

1 International Criminal Court
2 Pre-Trial Chamber II - Courtroom 2
3 Situation: Uganda
4 In the case of The Prosecutor v. Dominic Ongwen - ICC-02/04-01/15
5 Single Judge Cuno Tarfusser
6 Article 56 Proceedings
7 Saturday, 19 September 2015
8 *(The proceedings start in closed session at 9.01 a.m.) Reclassified as open session
9 SINGLE JUDGE TARFUSSER: Good morning to everybody, Prosecution, Defence,
10 Registrar. I see we are in the same composition as yesterday except for the Court
11 officers which now are Caroline Bossette and Wilfred Ndungu.
12 Good morning to Kampala, to the witness. Have you had a good --
13 THE WITNESS: (Interpretation) Thank you, morning.
14 SINGLE JUDGE TARFUSSER: Have you had a good rest, a good night?
15 THE WITNESS: (Interpretation) Yes, I did. Thank you.
16 SINGLE JUDGE TARFUSSER: Okay. Then are you ready for the questions of the
17 Defence?
18 THE WITNESS: (Interpretation) Yes, I'm ready.
19 SINGLE JUDGE TARFUSSER: Then I give the floor to the Defence counsel.
20 MR OBHOF: Thank you, your Honour.
21 WITNESS: UGA-OTP-P-0227 (On former oath)
22 (The witness speaks Acholi)
23 (The witness gives evidence via video link)
24 QUESTIONED BY MR OBHOF: (Continuing)
25 Q. Good morning, Madam Witness.

1 A. Thank you.

2 Q. We're going to start off today and go back to when you were abducted. Is that
3 okay?

4 A. Yes, no problem.

5 Q. Now, you stated you were abducted during your mid-terms exams and that you
6 were abducted in early April, on April 5, 2005. Can you please tell me what was the
7 weather like at that time?

8 A. No, we were not doing our mid-term exams.

9 Q. In paragraph 14 of your statement at UGA-OTP-0235-0127, again in paragraph
10 14: "I was taken on a Friday night, during the time of mid-term exams. I was in
11 bed reading my book with a small paraffin lamp."

12 What time of the year are mid-term exams in April?

13 A. The -- the exams were mid-term, but it was -- it was mid-term exams. On that
14 night it was a test. On that evening, on the Friday evening I was studying, I was
15 using a lantern to study and that was when they came.

16 Q. From when you were abducted, how long was it approximately, a couple days,
17 a week, two weeks from when you first met Dominic Ongwen?

18 A. Could you please repeat the question?

19 Q. After you were abducted, how long was it from when you were abducted until
20 you met Mr Ongwen?

21 A. That night -- it was the next day, because in the -- on the night that we were
22 abducted I did not see him, but it was immediately the next morning that I saw him.

23 Q. Now, during that next week, where did you travel to?

24 A. Can you please repeat the question?

25 Q. After you were abducted, during the next week, where did you travel to?

1 Where did they take you?

2 A. No, after my abduction I did not stay for one week. I was abducted, two days
3 later we were attacked and then we start -- we fled.

4 Q. And where did you flee to, Madam Witness?

5 A. We crossed Larwodo river.

6 Q. And after crossing the river, which town or village did you enter after that?

7 A. After we crossed the river, we stayed on the riverbanks but up on the hill.

8 Q. And how long did you stay there, Madam Witness?

9 A. When we -- when we arrived there, we only spent one night and the next
10 morning we left.

11 Q. And when you left, where did you travel to?

12 A. We walked towards Pader.

13 Q. Do you remember how long it took you to walk to Pader?

14 A. No, I do not recall how long it took us.

15 Q. Would it be hours or days or a week? Do you remember at least that much?

16 A. I -- if I recall, I think it took probably one day.

17 Q. Where in Pader did you stop at?

18 A. I do not recall the exact place we stopped at.

19 Q. But it was about a day walk, maybe it might be, you know, half a day or a day
20 and a half, but it was around a day's walk. Do you remember which direction?

21 A. I do not recall that well, but as far as I can recall we walked to Pader.

22 Q. Now, if you didn't actually know where you were going or where you ended,
23 how did you come to learn that you were in Pader?

24 A. I heard when this was being said -- when this was being said that we were
25 going to Pader and that we had arrived at Pader.

1 Q. Do you remember how long you stayed in Pader?

2 A. Well, we were there for -- we were there for quite a while because we were
3 moving between Pader and Gulu, between Pader and Gulu, and I suppose we were
4 there for approximately one year.

5 Q. Now, when you say "there for approximately one year," do you mean going
6 back and forth from Pader and Gulu or in Pader for one year?

7 A. No. It was while we were moving between Pader and Gulu, depending on
8 how the soldiers were pursuing us. But if the soldiers were not pursuing us, then we
9 probably would settle in Pader for a while.

10 Q. So is it safe to say that you know you were in both Pader and Gulu for that one
11 year, but you can't state where you were -- whether you were in Pader, you just
12 cannot recollect exactly where you were for say the first month or two after being
13 abducted?

14 A. No, I do not recall the first two months, where I was. What I do recall was that
15 when I was abducted we settled for some time on the river Amalac. After that we
16 crossed river Larwodo and we stayed on the hill for -- 'til we left.

17 Q. Do you remember which county or sub-county or region, anything more than
18 just Pader? Because Pader is a big district.

19 A. No, I do not recall.

20 Q. When you went to Gulu, do you remember which part of the district you were
21 in? Again, do you remember which county or sub-county you would go to?

22 A. I do not recall, but I know that we -- I know that we spent a lot of time under
23 the -- there's a hill known as Atoo.

24 Q. Would you say you spent some time there or when you went to Gulu, would it
25 be most of your time, it would be the major place you would go to, or would you just

1 go there every once in a while when you would go to Gulu?

2 A. No, we did not spend that much time there. Upon our arrival in Gulu, once
3 the UPDF soldiers were aware that Ongwen was in Gulu, then we would not actually
4 settle in one place. We kept on moving around.

5 Q. Now, during this time, when you were going back and forth from Pader and
6 Gulu, would you be with -- would you be physically present with Dominic Ongwen
7 during this time? Would you be in the same group?

8 A. Yes, yes, I was in the group that he was in.

9 MS ADEBOYEJO: Your Honour, may I just interrupt. I'm sorry to interrupt my
10 learned friend. I see that we have a bit of an error on the transcript. The answer
11 that came through on the translation was: "Upon our arrival in Gulu" -- I'm looking
12 at page 5, line 20, 19 and 20. "Upon our arrival in Gulu, once the UPDF soldiers were
13 aware that Ongwen was in Gulu," that's what came through on the headphone, but
14 we don't have that on the transcript.

15 MR OBHOF: That's what I heard too. I do agree with my learned friend across the
16 table.

17 SINGLE JUDGE TARFUSSER: Okay. If you agree with it, I think -- I can't recall, I
18 can't recall, but if you agree, I think we should change this and correct this.

19 MS ADEBOYEJO: Thank you, your Honour.

20 SINGLE JUDGE TARFUSSER: Okay. Thank you very much.

21 MR OBHOF: Thank you.

22 Q. Now, when you said that you were in the same group, would you -- would you
23 say that you saw him every day when you were with him -- sorry, would you say
24 during that year that you saw him every day?

25 A. Yes, I saw him every day because I was the one who occasionally had to lay his

1 bed, so I stayed with him and other people as well.

2 Q. Thank you, Madam Witness. Now, yesterday you talked about a few other
3 people. You talked about people named (Redacted) but there's one person
4 I would like to talk about with you today, different from people you talked about
5 yesterday. Do you know a person by the name of (Redacted)

6 A. Yes, I do.

7 Q. Could you please tell the Court who (Redacted) is?

8 A. (Redacted) was Commander Ongwen's wife and we stayed with her
9 as well.

10 Q. Do you remember when she came to be with the group that you were travelling
11 with?

12 A. No, I do not recall when she joined the group.

13 Q. Do you remember if she joined the group before or after you?

14 A. She joined the group -- she joined the group after I already -- I had already been
15 abducted.

16 Q. Do you remember approximately how long? Was it say one month? Six
17 months? One year?

18 A. No, I do not recall that information.

19 Q. Do you remember how long after she joined the group did it take before she
20 allegedly became Dominic's wife?

21 A. In my recollection, it didn't take that long. I think it was approximately one or
22 two weeks after she joined the group before she became Ongwen's wife.

23 Q. When she became -- as you say, became Ongwen's wife, do you remember
24 talking to (Redacted)

25 A. No, I do not recall that.

1 Q. Do you recall if Ms (Redacted) ever came to you seeking guidance or counsel
2 about becoming Dominic's wife?

3 A. No, I do not recall any of that.

4 Q. One final question about this: Do you know if Ms (Redacted) sought the counsel
5 of (Redacted) before becoming Dominic's wife?

6 A. No, I do not know.

7 Q. Now, you mentioned that when you joined the group that somebody was
8 already pregnant. Could you tell us again who was pregnant?

9 A. It was (Redacted) who was pregnant.

10 Q. And again could you please tell the Court the eventual name of the child that
11 she was pregnant with?

12 A. Can you please repeat your question?

13 Q. Sorry about that, Madam Witness. Do you know the name of the child that she
14 eventually bore?

15 A. They named the child (Redacted)

16 Q. To your knowledge was this (Redacted) first child?

17 A. Well, the -- the information I got from (Redacted) was that this was not her first
18 child. She had two previous pregnancies, but the children died.

19 Q. Now, yesterday you mentioned something called the ting ting and you
20 explained it, but I would like to see if you could explain again what a ting ting is.

21 A. Ting ting is a young girl, a girl who hasn't yet developed her breasts, probably
22 from 10 to 12 years old, and these are the girls that were referred to as ting ting.
23 They were young girls and -- like babysitters.

24 Q. When you arrived as you say in 2005, who were the ting tings?

25 A. The ting tings were (Redacted)

1 Q. Do you know if (Redacted) has any other names?

2 A. No, I do not know. I have forgotten.

3 Q. In the Acholi language is there any alternative name for (Redacted)

4 A. No, I do not know that.

5 Q. People with the name (Redacted) are they sometimes called (Redacted) nickname?

6 A. Well, I'm not sure about that. In Acholi, yes, that kind of a nickname exists, but
7 no, I didn't have one, so I wasn't -- I'm not very sure of it.

8 Q. Thank you, Madam Witness. Do you know if (Redacted) had any other names?

9 A. No. No, I do not know. I constantly called her (Redacted) so I do not know
10 any other name.

11 Q. Were there any other ting tings besides (Redacted) when you arrived?

12 A. When I arrived there were other ting tings, but this was -- it was at the time that
13 we had arrived in Congo, that's when we had more ting tings.

14 Q. Now, when you arrived, would you describe (Redacted) as a ting ting?

15 A. No. No, I do not. I cannot -- I cannot say that.

16 Q. Could you explain to the Court why you cannot say that, please.

17 A. Well, by the time I got there (Redacted) was already more mature and she was
18 already a wife. That's -- that's why I cannot actually tell the Court whether she was a
19 ting ting, but by the time I arrived there she was already a wife.

20 Q. Thank you. Now, when you arrived there you said that (Redacted) was a wife. Did
21 Dominic have any other wives there?

22 A. I found she was the only wife who was there, the first wife.

23 Q. Now, going back to (Redacted) could you please describe (Redacted) when you
24 first arrived?

25 A. When I first arrived, I found (Redacted) was still a young girl. Her breasts were

1 just beginning to develop.

2 Q. Do you know how tall she was? And if you do, could you estimate it for us?

3 A. She wasn't very tall. She was actually medium. And she was brown.

4 MR OBHOF: Just as a point, I heard something in the -- in the audio if she was
5 browned or light skinned.

6 SINGLE JUDGE TARFUSSER: Brown.

7 MR OBHOF: No, no, that's what the translator -- but there was another voice in the
8 background. Thank you. I don't know if anybody else heard it or not. Sorry.

9 Q. A similar line of questioning: Could you please describe what (Redacted) looked
10 like when you first arrived?

11 A. According to me, (Redacted) was still a young person. She was short and plump
12 and light skinned.

13 Q. Now, in your opinion when did the (Redacted) stop being a ting ting and start
14 being a wife?

15 A. I don't know at what point she became a ting ting, but when I was abducted and
16 when I arrived there, I found people referring to her as ting ting. And when I was
17 with (Redacted) the day I arrived I spent the night with her and I observed that night
18 she was called to go and sleep in Ongwen's house, but I'm not sure whether she used
19 to sleep there every day. So I asked (Redacted) and I asked her and say, "Where
20 does (Redacted) go?" And she told me, (Redacted) goes to sleep with Ongwen." I
21 didn't ask immediately that day, but I asked afterwards, after some days.

22 MS ADEBOYEJO: If I may just interrupt just briefly again, just my learned friend's
23 question was: "When did (Redacted) stop being a ting ting and start being a wife?"
24 Just to point that out.

25 Yes, that was your question, wasn't it?

1 MR OBHOF: You are correct. I was going to re-ask it again.

2 SINGLE JUDGE TARFUSSER: Okay. We are again in agreement so I think we
3 should change the first start and stop, right? Okay. Yes, of course and it makes
4 sense. Otherwise it doesn't make sense. Of course. Thank you.

5 MR OBHOF:

6 Q. Do you know when she stopped -- do you know when she stopped being a
7 ting ting and started being a wife? In reference to (Redacted)

8 A. I don't know because when I arrived there, she was already being called as
9 ting ting, so I can't tell at what moment she started being ting ting.

10 Q. I don't mean -- sorry, Madam Witness. I don't mean started, I mean when did
11 she stop being a ting ting?

12 A. For that question I request you to let me think a bit about that.

13 Q. Okay, we can come back to it later.

14 Same question with (Redacted) Do you know when she stopped being a ting ting?

15 A. I cannot remember the time.

16 Q. What were the normal duties of a ting ting?

17 A. The duties consist of washing clothes for children and sometimes they also have
18 to fetch water. They also carry bags in which children's clothes have been put.

19 Q. Whose children did (Redacted) watch after?

20 A. I don't know because I didn't see them keeping anyone's child or looking after
21 anyone's child.

22 Q. What would you say their normal duties were when you first arrived?

23 A. It was cutting grass, fetching water and collecting firewood.

24 Q. When you first arrived, who used to cook the food?

25 A. When I first arrived, it was (Redacted) and (Redacted) who used to prepare food.

1 Q. Is preparing food a important job in the group?

2 A. Yes, cooking was very important.

3 Q. Was it assigned to one person or to many people?

4 A. The task of cooking was assigned to people who already taken -- spent a long
5 time at the place like (Redacted) and it is these kind of people to whom they
6 assigned the task of cooking.

7 Q. Were you ever given the assignment of cooking?

8 A. When I had just been abducted and when I had just arrived I wasn't assigned
9 the task of cooking.

10 Q. Did one have to -- did Dominic have to trust somebody in order for them to
11 prepare his food?

12 A. Can you please repeat your question?

13 Q. Yes, I'll rephrase it. Was -- would anyone be allowed to cook food for
14 Dominic?

15 A. No. It will just be someone who has already stayed for a long time and who
16 can cook very fast and who can cook nice food.

17 Q. What would be a normal meal that would be prepared?

18 A. There were different types of meals. What I know is beans and also some
19 vegetables and sometimes meat.

20 Q. Would you ever -- or would posho or millet ever be served?

21 A. Yes, that too would be prepared.

22 Q. From your experience would posho be made every day or almost every day or
23 just once a week?

24 A. Posho wasn't prepared every day.

25 Q. Madam Witness, is it -- in your experience is it easy to make posho?

1 A. It is easy.

2 Q. Would a young girl of ting ting age be able to regularly make posho?

3 A. No, she wouldn't. If it is a big quantity of posho, she wouldn't be able to do
4 that.

5 Q. Now, as a general question, when you were in the group, when -- were orders
6 generally followed or were they always followed?

7 A. It was followed.

8 Q. What would happen if somebody disobeyed an order?

9 A. The person would be reproached.

10 Q. So is it fair to say there would -- there might be -- there would be punishment?

11 A. The kind of punishment would be, for example, removing the gun away from
12 him or her and that person would remain as a kind of prisoner without a gun.

13 Q. During your entire time during the group, did this ever happen to Mr Ongwen?

14 A. I cannot remember that.

15 Q. Madam Witness, do you know who Joseph Kony is?

16 A. I know him.

17 Q. From your experience and your time in the bush, what do you think would
18 happen if somebody disobeyed an order from Joseph Kony?

19 A. Someone who disobeys Joseph Kony's order, at times Joseph Kony would
20 actually caution him or her, but if they -- if the offence was a big one, then he
21 wouldn't -- Joseph Kony could even kill that person.

22 Q. I'm really sorry, Madam Witness, my headset went out a little bit. Could you
23 please repeat that last sentence.

24 A. Can you also repeat your question?

25 Q. Yes, I can. Sorry about that, Madam Witness. If somebody disobeyed an

1 order from Joseph Kony, what would happen to them from your experience?

2 A. What I used to hear when I was there someone who disobeys Kony's orders,
3 sometimes the person would be cautioned by Kony and sometimes the person may
4 even be killed.

5 Q. Thank you very much. Sorry for having you repeat that.

6 Madam Witness, from your time in the bush do you think Dominic was close to
7 Joseph Kony?

8 A. The way I think, I think they were close enough.

9 Q. Could I have you explain please what "close enough" means? Did they see
10 each other all the time, did they talk all the time or was it -- how would you explain
11 "close enough"?

12 A. When I say they were close, I can give an example. When we were in Garamba
13 we were at home and Kony and Dominic Ongwen used to eat together. Ongwen
14 would go and eat with Kony at Kony's home. The food would have been prepared
15 at Dominic Ongwen's home, but then it's carried and they go and eat together at
16 Kony's home.

17 Q. Thank you. Now, Madam Witness, if -- what would happen to Dominic, from
18 your experience, if he disobeyed Joseph Kony?

19 A. I cannot really know.

20 Q. Do you know if there were any incidents of Dominic refusing to follow an order
21 of Joseph Kony?

22 A. No, I don't know. I can't recall.

23 Q. Now, I want to take you back again, and I'm sorry, for when you were first
24 abducted. Now, yesterday you were discussing in court about what you had heard
25 about being abducted -- about what you had heard about people who were abducted.

1 And I refer the Court to page 23 of yesterday's transcripts.

2 Who was it that told you what would happen to people that were abducted and that
3 tried to escape?

4 A. Can you please repeat that question?

5 Q. Yes. When you were first abducted, when you were very first abducted, who
6 before had told you about what happened to people that tried to escape?

7 A. It was my brother who had been captured before. It is him who had escaped
8 and came back home and told me that.

9 Q. So when you first arrived, did anybody -- any of your abductees tell you what
10 would happen, or did you just go off of what your stepbrother had said?

11 A. I would like to -- I would like to think over this question first.

12 Q. Madam Witness, how is it that you came about to be in Dominic Ongwen's
13 group after being abducted?

14 A. Please, can you repeat your question?

15 Q. I'll rephrase it, Madam Witness. Who decided that you were going to be in
16 Dominic Ongwen's group?

17 A. When I was abducted, I was sent directly to him. It is him who decided that I'd
18 be sent to him.

19 Q. Was there a parade of women in which commanders could choose who they
20 wanted?

21 A. No, there was no parade. I was the only abducted girl who was in the group.

22 Q. So the group did not take you to anybody to be put in a line with a bunch of
23 women; is that correct?

24 A. That one I really don't know.

25 Q. Have you ever seen it before where women were lined up and men chose

1 women?

2 A. No, I didn't see, but one day some women were brought and they were paraded
3 under a tree.

4 Q. Now, when you arrived, was there any special ceremony that you had to go in
5 or was there any special ceremony performed on you?

6 A. Yes, it was done.

7 Q. I'm going to step back one question. I do apologise, Madam Witness. Now,
8 you said that the ladies were paraded around under a -- and put under a tree. What
9 happened after that?

10 A. The women being paraded Commander Ongwen was there with his soldiers.
11 Now, I don't know what happened next.

12 Q. Thank you, Madam Witness.

13 Now -- and I'm going to -- for the Court, I will be going to page -- I'll be going to page
14 40, approximately line 22 to page 41, line 5. Just for the reference.

15 Madam Witness, yesterday you talked about gardens. Sorry. Now you said that in
16 Lira Palwor -- now pardon if my pronunciation is incorrect. Now, you said that
17 these UPDF soldiers were protecting gardens. What do you mean by "gardens"?

18 A. By gardens I mean an area where something has been cultivated, where
19 something has been cultivated.

20 Q. How big were these gardens?

21 A. I cannot remember the size, how big they were, because I myself didn't go there.

22 Q. Did you ever hear how many gardens were being guarded?

23 A. No, I never heard anything.

24 Q. Did you ever hear what was being grown or being cultivated in the garden?

25 A. No, I did not.

1 Q. Did you ever hear whose gardens -- who owned these gardens or who was
2 cultivating these gardens?

3 A. No, I did not because I wasn't there.

4 Q. Now, you also talked about -- and again my pronunciation is going to be
5 terrible, I'm not even --

6 SINGLE JUDGE TARFUSSER: (Microphone not activated)

7 MR OBHOF: I am from the Midwest.

8 Q. Adilang. Adilang, do you remember talking about that place yesterday,
9 Madam Witness?

10 A. Yes, I do recall.

11 Q. And you said that there was an engagement there?

12 A. Yes, that's what I stated.

13 Q. Were you present for that?

14 A. No, I wasn't there, but I heard this from the soldiers who were present at the
15 engagement.

16 Q. Now, Madam Witness, have you ever been to -- during your time with the
17 group, have you ever -- had you ever been to an IDP camp in Uganda?

18 A. No. Whenever we went to IDP camps, we would always remain on the
19 outskirts in the bushes and it was the soldiers who went in to collect food. We
20 remained on the outskirts.

21 Q. Now, was this -- why did you remain on the outskirts?

22 A. I do not know, but those were the instructions.

23 Q. Did anyone else remain with you on the outskirts?

24 A. When soldiers were being sent, some soldiers were sent and others would stay
25 behind.

1 Q. Where would -- during these -- the engagements that you talked about, where
2 would (Redacted) be?

3 A. Well, (Redacted) myself, Dominic, we always stayed together with some of the
4 soldiers that stayed behind.

5 Q. What about the ting tings, where would they be during these engagements?

6 A. They would always be together with us.

7 Q. Just to be clear, Madam Witness, so the ting tings, (Redacted) so we go (Redacted)
8 (Redacted) they would always be away from the engagement with you; is that
9 correct?

10 A. Yes, that's correct.

11 Q. And does the same hold true for (Redacted) after she joined the group?

12 A. No, (Redacted) would not go to these engagements either.

13 Q. Now, I just want to make sure one last thing. You said Dominic would stay
14 back too; is that correct?

15 A. Yes, that's correct.

16 Q. Thank you, Madam Witness. Now, I'm hoping maybe you might have
17 remembered, just let us know. We -- I asked a little bit earlier about what your
18 stepbrother had cautioned you about. Do you remember me asking that question
19 and you asking for a little more time?

20 A. Once my brother escaped, when he escaped, he'd lost a lot of weight. He
21 wasn't thinking clearly. And once he was taken to the rehabilitation centre he
22 started revealing that it's very difficult to stay in the bush. If you try to escape,
23 you're beaten badly and sometimes you're killed. If you're asked whether you
24 wanted to go home and you said yes, you would be beaten.

25 Q. When did he tell you this, Madam Witness?

1 A. He told me a long time ago, before I was abducted, and my brothers hadn't been
2 abducted either.

3 Q. Is this what you thought those first few days when you were in the bush after
4 being abducted?

5 A. When I was abducted and I was taken to the bush, during -- at the time that
6 Ongwen was asking me these questions, it was at that moment that I started recalling
7 the warnings that my brother had given me.

8 Q. But no one else gave you these warnings at that time; did they, Madam
9 Witness?

10 A. No. I do not recall. What I do recall is that we were advised not to practice
11 witchcraft, not to be promiscuous.

12 Q. Now, Madam Witness, I'm going to -- I will turn to your GUSCO file.
13 And for the record it's UGA-OTP-0233-0730. I will be referring to the page numbers
14 down at the bottom which of course are the last four digits.

15 Now, Madam Witness, yesterday you discussed with the Prosecution about your
16 GUSCO file. Do you remember that?

17 A. Can you please repeat the question?

18 Q. Yes. Sorry about that, Madam Witness. Do you remember speaking briefly
19 with the Prosecution yesterday about your GUSCO file?

20 A. Yes, I believe I -- I recall that.

21 Q. Now, how long were you at GUSCO?

22 A. I was in GUSCO for three months.

23 Q. And what was your daily routine when you were at GUSCO for those three
24 months?

25 A. During the three months at GUSCO my daily routine would be to wake up,

1 have a bath, if it was my turn to clean the house, I would do that, and would wait for
2 breakfast.

3 Q. Did you have people there helping you readjust to come back into society?

4 A. Yes, we did.

5 Q. Do you know if they were medical professionals?

6 A. Can you please repeat the question?

7 Q. Actually, I'll ask you a different question. Do you know who (Redacted) is?

8 A. (Redacted), no. No, not at GUSCO.

9 Q. Maybe if I say the full name it might ring a bell. (Redacted), spelled
10 (Redacted)

11 A. Yes, I know him. No, I hadn't recognized the name initially.

12 Q. Do you also know somebody named -- or remember somebody named (Redacted)
13 (Redacted)

14 A. Yes, I do recall.

15 Q. Would they help you in your day-to-day activities?

16 A. I remember that (Redacted) was the one who was with us most of the time.

17 Q. Now, you referred -- when the Prosecution asked you about the discrepancies in
18 your GUSCO file yesterday, you stated that "I told them" -- sorry, page 72 of
19 yesterday's transcript starting at line 23. Sorry, we'll go 22: "Did you tell them
20 truthfully?"

21 Line 23, answer: "I told them, but I was also exhausted and we were asked on that
22 same day, but I was exhausted at the time and there were certain things that I forgot.
23 I did not tell them properly and I believe one of them was the year."

24 Is that correct, Madam Witness, that you made a mistake on the year?

25 A. Yes, that's correct.

1 Q. Could you please explain to the Court in your own words how these mistakes
2 came about in your GUSCO file?

3 A. My explanation is this: The differences, the discrepancies between the year, on
4 the day that we were taken to GUSCO we arrived at night. Very early the next
5 morning we were called into the offices and we -- they started asking us. I was
6 exhausted, hadn't had enough rest, hence the discrepancies between the years.

7 Q. Thank you, Madam Witness. Do you happen to remember the date that you
8 first went to GUSCO?

9 A. No, I do not recall the exact date.

10 Q. Do you remember the month that you arrived in GUSCO?

11 A. I do not recall the month, but I do recall the year.

12 Q. Now, you said you came in and the next day they had you fill out these forms,
13 they asked you a bunch of questions; is that correct?

14 A. I wasn't -- I did not complete any form, but they asked me the questions and
15 they were writing them down.

16 Q. Now, I do have your GUSCO file, like I said, in front of me and it has a
17 reception date of (Redacted) 2010. Does that sound about right? I mean, I'm not -- I
18 know you said you had problems remembering, but does that sound about correct?

19 A. There's a discrepancy on that form as I explained earlier, and it's my -- it's -- I'm
20 to blame for that discrepancy.

21 Q. Oh, no. It's a different -- this isn't about a discrepancy, it's about the date of
22 your arrival to GUSCO, not about the date of your abduction. The date of reception
23 it states that you arrived on (Redacted) 2010 after you -- after you got away from -- and
24 came back to Gulu. Does that -- does that date, (Redacted) 2010, that time, right before
25 the rainy season, sound about right?

1 A. Yes, I do -- as I explained earlier, I do not recall the exact date, but the year is
2 correct.

3 Q. Now, in your file also it has some written notes and they're dated and signed.
4 Some of them are dated from a month later, from (Redacted). I have here on page
5 0733, (Redacted) 2010; 0735, (Redacted) 2010; we have 0737 it's (Redacted) 2010;
6 and again on 0746, (Redacted). Madam Witness, we have all these dates which are
7 about a month where Mr (Redacted)

8 MS ADEBOYEJO: May I just interrupt my learned friend. I just wanted to check if
9 the witness has these forms you're referring to in front of her so that she can follow
10 you as you're referring to both the dates and the time.

11 MS (Redacted): (Via video link) No, she -- sorry, this is Kampala here.

12 THE ACHOLI INTERPRETER: This is a message from Kampala.

13 SINGLE JUDGE TARFUSSER: Yes, please.

14 MS (Redacted): (Via video link) (Overlapping speakers)

15 THE ACHOLI INTERPRETER: No, the witness does not have the form.

16 MS (Redacted): (Via video link) Hello, can you hear me?

17 SINGLE JUDGE TARFUSSER: Yes, we can hear you from Kampala.

18 MS (Redacted): (Via video link) Yes, she didn't have it. I have some documents here.
19 If you tell me again the number, I can show it to her.

20 SINGLE JUDGE TARFUSSER: Yes, please. Defence counsel, if you give the
21 numbers.

22 MR OBHOF: Just the numbers are 0 -- on the first page would be 0233-0730.

23 MS (Redacted): (Via video link) Okay. Yes, I'm showing it to her.

24 MR OBHOF: Okay. On the third page, which will say -- on the bottom will say
25 0732, it has the date of reception as (Redacted) 2010. It's approximately 35 to

1 40 percent the way down the page on the left-hand side.

2 MS (Redacted): (Via video link) (Redacted)

3 MR OBHOF: It says (Redacted) 2010.

4 MS (Redacted): (Via video link) Sorry, the third page?

5 MR OBHOF: Correct. It's page -- at the bottom of the page it will say 0233 --

6 MS (Redacted): (Via video link) Oh, yes.

7 MR OBHOF: -- 0732. I'll be referring to those last four numbers just to make it

8 easier. So you can see there where it says date of reception (Redacted) 2010.

9 And then if you turn the page to 0733, you have another date from (Redacted) of

10 the same year.

11 MS (Redacted): (Via video link) We're not receiving the Acholi translation.

12 Okay. So the next date you want to show is?

13 MR OBHOF: On the next page where it says (Redacted) on the top of the page on

14 0733. And then on -- again on page 0735 you have (Redacted). On 0737 you have

15 (Redacted). And then you go further on to 0746, I will give you a little time to find

16 that one since it's a few pages back, that also has (Redacted) 2010. And these are

17 the questionnaires that were filled out that she would have answered. It has the date

18 of assessment on (Redacted)

19 My question for Madam Witness is that these are done about a month after her arrival

20 in GUSCO, not a couple of days. Could she explain -- and they're on different days,

21 they're not done all on the same day. It appears that she did have time to relax and

22 think about these answers.

23 Could she explain now why there is a discrepancy in a lot of her answers in her

24 GUSCO file and her statement given to the Prosecution now seeing that they weren't

25 all asked in one day but on a series of days over months, which also on 0750 you have

1 (Redacted). So this is a continual people working with them and giving -- and
2 working with her. So could she explain why her answers in the GUSCO file are
3 vastly different from her statement given five years later?

4 THE WITNESS: (Interpretation) Yes. My explanation is this: It can be different
5 because years have gone by. I cannot recall everything properly.

6 MR OBHOF:

7 Q. Turning to the same document, page 0747, number 5 it's about halfway down
8 the page, the English translation says: "Have you ever been physically assaulted or
9 witnessed somebody being physically assaulted?" And the answer is "Ku" which
10 means "No."

11 Number 6: "Have you ever been assaulted with a weapon or witnessed somebody
12 being assaulted with a weapon?" Answer: "No."

13 Number 7: "Have you ever experienced a sexual assault or witnessed a sexual
14 assault?" Answer: "No."

15 Number 11: "Have you ever witnessed a sudden violent death?" Answer: "No."

16 Then on the very next page, number 15: "Have you ever been forced to beat, injure
17 or mutilate somebody?" Answer: "No."

18 Oh, sorry, wrong -- I had the wrong page, sorry -- no, no, I said have you ever been
19 forced -- I do apologise to the Court.

20 Madam Witness, these are big instances in your life and these were asked a month
21 after getting back to GUSCO. These aren't minor issues. Can you explain why so
22 many of them were answered "no," Madam Witness?

23 A. At the time in 2010 when I was being questioned it had -- six years had gone by
24 and I could not actually answer everything correctly. Unfortunately, there
25 were -- there were some places where there were discrepancies because of the lapse of

1 time.

2 Q. So, Madam Witness, you are saying now in 2015 that your memory is better
3 than it was in (Redacted) 2010?

4 A. Yes, my understanding is that I do recall things properly now and I'm actually
5 giving factual statements at the moment.

6 MR OBHOF: Your Honour, I notice the time. It's 10.27. If you want to take a
7 short recess for the -- this would be a good break time for me.

8 SINGLE JUDGE TARFUSSER: If for you it's a good break time, it is a good break
9 time for us.

10 Therefore, Madam Witness, we interrupt for a half an hour so you can rest and do
11 what you want to do for half an hour and we come back at 11 o'clock, okay?

12 THE WITNESS: (Interpretation) Yes, that's okay.

13 SINGLE JUDGE TARFUSSER: Okay, thank you. Thank you very much. The
14 hearing is adjourned until 11.

15 (Recess taken at 10.28 a.m.)

16 *(Upon resuming in closed session at 11.01 a.m.) Reclassified as open session

17 SINGLE JUDGE TARFUSSER: Okay, here we are again at 11. We resume the
18 hearing adjourned half an hour ago and we resume it with the continuing of the
19 witness questioning by the Defence.

20 Are you okay, Mrs Witness?

21 THE WITNESS: (Interpretation) I'm fine.

22 SINGLE JUDGE TARFUSSER: Okay. Then I give the floor to the Defence.

23 MR OBHOF: Thank you, your Honour.

24 Q. Madam Witness, I hope you had a good break. Earlier today I asked you a
25 question dealing with (Redacted). I had asked you -- and this goes back to today's

1 transcript on page 12. I asked you: "When did (Redacted) stop being a ting ting and
2 start being one of Dominic's wives?" Do you remember that now? Because you
3 asked me to come back to it a little bit later.

4 MS ADEBOYEJO: Your Honour, if I may just interrupt. We're not -- we're not
5 seeing the witness.

6 THE WITNESS: (Interpretation) I remember.

7 SINGLE JUDGE TARFUSSER: Okay.

8 MR OBHOF:

9 Q. Could you tell me when she stopped being a ting ting and started being a wife,
10 Madam Witness?

11 THE ACHOLI INTERPRETER: It was kind of fading. I didn't get the witness. She
12 was fading off.

13 MR OBHOF:

14 Q. Madam Witness, the interpreter did not hear you. Could you please repeat
15 your answer.

16 A. I don't know at what moment she stopped being a ting ting.

17 Q. Do you remember if it was six months, one year after you arrived?

18 A. I cannot really remember.

19 Q. That's okay. We'll move on. Madam Witness, do you know who Otti Vincent
20 was?

21 A. Yes, I know him.

22 Q. Do you -- would you -- how would you characterise Otti Vincent's relationship
23 with Joseph Kony?

24 A. I -- I don't know the relationship between them, the two.

25 Q. Now, you do -- you said you do know at least who he is. Could you explain to

1 the Court who Otti Vincent was?

2 THE ACHOLI INTERPRETER: The witness requests you to reformulate your
3 question.

4 MR OBHOF:

5 Q. Who was Otti Vincent?

6 A. Otti Vincent to my knowledge was actually a higher ranking person.

7 Q. A higher ranking person to whom, Madam Witness?

8 A. I cannot say who was under him or which person he was above.

9 Q. Was he higher in rank or lower in rank than Dominic?

10 A. I cannot really distinguish that one.

11 Q. Do you know what happened to Otti Vincent, Madam Witness?

12 A. I know a few things, but not all.

13 Q. Please tell us what you know, Madam Witness.

14 A. What -- what I know is that Otti was shot and the people who shot him were
15 soldiers, were Kony's soldiers.

16 Q. Did you ever hear or find out why Kony's soldiers sought Otti Vincent, Madam
17 Witness?

18 A. No, I didn't try to find out. What I understood, what we were told is that
19 when you hear a gun fired, don't -- just continue doing what you are doing, continue
20 with your normal work.

21 MS ADEBOYEJO: Your Honour, may I ask for just a short break. We're having a
22 problem, a technical problem, on our -- with our Transcend.

23 SINGLE JUDGE TARFUSSER: Yes, please. The court officer is coming.

24 Madam Witness, we have just a small technical problem, but we will continue in a
25 minute.

1 (Pause in proceedings)

2 SINGLE JUDGE TARFUSSER: The problem seems to be solved.

3 MS ADEBOYEJO: Yes, your Honour.

4 SINGLE JUDGE TARFUSSER: Okay.

5 MS ADEBOYEJO: I was just going to say that. Thank you.

6 SINGLE JUDGE TARFUSSER: Okay. Madam Witness, we solved the problem and
7 now we continue with the Defence questions.

8 Please, the floor goes to the Defence. Sorry for this interruption.

9 MR OBHOF: Thank you, your Honour. Technical errors, we have them all.

10 Q. Madam Witness, just a few more questions about Otti Vincent. Did you ever
11 hear who Dominic received orders from?

12 A. No, I didn't -- I have -- I had no knowledge about that.

13 Q. Now, Madam Witness, you had stated earlier today that you were always with
14 Dominic, that when people were at their engagements, you, (Redacted) and
15 then eventually (Redacted) would be in the back, not at the engagements but in the
16 back with him, and you stated that you had always been with him. During those
17 five to six years that you were with him, you never heard anyone give Dominic orders
18 to do anything?

19 A. I don't remember anything about that.

20 Q. Okay. Madam Witness, do you know a place called Lukodi?

21 A. Yes, I hear about Lukodi, but I don't know where the place -- that place is.

22 Q. Did you ever hear or see Dominic -- or hear Dominic or see Dominic give orders
23 for anybody to go and attack an IDP camp in Lukodi?

24 A. At that time I had not yet been abducted, so I have no idea.

25 Q. Thank you, Madam Witness. Now, I do apologise for the next few questions.

1 Now we're going to talk about your sexual experiences with -- what you have talked
2 about before about your -- in your statement about your sexual experiences with
3 Mr Ongwen.

4 Was it normal for the wives of Mr Ongwen to talk about what went on in the
5 bedroom?

6 A. Can you repeat the question, please?

7 Q. Yes, Madam Witness. What you had said is that Dominic had -- while you
8 were with the group there were several wives, a few of them specifically were -- that
9 you have named were (Redacted) eventually the ting tings (Redacted) nickname, or
10 (Redacted) as you call her, became wives and (Redacted). Did you ladies ever discuss
11 what had happened when you were having sexual intercourse with Dominic?

12 A. I don't -- I don't recall whether we used to talk about that or not.

13 Q. Was there any specific rotation between who would have sexual intercourse
14 with Mr Ongwen?

15 A. I don't think there was any way of doing that. It was him who called someone
16 he wished to sleep with that day.

17 Q. To the best of your knowledge, did any other of Mr Ongwen's wives discuss
18 having anal intercourse with him?

19 A. I have forgotten about that. I don't remember.

20 Q. One final question about this topic, Madam Witness, and then we'll move on.
21 You did discuss in your statement and yesterday about anal intercourse with
22 Mr Ongwen. Was it just this one time or did it happen on multiple occasions?

23 A. This happened only the first time he slept with me when I was abducted and I
24 came with them, and the first time I had sex with him that's when we had -- he did
25 that.

1 Q. Thank you, Madam Witness. Our final issue today we'd like to discuss with
2 you is when you -- when you came back home and how you came back home. You
3 spoke a little bit about it yesterday and my learned colleagues stopped you during
4 your discussion. Could you please tell us and describe to us how you ended up
5 leaving the group and getting back home to Uganda, please.

6 A. Yes, it was this way: There was a heavy fight and after this fight people were
7 scattered in disarray. And the second day there was another battle at the bank of a
8 river where we were. Now this river is near a road, a big highway, and along this
9 highway there were government troops. I had children. (Redacted) also had
10 children. (Redacted) had two children. Myself I had one child. (Redacted) also had a
11 child called (Redacted) on her back.

12 Now, when the children were crying here, we will be encouraged to be courageous.
13 They were telling us, "We are almost reaching home where there is food."

14 After having drunk some water, we tried to cross the road. We reached in the
15 middle of the road and our soldiers were in front and for us we were behind. Then
16 there were gunfires in front so we started coming backwards where we had
17 taken -- drank some water. We went backwards. After that, the soldiers jumped
18 off.

19 When we again came to the road, Ongwen was behind us and we crossed the river.
20 Ongwen actually branched off into the bush and we remained on the road. He said,
21 (Redacted) mother of (Redacted) "branch off." And (Redacted) also branched off. I
22 also followed her. (Redacted) also followed us. Another girl called (Redacted) we all
23 branched off and we went to a location where we were shot -- shot at.

24 As we were moving, soldiers were firing at us, but they didn't follow us. They
25 followed those who went straight ahead. So for us we followed that road and we

1 reached in a homestead where there were no people.

2 Q. Thank you, Madam Witness. You said that Dominic told you and the other
3 three ladies to branch off; is that correct?

4 A. She did -- he didn't tell me, but he actually addressed himself to (Redacted) who
5 is also known as (Redacted), the mother of (Redacted).

6 Q. Why didn't you follow the group?

7 A. I didn't follow the group because I had a child who was heavy and the child
8 was on my back. We had -- I also had bed sheets which I was carrying with other
9 clothes, plus the child. It was -- things were heavy and I was tired of running.
10 That's why I branched off and didn't go with the others.

11 Q. Now, why do you think -- in your opinion, why would Dominic tell (Redacted)
12 you and the other ladies to branch off and split apart from the group?

13 A. At that time I didn't think about it.

14 Q. Did soldiers start following you?

15 A. They didn't follow us. They remained -- they remained at the point where we
16 had branched off, but they didn't follow us. These are -- these are UPDF soldiers.

17 Q. Who were they chasing? Sorry, Madam Witness. I meant who were -- sorry,
18 who were the UPDF soldiers chasing? Sorry about the interruption, Madam
19 Witness.

20 A. I think they were chasing Mr Ongwen because in the first firing where we were
21 shot at, Olak was shot and the UPDF soldiers called -- called -- sent messages to other
22 UPDF soldiers to tell them that Mr Ongwen was moving in that direction.

23 Q. Now in the main group -- in the main group that you, (Redacted) and the other
24 ladies branched off from, did any other wives stay with the -- any other wives or ting
25 tings stay with the main group?

1 MS ADEBOYEJO: Your Honour, if I may interrupt, is the witness okay? I just want
2 to be sure.

3 MR OBHOF: Yeah, because I saw her with a handkerchief too.

4 SINGLE JUDGE TARFUSSER: Madam Witness, are you okay? Are you fine?

5 THE WITNESS: (Interpretation) I am okay, but after some time I would wish to
6 take a small pause.

7 SINGLE JUDGE TARFUSSER: Yes, you will. I don't think it's very, very long.

8 Maybe 5, 10 minutes and then you are relieved, okay?

9 THE WITNESS: (Interpretation) It's okay, but otherwise I just wanted to go to the
10 bathroom.

11 SINGLE JUDGE TARFUSSER: So, okay, then go to the bathroom and we will wait
12 for you and then we will finish in about 10 minutes, okay? When you come back.

13 So just go to the bathroom. We wait patiently.

14 THE WITNESS: (Interpretation) Thank you.

15 (The witness stands down)

16 SINGLE JUDGE TARFUSSER: (Microphone not activated)

17 MS ADEBOYEJO: Very few, your Honour, but yes, I do.

18 SINGLE JUDGE TARFUSSER: (Microphone not activated)

19 MS ADEBOYEJO: Well, about five questions, thereabout, so it shouldn't take too
20 long.

21 SINGLE JUDGE TARFUSSER: (Microphone not activated)

22 (The witness enters the video-link room)

23 SINGLE JUDGE TARFUSSER: So, Madam Witness, you're back better? You feel
24 better now?

25 THE WITNESS: (Interpretation) Yes, I feel better.

1 SINGLE JUDGE TARFUSSER: Okay. Now I can tell you that we have about 5 to
2 10 minutes questioning by the Defence, then the Prosecutor has another hopefully
3 five questions and then we see if the Defence has something else, but it should finish
4 in about altogether not more than half an hour, then you can go home, okay?

5 THE WITNESS: (Interpretation) Thank you.

6 SINGLE JUDGE TARFUSSER: So I give the floor back to the Defence.

7 MR OBHOF: Thank you, your Honour.

8 Q. Hello again, Madam Witness. Now, before we took our short pause, I asked
9 whether or not any other wives or ting tings that were in -- stayed in the main group
10 that were being fired at by the UPDF soldiers, do you remember if any did?

11 A. Can you please repeat the question? I didn't understand it very well.

12 Q. That's no problem, sure. Did any other wives of Dominic Ongwen or any of
13 the ting tings remain with the main group that was being chased at by the UPDF?

14 A. Some of the women ran -- ran off with the big group that went ahead, some
15 wives and ting tings.

16 Q. So if I -- if I understand you correctly, please correct me if I'm wrong, that they
17 were in front of the group that was being fired at, they were not in the group being
18 fired at; is that correct, Madam Witness?

19 A. Let me explain. The group was together, but at the time that we started fleeing,
20 when we branched off, some of the women were in front, some of the women were
21 behind. When we branched off, they continued running ahead.

22 Q. Thank you for the clarification, Madam Witness.

23 A. Thank you.

24 Q. And --

25 SINGLE JUDGE TARFUSSER: Just for further clarification. So they ran in different

1 directions, one to one side and you to the other side?

2 THE WITNESS: (Interpretation) At the beginning we were all running together.

3 The soldiers were at the sides, the people that were with us at the same -- on the same

4 line, some of us branched off and some of them ran ahead.

5 SINGLE JUDGE TARFUSSER: Okay. Thank you.

6 MR OBHOF:

7 Q. Would you have branched off, Madam Witness, if not for Dominic telling you to
8 branch off?

9 A. Can you please repeat the question?

10 Q. Did you only -- the reason -- what I'm looking for, Madam Witness, is did you
11 branch off because Dominic told you to or because Dominic told (Redacted) to or did
12 you branch off on your own accord?

13 A. I branched on my own.

14 Q. And now that you and the other ladies are by yourself and you've branched off,
15 where did you go from there?

16 A. When we branch we were in the bush, but it wasn't -- the distance from the road
17 wasn't great, the distance from the road where they started firing at us wasn't very far,
18 so we started walking towards the road. We did not have that much strength so we
19 branched off at some civilian homesteads.

20 Q. And where did you go -- sorry, I'm speaking too fast. Where did you go after
21 that? You arrived at these civilian homesteads that appeared to be vacant. And
22 how long did you stay there and where did you go after that?

23 A. When we got to these empty civilian homesteads, we started looking for cassava.
24 There was some fields, but the plants had already been cultivated so we started
25 looking for what was left over. We found whatever was left over. We uprooted it

1 and started eating it. We stayed there and then the next morning we got up and left.

2 Q. When you left, where did you move to after that, Madam Witness?

3 A. When we left this homestead, we followed the road. It was a long road but a
4 narrow road. We walked for a short distance and then we branched off into the
5 bushes because there were homesteads in that area, but they were all empty. We
6 were moving among the houses. We were looking for water.

7 When we got to a civilian field, we sat there. It was raining. It was hazy and we
8 did not know which direction to go. We weren't aware of the direction to go. We
9 wanted the sun to come out for it to become clear in order for us to recognize which
10 direction to head towards.

11 Q. And after you left there, where did you go after that?

12 A. We -- we then walked. We arrived at a riverbank. It's a big river. We had a
13 bath. We left the riverbank and we sat -- we sat at an empty -- one of the empty
14 homesteads and the house was falling apart. We -- that's where we spent the night.

15 Q. During your journey, did you ever run into any other people?

16 A. The next morning as we were walking towards the road, it was a big road, but it
17 was mostly -- there were no human prints, it was mostly animals that had followed
18 that path. We followed that path. At the beginning we had -- we had cooked, we
19 had made some pumpkin leaves. We also roasted some maize and this is what we
20 had with us. We -- we continued following that road. We told (Redacted) because
21 (Redacted) knew the -- could speak the language in the area. We stayed behind.
22 When we were behind, we had uniform shirts on, but we did not have trousers. We
23 only had the shirts on to protect our bodies from the -- from the grass and the thorns.
24 We took off the uniforms and threw them away. We took off the gumboots and
25 threw them away. We were of the opinion that if we continued moving with these

1 army clothes, if the UPDF are coming towards us, the UPDF would start firing at us
2 on the assumption that we were soldiers as well.

3 As we were walking, (Redacted) saw two people in front of us. (Redacted) informed
4 (Redacted) that, (Redacted) look." (Redacted) told (Redacted) to keep on walking
5 ahead. When these people came, they stopped. They were on bicycles. One of
6 them was sitting at the back of the bike.

7 When the civilians stopped, they were also shaking. They asked us, "What's going
8 on with you people?" (Redacted) told them that we have been separated from an
9 attack, we want to go back home. The civilians had made some sorghum, they
10 cooked some sorghum, so they gave us some of it. They tried to give us some of the
11 sorghum and we told them we did not want any.

12 When the civilians found us, they told us to branch off and go and sit in the bushes.
13 We branched off and sat in the bushes but not a long distance from the main road.

14 The civilian instructed us to branch off and they told us, "Wait there until we call you
15 back. We are going to the field. There is one of our colleagues who is in the field,
16 one of our friends."

17 It didn't take them a very long time and they came back. Once they got to the main
18 road, they started calling us. When they called us, we got up and went to them, but
19 the food that we had cooked, the pumpkin leaves, we left them where we -- we left
20 the pumpkin leaves where we had been sitting.

21 One of the -- one of the men that had been called had a gun. The man started asking
22 us, "What's up with you?" And we explained, we said we had just been split up
23 from another group. The man holding the gun told us that the two boys that were
24 on the bike should keep on walking with us, should continue walking with us. He
25 was going back to the chief's home. He took the boy's bike and he started riding that

1 bike. We continued walking with the boys.

2 Q. Did those boys eventually take you to the UPDF?

3 A. We continued walking. We were barefooted and our feet were all sore. We

4 got to some point and we stopped. They branched off, they branched off into the

5 bushes and picked some passion fruit. It's from a tree. We ate the passion fruit.

6 We continued walking. Our feet were very sore so we got to a place and we stopped

7 and sat down. We did not sit there for a very long time and saw eight soldiers on

8 bikes. I'm referring to them as soldiers because they all had guns. They had on

9 shorts. One of them had a bag on his back.

10 As soon as they got to the point where we were they stopped their bikes. They sent

11 some of their soldiers -- some of the -- some of the soldiers went ahead, some of the

12 soldiers went behind, some of the soldiers went to the sides.

13 Once they got there, they started searching us. They told us to take the kids off our

14 backs. We took the children off the backs, and they asked us to take everything that

15 we had in the bags out. They asked us if we had guns. We told them, "No, we do

16 not have guns." They asked us if we had phones. We told them we did not have

17 phones.

18 Whatever was in the back -- in the back -- in the cloth that we had in the bags that we

19 had there were sheets, baby clothes, soap and other little things. They told us to put

20 these things back in the bag and they carried us -- they carried us on their bikes.

21 They told us to sit on the bikes.

22 There were four of us: Myself, (Redacted). The kids who

23 were with us, there was, (Redacted) there was (Redacted) (phon).

24 There was one of the children known as (Redacted)

25 MR GUMPERT: Your Honour, may I interrupt for a moment?

1 SINGLE JUDGE TARFUSSER: Please, Prosecutor.

2 MR GUMPERT: Your Honour, we've covered about three or four paragraphs of the
3 statement in the last 15 minutes. Two observations: One, I would invite your
4 Honour to require the Defence to specify the relevance of this material. And
5 secondly, the time estimates plainly at this rate which your Honour gave in all good
6 faith simply aren't going to be abided by.

7 My respectful submission would be, whilst this may be interesting and is a full
8 completion of the witness's story, having it rehearsed here rather than in the
9 statement is of no value to the Court.

10 SINGLE JUDGE TARFUSSER: Defence?

11 MR OBHOF: Could we cut off from Kampala for a minute so she can't hear why I'm
12 asking these? Or we can approach the Bench and leave Kampala there.

13 SINGLE JUDGE TARFUSSER: Yeah, it's maybe easier, but then we don't have it on
14 the record. That's the problem.

15 THE COURT OFFICER: We could stop the link for a while.

16 SINGLE JUDGE TARFUSSER: But can I say something. I think that as long as the
17 witness explains freely, because it was not interrupted, I would not interrupt her.

18 It's not so much the questioning of the Defence which triggered this explanation, but
19 probably sort of a wanting to explain by the witness. I do not yet completely
20 understand the relevance, but I think we should just --

21 MR OBHOF: (Microphone not activated)

22 SINGLE JUDGE TARFUSSER: Pardon?

23 MR OBHOF: (Microphone not activated)

24 SINGLE JUDGE TARFUSSER: Yes, we should just go on and --

25 MR OBHOF: (Microphone not activated)

1 SINGLE JUDGE TARFUSSER: It's in any case the witness from her perspective
2 saying these things, so I would just -- if it would be the -- if it would have been the
3 Defence continuing to ask these questions about it, I would have probably sometimes
4 asked the same thing, but I think the witness should just go on and complete the story,
5 if you want to complete it, and then we go back to the questioning. Okay?
6 So, Witness, just go ahead.

7 THE WITNESS: (Interpretation) Thank you, your Honour. I was talking about
8 the moment when the men asked us to sit on the bikes. We sat on the bikes and they
9 took us to a certain spot. At some time -- at someplace on the road they stopped.
10 They started asking us -- they told us that they were interested in us. I told them -- I
11 told them that, "We came to you to help us, but if you're -- if you have ulterior
12 motives, then that's not really good because we were seeking your help."
13 We did not stay there for that long. We jumped back on the bikes and we got to the
14 chief's home. Yeah, and this is my explanation of how we moved after the group
15 split.

16 SINGLE JUDGE TARFUSSER: Just one question from me: Who is the chief? You
17 said "to the chief's home." Who is the chief?

18 THE WITNESS: (Interpretation) My understanding is that it's the Sudanese chief.

19 SINGLE JUDGE TARFUSSER: Okay.

20 The Defence, please.

21 MR OBHOF:

22 Q. Madam Witness, you mentioned in your statement just after this about -- when
23 you were saying that they would come back and "they told us if we tried to escape
24 they would cut us and burn us alive." What was going through your mind when
25 you were there in this -- in this small place for approximately two, three, four weeks?

1 What was going through your mind?

2 MS ADEBOYEJO: Could my learned friend give us the reference?

3 MR OBHOF: I'm sorry. Yes. Where I was looking from, and I do apologise, it was
4 paragraph 124 on page 0143 of her statement.

5 THE WITNESS: (No Interpretation)

6 MR OBHOF: I didn't get a translation of what she said.

7 THE ACHOLI INTERPRETER: The witness asked for an explanation of the
8 conversation between Defence counsel and the Prosecutor.

9 SINGLE JUDGE TARFUSSER: There is no explanation. We just tried to see in
10 the -- in our papers where the Defence -- from where the Defence took this reference
11 which triggered his question to you. So it's nothing particular.

12 MR OBHOF: I'll rephrase. I'm sorry, your Honour.

13 SINGLE JUDGE TARFUSSER: Sorry. Now I give back the floor to you.

14 MR OBHOF: Thank you very much, your Honour.

15 Q. I'll re-ask the question, Madam Witness. In your statement in paragraph 124
16 about these people, it says, "They gave us food every day at this place but they didn't
17 want us to go back to Uganda. They told us if we tried to escape they would cut us
18 and burn us alive. The man in charge of looking after us was an Arab man and we
19 kept saying to him, 'We want to go back to Uganda, when are we going to go back?'"
20 What was going through your mind during this encounter when you were there?
21 And I believe you say you were there for a few weeks.

22 A. I was thinking about Uganda, I was thinking about going back to Uganda.

23 Q. Did at any time you think that you would be killed while these people were
24 guarding you?

25 A. At that time, no, I did not -- I wasn't thinking about that. My only -- my main

1 concern was going back to Uganda, going back home.

2 Q. While you were part of the group, while you were in the bush, had you ever
3 heard stories similar to this about what would happen to people if they left?

4 A. No, I do not recall.

5 MR OBHOF: Thank you, Madam Witness.

6 Your Honour, that will be all for the Defence right now.

7 SINGLE JUDGE TARFUSSER: Okay.

8 Madam Witness, now the Defence is for now finished the questioning. I know that
9 the Prosecutor has another five or four questions to put forward to you. And then
10 we will see if the Defence has some small question left. Okay?

11 So I will now give the floor --

12 THE WITNESS: (Interpretation) Yes, it's okay.

13 SINGLE JUDGE TARFUSSER: So I will now give the floor back to the Prosecutor
14 again.

15 MS ADEBOYEJO: Thank you, your Honour.

16 QUESTIONED BY MS ADEBOYEJO:

17 Q. Madam Witness, earlier today my learned friend on the other side asked you
18 questions stemming from a particular document. That document the reference
19 number is UGA-OTP-0233-0747.

20 MS ADEBOYEJO: Could the document be put in front of the witness, please.

21 MS (Redacted): (Via video link) Your Honour, I don't think I have --

22 MS ADEBOYEJO: The first page on that document is UGA-OTP-0233-0730. That's
23 the first page.

24 MS (Redacted): (Via video link) Okay. Okay. Yes, we have it.

25 MS ADEBOYEJO: Okay. I want you to turn in particular to 0747.

1 MS (Redacted): (Via video link) Yes.

2 MS ADEBOYEJO: Okay.

3 Q. Now, Witness, first of all, do you recall that my learned friend asked you about
4 a name called (Redacted)

5 A. Yes, I do recall.

6 Q. Could you tell this Court what is the gender of this person?

7 A. To my recollection -- to my recollection, he's male.

8 Q. Thank you, Madam Witness. When he came to see you, did he introduce
9 himself to you?

10 A. I do not recall very well. When he came, when I initially met him, there was --

11 THE ACHOLI INTERPRETER: Could the witness please repeat the first name?

12 The interpreter did not get the first name.

13 THE WITNESS: (No interpretation)

14 THE ACHOLI INTERPRETER: Could the witness please repeat the first name. The
15 interpreter did not get the first name.

16 MS ADEBOYEJO:

17 Q. Madam Witness, it seems you have to repeat your answer. The interpreter did
18 not get the first name, so if you could just repeat the answer you gave now. The
19 question I had put to you was whether or not this Mr (Redacted) had introduced
20 himself to you.

21 A. I do not recall. I recall the person who introduced themselves to me and it was
22 (Redacted) and this was the person who was working with me. Someone else who
23 introduced themselves to me was (Redacted) (phon).

24 Q. So prior to you answering these questions in this questionnaire, how many
25 times had you met with or seen this (Redacted)

1 A. No, I do not recall on the number of occasions that I had met (Redacted)

2 I cannot really recall that.

3 Q. Once? Twice? Three times?

4 A. I believe it was once. In my recollection, it's once.

5 Q. Now, did you tick these boxes yourself when these questions were being asked?

6 MR OBHOF: Objection, your Honour. The Prosecution knows the witness cannot

7 read.

8 SINGLE JUDGE TARFUSSER: (Microphone not activated)

9 MR OBHOF: That she couldn't have checked the boxes. She couldn't have read it.

10 She would have had to have somebody read it out to her.

11 SINGLE JUDGE TARFUSSER: But why can't she read?

12 MR OBHOF: She is illiterate.

13 SINGLE JUDGE TARFUSSER: No. She can --

14 MR OBHOF: That's what I was told over my phone earlier today, over the headset,

15 that she cannot read.

16 MS ADEBOYEJO: Your Honour, I wouldn't say that that's correct because --

17 SINGLE JUDGE TARFUSSER: I wouldn't say that.

18 MS ADEBOYEJO: -- the very first introductory part of this witness's statement when

19 she gave her testimony was that she was reading when she was being abducted.

20 SINGLE JUDGE TARFUSSER: Yes, that's what I heard.

21 MR OBHOF: I'm just going by what I -- what we actually heard through it, because

22 when I was going through this earlier today, they told me to read aloud because the

23 witness could not read. I'm sorry, your Honour. I do apologise for that if she can

24 read.

25 SINGLE JUDGE TARFUSSER: Witness, are you able to read?

1 THE WITNESS: (Interpretation) Yes, I'm able to read, but there are some -- there
2 are some difficult things that I can read but then I can't understand that well, but yes,
3 I can read.

4 MR OBHOF: Please accept my --

5 SINGLE JUDGE TARFUSSER: That was also my understanding from the beginning.
6 So the question is sustained, so please go ahead, Prosecutor.

7 MS ADEBOYEJO: Thank you, your Honour.

8 Q. Madam Witness, did you read this questionnaire yourself and tick the boxes
9 yourself?

10 A. No, I did not tick the questionnaire myself.

11 Q. Now, if you look at question number 7 on -- no, question number 5 on
12 UGA-OTP-0233-0747, the question is: "Have you ever been physically assaulted or
13 witnessed somebody being physically assaulted (for example, being attacked, hit,
14 slapped, kicked beaten up (includes beating with sticks))?" And supposedly the
15 answer you gave was "Ku" which is "No."

16 But if you look at UGA-OTP-0233-0751, you look at the lifeline, can you see that
17 picture, Witness? Are you there?

18 A. Yes, I can see it.

19 Q. Now, if you look at the top of it, one, two, three and then the fifth of those little
20 rectangle-like things, it says, (Redacted)
21 (Redacted) Do you recall telling (Redacted) this?

22 A. Yes, I do recall that I told him.

23 Q. Now, I want you to listen carefully to me, Witness. Who was the first person
24 that you told that Dominic Ongwen forced you to have sex with him, it was your very
25 first time and he put his penis in your vagina and he put it in your anus? Who was

1 the first person you told this?

2 A. May I please ask a question?

3 SINGLE JUDGE TARFUSSER: Ask me the question. Please, go ahead.

4 THE WITNESS: (Interpretation) Are you referring to GUSCO? I do not
5 understand who you are asking me about who I initially told. Is it at GUSCO or
6 some other place?

7 SINGLE JUDGE TARFUSSER: If I interpret well the question of the Prosecutor, the
8 question is who did you tell first ever that this happened?

9 Is this correct?

10 Who did you tell ever, the first person you spoke about what happened to you, the
11 sexual violence you were forced to, who was the first person you talked about this?

12 THE WITNESS: (Interpretation) The first person -- the first person was -- the first
13 people were (Redacted). These were the first persons that I spoke to about these
14 experiences.

15 MS ADEBOYEJO:

16 Q. And when you talk about (Redacted), who are these people?

17 A. They are -- they are the people who questioned me at the outset. They asked
18 me about my abduction and they asked me to tell them everything that happened
19 during my abduction, everything that I saw and everything that I heard. And they
20 are the ones who were writing this down.

21 Q. Did these people tell you which organisation they worked for?

22 A. Yes, they did.

23 Q. Which organisation did they work for?

24 A. They told me that they worked for the ICC. But whatever it is that they did, I
25 do not know, but they told me that they worked for the ICC.

1 Q. Why was it that you decided to tell (Redacted) this incident?

2 A. I told (Redacted) because I was telling the truth, the real truth of the events
3 that happened to me and that is the reason why I told them, why I gave them this
4 information.

5 MS ADEBOYEJO: One last question, your Honour.

6 Q. Did the fact that they were women also help you to tell them this detail?

7 A. Yes. I was free to talk to them. They didn't force me and they were women
8 like me so it was easier and I could speak with them freely. I wasn't afraid of telling
9 them anything, any of the events that occurred to me.

10 MS ADEBOYEJO: Your Honour, that will be all for this Madam Witness.

11 SINGLE JUDGE TARFUSSER: Thank you very much, Prosecution.

12 I just wonder if the Defence has one or two more questions.

13 MR OBHOF: Two or three.

14 SINGLE JUDGE TARFUSSER: Two or three they said. So it's another five minutes
15 and then it's finished.

16 You have the floor.

17 MR OBHOF: Thank you, your Honour.

18 QUESTIONED BY MR OBHOF:

19 Q. Hello again, Madam Witness. Just a few short questions about GUSCO again.
20 What is the purpose to your knowledge -- or why did you stay in GUSCO for three
21 months?

22 A. I was in GUSCO for three months because the employees of GUSCO explained
23 to me that people are brought to GUSCO so that they are rehabilitated before they go
24 back home.

25 Q. And they took care of your mental and physical needs, i.e., food, doctors,

1 helped you try to recuperate and come back into the real world, correct?

2 A. May I ask a question?

3 SINGLE JUDGE TARFUSSER: As we did before, ask me the question.

4 THE WITNESS: (Interpretation) Thank you. I was asking you about this medical
5 personnel. What kind of medical personnel? I cannot distinguish very well.

6 SINGLE JUDGE TARFUSSER: If I again interpret correctly the request or the
7 question of the Defence, the Defence just wants to know why you stayed three
8 months there and who helped you to go back into your normal life, into your civil
9 society. In these three months what kind of people, what kind of help, what kind of
10 people did help you in these three months?

11 MR OBHOF: (Microphone not activated)

12 SINGLE JUDGE TARFUSSER: Did the GUSCO help you in this endeavour to go
13 back to normal society life?

14 THE WITNESS: (Interpretation) Yes, they helped me.

15 MR OBHOF: And one final last question, your Honour.

16 Q. Earlier today, if you look at the transcripts on page 22 starting on line 19, I asked
17 you, Madam Witness, "Do you also know somebody named" -- or "Do you remember
18 somebody named (Redacted)

19 And you replied, "Yes, I do recall."

20 And then I asked, "Would they help you in your day-to-day activities?" Referring to
21 both Ms (Redacted) and Mr (Redacted).

22 And you stated, "I remember that (Redacted) was the one who was with us most of
23 the time."

24 Now, if a woman was with you for most of the time during those three months, why
25 could you not bring it up to her then but you felt comfortable in 2015 bringing it up to

1 the ICC during your interview?

2 A. I didn't talk to them because me I wait for -- to be requested to say something.

3 It's up to them to ask me to tell them what they want to hear. It's not up to me to say

4 things out of my own accord. With (Redacted) we would stay together, we play cards.

5 Q. So in those three months you never thought it wise to explain what had

6 happened to you when you were playing cards or when she was helping you?

7 MS ADEBOYEJO: Asked and answered, your Honour.

8 MR OBHOF: Defence rests, your Honour.

9 THE WITNESS: (Interpretation) At that time I wouldn't think about those because

10 I was getting used to normal life at home. So I would not think about talking about

11 my experiences.

12 SINGLE JUDGE TARFUSSER: (Microphone not activated)

13 MR OBHOF: Yes, Defence rests, your Honour.

14 MS ADEBOYEJO: Your Honour, maybe just before we finish, I just want to point

15 out that it's been pointed out to me on page 50, I think it's important, line 23 it gives

16 the name (Redacted). I see that it's corrected on page 51, line 16, but it's

17 (Redacted). And that's the correct spelling of (Redacted) actually.

18 SINGLE JUDGE TARFUSSER: (Redacted).

19 MS ADEBOYEJO: Yes, (Redacted)

20 SINGLE JUDGE TARFUSSER: (Redacted)

21 MS ADEBOYEJO: Yes, your Honour.

22 SINGLE JUDGE TARFUSSER: It's an Italian name so I know it.

23 MS ADEBOYEJO: It's an Italian name. Lovely Italian woman.

24 SINGLE JUDGE TARFUSSER: Okay.

25 MS ADEBOYEJO: Your Honour, just -- I don't know if my learned friend -- because

1 he started on the GUSCO files, if he intends to put it on the records. If not, I would
2 want it to -- because we've made extensive reference to the GUSCO file, I would want
3 to enter it into the record.

4 SINGLE JUDGE TARFUSSER: Well, all what's said in here is on the record of the
5 case, will be on the record of the case.

6 MS ADEBOYEJO: Including this document?

7 SINGLE JUDGE TARFUSSER: Everything. Yes, of course.

8 MS ADEBOYEJO: Including the document itself?

9 SINGLE JUDGE TARFUSSER: Including the document itself.

10 MS ADEBOYEJO: Much obliged, your Honour.

11 MR OBHOF: Yeah, I was under the impression once a document number is written,
12 it's on the record, but it would still be left, according to Article 56(4), for the --

13 SINGLE JUDGE TARFUSSER: Of course.

14 MR OBHOF: -- of course the Trial Chamber to decide everything.

15 SINGLE JUDGE TARFUSSER: Of course. That's it.

16 So, Madam Witness, I think you are happy that now you are -- you can go home and I
17 hope for you that you have not to relive again what you have explained to us in these
18 years you were abducted. Thank you very much. Thank you very much for being
19 so patient and for answering all the questions you were asked.

20 I thank also the supporting personnel of the VWU and the psychologist in Kampala
21 for their support.

22 And now I think we can disconnect from Kampala. Thank you very much.

23 THE WITNESS: (Interpretation) Thank you, your Honour.

24 (The witness is excused)

25 SINGLE JUDGE TARFUSSER: So I think we are through. We had four intense

1 days I would say. Obviously thanks to the parties, to the OTP and the Defence.
2 Thanks for the timely questioning, but moreover for say the fair and delicate
3 questioning by both sides I would say. So this is very important and that was really
4 something -- I would have intervened heavily if this wouldn't have been done by the
5 parties, but there was no need so I thank you for that.
6 I thank the court officers for having made these hearings possible, especially today
7 because it's Saturday. So Uros and Edin were with us the last days, and today
8 Caroline and Wilfred.
9 Obviously (Redacted) and (Redacted) who are on my right. I learned that they are
10 here and not in Kampala. And the other interpreters.
11 And in my back I know there is the court reporter, so I know her, she's in my back.
12 And of course the security officers who were here the whole day inside and outside
13 the courtroom. Thank you very much to everybody.
14 And I will just remind that this whole what happened here in these four days will, as
15 I said before, will be filed in the record of the case and be at the disposal of the parties
16 and the Trial Chamber and then assessed about its relevance by the Trial Chamber if
17 we arrive to a trial.
18 So I declare this hearing closed and have a nice weekend.
19 *(The hearing ends in closed session at 12.17 p.m.) Reclassified as open session
20 RECLASSIFICATION REPORT
21 Pursuant to Trial Chamber IX 's Order, ICC-02/04-01/15-584-Conf, dated 4 November
22 2016, the version of the transcript with its redactions becomes Public.