

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: [REDACTED]

Date of Birth: [REDACTED]

Nationality: Ugandan

Ethnicity: Itesot (NE Uganda)

Religion: Christian

Language(s) Spoken: English, Kiswahili, Kumam spoken in Soroti area, Luganda, Luo and Ateso)

Language(s) Written: English, Kiswahili, Kumam spoken in Soroti area, Luganda, Luo and Ateso)

Language(s) Used in Interview: English

Occupation: [REDACTED]

Place of Interview: [REDACTED] Kampala, Uganda

Date(s) and Time(s) of Interview:

20 July 2016: 08:45 - 12:15, 13:15 - 1440

21 July 2016: 09:00 to 10:15

Names of all persons present during interview: [REDACTED]
(Associate Investigator) and [REDACTED] (Witness)

Signature(s): [REDACTED]

UGA-OTP-0267-0470



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.
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.

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Education, training and military career

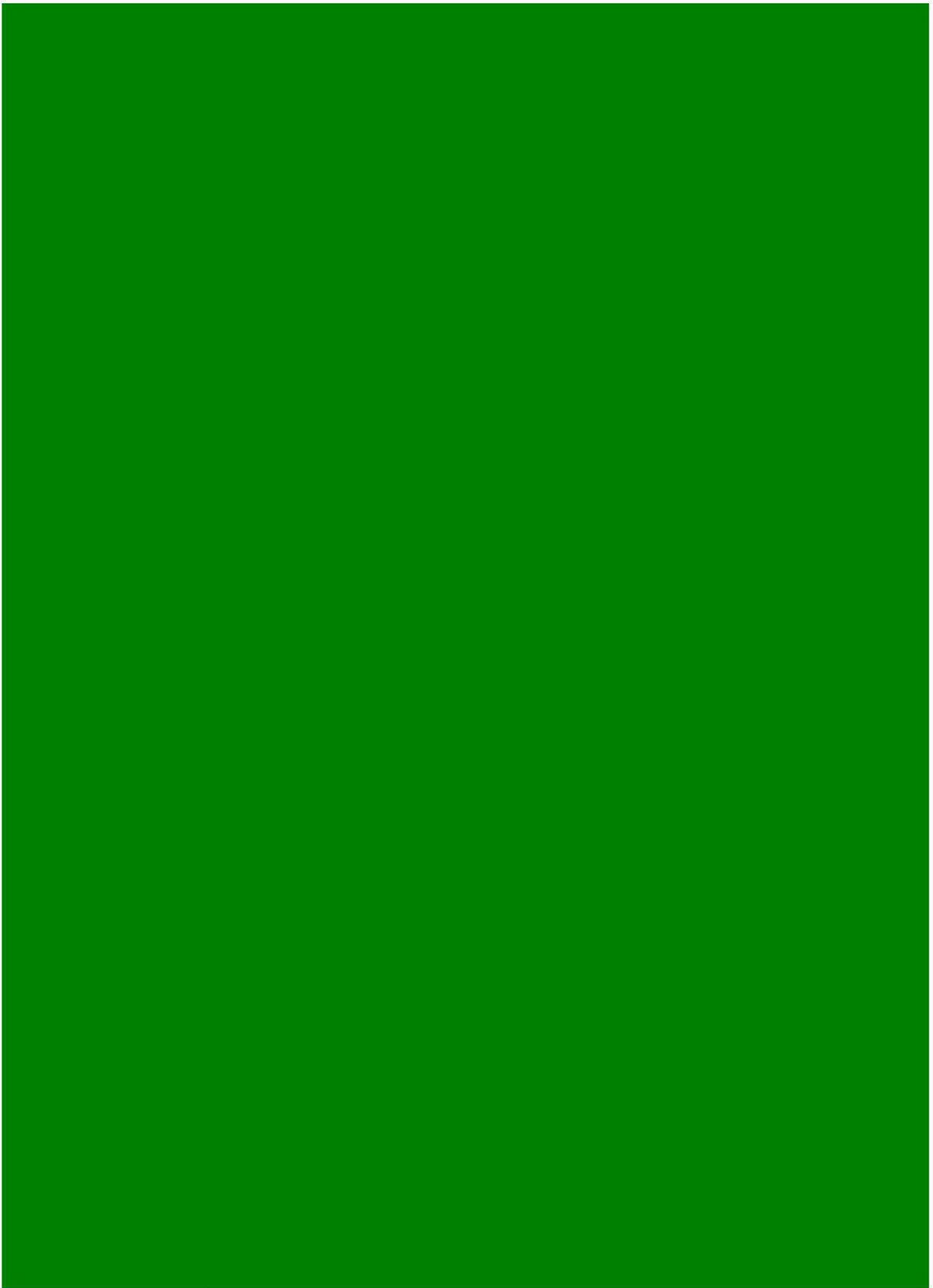
11.

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24. [REDACTED]

Field interception of LRA radio communications

25. When I worked in the various UPDF divisions in Northern Uganda, my main activity was to intercept LRA communications. Radio interception can be divided into two separate disciplines: Radio Audio Surveillance, where we listen in to the enemy's communications and Radio Wave Surveillance, where we intercept the enemy's communications with the objective of identifying their location and movements. I was primarily deployed upon Radio Wave Surveillance. UPDF commanders used the information that I intercepted to anticipate the LRA's next move and determine their intentions and to inform their troop deployments. I worked in a team of 6-8 officers conducting Radio Wave Surveillance or Direction Finding (DF). There were several teams working in different locations.

26. I was sent to assist [REDACTED] in Gulu to conduct interception because I was qualified for it. But my speciality is DF.

27. There was one DF team in Soroti headed by [REDACTED]. Another DF team was in Masindi, headed by [REDACTED]. A third DF team was in Nebbi, headed by [REDACTED]. All the DF teams and the static interception were headed by the overall officer commanding, [REDACTED]. He received information from the teams in the field, collated it, and analysed it. DF teams did not record the content of intercepted communications, but passed the coordinates of the location of enemy transmission to [REDACTED] as soon as they were determined.

Gulu deployment – voice intercept and logbooks

28. As I was already familiar with LRA interception and from my earlier deployments. After my assignments in the field, in April 2004 I was sent to work in Gulu with [REDACTED] doing intercepts and recording in the logbooks.

29. A daily schedule was readily available for us to follow. This corresponded to the LRA's regular transmission times: 07:00, 09:00, 11:00, 13:00 and 16:00. We had to be ready in advance so that we could start the interception and recording by the time the LRA started their transmissions.

30. We started intercepting by turning the radio on and putting the known LRA frequency into the radio set. The LRA had one central frequency where they would start their communication from. Sometimes they would move to a different channel to continue their transmission. If they moved to a different channel, we would move to the same channel so that we could listen in to their conversation and take notes. We used the radio's in-built speakers to listen to the LRA transmissions.

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31. The LRA spoke in the Luo language, and because I was working in northern Uganda based in Kitgum from 1987 I became fluent in the language. They sometimes spoke in Swahili or English. [REDACTED] was more fluent because he is a Langi. He was the lead interceptor and I was his assistant.
32. If the communication was important to the LRA and required a higher level of security, they would use code. One such code is *Tonfas*, which comprises nicknames, codenames, etc. For instance, Kony might be called "cow". As soon as we received the communication, [REDACTED] and I would decode it. We had available to us captured LRA material such as code books, and also LRA radio sets such as Icom and Codan sets, which saved the frequencies that had previously been used.
33. The LRA was highly mobile. Their first communication of the day was to determine where the individual groups were located, what had happened the night before, and about what had happened in the previous 24 hours. It was to inform the 'chairman' about where his units were, what their strengths were, and for the commanders to receive orders. This is what we called a SITREP or situation report.
34. Not all units reported at 07:00. So they opened again at 09:00 to follow up on those who failed to broadcast at 07:00. The 11:00 broadcast was to follow up on those who failed to broadcast at 09:00. Depending on the circumstances, there were some broadcasts in between the scheduled times. Those were pre-arranged.
35. As we listened, we wrote notes on a rough piece of paper and at the same time recorded on a tape recorder. We worked together as a team. I would listen to the communication in Luo, make an instant translation into English, and make notes on my rough note. We audio-recorded the communication in case we forgot something, and if necessary we listened to the tapes to complete the notes. At the end of the interception, I used my rough notes to make a comprehensive draft note, which, once [REDACTED] and I agreed upon its contents, was then entered into a logbook. This logbook we called the Message Book.
36. After the message book entry had been completed, we took it to the UPDF Divisional Commander and the UPDF Intelligence Officer. They read the entry and would put "seen", or just tick, or sign, the book. The rough notes were kept until we no longer had any use for them. At that time, for operational security, we destroyed them.
37. We also communicated with the CMI Kampala intelligence operations room headed by [REDACTED] so that he could relay the information we had intercepted to the CMI commanders. We communicated with Kampala with a mobile telephone. There was a land line, but most of the communication was made by mobile telephone for security reasons. There was also a fax machine that we rarely used, again because of operational security. We used the fax only when we knew that there was someone on the other end to receive the fax. If we were to send a fax, we would fax the final draft note before making the entry in the message book or logbook.

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38. When I arrived in Gulu, the only UPDF staff member intercepting the LRA was [REDACTED]. There were ISO staff members such as [REDACTED] (I do not remember his other names). There was also a third person, I think he was called [REDACTED]. He was the ISO commander. They had one other person who was their driver, but I do not remember his name.
39. When I arrived in Gulu in April 2004, [REDACTED] was already using the tape recorder to record LRA transmissions. As soon as the transmission started, we just pressed the 'record' button to record. We continued using the tape until it was full and then we turned it over to use the other side. After the tape was finished, we wrote the date that the tape started and the date that the recording ended. If the communication was lengthy, we used several tapes and wrote the start and end date, adding tape 1, tape 2 continuation from Tape 1, etc.
40. When we missed anything, we listened to the tapes to complete our notes. After the notes were made, we kept the tapes for some time and then the tapes were sent for storage by courier to Kampala HQ. Once a logbook was full, we wrote in it the date that it was closed, and we opened a new one. Written on the inside front cover was the date the book was opened and on the inside of the back cover was written the date that the book was closed, which was the date of the last intercept. Once a book was closed, we kept them for some time so that we could refer to them in case of need. Then we sent them by courier to Kampala HQ. Some books took days to complete, some took weeks, even months, depending upon the intensity of LRA radio traffic.
41. The overall purpose of conducting the interception was to inform the UPDF commanders of the LRA's activities, so that the UPDF could use the information to make operational decisions and deploy appropriate resources.
42. I do not recall the make of the tape recorder, but I think it was a Sony. We had standard Racal and Icom radios that we used. Some radio sets operated better than others, depending upon a variety of circumstances, such as weather or terrain and it was a matter of just switching from one radio set to another to see if the signal improved.
43. I was familiar with the voice of Joseph Kony. Kony had nicknames and call signs that I do not remember now. Sometimes he used Otti Vincent's call sign, but we always recognised his voice. Otti's call sign was 5-T (Five Tango). I remember some other LRA commanders such as Odhiambo, Banya, Tabuley and others. I do not recall their call signs. I could recognise the voice of Dominic Ongwen when he was on the air. I do not remember his call sign. These call signs are in the tapes. I could not recognise their voices now, except for Kony's.

UPDF members also involved in LRA interception

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44. [REDACTED] I know him. [REDACTED] While I was deployed in Gulu in 2004, I think he was somewhere in South Sudan. Because we were in the same department, we knew each other.
45. [REDACTED] He was based mostly in Pader, until he was transferred to the DRC and then to CAR in pursuit of the LRA.
46. [REDACTED] He is deceased. I worked with him at CMI HQ, in about 2008-2009.
47. [REDACTED] He is now a Captain and was a Corporal at the time. He was in South Sudan when I was in Gulu. I have not worked with him.
48. [REDACTED] He is at HQ. He was deployed in the field, but I have not worked with him.

Handwriting in the logbooks

49. I was shown the following documents, which I recognise to be logbooks or counter books that I call message books. I was asked if I knew where they were produced and if I recognised my handwriting.
- a. UGA-OTP-0197-1670. I have reviewed each page of this book and I can confirm that at UGA-OTP-0197-1824 the entry "14th JUL 2004, LRA SITREP 09:00 HRS" is my handwriting. This was my first entry in this logbook. I can confirm that at page 1855 the entry dated "2nd AUG 2004 AT 09:00 HRS" is my handwriting. I closed this book on 2 August 2004. It was produced at Gulu.
 - b. UGA-OTP-0197-0308. I have reviewed each page of this book and I can confirm that the handwriting on the first page, "OPEN ON 2nd AUG 2004 AT 11:00 HRS", is my handwriting. The subsequent pages, from 0309 to 0311, are my handwriting. The entry on page 0311, "At 11:00 HRS", is [REDACTED] handwriting. The entry at page 0411 that precedes the date 19th OCT 2004 is [REDACTED] handwriting. In this instance the entry was ticked by the UPDF Division Commander, as opposed to his writing "seen" or his signature. This entry of the 19th OCT 2004, "LRA SITREP at 09:00 hours" is my handwriting. The entry at page 0415 is an entry dated 22nd OCT 2004 and is also my handwriting. Having reviewed the rest of the pages in this logbook, I can state this is the last entry that I made in this book. Page 0458 is the last entry in the book, which was closed on the 3rd DEC 2004 by [REDACTED] at 11:00 HRS. It was produced at Gulu.

Closing Procedure

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50. 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.
51. The investigators informed me of the protective measures that may apply during and after the investigation and/or trial proceedings.
52. 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.
53. I have given the answers to the questions of my own free will.
54. There has not been any form of coercion, duress, threat, promise or inducement which has influenced my account.
55. I have no complaints about the way I was treated during this interview.

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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: 21.07.2016

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