

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: Mother's Name: [REDACTED]
Place of Birth: [REDACTED] ID number: National ID No. [REDACTED]
Date of Birth: [REDACTED] Nationality: Uganda
Ethnicity: Acholi Religion: Catholic

Language(s) Spoken: Acholi, Swahili and English

Language(s) Written: Acholi, Swahili and English

Language(s) Used in Interview: English

Occupation: [REDACTED]

Place of Interview: Kampala, Uganda

Date(s) and Time(s) of Interview: 17 May 2016: 12:00-13:10 and 14:30-16:15
18 May 2016: 10:10-13:00, 14:00-16:30 and 16:50-18:00
19 May 2016: 09:40-14:30

Names of all persons present during interview: [REDACTED]

Signature(s): [REDACTED]

UGA-OTP-0264-0015
[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).
2. The investigators explained to me what the ICC is and described its mandate. They explained the role and mandate of the OTP within the ICC.
3. The investigators explained to me that they are investigating events that took place in northern Uganda from 2002 to 2005. I was informed that the OTP is contacting me because they believe I may have information relevant for establishing the truth.
4. I agreed that the interview would be conducted in English. I fully understand and speak English.
5. The investigators explained to me that I do not have to answer to their questions. The investigators explained to me that they are seeking to find out the truth. I agree to tell the truth and that my answers to their questions are as complete as possible and reflect the best of my knowledge and recollection.
6. I was informed that any information I give to the OTP, including my identity, may be shared with the parties of the proceedings at the ICC; in particular the Judges, Accused persons, the Counsel of the Accused and the legal representatives of the victims.
7. The investigators have explained to me the reasons and importance of keeping my contacts with the OTP confidential, which I fully understand.
8. Having understood all the above issues, I confirmed my willingness to answer the investigators' questions.
9. The investigators explained to me how the interview was going to be conducted. I was told that I needed to be as accurate as possible in my account and that I should state when I do not know the answer to or do not understand the 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.

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[REDACTED]

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10. 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.

Background

11.

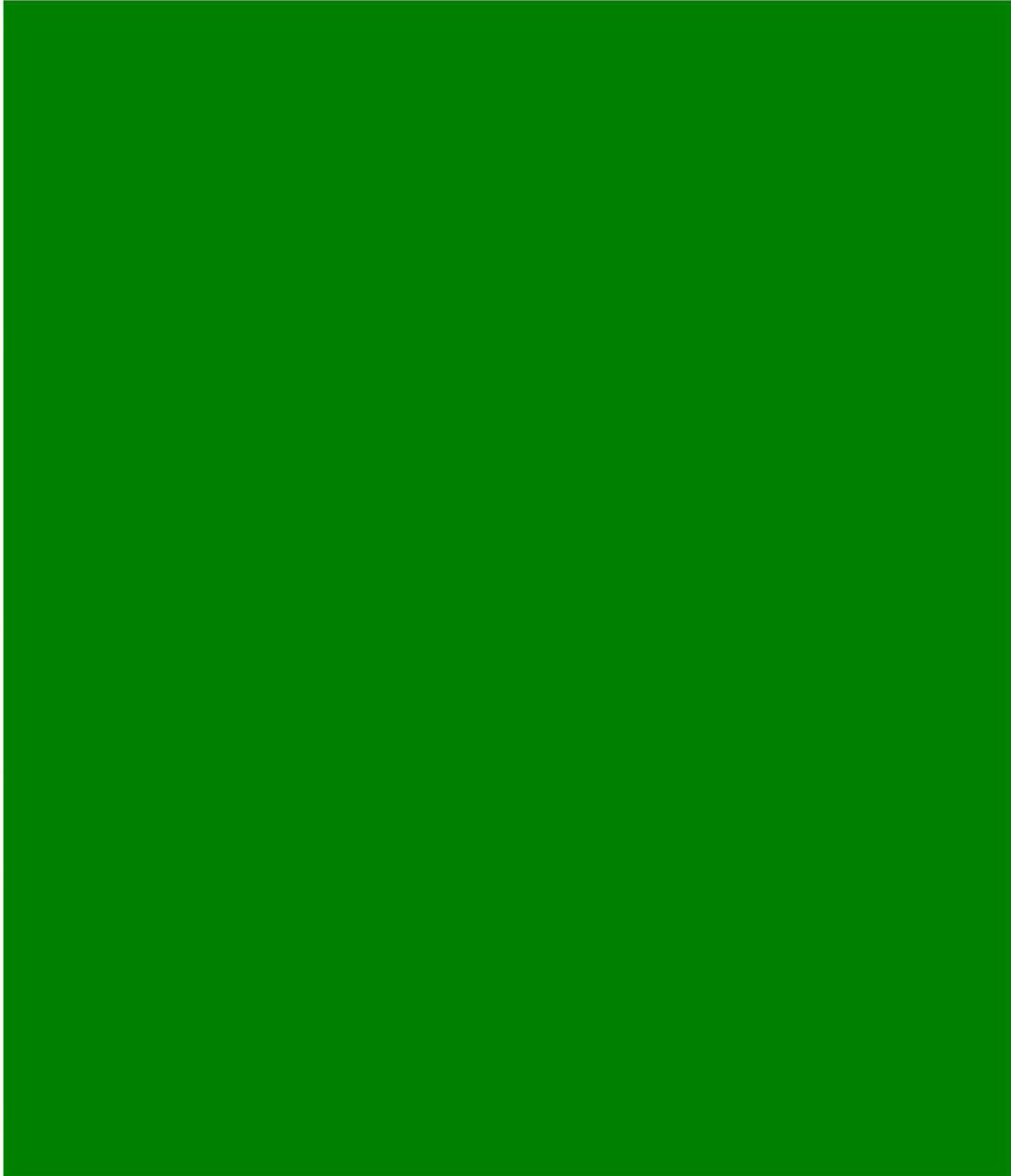
12.

13.

14.

15.

16.



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17.

[REDACTED]

Military Career

18.

[REDACTED]

19.

20. My function was intelligence. I engaged in covert operations to gather information from communities on LRA activities. I reported all information I gathered to intelligence officers and superior officers in the UPDF. [REDACTED]

21.

[REDACTED]

22. In this training course, I obtained basic military knowledge such as weapon handling, infantry tactics, military discipline and radio communications. The training lasted 4 months.

23.

[REDACTED]

24.

25.

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[REDACTED]

Field interception of LRA radio communications

26. I completed the training and received my completion certificate in the same year. Then, I was deployed to 4th Signal Regiment, 503 Brigade, 5th Division, and engaged in forward monitoring operations in the base in Gangdyang near Kitgum. I was working with [REDACTED]. He later died in 2003. We were intercepting LRA radio communications and recording the details of the transmissions firstly in draft form and then in full into logbooks which was our standard operating procedure which we learned in Signal School. Draft notes were routinely destroyed when in the field for security purposes.
27. Later in 2002, [REDACTED] and I were re-assigned to 5th Division HQ Barracks in Pader District, which I refer to as Acholi Pii. We continued to monitor LRA radio communications from there until 2003. [REDACTED] was growing very weak at this time. When we arrived at Acholi Pii a [REDACTED] was already working there. He was an experienced interceptor who had been working on LRA interception for many years.
28. In late 2003 I recall that we all moved to Lira where we continued to monitor the LRA. We were there for only about a month.
29. The UPDF intercept station in Gulu under [REDACTED] was a fixed location. It never moved during the operational phase of interception. I was part of a mobile team which moved between Kitgum, Acholi Pii and Lira, depending on where the centre of LRA operations was focused. We maintained contact with [REDACTED] but worked independently.
30. While I was working in Lira I intercepted an LRA transmission announcing TABULEY's death and KONY's subsequent reaction. I heard this in the morning Situation Report or SITREP at 1000 hrs. TABULEY was one of the LRA's senior commanders. I reported to my Divisional Commander and I was instructed to wait for their 1300 hrs transmission to seek confirmation of this information, which I did. I also intercepted KONY ordering that TABULEY's body be brought to southern Sudan within 2 days so that he had confirmation himself. KONY was very upset about his death.
31. When I was about to leave Lira we were joined by a [REDACTED] who I took to be my replacement. I never actually worked with him at Lira but I did later, after I returned from southern Sudan where I was sent on an LRA Operation.

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[REDACTED]

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32. In December 2003 or January 2004, I was transferred from Lira to Gulu for operational preparation in anticipation of being deployed to southern Sudan. I was in Gulu for only about three months assisting [REDACTED] intercepting and making rough draft notes.
33. I was then sent to southern Sudan where I remained for several months. I do not recall the precise date that I left for southern Sudan. I do recall that when we attacked KONY's defences we destroyed a number of his crops including simsim that were not ready to harvest, therefore I conclude that this must have been in July or August 2004. After the attack we were sent back to Aruu Junction, which is in southern Sudan. We remained there for about two months before returning to Uganda in late 2004 or early 2005. I recall that at the end of the operation we drove back to Gulu to hand in our equipment. From that point onwards, I did field interception in 5th Division, in Acholi Pii and Lira, maintaining my own interception logbook as was the standard operating procedure for signallers.
34. I cannot recall the date exactly but after intercepting at Acholi Pii, I returned to Gulu to do interception work with [REDACTED]. It must have been after September 2005, because my handwriting appears in the logbook marked UGA-OTP-0242-7500, which finishes in September 2005. Only one logbook was maintained at each station.

Gulu Station

35. Our interception base was a former residential house belonging to 4th Division in Gulu. The house consisted of several rooms. UPDF interceptors including me worked in one of the rooms. In addition, personnel of the Internal Security Organization were working in a different room in the same house. I recall that [REDACTED] worked for the ISO at that time.
36. I worked in Gulu with [REDACTED] [REDACTED] [REDACTED] and the main interceptor there. [REDACTED] was one of the interceptors. He died later.
37. On the first day after I moved, [REDACTED] showed me the way of interception in 4th Division as it was slightly different from that in 5th Division. [REDACTED] had the facility to tape-record the LRA transmissions. We did not have that facility in the other divisions. The consequence of tape-recording was that [REDACTED] could replay his tapes and make a much more comprehensive record of the intercepted transmission. I would describe [REDACTED] as a very experienced and highly professional interceptor. On my first day I watched how he performed his interception. He had a headset and he listened to the LRA radio transmissions and wrote down what he intercepted in

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note form. He was also recording them onto audio tapes. He then worked on his draft notes, using the tape to play back the message, and then made a full account of the transmission. This he wrote into the logbook.

38. On the second day, [REDACTED] asked me to show him my way of interception, which I had been doing in 5th Division, in order to compare it with his way. After I did so, he handed over interception work to me and I started intercepting. I listened to the LRA's radio transmissions and took notes of what I intercepted. These notes were rough draft notes which contained abbreviations and Acholi words which I later translated and also code words. I translated directly what I was listening to into English but occasionally I noted down an Acholi word. Later I fully interpreted what I had written. If local words were included, I translated them into English. If codes were contained, I decoded them. Then, I transferred them into a logbook to keep accurate records. I wrote in the logbook in the English language. A logbook was a bound book with hard covers. Normally such logbooks had blue hard-bound covers and were A4 size or slightly larger. Entries in a logbook were standardised including the date and time of a transmission by the LRA and its content. A logbook was called a counter book. [REDACTED] was very pleased with the standard of my work and he was then able to step back from interception and take on a more supervisory role.
39. I recorded the LRA's transmissions onto tapes so that I could review the tapes and check the parts that I missed or did not understand clearly. I used both sides of the audio tapes. I recorded the date and time of the first transmission on a slip of paper and put it together with other tapes so that we could easily find relevant parts in tapes later. Usually tapes could last one day, one and half days or two days depending on how and what the LRA members communicated over the radio.
40. After I made the logbook entry, I would take the book to the Divisional Commander directly. The information in the logbook must not be shared with anyone before the Divisional Commander read it because it was strictly for his information. Whilst the Commander was reading the logbook, I had to wait and answer any questions that he had. Sometimes, the Divisional Commander put marks such as stars or crosses in the logbook to highlight important information and made his comments in it. At the end of every entry he either marked it 'seen' or put a tick to show that he acknowledged receipt.
41. I also communicated by telephone with [REDACTED] at UPDF HQ in Kampala to verbally pass information for his attention. [REDACTED] was in charge of all interception monitoring in Gulu including Directional Finding and all resources and personnel, which also included all the other monitoring stations at Lira, Acholi Pii and Kitgum. All operational deployments were the responsibility of [REDACTED]

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LRA's radio transmissions

42. As a result of my training and my operational experience I was aware that the LRA communicated at certain fixed times of the day, although the time could occasionally vary depending on their operations or ability to transmit. I recall that they regularly communicated at 0800 hours; 1000 hours; 1300 hours; 1600 hours; 1800 hours; and 2000 hours. When they failed to communicate at these fixed times, they communicated one hour later, for instance, when they failed to communicate at 0800 hours, they communicated at 0900 hours. Such transmissions lasted no longer than 45 minutes to an hour.
43. The first communication at 08:00 hours was a report from units of the LRA to the KONY about each unit's activities for the past 24 hours. Therefore, it was called a morning SITREP. It was also an occasion that the units received instructions from KONY.

Handwritings in logbooks

44. I was shown the following documents, which I recognise to be logbooks or counter books. I was asked if I knew where they were produced and if I recognised my handwriting.
- a) UGA-OTP-0197-0697. I have reviewed each page of this book and my handwriting does not appear in it. I recognise [REDACTED]'s handwriting in this book and can state that it is a Gulu book as [REDACTED] did not conduct interception anywhere else.
 - b) UGA-OTP-0197-1670. At pages 1824 (2 pages), I recognise the logbook entry dated 14 July 2004 as being written by late [REDACTED].
 - c) UGA-OTP-0197-0308. I have reviewed each page of this book and my handwriting does not appear in it. I recognise [REDACTED]'s handwriting in the book and can state that it is a Gulu book.
 - d) UGA-OTP-0197-1866. I reviewed the logbook including page 1868. I recognise it to be produced in 5th Division in Lira and written by [REDACTED] [REDACTED]. My handwriting is not in this book.
 - e) UGA-OTP-0255-0451. I have reviewed the logbook and recognise my handwriting at pages 0558, 0568 and 0592, relating to September 2004 and a number of entries thereafter. There is another set of handwriting in this book but I do not recognise the handwriting.

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- f) UGA-OTP-0242-6018. I recognise my handwriting at the top of second page 6094, where I carried on making the entry for the 20th August 2003. I believe that this is a book that originated from Acholi Pii. I believe the handwriting at the start of the entry is the late [REDACTED]
- g) UGA-OTP-0242-7309. The handwriting on the first page, 7310, is mine. This is an Acholi Pii book starting 21 November 2003.
- h) UGA-OTP-0242-7500. The handwriting on the opening page, 7507, on 8 December 2004 is my handwriting. Looking at page 7516, the entry dated 16 December 2004, I believe that this was made by the late [REDACTED]. I believe that this book was written in Acholi Pii. On page 7744 the entry for 7 July 2005 is signed 'seen 5DTO 7/7/005' This refers to the designation of the person signing the entry as being Division Operation and Training Officer of 5th Division, which in this instance is [REDACTED]. [REDACTED] 5th Division was based at Acholi Pii, therefore during this period, commencing 8 December 2004, I was engaged in field interception at Acholi Pii and Lira.
- i) UGA-OTP-0242-7194. Looking at the handwriting on the front cover I can state that this is my handwriting. This is my personal logbook that I used in Sudan. I opened it on 1 April 2004 and the entries are signed by my Operational Commander [REDACTED]. When I was conducting interception operations in Sudan I was working independently and the logbook was my personal record of the intercepted transmissions. Upon my return to Gulu after the operation was stood down I handed the logbook to [REDACTED] along with all my communication equipment.
- j) UGA-OTP-0242-6409. Looking at the handwriting on page 6412, the inside-cover, I recognise my handwriting. I have reviewed the entries, the first being for 8 September 2004, and can state that the entries were signed by Operational Commander [REDACTED], who returned to Gulu with us in August 2004. At page 6448 I recognise the handwriting of the late [REDACTED].
- k) UGA-OTP-0254-0725. I have reviewed this logbook and cannot see my handwriting in the book. It relates to 26 June 2003 onwards and I believe it contains the handwriting of [REDACTED] and is therefore a book created in Gulu.
- l) UGA-OTP-0254-1077. I have reviewed this logbook and can state that it appears to have been written mainly by [REDACTED]. Therefore it is a Gulu

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book, although there is other handwriting in the book I do not recognise. At pages UGA-OTP-0254-1259 to 1263 there are copies of my draft notes in my handwriting that appear to have been misfiled within the logbook.

Closing Procedure

45. I was informed that I may be called to testify before the Court. It was brought to my attention that ICC trials are 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.
46. The investigators informed me of the protective measures that may apply during and after the investigation and/or trial proceedings.
47. 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.
48. I have given the answers to the questions of my own free will.
49. There has not been any form of coercion, duress, threat, promise or inducement which has influenced my account.
50. I have no complaints about the way I was treated during this interview.

WITNESS ACKNOWLEDGMENT

I have read over 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: 19th May, 2016

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