

INTERNATIONAL CRIMINAL COURT  
OFFICE OF THE PROSECUTOR

WITNESS STATEMENT

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WITNESS INFORMATION:

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Last Name: [REDACTED]

Gender: Male

First Name: [REDACTED]

Father's Name: [REDACTED]

Other names used:

Mother's Name: [REDACTED]

Place of Birth: [REDACTED]

Passport / ID number:

Date of Birth: [REDACTED]

Nationality: Ugandan

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Language(s) Spoken: English, Swahili, Luganda, Acholi, Langi

Language(s) Written: same as above

Language(s) Used in Interview: English

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Occupation: [REDACTED] Internal Security Organisation

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Place of Interview: [REDACTED] Kampala

Date(s) and Time(s) of Interview: 13 October 2015, 13:30 to 17:00, 20<sup>th</sup> November 2015, 09:45 to 17:15hrs, 21<sup>st</sup> November 2015 09:00hrs to 11:00 hrs

Names of all persons present during interview: [REDACTED] Julian Elderfield, (13<sup>th</sup> Nov'15) [REDACTED] (20<sup>th</sup> and 21<sup>st</sup> Nov'15) [REDACTED]

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Signature(s): [REDACTED]

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Witness statement of [REDACTED]

UGA-OTP-0249-0423



UGA-OTP-0280-1051

## 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.

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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 undertaken 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 and training**



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17. In around June 1990, as a matter of curiosity when I had some free time, I was moving around radio frequencies and I chanced upon LRA communications. They were talking in Acholi, a language that I understand. I passed this information to Kampala. In ISO HQ in Kampala they were very pleased and impressed and they started to monitor the LRA full time from Kampala as I did not have the capacity to do that from [REDACTED], because of my other duties and because I was on my own. I was later tasked with monitoring LRA communications full-time in 1995, after I had transferred to Kampala.
18. When I arrived in Kampala I found a fully-fledged LRA radio communication interception operation using Russian-made radio equipment, including directional finding equipment. At that time the Directional Finding (DF) team were stationary and based in Gulu. This team was headed by [REDACTED] and he had about six or seven staff under him. They were all trained by the Russians. There was also DF Teams based in Kasese and Mbale and they worked jointly in order to triangulate their information. Later the DF teams were equipped with Landrover vehicles and Racal radios and were capable of mobile DF operations in the field in support of the ground commanders.
19. My role was to listen, interpret and record the transmissions. I had a basic knowledge of the radio equipment. The personnel in the team were [REDACTED] [REDACTED] who was the head of the team and is now in the UPDF, [REDACTED] I replaced John Orach, [REDACTED] and who later died. In 1996, on presidential orders, I was sent with the team to Gulu to be nearer the operational theatre.

#### ISO operation in Gulu

20. Initially the LRA communicated in 'clear', meaning that they spoke openly and not in any form of code. Later on, they communicated sensitive matters in code, but it did not prove too difficult for us to break because of the context of the message. In 1996, the ISO had no Acholi language expert, so that became my role: interpreter and code breaker. I believe that the LRA stopped talking in clear because around that time they had technical advice from Sudan.
21. From 1996 to 2002 we monitored the LRA full-time. We did not have time to do any additional training.
22. We were later joined by [REDACTED] I am unsure of the date. I believe that they were selected by [REDACTED] I personally trained them. They sat on the job with me and I explained what I was doing, [REDACTED] knew the

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language, but he was not a signaller. He had to be trained on the phonetic alphabet, how to receive the message, moving within the frequency to upper or the lower side bands, the actual operation of the radio and basic code breaking. I taught them the key words. For example, most words in Acholi begin with "O", which helped to break the codes. By working on a communication together we could work out the code and break new codes. The LRA frequently changed their codes.

23. I was involved in Operation Iron Fist in 2002. In August of that year I returned to Kampala to go on [REDACTED].
24. Before I went on [REDACTED] there was no one more experienced than myself in intercepting, interpreting and code breaking LRA communications. I was the most skilled because of my experience and the most senior in terms of service. When the direction finding team returned to Kampala I was in overall charge in Gulu with regard to LRA operations.
25. My main function when initially posted to Gulu was intercepting LRA communications. Ensuring that I knew and recorded the frequencies that they broadcasted on, listening to their communications, breaking the codes, and recording the messages in clear language in Acholi and then translating into English. I monitored the radio on a 24-hour basis. I could do this because I slept in the radio room. Later, I was assisted by [REDACTED] [REDACTED] could not understand Acholi so he would record my interpretation into the log book and then take the book to the UPDF Commanding Officer for his attention.
26. By the time I left the interception team in Gulu in August 2002, [REDACTED] and [REDACTED] were both intercepting at a very proficient level. They stayed on, as did [REDACTED] role was as a supervisor. He was the head of the team. He provided mostly administrative support, like [REDACTED] had left the team in 1998 to go to support the UPDF in the Democratic Republic of Congo.

#### Purpose of ISO interception of LRA radio communications

27. The ISO were intercepting LRA radio communications in order to provide tactical and strategic intelligence to the UPDF so that they could engage the LRA and remove or reduce their threat. Initially it was only ISO providing this service to the UPDF, however the UPDF started to monitor the LRA in about 1996. Their operation did not have the same level of technical sophistication that the ISO did.

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[REDACTED]  
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## ISO interception in Gulu

28. Our operational protocols and procedures were given to us by [REDACTED] and he in turn received his instructions from Kampala. Upon hearing the LRA broadcast, I recorded the message as best I could. I called this my initial draft. This would have gaps and need working upon at a later time to fill in the detail. I would then write a further draft, this time in English, which would be the finalised report. This report would then be entered into a logbook, chronologically. There may be some small variation between the English draft and the logbook entry, but it is usually only to give clarification to the entry. Generally, it was copied verbatim. The logbook was then brought to the attention of the UPDF Divisional Commander, who would sign that he has acknowledged seeing the report. My English draft report would then be transmitted to Kampala HQ by fax.
29. In approximately 1997, we received an order from Kampala to tape record the LRA radio transmissions as well as to make the written record. We were provided with tape recorders and we purchased the tapes locally in Gulu. I believe the instruction must have come from the Technical Director but I do not know the rationale for the instruction, save that it helped us to prepare better product because we could review the tapes and work on the codes at a later time. We speculated that it was because captured LRA fighters would be debriefed, and we wanted evidence to back up and to challenge and verify what we learned.
30. When I initially went to Gulu and joined the interception team we were working from a building different to the one that we later moved to. This first building was a temporary structure known as a uni-pod and contained only ISO staff. We later moved to a bigger permanent building which was formerly the CO's residence. It was only ISO staff in that building. The UPDF were working from a nearby building known as the 'boy's quarters'. During my tenure at the ISO interception building until August 2002, we did not share the building with any other agency or unit
31. I was shown a hand-drawn sketch. This accurately represents the interception house where I worked. This sketch is attached as Annex 1 to this statement. We worked in the room marked as 'Room 2' which I shall call the radio room. During my time there, 'Room 1' was our bedroom, as was the other room marked 'UPDF Room'. Because no other units worked there other than the ISO during my time, I cannot comment on where the other teams worked.
32. I was also shown several photographs. These are of the interception house where I worked. I have the following to say about them:

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UGA-OTP-0249-0428  
A standard 1D barcode located at the bottom right of the page.

UGA-OTP-0280-1056



- a. UGA-OTP-0244-3308. I recognise this as the house where we conducted our interception from.
- b. UGA-OTP-0244-3310. This is the main corridor of the building. Our rooms were at the bottom end of this corridor.
- c. UGA-OTP-0244-3325. This photograph shows the ICOM radio equipment that I used during the interception process.
- d. UGA-OTP-0244-3336. This photograph shows the tape recorder that I used to record the transmissions.
- e. UGA-OTP-0244-3341. This photograph shows the antennae that our technicians erected to enable us to hear the transmissions.
- f. UGA-OTP-0244-3348. This photograph shows an antennae that was not there during my time in Gulu.

### LRA communications

33. The LRA transmitted either on HF or VHF frequencies. Frequencies are determined upon where you are located in the world and those parameters are pre-determined. The LRA would broadcast somewhere in the region of 4000 to 9999 megahertz. Their frequency would be made up of four figures, e.g., '7620'. They would often change their transmission frequency because of disruption due to weather or topography. Finding the correct frequency was just a matter of scanning the airwaves and, once identified, locking on to that frequency until it changed. Normally an LRA unit would inform another unit in coded form as to the frequency that they were changing to, so it was just a matter of switching with them.
34. The LRA had fixed times for communication. They would open their radios at 0900hrs every morning and send a Situation Report (sit-rep). They would open at 1100hrs for those who did not report at 0900hrs. This was usually because their batteries were solar powered and would not be sufficiently charged by 0900hrs. Again at 1300hrs, and again at 1500hrs. Except on occasions when other specific times were agreed. They were extremely punctual.
35. The content of their message was normally a sit-rep. Every unit transmitted a report of their activities since their last sit-rep. They sent their location, intended location, the results of their operations, and to receive fresh orders. Sometimes they would send scouts into villages and then would report what they learnt from their scouts.
36. They would always report operations in clear, giving detail concerning who did what, where, and to whom. The LRA broadcast in clear how many they had killed, but their casualties would be encoded. Successful commanders were praised by Kony and other senior officers, and those that were not so successful

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were scolded. I remember Dominic Ongwen, referred to as Odomi, frequently being singled out for praise. One incident that I recall was an attack on Omot in about 1998/99, where he was the second in command to Lagira. Lagira praised Odomi's feats, stating that he was now ready to command his own unit. Other praised commanders included Odur, Onen Alfred, and Charles Tabuley.

37. I could distinguish the start and end of communications because the LRA would say "radio check" at the start. And at the end they would say "radio out". Kony was referred to as "Zulu" or "Lapwony" when he was referred to in the third person or when somebody wanted to speak to him. Kony's signaller was called "Labalpiny" and was very senior. All messages were channelled through him. Different units would often talk between themselves, but sometimes Kony would instruct these units to go to another frequency to talk if it was busy. If that happened, we knew where they would go. We could follow them because they would say "take three from the left", which meant take those digits from the frequency, going either higher or lower on the frequency.
38. As interceptors, we knew who each person was by their call signs. The LRA commanders used to call each other by call-sign and we identified individuals through linguistic mannerisms or phrases they used frequently.
39. We knew many of the codes that the LRA used. These were called TONFAS codes. This is an acronym for Time for opening/closing the net (communication), Operator, Nicknames, Frequencies, Address group, Security. LRA commanders would keep these codes in a book about their person. We recorded these codes once cracked onto loose leaf paper and filed them in our office.

#### Interception procedure

40. Every day, before 0900hrs, I prepared to intercept the broadcast. I tuned the radio at about 0800hrs so that the LRA would not be alerted that we were on their frequency. Even by tuning into the frequency and transmitting small noises the LRA would know that we were listening in.
41. We tape-recorded LRA communications, using the tape on both sides until it was filled up. On a busy day I used up to three tapes. The tapes were then labelled so that their contents were identifiable. Sometimes I did it myself but usually it was done by whoever was not busy on the radio set. We labelled the tapes numerically, so we would start at one (1) and continue the sequence. A tape would be designated by a number, e.g., 692, and then the location of interception, e.g., G for Gulu. After the tapes were filled up and labelled, we stored them in boxes and labelled the boxes and waited for them to be transported to Kampala. I

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cannot comment on the storage of the tapes in Kampala as that is outside my knowledge.

42. We did not talk on the tape ourselves to separate transmissions but we would let the tape run on or advance for a few seconds in order to distinguish between recordings. The tape recorder was operated manually by pushing down play and record together. Sometimes bits of a transmission were missed if we were not fast enough.
43. My main task was to receive the messages and write at the same time. The note's accuracy would depend on who was doing it and what they heard either live or upon reviewing the tape. Sometimes we ran out of tapes, but our primary responsibility was to listen and report what we heard. In my opinion what I heard live from the radio was of better quality than that recorded on the tape.
44. I would listen with a headset on. We operated in pairs. My regular partner was [REDACTED]. He picked it up very well and was committed to the task. I also worked with [REDACTED] who was the last person recruited by me to the team.
45. When the weather was bad or if the broadcast was from an area with poor reception the communication would be very unclear, and we could miss a whole communication. In that instance we made a rough note and that was entered in the log book. If a unit did not report on air we also recorded that fact. If a particular unit was discussing matters that were not operationally important we also noted that fact. The procedure that I have described happened for each LRA communication that we monitored.
46. During my time in Gulu I was involved in interception in the field. This was to provide live time critical intelligence to the ground commander. Even under these conditions we recorded the transmissions. These tapes would then be entered into the chronological tape storage back in the office in Gulu. I do not know how to differentiate these tapes from those made in the office but the notes and subsequent log book entries should indicate that. Such trips into the field usually lasted no more than a day, but I went with the UPDF into Sudan during Iron Fist in 2001 to 2002. I am not sure however how we marked these tapes.
47. ISO interception of the LRA was confined only to their radio signal transmissions and to my knowledge did not cover other means of communication such as satellite phones or mobile phones.

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1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32

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### Interception equipment


48. When I first arrived in Gulu we were using CODAN radios, which were later replaced in 1995 with Racal radios and Landrover vehicles with directional finding equipment and in 1998 ICOM radios as shown in the photograph that I have referred to above. The tape recorder was separate from the radio and recorded what was heard via the loudspeaker.

### Career after intercepting in Gulu

49. 

50. 

### Lukodi

51. In 2004, I was  and was in Lukodi after the massacre that year. This was attributed to Ongwen. I did not participate in the interception of the radio communications at that time as I had new duties but I later learned of Onwen being responsible from my colleagues in the interception house.

52. Sometimes the LRA sent the object of their attack in code that had not yet broken. With regard to the Lukodi attack, the ISO did not get any indication that they intended to attack that town. But on the morning after the attack we got word that a large attack had taken place. I was amongst the group of security officials first to reach the scene to make an assessment of the situation. Lukodi is only 20-25 kilometres from Gulu. We arrived in an armed convoy.

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53. I arrived around 0900hrs. We remained there until around midday. The UPDF detachment had been dispersed by the attack and reinforcements had not come so we feared another attack. We moved around in those three hours asking survivors what had happened and where was the UPDF detachment. We asked how the LRA entered the IDP camp and I made a note of what I had observed around the camp. I am not sure what has happened to my original notes that I made and I will endeavour to locate them and provide them to the OTP.
54. I went to Lukodi to assess the situation with the army. As [REDACTED] my role was to address issues in my district. The attack was in the evening of the previous day. When we got there we saw bodies hacked in a barbaric way. I saw about 38 bodies myself, but I heard that there were more. These were bodies of men, women and children. They were civilians. I saw a body of a girl as young as three. And old persons that could not run away. I saw the remains of burned out huts.
55. About one week later they sent pathologists from the Makerere University to exhume bodies. I accompanied them. Every body was exhumed, examined and reburied. [REDACTED] The pathologists were sent to prove cause of death. The orders to do this were from Kampala. [REDACTED] [REDACTED] The Intelligence Officer of the UPDF 4<sup>th</sup> Division was there. He was a Major. Police Crime Intelligence officers, now called Special Branch, and police officers in uniform were also there.
56. I was also involved in interviews with witnesses. I learned that it was Ongwen who commanded the attack because the survivors knew Ongwen personally as some were former LRA who had returned from the bush and were living in the camp. One in particular was a girl of about 16 years old but I cannot recall her name. I do not know where my records are now but I will make enquiries to find out if they still exist.
57. I also learned from intercepted material collected by the intercept team that Ongwen claimed to be responsible for the Lukodi attack. He was heard on the broadcasts giving the results of the attack. I did not hear this myself, but that is what I was told.

#### Knowledge of other attacks.

The following are attacks that I have heard reported in the interception house whilst I was involved in interception:

- a. Atiak massacre in 1996. The order was given by Kony to Otti to attack Atiak. Otti comes from Atiak. So when he returned home his people

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informed the UPDF about his presence and he was almost caught. Otti was annoyed. He said to Kony that within three days that he will teach his people a lesson. He did in fact return and killed approximately 290 people. Otti spoke in clear, which is something the LRA do when they are annoyed.

- b. I recall hearing about the Aboke Girls School in about 1998. I remember that Kony said "You leave the white sister to go". He was referring to Sister Rachelli who followed the girls into the bush and confronted Lagira. Ongwen was a young boy and he was involved in this attack.
  - c. I recall the LRA attack upon the Omot trading centre, in Kitgum in 1999. We did not hear their plan. But we heard their sit-reps after the attack. We heard that they killed people and boiled their body parts and forced captives to eat their own people. The commander was again Lagira. When he reported to Kony, he said "yesterday, I made the people of Omot boil and feed their own". We found later from the UPDF that many people were boiled in big pots.
  - d. Palenga is on the highway between Gulu and Kampala. In 1999 five civilians were massacred and the whole IDP camp was burned to the ground. The UPDF managed to repulse the LRA. I recall that an LRA officer, Major David Oloum reported this attack. His call-sign was "Eight Tango". Loum means "bush" in Luo. So Kony called Luom "forest" as a code.
58. I recall the attack upon Barlonyo in Lira in 1999, although the date may not be exact and in fact later. The main attack was to pull the UPDF from the Acholi region. The UPDF were causing Kony problems. So he sent troops east to Lango and Teso to cause atrocities, to pull the UPDF away from the Gulu region and so give him some rest. He would say this on the radio. "Today I did not rest. Red ants are on me. Pull them away from me by going to Tamarind eaters" meaning the Teso area. Tamarind is a delicacy in that area. People from the Lango area were called "Omiro" by Kony. Until then Lango and Teso had been peaceful. After Barlonyo I received two pages of reporting. In the reports based upon interceptions, were details of the massacre of civilians, and abductions. The LRA killed 102 civilians and they abducted 62. Later on I found that this was an exaggeration. The commanders would often exaggerate to make please Kony. The Barlonyo attack was conducted by Tabuley and Commander Odur. They were deployed together. Tabuley continued to Soroti and two weeks after Barlonyo he was killed.

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59. One phrase that I recall Kony saying in his messages was the instruction "hit their brains out of their skulls", meaning do not use guns but kill in the most brutal way possible. The objective of these attacks was to discredit the government by showing that they were unable to protect the population, and discourage civilians from reporting LRA movement to the government
60. I have been shown a document reference numbers UGA-OTP-0242-0199 to UGA-OTP-0242-0203 refers. This is an Incident Report (INCREP) prepared by myself in response to a request from ISO HQ received on the 6<sup>th</sup> May 2004. My report is dated the 15<sup>th</sup> May 2004 and is based upon my travelling to Odek and making enquiries at that location. I travelled with a colleague, [REDACTED] and a UPDF escort. At the camp I interviewed survivors of the attack and obtained details of the date and time of the attack, 29<sup>th</sup> April 2004 at 1830hrs. The attack was commanded by Dominic Ongwen. I obtained this information from camp leaders and relatives of those killed and abducted. I recall interviewing a young boy named in the report as [REDACTED] who was abducted during the attack but who escaped on the 9<sup>th</sup> May. He informed me that the leader of the attack was Ongwen.

#### Annexes

61. Annex 1 to this statement is a sketch map of the interception house referred to in paragraph 31 of this statement. I have signed and dated it.
62. Annex 2 to this statement is the Incident Report referred to in paragraph 60 of this statement I have signed and dated it.

#### Closing Procedure

63. 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.
64. 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.
65. I have given the answers to the questions of my own free will.
66. There has been no threat, promise or inducement that has influenced my account.

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67. I have no complaints about the way I was treated during this interview.

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**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 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: \_\_\_\_\_

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