:34:09] Okay. Then it is solved by moving on.

5 MR OBHOF: [10:34:12]

6 Q. [10:34:21] Did you ever come to learn what Joseph Kony wanted from the 1993
7 peace talks?

8 A. [10:34:34] Based on my understanding, he told us that the peace talks were for
9 preparation for us to go to Sudan.

10 Q. [10:34:57] Do you know what ultimately happened with the 1993 peace talks?

11 A. [10:35:06] When -- during the peace talks, at some point Kony said that his
12 deputy should -- his deputy should make arrangements for people to go to Sudan.
13 He took one of his wives. He gave -- gave him -- to the commander and he also gave
14 him some girls. They were prepared to leave and go to Sudan. Before these people
15 set off for the Sudan we were attacked by soldiers. The next morning these people
16 left and started their move, and we also left and went in a different direction, and that
17 is how the peace talks ended. We were at a place known as Gang Ogoni, near the
18 Aswa River.

19 PRESIDING JUDGE SCHMITT: [10:36:11] I think we can move on to another topic.

20 It's amazing that the witness, who was so young at the age, recalls so much, but I
21 think we have been now in 1993. We should move on a little bit in time.

22 MR OBHOF: [10:36:32]

23 Q. [10:36:34] Now, Ms Witness, how was it decided who or when women should
24 be abducted?

25 A. [10:36:56] Women were abducted, well, no date was set for the abduction of

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1 women, but that is based on what the Holy Spirit says. If the Holy Spirit orders for
2 girls to be abducted from a particular place, a certain number of girls, then they
3 would go to that place, abduct girls, bring them back. Sometimes the Holy Spirit
4 would instruct for young girls to be abducted, sometimes would instruct for older
5 girls to be abducted so that they can provide help.

6 PRESIDING JUDGE SCHMITT: [10:37:41] Ms Witness, did you believe that it was
7 the Holy Spirit who ordered the abduction of young people?

8 THE WITNESS: [10:37:52] (Interpretation) Yes, at the time I did have that belief,
9 because when he instructs people and tells them, "Go to this particular place and find
10 girls there," then these people who have been sent would go and find girls and bring
11 them back, and that did make me believe.

12 PRESIDING JUDGE SCHMITT: [10:38:25] Did that belief later change?

13 THE WITNESS: [10:38:30] (Interpretation) When I was still there my belief did
14 change, but not so much, because usually if he gives certain instructions, if you don't
15 follow those instructions, then there are usually repercussions.

16 PRESIDING JUDGE SCHMITT: [10:38:49] Then, because there seems to be a hint in
17 your answer that later on you changed a little bit your mind, could you try to explain
18 to us how you changed your mind. Because this, in your last answer, it seemed a
19 little bit as if you said it was more the order by Mr Kony. But I may be wrong. You
20 can correct me.

21 THE WITNESS: [10:39:14] (Interpretation) What I stated was that my belief at the
22 time that I was there, because if you refuse to follow instructions that he has given,
23 then something bad could happen. So when I was there, we had to follow his
24 instruction so that you could also survive.

25 PRESIDING JUDGE SCHMITT: [10:39:46] I think this is indeed an answer that we

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1 have to take and that we take.

2 Mr Obhof, please.

3 MR OBHOF: [10:39:56]

4 Q. [10:39:58] Ms Witness, how did a woman become a wife in the LRA?

5 A. [10:40:24] In the LRA, a woman becomes a wife. Let me give an example.

6 When people are abducted, people are sent to the Yard, especially if a huge number of

7 people are abducted, they send you to the Yard. They perform the smearing ritual.

8 If you have older girls, the girl is taken, Kony would actually be present and Kony

9 would then make the decision and say, "These girls should be distributed. Take this

10 number to this household, take this number to this household, take that number to

11 this household." Then they would take the girls that he's instructed to each of the

12 commanders' households.

13 If you are there, if you're a mature girl or a much older girl, then you are immediately

14 given to a commander as a wife and you're told that, "You're being given to this

15 commander, he is now going to be your husband." But if you're young, then they

16 will tell you, "Go to this commander's household, you will eventually become his wife,

17 but at the outset, you'll work as a babysitter. You will do household chores, and

18 you'll take care of things." And that is how women are turned into wives.

19 PRESIDING JUDGE SCHMITT: [10:41:59] Mr Obhof, if you want to be more specific,

20 we would have to go into private assertion, but I think you know that. But I don't

21 know if you want to go into this area?

22 MR OBHOF: [10:42:09] Not just yet.

23 Q. [10:42:13] Now you said that Kony would make an order to have the women

24 distributed. To the best of your knowledge, could anyone else order that a woman

25 be distributed as a wife?

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1 A. [10:42:27] If somebody distributes people without Kony's permission or
2 knowledge, then the person is punished because Kony would then tell the person that
3 he has committed an infraction and should not do that, because everybody who is
4 abducted belongs to the army and does not belong personally to a particular
5 commander.

6 Q. [10:43:07] What type of punishment would be meted out against these persons?

7 A. [10:43:20] Most times if they're minor infractions, if Kony decides, for example,
8 if you take that woman and make that woman your wife, then he would take that
9 woman away from you. Sometimes while he takes away the woman, he will also take
10 away some of your soldiers and he would also take away your weapons, and you
11 would have less soldiers and no weapons for about a week, and then he will decide to
12 give it -- give them back to you. But it also depends on what the infraction is.

13 Q. [10:44:06] Did the woman have a choice when she was assigned a husband?

14 A. [10:44:21] If you have just been abducted, if you're newly abducted, you have no
15 right. If you are given to somebody, that's it. You don't have any choice. But, if
16 somebody is a widow, if her husband dies during battle, then that person has
17 the -- can choose whoever she wants because they then make the decision and say
18 that person has been there for a long time, that person is now capable of making
19 a choice of her own. So the person is not forced to take a particular husband.

20 Q. [10:45:14] And, to the best of your knowledge, did a man get to choose which
21 woman was assigned to him?

22 A. [10:45:30] Men who had the right to choose were mostly Kony and his deputy.
23 But most times, if Kony does not want you to have that person, does not want his
24 deputy to have that person, if the deputy selects that person, Kony might decide to
25 take that person away and give her to somebody else. But most times, he is the one

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1 who makes the decision.

2 Q. [10:46:15] So again, to the best of your knowledge, did anyone other than Kony
3 or his deputy, were they allowed to choose their own wife?

4 A. [10:46:30] You can choose somebody, but you do not have the absolute right
5 because you might select the person, but he will not -- he will not grant that person to
6 you. But sometimes you can plead, you can beg and say, "Can I please have this
7 one?" And then he might make the decision to give the person to you; but otherwise,
8 you don't really have the absolute choice to take that person.

9 Q. [10:47:14] Now you mentioned widows a few minutes ago. Could you explain
10 the process, any type of rituals that a widow would undergo after her husband dies?

11 A. [10:47:35] I can. If your husband dies at the battle front, then you have to stay
12 for one month. After one month, they perform the smearing ritual. After that ritual,
13 they shave off your hair and then you stay for another month. And then after that
14 one month, you are allowed to choose a husband because they say if they do not
15 perform this ritual, if you immediately go and get another husband, then chances are
16 that the husband is also going to die.

17 Q. [10:48:25] Was a widow required to take a husband?

18 A. [10:48:39] They were permitted to take a wife because they would say that they
19 have been there for a long time and they can choose a husband.

20 Q. [10:48:57] But were they required? Did they have to take a husband?

21 A. [10:49:11] It's there as a rule because they know that as a person, you cannot stay
22 single while all your other -- everybody else is not single.

23 Q. [10:49:28] Why not, Ms Witness? Could you explain, please.

24 A. [10:49:40] First of all, if you're single, then you might cause a lot of chaos
25 because we had rules and, according to the rules, if you are a woman who likes

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1 sleeping around, then that is going to cause a lot of chaos, and it's also likely to lead to
2 death.

3 Q. [10:50:12] How would someone sleeping around lead to death?

4 A. [10:50:24] If there's an attack, for example, people would die because the rules in
5 the LRA -- and that's why the -- they perform the smearing ritual. If you are
6 a woman, you should only have one husband or one man. But if you have more
7 than one man, then you're likely to be shot and if you -- if you're shot, you'll die.

8 Q. [10:51:04] Now why would a woman who has more than one man be likely to be
9 shot?

10 A. [10:51:16] I do not know, but those are the rules because when we were there,
11 we do not parade on our own or we do not -- we're actually not responsible for our
12 own selves. The Holy Spirit was responsible for us. So according to the Holy Spirit,
13 if you take more than one -- one husband or if you have more than one man, if you
14 deny that, the consequences are gunshot or you sustain injuries.

15 PRESIDING JUDGE SCHMITT: [10:51:57] I think we have covered that.

16 MR OBHOF: [10:52:03]

17 Q. [10:52:06] Ms Witness, were women allowed to fight in battles?

18 A. [10:52:19] Yes, women were allowed to fight in battles.

19 Q. [10:52:26] Did that change once a woman had a child?

20 A. [10:52:35] Once you have had a child, you no longer go to battle because you
21 cannot go to the battle front with a child because you cannot hold your child and
22 a gun at the same time. But when you are still young, the rules allow for you to go
23 because as a girl, they say you cannot just sit and do nothing. All of us who were
24 taken had to go through the battle.

25 MR OBHOF: [10:53:13] Now, Your Honour, I have to ask the next few questions in

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1 private session, which will probably finish out this first session.

2 PRESIDING JUDGE SCHMITT: [10:53:21] And we know afterwards we have the
3 coffee break, I would assume. So we go to private session for a couple of minutes.

4 MR OBHOF: [10:53:30] Yes.

5 (Private session at 10.53 a.m.) *(Reclassified partially in public)

6 THE COURT OFFICER: [10:53:34] (Redacted)

7 MR OBHOF: [10:53:36]

8 Q. (Redacted)

9 (Redacted)

10 (Redacted)

11 (Redacted) you told us -- let me put exactly what you said. "Once you have had
12 a child, you no longer go to battle because you cannot go to battle -- the battle front
13 with a child because you cannot hold your child and a gun at the same time."

14 And you also told us that you had your first child (Redacted). Did you -- or, should I
15 say, were you a woman fighter in the LRA in (Redacted)?

16 A. [10:55:04] I did not quite get your question.

17 Q. [10:55:11] It was rather long, I apologise.

18 PRESIDING JUDGE SCHMITT: [10:55:19] Ms Witness, you had your first child in
19 (Redacted), and you said that normally in the LRA, when you have given birth you are not
20 a fighter anymore. So when you had your child (Redacted), in the years afterwards,
21 were you still a fighter? Or did you stop fighting?

22 THE WITNESS: [10:55:42] (Interpretation) The following years I was still there, but I
23 did not carry a weapon. What I did was carry my child, carry food and carry the
24 things that could help with the child. I did not fight, but I was with the fighters. I
25 did not have any other place to go.

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1 PRESIDING JUDGE SCHMITT: [10:56:09] Thank you.

2 Mr Obhof, what is tab 2? Perhaps also that we understand. It's not self-explanatory
3 where this list comes from.

4 MR OBHOF: [10:56:18] As the list is written in English, the entire document, I
5 assumed it did not come from the LRA. This was from the Prosecution, of course,
6 (Redacted)

7 PRESIDING JUDGE SCHMITT: [10:56:28] I think we can move on. We have
8 seen -- you have introduced it, we have seen the name (Redacted) and the witness
9 has given the answer to that and it's not clear at all where it comes from, so ...

10 MR OBHOF: [10:56:42] Your Honour, if I was a betting man, (Redacted).

11 PRESIDING JUDGE SCHMITT: [10:56:48] But we are taking no bets here in the
12 courtroom.

13 MR OBHOF: [10:56:52] Exactly. Even though it's legal in this country to gamble.
14 I did want to ask one more name for further confirmation (overlapping speakers)

15 PRESIDING JUDGE SCHMITT: [10:57:09] Of course, yes. Please do that.

16 MR OBHOF: [10:57:11]

17 Q. [10:57:12] Ms Witness, did you know somebody who went by the name of
18 (Redacted)?

19 A. [10:57:19] Yes, I do know her.

20 Q. [10:57:23] Do you know when (Redacted) had her first child?

21 A. [10:57:31] I know, but I'm not exactly sure about the exact date.

22 Q. [10:57:45] Do you remember if it was before or after Operation Iron Fist?

23 A. [10:58:00] I do recall.

24 Q. [10:58:07] Could you tell the Court, please, if it was before or after Operation
25 Iron Fist?

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1 A. [10:58:16] When (Redacted) had her first child, Iron Fist had not yet taken place.

2 MR OBHOF: [10:58:32] Your Honour, I think it would be good to go to public and
3 have the coffee break.

4 PRESIDING JUDGE SCHMITT: [10:58:38] Exactly like that.

5 Open session.

6 (Open session at 10.58 a.m.)

7 THE COURT OFFICER: [10:58:47] We are back in open session, Mr President.

8 PRESIDING JUDGE SCHMITT: [10:58:58] Thank you. And the information that I
9 get here of the document, perhaps you should bet, Mr Obhof.

10 We have a break until 11.30.

11 THE COURT USHER: [10:59:13] All rise.

12 (Recess taken at 10.59 a.m.)

13 (Upon resuming in open session at 11.34 a.m.)

14 THE COURT USHER: [11:34:30] All rise.

15 Please be seated.

16 PRESIDING JUDGE SCHMITT: [11:34:54] Mr Obhof, you still have the floor.

17 MR OBHOF: [11:34:57] Thank you, your Honour.

18 Q. [11:35:00] Still good morning, Ms Witness. I hope you had some good
19 refreshments during the break.

20 Now, your Honour, I am going to be asking a few questions which require to be in
21 private session, maybe about 7 to 10 minutes.

22 PRESIDING JUDGE SCHMITT: [11:35:22] Private session.

23 (Private session at 11.35 a.m.)

24 (Redacted)

25 (Redacted)

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14 (Open session at 11.43 a.m.)

15 THE COURT OFFICER: [11:43:49] We are back in open session, Mr President.

16 MR OBHOF: [11:44:01]

17 Q. [11:44:02] Now, Ms Witness, did the LRA have a prison?

18 A. [11:44:13] The LRA did not have a prison. But sometimes yes, you would be
19 detained. But there was no established prison as we have in Uganda. We
20 didn't -- it wasn't existing.

21 Q. [11:44:33] You said sometimes you would be detained. What do you mean by
22 "sometimes you would be detained"? Could you describe this to the Court.

23 A. [11:45:01] They would put you under arrest. What they do, they take away
24 your gun, they remove your shoes, they also take away your soldiers; if you are an
25 officer, you are demoted. And sometimes you are given luggage to carry, just like

1 any other ordinary soldier. And then also you are beaten. So if you are beaten,
2 then you just move barehanded without anything that you have with you. That's
3 their prison.

4 Q. [11:45:38] Did you personally ever see this type of detainment, this type of
5 prison?

6 A. [11:45:47] This kind of detention I saw once, when at one time they put Kwoyelo
7 under arrest.

8 Q. [11:46:12] And what happened to Kwoyelo during this detainment?

9 A. [11:46:24] What happened was that he was beaten, and his soldiers were taken
10 away, and his wives as well were taken away. But when he was now taken to
11 operation room, we did not now see what happened to him from there. But what I
12 know was that his wives and his soldiers were taken away from him.

13 Q. [11:46:52] Was Kwoyelo ever released from this detainment, from this prison?

14 A. [11:47:07] He was released, but by the time -- but wherever he was released
15 from, he was not at the location where we were. We only got communication on
16 radio that after he was released government soldiers arrested him and he was taken
17 back to Uganda.

18 Q. [11:48:04] Now, Ms Witness, a little bit earlier you mentioned about the spirits,
19 about them giving instructions. What type of instructions did these spirits give?

20 A. [11:48:29] The instructions depend on the time that the spirits are on him.
21 Sometimes the spirits give instruction only for prayers. So when he sends
22 communication, he sends communication for people to come for prayers.
23 Sometimes it gives report of any impending attack and he would tell you in advance,
24 and there are others that come as commanders for a battle.

25 Q. [11:49:09] You have used quite a few pronouns, male pronouns. When you say

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1 "him", the spirits talked to him and he instructs people, who is this human? Who is
2 this man?

3 A. [11:49:33] The spirits give information to Kony and then Kony relays to people
4 on what should be done.

5 Q. [11:50:01] And how would Kony communicate the will of the spirits?

6 A. [11:50:14] Kony communicates the message from the spirits. For instance, in the
7 morning when he wakes up, when he received a report, he would gather people and
8 he would tell them that there is going to be prayer, people would pray, and then after
9 the prayers he would then communicate what the spirits has told him to tell people.

10 Q. [11:50:44] Now, we have talked a little bit about the punishments. Who
11 ordered these types of punishments?

12 A. [11:51:03] The person who orders for punishment, for instance, if you violate
13 any instruction, there are some of those that Kony would give orders that he should
14 be beaten. But, for instance, if you violate a particular standing rule and then you
15 deny completely, if there is an attack, then the revelation will come through you
16 getting injured, and then that's when people will know that it was you who actually
17 did such-and-such a thing.

18 Q. [11:51:51] Do you know anyone or can you remember any names of any persons,
19 who this type of punishment, as you just described in battle, happened to?

20 A. [11:52:11] I do recall. There was a time we were at a place, we were at a place
21 near Atiak hills. We were six ladies and 11 men. But amongst us there was one girl
22 and one boy who started relationship amongst them. But they had been instructed
23 that, as you go, make sure you don't do anything, but when we went there, these
24 people sneaked away from us. Then, the next day in the morning, fighting began.
25 That boy was called Opira. So that day during that battle the boy was hit by a bullet

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1 on his manhood. And the same happened to the girl. Unfortunately the boy died,
2 but the lady, the girl survived. And then she was asked and she confessed that, yes,
3 indeed, they did that thing. But fortunately she got healed.

4 Q. [11:53:31] Now, you've mentioned beatings and the detention, this prison.

5 Were there any other types of punishments in the LRA for violations of instructions?

6 A. [11:53:51] There were other punishments like beating. There are certain things
7 that, when you do, you will be beaten. As an order in the army, that if you violate
8 any standing order in the army, then you have to be beaten. They would take you to
9 operation room and you will be beaten from there.

10 Q. [11:54:30] Now, for the newly abducted persons, how would they get to learn
11 about these rules?

12 A. [11:54:44] If you are newly abducted, what is done is that, as they go to perform
13 the rituals on you, they will explain to you all the standing rules.

14 Q. [11:55:20] Ms Witness, I want to talk a little bit, not a lot, but a little bit about
15 your time in Sudan. Could you describe Palutaka.

16 A. [11:55:44] I stayed in Palutaka after we left a place called Gong. The reason
17 why we began staying at Palutaka, because we had attacked Pajok and overran it.
18 Then we stayed at Palutaka, some other soldiers stayed at Pajok. So that is how we
19 started staying there.

20 Q. [11:56:23] And how long did you live at Palutaka?

21 A. [11:56:35] We spent close to two years, two to three years at Palutaka.

22 Q. [11:56:56] Did the LRA have gardens in Palutaka?

23 A. [11:57:07] Yes, we farmed at Palutaka, but we didn't have very large farms,
24 fields. The only place where we had big fields were in Jebellen.

25 Q. [11:57:24] So it may be easier to discuss Jebellen then. Could you tell the Court

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1 what type of crops were grown in Jebellen.

2 A. [11:57:40] The crops that we grew were sesame, peanuts, then there was
3 a particular type of sorghum called sorghum budura (phon) and then sweet potatoes,
4 and then there is a particular type of sesame which is called Lamola in Acholi, and
5 a particular cereal which we also grew. Those were some of the food crops.

6 Q. [11:58:19] Did the LRA have livestock?

7 A. [11:58:29] Yes, there were cattles and goats, and also there were some chicken
8 that were reared.

9 Q. [11:58:42] Did the LRA have medical facilities at Jebellen?

10 A. [11:58:52] Yes, there were medical facilities. We had a hospital where you
11 would go if you are sick and you would get treatment. It was there.

12 Q. [11:59:13] How did the LRA get these medical facilities?

13 A. [11:59:27] Some of these were modern medicines, but there are those that we, we
14 do local herbs, that we get them from the bushes. This is prepared and it has
15 a combination in a concoction. So sometimes you just take this orally.

16 Q. [11:59:58] Do you know where the LRA received the recipes for these local
17 concoctions?

18 A. [12:00:15] I do not know where the LRA found these concoctions. But,
19 whenever they sent me to go and bring some, then I would go and bring it. But I do
20 not know how they discovered these kind of herbs, because it was mostly Kony who
21 would tell people about it.

22 Q. [12:00:41] Do you know where the LRA received the modern medicines?

23 A. [12:00:58] The modern medicines would be received, for example, when we
24 were in the Sudan, the Arabs would bring these types of medication to us.

25 Q. [12:01:14] And which specific government do you refer to when you say "the

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1 Arabs"?

2 A. [12:01:26] The Sudanese government. They are the ones who would give us
3 medication and other provisions.

4 Q. [12:01:36] What other provisions did the Sudanese government give to the LRA?

5 A. [12:01:49] They gave us uniforms, they gave us weapons, as well as food. They
6 would also provide us with water and the hospital, so when people sustained serious
7 injuries, people would be taken and admitted in their hospitals.

8 Q. [12:02:21] Were you ever treated at a Sudanese hospital?

9 A. [12:02:34] No. I wasn't taken to -- I wasn't taken there for treatment, but I was
10 taken there when I had to give birth.

11 Q. [12:03:01] Did you see -- you talked about the provisions, did you ever
12 physically see people from the Sudanese government give the medicines or the
13 weapons, or the water, did you see them give any of this to the LRA, personally?

14 A. [12:03:29] Yes, I did witness this because we were together, at times we would
15 actually eat together as well. There was no -- we stayed together, so there was
16 nothing separating us.

17 Q. [12:03:58] Do you know for how long the Sudanese government gave these
18 provisions to the LRA?

19 A. [12:04:14] I do not recall precisely, but I believe perhaps approximately for six to
20 seven years.

21 Q. [12:04:43] Now back on to Jebellen. Was Jebellen a clean place to live?

22 A. [12:04:59] Jebellen was a clean place, because we had actually constructed
23 houses. We would cultivate our own crops. Yeah, it was a good place, it was
24 a clean place. We also had cars, cars that had been given to us.

25 Q. [12:05:20] And I'm sorry for being specific, but who gave you these cars?

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1 A. [12:05:31] I do not know where the vehicles came from, but I do know that the
2 Sudanese government was the one that provided the vehicles, because we were
3 together with them.

4 Q. [12:05:51] Now who ensured that the camp at Jebellen was clean?

5 A. [12:06:07] It was mostly Omona Phil who was responsible for the cleanliness of
6 the place. He would instruct people to farm -- Kony would instruct Phil and then
7 Phil would instruct people, asking them to construct, to construct proper houses and
8 to keep the places clean. Kony was the overall commander, but then he was the one
9 who would instruct somebody to make sure that houses were constructed and that all
10 soldiers had houses.

11 Q. [12:07:06] At Jebellen, did the camp resemble that of an Acholi community?

12 A. [12:07:25] No, it wasn't like the camps. But that was like an army barracks.
13 And it wasn't like the camps in the homesteads.

14 Q. [12:07:47] I'm sorry for going back to this part. You stated they gave, you think
15 they gave, the Sudanese government, gave provisions for about six to seven years.
16 Do you know when the Sudanese government started to give these provisions to
17 the LRA?

18 A. [12:08:15] I do know when, but I cannot remember the exact date and the exact
19 time. The Sudanese government started giving us support and provisions when we
20 were based at a place known as Gong. We would go to Torit and collect the food,
21 and also Lelere, and then come back to Gong with the food. And that was from the
22 outset at the beginning when we had just gone to Sudan. That's when they started
23 providing us with food.

24 Q. [12:09:08] One final question to get a better timeline. When the LRA left
25 Uganda and went to Sudan, which base, which place did it go to first?

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1 A. [12:09:27] The LRA initially stayed at a place known as Luudu, and then they
2 left Luudu and went to Gong. And it was from Gong that we would come and
3 collect fruit from Lelere, and then after that we moved to Palutaka.

4 Q. [12:09:54] Do you remember for how long the LRA stayed at Luudu?

5 A. [12:10:09] We did not stay for that long at Luudu, but perhaps one year. Same
6 thing as Gong, we did not stay there for a long time. We were moving in between
7 the places.

8 Q. [12:10:43] Now, Ms Witness, do you know where you were living, do you
9 remember where you were living when Operation Iron Fist started?

10 A. [12:10:58] When Operation Iron Fist started, I do recall where we were. We
11 were at a place known as Lubanga Tek. There were other people who were based at
12 Bin Rwot. There were also people who were in a place known as Kempaju.

13 Q. [12:11:30] And what happened during Operation Iron Fist?

14 A. [12:11:43] During Operation Iron Fist we, as mothers, were based at
15 Lubanga Tek. There were also a few people who were based at Nsitu. The
16 government soldiers went to Nsitu. They attacked Nsitu, and we moved from
17 Lubanga Tek and started going to Uganda, because there was no other place we could
18 go. We had already been informed that there was going to be a battle. Most of our
19 things had already been buried as well. Some of the things we still kept with us.

20 Q. [12:12:38] You said you were going towards Uganda. Did you make it to
21 Uganda?

22 A. [12:12:52] We walked, but not all of us went to Uganda, because when we
23 started moving, halfway along the way we were converged, they addressed us and
24 told us that one group would lead going to Uganda, that would be headed by Otti.
25 And the rest of us went back towards Patalanga with Kony.

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1 Q. [12:13:27] Now which group did you follow?

2 A. [12:13:35] I went with Kony's group.

3 Q. [12:13:46] Do you remember the name of the place in which you stayed at next?

4 A. [12:13:58] I recall that we were under the Imatong hills. We were at a place
5 around that area known as Katire.

6 Q. [12:14:17] And how long did you stay at Katire?

7 A. [12:14:26] We did not stay at Katire for a long time, because once we left our
8 previous location we would only encamp at different places for short periods. We
9 would walk, encamp somewhere, then move again and encamp somewhere, and that
10 was for about four to five years. After that we came back down the mountain.

11 Q. [12:14:58] We had it interpreted that you were there for four to five years; is that
12 correct, Ms witness?

13 A. [12:15:15] Do you mean in Katire? We were in Katire for about four to five
14 years, but the longest is two years.

15 Q. [12:15:54] Now, Ms Witness, during this time, did you travel with your
16 children?

17 A. [12:16:10] During this time, when we were moving around, yes, I still had my
18 children. That was when we were up on top of the hill, I still had my children.

19 Q. [12:16:31] Did you have your children the entire time while in the bush?

20 A. [12:16:45] When I was in the bush I was not with my children at all times,
21 because when the battle was fierce -- there was a time when we had relations, when
22 we had good relations, and we -- we started -- we had good relations with them, and
23 then there was an attack. I was shot, and then they took one of the children that I
24 had with me, but I was pregnant at the time.

25 MR OBHOF: [12:17:20] Now, your Honour, if I may, I would like to go into private

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1 session to discuss this.

2 PRESIDING JUDGE SCHMITT: [12:17:26] Private session.

3 (Private session at 12.17 p.m.)

4 (Redacted)

5 (Redacted)

6 (Redacted)

7 (Redacted)

8 (Redacted)

9 (Redacted)

10 (Redacted)

11 (Redacted)

12 (Redacted)

13 (Redacted)

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15 (Redacted)

16 (Redacted)

17 (Redacted)

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19 (Redacted)

20 (Redacted)

21 (Redacted)

22 (Redacted)

23 (Redacted)

24 (Open session at 12.20 p.m.)

25 THE COURT OFFICER: [12:20:10] We are back in open session, Mr President.

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1 MR OBHOF: [12:20:27]

2 Q. [12:20:27] Ms Witness, in which country is Gufu Gufu?

3 A. [12:20:34] It is in Sudan.

4 Q. [12:20:38] Now, can you tell us the makeup of the people who were it staying at
5 Gufu Gufu?

6 A. [12:20:54] They were the LRA -- it was only the LRA who were in that area.

7 There were no civilians in that area. In order to find civilians, you had to go closer to
8 the roads. If we wanted to obtain any supplies or to buy anything, we had to go
9 closer to the roads and get those things. But for us, we were actually based deeper in
10 the bushes.

11 Q. [12:21:31] Now, the specific LRA people in Gufu Gufu, can you estimate how
12 many men and how many women, along with children?

13 A. [12:21:58] It's very difficult for me to hazard a guess. But when we were in
14 Gufu Gufu, it was mostly Control Altar that was based there. There was also
15 another brigade that joined us, but we were not that many. Perhaps 200 soldiers, 200
16 to 300 soldiers, as well as -- and women as well. There were children too. There
17 were not that many children, because most of the children there were the children of
18 the weak people or people who had sustained injuries, as well as Kony's children.
19 Some of the children had actually been separated from their parents and sent back to
20 Uganda, so it is extremely difficult for me to state exactly how many people were in
21 that place.

22 Q. [12:23:05] Now why did the LRA leave Gufu Gufu?

23 A. [12:23:14] The reason why the LRA left Gufu Gufu was because we were
24 attacked. We were in that place, and at the time we had formed relations again -- we
25 had rekindled relations with the Arabs and when we needed things, we'd go to the

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1 Arabs, we'd go to Nsitu and they'd provide us with food and provisions.

2 But sometime in the morning, at around 10, we prepared our meal. But at around

3 1 p.m., gunships came and they started attacking us. The gunships came at the same

4 time with foot soldiers and they attacked us. There was a fierce battle. At the time,

5 I was heavily pregnant and I also had children. Some of the other people who were

6 living with us at the time had gone to the field to weed the simsim crop. And I was

7 with the children. So I gave the children to some of the other people. I carried my

8 child, and I was pregnant. But one of my children ran after his friend and then the

9 two of them were caught together. I ran with someone's child, my child, and then

10 we went and we met the other people.

11 Q. [12:24:46] You mentioned earlier about some of the children getting sent back to

12 Uganda. Who made the order to send these children back?

13 A. [12:25:05] The children who went back to Uganda, some of them were captured.

14 The ones who -- when the soldiers captured them, then we heard that they had been

15 taken back to Uganda as well as the mothers, the mothers who had been captured.

16 But he -- it's -- he's not the one who sent them home, but the children were captured

17 during battle.

18 Q. [12:25:44] And when you left Gufu Gufu, where did your group go next?

19 A. [12:25:55] When we left Gufu Gufu, our group started walking, we crossed the

20 road. We walked as if we were going to the direction of Uganda, but then we went

21 back towards Katire and then we split up in groups. Some people went -- some

22 people were going back to Uganda.

23 Q. [12:26:27] Did your group, did you go back to Uganda?

24 A. [12:26:38] We went to Katire, stayed there for about a week, and then we started

25 heading out to Uganda. When we walked and got towards Dog Atebbe (phon),

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1 unfortunately, the army became aware that we were heading towards Uganda. The
2 soldiers started following us until we got to another place where we split. I was
3 heavily pregnant. I could not run. And the commander took the children -- took
4 soldiers, about 20 soldiers, and told me to stay behind and instructed us that we
5 should meet at the RV in the night -- the next day, I mean.

6 Fortunately, that night I gave birth and then we left in the morning to go to the RV
7 place. The soldiers, government soldiers had found the LRA soldiers that were
8 going. This RV, they had been attacked and gunships had also attacked them. So
9 in the end, we did not meet.

10 Q. [12:27:52] What did you see when you arrived at the location which was
11 supposed to have the RV?

12 A. [12:28:10] When we arrived at that place, we found that the people had been
13 shot. They'd been shot by gunships.

14 Q. [12:28:23] And the people that were dead, could you give us sexes or ages,
15 whether they were adults, children, men, women.

16 A. [12:28:44] I cannot give you their ages, but one of them was Kony's wife. Two
17 of them were his escorts, and then there were other people who had -- who were
18 injured. And we found two of his escorts who were injured. He himself was
19 injured on that day. But he wasn't severely injured. He was injured on his leg.

20 Q. [12:29:23] And since you didn't meet up with the group at the RV, where did
21 you go after that?

22 A. [12:29:38] After that we continued moving, together with the people that he had
23 left me with. We went to a place known as Te Kilak, we stayed there for a bit, then
24 we walked and went to a place known as Madi. When we got to that place we were
25 attacked. When we were attacked, you know, at the time I already had given birth,

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1 so I had to give the child that -- my other toddler to somebody else to take care of.

2 So when we were attacked I split up with that girl who was carrying my toddler. I

3 tried to look for that child, and I did not find that child. But then they had separated

4 from us and the child went back home.

5 Q. [12:30:49] Now, when you say the "toddler," without saying any names of

6 course, which toddler do you mean?

7 A. [12:31:04] The second child was the one that I had given to another person to

8 help me carry, because I couldn't carry both of them. In addition to that, I had just

9 given birth and I was weak, and the journey was very hectic, we were constantly on

10 the move and we were being pursued, so I couldn't carry both children.

11 Unfortunately, when the attack occurred, we separated with that child and -- the child

12 whom I had given to another person to help me carry.

13 Q. [12:31:44] After being attacked this time, did you eventually meet up with

14 a larger group?

15 A. [12:31:59] The meeting with the main group wasn't -- did not happen

16 immediately, because at first I even ran and separated. I was alone. Then after

17 a day, that's when I got the other group. But I continued staying with the same

18 group in which I was. I think we spent close to 11 months. Then we met Lapwony

19 Otti. So when we met Otti, he then -- that's when this boss ordered that we should

20 go to Sudan.

21 When we went to Sudan, we went and met at -- we went and met with Sam Kolo.

22 Then we started again moving. But at some point along the way, he escaped. Then

23 he told the soldiers that Otti was taking (Redacted) to Sudan. At that point, that's

24 when the soldiers came and attacked us and we heard it was a fierce attack and that's

25 where the -- my second child was captured from.

1 Q. [12:33:38] You stated you were heading to Sudan. Did you make it to Sudan?

2 A. [12:33:51] We managed to reach Sudan, but some people did not. Because
3 when we were going, we were seriously attacked and some people separated. Some
4 were captured by the government soldiers. Some, I do not know where they are,
5 because even when I returned I did not see them. Even while I was there, we did not
6 know where they were. We don't know whether the Sudanese government captured
7 them. That we did not know.

8 Q. [12:34:35] Did you meet up with anyone while in Sudan?

9 A. [12:34:46] When we were now in Sudan, we went and met Kony. When we
10 met him, he again called Okot Odhiambo. He came and we met them.

11 Q. [12:35:08] And when you met Okot Odhiambo, what happened after that?

12 A. [12:35:20] After he called Okot, by the time he called Okot, he already had a plan
13 to go to Congo. And he said that the two of them should go ahead and lead the
14 group going to Congo. So on that day we stayed there. Then after one week, we
15 started moving to go and look for jerrycans that we could use for making a makeshift
16 boat for us to cross. Unfortunately, we were attacked and we got separated.

17 MR OBHOF: [12:36:13] Now, your Honour, probably another 10 minutes or so to
18 discuss this in private session, please.

19 PRESIDING JUDGE SCHMITT: [12:36:21] Then we go to private session.

20 (Private session at 12.36 p.m.) *(Reclassified partially in public)

21 (Redacted)

22 (Redacted)

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11 Q. (Redacted)

12 (Redacted)

13 A. (Redacted)

14 (Redacted)

15 Q. (Redacted)

16 A. (Redacted)

17 (Redacted)

18 MR OBHOF: [12:49:50] Your Honour, I know it's a little early, but my next section
19 would be about 45 minutes.

20 PRESIDING JUDGE SCHMITT: [12:50:00] And how long does your examination last
21 all in all, if you have already an estimate?

22 MR OBHOF: [12:50:07] I have gone through 14 pages today, I have 13 pages left,
23 which means I should finish by this time, at the latest, Monday. Today is Friday,
24 right?

25 PRESIDING JUDGE SCHMITT: [12:50:19] And to the Prosecution, do you have an

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1 estimate?

2 MS HOHLER: [12:50:22] Your Honour, at the moment it wouldn't be more than
3 20 minutes, but of course it depends what we hear next week.

4 PRESIDING JUDGE SCHMITT: [12:50:29] Of course. So then we simply follow
5 your suggestion. We go back to open session.

6 (Open session at 12.50 p.m.)

7 THE COURT OFFICER: [12:50:45] We are back in open session, Mr President.

8 PRESIDING JUDGE SCHMITT: [12:50:48] Ms Witness, this concludes your
9 testimony for today. We resume on Monday at 9.30.

10 THE COURT USHER: [12:51:00] All rise.

11 (The hearing ends in open session at 12.51 p.m.)

12 RECLASSIFICATION REPORT

13 Pursuant to the Trial Chamber' IX's instructions, ICC-02/04-01/15-497, dated 13 July
14 2016, the public reclassified and lesser redacted version of this transcript is filed in the
15 case.