

Witness Statement of Okwera David

D - 119

INTERNATIONAL CRIMINAL COURT

DEFENCE FOR DOMINIC ONGWEN

WITNESS STATEMENT PROVIDED FOR THE PURPOSE OF TRIAL IN THE CASE

OF

THE PROSECUTOR v DOMINIC ONGWEN

Name: Okwera David

Gender: Male

Other Names Used: None

Father's Name: Latigo Alfred

Place of Birth: Tumatoo West

Mother's Name: Abwol Marta

Date of Birth/Age: 1983

Marital Status: Married

Nationality: Ugandan

Spouse: Layet Jacqueline

Children: 3

Place of Residence: [REDACTED]

Ethnic Origin/ Tribe: Acholi

Clan: Palwo Akena Odunya

Religion: Catholic

Language(s) spoken: Acholi

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

Language(s) used in interview: Acholi and English

Language of statement: English

Proposed language of testimony: Acholi

Current Occupation: Peasant Farmer

Place of Interview 1: Wanduku, Uganda

Date(s) of interview 1: 3 July 2017

Start of Interview 1: 12h22 EAT

End of Interview 1: 13h17 EAT

Name and signature of individual(s) conducting the interview:

1. Thomas Obhof, *Assistant to Counsel*
-

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

1. Thomas Obhof, *Assistant to Counsel*
 2. [REDACTED] *Resource Person*
 3. [REDACTED] *Resource Person*
 4. Okwera David, *Witness*
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Place of Interview 2: Gulu, Uganda

Date(s) of interview 2: 12 July 2017

Start of Interview 2: 10h27 EAT

End of Interview 2: 12h16 EAT

Name and signature of individual(s) conducting the interview:

1. Thomas Obhof, *Assistant to Counsel*
-

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

1. Thomas Obhof, *Assistant to Counsel*
 2. [REDACTED] *Resource Person*
 3. Okwera David, *Witness*
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Place of Interview: Gulu, Uganda

Date(s) of interview: 07/08/ 2017

Start of Interview: 15.00 pm

End of Interview: 14.30 pm

Name and signature of individual(s) conducting the interview:

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

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

1. Prudence Acirokop, *Investigator*
 2. [REDACTED] *Resource Person*
 3. Okwera David, *Witness*
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WITNESS ACKNOWLEDGMENT

This statement consisting of twelve (12) pages is true to the best of my knowledge and recollection. I have given this statement voluntarily and I have not been influenced by any coercion, duress or threat.

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

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

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

Print name: Okwera David

Signed: 

Date: 07-8-2017

Witness Statement of Okwera David

1
2
3 1. I moved to Pajule IDP Camp in 2000. Before then, I lived at [REDACTED]
4 [REDACTED] The UPDF soldiers came where I lived and told us that we had 48
5 hours to move to the camp. When we arrived, we were told to build houses there
6 and that the UPDF would provide security for us. The UPDF ordered us not to
7 move outside the IDP Camp after 18h00. Unfortunately, due to recklessness, the
8 rebels still came to the IDP Camp and abducted people. When they sent us to the
9 camp, they said they would look after us, but when attacked, they ran away
10 which is the bad thing that they did that led to our abduction.
11

12 2. I lived on the Pajule side of the IDP Camp, which is on the east side Lira-Kitgum
13 Road. I lived just east of the Pajule Market. The Lapul side of the IDP Camp was
14 on the west side of the Lira-Kitgum Road.
15

16 3. I remember an attack on Pajule IDP Camp in January 2003. This attack happened
17 in the evening, around 18h00. I ran into the bush when the rebels attacked and
18 stayed there for around four hours. That is why I say that this attack lasted for
19 four hours.
20

21 4. During this attack, the Barracks was located on the Pajule side of the IPD Camp,
22 south of the Pajule Market. I do not remember why because it has been a long
23 time, but the Barracks moved from the Pajule side to the Lapul side of the IDP
24 Camp. When the attack happened in Oct, the Barracks had moved.
25

26 Pajule IDP Camp
27

28 5. There were two sides of the Pajule IDP Camp. There was the Pajule side, where I
29 lived, I was right by the end of the Camp. The soldiers who were taking care of
30 the Camp used to sleep right behind my house in those days. The Pajule side of
31 the camp was located on the east side of the Lira-Kitgum Road. The Lapul side of
32 the camp was located on the west side of the Lira-Kitgum Road. The Pajule side
33 of the camp was bigger than the Lapul side.
34

35 6. The Pajule Market was located east of the Lira-Kitgum Road, right by the
36 roadside. It is still in the same place today. The Catholic Mission was on the west
37 side of Lira-Kitgum Road and is still in the same place today.
38

1 7. There was a curfew at the IDP Camp. Everyone had to be inside the boundaries
2 of the IDP Camp at 18h00 daily.

3
4 8. The Government soldiers would come into the camp and sleep there
5 occasionally. It was not a regular thing, and they would stay there as normal
6 people. I do not know why some of the soldiers slept in the camp. What people
7 do on their own time is their business. Some had wives within the Camp, others
8 lived in the Barracks with their wives.

9
10 9. When the soldiers patrolled at night, they would mainly stay around the
11 perimeter of the camp. To the best of my knowledge, they did not have outposts
12 or houses on the perimeter; they would stand or walk around the outside of the
13 IDP Camp at night and watch for persons trying to come into the IDP Camp.
14 Occasionally, the Government soldiers would come into the IDP Camp at night
15 for patrols to make sure that everything was okay. If someone was awake and
16 outside their home, the Government soldiers might talk to the people, but it was
17 not a social call when they were on duty. It was for our protection.

18
19 10 October 2003

20 10. I remember the attack on Pajule IPD Camp in October 2003. It was still dark
21 when the rebels came. I think it was around 02h00 or 03h00 in the morning when
22 they came. I say this because you could see a person from close, but you could
23 not identify a person from a distance. I also remember that there was celebration
24 the day before because it was Independence Day.

25
26 11. I stayed inside my home for protection during the beginning of the attack. I do
27 not know from which direction the LRA came. The shooting went on and on for
28 hours.

29
30 12. Towards the end of the attack around 12 am when it was clear. Someone kicked
31 my door and came into my home. The person who kicked my door was not LRA,
32 it was a Government soldier who was running from fire and looking for safety.
33 When he kicked the door, I first closed it. The latch on the inside was broken. I
34 then noticed that it was a Government soldier and did not stop him the second
35 time. The Government soldier did not attack or hurt me, and made no
36 threatening statements or gestures at me when he knocked or came into my
37 home. It sounded like the fighting was fierce and he was merely looking for
38 safety.

1 13. When he came in and later he ran out. Then after, a rebel came into my house
2 and took me. He took me to Pajule market. When we reached the market, we
3 found more soldiers from the side of Lapul. I found so many captured people in
4 the market. They divided load for us to carry and I was given about three basins
5 of rice to carry. I estimate that the rice weighed around 50 kilograms.

6
7 14. When I was abducted, I did not know the commander of the group. I later came
8 to learn that the person who abducted me was named Okello. We left very
9 quickly after my abduction. I feel that if the Government soldier had not kicked
10 at my door, I would not have been abducted that day. It felt like I was in my
11 house for three to four hours during the attack, and I was abducted at the last
12 second.

13
14 15. I was taken away eastwards, towards Wanduku West. It was light outside, in the
15 early morning, and there were very many people. We walked through the bush,
16 in and out of brush and fields. We did not use the roads. All the way to TeOgul.

17
18 16. We walked in two straight lines, with LRA fighters in front and behind. While I
19 never served in the military, I learned from my time in the LRA that the rebels in
20 front were to protect everyone from ambushes, and the ones at back were to stop
21 pursuing forces. The ones in the front would protect us in case of an ambush.

22
23 17. At the beginning of our walk, the Government soldiers pursued the group. The
24 Government soldiers fired at the group and wounded both abductees and LRA. I
25 also saw a few people killed from the weapon fire from the Government soldiers.

26
27 18. Not too long after it started, maybe 30 minute to an hour, a helicopter arrived.
28 This is when the soldiers stopped their pursuit. I do not know why the soldiers
29 stopped their pursuit, but I assume that it was because the Government soldiers
30 were few and reinforcements had not arrived.

31
32 19. When the helicopter arrived, we were walking through a clearing. The people in
33 the helicopter started firing small weapons around the side of the group. It did
34 not drop bombs around us. In my opinion, the shooting was serious. It might
35 have been to give us a chance to escape, but it did not work well. We never got
36 the chance to escape.

37
38 20. Shortly thereafter, we entered an area of thick brush, I do not think those in the
39 helicopter at that point could see us but they kept firing, and it started hitting

1 some of the abducted people. I saw several people injured and killed because of
2 the bullets fired from the helicopter.

3
4 21. After a few hours, we arrived at a large rock not far from Wanduku and Tumatoo
5 West in a place called TeOgul. There is a road to this location and I have taken
6 the Defence to it. When we arrived, there were many people there. While I cannot
7 estimate the number, there were several hundred people there.

8
9 22. I remember that many people told groups who they were. I know that there were
10 many people that introduced themselves, but I cannot remember all the names. I
11 remember Buk, Bosco and Dominic Ongwen. The first person to introduce
12 himself was Buk. The Defence Team members asked me if I saw Dominic
13 Ongwen at the IDP Camp, and my answer is no. I stayed in my home until the
14 very end of the attack, and left the camp immediately after being abducted, so I
15 cannot know who was there and who was not, except for the person that
16 abducted me. I also remember hearing the name Vincent Otti but I do not
17 remember hearing RaskaLukwiya, Kapere and Onyee. I was frightened at this
18 time, and there were many names.

19
20 23. The Defence Team asked me to describe Dominic Ongwen. He is around the
21 same height as the lawyer who identified himself as Thomas Obhof, lighter skin
22 colour, very fit, rather short hair (not in dreadlocks) and walked with a limp like
23 he had an injury to one of his legs. This was the only time that I saw Dominic
24 Ongwen whilst in the bush, and I cannot even be sure that it was him. There
25 were times when people would introduce themselves to me and I would later
26 find out that they told me the wrong name.

27
28 24. When we arrived, people were already being split into different groups. Women
29 with children were in one group. Young children were in another. A third group
30 was comprised of old people and those who were not healthy. This was done
31 immediately after people started arriving. I later heard that some people were
32 released and returned home with Rwot Owyak. By the time they returned, my
33 group had left that area

34
35 25. I know who Rwot Owyak is. I did not see him on the walk to TeOgul, but I
36 remember seeing him at TeOgul that day. I do not know if he carried anything to
37 TeOgul. He was dressed and walking around freely at TeOgul; he was not tied
38 like many of the other people there. I saw him talking to the person who
39 identified himself as Otti Vincent. He did not appear worried or scared like the

1 rest of us. The rest of us did not have a moment to talk, but him, he was talking
2 freely. Just before my group left TeOgul, I witnessed Rwot Owyak address the
3 group of people that I later learned were released that day. I was not in the
4 position to request from the leaders of the group to remain behind to listen to
5 Rwot Owyak, so I did not hear what he said. I do not know if Rwot Owyak
6 collaborated with the LRA. I know that he was involved with the Peace Talks, but
7 that is all that I know.

8
9 26. After an hour or two, we left TeOgul and walked to Omot. During this walk, we
10 stopped briefly to cook some food, but we did not sleep. It was dark when we
11 arrived at Omot to sleep. A person named Buk led the group that I left with that
12 day. I do not know his other names. There was also someone named Okello
13 Trigger in the group. Those are the only names that I can remember. Everyone
14 else I called "lapwony". I did not know until after I came back what lapwony
15 meant because in my daily life before my abduction, lapwony referred to
16 someone that taught you football, like a teacher or instructor.

17
18 27. I was in the group for a very short period, about six weeks. The group I was with
19 was called Gilva. Dominic Ongwen did not travel with us in that group.

20 21 Training

22 28. I was not trained as a soldier much during my time in the bush. We were
23 constantly being pursued by the UPDF. We learned how to march and dismantle
24 a gun during those six weeks, and the training did not happen much. I still
25 cannot properly dismantle and reassemble a gun. I was also trained to fire a
26 weapon. It was in a TeOtuke. We were taught to use the small guns, the one that
27 has a butt that can be folded. I do not know the name of the gun. I think even
28 today, I can shot that gun, if someone gives it to me

29 30 My Travels after TeOgul

31 29. While walking in the bush, we were not tied. It was only when we rested that
32 they tied us to impede any escape attempts. Furthermore, if there were UPDF
33 soldiers around, we were also not tied because if we had to flee the UPDF, we
34 could not run as fast if we were tied together.

35
36 30. We were told by Buk not to try to escape. He said that if we tried to escape and
37 were caught, we would be executed, just like it is done in the UPDF. He also told
38 us that if we tried to escape, do not take a gun with you. If you escape with a
39 gun, all your people, all the people of your village, will be killed.

1
2 31. After the group left Omot we travelled eastward toward Patongo. We travelled
3 throughout the day, only stopping once around 18h00 to prepare food and eat. I
4 cannot remember where we stopped to eat because it has been so long since it
5 happened. Everyone, including the captives eat. As captives, we were not
6 allowed to cook, we ate what was provided to us by the LRA.

7
8 32.

9 33. We slept in Patongo that night. We did not stay there for long, less than a week.
10 From Patongo, we went to TeOtuke. We stayed there for a very short period,
11 maybe a day, and then travelled to Amuria, which I understand is in Teso. We
12 stayed around Amuria for about one month.

13
14 34. Towards the end of the month in Amuria, fighting became fierce. We left there
15 and went to Otuke. Otuke is in the same area as TeOtuke, but it was not the same
16 exact location as before. We spent about three days there. As we were moving,
17 some fighters were selected to lay an ambush for the soldiers that were pursuing
18 us. The ambush was meant to give us time to escape from the UPDF.

19
20 35. These fighters left to lay the ambush were defeated quickly. A helicopter arrived
21 and they were overpowered easily. When the few people who were left arrived
22 back to the group, we continued quickly towards Acholi.

23
24 36. During the group's escape attempt, the group entered an ambush of the UPDF.
25 Serious fighting ensued after entering the ambush. A helicopter also arrived.
26 Many LRA were wounded during this ambush, and I was wounded in three
27 separate locations, in the centre of my chest, my right arm and the centre of my
28 back.

29
30 My Escape

31 37. When I became separated from the group, I slept in the bush for three days. I
32 tried to find the tracks of the group I was with, but I was unsuccessful. Being
33 wounded and alone for three days, I decided to turn myself into the UPDF. I
34 walked and eventually reached someone's home.

35
36 38. I told the person in the home that I was abducted from Pajule on 10 October 2003.
37 The home was around TeOtuke in Lango. That person fed me and allowed me to
38 sleep there for the night. The next morning, he took me to a Local Councillor.
39 From there, the LC took me to Lira Barracks. From Lira Barracks, I went to

1 GUSCO in Gulu. GUSCO sent me to Lacor Hospital until I was better. I was in
2 Lacor hospital for almost 2 months before I was released. I went back to GUSCO
3 for about 2 weeks then I was taken home.
4

5 39. When I was at Lira Barracks, the UPDF questioned me about where I was
6 abducted from and from where I escaped. I was given medication by the UPDF,
7 but I was not taken to the hospital for my wounds. I was at the Lira Barracks for
8 three days. When I arrived in Gulu, I was taken to Lacor Hospital for my
9 wounds.
10

11 40. Even though I was abducted for a short period, I still filed for and received
12 Amnesty. I filed for Amnesty when I arrived at GUSCO. Unfortunately, my
13 Amnesty Certificate was burned in a fire. I do not remember when my certificate
14 got burnt, I think around 2013, maybe Oct.
15
16

17 Arrival Back at Home at Pajule IDP Camp

18 41. When I arrived back home, the people at home were extremely happy. They were
19 worried when I had not come home after the attack. My family already knew that
20 I was safe because the people at GUSCO allowed me to call them. Even my
21 mother came to GUSCO and visited me.
22
23

24 Signature: Okwera David

25
26 Name: Okwera David

27
28 Date: 07-8-2017

29
30 Location: Gulu