

INTERNATIONAL CRIMINAL COURT
DEFENCE FOR DOMINIC ONGWEN

WITNESS STATEMENT PROVIDED FOR THE PURPOSE OF TRIAL IN THE CASE
OF
THE PROSECUTOR v DOMINIC ONGWEN

Name: Michael Opiro

Gender: Male

Other Names Used: -

Father's Name: B.M. Ochaya

Place of Birth: Gulu

Mother's Name: Amon Anna

Date of Birth/Age: 30/08/1968

Marital Status: Married

Nationality: Ugandan

Spouse: Ajok Susan

Children: 6

Place of Residence: [REDACTED]

Ethnic Origin: Acholi

Clan: Goya

Religion: Catholic

Language(s) spoken: English/Acholi

Language(s) written (if different from spoken):

Language(s) used in interview: English/Acholi

Language of statement: English

Proposed language of testimony: Acholi

Current occupation: Consultant

Former occupation: Employee of CARITAS Uganda

Place of Interview: Gulu town

Date(s) of interview: 11 Nov 2017

Start of Interview: 11.00 am

End of Interview: 1.00 pm

Name of individual(s) conducting the interview:

1. Prudence Acirokop, *Investigator*
 2. [REDACTED] *Resource Person*
-

Names of all persons present during interview: (*witness, counsel, investigator, interpreter, legal assistant etc*):

1. Prudence Acirokop, *Investigator*
 2. [REDACTED] *Resource Person*
 3. Michael Opiro, *Witness*
-

Place of Interview: Gulu town

Date(s) of interview: 02 Jan 2018

Start of Interview: 02.00pm

End of Interview: 03.30pm

Name of individual(s) conducting the interview:

1. Prudence Acirokop, *Investigator*
 2. [REDACTED] *Resource Person*
-

Names of all persons present during interview: (*witness, counsel, investigator, interpreter, legal assistant etc*):

1. Prudence Acirokop, *Investigator*
2. [REDACTED] *Resource Person*

3. Michael Opiro, *Witness*

Place of Interview: Gulu town

Date(s) of interview: 29 Jan 2018

Start of Interview: 12.00

End of Interview: 01.00

Name of individual(s) conducting the interview:

3. Prudence Acirokop, *Investigator*

4. [REDACTED] *Resource Person*

Names of all persons present during interview: (*witness, counsel, investigator, interpreter, legal assistant etc*):

4. Prudence Acirokop, *Investigator*

5. [REDACTED] *Resource Person*

6. Michael Opiro, *Witness*

WITNESS ACKNOWLEDGMENT

This statement consisting of **ten (10)** pages and annexes is true to the best of my knowledge and recollection. I have given this statement voluntarily and I have not been influenced by any coercion, duress or threat.

I am aware that this statement may be used in legal proceedings before the International Criminal Court (the "ICC"). I understand that if I have knowingly provided false information, I may be liable to prosecution for false testimony under solemn declaration.

I have been informed by the interviewers about the procedures available to the ICC of ensuring the protection of confidential information provided to the Court. I have also been briefed about the procedures that may be available to ensure my own protection and security.

I have been informed that I may be called to testify in public before the ICC. I have also been informed that the ICC may exceptionally order protective measures on my behalf, provided such protection is required. Those interviewing me have also explained that even with protective measures, my identity will be disclosed to the Court and the parties. With knowledge of the above, I agree to testify and appear before the ICC if called to do so.

Print name: OPIRO MICHAEL

Signed: 

Date: 29/01/2018

Witness Statement of Michael Opiro

1. I worked with the Comboni Samaritan of Gulu for 16 years. Our beneficiary group were the internally displaced persons living in IDP Camps. In 2005, I began to work with CARITAS. CARITAS mainly worked with returnees and marginalised communities.
2. I was a Youth Coordinator and my job included counselling guidance to the youth and I also coordinated Behaviour Change Program (BHC) now called the education for life programme. I worked in that position for eight years before I took on another position as Counsellor in the health department under the HIV/Aids programme. At the time I was based in based in Pajule and worked at the CARITAS Reception Centre there. My day to day work included counselling returnees – we tried to give them hope that they had a future.
3. Many returned from the bush wounded – some during battle with severe wounds, others returned with swellings and cuts due to the long walk, many were malnourished – most needed urgent medical care. In the first week, while they got treatment for their physical ailments, we (counsellors) began to build rapport – basically welcoming them home. At the Reception Centre, the admin provided the basic needs – food and medication. The Reception Centre had a resident nurse who gave them treatment and more challenging cases were referred to hospitals. We mainly referred them to Lacor Hospital, Gulu referral or Mulago.
4. CARITAS took in all returnees, adult or child, male or female but the majority we received were women and children. Many of them said they were actually released by their commanders or their husbands. Many of the returnees were not married because they wanted to; they

married because they had to. One was given a wife or a husband. Some young girls ended up married to old men that they didn't even like.

5. In 2007, after the Juba Peace Talks began, CARITAS was nominated to provide services to the LRA. I was among the staff that went to Ri-Kwangba while another team went to Owing-Kibul. We were flown to Maridi – Nabanga (near Congolese border). We pitched tent in Ri-Kwangba in DRC within Garamba forests. The tents were protected by the SPLA that operated a barracks within the vicinity. Our meetings with the LRA happened in another location in Ri-Kwangba. The SPLA escorted us to a location, then the LRA received us from that location and we moved to the meeting place. There were several checkpoints along the way, maybe up to four checkpoints manned by LRA fighters. In the last checkpoints we were striped almost naked – out shoes, belts, shirts removed (only Father Felix Opio who was part of the CARITAS team was allowed to keep his clothes and shoes on).

6. The meeting place itself was very nice – the LRA had cleared a vast area in the forest. They built small huts, with logs for sitting arranged around the compound. They had well maintained gardens – the sanitation was great with pit latrines built a distance away. CARITAS dug two boreholes in the area and three pit latrine blocks with 6 doors each. CARITAS also provided food – at least 19 Lorries of food (posho, rice, beans, groundnuts, sugar, milk, small fish etc) was delivered every month to the meeting place and by 3 am the following morning, the LRA would have ferried all the food to another location. The location of their main defence was far away from the meeting area.

7. CARITAS also gave over counter medication like paracetamol, ointment for skin rash, iodine, cotton etc. We also provided airtime that was handed over to Vincent Otti, the LRA second in command and chairman of the peace talks to distribute to his commanders as he saw

58 fit. The airtime was for the satellite phone (Thuraya). Kony had a
59 meeting with his commanders via the satellite phone or radio once a
60 week if they did not meet in person. I was part of the appointed official
61 link between the LRA and CARITAS and they called us to pass on their
62 demands/needs for deliveries. Sometimes when the meeting with the
63 commanders was ongoing, I would be included and when they didn't
64 want me participating or understanding what they said, they changed
65 lingo. They always spoke Acholi but used words in such a way that an
66 outsider, even a competent Acholi speaker like myself would not
67 follow or understand.

68 8. Some LRA members in private gave us money take to their parents.
69 One fighter in particular asked after his mother, he wanted to know if
70 she was alive but cautioned me not to tell anybody that he inquired.
71 They were forbidden from asking people about life at home. When I
72 returned to Uganda on one of my rest sessions, I went to his village,
73 found his mother and took pictures of her. When I returned to Ri-
74 kwangba, we hid in the toilet for me to show him pictures of his
75 mother that was on my phone. He was so happy to learn that his
76 mother was alive.

77 9. When we were at the assembly area, once a week at 2 pm, Kony sat
78 with his commanders for a meeting and as the focal point; I was
79 sometimes invited for the meetings. It was during such a meeting that
80 Kony made mention that he wanted his mother to visit him. He said
81 that he wanted to eat a goat with his mother. We passed this message
82 on to our superiors in Juba and it was passed on to CARITAS Uganda.
83 This information was passed on to the government of Uganda and the
84 SPLA that arranged passage for Kony's mother.

85 10. Uganda flew his mother to Juba and the SPLA brought her by chopper
86 accompanied by CARITAS staff (the peace talk team that worked in

87 Juba) to Nabanga. I received her from Nabanga and took her to Ri-
88 Kwangba. I bought the goat that Kony was to share with his mother
89 from Maridi. I remember the one thing to Kony's mother asked me was
90 'How did my son and the others walk all the way to this place?' It was
91 a long walk; Kony's mother was carried by the LRA that escorted us
92 from the spot where SPLA did not cross. She also said that she wanted
93 to meet Kony's son called Sunday. When we reached the meeting
94 place, Captain Sunday Otto (still alive) and Alit (now deceased) who
95 were in charge of the meeting place arranged for Kony's mother to be
96 taken to Kony. She stayed four nights and the government sent a
97 Chopper to take her home. I do not know what happened in the LRA
98 defence; I do not know what they discussed and whether they actually
99 ate the goat together or not. I do not know. Kony's mother died about
100 three years ago – around 2014 I think. The government gave her a state
101 burial. I do not know why.

102 11. 2006 and 2007 was the time of cessation of hostilities and whatever
103 Kony asked for he got. Other important commanders also got to see
104 their families but not everyone, I remember that Okot Atiak got to see
105 his family. The others were not even allowed to ask after their families,
106 when they did, it was in secret. Radio was for commanders – they
107 listened to a DRC station, and some Sudanese channels – the junior
108 soldiers were not allowed to listen to the radio.

109 12. We were not allowed to carry people, just food. Save the children got
110 sent away for demanding the release of children. The LRA said that
111 there are no children, only soldiers with them. We interacted a lot with
112 the LRA soldiers, the juniors and commanders alike. We would take
113 traditional Acholi music from Uganda, listen to them and dance. We
114 played football together and had plenty of merry but we did not talk
115 about the peace talks. As far as I could, the soldiers didn't know what

116 went on in Juba, how that would impact on their lives but they were
117 not allowed to discuss it, at least with us. Sometimes they mentioned
118 things like '*wan dana-dana*' (we are human), '*we hope to receive oboke*
119 *olwedo*' (a leaf that symbolises peace in Acholi), other times a causal
120 comment like '*we pray that it ends,*' would be thrown. From those
121 comments, we gleaned that they wanted peace.

122 13. As far as I know, Dominic Ongwen did not have anybody visiting him.
123 The only time I spoke to him, he asked if the team from Owiny Kibul
124 had arrived safely. Unlike Vincent Otti who visited the assembly area a
125 lot, Dominic Ongwen to my recollection came only twice and didn't
126 speak much.

127 14. Ri-kwangba is far, there is no food. The LRA were scattered
128 everywhere, as far as Eba. They understood the location so well –
129 anyone who tried to escape and found would be executed without any
130 talk. I witnessed one execution – some LRA men tried to escape and
131 were caught. They were stabbed in the stomach, cut open, intestines
132 removed and wrapped around the neck, while others watched and
133 clapped. '*Be informed*' that was the message they sent across. That is
134 how they lived, in total obedience of the rules.

135 15. I am a Christians and as Christians we do not believe in witchcraft but
136 Kony had powers; that is undeniable. There was a time when a Dinka
137 man that we walked with had a dead animal in the bag. We walked
138 with him and had no way of knowing but why before we reached the
139 assembly Kony told his officers not to allow that man to approach for
140 he had a dead animal in his bag. Kony had not seen him; he just knew
141 that he was coming with us. The man denied having the animal, so the
142 LRA men searched him and took it out. He was sent away, back to
143 Juba. Kony – the LRA called him number one. They would say,
144 number one has said – that's all it took. Obedience was paramount. The

LRA dwelled on what the spirits said – the spirits have ordered this, the spirits said this and the other, the spirits have refused this. Everything was about the spirits but the spirits never attended our meetings but during the meetings when a vein became visible on Kony's forehead, he excused himself and walked away. That I was told was how the spirits informed him that they had something to say.

16. Kony also loved to take pictures, while the younger officers and soldiers were shy about having their pictures taken, Vincent Otti would say, 'take, the entire world has seen our pictures already. He was very chatty and enjoyed having an audience.

17. The mood of LRA commanders started changing around late 2008. One time, we waited for them to take us to the assembly area but they did not come. Then the LRA gave us a directive to move to Maridi at night and we left that night. The following day, the LRA attacked the SPLA and killed at least 40 soldiers. That quarrel began with the SPLA refusing to release 12 trucks of food meant for the LRA. The attack was for them to get back their food, the way I understand it. The Operation Lightening Thunder began soon afterwards – CARITAS ceased operation in the area and we returned to Uganda.

Name: _____

Signature: _____

Date: _____