

INTERNATIONAL CRIMINAL COURT
OFFICE OF THE PROSECUTOR

WITNESS STATEMENT

WITNESS INFORMATION:

Last Name: [REDACTED] Gender: Male
First Name: [REDACTED] Father's Name: [REDACTED]
Other names used: [REDACTED] Mother's Name: [REDACTED]
Place of Birth: [REDACTED], Uganda Passport / ID number:
Date of Birth/Age: [REDACTED] Nationality: Ugandan

Language(s) Spoken: English, Nyankole, Luganda, Swahili

Language(s) Written: English, Nyankole, Luganda

Language(s) Used in Interview: English

Occupation: [REDACTED], Kampala, International Security Organisation

Place of Interview: [REDACTED] Kampala

Date(s) and Time(s) of Interview: 13th October 2015, 0930hrs to 1500hrs.
18th November 2015 1000hrs to 1100hrs

Names of all persons present during interview: [REDACTED] Julian Elderfield, [REDACTED]
[REDACTED]

Signature(s): [REDACTED]

Witness statement of [REDACTED]

UGA-OTP-0249-0444
[Barcode]

WITNESS STATEMENT

Procedure

1. I was introduced to [REDACTED] and told that they are investigators with the Office of the Prosecutor (OTP) of the International Criminal Court (ICC). I was introduced to Julian Elderfield and told that he is a lawyer with the OTP of the ICC.
2. The investigator [REDACTED] explained to me what the ICC is and described its mandate. He explained the role and mandate of the OTP within the ICC.
3. The investigator explained to me that the OTP is investigating events that took place in Uganda from 2002 to 2005. I was informed that the OTP is contacting me because they believe I may have information relevant to establishing the truth.
4. I was told that I have the right to be questioned in a language that I fully understand and speak. I confirm that English is a language that I fully understand and speak.
5. The investigator explained to me that this interview is voluntary. I understand that I should only answer questions of my own free will.
6. I was informed that any information I give to the OTP will be disclosed to the participants of the proceedings at the ICC, in particular the judges, the accused, and the legal representatives of the victims.
7. I was informed that I might be called to testify before the ICC. It was brought to my attention that the trial will be held in public and explained to me that, as an exception to the principle of public hearings, the judges may apply protective measures to those testifying if circumstances require.
8. I am currently willing to appear as a witness in court, if called to testify. I understand that disclosure of my identity and information I have provided may take place whether or not I am called to testify.
9. The possible security implications resulting from my interaction with the OTP were discussed with me. The investigator explained to me the reasons and importance of keeping my contacts with the OTP confidential, which I fully understand.

[REDACTED]

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Page 2 of 12

UGA-OTP-0249-0445


UGA-OTP-0280-0896

10. Having understood all the above issues, I confirmed my willingness to answer the investigator's questions.
11. The investigator explained to me how the interview was going to be conducted. I was told by the investigator that it is important that I am as accurate as possible in my account, and that I state when I do not know or do not understand a question. I understand that I need to distinguish between what I have experienced or seen myself and what I have heard or learned about from someone else.
12. It was explained to me that if I am called to testify in court following an undertaking as to the truthfulness of the information I will provide, I may be liable for prosecution if I wilfully state anything which I know to be false, or do not believe to be true.
13. I was told that at the conclusion of the interview, I would be asked to sign a written statement after having had the opportunity to review it, make any corrections, or add additional information.

Professional background since 2005

14. Since my last statement dated 23 February 2005, [REDACTED]
15. [REDACTED]

ISO staff

16. I had many staff working for me in Gulu intercepting LRA radio communications. I put together the operation to intercept the LRA in the early 1990s and recruited people from various departments in the ISO. I organised my staff so it operated in two teams. Each team was composed of a language expert, who intercepted LRA radio communications and de-coded LRA conversations, a supervisor, who oversaw logistics and coordinated with the UPDF Division Commander, and a "compiler", who worked under the supervisor writing the intercepted communications in the logbooks and did quality control.
17. I rotated the teams to give my staff days off. These rotations generally were about one month, but that could change, depending on tactical necessity.

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Page 3 of 12

UGA-OTP-0249-0446



UGA-OTP-0280-0897

18. I have listed staff who worked for me in Gulu in 2003-2004 on a piece of paper attached to this statement at Annex 1. I also have the following to say about them:

- a. [REDACTED] [REDACTED] was trained by personnel from the United States soon after I secured his transfer from another department in the ISO. We did not give certificates for finishing that course. [REDACTED] was also given computer training, for which he was given a certificate. After his training, I deployed him to Gulu to intercept LRA radio communications. [REDACTED] worked as a language expert.
- b. [REDACTED] [REDACTED] worked as a language expert and a trained signaller. I recruited him to my team in about 1995. He left at some point to work in the field as a District Commander. I do not remember exactly when that was.
- c. [REDACTED] was a supervisor. He also intercepted LRA communications in the field, when required. He started intercepting LRA radio communications in about 1989. [REDACTED] trained on Russian and British CODAN radio and has a certificate in electronic warfare. [REDACTED] currently works on another project in Kasese, Uganda.
- d. [REDACTED] [REDACTED] was a supervisor. I recruited him to my team in about 1991. [REDACTED] has a certificate in electronic warfare and was trained on Russian radios.
- e. [REDACTED] [REDACTED] [REDACTED] worked as a language expert. He was also deployed in the field, when required. I recruited [REDACTED] to my team in about 2000 or 2001 and sent him to work in Gulu.
- f. [REDACTED] was a "compiler". I recruited him to my team in about 1991. [REDACTED] has a certificate in electronic warfare.
- g. [REDACTED] was a "compiler". I recruited him to my team in about 1991. He was also deployed in the field, when required. [REDACTED] currently works on another project in Kasese, Uganda.
- h. [REDACTED] worked as a language expert. He has an [REDACTED], which he developed in about 2002.
- i. John Orach. John died in about 2009.

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Page 4 of 12

UGA-OTP-0249-0447



UGA-OTP-0280-0898

Interception equipment

25. The ISO's first radio in Gulu was a Russian radio. We also used a British radio called a CODAN until about 1996. After that we used an ICOM radio. We changed because the LRA started to operate at frequencies lower than that which the CODAN could manage. The ICOM radio was able to capture the LRA's signals even at these low frequencies.

ISO interception operations: general

26. The ISO started to use the interception house in the UPDF 4th Division Barracks in Gulu in about 1996. This was for tactical reasons; as soon as the information was gathered it had to be passed as quickly as possible to the UPDF, for their deployments.
27. My staff were not supposed to share the information that they intercepted with the other interception operations in the interception house in Gulu. I cannot rule out that individuals discussed matters, but my orders to them were to not share information.
28. The ISO did not intercept LRA radio communications from anywhere else in Uganda. I think the CMI did. The CID special branch also intercepted LRA communications, but it was not in Gulu. The ESO also did interception work in Gulu, but I do not know the details.
29. The ISO did not intercept LRA satellite telephone conversations. We did not have that capacity. I knew this because [REDACTED]. If we had that technology we would have done it.

Clarifications from previous statement

30. I would like to make the following clarifications to my statement to the ICC dated 23 February 2005, UGA-OTP-0207-0256:
- a. Paragraph 7 ("Our operations in Gulu are now housed in the same building as the interception activities that UPDF is carrying out."). We started to share the interception house with the UPDF after about 2000. I forget the year.
 - b. Throughout the statement, for example at paragraph 9 (" [REDACTED] "). This should be spelled [REDACTED].

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Page 6 of 12

UGA-OTP-0249-0449



UGA-OTP-0280-0900

- c. PRF number 00310 states that on 11 April 2005 I provided to [REDACTED] of the OTP: "6 cassette tapes; 1 transcription book 11 Sep - 31 Oct 03". The PRF bears my signature as being the source or provider.
 - d. PRF number 00562 states that on 14 April 2005 I provided to [REDACTED] of the OTP: "audio tapes 725A+B, 726, 731, 754, 755, 756, 757, 758, 759, 762, 790, 792, 793, 796, 797, 798, 826, 835, 836, 837, 839, 850, 853, 854, 864". The PRF indicates that I am the provider, but it does not have my signature on the form.
 - e. PRF number 00489 states that on 19 April 2005 I provided to [REDACTED] of the OTP: "3 tapes". The PRF bears my signature as being the source or provider.
 - f. PRF number 00491 states that on 19 April 2005 I provided to [REDACTED] of the OTP: "8 tapes: 795/G (3rd); 751/G (3rd); 823/G (3rd); 870/G (3rd); 671/G (3rd); 672/G (3rd); 752/G (3rd); 791/G (3rd)". The PRF bears my signature as being the source or provider.
35. I met with OTP investigators in April 2015. I was informed that they were interested in collecting material related to the ISO's interception of LRA radio communications. On 23 April 2015, I provided to them the following material, which I was told was relevant to their investigation:
- g. As recorded in PRF number 162689, "Blue Manuscript book opened on 02 Aug 2003, last entry is 26 Oct 2003; 2 sheets of A4 paper (handwritten in blue ink)".
 - h. As recorded in PRF number 162690, "Blue manuscript book #16 'Rabmint OP' opened on 17 Nov 2004, closed 04 Apr 2005".
 - i. As recorded in PRF number 162691, "21 pages (various documents/items relating to ISO intercepts)".
 - j. As recorded in PRF number 162683, "ISO Audio recording on magnetic tape #692G (box UGA.00054.007) tape: (UGA.00054.006); ISO Audio recording on magnetic tape #695G (box UGA.00054.015) tape: (UGA.00054.014)".
 - k. As recorded in PRF number 162684, "ISO Audio recording on magnetic tape #697/G (box UGA.00054.027) tape: (UGA.00054.026); ISO Audio recording on magnetic tape #763/G (UGA.00054.031) (UGA.00054.030); Note inside tape box (UGA.00054.032)".

ICC RESTRICTED

Page 8 of 12

UGA-OTP-0249-0451
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UGA-OTP-0280-0902

- l. As recorded in PRF number 162685, "ISO Audio recording on magnetic tape #820/G 3rd; ISO Audio recording on magnetic tape #821/G 3rd note inside: (UGA.00054.041) box: (UGA.00054.042) box label: (UGA.00054.043) tape: (UGA.00054.040)".
 - m. As recorded in PRF number 162686, "ISO Audio recording on magnetic tape #824/G Note: (UGA.00054.048) tape: (UGA.00054.046); ISO Audio recording on magnetic tape – no markings".
 - n. As recorded in PRF number 162687, "ISO Audio recording on magnetic tape – no markings; ISO Audio recording on magnetic tape – 'Music Afrika' (with broken cover) (no other markings)".
 - o. As recorded in PRF number 162688, "ISO Audio recording on magnetic tape – no markings (with broken cover); ISO Audio recording on magnetic tape – 'Music Afrika' (with broken cover) (no other markings)".
36. The 12 tapes referred to in the above documents, which I provided to the ICC on 23 April 2015, included tapes that the ICC gave back to me after having collected them previously. These are the ones with ICC markings on them. Since the ICC handed those tapes back to me, I have kept them in a cupboard in my office. Only I and my assistant have access to my cupboard.
37. On 1 June 2015, I met again with ICC investigators to provide the following ISO tapes of LRA radio communications:
- p. As recorded in PRF number 163926, "ISO intercept audio recordings on magnetic audio cassettes. ISO tape reference numbers: 869 G, 871 G, 872 G, 874 G, 875 G, 876 G, 877 G, 879 G (Bag 004)".
 - q. As recorded in PRF number 163927, "ISO intercept audio recordings on magnetic audio cassettes. ISO tape reference numbers: 880 G, 881 G, 882 G, 884 G(1), 884 G(2), 886 G, 887 G, 883 G (Bag 005)".
 - r. As recorded in PRF number 163928, "ISO intercept audio recordings on magnetic audio cassettes. ISO tape reference numbers: 885 G, 888 G, 889 G, 891 G, 892 G, 893 G, 894 G (Bag 006)".
 - s. As recorded in PRF number 162700, "ISO intercept audio recordings on audio cassettes. Tape reference (ISO) numbers: 683 G, 689 G, 699 G (Bag 001); 812 G, 817 G, 828 G, 838 G, 844 G, 845 G, 847 G, 848 G (Bag 002); 851 G, 852 G, 855 G, 856 G, 857 G(1), 857 G(2), 865 G, 868 G (Bag 003)".

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Page 9 of 12

UGA-OTP-0249-0452



UGA-OTP-0280-0903

38. On 3 June 2015, I met again with ICC investigators to provide ISO tapes and clean notes of intercepted LRA radio communications, as recorded in PRF number 15923: "ISO radio intercept audio recordings on magnetic tape. Tape reference (ISO) numbers: 621(B)/G 3rd, 623(A)/G 3rd, 624/G 3rd, 627(A)/G 3rd, 629/G 3rd, 631/G(1) 3rd, 631/G(2) 3rd (BAG 007); ISO radio intercept audio recordings on magnetic tape. Tape reference (ISO) numbers: 632/G 3rd, 633/G 3rd, 634/G 3rd, 635/G 3rd, 636/G 3rd, 637/G 3rd, 638/G 3rd, 639/G 3rd (BAG 008); ISO radio intercept audio recordings on magnetic tape. Tape reference (ISO) numbers: 640/G 3rd, 641/G 3rd, 642/G 3rd, 643/G 3rd, 644/G 3rd, 645/G 3rd, 646/G 3rd, 647/G 3rd (BAG 009); ISO radio intercept audio recordings on magnetic tape. Tape reference (ISO) numbers: 651/G 3rd, 652/G 3rd, 654/G 3rd, 655/G 3rd, 656/G 3rd, 657/G 3rd, 658/G 3rd, 659/G 3rd (BAG 10); ISO radio intercept audio recordings on magnetic tape. Tape reference (ISO) numbers: 660/G 3rd, 661/G 3rd, 663/G 3rd, 664/G 3rd, 673/G 3rd, 675/G 3rd, 676/G 3rd, 677/G 3rd (BAG 011); ISO radio intercept audio recordings on magnetic tape. Tape reference (ISO) numbers: 678/G 3rd, 679/G 3rd, 685/G 3rd, 686/G 3rd, 687/G 3rd, 688/G 3rd, 701/G 3rd, 740/G 3rd (BAG 012); ISO radio intercept audio recordings on magnetic tape. Tape reference (ISO) numbers: 741/G 3rd, 753/G 3rd, 794/G 3rd, 799/G 3rd, 800/G 3rd, 801/G 3rd, 802/G 3rd, 803/G 3rd (BAG 013); ISO radio intercept audio recordings on magnetic tape. Tape reference (ISO) numbers: 805/G 3rd, 866/G 3rd, 867/G 3rd, 890/G 3rd, 895/G 3rd, 896/G 3rd, 897/G 3rd (BAG 014); ISO radio intercept audio recordings on magnetic tape. Tape reference (ISO) numbers: 898/G 3rd, 899/G 3rd, 900/G 3rd, 901/G 3rd, 902/G 3rd, 904/G 3rd, 905/G 3rd, 906/G 3rd (BAG 015); ISO radio intercept audio recordings on magnetic tape. Tape reference (ISO) numbers: 907/G 3rd, 908/G 3rd, 909/G 3rd, 910/G 3rd, 911/G 3rd, 912/G 3rd, 913/G 3rd, 914/G 3rd (BAG 16); ISO radio intercept audio recordings on magnetic tape. Tape reference (ISO) numbers: 915/G 3rd, 916/G 3rd, 917/G 3rd, 918/G 3rd, 919/G 3rd, 920/G 3rd, 921/G 3rd, 927/G 3rd (BAG 17); One 4GB SD card with 11 ISO clean notes of LRA communication intercepts in PDF format (OTP Log ISO-0059 to ISO-0069): Ops Rabmint LRA Intercepts May-Oct 2003, Rabmint Opns 17-Nov 2003, Rabmint Operations Matter 16-Jan-2004 – Feb – 2004, LRA Intercept Report Mar-April 2004, LRA Intercept Report May 2004, LRA Intercept Report June 2004, LRA Intercept Report Aug 2004, LRA Intercept Report Sept 2004, LRA Intercept Report Oct 2004, LRA Intercept Report Nov 2004, LRA Intercept Report Dec 2004 (Bag A0000004802)".
39. The 11 ISO clean notes of LRA communication intercepts in PDF format that I provided to OTP staff on a 4GB SD card on 3 June 2015 were those that I was told were relevant to the OTP's investigation. There is more material relating to the ISO's interception of LRA communications that the OTP did not collect, which I have stored on a USB stick. I am happy to give access to this material if requested.

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Page 10 of 12

UGA-OTP-0249-0453



UGA-OTP-0280-0904

40. I have been shown PRF number 00101, marked UGA-OTP-0023-0001. The signature on that form is not mine. The signature is likely that of the UPDF Liaison Officer, who at the time was [REDACTED]. I have been shown a document, the first page of which is marked UGA-OTP-0023-0241, titled "From LRA message book captured after battle (names of LRA signallers)". I do not recognise this document. Generally, LRA message books captured from the LRA are taken to the CMI, not the ISO.
41. On the 13th October 2015 following having the above statement read over to me, I inadvertently signed the un-amended copy. This is the correct version of my statement.

Annexes

42. Annex 1 to this statement is a list of staff working for me in Gulu in 2003-2004, referred to in paragraph 18 of this statement. I signed and dated it.
43. Annex 2 to this statement consists of 20 PRF documents that I have referred to in paragraphs 34, 35, 37, and 38 of this statement.

Closing Procedure

44. It has been explained to me that the ICC may decide to share a copy of my witness statement with a State if it is requested. I was informed that in such a case I would be contacted and any possible impact on my security would be assessed.
45. I have nothing to add to the above statement nor do I have anything to clarify. I am available to be contacted in the future for clarifications or questions on topics not covered during this interview.
46. I have given the answers to the questions of my own free will.
47. There has been no threat, promise or inducement that has influenced my account.
48. I have no complaints about the way I was treated during this interview.

WITNESS ACKNOWLEDGMENT

This statement has been read over to me in the English language and it is true to the best of my knowledge and recollection. I have given this statement voluntarily and I am

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Page 11 of 12

UGA-OTP-0249-0454
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UGA-OTP-0280-0905

aware that it may be used in legal proceedings before the ICC and that I may be called to give evidence in public before the ICC.

Signed:  _____

Dated: 18/11/2015

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Page 12 of 12

UGA-OTP-0249-0455



UGA-OTP-0280-0906