

Trial Hearing
WITNESS: UGA-OTP-P-0286

(Open Session)

ICC-02/04-01/15

1 International Criminal Court
2 Trial Chamber IX
3 Situation: Republic of Uganda
4 In the case of The Prosecutor v. Dominic Ongwen - ICC-02/04-01/15
5 Presiding Judge Bertram Schmitt, Judge Péter Kovács and Judge Raul Pangalangan
6 Trial Hearing - Courtroom 3
7 Thursday, 16 November 2017
8 (The hearing starts in open session at 9.32 a.m.)
9 THE COURT USHER: [9:32:21] All rise.
10 The International Criminal Court is now in session.
11 PRESIDING JUDGE SCHMITT: [9:32:37] Good morning, everyone.
12 Good morning, Mr Oper.
13 WITNESS: UGA-OTP-P-0286
14 (The witness speaks Lango)
15 THE WITNESS: [9:32:56] (Interpretation) Good morning.
16 PRESIDING JUDGE SCHMITT: [9:32:57] Perhaps you can help me how I
17 pronounce your name correctly. I said "Oper" or is it "Oper"?
18 THE WITNESS: [9:33:11] (Interpretation) Oper Robson.
19 PRESIDING JUDGE SCHMITT: [9:33:14] Then I was not so wrong. Oper. Okay.
20 Thank you.
21 Could the court officer please call the case.
22 THE COURT OFFICER: [9:33:21] Good morning, Mr President, your Honours.
23 The situation in the Republic of Uganda, in the case of The Prosecutor versus Dominic
24 Ongwen, case reference ICC-02/04-01/15.
25 And for the record, we're in open session.

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- 1 PRESIDING JUDGE SCHMITT: [9:33:35] Thank you. And I ask for the
2 appearances of the parties.
3 The Prosecution first, please.
4 MS NDAGIRE: [9:33:40] Good morning, your Honours.
5 I am Sanyu Ndagire appearing for the Prosecution. And together with me in the
6 courtroom this morning is Benjamin Gumpert, Pubudu Sachithanandan, Julian
7 Elderfield, Yulia Nuzban, Agnese Valenti, Mr Ayodele Akenroye and Ms Ramu
8 Fatima Bittaye.
9 PRESIDING JUDGE SCHMITT: [9:34:09] Yes, I think that was correct in the end.
10 No problem.
11 Mr Cox for the Legal Representatives of the victims.
12 MR COX: [9:34:18] Good morning, your Honours. With me Ms Anushka Sehmi,
13 Mr James Mawira, and myself Francisco Cox.
14 PRESIDING JUDGE SCHMITT: [9:34:25] Thank you.
15 And Mr Narantsetseg.
16 MR NARANTSETSEG: [9:34:27] Good morning, Mr President, your Honours.
17 Ms Caroline Walter, and my name is Orchlon Narantsetseg. Thank you.
18 PRESIDING JUDGE SCHMITT: [9:34:32] Thank you.
19 And for the Defence Mrs Bridgman.
20 MS BRIDGMAN: [9:34:36] Good morning, Mr President, your Honours. I'm
21 Abigail Bridgman, together with Chief Charles Achaleke Taku, Tibor Bajnovic,
22 Thomas Obhof and our client Mr Ongwen is in Court.
23 PRESIDING JUDGE SCHMITT: [9:34:48] Thank you very much.
24 And we turn now to the next witness, which is P-286, but the witness has a name, it's
25 Mr Oper. We welcome you in the courtroom on behalf of the Chamber.

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1 I will now read the oath to you to tell the truth that every witness who testifies before
2 this Court must agree to. So please listen to me:

3 I solemnly declare that I will speak the truth, the whole truth and nothing but the
4 truth.

5 Mr Oper, do you understand what I have said?

6 Did you hear what I have said, Mr Oper?

7 THE WITNESS: [9:35:45] (Interpretation) Well, I only understand Lango language.

8 PRESIDING JUDGE SCHMITT: [9:35:50] So what I have said, I assume it has been
9 interpreted.

10 So I simply repeat it and we give it another try and, Mr Oper, please listen to me and
11 it will be translated to you in the language that you understand, I assume at least.

12 Or there a problem with translation? No.

13 I think the channel had to be changed. That sometimes happens also. When I come
14 in the courtroom I have the original language, be it Lango or be it Acholi, and then of
15 course I have to switch. So this happened. There is no problem, Mr Oper.

16 So again I will read now the oath to you to tell the truth that every witness that comes
17 to this courtroom must undertake, so please listen to me:

18 I solemnly declare that I will speak the truth, the whole truth and nothing but the
19 truth.

20 Mr Oper, do you understand now what I have said?

21 THE WITNESS: [9:37:17] (Interpretation) Yes, I have understood.

22 PRESIDING JUDGE SCHMITT: [9:37:19] Do you agree?

23 THE WITNESS: [9:37:22] (Interpretation) I do.

24 PRESIDING JUDGE SCHMITT: [9:37:24] Thank you very much. We continue
25 then. Before we start with your testimony I would like to tell you about some

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1 practical matters that we have to keep in mind. First of all, you have just recognised
2 that everything is written down and interpreted.

3 MR GUMPERT: [9:37:43] I recognise this is a deeply unwelcome interruption, and
4 it may be for nothing, but I have a concern and I think I better voice it. If your
5 Honour changes over to channel 5 for a moment, which announces that it is Lango,
6 that is say this witness's language, I'm getting nothing of what -- I mean obviously I
7 wouldn't understand it, but it's a deep silence. I'm just concerned if this witness is
8 saying "I need to hear Lango" that at the moment there's nothing coming over the
9 Lango channel. I have it on at the moment so I should be hearing my English words
10 in Lango and I'm not.

11 PRESIDING JUDGE SCHMITT: [9:38:20] This of course not unwelcome. This is
12 absolutely welcome because -- and, yeah. So now I switch on channel 5 and I speak
13 something. So it was not unwelcome at all. I think it should be solved if there is a
14 problem. And obviously, since I do not hear any interpretation, we simply have to
15 fix this first. So if we don't have an indication by court officer that this can be fixed
16 on the spot, so to speak, we would have to go outside and have a short break.

17 (Pause in proceedings)

18 PRESIDING JUDGE SCHMITT: [9:39:35] So I think the most important factor here
19 is the witness that we have in the courtroom. So I would like to ask you, Mr Oper,
20 can you follow from the interpretation what is being said here in the courtroom?

21 (Overlapping speakers)

22 THE INTERPRETER: He is following.

23 PRESIDING JUDGE SCHMITT: [9:40:04] He is following, so I think we can simply
24 continue. It's -- yeah, I would simply continue.

25 And we were explaining the practical matters which are very important, if we follow

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1 what has happened in the first couple of minutes here.

2 So, Mr Witness, to allow for the interpretation speak slowly and clearly so that the
3 interpreters can follow you. And if you have any questions yourself, please raise
4 your hand and then we will give you the floor if you have any concerns.

5 Thank you very much for the time being.

6 And, Mrs Ndagire, you have the floor.

7 QUESTIONED BY MS NDAGIRE:

8 Q. [9:40:53] Good morning, Mr Oper.

9 A. [9:40:56] Good morning.

10 Q. [9:40:59] We have met before and I will be asking you a few questions on
11 behalf of the Prosecution this morning.

12 A. [9:41:10] I am prepared to respond.

13 Q. [9:41:13] Thank you. Mr Oper, what is your date of birth?

14 A. [9:41:25] I was born on 2 May 199 -- 1985.

15 Q. [9:41:40] Where were you living at the beginning of June 2004?

16 A. [9:42:00] I was living in our village in Abok.

17 Q. [9:42:09] What is the name of that village?

18 A. [9:42:15] The village I was living in was called Kok kec Ikweri, that was our
19 village.

20 Q. [9:42:29] Did you continue living in this village in 2004?

21 A. [9:42:43] We were living there, though we had moved away from that
22 particular village, we had come into the camp.

23 Q. [9:42:53] And which camp did you move into?

24 A. [9:43:07] I moved to Abok IDP camp.

25 Q. [9:43:12] And with whom did you move to Abok IDP camp?

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1 A. [9:43:23] I moved together with my father and all the people in our household.

2 Q. [9:43:31] Mr Oper, why did you move, why did your family move to Abok
3 IDP camp?

4 A. [9:43:47] Issues about the Kony rebels had heightened and we could no longer
5 stay in our village.

6 Q. [9:44:01] Could you tell us a bit more about these issues that had heightened
7 that were caused by the Kony rebels?

8 A. [9:44:14] Yes, I can give you a brief of it.

9 Q. [9:44:21] Please go ahead, Mr Witness. Tell us.

10 A. [9:44:29] In our home, Kony rebels kept on disturbing our village, they kept on
11 disturbing our village for quite some time, and the government felt it necessary to
12 provide protection to the people in a place where they could maintain peace. When
13 we heard of that, given the disturbances that we were going through, my father
14 together with other parents within our area decided that it was prudent that we
15 should move to a more secure place. We then moved to Abok camp. And when
16 we relocated to the camp we started staying in the camp and the government was
17 providing soldiers to give us protection. We would stay there in the night and in the
18 morning we would wake up and then go to look for food items. Before we would do
19 that, the soldiers would first carry out patrol to try and check if the rebels have not
20 moved or passed by or are nearby. Then we'd only be able to move after 8 a.m.
21 We stayed in the camp and rebels could pass by, they would pass very nearby in
22 areas that were surrounding the camp. They would pass in places where people
23 were no longer there. They would be passing by to abduct people and loot food
24 items like goats and any other thing that they could be able to lay their hands on that
25 was helpful to them. They were also abducting children and adult people who

1 would be put to move ahead of them.

2 Each time you go to the garden, if you are unlucky and you've gone to a garden in a
3 place where they could have passed by or they are nearby, they would abduct you
4 and go away with you. If you are an adult you would be given very heavy luggage
5 to carry and you would move with them before you would be released shortly before
6 you can reach their main base. If you're young, they will go with you for good. If
7 you refuse they would kill you, while telling you that are stubborn. These were the
8 things that were happening in 2004 while we were in the camp.

9 Q. [9:49:17] Thank you for that explanation, Mr Witness. I will just ask a few
10 questions, follow-up questions regarding some of the things you have told just us.
11 On page 7 you mentioned that the government provided soldiers to give protection at
12 the camp. Where were these soldiers while at the camp?

13 A. [9:49:43] Initially when people came together they stationed soldiers at one
14 edge of the area. There we had a road that was heading, a straight road and then
15 one that crosses that straight one. One road runs from Ngai to Bar-Rio. The other
16 runs from Iceme to Lalogi. They stationed the soldiers along the road running from
17 Iceme to Ngai. That was the first barracks. The first military barracks.

18 Q. [9:50:53] All right. Mr Witness, I'm going to ask you to look at a document.
19 And could the court officer please display tab 3, that's document number ERN
20 UGA-OTP-0248-0091-R0, and the further redacted version that was provided may be
21 displayed in the gallery, please.

22 Mr Witness, do you see a document before you on the screen?

23 A. [9:51:53] Yes, I do.

24 Q. [9:51:55] Do you recognise this document?

25 A. [9:52:07] Yes, I do. It's something I know.

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1 Q. [9:52:09] Please tell us what this document is.

2 A. [9:52:20] This document indicates the layout of the camp where the first
3 barracks was, where the second barracks is situated. It also indicates the roads that I
4 talked about, one straight, the other one crossing it. It also indicates where our home
5 was located. The map also indicates the direction from where the rebels came. It
6 indicates how the rebels moved. I have all indicated that on the map.

7 Q. [9:53:22] So, Mr Witness, you said "I have all indicated that on the map." Am
8 I correct to say you are the one who drew this map?

9 A. [9:53:41] I am the one who drew the map to let people know how our camp
10 was.

11 Q. [9:53:51] For the time being the map can remain on the gallery -- the screen,
12 rather.

13 And, Mr Witness, I will ask you a couple of other questions, but we will return to the
14 document. Right now I would like to take you back to something you said on page 7
15 of the transcript. You said while we stayed in the camp rebels could pass by in areas
16 surrounding the camp. And what I would like to know now from you is whether
17 rebels continued coming towards the camp or nearby the camp in June 2004?

18 A. [9:54:50] Initially the rebels were fearing to come to the camp, they would only
19 pass in other villages like Aloni, they would also go to Iceme. They would come and
20 harvest crops in the gardens and they would go back. But one day on 8 June the
21 rebels came and passed very near the camp and eventually in the night they came and
22 attacked the camp.

23 Q. [9:55:41] I would like you to focus on the night of 8 June 2004. Where were
24 you?

25 A. [9:56:02] On 8 June I was at my father's home, which I indicated with a P, that

1 is my father's home. We heard a report at around 5, between 5 and 6. The report
2 was saying that some people were seen passing by, they were many in number and
3 they were on the other side of the river along the Ngai-Iceme road. There was
4 mention that these people could have been the rebels, because the government
5 soldiers at that time were in the barracks and others were being brought to surround
6 the camp, as they used to do every single day so that the rebels could not come to
7 attack and disturb the civilians. The report came and was given to everyone in the
8 camp.

9 The leadership of the camp was established to ensure such information trickled down
10 to everyone. The first barracks I mentioned earlier was already decongested and the
11 soldiers had been relocated to the second barracks.

12 The rebels came from the direction of the first barracks near the road from Ngai to
13 Iceme. That was at about 6.30.

14 The camp mobiliser who was identified by the community members was able to
15 communicate every information to the people.

16 People were informed that some people were seen passing by and therefore everyone
17 was supposed to get into their respective houses and unnecessary movements were
18 supposed to be avoided because the people who passed by seemingly were rebels.

19 People were instructed to make sure they finished their activities early so they can get
20 back into their houses and remain vigilant because the situation was not very good.

21 We stayed. I stayed at my father's. And the elder people were eating. Myself,
22 together with my siblings, went inside to go and sleep. At about -- between 7 and 8
23 we heard gunshots in the direction I had mentioned that some soldiers were seen to
24 have passed around. The gunshots carried on. It intensified and we ran out of
25 the -- we ran out of the grass-thatched huts and then ran into the iron-roofed house.

1 We ran into my father's house. We took refuge there. I had a problem on my leg.
2 I was injured by a tree stump and I was not able to walk well. I would only come
3 out when I'm going to the washroom.
4 The gunshots carried on for quite some time and afterwards the camp caught fire. I
5 heard people blowing whistles while others were burning the camp. The
6 government soldiers exchanged fire with the rebels, but the rebels were stronger and
7 they were able to chase away the soldiers who were providing protection to the camp
8 members. They set the civilian houses on fire, they killed very many civilians, and
9 with -- some of them who were shot, others got burned in their houses, they abducted
10 others, they moved with them before eventually killing them as well.
11 Some of them went and as I speak right now never returned. During the exchanges
12 those who had gone into their houses all -- most of them came out and ran away.
13 They ran and left me in the house. I had a problem with my leg, I could not run. I
14 came out of the house. I wanted to run, but I could not. The rebels caught me at
15 the door post, they fired three bullets, but none of them caught me. I fell down, I
16 rolled, I continued rolling and dodged the bullets. The rebels caught me, tied me
17 and asked me "Do I kill you?" I pleaded with them, told them "Please leave me, let
18 me go and work with you. I am still young. I can work with you. Please don't kill
19 me." We walked. His colleagues came. They were very many and they said
20 "Since this boy is saying you should not kill him, I see he is still young. Let's walk
21 with him so he can be able to work for us." They tied me around my waist and
22 moved with me. They asked me "Where are the shops in this camp?" I showed the
23 shops to them. We had shops, we had four shops that I knew of. I took them to the
24 shops and in the first shop we found merchandise. I used an axe that they gave me
25 to break into the house. I broke the door and when it opened I had a rope around

1 my waist and one person would hold the rope. I would then get in to pull out the
2 items they wanted. They were the ones who identified the things they wanted and
3 they would only look for things that were helpful to them. The useless ones were
4 abandoned.

5 We moved to next shop. We didn't find anything. They beat me severely. They
6 beat me because I took them to a shop that had nothing. I told them "It was not in
7 my plan. It was not my intention that there was nothing in that shop. I don't know
8 whether the owner of the shop knew you were coming and he took away his things.
9 It was not my mistake." I was still strong. I was still very strong. I pleaded with
10 them. They continued beating me. And we moved to the next shop.

11 Each time we don't -- they told me "If you don't find merchandise in the next shop we
12 will then kill you, because you think we -- you are our father, you are deceiving us.
13 If you have don't find anything in the next shop we shall just kill you." But God was
14 with me and the third shop we were able to get items therein. I used the same axe
15 and broke into the house. I found -- we found items there. I really thank God for
16 having helped me. I said "God, please continue helping me. I'm a very difficult
17 situation."

18 We looted the items and after that they gathered us in front of a big building where
19 they collect -- they put together cotton. The place was called Society. We gathered
20 there and they picked me and brought me to the people and they were calling me
21 Mzee Amuka. They were calling me Mzee Amuka because they shot at me, they
22 fired three bullets and none of them caught me. They said I was a soldier. I would
23 not have been able to dodge the bullets if I were not. It was God's plan. I did not
24 know -- I didn't have any military training.

25 They asked me again "Where is the barracks?" I told them the barracks is in that

1 direction, while pointing to the direction of the barracks because I knew where it was.

2 They asked me again, "The soldiers who were in the camp, where are they?" I told
3 them. The way I saw, these soldiers fled and ran back to their colleagues in the
4 barracks.

5 They asked me again, "The soldiers in the barracks, how many do you think they
6 are?" Because I was scared and each time they asked me I needed to answer, I
7 needed to answer all their questions appropriately, and even if I didn't know the
8 correct answer I needed to look for a way of answering so they would not beat me
9 further. I told them, "The soldiers in this barracks would be about 60 in number.

10 The people with whom you were exchanging fire ran back to the barracks." They
11 told me, "Can you take us to the barracks?" I told them, "Yes." I accepted because I
12 feared they would possibly kill me if I had rejected.

13 They took me. We moved to the barracks. I was leading the way. I had a rope
14 tied around my waist, a long rope, and somebody was holding on to the rope from
15 behind me. We moved. When we were near the barracks I told them that this is
16 the barracks.

17 Q. [10:09:06] My apologies for stopping you here.

18 A. [10:09:08] Okay.

19 Q. [10:09:08] But there's a lot of very useful information you've given us.

20 A. [10:09:12] Okay.

21 Q. [10:09:14] And I just have some other questions to ask.

22 PRESIDING JUDGE SCHMITT: [10:09:17] Yeah, that's absolutely okay,
23 Mrs Ndagire, but it's not the right conjunction here. We have different witnesses in
24 the courtroom: We have witnesses where you have to go one question after the
25 other, and we have here a witness who has to tell us something who has a narrative.

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1 So it's no problem if the witness, for example, speaks for 10 minutes in a row. No.
2 It's not a criticism. I also would have now at some point in time intervened so that
3 we can digest it. But this is a witness who really tells a story and we can let it go, I
4 think, in principle.

5 But please continue, Mrs Ndagire.

6 MS NDAGIRE: [10:09:58] Thank you, your Honour.

7 Q. [10:10:00] Mr Witness, I will just take you back to some of the things that you
8 told us about. And I would like us to start from -- let us start from the gunshot that
9 you heard when the attack had started. You mentioned at page 7 that you heard a
10 gunshot. And what I would like to know, and possibly if you would look at the
11 document, the map that we were looking at earlier, if you can show us on that map
12 where the gunshot that you heard came from. If you can just tell us which side of
13 the map it is.

14 A. [10:11:14] In the sketch which I drew?

15 Q. [10:11:42] Do you have the document before you on the screen?

16 A. [10:11:50] Yes, I am seeing the map which I sketched.

17 Q. [10:11:56] So would you please describe for us where on this map the gunshot
18 that you heard came from.

19 A. [10:12:18] The gunshots that came from the barracks came from where I
20 indicated "new barracks".

21 Q. [10:12:50] Mr Witness, you also spoke of a first barracks?

22 A. [10:12:55] Yes.

23 Q. [10:12:57] Could you tell us where on the map those first barracks were?

24 A. [10:13:14] The first barracks is on the Ngai-Iceme road, that is where the first
25 barracks is. That is the one, it's here. The second barracks is in the -- in between the

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1 roads of Bar-Rio and Lalogi. If you look at the sketch there are two indications of
2 barracks, the first barracks and the second barracks. The first barracks was the
3 smaller one. And the second barracks, when the camp was expanded was
4 established and the soldiers moved there.

5 PRESIDING JUDGE SCHMITT: [10:14:13] Mr Oper, you told us, you told us that
6 you led the rebels to the barracks. To which barracks did you lead them?

7 THE WITNESS: [10:14:33] (Interpretation) I took them to the barracks which had
8 soldiers. Let me check it up. The road which connects Ngai and Bar-Rio, therefore
9 the barracks which I took the soldiers, the LRA rebels is this one.

10 PRESIDING JUDGE SCHMITT: [10:15:00] So I understand it, these are the
11 barracks that are on the bottom of this drawing, on the bottom to the right of this
12 drawing; is this correct?

13 THE WITNESS: [10:15:18] (Interpretation) When you are in Abok, let me just
14 mention about the first barracks. When you are from Ngai going to Bar-Rio, the first
15 barracks is on your left side while the bigger barracks is on your right. Lalogi
16 and -- the barracks is on the side of Lalogi and Bar-Rio.

17 PRESIDING JUDGE SCHMITT: [10:15:55] Thank you.
18 Mrs Ndagire.

19 And the gunshots came from which barracks, from the direction of which barracks,
20 the gunshots that you mentioned? The first gunshots that you heard.

21 THE WITNESS: [10:16:19] (Interpretation) The gunshots came from the old
22 barracks which no longer had soldiers, that is the route from Ngai to Iceme.

23 PRESIDING JUDGE SCHMITT: [10:16:34] I think that was not absolutely clear to
24 everybody. But thank you for that information.

25 Please, Mrs Ndagire.

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1 MS NDAGIRE: [10:16:45]

2 Q. [10:16:46] Mr Witness, I would like you to describe for us or tell us what the
3 other illustrations that you made on the map mean. Let us start with the circle that is
4 at the middle of the map. Do you see the circle, the small one?

5 A. [10:17:21] The circle which I put in the middle is the main road, it's a kind of a
6 junction, a roundabout. This is our home, it's here.

7 Q. [10:17:39] All right. Now let us -- from the circle there is an arrow that points
8 down to the letter P. Do you see the letter P?

9 A. [10:17:59] Yes.

10 Q. [10:18:00] Please tell us what the letter P stands for or means?

11 A. [10:18:16] The letter P is our, is our home.

12 Q. [10:18:33] And then let's look further at the arrow from the letter P that goes to
13 the letter Y. Do you see the letter Y on the map?

14 A. [10:18:56] Yes, I've seen it.

15 Q. [10:18:58] Please tell us what the letter Y stands for or means.

16 A. [10:19:24] The letter Y is indicating how the rebels moved and how they
17 crossed the road. That is how I indicated the rebels moved and how they crossed the
18 road and went to the barracks. And they left the barracks and entered here and then
19 they crossed the road. That is what I indicated.

20 Q. [10:20:05] And then let's look at the next letter that you indicated there, the
21 letter Q. Do you see the letter Q?

22 A. [10:20:23] From the letter Q the sketch is showing how the rebels moved to
23 cross the road and leave. They were already leaving the camp.

24 Q. [10:20:47] And the last set of letters, that's EX, do you see the letters EX on the
25 map? Could you tell us what they mean?

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1 A. [10:21:13] I have indicated many Xs here. Okay, I have understood. The EX
2 now is where we crossed the road and we were leaving already.

3 PRESIDING JUDGE SCHMITT: [10:21:52] Strictly speaking, there are a lot of Xs in
4 this drawing. Mr Oper has answered, so I think you can continue.

5 MS NDAGIRE: [10:22:06] Yes, he has, your Honour. I think we have now
6 finished with this document and we may remove it from the screen.

7 Q. [10:22:20] Mr Witness, I would -- Mr Oper, I would like you to take us back to
8 the rebels that you said you met at the doorpost when the attack had started. Which
9 rebels were these?

10 A. [10:22:58] These were rebels belonging to Kony because the soldiers who were
11 at the camp had fled.

12 Q. [10:23:06] Could you describe what these rebels looked like.

13 A. [10:23:27] The rebels were -- they wore clothes that were black. Some of them
14 had clothes which was a camouflage, and that is how I know. Their clothes was not
15 very different from that of the regular soldiers. They also wear the same type of
16 clothes that the regular soldiers were wearing.

17 Q. [10:24:11] You mentioned that the rebels spoke to you or asked you, at page 12
18 of the transcript you said "The rebels asked me 'Do I kill you?'" In what language
19 did they say this to you, Mr Witness?

20 A. [10:24:33] The rebels spoke to me in Acholi. Most of the soldiers who were in
21 the barracks only spoke Lango and Kiswahili.

22 Q. [10:25:04] And were these rebels carrying anything with them when you saw
23 them?

24 A. [10:25:19] At that time it was dark. I saw a gun which he used for shooting at
25 me, but I saw other things later after they had pillaged the shops.

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1 Q. [10:25:38] And do you know if these Kony rebels went by any other name?

2 A. [10:26:09] The names by which I knew was Kony's rebels. The other names
3 depend on when someone introduces himself to you.

4 PRESIDING JUDGE SCHMITT: [10:26:23] I think we should not insist on that, on
5 this name.

6 MS NDAGIRE: [10:26:33]

7 Q. [10:26:35] I would like us to now talk about when you were taken to the shops.
8 You spoke at pages 12 and 13 of the transcript about things that the rebels identified
9 from the shops that they wanted. Could you tell us what these things were?

10 A. [10:27:02] The things that the rebels looted from the shop included cooking oil,
11 biscuits, salt, some sweets, matchboxes, and other edible items that were in the shops.
12 They took all those things.

13 Q. [10:27:50] And at page 14 of the transcript you spoke of having been asked
14 where the barracks were. Who asked you this?

15 A. [10:28:17] I did not recognise them at that time of the night. I would only
16 hear voices commanding that "Bring that mzee here so he shows us where the
17 barracks are."

18 Q. [10:28:48] And how many people were around you at the time you were asked
19 to show where the barracks were?

20 A. [10:29:19] At the time when they were asking me where the barracks was
21 people had gathered, a whistle had already been blown and they were already
22 gathered, and they were already around the store I talked about named Society. I
23 couldn't really say how many people were at that time.

24 PRESIDING JUDGE SCHMITT: [10:29:45] Mr Oper, did anything happen at this
25 time to the wound at your foot?

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1 THE WITNESS: [10:30:05] (Interpretation) The wound which I had on my foot I, I
2 talked about it earlier. They had already stepped on my foot when I had just been
3 abducted. I got up and they tied my feet and my waist. I told the person that my
4 foot was not well. Then he told me "First show me which place is hurting." I told
5 him -- he told me "Let me see the part which is hurting you." I told him that I was
6 hit by a tree stump. Then he kicked my wound and I lost the feeling, it became
7 numb and we just continued walking.

8 PRESIDING JUDGE SCHMITT: [10:30:58] Thank you.

9 Mrs Ndagire.

10 Perhaps in the meantime I can continue.

11 Mr Oper, when you were walking with the rebels and you went to the shops and you
12 used the axe, as you said, did you see any huts burning in the camp?

13 THE WITNESS: [10:31:39] (Interpretation) Yes, I saw, because it had -- the flame
14 from the houses that were burning had lightened up the place and it was clear, you
15 could see things. I saw as they also continued to torch some huts, they would torch
16 one and then go another distance to torch another. Because the houses were close,
17 when one starts burning it would automatically burn the others. I saw when they
18 were torching them.

19 PRESIDING JUDGE SCHMITT: [10:32:23] Please continue.

20 MS NDAGIRE: [10:32:25]

21 Q. [10:32:27] Mr Witness, did you come to know the names of the rebels who
22 torched the houses?

23 A. [10:32:41] The rebels who torched the houses, one of them actually asked me
24 that "Do you know Betty Moto?" And I responded in the affirmative that I knew.
25 And he asked me "Do you confirm that her house has also been burnt?" I told him

1 that there were flames that side. I do not know if her house is also among those that
2 have been burnt because there are flames that side.

3 Q. [10:33:24] Mr Witness, if I mention the name Opio, does it ring a bell?

4 A. [10:33:41] When you mention the name Opio, I can tell you that Opio is a
5 person who at the time of my abduction was close by there. He asked me about his
6 sister called Betty Moto. When he mentioned, I remembered because Betty was close
7 by in the village. In the camp there we were also close. I remembered and recalled
8 that this person is from Lalogi because Betty comes from Lalogi.

9 Q. [10:34:29] And just to confirm, Mr Witness, is Opio the rebel who you were
10 telling us about just now?

11 A. [10:34:41] Yes, I was talking about Opio because he asked me very many
12 questions regarding his sister. He even asked me about the names of the children of
13 his sister and I told him that I know those people. At that time if they asked me
14 I would respond, because I feared that if I did not respond he would become
15 ferocious, and I responded every time he asked me.

16 PRESIDING JUDGE SCHMITT: [10:35:15] Does the name Otim ring a bell?
17 Otim?

18 THE WITNESS: [10:35:27] (Interpretation) Yes. When you mention the name
19 Otim, it does remind me. Otim was close to Opio and they were the ones who were
20 talking to me.

21 PRESIDING JUDGE SCHMITT: [10:35:46] Thank you.

22 MS NDAGIRE: [10:35:49]

23 Q. [10:35:50] And what about the name Kalalang?

24 A. [10:36:05] When you mention the name Kalalang it does reminds me, because
25 when they were giving orders to go to the barracks Otim and Opio told me that the

1 commander who is giving directives to go to the barracks is called Kalalang, he's the
2 one who was leading the group at this -- at that moment. I knew Otim because he
3 was also Lango and was speaking to me in Lango, but he was now influenced by
4 Acholi language because he had stayed long there.

5 Q. [10:36:51] Mr Witness, did you see Kalalang yourself at that time?

6 A. [10:37:08] I could have seen him that night, but it was not very clear at that
7 time. I would only hear the voice as he commands and gives orders. I knew him
8 well when daylight -- when it was daylight.

9 Q. [10:37:33] And when you saw him when it was daylight, how was he dressed?

10 A. [10:38:00] Kalalang was wearing a cloth that was camouflage and it had a
11 mixture of colours. There was some parts which were blackish, others were whitish.
12 It was very similar to what the government soldiers were wearing. His shoulders
13 had some red ranks on it. The others did not have them.

14 Q. [10:38:42] Mr Witness, we will now talk about when you got to the barracks.
15 Please tell us what happened when you got there.

16 A. [10:39:10] When we were close to the barracks we did not actually enter inside
17 the barracks. I stopped them and I pointed towards the barracks, that these houses
18 you see are the barracks. If we go close, the soldiers that fled will be inside there. If
19 we go there, they can shoot at us. So here is the barracks. Then at that time I was
20 still tied up on my waist and then a directive was given from my back that I should
21 shout "maka maka", which means just catch, just catch him.

22 I feared - it was dark and then the barracks was close by - if I shout that "catch them",
23 the soldiers would start by shooting me. I kept quiet and refused to shout because
24 I had already told them that this was the barracks. I did not want to be the first
25 victim of the shooting of the soldiers.

1 Later on when I refused shouting, I heard gunshots from behind; they had started
2 shooting towards the barracks. No soldier was visible in the barracks because the
3 soldiers had hidden in the trenches. When I heard gunshots, I fell down and lay
4 down. There were more gunshots towards the barracks and the soldiers in the
5 barracks also started firing back. There was an exchange for some time and then all
6 of a sudden there was a silence. I was pulled back and started moving back to the
7 rebels and with the rebels. And then they were speaking in murmurs, I couldn't
8 hear them.

9 Then they took me to a house which had been constructed but was not yet complete.
10 And then they told me that the soldiers who were here, they asked me, "The soldiers
11 who were here, where have they gone?" I told them that they went back inside the
12 barracks. Then I heard someone say from amongst them they were actually many.
13 One of them said, "Let us leave. If we continue lingering here, and considering the
14 exchange of the bullets and the fires that have burnt the houses, they will come and
15 remove the things that we have looted."

16 I heard them continue to murmur. Then they took me and we moved and left the
17 barracks and went towards the place where we headed.

18 Q. [10:42:51] Mr Witness, earlier on at page 14 of the transcript you had
19 mentioned that you had a rope tied around your waist. When you were at the
20 barracks was this rope still tied around your waist?

21 A. [10:43:12] Yes, the rope that was tied around my waist was not untied. I
22 moved with that rope the entire night until the next day. They were referring to me
23 as an Amuka because I was able to dodge their bullets. If they had released -- if they
24 had untied me I would be able to run. They only untied the rope the next day
25 sometime later.

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1 Q. [10:43:43] And who had tied this rope around your waist?

2 A. [10:43:52] Well, the time they were tying the rope around my waist I could not
3 notice. The person who fired at me was the very person who tied the rope around
4 my waist. He never told me later who he was. I never came to discover who that
5 person was.

6 PRESIDING JUDGE SCHMITT: [10:44:16] Mr Witness, do you recall what kind of
7 weapons the rebels had with them or used?

8 THE WITNESS: [10:44:26] (Interpretation) I remember what I saw. Yes, I do
9 remember. Opio had a gun, a big gun. The big guns I saw them wielding, one of
10 them was in the barracks, the soldiers -- the government soldiers had one, it was
11 called a PK. They also a mortar, they had LMG guns. The people carrying the
12 heavy guns included Opio. There was also an Acholi called Okema, he also had a
13 big gun. The person who was operating the mortar, I failed to get his name but they
14 kept referring to him as "Lapwony". He had an injury. He was shot at the time
15 they attacked Abok.

16 PRESIDING JUDGE SCHMITT: [10:45:42] Perhaps I can refer the witness to his
17 former statement.

18 Mr Witness, you have given your statement to the Prosecution, that is
19 UGA-OTP-0248-0060, and I'm going to page 0074, paragraph 73, and perhaps this
20 refreshes your memory:

21 "I saw one mortar on the day of the attack. The rebel I later found out was called
22 Otim was carrying the mortar."

23 When you hear that now does this refresh your memory that it was the rebel called
24 Otim who carried the mortar?

25 THE WITNESS: [10:46:26] Yes. That reminds me. Because Otim was a Lango, I

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1 knew him, he introduced himself to me when we were in the bush.

2 PRESIDING JUDGE SCHMITT: [10:46:39] And then it continues:

3 "I also saw an RPG carried by some Acholi rebel boy called Odong." Does Odong
4 ring a bell too?

5 THE WITNESS: [10:46:56] (Interpretation) Yes, Odong reminds me because we
6 stayed together in the bush. That's why it reminds me, it reminds me of the gun that
7 he was holding.

8 PRESIDING JUDGE SCHMITT: [10:47:18] Thank you.

9 MS NDAGIRE: [10:47:21]

10 Q. [10:47:22] Mr Oper, how old was Odong at the time that you met him in the
11 bush?

12 A. [10:47:39] Are you talking about Odong's age or my own?

13 Q. [10:47:42] Odong's age.

14 A. [10:48:03] Well, at this time I cannot recall Odong's age.

15 Q. [10:48:09] Was he much older than you or younger than you at the time?

16 A. [10:48:21] Odong was older than myself. I stayed together with very many
17 people. That's why sometimes if you ask me, because it was quite some time back, I
18 left them long time ago and it makes me have to first sit back and think about who the
19 people I was living with were. That's why here and there you would find I have
20 forgotten this or that.

21 Q. [10:49:03] That's quite reasonable, Mr Witness.

22 You told us that while the shooting was going on at the barracks you fell down and
23 you lay down. Could you tell us what you could see at that time as you were lying
24 down?

25 A. [10:49:32] When I fell down, what I was able to see was that the rebels started

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1 firing towards the barracks, the soldiers were firing back towards the rebels. What I
2 also saw was grasses falling down on me. I laid down supine, and yet I was able to
3 see those things. The bullets were cutting grasses and the grasses were falling on
4 me.

5 MS NDAGIRE: [10:50:25] Your Honours, I'm mindful of the time, as I would like
6 to start on a new topic.

7 PRESIDING JUDGE SCHMITT: [10:50:31] Yeah, we can have a break now. We
8 are not in a hurry. I think we won't start even one witness more this week. So
9 don't want to encourage of course to spend the whole of today and tomorrow for -- I
10 don't want to encourage that, but I simply want to say that we are not in a hurry, I
11 would say. So we can have a coffee break until 11.30.

12 THE COURT USHER: [10:50:57] All rise.

13 (Recess taken at 10.50 a.m.)

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

15 THE COURT USHER: [11:32:55] All rise.

16 PRESIDING JUDGE SCHMITT: [11:33:18] Mrs Ndagire, you have the floor still,
17 with a new issue and a new topic that you are going to address.

18 MS NDAGIRE: [11:33:27] Yes, your Honour.

19 Q. [11:33:32] Mr Witness, in the previous session at page 19 of the transcript you
20 mentioned that after the point EX on the map that we were looking at you then
21 crossed the road and you were already leaving. Where did you go to next?

22 THE INTERPRETER: Your Honour, could the witness's microphone be switched on.

23 PRESIDING JUDGE SCHMITT: [11:34:22] Mr Witness, your microphone is not
24 switched on. But I think you are getting a hand there, they will help you.

25 THE WITNESS: [11:34:35] (Interpretation) When we left the barracks we moved

1 and entered the bush. We crossed a stream called Akwanyo-gen and I was carrying
2 the luggage that had been given. It was cooking oil.

3 MS NDAGIRE: [11:34:58]

4 Q. [11:35:00] And what happened when you got a Akwanyo-gen?

5 A. [11:35:11] When we crossed the Akwanyo-gen stream, it was a very wide
6 stream and we found someone who had been abducted from Abok and was beside
7 the road and near the stream and was moving as if we were coming back.

8 Q. [11:35:40] Do you recall the name of this person who had been abducted from
9 Abok?

10 A. [11:36:03] Yes, I recall. I knew that person. And he was called Gwerina.
11 He was already an elderly person. We found Gwerina by the roadside and was
12 smelling of fecal matter and was being slapped that he was smelling and should leave
13 the way for people.

14 Q. [11:36:35] Was Gwerina a man or a woman?

15 A. [11:36:49] That was a woman and she was elderly.

16 Q. [11:36:59] And you said that when you found her by the roadside she was
17 smelling of fecal matter. Could you explain to us what that is?

18 A. [11:37:15] She had failed to walk considering the luggage that she had been
19 given and she had defecated on herself and was having a foul smell and they told her
20 to go back, but she was told to first let everybody pass since she had defecated on
21 herself.

22 Q. [11:37:49] And I'm sorry if this might sound too intrusive, but can you tell us
23 what had caused her to defecate on herself?

24 A. [11:38:08] The luggage which she was carrying was too heavy for her age and
25 I think she was scared, that is why she defecated on herself.

1 Q. [11:38:31] Mr Oper, did you see anyone hit Gwerina while you were at
2 Akwanyo-gen?

3 A. [11:38:49] Yes, I saw. People were moving together and close by. I would
4 see as those one who were leading would slap them. When I passed the people who
5 were behind me also continued to slap her.

6 Q. [11:39:09] And just so we understand, who were these people that were
7 slapping her?

8 A. [11:39:25] The rebels who were moving. It was dark, they put her by the
9 roadside and when people were passing they would smell the foul smell and they
10 would push her and slap her. So it was the rebels who were slapping her.

11 Q. [11:39:46] Do you know how many rebels were doing this to her?

12 A. [11:40:09] The rebels who slapped her I'm not sure, because there were many
13 people who were leading the way. I saw the person who was in front of me slapping
14 her and then I also heard the person who was behind me slapping her. And she was
15 crying that they should leave her alone.

16 Q. [11:40:32] Did the rebels beat any other people at this time?

17 A. [11:40:58] Yes, they beat people. Even me I was beaten. They continued
18 beating other people while we were moving.

19 Q. [11:41:09] Tell us about you, how were you beaten?

20 A. [11:41:26] First of all, I was beaten, someone slapped me in the face and asked
21 why I was looking at him. And secondly, I was beaten when they asked me where
22 we were. If you mention, they say you are too intelligent, you might escape, and
23 they beat you.

24 MS NDAGIRE: [11:42:12] Your Honour, I would like to refresh the witness's
25 memory with a portion of his statement.

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1 PRESIDING JUDGE SCHMITT: [11:42:19] Yes. What are we talking about, which
2 portion?

3 MS NDAGIRE: [11:42:24] We're talking about page 0087 of the statement at
4 paragraph 145, the fifth line from the top and the last line.

5 PRESIDING JUDGE SCHMITT: [11:42:37] Please continue.

6 MS NDAGIRE: [11:42:43]

7 Q. [11:42:43] Mr Oper, in your statement you spoke of a girl who was killed in the
8 bush because she was crying and that she was around 12 to 13. You also said that
9 she was taken a distance away and beaten up, and that she kept crying until she was
10 not crying anymore. And you said she must have died. Could you confirm
11 whether this is the truth?

12 A. [11:43:28] This indeed happened from the bush when we had gone. The girl
13 was crying. They would push her to move and she did not accept, she was not able
14 to move. In the bush when you are told to do something and you fail to do it, they
15 would kill you. They would take you and they would move backwards with you
16 and they would beat you there. When I hear you crying and you stop crying, you
17 don't come back to us, I assume that you are no more. Someone would cry and go
18 silent and you wouldn't see that person. And even when you come back home later
19 you realise that when she left the bush she never reached home, so I assume that she
20 was killed in the bush.

21 Q. [11:44:46] Other than Akwanyo-gen, did you make any other stops?

22 A. [11:45:04] When we left the Akwanyo-gen stream we turned a corner and then
23 we started moving towards a place called Agwedi. We crossed another stream and
24 it was a small stream, it was called Kulu-Kwoyo. It was smaller than Akwanyo-gen.
25 This is in a place called Agweo. When we moved and reached Agweo, people

1 stopped and gathered together to rearrange the luggage that they had come along
2 with.

3 From there I was taken and they called -- they addressed me as mzee, that that mzee
4 should come here. I didn't respond because I knew I was not a mzee since I was still
5 young and I cannot be referred to as mzee or an elder. I was brought forward and
6 then they picked me and three others and they told us, they told them that -- they
7 picked four people and told them that "Take this man back." I was scared because
8 I had heard earlier that when the rebels abduct you and then they take you away from
9 the rest of the group and take you back, that means they were going to kill you.

10 I was so scared. Two of the people, two of the people who were taken to escort -- got
11 me back had guns, they were leading the way and two others were behind me. All
12 of them were armed and also had machetes. They had guns and machetes. They
13 brought me back to Kulu-Kwoyo and told me to stop, there is a luggage here, stop
14 and pick it.

15 I stopped and then they opened some leaves and realised that under the leaves there
16 was someone injured who had been shot from Abok. The knee had been shot by a
17 bullet. And then they told me that "This is your luggage, carry it." They held this
18 person, one held the -- one arm and another held the other arm and they let him bend
19 and they told me push my head through his thighs so that he sits on my shoulders,
20 just the way we carry children. I pushed my head between his thighs and he sat on
21 my shoulders. I tried to heave myself up but he was heavier than I was. My waist
22 was stuck and I couldn't raise myself up.

23 One of them beat me in my buttocks with a gun. I continued to raise myself up. I
24 tried my level best to get up and I got up and I was told to move. I moved up to
25 where people had gathered and I put him down. The commander started moving

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1 forward. The commander started talking and asked people to carry their luggage
2 and said that people should carry their luggage and start moving. He said that
3 whoever fails to carry his luggage would stop, would end there, meaning that
4 whoever fails to carry his luggage would be killed there and then.

5 I raised my hand. It was still dark, probably about 2 a.m., that is according to my
6 estimation. There were gunshots still being fired behind us. We would hear as if
7 there was a vehicle that was moving and heavy weaponry was being shot from where
8 we came from.

9 There was reinforcement. I told them -- they said that these guys had had the
10 reinforcement and they will take away our luggage. Then I pleaded with him, I said
11 that "This luggage of mine, I cannot carry. Help me with someone so that the person
12 can help me so that we carry this luggage together. I am not able to carry alone."

13 That luggage of mine was a human being which I was tasked with to carry alone.

14 Before I mentioned that they had said that no one should speak, and they said when a
15 commander speaks no one should question. But I continued to speak. I continued
16 to plead that they should help me. One person then reprimanded me. But then
17 another person said "If someone wants to speak, let him speak. Probably he is
18 oppressed." So when I pleaded with them, they gave me one person to carry the
19 luggage I had, so two of us carried that person.

20 PRESIDING JUDGE SCHMITT: [11:51:32] Mr Oper, was this a very heavy person
21 that you had to carry?

22 THE WITNESS: [11:51:48] (Interpretation) He was heavy according to my
23 estimation. And given his size he could be well about 80 kilograms. He was tall
24 and also well built.

25 PRESIDING JUDGE SCHMITT: [11:52:02] Thank you.

1 MS NDAGIRE: [11:52:03]

2 Q. [11:52:03] And, Mr Witness, at page 34 you had said they picked you and four
3 people. Who is the person who picked you and the four people?

4 A. [11:52:22] At that night the director who was giving directives was the person
5 who was leading the group. I can confirm that it was Kalalang because he was the
6 one who was giving all the orders that was being passed down.

7 Q. [11:52:51] And what about this person who you had to carry when you got to
8 the Kulu-Kwoyo swamp. Do you know who he was?

9 A. [11:53:13] I was not given the name of the person whom I carried. They were
10 only referring to him as "Lapwony" and they said Lapwony was wounded. I did not
11 hear his name and they told me that the weapon that he was using was an RPG which
12 he got wounded while using it.

13 Q. [11:53:37] And who helped you carry this injured rebel?

14 A. [11:53:54] They brought two people to help me carry Lapwony. One person
15 was short but was older than me and the other person was about my age. And
16 this -- the short person was called Charles Amodo, but he was taken away, that his
17 size would not be able to allow him carry the luggage. And then they made me
18 carry together with Omara Denis.

19 Q. [11:54:37] You also said at page 35 that when you came back together where
20 the people were the commander started talking and asked people to carry their
21 luggage. Who was this commander?

22 A. [11:55:19] The people who were close to Kalalang who were taking orders
23 from Kalalang was Opio. Opio was very close to him. Kalalang was the overall
24 commander who would give the orders for whatever was supposed to be done.

25 Q. [11:55:42] And for how long did you and Omara Denis have to carry this

1 lapwony?

2 A. [11:55:55] Me and Omara carried him for the whole night until daylight. We
3 carried him for the whole day and then the next day he got worse and then we left
4 him there.

5 Q. [11:56:22] Did you see this lapwony again?

6 A. [11:56:46] I never saw him. His condition got worse and there was a lot of
7 bleeding from his wound. Two people were told to first nurse the wound of
8 lapwony. I was given another luggage to go with. He was not able to move with
9 the group. I never saw him until I returned.

10 Q. [11:57:10] And, Mr Oper, you mentioned that when you brought back this
11 lapwony to the place where the commander then instructed people to carry
12 things -- or my question is: What people were there when you returned to the
13 meeting point?

14 A. [11:57:54] When we returned I was carrying a person. The order given at that
15 time was that some people had heavier luggage than others and it was -- there was a
16 need to readjust the luggage so that it doesn't waste away. For me, it could not be
17 adjusted since it was a human being, who was heavy.

18 Q. [11:58:56] Other than yourself and Omara Denis and Amodo Charles, were
19 there any other people who had been abducted while you were at that place?

20 A. [11:59:18] It was dark at that time and I do not know any other person who
21 had been abducted since it was dark. I knew only those people because they were
22 brought to me at that moment.

23 Q. [11:59:43] Mr Oper, if I mention a name, Emmanuel Otim, does this ring a bell?

24 A. [12:00:10] Yes, it does remind me. Emmanuel Otim is someone I know. He
25 was abducted by the rebels and I know that he was abducted. He was close to me.

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1 Q. [12:00:30] Where was Emmanuel Otim at the time?

2 A. [12:00:44] Emmanuel Otim I said was somebody who was coming from
3 Dwaliro.

4 Q. [12:00:59] And if I mention the name Opio Sam, does this ring a bell?

5 A. [12:01:16] Opio, there was one Opio who was in the bush. We used to call
6 him Opio Wanjiri in the bush. The other one was -- there was Opio Wanjiri and
7 many other people who are abducted who were our neighbours.

8 Q. [12:01:43] What about Odongo Maurice, does this name ring a bell?

9 A. [12:01:58] Odongo Maurice was one of the people who was abducted who was
10 one of our neighbours. They told us that at the time, at that time when they were
11 abducted the soldiers came and were able to rescue them. There was Odongo
12 Maurice who was rescued. There was another person called Oyugi was also
13 abducted. There was Ocen Tony as well. These were people who were abducted,
14 but the government soldiers came and attacked the rebels and they were able to be
15 rescued.

16 Q. [12:02:43] Do you recall the ages of Emmanuel Otim and Odongo Maurice?

17 A. [12:02:57] They were young people. I think he was about 15. The other
18 person was about 16. Both of them were younger than me. I was older than them.

19 PRESIDING JUDGE SCHMITT: [12:03:15] You were putting names to the witness.
20 I would also ask you a name. The name of Cyprian Ogola, does that ring a bell?

21 THE WITNESS: [12:03:40] (Interpretation) Cyprian Ogola, if you mention the
22 name, was a person I stayed within the camp. The office of the camp was at his
23 place. That is what I remember about Cyprian Ogola. He was a big person.

24 PRESIDING JUDGE SCHMITT: [12:04:08] And Douglas Obwor.

25 THE WITNESS: [12:04:20] (Interpretation) Douglas Obwor was a camp leader.

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1 He was appointed as a second camp leader. His home was also near where I was
2 staying.

3 PRESIDING JUDGE SCHMITT: [12:04:35] Thank you.

4 Please, Mrs Ndagire.

5 MS NDAGIRE: [12:04:38]

6 Q. [12:04:41] Mr Witness, at this point you said you were carrying this lapwony.
7 What were the other abducted people carrying?

8 A. [12:05:07] There were so many things that were looted. The looted items that
9 I saw included beans that were pillaged from people's houses, they had goats, they
10 had sesame that were looted from people's houses. There was merchandise looted
11 from people's shops. Very many edible items that were also looted and we were
12 carrying them. I cannot list them all.

13 Q. [12:06:05] And how do you know that some of these items had been looted
14 from people's houses?

15 A. [12:06:13] I know that because these are people who do not have gardens
16 where they can cultivate their crops. That's why I confirm that these were items that
17 were looted from there. They did not have goats. They just got -- untied goats
18 from people's households and went with them.

19 Q. [12:06:54] Mr Witness, where did you go next after this place?

20 A. [12:07:14] When we left the place where we had rested, we walked towards
21 the direction of Lalogi. We moved and it was getting late. As we were
22 approaching Lalogi we could hear chicken crying. We were -- I knew Lalogi at that
23 time because when I was still at home I used to move about, I would go to Lalogi
24 until Opit. We moved to Lalogi. Thereafter we crossed to Opit.

25 Q. [12:08:05] Mr Witness, have you heard of a place called Atoo?

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1 A. [12:08:18] Yes, I know Atoo because I went up to there, I stayed there for some
2 time.

3 Q. [12:08:32] When did you go to Atoo?

4 A. [12:08:46] When I was still at home I did not know of Atoo. I went to Atoo
5 when I was abducted and I was in the bush. We walked in the wild and those who
6 knew the place, those who had been there for some time told me that that was their
7 base at that time.

8 Q. [12:09:14] You just said that "those who had been there for some time told me
9 that was their base". Who were these people who said this to you?

10 A. [12:09:30] The people who told me, well, there were so many people who were
11 staying there. Otim was one of the people who was staying there. There was also
12 another person who had stayed there who was referred to as Okoo. He also told me
13 that was their base. There were many other people who were staying there who also
14 told me that that at that time was their base. If they were going anywhere they
15 would only move to go and collect food items. But that was a thick forest that was
16 next to Atoo hills.

17 Q. [12:10:26] And who were you with when you arrived at Atoo?

18 A. [12:10:45] When we arrived at Atoo, when I reached Atoo, I reached Atoo
19 together with my cousin and Otim who was already there before. There were many
20 other people who were there, the Lango, the Acholi. And those who introduced
21 themselves to me, those who were there before introduced themselves to me and
22 I would also introduce myself to them. Whoever did not introduce themselves to me,
23 I would not ask because they were very rough and rude and if you ask somebody
24 where they are coming from and their names they would be very harsh. I don't
25 know why they would be that harsh.

1 Q. [12:11:40] And these Lango and Acholi people who you met there, had they
2 been abducted like you or were they rebels?

3 A. [12:12:06] Those were already rebels and they had guns. There, if you arrived
4 there you would then be referred to as a rebel. The freshly abducted people would
5 not easily be identified there. If you are abducted and you've taken some time there
6 you would then be referred to as a rebel. I refer to them as rebels because they
7 already had guns.

8 Q. [12:12:39] And were these rebels men, women or children?

9 A. [12:12:55] These rebels were men, women and children who didn't have
10 uniforms. The older ones were the ones who had guns. The rest were not armed,
11 they would only wait for an operation to go and carry items.

12 Q. [12:13:17] What was the age of the youngest child that you saw?

13 A. [12:13:34] An abducted child would be about 12 years or 13 or so would not be
14 allowed to return. They would be taken to go and join them. Those are the young
15 people who were in the bush. I'm not talking about toddlers.

16 Q. [12:14:03] How could you tell that these abducted children were about 12 or
17 13 years of age?

18 A. [12:14:27] I could use my eyes to gauge. If I look at your face I would then be
19 able to estimate how old you could be. I would just look at somebody and estimate.

20 Q. [12:14:43] Mr Witness, was it only their appearance, their face that you
21 considered, or were there any other factors?

22 A. [12:15:29] The way they appeared, that was it. I would look at the face, their
23 facial appearance. An old person or a big person can be clearly identified if you look
24 at the face, and you can easily segregate between somebody who is older and a
25 younger person regardless of the size of the body, but their faces can always tell you

1 something about how old they are.

2 PRESIDING JUDGE SCHMITT: [12:16:07] I think you can move on, Mrs Ndagire.

3 MS NDAGIRE: [12:16:11]

4 Q. [12:16:13] Were the children that you saw boys or girls or a combination of
5 both?

6 A. [12:16:20] A mix of boys and girls. And there were also old people. Women
7 were also there.

8 Q. [12:16:39] And what were the boys doing?

9 A. [12:16:53] When you are taken there, you are taken for work. The kind of
10 work that took place there was that it included training you to become a rebel.

11 Q. [12:17:09] How were they trained? Describe to us, please.

12 A. [12:17:22] Training you to become a rebel meant training you on how to
13 dismantle and reassemble a gun and how to be brave and courageous so you can stay
14 in the bush.

15 Q. [12:17:46] And did the girls receive the same training?

16 A. [12:18:00] The trainings that were done there included training on managing a
17 gun, together with training on the life skills in the bush. Those were some of the
18 things that were done. You're supposed to know how to live in the bush.

19 Q. [12:18:42] An what about the women, what were their duties?

20 A. [12:18:52] The duties of the women that I witnessed included preparing meals,
21 cooking the food items that were brought the people who had gone to operation.
22 This was the major task they would engage in. And if people go to loot food they
23 would also go with some of the women so they can help to carry the loots.

24 Q. [12:19:27] Were these women married or unmarried?

25 A. [12:19:48] It's difficult to confirm that in the bush, because you can be

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1 abducted as a girl and you will then be turned into a wife. You can be abducted as a
2 woman and you will be turned into a wife as well. If one of the rebel leaders had
3 interest in you, you would have to become their wife.

4 Q. [12:20:14] Do you know if any of the rebels who you told us about had wives?

5 A. [12:20:36] The rebels I saw had wives. Well, one of the persons whose wife
6 I was able to see were -- the other people never told me or introduced their wives to
7 me, so I knew of only one.

8 PRESIDING JUDGE SCHMITT: [12:20:54] I think this is an area where we had
9 other witnesses who were perhaps a little bit closer to the issue, to put it this way.
10 Just as a remark by me.

11 Also bearing in mind the statement of the witness, if you look at it, 133, 134, he often
12 says I have heard about that, I heard that and so on. I only want to say perhaps it's
13 not an issue where we should focus too much with this witness. Perhaps others, but
14 not this one.

15 (Counsel confers)

16 MS NDAGIRE: [12:22:07]

17 Q. [12:22:08] Mr Witness, I want to talk about Kalalang. Do you know if he had
18 any wives?

19 A. [12:22:22] Yes, I know Kalalang and he had a wife.

20 Q. [12:22:31] Do you recall her age?

21 A. [12:22:39] Well, I did not ask her how old she was because I didn't have the
22 authority to ask her her age, but you could see the way she was. If you asked her
23 her age you would be looking for trouble.

24 Q. [12:23:00] You told us about the training that was given to the people who
25 were abducted and the work as well. What I want to know is: Were you given any

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1 training?

2 A. [12:23:22] Yes. I stayed there and I underwent training. When you go there
3 they will immediately start training you and that would only start when you've
4 stayed there for about three or so months. They consider that after staying for that
5 while you should have gained courage to be able to be trained and conscripted as a
6 soldier. That's when they would then start training you.

7 Q. [12:23:58] What kind of training did you receive? What were you trained to
8 do?

9 A. [12:24:07] When you are undergoing training there one of the important things
10 would be on how to disassemble a gun and then how to reassemble it, and ensuring
11 that when you are given an instruction you follow that instruction strictly and you do
12 exactly what you've been told to do.

13 Q. [12:24:35] And other than this kind of training, were you given any other work
14 or duties while you were at Atoo?

15 A. [12:25:02] The other duties included looking for food to be brought to the
16 group. That was a major duty, to go look for food to bring to the group. We would
17 move in a group the way the team to go is set up.

18 PRESIDING JUDGE SCHMITT: [12:25:23] Were you also being trained how to fire
19 a gun?

20 THE WITNESS: [12:25:35] (Interpretation) They had just trained us on how to
21 dismantle and reassemble a gun. Those were the major models to learn.

22 PRESIDING JUDGE SCHMITT: [12:25:50] And were you trained with other people?
23 And if so, how old were they?

24 THE WITNESS: [12:26:06] (Interpretation) The training we were given was given
25 to us as new people. One of the -- some of the people who were younger who had

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1 already been trained had stayed there for quite some time, but some of us who were a
2 bit older didn't have any training and we were forced and trained.

3 PRESIDING JUDGE SCHMITT: [12:26:32] And you have earlier on assessed the
4 age of certain children or young people. Could you do this here too? Could you
5 assess the age of those who were trained, had been trained together with you?

6 THE WITNESS: [12:26:56] (Interpretation) Yes, I can estimate their ages. I was
7 about 19 years old. The people with whom I was trained, one of them was younger.
8 There was also a girl with whom I was trained. One of them we were at the same
9 age, but the other was younger.

10 PRESIDING JUDGE SCHMITT: [12:27:27] Thank you.

11 MS NDAGIRE: [12:27:30]

12 Q. [12:27:31] Mr Oper, you also said that your duties included looking for food to
13 be brought to the group. Where did you go to get this food?

14 A. [12:27:49] You would go looking for food in places where civilians were.
15 Civilians were in the camps. You would have to go nearby the camps so you can go
16 and harvest crops that were planted nearby the camps. Those were the places where
17 we would get food from.

18 Q. [12:28:16] Do you recall the names of some of the camps that you went to?

19 A. [12:28:29] Yes, I remember some of the places we went to. Each time I was
20 going I would ask them "Where are we going?" The first place we went to look for
21 food was in a camp that was near Opit. We didn't go inside the camp, but we went
22 to civilian gardens to look for food that we would use in the bush.

23 PRESIDING JUDGE SCHMITT: [12:29:05] Did anything out of the ordinary
24 happen at Opit?

25 THE WITNESS: [12:29:19] (Interpretation) We went there about three times where

1 we looted food in different camps.

2 PRESIDING JUDGE SCHMITT: [12:29:30] I was a little bit unspecific. This was
3 my fault. Perhaps a little bit more directly, was anybody of the rebels injured or
4 killed during one of these attacks at Opit?

5 THE WITNESS: [12:29:52] (Interpretation) Yes, that happened. When we went to
6 Opit to look for food, people were in Opit camp, we moved near to the camp and we
7 went -- we left a hill that was on one of the sides. We got food, we looted food, and
8 as we returned, you know, when you are going to -- when you are going to look for
9 food, you must go and do so at a time when people will not be able to easily identify
10 you. You will do the things stealthily without the soldiers knowing that you were
11 doing that. So we went to Opit. We collected food. We got cassava. Some of the
12 houses in the nearby places still had food items therein. We collected a lot of things
13 and we started walking back towards the camp.

14 We were now walking back towards Atoo hills. A lot of bushes were on the way.
15 The soldiers recognised our presence and, as it was coming to daybreak, as the new
16 day set in the soldiers noticed of our presence. We were moving near a certain
17 school. We could see the school on the side of the -- of our way. I didn't -- I was
18 not able to read the name of the school. The soldiers found us. We entered into an
19 ambush. They shot at us. And I was told that two of the rebels died because they
20 never returned and I never saw them again. The leader who, the commander who
21 was leading us never returned and one Acholi person also didn't return. That
22 person who died was Kalalang and another person was called Ocan. Ocan I was
23 told was coming from Kitgum. Those were the people I got to know of.
24 We were moving quite ahead and the attack started from our rear. That was because
25 when you are carrying loots, the people carrying the loots would have to move far

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1 ahead while other people would be guarding behind. So this attack came from the
2 rear where the guards were moving. We continued moving with our loots.

3 PRESIDING JUDGE SCHMITT: [12:33:11] Did you see how Ocan and Kalalang
4 were killed?

5 THE WITNESS: [12:33:29] (Interpretation) No, I did not see. There were gunshots
6 and there was no time to come back. We continued fleeing forward. I just heard
7 that they were dead. I never saw them. I never saw their dead body as well.

8 PRESIDING JUDGE SCHMITT: [12:33:46] Thank you.
9 Mrs Ndagire.

10 MS NDAGIRE: [12:33:50]

11 Q. [12:33:54] Mr Oper, other than Opit, did you go to any other camps?

12 A. [12:34:15] The other camps that we went to are in Acet, but we did not actually
13 went into the camp because they would take a few people who would not be able to
14 confront the army deployed in the camp. So we went to Acet to look for food. Acet
15 was far from where the rest of the group was based.

16 We went there and looked for food. The food that we needed to survive was got
17 from there and we abducted one old man from there. He was still moving to the
18 villages to check his farm. We gave him a luggage to carry and he carried the food
19 which we got from that village.

20 Q. [12:35:24] And in whose group were you when you went to Acet?

21 A. [12:35:36] Before we went to Acet -- rather, before I went to Opit I was injured.
22 I mentioned earlier that I was injured in my leg. I was taken and I stayed for one
23 week and a half without going anywhere because I was injured.

24 A report came that the overall commander who was in charge of the group was
25 coming to meet us, was coming. The people who were close to me while there were

1 the ones who were mentioning those to me. They actually don't allow you to be
2 talking to each other all the time.
3 They said that the overall commander of this group was coming to address us. That
4 was before we went to Opit camp. This they told me was Dominic, Odomi. That is
5 how they called him. When I was told this, I did not ask when he was coming.
6 They only told me that the commander is coming to address people.
7 It took one day and the next day when it was daylight, about 8 to 9 a.m., people were
8 gathering. For us the new people who had been abducted would not be allowed to
9 go and listen to what they were saying. They said that the commander had come
10 and they did not know what they wanted and they didn't -- we didn't know what he
11 wanted to tell people. We did not go there. We didn't hear what they -- what they
12 were talking about. I didn't even see the commander who was talking to them
13 because they didn't allow us to go there. But they told us that the general
14 commander, overall commander, Dominic, was coming to address people. That was
15 before we went to Opit.

16 PRESIDING JUDGE SCHMITT: [12:38:10] I think, perhaps, if you look at
17 paragraph 119 of the statement, it is mentioned here at some point after the attract on
18 Acet that this ought to have happened. So otherwise I think Mrs Bridgman would
19 perhaps have inquired, but since it comes now to, into -- we can also leave it for the
20 moment and Mrs Bridgman picks it up later on.

21 Since we are now entertaining it why not? So again the statement we had already,
22 and I'm here now at UGA-OTP-0248-0060 at 0083, paragraph 119.

23 I read a short portion to you, Mr Oper, and perhaps that reminds you of the timely
24 sequence in which the events happened:

25 "At some point after the attack on Acet, Oceng told all of us at his base we had to go

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1 to the main base at the foothills of Atoo because the overall commander Dominic was
2 going to go there to address everyone."

3 So this seems to have been then after Acet, and from your narrative I understood at
4 least that Acet was after Opit. I hope that I did get it correctly.

5 Yes, yeah. So the question would be if you hear this now, what you said in 2016, if
6 you recall now or if you say "Okay, I don't know exactly when it was, when it
7 happened".

8 THE WITNESS: [12:40:18] (Interpretation) What I said in 2016 was that I went for
9 three attacks when I was there. The attacks that we went for where we were shot at
10 was two. But the rest we would only go to pillage food and we will not have any
11 confrontation. We would try to dodge the soldiers so that we don't meet them.

12 In Acet, we indeed went to Acet and we abducted some people and came back with
13 one person who was supposed to carry the luggage. We did not reach with him to
14 our base. We sent him back. Because when they do not want you to reach -- when
15 they don't want you to work with them, they don't allow you to reach their base so
16 that you don't take the report.

17 PRESIDING JUDGE SCHMITT: [12:41:28] Please allow me to interrupt you shortly.
18 I was interested in when these gathering with the leader of group that you called
19 Odomi happened. And you said you didn't see him, but nevertheless, was
20 this -- and I read it to you in your former statement, it sounds a little bit that it was
21 after Acet attack and not before Opit. So would this refresh your memory? If not,
22 it's no problem. Then we continue simply.

23 THE WITNESS: [12:42:10] (Interpretation) The commander addressed people
24 when people had just returned. We had not stayed for long after the attack in Abok.

25 PRESIDING JUDGE SCHMITT: [12:42:20] I think we leave it at that. I think we

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1 will not be more detailed.

2 I assume that you are going to finish before the end of this session; is this correct?

3 Okay. Please continue.

4 MS NDAGIRE: [12:42:50]

5 Q. [12:42:50] Mr Witness, other than going to collect food and the training that
6 you received, were you given any other duties?

7 A. [12:43:12] I was not given any other duty. I was trained on how to dismantle
8 and reassemble the gun. And when I am chosen or selected to go and collect food,
9 I would go. There was nothing else I was tasked with.

10 MS NDAGIRE: [12:43:35] Your Honour, I would like to request for a very brief
11 private session for the reasons that I had highlighted at paragraph 18 of the
12 (Overlapping speakers)

13 PRESIDING JUDGE SCHMITT: [12:43:45] I understand. Private session.
14 (Private session at 12.43 p.m.)

15 (Redacted)

16 (Redacted)

17 (Redacted)

18 (Redacted)

19 (Redacted)

20 (Redacted)

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- 20 (Open session at 12.50 p.m.)
- 21 THE COURT OFFICER: [12:50:16] We are back in open session, Mr President.
- 22 MS NDAGIRE: [12:50:30] Your Honour, I would like to refresh again a portion of
- 23 the witness's memory from his statement.
- 24 PRESIDING JUDGE SCHMITT: [12:50:38] Which one?
- 25 Just wait a second, Mr Taku, before you object.

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1 Let's listen to Madam Ndagire where you want to go at.

2 MS NDAGIRE: [12:50:50] This is in relation to paragraph 118 of the statement,
3 that's at page 0083.

4 PRESIDING JUDGE SCHMITT: [12:51:01] I would not -- I would try to simply ask
5 him, and then if he does not -- we have not addressed this directly, so I foreshadow
6 the objection of Mr Taku, which is in advance sustained, so to speak. Simply try to
7 put some questions to him and if he doesn't remember, then we can go back to the
8 statement.

9 MS NDAGIRE: [12:51:22]

10 Q. [12:51:23] Mr Witness, you had told us earlier on that you were told Dominic
11 or Odomi was the overall commander. And I what I want to know from you now is
12 who Kalalang's superior was?

13 A. [12:51:53] From the bush the overall commander of Kalalang was Odomi. I
14 wasn't told anyone else who was above Kalalang other than Odomi. When I say
15 "Odomi", that is the name they used in the bush. They say Odomi Dominic. They
16 both mean one person.

17 PRESIDING JUDGE SCHMITT: [12:52:24] And who told you that?

18 THE WITNESS: [12:52:34] (Interpretation) I mentioned earlier here that there were
19 a few people who would tell me things when -- there was someone called Opio.
20 Opio was close to Okello Kalalang. He would also let me know. There were other
21 people who had also stayed long in the bush. He's called Otim. I talked about
22 Otim earlier. He was younger but he had stayed long in the bush more than me, so
23 he was -- he knew the internal happenings there. And then there was another
24 person from Lango who would tell me called Okoo. Those are the people who
25 would tell me those things.

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1 PRESIDING JUDGE SCHMITT: [12:53:18] Thank you.

2 Mrs Ndagire.

3 MS NDAGIRE: [12:53:21]

4 Q. [12:53:22] Mr Witness, when did you leave the LRA?

5 A. [12:53:37] If I recollect, I returned on -- returned in November.

6 Q. [12:53:47] And can you tell us how you left the LRA?

7 A. [12:53:59] This is how I left the LRA: We had come to Lalogi to look for food
8 to help the rebels. When we were going back, we started moving well to go back to
9 our base. Little did we know that the soldiers, government soldiers got wind of our
10 presence and they followed us and started shooting at us. We were not very many
11 compared to the government soldiers. The weapon that was being used were -- we
12 could hear it was heavy weaponry. We didn't have any heavy weapons with us.
13 We would hear bombs and many gunshots after us and then the rebels started fleeing.
14 For me, I saw that we were not as powerful as the army. I decided that I would use
15 the opportunity to escape since the rebels were running and fleeing away, not
16 exchanging fire with the government soldiers. And that was the time I took
17 advantage. I fell down according to the skill that I had gained from the bush and
18 moved. In the bush they would teach us skills on how to survive and role away in
19 case of an attack. So I used that skill to escape.

20 Q. [12:55:48] Did you return to your home, Mr Oper?

21 A. [12:55:59] When I returned I -- I realised that there was silence and I
22 surrendered and I came to the government soldiers. The government soldiers took
23 me to the barracks. We had actually passed close to the barracks, so I stayed there
24 and then they took me to Opit. From Opit my senior people came from home, my
25 elderly people from home came and took me back home.

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1 Q. [12:56:37] Mr Witness, I want to thank you for answering all of my questions.

2 This brings me to the end my examination.

3 PRESIDING JUDGE SCHMITT: [12:56:46] Thank you very much, Mrs Ndagire.

4 I assume the LRVs want to question the witness. Do you have an idea how long it
5 will take you, Mr Cox?

6 MR COX: [12:57:00] You will be pleased, your Honour, that it will be much shorter
7 than yesterday, but I assume like (Overlapping speakers).

8 PRESIDING JUDGE SCHMITT: [12:57:05] Yeah. I think --

9 MR COX: (Overlapping speakers) at the most.

10 PRESIDING JUDGE SCHMITT: [12:57:09] Yeah, but I think then we should do it
11 after the break. And this also I think foreshadows that we won't start with another
12 witness tomorrow I would say.

13 And when I made this slightly ironic remark last week it was not directed at the
14 Prosecution at all. It was simply directed that I also from -- know from my
15 experience in Germany that the witnesses close to the Court are sometimes not so
16 eager to come or have other things to do or claim to have other things to do. It's
17 always difficult with them. It was simply like that. So it's -- because I have heard I
18 think that you have a witness in line, so to speak. Is this correct?

19 MR GUMPERT: [12:57:51] Yes. I'm sorry if I appear oversensitive. I only
20 wanted to demonstrate that if we can make up time, we will. But in the light of
21 what's happened today, the suggestion not to move on to another witness tomorrow
22 is obviously right.

23 PRESIDING JUDGE SCHMITT: [12:58:06] And of course this sensitiveness and
24 also the fact that you have another witness in line is noted, well noted here on the
25 Bench.

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- 1 So we have now the lunch break until 2.30 and then we continue with the questioning
2 by Mr Cox.
- 3 THE COURT USHER: [12:58:22] All rise.
4 (Recess taken at 12.58 p.m.)
5 (Upon resuming in open session at 2.34 p.m.)
- 6 THE COURT USHER: [14:34:23] All rise.
- 7 PRESIDING JUDGE SCHMITT: [14:34:43] We have a new face on the Defence team.
8 Perhaps you could introduce your new colleague.
- 9 MS BRIDGMAN: [14:34:50] We are joined by Roy Kitur.
- 10 PRESIDING JUDGE SCHMITT: [14:34:56] Thank you very much.
11 And I give now Mr Cox the floor for the questioning by the Legal Representative of
12 the victims.
- 13 MR COX: [14:35:04] Thank you. Your Honour.
- 14 QUESTIONED BY MR COX:
- 15 Q. [14:35:06] Good afternoon, Mr Oper. As you know, I represent victims in this
16 case and I will be asking some questions to you. I will ask you about your life before
17 moving into the camp and then some questions about life in the camp, very few
18 questions about the abduction, then your life in the bush and finally when you
19 returned. Is that okay with you?
- 20 A. [14:35:35] Correct.
- 21 Q. [14:35:37] Mr Oper, could you describe briefly how was your life before you
22 moved into Abok IDP camp?
- 23 A. [14:35:54] Yes, I can do that.
- 24 Q. [14:35:57] Please go ahead.
- 25 A. [14:36:04] When we were still back in the village Kony rebels would pass by.

1 That started in the year 2000. The situation was not yet very bad. We would hear
2 that rebels came and passed by and went and did some work somewhere else. They
3 would once in a while cross within our village, but at that time the situation was not
4 as bad.

5 They would come and abduct people to help them carry the loots, moving very far
6 with the luggage. For the young ones they would go for good, but for the older
7 persons they would carry luggage and they would move to a point where they would
8 then be released. They would only reach a point near the rebel base and they
9 wouldn't be allowed to get to the base.

10 In the year 2000 the rebels came, abducted people from an area that was nearby.
11 They went with the people. If I can remember, some of the people I can recall who
12 were abducted and returned came and told us what they went through. One of
13 them was a neighbour who was called Alfred. He was a bit mature. He was
14 abducted. He carried luggage and then he returned and told us what he went
15 through when he was with the rebels.

16 Whenever they came they would loot food items, they would cross and go to Iceme
17 and would also -- we would just hear about that, that the rebels passed by and did
18 this or that.

19 Then in the year 2000 and 2011 their activities increased and from 5 o'clock onwards
20 the older people would pick us to go and take refuge in the bushes. Every day from
21 5 o'clock people would have to leave their homes to go and take refuge in the bushes
22 so that the rebels could not come and abduct them.

23 Their activities increased and in January they came and abducted my sister, went
24 with her to the bush. She stayed in the bush, but God helped her. She lived in the
25 bush for about eight months before she returned.

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1 They looted so many things, they looted goats and many other things.

2 Q. [14:39:35] Thank you, Mr Witness. Did you talk with your sister, what she
3 went through when she was abducted?

4 A. [14:39:49] I asked her and she told me that she was beaten, she was given
5 luggage to carry, she was made to grind maize using grinding stones. They trained
6 her on how to operate a gun. They treated her so badly when she was in the bush.
7 She came and narrated all this to us when she returned home.

8 PRESIDING JUDGE SCHMITT: [14:40:27] Perhaps, Mr Witness, how is your sister
9 today?

10 THE WITNESS: [14:40:39] (Interpretation) She came back and right now she is at
11 home and she is well. She has resettled and she has -- they used to counsel her and
12 eventually she has fully recovered.

13 PRESIDING JUDGE SCHMITT: [14:40:59] Thank you very much. Mr Cox, perhaps
14 you can now ask how it came about that they moved to the camp.

15 MR COX: [14:41:08]

16 Q. [14:41:08] Mr Oper, that's the question, the one that the Presiding Judge just
17 asked you. How was it that -- what made you and your family move to the camp?

18 A. [14:41:27] The reason we relocated to the camp was because the rebel activities
19 had heightened. We didn't have space to live freely and the, the older persons
20 decided that since the rebel activities had heightened there were risks that the young
21 persons were going to be abducted by the rebels like it happened with my sister. So
22 they felt it was necessary that we relocate to another place that would be safer so we
23 would not be abducted. We were supposed to go to a place where the soldiers can
24 provide us with protection. We therefore relocated to Abok camp and we started
25 living with the people who were in Abok camp. For those who saw the situation

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1 was really precarious, they were not invited, they were not forced, but they just found
2 themselves leaving their homes to go to the camp.

3 Q. [14:42:32] Sorry, Mr Witness, one question before. How old was your sister
4 when she was abducted?

5 A. [14:42:51] My sister who was abducted in the year 2001, she is my follower and
6 in the same year as I mentioned I, I had not calculated how old she was at the time,
7 but she is my follower and I am two years or -- two or three years older than her.
8 When rebels abducted me in the year 2004 I was already 19 years old. And if I look
9 back and -- I need to do some calculations before I can tell you her age then.

10 Q. [14:43:40] Even I couldn't do that calculation very quickly, so we will leave it
11 there, Mr Oper.

12 MR TAKU: [14:43:46] Your Honours, my concern is not about leading this evidence,
13 because you've allowed that background information can be adduced so that you can
14 understand comprehensively, but if the Court was established sometimes in July 2002
15 and the temporal jurisdiction starts from there, deducing evidence of this nature
16 ongoing into details, your Honours, it could help you understand the background,
17 which you do not, but to attempt to adduce that evidence as if it was evidence that is
18 actually within the mandate of the Court is something that we need to draw your
19 attention to at this point in time.

20 PRESIDING JUDGE SCHMITT: [14:44:31] Thank you, Mr Taku. But of course
21 the Chamber is aware of the temporal jurisdiction of this Court and of this Chamber
22 especially and of the charges, we had several times before. And let me put it this
23 way, and we leave it at that: Sometimes you have to let a witness simply talk about
24 what the witness concerns personally.

25 So, Mr Cox, please continue.

1 MR COX: [14:44:59] Thank you, your Honour.

2 Q. [14:45:00] Mr Oper, going back to the life in the camp. Were you able to move
3 freely in and out of the camp?

4 A. [14:45:20] When we went to the camp we were not very free because the rebels
5 would sneak and come nearby the camps, especially those who travelled back to
6 villages to look for food. We would leave to go back to the village at around nine,
7 prior to the soldiers having carried out patrol to confirm the rebels are not there
8 before we can return.

9 Q. [14:45:53] Where would you get your food from while you were in the camp?

10 A. [14:46:05] We used to get food from the villages. The soldiers would give us
11 from 8 o'clock onwards to go back to the villages to look for food items to eat. And
12 from 4 o'clock we were supposed to return to the camps because if you stay beyond
13 that point the soldiers will have left their various positions and would you be prone
14 to abduction.

15 Q. [14:46:37] Mr Witness, were you at school when you moved? Were you going
16 to school when you moved into the camp?

17 A. [14:46:52] When we went to the camp I was going to school. When I was
18 abducted I was also still going to school.

19 Q. [14:47:05] Did you enjoy school?

20 A. [14:47:14] Yes, I used to love my studies.

21 Q. [14:47:22] I would now like to go with you to your abduction very briefly,
22 because you have talked profusely about it. You talked that you saw houses burning.
23 Was your house burnt in that process?

24 A. [14:47:49] When I returned I found that our houses were not burnt - but the
25 neighbouring houses all got burnt - because my father had an iron-roofed house.

1 Our kitchen also did not get burnt, but the next building that was belonging to
2 someone else got burnt and somebody, a child also got burnt in that same building.

3 Q. [14:48:22] You just mentioned to the Court that your sister had been abducted
4 and you had talked about it. When you were going to be abducted, did you
5 remember or think about that experience and did it have an effect on you?

6 A. [14:48:49] What my sister told me, well, I walked with them. When she came
7 back she told us that for her the life I would not be able to manage life in the bush
8 because, you know, the way I was brought up I was a little weak. And she was
9 telling me that because of my condition I would not survive living in the bush. But
10 when I went there in the bush I stayed and I managed to stay and come back. When
11 I came back so many people met me and they asked me so many questions.

12 Q. [14:49:33] You also talked that you were beat while you were being abducted.
13 Could you tell the Court what parts of your body were beaten?

14 A. [14:49:56] They hit me with a gun on my left -- on my right shoulder and even
15 right now you can still see the scars of the gun, of the butt of the gun. I still have the
16 scar. Here it's more of a keloid now. And they also hit my, my back. With the
17 hittings on the back there were no wounds caused by that, so there are no marks on
18 my back.

19 Q. [14:50:38] At the moment of your abduction what were you wearing? Did you
20 have any shoes on?

21 A. [14:50:52] I did not have shoes on because I had an injury on the foot. I was
22 putting on school uniform, I was putting on a yellow shirt and a dark blue pair of
23 shorts. That was my school uniform and it was a uniform for Abok Primary School.

24 PRESIDING JUDGE SCHMITT: [14:51:17] May I shortly, Mr Cox, because I think we
25 have had the -- you mentioned already the wound at your leg, at your feet and you

1 told us that you had to walk a long distance and that you had to carry not only items
2 but also a human being. How could you manage to do that, if you look back to it,
3 because you had this injured leg?

4 THE WITNESS: [14:51:49] (Interpretation) The injury on my foot, well, the person
5 who abducted me asked me, "What is the problem?" I told him, "I have an injury, I
6 have a wound on the foot." Then he stepped on my -- on that wound until my foot
7 became numb. I just had to follow him. I walked as if I didn't have any wound
8 because I feared if I had walked with a limp they would possibly kill me. So I had to
9 persevere and walk with them until when we reached somewhere in the bush and
10 rested. I went with them and in the bush and I stayed for a week and a half before I
11 could eventually heal.

12 PRESIDING JUDGE SCHMITT: [14:52:39] Perhaps because it fits here, I think: Do
13 you still have pain on this leg or has it recovered, healed completely?

14 THE WITNESS: [14:52:52] (Interpretation) I fully recovered because the injury was
15 not very bad. They kept on giving me traditional herbs because in the bush people
16 used traditional medicine, so they gave me that and I recovered.

17 PRESIDING JUDGE SCHMITT: [14:53:07] Thank you, Mr Oper.
18 Please, Mr Cox.

19 MR COX: [14:53:13] Mr Oper, you also mentioned that when they abducted you,
20 you said that they would kill you and you said "Don't kill me, I will work for you."
21 Would you have said that, that you would work with them if they hadn't threatened
22 to kill you?

23 A. [14:53:39] I would not have pleaded with them. The reason I requested them
24 not to kill me was because they shot at me three times and I survived the bullets. I
25 just knew they were going to kill me so I needed to plead with them. I pleaded with

1 them without asking me to do so.

2 Q. [14:54:05] I would like now to ask some questions about your life during the
3 time in the bush. How were you treated by the people that abducted you?

4 A. [14:54:25] While I was in the bush, they kept on encouraging me. They kept on
5 talking to me, telling me that "We shall no longer kill you. If we wanted to kill you,
6 we would have killed you long time ago. Be strong and forget about home. Just do
7 exactly whatever you are instructed to do. You can only stay here well if you listen
8 and follow instructions." Here if they tell you what to do, you have to do and I also
9 remembered the beatings that I went through, so every instruction I was given I
10 would follow to the letter.

11 Q. [14:55:14] Despite the fact that they told you not to miss home, did you miss
12 home anyway?

13 A. [14:55:27] I would always think about home. I would be missing home every
14 now and then. God was able to protect me and I eventually came back home. But
15 even when I was missing home I would not let anybody know. I would just feel it
16 within myself and keep it to myself.

17 Q. [14:55:53] During your time in the bush were you ever beaten, besides the first
18 time during the abduction while you were in the bush, those four months, were you
19 beaten?

20 A. [14:56:13] In the bush they were not necessarily beating me. I was wise, I
21 would do -- follow my instructions and make sure I do things very fast. The people
22 who were earlier in the bush kept on reminding me that if you want to live well in the
23 bush, make sure if you are given instruction you do it very fast. For that reason
24 I didn't get any other beatings.

25 PRESIDING JUDGE SCHMITT: [14:56:50] Take your time, Mr Cox.

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1 MR COX: [14:56:52] Thank you.

2 PRESIDING JUDGE SCHMITT: [14:56:53] But of course not too much, but
3 nevertheless, take your time.

4 MR COX: [14:56:59]

5 Q. [14:57:01] How many times a day would you, you personally eat while you
6 were in the bush?

7 A. [14:57:19] It's difficult to get food in the bush, you would eat once in a day
8 because as you eat you also need to try and ration because if you eat that much, then
9 food would get finished. Therefore we would eat once in a day and you only eat at
10 a time when people are eventually able to settle down and cook.

11 Q. [14:57:45] Where did you sleep? Did you have a bed, a tent or just in the open?

12 A. [14:58:02] Out there it's not like home where people constructed the houses.
13 They had tents that they would construct in the evening, but that would only be for
14 the commanders. The rest of the people would find their levels as where you would
15 get tree branches and then you lay on, but that you would only be sleeping in the
16 middle of a group because they would fear if you slept at the edge you might be able
17 to escape.

18 Q. [14:58:36] Thank you, Mr Oper. Mr Oper, you told OTP why -- and when you
19 escaped. I have only one question about your escape: Why did you escape? What
20 was the reason?

21 A. [14:58:59] The reason I escaped was that I was forced to go to the bush. If I was
22 not forced I would not have gone in there. The reason I escaped was because I saw
23 the way the government soldiers had put pressure on the, on the rebels and I prayed
24 that God would be able to help me. I used the tactics they trained me from the bush
25 to allow me escape and go back home.

1 Q. [14:59:35] Mr Oper, how were you received when you returned home?

2 A. [14:59:45] When I went back home I was taken by the soldiers, I was taken to the
3 barracks and then from there they took me to Opit, which was a bigger barracks.
4 They informed my people about my presence, my father then came and picked me
5 from the soldiers, from the barracks. People welcomed me with a lot of joy.

6 Q. [15:00:16] Since you have returned, once you were home, did thoughts of what
7 you lived through in the bush come to you? Do you have nightmares? Did you
8 have nightmares?

9 A. [15:00:36] When I returned home I had nightmares. There are times I would
10 have a nightmare that I had been re-abducted and taken back to the bush. I would
11 scream, crying at night imagining that it was real. The nightmares went on but
12 reduced. When later on they took me to a centre, a reception centre for those who
13 have been victims of abduction so that we can be rehabilitated. They took us there
14 and they tried to share some words to enable us heal from the nightmares.

15 Q. [15:01:29] Have you gotten any assistance, psychological or otherwise, because
16 of these nightmares or other harm that you might have suffered in the bush?

17 A. [15:01:53] I got some assistance in counselling. I was counselled. They talked
18 to me and they told me not to be thinking about what has happened in my life, the
19 bad things that I have met in my life. I was encouraged to be strong and assured
20 that it would not happen again. I was told to pray continuously and whenever I
21 have the nightmare, after waking up I would kneel down and pray to ensure that the
22 nightmares doesn't -- the nightmare doesn't come back. Every time the nightmare
23 happens I would pray and slowly I was able to get rid of the nightmare.

24 Q. [15:02:46] Did you ever link these nightmares with cen?

25 A. [15:03:10] The nightmares were mainly about being re-abducted and taken back

1 to the bush. I would tell people about my nightmare, but they would tell me to pray.
2 They told me that some of the evil spirits that you came across in the bush are the
3 ones that are trying to look for you. And if you are not -- you don't have faith, they
4 would come and disturb you, so you should pray so that they don't come back to you
5 again.

6 Q. [15:03:46] Mr Oper, you said you were counselled. Do you remember how
7 many sessions you had of counselling, approximately?

8 A. [15:04:11] The people who came counselling me was done from a rehabilitation
9 centre in place called Tee Boke. There were many people there who were victims of
10 the LRA abduction. There were various groups that came to meet us and talk to us
11 as a group.

12 MR COX: [15:04:37] Just a follow-up question, your Honour.

13 Q. So you didn't have personal counselling, it was group counselling; is that right?

14 A. [15:04:56] They talked to us, but they would also take you and talk to you alone.
15 They would do personal counselling first and then later on group counselling
16 together. They would -- you would talk about what is happening to your life
17 without having other people listen to it. They would share it with the counsellor
18 first before the counsellor comes back to the group and they would not mention it to
19 the group.

20 Q. [15:05:28] Has anybody asked you for forgiveness because you were abducted?

21 A. [15:05:48] People told me about the forgiveness. The people who asked me
22 about it, I don't remember their names now. Even some white men came and they
23 would talk to me about forgiveness. It's been long, so I don't remember their names.
24 They talked to me about forgiveness and counselled me.

25 PRESIDING JUDGE SCHMITT: [15:06:17] I think you can move on to another point.

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1 This is simply something different, I would say.

2 MR COX: [15:06:25]

3 Q. [15:06:26] Did anybody compensate you for the time you were in the bush?

4 A. [15:06:50] I did not receive any compensation. I was only received home, but
5 I was not compensated.

6 Q. [15:07:00] Thank you, Mr Oper. I have no more questions. And thank you for
7 indulging me and responding to me.

8 MR COX: Thank you, your Honour. I'm done.

9 PRESIDING JUDGE SCHMITT: [15:07:09] Thank you, Mr Cox.

10 It is now the turn of the Defence. But what I would like to enquire is can you
11 already foreshadow how long your examination will last, Mrs Bridgman? Because if
12 you, for example, if you would tell us that you would finish in two sessions, I would
13 simply say we start tomorrow at 9.30 and then finish by mid -- after the second
14 session. If you have an idea already.

15 MS BRIDGMAN: [15:07:38] Thank you, your Honour.

16 I -- it's hard for me to estimate how long it will take me, but perhaps if you would let
17 me start now, for sure I would be done by the end of the second session tomorrow.

18 PRESIDING JUDGE SCHMITT: [15:07:55] It was simply that I wanted to give you
19 the opportunity, but if you want to start now, then please do that.

20 MS BRIDGMAN: [15:08:01] Okay. Thank you.

21 And perhaps I can go through some introductory parts and stop at an appropriate
22 time so I can continue with my cross-examination tomorrow.

23 PRESIDING JUDGE SCHMITT: [15:09:15] Absolutely. Yes.

24 MS BRIDGMAN: [15:09:17] Thank you.

25 QUESTIONED BY MS BRIDGMAN:

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1 Q. [15:09:18] Good afternoon, Mr Oper.

2 A. [15:09:22] Good afternoon.

3 Q. [15:09:25] As I mentioned to you during the courtesy meeting, I represent
4 Mr Ongwen and my questions will be slightly different from the Prosecution and the
5 victims' representatives in that regard.

6 Isn't it true that before you came to testify you were given the statement that
7 you -- that was prepared during your interview with the Prosecution in 2005 -- sorry,
8 2015?

9 A. [15:10:14] Yes, it was read back to me, because I am not able to read myself.

10 Q. [15:10:22] Do you remember when this happened? Was it last week or two
11 weeks ago?

12 A. [15:10:41] It happened last week. It was read back to me.

13 Q. [15:10:48] When it was read back to you, were there some things that you
14 thought were not accurately captured in that statement?

15 A. [15:11:07] They read back what I said, because it was my statement that was
16 read back to me.

17 Q. [15:11:20] And isn't it also true that before you signed that statement in 2015 it
18 was read back to you and you acknowledge that what you said in there was the
19 truth?

20 A. [15:11:48] It was read to me.

21 Q. [15:11:56] Do you recall a time in September 2016 when you met with some
22 representatives of the Court in regard to your victim -- to your participation as
23 a victim in this trial?

24 A. [15:12:31] I recall that when there is something needed from me they would call
25 me and I would talk to them.

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1 Q. [15:12:44] Just to be clear, are you talking about -- I am not talking about your
2 participation as a witness, but your participation as a victim. Do you remember
3 speaking about your participation as a victim?

4 A. [15:13:18] Those who would talk to me would call me, would call me and I talk
5 to them. So I don't know the difference between who was talking to me, if you can
6 remind me.

7 MS BRIDGMAN: [15:13:38] Your Honours, I would like to display to the witness tab
8 4 of the Defence -- well, of the binder. It's a continuation from the Prosecution
9 binder. It's UGA-D26-0012-0349.

10 Q. [15:14:13] Mr Oper, can you see the document displayed?
11 And this is not to be -- or, I guess it can be displayed to the public.

12 PRESIDING JUDGE SCHMITT: [15:14:22] I think it can be displayed to the public,
13 why not?

14 MS BRIDGMAN: [15:14:27] The parts -- at least there is nothing that would have to
15 go into private so far.

16 Q. [15:14:35] Mr Oper, can you see your name on that document?

17 A. [15:14:39] Yes, I have seen my name.

18 Q. [15:14:44] If the court officer could please go to the very last page of that
19 document ending at 0352.

20 This is your national ID, Mr Oper, correct?

21 A. [15:15:21] Yes, that is a copy of my ID.

22 Q. [15:15:29] Now, I'm sorry to jump around, to go back to the first page of the
23 same document at the bottom.

24 PRESIDING JUDGE SCHMITT: [15:15:37] Perhaps we only show the bottom to the
25 public.

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1 Mr Cox, shortly.

2 MR COX: [15:15:50] Maybe we could go to private session, because the fact -- and
3 can I explain in private session why we need to go to private.

4 PRESIDING JUDGE SCHMITT: [15:15:58] Why not? We go shortly to private
5 session, yes.

6 MR COX: [15:26:00] Very short.

7 (Private session at 3.16 p.m.)

8 (Redacted)

9 (Redacted)

10 (Redacted)

11 (Redacted)

12 (Redacted)

13 (Redacted)

14 (Redacted)

15 (Redacted)

16 (Redacted)

17 (Redacted)

18 (Redacted)

19 (Redacted)

20 (Redacted)

21 (Redacted)

22 (Redacted)

23 (Redacted)

24 (Redacted)

25 (Redacted)

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1 (Redacted)

2 (Redacted)

3 (Redacted)

4 (Redacted)

5 (Redacted)

6 (Redacted)

7 (Redacted)

8 (Redacted)

9 (Open session at 3.17 p.m.)

10 THE COURT OFFICER: [15:17:59] We are back in open session, Mr President.

11 PRESIDING JUDGE SCHMITT: [15:18:09] Thank you.

12 MS BRIDGMAN: [15:18:11]

13 Q. [15:18:12] Mr Oper, do you see the place where your -- where there is

14 a signature on the document just in front of you next to the date and Gulu town?

15 A. [15:18:31] Yes, I have seen.

16 Q. [15:18:34] Is that your signature?

17 A. [15:18:42] Yes, that is my signature, but I have not understood the circumstance.

18 I do not know what is written in that document. Can it be read to me?

19 PRESIDING JUDGE SCHMITT: [15:18:56] I think, Mr Witness, Madam Bridgman

20 will read to you what she is interested in but we cannot read it completely out to you.

21 But we understand also, and this is -- I think we had that before -- I think with the last

22 witness, or one of the last witnesses we already remarked that it is not easy to assess

23 how these application forms are filled out, by whom, and how the content is coming

24 into place, but they are here and, of course, it is perfectly okay that you put questions

25 to the witness out of this one.

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1 So please, Mrs Bridgman.

2 MS BRIDGMAN: [15:19:36] Mr President, if you can just divulge me one question
3 because it has just occurred to me.

4 Q. [15:19:43] Mr Oper, are you saying you've never seen this document?

5 A. [15:19:58] In regards to this document, I said earlier that I am not highly
6 educated. If it can be read back to me, so that I am informed, and where it was
7 written from I would know why I signed it. I do not know how to read.

8 PRESIDING JUDGE SCHMITT: [15:20:24] For the fairness to the witness, indeed,
9 when you want to put further questions to him you would have to read the portions,
10 but what you would have intended to do anyway I would assume, read it out to him.

11 MS BRIDGMAN: [15:20:39] Yes, your Honour, I was just curious if he doesn't even
12 recognise it.

13 PRESIDING JUDGE SCHMITT: [15:20:44] No, absolutely. No, no, no, that's
14 absolutely correct.

15 MS BRIDGMAN: [15:20:45] But I shall not pursue it any further.

16 PRESIDING JUDGE SCHMITT: [15:26:00] No.

17 MS BRIDGMAN:

18 Q. [15:20:55] So, Mr Oper, I will discuss with you portions of this document at
19 some point. I just wanted to make sure that at least we could agree that your
20 signature is on the document.

21 Have you ever been known also as Oper Robert?

22 A. [15:21:27] The name which was given to me is Oper Robson, but some people
23 call me Robert, but my name is Robson.

24 Q. [15:21:45] You just told the victims' representatives that you were going to
25 school at the time of your abduction and, as a matter of fact, you were wearing your

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1 uniform the night of your abduction.

2 However, I would like to take you back to the statement that you wrote with
3 the Prosecution -- or you didn't write it, but your statement from the Prosecution
4 which you've just acknowledged. And in this regard it is at paragraph 13. And I'm
5 going to read to you a small portion of it:

6 "I went to Abok Primary School. I started school when I was seven years old. I
7 stopped in primary 7. I stopped my education in primary 7 because my father did
8 not have money to pay for my education. I then started farming until today."

9 My question is, Mr Witness, do you remember the year when you completed
10 primary 7?

11 A. [15:23:02] I do recall the year I left studies in primary 7. But earlier, before,
12 before I was able to vote, before I had qualified to vote it was the head teacher who
13 would give you an ID, a stamped ID from the school to use as your document. That
14 is when I left studies in Abok Primary School.

15 Q. [15:23:33] Can you please tell the Court the year when you left, when you
16 finished primary school.

17 A. [15:23:52] The year I left studies, I went to primary 7. I studied primary 7 three
18 times. I sat for three consecutive years. I sat and first stayed home for one year
19 without going to school. Then I went back to school and did the primary
20 examination. I had not studied for a year. I left studies in 2003. And when I sat in
21 Bar-Rio, that was the last time I went to school.

22 Q. [15:24:49] So which year was it that you last sat for primary 7, if you remember?
23 It's okay if you don't.

24 A. [15:25:16] In 2004 I was still wearing uniform. I had a pair of uniforms because
25 the school required that you should have a pair of uniform always. Leaving studies

1 did not prevent me from wearing that uniform. Telling the rebels that I was in
2 school was one way of pleading so that I can save my life.

3 Also, when I was in school I already had a signature, I never, I never changed my
4 signature. When I was going to Abok I was using the same signature and when
5 I was in Bar-Rio I was using the same signature, so it was not difficult to trace my
6 signature.

7 Q. [15:26:16] So correct me if I'm wrong, but from what you have just said right
8 now, you were actually not in school at the time you were abducted, you were only
9 wearing your school uniform; is that correct?

10 A. [15:26:38] At the time of my abduction I said that I was wearing uniform. But
11 in that year 2004 I had just left school. I still had my uniform on me.

12 Q. [15:26:55] And would I be correct to assume that you were still living with your
13 parents at the time of your abduction?

14 A. [15:27:14] I was living together with my parents. There were many people
15 there who knew that I was living with my parents. I had nowhere else to stay except
16 with my parents. Even up to now I am still in that same place.

17 Q. [15:27:34] Did your parents have a business they were running or did
18 they -- how did they sustain themselves and you?

19 A. [15:27:53] When I was growing up my father was a farmer. He is the local
20 council leader 1 in the area where we stay. To date that is what I know. My father
21 has been an LC-1. My mother has not had any job. She has been a farmer together
22 with my father.

23 Q. [15:28:26] Now, in your statement to the Prosecution at page -- sorry, paragraph
24 14 you said that your father was born in Abok and he had a piece of land there. Was
25 this piece of land that he had in Abok in the city centre which soon made part of

1 the camp?

2 A. [15:29:01] My father stayed in the village and he bought land before people
3 came to the camp and built a tin-roofed house. When people came to the camp he
4 was finishing. The land which he had in the camp was bought. But the ancestral
5 land which we had where we would do farming is in Kok Kec Ikweri.

6 Q. [15:29:34] Now, would I be correct to also assume that when people started
7 coming to the camp and settling there they settled also on your father's property that
8 he had previously bought?

9 A. [15:29:55] Yes. People stayed in the land where we bought in the centre. But
10 people occupied much larger space. Not only in our land. They also stayed in
11 other people's pieces of land and other people's homesteads.

12 Q. [15:30:15] When these people came and settled partly on your land and other
13 places, but I focus on your land, do you know if they ever paid rent to your father?

14 A. [15:30:35] People lived in the camp without paying for any rent or paying any
15 money for the land. If you looked at the problems that people were in, landowners
16 just gave their land so that people can live in it and survive.

17 Q. [15:31:02] Apart from that tin-roofed house that your father built on the land
18 that he bought in Abok, did he also build other structures?

19 A. [15:31:18] He constructed another one and that was meant for me. He made
20 one room for myself. Made another house where I was living in. There were
21 also -- there was also another one my sisters were sleeping in. So we had three
22 houses.

23 Q. [15:31:41] Were all the three houses tin-roofed or some of them were
24 grass-thatched?

25 A. [15:31:52] The main building that belonged to him was the only iron-roofed.

1 But the one for myself, together with my brother, and another one for my sister was
2 sleeping in were all grass-thatched.

3 Q. [15:32:23] Were these other two houses burnt during the attack?

4 A. [15:32:36] One of them got burnt. The other two were not. The one that got
5 burnt, a woman who was running together with her child and they failed to flee
6 further, the child entered that house and got burnt there. They found the body the
7 next morning.

8 Q. [15:33:09] And this you heard after you returned from the bush, correct?

9 A. [15:33:20] Yes. All the things I am talking about now are when I returned from
10 the bush, they told me what happened later on when I returned. I heard of all the
11 deaths when I returned and they were telling me the names of the people who died
12 and the way they died.

13 Q. [15:33:42] Now, was it the house that was belonging to you and your brother
14 that got burnt or the other one of your sisters'?

15 A. [15:33:59] The house that got burnt was for my sisters. My -- the one that
16 belonged to me I came back and found all my items were looted.

17 Q. [15:34:16] And from what you have told me so far, would I be correct to assume
18 that your family did not have a shop within the camp?

19 A. [15:34:37] I was not doing business. My father's house, people were renting
20 and operating shops in front, on the front rooms. They were just renting those
21 rooms. What I can say was that that house had five rooms. Two of the rooms were
22 at the front and they were small rooms where people would bring their merchandise
23 and sell in those rooms. These were small shops that they were running in the other
24 two rooms.

25 Q. [15:35:29] And just to be clear, these businesses did not belong to your father but

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1 to other people who were living in the camp, correct?

2 A. [15:35:44] Yes, they were not belonging to my father.

3 Q. [15:35:50] I am going to read to you a little portion of that document that I
4 showed you earlier.

5 And, your Honours, this is at page 0351 of the victim's application at the very top.

6 Here, Mr Witness, it appears that you told the people speaking to you that: "On my
7 return home I found that my shop was broken by the rebels and all the merchandise
8 were looted and others were burnt. My houses were also burnt with all the
9 properties in it. The goats and all other goats were looted." Can he explain why
10 this is written like this, considering what you have just told us?

11 A. [15:36:59] I came back and found my things were wasted. If other people were
12 being compensated, mine too was supposed to be compensated. Many people had
13 mentioned about the items that they had lost. I had to also mention the same so that
14 if people are getting compensation I would also benefit because I needed to say that
15 so I could also be part of the people who would get compensations in case that ever
16 happens.

17 PRESIDING JUDGE SCHMITT: [15:37:31] But what you have said today here in the
18 courtroom a couple of minutes ago, that was the truth, that you did not have a shop
19 and all the other things?

20 THE WITNESS: [15:37:55] (Interpretation) Yes.

21 PRESIDING JUDGE SCHMITT: [15:37:55] Thank you.

22 Please, Mrs Bridgman.

23 MS BRIDGMAN: [15:38:00]

24 Q. [15:38:01] Earlier today the Presiding Judge asked you about two people, Obwor
25 Douglas and Ogola Cyprian. You said that you lived very near to Obwor's house.

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1 How near was your place to his?

2 A. [15:38:34] We used to live together with Obwor Douglas. His house was on my
3 father's land. We were living together. He was not renting, but he was just living
4 in the camp like anyone else was living in the same camp.

5 Q. [15:38:59] Were you related to him -- are you related to him in any manner?

6 A. [15:39:12] We are very close -- there is no close relationship between me and him.
7 We are not relatives. He is from another clan and I am from a different one. But we
8 were living together harmoniously.

9 Q. [15:39:31] So would I be correct to assume that because of the close nature -- the
10 close arrangement of your living he got to know about your abduction and your
11 return back home?

12 A. [15:39:56] We have lived together in the camp. He was a teacher so he should
13 have known about my return. And people would talk about him, people know how
14 he used to live.

15 Q. [15:40:18] Do you remember ever talking with him after you returned from the
16 bush about your abduction story and your time in the bush?

17 A. [15:40:37] I did not talk to Obwor directly. Very many people asked me many
18 questions. Whoever came to me asking, I would be able to tell them the life I led in
19 the bush. But all the people I was narrating my stories to never wrote anything
20 down. But whoever could have written my story must have done so without my
21 knowledge. Nobody did any writing in my presence. I never allowed anyone to
22 record down the narrations I was giving.

23 Q. [15:41:12] And how about Ogola Cyprian, did you ever talk to him about your
24 time or you also don't remember?

25 A. [15:41:32] Ogola CP talked to me because we both came from Abok, and I was

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1 living in Abok. He didn't ask me any question about my return. He asked me
2 about my life in the bush. I didn't talk about anything else to him.

3 Q. [15:42:05] Do you remember if -- you said that when you returned from the bush
4 you were warmly welcomed. Do you remember if these two and other neighbours
5 from Abok were present to welcome you back from captivity?

6 A. [15:42:30] When I returned, when my father collected me, several people came
7 to me, they talked to me and I was telling them what I went through. I didn't tell
8 only one person. I told the people who gathered and the time they came. I was
9 telling them how I lived in the bush.
10 If he heard my story, he could have been part of the people who gathered there. If
11 not, then maybe someone else relayed it to him because different people relayed
12 different things.

13 MS BRIDGMAN: [15:43:37] Your Honours, just a moment.

14 PRESIDING JUDGE SCHMITT: [15:43:39] Mr Witness, when you were -- I step in
15 for a question. When you were abducted, in the immediate aftermath of the attack,
16 did you get any notice later on that some of the people who had been abducted
17 together with you had been released or had been -- had immediately come back to
18 Abok? Did you hear anything about that during your time in the bush and
19 afterwards?

20 THE WITNESS: [15:44:25] (Interpretation) When I was in the bush, some of the
21 people with whom I was abducted -- we were separated with the people we were
22 abducted together with. We were not allowed to stay together. The last time I saw
23 them was immediately after we were abducted. I never saw them near me anymore.
24 I never came to know how each and every one of us was able to move and return.
25 There were several groups in the bush. They would relocate you every now and

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1 then. You would not know where the other people are. You would just notice that
2 such-and-such a person is no longer there. You would not be able to ask whether
3 they were released or they were killed. You could not ask, because if you did so, the
4 person you ask would be able to harass you. They will ask you what exactly you are
5 interested in. So I was not able to ask anyone.

6 For those I returned and came and found home, I saw them. Those I never found
7 them, that was it.

8 PRESIDING JUDGE SCHMITT: [15:45:32] So you didn't hear of any rescue
9 operation where some of the abductees that were abducted from Abok were rescued?
10 You didn't hear about that?

11 THE WITNESS: [15:45:52] (Interpretation) I did not hear about anything like that.
12 Different people escaped in different manners. It all depended on how God worked
13 it out. You would do it at various times. You will never tell your colleague that
14 I am returning home. If God helped you, yes, you would take advantage of that and
15 return.

16 PRESIDING JUDGE SCHMITT: [15:46:16] Thank you.

17 Mrs Bridgman.

18 MS BRIDGMAN: [15:46:20]

19 Q. [15:46:21] In the next few minutes I would like just to ask for clarification about
20 the sketch that you discussed with the Prosecution. And instead of the redacted
21 version, I would like to look at the original unredacted version of

22 UGA-OTP-0248-0091. And that's tab 3 of the Prosecution binder.

23 Now, Mr Oper, earlier this morning when you were discussing this sketch with
24 the Prosecutor, you said that where the letter P is is where you were abducted from.

25 Now I would like to read to you two portions of your statement to the Prosecution.

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1 And please help me and the Court understand where home was, because at
2 paragraph 45 of your statement, while you were discussing the sketch you said: "I
3 have indicated our house along the Bar-Rio Ngai road where I have written 'home'. It
4 is on the right side as you are heading towards Bar-Rio."

5 Do you see that now on the sketch?

6 A. [15:48:21] What I can say is that I studied until level 7. I cannot read well.
7 People helped me to record my statement. That's why it's difficult for me to read.
8 But I drew the picture of our home. I could have said it in my statement that it's here
9 or there, but I indicated it clearly in the map. But reading and understanding
10 writings are difficult for me because I am not highly educated. That's why I may not
11 pronounce certain letters very well.

12 PRESIDING JUDGE SCHMITT: [15:49:06] Perhaps, Mr Oper, look at the sketch.
13 There is along the road, there is a square that you have drawn. And the question
14 would be if this is the place where your home was and, if so, if this is the place where
15 you have been abducted from?

16 THE WITNESS: [15:49:33] (Interpretation) Yes, if you say it that way, it reminds me
17 that the map now clearly comes out as I drew. The way she is asking, I have to
18 explain what happened to me. I have to explain what I saw. So I will only respond
19 to what I have seen and what I know.

20 That is our home. I said I cannot read well.

21 PRESIDING JUDGE SCHMITT: [15:50:10] That's absolutely okay, Mr Witness.
22 And since it is a drawing and there are figures, we can circumscribe it. We don't
23 need you to read anything.
24 So this square, this is your home. Then perhaps let me just continue with one more
25 question which picks up a little bit what we had in the morning.

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1 And then please look again at your drawing and where, more to the right a little bit,
2 the first arrow appears, the first arrow, if you look at it, which is going down, then
3 there are other arrows further on, but the first arrow, and there is a -- it looks like a P
4 here. What did you want to indicate by this first arrow and the P, if you
5 recognise it?

6 THE WITNESS: [15:51:11] (Interpretation) The way I have clearly understood this is
7 that there was a way -- that was the way the rebels were moving. The arrows are
8 indicating the direction the rebels took. The first arrow where I indicated a P
9 reminds me about where the rebels converged to plan to go to the barracks. That is
10 what I indicated there.

11 From there, they moved, and as they were going to the barracks they went to the
12 point where I put a Y. And the place where I put Q, that was now when they were
13 exiting, when they were walking back. It is difficult to read, because if you don't
14 know how to read well, it becomes a problem.

15 PRESIDING JUDGE SCHMITT: [15:52:07] As I said, it is not a problem at all with
16 the reading. I think we have understood now exactly what you meant. And
17 without having you read anything, that is absolutely okay.

18 Mrs Bridgman, you can continue, and in light of the time, perhaps the last issue. If
19 you finish that one, we can have the adjournment.

20 MS BRIDGMAN: [15:52:33] Thank you, Mr President. I actually just needed that
21 clarification and then I just want to confirm with the witness from what he said in
22 paragraph 66.

23 Q. [15:52:43] Mr Oper, then would I be correct to say that where the P is is where
24 the cotton lint store was located, the place you called Society?

25 A. [15:53:05] Exactly.

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- 1 MS BRIDGMAN: [15:53:08] Then I'm --
- 2 PRESIDING JUDGE SCHMITT: [15:53:10] Yes, thank you, Mrs Bridgman.
- 3 We thank you, Mr Oper, for having assisted us today. But as you recognise, it is not
- 4 yet finished. We adjourn for today, and we will reconvene tomorrow at 9.30. And
- 5 we wish you a nice rest of the day and a nice evening and a good sleep and good rest
- 6 until tomorrow.
- 7 THE WITNESS: [15:53:35] (Interpretation) Thank you.
- 8 (The hearing ends in open session at 3.53 p.m.)