



Jackline Atingo

February 17th, 2021

Watching the ICC Judgement of LRA commander Dominic Ongwen with Ugandan victims of enforced marriage

1 comment | 4 shares

Estimated reading time: 5 minutes



The conviction of Lord's Resistance Army commander Dominic Ongwen at the International Criminal Court for war crimes and crimes against humanity has been met with mixed reactions in northern Uganda, where many survivors live today. Jackline Atingo watched the Judgement with six formerly abducted women forced into LRA marriages with commanders, revealing views ranging from disappointment to jubilation.

'I was abducted aged seven years, and was forced to bear a child at 13 years of age. My body has never been the same. If Ongwen is not punished, victims like me should commit suicide.'

On 4 February 2021, judges at the International Criminal Court (ICC) in The Hague finally gave their judgement in the case of Dominic Ongwen. That moment has been a long time coming.

The warrant for Ongwen's arrest was one of five warrants issued by the ICC in October 2005 for the senior commanders of the Lord's Resistance Army (LRA). The LRA had been operational in northern Uganda since the late 1980s, where it had forcibly recruited thousands of people, including children, and had perpetrated terrible atrocities. One of the survivors of an LRA abduction is quoted above. Ongwen is the only one of the five who has ended up in The Hague. Joseph Kony himself, the LRA overall commander, is still at large.

Ongwen surrendered in January 2015, more than nine years after the warrant for his arrest was issued. After various pre-trial hearings, his trial began in December 2016 and the closing briefs of the closing statement were completed on 12 March 2020. A total of 69 witnesses and experts were called by the Prosecution, and 54 witnesses and experts by the Defence. It has then subsequently taken almost a year for the judges to assess all the evidence. Their verdict is damning.



Dominic Ongwen at the ICC.

The ICC judges have convicted Ongwen of 61 counts of war crimes and crimes against humanity, including crimes of sexual and gender-based violence, and conscripting and using child soldiers in hostilities. Women who were given to Ongwen as 'wives' and who gave evidence against him were judged to have been raped and sexually enslaved. Moreover, the judges were explicit about Ongwen acting of his own volition. Ongwen had himself been recruited as a child, but the judges rejected the claim that he could not make his own choices as an adult. They also rejected the idea that he was just following orders from Joseph Kony, or that possession by spirits meant that he did not have control over his own actions. His sentence has not yet been announced, but it is expected to be a very long prison sentence.

The judgement, like the trial proceedings, were telecast live to an eager audience in northern Uganda, who followed from various locations across the region through screening sessions organised by the ICC field outreach office in Uganda in partnership with civil society organisations and community groups. Included in the locations for screening sessions were places in which alleged crimes occurred, including Lukodi, Odek, Pajule and Abok. A screening session was also organised in Coorom, Ongwen's home village.

During the trial, and after the verdict, reactions here in northern Uganda have been mixed. Some people have been jubilant, while others expressed disappointment. Several have called for a light sentence given Ongwen's background of having been abducted as a child and forcibly conscripted, while others have remained sceptical that the verdict would make any difference or would compensate for what they had suffered. These variations were exemplified by views expressed by six formerly abducted women, all of whom had been forced into LRA marriages with commanders.

One implication of the judgement is that, like those who testified in the trial, these women had entered into sexual unions in a context of constraint. The fact that one of them in particular has accepted that situation, and views Ongwen as her husband, does not mean that she was not raped. The Ongwen trial judgement suggests all these women had been raped and coerced into sexual slavery.



Photo: Fatou Bensouda, Prosecutor of the International Criminal Court (Credit: Prachatai, licensed under CC BY-NC-ND 2.0). Her statement following the conviction: 'Today was an important milestone in the journey to bring justice to the people of Uganda.'

The six women visited me at my home, where they could watch the judgement on my computer. Before the judgement screening started, I asked about their expectations. What did they think would happen? Most of the conversation was in the Acholi language. I have tried to translate as literally as possible. I have given them all different names to hide their identities.

'He is going to win,' Sara said.

Grace replied: 'I don't think so this case has taken long, which means their investigation is well done. These ICC people have been moving a lot [meaning that they have gathered a great deal of evidence].'

Florence, who considers herself to be Ongwen's wife, was quiet and just said, 'I hope for the best.'

Mary then suggested that Ongwen's choices in the LRA had been limited: 'He took long [with the LRA], because when you tried to escape they would kill you. The same applied to Dominic.'

Others responded forcefully, arguing that Ongwen was among the people killing those who tried to escape. So, saying he could not escape is not an excuse.

Mary pushed back, explaining: 'I really feel for him. For me, he did a good thing. He helped me escape. Yet there are those other commanders, who were more terrible than Ongwen, and they are left to stay free.'

At this point, the screening had started, and one of the women jokingly tapped Florence, Ongwen's wife, saying: 'Look at your boss [meaning husband] he has put on weight yet you are here growing thin every day.' Then they all laughed. 'He is enjoying life if I imagine that skinny Ongwen I never expected he would put on weight.'

As the counts of crimes against Ongwen are listed, several commented together that:

'Everyone is looking at victims and reparation, they are not looking at Ongwen. He was abducted like us. But now why all these counts? The counts are too many ... It was the responsibility of the government to protect Ongwen, but today they have turned against him. It's not fair. The government of Uganda has liability. They failed to protect all of us including Ongwen ... The world has failed to observe and see that Ongwen was abducted, and the government did not play their part.'

Grace then commented mischievously about the images on the screen:

'Madam [meaning me!], the court is beautiful like this ... Hhmm! ... Odomi [meaning Dominic], who knew he would be in a white man's land? Now he is enjoying [life] with smooth skin.'

Mary, again, expressed sympathy for Ongwen:

'Why are they going for conviction? It is because they do not have anyone else to take to court. They should have focused on Kony. Now the court is dying with this one [meaning the ICC is using up its energy on someone less responsible]. They should be considerate.'

Others were happy as it became apparent that Ongwen was going to be found guilty of so many appalling crimes. Sara elaborated in this way:

'If I was given [the] opportunity, I would greet [congratulate] the judge today for his ruling. This is going to make the commanders outside [still at large] panic. For me, they could take all these commanders in [i.e. arrest them]. They did the same thing to us, if they talk about sexual violence. Some of those commanders were the ones that gave Ongwen women. He had no opportunity to refuse, because if you are given a girl and you refuse, you would be killed.'

My house was quiet when the verdict was made towards the end, and there was deep relief on the faces of almost all of them.

Sara said, 'Finally, it has come to an end. But why have they not sentenced him. What do you think will happen? Will it be 'life imprisonment?'

Mary answered: 'Eeh! take it slowly! Let us forgive Dominic'

Sara added:

'The counts are too many. I don't think Dominic committed all these atrocities. Anyway, a white man can investigate properly! Not like our court here that is for rich people. There is no bribe. So, I have trust in them [the ICC processes]. He is going to serve his sentence on behalf of Kony, Otti, Odhiambo, Raska Lukwiya and others [i.e. the other LRA commanders).'

Grace noted: 'the ICC did not reach some of us. How were they selecting their witnesses? I hope they picked the rightful people.'

His wife, Florence, just said:

'I am a widow! His children will never see him again. I wanted him to come back. Even if that means taking his children to him [and leaving them], for him to take care of them...'

After my visitors left, I was left to reflect on what I felt.

I too was abducted by the LRA. I was taken from my school dormitory. My future, if I had survived, would have been the same as these women. I would have been raped, forced into sexual slavery, and returned home with children of an LRA commander. But I was lucky. I was released when one of my teachers followed the LRA into the bush and begged for me to be allowed to go free. It makes the

stories of these women examples of what I might have been. Seeing their pain and suffering, their resilience and bravery, and their determination to survive, care for their children, and even forgive their abusers, is something very moving to me. I am not sure I would have been able to love a man who did such terrible things to me.

This was a comprehensive ruling by the ICC. Experiences of people with the LRA were horrible, and this was a right step for justice. At least one LRA leader has been held accountable at the ICC for terrible abuses. The law does not have an eye to consider that you were abducted young. What the law looks at is the things you have done, so that those who suffered in your hands get justice. People are saying that Dominic was abducted as a child, but he committed the sexual violence as an adult.

I do not think Ongwen had a mental problem, nor was he in fear of Kony or his spiritual power. Kony was not there forcing Ongwen to have sex with the girls. It was his own will that he raped these girls, and he did that to many. Ongwen had responsibility. He was heading a battalion and he was giving orders as a commander. I know that, for many, the verdict will make no difference. For victims, it will not undo the harm already suffered. Also, most LRA victims are outside the scope of this case, and will miss out on reparations. But, for me, it is an exciting day in my life to see that justice has for once been served.

Photo by Sora Shimazaki from Pexels.

About the author



Jackline Atingo

Jackline Atingo holds an MSc in Development Studies with a major in Human Rights and social justice from Erasmus University Rotterdam, a post-graduate diploma in Peace and Conflict Management from Gulu University.