

Trial Hearing
WITNESS: UGA-V40-V-0004

(Open Session)

ICC-02/04-01/15

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 Thursday, 3 May 2018
9 (The hearing starts in open session at 9.31 a.m.)
10 THE COURT USHER: [9:31:41] All rise.
11 The International Criminal Court is now in session.
12 PRESIDING JUDGE SCHMITT: [9:31:55] Good morning, everyone. Could the
13 court officer please call the case.
14 THE COURT OFFICER: [9:32:09] Good morning, Mr President, your Honours. The
15 situation in the Republic of Uganda in the case of the Prosecutor versus Dominic
16 Ongwen, case reference ICC-02/04-01/15. And for the record, we're in open session.
17 PRESIDING JUDGE SCHMITT: [9:32:24] Thank you.
18 I ask for the appearance of the parties.
19 Mr Elderfield, please.
20 MR ELDERFIELD: [9:32:28] Your Honour, Julian Elderfield for the Prosecution.
21 With me Ben Gumpert and Ramu Fatima Bittaye.
22 PRESIDING JUDGE SCHMITT: [9:32:34] So this is a little bit of a reduced team so to
23 speak.
24 Then Mrs Hirst.
25 MS HIRST: [9:32:41] Good morning, Mr President, your Honours. With me today
26

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1 Joseph Manoba, Francisco Cox, James Mawira, Maria Radziejowska, Priscilla Aling
2 and I am Megan Hirst.

3 PRESIDING JUDGE SCHMITT: [9:32:55] Thank you.

4 And Mr Narantsetseg.

5 MR NARANTSETSEG: [9:32:56] Good morning, Mr President, your Honours. For
6 the common legal representatives team, myself, Orchlon Narantsetseg and with me,
7 Ms Caroline Walter and Ms Laura Mahecha. Thank you.

8 PRESIDING JUDGE SCHMITT: [9:33:07] Thank you.

9 And Mr Obhof.

10 MR OBHOF: [9:33:09] Good morning, your Honours. Today with us is our
11 co-counsel, Chief Charles Achaleke Taku, our legal assistant, Ms Abigail Bridgman,
12 our intern, Santiago Montoya, our client, Mr Dominic Ongwen and myself, Thomas
13 Obhof.

14 PRESIDING JUDGE SCHMITT: [9:33:24] Thank you.

15 And the next witness to testify is Mr Gipson Okulu.

16 Mr Okulu, good morning. You are going to testify before the International Criminal
17 Court and on behalf of the Chamber I would like to welcome you to the courtroom.

18 Mr Okulu -- yes?

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20 (Witness speaks Acholi)

21 THE WITNESS: [9:33:50] (Interpretation) I solemnly declare to speak the truth, the
22 whole truth and nothing but the truth.

23 PRESIDING JUDGE SCHMITT: [9:34:01] Thank you very much. So you took the
24 solemn undertaking without being directed to it, but it's only important that you did
25 it, thank you very much, so you are sworn in now.

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1 I have a few practical matters for you to observe when you testify. First of all,
2 everything what we say here in this courtroom is written down and interpreted. To
3 allow for the interpretation, we all have to speak at a relatively slow pace and speak
4 clearly and we should only speak when the person asking you a question has
5 finished.

6 A final matter before we start with your testimony, Mr Okulu, if you have any
7 questions yourself, raise your hand so we know that you wish to say something.

8 We will then start your testimony.

9 Mrs Hirst, please.

10 QUESTIONED BY MS HIRST:

11 Q. [9:35:06] Good morning, Mr Gipson. Mr Gipson, I'm going to start today with
12 some questions about basic personal information, which we just need to get down for
13 the record. Can you start by telling us your full name?

14 A. [9:35:36] My name is Okulu Gipson.

15 Q. [9:35:40] What is your date of birth?

16 A. [9:35:48] I was born on 14 May in the year 1956.

17 Q. [9:35:57] What is your ethnicity?

18 A. [9:36:02] I am Acholi by ethnicity.

19 Q. [9:36:07] Where is it that you live?

20 A. [9:36:14] I live in Lukodi, in the village of Lukodi.

21 Q. [9:36:22] Have you held any positions in that community?

22 A. [9:36:26] I am an LC, local councillor.

23 Q. [9:36:46] When did you become an LC in Lukodi?

24 A. [9:36:50] I became an LC in 1988.

25 Q. [9:37:06] When you first became an LC in 1988, what was your specific role at

1 that time?

2 A. [9:37:17] I used to be a farmer.

3 Q. [9:37:30] And in 1988, what changed? What position did you take on?

4 A. [9:37:38] I continued *being an LC.

5 Q. [9:37:49] Can you explain for the Court, because as you see, the Judges are not
6 from Uganda, can you assist them by explaining what it means to be an LC.

7 A. [9:38:01] When you are an LC, first you are elected by the community *as leader
8 of the community and you ensure the well-being of the community in the village and
9 also to inform them on government programmes and regulations. You also ensure
10 that the community is safe without committing crimes and there is peace. You also
11 communicate a message from the government and also take the voice of the
12 community to the government if there is any problem.

13 Q. [9:38:57] Are there different types of local councillor positions?

14 A. [9:39:06] In regard to the LC, it starts with the LC1, and then there is LC2. We
15 also have LC3 and then there is the office of the RDC, those are the positions that I
16 know.

17 Q. [9:39:41] Thank you. That's very helpful. And you said earlier that you
18 became an LC in 1988. What sort of LC did you become in 1988?

19 A. [9:39:55] I became LC1.

20 Q. [9:40:02] What is the position that you hold today?

21 A. [9:40:10] I am still continuing to serve as LC1.

22 Q. [9:40:17] Can you tell us more specifically, you've told us the different types of
23 LCs, what is LC1 in particular?

24 A. [9:40:33] An LC1 is in charge of the small community at home to ensure that the
25 well-being is okay. The LC1 should ensure there is good sanitation, people have

1 peace and security. There should be no fighting in the community. You should
2 oversee that there is no theft, no crimes that break human rights, that violate human
3 rights. The LC1 should ensure that these don't happen.

4 If such things happen, he should summon the perpetrator or someone who does
5 something wrong and ask why he was doing that. If he finds that it is above his
6 jurisdiction, he should forward it to the LC2. This is what happens in the LC1
7 position.

8 Also to ensure that visitors are registered in his area, to ensure that they are not
9 wrong people and that they're coming with good intention in the area.

10 Q. [9:42:14] And you've said that this is a position which is a formal elected role.
11 Aside from your elected role as an LC1, do you hold any other leadership positions in
12 Lukodi?

13 A. [9:42:30] No, I don't have any other position. Besides that, I'm a peasant
14 farmer.

15 Q. [9:42:47] What about within your clan, do you hold any positions within your
16 clan?

17 A. [9:42:51] No, I don't.

18 Q. [9:43:08] Mr Gipson, I'm going to ask you some questions now which relate to
19 the period before the attack on the Lukodi IDP camp. Can you tell the Court firstly
20 where you were living in 2002?

21 A. [9:43:32] I used to live in my home.

22 Q. [9:43:40] And where was that in 2002?

23 A. [9:43:50] My home is also within Lukodi, in an area known as Loyo Boo.

24 Q. [9:44:00] And in that area in 2002, what was the security situation like?

25 A. [9:44:06] At that time there was a bit of insecurity already. The LRA rebels

1 were already disturbing people in the communities and most times people were in
2 hiding. Sometimes when they find you, they would abduct you and take you to the
3 bush and they would recruit you into their ranks.

4 Q. [9:44:52] Were there any people who were particularly targeted by the LRA?

5 A. [9:45:00] The LRA would abduct men. If you're a man they would abduct you
6 and take you to the battlefield in the bush. If you are a woman or a girl, they also
7 would be taken to the bush. But most times they would not abduct married women.
8 They would leave them.

9 Q. [9:45:39] At that time in 2002, was there any way that the members of the
10 community could protect themselves from the LRA?

11 A. [9:45:52] It was not easy to protect oneself. You only have your home to stay in
12 and ensure your own security. When you feel insecure, you have to protect yourself,
13 because when they find you, they will abduct you.

14 Q. [9:46:27] What did members of the community do about this situation since they
15 couldn't protect themselves in their homes?

16 A. [9:46:39] Kindly repeat the question, please.

17 Q. [9:46:54] Since it was difficult for people to protect themselves, what was their
18 response? What did members of the community do?

19 A. [9:47:14] The villagers would run towards where the government soldiers are,
20 because they assume that they can protect them.

21 Q. [9:47:27] And did that mean that at a certain time people moved away from
22 their homes to live somewhere else?

23 A. [9:47:36] Yes, that is the reason why people had to go and gather near trading
24 centres where there were government soldiers so that they can be protected. The
25 government also saw that what people were doing was good, keeps them together,

1 and therefore soldiers should be sent to protect them.

2 Q. [9:48:12] Was there a place in Lukodi where people gathered to live near the
3 soldiers?

4 A. [9:48:23] Lukodi used to be a trading centre. There was also a school there.
5 And before people constructed their houses, people would sleep in classrooms.

6 Q. [9:48:50] Did you eventually move yourself to live in that area?

7 A. [9:48:58] I had to move because I also, as an LC, I was vulnerable because the
8 rebels would want to abduct me because I was like a government representative, and
9 I would report their secrets back to government so that the government could find
10 them. For that reason, I had to move to the camp where people were gathered
11 together so that I can also be secure.

12 Q. [9:49:35] I just want to ask one clarification about what you've just said. You
13 said the LRA would target you because as a government representative you would
14 report their secrets. Can you tell us, did you actually report their secrets, or is that
15 what they believed you would do?

16 A. [9:50:00] That is what they thought I would do, because they knew that as a
17 government representative, I can be able to tell what -- their secrets to the
18 government.

19 Q. [9:50:21] Thank you. Can you tell us what year it was when you moved to the
20 camp in Lukodi?

21 A. [9:50:31] I moved to the camp of Lukodi in the year 2000.

22 Q. [9:50:49] Sorry, Mr Gipson, I just want to clarify that, the year 2000, because we
23 discussed earlier that you were living in your village in 2002. Do you recall when
24 you left your village after that and went to the camp in Lukodi?

25 A. [9:51:17] I left my village first, as you may be aware, the camp was first

1 established and then people moved back to their villages again since there was
2 security, the rebels had left. That is why I said that.

3 Then later they came back and continued disturbing people. Then the government
4 said that people should now move to the camp and they would send soldiers to
5 protect people at all times, and that is the reason why I now moved back together
6 with the other villagers.

7 Q. [9:52:13] Were you living in the camp in Lukodi in 2004?

8 A. [9:52:26] Yes, I was living in the camp.

9 Q. [9:52:35] Do you have an idea of approximately how many people were living in
10 the camp in 2004?

11 A. [9:52:44] People would continue coming every now and then. It was not easy
12 to know the exact number, but at the time that we were there, there were about 4,000
13 people. That includes both women, children and the men.

14 Q. [9:53:16] Now, I have a few questions for you about what life was like at that
15 time in the camp and I'm talking about the time before the attack. We will come to
16 the attack shortly.

17 But before the attack happened, can you describe what sort of housing people were
18 living in in the camp?

19 A. [9:53:42] People started to construct their small houses themselves. Everyone
20 had a small grass-thatched house where you would stay together with his family, but
21 we were all huddled together within the camp. We were close by. Everyone was
22 close by. And when it comes to issues of foodstuffs, you have to go back to your
23 original village to go look for food and then you come back to the camp.

24 If you do not -- if you are unfortunate and you are found by the rebels, they would
25 abduct you. And life was really hard. Other people would go to dig other people's

1 fields so that they are given food to eat and given money and that continued to
2 happen within the camp.

3 Q. [9:54:48] Thank you. That's very helpful. I have a few follow-up questions
4 from what you've just said.

5 You said that people were very close by each other in the camp. Did people have as
6 much space for living in the camp as they would have had in their own traditional
7 areas?

8 A. [9:55:15] The houses were close by together. It was like in a line *though the
9 area is large, but people needed to come close together where soldiers were able to
10 secure the area. If you are alone, if you build your house far away alone, they would
11 come and abduct you.

12 Q. [9:55:53] Was there any space in the camp for people to grow food there in the
13 camp?

14 A. [9:56:01] It was not possible to cultivate any crops because there was, the land
15 that was in that area was occupied by houses. If you go to cultivate crops outside,
16 the rebels will come and abduct you.

17 Q. [9:56:32] For children who were living in the camp, what was their access to
18 education like?

19 A. [9:56:48] The education institution was closed because those who would attempt
20 to go to school would be abducted. The older ones would be abducted. For that
21 reason the school was closed and the studies were disrupted.

22 Q. [9:57:10] I think you mentioned earlier that one of your duties as LC1 is to look
23 after things like sanitation. What was the sanitation situation like in the camp in
24 2004 before the attack?

25 A. [9:57:30] In regards to sanitation, each person was required to dig a pit latrine.

1 It was mandatory for everyone to make a pit latrine and that made it better. In
2 regards to water, there was a borehole in the school and another stream which was
3 close by the trading centre. That is where people would fetch water from. Since the
4 soldiers were also present and they would guard people to go to the camp, sanitation
5 was enforced. People were made to dig pit latrines.

6 Q. [9:58:24] And this water supply from the bore and the stream, was it enough for
7 4,000 people or so who were living in the camp?

8 A. [9:58:38] It was supplemented by the stream because the stream was constantly
9 flowing and people would go there to fetch water.

10 Q. [9:59:00] Was there much sickness in the camp?

11 A. [9:59:05] Yes, there were many incidences of sickness. Since people were
12 crowded together, the conditions where people were too close by each other, and
13 sometimes when I send a message as an LC that government should help people with
14 the medication, and they would send some medical workers to the camp to treat those
15 who are sick. Those who were not able to stay in the camp would be carried and
16 taken to the town of Gulu where there is a major hospital there.

17 Q. [9:59:54] When you say that if somebody was sick, you had to send a request to
18 the government for a health worker to come, does that mean that there were no health
19 workers based in the camp on a permanent basis?

20 A. [10:00:05] Even if there was a health worker, they do not have medication,
21 because they also know that when the rebels find medicine and other drugs, the
22 rebels would take it away. And all the drugs were kept in a more secure area.
23 They would give a few tablets to help in first aid and in certain emergencies and these
24 would be given to the village health team that were in the community.

25 Q. [10:00:57] You've spoken about people going to the hospital in Gulu. How far

1 away is that from where the camp was in Lukodi?

2 A. [10:01:19] It was approximately 17 miles.

3 Q. [10:01:33] You've told us what the security situation was like for people before
4 they moved to the camp. What was security like once people were living in the
5 camp?

6 A. [10:01:52] When people were in the camp, each time the rebels come around,
7 they try with their best to come into the camp to abduct people, but the government
8 soldiers would also be moving around in their patrols. So once in a while when they
9 meet, they would engage in a fight.

10 Q. [10:02:29] How many of these government soldiers were there based in the
11 camp at Lukodi?

12 A. [10:02:44] Unfortunately, with the large number of people in the camp the
13 government had provided only about 19 soldiers who were in the camp who were in
14 Lukodi.

15 Q. [10:03:00] Where were those 19 soldiers based?

16 A. [10:03:11] The soldiers were at the school. They were actually within the
17 school compounds.

18 Q. [10:03:27] And that school building where the soldiers were based, where was it
19 in relation to the rest of the camp where people were living?

20 A. [10:03:38] The camp surrounded the school in the middle. The school was in
21 the middle and the camp residents were surrounding it. But again, the soldiers were
22 also within the field in the school, the playfield of the school.

23 Q. [10:04:07] Before the attack on the camp, how did members of the community
24 feel about this security from the army? Did it make them feel more secure?

25 A. [10:04:21] Yes, that is what people believed because since they had guns, they

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1 believed that they could provide protection to them because the rebels, when they
2 come, they also have guns. And if they come and they meet, they would engage and
3 that would hopefully shield them from other atrocities.

4 Q. [10:05:01] Do people in the community have any opinion on whether the
5 number of soldiers was sufficient?

6 A. [10:05:21] Because people were scared and they were just running around and about the villages,
7 they thought that the number of soldiers that were provided was adequate and would give them
8 protection. *It was not at the forefront of people's minds as to whether or not the number of soldiers was
9 enough. They thought that would be adequate. There was not anything else that they could do.

10 Q. [10:05:42] Looking back now, do people still have that view that the number of
11 soldiers was adequate?

12 MR OBHOF: [10:05:53] Objection, your Honour, speculation. It's also irrelevant as
13 in the date of now.

14 PRESIDING JUDGE SCHMITT: [10:06:00] It's overruled. I think why can't the
15 witness simply, if he has information about it.

16 Mr Witness, do people still talk about the events that happened 14, 15 years ago?
17 And what do they, if they do, what do they tell you about the presence of the military
18 at the time? You may answer the question.

19 THE WITNESS: [10:06:34] (Interpretation) People speak about it. They say the
20 number of soldiers was very low, only 19 soldiers would not provide protection to
21 such a large number of people.

22 PRESIDING JUDGE SCHMITT: [10:06:47] Thank you.

23 So you see, Mr Obhof, it was not speculative. He has hearsay information so to
24 speak and as always we put this hearsay information into perspective, of course.

25 Mrs Hirst, please continue.

1 MS HIRST: [10:07:03]

2 Q. [10:07:04] You've told us the positive thoughts that people had about the army
3 soldiers who were in the camp. Were there ever any negative aspects of having
4 soldiers based in the camp?

5 A. [10:07:19] Well, you know, it's difficult to know someone's feeling if he has not
6 expressed it out to you.

7 Q. [10:07:38] As LC1, did you ever witness any problems caused by the soldiers in
8 the camp?

9 A. [10:08:01] As the LC1, I did not observe any bad thing, because even the soldiers
10 who were sent there would also fear me because if I report anything wrong that they
11 did, then they would face the consequences. So yes, they were a bit scared. They
12 would not disturb the civilians.

13 Q. [10:08:32] I'm going to move on now from the conditions in the camp in general
14 to the events which took place on 19 May 2004. Can you tell us what happened on
15 that day?

16 A. [10:08:56] On that day, the 19th of May 2004, at 6 p.m. in the evening, the LRA
17 rebels entered Lukodi camp and surrounded it. Then they began shouting and
18 blowing whistles and immediately started shooting at people. If they find you,
19 you'll just have to be shot or they will stab you with the bayonet of the gun or they
20 would throw you in the burning huts as they also continued torching the huts that
21 were there. Some people would be looting food items, until when they completed
22 their operations they completely burnt down the camp.

23 MR TAKU: [10:10:31] Your Honour, I object very vehemently to this evidence led
24 through this witness. It goes to the heart of the charges. He should say what he
25 saw, what he did, constrain himself to that and not to make a general statement about

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1 the charges.

2 PRESIDING JUDGE SCHMITT: [10:10:47] I think before we decide on that, the next
3 question would of course be, and I think Mrs Hirst will put it to the witness, what he
4 really saw, what he heard, where he was and it might be that perhaps the Defence
5 would ask him later on if he was able to hear and to see and all these matters. But in
6 principle, I would agree, but it's a little bit premature, your objection. So it is for the
7 moment, so to speak, overruled because I assume otherwise.

8 I would put the question, Mrs Hirst, we continue in that way.

9 MS HIRST: [10:11:24] I'm grateful, Mr President.

10 Q. [10:11:28] Mr Gipson, where were you when these events began occurring?

11 A. [10:11:35] I was in Lukodi IDP camp.

12 Q. [10:11:44] Which part of the camp were you in specifically?

13 A. [10:11:47] I was in a certain business shop. He had called me. He wanted a
14 document from me that I should write for him so he could go and buy items. So the
15 rebels entered at that time when I was even there. I was not told. I saw it with my
16 own eyes.

17 Q. [10:12:14] So when you told us that there was shooting and shouting and
18 blowing of whistles, could you hear that from this business where you were in the
19 camp?

20 A. [10:12:28] Yes. I could hear and I also can see with my own eyes as they are
21 advancing, coming forward.

22 Q. [10:12:45] You described these people who entered the camp as being LRA
23 rebels. How did you know they were LRA rebels?

24 A. [10:12:55] There were not any other fighting group, because the LRA have
25 different military fatigue from that of the government. Some of them do not have

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1 military uniforms. Some of them would come dressed in clothes which are like
2 skirts. Some come when they are bare chested. Some would be having military
3 fatigue. So they were just mixed up.

4 Q. [10:13:33] Could you see whether or not any of these people had weapons?

5 A. [10:13:40] At the time when I also jumped out to take care of my own life as well,
6 all the people that were advancing, I saw them. They all had weapons. But, you
7 know, when you see something coming towards you, you don't stop there and stand
8 there to wait. You have to take cover. You have to run away.

9 PRESIDING JUDGE SCHMITT: [10:14:21] And Mr Okulu, where did you run to, to
10 hide and to take care of yourself?

11 THE WITNESS: [10:14:35] (Interpretation) I crawled and headed towards the
12 *edge of the stream to also take refuge. I was just crawling on my knees. It was just
13 God's luck, it was just my own luck that I also escaped.

14 PRESIDING JUDGE SCHMITT: [10:14:50] And how far away was this hiding place
15 from Lukodi centre where other things happened that you told us?

16 THE WITNESS: [10:14:59] (Interpretation) The distance, it's approximately half a
17 mile. It was now, it was now deep down in the valley where I went and hid in the
18 forest down there.

19 PRESIDING JUDGE SCHMITT: [10:15:22] Could you see from there what happened
20 in Lukodi centre?

21 THE WITNESS: [10:15:27] All the huts that were burning, you could see it because it
22 was not far. Just about 500 metres is not very far away and also, I could hear the
23 noise of the gun being fired.

24 PRESIDING JUDGE SCHMITT: [10:15:48] Mrs Hirst, please continue.

25 MS HIRST: [10:15:54]

1 Q. [10:15:54] How long did you remain in that hiding place, Mr Gipson?

2 A. [10:16:02] I spent the night there, until morning, because there was not any other
3 place you could run to.

4 Q. [10:16:15] And in the morning when you left the hiding place, what did you do?

5 A. [10:16:20] In the morning when I got out of my hiding place, I could hear some
6 voices. *It turned out to be the government soldiers who had now come to where
7 the incident happened. So I got up. Then I also saw some civilians who had also
8 run away, and they were now talking to the soldiers. They were saying, "The LC is
9 also not here. We don't see him. Maybe he also has been killed. We should go
10 and search for him around the camps." So when I heard this, I started coming out.
11 I walked towards them and I found that those were now government soldiers.
12 I found now all the huts that were there were burnt, and my son who was 19 years
13 old was also, I also found him dead in the hut where he was. His name is Ottim
14 David.

15 Q. [10:17:41] When you found your son, were you able to see how he had died?

16 A. [10:17:53] Because we were now with the soldiers, we found that he was stabbed
17 with the bayonet on the back and it came through the body, through to the chest.
18 And I think that's what killed him.

19 Q. [10:18:12] And in addition to your son, did you see the bodies of any other
20 deceased people that morning?

21 A. [10:18:26] I saw several other dead bodies. They were just scattered in different
22 places in the compound where they were killed. Some people, the smell was
23 not -- you know, there was terrible smell of those who were burning in the huts and
24 the whole place was bad.

25 Q. [10:18:58] You said some people were burning in the huts. Can you tell us the

1 people who you saw who had died, could you tell how those different people had
2 died?

3 A. [10:19:13] Most of them had gunshots, were shot by the bullets.

4 Q. [10:19:35] When you saw these bodies of the people who had been killed, did
5 you as LC1 take on any role in responding to that?

6 A. [10:19:50] The government soldiers came and we started asking ourselves what
7 can we now do with all these people, because there were people who had also
8 scattered and then the dead, the dead bodies. Then the soldiers told us that since
9 people have now been killed and they're dead like this, there should be a way of
10 burying these people. We should find a way of burying these people. So they
11 allowed us to start burying these people and they were buried within the camp.
12 After that, after about two days, the government came and told us that they were not
13 very sure. Maybe those people were not killed by gunshots. They should come
14 and exhume these bodies and the post-mortem be conducted to determine whether
15 these people were indeed just killed or they were shot.
16 We began the exhumation. The pathologist started the examination, and they found
17 that indeed, true, these people were killed by guns, gunshots. And again we
18 reburied them.

19 Q. [10:21:38] Do you remember how many people you buried?

20 A. [10:21:44] There were 47 in total.

21 Q. [10:21:55] And who was it who did the actual work of digging the graves and
22 burying the bodies?

23 A. [10:22:05] The civilians who had returned were the ones that now took up the
24 job of digging the grave and then also burying the dead bodies.

25 Q. [10:22:26] For each person who had died, were their family members able to be

1 involved in that process?

2 A. [10:22:41] Some people did not have their family members, because they had
3 already run away. But, you know, in Acholi, the tradition is that when someone has
4 been killed in such a way, they do not now spend a lot of time waiting for their family
5 members. So they would just bury the person, and then when their family members
6 come, they would be shown the place where their person was buried, because at that
7 time people had fled and they were scattered, so they would not return at the same
8 time at that point in time.

9 Q. [10:23:16] And these graves that you dug to bury the bodies, where were they?

10 A. [10:23:27] It was within the camp areas where people had built their huts within
11 the camp, because there was no way that these dead bodies would be carried and
12 taken to their original home areas, because if you do that the rebels would not allow.
13 You would again be killed as you go in the villages. So they were all buried within
14 the camp.

15 PRESIDING JUDGE SCHMITT: [10:24:01] Mr Okulu, did you participate in the
16 exhumation and later the, so to say, second burying of the corpses?

17 THE WITNESS: [10:24:15] (Interpretation) I was present in all that process as a
18 leader, I had to be present.

19 PRESIDING JUDGE SCHMITT: [10:24:22] How did that affect you? Does it still
20 affect you today if you look back?

21 THE WITNESS: [10:24:38] (Interpretation) Up to today, sometimes I have -- I'm not
22 settled. At that time the smell of the burning corpses, I used not to smoke before, but
23 because of that incident I had to smoke to kind of relieve the smell from my senses.
24 Even up to today when I see, when I reflect back, it reminds me of the incident.
25 Even now as I'm seated, if something happens around me like a noise that is very

1 sudden, I actually get startled and I feel disturbed in the mind.

2 PRESIDING JUDGE SCHMITT: [10:25:35] Thank you.

3 Mrs Hirst, please.

4 MS HIRST: [10:25:41]

5 Q. [10:25:41] Were you able to observe at that time how the other members of your
6 community were impacted by seeing the deaths of those who were killed and by
7 going through the process of burying and reburying them?

8 A. [10:26:00] People did not even now want to cross that place. Many people
9 transferred. Some people went to live in the town areas and never returned. Then
10 later on, government started transferring people to another camp in Coo Pee. It was
11 much closer to town and some people went to start living in the new camp.
12 *Everyone seemed like they had lost their minds.

13 Q. [10:26:44] Thank you. And I will have some questions for you about that
14 process of people moving to Coo Pee, but before I come to that, I have a few more
15 questions about what you saw in the camp immediately afterwards when you
16 returned from your hiding place.

17 You've spoken about seeing people who had been killed. Were there also people
18 who had been injured but hadn't died?

19 A. [10:27:15] Some people were injured and they were taken to the hospital to
20 receive medical attention, although some people were able to heal and recover, but
21 they remained with a disability. Some people would have disability on the leg,
22 others on the arm. Generally a number of them have weaknesses.

23 Q. [10:27:49] On that morning after the attack, were there some people who could
24 not be located?

25 A. [10:27:59] Some people have not returned even up to today. I think the rebels

1 abducted them and went with them. I'm not sure, maybe many of them have died,
2 because they have not returned up to now as I speak.

3 Q. [10:28:21] And you spoke earlier about seeing huts burned. Can you tell us
4 what state the buildings, the huts in the camp were in when you came back in the
5 morning?

6 A. [10:28:36] All the huts were burned down. Only the walls were remaining
7 standing. Some people were still burning in those huts. When the recovery process
8 started, as people were being searched for, people would get in those huts, try to
9 unearth the ashes. You only find the skulls left. Some you would find they've
10 really burnt to and shrunk to a very small piece and they would be taken out of those
11 ashes. I saw all those process, all that process with my own eyes.

12 Q. [10:29:23] How many of the huts in the camp had been destroyed?

13 A. [10:29:33] There were a total of 1,700 huts that were burnt.

14 Q. [10:29:47] Can you tell us how does that relate to the camp as a whole? Was
15 that most of the huts or about half of the huts or a very few of the huts in the camp?

16 A. [10:29:59] Most of the huts got burnt. Very few were left, especially at the
17 periphery. But the ones in the middle all got burnt and with the exception of the
18 classrooms, the classes, because some people were also staying in the classrooms.

19 Q. [10:30:37] What happened to the personal items that were inside the huts, did
20 any of that survive?

21 A. [10:30:45] No, they all got burnt, like things like food items were all taken and
22 looted and the rebels went, the rebels took them to the bush. Nothing survived.

23 Q. [10:31:06] What about livestock, things that would not have been inside the huts,
24 did any of that survive?

25 A. [10:31:16] The camp was squeezed and not many people had livestock. But the

1 rebels took away the goats, the few goats that were there. Others went with it to the
2 bush. I mean the rebels went with them to the bush and even the chicken was taken
3 away. So nothing remained.

4 Q. [10:31:53] What happened to the people from the camp in the first few days after
5 the attack if their huts had been burned? Where did they stay?

6 A. [10:32:09] No one stayed there. People fled. Others went straight to the town
7 area.

8 Q. [10:32:27] Those who went to the town area, where did they go? Was there any
9 particular place?

10 A. [10:32:36] No. There was an open space known as Caribbean. That is where
11 people all went and gathered. They stayed there because there was nowhere else to
12 stay. There were no houses. They just stayed in the open space. Later on, some
13 organisation known as Caritas, they came and when they saw how people were
14 suffering, how people were crowded together, they brought tents. And the people
15 who were in the open field were given tents so that they can sleep inside.

16 Q. [10:33:33] Were you with the people from your community in that place?

17 A. [10:33:40] Yes, I was also there. I also fled and went to the town.

18 Q. [10:33:53] And how long did you stay there?

19 A. [10:34:02] We stayed there for about one week and then they brought food,
20 some maize meal so that people could eat. Later on, we were told that each of us
21 should find a way of surviving. Some people started looking for their relatives who
22 were living in the town and they started to beg for space so that they could stay in
23 them.

24 Later on, the government started to -- the government realised it was difficult to keep
25 the big population in the town. They decided to establish a bigger camp somewhere

1 so that people can move there and support them from there. And for that matter,
2 people were told to go to Coo Pee camp. Later on, when people had been relocated
3 to Coo Pee camp, a UN agency started bringing food for the internally displaced
4 people, like maize flour and beans. It was distributed to the IDPs.

5 And some soldiers were brought. The soldiers were many and they had surrounded
6 the whole camp. They now put their barracks outside the camp at the periphery of
7 the camp and the people were living inside the camp. And we continued living in
8 that camp.

9 Q. [10:35:57] How long did the people from Lukodi stay in the camp in Coo Pee?

10 A. [10:36:01] It took a bit of time before they could leave. We stayed there up to
11 the year 2007, when the camp was decongested and people left and went to their
12 original place.

13 Q. [10:36:37] When people left in 2007, did they immediately return to their home
14 villages or did they return to the Lukodi area and stay together?

15 A. [10:36:50] When government in 2007 told us that the rebels were no longer there,
16 they communicated through the RDC that people can now go back to their original
17 villages. But the trauma of *the deaths that took place in Lukodi was still fresh in people's
18 minds. People refused to go back to their exact villages. They had talked to
19 government to allow them to stay together in Lukodi and they settled down, they first
20 calmed down. They should send soldiers to protect them.

21 People lived in Lukodi. But a few people who were brave enough started moving
22 back to their original villages. And for me in the year 2008, I also left the camp and
23 started living in my compound.

24 Q. [10:38:11] By what year had most of the people in Lukodi had gone back to their
25 own traditional areas?

1 A. [10:38:21] The year 2008 was the year that people left.

2 Q. [10:38:37] I have some questions now about the lasting impact of the conflict on
3 your community. So focusing on that period from around 2007 up until today, can
4 you tell us whether you noticed signs of psychological ... Mr Gipson, if you need a
5 glass of water, there is some water there for you. Are you okay for me to continue?

6 A. [10:39:17] Yes. Go ahead.

7 Q. [10:39:21] As a leader in the community in Lukodi, have you observed any signs
8 of lasting psychological problems from the conflict or the attack on Lukodi?

9 A. [10:39:35] It is evident, because the trauma of what happened in Lukodi affected
10 so many people. Some people are psychologically affected up to now. There is
11 general fear, and there is the fear of a repeat of what happened in Lukodi. There is
12 still a lot of trauma in the community. People are economically deprived and people
13 have not gone back to *work the way they used to work in the past. There is a lot of
14 despair and people are not sure whether what took place then will not take place again.
15 We are trying to encourage them to go on with their life, but it is not easy. We tell
16 them to continue living like they used to live in the past. People are there, but it is
17 not easy, starting from the year 2008 when they went back home, there is no sign that
18 the rebels will come back. So, much as there is trauma and despair, people are
19 trying to be courageous and they're trying to settle back.

20 Q. [10:41:29] In addition to this fear, you said people are psychologically affected.
21 Are there any particular signs that you've seen or any symptoms in people that have
22 made you believe that they are psychologically affected?

23 A. [10:41:45] There are some people who do not have any mental problem in the
24 past are now behaving like mad people. Some people who were very able, who
25 were hard working are no longer able to do what they used to do. They're like

1 wasted in the trading centres.

2 There is some people who have given up in life. They live as if their spirits have
3 deserted them. There are people who are too secluded and they keep to themselves
4 alone, even if they were not like that before. That is what I'm observing as a result of
5 the trauma which people are living with.

6 Some of the community members lost so many people, and they do not know what to
7 do.

8 PRESIDING JUDGE SCHMITT: [10:42:57] Mr Okulu, did what happened have an
9 impact on the social cohesion of the community? Did it affect how you lived
10 together in the community?

11 THE WITNESS: [10:43:18] (Interpretation) I'm sorry, I have a cough. You'll
12 pardon me.

13 PRESIDING JUDGE SCHMITT: [10:43:33] No problem. We are not in a hurry.
14 Mr Okulu, and as I said initially, and also Mrs Hirst has said, if you need a break,
15 there is no problem. Perhaps we can give Mr Okulu a glass of water. Perhaps we
16 can help him. This is always a good thing if you are coughing, it relieves you a little
17 bit perhaps. But we are not in a hurry.

18 THE WITNESS: [10:44:01] (Interpretation) I request that this water is too cold. If I
19 drink it, it is going to affect me more.

20 PRESIDING JUDGE SCHMITT: [10:44:11] We, of course, we didn't know that.
21 What we do is I think after a break that we will have soon, we will have a different
22 water which is not so cold. Frankly speaking, I also prefer water that is not too cold.
23 So can you continue, Mr Okulu, can you answer my question? Do you feel able to
24 do that or should we have a break?

25 THE WITNESS: [10:44:40] (Interpretation) We can continue. I can still respond to

1 the questions even if I cough, I am not yet tired.

2 PRESIDING JUDGE SCHMITT: [10:44:48] Okay. The question was if what
3 happened had an impact on the social cohesion of the community? Do people live
4 differently together? Do they behave differently amongst each other and towards
5 each other since the time when the attack happened?

6 THE WITNESS: [10:45:23] (Interpretation) Yes, there is. In the past, people would
7 come together like in a cooperative society to do things together in the community.
8 They would go farming together and they would have a lot of activities that was done
9 communally. But with what took place, *people have changed. They fear that
10 when you are found living together, they will finish you like they finished people in
11 the past. And they fear that when you are like five or ten, you can all be taken.
12 In the past, people used to farm for livelihood. When there was still -- people
13 became afraid during the insecure situation. When they find you farming, they
14 would cut off your arm, they would maim you, and for that matter people now fear
15 farming. This has affected the lives of people and their livelihoods of course is
16 affected also.

17 PRESIDING JUDGE SCHMITT: [10:46:34] Mrs Hirst.

18 MS HIRST: [10:46:37] Thank you, your Honour.

19 Q. [10:46:39] Mr Gipson, you've said a few things now about the economic impact
20 and the livelihoods. What is the economic state of the community today?

21 A. [10:46:55] Our people are poor these days, because of the variable situation that
22 people live in. In the past people had livestock. People had cattle. People had
23 goats, chicken and other things. But all these things have been taken away and it's
24 not easy to gain back.

25 For me, as an example, I had cattle, I had goats because I had worked hard. But now

1 I'm not able to farm enough resources, to farm and raise enough resources to buy
2 more livestock. For that matter, people are economically poor.
3 Most times people appeal to government to send some handouts to the villages in the
4 community. The government is not even able to do that. They try to bring,
5 government tries to bring a few heads of cattle and some goats, but it is not enough
6 for everybody. Sometimes they bring only five and only five people benefit from it
7 *out of a whole parish. For that matter, it is not easy to create wealth among the community.
8 People are desperate, desperately in a poor, living in a poor condition. People are
9 not able to farm and get enough money to pay for the school fees, and for that matter
10 children who should be in school are not going to school because they can't afford
11 school fees.
12 Some of the children who are living in the community try to go and look for money in
13 the town areas and they come back with infections and end up dying. People are
14 getting sick. And you are not able to go and get medical treatment. For that matter,
15 the life, general life condition is very poor, not like it was in the past.

16 Q. [10:49:35] Mr Gipson, thank you very much for the detailed answer. I just
17 want to ask some clarification of a few small points.
18 You've spoken about the impact of people losing their livestock. If you look around
19 you in the courtroom you'll see a lot of people who are lawyers and city people. Can
20 you help us understand what the value of livestock was in your community before
21 the conflict? What did people use the livestock for?

22 A. [10:50:13] Livestock, especially cattle, was very useful in the community. It
23 was used for paying bride wealth. It is used for ploughing. It is used as a source of
24 beef. You also use the cattle to pay school fees because you sell and pay with this.
25 When you are sick, you sell your livestock to get treatment. Things like goats, for

1 example, help also in the same way. Goats are used for helping treat people in so
2 many ways. There are some conditions like madness, they use goats in a traditional
3 way to heal it. And for rituals that are culturally important to the community, they
4 use goats to carry outside rituals. When there are funerals that are taking place in
5 the community, the guests are fed on goats and cattle, and for that matter, this was an
6 important element in the culture of Acholi, economically and socially.
7 If you don't have, you are considered poor then, and they were very important. You
8 are not able to do farming with the hand hoe, but if you have ox ploughs you are able
9 to farm a larger land and get enough food to feed your family. That is the
10 importance of livestock in the community where I live.

11 Q. [10:52:21] Thank you. That's extremely helpful. You've said that the livestock
12 is very important for Acholi cultural practices. What's been the impact now then
13 when people don't have access to livestock on their ability to live in a traditional
14 Acholi way?

15 A. [10:52:45] Cultural practices require that you should find these animals to use
16 for the rituals. For example, if someone was raped in the bush and there is a need to
17 use a goat to carry out a ritual to cleanse the person, because if you don't cleanse it,
18 the person may get mad or may not bear children or may actually die. You have to
19 look for a goat so that a ritual is conducted and the person is cleansed. You have to
20 look for a goat in all ways possible to find a goat.

21 They are some of the things which are listed as the challenges that people are facing
22 in this condition as a result of the war. It results from the lack of resources such as
23 livestock which has affected the cultural practices to be carried out.

24 Q. [10:54:09] These cultural practices, how are they traditionally passed from one
25 generation to another?

1 A. [10:54:33] When such rituals are being carried out, children are also there to see
2 how it done and it is a cultural education that is given to the children. Each of the
3 parents have to educate their children on the cultural practices. And you are warned
4 that when you sleep with someone in the bush, you have sex with someone in the
5 bush, it causes this.

6 When you do something which is against the traditional norm, it causes a problem in the family.
7 And people are educated along that line. Parents also teach their children that when you kill, that
8 is a big crime *because that person's cen will kill members of your family. That is a capital
9 offence in the community. Each parent has to start teaching their children, especially when a
10 child is about seven years old, he's expected to know certain cultural practices, such as the effects
11 of murder and causing certain atrocities in the community that do not conform to the cultural
12 norms. And that is how it is passed from one generation to another.

13 Q. [10:55:47] During the time of the conflict and when people were living in the
14 camps, was it possible for the elders and the parents to teach their children in this
15 usual way?

16 A. [10:56:01] As long as an elder is still able to talk to his children and whenever he
17 was with his children, he would tell them that, "You see, we are here because of the
18 war; otherwise we shouldn't be here. Therefore, war is bad. Fighting is bad."
19 And he would tell them that killing is evil. Each of the elders were able to tell the
20 children the evils of killing, the evils of war. They were able to come up with a way
21 of passing this information.

22 Q. [10:56:55] What about for children who came back from the bush after they had
23 been abducted, had they learnt the traditional Acholi practices?

24 A. [10:57:10] They had the basics, but those who lived there, those who lived in the
25 bush did not respect the cultural practices. They also knew that killing was bad.

1 But you would not listen to the parents, you would not listen to the elders because of
2 what you went, it was doing there. At least he was told that this and that is bad, but
3 he still violates it.

4 MS HIRST: [10:58:00] Mr President, I see the time. I do have a few further areas
5 that I would like to address with Mr Gipson, if I could beg your Honour's indulgence,
6 I think I would need another 15 or 20 minutes. I don't know whether --

7 PRESIDING JUDGE SCHMITT: [10:58:16] I think simply continue 15 minutes, yes,
8 but not more. Yes.

9 MS HIRST: [10:58:24] I'm grateful, your Honour.

10 Q. [10:58:26] Mr Gipson, I want to take you back to the topic of people who were
11 abducted by the LRA. You said earlier that some of these people have not yet
12 returned. What impact does that have on the families of those who are still missing?

13 A. [10:58:52] They're in pain, and they think that their children have all died.

14 Q. [10:59:10] Do they try to find out what has happened to their abducted children?

15 A. [10:59:21] They try, but it is not easy to find out any information about them.

16 There are people who meet those who escape and come back home, the people whose
17 children are missing still go and ask those who escaped from captivity and come back
18 home.

19 Now, if the person tells them that, "Your son is alive", at least they will have some
20 hope. But sometimes they are told, "I have not seen the child", and the parents will
21 imagine that maybe he's dead, maybe he's there and he has not just seen this person.
22 We are not sure whether the rebels are still in the bush or they are now finished.

23 Q. [11:00:19] In Acholi culture, is there a traditional practice that should be
24 followed when a person has died if you don't have the body?

25 A. [11:00:38] According to the Acholi tradition, there are witch doctors. The witch

1 doctors are medium people through which the spirit of the departed person is called
2 to speak. And as they perform this function, this person will speak and let people
3 know that he is still alive. If he's still alive, then he will speak and they will realise
4 and know that this person is still alive.

5 So the parents of this person would be the one to go to this witch doctors to consult
6 them on that process. So usually when the person is dead, the spirit is also called
7 and the person will speak. And if he's alive, he will reveal that he's still alive. If
8 he's dead, he'll also reveal that he is no longer alive and then people will know that
9 their person is not there.

10 Q. [11:01:53] What will the family do if they know that their child has died but they
11 don't have the body of the child to bury it?

12 A. [11:02:07] They would still ask the spirit of that person that, "What can we do for
13 you? Where is your body? Where is your corpse?"

14 And then the person will speak, "I am in such and such a place and my body cannot
15 be brought home. You'll now do this and that and that. You perform my burial
16 according to the culture."

17 So the people will now return and perform the traditional process of reburying or
18 burying this person. They will look for goats and they would sacrifice these goats
19 and the ceremony would be conducted. So this is how the parents of the missing
20 person will now relieve themselves of the worries that they had about their person.

21 Q. [11:03:08] If these rituals are not followed, is there a consequence?

22 A. [11:03:22] Yes. It can bring sickness on the family members or it can come as
23 nightmares and would be bringing some bad signs. And by all means a ceremony
24 has to be performed.

25 Q. [11:03:45] Are there people in your community you've observed who have these

1 sorts of problems, these sicknesses or nightmares?

2 A. [11:04:05] Yes, they're there. They're there, because if someone has nightmares,
3 he will be the one to come and tell people, he would come out to tell people that, "I
4 am having a lot of nightmares and it disturbs me a lot, and I dream about my person,
5 a person like this tells me that he or she is no longer alive." So they should find a
6 way of doing some ritual, otherwise if not, if it is not done, then he or she will not be
7 well.

8 So such incidences are there and a number of rituals are performed, have been
9 performed. An example of such a ritual was done on my uncle, relating to my uncle
10 who was abducted by the rebels and the rebels killed him. So while he was killed,
11 we, people at home still knew that he was alive, but because he was no longer alive,
12 his brother back home started falling sick. He would fall sick regularly. Then
13 when family members went out to the witch doctor to consult about their child, it was
14 revealed that, "Your child is no longer alive. He is trying to find a way that he
15 should be brought home. This person has been killed. He's in such and such a
16 place. And if you want him, you should go to this place and you'll find his remains
17 under this tree."

18 So people went to that place. They even went and found his remains, the bones, the
19 skeletons were at that place. And people believed and recognised that he was the
20 one because he had a gap in the teeth and also they looked at the head of the skull.
21 They could recognize him. And also his clothes were still there. And his remains
22 were picked, were collected. They brought the body back and he was buried
23 according to the tradition. And because of that, even the child and the brother now
24 is normal, is living a normal life. This is what I saw with my own eyes.

25 Q. [11:06:38] Have you observed any people in your community who appear to be

1 affected by Cen?

2 A. [11:06:47] Yes, they're there.

3 Q. [11:07:01] Has this increased since the conflict?

4 A. [11:07:09] This person used to be okay previously. He was abducted, spent
5 some times in the bush. While he was there, it's being said that he killed someone,
6 an elderly person, and after he returned home, he started living home, no one knew
7 that he committed any crime or that he killed somebody.

8 Now, up to now, up to today, sometimes this person is affected by this Cen of the
9 person they killed. He sometimes gets thrown down, he's thrown down and up to
10 today he is doing very badly. But when the spirit, when the Cen leaves him and he
11 begins, he resumes normal life. So it is still happening on him up to today. I saw it
12 with my own eyes.

13 And if it was a person or he's a person that could be brought, he would even be
14 brought here and you would see by yourself. But because of distance now, because
15 of the long distance, it's not possible for you to see him physically.

16 Q. [11:08:54] Is there anything that can be done to help people who are affected by
17 Cen in this way?

18 A. [11:09:02] If it were possible, there should be a way of getting family members of
19 such people so that they should be asked if they agree that the person who has been
20 killed should have, should be compensated. Then they would also call the spirit of
21 the dead person and if the compensation of this person is paid and the family
22 members accept, then such people would be okay.

23 But if we do not know their family members, and they have not accepted that their
24 son killed someone, then it will be difficult. Such problem will continue, because the
25 result of the action that he did, the intention, the intentional action of that person will

1 now be seen on the other family members who will fall sick constantly.

2 PRESIDING JUDGE SCHMITT: [11:10:19] Mrs Hirst, I remind you of the time.

3 MS HIRST: [11:10:22] Thank you, your Honour. I was just identifying whether I
4 could move to my final questions, which I think I can.

5 Q. [11:10:28] Mr Gipson, you've spoken about a range of different problems that
6 the community has faced since the conflict. Can you tell us what is the situation
7 today? Are things improved or is the population still suffering?

8 A. [11:10:48] Now that the war is over, there are changes. There are some
9 improvements. People are trying to find a way of rehabilitating their life, of
10 restoring their normal way of life. They are also trying to find a way of teaching the
11 children not to get involved in war, because war destroys home. War finish people.
12 So yes, there are some improvements, there are changes, there are ways to get people
13 to come together. Myself as a community leader, I'm also continuing to educate the
14 community so that they know that one of the worst things in the world is war. It is
15 not good because it will ruin people, people's life and property. Indeed, people are
16 understanding because they've realised that war is bad and can destroy.
17 I believe that in the future, in the near future, there will be changes on the children
18 because they are continuously going through education. They're being told about
19 the dangers of war.

20 Q. [11:12:20] Are there any types of assistance that you think the community still
21 needs today in order to recover from the attack in 2004?

22 A. [11:12:33] A lot of assistance is needed because, as I said before, there is no way
23 for people to go back to their original way of life. It's difficult. Right now we are in
24 a situation where people are not even to build their own homes. It's difficult to get
25 money. Even to get some good meals for their family is getting difficult because the

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1 kind of items that people had before are no longer there.

2 You have to look out for support and help, but also you find that if you look out for
3 those handouts, there may not be enough to help you. So what we need to do is if
4 we can do our own, but also, we also need to reach out to people to help, that would
5 be useful.

6 Q. [11:13:45] Are you able to tell us on behalf of your community what the people
7 in Lukodi hope for from this Court?

8 A. [11:13:55] The people believe that if the Court would be helpful, then their life
9 should be rehabilitated so that at least there is some stable stability, because each and
10 every one back home at least have lost someone in -- to the war. We know that it's
11 difficult. There is no price for a human being. Even an individual myself, anyone,
12 it's difficult to put a price. But if the Court could help in rehabilitating and
13 supporting the people to restore their life, then the Court should help us.
14 People are hopeful that if the Court can help to restore their life, to rehabilitate what
15 has gone bad, that should be okay. They believe and they hope that this Court will
16 help them so that they become and restore their normal life and also their future.
17 That is the appeal to the Court.

18 PRESIDING JUDGE SCHMITT: [11:15:18] And I think that there is nothing left to
19 question and to say in that request, I would say, Mrs Hirst.

20 MS HIRST: [11:15:26] You've read my mind, your Honour.

21 Q. [11:15:28] Mr Gipson, thank you very much for coming here to testify.

22 PRESIDING JUDGE SCHMITT: [11:15:32] Thank you. I assume that
23 Mr Narantsetseg does not have any questions.

24 MR NARANTSETSEG: [11:15:36] No further questions. Thank you.

25 PRESIDING JUDGE SCHMITT: [11:15:38] Neither Mr Elderfield for the Prosecution.

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- 1 MR ELDERFIELD: [11:15:41] No questions for the Prosecution.
- 2 PRESIDING JUDGE SCHMITT: [11:15:43] Then we have a break until a quarter to 12
- 3 and then we start with the Defence, I assume with Mr Obhof.
- 4 THE COURT USHER: [11:15:52] All rise.
- 5 (Recess taken at 11.15 a.m.)
- 6 (Upon resuming in open session at 11.47 a.m.)
- 7 THE COURT USHER: [11:47:17] All rise.
- 8 PRESIDING JUDGE SCHMITT: [11:47:35] Mr Obhof, you rightly assumed that it's
- 9 your turn, you're already standing, so you have the time for your examination now.
- 10 MR OBHOF: [11:47:44] Thank you very much, your Honour. And for
- 11 housekeeping, we should easily be done before 1300.
- 12 PRESIDING JUDGE SCHMITT: [11:47:52] Thank you.
- 13 QUESTIONED BY MR OBHOF:
- 14 Q. [11:47:56] Good morning, Mr Witness.
- 15 A. [11:48:14] Good morning. Thank you.
- 16 Q. [11:48:15] I'm going to have a discussion with you for about an hour, so just look
- 17 at it as farmer and former farmer, a discussion between two fellow colleagues.
- 18 Now, Mr Witness, before we begin, I want to explain something very briefly. Each
- 19 team when they present a witness must give a summary of the witness's anticipated
- 20 testimony. And I will be asking you several questions based upon this. And so
- 21 when I say "a paragraph of your summary", I'm referring to the summary since we do
- 22 not have an official ICC statement.
- 23 PRESIDING JUDGE SCHMITT: [11:49:07] And I think it would also make sense
- 24 simply read out the portion.
- 25 MR OBHOF: [11:49:10] Yes.

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1 PRESIDING JUDGE SCHMITT: [11:49:11] It might not be a long one, of course we
2 all know it, and so that everyone knows what we are talking about and also that the
3 witness knows.

4 Mr Witness, this is not, when counsel comes to that, this is not citing a former
5 statement of you, because you have not given one, a formal one, but simply how the
6 Legal Representative of Victims have put this together. So simply just to inform you
7 that you know when this happens how you can put it into perspective.

8 Please continue, Mr Obhof.

9 MR OBHOF: [11:49:55]

10 Q. [11:49:56] Now, Mr Witness, at paragraph 3 in the summary it states that you
11 have eight children, six of whom have been abducted at one point by the LRA rebels.
12 Did all of your children that were abducted, did they return home?

13 A. [11:50:16] Yes, they are all there.

14 Q. [11:50:27] Were any of them abducted at the Lukodi attack, Mr Witness?

15 A. [11:50:37] They were abducted before the attack on Lukodi.

16 Q. [11:50:51] Now, you've discussed a little bit today about how Lukodi IDP camp
17 came to be. Do you know when the IDP camp was gazetted?

18 A. [11:51:08] Could you please repeat the question.

19 Q. [11:51:23] Do you know when Lukodi IDP camp was gazetted, became an
20 official IDP camp by the government?

21 A. [11:51:35] I can recall.

22 PRESIDING JUDGE SCHMITT: [11:51:43] Could you please tell us, Mr Okulu, when
23 this was.

24 THE WITNESS: [11:51:53] (Interpretation) Lukodi IDP camp started in the year
25 2000 -- I beg your pardon, it is the year 2002. That was the year that Lukodi became

1 a camp.

2 MR OBHOF: [11:52:25]

3 Q. [11:52:26] Now, today you said that there were around 4,000 people at the camp
4 around the time of the Lukodi attack. But in this summary that we received from
5 your lawyers, it states that there were around 700 people in the camp around the time
6 of the attack.

7 Can you help Court to understand whether or not what your lawyers wrote in the
8 summary is correct or what you said today towards the total number of people who
9 were living in that camp around the time of the attack?

10 A. [11:53:12] I had not included children. I'd only mentioned the number of
11 adults.

12 Q. [11:53:22] Now, were there any other military detachments close to the camp,
13 say, in Coo Pee or in Patiko, were there any other detachments within a 5 to 8
14 kilometre radius?

15 A. [11:53:52] No. There was none.

16 Q. [11:53:57] So there was no military detachment at Coo Pee or Gweng-Diya?

17 A. [11:54:08] It was not yet there.

18 Q. [11:54:14] So, Mr Witness, what was the closest detach, not counting the soldiers
19 at Lukodi, to the camp in 2004?

20 A. [11:54:30] It was in the year 2004 when a detach which was around but was not
21 near, it was far, it was in Ajulu, also known as Patiko, it was not very close to Lukodi.
22 It is about 10 miles, about 15 miles away from Lukodi.

23 Q. [11:55:17] How about Awach, Mr Witness, it's about 10 kilometres away, was
24 there a military detachment or maybe even a brigade or battalion stationed at Awach?

25 A. [11:55:35] Awach is also far from Lukodi. It's almost the same distance

1 between Lukodi and Patiko. It's not very near.

2 Q. [11:56:02] Now, were there attacks on the camp before May 2004?

3 A. [11:56:08] No.

4 Q. [11:56:26] Now, Mr Witness, the government soldiers at the camp, were their
5 uniforms camouflage or were they solid green or were they a mixture of both?

6 A. [11:56:45] In regards to their uniforms, it was the green one.

7 Q. [11:57:07] Mr Witness, I'm assuming you know what LDUs are; is that correct?

8 A. [11:57:13] Yes, I do.

9 Q. [11:57:21] How were LDUs recruited?

10 A. [11:57:31] LDUs were soldiers who were recruited from the community and
11 they would stay in the same community where they're recruited from. But they
12 were very few. And they were not even well trained.

13 Q. [11:57:51] From what you saw, were the LDUs sometimes recruited from people
14 who lived withinside the camp?

15 A. [11:58:08] Yes, that is what happened.

16 Q. [11:58:10] Would these LDUs have to work long hours?

17 A. [11:58:30] The LDUs had a detach that they were assigned to. They would
18 work just like the regular soldiers would work. The only difference is they were not
19 well trained.

20 PRESIDING JUDGE SCHMITT: [11:58:48] May I shortly.

21 You said that the LDUs were not well trained. Were they armed like the regular
22 army?

23 THE WITNESS: [11:59:02] (Interpretation) The government gave them weapons.

24 They are a paramilitary group of the government. The problem is they were not
25 well trained. They were recruited to bridge a gap since the government regular

1 soldiers were few to help at least secure the area. But they also did not have enough
2 weapons.

3 PRESIDING JUDGE SCHMITT: [11:59:26] Please continue, Mr Obhof.

4 MR OBHOF: [11:59:30] Thank you, your Honour.

5 Q. [11:59:32] Now, do you know if the LDUs received the same remuneration as
6 their UPDF counterparts?

7 A. [11:59:42] They were paid very little salary.

8 Q. [11:59:55] Mr Witness, we spoke very briefly today about Lukodi school. Was
9 Lukodi school moved to Laliya?

10 A. [12:00:18] It was moved to Laliya, yes.

11 Q. [12:00:27] How far was Laliya from Lukodi?

12 A. [12:00:34] Laliya was about 10 miles away from Lukodi.

13 Q. [12:00:42] Would you say it was better protected than Lukodi, Lukodi primary
14 school?

15 A. [12:01:07] There were no people in Lukodi primary school, because people had
16 been moved to Coo Pee. Laliya was closer to town and children would leave Coo
17 Pee and go to Laliya, where they would study, because from Coo Pee towards Laliya,
18 there were really soldiers, and children would move with ease to go to school.

19 Q. [12:01:41] Now, when the school was moved, what happened to Lukodi school,
20 the physical premises?

21 A. [12:02:01] The school premises remained there and there was no one there.
22 After the attack it was like an old *abandoned homestead.

23 Q. [12:02:18] Let's use this as an example. In late 2003, what was being done with
24 Lukodi primary school? Was anybody occupying it?

25 A. [12:02:28] There was no one who had occupied it. No one could use a whole

1 school as their homestead. It was just there without any occupation.

2 Q. [12:02:56] Now, some of the students who were attending Lukodi primary, did
3 some of them go to schools in Patiko or Awach or Gweng-Diya?

4 A. [12:03:24] Most of the children went to Laliya. Laliya was like a place where
5 many schools combined together and the children would go and study there.

6 Q. [12:03:35] In this summary it was mentioned, and I'll quote it, from paragraph 9,
7 sorry, "Sometimes there were abuses committed by the UPDF troops. Individual
8 UPDF soldiers would sometimes rape women in the camp or steal people's property."
9 Is that an accurate representation of what you told your counsels?

10 A. [12:04:26] That they would come from which place?

11 Q. [12:04:34] It does not say which place, but it does state that they were UPDF
12 troops that would sometimes come and rape women or steal people's property in the
13 camp. Did that happen sometimes?

14 A. [12:04:55] Maybe they misunderstood it. I did not see UPDF soldiers coming
15 from afar to rape people or to sleep with people's wives.

16 Q. [12:05:21] Did you ever see anyone that was stationed at the Lukodi detach who
17 may have stolen somebody's property or slept with somebody's wife or raped
18 somebody?

19 A. [12:05:37] I did not see. I was a leader, and if such a thing had happened I
20 would have known it, and I would tell the truth here.

21 Q. [12:05:56] Now, the UPDF detach, was that a few hundred metres away from
22 the camp or was that -- was the UPDF detach within the camp?

23 A. [12:06:12] The detach was within the camp itself. It was not any far away. It
24 was within the camp, and it was in the school actually.

25 Q. [12:06:29] So in order to get to the detach, you would have to cross through the

1 IDP camp; is that right, Mr Gipson?

2 A. [12:06:45] That is correct, because the soldiers were within the community, they
3 were not outside.

4 Q. [12:07:01] As a community leader, did you ever hear about any attempts of the
5 government to remove the detach from the centre of camp and move it outside of the
6 camp?

7 A. [12:07:16] I did not hear until the atrocities were committed.

8 Q. [12:07:30] Now, there is a hill in Lukodi, correct?

9 A. [12:07:46] Yes, there is a hill in Lukodi. That is where the name of Lukodi
10 comes from. It's called Lukodi hill.

11 Q. [12:07:57] Was there a small government detachment on top of that hill?

12 A. [12:08:08] They put a detach on top of that hill when people returned in 2007.
13 But during the attack on Lukodi, there was no detach on top of that hill.

14 MR OBHOF: [12:08:35] If the court officer could kindly grant evidence 2 over to the
15 Defence, please.

16 For the record, this is tab 7. It's UGA-D26-0027-0014. And again for the record this
17 is a satellite photograph of 22 September 2004. We won't need the drawing just yet.

18 Q. [12:09:24] Now, Mr Witness, does this appear to be an aerial view of Lukodi on
19 your screen in front of you?

20 Actually I will let you know this is an aerial view of Lukodi from 22 September 2004.
21 What I am moving to the centre of your screen is the hill, Lukodi hill. Mr Witness,
22 does it appear that there are living structures on top of that hill?

23 A. [12:10:18] There are no houses there, because the hill was empty. It was just
24 without any homes. People had houses down in the valley near the school. The
25 camp was around the school. And there was no home up on top of the hill.

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1 PRESIDING JUDGE SCHMITT: [12:10:42] Perhaps I may.

2 Mr Okulu, when you look at this, there seems to be some structure, whatever it is I
3 don't know, on this hill. Would you have an explanation or an idea what this could
4 be?

5 THE WITNESS: [12:11:13] (Interpretation) What you see like dots on top of the hill,
6 that should be the structures built in 2007. That is when they put a detach up on top
7 of the hill.

8 Down you would see people have built their houses around the detach as their way to
9 go back home, it was a risk to go back home. I think that is what you are saying.

10 PRESIDING JUDGE SCHMITT: [12:11:45] More we don't get out of it. Why do we
11 know from that it was taken 22 September 2004?

12 MR OBHOF: [12:11:53] That's what the satellite company said. And the
13 Prosecution has a similar photograph inside of their evidence or inside of its evidence.

14 MR GUMPERT: [12:12:00] With the greatest of respect, the Prosecution has made no
15 evidential assertion about this document. I don't contradict my learned friend, but if
16 he wants to prove something, he must do so.

17 PRESIDING JUDGE SCHMITT: [12:12:12] Yes. But if it had been correct what he
18 had said, it would have been on evidence by the party called the Prosecution.

19 But perhaps I wouldn't have a problem if you simply give us the information why
20 you think this is from 22 September 2004.

21 MR OBHOF: [12:12:32] We contacted a satellite company, a company which, sorry,
22 which deals with the taking photographs of the earth. We requested specific
23 coordinates, and they gave us certain dates in which they had.

24 PRESIDING JUDGE SCHMITT: [12:12:48] Yes.

25 MR OBHOF: [12:12:48] And the metadata will be uploaded onto Ringtail during this

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1 next week.

2 PRESIDING JUDGE SCHMITT: [12:12:53] Okay, because telling me now that they
3 gave you this information, you simply give this information to the Court.

4 MR OBHOF: [12:12:58] Yes.

5 PRESIDING JUDGE SCHMITT: [12:12:59] Thank you. Please continue.

6 MR OBHOF: [12:13:02]

7 Q. [12:13:02] Now, Mr Witness I'm going to pull up a different photograph, this is
8 UGA-D26-0027-0013.

9 PRESIDING JUDGE SCHMITT: [12:13:19] Tab?

10 MR OBHOF: [12:13:19] Pardon me?

11 PRESIDING JUDGE SCHMITT: [12:13:21] That is tab?

12 MR OBHOF: [12:13:22] That should be tab 6. My apologies, your Honour, again,
13 which we shall give over the metadata for at a later date, I'm sorry, during next week.
14 This is from March of 2003.

15 Now, unfortunately we do not have the school in and of itself, we only have Lukodi
16 hill, and I shall zoom in on it.

17 PRESIDING JUDGE SCHMITT: [12:14:05] Mr Okulu, first of all, because this is -- I
18 would say the quality is not as good as the quality of the last image, do you recognize
19 this as the hill of Lukodi?

20 THE WITNESS: [12:14:31] (Interpretation) It is not easy for me to recognize it. It
21 is difficult.

22 PRESIDING JUDGE SCHMITT: [12:14:38] I think that is understandable.
23 You can give it a try.

24 MR OBHOF: [12:14:42] Yes.

25 PRESIDING JUDGE SCHMITT: [12:14:42] But you would have really to be clear that

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1 the witness also really knows what he's supposed to talk about.

2 MR OBHOF: [12:14:48] No, it's okay.

3 PRESIDING JUDGE SCHMITT: [12:14:49] If he does not recognize it, it's simply
4 difficult, and you have to put simply the images and the underlying information on
5 the record or submit it.

6 MR OBHOF: [12:15:00]

7 Q. [12:15:01] Just there on the left where you see the cloud cover, Mr Witness, do
8 you see any structures there, any maybe huts in that picture?

9 A. [12:15:21] No, I'm not seeing anything.

10 Q. [12:15:33] Okay. We're done with evidence 2.

11 Now, Mr Witness, in the summary at paragraph 18, it states that you saw many huts
12 which had been destroyed. You saw that virtually all of the 200 huts in the camp
13 had been burned. But earlier today you told the Court that there were 1,700 huts
14 which were burnt. We would just like you to clarify whether it is 1700 or 200.

15 A. [12:16:35] I want to say that the pictures want to bring some problems, some
16 confusion. I said there were 1,700 people who had their huts there. Now, if I have
17 not yet included the number of children, but the houses have been counted, and in
18 these pictures you can see some photographs, some houses may not be seen. So I
19 think we need to use photographs that are clear.

20 PRESIDING JUDGE SCHMITT: [12:17:23] Mr Okulu, we understand that. But
21 could I perhaps also ask you, these 1700 people plus children, did they live in about
22 200 huts? And were these huts destroyed? Do we understand correctly?

23 THE WITNESS: [12:17:53] (Interpretation) Yes, that is what I said, because all these
24 huts were burnt. It remained only the school, because some people were living in
25 the classrooms. So in those classrooms would accommodate so many people. But

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1 the huts that were surrounding the school were all burnt.

2 PRESIDING JUDGE SCHMITT: [12:18:18] Thank you very much. Just to inform

3 you, counsel, Mr Obhof, does not want to confuse you. It was simply to clarify.

4 And it was very helpful that we clarified that now.

5 Please continue, Mr Obhof.

6 MR OBHOF: [12:18:33]

7 Q. [12:18:36] You mentioned today that 47 people died during this attack. Now, is

8 it possible that some of the civilians died in the crossfire from the UPDF?

9 A. [12:18:57] The government soldiers fled because the LRA came in a V shape and
10 surrounded the whole place. And for them they fled and went to decide where I

11 also ran to take refuge. So there was no exchange of fire between them. So these
12 people just came to the camp and worked until they completed their mission.

13 Q. [12:19:40] Paragraph 15 of the summary, it stated that from where you were
14 hiding you could see and hear what was happening in the camp; that you saw the
15 attack continuing for about 2 hours until UPDF vehicles and aircrafts reached the
16 camp around 8 p.m.

17 Mr Witness, when this says "aircraft", did you see a helicopter gunship arrive?

18 A. [12:20:22] Correct. The helicopter gunship came and was hovering above. I
19 was still hiding in the forest where I was, because it had lights, and it was running,
20 hovering over, and I could see it clearly.

21 Q. [12:20:48] Did this helicopter gunship fire down when it was hovering above?

22 A. [12:20:57] It did not drop anything, any bomb.

23 Q. [12:21:07] Now, the vehicles, am I correct by saying that they were Mambas and
24 Buffalos that arrived, Mr Witness?

25 A. [12:21:15] Correct.

1 Q. [12:21:26] I don't know if the Court has heard what a Buffalo is. Could you
2 explain to the Court what a buffalo is? They've heard Mambas. But could you tell
3 the Court what a Buffalo is in UPDF terms?

4 A. [12:21:43] That is a military armoured vehicle which also has gun mounted on it,
5 anti-gunfire. But by the time they arrived they found the LRA had already left. It
6 was like 8 p.m. in the night. The helicopter gunship had arrived before and hovered
7 around, and when the Mambas came, they did not fire. They only parked there and
8 guarded the place until the next morning.

9 Q. [12:22:24] Mr Witness, I'm going to read a longer paragraph. I do apologise.
10 It's going to be paragraph 28 of the summary, and I'm going to ask you a few
11 questions about that. It starts, "While the conflict was continuing, it created a lot of
12 fear and suspicion among the population. People would hear rumours that a
13 person's child has been abducted and is now a rebel. If there was an attack, they
14 would say it was that person's child who has come to attack the village. They would
15 get so afraid that they would begin to fear that family. They would suspect each
16 other."

17 Now, Mr Witness, how did this type of mistrust affect the children who managed to
18 escape or even the adults that managed to escape and return home from the bush?

19 A. [12:24:01] Well, the community did not have any doubts, because all the people
20 who escaped who came were people who come from that area, so they did not have
21 the time to attack that place. Actually, most children who came from -- who were
22 abducted from Lukodi, when they go to the bush, they would actually return, they
23 would escape and return, because they didn't know what is it that they were taken to
24 do in the bush and why they were going to fight.

25 Q. [12:24:50] When those people, children, adults alike came back to Lukodi, did

1 the community welcome them home?

2 A. [12:25:02] They are received well. They are welcomed back home and people
3 would be happy, because they would say, "Oh, my child has returned."

4 So they were welcomed, there was no problem, because people would know that they
5 were also abducted against their will. So most times when they return, they would
6 be welcomed joyously.

7 Q. [12:25:36] Now, in the summary it discusses about rehabilitation programmes
8 by the government and the NGOs. Did these rehabilitation programmes particularly
9 target former child soldiers or the most affected communities where the attacks
10 happened?

11 A. [12:26:08] Are you referring to the NGOs? Maybe you say the question again.

12 Q. [12:26:26] I'll split the question in two, because it was sort of a compound
13 question.

14 These rehabilitation programmes, no matter who sponsored them, whether
15 government or NGO, did these programmes tend to target or tend to help only
16 former child soldiers?

17 A. [12:27:05] Correct. They were basically targeting the returnees. This
18 organisation was called GUSCO, so they would receive the children who returned
19 from the bush, and they would be taken to that centre, and they go through the
20 rehabilitation process, but not any other persons.

21 Q. [12:27:34] So did they have programmes for adults that escaped and came back
22 home?

23 A. [12:27:48] Whether you're an adult or a young person, if you return from the
24 bush, you would be taken there. You either go through some trainings and then you
25 would be returned back home.

1 Q. [12:28:07] Now, did these rehabilitation programmes go to the affected
2 communities and teach them how to welcome people back from the bush?

3 A. [12:28:22] Most times that did not happen. When a child who has been
4 received at the GUSCO centre, after he has been released, he would now be taken
5 back to their family and would rejoin the family members and would live with the
6 family members.

7 But, of course, there are, sometimes there are some teachings which are given through
8 radio when the community, family members are talked to, to be able to receive these
9 people and take, take care of them and receive them well, so sometimes this
10 information is passed through the radio.

11 Q. [12:29:20] Now, you were also abducted quite a few times. How old were you
12 when you were abducted?

13 A. [12:29:43] I was abducted in 1999. I was an adult. You know I was born in
14 1956, so you do the calculation, 1999, how many -- how old I was. I was already a
15 parent. I had children.

16 So on the day I was abducted, I was abducted together with two of my children. But
17 I did not spend a night with the rebels. I was released. But my children was
18 retained, they retained my children and they continued with them, the two children.
19 But then at some point in time they also escaped and returned back home.

20 Q. [12:30:36] So were all of your abductions like that, you would be taken for a day
21 and then released to go back home?

22 A. [12:30:45] Yes, they would release me. But at the beginning, my first abduction
23 was in 1988, that is the first time when I spent about one month with them.

24 Q. [12:31:19] And which group abducted you in 1988?

25 A. [12:31:24] These people had many groups, other groups referred to as Gilva,

1 others are called Kondum (phon), others is it Stockree, then there was also one called
2 Special Mobile, these are some of the groups that were there.
3 So I was abducted, spent there the whole month. Then as I was there, I was trying to
4 see the kind of life there. I found that I felt that I cannot manage that kind of life,
5 because there was one time when Kony himself as the leader, he came and gathered
6 everyone and said he is going to overthrow the government with only 100 fighters,
7 and most of these people would commit crimes. So if there is someone who thinks
8 he is taking this thing jokingly, sometimes this war using the gun will not help, so
9 you have to find any other way of fighting, whether you are going to fight and bite
10 your friend with your teeth until you finish, you have to find a way.
11 So the name of that fighting was codename SWWW, which means Silent War of
12 World War. This is what Kony was saying. I had to think and wonder how -- what
13 this person is saying. I think I cannot manage this kind of war. Then one day I just
14 decided all by myself to escape and I escaped. That is what happened.

15 Q. [12:33:53] Thank you, Mr Witness. Now, which group abducted you in 1988?

16 A. [12:33:59] Gilva.

17 Q. [12:34:08] Thank you. Now, with your interactions with the children and
18 adults that came back, including your children, did they ever talk about a spiritual
19 power which possessed Joseph Kony?

20 A. [12:34:28] Something about Kony, even myself who was captured for one month,
21 he would say that if you have gone to the battlefield, you should not hide behind any
22 tree.

23 So there were spirits that would possess him and would speak to him. One of the
24 spirits is called Silly Salindi. Another one is called Who Are You. So these Who
25 Are You it is said is the one responsible and is the operation commander. The spirit

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1 Silly Salindi is said to be the operation intelligence.

2 And when he speaks to Kony and says "Today the government soldiers are coming",
3 then the spirit would come and reveal to Kony. Then Kony would inform his
4 soldiers to be on the alert because the spirits had already informed him. So that is
5 what would happen.

6 Q. [12:35:46] Now I'm going to see if we can turn to tab 8, it's UGA-D26-0012-0394.
7 This is going to be at pages 0396 and 0397. There is a heavily redacted version for
8 the public.

9 PRESIDING JUDGE SCHMITT: [12:36:30] Perhaps in the meantime I may ask a
10 question.

11 MR OBHOF: [12:36:33] Please do, your Honour.

12 PRESIDING JUDGE SCHMITT: [12:36:34] Mr Gipson Okulu, you told us about the
13 spirits of Joseph Kony and informed us about the name even, about the name of two
14 of these spirits. Did you believe that the spirits possessed him personally?

15 THE WITNESS: [12:37:05] (Interpretation) The way he was talking, I would see
16 him talk, and when he is talking, sometimes his voice change. Then I would imagine
17 that I think he's possessed. So at that point in time I would indeed believe that he
18 gets possessed the way he would speak. According to the way he would speak, I
19 would believe that he is possessed.

20 PRESIDING JUDGE SCHMITT: [12:37:34] You said "at that point in time". Did this
21 change later?

22 THE WITNESS: [12:37:42] (Interpretation) The kind of statement that he made that
23 he was going to remain with only 100 people to overthrow the government, and that
24 it will reach some point where in the fighting guns will not be useful anymore, and
25 the fight will be won by those who will win by using whatever methods, after that

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1 point, I started refusing the belief that he is possessed.

2 PRESIDING JUDGE SCHMITT: [12:38:19] Thank you. I think we have now the
3 document on the screen, so you may continue, Mr Obhof.

4 MR OBHOF: [12:38:26]

5 Q. [12:38:26] Thank you for that story, Mr Okulu Gipson.

6 Now, what you see on your screen right there, this is one of the many victim
7 applications we received from Lukodi. And you see your name and your signature
8 on it. Is that your signature there roughly in the middle of the page, sir?

9 A. [12:39:05] Yes, that's my signature, and my names are indicated up there.

10 MR OBHOF: [12:39:16] If you could please go to the next page, just to show him
11 briefly the signature on the next page. Keep going down. Perfect.

12 THE WITNESS: (Interpretation) [12:39:34] Yeah, that's also my signature.

13 MR OBHOF:

14 Q. [12:39:36] And we're going to go to now tab 9, UGA-D26-0012-0118, starting at
15 page 0120.

16 PRESIDING JUDGE SCHMITT: [12:39:59] 118, are you sure?

17 MR OBHOF: [12:40:01] 0012-0118. We only put in the binders the actual pages, so
18 it would be 0120.

19 PRESIDING JUDGE SCHMITT: [12:40:14] Now I understand.

20 MR OBHOF: [12:40:15] Save paper a little bit.

21 Q. [12:40:16] Now, this is also an application from Bungatira Gulu. And even
22 though your name has been redacted when we received it, it does say LC1. And you
23 as of 2015, you were still the LC1; is that correct?

24 A. [12:40:39] Correct.

25 Q. [12:40:45] Now, Mr Witness, did you sign a lot of these victim applications for

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1 people verifying their relationships or property missing?

2 A. [12:41:00] That was correct.

3 Q. [12:41:19] Were you involved at all in the process of helping fill out the victim
4 applications?

5 MS HIRST: [12:41:25] Your Honour, I'm sorry, I think that if the Defence wants to
6 canvass information about which individuals were involved as intermediaries for the
7 VPRS or indeed for our team --

8 PRESIDING JUDGE SCHMITT: [12:41:38] No. We are not so far. Mr Obhof was
9 not at that point. He did not speak about intermediaries. He has simply asked a
10 question and it may be answered for the moment.

11 MS HIRST: [12:41:48] I was only going to suggest, your Honour, that it may be more
12 appropriate to discuss the matter in private session if it involves the role that different
13 people had in assisting the Registry.

14 PRESIDING JUDGE SCHMITT: [12:41:57] Not yet, not yet. We simply continue at
15 the moment.

16 MR OBHOF: [12:42:00] We're not going under anybody else, just him. So we're not
17 going to ask him about any other persons that were involved.

18 PRESIDING JUDGE SCHMITT: [12:42:07] It was only asked until now if the witness
19 was involved in these victims' applications, if I understood it correctly.

20 MR OBHOF: [12:42:17] Yes.

21 PRESIDING JUDGE SCHMITT: [12:42:18] This is no matter we would have to
22 discuss in private session.

23 MR OBHOF: [12:42:22]

24 Q. [12:42:22] So not the identification part, but when people would tell their stories,
25 when they would help, when people would help them fill out the victim applications,

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1 were you present during the times when people would narrate their stories to the
2 lawyers from the ICC?

3 A. [12:42:41] These people do not do their work in my absence, because I am the
4 one who know those people. So even when they are there, and as people are filling
5 their forms, I would represent to verify and know that it is the right people who are
6 filling the forms. So, indeed, they would provide their own statement in their own
7 way.

8 Q. [12:43:19] Thank you.

9 Can we go back to evidence 2, please.

10 PRESIDING JUDGE SCHMITT: [12:43:40] Thank you, madam court usher, for
11 assisting.

12 I think we have it on the evidence 2 screen.

13 MR OBHOF: [12:44:08]

14 Q. [12:44:08] Mr Witness, this is of course not either a current photograph or a
15 photograph in May of 2004, again, which the Defence shall provide the metadata for.
16 This is from 22 September 2004.

17 Now we're going to do a little drawing exercise. On this photograph, could you
18 please in red circle the areas which contained the IDP or the IDPs, where they built
19 their homes.

20 A. [12:44:55] Well, it's not very easy to identify the places. Is this running straight,
21 the one running straight, is this a road?

22 PRESIDING JUDGE SCHMITT: [12:45:18] I think it would be indeed helpful to
23 simply explain to Mr Okulu what the two roads are, where they lead to. And I think
24 then he will be able to orientate himself.

25 MR OBHOF: [12:45:34]

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1 Q. [12:45:35] Now, you can see my little hand moving up and down right there.

2 Can you see that?

3 A. [12:45:39] Yes, yes.

4 Q. [12:45:41] That road is the Gulu Patiko road.

5 A. [12:45:49] Yes.

6 PRESIDING JUDGE SCHMITT: [12:45:50] And also the other one so we have some
7 coordinates here.

8 MR OBHOF: [12:45:53]

9 Q. [12:45:54] And this one right here where my hand is travelling now, that is the
10 Awach road.

11 And right here where the hand is circling, where you have that darker green, that is
12 what the Defence says is Lukodi hill.

13 A. [12:46:20] That's the Lukodi hill, yes.

14 Q. [12:46:23] Yes.

15 A. [12:46:27] The homes were here (drawing) this is where -- is this the school, the
16 one I'm seeing here? So the homes were along this area. And the Lukodi hill was
17 here. So this is how I think it was.

18 PRESIDING JUDGE SCHMITT: [12:47:13] Thank you very much. I think this is
19 very good to see this way. We can picture it much better now I think.

20 MR OBHOF: [12:47:20]

21 Q. [12:47:20] Now, Mr Witness, the Awach road, when was that constructed?

22 A. [12:47:28] When that road was opened, it was really after the attack on Lukodi.
23 I do not recall well, but it was after the attack. It should have been about the year -- I
24 can't remember, but it can be 2006 or 2007. I do not recall well.

25 Q. [12:48:09] Was there a path there before though, maybe a walking path or

1 something large enough for a boda-boda?

2 A. [12:48:18] There was a path there, but it was like for connect from home to home.
3 Lukodi hill had a few homes around it, and there was a path that led to that home,
4 which was heading towards the place called Laco Anga. It was just a footpath, but it
5 was not very clear. And that is why also the camp was put around here.

6 Q. [12:48:58] That will be all for the picture, yes.

7 PRESIDING JUDGE SCHMITT: [12:49:28] Thank you very much.

8 MR OBHOF: [12:49:32] Thank you, Rocelyn.

9 Q. [12:49:39] We should be done within the next 2 or 3 minutes, Mr Witness.
10 Now, one final thing. In 2004, could you -- were there any private granaries that
11 were being actively used near Lukodi, say, maybe 800 to 1,000 metres east of the IDP
12 camp?

13 A. [12:50:22] Are you talking about the traditional granary?

14 Q. [12:50:27] Yes. Someplace where people would store their excess grains, like
15 wheat, maize, millet.

16 A. [12:50:39] No, there were no longer granaries.

17 Q. [12:50:42] Thank you.

18 A. [12:50:47] As regards granaries, people were no longer using them, because the
19 things which were in the granaries would be taken away by the rebels if they found a
20 granary in your household, and people no longer made granaries. If you see a
21 granary, it is just a structure which has been left and it's no longer in use.

22 Q. [12:51:17] Thank you. We have two or three more questions, all of which will
23 be in private session. I'll explain that when we go into private session.

24 PRESIDING JUDGE SCHMITT: [12:51:26] Okay. Then we go to private session
25 and you really explain it.

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- 1 MR OBHOF: [12:51:30] Yes.
- 2 (Private session at 12.51 p.m.)
- 3 (Redacted)
- 4 (Redacted)
- 5 (Redacted)
- 6 (Redacted)
- 7 (Redacted)
- 8 (Redacted)
- 9 (Redacted)
- 10 (Redacted)
- 11 (Redacted)
- 12 (Redacted)
- 13 (Redacted)
- 14 (Redacted)
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- 18 (Redacted)
- 19 (Redacted)
- 20 (Redacted)
- 21 (Redacted)
- 22 (Redacted)
- 23 (Redacted)
- 24 (Redacted)
- 25 (Redacted)

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1 (Redacted)

2 (Redacted)

3 (Redacted)

4 (Redacted)

5 (Redacted)

6 (Redacted)

7 (Redacted)

8 (Redacted)

9 (Redacted)

10 (Redacted)

11 (Redacted)

12 (Redacted)

13 (Redacted)

14 (Redacted)

15 (Redacted)

16 (Redacted)

17 (Open session at 12.55 p.m.)

18 THE COURT OFFICER: [12:55:28] We are back to open session, Mr President.

19 MR OBHOF: [12:55:37] Your Honour, we have no questions, but we just want to

20 make note that the vic apps of two of the people discussed just now, the victim

21 applications are found at UGA-V40-0006-0009_R01 and UGA-V40-0006-0012_R01.

22 We will seek their submission for the conflict inside of the other application which he

23 oversaw.

24 PRESIDING JUDGE SCHMITT: [12:56:07] Okay. Thank you very much.

25 MR OBHOF: [12:56:10] Thank you, Mr Witness.

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- 1 PRESIDING JUDGE SCHMITT: [12:56:11] Mr Gipson Okulu, I would like to address
- 2 you personally on behalf of the Chamber. This concludes your testimony. On
- 3 behalf of the Chamber I would like to thank you for coming to this Court and for
- 4 helping us to establish the truth.
- 5 We wish you a safe trip back home.
- 6 THE WITNESS: [12:56:42] (Interpretation) Thank you very much.
- 7 PRESIDING JUDGE SCHMITT: [12:56:42] This concludes also the hearing for today.
- 8 Tomorrow we start with the next witness at 9.30 V1. Thank you.
- 9 THE COURT USHER: [12:56:50] All rise.
- 10 (The hearing ends in open session at 12.56 p.m.)