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**International
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Court**



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TRIAL CHAMBER IX

Before: Judge Bertram Schmitt, Single Judge

SITUATION IN UGANDA

***IN THE CASE OF
THE PROSECUTOR V. DOMINIC ONGWEN***

**Confidential
With Confidential Annex A**

Prosecution Observations on a Judicial Site Visit

Source: The Office of the Prosecutor

Document to be notified in accordance with regulation 31 of the *Regulations of the Court* to:

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**Victims Participation and Reparations
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I. Introduction

1. The Prosecution welcomes the Chamber's inclination to visit the sites of the Pajule, Odek, Lukodi and Abok IDP camps soon after the Prosecution's evidence presentation concludes.¹
2. The Prosecution submits, below, notes on the various points which it considers may be of interest to the Chamber at each site.
3. The Prosecution proposes that the Parties and participants should agree on a protocol for the conduct of the site visits and submit this for the Chamber's approval.
4. This filing is made confidentially in response to the confidential invitation by the Chamber.

II. Submission

Points of interest in Abok

5. There are three principal areas of interest in Abok village, Oyam District that are relevant to the events which occurred there on 8 June 2004. These are indicated on the satellite image in Annex A.

Site of the old UPDF barracks:

- Witnesses² state that on 8 June 2004 LRA fighters attacked the site of the old UPDF barracks (marked 'A' in the satellite image) first, believing it to be occupied by UPDF soldiers. The site of the old barracks currently lies in ruins. Visiting it would nonetheless give the Trial Chamber an appreciation of, *inter alia*, how the attack on

¹ ICC-02/04-01/15-834.

² P-0286, P-0293, P-0304.

Abok IDP camp commenced as well as the physical distance between the old barracks and the civilian camp.

Site of the IDP camp containing the trading centre:

- LRA fighters then advanced towards the IDP camp killing or abducting men, women and children there.³ The LRA also pillaged and destroyed property within the camp and from shops at the trading centre.⁴ By visiting these locations the Chamber will gain an understanding of, *inter alia*, the camp's size and layout as it was in June 2004. It would further enable the Chamber envision how the attack on the civilian population was perpetrated across the camp and the trading centre.

Site of the new UPDF barracks:

- LRA fighters, together with the civilians they abducted from the camp, moved to the site of the new UPDF barracks (marked 'B' in the satellite image).⁵ LRA fighters engaged the soldiers there in combat but were overpowered and subsequently fled in the direction of Lalogi and on towards the Atoo hills.⁶ Although the new barracks are not in physical existence today, the trenches that surrounded them are still visible. A site visit to the new UPDF barracks would enable the Chamber to, *inter alia*, visualise its distance from the IDP camp.

Points of interest in Lukodi

6. The Lukodi IDP camp was situated north of Gulu town. In May 2004, the camp included two main civilian areas, military barracks, a school, and a trading

³ P-0279, P-0280, P-0281, P-0282, P-0284, P-0287, P-0293, P-0304, P-0306, P-0330, P-0406.

⁴ P-0281, P-0282, P-0284, P-0286, P-0287, P-0293, P-0252, P-0304, P-0306, P-0330, P-0340.

⁵ P-0280, P-0286, P-0293, P-0304.

⁶ P-0280, P-0286, P-0293, P-0304.

centre.⁷ Apart from the Lukodi Primary School, no other historical buildings remain to date.⁸

7. The Lukodi IDP camp housed displaced persons from the neighbouring sub-villages of Lukodi, Lacoo Anga,⁹ Laweny, Loyoboo, and Lagot Kicol.¹⁰ During the 19 May 2004 attack, camp areas of Lacoo Anga and Lukodi were affected the most. There are five principal areas of interest at Lukodi, as indicated in the satellite images at annex A.

Site of the barracks:

- The old military barracks were located roughly opposite and north of the Lukodi Primary School.¹¹ At the time of the attack, 30 LDU soldiers under the command of a UPDF officer were stationed at the barracks.¹² The barracks were partly surrounded by civilian buildings (huts and a school), with a distance between them.¹³ During the attack, one group of LRA fighters specifically targeted the military barracks, while another went to attack the civilian areas.¹⁴ Circular trenches around the barracks are still visible to date. Visiting this site will give the Chamber an appreciation of its location in relation to other landmarks in the camp.

Lukodi Primary School:

- Lukodi Primary School is located east of the Gulu-Patiko road and north of the Awach road.¹⁵ Visiting this site will give the Chamber

⁷ P-0024; P-0060; P-0035; P-0205; P-0036; P-0119; P-0202.

⁸ Reportedly, no huts from May 2004 remain to date. Some huts were burnt during the attack, while others collapsed after camp residents abandoned the camp because clay huts with thatched roof require regular maintenance.

⁹ P-0024; P-0060.

¹⁰ P-0195.

¹¹ P-0036; P-0060; P-0035.

¹² P-0024; P-0035.

¹³ P-0060; P-0035; P-0205; P-0119.

¹⁴ P-0018; P-0410; P-0142; P-0205.

¹⁵ P-0119; P-0202; P-0205; P-0060; P-0035; P-0036.

an appreciation of the distance between the Lukodi Primary School and other landmarks, in particular the military barracks.

Trading centre or market:

- Lukodi trading centre was located on the western side of the Gulu-Patiko road, roughly opposite the Lukodi Primary School, where the Awach road branches off.¹⁶ Reportedly, there were no permanent constructions at the market in May 2004. There are a several brick shops now. The market was a designated area where people would bring goods to sell. It was looted during the attack.¹⁷ Visiting this site will give the Chamber an appreciation of the location of the trading centre in relation to other landmarks in the camp.

Lukodi memorial:

- The Lukodi community erected a memorial to commemorate the victims killed in the attack of 19 May 2004. Later, Child Voice International presented a plate with a list of 45 victims, which is now attached to the memorial. Reportedly, Child Voice International obtained these names from surviving family members. However, not all names are spelled correctly and the list is believed to be incomplete. The actual number of those who died may be as high as 56, possibly because some family members were not present to give all the names.

Unyama bridge:

- Having crossed the Unyama bridge, the attackers approached the camp from the east.¹⁸ A bridge across Unyama river is located on

¹⁶ P-0060; P-0035.

¹⁷ P-0185.

¹⁸ P-0205, P-0202.

the road to Awach, to the east of the Lukodi camp. The distance between the river and the camp is about 2 kilometres. Reportedly, this is a new bridge built in place of the old one. Visiting this site will give the Chamber an appreciation of the terrain and the distance from the bridge to the camp.

Points of interest in Odek

8. There are three principal areas of interest and relevance in today's Odek village that are central to the events that occurred in Odek on 29 April 2004, as indicated in the satellite image at Annex A.

Site of the barracks:

- According to numerous witnesses,¹⁹ the site of the UPDF/LDU barracks (indicated in the satellite image), now used as a local school, was attacked by one group of LRA fighters. The LRA engaged the UPDF and LDU soldiers there, before setting it on fire. Visiting this particular site would give the Chamber an appreciation of, *inter alia*, the physical distance between the barracks and the civilian camp.

Site of the camp:

- Witness evidence then indicates that the second group of LRA fighters moved down into the main body of the camp,²⁰ the perimeter of which is indicated in the satellite image, attacking and killing civilians, pillaging property and abducting men, women and children. Although not in physical existence today, the site of the camp is marked by a memorial headstone. Some of the original huts that were part of the IDP camp still remain. Visiting this area

¹⁹ E.g., P-0054, P-0245, P-0330.

²⁰ E.g., P-0352, P-0264, P-0252.

would give the Chamber an appreciation of, *inter alia*, the physical distance between the camp and the barracks, and the nature of the buildings that civilians inhabited at the time.

The trading centre

- LRA fighters also moved down into the trading centre, indicated in the satellite image. This area contains a number of small commercial dwellings where basic provisions are sold. Witness evidence points to LRA fighters killing civilians and pillaging property from Odek trading centre.²¹ Visiting this area would give the Chamber an appreciation of, *inter alia*, the civilian nature of this area, and its physical distance from the barracks.

Points of interest in Pajule

9. There are five principal areas of interest and relevance in Pajule, as it now is, that are central to the events that occurred at that location on 10 October 2003, as indicated in the satellite image at Annex A.

The Kitgum to Lira road:

- Pajule IDP comprised of two separate camps that were bisected by a north-south road, the Kitgum to Lira road. Pajule IDP camp was situated on the east side of the road. Lapul IDP camp was situated on the west side. The Kitgum to Lira road is a key landmark in understanding the layout of Pajule. Traversing this road would give the Chamber, *inter alia*, a basic understanding of the general size and layout of Pajule IDP camp; an understanding of where some witnesses claim that the LRA entered the camp; and the distance between the trading centre and the barracks.

²¹ E.g., P-0325, P-0309, P-0330, P-0054.

The barracks:

- According to several witnesses,²² the LRA attacked the UPDF/LDU barracks. The remnants of the barracks can still be seen today. Visiting this area would give the Chamber an appreciation of, *inter alia*, the physical distance between the camp and the barracks, and where the LRA attack at Pajule commenced.

The trading centre and marketplace:

- The trading centre is comprised of shops situated along the Kitgum to Lira road as well as the marketplace. Several witnesses allege that the LRA, including Dominic Ongwen, moved into the trading centre in order to loot items from shops as well as abduct civilian residents.²³ Visiting this area would give the Chamber an appreciation of, *inter alia*, the civilian nature of the area and where crimes charged are alleged to have occurred.

Areas that once housed Camp Residents' Dwellings:

- During the attack, LRA fighters attacked civilian dwellings in order to loot and abduct civilians.²⁴ Visiting this area would give the Chamber an appreciation of, *inter alia*, the size of Pajule IDP camp, its physical distance from the barracks and trading centre and where crimes charged are alleged to have occurred.

²² E.g, P-0045, P-0047, P-0048, P-0144 and P-0309.

²³ E.g, P-0009, P-0144 and P-0249 and P-0309.

²⁴ E.g, P-0006, P-0009, P-0061, P-0067 and P-0249.

The Mission:

- During the attack, LRA fighters attempted to approach the Catholic Mission but were prevented from doing so.²⁵ Visiting this area would give the Chamber an appreciation of, *inter alia*, a key landmark in Pajule, the size of Pajule IDP camp, and relative distances within the camp.



Fatou Bensouda, Prosecutor

Dated this 16th day of June, 2017
At The Hague, The Netherlands

²⁵ E.g, P-0144.