

INTERNATIONAL CRIMINAL COURT
OFFICE OF THE PROSECUTOR

WITNESS STATEMENT

WITNESS INFORMATION:

Last Name: [REDACTED]

Mother's First Name: [REDACTED]

First Name(s): [REDACTED]

Father's First Name: [REDACTED]

Nickname:

Gender: Male

Date of Birth: [REDACTED]

Place of Birth: [REDACTED]

Ethnic Origin: Madi

Religion: Catholic

Language(s) Spoken: English, Madi, some Swahili

Language(s) Written (if different from spoken): same

Language(s) Used in Interview: English

Current Occupation: [REDACTED] Gulu Station (Internal Security Organization)

Former Occupation:

Place of Interview(s): [REDACTED], Gulu town

Date(s) and time of Interview(s): 23 June 2005 (1430hrs)

Interviewer(s): [REDACTED] and Eric MacDONALD

Interpreter(s):

Names of all persons present during Interview(s): [REDACTED], Eric MacDONALD

Signature(s):

[REDACTED SIGNATURE]

Eric MacDonald



WITNESS STATEMENT**Procedure**

1. I was introduced to [REDACTED] an investigator at the Office of the Prosecutor ("OTP") of the International Criminal Court ("ICC"), and Eric MacDONALD, a trial attorney in the same office. [REDACTED] explained the purpose of the interview on this occasion was to assess security in the north, of specific areas, of former LRA who are now in the UPDF and of other witnesses.
2. It was explained to me that the interview is voluntary and that I may end the interview at any time. I have elected to answer the investigators' questions of my own free will. It was explained to me that at the end of the interview, I would be asked to sign a written statement after having had an opportunity to review it and add any corrections or supplements.

LRA**Objectives**

3. The LRA attack to look for food basically, from the camps where most of the people are. They attack at night, sneak in, loot whatever they want, and as they move out they torch the houses sometimes. However, in the last two months at least, I haven't heard of this sort of attack taking place. However, in March, on night of 09th just after women's day, in DZAIPI in Adjumani district, Bogi BOSCO'S group of the LRA attacked the villages and according to an eye witness they killed six and later two more died in hospital, and twelve were injured. This was unusual as it was outside the normal areas for their attacks; it was carried out in a place where the UPDF could not expect it.

Organisational structure

4. The leadership of the LRA has changed a bit; Kony is still overall in command, and Otti is still the vice chairman of the organisation and 2 i/c to Kony in all aspects.
5. We made a new structure about a month ago with all the appointments currently. The number of radios has dropped too, nowadays we only get about 5 commanders on the net, some come and some don't communicate for a week or so.
6. Only five radios seem to be active at any one time, maybe because they don't have batteries because their solar panels may have been destroyed in fighting. Maybe they get batteries from ambushing vehicles or from collaborators who buy them.
7. From other sources such as UPDF commanders from the field, I know the LRA are in small groups of 5 or 10, who sometimes meet to plan but then disperse again.





8. DOMINIC is still a Brigade commander and has been terrorising the sector east of Gulu recently, and is in Uganda at the moment. OPIO Makas is a Brigade 2 i/c and is in Uganda at present. ODIAMBO has not been very active, but is still there, although he's not been talking on the radio. He was a long time in Sudan with Kony. KAPERRE is not very active, but BOGI BOSCO is active. OKULU Ben is a battalion commander always on the radio. Ocan BUNIA is not very active. KWOYELLO Thomas is part of Bogi's group. LAPANYIKWARA is on and off the radio, he had been quiet for some time but of late he came out.

Command and control

9. Kony is strict on the radio, and doesn't want his commanders to talk on the radio themselves, but leave the signallers only to talk. This is to try to hide where the commanders exactly are; his reason is that if the commanders talk they will be hit by the UPDF. By using signallers, we may not recognise the voice and therefore might not know which commander is speaking.
10. Kony still orders his groups, and he asks where his commanders are, why they are off air, and whether LRA members are defecting. He has tasked his commanders to buy for him items like salt, soap, clothes; survival items. A month ago he ordered all his commanders to start ambushing and attack camps.
11. Through his signallers such as LABALPINY and OMONA, Kony has always been on air in the last two months, every day, but for the first time in a long time he himself was on the air on 18/19 June because one of the commanders reported he had met with Otti.
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 [REDACTED]
12. Kony still has control of the LRA, his commanders still obey him. Recently Major General LAKATI was hit in June, and we know he may be wounded or dead, because his means of communications were removed from him. Since then, Kony ordered the LRA to stop using the tonfas codes, as he believes the UPDF can now decode their messages. They are now using a new set of codes.

Operational capacity

13. In my opinion, the LRA are weaker these days, because we used to record so many call signs, but now there are fewer. They used to report when they had killed people, but in the last two months they don't call it in any reported attacks. They are also weaker because there have been surrenders of the LRA members and because they have not been able to abduct people to replenish their ranks.
14. A former LRA rebel who was interviewed by the UPDF stated that communications are still on-going between Kony and Otti with the use of satellite phones.
15. The LRA have hidden weapons and ammunition inside Uganda and south Sudan. Commanders request to be allowed to retrieve stored ammunitions; sometimes Kony says yes and sometimes he says no. I believe they still have SPG 9 and B 10, but not many. Kony gave instructions to use the RPG, G2 and LMG recently.




Current Modus Operandi

16. The rate of abductions has decreased because people have moved into the camps, which are fairly well protected.
17. Kony has said that the the LRA just wants to survive until the next parliamentary elections, as if he's trying to challenge President Museveni and show that Museveni cannot manage him. Kony said this some time ago on the radio, but I believe it's still relevant.
18. LRA are still able to cross border anytime and anywhere because it is too porous and long.
19. The rainy season is bad for the LRA because they cannot charge their solar panels so easily, and sometimes the batteries go flat and they cannot communicate. However, the rainy season is also good for the LRA because it gives them good cover as the grasses are tall which allows them to make ambushes.
20. Sometimes these days we hear of an attack on Mega radio, but the commanders won't report the attack on their radio net, but we may hear of the attack reported even one month later, especially if they have arranged to meet up. There have also been handwritten instructions more recently from one commander to another, especially giving RVs and other instructions. We know this because the commanders are asking "have you got my letter" for example.

Threats

21. I recall vividly we had some collaborators arrested and put in jail in Gulu Central Prison. Kony ordered the LRA to storm the prison and release them; it didn't happen and they didn't try because they were fearful as the UPDF deployed forces in mamba vehicles to protect it. The collaborators then informed Kony that the UPDF had been deployed, so the LRA did not attack for fear of the UPDF. The collaborators use cellphones to communicate these days with the LRA, who have many cellphones themselves. They buy them, take them from ambushes, and buy the airtime using collaborators. These cellphones are ones not sanctioned by the government for communication with the LRA as part of the peace process.
22. I would say that the element of retaliation is always within the LRA.

Current locations

23. There are LRA rebels in areas of Kitgum, especially because they are trying to join Kony in Sudan. Kony asked for Abudema, Bogi and one other to join him in Sudan, but then told Abudema not to go. There are also LRA in Gulu, in areas near the river Aswa and the Kilak hills. Some LRA move into Lira to get food but they don't stay there. Gulu, Pader and Kitgum are the acholi districts, and they get food from the camps there. They get food from Lira as the people dig there to grow food outside the camps.



24. Kony is currently in south Sudan, but does not stay in one place for long; once he senses the UPDF are moving towards him he has to move on. He deploys observation posts very far away to view anyone approaching his position.

Intelligence capability

25. The LRA have collaborators all over the north of the country, and this would be the main source of their intelligence.

ICC issues

26. The ICC has not been mentioned in the radio communications in the last two months, but at the start of the year Kony was saying he didn't want to be tried in the court.

WITNESS SECURITY

LRA members

27. Because of the way in which people were abducted from a place and made to go back there and kill, they will not be bothered about what is talked about concerning that place if mentioned in a warrant.

Civilian witnesses

28. There is a likelihood that if Kony finds out who is a witness, he may try to attack him. Kony works through collaborators to get to know the information, but it depends on Kony's reaction. He may try to come and kill the person, or destroy the evidence.

Locations

29. If the area is well protected, Kony will not move in to attack it. If it is not, he may move in to attack it.

Former LRA now in the UPDF

30. There has been talk about these people; first that Kony abuses him as a coward once he has come out, next that Museveni is going to kill him. He also says that such a person cannot come back and rejoin him as he would be a UPDF spy. It is stated that if these people come to lead the UPDF to the LRA, then the LRA are ready to fight. I have not heard of any threats made to them directly or their families.

PEACE PROCESS

Status

31. The LRA talk about the peace process; the latest after the surrender of Sam KOLO, is that Kony has appointed BWONE Luwum to be negotiator for the peace process. We thought they were serious, but there is no indicator that he has met with BIGOMBE. He is not active on the radio net, I don't recall he has been given a call sign or radio.



32. The LRA has never been serious about peace talks as different teams have tried; appointments are made to meet, but the order from Kony will be different.
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Closing Procedure

1. I have nothing to add to the above statement at this time nor do I have anything to clarify.
 2. I have given the answers to the questions of my own free will.
 3. There has been no threat, promise or inducement which has influenced my answers.
 4. I have no complaints about the way I was treated during this interview.
 5. I am agreeable to a copy of my statement being transmitted to the law enforcement authorities of a State if requested by a State.
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ACKNOWLEDGMENT

I have reviewed this Statement and it is true to the best of my knowledge and recollection. I have given this Statement voluntarily and I am aware that it may be used in legal proceedings before the International Criminal Court and that I may be called to give evidence in public before the International Criminal Court.

Signed: 

Dated: 24 Jun 05

