

Trial Hearing
WITNESS: UGA-OTP-P-0448

(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 Judge Raul Pangalangan
6 Trial Hearing - Courtroom 3
7 Thursday, 22 February 2018
8 (The hearing starts in open session at 9.31 a.m.)
9 THE COURT USHER: [9:31:33] All rise.
10 The International Criminal Court is now in session.
11 Please be seated.
12 PRESIDING JUDGE SCHMITT: [9:31:58] Good morning, everyone.
13 A special welcome to Madam Witness at the video-link location. Good morning.
14 WITNESS: UGA-OTP-P-0448 (On former oath)
15 (The witness speaks Ateso)
16 (The witness gives evidence via video link)
17 THE WITNESS: [9:32:17] (Interpretation) Good morning.
18 PRESIDING JUDGE SCHMITT: [9:32:18] Would the court officer please call the
19 case.
20 THE COURT OFFICER: [9:32:22] Thank you, Mr President.
21 The situation in Uganda, the case The Prosecutor versus Dominic Ongwen, case
22 reference ICC-02/04-01/15. And we are in open session.
23 PRESIDING JUDGE SCHMITT: [9:32:34] Thank you.
24 The appearances of the parties, Mrs Hohler for the Prosecution first.
25 MS HOHLER: [9:32:38] Good morning, your Honours. For the Prosecution today

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1 Ben Gumpert, Shkelzen Zeneli, Yulia Nuzban, Julian Elderfield, Pubudu
2 Sachithanandan, Ramu Fatima Bittaye, Colleen Gilg, and myself Beti Hohler. Thank
3 you.

4 PRESIDING JUDGE SCHMITT: [9:32:54] And only one eye contact to the back,
5 otherwise you know everyone by heart.

6 Mrs Massidda.

7 MS MASSIDDA: [9:33:02] Good morning, your Honours.

8 Ms Jane Adong at the location where the video link is connected. In courtroom
9 today myself Paolina Massidda, Orchlon Narantsetseg, Caroline Walter and Innocent
10 Mpoko.

11 PRESIDING JUDGE SCHMITT: [9:33:20] Mr Cox.

12 MR COX: [9:33:21] Good morning, Mr President, your Honours. With me
13 Ms Anushka Sehmi, Mr James Mawira and myself Francisco Cox.

14 PRESIDING JUDGE SCHMITT: [9:33:29] And for the Defence Mrs Bridgman.

15 MS BRIDGMAN: [9:33:32] Good morning, Mr President, your Honours. Krispus
16 Ayena Odongo, Thomas Obhof, Tibor Bajnovic, myself Abigail Bridgman. And our
17 client Mr Ongwen is in court.

18 PRESIDING JUDGE SCHMITT: [9:33:46] Thank you very much.

19 Of course everybody here is aware of it, but still I like to remind that we have the
20 special interpretation issue today, meaning the consecutive interpretation, so we have
21 to be even slower than we are normally. We have to wait a couple of seconds until
22 the interpretation can unfold.

23 And I give now the floor to Mrs Bridgman for the Defence.

24 QUESTIONED BY MS BRIDGMAN:

25 Q. [9:34:35] Good morning, Madam Witness.

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1 A. [9:34:41] Good morning.

2 MS BRIDGMAN: [9:34:45] Your Honours, I request that we go into private session
3 so I can introduce some matters.

4 PRESIDING JUDGE SCHMITT: [9:34:51] Private session.

5 (Private session at 9.35 a.m.)

6 (Redacted)

7 (Redacted)

8 (Redacted)

9 (Redacted)

10 (Redacted)

11 (Redacted)

12 (Redacted)

13 (Redacted)

14 (Redacted)

15 (Redacted)

16 (Redacted)

17 (Redacted)

18 (Redacted)

19 (Redacted)

20 (Redacted)

21 (Redacted)

22 (Redacted)

23 (Redacted)

24 (Redacted)

25 (Redacted)

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1 (Redacted)

2 (Redacted)

3 (Redacted)

4 (Redacted)

5 (Open session at 9.38 a.m.)

6 THE COURT OFFICER: [9:38:33] We are in open session, Mr President.

7 fMS BRIDGMAN: [9:38:36]

8 Q. [9:38:41] Madam Witness, looking at the statement that you gave to the

9 Prosecution, and this is at tab 1, UGA-OTP-0236-0557, it appears that the interviews
10 took place between 19 and 22 June 2015.

11 PRESIDING JUDGE SCHMITT: [9:39:55] I think it might not be clear if this was a
12 question or simply something that you ...

13 THE WITNESS: [9:40:06] (Interpretation) That's true.

14 PRESIDING JUDGE SCHMITT: [9:40:09] I was wrong. You were right.

15 MS BRIDGMAN: [9:40:12] No, actually, your Honour, the problem is it's going to
16 be harder for me with the interpretation, if I don't cut my questions into bits and
17 pieces, it's harder for them so I'm trying to remind myself to --

18 PRESIDING JUDGE SCHMITT: [9:40:26] Absolutely correct what you're saying.
19 Please continue.

20 MS BRIDGMAN: [9:40:32]

21 Q. [9:40:33] Before these dates do you remember when you met with the
22 Prosecution, before you gave your statement?

23 A. [9:41:03] I don't remember right now.

24 Q. [9:41:10] Is it correct, though, that you met briefly with the Prosecution before
25 giving your statement?

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1 A. [9:41:34] No.

2 MS BRIDGMAN: [9:41:47] Your Honours, this is in reference to tab 6,

3 UGA-OTP-0237-0061.

4 Q. [9:42:06] Madam Witness -- and this document is not to be displayed to the
5 public -- in this document it appears that there was a meeting with you on 12
6 June 2015, a very brief meeting. Do you remember this?

7 A. [9:42:29] That's true.

8 Q. [9:43:06] Now, apart from your interviews with the Prosecution investigators,
9 do you remember meeting with a doctor in November 2015?

10 A. [9:43:42] I remember that I met with a doctor, but I do not remember exactly
11 where we met.

12 Q. [9:43:51] That's okay. Do you remember also meeting with other
13 representatives from the Court sometime in September 2016?

14 A. [9:44:22] I remember.

15 Q. [9:44:26] And the 2016 meeting, isn't it true that that is when you filed an
16 application to become -- to participate as a victim in this case?

17 A. [9:44:58] It is.

18 MS BRIDGMAN: [9:45:13] Your Honours, this is in reference to tab 4,
19 UGA-D26-0012-0302. It's not to be displayed to the public.

20 Q. [9:45:28] Madam Witness, I would like you to take a look at this document.
21 On the very top there is a name, I don't want you to mention it, but I also would like
22 you to look at page 0306, which is a national ID. Is this your national ID, madam?

23 A. [9:46:32] Yes, it is.

24 Q. [9:46:38] Now, during these meetings when you met with the Prosecution and
25 when you met with the people who took this statement, did they tell you that they

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1 were prosecuting Mr Ongwen for crimes committed in Pajule, Odek, Lukodi and
2 Abok?

3 A. [9:47:33] Yes.

4 Q. [9:47:39] Before these interviews, had you heard about the case against
5 Mr Ongwen and his surrender to the ICC?

6 A. [9:48:03] Yes.

7 Q. [9:48:11] You said in your statement and in your testimony yesterday that
8 when you were rescued by the UPDF you were taken to World Vision. How long
9 did you stay at World Vision?

10 A. [9:48:50] I was taken to World Vision after being rescued from the bush, and
11 then I was taken for treatment, and I took about 10 months in World Vision.

12 Q. [9:49:19] So your treatment was at World Vision; is that correct?

13 A. [9:49:33] That is true.

14 Q. [9:49:38] Yesterday you briefly talked about counsellors that you talked to.
15 Did you also receive counselling services while at World Vision?

16 A. [9:50:11] Yes, they were there.

17 Q. [9:50:15] For the 10 months or so that you were at World Vision did you meet
18 other people like yourself who had returned from the LRA?

19 A. [9:50:42] Yes, I met them.

20 Q. [9:50:49] Did you talk about your experiences with them, while you were in
21 the bush?

22 A. [9:51:00] I did not discuss with anyone anything about what happened to me
23 while in the bush because I had a very painful leg.

24 Q. [9:51:29] The counselling that you received, was it group counselling or was it
25 only for you?

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1 A. [9:51:55] They used to just come and see me alone because I was the one that
2 had trauma.

3 Q. [9:52:09] Were you ever interviewed by the government soldiers about your
4 time in the bush?

5 A. [9:52:38] The day they rescued me they only asked me my name, the name of
6 my mother, my parents, and then where exactly I come from. That is all that they
7 asked me. They didn't ask me anything else.

8 Q. [9:52:59] Did you apply for amnesty?

9 A. [9:53:19] Yes.

10 Q. [9:53:25] Do you still have your amnesty certificate?

11 A. [9:53:43] That, that paper, that certificate that I got somehow got lost in the
12 house, but I have it.

13 Q. [9:54:02] Now yesterday when you were discussing your age you said that the
14 information you received was from your mother. I just want to clarify from you,
15 because it wasn't clear to me, did your mother tell you that you were 12 years old
16 when you were abducted or you were 14?

17 A. [9:54:59] She told me that by the time I was abducted I was 14 years. But, you
18 know, because she is illiterate, she has never gone to school, it was her thinking that
19 I was actually 14 years when I was abducted. That's what she told me.

20 Q. [9:55:26] Earlier I showed you that document that has your national ID at tab 4,
21 page 0306, it indicates your date of birth as 10 February 1989. Is that how -- was it a
22 calculation from your mother's information that you chose that date as your date of
23 birth?

24 A. [9:56:06] It was me who did that calculation because my mother is illiterate.
25 She could not have guessed that. So it is me who did that calculation myself.

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1 Q. [9:56:48] Thank you, Madam Witness.

2 Now, at paragraph 14 of your statement you said that any documents that might have
3 confirmed your age were burned in your house. Can you tell us the circumstances
4 under which your house got burnt?

5 A. [9:57:39] Those papers were actually at my house, my auntie's house, and that
6 is where they got burnt because that house got burnt. So I asked my mother when
7 was I born and she said she didn't know when I was born.

8 Q. [9:58:10] We'll move on to your abduction. In your statement -- and, your
9 Honours, this can be found at paragraph 17, 19, 21 and 22 -- you keep mentioning the
10 people who abducted you as Kony's soldiers.

11 A. [9:58:47] Yes.

12 Q. [9:58:57] At paragraph 19 you said it was 2nd lieutenant Odongo Ogule who
13 led that group of four people that abducted you. Did you ever come to learn which
14 group Odongo Ogule belonged to, the name of the group?

15 A. [9:59:42] I don't remember the group name but I remember Odongo.

16 Q. [9:59:51] Do you remember who was Odongo's commander?

17 A. [10:00:24] I don't remember right now.

18 Q. [10:00:28] At paragraph 28 you said Odongo was in the same group as
19 Ongwen. And in your application to participate as a victim at tab 4, at page 0302,
20 and I will read what is documented thereon, it says: "I was abducted by the LRA
21 rebels under the command of Odongo of Control Altar." And then in the screening
22 note at tab 6, at page 0064, it is indicated: "She was abducted by Vincent Otti's
23 soldiers." Does this help you at all to remember which group Odongo belonged to?

24 A. [10:02:36] What I remember is the group Oka, that is where I stayed.

25 Q. [10:03:27] Can you then explain why it is indicated that Odongo belonged to

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1 Control Altar, according to this other document?

2 A. [10:04:47] I can't remember right now.

3 Q. [10:04:55] Now you said that after your abduction you arrived at Ojobai and
4 the leader of that group was Ibuk. Was Ibuk the leader of Oka?

5 A. [10:05:25] Yes.

6 Q. [10:05:31] Did you ever come to learn which group was led by Otti?

7 A. [10:05:48] I did not get to know because we just used to meet, the groups
8 would just meet briefly.

9 Q. [10:06:03] So you stayed in Ibuk's group; is that correct?

10 A. [10:06:16] Yes.

11 Q. [10:06:19] Can you describe Ibuk for the Court? How did he look like?

12 A. [10:06:45] He was -- he was short and fat. He wasn't really dark, he was light
13 skinned.

14 Q. [10:07:02] Describe his hair, please.

15 A. [10:07:28] Sometimes he wore a dreadlock, sometimes he would cut that hair.

16 Q. [10:07:37] When you met him at Ojobai, did he have dreadlocks or had he cut
17 his hair then?

18 A. [10:07:56] He had dreadlocks.

19 Q. [10:08:05] Now you say that when you arrived at Ojobai, he welcomed you.
20 What else did he tell you?

21 A. [10:08:28] He said that "Now that you are here, the stay here is very good and
22 there's nothing wrong around here."

23 Q. [10:08:51] You said in your statement that Otti was also present at Ojobai.
24 Did he say anything to you?

25 A. [10:09:15] I don't remember what Otti said.

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1 Q. [10:09:23] Do you remember how long you remained at this location?

2 A. [10:09:43] In Ojobai we didn't stay there, we just passed by Ojobai and then we
3 went to Olilim.

4 Q. [10:10:07] Did you stay at Olilim for a while or you also just passed through?

5 A. [10:10:22] We just passed through Olilim because the signpost that we would
6 find would show us that this is Olilim, but we would pass through, and crossing the
7 road we would just run across.

8 Q. [10:10:51] Now remember that girl from Obalanga that I told you about. You
9 said you met her at Ojobai. Do you remember if she was also tied up like other
10 abductees?

11 A. [10:11:25] She was not tied because she had already stayed long in the bush
12 and so, me, I found her already in the bush. She was already used to the situation.

13 Q. [10:11:39] Do you have any idea how long she had been in the bush at the time
14 you met her?

15 A. [10:11:51] I don't know.

16 Q. [10:11:58] Had she already been distributed to Odongo Ogule as a wife?

17 A. [10:12:10] Yes.

18 Q. [10:12:15] Was she carrying a gun at the time you met her?

19 A. [10:12:26] Yes.

20 Q. [10:12:30] Did you see her shooting that gun?

21 A. [10:12:44] I didn't see.

22 Q. [10:12:50] Did she have any children?

23 A. [10:12:56] No, she didn't have.

24 Q. [10:13:02] By the time you were rescued by the UPDF, was she still in the LRA
25 or had she left already, do you know?

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1 A. [10:13:28] The time I was rescued, I did not know whether she had also been
2 rescued, but by the time I got back home I found that she was already home. So she
3 was rescued before me.

4 Q. [10:13:53] So you have seen this girl since your return home; is that what I
5 understood?

6 A. [10:14:11] Yes, I saw her.

7 Q. [10:14:15] Do you remember when was the last time you saw her?

8 A. [10:14:30] It's over a year since I last saw her.

9 Q. [10:14:39] From the time you saw her when you returned to the last time you
10 saw her, did you interact often?

11 A. [10:15:05] She told me about the meeting that was supposed to take place in
12 Otuke, because every year FIDA meets -- FIDA organises meetings for us, so she told
13 me about the meeting that was supposed to take place last year.

14 Q. [10:15:44] How did she tell you? Was it over the phone? Did you meet her
15 accidentally in person? What were the circumstances?

16 A. [10:16:15] We actually met because there was a guy that brought her to Otuke.
17 So she took the opportunity to come and meet me when I was still in Otuke.

18 Q. [10:16:31] Now, in your statement you said that it is this girl who helped you
19 to interpret because you did not know Acholi yet. When you started speaking the
20 language, is she the one who taught you?

21 A. [10:17:07] Yes, she was the one who was interpreting for me whatever was
22 said in Acholi.

23 Q. [10:17:16] Did she also teach you how to write in Acholi?

24 A. [10:17:28] She did not teach me how to write in Acholi.

25 Q. [10:17:38] Do you remember when you started to communicate in Acholi, how

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1 long it took you before you could communicate in Acholi?

2 A. [10:17:58] I first took one month just keeping quiet and listening. Then after
3 that, I began to speak word per word because we were being taught with a cane on
4 the back.

5 Q. [10:18:31] If I understood you correctly, you were forced to learn Acholi; is
6 that correct?

7 A. [10:18:47] That's true.

8 Q. [10:18:52] Now yesterday you talked about the letter that you had written to
9 your mother. When did you write this letter to tell her that you were alive?

10 A. [10:19:08] I wrote that letter in 2006 when I was admitted at Lacor hospital.
11 So there were children that were returning home, so that is when I wrote the letter to
12 my mother for those children to take the letter to her.

13 Q. [10:19:52] Now we are going to discuss the attack at Lira-Pajule. In your
14 statement at paragraph 27 you said as far as you know Pajule is in an area in Lira.
15 Did you mean Lira district?

16 A. [10:20:26] Yes, I meant the district.

17 Q. [10:20:49] Had you been to this place before your abduction?

18 A. [10:21:02] No.

19 Q. [10:21:06] Since your return home, have you ever gone back for one reason or
20 another?

21 A. [10:21:20] No, I have never gone back.

22 Q. [10:21:26] Which district is Ojobai and Olilim?

23 A. [10:21:46] Ojobai is in Amuria district and Olilim is in Otuke district.

24 Q. [10:22:01] So how did you come to the conclusion that Pajule was in Lira?

25 A. [10:22:27] That is how the discussion in the bush was taking place, they would

1 be told we are now going to look for food in Lira-Pajule.

2 Q. [10:22:50] At paragraph 32 of your statement you said that before going to
3 Pajule the LRA abducted two people from the village and asked them where to find
4 food and where the barracks was located. My question is do you remember if this
5 happened on the day of the attack or was it days before?

6 A. [10:23:47] I do not remember the day, but I remember that it was the day that
7 we were going to look for food, that is when those people were actually abducted.

8 Q. [10:24:04] What happened to these people after they gave the LRA the
9 information they wanted?

10 A. [10:24:15] One of them was stabbed to death. The second one moved with us
11 and he showed us where to find food, and then he also showed us where the barracks
12 was. And thereafter he was killed and left by the roadside.

13 Q. [10:25:14] Did you witness these two killings?

14 A. [10:25:27] Yes, I saw.

15 Q. [10:25:33] You said the first one was stabbed to death. How was the second
16 one killed?

17 A. [10:26:01] He was struck with a small axe.

18 Q. [10:26:23] Do you remember how far -- how long you walked from the
19 time -- from the place these people were abducted to the camp?

20 A. [10:26:57] I cannot tell how many kilometres, but I remember that we crossed
21 two swamps, and then the third swamp we got to the centre where we actually got
22 the food.

23 Q. [10:27:39] And at this point were you travelling with Ibuk?

24 A. [10:28:00] Sometimes we would meet him, but sometimes he used to go and
25 meet with the bosses. I do not know where they used to meet.

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1 Q. [10:28:23] Do you remember if he was present? Did he go with you to attack
2 Pajule?

3 A. [10:28:46] We only went with his boys, but he himself was not present.

4 Q. [10:28:56] Do you remember who gave the order to abduct these two people
5 and then kill them?

6 A. [10:29:23] I don't remember who gave the order, but that day we were told
7 whoever you find, even an animal, you must kill because today is the day for killing.

8 Q. [10:29:43] Do you recall how many people were in that group that went to
9 Pajule?

10 A. [10:30:01] We were many, probably more than 15, but I cannot remember
11 exactly how many we were.

12 Q. [10:30:21] Now, at paragraph 33 of your statement you talk about the group in
13 which you moved. Do I understand you correctly that those who were selected to
14 go to Pajule were subdivided into smaller groups?

15 A. [10:30:57] That is very true, because they used to divide us in smaller groups
16 so that it is easy to run when you fall into an ambush so that the soldiers do not
17 actually get you.

18 Q. [10:31:22] Do you remember the name of the person who was in charge of the
19 group in which you moved?

20 A. [10:31:40] Right now I cannot remember.

21 Q. [10:31:49] Now, you just told us but you were told that whoever you find,
22 even an animal, you must kill. Do you remember who gave you this order?

23 A. [10:32:25] I cannot remember the person who gave that order.

24 PRESIDING JUDGE SCHMITT: [10:32:50] May I shortly, Mrs Bridgman, just one
25 question.

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1 Madam Witness, a question from the Presiding Judge: At the time when this
2 happened in Lira-Pajule, had you learned already enough Acholi to understand
3 everything what has been told?

4 THE WITNESS: [10:33:30] (Interpretation) Yes, at that time I understood Acholi.

5 PRESIDING JUDGE SCHMITT: [10:33:36] And just for the record, according to the
6 statement she was abducted in June 2003, and we know when Pajule happened.

7 Please, Mrs Bridgman. And perhaps, Mrs Bridgman, it's a good opportunity now,
8 you could perhaps finish this session a little bit earlier because I would like to address
9 a scheduling issue before we go into the break.

10 MS BRIDGMAN: [10:34:10] Would you please give me guidance how many
11 minutes?

12 PRESIDING JUDGE SCHMITT: [10:34:14] Five minutes.

13 MS BRIDGMAN: [10:34:16] Thank you.

14 MS HOHLER: [10:34:17] Your Honours, perhaps I can interject in this line of
15 questioning a little bit on Pajule, just to clarify that the Prosecution is not actually
16 relying on this witness with regard to the charged Pajule attack. Just to clarify that.

17 PRESIDING JUDGE SCHMITT: [10:34:30] I think the Chamber also did not
18 understand it this way. Nevertheless, everything what is said by a witness might
19 have repercussions for other issues.

20 Please, Mrs Bridgman.

21 MS BRIDGMAN: [10:34:45] Thank you.

22 Q. [10:34:49] You said, Madam Witness, at paragraph 35 that among the people
23 that went to Pajule was a woman called Adong who was carrying a small gun. Do
24 you by chance remember her other name?

25 A. [10:35:15] I think she was called Betty.

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1 Q. [10:35:43] Madam Witness, at paragraph 31 of your statement, I will read it to
2 you, you said:

3 "When I was asked the first time about Pajule, I said that the attack took place in 2004.
4 However, I remember it was the same year I was abducted, 2003, towards the end."
5 I just want to confirm with you that the Pajule attack you're talking about happened
6 at the end of 2003?

7 A. [10:37:17] It was actually 2003, the attack was in 2003, because I was actually
8 abducted in March 2003.

9 Q. [10:37:29] Madam Witness, at paragraph 14 of your statement it says "I was
10 abducted in June 2003". You just said you were actually abducted in March. Is it
11 your testimony that there is an error in your statement in that regard?

12 A. [10:38:22] It is actually March 2003, that is the time that Kony first entered
13 Amuria.

14 Q. [10:38:45] It is okay if you don't know, but do you have any recollection which
15 month the Pajule attack happened?

16 A. [10:39:13] I don't remember the month.

17 Q. [10:39:17] Now going back to this lady called Adong, the one you say might
18 have been Adong Betty, was she always in Oka?

19 A. [10:39:40] Yes.

20 Q. [10:39:49] Do you remember if she had a husband?

21 A. [10:40:03] Yes.

22 Q. [10:40:04] Do you remember his name?

23 A. [10:40:16] He was Dominic Ongwen.

24 Q. [10:40:21] Was she the most senior female commander that you met in the
25 LRA?

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1 A. [10:40:50] Yes.

2 Q. [10:40:54] Now, in your statement you say that you were told to go to the
3 camp and collect food. First of all, how did the LRA know that there was food at
4 Pajule? Because you said that the man who was abducted was only to show them
5 where the food was, but how did they know there was food?

6 A. [10:43:00] There was really no prior knowledge. What we would do, we
7 would simply just move into a village or move into a place and whatever we find we
8 take. Even if we find somebody in the homestead, what we would do, we tie the
9 person up and then we enter into the house and take anything that we find that is
10 edible that we want.

11 Q. [10:43:40] When you went into the camp did you carry, you personally, did
12 you carry anything with you to the camp?

13 A. [10:44:14] I was not able to pick anything that probably I would just pick and
14 move. But the things that I would carry were things that were given to me to carry
15 and other people would pick and give them to me.

16 Q. [10:44:29] I'm sorry, Madam Witness, my question is when you were going
17 into the camp, did you carry anything going in?

18 A. [10:44:55] I would carry saucepans and water for cooking.

19 Q. [10:45:03] Were you instructed to make noises or ululations or were you
20 moving quietly as you waited for things to be given to you?

21 A. [10:45:37] When we would enter a camp, we would begin to make a lot of
22 noise, we would make so much noise to make people think that we are so many and
23 yet we are very few, so they would run away.

24 Q. [10:45:57] And this is what you did in Pajule, correct?

25 A. [10:46:13] True.

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1 Q. [10:46:17] While you were inside the camp, did you see any UPDF soldiers?

2 A. [10:46:38] I did not see because we entered that centre at night.

3 Q. [10:46:43] You said in your statement that there was a contact with UPDF.

4 Now, just for clarity, did this contact happen inside the camp or were you already
5 retreating, leaving the camp?

6 A. [10:47:23] That is a time we were leaving with the food. Then we found them
7 on a rock, they had laid an ambush for us.

8 Q. [10:47:38] When you say you found them on a rock, were they only on foot?
9 Was there a helicopter? Did they attack with a Mamba, if you remember?

10 A. [10:48:11] I did not see anything like a helicopter or a Mamba, but I did see the
11 soldiers physically. And because it was an attack, some people would be shot dead,
12 so each of us had to run for our lives. So whoever was killed in front of me and died,
13 I just jumped over him and then I would just run for my life.

14 Q. [10:48:56] In your statement you said that while you were running, Adong
15 came to help you. Did you see her carrying any of the injured people, the LRA
16 injured?

17 A. [10:49:13] I did not see that, but she told me, "Now that things are bad, throw
18 away everything else and stay with what is on your back and run faster".

19 Q. [10:49:59] Do you remember approximately how many people were abducted
20 from Pajule?

21 A. [10:50:21] I don't remember the number, but I probably could estimate about
22 eight. However, during the attack those Langi fell down, and I don't believe that we
23 even managed to abduct them and take them with us. They could have been saved
24 by the UPDF.

25 PRESIDING JUDGE SCHMITT: [10:50:52] I think about this incident this could be

1 enough. That would be my idea at least.

2 MS BRIDGMAN: [10:50:59] I'm ready to stop right here as instructed. I might
3 have a few questions post attack, but I'm done for now. Thank you.

4 PRESIDING JUDGE SCHMITT: [10:51:08] Thank you for the moment. And as I
5 said, I would like to address a scheduling issue. It is not likely that we are able to
6 really manage to hear five witnesses in this block, I would say, given the pace that we
7 have.

8 So I would like to put this on the table, and this addresses especially the Prosecution,
9 Mr Gumpert. The last witness would be P-187. It would be perhaps an idea from
10 my side to say that this witness is put at the end of the next block after the experts
11 because, as you already indicated yesterday, experts are people who are highly
12 occupied with other things, so it would be difficult to move them.

13 But I did not want to simply tell you to do so because you might have other things in
14 mind that you could tell us, and I would have also time after the break if you want to,
15 if you prefer to speak about this after the break, but I simply wanted to address this
16 now.

17 MR GUMPERT: [10:52:16] I'm grateful. After your Honours' remarks yesterday, I
18 spoke with VWS and alerted to the possibility as it seemed to me that we might not
19 reach that witness. They are content that that's manageable and, indeed, it's a
20 witness about whom there can be a degree of flexibility.

21 Our best estimates with regard to these somewhat less flexible experts are that the last
22 of them would start on the Monday the 26th. Yes, I'm looking at counsel concerned.
23 And each would take two days. I think I'm right in saying that the session
24 technically goes on until the 28th.

25 PRESIDING JUDGE SCHMITT: [10:53:06] Yes, in principle. I think we wanted to

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1 finish on Wednesday. I think that was the idea, the initial idea, but we are also
2 flexible.

3 MR GUMPERT: [10:53:16] On the face of it, therefore, there is a spare day. I say
4 candidly we've rather hoped that we would be able to do some other things on that
5 day, but that will have to be put on hold.

6 I suppose we need to make a decision earlier rather than later, particularly because
7 we want to forestall the possibility of 187 coming here and then not being reached.

8 PRESIDING JUDGE SCHMITT: [10:53:38] This is exactly the reason why I
9 addressed it.

10 MR GUMPERT: [10:53:40] Yes.

11 PRESIDING JUDGE SCHMITT: [10:53:41] I have been informed that it is also
12 likely, I put it this way, that 187 can still be stopped, so to speak, to come to The
13 Hague. That would be good. And so I think we simply decide it now, we put 187
14 at the end of the next block, simply do it this way.

15 MR GUMPERT: [10:53:52] I think it --

16 PRESIDING JUDGE SCHMITT: [10:53:54] However we manage to do that. It
17 bears also the possibility that perhaps the three experts in March would be quicker.
18 We don't know. So we simply strive to have 187 then.

19 MR GUMPERT: [10:54:11] Yes. Well, I say nothing to the contrary. It's the
20 Court's decision, of course. But that seems a humane thing to do to prevent an
21 unnecessary travel.

22 Can I just come back to the penultimate remark your Honour made about the experts.

23 PRESIDING JUDGE SCHMITT: [10:54:20] Of course, of course.

24 MR GUMPERT: [10:54:22] Of course it may currently, taking a rough guess as best
25 we can, we're imagining they may be done in two whole days of sitting. But even if

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1 one of them or more than one of them is done faster than that, that may not really
2 help us, because the one after will not be scheduled until the third day, if I computed
3 that right.

4 PRESIDING JUDGE SCHMITT: [10:54:50] Obviously because all three experts
5 have the same professional problem, so to speak, yes, I understand.

6 So nevertheless, however, 187, we try to have it still before Easter, and if not, then
7 after Easter for two days or something like that.

8 MR GUMPERT: [10:55:09] Yes.

9 PRESIDING JUDGE SCHMITT: [10:55:10] But, and now I'm looking to the left side
10 here, we definitely will finish the two upcoming witnesses in this block definitely, this
11 also because of that I'm looking relatively severely to Mr Obhof because I know he is
12 the one who is going to question them for the Defence.

13 MR OBHOF: [10:55:28] I'm preparing both of them, but only questioning one.

14 But yes, yes, as long as we have four days for the two witnesses, we should be able to
15 get finished perfectly fine.

16 PRESIDING JUDGE SCHMITT: [10:55:40] We have a break until 11.30.

17 THE COURT USHER: [10:55:44] All rise.

18 (Recess taken at 10.55 a.m.)

19 (Upon resuming in open session at 11.31 a.m.)

20 THE COURT USHER: [11:31:29] All rise.

21 Please be seated.

22 PRESIDING JUDGE SCHMITT: [11:31:51] Mrs Bridgman, do you have an estimate
23 already how -- when you could conclude your questioning?

24 MS BRIDGMAN: [11:32:00] I believe I will be able to finish in this session.

25 PRESIDING JUDGE SCHMITT: [11:32:03] Then the question would arise if we start

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1 in the afternoon session. This depends on, and we have talked about this, the Judges,
2 a little bit on what the Prosecution envisions for the next two witnesses on direct
3 examination. It's quite extensive of the estimate, at the moment.

4 MR GUMPERT: I think it's probably best if I let Mrs Adeboyejo speak for herself,
5 she is examining counsel.

6 PRESIDING JUDGE SCHMITT: [11:32:29] And she is in the room, as I see.

7 So, Ms Adeboyejo, could you tell us.

8 MS ADEBOYEJO: Yes, indeed, your Honour. I don't envisage that I will spend
9 more than two sessions for the witness.

10 PRESIDING JUDGE SCHMITT: [11:32:42] Then, yes, that's fine. So I think then we
11 are good if we start with the next witness tomorrow. This is also good because as I
12 always say, also the Judges need some preparation, sometimes.

13 Mrs Bridgman, please.

14 MS BRIDGMAN: [11:33:06]

15 Q. [11:33:07] Madam Witness, in your statement you discussed an incident that
16 happened in Lira where you said you saw 12 people being killed. Do you remember
17 if this happened before or after the attack on Lira-Pajule?

18 A. [11:33:59] It was before the attack.

19 Q. [11:34:12] And was the commander of your group at that time Ibuk?

20 A. [11:34:24] Yes.

21 Q. [11:34:38] Do you know a place called Lira Palwo?

22 A. [11:34:52] I have heard of that place, but I do not remember which side it is.

23 Q. [11:35:09] Did you ever participate in an attack on that place?

24 A. [11:35:26] I don't remember.

25 MS BRIDGMAN: [11:35:41] Your Honours, this is in reference to tab 4 at page 0303.

1 Q. [11:35:51] Madam Witness, I am going to read to you a portion of what is
2 recorded in your application to participate as a victim. It says: "In 2004 around
3 January we started moving to go to Sudan to meet Kony ... we reached a place called
4 Lira Palwo and killed many people and looted their properties."

5 A. [11:37:06] Yes.

6 Q. [11:37:09] Did this event happen?

7 A. [11:37:19] Yes, it happened.

8 Q. [11:37:25] And it is your testimony that this is different from the Lira-Pajule
9 attack, correct?

10 A. [11:37:48] It's different.

11 Q. [11:37:52] Do you remember if this attack on Lira Palwo happened in the
12 morning or in the evening?

13 A. [11:38:09] It was in the evening.

14 Q. [11:38:15] Were you still under the command of Ibuk?

15 A. [11:38:29] Yes.

16 Q. [11:38:34] Now did Ibuk have any other name, in your recollection?

17 A. [11:38:51] I don't remember.

18 Q. [11:38:57] Did you ever hear of a name Abudema?

19 A. [11:39:13] Yes, I heard, I had heard of that name, but I do not know who was
20 called Abudema.

21 Q. [11:39:29] What would you say, Madam Witness, if I told you that there is no
22 place called Lira-Pajule with swamps as you described in Lira district?

23 A. [11:40:13] That's what happens when you do not know anything and you are
24 just told things. So for us we would just be told we are going to this place or that
25 place and we would be taken. Whether they are lying to you or they are not lying to

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1 you, you have no way of proving it.

2 PRESIDING JUDGE SCHMITT: [11:40:50] And I think we know, of course,

3 Mrs Bridgman, we have read the statement and we have all the other evidence on

4 certain incidents here on the record already. I think you can move on.

5 MS BRIDGMAN: [11:41:01] I am indeed, your Honour.

6 Q. [11:41:06] Madam Witness, did you participate in an attack on Odek?

7 A. [11:41:24] I do not remember the incidents of Odek.

8 Q. [11:41:55] At paragraph 75 of your statement you were asked about Odek and

9 you said: "I do not know anything about an attack in Odek." And in a screening

10 note that I already mentioned at tab 6, page 0064, it is indicated that you said that you

11 had heard about Lukodi but you did not go there, and "she went to Odek and she

12 went to Pajule". Do you remember saying this to the Prosecution at any time?

13 A. [11:43:10] I remember that.

14 Q. [11:43:15] So did you or did you not go to Odek?

15 A. [11:43:36] I doubt whether I went there, because I have not even marked, I did

16 not mark some of those places very well.

17 Q. [11:43:48] At paragraph 77 of your statement you said:

18 "I went for two days training but I failed. The training was somewhere in the bush

19 in Uganda".

20 Can you please explain when you said you failed.

21 A. [11:44:39] That training was mainly on how to learn how to conduct a parade,

22 how to assemble and disassemble a gun and also how to shoot.

23 Q. [11:45:00] So what did you mean when you told the Prosecution that you failed?

24 A. [11:45:35] I failed because what would happen was that I would be given a gun

25 to fight whenever there was a fight with the UPDF. At the same time I was given

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1 a lot of things to carry, so you have to carry a lot of things and then carry a heavy gun.

2 So I took a decision to tell the soldiers, Kony's soldiers that I cannot, I cannot use the
3 gun; so I gave the gun back to them.

4 Q. [11:46:22] But did you learn how to shoot the gun?

5 A. [11:46:39] They tried teaching me but I failed to master how to shoot the gun.

6 Q. [11:46:48] Again, I am going to refer you to the victim application, it is still at
7 page 0303. In regard to the attack on Lira-Palwo it is noted here that you said: "By
8 that time I had learnt so well how to shoot or even assemble guns which made my
9 stay easier."

10 Is this incorrect what is written in this victim application?

11 A. [11:48:04] It is true that I had actually learnt how to use a gun and shoot. But
12 then I had to pretend that I did not know how to do it because I felt I could not just
13 shoot people with whom I have no concern or with whom I have no grudge. I felt
14 bad about shooting them.

15 Q. [11:48:53] Madam Witness, I am a little confused because just a few minutes ago
16 you said, "They tried teaching me but I failed to master how to shoot the gun". And
17 now you are saying that you knew how to shoot but you didn't want to. Which one
18 is which?

19 A. [11:49:47] It is true that I actually learnt how to use the gun. However, I did
20 not want to use it; so I just pretended that I had failed to use the gun and I gave the
21 gun back to them.

22 Q. [11:50:20] So then it is not true what is in the victim application, you did not
23 shoot your gun at Lira-Palwo, correct?

24 A. [11:50:53] Yes.

25 Q. [11:51:09] At paragraph 80 of your statement, you said that you were never

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1 forced to beat or kill anyone.

2 A. [11:51:37] True.

3 Q. [11:51:39] However, in your victim application -- your Honours, it is still the
4 same page, 0303, it says:

5 "The worst thing as we were moving, Odongo ordered us to attack some community
6 which had four families and kill them all of which we did."

7 Is this true or is it not true?

8 A. [11:52:44] It is true, but I did not actually participate in the killing. However,
9 the people that I was with are the ones who did the killing. Then one of them ran
10 and hid in one of the houses that had been burnt.

11 Q. [11:53:11] At paragraph 81 of your statement you narrated the time when you
12 saw a child being hit against a tree. And you said that the mother started crying and
13 they took her away and you do not know what happened to her. Is this correct?
14 And your Honours, I apologise, because I know the rules regarding Rule 68, but I am
15 trying to lead to another question.

16 PRESIDING JUDGE SCHMITT: [11:53:52] We understand.

17 THE WITNESS: [11:54:11] (Interpretation) Yes, it's true.

18 PRESIDING JUDGE SCHMITT: [11:54:14] And you may have recognised that I have
19 not interrupted you.

20 MS BRIDGMAN: [11:54:19] Well, I was trying to pre-empt you.

21 Q. [11:54:35] So, Madam Witness, you did not see what happened to the mother of
22 this child; is this correct?

23 A. [11:55:00] I did not see because what would usually happen is that when you are
24 told to do something and you refuse, they would take you away and deal with you in
25 their own way. And so after they killed that child and they took the mother, I did

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1 not see whatever happened to the mother. So I don't know whether she is dead or
2 she is still alive.

3 Q. [11:55:34] Now, you remember at the beginning of my questioning I asked you
4 about the time you met with the doctor in November 2015.

5 And, your Honours, this doctor's report which, unfortunate for me is in French, so
6 I am not going to be able to read anything verbatim, it is tab 5, UGA-OTP-0269-0577.

7 In that report -- maybe I should -- let me -- in that report it is written that you said
8 that that woman -- and your Honours, this is at page 0582, at what would be between
9 paragraph 25 and 30.

10 It is indicated in that report that after hitting the baby on the tree, they took the
11 mother and they killed her with an axe. Is this what happened? Did you witness
12 this or you didn't, as you have just testified?

13 A. [11:57:51] I saw, but, you know, when there are a lot of things that are
14 happening, it is not very easy to remember some incidences.

15 Q. [11:58:23] Now, at paragraph 80 you said that you heard that abductees would
16 be beaten for trying to escape. As you testify today, do you remember if you ever
17 witnessed an abductee being killed who tried to escape?

18 A. [11:59:14] Yes.

19 Q. [11:59:20] Can you please tell the Court that incident that you remember.

20 A. [11:59:54] One day one boy was trying to escape. So as he tried to escape, as he
21 ran, he failed to run, so he was caught and returned back. Then when he was
22 brought back he was beaten. He was stabbed and beaten some more until he lost
23 energy. When he was weakened, he fell down. Then they called the girls from
24 Lango.

25 And at that time when you are called, it doesn't matter what you are doing, whether

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1 you are cooking or doing anything else, you are supposed to get up, move with
2 whatever you can, whichever club or whatever stick, whatever it is that you can find
3 and go and beat up the person that you have been asked to beat up.

4 So they beat up this young man until he died. That was the first incident that I saw
5 from the time I was abducted and taken to the bush.

6 Q. [12:01:43] And I'm sorry, Madam Witness, for bringing up terrible memories,
7 but did this happen soon after your abduction?

8 A. [12:02:12] No. I had actually stayed for a while.

9 Q. [12:02:23] Was Ibuk still the commander of the group you were in?

10 A. [12:02:44] That incident happened when I had already been taken to another
11 group. Unfortunately I cannot remember the group that I was in when that
12 happened.

13 Q. [12:02:57] Do you remember the commander of that new group?

14 A. [12:03:10] I don't remember.

15 Q. [12:03:27] Now, Madam Witness, at paragraph 81 --

16 PRESIDING JUDGE SCHMITT: [12:03:55] I think you had 81 already, but there
17 might be a follow-up question. Otherwise it would be another paragraph.

18 MS BRIDGMAN: [12:04:04] Actually it is paragraph 82. I was looking for what
19 exactly I wanted to bring out.

20 PRESIDING JUDGE SCHMITT: [12:04:10] I supposed this, yes.

21 MS BRIDGMAN: [12:04:13]

22 Q. [12:04:14] After discussing the incident of the baby, and I don't know if this was
23 in response to a direct question, but it is noted that "I did not see any more people
24 being killed; however, I saw bones in the bush while we were walking."

25 A. [12:05:08] I cannot remember even to clarify those words.

1 Q. [12:05:18] It's okay, Madam Witness.

2 But during your testimony today you have given us several examples where you
3 witnessed killings. What I would like to know from you, do you have any
4 explanation why you did not mention all these examples to the Prosecution during
5 your interview?

6 A. [12:06:09] Some things I was not able to remember. So whatever I could
7 remember is what I actually told them.

8 Q. [12:06:32] Now, Madam Witness, talking about escape, would I be correct to say
9 that in the LRA escape was unthinkable?

10 A. [12:07:13] It's true.

11 Q. [12:07:19] Would I also be correct to say that your own return from the bush was
12 simply a result of your injury, which enabled you to be rescued by the government
13 soldiers?

14 A. [12:07:52] Yes, it's true.

15 Q. [12:08:02] Apart from the killing of the boy who tried to escape, how else did the
16 LRA ensure that abductees did not even think of escaping?

17 A. [12:09:06] The other methods they used to use, they would lay -- they would
18 when they get the person who was trying to escape, they would bring you, put you
19 down and cane you. Sometimes what they would do, they would put a panga in fire
20 and then they would use that panga for hitting you until your skin would peel off.
21 Sometimes what they would do, they would smear herbs on abductees such that even
22 if you tried to escape you would just keep rounding up that place, you keep moving
23 around until you would just return to them by yourself.

24 Q. [12:09:55] Were you smeared with these herbs when you were abducted?

25 A. [12:10:13] Yes, I was smeared with herbs.

1 Q. [12:10:21] We are moving to another topic. At paragraph 45 you said that
2 Otti -- first of all, just to remind you that now we are going to be talking about person
3 number 1 and person number 2. Just so you can reorient your mind.
4 You said that you were given to person number 1 by Otti. Do you know why Otti is
5 the one who gave you to person number 1?

6 A. [12:12:37] I know.

7 Q. [12:12:49] Is it because Otti was the leader of the Oka group in which person
8 number 1 belonged?

9 A. [12:13:17] Yes.

10 Q. [12:13:27] At paragraph 58, while talking about the sexual encounter you had
11 with person number 1, you said that he had a gun with him beside the mattress and
12 that you were scared that he would kill you if you refused to sleep with him.

13 A. [12:14:16] True.

14 Q. [12:14:21] Now, did person number 1 always carry a gun with him, even before
15 you became his wife?

16 A. [12:14:44] Yes.

17 Q. [12:14:49] Now, I know you said that you declined to carry one yourself, but
18 those people who carried guns, when people went to sleep, did they have a particular
19 place they would take them or you would sleep with your gun and stay with your
20 gun at all times?

21 A. [12:15:27] They used to keep their guns close to them. Even if they were going
22 to sleep they would keep the gun just next to them.

23 PRESIDING JUDGE SCHMITT: [12:15:40] Mrs Bridgman, just a remark, the witness
24 might not be able to tell us about everyone who had a gun, how he or she handled it.
25 Just a remark by me. Please continue.

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1 MS BRIDGMAN: [12:15:57]

2 Q. [12:15:58] And isn't it true, Madam Witness, that the girl from Obalanga had
3 already warned you that if you refused, if a girl refused to sleep with a husband, they
4 would be killed, even before you became a wife?

5 A. [12:16:29] True, she had already told me.

6 Q. [12:16:44] So would I be correct to say that even without the presence of a gun
7 that night that you became person number 1's wife you would not have refused to
8 sleep with him?

9 A. [12:17:28] I would not have accepted, because then I would be confident that
10 there is nothing that he would use to hurt me.

11 Q. [12:17:48] So if he did not have a gun that night, the risk of you being killed
12 would not have been there; is that your testimony?

13 A. [12:18:22] That's true.

14 Q. [12:18:27] Now, you said that person number 1 was among the people who
15 abducted you. But before you became a wife to person number 2 had you seen him
16 before? Was he always also in your group?

17 A. [12:19:11] I had not seen person number 2.

18 Q. [12:19:23] Do you know at all if either person number 1 or person number 2
19 asked for a wife, or you in particular, before you were distributed to either of them?

20 A. [12:20:10] Akello told me that person number 1 was going to ask, to request for
21 a wife from Teso, the one that he actually abducted.

22 Q. [12:20:35] But you don't know if person number 2 also particularly asked for
23 you, correct?

24 A. [12:20:52] I do not know whether he asked for me.

25 Q. [12:21:03] At paragraph 50 you said that after your distribution to person

1 number 1 there was a ceremony where you were taken to a swamp to bathe. Did
2 you ever know the purpose of this ceremony?

3 A. [12:21:44] I didn't know its meaning.

4 Q. [12:21:56] At paragraph 51 you also described, you described another ritual
5 where you had to jump over a fire. Did you know the purpose of this?

6 A. [12:22:30] No.

7 Q. [12:22:39] Did this ritual of jumping over the fire happen at the same time when
8 you were smeared with the herbs?

9 A. [12:23:06] It didn't happen on the same day.

10 Q. [12:23:15] Are there any other rituals that you witnessed while you were in the
11 LRA, apart from these ones we've discussed?

12 A. [12:23:46] I remember the other incident is when we were taken to the swamp
13 and then we were dipped in water. What would happen was -- what happened was
14 that our blouses were removed and then you would just move bare-chested with all
15 your breasts out and then you are taken and thrown into the water, then you are
16 gotten out of there and then you are supposed to walk. So we walked back to the
17 place where we were staying without looking back. But I do not know the meaning
18 of that ritual.

19 Q. [12:24:47] In the doctor's report that I mentioned to you earlier -- and, your
20 Honours, this is at page 0583, at the very top, about paragraph 5 -- it talks about
21 something that you said regarding the removal of skin from the forehead and placing
22 meat on the wound to obtain control over the person. Is this something that you
23 remember happening or witnessing?

24 A. [12:26:15] What I remember is when they would use an object to cut a little bit of
25 your skin, dip your skin, then after that they would put a herb, but I do not know

1 what herb it was that they would put.

2 Q. [12:26:35] What part of your skin would they cut, on which part of your body?

3 A. [12:26:52] What would happen, they would make small cuts on the forehead,
4 two times, then on the shoulders, two times, then on the back, two times, and then at
5 the calves of your legs, two times.

6 Q. [12:27:31] And then the herbs would be applied to all these parts of your body
7 to obtain control; is that correct?

8 A. [12:27:56] I would think that would be the purpose, but the truth is I really don't
9 know what they were up to.

10 Q. [12:28:11] At paragraph 52 you said that at one time you were asked by one of
11 the commanders why you were bringing water to them while you were in your
12 period. Do you know why this was a problem?

13 A. [12:29:01] I did not know. However, Esther told me that the commanders had
14 certain herbs that had been administered on their bodies and that those herbs were
15 not compatible with the blood of the periods, that it was believed that if they came in
16 contact with that or if somebody with her periods came to them, it then meant that
17 either they would get an accident or they would get broken bones or they would
18 simply -- it was a bad omen for them to do that. So that's why she was asked that.

19 Q. [12:30:12] Thank you, Madam Witness.

20 A. [12:30:23] Okay.

21 Q. [12:30:24] At paragraph 67 you said that Ibuk, after person number 1 was taken,
22 Ibuk gave you to person number 2 as a wife. Now, before you were given to person
23 number 2, were you ever consulted on whether you wanted to have another husband
24 or not?

25 A. [12:31:27] I did not ask for him and, in any case, I didn't even want a husband.

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1 However, they had their rules that if ever you are found with another person you
2 would be caned; so it is them that were distributing the wives.

3 Q. [12:32:20] You said that you did not want a husband, but did they give you an
4 option to choose which husband you wanted after person number 1?

5 A. [12:32:54] I was not consulted. They didn't ask me whether I needed a man.
6 However, what happened was that after the other one was taken, they took me and
7 then they asked me to choose from the two men that were available.

8 PRESIDING JUDGE SCHMITT: [12:33:33] I think you can move to another point, I
9 would say.

10 And I don't know if you want to address it, Mrs Bridgman, but we have taken note of,
11 on the one side, the statement which is on record, Rule 68(3) statement, paragraphs 45
12 and 67, where the witness describes who gave her to the respective men. And we
13 have also noted what is written in the victims' application, I think the second
14 page, bottom; so you don't -- you could skip this, so to speak.

15 MS BRIDGMAN: [12:34:21] Well, thank you, your Honour. Indeed, I'm grateful
16 that I don't have to go through that part.

17 Your Honours, I request that we go into private session for my next few questions.
18 Unfortunate for the public gallery, it might take, I hope less than 10 minutes, but --

19 PRESIDING JUDGE SCHMITT: [12:34:58] Can you word in general over the issue
20 that you are going to address?

21 MS BRIDGMAN: [12:35:04] It was covered yesterday in private session, where she
22 moved to after her other role at some point.

23 PRESIDING JUDGE SCHMITT: [12:35:11] I understand.
24 Then private session. Yes.

25 (Private session at 12.35 p.m.)

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18 (Open session at 12.57 p.m.)
19 THE COURT OFFICER: [12:57:32] We are back to open session, Mr President.
20 MS BRIDGMAN: [12:57:41] And, your Honour, if you permit me, I have two
21 propositions and I will be done with my questioning.
22 PRESIDING JUDGE SCHMITT: [12:57:47] Yes. Please do that.
23 MS BRIDGMAN: [12:57:50]
24 Q. [12:57:50] Now, Madam Witness, from what we have discussed, may I suggest
25 to you that you were never in Dominic Ongwen's group and you did not meet him at

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1 any time during your time in the LRA.

2 A. [12:58:39] The day of the attack there was a crossfire between the UPDF and the
3 team, the group that I was with, the LRA group. Then when we ran and we
4 separated, I lost my group. So I went and I was actually -- I actually entered into
5 Dominic Ongwen's group.

6 Q. [12:59:32] May I suggest to you, Madam Witness, that you are confused about
7 which group you were in, which commanders you met, and just because Mr Ongwen
8 is on trial today at the ICC you are hoping for a benefit by coming and testifying
9 against him.

10 PRESIDING JUDGE SCHMITT: [13:00:00] I would not -- I would -- the first, first
11 part of the question is okay. The second one suggesting that the witness deliberately
12 does not tell the truth for any benefits or so I would strike out.

13 So please repeat the question and simply put the proposition to the witness without
14 anything that might suggest any intentions by the witness.

15 MS BRIDGMAN: [13:00:31] I'm guided, Mr President.

16 Q. [13:00:42] Madam Witness, may I suggest to you that your testimony regarding
17 what happened is incorrect, whether you are --

18 PRESIDING JUDGE SCHMITT: [13:01:04] Simply repeat the first part, that was
19 absolutely okay. You can read it from -- if you will, you can read it from the
20 transcript. I think that that would be the best way. Simply, simply the second part
21 where this, yeah, part with the benefit is in, you should leave out.

22 MS BRIDGMAN: [13:01:27] Thank you for the tip. I didn't think about it.

23 Q. [13:01:31] May I suggest to you, Madam Witness, that you are confused about
24 the group that you were with in the LRA, about the commanders that you met, and
25 even your testimony that you met -- you fell into Mr Ongwen's group during the

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1 attack?

2 A. [13:02:44] No, that is not right. The truth is that I did enter that group.

3 However, just because I do not know the people in there, so in a way probably I have
4 mixed up things.

5 Q. [13:03:12] Thank you, Madam Witness, for accommodating my questions.

6 MS BRIDGMAN: Your Honours, I have no further questions, but I am informed that
7 lead counsel has some questions and I will leave it to you to decide how to proceed.

8 PRESIDING JUDGE SCHMITT: [13:03:26] We proceed with lead counsel until we
9 have finished the questions and then we have not only a break, then we simply meet
10 together again tomorrow.

11 Please, Mr Ayena.

12 MR AYENA ODONGO: [13:03:42] I thank you for your indulgence, Mr President
13 and your Honours.

14 QUESTIONED BY MR AYENA ODONGO:

15 Q. [13:03:51] Madam Witness, thank you for being in attendance and helping
16 the Court to establish the truth. I put to you a few questions follow up to what my
17 colleague has very ably ran you through.

18 Madam, at paragraph 28 of your statement -- and the ERN is already on record -- at
19 Ojobai you were told by Akello that the group of Dominic Ongwen was present in the
20 location. Now my question is what prompted Akello to tell you that the group of
21 Dominic Ongwen was present in that location? Had you asked?

22 A. [13:05:39] I think what made her tell me that was because she thought or she
23 probably thought I was going to escape. And so even if I had escaped, I would still
24 end up in the other group that was nearby.

25 Q. [13:06:02] That -- thank you very much, Madam Witness. That facilitates my

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1 next question. From that, Madam Witness, do I take it that Dominic Ongwen was
2 actually not in the group that abducted you and ended up in Ojobai?

3 A. [13:06:55] It's true Dominic Ongwen was not in the group that abducted me.
4 However, as we kept on moving we also met their group, the group that
5 Dominic Ongwen was in.

6 Q. [13:07:17] Madam, in respect to Dominic Ongwen, in your victim application
7 when you were asked as to who you thought was responsible for your abduction
8 and ordeal, you curtly said it was Dominic Ongwen was responsible. Can you
9 explain to Court, in view of your narrative of contact with Ongwen in the bush, why
10 you thought it was actually Dominic Ongwen?

11 THE INTERPRETER: [13:08:11] Your Honour, could we please request that counsel
12 shortens his questions so that he enables us to translate. Thank you.

13 PRESIDING JUDGE SCHMITT: [13:08:21] Yes, this is of course a problem, so we all
14 have to adapt. It was also -- it is also very difficult for me, short, short and, if you
15 will, sharp questions.

16 Yes, but I think you got it now. Or didn't you? So can we, can we continue?

17 THE INTERPRETER: [13:08:43] Yes, your Honour.

18 PRESIDING JUDGE SCHMITT: [13:08:44] Okay. So then you don't have to repeat
19 it and perhaps you can wait on the answer of the witness. Thank you.

20 THE INTERPRETER: Yes, your Honour. Thank you.

21 MR AYENA ODONGO: [13:08:49] That was a warning shot for the subsequent
22 questions, I suppose.

23 PRESIDING JUDGE SCHMITT: [13:08:54] Pre-emptive.

24 MR AYENA ODONGO: [13:08:59] Pre-emptive.

25 THE WITNESS: [13:09:50] (Interpretation) What I have to clarify here is that the

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1 soldiers would be, the LRA soldiers would be divided into smaller groups when
2 going out to either abduct or to get food. And then later on they would regroup into
3 a bigger group where the food would be shared.

4 MR AYENA ODONGO: [13:10:21]

5 Q. [13:10:23] Madam Witness, I am concerned that in your statement and in the
6 screening statement and also in the doctor's statement, you mentioned Vincent Otti,
7 you mentioned Ibuk, you mentioned Odongo Ogule who was a lieutenant colonel at
8 that time. And from that narrative it would appear you dealt with them more. The
9 question is why would it still occur to you that it was Dominic who was responsible
10 for your ordeal?

11 A. [13:12:25] There were -- true, there were very many groups, but I do not know
12 the names of all those groups. However, the man who abducted me, the Odongo
13 Ogule, the lieutenant colonel who abducted me, the girl from Obalanga told me that
14 he belonged to Ongwen's group and that's why I said that I was in Ongwen's group.

15 PRESIDING JUDGE SCHMITT: [13:13:22] I think we can move on to another point.
16 I think the statement is here to read and what the witness also has said the past two
17 days and then we can put this into perspective with what the answer was to the
18 question in the victim's application. Let me put it this way.

19 MR AYENA ODONGO: [13:13:47] I'm guided, Mr President. Mr President, you
20 will allow me to canvass something to do with her sexual encounters.

21 PRESIDING JUDGE SCHMITT: [13:13:58] If you handled it sensibly, what I assume
22 of course, then please move on.

23 MR AYENA ODONGO: [13:14:05] Being sensible is the thing that guides me
24 normally. I hope it guides me even now. Yeah.

25 Q. [13:14:13] Madam Witness, it would appear from your statements that you had

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1 a sexual encounter with person 1 only once and then the next morning he was sent on
2 an expedition for food in Uganda; is that correct?

3 MS HOHLER: [13:14:55] Your Honours, I don't think that's a fair proposition to put
4 to the witness because that's not what the statement says.

5 PRESIDING JUDGE SCHMITT: [13:15:04] Yes, also I am looking for it.

6 Where did you derive this from, Mr Ayena? Before the witness answers.

7 MR AYENA ODONGO: [13:15:13] If you go to paragraph 63, go to paragraph 63 --

8 PRESIDING JUDGE SCHMITT: [13:15:27] Mr Ayena, I think you are here, you are
9 here on the wrong path, to put it this way. If we go to 64 and I read it out, "I was the
10 wife of" person 1 "for about two months. During that time" -- and I say this -- "he
11 did not rape me very often." That is the testimony of the witness that is on the
12 record. So this is, so I think here you are on the wrong track. So please move on to
13 another question.

14 MR AYENA ODONGO: [13:16:08] Your Honours, I think I will give a shot at it
15 again. Going to --

16 PRESIDING JUDGE SCHMITT: [13:16:24] But not, but not the way you did it before.
17 Then you have to take another approach.

18 MR AYENA ODONGO: [13:16:28] No, no, no. I will take you to another --

19 PRESIDING JUDGE SCHMITT: [13:16:31] Okay.

20 MR AYENA ODONGO: [13:16:33] If you give me one minute to do.

21 PRESIDING JUDGE SCHMITT: [13:17:15] Microphone, please.

22 MR AYENA ODONGO: [13:17:17] Your Honours, if you go to the doctor's note, the
23 English version on page 3, at the bottom.

24 PRESIDING JUDGE SCHMITT: [13:17:31] I only have a French version, but I can at
25 least read French. So could you please tell me which paragraph.

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1 MR AYENA ODONGO: [13:18:07] (Microphone not activated)

2 Page 580.

3 PRESIDING JUDGE SCHMITT: [13:18:14] Okay. And which paragraph?

4 MR AYENA ODONGO: [13:18:16] Paragraph 5 to 10.

5 PRESIDING JUDGE SCHMITT: [13:18:44] Okay. I understand now.

6 MR AYENA ODONGO: [13:18:49] Yes. Am I asking a sensible question,

7 Mr President?

8 PRESIDING JUDGE SCHMITT: [13:18:55] Move on.

9 MR AYENA ODONGO: [13:18:57] Thank you.

10 Q. [13:19:01] It would appear, Madam Witness, that there -- it is suggestive that
11 you had a sexual encounter with him only for one night and then the next morning
12 you -- he did not ask of you anything, and the second day he was sent on an
13 expedition to Uganda and he was killed. But in your statement you said the man
14 ravaged you, he was asking for sex any time in any way and anywhere. Can you
15 explain this to Court, please.

16 A. [13:21:02] That person number 1 did not even ask for my consent. But the first
17 day that I was given to him as a wife, that was the time that he raped me.

18 PRESIDING JUDGE SCHMITT: [13:21:29] I think we simply move on or conclude.

19 MR AYENA ODONGO: [13:21:32] Yes.

20 Q. [13:21:42] May I suggest, Madam Witness, that from your narrative, the type of
21 people you closely interacted with up to the level of Kony, there is absolutely no way
22 upon any reasonable hypothesis it could be said that your ordeal in the LRA was at
23 the behest or responsibility of Dominic Ongwen. What do you say about that?

24 A. [13:22:54] But it was his soldiers who abducted me, so how can you say that it is
25 not him?

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1 PRESIDING JUDGE SCHMITT: [13:23:07] I think simply, as I said already, we have
2 everything on the record and we have to assess it in the end.

3 MR AYENA ODONGO: [13:23:14] In view of the fact that we are past lunchtime
4 anyway, I shall stop here, my Lord.

5 PRESIDING JUDGE SCHMITT: [13:23:21] Thank you, Mr Ayena.

6 Madam Witness, I may address you on behalf of the Chamber. This concludes your
7 testimony. On behalf of the Chamber I would like to thank you that you came to the
8 video location and that you answered all the questions that have been put to you in
9 the past two days and that you helped the Court to establish the truth. Thank you
10 very much and we wish you a safe trip back to your home.

11 This concludes also the hearing for today. Okay, there comes now.

12 THE INTERPRETER: [13:24:21] She said thank you.

13 PRESIDING JUDGE SCHMITT: [13:24:23] Thank you.

14 (The witness is excused)

15 PRESIDING JUDGE SCHMITT: And this is what I wanted to say before we part
16 today. A special thank you today goes to the interpreters. This was an especially
17 difficult task. It's always very challenging, but this time it was even more
18 challenging. And because of that, a special thank you to you. And given the
19 difficulties, it went smoothly, I would say, relatively smoothly and this was also of
20 course the very good work and preparation of the ones who questioned mainly this
21 witness, Mrs Hohler, Mrs Adong and Mrs Bridgman.

22 We reconvene tomorrow and start then with Witness P-85 at 9.30.

23 THE COURT USHER: [13:25:11] All rise.

24 (The hearing ends in open session at 1.25 p.m.)