

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 Pangalangan
7 Trial Hearing - Courtroom 3
8 Friday, 17 March 2017
9 (The hearing starts in open session at 9.31 a.m.)
10 THE COURT USHER: [9:31:45] All rise.
11 The International Criminal Court is now in session.
12 PRESIDING JUDGE SCHMITT: [9:32:05] Good morning, everyone.
13 Could the court officer please call the case.
14 THE COURT OFFICER: [9:32:11] Good morning, Mr President.
15 This is the situation in the Republic of Uganda, in the case of The Prosecutor versus
16 Dominic Ongwen, case reference ICC-02/04-01/15.
17 And for the record, we are in open session.
18 PRESIDING JUDGE SCHMITT: [9:32:27] (Microphone not activated)
19 MR SACHITHANANDAN: [9:32:30] Good morning, your Honour. I appear today
20 with Shkelzen Zeneli, Benjamin Gumpert, Beti Hohler, Yulia Nuzban and
21 Ramu Fatima Bittaye.
22 PRESIDING JUDGE SCHMITT: [9:32:46] Thank you.
23 And for the Legal Representatives.
24 MS ADONG: [9:32:50] Good morning, your Honours. I appear today with
25 Mr Orchlón Narantsetseg and Jacqueline Atim. I'm Jane Adong. Thank you, your

1 Honours.

2 PRESIDING JUDGE SCHMITT: [9:32:57] Thank you. I assume that this has not any
3 symbolic value.

4 Please, Mr Cox.

5 MR COX: [9:33:03] Good morning, your Honour. I appear with Mr James Mawira.

6 PRESIDING JUDGE SCHMITT: [9:33:08] Thank you.

7 For the Defence, please.

8 MR AYENA ODONGO: [9:33:11] Mr President and your Honours, I appear with

9 Mr Charles Taku, Abigail Bridgman, Thomas Obhof and our client Dominic Ongwen.

10 I am Krispus Ayena Odongo.

11 PRESIDING JUDGE SCHMITT: [9:33:27] Thank you very much, Mr Ayena.

12 And Mrs Kerwegi.

13 MS KERWEGI: Good morning, your Honours. I'm Sarah Kerwegi, here as a legal
14 adviser.

15 PRESIDING JUDGE SCHMITT: [9:33:39] Thank you very much.

16 We turn now to the next witness which the Prosecution calls, Witness 379.

17 We have first to address the protective measures. The Chamber notes that the VWU
18 has suggested by way of email dated 14 March 2017 that voice distortion be also put
19 in place in addition to the measures already granted in decision 612. However,
20 the Chamber considers that no information has been provided for this witness which
21 would warrant reconsideration of its previous determination of the appropriate
22 protective measures for the witness.

23 We are then going to address the matter of assurances of the witness pursuant to Rule
24 74 of the Rules of Procedure and Evidence. Mrs Kerwegi, who has been appointed
25 as legal adviser to the Witness P-379, submitted filing 749 requesting assurances

1 against self-incrimination for her client under Rule 74. To receive the submissions
2 on this point, we move shortly into private session.

3 (Private session at 9.34 a.m.)

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9 (Redacted)

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17 (Open session at 9.35 a.m.)

18 THE COURT OFFICER: [9:35:46] We are back in open session, Mr President.

19 PRESIDING JUDGE SCHMITT: [9:35:48] Thank you.

20 The Chamber will now render its decision on the requested assurances.

21 Mindful of the factors specified in Rule 74(5) of the Rules, the Chamber has decided to
22 provide assurances pursuant to Rule 74 of the Rules in order to enable the witness to
23 testify without fear of the consequence of self-incrimination.

24 This concludes the ruling of the Chamber and the witness can be brought in, please.

25 MS KERWEGI: [9:36:17] I am much obliged, your Honour.

1 PRESIDING JUDGE SCHMITT: [9:36:52] I heard that we had a little bit of a problem
2 with the light this morning, I hope that the lights don't go out, so to speak. But it
3 seems to be only something that passes, hopefully.

4 (The witness enters the courtroom)

5 PRESIDING JUDGE SCHMITT: [9:37:32] (Microphone not activated) Mr Witness,
6 good morning.

7 WITNESS: UGA-OTP-P-0379

8 (The witness speaks Acholi)

9 THE WITNESS: [9:37:40] (Interpretation) Good morning.

10 PRESIDING JUDGE SCHMITT: [9:37:42] You know you are going to testify before
11 the International Criminal Court and on behalf of the Chamber I would like to
12 welcome you to the courtroom.

13 Mr Witness, there should be a card in front of you with a solemn undertaking to tell
14 the truth. Could you please read this card aloud.

15 THE WITNESS: [9:38:15] (Interpretation) I solemnly declare that I will speak the
16 truth, the whole truth and nothing but the truth.

17 PRESIDING JUDGE SCHMITT: [9:38:27] Thank you very much, Mr Witness. I
18 explain now to you the protective measures that the Chamber has put in place for
19 your testimony.

20 First of all, we have put in place face distortion. Face distortion means that no one
21 outside the courtroom can see your face on the screen during your testimony.

22 Second, we use a pseudonym during your testimony. You have recognised that I
23 call you "Mr Witness" and not by your real name and we all will refer to you as
24 "Mr Witness" to make sure that the public does not know your name.

25 When you answer questions that will not give away who you are, we do that in open

1 session, which means that the public can hear what is being said.

2 When on the opposite you are asked to describe anything that relates specifically to

3 you, or you are asked to mention facts that might reveal your identity, we do this in

4 private session. I explain to you what private session means. It means that there is

5 no broadcast and no one outside the courtroom can hear you. If anything gets said

6 during open session which should have been said in private session to protect you,

7 we will do our best to protect this information. Our broadcast is made on a delay

8 and we can remove any such remarks from the broadcast which will be heard by the

9 public and we can also and will also remove it from the public transcript of the

10 proceedings.

11 In addition to that, the Chamber gives you the assurance under Rule 74(3)

12 of the Rules that the Court will keep confidential the evidence that you will give

13 which might tend to incriminate you. So if any question is asked that could lead to

14 your self-incrimination we will hear your answer in private session so, as I have

15 explained it before, nobody outside this courtroom hears your answer.

16 Furthermore, the Chamber gives you the assurance that your testimony will not be

17 used either directly or indirectly against you in any subsequent proceedings by this

18 Court. There is of course an exception: If you don't say the truth, which would be

19 an offence against the Court.

20 We have also your legal adviser Mrs Kerwegi in the courtroom. If you have concern

21 during the course of your testimony, she will be available to advise you and raise

22 those concerns with the Chamber.

23 This was a lot of information, Mr Witness. Do you understand?

24 THE WITNESS: [9:41:29] (Interpretation) Yes.

25 PRESIDING JUDGE SCHMITT: [9:41:30] Thank you, Mr Witness. But still more

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1 information but on practical matters but shortly.
2 Everything we say here in the courtroom is written down and interpreted. It is
3 therefore important to speak clearly and at a slow pace. Please speak into the
4 microphone and only start speaking when the person who has asked you the question
5 has finished. The interpretation needs a couple of seconds to really understand and
6 to really follow. If you have any questions yourself, raise your hand so we know
7 that you wish to say something.

8 Again, now all the information is over, but again I ask you do you understand all
9 this?

10 THE WITNESS: [9:42:11] (Interpretation) Yes, I do.

11 PRESIDING JUDGE SCHMITT: [9:42:16] Thank you. We will then start your
12 testimony and I give Mr Sachithanandan the floor.

13 MR SACHITHANANDAN: [9:42:23] Thank you, your Honour. Could we move
14 into private for about 10, 15 minutes.

15 PRESIDING JUDGE SCHMITT: [9:42:28] Private session for about 10 to 15 minutes.

16 (Private session at 9.42 a.m.)

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13 (Open session at 9.50 a.m.)

14 THE COURT OFFICER: [9:50:41] We are back in open session, Mr President.

15 MR SACHITHANANDAN: [9:50:47]

16 Q. [9:50:47] Mr Witness, we are now in open session, so I would be grateful if you
17 avoid mentioning the names of any of your relatives. But please continue. You
18 said you were brought out with some other people and you were tied. Please
19 continue from there.

20 A. [9:51:10] When we were now bound to together, we were instructed to get up
21 and start walking. We started walking towards the police barracks. In a short
22 while, there were some gunshots, one or two gunfire. We were instructed to stop
23 and told to kneel down. We did that. Then we were instructed to branch to the
24 right, and we started walking, going towards a high water point. We were all
25 gathered there and instructed to sit down. We did that. As we sat down, there was

1 more gunfire and some people lit the place and they were instructed not to.

2 Next to the building where we were -- we had converged, there was a soldier called

3 Ojara, who flashed --

4 THE INTERPRETER: [9:52:13] The interpreter would request the speaker to slow

5 down a bit, your Honour.

6 MR SACHITHANANDAN:

7 Q. Mr Witness --

8 PRESIDING JUDGE SCHMITT: [9:52:19] No, no. Let me explain.

9 Mr Witness, the interpreters tell me that you are a little bit too quick when you speak.

10 The Presiding Judge, in my person, had also to learn that, but I am much longer in the

11 courtroom, and I sometimes also fall back into my old bad habits. I know it's

12 difficult, but try to speak a little bit at a slower pace.

13 MR SACHITHANANDAN: [9:52:49]

14 Q. Mr Witness, let me take this opportunity to ask some questions about what you
15 have said already.

16 You said you were all gathered and told to sit down. Who, who were the people

17 who were gathered and told to sit down? Without, of course, naming any of your

18 family.

19 A. [9:53:15] These were the abductees who were told to sit down.

20 Q. [9:53:20] Approximately speaking, how many abductees were there?

21 A. [9:53:30] At that time, there were so many people who were abducted and, well,

22 I -- I would estimate about 150 people. There were actually so many people.

23 Q. [9:53:46] What were the ages of the youngest people present amongst the
24 abductees?

25 A. [9:54:03] The young ones were fairly many. I would expect, I would estimate,

1 that out of the 150 people, there were over a hundred who were young.

2 Q. [9:54:22] What is the age of the youngest people who were there, if you can
3 estimate?

4 A. [9:54:40] The people I saw who were looking young were between 10 and
5 11 years old.

6 Q. [9:54:50] And were these only boys, only girls, boys and girls? Which of those
7 three?

8 A. [9:55:04] There were some girls and some boys as well.

9 Q. [9:55:19] And how, how were you -- now, you told us their rough ages. How
10 did you determine that?

11 A. [9:55:39] I determined that -- well, I said some of them were between 10 and 11
12 because I, I used my own size. They were actually much younger than me. That's
13 why I estimated they could be about 10 or 11.

14 Q. [9:56:02] All right. Let's pick up the story from there. What happened after
15 you were told to sit down?

16 A. [9:56:16] When we were instructed to sit down and after the gunshots, after they
17 had shot the soldier, we were instructed now to get up and to start walking. We
18 walked and crossed the road. We went towards Abwola's home, which was on the
19 other side of the road. We -- they kicked into Abwola's house and a soldier marched
20 out of that house. He was shot. His uniform was removed and his gun was also
21 recovered. There was another soldier who had stayed in the house. He was put on
22 gunpoint. His gun was hanging on the wall. They got the gun and then had him
23 bound. In another house, they went and collected some computer sets.

24 After leaving Abwola's home, we crossed the road and went towards the mission that
25 was going towards Kombon's home. On reaching Kombon's home, they broke the

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1 door. Kombon had a lot of merchandise in his house. We looted several items and
2 these items were given to the people to carry.

3 We started following the road and while we were following the road, we found
4 a trailer that was on the roadside. The trailer was set ablaze. The soldiers started
5 firing at us. People scattered and starting running, but people were -- they were told
6 to move directly and nobody should try to run because anybody who does so would
7 be shot.

8 We came and entered the centre. We -- and a civilian called Samuele got there and
9 was abducted. Samuele was asked to give some money, but he said there was no
10 money because he had just come back from Lira. Then he was told to lead the
11 people to his shop and Samuele accepted to do that.

12 Then we left to go to Samuele's home, but in the process the government soldiers
13 were firing a lot of bombs at us, so we failed to proceed to Samuele's home. We
14 went into the bush and went up to a place called Palenga. From Palenga we
15 followed the main road.

16 Q. [9:59:24] Thank you, Mr Witness. That was very detailed. And I just want to
17 show you something before we move any further.

18 Could we all please turn to tab 2 of the binder.

19 Mr Witness, there is a binder in front of you. Do you see it? Could you please open
20 it to the page numbered 2?

21 PRESIDING JUDGE SCHMITT: [9:59:53] I assume this can be displayed publicly, or
22 not?

23 MR SACHITHANANDAN: [9:59:58] This is confidential, your Honour, because
24 there is a signature.

25 PRESIDING JUDGE SCHMITT: [10:00:00] I have just seen it. Okay.

1 MR SACHITHANANDAN: [10:00:05] Mr Court Officer, we could even pull this up
2 on evidence 1. This is 0260-0067.

3 Q. [10:00:26] Mr Witness, do you see the picture under the page marked 2?

4 A. [10:00:35] Yes, I do.

5 Q. [10:00:45] Do you see -- what is this image?

6 A. [10:00:50] This is a diagram of Pajule centre. It also shows how, on the day we
7 were abducted, how we moved on that day, how we moved around the centre.

8 Q. [10:01:09] Who drew this image?

9 A. [10:01:15] I did.

10 Q. [10:01:18] There is a signature at bottom left. Whose signature is that?

11 A. [10:01:33] That's my signature.

12 Q. [10:01:35] Looking at the middle of this image, just above the Kitgum-Lira road,
13 you have written, "Uncle house place I am abducted." So rather obvious question, is
14 that where you were abducted?

15 A. [10:01:51] It's precisely.

16 Q. [10:01:54] To the immediate right of that, you have "Samuele house". Is that the
17 Samuele you just mentioned?

18 A. [10:02:07] Yes, that's Samuele's house, the Samuele I was talking about.

19 Q. [10:02:13] Crossing the road beyond Samuele's house, I can see "House of
20 Abwola". Is that the Abwola you mentioned?

21 A. [10:02:24] Precisely.

22 Q. [10:02:27] On the far right bottom of this picture, below the Kitgum-Lira road,
23 I can see "House of Kombon." Is that the Kombon you mentioned?

24 A. [10:02:44] Yes, it is.

25 Q. [10:02:48] Mr Witness, these triangles at the top of the map, just above "Police

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1 Baraki," what are those triangles?

2 A. [10:03:05] Those are civilian homes, civilian homes in Pajule centre.

3 Q. [10:03:15] Thank you. That will be all with this map for now.

4 Right. So in your narrative, Mr Witness, you were just leaving the Pajule. Could
5 you please start from there and carry on.

6 A. [10:03:47] Yes, we left Pajule. We walked -- went to an area close to Akena's
7 house. We walked through the bush. We went to an area known as Palenga. If
8 you follow Gulu road without going through the bushes, if you walk through the
9 centre, you pass Laloyo's home. But we crossed through the bush and went to
10 Palenga. We walked and went to an area known as Lamogi-Palenga. We walked
11 and then we went to the right.

12 We took a road on that side. We walked and came to a homestead. They told us to
13 stop. When we stopped, we were told that all the luggage that people were carrying
14 should be brought and put into the compound. All the luggage we were carrying
15 was put down in that compound. They started preparing the luggage. After they
16 had done this, they told us to stand up and told to line up. When we got up, we
17 lined up. With the older people, the older people were given luggage to carry. The
18 younger, bigger -- big luggage to carry. The younger people were given smaller
19 items to carry. Once we got the luggage, we started walking. We continued
20 walking. We went to an area known as Kompetene.

21 Q. [10:05:54] Sorry, thank you for this very detailed narrative. Once in a while I
22 will stop you so that we can get details of what you've already said.
23 In this journey up to Kompetene, were your hands free or were you carrying
24 something?

25 A. [10:06:19] I had a saucepan and I also had shoes, shoes that had been looted.

1 Those are the things that I had. I also had a radio in my hand.

2 Q. [10:06:31] The other people who were moving with you, were their hands free or
3 were they carrying something?

4 A. [10:06:45] Some people carried luggage. For example, Samuele was given
5 sugar to carry, one bag of sugar to carry. Everybody, all the people that were
6 abducted had luggage, but we were all given luggage accordingly, younger people
7 given smaller items, bigger people given bigger items.

8 Q. [10:07:12] Was it possible to escape at this point or was it not possible?

9 A. [10:07:26] No, it was impossible to escape, because we were all tied up. All the
10 people that were tied up, all the people walking were tied up, most of them. We
11 were also afraid, we were extremely scared. So you could not even think about
12 escaping at that time.

13 Q. [10:07:48] When you were abducted, the first LRA fighter you saw, what was his
14 name?

15 A. [10:08:05] From the location that I was abducted at, the first person that I saw
16 was Ariang, and afterwards I saw other people.

17 Q. [10:08:25] During your journey from Pajule to Kompetene, who was the most
18 senior LRA person with your group?

19 A. [10:08:44] When we left Pajule, as we were walking, the person who I later on
20 realised that was the most superior person there was Ojok, Ojok Ot Ngec.

21 Q. [10:09:08] Sorry, could you tell us Ojok's full name again, slowly.

22 A. [10:09:22] The way we called him, we used to call him Lapwony Ojok Ot Ngec.

23 Q. [10:09:40] Did you discover at any point who Ojok Ot Ngec's superior was?

24 A. [10:09:56] Yes.

25 Q. [10:09:57] Please tell us his name.

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1 A. [10:10:07] I later realised that the Ojok Ot Ngec overall commander was

2 Dominic Ongwen.

3 Q. [10:10:19] I want to show you another image now. Could everyone in the
4 courtroom please turn to tab 3 and maybe we can pull this up on evidence 1. Again,
5 confidential.

6 Mr Witness, can you see the image on your computer screen?

7 A. [10:10:59] Yes, I'm looking at it.

8 Q. [10:11:01] Sorry, for the record, this is 0260-0068.

9 Mr Witness, what is this image?

10 A. [10:11:20] This -- the image shows the way we moved from Pajule centre, the
11 direction that we took, until we got to Kompetene.

12 Q. [10:11:39] Who drew this image?

13 A. [10:11:45] I did it. I drew the image myself.

14 Q. [10:11:50] The signature at the bottom, is that yours?

15 A. [10:11:56] Yes, it is.

16 Q. [10:12:03] Right. With this image in front of you, perhaps you can tell us what
17 happened when you got to Kompetene.

18 A. [10:12:23] When we got to Kompetene, we entered Kompetene in the night.

19 When we got there, we were told that everything, all the luggage that we were
20 carrying should be brought into the Kompetene compound. There was a homestead
21 where we had reached. We were told nobody should stay with any luggage. We
22 collected everything that we had been -- that we were carrying, everything was
23 collected together. We were told, we were directed as to where to go and sit. We
24 went and sat separate from where we had placed the luggage. So the place, the same
25 place that we sat at was the same place that we slept till morning.

1 Q. [10:13:23] Who were the senior LRA leaders present at Kompetene?

2 A. [10:13:41] The commanders that I know, the high-ranking commanders that I
3 know there were Dominic Ongwen and Lapaicho.

4 Q. [10:14:00] You said you went to sleep. What happened the next day?

5 A. [10:14:11] The next day, in the morning, at approximately 8 a.m., Otto Nyinye
6 and Ot Ngec and Agweng, Agweng came and was asking the soldier who had been
7 captured from Pajule centre, he asked the guy, "Why did you join the army?" He
8 said the reason why he joined the army was because the Acholi people were annoyed.
9 He said, "Why is it that when the Acholi are annoyed they join the government
10 soldiers? Why not join the rebels?" He was also asking the soldier what kind of
11 guns they had at the centre.

12 When Agweng finished questioning the captured soldier, Ot Ngec started selecting
13 a number of people, Ot Ngec and Otto Nyinye. They collected all the older people
14 together. Otto was limping with the spear on their legs and he would slap them on
15 the chest. He would tell them, "You've got such a big chest, why don't we fight?
16 You've got such a broad chest, why don't we fight?"

17 He took these people to some homestead close to where we were, close to where we
18 had been gathered. He told them, he told these people to go and tell the soldiers that
19 if the soldiers want them, if the soldiers want them, the soldiers should follow them.
20 They should let the soldiers know that they are not afraid of them, because if it was
21 the soldiers that were helping them, they would go and capture them from the centre.
22 The people were gathered together, they were beaten and then they were released.
23 That's what happened.

24 Q. [10:16:33] Right. And I want to ask some details about what you just described.
25 What is Otto's full name?

- 1 A. [10:16:50] Otto Nyinye.
- 2 Q. [10:16:59] And this may be a rude word, but what is the meaning of that second,
3 second name, second name, yes?
- 4 A. [10:17:10] He used to say that his anus is his relative. He doesn't have any
5 other relative other than his anus.
- 6 Q. [10:17:22] Who is Agweng?
- 7 A. [10:17:32] Agweng was an intelligent officer.
- 8 Q. [10:17:45] Which, which unit was he the -- did he carry out this function?
- 9 A. [10:17:54] Agweng was in Oka, he was in Oka battalion.
- 10 Q. [10:18:13] You said some abductees were released. Were all abductees released
11 or only a subset of abductees were released?
- 12 A. [10:18:32] Could you please repeat the question?
- 13 Q. [10:18:37] You said that abductees were released. Were all the abductees
14 released or only some abductees released?
- 15 A. [10:18:54] The -- they only released old people because these are the people who
16 they assumed would not stay. But younger people or stronger people who were
17 able to walk and people who could continue to stay within the LRA were taken.
- 18 Q. [10:19:25] What happened to the older abductees?
- 19 A. [10:19:37] They were beaten and after they were beaten they were released.
- 20 Q. [10:19:48] Please tell us what happened to the remaining abductees.
- 21 A. [10:20:01] The people that were -- the people who stayed behind were myself
22 and (Redacted) Okot Ot Ngec took us and took us to his household. He called other
23 people and distributed them. There are some people that -- they did not distribute
24 everybody. Some people stayed with -- remained with Ot Ngec. And he was, he
25 was given to people who were taking care of his home. They whistled. When they

1 whistled we continued walking.

2 Q. [10:21:01] Sorry, occasionally I will give you a signal to stop.

3 These abductees, which -- now, earlier you mentioned, for example, Oka battalion.

4 These abductees that we are talking about, which battalions were they were assigned
5 to?

6 A. [10:21:32] The abductees, for example, myself and some of us who were taken
7 by Ot Ngec to his household were taken to Oka battalion. The other little young
8 soldiers -- I was still new at the time, and I did not know where the soldiers were
9 taking the abductees to. The people that remained, the remainder of the abductees
10 remained in Oka battalion and we continued further for them to be distributed and
11 we went to a new position.

12 Q. [10:22:14] Now roughly speaking how many young abductees joined Oka
13 battalion?

14 A. [10:22:34] There were many people. It's very -- I think to my estimation, more
15 than 50.

16 Q. [10:22:43] Okay, please continue describing your movements.

17 A. [10:22:54] I will go back a bit. When they whistled, the time that we were
18 supposed to get up, the computer that was taken from Abwola's house was smashed
19 because it was of no use, it was smashed and burned. They were also -- they had
20 also looted several radios. Lapwony Odomi said all the radios should be brought to
21 him. Once they brought all the radios together and they told them that if everybody
22 has a radio it will cause insecurity so all the radios that are useless should be smashed.
23 They smashed most of the radios and I only saw one that was -- Odomi had and then
24 one that went to Lapaicho's home. We continued walking. We went to an area
25 known as Tuma Atoo. Once we got to that place they took us from the position and

1 we were told to go and -- to go and slaughter a cow. Once we went to slaughter the
2 cow there was a boy, (Redacted), who was called Opok. He had originally been
3 abducted by the rebels and he had escaped and come back.

4 Once we were slaughtering the cow --

5 Q. [10:24:39] Sorry, it's my, my stop signal.

6 One question that I forgot to ask you: You mentioned these young people joining
7 Oka. What was the age of the youngest of them that joined Oka?

8 A. [10:25:12] Well the person I saw, perhaps one of the young people were 12
9 or 13 years of age.

10 PRESIDING JUDGE SCHMITT: [10:25:27] And how did you know that?

11 THE WITNESS: [10:25:34] (Interpretation) Well, it was visual. I would look at the
12 person, look at their size, and compare them to myself. Compared to me they were
13 younger, or they looked smaller, and that's why I guessed that they were 12 or 13.

14 MR SACHITHANANDAN: [10:25:59]

15 Q. [10:26:00] Now we will come back to your narrative. Without discussing any
16 family relationships or anything like that, could you please continue describing
17 this -- what happened to this person who had been previously abducted by the
18 rebels?

19 A. [10:26:32] One soldier asked him to look at him. When he lifted up his head
20 and looked at the soldier, the soldier asked him "Do you know me?" He kept quiet
21 and he bowed his head down. The person, he instructed that he should be caught
22 and tied up. He was caught and tied up and taken to Agweng's home.

23 We continued slaughtering the cow. The meat was divided to the different positions.
24 Before, before we cooked we heard gunfire, gunfire, and we heard that soldiers were
25 pursuing us so they told us to move. We started moving. They told us to stop.

1 We stopped.

2 I -- they said that perhaps the young man that had been tied up had been left behind
3 so they went, collected him and brought him. We went to some homestead. I am
4 not so sure of that area. Once we got to that homestead we spent the night there, our
5 position spent the night there.

6 In the morning, early in the morning, Ot Ngec told to Odokonyero that Odokonyero
7 should take all the young boys in his homestead and take us to parade. We went to
8 the parade and Lapwony Odomi also said the same thing should be done to all the
9 people in his household, so they brought everybody. And we were in the same
10 position, we were on parade.

11 After the parade, they gathered us together.

12 Q. [10:28:40] Sorry. Sorry, I just want to ask some questions about what you have
13 just said.

14 You mentioned that all the, that the young boys -- or, rather, that people were
15 parading and that Odokonyero should take -- took all the young boys to parade and
16 that Odomi said the same thing should be done to people in Odomi's household.
17 Who were -- what was the age of the youngest people who paraded from Odomi's
18 household?

19 A. [10:29:39] There were quite a number of them. As I stated earlier, in my
20 estimation the youngest person -- or the person who in my view was the youngest
21 was around 12 or 11, because there were quite a number of young, young children.

22 Q. [10:30:06] Right. Please continue. You were going to describe this parade.

23 A. [10:30:20] When we finished parade we were gathered together and they
24 brought the boy who had earlier been bound and we were told that in the LRA what
25 we really don't want is the issue of escaping, or having to think about home.

1 Whenever you are here forget about home. Whoever tried to escape will be killed.
2 And we are going to show you as an example, we abducted him earlier and he
3 thought he was wise, he refused to stay with us, he escaped thinking we would not
4 find him again. We shall not forgive him. We shall kill him. You will be the ones
5 to kill him.
6 Thereafter the boy was brought and they said we should go and kill him. When
7 people got up, because there were so many people, then Ot Ngec restrained them.
8 He said this boy is a soldier and if we send you to go and kill him there is a possibility
9 that he can also escape. And you are also so many and some of you might also
10 escape. Therefore, most seasoned soldiers were the ones who went with the boy,
11 went and killed him. They stabbed him with a bayonet. Afterwards they told us
12 that all of you should go and witness, you might think that we have not killed him.
13 We want all of you to go and see with your own eyes. When you reach there, make
14 sure you beat the dead body with a stick and you must touch the body. We all went
15 and beat the body, the dead body, touched the body and then we came back to the
16 position.

17 Q. [10:32:41] Sorry, I am going to stop you there. And some of my questions are
18 going to sound repetitive to you, I am just warning you, but please have some
19 patience. What were the ages of the youngest people who had to go and beat the
20 dead body?

21 A. [10:33:12] Well, all of us who were abductees, regardless of the position you
22 were from, like I said earlier, the earliest -- no, the youngest person I estimated was
23 about 10 years and all of them were able to go to see the dead body and also carry out
24 the same exercise.

25 Q. [10:33:39] Now earlier you mentioned the capture of a UPDF soldier. What

1 happened to this soldier?

2 A. [10:33:53] That soldier was also removed from the group, he was taken and
3 killed. When he was killed we were also taken to go and witness that the soldier
4 was killed. That was to indicate that they did not want government soldiers. We
5 were also taken to go and see the dead body.

6 Q. [10:34:17] Who killed the government soldier?

7 A. [10:34:26] That government soldier was killed by the LRA soldiers.

8 Q. [10:34:40] Do you know who ordered the killing of the soldier?

9 A. [10:34:49] Well, I, I don't know who really gave the order for his killing.

10 Q. [10:35:01] You mentioned parading. Around this time, did you receive any
11 other kind of training?

12 A. [10:35:19] Yes. I received some other kind of training and that was after we left
13 there, we went to an area called Bagoma. Our position was given next to a sorghum
14 garden. In our position the other ordinary soldiers in our position picked up and
15 took us to parade. We were gathered together, we formed a circle, and they brought
16 a gun. They started dismantling the gun and they showed us the different parts of
17 a gun with their names and the number of times you do not call it right would be the
18 number of canes that you are given. After that, when we finished the training on
19 how to dismantle and reassemble a gun and the names of the various parts, we were
20 taken back to our position. Then we prepared a meal and later on Odokonyero came
21 and told us that Lapwony said they should identify two persons per position to go
22 and have a dancing competition and the winners would take biscuits. At first they
23 identified me but I said I don't know how to dance. They picked another person
24 called Okello, he also declined. Then they picked another boy who was coming from
25 Opete and then another, another person who were taken to go for the dancing

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1 competition. At some point they said everyone should go and dance, whoever
2 declines to go will be beaten because that will be an indication that they are thinking
3 about home. We therefore went to dance at Odomi's household. We danced and
4 we were given some biscuits. When we finished dancing we were instructed to go
5 back to the position.

6 Q. [10:37:51] Thank you, Mr Witness.

7 Now I think I understand that there were two separate episodes of dancing. Who
8 were the first two people who danced?

9 A. [10:38:16] The first people who danced were -- well, those were part of the
10 abductees who were young and they were identified from the various position to go
11 and compete to win biscuits. These people were given big biscuits. But the rest of
12 us who went en masse to dance, we were all abductees. But the sizes of the biscuits
13 that were given us were very small biscuits.

14 Q. [10:38:51] Have you heard of anyone called Olet?

15 A. [10:39:03] Olet, yes, I did. We were in the same position with Olet and we went
16 together to dance with him. Olet and Wokorach were the ones who went to-- for the
17 dancing competition at the time I was identified and I declined. They were the ones
18 who were accepted to go and compete.

19 Q. [10:39:26] How old at that time were Olet and Wokorach?

20 A. [10:39:38] Well, Olet, I felt he was about 14. Wokorach was about 13.

21 PRESIDING JUDGE SCHMITT: [10:40:00] May I ask something? And it is not easy
22 for us to picture what has happened at the time of course and perhaps we can give it
23 a try: Was there music?

24 THE WITNESS: [10:40:23] (Interpretation) Well, they were playing music. There
25 was a radio that was playing the music and people were dancing to the tune.

1 PRESIDING JUDGE SCHMITT: [10:40:34] Did the people who had captured you
2 comment on how the abductees danced?

3 THE WITNESS: [10:40:49] (Interpretation) Yes, they did that. During the
4 competition they were commenting, because I remember there was a boy, I don't
5 know whether I could mention his name because I was instructed that some names
6 should be omitted?

7 PRESIDING JUDGE SCHMITT: [10:41:08] Then for the moment don't mention the
8 name, just say "there was a boy."

9 THE WITNESS: [10:41:17] (Interpretation) Well, there was a boy I remember who
10 won the competition. And they said he was the best dancer.

11 MR SACHITHANANDAN: [10:41:38]

12 Q. [10:41:40] Mr Witness, during the course of the movements of Oka battalion,
13 how did the people in Oka battalion feed themselves?

14 A. [10:42:01] Would get food from the civilians, would get beans, goats, chicken or
15 cattle. All these items were looted from civilians. There was no other way other
16 than getting the items from the civilians.

17 Q. [10:42:31] Could you describe to us, please, how Oka battalion was organised,
18 from the top to the bottom, in terms of seniority?

19 A. [10:42:56] Oka battalion was organised in such a manner that there was
20 Lapwony Odomi who was at the headquarters, he was the overall commander of Oka.
21 And then there was the operation room where his second in command was
22 Ojok Ot Ngec. And then there was Agweng who was the intelligence officer. There
23 was also Odong Cowboy who was the A coy before Ot Ngec died, he was at the A coy,
24 but when Ot Ngec died he came to the operations room. There were other
25 commanders like Gereng, Ariang, Van Dam. Well, they were fairly many. People

1 kept on moving up and down and I cannot recall the coys clearly now.

2 Q. [10:44:34] When you, for example, for the night, when Oka battalion stopped
3 moving, could you describe to us what kind of position it took in the night when you
4 were camped?

5 A. [10:45:12] With the position, when the headquarters, which is the house of
6 Dominic Ongwen is settled in the middle, on one side there could be Ot Ngec's
7 household, on the other side would be Odong Cow's household. Then on another
8 side, Agweng's household. On another side again there would be Ariang's home.
9 And the next side would be Van Dam's home. And well, Dominic Ongwen would
10 be at the headquarters with his escorts, the escorts would be staying just next to him
11 and they would also have a dog adaki composing of soldiers who may not be at duty
12 and they would just be next to his position. They would also provide security.
13 Ot Ngec, in his position would also be having his own dog adaki and they would also
14 put security like the OP. And late in the evening they would now call it LP. That
15 means they would now come nearer to the position, not like they were during the day.
16 And that happens to all the other positions and the guards would be in all the
17 positions. They would pick people from various positions.

18 Q. [10:46:56] Now we have discussed extensively the presence of people who
19 were 10, 11, 12, 13 years old. When you are camping like this, where do these young
20 people stay?

21 A. [10:47:18] The children, if they are, for instance, the freshly abducted ones who
22 were still undergoing training, some of them would be escorts and they would be on
23 duty. They would therefore be very near their individual commanders, because
24 sometimes there would be two people on duty, with one being a trainee and then the
25 other one would be a battle-hardened soldier. And you could also be keeping the

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1 gun or holding the gun of the commander and his chair, another person would be
2 walking a little behind and you would sit a little separately. But if you are not on
3 duty and you are also not an escort you would be stationed at the dog adaki, together
4 with other soldiers who may not be escorts but other ordinary soldiers. And these
5 soldiers, what they would do would be, for instance, if today they identified a soldier
6 to go for OP they would also identify one freshly abducted person to go with the, the
7 seasoned one for the OP so that they are trained on how to operate. That is how the
8 children were being trained and those are the things they would be doing.

9 Q. [10:49:05] Thank you, Mr Witness, and we will discuss the functions of young
10 children in detail later.

11 You described during your abduction the presence of young girls amongst the
12 abductees. Now same scenario, when Oka is camping in the night, where are the
13 young girls?

14 A. [10:49:37] The young girls do not sleep at the dog adaki. They would be at the
15 centre. If, for instance, at Ojok Ot Ngec's household, the girls who were there, for
16 instance, those who were just freshly abducted and did not have a husband, they
17 would be sleeping in one tent next to the escorts of Ojok Ot Ngec.

18 Q. [10:50:16] And what about girls or women who had husbands, where would
19 they sleep?

20 A. [10:50:33] For girls, women who had husbands, they would be sleeping with
21 their husbands in the tents. And the tents are constructed by the commanders'
22 escorts. And that's where they would sleep, with their husbands.

23 Q. [10:50:53] Thank you, Mr Witness. I want to show you an image briefly.
24 Could everyone please turn to tab 4 of the binder. Again confidential. The ERN
25 is 0260-0069.

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- 1 Mr Witness, do you see this image on your computer screen?
- 2 A. [10:51:35] Yes, I can see it.
- 3 Q. [10:51:37] Who drew this?
- 4 A. [10:51:43] This image was drawn by myself.
- 5 Q. [10:51:48] Signature on the bottom left, is that yours?
- 6 A. [10:51:54] Yes, that's my signature.
- 7 Q. [10:51:57] Please describe what this image is.
- 8 A. [10:52:07] What I am trying to communicate in this image is the -- the
- 9 distribution of positions and how in each position the security issues are treated.
- 10 This is exactly what the image is showing.
- 11 Q. [10:52:35] Who is in the middle there?
- 12 A. [10:52:42] That is Ongwen's household.
- 13 Q. [10:52:47] When you say "Ongwen's household", who stays in Ongwen's
- 14 household?
- 15 A. [10:52:58] In his household he would be staying with his escorts who are on
- 16 duty, his wife would also be there in his household. That would during day. But
- 17 in the night the escorts would be far off and wouldn't sleep near him. He would be
- 18 sleeping in the -- in his house and the escorts would be out. Where there is no house
- 19 they would erect a tent and he would sleep inside the tent.
- 20 Q. [10:53:45] Ringed around the circle we have the letters "OP", what exactly is an
- 21 OP?
- 22 A. [10:54:01] OP is the security set, because sometimes people are taken back to
- 23 the -- the route they came from to check. The OP could sometimes be freshly
- 24 abducted children, together with the battle-hardened one and taken back to the OP.
- 25 The fresh abductee would be taken for a training and that person would be taken to

1 climb up on to a tree to see who is coming or pursuing them. And the person who is
2 up there will have to inform the person who is down who would be coming. The OP
3 would be stationed to provide security.

4 Q. [10:54:56] We have discussed the presence of children of the ages between 10
5 and 13 or 14. Would they be present in the OP or not?

6 A. [10:55:13] Yes. Because whenever you are male and -- and you are an abductee
7 you will eventually have to carry out an OP task.

8 Q. [10:55:31] That's interesting. So am I correct in thinking that girls did not have
9 to do OP?

10 A. [10:55:46] Well, I never -- I am not sure, but I never saw any girl going for OP.
11 So I cannot really tell.

12 Q. [10:55:57] Along the perimeter of this circle we have the word "dog adaki".
13 What exactly is dog adaki?

14 A. [10:56:12] Dog adaki, like I said, for instance, when we are at Ot Ngec's home,
15 dog adaki here is composed of soldiers who were positioned to protect Ot Ngec such
16 that in case anything comes around does not immediately enter to access where the
17 commander is, the people who were ringed outside would be able to intervene and by
18 the time the threat reaches the commander the dog adaki will have first been
19 penetrated.

20 Q. [10:57:06] And a slightly repetitive question now: These children between 10
21 and 13 or 14, were they in dog adaki or were they not?

22 A. [10:57:20] Yes, those children would also be at the dog adaki, but for those who
23 were not escorts or on duty will be at dog adaki. But the escorts and those on duty
24 will be with the commander, for instance with Ot Ngec, but those who are not on
25 duty will all be at the dog adaki like anyone else and they will carry out any other

1 activity that the others, people do.

2 Q. [10:57:54] Just inside the perimeter of this circle you have a number of circles or
3 little circles and it is written "Odong Kaow", "Arang", "Van Dam", "Gereng", "Nyerere",
4 "Agweng". Who are those and what are those circles?

5 A. [10:58:25] Those small circles that were a little inside, these are the -- the
6 positions of commanders who -- who were heads of -- of coys, they are the ones who
7 have households, they have people who stay in the households and that is indicated
8 by the circles.

9 Q. [10:58:58] In these households, was it only men or also was it women?

10 A. [10:59:09] Well, there would also be women because, like I said, for instance the
11 girls, there won't be girls at the -- at the dog adaki, dog adaki would be composed of
12 only boys. The girls would be in the households. So, like I said earlier, those who
13 did not have husbands would be staying inside, and the commanders who did not
14 have wives would -- the girls would be preparing meals for them. But in the night,
15 their tents would be constructed near that of the commander. But those who
16 had -- who had their husbands would sleep together with their husbands in the tents
17 inside.

18 Q. [11:00:05] And one final question, Mr Witness, before we take a break. On the
19 far right you have something called "gad securet". What is that?

20 A. [11:00:25] That -- that is a guard. If you see the two arrows that shows that at
21 the time we come -- we came to take a position there we came from that direction.
22 That guard is sent for security because sometimes when the soldiers are pursuing us
23 and they are coming from the same direction where we came, they will come and
24 meet the guard there before they can access or reach the position. The guards would
25 spend the entire night there. In the evening they would retreat a bit towards the

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- 1 position, but during day they would be taken far off from the main group so that
2 when there is an approaching enemy they would be able to identify.
- 3 PRESIDING JUDGE SCHMITT: [11:01:19] Coffee break until 11.30.
- 4 THE COURT USHER: [11:01:24] All rise.
- 5 (Recess taken at 11.01 a.m.)
- 6 (Upon resuming in open session at 11.37 a.m.)
- 7 THE COURT USHER: [11:37:04] All rise.
- 8 PRESIDING JUDGE SCHMITT: [11:37:22] Mr Sachithanandan, you have the floor.
9 And I assume this will go on a little while.
- 10 MR SACHITHANANDAN: [11:37:31] Yes, your Honour.
- 11 PRESIDING JUDGE SCHMITT: [11:37:35] That was not a question. That was a
12 statement.
- 13 MR SACHITHANANDAN: [11:37:49]
- 14 Q. [11:37:49] Mr Witness, who was your first commander when you joined Oka
15 battalion?
- 16 A. [11:38:03] The first -- my first commander when I joined Oka battalion was
17 Ojok Ot Ngec. I stayed in his household.
- 18 Q. [11:38:24] Which commander did you serve next?
- 19 A. [11:38:36] It was Odong *Cow.
- 20 Q. [11:38:44] Who did you serve after Odong *Cow?
- 21 A. [11:38:49] After Odong *Cow, I was in Kidega's -- Lapwony Kidega's
22 household.
- 23 Q. [11:39:03] Were all these commanders in Oka battalion?
- 24 A. [11:39:07] Yes, they were all in Oka battalion.
- 25 Q. [11:39:11] What was your role when serving these commanders?

1 A. [11:39:39] I was responsible for preparing food, (Redacted) from civilians
2 when necessary, cooking, being a security guard, going on patrol, standing guard,
3 going to the outpost and also being a part of a standby, for example, if there was an
4 attack at a particular centre or if there's an ambush along the road. I was also an
5 escort at some point.

6 Q. [11:40:37] The -- you mentioned the word "escort". Now, what are the jobs of
7 an escort?

8 A. [11:40:52] If, for example, you're a particular commander's escort to a
9 commander who does not have a wife, you're responsible for washing -- for doing his
10 laundry, you provide him with water to bathe, make sure that his gumboots are clean.
11 You're responsible for carrying his bag, his gun and his chair. Those are the things
12 that you must ensure that are next to you, nothing bad should happen to those things.

13 Q. [11:41:51] The young children we discussed, that is people between 10 and 14,
14 did they ever have to do any of these duties?

15 A. [11:42:11] Yes, they were also part of the escort. And they also did the other
16 tasks that I just mentioned.

17 Q. [11:42:22] What kind of training did these -- did you and these young people
18 receive to carry out these tasks?

19 A. [11:42:44] We were trained -- for example, if you're someone's escort, as an
20 escort or when you've just started working as an escort, the particular soldier gives
21 you instructions, he tells you what you're supposed to do. The commander informs
22 you that if you're carrying luggage, if there is an attack, ensure that you do not drop
23 the luggage you're carrying. You have to make sure that you're next to the gun. If
24 he needs the gun, you have to hand him the gun. So those are some of the
25 instructions that are issued when you start out as an escort.

1 Q. [11:43:38] Do escorts have any particular function when you're moving or
2 when you're in movement?

3 A. [11:44:01] Yeah, escorts had different roles. If we are on the move, for
4 example, if the escort is on duty, if there are two escorts on duty, if you're on the
5 move and we get to a place where, for example, they know that they're about to
6 distribute positions, one of the escorts must ensure that they go and look for food,
7 they go and get chicken, they get flour, and that would be a task assigned to that
8 escort. You have to make sure that you go and get those things. By the time we get
9 to that position, those things must be ready, they must be available. So by the time
10 people are going to prepare food, those people -- those things must be available and
11 they must be enough.

12 Other than that, if you're an escort but you're not on duty, you're sometimes sent on
13 standby, sometimes you're sent on mission to attack a centre, to attack the army
14 soldiers at a centre, to go to the road or to go and look for foodstuff or to go and
15 patrol, to stand guard, to go on the -- to go to the OP and you are assigned a number
16 of duties.

17 Q. [11:45:34] Mr Witness, we're going to move to a slightly different area now.
18 Have you ever heard of any abductions that took place at a place called Pader
19 Labongo?

20 A. [11:45:57] Yes, I heard of an abduction at Pader Labongo.

21 Q. [11:46:05] Now, without any mention of relationships between anyone, could
22 you please tell us what happened at Pader Labongo?

23 A. [11:46:25] When -- when we went to Pader Labongo, once the positions had
24 been assigned and everybody had gone to their assigned positions, there is one boy
25 and one girl who were abducted from that home. The boy was instructed to punch

1 the porch while saying that he's going to be in the army for the rest of his life, and he
2 did that, saying that he's going to stay in the army for the rest of his life. And those
3 are the people that were abducted from that place.

4 Our position was in a maize garden and we were breaking that maize and beans, we
5 harvested beans as well, we took chickens and we cooked those things and we ate in
6 that homestead.

7 In the evening some people were sent on patrol. They were sent to Pajule or Pader
8 town. They abducted somebody from those areas. They brought that person back.

9 In the morning at dawn while we were in our position, we heard -- we heard
10 somebody being beaten. One of the soldiers among us asked, "Who is being
11 beaten?" And they responded, "Oh, this is somebody that we abducted along Padibe
12 road", and they guessed that perhaps he was a soldier.

13 When they whistled, we all gathered together in the compound where that person
14 was being beaten. The person had been beaten to death. One of the soldiers who
15 had collected all the civilians together, the civilians who had been abducted,
16 instructed civilians to clap their hands while saying, "This stupid person has died.
17 It's a good thing that the person has died."

18 That's what happened at Labongo. And after that we left that place.

19 Q. [11:49:11] All right. And now we'll examine that in a bit of detail. You
20 mentioned a boy and a girl being abducted. How old was the girl who was
21 abducted?

22 A. [11:49:35] The girl was about 14, 14 years old.

23 Q. [11:49:41] How old was the boy who was abducted?

24 A. [11:49:53] The boy was about 15.

25 Q. [11:49:55] To which home or commander was the girl assigned?

- 1 A. [11:50:16] The girl was assigned -- I do not recall. I do not recall to which
2 commander she was assigned. But the boy was with some soldier called Opio Ogeri,
3 but I do not recall where the girl was.
- 4 Q. [11:50:37] Can you please repeat the name of the soldier to whom the boy was
5 assigned, slowly.
- 6 A. [11:50:49] It was Opio Ogeri.
- 7 Q. [11:50:59] Who or to which battalion did the abductors of these two belong?
- 8 A. [11:51:18] They were in Oka battalion.
- 9 Q. [11:51:21] Who was the commander of Oka battalion at the time of this
10 abduction?
- 11 A. [11:51:34] It was Dominic Ongwen.
- 12 Q. [11:51:36] Who were the people who carried out this abduction?
- 13 A. [11:51:48] The abductors were, the ones who abducted the boys -- the boy, was
14 Otto Korea. I saw Otto Korea.
- 15 Q. [11:52:04] Do you know who abducted the girl?
- 16 A. [11:52:12] They came, they brought the girl and the boy together. I saw Otto
17 Korea and Ngec, those are the two people that I remember.
- 18 Q. [11:52:26] The people who brought the girl and the boy back, who did they
19 report to?
- 20 A. [11:52:44] Otto Korea, both Otto Korea and Ngec were within Odomi's
21 household. Sometimes the -- they worked as escorts, sometimes they were on duties,
22 sometimes they were on the dog adaki. They all stayed at Dominic's house.
- 23 Q. [11:53:10] You mentioned that the boy was assigned to Opio. Who decided to
24 assign the boy to Opio?
- 25 A. [11:53:29] I do not know who made the decision, but I saw the boy in Opio's

1 household. When we were moving together, he was always carrying Opio's bag and
2 when we get to a particular position he would stay with Opio's group, but I do not
3 know who assigned him to Opio's household.

4 Q. [11:53:55] Who at that time was Otto Korea's immediate supervisor?

5 A. [11:54:06] Otto Korea's supervisor was our overall commander and that was
6 Dominic.

7 Q. [11:54:17] Now, you also mentioned a separate abduction where civilians were
8 told to clap. Where did those civilians come from?

9 A. [11:54:50] The civilians who lived in that area, when we got to that area and
10 while we were on patrol, some of those civilians were abducted from their
11 homesteads and then gathered together at that location.

12 Q. [11:55:08] How many civilians?

13 A. [11:55:15] There were a number of civilians, I did not count them, but there
14 were many. There were probably more than 20.

15 Q. [11:55:25] What was the age of the youngest people in that group of civilians?

16 A. [11:55:40] Most of the civilians who were abducted, I cannot actually guess the
17 ages of any of the young civilians. They did not take any of the adults. If they went
18 with any adult civilians, then it's as I explained earlier, they would take -- they would
19 take the able-bodied ones. But I think most of the civilians were 30 years and above.

20 Q. [11:56:15] Right. So am I right in thinking that these civilians were not kept;
21 is that what you're saying?

22 A. [11:56:26] When we left the place, the civilians that were clapping were left
23 behind, but the girl and the boy, the ones I spoke about earlier, went with us. We
24 were with them in the bush. But some of the other civilians were left there.

25 Q. [11:56:49] The civilians were clapping about the death of someone. Who

1 killed that person?

2 A. [11:57:05] It was a soldier, Otto Korea and Ngec. They are the ones who
3 killed this person because when we came, when we came to that compound, the
4 person was still being stabbed with a bayonet. Those are the two people I saw
5 killing this person.

6 Q. [11:57:30] Is this the same Otto Korea that you said was in Odomi's household
7 or is it someone -- another Korea?

8 A. [11:57:42] Yes, it's that Korea.

9 Q. [11:57:44] What is Ngec's full name?

10 A. [11:57:55] No, I do not know any other name other than Ngec because I heard
11 them call him Ngec so that's the name that I know.

12 Q. [11:58:03] At that time how old was Ngec?

13 A. [11:58:11] In my opinion he was 15 because we were more or less the same size.
14 And Korea was perhaps 16 because he was slightly, he was slightly bigger than us.

15 Q. [11:58:34] Right. We're going to move on to a different topic now.

16 What was the first attack that you participated in as a member of Oka battalion?

17 A. [11:59:02] That was at Lanyatido when we attacked the barracks?

18 Q. [11:59:12] Right. Perhaps you can describe to us who planned the attack and
19 how the attack was carried out?

20 A. [11:59:37] The standby that was sent to Lanyatido was selected by Lapwony
21 Dominic. People were informed that there was going to be a standby. Once the
22 standby had been selected, there were two groups and everybody -- we were told that
23 everybody in the standby had to go. At approximately 2 p.m. we were all convened.
24 We prayed. After praying, he told us not to be afraid, nothing bad was going to
25 happen to anybody. If you're afraid, then you're going to be shot. Otherwise, do

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1 not be afraid. We walked. We crossed the road and passed, bypassed the church,
2 Ogan church. We went down the hill, we split up in our positions. Once we were
3 in our positions, we stayed and waited for about two hours. And we gathered again.
4 He spoke to us again, he addressed us again and told us it's about time for us to leave.
5 He told us "Please do not be afraid. Anybody, if you hear any gunshots, anybody
6 who is seen running in a different direction, a direction from where everybody else is
7 going, any soldier who sees this should immediately shoot that person. There is no
8 alternative other than running towards the gunshots. If there is a gunshot, no need
9 to run." That's what he said. He addressed us. He prayed. He told us to go back
10 to our positions. We went back to our positions.

11 Q. [12:01:45] Sorry. Sorry. Once in a while I will stop you so that we don't lose
12 any information.

13 Now, you referred a number of times to someone called "he", but it's important to
14 know who exactly we're talking about. Who told you these things? What is the
15 name of that person?

16 A. [12:02:12] That was Lapwony Dominic Ongwen.

17 Q. [12:02:18] I have mentioned now a number of times children between the ages
18 of 10 and 14. Were there any children between the ages of 10 and 14 involved in this
19 attack?

20 A. [12:02:42] Everyone was there because that was the entire Oka battalion.
21 Everyone went for the attack. So everyone who was there participated.

22 Q. [12:02:57] Sorry, then so just for completeness, does that include the people
23 that we described already between 10 and 14 or does it not?

24 A. [12:03:11] Yes, that includes everyone that was in the group.

25 Q. [12:03:19] You remember the dancing competition we talked about?

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- 1 A. [12:03:26] Yes, I do.
- 2 Q. [12:03:28] And Olet and Wokorach, the two children who participated, did
3 they go for this attack?
- 4 A. [12:03:43] Olet was there and Wokorach was also there. These are the people
5 we stayed together at the position. They were all there.
- 6 Q. [12:03:53] Can you remember the names of anyone else who was between this
7 age, you know, 10 and 14, that age range, who went for this attack?
- 8 A. [12:04:15] Kilama Cio was there. That is one person I can remember. You
9 know, some of the people who were not in our position, well I cannot recall their
10 names. I could only -- I can only recall the names of those who were in our position,
11 but I cannot mention now.
- 12 Q. [12:04:47] At the time of the Lanyatido attack how old was Kilama Cio?
- 13 A. [12:05:02] Kilama was a bit young. I estimate he was on the higher side,
14 should have been 12.
- 15 Q. [12:05:12] Did you know of anyone called Aditi or Adiri in Oka at that time?
- 16 A. [12:05:21] Yes, I know Adiri.
- 17 Q. [12:05:25] How old was he at the time of Lanyatido?
- 18 A. [12:05:37] Aditi I think was about 13 or 14.
- 19 Q. [12:05:44] Did he participate in the Lanyatido attack?
- 20 A. [12:05:51] Yes, he was there.
- 21 Q. [12:05:58] Did you know of someone called Ocitti?
- 22 A. [12:06:03] Yes, I do.
- 23 Q. [12:06:07] How old was he at the time of the Lanyatido attack?
- 24 A. [12:06:16] Ocitti was about 14 years old.
- 25 Q. [12:06:24] Did he participate in the attack?

1 A. [12:06:37] Yes, he was there.

2 Q. [12:06:41] And these young children, what was their role in the Lanyatido
3 attack?

4 MR TAKU: [12:06:50] Your Honours, I just want to remind about this question of
5 young children. I mean it's very, very confusing, but you ruled about that before.
6 My colleague should say -- emphasise the people, young people, I mean when he says
7 "young children".

8 PRESIDING JUDGE SCHMITT: [12:07:09] Of course you can word it in the way
9 that you say "young people", that would perhaps be preferable. It's less suggestive
10 I would suggest myself. Please continue.

11 MR SACHITHANANDAN: [12:07:22]

12 Q. [12:07:25] These people we have discussed, well between the ages of 13 and 14
13 from what I can see of what you've said, what was their role in the Lanyatido attack?

14 A. [12:07:52] The kind of role they engaged in was at the time we made the
15 information, after Odomi blew the whistle and we started shooting, for those who
16 had guns they were already shooting at the soldiers in the barracks. Those who
17 didn't have guns were -- well, what they would say was that in the bush they don't
18 distribute guns. So if you saw somebody who has been shot, you can always go and
19 pick up that gun. You can also remove the uniform and the gumboot and these are
20 the items that you will be able to use. And then you are supposed to continue
21 making alarm as you advance forward towards the direction the other people are
22 shooting. And that is what those who did not have guns would do.

23 Q. [12:09:06] Okay. And let's take that step by step.

24 Did Adiri or Aditi have a gun?

25 A. [12:09:22] Yes, he had.

- 1 Q. [12:09:27] At the time of Lanyatido?
- 2 A. [12:09:31] Yes.
- 3 Q. [12:09:33] What about Olet, did he have a gun at the time of Lanyatido?
- 4 A. [12:09:40] Olet did not have a gun.
- 5 Q. [12:09:48] Wokorach, did he have a gun at Lanyatido?
- 6 A. [12:09:53] No.
- 7 Q. [12:09:55] Ocitti, did he have a gun at Lanyatido?
- 8 A. [12:10:02] Yes, Ocitti had a gun.
- 9 Q. [12:10:13] And now you said that in the bush they don't distribute guns so if
10 you see someone who has been shot, you can go get that gun. Who told you that?
- 11 A. [12:10:32] Well, that message, from our position I would give an example of
12 those who were training as during parade and how to dismantle and assemble a gun,
13 they were Odokonyero and Ocitti. They would tell us how guns are acquired and
14 also how somebody can acquire uniforms and gumboots. And then for the
15 gumboots and any other pair of shoes they would say you could loot from the
16 civilians. And they would also say whenever they went for a standby and they
17 recovered a gun from any soldier or a uniform, it will be brought back to the position
18 and would be given out to somebody who does not have one. Those were people
19 who gave us such messages.
- 20 Q. [12:11:37] And this understanding that you can -- the way to get a gun is
21 during the course of these attacks, was that only discussed within your dog adaki or
22 was that common knowledge within Oka battalion?
- 23 A. [12:12:08] Well, I know that was happening in all the other places because they
24 told us that, but one thing is whatever happened with us was also happening
25 elsewhere in the other dog adakis.

- 1 Q. [12:12:21] You mentioned getting this information from Odokonyero and
2 Ocitti. Is this the same Ocitti that we discussed a few moments ago?
- 3 A. [12:12:38] Yes, he's the one.
- 4 Q. [12:12:42] You described the orders you received about Lanyatido. Was there
5 any mention of whether or not abductees should be obtained from Lanyatido?
- 6 A. [12:13:12] There was no instruction to that effect, because when we went to
7 Lanyatido we attacked the barracks and the soldiers who had died had their guns and
8 uniforms taken away, but nobody was abducted from the barracks and there was no
9 such instruction.
- 10 Q. [12:13:34] These people between the ages of 10 and 14 that went to Lanyatido,
11 did any of them suffer any injury?
- 12 A. [12:13:48] No one got injured in that category.
- 13 Q. [12:14:02] Did anyone older than that get injured at Lanyatido?
- 14 A. [12:14:13] Yes, there was a boy called Ocen. He was injured, he was shot on
15 the back and the bullet came out from his chest. He was the only person who got
16 injured.
- 17 Q. [12:14:40] How old was he?
- 18 A. [12:14:47] Ocen I think was a little bigger. He was approximately 17.
- 19 Q. [12:14:57] Do you know someone called Abongomek?
- 20 A. [12:15:05] Yes, I know Abongomek.
- 21 Q. [12:15:10] Did anything happen to him at Lanyatido?
- 22 A. [12:15:18] No, from Lanyatido nothing happened to Abongomek.
- 23 Q. [12:15:27] What is or what was at the time the role and function of
24 Abongomek?
- 25 A. [12:15:47] Abongomek's function was similar to that of any other soldier, like

1 going for a standby, for patrol, and maybe if there is a plan to go and attack a certain
2 place they would send them to go and carry out intelligence. That was part of the
3 roles Abongomek had.

4 Q. [12:16:15] To which coy did Abongomek belong?

5 A. [12:16:32] Well, I do not recall Abongomek's coy.

6 Q. [12:16:40] During the Lanyatido attack, after you were given this briefing by
7 Odomi, did Odomi come with you all to Lanyatido or did he stay away from
8 Lanyatido?

9 A. [12:17:02] He was there personally and at the time, at one point he was at the
10 front line, he was in charge of -- taking charge of his group and from behind Ot Ngec
11 was taking charge. He was the one who first blew the whistle and then everything
12 else started. He was there in person.

13 Q. [12:17:37] Mr Witness, we are going to move to a different attack now. Have
14 you heard of an attack on a place called Atanga?

15 A. [12:17:50] Yes, I did.

16 Q. [12:17:54] Was it before or after Lanyatido?

17 A. [12:18:03] Well, that was after Lanyatido's attack.

18 Q. [12:18:09] Who designed the plan for the Atanga attack?

19 A. [12:18:21] The plan to attack Atanga, according to what I know, because no
20 one else would, would draw a plan other than the commander, wouldn't be there, but
21 when some people were sent already to carry out intelligence services in Atanga,
22 Ot Ngec, Nyerere, Abongomek, Aloro and some other person whose name I cannot
23 recall now sat down. But I know all these were done basing on information given
24 from the commander.

25 Q. [12:19:06] Who is the commander you speak of?

1 A. [12:19:16] Lapwony Ot Ngec.

2 Q. [12:19:26] And who was Ot Ngec's supervisor at that time?

3 A. [12:19:32] The overall, the supervisor, Ot Ngec's supervisor, who was also the
4 overall supervisor, was Dominic Ongwen.

5 Q. [12:19:45] And what unit was Dominic Ongwen commanding at that time?

6 A. [12:19:58] That was Oka battalion.

7 Q. [12:20:03] Okay. Please describe to us briefly the Atanga attack.

8 MS KERWEGI: [12:20:15] Your Honour, I'm sorry to interrupt, but I just wanted to
9 request that any specific participation of anything specifically done or, you know, any
10 participation by the witness should be in private session.

11 PRESIDING JUDGE SCHMITT: [12:20:32] Thank you, Mrs Kerwegi.

12 MS KERWEGI: And that he be reminded of that.

13 PRESIDING JUDGE SCHMITT: Thank you, Mrs Kerwegi, but I assume that you are
14 aware of that.

15 MR SACHITHANANDAN: [12:20:45] Indeed, your Honour. And in fact let me
16 take a, sort of a precautionary step by breaking the questions down a little.

17 PRESIDING JUDGE SCHMITT: [12:20:52] Yes. Please continue.

18 MR SACHITHANANDAN: [12:20:57]

19 Q. [12:20:57] Could you describe how orders were given to attack Atanga?

20 A. [12:21:11] Yes. While we were in an area called Koyo Lalogi, we stayed there
21 for two or three nights. And every morning we would wake up and parade. They
22 would cook. And then later in the evening, if there is nothing else to do, we'd go
23 back for parade.

24 Ot Ngec was the one who informed Abongomek, Nyerere, Aloro and other people. I
25 remember there were about five people. I cannot recall the names of the other

1 people. They were instructed to go and carry out intelligence in Atanga to find out if
2 it's accessible.

3 They went, they went on that day but returned the next day. On their return, people
4 were gathered together and were told that there is supposed to be a standby
5 established. And people were sent back to their positions to prepare.

6 Thereafter, after a whistle was blown, we took off. We started walking and walked
7 for a long distance. At around two -- at around 8 p.m., rather, Lapwony Odomi
8 called people to convene at a compound and started addressing the people. He said,
9 "We are going to Atanga centre and, as we are going, nobody should cowardice,
10 nobody should fear anything. Nothing wrong is going to happen. Whoever
11 misbehaved should be shot. The person who will lead the group to the barracks will
12 be Odong Cowboy. He will go with the rest of the people towards the mission.
13 And Ot Ngec will also move with some people. Everyone will go. Nobody should
14 fear anything." That is what he told the people at that time.

15 Q. [12:24:07] You said "He will go with the rest of the people towards the
16 mission." Who is "he"?

17 A. [12:24:18] I talked about Dominic Ongwen.

18 Q. [12:24:26] Was there any mention in the orders about whether or not abductees
19 should be captured?

20 A. [12:24:48] Well, what he said was that we are going for an operation to loot
21 items. But it was automatic that an operation, that whoever was fit to be in the bush,
22 there was no reservation about abducting such a person because that is part of the
23 operation.

24 Q. [12:25:14] Right. And let's explore that a little. How do you know that it
25 was automatic and that a person should be abducted if they're available?

1 A. [12:25:40] What I know is that, personally, if, for instance, I entered into a
2 house and I found food items, I would not carry that food item alone unless I get
3 somebody to abduct. I would abduct that person to come and carry the food items.
4 That person can -- could be later released but for those who were within the age that
5 could be kept would not be released. That was something that kept on happening
6 over and over again. So that was part of the operation.

7 Q. [12:26:31] When you say "within the age that could be kept", what is the age
8 range from the youngest to the oldest for within the age that could be kept?

9 A. [12:26:52] That would include people from 10 up to about 20 to 25 years of age.
10 Those were the people who would not be released. Those who were 25 to 30 would
11 be abducted as well but would later be released. If you're unlucky, yes, you would
12 stay, but if you are not, they would release you.

13 Q. [12:27:33] The people we discussed between the ages of 10 and 14, did any of
14 them participate in the attack on Atanga?

15 A. [12:27:56] Everyone in Oka battalion participated. No one was left behind.
16 We left as an entire group.

17 Q. [12:28:08] All right. And I know this sounds obvious, but does that mean that
18 these people, between 10 and 14, that they also went to Atanga? It's just important
19 for it to be written down.

20 MR TAKU: [12:28:22] Your Honours --

21 PRESIDING JUDGE SCHMITT: [12:28:23] I agree, Mr Taku.

22 Next question.

23 Excuse me that I shorten the proceedings, but I think I read your mind, yeah.

24 So please continue, Mr Sachithanandan.

25 MR SACHITHANANDAN: [12:28:41] Indeed, your Honour. I proceed as

1 admonished.

2 I would like to -- I obtain permission beforehand, I would like to put some names to
3 the witness to ask whether they were at the attack. Would that be permissible?

4 PRESIDING JUDGE SCHMITT: [12:29:02] Why not.

5 MR SACHITHANANDAN: [12:29:04]

6 Q. [12:29:05] Mr Witness, we talked about Kilama Cio. Was he at the Atanga
7 attack?

8 A. [12:29:17] Kilama Cio was there. There was Olet. *Aditi was also there.

9 There was also Ocitti. Odokonyero, Ngec, Otto Korea. All these people were
10 present.

11 Q. [12:29:33] Thank you, Mr Witness. You've shortened the questioning process
12 there significantly.

13 Did any women participate in the attack on Atanga?

14 A. [12:30:02] Yes, there were some women. And some of the abducted girls
15 were also part of the people who were there.

16 Q. [12:30:09] Can you please tell us their names without of course mentioning
17 any relationship to you?

18 A. [12:30:30] There was a girl called Akello Stella who was there. And the other
19 people were in the other positions, and even when I saw them I didn't mark that well,
20 but one girl that I can clearly recall was that one I mentioned. But the rest were also
21 there.

22 Q. [12:30:53] Mr Witness, we move to another attack.

23 Did you ever participate in an attack on Pajule?

24 A. [12:31:31] Yes, I was present.

25 Q. [12:31:33] How long after your abduction did that take place?

1 A. [12:31:46] The attack on Pajule happened shortly after my abduction. It
2 was -- but it was after Lanyatido, Lanyatido had already been attacked, Atanga had
3 already been attacked. After that, Pajule was attacked.

4 Q. [12:32:11] Who designed the plan for the attack on Pajule?

5 A. [12:32:24] It was Dominic Ongwen who planned this. He, himself, was
6 present.

7 Q. [12:32:30] What was his position and what unit, if any, did he command at that
8 time?

9 A. [12:32:49] At the time he was in charge of Oka battalion.

10 Q. [12:32:59] And who from Oka battalion participated in this attack?

11 A. [12:33:22] There were some young soldiers like *Odokonyero, Ocitti,
12 those of Aloro, Ot Ngec was also present. There were a number of people, but some
13 of the names I mentioned were also present.

14 Q. [12:33:50] Were any of the people who participated -- sorry, let me rephrase
15 that question. The people we discussed between the ages of 10 and 14, did any of
16 them participate in this attack on Pajule?

17 A. [12:34:23] The people with guns, those who were armed, were Ocitti, there was
18 Adita, Kidega was there Odokonyero was also there, and there were also other people,
19 but those -- some of them were not armed. They were present but they were not
20 armed, they were not armed. There is no distinction between somebody who is
21 armed and somebody who is not armed. We were all there. There were some
22 people who did not have guns; for example, Kilama Cio he was there, Wokorach was
23 there and other people as well.

24 Q. [12:35:04] I think this is the first time we're hearing of Kidega. How old was
25 Kidega at the time of the attack on Pajule?

1 A. [12:35:25] Kidega was about 14 or 15. He was a young person.

2 Q. [12:35:32] Were there any instructions as to whether or not abductions were to
3 happen?

4 A. [12:35:48] We were instructed that we were going on mission to the centre, but
5 we were not told not to abduct, but you knew that when you go on mission,
6 abduction is part of the mission, looting is part of the mission.

7 Q. [12:36:13] And without mentioning your role in this attack, could you tell us
8 whether any people were abducted from Pajule?

9 A. [12:36:33] Yes, people were abducted. I recall two girls. Those are the
10 girls -- those are among the people that I recall were abducted.

11 Q. [12:36:51] What were the names of these girls?

12 MR TAKU: [12:37:02] Your Honours.

13 PRESIDING JUDGE SCHMITT: [12:37:04] Mr Taku, yes.

14 MR TAKU: [12:37:05] I rise at this point in time to place on record our objection to
15 leading the evidence. Nevertheless, even if your Honours decide to allow the
16 evidence to be led, we want our objection to be on record. On the proof of evidence
17 we have been giving even now before the Court we don't have that particular
18 evidence and --

19 PRESIDING JUDGE SCHMITT: [12:37:27] Which are you referring specifically to,
20 please?

21 MR TAKU: [12:37:29] This attack on Pajule they are talking about. Except we
22 have -- Pajule is one of the charged, the charged crime bases, on the -- than -- one of
23 the four. We had earlier raised objections about the attempt to expand the charge
24 with regard to attacks on the crime bases. And we remember that during the status
25 conference your Honours defined the case they were to meet. Apart from the four

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1 crime bases, you also said that there were other crimes, especially gender crimes and
2 child soldier and others. And your Honours have consistently said the evidence will
3 be led in that regard.

4 But when evidence is deliberately led in the record on attacks in specific locations
5 which are not in charge, and not even supported, your Honours, by the proof of
6 evidence we have, by the confirmed charges, by the pre-trial brief.

7 In this particular case where they prove everything we have here, which have been
8 given to the Court and parties, we do not -- this is not -- not there. It is our place,
9 your Honours, at this point in time to place an objection and the Court should take
10 note about that.

11 And at least there have been persistent attempt to expand the charges in this case
12 beyond what was confirmed. And this date, apart from the -- there is no specific
13 nature of what the charge and the notice that we're supposed to have about the
14 charges against Mr Ongwen to allow him to confront his accuser, leading it right here
15 before the Court and in this particular context, your Honours, about specific attacks,
16 whether about attacks in these locations which are not specifically charged in the
17 charges confirmed and which Mr Ongwen, we say, your Honours, is grossly unfair.
18 About the evidence about other issues which you allow which you -- in your decision
19 on the status conference you allowed it could be led, but to say that this is led in order
20 to prove the guilt of Mr Ongwen for specific attacks with which he has not been
21 charged, your Honours, we vehemently object.

22 PRESIDING JUDGE SCHMITT: [12:39:46] Mr Sachithanandan.

23 MR SACHITHANANDAN: [12:39:47] Your Honour, the objection is completely
24 unfounded. This, we are leading this evidence. There are charges against
25 Mr Ongwen relating to sexual and gender-based crimes, relating to child soldier

1 recruitment and use, and there are also elements of modes of liability that relate to

2 Mr Ongwen's position of authority during a particular period of time. And also

3 there is the issue of the widespread and systematic, the contextual elements.

4 All of these elements are engaged in the evidence that we are eliciting and all of this

5 evidence has been disclosed. So we do not see the point of this objection.

6 PRESIDING JUDGE SCHMITT: [12:40:23] Mr Taku, I think we have heard enough

7 arguments. We had a similar objection yesterday and the decision is the same. Of

8 course you do not intend to expand the charges on to these attacks. It's indeed about

9 the question, questions might be about widespread systematic, like you said

10 yesterday, about modes of liability and about other charges that have been confirmed.

11 So there will be of course no dealing with other attacks than the four that have been

12 confirmed. That is absolutely clear.

13 What you are doing is you're trying to elicit information and evidence that might help,

14 or not, your case for other charges. So to put it this way.

15 So please continue.

16 MR SACHITHANANDAN: [12:41:18] Just one minute, your Honour, I'm just

17 checking the transcript.

18 Q. [12:41:43] My apologies, Mr Witness. I'm going to repeat my question.

19 What were the names of these two girls you mentioned were abducted from Pajule?

20 A. [12:41:58] One of the girls was called Aciro. The other girl was called

21 Mango (phon).

22 Q. [12:42:13] How old were they?

23 A. [12:42:22] Aciro was approximately 15 to 16 years old. Mango was older.

24 Perhaps 17.

25 Q. [12:42:35] What happened to them after they were abducted from Pajule?

1 A. [12:42:52] Aciro was taken to Agweng's household. He was -- she did not
2 stay there for a long time before she escaped. Mango also escaped. As of this date,
3 as of now they are both still alive.

4 Q. [12:43:26] Who decided that she was to be -- that these girls were sent -- I'm
5 sorry, Mr Witness. I'm going to rephrase that question. Who decided that these
6 girls would be sent to these households?

7 A. [12:43:46] It was our overall commander. It was Dominic Ongwen. He is
8 the one who had the authority.

9 Q. [12:44:01] And how do you know that it was him?

10 A. [12:44:06] In the bush they have strong rules. Nobody who doesn't have
11 authority to sleep or have sexual intercourse with a girl or to have the woman is not
12 permissible. If there is a commander, then it is that person, that commander who
13 has the authority to assign that girl to any other commander to take care of the
14 commander's household or to be assigned as a wife. The person in charge of the
15 battalion is the sole person with this authority. There are very strict rules regarding
16 women within the LRA.

17 Q. [12:44:59] Thank you, Mr Witness. I'm going to move on to another event.
18 Have you heard of someone called Okot Langeke?

19 A. [12:45:28] Yes, I have.

20 Q. [12:45:31] When you joined Oka battalion, how old was Okot Langeke?

21 A. [12:45:47] Langeke was still a young person. Maybe, if I can give the
22 maximum age, it will be 14.

23 Q. [12:45:59] Is he alive at this time?

24 A. [12:46:10] No, Langeke is deceased. He died while I was still in the bush.

25 Q. [12:46:18] Please describe to us how he passed away?

1 A. [12:46:29] When we went to an area known as *Lela Kabala, his standby was
2 send to Kalongo to loot the centre. The other people, his -- the team that went with
3 him came back with the looted stuff; chicken, flour, beans. All these things were still
4 in the operation room before they were distributed. When they were on the way
5 back they were being pursued by soldiers. The soldiers found somebody called
6 Banya who had been abducted, he was looking for honey in a beehive. They found
7 Banya and this boy and they were shot. This boy was shot in the thigh and it was
8 broken. Banya fell down from the tree, he jumped down from the tree and ran.
9 The bombs that the soldiers were throwing in our defence, that's one of the bombs
10 that fell and shot Langeke on his side. He died. His gumboots were taken.
11 While they were being bombarded and people were collecting things from the
12 position Dominic Ongwen said "Nobody should run, everybody should come to me."
13 When we gathered with him he started walking, he started walking towards the
14 bombs. His escorts also got up and started walking after him. He said whoever
15 doesn't want to fight should stay. We all got up and we walked, we crossed the river.
16 We went and stayed in some homestead across the river.
17 While we were there --

18 Q. [12:48:30] Did anyone else between the ages of 10 and 14 get injured or die in
19 this event?

20 A. [12:48:51] There was Langeke and the boy, the boy who I said was shot in the
21 thigh and died. He was also a young person, but I do not know his name. When
22 soldiers attacked him he was stabbed with a bayonet. Those are the two people that
23 I know. I do not know or I did not see any other person, young person that died.

24 Q. [12:49:18] Did you see Langeke after he died?

25 A. [12:49:27] Yes, I did.

1 Q. [12:49:29] What was the nature of his injury?

2 A. [12:49:35] When the bombs fell, when the bombs were falling a splinter went
3 from one side of his body and came out through the other side.

4 Q. [12:49:51] We're going to move to another, another topic now.

5 Did you ever see in your time in the bush Dominic Ongwen getting injured?

6 A. [12:50:20] Yes, I did.

7 Q. [12:50:22] Please describe -- please describe how this happened.

8 A. [12:50:43] He got injured when there was a big standby that was set up. We
9 met at an RV. Otti was the one who had selected people for that standby. Dominic
10 was in charge of that standby. The plan was that we should go and attack *Akilok.
11 While we were walking, soldiers were pursuing us. When soldiers caught up to
12 us -- because we would walk, split up and change our positions. So the last
13 positions that government soldiers came upon people they shot someone's leg, this
14 person was called Opoka. When they started firing shots at us, people got up. This
15 person was carried, taken back. And once again went to the patrol, we found that he
16 had been died. We told them that there's nothing -- he told us that there is nothing
17 we can do, we have to stand up against these soldiers.

18 When we walked and we got to a certain spot, it was a clear spot and there was a
19 valley, there was a river. We hid there, we stopped there because they told us that
20 that was a very good place to set up an ambush. We set up the ambush in that
21 location. Otti's group went ahead. He went ahead. Otti is the one who addressed
22 people. Otti said, "If anything bad happens we are going to stop it."

23 THE INTERPRETER: [12:52:31] The interpreter asks the witness to slow down,
24 please.

25 PRESIDING JUDGE SCHMITT: [12:52:38] Mr Witness, we had this already but it's

1 perfectly clear after a while we all tend to go back to former habits. Please speak a
2 little bit slower.

3 MR SACHITHANANDAN: [12:52:53]

4 Q. [12:52:54] Perhaps you can bring us to the moment where you see Mr Ongwen
5 being injured.

6 A. [12:53:13] He was injured when the soldiers -- while we were crossing the road
7 we came across a Mamba and a Buffalo. They started shooting at people. People
8 scattered, people crossed -- people crossed the road separately. When he came back
9 to find out whether everybody had crossed, that was the time when he was shot by
10 the Mamba, he was shot in the thigh and his thigh was broken. He was left behind
11 with his escort. His escort is called Kidega.

12 We walked and went to a certain homestead. Kidega came and told us, he said that
13 Odomi has been shot. We asked what happened. And they asked him, "Do you
14 know where the location is?" And he said, "Yes, I do." So they asked Kidega to
15 take them back to where Odomi was.

16 When we went back to that location we found him. Once we got to that position he
17 asked us, "Who are you?" And we said, "We are the Holys." He said, "Yes, I'm also
18 the Holys." And he said, "If you were somebody other than the Holys, I would have
19 emptied my magazines on you before I died." And then we carried him and we
20 continued.

21 Q. [12:54:42] Right. And I want to get some detail there. When Kidega came to
22 you, who were you with?

23 A. [12:54:54] There were many people. There was Lapwony Odong *Cow, the
24 whole group, I think there was a big group. Otti's group was also still present.

25 Q. [12:55:12] In terms of officers from the Sinia brigade, who was there in terms

1 of officers from the Sinia brigade?

2 A. [12:55:29] The officers from the Sinia brigade were Agweng, Ariang, and there
3 were also other people, but I remember Agweng and Ariang.

4 Q. [12:55:54] Have you heard of anyone called Oyenga?

5 A. [12:56:06] Yes, I have.

6 Q. [12:56:08] Do you know where Oyenga was at the time Dominic Ongwen was
7 injured?

8 A. [12:56:17] No, I do not know. But at the time when we were brought to the
9 bay to take care of him Oyenga was also in the bay. He was also in the bay taking
10 care of other people. And that's when I heard of that name.

11 Q. [12:56:41] When you say "brought to the bay to take care of him", who are we
12 talking about?

13 A. [12:56:58] Dominic Ongwen and other people who sustained injuries. Those
14 are the people that we were taking care of in the sickbay.

15 Q. [12:57:11] When Kidega came running, did he come alone or did he come with
16 anyone else?

17 A. [12:57:22] No, he was left behind with Kidega, so Kidega came on his own.

18 Q. [12:57:29] When Kidega came to you, were there any other people around you
19 between the ages of 10 and 14?

20 A. [12:57:49] When Kidega came there were a number of people who were within
21 that age range.

22 Q. [12:58:06] Have you heard of anyone called Bookec?

23 A. [12:58:15] Yes, I have heard of Bookec.

24 Q. [12:58:19] Who is he?

25 A. [12:58:25] Bookec was a young boy. Well, there were some rebels who were

1 in the bush. Those people do not like the people -- the other people in the bush if
2 they meet, then they fight against each other. They also do not support the
3 government, but they were in the bush. Those are the people who abducted that boy.

4 (Redacted)

5 (Redacted)

6 (Redacted)

7 (Redacted)

8 (Redacted)

9 (Redacted)

10 A. [12:59:27] The boy was not Bookec. His name was not Bookec, but they
11 found him with Bookec, they shot at these people, these people ran away. So this
12 person was named Bookec because he was abducted from that group.

13 Q. [12:59:53] When was the first time you encountered Bookec?

14 A. [13:00:04] I met Bookec at the bay.

15 Q. [13:00:20] At the time that Dominic Ongwen was injured do you know where
16 Bookec was?

17 A. [13:00:31] No, I do not know his whereabouts.

18 MR SACHITHANANDAN: [13:00:40] Thank you, your Honour. I think we can
19 stop for now.

20 PRESIDING JUDGE SCHMITT: [13:00:43] This concludes the hearing for today.

21 We have already told you that. We continue on Monday 9.30.

22 THE COURT USHER: [13:00:51] All rise.

23 (The hearing ends in open session at 1.01 p.m.)