

Trial Hearing  
WITNESS: UGA-OTP-P-0306

(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 Cano Pangalangan  
7 Trial Hearing - Courtroom 3  
8 Wednesday, 15 November 2017  
9 (The hearing starts in open session at 9.33 a.m.)  
10 THE COURT USHER: [9:33:59] All rise.  
11 The International Criminal Court is now in session.  
12 PRESIDING JUDGE SCHMITT: [9:34:27] Good morning, everyone.  
13 Could the court officer please call the case.  
14 THE COURT OFFICER: [9:34:32] Good morning, Mr President, your Honours.  
15 The situation in the Republic of Uganda, in the case of The Prosecutor versus  
16 Dominic Ongwen, case reference ICC-02/04-01/15.  
17 And for the record, we are in open session.  
18 PRESIDING JUDGE SCHMITT: [9:34:48] Thank you very much.  
19 I ask for the appearances of the parties. Mr Sachithanandan.  
20 MR SACHITHANANDAN: [9:34:54] Good morning, your Honour. I am  
21 appearing today with Mr Gumpert, Ms Sanyu Ndagire, Hai Do Duc, Yulia Nuzban,  
22 Julian Elderfield, Ramu Fatima Bittaye, Akenroye Ayodele and Agnese Valenti. And  
23 I will just check whether Hai is actually here. He is.  
24 PRESIDING JUDGE SCHMITT: [9:35:19] He is here, yes. Thank you very much.  
25 And for the Legal Representatives, first Mr Cox.

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- 1 MR COX: [9:35:26] Good morning, your Honours. With me, Anushka Sehmi,  
2 Mr James Mawira and myself, Francisco Cox.
- 3 PRESIDING JUDGE SCHMITT: [9:35:33] Mr Narantsetseg.
- 4 MR NARANTSETSEG: [9:35:34] Good morning, Mr President, your Honours.  
5 Orchlon Narantsetseg with Ms Caroline Walter. Thank you.
- 6 PRESIDING JUDGE SCHMITT: [9:35:38] Thank you.  
7 And for the Defence, Mr Obhof, not Mr Taku.
- 8 MR OBHOF: [9:35:42] Good morning, your Honour. Today we have Chief Charles  
9 Achaleke Taku, Tibor Bajnovic, Ms Abigail Bridgman, myself, Thomas Obhof, and  
10 our client Mr Dominic Ongwen.
- 11 PRESIDING JUDGE SCHMITT: [9:35:51] Thank you very much.  
12 And the Prosecution is now calling P-306 as its next witness. We turn now to his  
13 testimony. A very warm welcome from the Chamber here, from the Court to you at  
14 the video link, Mr Witness. I understand that you hear me well.
- 15 WITNESS: UGA-OTP-P-0306  
16 (The witness speaks Lango)  
17 (The witness gives evidence via video link)
- 18 THE WITNESS: [9:36:14] (Interpretation) Yes, I can hear you very well.
- 19 PRESIDING JUDGE SCHMITT: [9:36:16] Thank you very much.  
20 Mr Obwor, you have a card with the oath in front of you. Could you please read out  
21 this card aloud. There should be a card in front of you and please read this card out  
22 aloud. It's the oath. Thank you.
- 23 THE WITNESS: [9:36:36] (Interpretation) Thank you.  
24 I, Obwor Douglas, swear that I will tell the truth, the whole truth and nothing but the  
25 truth.

1 PRESIDING JUDGE SCHMITT: [9:36:50] Thank you very much. You have now  
2 been sworn in, and before we start with your testimony, a few practical matters that  
3 you please have in your mind when testifying.

4 As you know, everything we say here is written down and interpreted. It is  
5 therefore important to speak at a relatively slow pace and to speak clearly and please  
6 speak also into the microphone. If you have any questions yourself, please raise  
7 your hand and then we will give you the floor.

8 That is all for the preliminary, so to speak. We can now start with your testimony  
9 and I give the Prosecution the floor.

10 QUESTIONED BY MR SACHITHANANDAN:

11 Q. [9:37:30] Good morning, Mr Obwor.

12 A. [9:37:35] Thank you. Good morning.

13 Q. [9:37:37] Could you please tell us your full name and date of birth.

14 A. [9:37:50] My name is Douglas Obwor. I was born on 26 April 1974.

15 Q. [9:38:06] Could you please tell us where you were born.

16 A. [9:38:14] I was born at a place called Lelacol, which is in Bar parish in Abok  
17 sub-county, in the district that is currently referred to Oyam, in Uganda.

18 Q. [9:38:41] Is it correct that you have had the opportunity to fully read your  
19 statement and related annexes before coming here?

20 A. [9:38:56] Yes, I read.

21 Q. [9:38:59] Now, there should be a little binder in front of you. Could you please  
22 turn to the first tab of that binder.

23 And for the record, the ERN is UGA-OTP-0261-0277.

24 A. [9:39:25] Yes, I have the binder.

25 Q. [9:39:28] Can you see that it states "Witness Statement" on the top of it?

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- 1 A. [9:39:39] Yes, I can see.
- 2 Q. [9:39:40] And the fact that it says your name?
- 3 A. [9:39:50] Yes, I can see it.
- 4 Q. [9:39:52] Around the bottom middle of this document, do you see a signature?
- 5 A. [9:39:58] Yes, I see.
- 6 Q. [9:40:00] Whose signature is that?
- 7 A. [9:40:07] That's my signature.
- 8 Q. [9:40:10] Do you see the date of the interview, again around the bottom middle,  
9 23 April 2016?
- 10 A. [9:40:20] Yes, I see.
- 11 Q. [9:40:23] Right. Can you turn all the way to the end of this witness statement,  
12 that is page 8. Do you have it?
- 13 A. [9:40:47] Yes.
- 14 Q. [9:40:50] All right. Under "Witness Acknowledgment", do you see your  
15 signature?
- 16 A. [9:41:01] Yes, I see.
- 17 Q. [9:41:02] And the date, 23 April 2016?
- 18 A. [9:41:11] Yes, I can see it.
- 19 Q. [9:41:13] Mr Obwor, is this your statement?
- 20 A. [9:41:21] This is my true statement.
- 21 MR SACHITHANANDAN: [9:41:24] Your Honour, I would like to deal with the  
22 annexes at the same time.
- 23 PRESIDING JUDGE SCHMITT: [9:41:27] Yes, why not?
- 24 MR SACHITHANANDAN: [9:41:30]
- 25 Q. [9:41:31] Mr Obwor, can you please look at tabs 2 to 4 of your binder. Just take

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- 1 a look at each one of those.
- 2 And for the record, tab 2 is UGA-OTP-0261-0285, tab 3 is 0247-1269, tab 4 is 0247-1270.
- 3 Mr Obwor, have you had a chance to look at tabs 2 to 4?
- 4 A. [9:42:32] Yes, I have.
- 5 Q. [9:42:34] Are these the documents annexed to your statement?
- 6 A. [9:42:45] Yes, these are all of them.
- 7 Q. [9:42:51] Now, you have had a chance to take a look at your statement and the  
8 annexes. Can you tell us, please, when you gave your statement and provided the  
9 annexes, did you tell the truth?
- 10 A. [9:43:08] Yes, I told the truth.
- 11 Q. [9:43:11] And was the statement made to the best of your knowledge and  
12 recollection?
- 13 A. [9:43:26] I stated everything as I could recall.
- 14 Q. [9:43:32] Now, under the Court's rules, if you don't object, the Judges can rely on  
15 your statement and annexes when they come to their decision in this case. But only  
16 if you don't object. Do you have any objection to the Judges doing so?
- 17 A. [9:44:00] I have no objection.
- 18 PRESIDING JUDGE SCHMITT: [9:44:05] Yes, like always, that's really -- has become  
19 a standard quick procedure. Thank you, Mr Sachithanandan.
- 20 MR SACHITHANANDAN: [9:44:12] Your Honour, I have a few clarifications.
- 21 PRESIDING JUDGE SCHMITT: [9:44:14] Of course, yes.
- 22 MR SACHITHANANDAN: [9:44:16]
- 23 Q. [9:44:17] Mr Witness, I would like to take you back to your statement,  
24 paragraph 22 of your statement. This is of course tab 1.  
25 You say in the middle of that paragraph that you heard the rebels saying in Acholi

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1 "maka cwara", meaning "catch for me my husband".

2 Now, when you heard that being shouted, was it a man shouting that or a woman  
3 shouting that?

4 A. [9:45:14] I heard women's voices. They were ululating, making -- while they  
5 were shouting "maka cwara, maka cwara", it was women's voice.

6 Q. [9:45:28] Now, you said they were shouting in Acholi. How did you  
7 understand that? Do you understand some Acholi?

8 A. [9:45:42] I was close in Acholi, with Acholi, and so I could understand very well  
9 Acholi language, because that is what they were saying, "maka cwara, maka cwara".  
10 It was actually straight and very clear it was Acholi, not Lango, being spoken.

11 Q. [9:46:02] I want you to move to paragraph 25 of your statement.

12 PRESIDING JUDGE SCHMITT: [9:46:06] May I shortly.

13 But, Mr Obwor, what did you make out of it, or did you have any idea what they  
14 probably had meant by this?

15 THE WITNESS: [9:46:27] (Interpretation) Well, most times when the rebels attack  
16 a particular place and when they engage with the soldiers, that is what they would  
17 usually say. So when I heard that, I concluded that these were LRA rebels.

18 PRESIDING JUDGE SCHMITT: [9:46:50] Please continue.

19 MR SACHITHANANDAN: [9:46:52]

20 Q. [9:46:53] Paragraph 25, Mr Witness, of your statement, you said that at some  
21 point you fled the camp and you slept outside the camp in the bush, and you were  
22 with Ogola Cyprian and his wife, Phoebe Ogola. How far away from the camp were  
23 you sleeping?

24 A. [9:47:22] We went and slept at a place approximately about 1 kilometre away.

25 Q. [9:47:31] Before you fell asleep, during the course of the attack could you hear or

1 see anything that was happening inside Abok camp?

2 A. [9:47:51] On that day we did not get proper sleep. Because before that attack  
3 we had heard about -- rumours about some strangers who had passed very close to  
4 the camp. So at that time I was really not exactly asleep because I was very alert,  
5 thinking and knowing that anything could happen in the camp.

6 Q. [9:48:19] Sorry, I don't think I was very clear. I mean now after the camp was  
7 attacked and you ran away and you hid, from where you were hiding, what could  
8 you see, if anything, going on in the camp?

9 A. [9:48:42] When I went and hid, I would hear gunshots. Houses were also  
10 burning and you could see the smoke billowing up. That was when I had taken to  
11 my hiding place in the bush.

12 Q. [9:49:03] I want to take you now to paragraph 28 of your statement, which is  
13 where you say that after the attack and after hiding, the next morning you came back  
14 at about 8 a.m., you found that many people had been shot dead and three children  
15 were burned in the grass-thatched houses, one near your home.

16 Did you see -- or let me put it this way, how did you know of the death of these three  
17 children?

18 A. [9:49:50] After I had returned and reached home, I found the person that was  
19 burnt next to my home, the body was still lying there. And when we started moving  
20 around to try and record the number of persons who were missing and the dead,  
21 that's when we discovered the other bodies.

22 Q. [9:50:18] The one, the child who died near your home, could you tell us was the  
23 child inside the house or outside the house?

24 A. [9:50:34] The child who died next to my home was burnt inside the house.

25 Q. [9:50:43] Can you tell us, if possible, the approximate age of this child.

1 A. [9:50:56] According to the father's record, he told me that the child was about  
2 four years old.

3 Q. [9:51:08] The other two children you saw, could you tell us the approximate  
4 ages of the other two children?

5 A. [9:51:21] The other children, one of them, the parent told me was about two  
6 years old and then the other one was about three years old.

7 Q. [9:51:34] Thank you. In your statement you mentioned that during the time of  
8 the attack you were the camp leader. When you returned to the camp after the  
9 attack, what were your duties relating to the aftermath of the attack?

10 A. [9:52:02] After I returned from the bush, when I reached I found some guests  
11 had arrived because they had received reports during the night. So we started  
12 collecting the dead bodies, put them together, and also to assess the damage that was  
13 caused. This included burning of houses, cattles were injured by bullets, and also  
14 items that were looted in the shops. So these were the things we were assessing and  
15 also trying to gather people to bring them back together.

16 Q. [9:52:47] Thank you. Can you turn, please, to tab 4 of your binder now. And I  
17 want you to look at the second page, so that would be 0271. Sorry, 1271. Right, it's  
18 the, it's the list. Could you please tell us what this list is.

19 A. [9:53:41] These are the list of the people who were killed on that day.

20 Q. [9:53:49] How was this list prepared?

21 A. [9:53:58] At the time when I was now moving around, together with the people  
22 to collect the dead bodies, that's how we generated the names, we would find,  
23 identify a person, a dead person and then we would get the names. And these are  
24 the list that I came up.

25 Q. [9:54:24] When you say you came up with it, does that mean you are the person



1 who wrote this list or have I misunderstood?

2 A. [9:54:33] I wrote myself.

3 Q. [9:54:45] Sir, we have discussed now deaths resulting -- or, rather, at Abok camp.

4 Now, at paragraph 34 you said that you did not see people who suffered injuries  
5 during the attack.

6 Despite not seeing the injured people, did you as camp leader come to know or  
7 receive any information about people injured at Abok?

8 A. [9:55:21] Yes, I received reports about people who were injured. Because when  
9 I returned I found an armoured vehicle which is known as Mamba had collected  
10 those who were injured and taken them. But yes, I indeed received information that  
11 there were many people who were injured but they were now transferred to the  
12 hospital.

13 Q. [9:55:52] Who did you receive this information from?

14 A. [9:56:02] When I reached I found the army commander called Colonel  
15 Okello Engola, who told me that the people who were injured, they have now taken  
16 them to the hospital. He was still present in the camp that morning.

17 Q. [9:56:26] Thank you. We come now to my final question to you, and this  
18 relates to what you said in paragraph 36 of your statement.

19 You said that the UPDF commander at Abok during the time of the attack was  
20 someone called Mugabe and that he fled when he heard rumours of the attack.

21 Could you describe to us, please, how Mugabe fled. Yes, please describe that.

22 A. [9:57:06] The reports about Mugabe fleeing are when we had received rumours  
23 of the impending rebel attacks, we were told that they were coming from the  
24 direction in the northern part of the camp. So as the secretary I went and reported to  
25 the OC and when I reached there I was told that the OC went to Ngai, towards Ngai.

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1 So when I asked him why the OC fled, one of the soldier told me that, "You know,  
2 this person is a coward so he could have fled and went to Ngai". That is how I knew,  
3 because most times when there was some impending danger coming we would go  
4 with defence secretary to report to the barracks.

5 Q. [9:58:14] Thank you, Mr Witness. I have no further questions.

6 PRESIDING JUDGE SCHMITT: [9:58:16] Thank you very much,  
7 Mr Sachithanandan.

8 And I ask the Legal Representatives of the victims if they have questions for the  
9 witness.

10 MR COX: [9:58:27] Yes, your Honour.

11 PRESIDING JUDGE SCHMITT: [9:58:28] Then I give you the floor, Mr Cox.

12 MR COX: Thank you.

13 QUESTIONED BY MR COX:

14 Q. [9:58:50] Good morning, Mr Obwor. My name is Francisco Cox, and I  
15 represent --

16 A. [9:58:57] Good morning.

17 Q. [9:59:00] I represent victims in this case and I will be asking some questions with  
18 the authorisation of Presiding Judge and your Honours.

19 I will ask --

20 A. [9:59:16] Yes, I will -- I am ready to respond to your questions.

21 Q. [9:59:22] If some of the questions are difficult for you to answer, just let me  
22 know and we can either rephrase or move to another subject, if you prefer.

23 I will ask you questions about life before moving to the camps, how was life during  
24 the -- your stay in the camps, how was the attack, very few questions about that, and  
25 finally the aftermath of the attack and how has the whole conflict affected the

1 community and yourself. Is that okay with you?

2 Mr Obwor, could you tell the Court how did the members of the community support  
3 themselves and their families before they moved to the camps?

4 A. [10:00:31] Before we moved to the camps most people were in their homes.  
5 When people were at home, people used to cultivate foodstuff, people used to grow  
6 and survive off their foodstuff. People would also sell produce. Life was easy,  
7 people did not have any problems at all.

8 Q. [10:01:03] Could you tell us what was the livestocks used for?

9 A. [10:01:20] Could you please repeat that question? I did not quite get your  
10 question.

11 Q. [10:01:24] My question is: What would people use cattle, goats, chicken, what  
12 would they use it for during life before they moved to the camps?

13 A. [10:01:42] Well, the people would use those things, people would use livestock  
14 especially for marriages, but people would also sell them to pay for the school fees  
15 and sometimes people would also use it to feed themselves.

16 Q. [10:02:09] Thank you. In your statement - your Honours, paragraph 12 - you  
17 mention that you were a teacher. For that year that you were a teacher in Abok  
18 primary how many students would you say you had in primary school in Abok or  
19 primary Abok?

20 MR TAKU: [10:02:34] Your Honour, would he specify the period because  
21 (Overlapping speakers)

22 PRESIDING JUDGE SCHMITT: Yeah, I --

23 MR TAKU: -- he was a teacher for many years.

24 PRESIDING JUDGE SCHMITT: [10:02:41] But I think the witness knows when he  
25 was a teacher in Abok and he can say something about this period so he may specify

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1 himself.

2 Mr Witness, please tell us at the time when you were a teacher in Abok how many  
3 students or pupils you had. And you can of course also tell us when this was.

4 Thank you.

5 THE WITNESS: [10:03:08] (Interpretation) Here's my response: When I was at  
6 Abok I was not teaching at Abok. That year I was teaching at Bar-Rio, it's a school  
7 close to Abok. I used to live in Abok. I would leave home in the morning, go and  
8 teach at Bar-Rio. But at the time there was already chaos.

9 PRESIDING JUDGE SCHMITT: [10:03:38] You can move to another point. I think  
10 it's clear he has been a teacher and Bar-Rio is obviously close to Abok and we have  
11 heard about Bar-Rio before in the courtroom. I think you can move to another  
12 subject.

13 MR COX: [10:03:52]

14 Q. [10:03:52] You already mentioned that people had to pay for school fees. How  
15 would students get their materials to study?

16 A. [10:04:10] When people were in the camps people would receive help, students  
17 would receive help from NGOs, and this was the international committee of the  
18 Red Cross that would provide assistance to people in the camps. They would give  
19 students books, pencils, pens, and other things, other necessities. UNICEF was also  
20 providing people in the camps with assistance with school books and pencils. But  
21 with respect to school fees, there was no school fees. The government used to send  
22 universal primary education fund to help buy necessary materials, necessary  
23 education materials.

24 Q. [10:05:15] Just to clarify the point, this is what you have just answered, this is  
25 true both before moving to the camp and during the time in the camp?

1 A. [10:05:35] This happened when people were in the camps. When people were  
2 back home, people used their own means, financial means, to pay for school fees and  
3 to obtain the necessary educational materials.

4 Q. [10:05:53] Thank you. Once again, before you moved to the camps, how were  
5 families organised and structured?

6 A. [10:06:19] Before we went to the camps, we had people who were employed.  
7 They were known as the villagers, people would live in villages. In the villages  
8 people had different roles and responsibilities. People would go from one home to  
9 another home, and the homes were close to each other, approximately 500 metres  
10 from each other, sometimes 100 and 200 metres. So the homes were quite close to  
11 each other.

12 There were also houses or cattle, perhaps 50 to 40. People also had land. People  
13 would cultivate their fields so that they could get their produce to help them to sell,  
14 sell the produce and receive financial means to support them at home.

15 Q. [10:07:32] Before, once again before the camp, when you would have children  
16 and they grew up and got married, would they live nearby in the same compound?  
17 Would they build their house in the same compound?

18 A. [10:08:00] Most times in the Lango region, when somebody gets married,  
19 somebody is -- that child is given their own land and then they would construct their  
20 own land. They would give them a piece of land and some fields to cultivate. And  
21 that's how things happen in Lango.

22 Q. [10:08:22] Thank you. What is the relationship of land with their elderly  
23 members of the family?

24 A. [10:08:45] The elderly or older people would have land, that is cultural land. If  
25 you have your land, when you are weak, that land passes on to your children, and

1 when those children grow up, the land is inherited by their children. That's why in  
2 the Lango region it is very important, land is a very important matter to us.

3 Q. [10:09:15] Mr Obwor, regarding the relationship that Lango have with the  
4 deceased. Could you explain to the Court what relationship they have, your  
5 community has with their deceased relatives?

6 A. [10:09:49] I would like to -- could you please clarify? Are you talking about  
7 people who have been killed or people who have died out of illness or natural causes?

8 Q. [10:10:01] I'm referring first to people that -- your family members that die.  
9 What kind of relationship would Lango have with a person that dies in the family?

10 A. [10:10:26] Well, if somebody dies, there are two limbs to this. One, if  
11 somebody dies out of -- if somebody is ill and then the person dies, and then there is  
12 also death by when somebody is killed, somebody is intentionally murdered or killed.  
13 If somebody is killed, then that is -- people would sit down and they would sit down  
14 with the person, the murderer or the culprit, and you would sit and discuss these  
15 issues, you discuss matters pertaining to the burial. And the person who killed or  
16 the perpetrator would have to pay for all the burial, for all the -- make all the burial  
17 arrangements and pay for the person, and the person would also pay compensation,  
18 which is two cattle in Lango, for the person who has been killed.

19 But if somebody dies from natural causes or because of illness, the clan would sit  
20 down and then the person would -- arrangements would be made for the burial.  
21 Once the arrangements have been made, there is a prayer service that is held, and  
22 once the prayer services are held, this is to ensure that the person's soul passes to the  
23 next world peacefully. And this is what we refer to as the last funeral rites, so the  
24 person is sent to his maker.

25 PRESIDING JUDGE SCHMITT: [10:12:10] Mr Obwor, would this also be exercised

1 with members of the community who have been killed violently, who did not, who  
2 did not die of a natural cause?

3 THE WITNESS: [10:12:33] (Interpretation) Most times when you are dealing with  
4 a violent death, it could be, for example, a car comes from somewhere and hits  
5 somebody and kills the person accidentally. You look for the person and the person  
6 has to go through the procedure. But if you cannot find the culprit, if you cannot  
7 find the person, then you go to people's homes and try and find the person. The  
8 reason why people sit down and ask for compensation is so that the people who have  
9 been the injured parties can be compensated.

10 PRESIDING JUDGE SCHMITT: [10:13:15] And perhaps to be more concretely, not to  
11 go too far away from the reasons why we are here in this courtroom. You have  
12 provided this list of people who had -- of your community who had been killed  
13 during the attack. How was it -- how were the burial rituals handled like with these  
14 people who had been killed during that attack?

15 THE WITNESS: [10:13:48] (Interpretation) The people that died on that day did not  
16 receive any proper funeral rites. They were buried like dogs. People did not have  
17 anything, people did not have any means to bury them. They did not know who the  
18 killers were because the killers did not come forward and confess. So people were  
19 just buried anyhow.

20 We did not know who the killers were so that we could sit down with them, have  
21 discussions with them so that payments could be made. But in the last year, the  
22 archbishop came to the area and held a large funeral service for the people that were  
23 killed. But people are still not happy because we need to know, people need to  
24 know who the culprits were, who did the killing, and they need to verify who was  
25 killed.

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1 PRESIDING JUDGE SCHMITT: [10:14:45] Were these people who were killed  
2 during the attack, where they were buried, these sites where they were buried, were  
3 they known or are they known to their relatives that survived so that they can go  
4 there and pay respect or have any relationships with them? You see, are these burial  
5 sites marked that make clear who the person is who lies there?

6 THE WITNESS: [10:15:23] (Interpretation) Yes, because when people were in the  
7 camps, each person buried their dead, their dead person in front of their compound  
8 so everybody knows where the dead were buried.

9 PRESIDING JUDGE SCHMITT: [10:15:39] Thank you, Mr Obwor.

10 Mr Cox, I think I have taken over some of the same questions that you would have  
11 wanted to have put to the witness too, but okay.

12 MR COX: [10:15:48] Absolutely, your Honour.

13 PRESIDING JUDGE SCHMITT: [10:15:48] So please continue. I think you will at  
14 some point in time come to the living conditions during the life at the camps, I would  
15 assume.

16 MR COX: [10:15:58] Yes, your Honour. If I just may follow up on one of the  
17 answers to your question, your Honour?

18 PRESIDING JUDGE SCHMITT: [10:16:07] Of course, of course.

19 MR COX: [10:16:09]

20 Q. [10:16:09] Why is it so important for people in the community to know the truth  
21 of what happened during the attack?

22 A. [10:16:28] I said that it's important because that means that we can sit down,  
23 discuss with the person. Because in the Lango culture, if you do not -- if there is not  
24 reconciliation between the two parties, then somebody is cursed. The other person is  
25 cursed. And when you are cursed, nothing good will happen in your life.



1 Q. [10:16:55] Does this reconciliation process in the Lango tradition require that the  
2 person that committed the violence or the killing has to ask for forgiveness? Is that  
3 part of the process?

4 A. [10:17:22] Most times people are scared, because if somebody does something  
5 bad, the person is afraid to come forward and ask for forgiveness, because when you  
6 find that the clan is very angry and the person is afraid to come forward because they  
7 believe that the clan will -- there will be repercussions.

8 Q. [10:17:53] Before the conflict, had the Lango community been confronted with  
9 massive killing and abduction and rapes?

10 MR TAKU: [10:18:12] Your Honour, what is the purpose of this question enquiring  
11 about the crimes committed? Is that (Overlapping speakers)

12 PRESIDING JUDGE SCHMITT: [10:18:18] No, I think I would like to agree here.  
13 We have simply situations here and we cannot go back to all history of northern  
14 Uganda that might have different implications in all sort of historical and political  
15 issues.

16 So I think you could move now to the life, how life was during the -- when the people  
17 had to move to the camp.

18 MR COX: [10:18:49] Your Honour, may I ask about the community structure before  
19 life in the camp to compare it with the -- or ...

20 PRESIDING JUDGE SCHMITT: [10:18:55] Yes, but it should not --

21 MR COX: [10:18:58] Very briefly.

22 PRESIDING JUDGE SCHMITT: [10:18:59] -- it should not extend too much, I  
23 would say.

24 MR COX: [10:19:02] Sure. Just one question, with your ...

25 MR TAKU: [10:19:04] Your Honour, in a situation where the evidence is already

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1 admitted, I think this witness comprehensively discussed this in the statement which  
2 the Prosecutor has just tendered and admitted, and he is just asking him to repeat  
3 what is already on record and (Overlapping speakers)

4 PRESIDING JUDGE SCHMITT: [10:19:21] This, of course, I would not allow. If it  
5 would amount to that, I would not allow. Also, when -- I can foreshadow that you  
6 said you wanted also to talk about what happened during the attack, and I think this  
7 is -- has been covered in the Rule 68(3) statement and additionally by the questioning  
8 of Mr Sachithanandan.

9 So quickly please forward -- I allow one further question in that respect and when it  
10 comes to repetition, I would have to intervene.

11 MR COX: [10:19:50] I understand, your Honour. I am trying to avoid -- not  
12 repetition. That's why I was saying if I could ask before the camp, because he refers  
13 to how leadership was constructed during the --

14 PRESIDING JUDGE SCHMITT: [10:20:07] Okay. Then come forward, please, with  
15 the question.

16 MR COX: [10:20:11]

17 Q. [10:20:11] Mr Witness, could you briefly tell how was the community leadership  
18 structured before, before you moved to the camps?

19 A. [10:20:24] Before we moved to the camps there were two types of leadership.  
20 One was the government leadership. You had the local council as one, who were  
21 responsible for the area; you have the local council two, which is in charge of the  
22 parish; you've got local council three, who is in charge of the sub-parish; onwards  
23 until the district where you have the LC-5 and then you have the MPs.

24 But we also had the clan leadership. The clan leadership starts from the head of the  
25 household and you also had the chiefs, you have the head of the household, you had

1 the chiefs, and then you also had the county chiefs. Everything was fine. There  
2 was peace. There were no killings because the clan, people were afraid of the clan,  
3 the clan rules.

4 PRESIDING JUDGE SCHMITT: [10:21:40] And the camp leadership is covered in  
5 the statement, as Mr Taku has correctly pointed out.

6 MR COX: [10:21:46] Yes, your Honour. I was not going to ask any question of that.

7 Q. [10:21:49] Now I would like to move you to when you moved to the camp and  
8 the camp was created.

9 In paragraph 13 you say that Abok was disturbed because it was neighbouring  
10 Acholiland. Could you explain to the Court why you make that connection?

11 A. [10:22:22] The reason why I make the connection is because when the rebels  
12 were disturbing people in Acholi, most of the Acholi people went into camps and it  
13 was only the Lango who were close to the Acholi region. So from our place to  
14 Acholiland is approximately one and a half kilometres, so when all the people in  
15 Acholiland had gone to the camps the rebels were unable to obtain food from the  
16 homestead so they came to Lango where people were still at home. They would  
17 come, they would take food, they would abduct young children and go with them.  
18 And that's how they were disturbing people in Lango. Because the people in  
19 Acholiland had already gone to the camps and the people in the Lango region were  
20 still within their homesteads.

21 Q. [10:23:22] Thank you, Mr Obwor.

22 Could you explain to the Court what were the conditions in the camp. How would  
23 people get their food and water when they were living in the camp?

24 A. [10:23:45] When people were in the camps, before we went to the camps life was  
25 easy because people had food, they came with some of the food that they had

1 cultivated at home. But you know food does not last, it's perishable. People finish  
2 their foods and then it became difficult to find food. People would start foraging for  
3 food in the bushes, would go and look for cassava, would look for any type of foods  
4 that had not yet been taken. But afterwards, when things became extremely hard,  
5 people were no longer allowed to go and forage for food because the rebels were  
6 abducting people. They would abduct people who were foraging for food, take the  
7 people. Some of the people would come back, but some of the people were taken  
8 forever. But where the camp was located, with respect to water, that was fine.  
9 There was an NGO that dug boreholes within the camp so there were two boreholes  
10 within the camps that would provide people with the water so we did not have  
11 problems with water. But the only problem we had was food and also financial  
12 means to buy things like salt and soap.

13 Q. [10:25:10] Thank you. What were the health conditions like during life in the  
14 camp?

15 A. [10:25:29] Well, it wasn't easy, because most of the health centres had been  
16 closed because people could not go to, to the places where the health centres were  
17 based. Most times people went to clinics and at times the government would also  
18 send some medication to the village health teams. Those are some of the  
19 organisations that were within the camps who were taking care of health and welfare.  
20 But people would go to -- other than that, there was also an NGO,  
21 Médecins sans Frontières, which would also provide us with medication. It would  
22 come to the camps once a month and help people.

23 Q. [10:26:21] How far away from the camp was there a clinic and health facility?

24 A. [10:26:37] Most, most people used to go to two doctors, there were two doctors  
25 that used to help people. One was approximately 1 kilometres, one was

1 approximately 1 kilometre from the camp. And then there was a health centre, there  
2 was another health centre, the Health Centre IV, which is in Lalogi in Gulu district.  
3 That was approximately 3 kilometres away from Abok. People were afraid to go to  
4 these -- to the second health centre because it was further away and they were afraid  
5 that they would be abducted by the rebels.

6 Q. [10:27:19] Were there illnesses that arose inside the camp because of the health  
7 conditions and sanitary conditions?

8 A. [10:27:40] Yes, there were diseases. There was diarrhoea, as well as cough.  
9 Those are the diseases that were mostly in the camp because the camp was not very  
10 sanitary, it does not have the same sanitary conditions as conditions at home.

11 Q. [10:28:12] How did you -- how would you get rid of garbage in the camps?

12 A. [10:28:34] Near every block was a rubbish, was a dustbin. So -- and on the  
13 outside of the camp there was a rubbish pit, a big rubbish pit. So once the dustbins  
14 were full the dustbins are taken and emptied in the big rubbish pits outside the camp.

15 Q. [10:29:01] Mr Obwor, you refer in your statement in paragraph 13, you use the  
16 concept "night commuters". Could you explain to the Court what a night commuter  
17 was?

18 A. [10:29:20] When the conflict had heightened, at around 3 p.m. in the afternoons  
19 the rebels would already be in the area, they would be sitting in trees. And people  
20 were afraid to stay in their homes. So at around 9 p.m. people would leave and go  
21 and stay at the trading centres. There were a lot of people who would go to the  
22 trading centres and people were always convinced that there was security in numbers.  
23 And in the morning people would then go home. And that's what I would refer  
24 to as -- that's what I refer to as night commuters.

25 Q. [10:30:11] I know it would depend on each person but how, if you could say an

1 estimate of how many miles would these people have to walk?

2 A. [10:30:35] The longest distance would be approximately 2 miles. So after lunch  
3 people would leave, people would then leave their homes and head towards the  
4 centres where everybody would spend the night.

5 Q. [10:30:59] Whilst you were in the camps, were there any restrictions to the  
6 movement in and out of the camp?

7 A. [10:31:17] Yes, there were restricted times you could enter the camp and the last  
8 time was 3 p.m., by 3 p.m. you should already be inside the camp.

9 And leaving the camp to go out was in the morning at 9 a.m. That happens after the  
10 intelligence will have first surveyed the roads to check that there is no insecurity, then  
11 the people will be released to go.

12 Q. [10:31:56] Are you aware of any effects that these restrictions had in the  
13 communities in the camp?

14 A. [10:32:14] The restrictions had many effects. First, there was a lot of hunger.  
15 People did not have adequate food. Secondly, it increased incidents of diseases such  
16 as HIV and AIDS, because when people do not have any means of survival they  
17 would use their bodies to get whatever they want. So these were some of the two  
18 outcomes of the restrictions.

19 Q. [10:32:55] Were there any abuses from part of the UPDF or the LDU against the  
20 communities living in the camps?

21 A. [10:33:15] Mostly what was happening that I would hear were cases related to  
22 relationships and especially getting into relationships with young girls and also  
23 housewives. Sometimes when a housewife would find somebody who can easily  
24 provide for her needs, it would end up causing friction in such a relationship. So  
25 these are some of the things that we were actually hearing.

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1 Q. [10:33:59] Were children able to -- during life in the camp were children able to  
2 go to schools?

3 A. [10:34:12] In our IDP camp we did not have a formal school. People were  
4 going to Abok, schools in Abok. But what would happen is that in the morning the  
5 soldiers would first go ahead opening the way and then once they have secured the  
6 school, the children now can start going later on, and they would stay around the  
7 school to provide security. But if there were rumours of impending attacks, the  
8 children would be dispersed from school and they would return home.

9 Q. [10:35:02] Would you say that there are impacts on the social structure of the  
10 community or the Lango culture and community because of the time in the camps?

11 A. [10:35:30] Well, that is obvious. It had a lot of effects and a lot of changes in the  
12 Lango culture and tradition. First, it almost soured relationship between Acholi and  
13 Lango, because many of the LRA commanders were from Acholi and so the Lango  
14 people would say it was the Acholi who were actually causing problems for them.  
15 But later on they realised that indeed the Acholis were the ones that were suffering  
16 the most and this was, you know, kind of resolved. And secondly, there were a lot  
17 of conflicts related to land conflict. When people were in the camps, when you go  
18 back after people returned there were boundaries, the demarcations of the land were,  
19 you know, not very clear and caused a lot of conflict as a result of the conflict in  
20 northern Uganda.

21 PRESIDING JUDGE SCHMITT: [10:36:40] May I shortly, Mr Cox.

22 Mr Obwor, how is the situation today in Abok subregion, so to speak? Do people  
23 live like they lived before they went to the camp? Has the situation, so to speak,  
24 normalised a little bit or are there still effects that date back to the conflict?

25 THE WITNESS: [10:37:09] (Interpretation) As of now, people have returned home.

1 But even then, especially men were very used to the life in the camp. So mostly  
2 women are the ones who are -- currently who stay home most times. But because of  
3 the life in the camp, which was very free, people were used to drinking only, the men  
4 most times spent a lot of their time in the centre where they drink, just spend their  
5 time drinking. So indeed, life in the camp was very wasteful.

6 PRESIDING JUDGE SCHMITT: [10:37:57] Thank you, Mr Obwor. Mr Cox, I think  
7 that nearly would cover it; is it correct? Yes, please.

8 MR COX: [10:38:03] Sorry, I was without a microphone.

9 Q. [10:38:10] In your statement you said that you personally had to bury some of  
10 the dead people when you came back from the attack to the camp. How did this  
11 affect you personally?

12 A. [10:38:45] That happened, you know, in Lango when there is a problem people  
13 come together, people unite and they come together. So what happened as an  
14 impact of that conflict was that people were, you know, brought a lot of worries, a lot  
15 of, you know, as people were thinking about their lost friends, lost relatives, because  
16 people were buried together. And the worst was that many of the people who died  
17 left children who were now orphans and they are not going to school. And that all  
18 reminds them of what happened during the life in the camps.

19 Q. [10:39:44] You mention in your statement that some houses were burned during  
20 the attack. How long did it take for people to rebuild their houses after the attack?

21 A. [10:40:14] Most houses in the camps were burnt, about three in five of the  
22 houses were burnt. Then the Uganda Red Cross Society went and erected some  
23 shelters which people used, and it took people about one month to again erect their  
24 huts.

25 Q. [10:40:42] During that period of a month where did they seek shelter or where



1 did they live, sleep?

2 A. [10:41:03] People would share, people would share some of the houses, some  
3 people would go to the trading centre where they would spend the night, but the rest  
4 of the people would go and take shelter at a cooperative society that was at the centre.

5 Q. [10:41:33] Just a small follow-up question on the Presiding Judge's question.

6 The aftermath of the conflict, has the community been able to regain its economic life  
7 after the conflict?

8 A. [10:42:11] Right now the wealth that people have is basically agricultural,  
9 farming, people are trying to restock their livestock, but it is a slow process, it's  
10 taking time. I hope it will finally improve and become useful.

11 Q. [10:42:36] You talked about orphans. How is land passed on in the Lango  
12 culture? Has this affected these orphans, the economic sustainability of these  
13 orphans?

14 A. [10:43:08] In Lango land is distributed by the father. And when the father dies  
15 the firstborn or the older child takes up the responsibility and this land is passed on to  
16 the descendants. But unfortunately many of the people who were killed were male  
17 and you know when the women or the widows remain, land conflict is -- becomes  
18 a problem. So as a result it becomes difficult for such widows to send their children  
19 to school. And right now in Abok this is what is happening. Many children are not  
20 going to school, they are also not farming and so all they do is to come and wander  
21 around within the centre. These are some of the effects of the conflict.

22 PRESIDING JUDGE SCHMITT: [10:44:17] Very few, please.

23 MR COX: [10:44:20] Very few, your Honour.

24 PRESIDING JUDGE SCHMITT: [10:44:22] And, for example, when it comes to the  
25 immediate aftermath, this is covered by the --

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1 MR COX: Yes, yes. I'm --

2 PRESIDING JUDGE SCHMITT: -- statement.

3 MR COX: [10:44:26] -- done, I'm really finishing with (Overlapping speakers)

4 PRESIDING JUDGE SCHMITT: [10:44:31] Okay.

5 MR COX: [10:44:33]

6 Q. [10:44:34] Right now you talked about community leadership, before the camps,  
7 during the camps in your statement. I would want to ask you, have the community  
8 leadership been able to rebuild itself as it was before the conflict in Lango  
9 community?

10 A. [10:45:00] Yes, right now leadership is in the hands of the LCs and the clan  
11 leaders.

12 Q. [10:45:10] And finally - you will be glad to hear this, your Honours - you  
13 personally, not the community, but you, Mr Obwor, do you suffer currently some  
14 emotional or psychological effect as a result of the attack?

15 A. [10:45:38] Yes, I do. As a leader, I was a leader and people had a lot of hope in  
16 me. And there are people who lost their lives. I, when I see children, orphans, I see  
17 widows do not have any means of livelihood, I really, it pains me because it reminds  
18 me of what happened and that is why these things are happening now.

19 MR COX: [10:46:10] Your Honour, believe it or not, I am --

20 PRESIDING JUDGE SCHMITT: [10:46:14] No, no, it's okay. But, you know, we  
21 have to steer it a little bit, but really it's absolutely adequate and reasonable, no  
22 problem.

23 Thank you very much, Mr Cox, for your questions.

24 We would of course not require the Defence to start and have 10 minutes and then we  
25 have a break. I think we would have the break now. Do you have already an idea

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1 how long you would want to question the witness? I know it is difficult and I, of  
2 course my question, I think you know me now long enough, Mr Taku, to have a sort  
3 of idea what I'm heading at.

4 MR TAKU: [10:46:50] Yes, your Honours. It may (Overlapping speakers)

5 PRESIDING JUDGE SCHMITT: [10:46:54] You can perhaps even read my mind  
6 a little bit.

7 MR TAKU: [10:46:57] I understand, your Honours. When I find a witness like  
8 this who talks in that -- the last answer, should be very much short witness, and I am  
9 extremely impressed with that last answer, the way he is a community leader and I  
10 think he will just be helpful to explain a number of things. I don't think we are going  
11 to take a whole day for him, if possible, but we will try to finish today.

12 PRESIDING JUDGE SCHMITT: [10:47:25] No, no. I also have -- really you know  
13 that I am not pushing and I am also enough, let me put it, so fantasy, to imagine what  
14 you could entertain and that was the reason why I asked you.

15 MR TAKU: Exactly.

16 PRESIDING JUDGE SCHMITT: And I have also an idea what you could explore  
17 with the witness.

18 Okay. Thank you very much. Then we start --

19 MR TAKU: [10:47:42] On community and community issues and leadership issues,  
20 he comes about to me as an individual to, and probably to Mr Honourable Ayena, as  
21 very impressive. I like to see a fellow African who talks in these terms.

22 PRESIDING JUDGE SCHMITT: [10:47:59] Okay. Thank you very much, Mr Taku.  
23 So we have now the break and we allow ourselves a little bit more extended coffee  
24 break until 11.30.

25 THE COURT USHER: [10:48:11] All rise.

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1 (Recess taken at 10.48 a.m.)

2 (Upon resuming in open session at 11.30 a.m.)

3 THE COURT USHER: [11:31:00] All rise.

4 PRESIDING JUDGE SCHMITT: [11:31:19] Mr Taku, you have the floor.

5 MR TAKU: [11:31:21] Thank you very much, your Honours.

6 QUESTIONED BY MR TAKU:

7 Q. [11:31:29] Mr Witness, can you hear me, sir?

8 A. [11:31:34] Yes, I can.

9 Q. [11:31:40] I am going to ask you some questions relating to the statements you  
10 made to the investigators and which have been submitted into evidence. And most  
11 of them would just be to clarify some of the issues that you have said and some of the  
12 answers you gave today.

13 But to start with, I can see from the statement and from what you said today that you  
14 were a trained teacher, correct?

15 A. [11:32:21] Yes, that's correct.

16 Q. [11:32:24] Indeed, that is a very noble profession in northern Uganda and of  
17 course in most of Africa. Teachers are highly respected in their local communities;  
18 would I be correct to say this, sir?

19 A. [11:32:48] Yes, that's correct.

20 Q. [11:32:50] Now, I would like to remind you, sir, having heard you testify this  
21 morning, that for me personally and for Mr Ongwen, that the symbolism of your  
22 presence here to help the Court is extremely important because of the importance that  
23 many of the victims - and these include Mr Ongwen in that respect - attach to  
24 education and their willingness to have education. And we heard that over and over  
25 again. So the symbolism of your presence here is appreciated and I want to say that

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1 I appreciate that.

2 You testified that your name is Douglas Obwor. Obwor, Obwor, forgive me for the  
3 pronunciation, but correct me. As a teacher, you are used to correcting. They are  
4 used to the exercise of correcting. So correct me, let me be your student in this  
5 regard, with regard to the names and the language. Do you understand that?

6 A. [11:34:10] No problem.

7 Q. [11:34:13] Were you also known by any other name? For example, we have  
8 tab 4, sir -- your Honours, Prosecution binder UGA-OTP-0247-1270 at 1270, that we  
9 see Obwor Richard next to the position of camp leader. So can you tell the Court  
10 why we find Obwor Richard and Obwor Douglas?

11 A. [11:34:58] Okay. Most times in Lango we use three names. It's  
12 Obwor Richard Douglas. But when I started school and I registered for my  
13 examinations, I was advised to use one name because if you use several names, there  
14 is problems with the computer, it could create technical problems. So at home  
15 people refer to me as Richard, but on my national ID I have Obwor Richard. So all  
16 the names, Obwor Richard Douglas are all my names, the names that I was baptised  
17 with.

18 PRESIDING JUDGE SCHMITT: [11:35:47] And by the way, we have also these two  
19 forenames, so to speak, on the bottom of the witness statement. There it is "Witness  
20 statement of Obwor Richard Douglas".

21 MR TAKU: [11:36:00] Yes, your Honours.

22 PRESIDING JUDGE SCHMITT: [11:36:02] But indeed it immediately came into sight  
23 that there are different forenames.

24 MR TAKU: [11:36:07] Yes, your Honour. Thank you for the explanation. It is  
25 perfectly understood. I myself, I know that that happens sometimes, baptism,

1 confirmation and things like that.

2 A. [11:36:22] Yes, I know that happens.

3 Q. [11:36:38] Now, looking at your profile, your education, I presume that prior to  
4 this attack you might have heard about Joseph Kony. Would I be correct to say that,  
5 sir?

6 A. [11:37:03] Yes, that's correct.

7 Q. [11:37:08] Very briefly, what did you hear about Joseph Kony?

8 A. [11:37:22] We -- I heard that Joseph Kony was the leader of a rebel group known  
9 as the Lord's Resistance Army, and they were also abbreviated LRA. They were  
10 causing conflict in northern Uganda, up to the border of Uganda, northern Uganda.  
11 He was the leader and under his leadership he had other people that were under his  
12 command. Some of these commanders were responsible for different areas.  
13 In our area, in Lango and Acholi, the person who was responsible, who had  
14 leadership for those areas was Dominic Ongwen, who was based under Ato Hills.  
15 And there was also somebody else known as Raska Lukwiya who was also known in  
16 certain areas. In West Nile there were also a number of rebel leaders under  
17 Joseph Kony's leadership.

18 And that's what I know. I know that he is the leader of the rebels and that the rebels  
19 were responsible for committing atrocities, abducting people, pillaging, killing people,  
20 and a number of other atrocities that they committed in northern Uganda.

21 Q. [11:38:56] Were you also told that Joseph Kony had absolute, absolute control  
22 over the subordinate commanders and could direct operations, give instructions to  
23 whomever he wanted to conduct any operation in any area he wanted?

24 A. [11:39:29] Yes, I also heard that. I heard that from people who were coming  
25 back from the bush, that Kony used witchcraft and he had different types of

1 witchcraft that would -- they would work -- there was a -- each witchcraft for each  
2 week, and there are some times when it would kill up to eight people. So they  
3 would kill people. They would call people, one, two, three, four, five, six, seven,  
4 eight people, and kill people.  
5 Sometimes there were other people who would use different orders. All these  
6 orders were given to the different commanders, the commanders in charge of the  
7 brigades. He would give these orders and then the brigade commanders would then  
8 issue the orders, send them down to the people who would go to the attack. I heard  
9 that when they would come from Sudan, they would tell you, they would instruct  
10 you and tell you that you have to come back with such an amount of money. So you  
11 had to go, you work and come back with this money.

12 So each commander would be asked to go to a particular area and come back with  
13 a certain amount of money. These areas were referred to as areas of operation, and  
14 those are the things that I heard from people who came back from the bush.

15 PRESIDING JUDGE SCHMITT: [11:40:53] Mr Taku, but I think we realise that the  
16 witness is not an insider and he is relatively far away from an exact knowledge what  
17 has been going on inside of the LRA. So I think I would -- I would suggest that you  
18 move to another point.

19 MR TAKU: [11:41:12] Yes, your Honours.

20 PRESIDING JUDGE SCHMITT: [11:41:13] You see what I mean. Because it is  
21 hearsay, and of course I repeat that hearsay is not excluded, it can be corroborating,  
22 but what is mostly important, there are different sorts of hearsay that have different  
23 value, and he is really far away from the acts, so to speak.

24 MR TAKU: [11:41:36] Thank you, your Honours. Thank you.

25 Q. [11:41:44] But, Witness, you were probably very far away, very remote, remote

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1 from the area of the command structure and the deployments and the operational  
2 decisions taken, and areas of operation, and surely their commanders and their  
3 activities. But with the government of Uganda, UPDF, surely you were proximate to  
4 them, you were with -- you saw them, you talked to their unit, to their commanders?

5 PRESIDING JUDGE SCHMITT: [11:42:19] That is indeed a different issue. That's  
6 correct.

7 MR TAKU: [11:42:22] Correct.

8 PRESIDING JUDGE SCHMITT: [11:42:41] I think simply, Mr Taku, ask your  
9 question. I think this did not really come through. Simply continue. But that is,  
10 of course, an issue where the witness might have more immediate information on.

11 MR TAKU: [11:42:57]

12 Q. [11:42:57] Before you move to the Abok IDP camp, you were aware that there  
13 were units of the UPDF present in your area of where you stayed, the villages around  
14 the Lango area? You were aware of those units, that they were present, and you  
15 surely came into contact with them; would I be correct to say that, sir?

16 A. [11:43:42] No, that's not correct. Because before we went to the camps, there  
17 were no UPDF soldiers in our areas. The UPDF barracks or detachés were further  
18 from where we lived. They were mostly in Acholi, which is 3 kilometres away from  
19 us, in Lalogi area. In Lango, they were in a place known as Acokora trading centre,  
20 which is about 2 kilometres. The biggest detach or barracks was in Aboke, which is  
21 approximately 20 kilometres from where we were.

22 Q. [11:44:43] Now, with regard to the unit at Acokora that was, you say, about 3  
23 kilometres away from Abok, do you know how many, how many UPDF soldiers were  
24 in that location?

25 A. [11:45:05] No. I do not have any knowledge of the numbers of soldiers in



1 Acokora because they were far from me. At the time I was not concerned about  
2 security issues because I was not yet the camp leader. I was still a teacher.

3 Q. [11:45:32] What about Bar-Rio? Were there soldiers in Bar-Rio?

4 A. [11:45:42] At the time there were no soldiers in Bar-Rio. Soldiers would come  
5 from Acokora and take care of the market in Bar-Rio. There is a big market in  
6 Bar-Rio that takes place every Wednesday.

7 Q. [11:45:58] Which unit of the UPDF were in charge of security at the Abok  
8 trading centre prior to the establishment of the IDP camp?

9 A. [11:46:22] It's in Abok, they brought in -- the local defence forces are known as  
10 the LDU. Afterwards, when people -- the number of people in the camps increased,  
11 then they brought UPDF soldiers to the camp. The UPDF soldiers came from Aboke.

12 Q. [11:46:51] Well, I will ask you the name of a specific commander. We will  
13 come back to him in due course, but at this point in time, one called Okello,  
14 Okello Engola.

15 At that particular point in time when you were in the Abok, Abok IDP camp, this  
16 individual Okello Engola was in which unit or was -- was in which unit of the UPDF?  
17 Or where was his unit of UPDF located?

18 A. [11:47:49] Okello Engola did not have a specific unit at the time because most of  
19 his operations covered the whole of the northern Uganda region. So I do not know  
20 where he was stationed at the time. But he had given us all his number and told us  
21 that if there is any problem, we should call him directly.

22 Q. [11:48:15] And did you call him when you spotted rebel activities around the  
23 Abok IDP camp before the attack?

24 A. [11:48:32] Yes, we would immediately call him and he would also immediately  
25 come and help people who were in the camp.

1 Q. [11:48:41] Well, we will come back to him and the operations he led in the camp.

2 But for now, let's go back quickly to your attributes.

3 If I understood you well, would I be right to say that at the time of the Abok attack,  
4 you were the secretary of the camp administration? You were not the camp leader,  
5 but you were the secretary, the secretary-general, yes?

6 A. [11:49:27] No, that's not correct. I became leader in December of 2003, and  
7 that's when I became the leader. I took over from Cyprian Ayo. At the time that  
8 the camp was attacked, I was still the camp leader and I was responsible for the camp.

9 PRESIDING JUDGE SCHMITT: [11:49:56] And we can find this in paragraph 18 of  
10 his statement.

11 MR TAKU: [11:50:01] Yes, your Honours. I was asking (Overlapping speakers)

12 PRESIDING JUDGE SCHMITT: [11:50:02] First he went from first having been the  
13 secretary-general to becoming the camp leader in December 2003.

14 MR TAKU: [11:50:13] Yes, your Honours. I understand. I was staying that  
15 because of an answer he gave when the -- that -- yeah, yes.

16 PRESIDING JUDGE SCHMITT: [11:50:20] It was just a comment. It was nothing,  
17 no reproach or anything like that.

18 MR TAKU: [11:50:26] Yes.

19 Q. [11:50:26] But the IDP camp was established in 2003, correct?

20 A. [11:50:38] Yes. At the beginning of 2003.

21 Q. [11:50:51] Can you tell the Court what was your role when you were  
22 secretary-general at the camp, what was your role, what were your duties when you  
23 were secretary-general?

24 A. [11:51:08] When I was a secretary-general I was responsible for recording  
25 anything that happened in the camp. Firstly to record the number of people. If

1 they are going to distribute something to the people, I would record and write down  
2 the numbers. If there is a council meeting, if there is a camp council meeting, I  
3 would be responsible for taking the minutes of the meeting. And those are some of  
4 the tasks and responsibilities that I had. Most of it involved recording stuff that was  
5 necessary. If help is required outside, I would write a letter and then the camp  
6 leader would sign the letter and then I would send it out.

7 Q. [11:52:03] Paragraph 17 you eventually replace the camp leader, Ayo Cyprian.  
8 Can you tell the Court why he was replaced? Was he corrupt, did he misappropriate  
9 supplies meant for the camp residents? Why was he replaced? Why did you take  
10 over from him?

11 A. [11:52:36] Well, this is what happened: There was somebody who was  
12 providing assistance to children who were going to secondary school. You would  
13 fill out the form, the camp leader would sign the form, the LC-3 would also sign the  
14 form up till the district level. The office of the camp leader requested for a lot of  
15 money, but the local leaders complained about it. They sent their complaints to the  
16 sub-county office, as well as to the district. People alleged that the office of the camp  
17 leader should collect 1,000 shillings for the stamp and to buy the supplies. But  
18 people were alleging that the camp leader was asking more money than was  
19 necessary, asking for 30,000 shillings per child. So people complained and said that  
20 they wanted change. So when people complained asking for change, we -- there was  
21 a vote between myself and Cyprian Ayo, people voted for me and then I took over as  
22 camp leader and that's how I became the camp leader.

23 Q. [11:54:06] Was Cyprian subsequently investigated and prosecuted?

24 A. [11:54:20] No, he was not investigated or prosecuted. He was left like that.

25 Q. [11:54:27] Did he confess to the infractions and apologise and pardoned by the

1 people, given the spirit of forgiveness in Lango?

2 A. [11:54:48] You know, people who are in the camp are stubborn. When they say  
3 they do not want something, then they have made up their minds. So even me, as  
4 a camp leader, if they told me that we do not want a particular block leader,  
5 regardless of how I talk to the people and ask them to change their minds, they would  
6 not do that until that person is taken away from that job. So he was not forgiven, he  
7 had to leave the camp.

8 Q. [11:55:26] I can understand. But when you took over as the camp leader, I  
9 suppose it was a difficult function to discharge, would I be, would I be correct to say  
10 that?

11 A. [11:55:49] Yeah, it was very, it was very hard. It was a hard job and that's  
12 correct.

13 Q. [11:55:55] In that capacity you received complaints from camp residents and  
14 these complaints could include allegations of infiltrators coming within the camp,  
15 LRA infiltrators or infiltrators from other armed groups coming within the camp.  
16 Did you receive such complaints?

17 A. [11:56:29] I did not receive such complaints because at the time when we were at  
18 a meeting, a peace meeting with the soldiers, the soldiers told us that if you see  
19 anybody, any suspicious person around your block, you should, you should  
20 immediately inform the local council leaders and the local council leaders would then  
21 hand the person over to the defence and the defence, the local defence units would  
22 send that to the person, to the barracks. So no, we did not receive any such  
23 complaints.

24 Q. [11:57:08] But did you hear whether there were collaborators, LRA collaborators  
25 or other armed units, other armed insurgents, whether there were collaborators

1 within the camp, and that such information was brought to the attention of the  
2 soldiers or the local defence units?

3 A. [11:57:39] No, we did not hear that.

4 Q. [11:57:46] Did the government of Uganda provide shelter, food and health needs  
5 to the people living in the camp?

6 A. [11:58:07] They, they did not provide direct help to my camp, so the government  
7 did not provide direct help. Because I went to the district headquarters on several  
8 occasions. I even -- I went to the World Food Programme office in northern Uganda,  
9 in Gulu, and they told me that the LC-5 had informed them that Abok camp was not  
10 gazetted, was not a gazetted area. So as far as they were concerned Abok was not  
11 a camp. Therefore, they should not provide him with the leadership because they  
12 said if people ran to the camp in his area, then it will create problems. I went on  
13 several occasions, but I did not receive any help. But when the rebels attacked the  
14 camp, then the World Food Programme brought food to the camp on one occasion.  
15 There were also other organisations that came and brought relief, immediate relief,  
16 but there was no direct assistance given to my camp.

17 Q. [11:59:37] Did you, as the camp leader, did you come to know at some point in  
18 time that the LRA operations in the camp were in search of food?

19 A. [11:59:58] Yes, we heard that. We heard, we heard that the LRA interest was  
20 not to attack camps, but -- no, the LRA interest wanted to attack camps because every  
21 time they heard that food had been distributed to the camps they would attack the  
22 camps. That's what we heard from the Acholi region. But since we were not  
23 receiving any food from the World Food Programme, we did not expect them to  
24 attack our camp. We knew that if we did receive food, then they would attack the  
25 camp.

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1 PRESIDING JUDGE SCHMITT: [12:00:40] May I shortly, Mr Taku.

2 MR TAKU: [12:00:42] Yes, your Honours.

3 PRESIDING JUDGE SCHMITT: [12:00:44] Mr Obwor, I have also a question: As  
4 a camp leader did you receive complaints about a behaviour concerning the women  
5 in the camp? I refer to you what you said before the break, and that was at 27,  
6 real-time transcript, 15 following. There you said the following, I quote: "... when  
7 people did not have any means of survival they would use their bodies to get  
8 whatever they want."

9 I think we understand what you mean by that, but could you a little bit elaborate how  
10 you came to make this statement, and were there any complaints in that regard that  
11 when you say "use their bodies" you could also perhaps say as a synonym "sell their  
12 bodies"?

13 THE WITNESS: [12:01:54] (Interpretation) Such complaints were brought forward  
14 and you would hear a man complain that his wife is in a relationship with someone  
15 or a soldier or sometimes would get into relationship with a shop owner. And  
16 sometimes you would also find a man abandon his house and go to start an affair  
17 with a well-off woman somewhere. But as a leader, when I receive such complaints  
18 I forward these complaint to government authorities or sometimes I write a letter to  
19 the clan leaders with such information.

20 PRESIDING JUDGE SCHMITT: [12:02:44] Thank you. I think with your  
21 indulgence, Mr Taku, I ask.

22 MR TAKU: [12:02:49]

23 Q. Just to follow up on one point with permission of the Court, with regards to the  
24 conduct, the participation of the UPDF and LDUs in this conduct against -- with the  
25 women, the soldiers and LDUs who were deployed to protect this camp, with regard

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1 to the activities, when you forwarded the complaints to the competent authorities, do  
2 you know what action, if any, was taken against them in order to abate or to ensure  
3 that that conduct did not occur?

4 A. [12:03:39] Yes, it would happen, because there are some complaints that LCs  
5 were -- would send to the OC and they would go and solve the problem from there.  
6 Sometimes the person who is complained about is called to the barracks and such  
7 issues are sorted out from there. Sometimes you -- when complaints are sent to the  
8 LC or to the cultural leaders, those complaints are also solved at that level. So it was  
9 being handled.

10 Q. [12:04:25] Did you know -- when you say they were settled, do you know of any  
11 soldier or LDU who was court martialled for this conduct against women within the  
12 camp, or jailed or court martialled? Did you hear of any of them?

13 A. [12:04:55] No, no such case was forwarded, but most of their cases were solved  
14 within the authority of the particular commander and the particular local government  
15 leader.

16 Q. [12:05:10] Do you know or do you not know whether Okello Engola was aware  
17 of these abuses that some of the UPDF officer committed in the camp?

18 A. [12:05:35] I cannot confirm that he was aware because some of this information  
19 did not reach him, because, you know, leadership has steps so when something starts  
20 from here it moves step by step until the final place where it should be handled from.

21 Q. [12:05:58] Now, you said Mugabe. Robert, is it? Oh, my goodness, is it Robert  
22 Mugabe? I'm sorry.

23 PRESIDING JUDGE SCHMITT: [12:06:19] There are sometimes coincidences.

24 MR TAKU: [12:06:28] Oh, my goodness.

25 Q. [12:06:28] Okay. You said this officer Mugabe, who was the commanding

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1 officer of the soldiers, charged with the defence of Abok, fled. Can you tell the Court  
2 whether he was apprehended and court martialled or you have no information about  
3 him after he fled?

4 A. [12:06:56] Immediately after the attack in Abok IDP camp Mugabe was  
5 arraigned before the court martial in Gulu. He was prosecuted and he was  
6 prosecuted and tried and our LC-1 of the area, Ayo CP was also called to the court  
7 martial and the trial was done. I do not know how it ended but there was a trial  
8 against him.

9 Q. [12:07:54] Now, can you tell the Court why Ayo Cyprian was called, was also  
10 involved in this process?

11 A. [12:08:16] When I came and took over leadership he was the one whose name  
12 was still with the army, that side.

13 Q. [12:08:38] Well, apart from the LRA activities in your locality, did you ever hear  
14 about --

15 PRESIDING JUDGE SCHMITT: [12:08:52] We have lost obviously the connection, so  
16 we would have to pause shortly, and I hope shortly at least.

17 Music is never, never a good sign, I would say, in that respect. No, it's not a good  
18 sign, so really, believe me. So also when you try to get on a telephone hotline, for  
19 example, and you receive music, I think it's not promising.

20 So, Mr Obwor, obviously we had a disconnect, so this was the problem. I assume  
21 you hear me again?

22 THE WITNESS: [12:09:51] (Interpretation) Yes, I can hear you.

23 PRESIDING JUDGE SCHMITT: [12:09:54] I can hear you also very well.

24 So we can continue, please, Mr Taku.

25 MR TAKU: [12:09:59]



1 Q. [12:09:59] Mr Witness, apart from the LRA activities in your locality, did you  
2 also come to know another group called Bookec, were they also active in your  
3 locality?

4 A. [12:10:27] Yes. Before the LRA began there was Bookec and they were  
5 operational.

6 Q. [12:10:41] What about Bojokech, did you ever hear about a group called  
7 Bojokech, were they also active in your locality?

8 A. [12:10:54] It was only Bookec. For us in Lango we would call, we would refer  
9 to them as shoot and search, because in Lango when they shoot you and then they  
10 search your body. In Acholi it was referred to as Bookec, but in Lango it was -- they  
11 were referred to as Celo Bongo, which is shoot and search.

12 Q. [12:11:31] Who were the -- What was this group Bookec that you say was  
13 operational in your location, in your locality, Bookec?

14 A. [12:11:48] This group was composed of veteran soldiers at a time when the NRA  
15 took over power. They did not join the NRA, but they went and hid in the villages  
16 with their guns and they were using these guns, they said they would use these guns  
17 to take over power.

18 Q. [12:12:22] In the activities did they also loot and abduct people from the local  
19 community?

20 A. [12:12:38] They were not abducting people, but, rather, they were taking  
21 people's property, mostly food items.

22 Q. [12:12:53] Did they eventually join the LRA or they maintained their  
23 independence, independent operations?

24 A. [12:13:09] I cannot confirm them joining LRA, but most of them came and joined  
25 government forces. Some of them actually completely retired from the army and

1 their military items such as guns and uniforms taken, they were told to hand over  
2 those military gadgets to the LCs and that's how it all disappeared.

3 Q. [12:13:46] So may I understand that, may I understand that to mean that because  
4 they eventually joined the government forces the relations between them and the  
5 LRA wasn't good, it wasn't cordial, that there was hostility between the groups?

6 A. [12:14:06] Yeah, you know, when they take over power from you, you will  
7 usually not be happy. So they were not happy because, you know, government was  
8 taken over from somebody from Lango called Milton Obote, so these were actually  
9 remnants of people who rebelled against the new government, so they refused to join  
10 the new government.

11 Q. [12:14:37] My question related to the relations between them and the LRA.  
12 You said that you did not have any evidence that they joined the LRA and that  
13 subsequently many of them joined the UPDF and others retired. So what was -- was  
14 there hostility between them and the LRA? The LRA considered them as  
15 collaborators of the UPDF and subsequently fought against them, attacked them  
16 whenever they found (Overlapping speakers)

17 A. [12:15:21] These people existed much earlier before the LRA. It was at that  
18 time still the Holy Spirit Movement by Alice Lakwena which was in existence at the  
19 time. I only met a group, one person who was in Alice Lakwena's group and  
20 somebody who was captured and he was disarmed. That person was taken and was  
21 shot and killed in the bush. So that means, that shows that there was no relationship  
22 between these two groups. So by the time the LRA started the Celo Bongo had  
23 already ceased its operation.

24 Q. [12:16:12] But are you aware or not aware that splinter groups of the Celo Bongo  
25 nevertheless remain active in the Lango, Lango and the Acholi areas of northern

1 Uganda, remnants of this group or people operating under the name of  
2 Celo Bongo, nevertheless they remained active and stopped vehicles, looted  
3 (Overlapping speakers) were aware?

4 A. [12:16:51] No, I was not aware of that.

5 Q. [12:17:29] Witness, I have the -- but, nevertheless, Witness, did you know or you  
6 did not that people still believe that these people, those of them who are within the  
7 communities, your locality in northern Uganda, still possess guns in the villages, they  
8 kept their weapons nevertheless? Are you aware of this?

9 A. [12:18:08] That, I do not know.

10 Q. [12:18:46] Now, these low intensity attacks that had you testify about, about  
11 before the attack on Abok about some activities about people whom you allege might  
12 have been LRA going to look for food in the homesteads and also abducting people,  
13 who some of them were later released, including in Bar-Rio and Acokora, were they  
14 documented, to your knowledge, either by you or some institution, government  
15 institution that you know of? Was there any investigation that you know of these  
16 attacks, these low intensity attacks prior to the attack in Abok?

17 A. [12:19:55] If those were recorded, then I am probably not aware of it. But as  
18 a leader, I did not make such records.

19 Q. [12:20:11] Now, the members of the population who eventually moved to the  
20 trading centres and eventually to the camp in 2003, who made the decision, do you  
21 know, for them to move to these locations? Were they advised to move on their own  
22 volition or they were forced to move? If they were forced, by whom?

23 A. [12:20:45] No one, no one forced them, but people saw the hardship from home  
24 and they decided that they should go and live where there are many people.  
25 Because most times what was happening was that people would move to look for

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1 a place where at least there are many people and so they can stay together, because  
2 late in the evening people would now go to look for their own places where they  
3 could hide. So indeed people went to the camps on their own.

4 PRESIDING JUDGE SCHMITT: [12:21:22] Just a moment, Mr Taku. I have been  
5 informed that the court officer would like to disconnect and connect so that the  
6 witness can from then on follow easier. So that would -- and it would not take long,  
7 I understand. Then we can do this perhaps, and you tell us when we can continue.

8 (Pause in proceedings)

9 PRESIDING JUDGE SCHMITT: [12:22:37] I am now more confident with the music,  
10 I think, since the experience last time.  
11 Simply overconfident. So this is the best what could have been done.

12 But I think we understood the witness, and obviously the witness responded in  
13 a rational way and a sensible way to the questions of Mr Taku. So we simply  
14 continue and live with the sound quality that we have at the moment.

15 So please, Mr Taku, continue.

16 MR TAKU: [12:23:33] Thank you, your Honour.

17 Q. [12:23:36] Witness, in paragraph 13 of your statement, which is now your  
18 evidence before the Court, you stated that because of insecurity, the attacks, persistent  
19 attacks by the LRA, people were forced in trading centres as night commuters.

20 But you also said that the LRA came and attacked people at the trading centres in  
21 Abok, Bar-Rio and Acokora, and it was then that the people sent a request to the  
22 district for security guards in January 2003 and some LDUs were sent from Aboke.  
23 Some were sent to Abok and others to Acokora. Bar-Rio was left without soldiers.

24 My question: First, with these persistent attacks that the government (inaudible),  
25 what, if you know -- why, if you know, did the government not provide security for

1 the people in their villages, considering the number of soldiers? You had the 4th  
2 division in Gulu, you had the 4th division -- 3rd division and the 5th division,  
3 thousands of soldiers. Why did the government not provide security for people so  
4 that people could remain in their natural environments and conduct their activities,  
5 given that there were just a handful of LRA soldier who have fled from Sudan back  
6 and were moving desperately from one location to one location in northern Uganda,  
7 wandering, and attacking people for food? Why did the government -- if you know,  
8 given that you became a camp leader, you knew government authorities, you could  
9 ask them why that didn't happen, if you know?

10 A. [12:25:55] I think that question, army witnesses are the ones that can respond to  
11 that. Because at the time when things became hard and people were now gathered  
12 in one place, the government now sent security. But what prevented them before, I  
13 do not know.

14 Q. [12:26:22] With regard to Abok, the trading centre, Witness, you agree that the  
15 trading centres at least had a lot of supplies, the shops, and therefore the LRA was  
16 more likely, in search of food, to attack the trading centre in search of food. So did  
17 you realise that with the people, the concentration of people in the trading centres, it  
18 became much easier to invite the LRA to attack, as indeed in paragraph 13 you said  
19 they attacked the trading centre in Abok?

20 A. [12:27:22] Well, as a matter of fact, if government was serious about protecting  
21 people, the LRA would not attack Abok. Even if they would attack, it would not be  
22 a very serious attack. But the LRA came and attacked Abok and they did this kind  
23 of operation. But on our part as civilians, it is difficult for us to know why there was  
24 not adequate soldiers to protect us. But there was complaint that the soldiers were  
25 few and yet the rebels were many in numbers.

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1 Q. [12:28:08] Obviously, Witness, Uganda was not at war with a neighbouring  
2 country then. If I may suggest, it had at least 40,000 soldiers and the LRA had just  
3 under 1,000 who were flushed back to the country. Did you know this, that the  
4 Uganda army had effectively 40,000 and the LRA had less than 1,000, scattered in  
5 smaller units in search of food and security, in hide-outs in the forest and mountains  
6 of northern Uganda? Did you come to know about this?

7 A. [12:28:58] I would not be aware of that because I was not a soldier. It was the  
8 soldiers who had such kind of information.

9 Q. [12:29:05] Exactly, I agree.

10 PRESIDING JUDGE SCHMITT: [12:29:06] I think, Mr Taku, he has answered that  
11 and you can absolutely follow what he says. Indeed, he was a civilian and not  
12 a soldier. So I think you would have to move to another issue.

13 MR TAKU: [12:29:21] Yes.

14 Q. [12:29:23] But, Witness -- but, Witness, the LDUs, the government, you say they  
15 deployed the LDUs to the trading centre to come and try to see -- and to offer  
16 protection. Let's talk a bit about this, the three LDUs. Let's talk about the LDUs.  
17 Were these LDUs recruited from the local population in the Lango area, especially in  
18 the Oyam, Aboke, Abok?

19 A. [12:30:09] The LDUs were all over the Lango region to bolster the UPDF soldiers  
20 to fight against the rebels. They were written all over, they were taken to the  
21 barracks in Aboke.

22 Q. [12:30:34] And they were trained and given guns and deployed within the ranks  
23 of the UPDF to fight against the rebels, correct, sir?

24 A. [12:30:51] Yes, that's correct. The only difference was the payment because  
25 they were paid less than the government soldiers.

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1 Q. [12:31:03] Did the payment, the very -- the low payment rate given to LDUs, did  
2 it affect their morale? Did you consider it to affect their morale in effectively  
3 providing the defence of the local population in the areas in which they were  
4 deployed, in particular Abok IDP camp at the trading centre?

5 A. [12:31:39] While they were still working, they did not have any problems,  
6 because when they were still newly registered, the rebels came by, but they did not  
7 disturb or attack people who were in the trading centre. There was an exchange of  
8 fire and the rebels took off. But when people were in the camps, there were UPDF  
9 units that were taking care of security in the camp in addition to the LDUs.

10 Q. [12:32:16] From the map that you provided at -- the sketch --

11 PRESIDING JUDGE SCHMITT: [12:32:29] Tab 2.

12 MR TAKU: [12:32:30] Tab 2.

13 PRESIDING JUDGE SCHMITT: [12:32:31] And we have already the UGA number.

14 MR TAKU: [12:32:34] Yes, your Honour, yes, okay.

15 Q. We could see the deployments, the deployments of the LDUs and the soldiers in  
16 their defensive positions and we could see here old barracks, Witness, and we could  
17 see new barracks.

18 Can you explain to the Court if -- when this new barracks was established? Was it  
19 established after the attack on Odek or it existed during -- prior to and during the  
20 attack?

21 A. [12:33:35] The old -- the barracks was there before the attack. But when they  
22 brought the -- more UPDF soldiers, then they moved the barracks because the other  
23 side was clearer.

24 Q. [12:33:49] So this old barracks, at the time of the attack, that's where the UPDF  
25 and the LDUs were located? Would I be right to say that, sir?

1 A. [12:34:07] Yes, they were already based in the new barracks.

2 Q. [12:34:12] Now, what can you tell the Court, the distance between the old  
3 barracks and the camp, the civilian settlement, what was the distance?

4 A. [12:34:34] The old barracks was not far from the boundaries of the camp,  
5 because the camp ended close to the boundaries of the barracks. It wasn't -- it was  
6 not more than 10 metres, the distance from the old barracks to the camp.

7 Q. [12:35:01] Now, when you talk about clarity, that they moved the barracks to the  
8 new location because it was clearer, can you explain to the Court what you mean  
9 about that?

10 A. [12:35:25] Yes, because there was a -- it was a ground, a clear ground, it was like  
11 a football pitch, there was no wood, there was nothing. There were no shrub or it  
12 was clean, it was like a football pitch, a very clean piece of ground.

13 Q. [12:35:47] And we could see a home there, right there in the middle of the camp.  
14 So from your home, from your location was it possible for you to see operations that  
15 were being conducted from the old and from the new barracks?

16 A. [12:36:11] No. There was no -- I did not have a view of it because the houses  
17 blocked the view.

18 Q. [12:36:21] Now, in paragraph 15, we will come back to the operations, in  
19 paragraph 15 you stated that "We had continuous meetings with the LDUs, this is  
20 how I know how many LDUs were at the camp."

21 Can you tell the Court why you had continuous meetings with the LDUs.

22 A. [12:36:56] You know, when you are discussing security matters you have to  
23 meet constantly, so we met on several occasions, we met regularly to discuss security  
24 issues and inform the people in the camp about what was happening, we had to let  
25 them know what the soldiers were doing, how people should behave, how people



1 should live. Sometimes we would invite the soldiers to come to us, sometimes the  
2 soldiers would invite us to go to them.

3 Q. [12:37:31] Was it within the context of communicating, communing with the  
4 soldiers that Okello Engola gave his number to you to contact him at any time that  
5 there was an impending attack or there was a security breach, a breach of security in  
6 the camp, was it within that context?

7 A. [12:38:04] Yes, that's the reason why he gave us this number. The number was  
8 read over the radio and anybody who was able to take down the number took down  
9 the number and he also listened to all the complaints. Whoever called him, he  
10 would listen to their complaint.

11 Q. [12:38:24] And as you discuss the security issue, LDUs and other movements,  
12 suspicious movements of the LRA in the region, as an effective leader you informed  
13 him regularly about these movements in addition to informing the LDUs and the  
14 other security operatives that were on the ground, correct?

15 A. [12:38:59] No. I did not give him this information because I get information  
16 from him and then the information comes to us. You know, when you get  
17 information from the army, it comes up and then it comes down. So we would  
18 receive the information to the people who were in the camps to enlighten us and  
19 inform us of what was taking place.

20 Q. [12:39:32] But you also said that you informed him about the LRA activities that  
21 eventually led to the attacks on the camp. Do you remember that?

22 A. [12:39:51] When we heard gunfire, that's when I called him. When they started  
23 attacking the camp, that's when I called him. When I heard the gunshots, that's  
24 when I called him and told him we are under attack.

25 Q. [12:40:07] Well, progressively we will come to that again. But for now, did you

1 at any time have any information, either from your communications or LDUs and the  
2 military personnel, get any response as to, despite persistent complaints about LRA  
3 activities in the region, passing by, looting and attacking the people, why they did not  
4 take any moves, preemptive move to reinforce security in the camps and the environs?  
5 Did you get any explanation for that from either Okello Engola or from any  
6 government official or military official after that?

7 A. [12:41:11] We asked, we asked them. When you asked them they would tell us  
8 that the LRA rebels are elusive. They hide in the jungle. And when people are  
9 hiding in jungles and forests, it's extremely difficult to locate them. They told us that  
10 they were trying their level best to provide security within, within the villages.  
11 Because we were asking them "Why, why can't you take care of people, why can't you  
12 take care of our security because you have numerous -- you have soldiers?" And  
13 they told us that it's not easy, the LRA soldiers are elusive and they are trying their  
14 level best to protect us.

15 Q. [12:42:01] Among the soldiers deployed to the camp, did you know or not  
16 whether they had intelligence units, military intelligence units within the soldiers that  
17 were deployed to the camp?

18 A. [12:42:25] They, they had people. They had intelligence, they had all units.  
19 They had intelligence, they had organisations, other organisations. They had  
20 signallers as well. They had all sorts of units.

21 Q. [12:42:44] It does appear, it does appear, Witness, that from reading your  
22 statement and the way the camp was organised you and the, and the camp  
23 administration, the administration under you, people who were better alert, you saw  
24 the movements, you received intelligence from the population, the people who have  
25 seen this and they have reported to you and you discharged your function

1 honourably by alerting the soldiers at every turn, from your statement. And you  
2 were very, very vigilant, you were alert and you discharged your functions  
3 honourably by alerting them you have seen some rebels, the movements here, the  
4 movement here, and as you have already said, the political commissioner told you to  
5 wait, go back and wait. That political commissioner was a soldier, go back and wait.  
6 Did you find out (overlapping speakers)?

7 PRESIDING JUDGE SCHMITT: [12:43:52] A question -- okay.

8 MR TAKU: [12:43:53] Yes.

9 Q. Did you find out why he acted that way instead of immediately deploying  
10 soldiers to meet the threat, the impending threat?

11 A. [12:44:18] What you have said is very correct. The soldiers would tell us that  
12 they have been brought to take care of the camp, you should not go and try -- they are  
13 not supposed to go and look for the rebels outside the camp. When they hear  
14 rumours about soldiers, they would tell us that the rebels are not going to stop here,  
15 the rebels are going to keep on moving. But the rebels stopped, turned back and  
16 went, came back to the camps. They would tell us that "Do not go out. If you move,  
17 if you go to any places, anyhow you are going to run into soldiers". So when things  
18 became extremely violent, then they told us that the rebels are more numerous than  
19 they are and they did not have any -- the capability to take care of the people  
20 anymore.

21 Q. [12:45:22] At paragraph 14 you said that at the beginning of 2003 there were  
22 about 5,000 people living at the camp and there were 23 LDUs at the Abok camp.  
23 Witness, but at the end of the conflict you counted and there were more than 10,000  
24 people living in the camp. Would I understand that to mean that at the end of the  
25 conflict more people took refuge in the camp -- at the end of the attack, I'm sorry,

1 more people took refuge in the camp?

2 A. [12:46:30] At the beginning the numbers were as I stated. When the LRA  
3 started attacking people within their homesteads, the number of people in the camp  
4 increased. But when the camp was attacked, the numbers decreased. When the  
5 number was in the 10,000s, that was before the camp was attacked, everything was  
6 okay, there was peace in the camp. But when the camp was attacked, the numbers  
7 went down and there were approximately 7,000 people. People fled from the camp,  
8 people went to live with relatives, people fled to other camps.

9 Q. [12:47:29] Well, I think you had described these locations - if I didn't understand  
10 it, your answer, please let me know - about the nature of the houses in the camp, the  
11 material, what material were those houses built?

12 A. [12:48:00] Their houses were constructed, the walls were constructed using  
13 bricks, and the roofs of the houses were grass-thatched.

14 Q. [12:48:23] Now, permit me, Witness, to go back to clarify one answer you just  
15 gave. In paragraph 15 with regard to the number of people in the camp after the  
16 attack, you stated, the last sentence, your Honours: "In 2004 after the attack the last  
17 count we did had 10,023 living at the camp" not 7,000 or about. Does that refresh  
18 your memory as to the number of people who were in the camp after the attack?

19 PRESIDING JUDGE SCHMITT: [12:49:01] I think there is, there is no contradiction  
20 or anything like that. I have understood it in a way that it increased up to in the  
21 10,000s, 10,000 -- we have an exact figure here, 10,023, and it then after the attack it  
22 decreased again to 7,000. I understood the testimony of the witness as such. But if  
23 I am wrong, please, you can tell me.

24 MR TAKU: [12:49:30] Yes, your Honour, with due respect that is his testimony now,  
25 but I refer to paragraph 15, the last sentence, which he said: "In 2004 after the attack

1 the last count we did had 10,023 people living at the camp".

2 PRESIDING JUDGE SCHMITT: [12:49:49] It depends exactly when this count was  
3 taken. If it was immediately after, perhaps you can enquire with that.

4 MR TAKU: Yeah.

5 PRESIDING JUDGE SCHMITT: So I understood it that perhaps later on it decreased,  
6 but I might have misunderstood it. So please continue.

7 MR TAKU: [12:50:10]

8 Q. [12:50:11] So in respect of these people, 10,023 people, when was this census  
9 conducted?

10 A. [12:50:27] This was done immediately following the attack on the camp.  
11 People were -- there was somebody who was sent asking the number of people who  
12 were in the camp. They wanted to provide assistance, they wanted to know the  
13 numbers of people, and based on the census at the time the numbers were 10,023.  
14 But after that people started, people started leaving, other people went back home,  
15 other people went to different places, because after that people started making  
16 arrangements to go home. After that, when we did the census again we had about  
17 7,000 people because other people went to live with relatives, other people went back  
18 home if it was safer, other people went to live with relatives, because after the attack  
19 on Abok camp the security in Lango region was increased.

20 PRESIDING JUDGE SCHMITT: [12:51:38] I think that clarifies it. Please continue.

21 MR TAKU: [12:51:42] Yes, your Honour. Just one minute, your Honour.

22 Q. [12:52:17] Now, Witness, at paragraph 22, you stated that you moved, tried to  
23 move around the camp with the PC, that is the political commissioner Opus Robert.  
24 I presume this Opus Robert was a soldier, was he?

25 A. [12:52:48] Yes, that's correct.

1 Q. [12:52:52] What was the duties as a political commissioner in the camp?

2 A. [12:53:08] The political commissioner is somebody who is -- links, is the  
3 coordination between soldiers and the civilians.

4 Q. [12:53:28] And you said that you moved around, you tried to move around with  
5 him but the gunfire was too much.

6 "As we were moving around, I saw grass-thatched houses on the south-western side  
7 part on fire. I am not sure if the fire was caused by tracer bullet or other means."

8 Witness, can you tell us about tracer bullets. Why you thought that tracer bullets  
9 could cause fire on the thatched houses.

10 A. [12:54:14] No, I did not. I heard what the soldiers were saying. That wasn't  
11 my own opinion, but I heard what the soldiers were saying, that that, that the houses  
12 were -- the burning was caused by a tracer bullet. They thought perhaps it was the  
13 tracer bullet that caused the houses to burn or maybe the houses were burnt  
14 intentionally. But the fire kept on burning until it burnt down the camp.

15 Q. [12:54:45] And you heard this from UPDF officers, what they were saying about  
16 the tracer bullet. What you have just said, you heard from UPDF soldiers, correct?

17 A. [12:55:02] Yes, the UPDF soldiers were the ones who were telling us that it was  
18 the tracer bullets that set the houses ablaze.

19 Q. [12:55:12] Now, about the intensity of the firing, indeed at some point in time  
20 you said exchanged, talked about exchange of fire. When you talk about exchange  
21 of fire, the exchange of fire was between whom and whom, was it between the UPDF  
22 and the LRA, the UPDF and the LDUs who were in the camp and the LRA?

23 A. [12:55:51] At the beginning the gunfire came from the side where the rebels  
24 were approaching. Afterwards, when the battle intensified, when we came out the  
25 gunshots were coming from all over the place and they were coming from the ground

1 where the soldiers were based because the soldiers were around the camp.

2 Q. [12:56:25] So could I conclude that in the course of this intensive exchange of fire  
3 some of the people could have died from gunshot crossfire between these opposing  
4 soldiers? Would I be right to say that?

5 MR GUMPERT: [12:56:43] I object to the speculative nature of the question.

6 PRESIDING JUDGE SCHMITT: [12:56:48] Perhaps you rephrase it, Mr Taku.

7 MR TAKU: [12:56:53]

8 Q. [12:56:53] Witness, would you know or you would not whether because of the  
9 intensity of this firing some of the people might have died as a result of the crossfire?  
10 Since you were not there you didn't see for yourself, you fled. But you knew, at least  
11 from what you said about the intensity of the fire and the firing from both sides.

12 A. [12:57:28] I do not believe that the exchange or the crossfire caused the death,  
13 but when people were fleeing they said that they were being shot directly. There is  
14 one lady, Filda Nyero (phon) who got her, pulled her husband from the, from the  
15 hole, said that she was shot from the front. There was somebody known as  
16 Okul Alvino (phon) and his wife Okulu Jacinta, they were shot next to my father who  
17 lived in the house next to them. They were shot while my father heard them being  
18 shot and heard somebody talking, asking them why are you still in the house. So it's  
19 very difficult for me to state conclusively that some of the people died in the crossfire  
20 based on the information that I received as the camp leader.

21 Q. [12:58:34] Now, it brings me to one point very quickly about these individuals  
22 that you claim, the strangers, when you came you met some strangers in the camp.  
23 But before I get there: Why did Okello, Colonel Okello Engola that you called, he  
24 came with the Mamba and instructed the soldiers in the pursuit of the LRA, they  
25 rescued people and the firing continued. My question is: Did you get any

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1 explanation as to why it took him so long to come? He did deploy soldiers  
2 immediately and he deployed the Mambas, heavy weapons, did you find out from  
3 him why he failed the people in time of need?

4 A. [12:59:51] Okello Engola was not close by. He told us that at the time that he  
5 received the call he was in Gulu. So when he received the call he issued orders and  
6 sent information to Aboke barracks asking them to send the Mamba. The Mamba  
7 came and he also came, so he came at the same time with the Mamba. He was in  
8 Gulu at the time.

9 PRESIDING JUDGE SCHMITT: [13:00:16] I think we will have the break now I  
10 would suggest.

11 MR TAKU: [13:00:20] Yes, your Honour. But just one more question on that.

12 PRESIDING JUDGE SCHMITT: [13:00:24] Okay. One more question, yes.

13 MR TAKU: [13:00:27]

14 Q. [13:00:27] But Gulu is just -- Gulu is not far, you could well have deployed  
15 through radio, without necessarily being on the ground, from neighbouring radio  
16 stations you could have deployed them. Why did he not deploy those soldiers?

17 PRESIDING JUDGE SCHMITT: [13:00:40] If you have any knowledge about that,  
18 yeah.

19 THE WITNESS: [13:00:47] (Interpretation) I cannot respond that, I do not know.  
20 But what I do know is that he tried, he tried his level best to help us, because his  
21 appearance, when he came the rebels fled and he sent his people to follow the rebels.

22 PRESIDING JUDGE SCHMITT: [13:01:17] Lunch break until 2.30, please.

23 THE COURT USHER: [13:01:21] All rise.

24 (Recess taken at 1.01 p.m.)

25 (Upon resuming in open session at 2.34 p.m.)



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- 1 THE COURT USHER: [14:34:22] All rise.
- 2 PRESIDING JUDGE SCHMITT: [14:34:33] Good afternoon. Especially good  
3 afternoon, Mr Witness. I hope you had a good break.
- 4 THE WITNESS: [14:34:40] (Interpretation) Thank you. Yes, I did.
- 5 PRESIDING JUDGE SCHMITT: [14:34:44] And I hope that we have a good  
6 connection, sustainable, bearable connection that will let us run smoothly through the  
7 afternoon session.
- 8 Please, Mr Taku.
- 9 MR TAKU: [14:34:59]
- 10 Q. [14:35:00] Good afternoon, Witness.
- 11 A. [14:35:06] Good afternoon.
- 12 Q. [14:35:08] Let me ask, how -- what is the distance between Gulu and Abok?
- 13 A. [14:35:32] From Gulu to Abok is about 30 miles.
- 14 Q. [14:35:46] And if one were to drive from Gulu to Abok, how long would that  
15 take? Is it 45 minutes, one hour?
- 16 A. [14:36:06] The road is not very smooth so it could take up to one hour.
- 17 Q. [14:36:19] So at paragraph 22 you said you started hearing gunshots at 8.45.  
18 So assuming that there was intervention, military intervention from Gulu, the soldiers  
19 would arrive Abok at about 9.45, 10 o'clock, or let me say before midnight. Was that  
20 possible?
- 21 A. [14:37:06] That would be possible, but also depends on how the information  
22 reached them.
- 23 PRESIDING JUDGE SCHMITT: [14:37:15] I think we can ourselves have -- can  
24 have a time frame in our mind, and we know how far Gulu is away and where other  
25 barracks and other military might have been deployed. And the witness is

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1 not -- was not responsible for the military operations. But it's clear, we can have an  
2 idea ourselves, and we know from the witness's statement that the Mamba at least  
3 arrived at 2 a.m.

4 MR TAKU: [14:37:46] Yes, your Honours.

5 PRESIDING JUDGE SCHMITT: [14:37:48] We have noted that.

6 MR TAKU: [14:37:50]

7 Q. [14:37:50] But, Witness, there were military camps at

8 Achol-Pi - Achol-Pi - Lalogi, Opit, Awere --

9 PRESIDING JUDGE SCHMITT: [14:38:06] Isn't it called Achol-Pii?

10 MR TAKU: [14:38:09] Achol-Pii, sorry.

11 Q. [14:38:12] There is Achol-Pii, Lalogi, Opit, Awere, and these military barracks,  
12 installations, were much closer to Abok than Aboke. That the militaries in Aboke,  
13 that was nearer Lira. Would I be right to say so, sir?

14 A. [14:38:45] Well, you've said rightly, but you also know that the army has got  
15 operational areas. So the people who were in Abok were at their commands in  
16 Aboke and then the ones in Lalogi at their command centres in Gulu. So the  
17 army -- so the information that was given was given to Aboke because that is where  
18 the army in Abok would receive their command from.

19 PRESIDING JUDGE SCHMITT: [14:39:22] You know, as I said it, the facts are on  
20 the table and the witness was not in charge of any military operations, so he does not  
21 have firsthand knowledge about it.

22 MR TAKU: [14:39:36]

23 Q. [14:39:38] We also know in paragraph 24 that the witness said, "I did not see  
24 any soldiers or rebels", during the operations. That's what you said, you didn't see  
25 any soldiers or rebels, but that the fire was coming through you.

1 Witness, in your statement you informed the Court about the deployment, where the  
2 UPDF were deployed. That's paragraph 21, your Honours. Some were deployed  
3 on the eastern road, another 15 towards Abok primary school, and the remaining  
4 were in the camp. When you heard this intensive firing in the camp when the rebels  
5 first arrive, did you know or do you have the impression or know whether these  
6 soldiers from their respective defensive positions were activated and they were  
7 fighting, fighting to ward off -- defeat the enemy and push the enemy out of the  
8 camp?

9 A. [14:40:50] I knew. I knew about that.

10 Q. [14:41:01] Now, in paragraph 26 you said that the rebels tried to attack  
11 government soldiers at the barracks but they could not. Witness, where did you get  
12 that information? You were hiding 1 kilometre away. How did you know that the  
13 rebels made unsuccessful attempt to a beating back by the government soldiers in the  
14 barracks?

15 A. [14:41:34] I knew from two sources. First, at the time when I was already at  
16 my hiding place in the bush, I heard gunshots there and there was exchange for a  
17 short time. Then, secondly, when I returned and found the abductees who were  
18 rescued by Okello Engola, they told me that they tried the barracks but they found  
19 that the soldiers in the barracks also responded with heavy fire, so they just went  
20 away.

21 Q. [14:42:15] And how did you know that the operations took 45 minutes when  
22 you were 45 -- when you were 1 kilometre away in your hiding place?

23 A. [14:42:41] Since I was in the bush and as I was in the bush, I was -- I was  
24 attentive. I was even hearing what was happening. So when I heard the exchange  
25 of fire up to about 35 minutes, that's when I saw now fire burning in the area, and

1 also the gunshots had subsided, so -- which indicates that they were -- the army was  
2 already defeated. So when I returned, that's what I was also told, that when the gun  
3 subsided, the rebels started now breaking in and looting the things that were in the  
4 camp.

5 Q. [14:43:30] Witness, now at paragraph 22 you said that you were moving  
6 around with the PC - that PC is the political commissaire, that soldier - during - when  
7 the gunshots commenced. How could you, Witness, have been moving around?  
8 How did you manage to move around when these gunshots were flying, exchange, as  
9 you use it, exchange of gunfire was on, when you were 1 kilometre away

10 (Overlapping speakers)

11 A. [14:44:37] The way I explained, I think you did not get it very well. But I said  
12 at the time when the rebels were about to begin attacking the camp, we -- I was  
13 moving together with the PC to inform the camp residents not to run out anyhow.  
14 So as we were still moving, that's when the gunshots started. We kept -- we tried to  
15 move ahead, but realised that the gunshots were increasing. So I returned to my  
16 home. And then the PC told me that it's now difficult. So we started finding our  
17 way out.

18 Q. [14:45:27] Witness, what would you say to the proposition to say that when  
19 the Mamba arrived, the Mamba arrived much earlier and fired indiscriminately into  
20 the civilian settlement in pursuit of the rebels, that also jeopardised the lives of  
21 civilians? What would you say to that?

22 A. [14:46:06] At the time the Mamba arrived, the rebels had already left because  
23 they heard the sound of the Mamba moving, because they know it very well. So  
24 they had left. So the Mamba was now firing after them. So it was not firing  
25 directly on the people. The Mamba came. When the Mamba arrived, the rebels

1 had already left.

2 Q. [14:46:32] But surely you were not present at the time the Mamba arrived and  
3 you didn't see the Mamba? You heard about some of the Mamba from your place,  
4 the place you were hiding 1 kilometre away, correct?

5 A. [14:46:51] Yes, I was hearing, but since I am a person who knew the camp and  
6 all the directions, I knew what was happening, including the arrival of the Mamba  
7 and its arrival in the camp, and then also how it was actually firing. I was actually  
8 following.

9 Q. [14:47:17] You were surely also -- you would surely not be in a position to  
10 know because you were 1 kilometre away. If other deployments of soldiers had  
11 arrived in the camp and were firing, chasing out the rebels before the Mamba arrive  
12 to reinforce them, you were not in a position to know?

13 A. [14:47:48] I clearly said that at the time when the soldiers were deployed, I was  
14 still in the camp. We tried to move around with the PC. At that time the army  
15 were all in their position, so that is why I can confidently say that I knew what was  
16 happening, because of my link and coordination with the defence and the army.

17 Q. [14:48:16] Now, my question is: Within the time you were in the bush,  
18 1 kilometre away, you are not in the position to testify here today whether within that  
19 time frame prior to the Mamba other army units, reinforcements, had been deployed  
20 to attack and drive out the rebels. You wouldn't be in a position to know exactly  
21 what happened in your absence with the deployment of army units from -- I mean,  
22 the army, reinforcement from other units, you are not in a position to testify about  
23 that because you weren't present, you were hiding 1 kilometre away, would you, sir?

24 A. [14:49:19] When I returned, I found the soldiers who were still providing  
25 protection there, who were still there. I did not see any new soldiers that came,

1 apart from the Mamba that came to provide reinforcement to push out the rebels.

2 Q. [14:49:35] My question is premised on the fact that you said in paragraph 24, "I  
3 did not see any soldiers or rebels." Could it be that you did not see any soldiers or  
4 rebels during the operation, during the attack, when you were in the camp and when  
5 you fled? Would I understand that to mean that you didn't see them at any time  
6 during the operations, sir?

7 A. [14:50:03] During the attack, yes, I said I did not see the rebels and I also did  
8 not see the soldiers. Because at the time of the firing, exchange of fire you could not  
9 see. Even you, you wouldn't see. But I only heard the voice which says  
10 "jal maka cwara" and the relation that was being made.

11 Q. [14:50:31] Now let's move to something, Witness, in paragraph 23, you said:  
12 "From my compound three people were abducted, Oper Robson, Atim Nighty and  
13 Awor Dilis."

14 First, Witness, we've seen the location of your house in the camp. Can you tell the  
15 Court the material with which your house was made? Was it also a roof, grass roof?

16 A. [14:51:12] The house from which these people were abducted was a house that  
17 was roofed with iron sheets. This was a house which was at the trading centre and  
18 they were actually hiding in this house.

19 Q. [14:51:28] So in effect these people were not from your compound as stated in  
20 paragraph 23, they were indeed in the trading centre, away from the location in which  
21 you were living in the camp, correct?

22 A. [14:51:52] That is not correct. The camp was in the trading centre. So within  
23 that trading centre people build on land that belongs to other people. So I had  
24 constructed my house on the land belonging to Silvesto Ogwang. So my home was  
25 on his land and this land was in the camp area.

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1 Q. [14:52:24] Were these individuals in your compound or they were in a separate  
2 location, a separate house in the trading centre?

3 A. [14:52:40] These people were in the compound. You see, the compound in  
4 the camp is not very easy to differentiate to whom it belong. So within one  
5 compound you find many people have constructed their huts. So this person that  
6 I'm talking about, their father is a person who had constructed or who has lived in  
7 that area for a long time, so we were living in this same compound together with the  
8 rest of the other people. So these people were abducted from that same compound  
9 where we were.

10 PRESIDING JUDGE SCHMITT: [14:53:22] I think it's a matter of definition what a  
11 compound is, so I don't see an issue here. And also if we look at the drawing of the,  
12 the sketch of the witness, we see that where he circles his house is very close to the  
13 main road where the other more, buildings were more substance stand. So I think  
14 I would move on. It's simply, I think, a matter of how we define a compound and it  
15 seems to be a broader concept than simply a house or a hut.

16 MR TAKU: [14:54:02] One minute.

17 (Counsel confers)

18 MR TAKU: [14:54:56] Well, we want to move quickly.

19 Q. [14:55:14] Now, Witness, you stated that some abductees were rescued when  
20 the Mamba arrived by Engola -- by Okello Engola, paragraph 32. Were you  
21 personally present when these abductees arrived who were rescued? Did you see  
22 them?

23 A. [14:55:48] The people who were rescued were returned in the morning when  
24 we had also returned from our hiding place. Because at the time when Mamba came  
25 and Okello Engola went and also followed up, the rebels and the Mamba remained

1 behind.

2 Q. [14:56:17] And did you see Oper Robson, Awor Dilis and Atim Nighty among  
3 the people who were rescued in the morning?

4 A. [14:56:42] Amongst the people who were captured I saw Awor Dilis, but  
5 Robson returned later on.

6 Q. [14:57:00] Paragraph 32, Witness, you said that among the people you could  
7 remember there was Awor Dilis, Oper Robson and Anna Bua. Does that trigger  
8 your memory?

9 A. [14:57:43] Yes, I recall all those people.

10 Q. [14:57:49] That morning you had the opportunity of talking to these  
11 individuals who were rescued and returned?

12 A. [14:58:06] I did not talk to them immediately, because at that time we were still  
13 working to retrieve the dead bodies and also working out a way of burying them.

14 Q. [14:58:22] When you said that they were rescued, Witness, what do you mean?  
15 Are you saying that Okello Engola engaged the rebels in an exchange of, in gun  
16 exchange and overpowered them and rescued these individuals?

17 A. [14:58:48] Okello Engola exchanged fire with the rebels so he was able to  
18 collect those people, some of them who had been abducted by the rebels. So when  
19 the rebels were repulsed that time when they were exchanging with Okello Engola,  
20 some of those people were abducted. Ren (phon) and Okello Engola came back with  
21 them.

22 Q. [14:59:24] Now, do you know whether when you saw them later on, whether  
23 these people, there was any investigation conducted by the CID or any debriefing of  
24 these persons by the UPDF that you are now aware of?

25 A. [14:59:46] I -- that I do not know because the people who came much later are



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1 the ones that came through the army. But the ones that came earlier, I cannot  
2 confirm whether they were asked or not.

3 Q. [15:00:14] Please, can you tell the Court, if you know, the location where  
4 Okello Engola confronted the rebels and rescued these abductees?

5 A. [15:00:37] He told us that he found that at Bunga Opit before crossing the  
6 Lalogi-Gulu road.

7 Q. [15:00:53] How far is that location to Abok IDP camp?

8 A. [15:01:06] It's approximately 3 kilometres.

9 Q. [15:01:31] And would I be right to say that this exchange, this rescue operation  
10 and exchange of gunfire, in particular you make as a reference the camp, occurred  
11 more than six hours after you heard the first shot at 8.30 p.m. the previous day in the  
12 camp, correct?

13 A. [15:01:59] The battle of Abok ended. When it ended these people left the  
14 camp at around 1 p.m. towards, to 2 a.m., 1 a.m. to 2 a.m. Okello Engola followed  
15 them and we saw them coming back in the morning. So I do not know at what time  
16 they exchanged fire when they arrived at that location.

17 Q. [15:02:28] Well, I will understand, I will move on, because from where you  
18 were hiding you would not know the operations that were on the ground, the  
19 military operations, overt and covert, that were on the ground to track down the  
20 rebels. So let me move on.

21 PRESIDING JUDGE SCHMITT: [15:02:43] But you have asked the witness to give  
22 his opinion on that, so --

23 MR TAKU: [15:02:46] Yes, Honour.

24 PRESIDING JUDGE SCHMITT: [15:02:49] -- please move on.

25 MR TAKU: [15:02:53]

1 Q. [15:02:53] Now, when you returned you say that you found that 28 people  
2 were dead, 25 of them were shot and three of them were burned in the grass-thatched  
3 houses. Now, from your observation, you said that those people who were shot,  
4 they were by gunshot, you saw that they were gunshot, Witness, is that what you  
5 observed?

6 A. [15:03:20] Yes, that's what I stated. I saw it.

7 Q. [15:03:26] And in the morning you found that there were strangers who had  
8 come also at the time that you were there. Who were these strangers? Who were  
9 these individuals that you saw, came to the camp by the time that you recovered the  
10 corpses, who were they?

11 A. [15:03:49] Most of the people that came there were leaders. There was the  
12 chairman, LC-5. There was the chairman of the District Disaster Committee. There  
13 was the division commander of Gulu. There was counsellor L-5 who was in  
14 Y district council. There was also the chairman LC-3. Those are the people that  
15 I recall.

16 PRESIDING JUDGE SCHMITT: [15:04:30] I have one question before we leave this  
17 matter with the 28 people and 25 of them with gunshots.

18 Mr Obwor, could you determine which parts of the body the gunshots had affected?  
19 I know you are not a pathologist, we don't want to know an exact medical  
20 determination, but from your, from your observation, could you see where the  
21 gunshots were in the body? In the head, in the back, wherever? Or was it in all  
22 parts of the body?

23 THE WITNESS: [15:05:14] (Interpretation) To my recollection there was one old  
24 man who was shot in the chest and he died. There was also another lady who was  
25 shot in the head and the bullet came through the back of her head. People were shot

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1 in different parts of the bodies.

2 PRESIDING JUDGE SCHMITT: [15:05:40] Thank you.

3 THE WITNESS: [15:05:43] (Interpretation) There was a boy who was shot in the  
4 stomach.

5 PRESIDING JUDGE SCHMITT: [15:05:48] Thank you.

6 MR TAKU: [15:05:53]

7 Q. [15:05:53] Now you talk about the division commander among the guests.

8 Was it the military division commander or some other person?

9 A. [15:06:08] It was the military commander for Gulu division, but I do not recall  
10 his name.

11 Q. [15:06:17] A while ago you said that you tried to, or you ventured to explain  
12 about the jurisdiction, military jurisdiction of different operational forces in the north  
13 and you said Abok was not within the operational area of Gulu. Witness, did you  
14 try to find out why the operational, the division commander of Gulu was on the spot  
15 in Abok in the morning?

16 A. [15:07:02] I stated clearly that there is hierarchy in the army. So the soldiers  
17 have a small headquarters in Aboke barracks, but they were all from Gulu division.  
18 So the division commander of Gulu would come. If he hears anything, if he gets any  
19 information, then he comes to a particular area that he is in charge of.

20 Q. [15:07:39] Now, among these guests in this period, did you see any unit of the  
21 CID, the criminal investigation unit of the Ugandan police? Did they come to Abok?  
22 Were they among these guests who came?

23 A. [15:08:07] No. I cannot explain that, because it's very difficult to know the  
24 CID. It's very difficult to look at somebody and determine that that person is from  
25 the CID. That's why I cannot confirm whether or not I saw such a person.

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1 Q. [15:08:25] Did they also deploy forensic pathologist or some personnel in order  
2 to examine those corpses, try to conduct some tests and to try to determine the cause  
3 of death, if you know? Ballistics, a ballistics expert immediately within that, at that  
4 point in time, or the next day, or some other time that you know of to come and try to  
5 determine the cause of death, the weapon used that caused the death of these  
6 individuals? Are you aware of any such investigation or any such report generated  
7 from an investigation of what happened in Abok?

8 A. [15:09:21] There were no investigations that were conducted. It was clear that  
9 the deaths were caused by gunshot wounds and death by burning in the house.

10 Q. [15:09:35] Now, if I understood your previous answer about the presence of  
11 the military commander from Gulu, are you by that saying that Acokora, Lalogi, Opit  
12 barracks were within the Gulu military division?

13 A. [15:09:57] Yes, that's correct.

14 Q. [15:10:06] Now, at your own level as a camp leader we've seen a list of names  
15 you established here. Did you at your own level -- let's say your effort in the absence  
16 of any other record must be commended, but did you at any level try to record a  
17 statement from the victims and members of the deceased to record a statement, some  
18 record from them about the death of their loved ones whom you identified and  
19 buried? Did you write any statement from them or you just have in disposing of the  
20 corpse and handing the corpse back to some family members?

21 A. [15:11:16] No, there was no record, because we were using reports that came  
22 from the instructions that came from up above. We were not given any instructions  
23 to do that, so we did not do that.

24 Q. [15:11:30] Now, let's -- one minute, your Honour. One minute.

25 Now, let's go quickly to the young man you said you met at the

1 Rachele Rehabilitation Centre in 2008. You said the young man told you that he had  
2 participated in the attack of Abok. First, can you tell the Court the circumstances  
3 what did you go to do in Rachele in 2008, what was the purpose of your mission  
4 there?

5 A. [15:12:24] The people of Rachele Rehabilitation Centre wrote down a list of  
6 people who had been abducted from my camp. They informed us that they were  
7 going to take them and train them. As a camp leader they told me to go with these  
8 former abductees and to see what they were doing so that I could come back and give  
9 a report. They were taught how to conduct businesses, they were given finances as  
10 well to start -- as start-up capital. So they called me as a camp leader to go and see  
11 what they were doing.

12 Q. [15:13:18] So it's in that context that you saw this young man that you talked  
13 about at paragraph 35 and that young man came from Kitgum, not from Abok? Was  
14 that the only person you saw at that centre in 2008 who told you that he had  
15 participated in the attack?

16 A. [15:13:52] That's the person who told me, who told me a lot more things. The  
17 other boy also told me information, Daniel Oyat also gave me information. He was  
18 also abducted and he told me that he was among the people who attacked  
19 Abok camp.

20 Q. [15:14:16] And as a camp leader you were surely aware that there was  
21 the Amnesty Commission. You knew about -- you heard about the Amnesty  
22 Commission? That it was established by the government to receive information  
23 from people, participants in attacks who surrendered and came back. You knew  
24 about the Amnesty Commission, correct?

25 A. [15:14:51] Yes, I was aware of the Amnesty Commission because when people

1 were coming out they were being given amnesty.

2 Q. [15:15:06] And you were aware that the people, participants in attacks and  
3 other crimes would normally go to the Amnesty Commission and write, confess  
4 about their own participation in the crimes. That they would tell their own  
5 participation, it would be recorded, and the circumstances of the crimes and these  
6 others who participated with them. The record would be kept. And I mean outside  
7 the context of this case, or another case in -- from their conscience and alone for the  
8 purposes of honesty they would record, they would record their own participation  
9 and their own criminality prior to the commission granting them amnesty. Were  
10 you aware of this, sir?

11 A. [15:16:02] I was aware of it because all the people that came home at that time  
12 were called and granted amnesty or were pardoned. They all had cards, amnesty  
13 cards. So there was nothing else that I could do because the person had already been  
14 pardoned.

15 Q. [15:16:34] Therefore, through the amnesty process, a comprehensive record of  
16 the attacks, of the attacks that were committed in Abok and elsewhere would be kept.  
17 That any person at any time for any process like this other one, each person who  
18 participated, it is possible to go to the record of the Amnesty Commission in order to  
19 see what they themselves volunteered and said. Not in the course of investigating  
20 against somebody else, but about their own participation and their criminality. As  
21 camp leader you are aware of this, the existence of these records?

22 A. [15:17:20] No, I did not have knowledge of this but I knew that people were  
23 pardoned. But I do not know the process that the people went through at the  
24 Amnesty Commission but I knew that they were pardoned, because they were  
25 announcing it over the radio that everybody who is in the bush should come out

1 because they would be granted amnesty or they would be pardoned.

2 Q. [15:17:47] These individuals that spoke to you when you went to Rachele, in  
3 the course of your discussion did they tell you whether they had been before the  
4 amnesty commission or not?

5 A. [15:18:06] No, they did not tell me that. But I knew that they had been  
6 pardoned because all the people that were there had amnesty cards. He was talking  
7 and telling us stories, because when I said I was from Abok, when I told him I was  
8 from Abok he told me what happened, he gave me information about what happened  
9 in Abok, the number of people that were involved in the attack and the manner in  
10 which the attack was carried out.

11 Q. [15:18:41] Suggesting, therefore, that in Rachele the people who were there, it  
12 was possible for them to exchange their experiences, talk freely among themselves  
13 about the experience and what happened when they were in the bush. Do I  
14 understand from the manner in which you received the information that that was  
15 possible?

16 A. [15:19:15] Rachele is not a centre where people go and have such discussions.  
17 But, you know, when people are together they talk. So people were -- this boy was  
18 talking about these events when people were resting. When I told him that I was  
19 from Abok then he started, he started telling us this story.

20 Q. [15:19:39] Had you at some point in time heard about an individual LRA  
21 commander called Lakati?

22 A. [15:19:59] Who? Which commander?

23 Q. [15:20:03] An LRA commander called Lakati?

24 A. [15:20:07] No, I haven't heard of that name before.

25 Q. [15:20:12] And therefore surely having heard the name, surely -- you would

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1 surely not know whether Joseph Kony deployed him and asked him --

2 PRESIDING JUDGE SCHMITT: [15:20:33] No, I think when he doesn't know the  
3 person, he might not know anything what is supposedly related to the person.

4 MR TAKU: [15:20:41] Yes, your Honour. One minute, your Honour.

5 (Counsel confers)

6 MR TAKU: [15:20:51] Well, your Honours, I wouldn't foresee more.

7 Q. [15:20:56] Thank you so much, mwalimu - sorry, mwalimu - sorry, mwalimu is  
8 Swahili for teacher, a respectable title for a teacher. So I was confused. Thank you  
9 so much, sir.

10 PRESIDING JUDGE SCHMITT: [15:21:09] I think that is not really a serious  
11 mistake, I would say.

12 MR TAKU: [15:21:15] Yes, your Honour.

13 Q. [15:21:16] Thank you very much. I must say that in my long career, I really  
14 admire the manner in which you conducted yourself when you answer questions  
15 before the Court. Thank you, sir.

16 Honourable Mr Ayena will ask you a few questions.

17 PRESIDING JUDGE SCHMITT: [15:21:36] Mr Ayena, please.

18 QUESTIONED BY MR AYENA ODONGO:

19 Q. [15:21:42] Good afternoon, Mr Obwor.

20 A. [15:21:45] Good afternoon to you too.

21 Q. [15:21:47] We are home boys, aren't we?

22 PRESIDING JUDGE SCHMITT: [15:21:55] So at least the atmosphere is very good  
23 in the courtroom and at the video-link location, and we appreciate that.

24 Yes, but your questions, please, Mr Ayena.

25 MR AYENA ODONGO: [15:22:05] Your Honour, I want to put on record that my



1 home is just about 4 miles away from Abok.

2 PRESIDING JUDGE SCHMITT: [15:22:13] Everything is okay. Please continue.

3 MR AYENA ODONGO: [15:22:16]

4 Q. [15:22:18] Mr Obwor, I want to add my voice to the praise that was heaped  
5 upon you by my colleague about the manner in which you answered the questions  
6 before this Court.

7 I particularly appreciate the fact that you did not, when you were answering the  
8 questions put to you by the Victims' lawyers, you did not talk about yourself. You  
9 talked about the people that you lead. And that is, you know, a hallmark of a great  
10 leader.

11 Now, Mr Obwor, as you may well know, this Court is about establishing the truth,  
12 not only about what actually -- I mean, the person who is in Court, before Court, but  
13 the Court is also interested to know the extent to which those who were victims  
14 actually suffered. So I'm going to put to you a few questions about the victims.  
15 The first one is about blood compensation according to the customs of Lango. Do I  
16 take it that you -- at your age you know about the customs of Lango in respect to  
17 blood compensation, otherwise called "culu kwor"?

18 A. [15:24:35] Yes.

19 Q. [15:24:38] Now, when you were telling Court, when you were answering a  
20 question about blood compensation, you said that in Lango they pay two heads of  
21 cattle for every death; is that correct?

22 A. [15:25:02] Could you please repeat your question?

23 Q. [15:25:12] My question is: Is it true that for every death, blood compensation  
24 is paid in terms of two heads of cattle?

25 A. [15:25:31] No, that was not correct. I stated that in Lango compensation is

1 seven cows, but you also pay the funeral expenses, the funeral expenses that are  
2 brought to you.

3 Q. [15:25:53] I wanted you to clarify on this because you may not have realised  
4 you had actually said two. But seven may be the correct one.

5 And, Mr Witness, can you also tell Court whether there is a justice system by which  
6 families of the deceased can sit with the families, or clan for that matter, of the  
7 perpetrator of the death of a person to settle the matter?

8 A. [15:27:05] Yes, I stated that earlier, that that's what happens in Lango. This is  
9 known as "kayo cuk", which is also reconciliation. Both parties sit. There is a  
10 discussion among the elders. Once there's discussion among the elders, they make a  
11 decision as to what action should be taken. The person who would have committed  
12 the crime should admit that they did what they did. So there has to be an admission  
13 of guilt, and that's how the process works.

14 Q. [15:27:45] So would you agree with me, Mr Witness, that "kayo cuk" is to  
15 Lango as "mato oput" is to Acholi?

16 A. [15:28:01] Yes, that's correct. In Acholi they use "mato oput". In Lango, it's  
17 "kayo cuk".

18 Q. [15:28:15] And, Mr Witness, would you agree with me that the process of kayo  
19 cuk cannot precede an accountability process, where the person who committed the  
20 crime and their entire clan admit to the crime?

21 A. [15:28:46] Yes, the person who has committed the crime must admit to their  
22 guilt. If the person does not admit to their guilt, then it won't take place.

23 Q. [15:29:02] Mr Witness, as I've already told you, this Court is also interested in  
24 establishing the extent of the loss suffered by the victims. In that respect, did you do  
25 a comprehensive recording of the losses suffered by the people during the Abok

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1 attack?

2 PRESIDING JUDGE SCHMITT: [15:29:50] Do you mean now -- do you mean  
3 losses in life and --

4 MR AYENA ODONGO: [15:29:57] Properties.

5 PRESIDING JUDGE SCHMITT: [15:29:59] And properties. Perhaps you would  
6 have to differentiate between that.

7 MR AYENA ODONGO: [15:30:03] Yes, I'm indebted to you, my Lord.

8 Q. [15:30:07] Yes, the Judge has put it in a better form than I had, but maybe I  
9 shall re-emphasise by saying that in terms of loss of lives and of properties.

10 A. [15:30:28] No. Unfortunately, there is no record of things lost, but I had a  
11 record of the people who lost their lives.

12 PRESIDING JUDGE SCHMITT: This is the list that we have here, and that was  
13 annex 4, I think, tab 4?

14 MR AYENA ODONGO: [15:30:51]

15 Q. [15:30:52] Now, Mr Witness, as home boys, I want us to assist Court to  
16 establish the vegetation of the area and the terrain of Abok. Can you tell Court  
17 whether these -- you know about these swamps, Akwanyo-gen?

18 A. [15:31:38] Yes, I do have knowledge of Akwanyo-gen.

19 Q. [15:31:43] Kulu-Kwoyo?

20 A. [15:31:49] I also know Kulu-Kwoyo.

21 PRESIDING JUDGE SCHMITT: [15:32:00] And a question, Mr Ayena. You know  
22 Mr Obwor is from the region so he knows of course the swamps. So what is the  
23 question?

24 MR AYENA ODONGO: [15:32:09] If he was given the list, the next question would  
25 be clearer.

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1 PRESIDING JUDGE SCHMITT: [15:32:14] Okay. So please --

2 MR AYENA ODONGO: [15:32:15] There are many other swamps, of course. I'm  
3 talking about particular ones.

4 PRESIDING JUDGE SCHMITT: [15:32:19] Okay. So then we go directly to the  
5 swamp in question.

6 MR AYENA ODONGO: [15:32:25] Yes.

7 Q. [15:32:27] How about Akello-Alyek?

8 A. [15:32:32] I also know Akello-Alyek.

9 Q. [15:32:37] Can you tell Court whether these swamps are before or after Lalogi  
10 barracks? And whether, when you are coming from that direction, you must pass  
11 through them to reach Abok?

12 A. [15:33:09] These swamps are from Abok to -- from Abok to go to the swamp is  
13 about half a kilometre, and then for Akello-Alyek, it will take you about one and a  
14 half kilometres, from Abok on your way towards Lalogi.

15 Q. [15:33:38] Now, in your statement, Mr Witness, you said that about 5 o'clock  
16 some people had sighted some gunmen who had crossed the road towards Ngai.  
17 Can you tell Court whether, when they crossed that road, they followed the main  
18 road or they could have passed through one of these swamps? Did you establish  
19 where they passed through?

20 A. [15:34:29] These people came from the side of Kulu Obore (phon), on the side  
21 of Itubara. Then they crossed that swamp Akwanyo-gen, which is somewhere in the  
22 middle, and went through the Alado forest and came up to the sign post of Abok.  
23 They did not pass through the main road but they walked through the homesteads.

24 Q. [15:35:05] So by Alado swamp you mean the papyrus, the papyrus swamp?

25 A. [15:35:22] Yes, that's true, where the papyrus are so many.

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1 Q. [15:35:34] Now, Mr Witness, there was some confusion about the positioning.  
2 Of course I checked on your sketch map and where the new barracks were and where  
3 you were hiding, I mean the fact that you were hiding. There were some grey areas I  
4 did not understand, but I thought perhaps it also left the Court in some kind of  
5 dilemma. May not have been so clear, I don't know, but in my understanding we  
6 could make it better for them. So when you said -- first of all, at what time did you  
7 go into hiding?

8 PRESIDING JUDGE SCHMITT: [15:36:46] At the moment the translation is  
9 obviously not coming through, so we have to wait a second if this can be fixed. And  
10 if not, I think there are two possibilities, to simply adjourn the hearing and continue  
11 tomorrow morning. But let's wait. I would of course have very much appreciated  
12 if we could finish today, but we cannot go beyond 4 o'clock today.

13 MR AYENA ODONGO: [15:37:16] Yes.

14 (Pause in proceedings)

15 PRESIDING JUDGE SCHMITT: [15:37:27] So then we do that.

16 So perhaps a minute of patience and then we see if it functions.

17 And the next witness will be 286, am I correct?

18 Some things do not have to be clearly outspoken, just looking at you and nodding is  
19 enough in that respect.

20 I think, Mr Ayena, we can continue and finish soon.

21 MR AYENA ODONGO: [15:38:45]

22 Q. [15:38:53] So Douglas Obwor --

23 A. [15:39:03] I'm hearing you.

24 Q. [15:39:05] -- what time did you go into your hiding place? And where? Can  
25 you tell Court the position in your sketch map where you were hiding.

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1 PRESIDING JUDGE SCHMITT: [15:39:21] Perhaps it's easiest just to go to the tab,  
2 to the respective tab.

3 Mr Witness, if you could do that for us, this is tab 2 in the binder. The sketch you  
4 know already that you have drawn yourself. And perhaps you could indicate where  
5 the hiding place was.

6 THE WITNESS: [15:39:50] (Interpretation) Okay. I came from where it is written  
7 the key, the direction, the key, and I went down.

8 MR AYENA ODONGO: [15:40:06]

9 Q. [15:40:07] The direction is key, then under it is barracks, then my home  
10 (Overlapping speakers)

11 A. [15:40:12] Key, then you have barracks, my home, that's where I entered from.

12 Q. [15:40:16] And did you go further down?

13 A. [15:40:23] Yes, I went further down there. In my estimation could be about  
14 1 kilometre. That is the furthest distance.

15 PRESIDING JUDGE SCHMITT: [15:40:37] And I see now, Mr Ayena, indeed that  
16 you also indicated swamp there. Did you go even further than the swamp or did  
17 you stay before (Overlapping speakers)

18 THE WITNESS: [15:40:48] (Interpretation) Yes, I go -- I went beyond the swamp  
19 up to the other side.

20 PRESIDING JUDGE SCHMITT: [15:40:54] Thank you.

21 MR AYENA ODONGO: [15:40:58]

22 Q. [15:41:01] What time was this?

23 A. [15:41:12] That time it was really, really a very tense situation. I think it could  
24 be around 9.15 p.m. in the night.

25 Q. [15:41:36] Did you go into hiding after the LRA already -- I mean the group

1 that attacked the barracks had already attacked the barracks, or before?

2 A. [15:42:00] The gunshots were still going on, you could hear the gunshots still  
3 going on in the camp. But the firing in the barracks I heard the gunshots much later,  
4 I was already on the side. So when I returned in the morning, that's when I was told  
5 that the - by the abductees who returned - that they tried to go into the barracks but it  
6 was difficult because the soldiers were very alert there.

7 Q. [15:42:35] Now, Mr Witness, I want us to concentrate on your paragraph 22, 23  
8 and 24. You said, "At 8.45 p.m. we started hearing gunshots from the southwestern  
9 side of the camp." When you say southwestern part of the camp, can you go back to  
10 the map and indicate exactly where?

11 A. [15:43:29] It is that side where you see the arrow which I indicated. I was  
12 hearing the gunshots from that side down where I see -- where you see I have  
13 indicated with a dotted line and then with a small arrow on top. That's  
14 where -- that's the direction.

15 Q. [15:44:03] Mr Obwor, at that time where you were? Can you, also using your  
16 sketch map, show to Court where you were standing or seated?

17 A. [15:44:20] At that time I was at the road junction together with the PC. I was  
18 at that junction, the junction of that road going to Lalogi and the one going to Ngai.

19 Q. [15:44:45] So can you tell Court what exactly you concluded with the PC  
20 before you took your direction to go and hide?

21 A. [15:45:18] When we were at this point the gunshots intensified. We started  
22 taking that direction towards Otwal as I was coming towards my home. Then the  
23 PC told me that "You first stay here, let me go and try to find out what's going on. If  
24 I find a safer route, then I will come back and tell you what to do." So at that time  
25 when he was moving alone, I had already come towards my home.

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1 Q. [15:46:05] Now, Mr Obwor, you have shown two positions, the old barracks  
2 and the new barracks. Where were the soldiers located at this time? In the new  
3 barracks or in the old barracks?

4 MR SACHITHANANDAN: [15:46:31] Your Honour, asked and answered already.

5 THE WITNESS: [15:46:35] (Interpretation) The army were in the new barracks.  
6 They were in the new barracks.

7 PRESIDING JUDGE SCHMITT: [15:46:40] So it's now twice answered.

8 MR AYENA ODONGO: [15:46:47] I thought it would cause no harm.

9 PRESIDING JUDGE SCHMITT: [15:46:50] No, it didn't. I was not so very clear  
10 about the answer last time. So it's -- yeah, but now we don't have to dwell into that,  
11 it was the new army barracks.

12 MR AYENA ODONGO: [15:47:03] You see, Counsel, two of us at least were not  
13 clear, so.

14 PRESIDING JUDGE SCHMITT: [15:47:08] Just continue, Mr Ayena. And, as I  
15 said, we cannot go beyond 4 o'clock today.

16 MR AYENA ODONGO: [15:47:18] No.

17 PRESIDING JUDGE SCHMITT: [15:47:19] Okay, good.

18 MR AYENA ODONGO: [15:47:21] Yeah.

19 Q. [15:47:21] Now, I can see Mr Obwor that the new army barracks was towards  
20 the road to Otwal, I suppose towards the direction of Kulu-Kwoyo; is that correct?

21 A. [15:47:42] No, it is not like that. That was also there but also this particular  
22 one was there. This was at, around the area of the home of a certain mzee called  
23 Wilson. You enter from the centre and then you move upwards.

24 Q. [15:48:10] And I want you to clarify to Court whether the first attack was on  
25 the civilian IDP camp or they first went up to the army barracks? Which -- I mean,



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1 where did they start from?

2 A. [15:48:41] They started from the camp. Just as the arrow indicates across the  
3 swamp, they started from the camp and then they passed through the barracks on  
4 their way back.

5 Q. [15:49:03] Now, Mr Witness, can you tell Court the distance between the road  
6 to Otwal, this Ngai-Otwal road where the barracks was located. How far away was  
7 it from the main road?

8 A. [15:49:37] The distance could be about 200 metres, 200 metres from the road.

9 PRESIDING JUDGE SCHMITT: [15:49:51] A short remark by me: There are also  
10 other possibilities to verify how far the new barracks were away from the road. It's  
11 just a remark. We have -- for example, we have the trial notebook and there are  
12 also ...

13 MR AYENA ODONGO: [15:50:09]

14 Q. [15:50:10] Now, Mr Witness, you were about at least 1 kilometre away from  
15 where the fighting was. Was it probable that you would know exactly what was  
16 happening?

17 A. [15:50:53] I said clearly that the fighting began around 8.40/45. I left at  
18 around 9.40 or 50 there. But I was hearing how the Mamba was coming, the Mamba  
19 was coming in. And then later on when I began to hear the gunshots had subsided,  
20 only you would hear once and then after some time you hear one, another shot after  
21 the other. So that's when I was able to know that looks like now the fighting had  
22 subsided and I could confirm that was from the barracks, side of the barracks.

23 PRESIDING JUDGE SCHMITT: [15:51:45] Mr Taku has already explored this.  
24 Explored, Mr Taku has explored if the witness could see from his -- and what he  
25 could see and what he could perceive from his point of hiding.

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1 MR AYENA ODONGO: [15:52:00] Actually, that was a precursor to an area that  
2 was not canvassed.

3 Q. [15:52:10] Mr Witness, according to your statement the Mamba arrived at  
4 about 3 o'clock, and according to your statement the fighting took about 45 minutes.  
5 So according to rough estimate, if the gunfire started at 2.15 and it took 45 minutes,  
6 therefore the fighting stopped around 9 o'clock. Would I be correct, sir?

7 PRESIDING JUDGE SCHMITT: [15:52:44] He said at 8.45. It's not so important,  
8 half an hour more or less, but at 8.45 the fire, firing started and 45 minutes would  
9 make it 9.30 (Overlapping speakers)

10 MR AYENA ODONGO: [15:53:01] Yes.

11 THE WITNESS: [15:53:02] (Interpretation) It continued up to around 9.15, and  
12 that's when it had intensified and I decided to take refuge. So the gunshots were  
13 going on but also looting was going on in the camp. So these people took some time  
14 in the camp because there was nobody that would come to disorganise them. So  
15 when the Mamba came these people were even hearing as the Mamba was arriving.

16 MR AYENA ODONGO:

17 Q. [15:53:34] Now, can you tell Court, if you know, how many UPDF soldiers  
18 were in the barracks?

19 A. [15:53:59] I want to know is it overall in the whole barracks or at the time of  
20 the attack?

21 Q. [15:54:06] Overall in the barracks and then at the time of the attack.

22 A. [15:54:12] The total army in the barracks were 45 in number.

23 PRESIDING JUDGE SCHMITT: [15:54:19] This is already, has already been  
24 answered in tab 21.

25 MR AYENA ODONGO: [15:54:23]

1 Q. [15:54:25] How about the LDU?

2 A. [15:54:34] They were mixed, UPDF and LDU. So I cannot separate now how  
3 many were LDU, but I know all of them were soldiers.

4 Q. [15:54:48] Now, Mr Witness, were you aware that after getting this rumour  
5 there were soldiers who were deployed towards Akello-Alyek forest to set an ambush,  
6 for the rebels in another group deployed on Ngai road to set an ambush there?

7 A. [15:55:28] I said clearly that the rumours came much earlier at around 3 p.m.  
8 Then later in the evening at about 5 p.m. that's when these people crossed the road  
9 from the road going to Ngai. So the soldiers were sent towards Abok school, some  
10 people were sent to the road going to Bar-Rio and the others that remained were  
11 distributed to provide protection within the camp. That is what I was aware of as  
12 the leader of the camp. So there were not well very -- they knew that maybe these  
13 people would not move backward towards Akello-Alyek because they had already  
14 gone ahead.

15 Q. [15:56:30] Of course I meant to say ambush to preempt their coming in, not  
16 afterwards.

17 PRESIDING JUDGE SCHMITT: [15:56:40] Have you ever heard of such - to make  
18 it short now because we have to finish - have you ever heard of such ambushes?  
19 Perhaps a short answer, please.

20 THE WITNESS: [15:56:59] (Interpretation) Yes, they said they sent the soldiers to  
21 go and provide security to the side of the camp. But later on the information which  
22 we got from the people who were abducted and returned, they said that as the  
23 soldiers were going they passed through the rebel ambush, but the rebels did not fire  
24 at them. They saw. But they still saw the soldiers passing through but did not fire  
25 because their interest was in the camp to collect items.

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1 MR AYENA ODONGO: [15:57:36]

2 Q. [15:57:38] The last question. Mr Witness, do you know or did you get to hear  
3 that the soldiers who ran from wherever they had been deployed, when they came,  
4 also started shooting indiscriminately when they came back to the barracks and the  
5 camp area?

6 A. [15:58:07] I did not know about that.

7 PRESIDING JUDGE SCHMITT: [15:58:09] Thank you, Mr Ayena.

8 That concludes your testimony, Mr Obwor. On behalf of the Chamber I would like  
9 to thank you that you have made yourself available as a witness in this case and have  
10 testified openly and we wish you a safe trip back to your home.

11 (The witness is excused)

12 PRESIDING JUDGE SCHMITT: [15:58:33] We adjourn and we continue tomorrow  
13 at 9.30 with 286.

14 THE COURT USHER: [15:58:39] All rise.

15 (The hearing ends in open session at 3.58 p.m.)