

Trial Hearing

(Open Session)

ICC-02/04-01/15

WITNESS: UGA-D26-P-0105

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, 1 November 2018

8 (The hearing starts in open session at 9.38 a.m.)

9 THE COURT USHER: [9:38:17] All rise.

10 The International Criminal Court is now in session.

11 PRESIDING JUDGE SCHMITT: [9:38:34] Good morning everyone.

12 Could the court officer please call the case.

13 THE COURT OFFICER: [9:38:43] Good morning, Mr President, your Honours.

14 Situation in the Republic of Uganda, in the case of the Prosecutor versus Dominic

15 Ongwen, case reference ICC-02/04-01/15.

16 And for the record, we are in open session.

17 PRESIDING JUDGE SCHMITT: [9:38:58] I ask for the appearances of the parties.

18 First of all, Mr Sachithanandan.

19 MR SACHITHANANDAN: [9:39:03] Good morning, your Honour. Appearing

20 today, I am Pubudu Sachithanandan, with Beti Hohler, Ben Gumpert, Julian

21 Elderfield, Hai Do Duc, Yulia Nuzban, Jasmina Suljanovic, Sina Etezazian, Grace Goh,

22 Adesola Adeboyejo, Milena Bruns and Laura de Leeuw.

23 PRESIDING JUDGE SCHMITT: [9:39:25] Thank you.

24 And for the Representatives of the Victims, Mr Manoba first.

25 MR MANOBA: [9:39:30] Good morning, Mr President, your Honours.

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1 Joseph Manoba, James Mawira, Anushka Sehmi and Maria Radziejowska.

2 PRESIDING JUDGE SCHMITT: [9:39:38] Thank you.

3 Mr Narantsetseg.

4 MR NARANTSETSEG: [9:39:41] Good morning, Mr President, your Honours.

5 Orchlon Narantsetseg for the Common Legal Representative of Victims. Thank you.

6 PRESIDING JUDGE SCHMITT: [9:39:45] Thank you.

7 And Mr Obhof for the Defence.

8 MR OBHOF: [9:39:49] Good morning, your Honour, happy Movember 1st. Today

9 with -- my name is Thomas Obhof. Today with me, of course, is our counsel Krispus

10 Ayena Odongo, Ms Abigail Bridgman, Ms Beth Lyons and Chief Charles Achaleke

11 Taku. And Dominic Ongwen, our client, is in court.

12 PRESIDING JUDGE SCHMITT: [9:40:09] Thank you very much.

13 The Defence is now calling D-105 as its next witness.

14 The Chamber turns to his testimony.

15 Mr Opio, good day at the video link. And we are welcoming you at the courtroom

16 via video link. Good morning.

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18 (The witness speaks Lango)

19 (The witness gives evidence via video link)

20 THE WITNESS: [9:40:38] (Interpretation) Good morning, Mr President.

21 PRESIDING JUDGE SCHMITT: [9:40:39] Mr Opio, you are going to testify before

22 the International Criminal Court. I will now read out the solemn undertaking every

23 witness has to take when they appear before this Court, so please listen to me.

24 I solemnly declare that I will speak the truth, the whole truth and nothing but the

25 truth.

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1 Mr Opio, do you understand the undertaking?

2 THE WITNESS: [9:41:06] (Interpretation) Yes, I understand.

3 PRESIDING JUDGE SCHMITT: [9:41:10] And do you agree with it?

4 THE WITNESS: [9:41:15] (Interpretation) Yes, I do agree.

5 PRESIDING JUDGE SCHMITT: [9:41:17] Thank you, Mr Witness. You have now
6 been sworn in.

7 And before we start with your testimony, I would like to tell you some few practical
8 matters.

9 You are aware that everything we say here in this courtroom is written down and
10 interpreted, and to allow for the interpretation, everyone has to speak at a relatively
11 slow pace. And please only start speaking when the person who has asked you
12 something has finished. This is simply because otherwise the interpreters cannot
13 follow. If you wish to say something yourself, if you wish to address the Chamber,
14 please raise your hand and I will give you then the floor.

15 Thank you for your patience. Now enough of the preliminaries. And we start now
16 with the testimony.

17 And I give Mr Obhof the floor.

18 I understand that -- I have just been informed that you would like to have a short
19 break. Is this correct, Mr Witness? Before we start.

20 THE WITNESS: [9:42:32] (Interpretation) Yes, that is correct, yes.

21 PRESIDING JUDGE SCHMITT: [9:42:34] So then have a short break until -- and we
22 will be informed. Perhaps five, let's say five minutes, and we come back in five
23 minutes. So you have your break before we start. That happens.

24 THE COURT USHER: [9:42:47] All rise.

25 (Recess taken at 9.42 a.m.)

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1 (Upon resuming in open session at 9.45 a.m.)

2 THE COURT USHER: [9:45:59] All rise.

3 PRESIDING JUDGE SCHMITT: [9:46:09] Now, Mr Opio, we start with your
4 testimony and I give Mr Obhof from the Defence the floor.

5 MR OBHOF: [9:46:29] Thank you, your Honour.

6 QUESTIONED BY MR OBHOF:

7 Q. [9:46:32] Good morning, Opio.

8 A. [9:46:37] Good morning.

9 MR OBHOF: [9:46:40] Your Honour, if we could take maybe 5 minutes to go into
10 private session just about his personal information, please.

11 PRESIDING JUDGE SCHMITT: [9:46:46] Of course. We go shortly to private
12 session. Shortly means really shortly. In a couple of minutes we'll be back in open
13 session.

14 (Private session at 9.47 a.m.)

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 (Open session at 9.48 a.m.)

3 THE COURT OFFICER: [9:48:47] We're back in open session, Mr President.

4 MR OBHOF: [9:48:56]

5 Q. [9:48:56] Now, Mr Witness, how old were you when you were abducted?

6 A. [9:49:07] I was 8 years old.

7 Q. [9:49:10] Without saying the name of the place, were you living then in the same
8 place as you live now?

9 A. [9:49:31] Yes.

10 Q. [9:49:38] Now, do you remember when you were abducted?

11 A. [9:49:48] Yes, I do remember.

12 Q. [9:49:49] Could you please tell the Court when you were abducted, sir?

13 A. [9:49:58] I was abducted on 3 March in the year 2000.

14 Q. [9:50:04] Now, during that time, the time around your abduction, were people
15 living in the camps?

16 A. [9:50:25] No. There were no camps yet.

17 Q. [9:50:32] Now, around that same time, do you remember how the LRA was
18 operating?

19 A. [9:50:47] Yes, I do remember.

20 Q. [9:50:56] Could you please tell the Court how the LRA was operating around the
21 time of your abduction.

22 A. [9:51:08] At the time of my abduction, they abducted me. We had heard that
23 there were rebels around, so we went and took -- and hid behind the homestead. It
24 was about 6 p.m. It was no longer clear enough. From our hiding place, we found
25 someone was coming towards our direction and the person was holding a gun. I

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1 started fleeing together with my sister. My sister was older than me. We started
2 running, but she overpowered me. The person wanted to abduct my sister, and my
3 sister dropped the child she was carrying and fled. The person turned back and
4 abducted me instead.

5 Should I continue?

6 Q. [9:52:28] That's your choice. I could ask you some follow-up questions if that's
7 okay with you.

8 A. [9:52:42] You can ask, then I can continue later.

9 Q. [9:52:45] Okay. Now, this person who abducted you, do you remember this
10 person's name?

11 A. [9:52:55] Yes, I do remember.

12 Q. [9:53:02] What was this person's name?

13 A. [9:53:09] I remember that he was called Kenneth.

14 Q. [9:53:16] Now, you mentioned that your younger sister -- I'm sorry, that your
15 sister, they were also trying to abduct her. Did they abduct your sister eventually?

16 A. [9:53:34] No. She was not abducted.

17 Q. [9:53:37] Now, your little brother who was dropped, did they abduct your little
18 brother?

19 A. [9:53:51] No. He wasn't abducted because he was just 3 years old.

20 Q. [9:54:02] Did Kenneth, this person from the LRA, did he do anything to your
21 little brother?

22 A. [9:54:13] No, he did not do anything to my little brother.

23 Q. [9:54:19] After your abduction, where were you taken to?

24 A. [9:54:37] When I was really abducted, there is a route which comes from Lamin
25 Onami and passes through the centre of Bar-Rio and goes towards Acokora. I was

1 brought to that location and found a bigger group in that place.

2 Q. [9:55:01] Now, this place that you were taken to, does it have a name?

3 A. [9:55:23] I thought I mentioned it. Are you talking about where they finally
4 took me after my abduction?

5 Q. [9:55:39] Never mind. I'm sorry, I was reading the transcript and the location
6 was not spelled, so I missed it. It's my fault, Mr Witness. Sorry about that.

7 Now at Acokora, you said you were taken to the larger group. Who was in charge of
8 this larger group in Acokora.

9 A. [9:56:07] When I found them at the junction of the road, they had come for
10 operations and there -- I did not know who their leader was at that time.

11 Q. [9:56:32] Did you ever come to find out who the leader of that group was?

12 A. [9:56:38] Yes. When I was already in the bigger group, I later learned who the
13 name of the leader was.

14 Q. [9:56:57] And could you please tell the Court the name of the leader?

15 A. [9:57:02] The person who was leading that group was called Lubul.

16 Q. [9:57:15] Now, what happened to you when you encountered the larger group?

17 A. [9:57:33] When we encountered the larger group, we moved and they continued
18 walking. We went to a place called Aloni after Acokora and took some things from a
19 store there. When we came back from that location, we were now taken to a much
20 bigger place where they were staying.

21 Q. [9:58:04] Now, this much bigger place, do you know the name of this bigger
22 place and, if so, could you please tell the Court?

23 A. [9:58:20] When they finished the operation, they took me to a place called Loyo
24 Ajonga.

25 Q. [9:58:36] Now, when you reached Loyo Ajonga, what happened there?

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1 A. [9:58:50] When we reached Loyo Ajonga, we found there were many groups
2 near us. There was a big population there.

3 Q. [9:59:09] Now, you said the group went on mission in Aloni. Did they bring
4 anything back to Loyo Ajonga from Aloni?

5 A. [9:59:25] When they went to Aloni, they took things and came back from the
6 same route they used and proceeded to Loyo Ajonga.

7 Q. [9:59:40] When you say "things," what do you mean by "things"?

8 A. [9:59:59] There were foodstuff. They took beans. There were also mattresses.
9 Two mattresses were taken.

10 Q. [10:00:08] Now, when you arrived in Loyo Ajonga, did you happen to notice if
11 the LRA had its own gardens or fields with crops?

12 A. [10:00:28] No. There were no crops in the field. It was just a thicket where
13 they used to live at the time.

14 Q. [10:00:48] When you arrived in Loyo Ajonga, did you come to find out the name
15 of the group which abducted you?

16 A. [10:01:03] Yes. I was about to know the name of the place once I arrived there.

17 THE INTERPRETER: [10:01:23] Your Honour, the interpreter's correction. The
18 witness says he was able to know the name of the group once he arrived at the place.

19 PRESIDING JUDGE SCHMITT: [10:01:35] Thank you.

20 MR OBHOF: [10:01:38]

21 Q. [10:01:38] Mr Witness, what was the name of the group which abducted you?

22 A. [10:01:43] The group was called Trinkle.

23 Q. [10:01:52] Now, when you arrived in Loyo Ajonga, what happened to you
24 personally?

25 A. [10:02:12] Once I arrived at Loyo Ajonga, the person who abducted me, Kenneth,

1 was the one who was second to command -- in command to the group, that was
2 in -- the commander who was in charge of the Trinkle. So he called to me to go to
3 him to live with him, and he started teaching me how to dismantle a gun, cleaning it,
4 reassembling it, and then also how to fire the gun and also how to march. These
5 were the things that he was training me to do.

6 Q. [10:02:56] Now, this Kenneth, do you remember Kenneth's other name?

7 A. [10:03:05] I was not able to establish his other name because most times the
8 bosses there, you do not ask their names; so you only go with the name that you hear
9 people mentioning.

10 Q. [10:03:31] Could you describe Kenneth? Was he light skinned, dark skinned,
11 was he tall, short? Could you describe him for us, please?

12 A. [10:03:40] Because Kenneth was second in command to that commander, he was
13 tall, slim bodied and brown.

14 Q. [10:04:03] Now, when you say "tall", could you give maybe an estimate of his
15 height?

16 A. [10:04:09] Well, I cannot really estimate his height. He's not very tall, tall. I
17 think I can describe him to be size 24. He's just medium size.

18 Q. [10:04:27] Now, you discussed a little bit about your training with Kenneth.
19 Now, did Kenneth, did Kenneth train you on using code language over the military
20 radio?

21 A. [10:04:55] No, he did not.

22 Q. [10:05:10] Did he train you on how to use the large military radios?

23 A. [10:05:16] No, he did not.

24 Q. [10:05:23] Now, Mr Witness, when you were being trained, was Kenneth
25 training just you or was he training dozens of people?

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1 A. [10:05:41] At that time when I went, I was abducted alone, because from that
2 same village, three of us were abducted, but the other two were taken to other groups.

3 So I was alone, left in this group, so he only trained me.

4 Q. [10:06:09] Did you see larger groups of persons being trained together?

5 A. [10:06:20] I did not see that.

6 Q. [10:06:32] Now, how often were you trained?

7 A. [10:06:43] The training that he would give me, sometimes I wake up in the
8 morning, then he would show me what to do. Then the next day, I would rehearse it.

9 So it's usually once a day.

10 Q. [10:07:13] Now, being an adult now, Mr Witness, did it appear to you at that
11 time you were being trained for self-defence or for attack when you first arrived?

12 A. [10:07:33] Yes, I think so.

13 Q. [10:07:49] Just so we're clear, do you mean you think you were being trained for
14 self-defence?

15 A. [10:08:03] They could be training me to -- for self-defence, but also to protect the
16 other people so that in case there's any incident, then it means I would have to use
17 that skill to also protect the other people.

18 Q. [10:08:18] And when you say "just in case there's any incident," do you mean in
19 case the UPDF attacks your location?

20 A. [10:08:30] Yes, that's correct.

21 Q. [10:08:46] After being taken to Kenneth, what were your main duties with
22 Kenneth?

23 A. [10:08:57] When I was with Kenneth, after he completed the training, then he
24 made me to become his escort.

25 Q. [10:09:13] And what were your functions as Kenneth's escort?

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1 A. [10:09:25] My roles were to carry his bag containing his clothes, his chair and
2 also carry his gun.

3 Q. [10:09:42] Now, Mr Witness, have you ever heard the term or the expression
4 "batman"?

5 A. [10:10:05] Did you say "bad man"? Could he say it again.

6 Q. [10:10:12] Batman, B-A-T-M-A-N; otherwise known as Michael Keaton.

7 A. [10:10:21] No. I did not hear that.

8 Q. [10:10:41] During the next year or so of your time in the LRA, what was the
9 main purpose of the group you were in with Kenneth?

10 A. [10:10:47] That group mostly just stationed there, but mostly they had people
11 who were injured. Then there were some pregnant women who were also mostly in
12 that group.

13 Q. [10:11:16] Now during the next year or two, did you spend more time attacking
14 the UPDF or more time searching for food?

15 A. [10:11:35] Most of the things that we would do, we were not so much engaged
16 in fighting. We'd only go to collect food, except when we came under very close
17 UPDF attack, then that's when we respond, when they attack us.

18 Q. [10:12:07] Now, when you collected this food, if you abducted or if the group
19 abducted an adult to help carry the food to a certain location, what would normally
20 happen to the adult after the food was carried to where the LRA wanted it to be
21 carried to?

22 A. [10:12:29] For the old people, the adults who are seen not to be capable of doing
23 work, once they have helped us to carry the luggage, we don't allow them to come to
24 the position. We leave them to stop at some distance and then release them, because
25 we fear that if we bring them to our station, then they could later on lead the UPDF to

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1 our position. So because of that fear we would not allow them to come to that
2 position. We just leave them from a distance and release them.

3 Q. [10:13:18] When you were collecting these foods, did everyone that went to
4 collect food, did they usually have a gun?

5 A. [10:13:36] Not everyone had a gun.

6 Q. [10:13:57] Now, if you had to estimate, how long was it before you received a
7 gun from Kenneth?

8 A. [10:14:14] I spent three years.

9 Q. [10:14:19] During your searches, during the group's searches for food, what
10 would the group do if they saw or they came across UPDF, and the UPDF did not see
11 the group?

12 A. [10:14:49] Most times when we meet them and they did not see us, we only saw
13 them one-sided, we don't attack them.

14 Q. [10:15:08] Did your group stand still or did they hide somewhere?

15 A. [10:15:29] Once we have seen our enemies, we just continue with our movement
16 where we are going.

17 Q. [10:15:44] What would happen if you came across UPDF and the UPDF saw you?
18 Would it always be the same thing or it might be a different reaction?

19 A. [10:16:02] If they see us and they start firing at us, if it doesn't press us so much,
20 for us, we just flee. We don't respond. But if we find that we are under pressure
21 and serious attack, then we also respond to them.

22 Q. [10:16:33] When the UPDF noticed the group, did they always attack or did they
23 sometimes do other things?

24 A. [10:16:50] When they are aware of our position, they are the one who start firing
25 at us. So if they're in a distance, in a longer distance which is not very close to us, for

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1 us, we just flee. But if it is very close range, then that's when we respond.

2 Q. [10:17:21] When the UPDF engages and the group you were in ran away, how
3 would they know where to meet at a later time?

4 A. [10:17:41] Sometimes they don't press us so much that it will make us to flee and
5 scatter. But once we get scattered there is usually a place which is, which is already
6 agreed upon as an RV where people go and meet.

7 Q. [10:18:18] Was there always an RV agreed upon before the group left to collect
8 food?

9 A. [10:18:33] Yes, that's usually agreed upon before we leave, because sometimes
10 when the UPDF come and attack the group that remained behind, then they would
11 flee and go to that new location. So when we return and don't find people at the old
12 location, then we know they have moved to the new location.

13 Q. [10:19:02] Mr Witness, without saying what you did personally, was your group
14 ever involved in any type of engagement with the UPDF in Kitgum?

15 A. [10:19:34] Yes, that happened.

16 Q. [10:19:54] Do you remember the season of the attack, or what crops were being
17 harvested around that time?

18 A. [10:20:07] That time the people were harvesting sorghum.

19 Q. [10:20:21] And do you know around which month or months sorghum is
20 harvested?

21 A. [10:20:46] Well, that depends on the farmers, the season which they planted.
22 For instance, in Acholi, people plant sorghum a lot.

23 Q. [10:21:01] Do you remember if it was rainy season or the dry season?

24 A. [10:21:07] It was rainy season.

25 Q. [10:21:19] Had the mangos started to bloom, started to drop from the trees, or

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1 was mango season over?

2 A. [10:21:31] There were no mangos.

3 Q. [10:21:44] Do you know how long you had been held captive in the LRA
4 before -- before this battle in Kitgum happened?

5 A. [10:22:00] By that time I had already spent two years.

6 Q. [10:22:12] Do you remember who the overall was for this attack?

7 A. [10:22:26] Yes, I know.

8 Q. [10:22:35] And who was the overall for the attack?

9 A. [10:22:43] It was Odhiambo.

10 Q. [10:22:50] Now, do you remember if this attack happened before or after he
11 went to Teso?

12 A. [10:23:04] It was before going to Teso.

13 Q. [10:23:17] Do you remember who was the leader of the group that you were a
14 part of?

15 A. [10:23:38] Yes, I do recall.

16 Q. [10:23:48] And who led the group to which you were assigned?

17 A. [10:23:58] Could you say the question again?

18 Q. [10:24:11] In this battle in Kitgum, who was your -- the leader of your specific
19 group?

20 A. [10:24:22] Are you talking about the Trinkle group in which I was?

21 Q. [10:24:38] Sorry, Mr Witness. Let me explain. I do need to explain better.

22 A. [10:24:45] (No interpretation)

23 PRESIDING JUDGE SCHMITT: [10:24:48] Perhaps it's easier simply to cite here.

24 Mr Witness, you have been asked: "Do you remember who was the leader of the
25 group that you were part of?"

1 And your answer was: "Yes, I do remember."

2 And who was the person? That is my question.

3 THE WITNESS: [10:25:12] (Interpretation) The group I was in was called Trinkle
4 and the leader was called Lubul. But at the time to go for the attack, people were
5 selected to go.

6 PRESIDING JUDGE SCHMITT: [10:25:30] And with whom did you go?

7 THE WITNESS: [10:25:37] (Interpretation) People were selected from Trinkle, and
8 these were taken to the convoy that came from Odhiambo's group and they joined
9 together.

10 PRESIDING JUDGE SCHMITT: [10:25:53] Mr Obhof.

11 MR OBHOF: [10:25:58]

12 Q. [10:25:59] Did Okot Odhiambo, did he go into the battle himself, or did he select
13 somebody to lead the group which went into battle?

14 A. [10:26:12] In that battle, he was there himself.

15 Q. [10:26:22] Now, do you remember what the objective, what the purpose of this
16 battle was?

17 A. [10:26:38] At that time the people who were there who should have a gun were
18 there. But the guns were few, so their main purpose was to go and collect guns.

19 Q. [10:27:10] Now, were there any other commanders who were selected to go to
20 this battle?

21 A. [10:27:34] Yes, they were there, but I do not recall their names.

22 Q. [10:27:48] Did Kalalang go to this battle?

23 A. [10:27:55] He did not go.

24 Q. [10:28:06] Did Kenneth go to this battle?

25 A. [10:28:14] Kenneth, Kenneth went, because I was his escort.

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1 Q. [10:28:25] Was this battle, was it successful?

2 A. [10:28:49] It was not very successful because they didn't get enough guns as was
3 required.

4 Q. [10:29:07] How long after this battle did your group take before it went to Teso?

5 A. [10:29:23] It didn't take a long time. Probably it took about two to three weeks.
6 Then the plan to go began.

7 Q. [10:29:52] Had you ever been to Teso before?

8 A. [10:30:09] No, I had not been there before.

9 Q. [10:30:17] Do you know which commander or commanders planned the move
10 of your group to Teso?

11 A. [10:30:31] I was not part of the meeting that took place when they were planning,
12 but we would hear in hearsay that there was an activity coming up, and people were
13 going for operations in such and such a place. That is what we could hear.

14 Q. [10:31:05] You just stated you were not part of that meeting. From what you
15 remember as an escort, was it common for escorts to partake in these meetings
16 between commanders?

17 A. [10:31:26] Sometimes we would go where they are going to have them, hold
18 their meeting, but if it's top secret, we would be put aside and then they would go
19 and sit alone.

20 Q. [10:31:52] Now, you state "top secret". Could you give an example of a
21 top-secret meeting?

22 A. [10:32:12] When they have their top-secret meetings, we usually go with them,
23 all right, but then we sit on the side. Even the guns that we hold on their behalf, they
24 take it away from us and they hold the guns themselves because we will not be close
25 with them when they're holding their meeting.

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WITNESS: UGA-D26-P-0105

1 Q. [10:32:42] During your group's move to Teso, which, if any, groups
2 accompanied you to Teso?

3 A. [10:33:01] There were many groups at that time that had combined together.
4 We were very many in the whole group.

5 Q. [10:33:26] Do you remember the names of any of the larger groups which
6 accompanied your group to Teso?

7 A. [10:33:42] I remember a group which was called Stockree. There was Gilva,
8 Convoy. There were many groups. I do not recall all the names of the groups.

9 Q. [10:34:05] Now, you were in a group called Trinkle. Do you remember if all of
10 Trinkle went to Teso?

11 A. [10:34:25] Yes, all members of Trinkle went.

12 Q. [10:34:38] Do you know which commander or commanders selected the persons
13 or the groups which were chosen to go to Teso?

14 A. [10:34:55] It was not like a selection because all the groups were going, that
15 meant that there was no selection which took place. Everybody in the group moved.

16 Q. [10:35:12] Do you remember how long you spent in Teso?

17 A. [10:35:39] We did not take long in Teso.

18 Q. [10:35:48] Now we'll talk a little bit more about the death of Charles Tabuley
19 later. Were you in Teso though when Charles Tabuley died?

20 A. [10:36:09] Yes, I was.

21 Q. [10:36:19] I'm going to take one quick second step back. Do you know who
22 decided to send all of these groups to Teso?

23 A. [10:36:38] No, I do not know.

24 Q. [10:36:46] Which commanders did you travel with when you went to Teso?

25 A. [10:37:01] There were many commanders of the different groups, but the person

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WITNESS: UGA-D26-P-0105

1 who was leading the whole delegation was called Odhiambo and his deputies who
2 were following him.

3 Q. [10:37:26] Did Otti Vincent go to Teso with one of these groups?

4 A. [10:37:37] No, Otti did not go.

5 Q. [10:37:48] Now you mentioned Odhiambo's deputies. If you know, could you
6 tell the Court who Odhiambo's deputies were?

7 A. [10:38:03] The person who was second in command was Tabuley, because
8 Tabuley also had a high rank. And then there were many other people whose names
9 I do not recall.

10 Q. [10:38:25] Do you remember the area in which you entered Teso?

11 A. [10:38:39] I recall that we entered through a place called Obalanga. That is
12 where we entered from.

13 Q. [10:38:58] Now, when your specific group entered Teso, who was the
14 commander of the group in which you were in?

15 A. [10:39:18] When we went to Teso, the person who was leading our particular
16 group, since everyone was moving, every group had a leader, but we all moved
17 together as a team. At that time, Lubul was the one who was leading the group in
18 which I was moving.

19 Q. [10:39:53] Now, before you left Acholi and Lango, was your group on its way to
20 Teso, did it ever meet with Otti Vincent?

21 A. [10:40:20] We met him at around some mountainous place near a place called
22 Lacekocot, but it was much earlier than the time we went to Teso.

23 Q. [10:40:49] Now, when you arrived in Teso, was Charles Tabuley, was he already
24 there?

25 A. [10:41:03] We moved together with them.

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WITNESS: UGA-D26-P-0105

1 Q. [10:41:20] Now, without talking about specifically what you did, did your group
2 go to fight anywhere when you arrived in Teso?

3 A. [10:41:42] When we arrived in Teso, we found some soldiers who were, who
4 were on the move. Many of the bigger group had remained behind, and since we
5 had already sighted the enemy soldiers, we decided not to disturb them and they
6 proceeded. When they moved and left our location, we entered and crossed the
7 road. It appears as if the group wanted us to attack a barracks there, but this was
8 abandoned, this plan was abandoned. It was, however, the enemy soldiers who
9 started attacking us.

10 Q. [10:42:34] Now, do you know why the plan to attack the barracks was
11 abandoned?

12 A. [10:42:42] No, I have no idea.

13 Q. [10:43:07] Now, these enemy soldiers that started to attack you, were they
14 UPDF?

15 A. [10:43:16] When we were arriving, we were already almost approaching the
16 barracks, but before we entered the barracks, we were asked not to attack. When we
17 turned to move back towards where we had come from, it is the soldiers who were in
18 the barracks who started to attack us.

19 Q. [10:43:48] You said "we were asked not to attack". Who gave that order not to
20 attack?

21 A. [10:44:02] I cannot know who gave the order, because at that particular moment
22 other people had radio calls, especially the commanders were the ones who had radio
23 calls. The only thing I had was that who were stopped from attacking the barracks.
24 I do not know who gave the order.

25 MR OBHOF: [10:44:32] Now, Your Honour, I would like to refresh the witness's

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1 memory at tab 1.

2 PRESIDING JUDGE SCHMITT: Yes, please.

3 MR OBHOF: [10:44:34] That's UGA-D26-0021-0300 at page 0306, the page is -- or
4 paragraph is 15.

5 Q. [10:44:49] Now I'm just going to read you a small section of your statement,

6 Mr Witness. It states:

7 "We had begun fighting when Tabuley told us to stop. Word from the big boss was
8 that should not fight. It was Kony who used to decide whether a battle should go
9 ahead or not. For us, we only got the information from the commanders on the
10 ground; we never heard anything directly from Kony."

11 Now, Mr Witness, did you hear anything from the commanders about Kony ordering
12 the stop of the fight, or was this an assumption?

13 A. [10:45:48] In regard to that, it was stopped because at that very moment we
14 should have started, we should have started attacking, but we were stopped. But as
15 soon as we stopped the attack, the enemy soldiers started shooting at us.

16 Q. [10:46:16] Now, these enemy soldiers, do you remember the colour of their
17 uniforms?

18 A. [10:46:20] The soldiers who attacked us from the barracks, we were not able to
19 see their uniform, because we had not yet reached close to the barracks. But the
20 people who attacked us when we were coming back, the people who shot Tabuley
21 were wearing uniforms which are between pink and brown in colour.

22 Q. [10:46:51] Now, Mr Witness, during your time in the LRA, did you notice was
23 the UPDF wearing these colour uniforms or were they wearing camouflage uniforms?

24 A. [10:47:11] At that time the army had different types of uniforms. Others used
25 to wear that one which is between pink and brown. And then the full UPDF soldier

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WITNESS: UGA-D26-P-0105

1 had camouflage. But that group that wore a different type which was between pink
2 and brown, I did not know what kind of army they were.

3 Q. [10:47:43] Did you ever come to, after leaving the bush, after escaping, did you
4 ever come to find out what type of people, what type of government soldiers would
5 wear these brown and pink uniforms?

6 A. [10:48:10] I did not inquire, because many times when they realise you've come
7 back from the bush, many people do not talk to you. I was not able to ask. I also
8 feared that if I asked, it would identify me.

9 Q. [10:48:39] Now, these people who attacked you, this group, what happened,
10 what happened during this attack on the group?

11 A. [10:48:57] When the soldiers in the barracks started shooting at us, we had
12 already been informed that we shouldn't fight. So we started fleeing. Now, when
13 we were fleeing, that's when we entered another ambush.

14 Q. [10:49:21] And what happened, did anything significant happen during this
15 ambush?

16 A. [10:49:31] What happened during that ambush is Tabuley was killed in that
17 ambush.

18 MR OBHOF: [10:49:59] Your Honour, if we could, I would like to go into private
19 session for two quick questions, please.

20 PRESIDING JUDGE SCHMITT: [10:50:05] And why?

21 MR OBHOF: [10:50:07] I realise the gentleman was definitely under the age of 18
22 when the next situation happened. I don't know whether or not there might be some
23 kind of psychological issues with him discussing what he did next.

24 PRESIDING JUDGE SCHMITT: [10:50:20] I think we can lift it later on. So shortly
25 to private session, yes.

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(Private Session)

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1 (Private session at 10.50 a.m.) *(Reclassified entirely in public)

2 THE COURT OFFICER: [10:50:40] We're in private session, Mr President.

3 MR OBHOF: [10:50:43]

4 Q. [10:50:43] Mr Witness, what did you and people in your group, after Tabuley
5 died, what did you do to the person who killed Charles Tabuley?

6 A. [10:50:51] The person who shot Tabuley was someone who was a soldier. We
7 entered the ambush and those soldiers were few. We outnumbered them and that is
8 why we were able to pass. The injured one hid under a tree, under a big tree.

9 When we were now passing from that place, we just realised that we were being shot.

10 People dispersed and then we realised our commander was shot and had fallen down.

11 We could not go there because the soldier was still firing. We therefore surrounded
12 the tree.

13 After that we found that he was under that tree. Then he was shot from under that
14 tree.

15 Q. [10:52:06] Did you personally partake in the surrounding and killing of the
16 soldier who killed Charles Tabuley?

17 A. [10:52:18] No, I was not part of them.

18 PRESIDING JUDGE SCHMITT: [10:52:23] Back to open session.

19 MR OBHOF: [10:52:24] Yes, please.

20 (Open session at 10.52 a.m.)

21 THE COURT OFFICER: [10:52:33] We are back in open session, Mr President.

22 MR OBHOF: [10:52:51]

23 Q. [10:52:51] Now, Mr Witness, what happened to Charles Tabuley's body?

24 A. [10:53:01] When we realised that he was dead and the soldier had also been
25 killed, the body was carried. Some of the soldiers from among us were chosen, and

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1 we carried the body to bring it back. When we came, we reached a place called

2 Omot. That is where we rested.

3 Q. [10:53:38] Now, do you know to where the body was carried?

4 A. [10:53:49] When we reached Omot we rested a little bit and continued to move.

5 There was another defence where you cross Aswa and then you reach that place.

6 Q. [10:54:20] Do you know if Tabuley's body was ever buried?

7 A. [10:54:25] When we were there, I heard them talking about taking the body to

8 bury in Sudan.

9 Q. [10:54:45] Thank you.

10 MR OBHOF: Now, your Honours, considering the time, I think this would be a

11 perfect spot to break.

12 PRESIDING JUDGE SCHMITT: [10:54:51] I think so, you have just finished one

13 topic. Then we have the coffee break until 11.30.

14 THE COURT USHER: [10:54:59] All rise.

15 (Recess taken at 10.55 a.m.)

16 (Upon resuming in open session at 11.32 a.m.)

17 THE COURT USHER: [11:32:19] All rise.

18 PRESIDING JUDGE SCHMITT: [11:32:26] Mr Obhof, you still have the floor.

19 MR OBHOF: [11:32:49] Thank you, your Honour.

20 Q. [11:33:08] Good afternoon for you, Mr Witness.

21 Now, Mr Witness, you mentioned -- we discussed earlier today about the place in

22 Loyo Ajonga. Could you describe to Court what a sickbay is?

23 A. [11:33:39] Did you say "sickbay"? Could you repeat the question.

24 Q. [11:33:53] Yes.

25 PRESIDING JUDGE SCHMITT: [11:33:55] Mr Obhof, we have had really an

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1 abundance of evidence on the question what a sickbay is. I think if you don't have
2 any specific question that derives from that, I would say to establish what a sickbay is,
3 we don't need the testimony of this witness (Overlapping speakers)

4 MR OBHOF: [11:34:12] What he described earlier with the women and children and
5 injured people in Loyo Ajonga.

6 PRESIDING JUDGE SCHMITT: [11:34:17] But then simply continue directly asking
7 him what you want to know.

8 MR OBHOF: [11:34:23]

9 Q. [11:34:25] Mr Witness, that place in Loyo Ajonga, was that a sickbay?

10 A. [11:34:33] It was not a sickbay, but it was a place where those women were
11 being kept. But there were two places where pregnant women were kept. There
12 was a place in Trinkle, and then there was another group which name I have now
13 forgotten, but there were two places where pregnant mothers would be kept.

14 Q. [11:35:10] Now Opio, when you returned back to Acholi, with whom did you
15 return?

16 A. [11:35:23] To return to Acholi from Teso?

17 Q. [11:35:34] Yes. Which commander led you back from Teso back to Acholi?

18 A. [11:35:42] The person who was commanding us was Odhiambo, he was still the
19 overall.

20 Q. [11:35:56] After your return to Acholi, did your group ever go to Lacekocot?

21 A. [11:36:17] Our own group when we returned from Teso, I was with them and
22 they said we should take Tabuley's body to Sudan. But I did not go to Sudan, I was
23 selected to remain in the convoy. So my group went back with them there.

24 Q. [11:36:46] After the return from Teso did, your group that remained, did it go to
25 Lacekocot?

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WITNESS: UGA-D26-P-0105

1 A. [11:37:04] Yes, our group that remained behind went to Lacekocot.

2 Q. [11:37:16] Did anyone die in Lacekocot?

3 A. [11:37:28] Yes, the person who died was actually Lubul. And Kenneth, who
4 was his 2IC.

5 Q. [11:37:51] Now this Lubul person, could you briefly describe what he looked
6 like?

7 A. [11:38:04] Lubul was a tall person, build in body and light in colour. He lost
8 one, one of his eyesight.

9 Q. [11:38:25] Do you happen to know where, from where Lubul came? His home
10 village.

11 A. [11:38:40] I heard that he comes from Lacekocot.

12 Q. [11:38:56] Do you remember how long after your return from Teso were Lubul
13 and Kenneth killed?

14 A. [11:39:14] It didn't take a long time, probably about a week.

15 Q. [11:39:36] After Kenneth's death were you sent to another group?

16 A. [11:39:52] As they were going back I remained in another group.

17 Q. [11:40:04] Do you remember the name of this group?

18 A. [11:40:10] Yes. That group was Odhiambo's group, it was Convoy.

19 Q. [11:40:29] Do you remember if it had any other name other than "Convoy"?

20 A. [11:40:41] That was the name that was used.

21 Q. [11:40:48] Now, Mr Witness, without going into any detail, do you remember
22 going to a fight at Abok?

23 A. [11:41:10] I do recall.

24 Q. [11:41:23] Do you remember which season it was?

25 A. [11:41:31] That was in the year 2004.

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1 Q. [11:41:49] Do you remember if it was rainy season or dry season, or maybe the
2 type of food which was being harvested?

3 A. [11:41:58] That was rainy season.

4 Q. [11:42:14] Did you ever come to find out the date in which this attack happened?

5 A. [11:42:31] Yes, I did.

6 Q. [11:42:42] Which date did this attack happen?

7 A. [11:42:49] It happened on 6 August 2004.

8 Q. [11:43:05] Mr Witness, how did you learn what the date was when this attack
9 happened?

10 A. [11:43:14] After that attack, it took about three days after that, because when
11 people were going for that operation I was taken back as an escort, so I heard over the
12 radio when it was being communicated.

13 Q. [11:43:45] Now, how chose the people who were going to fight at Abok?

14 A. [11:43:59] At that time I was in the Convoy. I saw myself and other people
15 were selected to go and collect food. After the selection, we were added to another
16 group which was headed by Kalalang.

17 Q. [11:44:30] Do you remember the name of the person who selected you and the
18 others to go to collect food at Abok?

19 A. [11:44:39] Since I was with Odhiambo as the commander I was in his adaki.
20 Sometimes I would be his escort, sometimes he would take me to the adaki, that's
21 where I would stay. So he was the one who organised the meeting because we were
22 running out of food; so he said a group should be assembled to go and collect food in
23 Abok.

24 Q. [11:45:23] Can you estimate for the Court about how many people from your
25 group were selected to collect food at Abok?

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1 A. [11:45:44] About 200 people were sent to Abok.

2 Q. [11:45:53] Does that number include the people in Kalalang's group?

3 A. [11:46:05] Kalalang moved with his people as well. It was combined, the two
4 teams were combined.

5 Q. [11:46:24] Now, Mr Witness, considering where you grew up, are you -- or at
6 that time were you familiar with Abok?

7 A. [11:46:47] Could you say the question again.

8 Q. [11:47:02] At the time around the Abok attack, were you familiar with the
9 village Abok? Had you ever been there before?

10 A. [11:47:23] Abok was a place that was close to our area, but since I was young, I
11 had not been there before.

12 Q. [11:47:35] Now you mentioned that your group joined with Kalalang's. The
13 group that went to Abok, did they go as one large group?

14 A. [11:48:05] It went as one large group.

15 Q. [11:48:10] Who was the commander of the Abok attack on the ground?

16 A. [11:48:23] It was Kalalang.

17 Q. [11:48:39] Do you remember who Kalalang's number 2 was?

18 A. [11:48:49] I -- I do not recall because that was a different group and we just went
19 and joined with them.

20 Q. [11:49:00] If you can remember, could you at least describe Kalalang's number
21 2?

22 A. [11:49:15] I did not see his number 2, because even at the time when we went
23 and joined them, I was not in position to see him because the people -- the people
24 were very many; so I couldn't establish what colour he was.

25 Q. [11:49:49] You briefly mentioned the purpose, but could you give the purpose as

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1 you knew it of going to Abok?

2 A. [11:50:08] When we were assembled together, Kalalang addressed us and said,
3 "We are going, but we are not going for a fight. We are just going to collect food."

4 PRESIDING JUDGE SCHMITT: [11:50:42] Mr Witness, what did this mean, to collect
5 food, in your understanding?

6 THE WITNESS: [11:50:53] (Interpretation) When we go to collect food, it means
7 these were food items because by that time we would have run out of food so we
8 would go to collect items that we would use to eat.

9 PRESIDING JUDGE SCHMITT: [11:51:12] And where would these food items
10 belong to, to which persons?

11 THE WITNESS: [11:51:19] (Interpretation) These were civilians.

12 PRESIDING JUDGE SCHMITT: [11:51:27] And did you expect that the civilians
13 would deliberately give you the food items?

14 THE WITNESS: [11:51:38] (Interpretation) In -- if in our thinking and if it was in the
15 interests of the civilian, they would probably give us, but because they were staying
16 with the government, they wouldn't give us -- they wouldn't give us to us voluntarily,
17 that is why we have to now sometimes go and forcefully take the food items.

18 PRESIDING JUDGE SCHMITT: [11:52:09] Please continue, Mr Obhof.

19 MR OBHOF: [11:52:11]

20 Q. [11:52:13] Now when you left -- when you were selected to go to and you left to
21 meet up with Kalalang's group, how long did it take you to meet with Kalalang?

22 A. [11:52:34] Since we didn't take a long time in Teso, people were positioned in
23 different locations, but they were nearby, we didn't take a long time. It was just like
24 in the morning and then went to his group.

25 Q. [11:53:03] Now what happened when you met with Kalalang's group?

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1 A. [11:53:16] Kalalang gave us a report that we are going to Abok only to collect
2 food.

3 Q. [11:53:33] When he gave you this report, did you go directly into Abok right
4 then?

5 A. [11:53:48] Yes, we left in the morning of that day and went to Abok.

6 Q. [11:53:55] And did you go directly to Abok or did you stop before going in to
7 collect food?

8 A. [11:54:11] After we left, we went and rested in a forest called Akelo Alyek which
9 is close to Abok.

10 Q. [11:54:36] Now for how long did you rest at the Akelo Alyek forest?

11 A. [11:54:52] It was probably an hour.

12 Q. [11:55:03] If you remember, could you tell Court the approximate time in which
13 you left Akelo Alyek forest to go to Abok?

14 A. [11:55:18] We left between 6 to 7 p.m. because it was getting dark so you
15 couldn't see the distance ahead of you.

16 Q. [11:55:44] Now from the time you left Akelo Alyek forest to just before entering
17 Abok camp, could you please explain the way in which you walked to the camp?

18 A. [11:56:04] When we went to Abok, we followed a footpath that leads from Abok
19 to that forest. But before we left, two girls were sent ahead.

20 Q. [11:56:39] Were you told why those two girls were sent ahead?

21 A. [11:56:46] These two girls were sent on a reconnaissance mission to survey the
22 place and see what the place looks like.

23 Q. [11:57:06] Did they come back before you left?

24 A. [11:57:18] Yes, they -- they returned and then we left after they'd returned.

25 Q. [11:57:35] Now you discussed taking a footpath from the Akelo Alyek forest

1 towards Abok, did you remain on this footpath up to the time right before the group
2 attacked Abok?

3 A. [11:57:53] We followed only that road up to Abok because along that road, we
4 knew that there were no soldiers along that road.

5 Q. [11:58:24] Now while coming close to Abok, did you have to cross any roads?

6 A. [11:58:37] There was a road, the road from Bar-Rio to Ngai, and then there was
7 one from Abok school coming to Abok. So there was a junction and at that junction
8 there was four roads that were crossing at that junction.

9 Q. [11:59:19] Now, during this trip did you have to cross any swamps?

10 A. [11:59:33] Before we reached Abok, that place where we were at Akelo Alyek,
11 there was -- there was a rail, a rail that was crossing that forest, and we -- we moved
12 along that.

13 Q. [12:00:05] Now you discussed about a junction towards Abok primary. Is there
14 any village which is further away from Abok along that same path, from Abok to the
15 primary? Is there another village after that?

16 A. [12:00:27] From -- is it from the junction, or from -- the junction that I am talking
17 about, it was a crossroad. We had actually reached Abok already.

18 Q. [12:00:55] Now, between Abok primary school and the trading centre, is there
19 any swamps in that area?

20 A. [12:01:28] Yes, there was a swamp in that area.

21 Q. [12:01:37] Could you describe that to the Court, please. What it looked like in
22 2004.

23 A. [12:01:46] That swamp was covered by grass. It was more of a stagnant water,
24 full of mud, at that time.

25 Q. [12:02:05] Did you see any hibiscus growing?

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1 A. [12:02:11] Yes, there was.

2 Q. [12:02:20] Now, Mr Witness, when your group went to collect food at Abok, did
3 everyone go or did some people remain behind?

4 A. [12:02:50] When we left that group, Kalalang came with his group. For us,
5 some members of our group remained behind. Only a few of us were selected to
6 join Kalalang's group.

7 Q. [12:03:14] Now at that point when you -- when the group went in to Abok to
8 collect food, did the 200 or so people, or the people who were selected, those people
9 who left Akelo Alyek forest and went down near the swamp towards the P7 school,
10 did all of those people go into the camp to collect food?

11 A. [12:03:45] I beg your pardon, let he just go back behind a bit.

12 Q. [12:04:01] Please, go ahead.

13 A. [12:04:05] Earlier I said that at the time we returned they selected people from
14 the convoy and they joined Kalalang's group. Kalalang then told us that, for us who
15 were going to Abok, we are not going to fight, we shall just go to collect food. When
16 we started to move towards Abok, we came to the -- the thicket at Akelo Alyek.
17 Before we left that place, two girls were sent to monitor. We started moving towards
18 Abok thereafter. When we reached near the centre where there is a camp, there
19 a crossroad; one goes to Ngai, other to Abok school, another is now a main road, and
20 then there is another one goes to Bar-Rio. This is how the road was connected.

21 Q. [12:05:12] Thank you. It clears a few things up for me. I appreciate that.

22 PRESIDING JUDGE SCHMITT: [12:05:21] Mr Witness, did you expect that soldiers
23 would be there in the camp?

24 THE WITNESS: [12:05:29] (Interpretation) We did not expect to find soldiers there.

25 PRESIDING JUDGE SCHMITT: [12:05:37] Please, Mr Obhof.

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1 MR OBHOF: [12:05:39]

2 Q. [12:05:41] Now, after you entered the camp to collect food, how long was it
3 before the soldiers arrived?

4 A. [12:05:56] It took us between one or two hours. When we reached the
5 crossroad, we went straight to the camp now.

6 Q. [12:06:14] Now, when your group entered the camp, how long were you in the
7 camp collecting food before the soldiers arrived? Before the UPDF or the
8 government soldiers arrived.

9 A. [12:06:30] It took about one hour.

10 MR OBHOF: [12:07:07] Your Honour, if I may read a short passage from paragraph
11 20 of the witness's statement.

12 PRESIDING JUDGE SCHMITT: [12:07:13] Yes, please proceed.

13 MR OBHOF: [12:07:14]

14 Q. [12:07:16] Mr Witness, I'm going to just maybe refresh from your statement, and
15 this is in reference to Abok. It's paragraph 20, page 0308:

16 "We did not capture any citizens. We barely had time to do anything before the
17 soldiers were upon us."

18 Now, Mr Witness, because maybe I am asking the question incorrectly, when you
19 entered the camp to collect food, did the soldiers arrive immediately or did you have
20 an hour before they arrived?

21 A. [12:07:59] When we entered the camp we collected food. As we were about to
22 leave the camp with food, we started hearing gunshots.

23 Q. [12:08:24] And what did you and your group -- first, sorry, where did those
24 gunshots come from?

25 A. [12:08:36] The gunshots were coming from the crossroad, but the one

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1 towards Ngai.

2 Q. [12:08:55] Now these gunshots, were they firing at the LRA who were in the
3 camp?

4 A. [12:09:04] Yes. The gunshots were towards the LRA who were in the camp.

5 Q. [12:09:19] Now what happened - in a little detail - sorry. Sorry about that,
6 Mr Witness. After you heard the gunshots, what did you and your group, what
7 happened next?

8 A. [12:09:46] When we heard gunshots we started fleeing, but still carrying our
9 load. But when the gunshots intensified and houses were burning, we had to
10 discard the luggage we were carrying. The food that we were carrying were thrown
11 off.

12 Q. [12:10:09] Do you remember in which direction you fled?

13 A. [12:10:20] When we left the place where the gunshots were coming from, we
14 followed the road going to Abok school.

15 Q. [12:10:31] Now you also mentioned a fire. Do you remember when this fire
16 started?

17 A. [12:10:43] When the gunshots were really intensified and the huts were burning,
18 I remember that was the day that the battle took place there.

19 Q. [12:11:03] Just let me try to clear this up. Before the gunshots, did you see a fire
20 in the camp?

21 A. [12:11:19] No, there was no fire, and the civilians were already asleep.

22 Q. [12:11:30] Opio, do you know what a stretcher bullet is? A stretcher round.

23 A. [12:11:41] Yes, I do know a stretcher bullet.

24 Q. [12:11:49] Did you see any rounds from a stretcher bullet that night?

25 A. [12:12:02] Yes.

1 Q. [12:12:12] Could you please tell the Court from which direction these stretcher
2 bullets came from?

3 A. [12:12:21] The stretcher bullets were coming from the southern side, where the
4 rest of the bullets were coming from. When they fire the bullets it comes with some
5 form of fire with it.

6 Q. [12:12:46] If you know, could you tell the Court who or what group was firing
7 these bullets?

8 A. [12:13:00] It was dark at that time, and I couldn't see who was firing the bullets.

9 Q. [12:13:21] Now you stated that when you exited the camp you went towards
10 Abok primary. Could you continue your journey from when you started exiting the
11 camp and was heading to Abok primary. Where did you go next?

12 A. [12:13:45] When we reached Abok we reached a school and took the route that
13 crosses the Ngai road. We crossed Ngai road. And after the swamp, there is
14 a swamp near Abok centre there, which is on the western side. We found that the
15 soldiers had settled there that evening actually.

16 Q. [12:14:22] Now when you say "the soldiers had settled there that evening,"
17 which soldiers are you referring to?

18 A. [12:14:32] According to what we found, they were government soldiers, because
19 the rebels could not stay near the camp at daytime.

20 Q. [12:14:53] Now Opio, do you know how the fire in the IDP camp started?

21 A. [12:15:09] I cannot know how it started because gunshots were already being
22 heard. We were only fleeing to save our lives away from where the bullets were
23 coming.

24 Q. [12:15:34] Did you see anyone in the LRA intentionally light a hut at Abok
25 camp?

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1 A. [12:15:45] No, I did not see.

2 Q. [12:15:49] Now, these government soldiers which you came upon, did you fight
3 them or did you go somewhere else?

4 A. [12:16:07] We did not fight them, because when we left Abok, after they shot at
5 us, we went and crossed their path in the place where we found they had stayed.
6 We went back to the thicket at Akelo Alyek without the luggage which we had.

7 Q. [12:16:41] Now what happened when you arrived back at Akelo Alyek forest?

8 A. [12:17:00] When we reached Akelo Alyek, it was dark and we could not
9 continue moving at that time. We rested there and we spent the night there. At
10 about 5 a.m. to 6 a.m. in the morning, we heard gunshots again.

11 Q. [12:17:25] Who fired these gunshots that you heard in the morning?

12 A. [12:17:36] I did not know who shot the gun, who fired the gunshots. We were
13 in the thicket and we just left and fled away. And three people were injured.

14 Q. [12:17:58] Now when you returned, you mentioned that you had no luggage.
15 Did the group which you returned with, did you have any abductees?

16 A. [12:18:15] No, there were no abductees.

17 Q. [12:18:20] Now when you went to Abok to collect food, how many people
18 would you estimate from the LRA had guns?

19 A. [12:18:41] There were between about 20 people who had guns.

20 Q. [12:18:58] Now is this 20 people out of about the 200?

21 A. [12:19:08] Yes.

22 Q. [12:19:11] Now on the next morning, you mentioned that three people were
23 injured. Do you remember the names of these people who were injured?

24 A. [12:19:27] Those who were injured, one of them was called Onek Biding, another
25 was Lakony, and Kalalang was also shot, but he died.

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1 Q. [12:19:58] Now how do you know that Kalalang died?

2 A. [12:20:05] Because I saw.

3 Q. [12:20:18] Now after this attack -- one clean-up question. Do you know the
4 names of the two persons who went to Abok before the attack?

5 A. [12:20:33] Yes, I do know their names.

6 Q. [12:20:41] Could you tell the Court, please.

7 A. [12:20:48] One of them was called Atim Christine, she was Tabuley's wife, and
8 then Ojede.

9 Q. [12:21:08] These two persons, how old were they?

10 A. [12:21:15] I beg your pardon, can you repeat the question?

11 Q. [12:21:21] This Atim and Ojede, how old were they? An estimate of their age?

12 A. [12:21:35] Atim was already mature and Ojede was already someone mature.

13 Q. [12:21:51] Now after the morning attack, when you fled, where did your group
14 go then? Or where did you go then?

15 A. [12:22:07] Afterwards, we followed the same route with which we came and we
16 went back to the defence where we had come from. We had people who were
17 injured and also somebody who had been killed.

18 Q. [12:22:36] Do you remember the name of the place where you met up with
19 everybody?

20 A. [12:22:45] Yes, I do remember.

21 Q. [12:22:50] And what was that name?

22 A. [12:22:53] It was called Defence Auma.

23 Q. [12:23:06] And who took you? Did you go by yourself or who took you?
24 How did you get there?

25 A. [12:23:20] I do not recall the name of the person. It was someone who was the

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1 second in command to Kalalang.

2 Q. [12:23:36] And this is the same number two of Kalalang we discussed earlier; is
3 that correct?

4 A. [12:23:48] Yes, that is correct.

5 Q. [12:23:52] Now when you arrived there, did this 2IC, this number two, what did
6 he do?

7 A. [12:24:06] When we arrived there, he sat down with Odhiambo and they had
8 plans to bury Kalalang.

9 Q. [12:24:24] Now did you stay there for long?

10 A. [12:24:28] We didn't take so long there.

11 Q. [12:24:37] After this, to which group did you report?

12 A. [12:24:45] We went back to the Convoy where Odhiambo was.

13 Q. [12:24:55] And for how long did you remain in that Convoy after the Abok
14 attack?

15 A. [12:25:09] I was in the Convoy for about one month.

16 Q. [12:25:24] After this Convoy, do you know the name of the group to which you
17 went?

18 A. [12:25:33] Later I went to Stockree.

19 Q. [12:25:44] Did you remain in Stockree until you escaped?

20 A. [12:25:51] Yes.

21 Q. [12:25:56] Now Opio, I want to talk, I would like to talk a little bit about our
22 client, Mr Ongwen. Did you ever while in the LRA meet Dominic Ongwen?

23 A. [12:26:19] In regards to Dominic Ongwen, yes, I met him but once.

24 Q. [12:26:31] Do you remember where you met Dominic Ongwen?

25 A. [12:26:40] Yes, I do remember.

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1 Q. [12:26:48] Could you tell the Court where that was?

2 A. [12:26:57] I met them in Lacekocot, which was a bigger RV where many people
3 were meeting. Even Otti Vincent was a part of that meeting. I do not know about
4 the meeting though, I mean, what it was about.

5 Q. [12:27:30] Do you remember when you met Mr Ongwen?

6 A. [12:27:37] I don't recall exactly when.

7 Q. [12:27:44] Do you remember if it was before or after you went to Teso?

8 A. [12:27:54] We had not yet gone to Teso.

9 Q. [12:28:04] How long was your group with Mr Ongwen in Lacekocot?

10 A. [12:28:15] We stayed for only two days.

11 Q. [12:28:33] Now, Mr Witness, earlier you used the word "mature" in reference to
12 two persons. Could you give a little bit more of a definition to "mature", first for
13 a woman. When you said this Atim was mature, what does that mean to you?

14 A. [12:29:01] Atim was already at the age where she could get married.

15 PRESIDING JUDGE SCHMITT: [12:29:17] And what age would that be, in your
16 understanding?

17 MR OBHOF: [12:29:43] Are you hearing us, Mr Witness?

18 THE WITNESS: [12:29:48] (Interpretation) Yes, I'm hearing.

19 PRESIDING JUDGE SCHMITT: [12:29:50] So have you understood my question? I
20 asked you: In your understanding, at what age would it be possible for this woman,
21 or any woman in the LRA, to be married?

22 THE WITNESS: [12:30:10] (Interpretation) Someone who could get married could be
23 about 25 years and above.

24 PRESIDING JUDGE SCHMITT: [12:30:20] Mr Obhof.

25 MR OBHOF: [12:30:21]

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1 Q. [12:30:23] Mr Witness, we are going to talk a little bit about your escape. Could
2 you tell the Court when, a date or maybe a season, of when you escaped.

3 A. [12:30:48] I escaped. I don't remember the date I escaped, but I escaped from
4 a place where they sent us to go and collect cassava in Kalongo.

5 Q. [12:31:14] Do you remember in which year you escaped?

6 A. [12:31:18] I escaped in 2006.

7 Q. [12:31:32] Do you remember how old you were when you escaped?

8 A. [12:31:42] At the time of my escape I was 16 years old.

9 Q. [12:31:54] And finally, do you remember in which season you escaped?

10 A. [12:32:09] I mentioned that I escaped in May 2006.

11 Q. [12:32:32] Can you please tell the Court how you escaped, Mr Witness.

12 A. [12:32:39] At that time I was in Stockree. Sixty-five people were selected.

13 Upon that selection, only five had guns. So when we started our move, we went and
14 collected cassava. That day it rained heavily from morning -- from evening until
15 morning.

16 Q. [12:33:26] So what happened with you that morning?

17 A. [12:33:38] So as we were moving in the morning, we left the cassava garden
18 while it was still raining, and that was in the morning. We reached a certain water
19 point which is used by the community where they collect their water from. But
20 there was an ambush, there was an ambush at that water point. I had remained
21 behind and three people were in front. The three had guns. And then there was
22 another person in between us. So when those people entered the ambush, I heard
23 the gunshots, and in the middle of the heavy gunshots I untied the cassava that I was
24 carrying on my back, tried to move forward. Then I found that the three, the three
25 soldiers who had guns who were in front of me were all shot dead. At that time we

1 got scattered, everyone was fleeing on their own. So I also started fleeing in another
2 direction, now on my own.

3 So those soldiers who put the ambush started pursuing me, I could see they were
4 following me, and I kept on running until I managed to get out of their sight. I
5 just -- a branch of the bush and hid there. And then when they came they just
6 passed me, and they never found me.

7 Q. [12:35:39] Now they never found you, so where did you go after successfully
8 hiding from the UPDF?

9 A. [12:35:53] So after my -- that time when they passed and they never found me, I
10 started reflecting on how I could now move, because at that time the UPDF, even
11 when you surrender, they would just shoot you. They would not forgive you. So it
12 was difficult for you to just surrender at that time because they will shoot you. So
13 the best thing would be for you to run and run away, because if you surrender at that
14 time when you are still in that engagement, they would just shoot you.

15 Q. [12:36:40] Mr Witness, could you please tell the Court where you came upon
16 this information that the UPDF would shoot somebody, even if they tried to
17 surrender, while they were in an engagement?

18 A. [12:36:55] That was happening, even I would personally see it. Even some of
19 the girls, many girls that were moving with, many of them would surrender, would
20 put up their hands in surrender. But then you will just see that when -- when you
21 continue moving and when you return, you find that the girl is dead. And because
22 usually those dead bodies are not carried away, you come and find that, you know,
23 the dead bodies are lying down there.

24 Q. [12:37:38] Would those girls that you just spoke about, were those -- were those
25 girls armed? Did they have weapons?

1 A. [12:37:53] They were not armed. Most times -- sometimes they are just carrying
2 a bag on their back, but they would not carry guns.

3 Q. [12:38:14] Now, Mr Witness, after hiding, evading the UPDF, where did you
4 eventually surrender? At which barracks?

5 A. [12:38:28] When I tried to follow up my colleagues but could not get them, I
6 started following now the footpath of the government soldiers. I started reflecting
7 and thinking that I should now have come back home, because I even had my own
8 gun, I had my gun with me. So I started following these soldiers. Luckily, where
9 we were, the barracks was not very far away from the camp. So I continued
10 following those soldiers that morning, then I reached at some point and I climbed on
11 a tree. When I climbed the tree I spent the night and slept up on the tree until
12 morning. Then, again I came down to start following those soldiers. I moved for
13 some distance, then I found a path that is used by the civilians as they go to collect
14 water at the well.

15 Then I heard some people, I heard some voices, people were talking. When I heard
16 those -- the voice, then I looked into a hole, and I found there were some civilians in
17 that hole. And there was one person amongst those ones who were in the hole,
18 down, saw me. So when that civilian saw me, he came out and asked me, "What is
19 the problem?" Then I told them that I am a returnee from the bush, "Can you help
20 me and take me to the camp?" Then that person agreed and also called those ones
21 who had remained who were down in the water, collecting water from that hole,
22 came out, and then we started moving to go to the camp.

23 Q. [12:41:00] Mr Witness, you said that the barracks was very close to the camp.
24 How close for you is very close?

25 A. [12:41:13] The distance -- you know, when you are moving under fear you have

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1 to move slowly because, you know, you're -- you're scared.

2 Q. [12:41:40] But the distance from the military barracks to the camp, do you
3 remember about how far apart they were?

4 A. [12:41:58] It was not very far apart, because when I reached the camp and the
5 camp leader took me to the barracks, I found -- I realised that the distances were not
6 very far apart.

7 PRESIDING JUDGE SCHMITT: [12:42:19] I think, Mr Obhof, we can move on.

8 MR OBHOF: [12:42:22]

9 Q. [12:42:24] Now, how did the UPDF treat you when you were taken to the
10 barracks?

11 A. [12:42:35] When we reached the barracks, they warmly welcomed me. I
12 handed over the gun that I had and they took me to one of the officer who started
13 questioning me. He asked me that the people that were -- were ambushed, where
14 are some of them -- where have some of them gone? But because people were
15 scattered, so I told them, "No, I don't know where they went."

16 Q. [12:43:20] For how long did you remain at the barracks?

17 A. [12:43:28] I spent about one week in the barracks.

18 Q. [12:43:38] And were you treated well by the UPDF the entire time?

19 A. [12:43:49] They were treating me well, but some of the things they were saying
20 was not good, because I was amongst some of them who speak Acholi, but I would
21 hear what they would say.

22 Q. [12:44:11] Can you remember what they were saying? And could you please
23 tell the Court if you remember?

24 A. [12:44:18] You will excuse me, I did not record that down.

25 PRESIDING JUDGE SCHMITT: [12:44:35] I think yes, it is fair enough, the answer,

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1 so to speak.

2 MR OBHOF: [12:44:44] It was a very good answer.

3 Q. [12:44:51] Now after this one week, where did you go?

4 A. [12:44:55] I was at a barracks called Ladinge. Then I was taken to another
5 barracks called Acuru, which is also within Pader district.

6 Q. [12:45:28] Did you ever end up going to a rehabilitation centre?

7 A. [12:45:37] Yes, I was taken there.

8 Q. [12:45:46] Do you remember which rehabilitation centre you stayed?

9 A. [12:45:54] The first time I was taken to Pader GUSCO, and I spent one month at
10 Pader GUSCO. Then a report was sent to Lira, and then the people from Lira collect
11 me and took me to Rachele, to Rachele reception centre.

12 Q. [12:46:39] When did you finally return home?

13 A. [12:46:43] I do not recall the exact date, but I spent about a month in Rachele.
14 Then my parents also came to visit me, because I was doubtful if they were still alive.
15 When they saw me, I also, I was happy, I became happy. But I spent one month at
16 the centre.

17 Q. [12:47:18] Do you remember in which month that you returned home?

18 A. [12:47:27] I do not recall the month.

19 MR OBHOF: [12:47:39] Instead of reading his paragraph, could I just put a month to
20 him?

21 PRESIDING JUDGE SCHMITT: [12:47:47] Yes, why not.

22 MR OBHOF: [12:47:48] Thank you, your Honour.

23 Q. [12:47:49] Do you remember if it was around December of 2006?

24 A. [12:48:02] Yeah, it could be that month.

25 Q. [12:48:14] Now did you ever file for amnesty?

1 A. [12:48:24] I did not fill the amnesty form, because at that time in Lira, people
2 who were applying for amnesty were not now existing, there were not many. But
3 from Rachele, I was given a card, and my photograph was taken, a passport-size
4 photograph was taken and then was put in that form and stamped. That is what I
5 was given.

6 Q. [12:48:59] Finally from me, I believe our counsel has a few follow-up, but from
7 me, did you ever meet Joseph Kony while in the bush?

8 A. [12:49:17] No, I did not meet him. But maybe if I met him, then maybe I didn't
9 know that he was the one, because even then when you had a meeting, and if he was
10 there, they would not introduce who and who were present.

11 Q. [12:49:39] I would like to thank you for your time talking to me. And now our
12 counsel, Krispus Ayena Odongo, will ask you a few follow-up questions.

13 PRESIDING JUDGE SCHMITT: [12:49:50] Please, Mr Ayena.

14 QUESTIONED BY MR AYENA ODONGO:

15 Q. [12:49:55] Opio, I want to thank you for being available to help Court to
16 establish the truth in this case. Now I just wanted some clarification about one or
17 two things.

18 You said when you went to Abok, you were sent specifically to get food. Now when
19 you were sent, were you in any case told to harm or kill any civilian? Was that part
20 of the instruction?

21 A. [12:50:53] No, it was not given.

22 Q. [12:51:06] Were you told to destroy any property that you came across, like
23 burning houses or --

24 A. [12:51:27] No.

25 Q. [12:51:32] Can you tell Court what would happen to whoever overstepped the

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1 bounds of the instruction to pick food and killed or harmed civilians or destroyed
2 their properties? What would happen to them?

3 A. [12:52:02] A person who does such, violates such instructions would be
4 punished. If the person had a gun, that gun would be taken away from him. So he
5 would get a status of a trainee.

6 Q. [12:52:32] And you told Court that you returned home around December of
7 2006. By that time, Mr Opio, were you -- had you heard about peace talks between
8 the LRA and the government of Uganda?

9 A. [12:53:07] I, when I returned, when I -- when I returned, yes, there was those
10 issue of peace talks was going on. But even when I was in the bush, I would also
11 hear that that process was going on.

12 Q. [12:53:32] Now, Mr Opio, can you tell Court when you were -- the last time your
13 position was attacked and people dispersed and you ended up now returning home,
14 was it already during these peace talks?

15 A. [12:53:55] Yes, the peace talk was going on.

16 Q. [12:54:15] And during the peace talks, did you hear about a declaration of
17 cessation of hostilities?

18 A. [12:54:24] I heard, I heard about it, because that is why at some point when we
19 would meet with the government soldiers we would not attack them, but they would
20 attack us one-sided.

21 Q. [12:54:50] And last, but maybe the last question, Mr Opio, you spent about 4 and
22 a half year or about 6 years, between 4 to 6 years, why didn't you escape?

23 A. [12:55:20] The reason why I didn't have opportunity to escape, first, I was very
24 young, so if I could -- I would be told that don't think about home, don't mind about
25 home, so or sometimes you would be told that if you escape, then they will go and

1 kill everyone in your home so that we see where you are going to go. So that, that's
2 one of the things that also made me fear, so I did not escape.

3 Q. [12:55:57] And for those -- did you ever see anybody who tried to escape and
4 was captured?

5 A. [12:56:11] Yes, I saw someone who escaped and was recaptured.

6 Q. [12:56:22] What happened to him?

7 A. [12:56:26] When a person escapes and then is again reapprehended, sometimes
8 he is given a very harsh punishment, beaten harshly and then allowed to return. If
9 the person had some injuries, then would undergo treatment.

10 Q. [12:56:58] Would such a person sometimes be killed, or at least did you get to
11 know that there was such a rule in the LRA that if you tried to escape and you are
12 recaptured, you would be killed?

13 A. [12:57:19] That rule was there, but it was there to stop you from escaping.

14 Q. [12:57:33] And, Mr Opio, when you were abducted, did they perform some
15 ceremonies on you to make you fit in the LRA soldierhood?

16 A. [12:58:03] Yes, there was a ceremony performed.

17 Q. [12:58:11] What was that ceremony?

18 A. [12:58:20] What they do, they get the shea nut oil and they smear it in your front
19 of your head with the sign of the cross and on the back of your hand and on the leg
20 with the sign of the cross, and then you are given a uniform. Now you have been
21 initiated into the LRA.

22 Q. [12:58:51] Now after that initiation, did you have any impact -- did it have any
23 impact on your mind? Did it change your mind -- or, rather, maybe we begin from
24 the beginning. What was it meant to be or what was it meant to do to you?

25 A. [12:59:15] Well, I do not understand very deeply the -- the whole thing of this

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1 ceremony, but what happens is that once this oil is -- you are smeared with this oil
2 and in the case that you went for a battle and was a serious engagement, you may not
3 be injured.

4 MR AYENA ODONGO: [12:59:49] That's all, Mr President and your Honours.
5 Thank you very much, Mr Opio. Greet everybody at home.

6 PRESIDING JUDGE SCHMITT: [12:59:57] I thank you, Mr Ayena.
7 We have now the lunch break until 2.30.

8 Do you know already, Mr Sachithanandan, how long your examination will last?

9 MR SACHITHANANDAN: [13:00:10] It will be short, your Honour. We will finish
10 today.

11 PRESIDING JUDGE SCHMITT: [13:00:14] Thank you. 2.30.

12 THE COURT USHER: [13:00:17] All rise.

13 (Recess taken at 1.00 p.m.)

14 (Upon resuming in open session at 2.35 p.m.)

15 THE COURT USHER: [14:35:57] All rise.

16 PRESIDING JUDGE SCHMITT: [14:36:17] It's now the turn of the examination by
17 the Defence. I give Mr Sach --

18 MR SACHITHANANDAN: By the Prosecution.

19 PRESIDING JUDGE SCHMITT: By the Prosecution, Of course. I give
20 Mr Sachithanandan the floor. Thank you.

21 MR SACHITHANANDAN: [14:36:29] Thank you, your Honour.

22 QUESTIONED BY MR SACHITHANANDAN:

23 Q. [14:36:34] Good afternoon, Mr Witness.

24 A. [14:36:37] Good afternoon. Thank you.

25 Q. [14:36:40] Do you remember we met recently?

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WITNESS: UGA-D26-P-0105

1 A. [14:36:47] Yes, I do remember.

2 Q. [14:36:50] So I'm going to be asking you a few questions on behalf of the

3 Prosecution, and I'll begin by showing you a few documents.

4 Could we please pull up tab number 5 of the Prosecution binder. This is not for the
5 public. This is UGA-OTP-0285-0287.

6 Mr Witness, do you see that document in front of you?

7 A. [14:37:50] It's still being sought.

8 Q. [14:38:04] Just let me know when you can see it.

9 A. [14:38:10] I am seeing it now.

10 Q. [14:38:12] Could you tell us what this is.

11 A. [14:38:18] Yes, I can.

12 Q. [14:38:22] Please go ahead.

13 A. [14:38:26] I can see my photo in it.

14 Q. [14:38:34] And this document, it says "Voter Location Slip". To whom does this
15 document belong?

16 A. [14:38:44] It is mine.

17 Q. [14:38:52] Thank you. I'm going to show you a different document now.

18 Could we please pull up tab number 6, Prosecution binder, and that is

19 UGA-OTP-0285-0230.

20 Do you have it in front of you?

21 A. [14:39:45] Yes, I do.

22 Q. [14:39:48] Could you tell us who this is in this picture?

23 A. [14:39:56] That is my photo in the picture.

24 Q. [14:40:01] Am I correct that this was taken after you escaped from the LRA?

25 A. [14:40:11] Yes, that is correct.

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WITNESS: UGA-D26-P-0105

1 Q. [14:40:14] And it was taken at the Rachele centre; is that right?

2 A. [14:40:21] Yes.

3 Q. [14:40:27] You mentioned during your direct examination that you escaped in
4 2006. So am I correct in thinking that this photo was taken in 2006?

5 A. [14:40:47] Yes, that is correct.

6 Q. [14:40:51] Thank you, Mr Witness. We can put the picture to a side now.

7 I want to go back to the very beginning of your time in the LRA when you were first
8 abducted. You said you were abducted when you were about 8 years old, correct?

9 A. [14:41:28] Yes, that is correct.

10 Q. [14:41:32] And so, when you were serving under Lubul, you were
11 approximately 8 years old?

12 A. [14:41:45] When they started training me after abduction, I was 8 years old.

13 Q. [14:41:55] So when you were in Lubul's group under Kenneth, you were not a
14 senior officer in that group, were you?

15 A. [14:42:05] That is correct.

16 Q. [14:42:07] You didn't have a rank like, let's say, lieutenant, captain, major? You
17 didn't have a rank like that, right?

18 A. [14:42:21] I did not have a rank.

19 Q. [14:42:24] And you only had the duties of a junior soldier. That's correct, isn't it?

20 A. [14:42:36] Yes.

21 Q. [14:42:37] Now, sometime after the Teso campaign, you said you joined
22 Odhiambo; is that right?

23 A. [14:42:53] That is correct.

24 Q. [14:42:56] And assuming the Teso campaign was in 2003, you would have been
25 about 10 years old at the time; does that sound right?

1 A. [14:43:17] Yes, that should be correct.

2 Q. [14:43:21] Can you tell us how much time elapsed after the Teso campaign
3 before you joined Odhiambo's group?

4 A. [14:43:43] It did not take a lot of time. It could have been about one week.

5 Q. [14:43:53] Now, again, in Odhiambo's group, you only had the duties of a junior
6 soldier, that's right, isn't it?

7 A. [14:44:07] That is correct.

8 Q. [14:44:10] And you still didn't have a rank like lieutenant, captain, major,
9 et cetera?

10 A. [14:44:20] I did not have any rank.

11 Q. [14:44:23] And the officers didn't ask you for any input when they were
12 planning attacks or things like that?

13 A. [14:44:38] No.

14 Q. [14:44:42] Now, sometime after joining Odhiambo, you were sent for the Abok
15 attack and you said the Abok attack was in 2004; so that would make you about
16 11 years old at the time; that's right, isn't it?

17 A. [14:45:16] Yes, that is right.

18 Q. [14:45:21] So again, when you were in Kalalang's group at that time too, you
19 only had the duties of a junior soldier; that's correct, isn't it?

20 A. [14:45:37] Yes.

21 Q. [14:45:43] When you moved to Kalalang's group, you were accompanied by
22 Lakony and Onek Biding, that's right, isn't it?

23 A. [14:45:58] Yes.

24 Q. [14:46:05] Was Lakony younger than you, your age or older than you?

25 A. [14:46:17] Lakony was younger. It was Onek Biding who was older.

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1 Q. [14:46:30] About how old was Onek Biding?

2 A. [14:46:33] Onek Biding could have been 15 or 16.

3 Q. [14:46:39] You also moved with Odong and Ojok, that's right, isn't it?

4 A. [14:46:48] Yes.

5 Q. [14:46:52] Was Odong younger than you, your age or older than you?

6 A. [14:47:03] We were at a similar age bracket.

7 Q. [14:47:09] Now the same question for Ojok, younger than you, your age or
8 older?

9 A. [14:47:17] Ojok was much older.

10 Q. [14:47:25] And this transfer happened about a day before the Abok attack, that's
11 right, isn't it?

12 A. [14:47:37] Yes.

13 Q. [14:47:40] Now, when you joined Kalalang's group, Kalalang already had a
14 number of fighters under him; that's right, isn't it?

15 A. [14:47:54] Yes, he had his soldiers with him. They were many.

16 Q. [14:48:03] And when you joined Kalalang's group, the most senior officer in that
17 group was Kalalang; that's right, isn't it?

18 A. [14:48:19] Yes.

19 Q. [14:48:21] And the people in that group called Kalalang "Lapwony"; is that
20 right?

21 A. [14:48:31] Yes, that is correct.

22 Q. [14:48:36] When you joined Kalalang's group, did you see anyone of your age or
23 younger than you?

24 A. [14:48:56] I saw Odongo and he was more or less my age. The rest were older.

25 Q. [14:49:15] It's correct, isn't it, that there were women in Kalalang's group?

1 A. [14:49:25] Yes, there were women.

2 Q. [14:49:28] Now, these women, were they ting tings or had they been assigned to
3 some commander or was it a mixture of both?

4 A. [14:49:47] It was a mixture of both. There were some women who even had
5 children already and then there were younger girls who were also there.

6 Q. [14:49:59] Did Kalalang have any wives?

7 A. [14:50:07] He had wives, but when we were going to Abok, he had only one
8 wife with him.

9 Q. [14:50:16] Now, at some point, Kalalang instructed all of you to move towards
10 Abok; that's correct, isn't it?

11 A. [14:50:34] Yes, that's correct.

12 Q. [14:50:35] And you and everyone else obeyed Kalalang's instructions and
13 started moving towards Abok?

14 A. [14:50:47] Yes, that is correct.

15 Q. [14:50:50] During this movement, the most senior officer with you was Kalalang;
16 that's right, isn't it?

17 A. [14:51:01] That is correct.

18 Q. [14:51:04] Sometime later, you arrive at Akelo Alyek?

19 A. [14:51:13] Yes.

20 Q. [14:51:15] And the most senior officer there too, is Kalalang?

21 A. [14:51:23] Yes, it was Kalalang.

22 Q. [14:51:26] Now, you stayed there and after darkness falls, Kalalang orders the
23 attack on Abok; that's correct, isn't it?

24 A. [14:51:40] Yes, that's correct.

25 Q. [14:51:44] Now, you and some other people with you, you started taking food

- 1 from places in Abok; that's right, isn't it?
- 2 A. [14:52:00] That's correct.
- 3 Q. [14:52:02] Could you describe to us a little bit what sort of things you took?
- 4 A. [14:52:13] The things that we took from Abok include foodstuff like beans; we
- 5 actually wanted beans more from that place.
- 6 Q. [14:52:31] And was it just you or were other people also doing this?
- 7 A. [14:52:39] The group that went, all went to collect food.
- 8 Q. [14:52:49] Can you remember what was the age of the youngest person who was
- 9 collecting food at Abok?
- 10 A. [14:53:06] The youngest person who went there was about 11 or 12.
- 11 Q. [14:53:16] And how many people of that age group, say 11, 12, 13, were
- 12 collecting food at Abok?
- 13 A. [14:53:36] There were not many people, only two of us were young.
- 14 Q. [14:53:51] Now, sometime afterwards, you started hearing gunshots. That's
- 15 right, isn't it?
- 16 A. [14:54:01] Yes, that's correct.
- 17 Q. [14:54:04] And the people headed back to Akelo Alyek?
- 18 A. [14:54:14] That's correct.
- 19 Q. [14:54:16] And the most senior officer back at Akelo Alyek was still Kalalang.
- 20 That's right, isn't it?
- 21 A. [14:54:28] Yes, it was still Kalalang.
- 22 Q. [14:54:33] And you said today that Kalalang was shot; that's correct?
- 23 A. [14:54:42] Yes, he was shot.
- 24 Q. [14:54:47] And you said that he died.
- 25 A. [14:54:53] He died, yes.

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1 PRESIDING JUDGE SCHMITT: [14:54:56] Mr Sachithanandan, it may be necessary
2 that every once in a while you repeat what the witness said, but we don't have to go
3 through all of the witness evidence we have already had this morning.

4 MR SACHITHANANDAN: [14:55:08] I appreciate, your Honour.

5 Q. [14:55:14] You know he died because you saw his dead body. That's correct,
6 isn't it?

7 A. [14:55:23] Yes.

8 Q. [14:55:28] And, in fact, you said today and this is the -- sorry, this is final thing
9 I'm going to say about what you said today.

10 My apologies, your Honour, I'm just trying to set up a question.

11 PRESIDING JUDGE SCHMITT: [14:55:44] Yes, I said when you try to set up a
12 question, but you know this, otherwise we go through all we have already on the
13 record. That is definitely not necessary. Please continue.

14 MR SACHITHANANDAN: [14:55:58]

15 Q. [14:55:58] In fact, you said that at some point the deputy to Kalalang discussed
16 the burial of Kalalang's body with Odhiambo. That's right, isn't it?

17 A. [14:56:16] That's correct.

18 Q. [14:56:16] I just want to take you to two paragraphs in your statement, the
19 statement you gave to the Defence.

20 And this is tab 1 of the Prosecution binder, your Honour, paragraph 21.

21 Mr Witness, you say in your statement to the Defence, "They shot Kalalang and some
22 people carried Kalalang and went with him. I do not know if he died but I never
23 saw Kalalang again ..."

24 Could you help us understand, Mr Witness, so did you see him die or did you not?

25 A. [14:57:17] I saw -- I saw his body when he was already dead. When he was

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1 shot, he fell down and never got up. Then he was carried. The two who got
2 injured were the ones who were carried on stretchers while they were sitting. But
3 for him, he was already dead when he was carried on the stretcher because blood was
4 flowing from his chest.

5 Q. [14:57:42] I want to read a small part of paragraph 22. Here you say:

6 "It was the second in command to Kalalang who led us back to Loyo Ajonga. He
7 gave the report of the attack to Oboke, who must have given the report to Odhiambo.
8 No, we did not meet Odhiambo."

9 So could you help us understand, Mr Witness, did you, did you meet Odhiambo after
10 the attack or not?

11 A. [14:58:29] After that attack, when Kalalang had already died, we went back to
12 Odhiambo, because the person who had sent -- the person whom he had sent us with
13 had now died and we needed to take back the body of Kalalang up to there. That's
14 why we went up to there.

15 Q. [14:58:53] Thank you, Mr Witness. We'll move to a different topic now. And
16 these are a number of attacks that I want to mention to you. You don't know, do you,
17 Mr Witness, who ordered the Barlonyo attack?

18 A. [14:59:25] I don't know.

19 Q. [14:59:27] And you don't know which group participated in this attack?

20 A. [14:59:38] I have no knowledge of that because I did not go for it.

21 Q. [14:59:44] And you don't know who ordered the Abia attack, do you,
22 Mr Witness?

23 A. [14:59:54] I don't know.

24 Q. [14:59:56] And you don't know which group participated?

25 A. [15:00:03] I have no knowledge of it.

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1 Q. [15:00:06] And the final example, you don't know who ordered the Lira-Palwo
2 attack, do you?

3 A. [15:00:19] I don't know the person who ordered Lira-Palwo attack, we just
4 entered an ambush when we had gone to collect food around the rocky areas there,
5 but we did not have a battle or an attack in the camp.

6 Q. [15:00:35] So you don't know which group had gone to attack Lira-Palwo?

7 A. [15:00:43] I don't know the group that attacked Lira-Palwo.

8 Q. [15:00:54] Would it surprise you, Mr Witness, to know that these were attacks
9 ordered by Odhiambo shortly before the Abok attack?

10 MR OBHOF: [15:01:04] Objection, your Honour, that's an interpretation. "Shortly"
11 is four months. I mean it's --

12 PRESIDING JUDGE SCHMITT: [15:01:13] I think you can move on, yes.

13 MR SACHITHANANDAN: [15:01:17] I'll move on, your Honour.

14 Your Honour, I'm going to put a brief factual proposition to the witness. The
15 evidence underlying the proposition can be found at tab 7 and 8 in the binder. I'm
16 not going to mention the evidence to the witness, but I'm just saying this so that the
17 Bench and parties can take a look if they want. There are a number of logbook pages
18 with some little tabs.

19 PRESIDING JUDGE SCHMITT: [15:01:51] Yes, please proceed.

20 MR SACHITHANANDAN: [15:01:53]

21 Q. [15:01:55] Mr Witness, it's correct, isn't it, that Mr Odhiambo was in Sudan
22 during the months of May and June 2004?

23 A. [15:02:18] He was not there.

24 Q. [15:02:24] All right. I'm going to move on, I think, to perhaps the final topic of
25 your examination today.

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1 You described to us your escape from the bush and you told us --

2 A. [15:02:49] (No interpretation)

3 THE INTERPRETER: Could the witness say again the statement.

4 PRESIDING JUDGE SCHMITT: [15:03:02] Please repeat it, Mr Witness.

5 THE WITNESS: [15:03:08] (Interpretation) This is how I escaped. I left from that
6 group. That is why I was confirming to you that in that year Odhiambo was not in
7 Sudan, because I was in that group. I was transferred to that group and we were
8 taken to go and collect cassava from Kalongo. That day there was rain from evening
9 until morning. We even uprooted the cassava in the rain. So after the activity we
10 started returning back, and came in an ambush at the -- at a stream called Akobo.

11 MR SACHITHANANDAN: [15:03:59]

12 Q. [15:04:00] Thank you, Mr Witness. I'm sorry to stop you. I'm just going to -- I
13 know you have discussed this before when Mr Obhof was examining you. I just
14 want to ask you a few, a few clarifications about that.

15 Now you told us, didn't you, that escape was forbidden and that there were many
16 punishments for escaping?

17 A. [15:04:25] Yes, that's what I explained earlier. It was what used to happen. I
18 even witnessed it with my own eyes that it would happen.

19 Q. [15:04:40] But, Mr Witness, you said today, and I'm going to quote the transcript
20 for you, this is from page 49 of this morning's transcript, "I started reflecting and
21 thinking that I should now have come back home". Could you tell us what you were
22 thinking, Mr Witness, when you decided to come back home?

23 A. [15:05:13] At the time that I made up my mind to come home, because since
24 I had already separated from the rest of my colleagues, the distance between me and
25 them was now quite big, I could not walk to catch up with them. So something came

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1 up to my mind and said "Let me try." Even though they used to tell us, even when
2 you return home they would disturb you, they will stigmatise you. But I just said,
3 "Well, let me try my luck this time." So I took some time. I decided to leave. I
4 came and found some civilians. The civilians brought me to the camp leader, and
5 the camp leader then took me to the soldiers in the barracks. So that's how I
6 escaped.

7 Q. [15:06:03] Mr Witness, I just want to clarify one thing that you said earlier. You
8 said that Odhiambo was not in Sudan because that was the year you escaped. So
9 I think I want to put the question to you again. Now, you escaped in 2006. That's
10 correct, isn't it?

11 A. [15:06:49] That's correct.

12 Q. [15:06:51] Right. So I'm not asking about 2006, actually. I'm asking about
13 2004. It's correct, isn't it, that Mr Odhiambo was in Sudan during the months of May
14 and June 2004?

15 A. [15:07:13] He was not there.

16 MR SACHITHANANDAN: [15:07:26] Thank you, your Honour. No further
17 questions.

18 PRESIDING JUDGE SCHMITT: [15:07:29] Thank you very much.

19 Any questions by the Legal Representatives of the Victims?

20 MR MANOBA: [15:07:34] I have a few questions, Mr President.

21 PRESIDING JUDGE SCHMITT: [15:07:38] Please continue.

22 QUESTIONED BY MR MANOBA:

23 Q. [15:07:42] Mr Witness, I represent victims in this case and I would like to put
24 some questions to you.

25 At the time you were abducted, were you in school?

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- 1 A. [15:07:57] (No interpretation)
- 2 PRESIDING JUDGE SCHMITT: [15:08:12] We did not hear interpretation.
- 3 THE WITNESS: [15:08:16] (Interpretation) Yes, I was in school.
- 4 PRESIDING JUDGE SCHMITT: [15:08:17] Thank you.
- 5 MR MANOBA: [15:08:18]
- 6 Q. [15:08:19] Which school were you going to?
- 7 A. [15:08:22] It was Bar-Rio primary school.
- 8 Q. [15:08:29] And in which class were you in at the time?
- 9 A. [15:08:38] I was in primary 3.
- 10 Q. [15:08:44] When you were abducted and taken to the bush, was there any form
- 11 of education that you received?
- 12 A. [15:08:57] I did not receive any form of formal education.
- 13 Q. [15:09:04] Is there an explanation for this?
- 14 A. [15:09:18] Yes, I can explain briefly.
- 15 Q. [15:09:20] Please go ahead.
- 16 THE INTERPRETER: [15:09:22] Your Honour, could counsel speak up a bit so that
- 17 the Acholi booth can hear him clearly.
- 18 PRESIDING JUDGE SCHMITT: [15:09:30] I think you have heard it, Mr Manoba.
- 19 MR MANOBA: [15:09:32] Thank you.
- 20 Q. [15:09:33] Please do explain, give us the explanation why you had no education
- 21 in the bush?
- 22 A. [15:09:44] I did not get any formal education while in the bush because there are
- 23 no schools there, and that's why I didn't go to school while in the bush. But if there
- 24 was -- there were schools there, I would have continued with my education.
- 25 Q. [15:10:05] Thank you for that answer.

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1 A. [15:10:11] Thank you too.

2 Q. [15:10:14] I understand there were no formal schools, but were there individuals
3 that were teaching children of your age, you know, giving them some form of
4 education?

5 A. [15:10:38] What used to happen at that time was that if you are abducted, they
6 would just train you how to shoot a gun, how to clean, how to dismantle a gun and
7 reassemble it, and how to march. That's basically.

8 Q. [15:11:00] Okay. Now, this abduction that you experienced, did it have an
9 impact on you, on your life?

10 A. [15:11:14] Could you say the question again.

11 PRESIDING JUDGE SCHMITT: [15:11:17] I think "impact" is too abstract. Perhaps
12 be a little bit more specific.

13 MR MANOBA: [15:11:24]

14 Q. [15:11:25] Were you affected by the abduction from your home and taken to live
15 in the bush?

16 A. [15:11:44] It didn't have any impact on me. I was just concerned about my life,
17 that I should be alive, and I'm here alive.

18 PRESIDING JUDGE SCHMITT: [15:12:00] I think that it -- still a misunderstanding,
19 but I think that's an answer, I would say.

20 MR MANOBA: [15:12:09]

21 Q. [15:12:09] Mr Witness, was someone from your family other than you abducted
22 when the camp in Abok was attacked?

23 A. [15:12:30] Could you say the question again.

24 Q. [15:12:34] Among the people that were living in your home, was there any other
25 person that was abducted other than yourself?

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1 A. [15:12:52] From Abok camp no one was abducted. But from our village three
2 of us were abducted. And the three of us, we were separated, we were taken to
3 different groups.

4 Q. [15:13:12] Was there anybody killed from your family or someone close to your
5 home, to your immediate family?

6 A. [15:13:34] Yes, that happened, but it was not that they wanted to intentionally
7 kill the person. But the person tried to escape and was beaten, and I think as a result
8 of the beating sustained injuries, which was -- they tried to manage it, but they
9 couldn't, and the person succumbed to the injuries.

10 Q. [15:14:08] Do you know who beat him and caused these injuries to him?

11 A. [15:14:24] Because we were in different groups, my colleague with whom I was
12 used to was the one who told me that he tried to escape and was beaten. They tried
13 to treat him, but it was not possible and he died.

14 Q. [15:14:45] How did you feel knowing about the fact that he died as a result of
15 the injuries that he sustained?

16 A. [15:15:08] When I heard that he lost his life, well, at that time there was nothing
17 much I would think about, I wouldn't think deeply. When I heard of his death, I
18 didn't take it in any other light because I took it that he was not killed intentionally.

19 Q. [15:15:39] Now, Mr Witness, at the time the Abok camp was attacked, do you
20 know if your family was living in the camp?

21 A. [15:16:02] You will excuse me a bit. Let me take you back a bit.

22 Q. [15:16:12] Please go ahead.

23 A. [15:16:15] At the time when I was abducted, there were no camps yet. So the
24 camp that our parents went to was Bar-Rio. It was not Abok camp. It was Bar-Rio.

25 Q. [15:16:39] So you knew they were living in the camp, in the Bar-Rio camp?

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1 A. [15:16:57] Yeah, at that time even when -- even if you moved in any other place,
2 you would not find people in the village. Everybody was in the camp.

3 Q. [15:17:12] Did you have any relatives in the camp in Abok, or friends?

4 A. [15:17:30] I had one relative there.

5 Q. [15:17:40] Would you mind to tell us what you thought about attacking the
6 camp while the relative was living in the camp? What did you feel knowing that
7 there is someone that is related to you in the camp, but still this is the camp that the
8 LRA group that you are in was going to attack?

9 A. [15:18:14] Since we had gone not to kill civilians, we had gone to only collect
10 food, not to kill them.

11 Q. [15:18:31] So you had no feelings about the fact that you were going to collect
12 food from perhaps your relatives and take the food away from them?

13 A. [15:18:47] The food that we collect, we don't collect everything that we find in
14 the house. For instance, when we come to a camp, we just pick some areas, some
15 camps and some houses, and when we get food, we don't pick everything that we're
16 just going to waste. We just pick what is enough and we go.

17 PRESIDING JUDGE SCHMITT: [15:19:22] I think, Mr Manoba, you have to move
18 on.

19 MR MANOBA: [15:19:25]

20 Q. [15:19:25] Mr Witness, my last question to you is have you heard about victims
21 applying to participate in the proceedings before this Court?

22 A. [15:19:48] Yes, I heard about it.

23 Q. [15:19:54] Why were you not interested in applying to participate as a victim?

24 A. [15:20:07] I heard about it, but the person who was -- who should have
25 connected me to the people who were responsible with the registration, I didn't have

1 someone who could connect me to the people who were doing the registration.

2 MR MANOBA: [15:20:33] That's all, Mr President.

3 PRESIDING JUDGE SCHMITT: [15:20:35] Thank you very much.

4 Mr Narantsetseg.

5 MR NARANTSETSEG: [15:20:39] No questions, your Honour. Thank you.

6 PRESIDING JUDGE SCHMITT: [15:20:42] Thank you very much. Then this

7 concludes -- I would assume no further questions?

8 This concludes then the testimony of this witness.

9 MR AYENA ODONGO: [15:20:52] My Lord, we have some questions.

10 PRESIDING JUDGE SCHMITT: [15:20:54] You have some questions?

11 MR AYENA ODONGO: Yes.

12 PRESIDING JUDGE SCHMITT: Okay. So please then proceed.

13 QUESTIONED BY MR AYENA ODONGO:

14 Q. [15:21:05] Mr Opio, I have a few re-examination questions for you.

15 Counsel for the OTP asked you about the body of Kalalang. And in your statement

16 today you said, "I saw his body when he was dead." But in the statement that you

17 were referred to the paragraph, "They shot Kalalang and some people carried

18 Kalalang and went with him. I do not know if he died, but I never saw Kalalang

19 again."

20 So that we may understand this, at the time when you saw him being carried, did you

21 conclude that he was already dead?

22 A. [15:22:28] Yes, I confirm that he is dead, because when he was shot, we took his

23 body up to the person who organised the plan for collecting food was and that was

24 Odhiambo. So when we reached him and he said, he told us that he should be

25 buried. So that's why I can confirm that he was dead.

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1 PRESIDING JUDGE SCHMITT: [15:22:50] I think we have explored this sufficiently
2 now.

3 MR AYENA ODONGO: Yes.

4 PRESIDING JUDGE SCHMITT: And he has answered three times now to the
5 question.

6 MR AYENA ODONGO: [15:23:01]

7 Q. [15:23:01] Now in terms of meeting Odhiambo, in your position as a rank and
8 file soldier, was it possible for you to go and directly meet Odhiambo or was it the
9 case that you would just be in the company of people who went to meet Odhiambo?
10 Would you go directly to him?

11 A. [15:23:32] I was in the company of the people who went there.

12 Q. [15:23:37] Counsel for the OTP asked you about whether you were sure
13 Odhiambo was in Sudan or in Uganda. Can you tell Court in the position of
14 Odhiambo or people who were at the rank of Odhiambo, whether it was always the
15 case that once he was in Sudan, he wouldn't come to Uganda?

16 A. [15:24:21] Let's say when a person has already gone to Sudan, most time he
17 would go with the whole of his group. But even after that, he would still come back
18 to Uganda and continue with those who had remained behind.

19 Q. [15:24:43] And we are talking -- let's examine what you said about escape and
20 thinking about escape. Counsel for the Prosecution asked you to probe whether -- I
21 mean in view of the fact that you said it was extremely difficult and dangerous to
22 escape, can you tell Court whether the fact that one was aware that it was dangerous
23 to escape stopped him from nevertheless thinking about escape, however improbable
24 it was?

25 PRESIDING JUDGE SCHMITT: [15:25:30] I think that's not easy to understand for

1 the witness what the question was because it was -- direct him, what did he think?

2 What was his thinking about that? He said he feared the whole thing. Why did he

3 nevertheless decide, for example, why did he nevertheless decide to escape

4 whatsoever? I think it was too abstract for this witness.

5 MR AYENA ODONGO: [15:25:56] My Lord, there is a dichotomy between thinking

6 and escaping, taking a decision to escape.

7 PRESIDING JUDGE SCHMITT: [15:26:10] Indeed, indeed. The decision is a result

8 of the thinking normally.

9 MR AYENA ODONGO: [15:26:15] Yes, because it would appear like he was being

10 asked: You said you could not escape because it was very dangerous to escape, but

11 why did you think, why did you say you were thinking of escaping? That's what I

12 wanted to put to him.

13 PRESIDING JUDGE SCHMITT: [15:26:31] Give it a try, but I think we should not

14 explore this too far. I think it's relatively clear.

15 MR AYENA ODONGO: Okay.

16 PRESIDING JUDGE SCHMITT: We had such evidence a lot of times.

17 MR AYENA ODONGO: [15:26:41] Yes.

18 Q. [15:26:43] Now, Mr Witness, in respect to what counsel for the victims,

19 Mr Counsel Manoba asked, were you aware that, I mean in respect to application for

20 victims' reparation, were you aware that that would only, reparation would only be

21 due upon conviction of the accused?

22 A. [15:27:36] I was not aware of that.

23 Q. [15:27:41] And, Mr Witness, was this concept of victim participation widely

24 advertised and publicised? To the people who may have been affected, was it

25 widely advertised and publicised?

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1 A. [15:28:18] It was not widely publicised.

2 MR AYENA ODONGO: [15:28:22] That's all.

3 PRESIDING JUDGE SCHMITT: [15:28:23] Thank you very much, Mr Ayena.

4 Then this concludes your testimony, Mr Witness, Mr Opio.

5 On behalf of the Chamber I would like to thank you that you came to the video-link
6 location and that you made yourself available as a witness and helped the Court to
7 establish the truth. We wish you a safe trip back to your home.

8 (The witness is excused)

9 PRESIDING JUDGE SCHMITT: [15:28:45] This concludes also the hearing for today.

10 We continue on Monday, 9.30, with the next witness, who is also called D26 - I am
11 joking a little bit - which is really a strange concept, that everything is D26, but I think
12 it's D26-24, yes? Or not? Not. Then this is the one incident where it really
13 matches, D26-26.

14 Okay. We see each other on Monday, 9.30.

15 THE COURT USHER: [15:29:16] All rise.

16 (The hearing ends in open session at 3.29 p.m.)

17 RECLASSIFICATION REPORT

18 Pursuant to the Trial Chamber' IX's instructions, ICC-02/04-01/15-497, dated 13 July
19 2016, the public reclassified and lesser redacted version of this transcript is filed in the
20 case.