



**The Conflict Early Warning and Response Mechanism (CEWARN) Unit
Of
The Inter-governmental Authority on Development (IGAD)**

Report of the IGAD Regional Workshop on the Disarmament of Pastoralist Communities

**from 28-30 May 2007
The Imperial Resort Beach Hotel
Entebbe, Uganda**

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1. Introduction

The Inter-governmental Authority on Development (IGAD) and its Conflict Early Warning and Response Mechanism (CEWARN) Unit with the support of the German Agency for Technical Cooperation (GTZ) convened a regional workshop, from 28-30 May 2007 in Entebbe, Uganda, to discuss in-depth the peace and security challenges posed by pastoralist conflicts as well as the proliferation of Small Arms and Light Weapons (SALW) in the IGAD Region.

The workshop brought together participants drawn from IGAD member states' governments, Regional Economic Communities (RECs), concerned national, regional and international bodies as well as civil society organizations with the aim of assessing both the gravity and the regional dimensions of the multi-layered problem and adopt a harmonized regional approach to deal with it. Recommendations drawn from the workshop, which served as an important platform for exchange of experiences and best practices amongst key stakeholders, are also expected to assist member states in drawing their relevant national policies to address the problem of small arms and light weapons proliferation in the region's pastoralist communities.

2. Background

The IGAD region has for long suffered from the scourge of inter and intra-state conflicts and wars. Conflicts over natural resources including grazing fields and water among the region's estimated 15-20 million pastoralist communities, stretched across and within Djibouti, Eritrea, Ethiopia, Kenya, Sudan, Somalia, and Uganda, present some of the most significant sources of instability in the region. Furthermore, the state of incessant instability has turned the region into one where some of the highest stockpiles of illegal arms and light weapons are found. Clearly, illegal circulation and proliferation of small arms and light weapons in turn serves as an important catalyst for instability in the region. It is also often suggested that, increasing crime rate in the urban areas of the region is closely related to the proliferation and illegal circulation of small arms.

Data obtained through the IGAD/CEWARN mechanism suggests that about 2,653 human lives have been lost between July 2003 and August 2006 in pilot areas of the Karamoja cluster inhabited by pastoralist communities. In addition, during the same period a loss of 116,426 cattle was recorded within the same areas in Ethiopia, Kenya and Uganda where CEWARN data is collected. There are several factors that are believed to contribute to the continuing high level of insecurity in these areas including the absence of coordinated and effective approaches towards disarmament of pastoralist communities coupled with unfulfilled security and other political and socio-economic needs of these communities.

IGAD member states have, over the years, initiated and implemented voluntary and forceful disarmament programmes in order to mitigate these challenges. These programmes, however, have been far from effective for a variety of reasons including the fact that they were often ill-conceived, abrupt, and non-consensual. They also lacked the necessary effective coordination and collaboration at the regional level. Results, consequently, have been far from satisfactory in terms of reducing the number of arms in circulation or pacification of the conflict-ridden pastoralist

communities. Pastoralist communities, thus, continue to engage in a vicious circle of raids and counter-raids which cause considerable loss of lives and property.

It is also important to acknowledge several existing initiatives at the regional level to tackle the proliferation of Small Arms and Light Weapons specifically the establishment of the Regional Centre for Small Arms and Light Weapons (RECSA) under the Nairobi Protocol of 2004 and its National Focal Points. Other similar initiatives include those by regional bodies such as the International Conference on the Great Lakes Region (ICGLR), the East African Community (EAC) and the Economic Community of West African States (ECOWAS).

Despite the above-mentioned initiatives and efforts the problem of pastoralist conflicts and proliferation of Small Arms and Light Weapons as well as their illegal circulation and use to fuel these conflicts remains unabated.

3. Workshop objectives:

At the 6th Committee of the Permanent Secretaries (CPS) of CEWARN Meeting held on November 30, 2006 in Djibouti, the CEWARN Unit presented the data that it had aggregated covering the Kamaraja cluster for the period between July 2003 and August 2006 that indicates losses in both human lives (2,653) and livestock (116,426) as well as in property damages that pastoralist and related conflicts through the use of small arms. The Committee of Permanent Secretaries [CPS], that is the highest policy organ of CEWARN which was concerned and appalled by the severity of the problem evidenced in these figures, made a recommendation that IGAD needs to hold a regional workshop to assess the magnitude and regional dimension of the problem and propose modalities for regional cooperation.

The workshop was designed to take stock of past and existing efforts including those made by member states in conducting disarmament at the local, national, and cross-border/regional levels – noting that while some of these efforts have borne fruits, others have not had the desired outcomes. It was also intended to create an opportunity to share knowledge and experiences among key stakeholders that include member states, regional organizations in the continent, international bodies as well as non-governmental and specialized institutions with knowledge and experience in the means of disarmament and control of Small Arms and Light Weapons. In addition, the workshop was aimed at identifying challenges and best practices which in turn would help in adopting realistic modalities for devising a coordinated regional approach to mitigate the problem.

Recommendations drawn from the workshop which will be submitted to the higher organs of IGAD are also expected to assist member states in developing their relevant national policies.

4. Participants of the workshop:

The workshop with over 65 participants brought together IGAD member states and representatives of both regional and international organizations that are important stakeholders in the issue such

as the African Union, the European Union, UNDP, the International Conference on the Great Lakes Region (ICGLR), RECSA, EAC, COMESA and the East African Police Chief's Organization (EAPCO) as well as specialized institutions such as Small Arms Survey and Saferworld. There were also representatives of academic institutions and a wide range of both local and international Non-governmental organizations represented with relevant projects in the affected areas of member states. [Please see Appendix 34 attached herewith for a detailed list of participants of the IGAD Regional workshop on the Disarmament of Pastoralist Communities and their contacts.]

5. Preparation of Workshop:

A preparatory committee was formed by the IGAD Secretariat made up of representatives of the IGAD Secretariat itself, the CEWARN Unit, USAID, GTZ, APFO, and RECSA. The committee held a series of meetings since it started its work in February 2007. The first set of meetings were aimed at elaborating on the objectives and expected outcomes of the workshop; deciding on the agenda of the workshop and identifying participating organizations as well as expected contributions from these organizations. As the workshop date was approaching, these meetings focused more on following up the progress of preparations.

Africa Peace Forum (APFO) was asked to prepare a background paper which was presented at the workshop entitled "Disarmament in the Horn of Africa -The case of Karamoja and Somali clusters." The paper which is attached herewith as Appendix: 6 attempts to uncover the deep rooted causes of pastoralist conflicts and the rationale for arms acquisition among these communities. It also underlines why disarmament is necessarily in the context of these communities. While assessing past efforts made by member states in particular at disarming these communities, it identifies lessons learned and gives recommendations for future efforts at disarming pastoralist communities both at the local and regional levels.

With the assistance of a consultant contracted for the purposes of the workshop, workshop preparations involved communicating the workshop date, venue and objective to participants from IGAD member states as well as representatives of national, regional and international as well as civil society organizations that were identified as key stakeholders on the issue. Subsequently the CEWAN unit followed up on their participation and submission of workshop reports/presentations in advance.

A conference venue and all necessary facilities at the chosen venue that include secretarial facilities, accommodation for participants as well as hire of interpretation facilities were secured. Interpreters for the conference were also contracted and translation of some of the most important workshop documents into French was done. As the day approached, travel for participants drawn from organization which expressed interest in attending the workshop followed. In addition, conference materials; stationary, conference bags and banners were prepared.

Major challenges and hurdles in the preparation included securing responses from organization on their participation and securing names of representatives on a timely manner as well as getting advance copy of reports and presentations for the compilation of background documentation ahead of the workshop.

6. Workshop proceedings and outcome:

The Ugandan State Minister of Defense Hon. Ruth Nankabirwa in her welcoming speech stated that Uganda has been facing the challenge of pastoralist conflicts in the Kamaroja sub-region. In the past thirty years, the Kamarajong cattle rustlers have been stealing cattle, destroying lives and killing innocent civilians. She also said cattle rustling which used to be carried out using backward weapons such as spears and clubs, has taken on new and dangerous trends with the wide spread availability of modern automatic weapons due to the internal conflicts in the countries of the sub-region.

According to the State Minister, Uganda embarked on its first voluntary disarmament process in 2001 when over 10,000 guns were recovered. This process was, however, affected by the re-insurgency by the LRA. Uganda engaged again in another disarmament exercise in 2004 which was both voluntary and forceful. The State Minister indicated that this exercise has initiated cooperation between the Republic of Kenya and Uganda as both countries realized the need for cooperation if the exercise had to succeed as rustlers that move freely between the two countries proved difficult to track.

The cooperation was based on a ministerial consultative meeting in June 2005 on Joint disarmament between the two governments to tackle cattle rustling and flow of arms in the Karamoja and North Rift Districts of Kenya. According to State Minister, subsequent cooperation in joint disarmament between the two countries through the appointment of liaison officers, and infrastructure development– such as access roads, water, health amenities and schools have improved the situation in these sub-districts.

Based on the experience of the Ugandan government, the Minister stated that the main challenges in implementing disarmament initiatives in the region include effective monitoring of porous borders; conducting current census of illegal arms to better devise disarmament programmes; determination of communal graze lands, branding and provision of water and security roads; increased police presence in these districts as well as devising a regional approach to dealing with arms proliferation.

The Director IGAD's CEWARN Unit Amb. Abdel Rahim Ahmed Khalil on his part said the workshop's aim is to deliberate on issues of disarmament in areas inhabited by pastoralist communities where violent conflicts continue to increase due to various factors including the illicit proliferation and circulation of small arms and light weapons. He said the convening of the workshop and the high level of participation confirms that the issue of small arms and their continued influence on violent pastoral and other related conflicts in the Horn of Africa region has not been tackled despite numerous national, regional and international initiatives taken so far.

He noted that due to the state of incessant instability that creates the demand for arms, small arms and light weapons have continued to flow into the IGAD region causing a state of insecurity, loss of human lives and destruction of property. He also added that the most affected people in such circumstances remain the vulnerable and marginalized ones and in this case the region's pastoralist communities.

In this light, he said, the focus of the workshop is to take stock of past efforts including those by Governments of the region to protect their people and pastoralists in particular from the menace of small arms. The workshop, thus, would attempt to ascertain that whether efforts deployed so far have met the desired goal and to also examine whether human rights abuses were committed in these efforts that would defeat the very purpose and objective of the disarmament exercises.

The workshop that lasted two and a half days was organized around five sessions. Three of these sessions were plenary sessions that gave opportunity for member states and all the other organizations present to share their organization's experience with regard to past efforts regarding disarmament of pastoralist communities as well as control of small arms. These sessions also had Question and Answer and discussion sessions which helped participants to share views around issues raised in the presentations.

The plenary was later divided into four working groups formed around four key thematic areas that were identified ahead of the workshop in dealing with the challenge of disarming pastoralist communities and control of illegal proliferation of small arms. The working groups were -

1. Working Group 1 - Promotion of Security in pastoral Communities
Moderator- Africa Leadership Institute
2. Working Group 2 - On the control of flow of small arms
Moderator-Small Arms Survey
3. Working Group 3 - On development approaches for pastoral communities to address structural causes
Moderator- UNDP
4. Working Group 4 - On regional Policy Coordination
Moderator- RECSA

These groups with the guidance of the working group moderators tackled the various issues under the different themes and came up with actionable recommendations. Recommendations drawn from these working groups became an important part of the summary and recommendations of the workshop.

Please find below a succinct summary of deliberations and outcome of the workshop from both the plenary and working groups sessions.

Succint Summary of proceedings and Recommendations

Section 1: Discussions and Outcome

(A) Acknowledging the problem: the proliferation and availability of illicit small arms and light weapons (SALWs) and their impact on pastoralist and other communities' livelihoods, security, development, and general welfare

There are an estimated 15-20 million pastoralists in the Horn Region; there are an estimated 5 million arms within the pastoralist communities of the Horn Region (source: RECSA).

- Violent conflicts over access, sharing, and distribution of natural resources characterizes the relationships between and within these pastoral communities. Small arms are key factors in determining these relationships;
- There exist numerous institutional, legal, and policy frameworks at international, continental, sub-regional and national levels to curb and address the problem of small arms. Consequently there are different players undertaking varying activities to tackle the problem of proliferation and use of small arms;
- Disarmament among pastoral communities in the sub-region has been ad-hoc and depended on poorly conceived national policies and government decrees and combined forceful and voluntary approaches. In most cases it is a reactionary respond to periods of intensity insecurity. Forceful disarmament has drawn resentment among the communities and strained relationship between the pastoral communities and states security apparatus.
- Disarmament must be seen as part and parcel of the development process and not as a one off event. It must be approached from a human security perspective that considers physical security, economic security, social security, environment security, cultural security etc. Disarmament should be incorporated into broader strategies to promote sustainable development.

Impact of the Proliferation of SALWs (death and injury; human rights violations; displacement and break down of social order and cohesion; breakdown of law and order, and democratic governance; retards economic development and worsens human security, promotes illegal trade in small arms; and encourages resort to violent means to conflict resolution or legal systems).

The position of all stakeholders is that Disarmament of pastoralists is desirable and necessary to safeguard the human security needs of the pastoralist communities and their neighbors.

- ***Factors to explain why the pastoralist communities arm themselves and encourage the proliferation and availability of illicit small arms and light weapons as well?***

*Insecurity

*Conflicts

* Cultural Practices and Values

*Commercialization of raiding

* Underdevelopment, Political, and Economic Marginalization

- ***The rationale for disarmament (whether forceful or voluntary or both) among pastoralist communities***

*reduce the level of destruction in terms of human casualties, property damages, and livestock losses etc. occasioned by violence

* Minimize the proliferation and availability of illicit small arms into urban and other areas where they might be used in violent criminal activities

*Promote peaceful resolution of conflicts over natural resources .i.e. water and pasture instead of resort to violent means through the use of small arms

* Foster appropriate economic development in the pastoral areas

* Protect communities from violent threats to their rights, safety, property, and lives

*Ensure law and order

(B) Various initiatives in place to address and manage the problem

- International; UNDDR Programs, United Nations *International Instrument to Enable States to Identify and Trace, in a Timely and Reliable Manner Illicit Small Arms and Light Weapons (A/60/88)*, IANSA, UNPoA, UNDP-Kenya, EU-Uganda
- Regional; AU, RECSA, CEWARN, EAC, EAPCCO (InterPol Sub-Regional Bureau for East Africa), International Conference on the Great Lakes Region, AMANI Forum
- Cross-border; Kenya-Uganda Joint Security Program within the Karamoja Cluster/common border
- National; being undertaken by Governments in the Horn Region to disarm certain pastoralist communities and other armed groups (Uganda in Karamoja Region, Kenya in Karamoja-side, in southern Sudan by the GOSS, Somalia in 1993 disarmament conducted by UNISOM to disarm warlords in Mogadishu but failed; the TFG is currently conducting disarmament although with limited success. Secondly RECSA Protocol has enabled Member States to establish National Focal Points on Small Arms and Light Weapons.
- International NGOs; Saferworld, Small Arms Survey
- Local; civil society initiatives in collaboration with local government institutions that target local communities .i.e. Riam Riam in Turkana District of Kenya, KOPEIN in Uganda

(C) Challenges in Undertaking Disarmament within Pastoralist Communities

* Disarming certain communities leaves them vulnerable to attacks by others, hence not surrendering arms until their security is effectively guaranteed

* Communities opposing disarmament

*disarmament initiatives with no clear time-frames/phases may not meet laid-down objectives

* how to reconcile traditional beliefs, norms, and values vs. the conventional justice system; according to some pastoralist communities, cattle raiding and associated plunder depicts

“warriorship” and heroism and is a way of life, while under conventional justice system it is a criminal act

* continuing pockets of conflicts in many parts of the Horn region pose a serious challenge to any disarmament exercise as these pockets continue to feed small arms into areas that have been disarmed

* decisions to disarm communities are often made at high political levels without consulting local administrations, communities, civil society institutions, traditional leaders, and other local-based institutions.

(D) Lessons Learned

* Awareness creation and prior mobilization of communities is necessary

* Commitments to precede Disarmament and promises (.i.e. provision of security and development etc.) must be honored or adhered to, to avoid mistrust and resentment to any future disarmament exercises

* Evaluation processes need to be factored in the Disarmament processes to allow for re-conceptualizing and remedying of mistakes or challenges encountered in previous exercises

* a *Regional Process and Approach* to Disarmament must be pursued in cross-border areas to enable the adoption of common frameworks, time-frames etc. to avoid unilateral disarmament in certain areas of Member States

* Past disarmament experiences suggest preference to voluntary disarmament rather than forceful ones; voluntary disarmament has in most cases produced more arms than the forceful ones which end generating tensions and animosity between state institutions and the pastoral communities

* The wider participation of civil society institutions in disarmament exercises is necessary for purposes of awareness creation, trust building, and the collection of the arms; in most disarmament cases the effective participation and involvement of CSOs is limited

* Sufficient resources and political will is required to ensure disarmament is effective and successful

Section 2: Emerging Issues

(a) Issues of Convergence

- Shared concern on the consequences of the unregulated proliferation of illicit small arms and light weapons, and the corresponding need for disarmament of armed pastoralist groups. All disarmament programs are full of challenges and forceful disarmament has not worked.
- There is need for more authentic research so that there is information and analyses to enhance knowledge on the type of arms, sources, factors of demand and supply etc. for purposes of generally increasing the understanding on the dynamics of arms, insecurity and conflict.
- Disarmament programs need to embrace all aspects of illicit small arms and light weapons, particularly, impact and consequences of illicit SALWs; nature and causes of proliferation; and controlling, regulation and eradication of illicit SALWs.
- There is consensus on the need to improve co-ordination of interventions and initiatives and harmonization of approaches and strategies.

- There consensus that a Regional Framework is the best approach for addressing the issue of disarmament, while taking into account local realities and contexts and embracing phased approaches.
- All actors are engaged in searching for effective strategies for disarmament. This will entail answering the question: 'what are the essential and necessary conditions for effective disarmament programs?'

(b) Issues of Divergence

- What should be the Priorities for disarmament programs? To answer this question we need to clarify whether the focus should be on: institutional mandates vs. specific issues; criminality, banditry; vs. conflict and insecurity; law and order vs. peace and development; disarmament directly or as part of negotiated peace agreements; disarmament vs. registration, regulation and management.
- State and armed pastoralists relations and associated issues like human rights violations, increasing vulnerability of communities, erosion of trust and confidence, challenge to State presence and capacity.
- Role of local traditional and political leadership, structures, institutions and networking and addressing related issues of capacity building and institutional development.
- Strengthening relationships between institutions, frameworks and interventions bearing in mind principles of complementarity, co-ordination and coherence.

Section 3: General Recommendations to Address the Issue of Disarmament in the IGAD Region

1. Governments of the IGAD region to increase their presence in pastoralist areas and provide security to pastoralist communities.
2. Disarmament to be undertaken under the broader framework of inter-community dialogue and as an integral component of negotiated peace agreements.
3. CEWARN to ensure that parliaments and parliamentarians are effectively consulted and involved in conflict prevention, peacebuilding and disarmament programs in the region as stipulated in the CEWARN Protocol.
4. There is need for effective government commitment to develop and implement sustainable and integrated development policies and programs to improve the livelihood of the pastoralist communities.
5. There is need to undertake a detailed disarmament planning at the beginning of the process, a condition which is essential for smooth implementation and for successful re-integration of the disarmed.
6. The region needs to develop clear standard procedures and guidelines for disarmament on issues such as timing, methodology for weapons collection, recording, disposal and location of sites, among other necessities.
7. The countries of the region must carry out simultaneous and coordinated disarmament of pastoral communities if the exercise is to succeed.
8. Develop procedures for monitoring and verifying the implementation of the disarmament
9. Develop guidelines at the national level on how the various arms of the government should relate during disarmament exercises.

10. States should allocate sufficient resources to the disarmament exercises of pastoral communities.
11. IGAD with other stakeholders should intensify and or support efforts to mitigate ongoing conflicts in the sub region. Countries in the region should review and harmonize their national legislation and regulations on small arms to allow for any regional approach that will be free from legal and administrative challenges and inconsistencies at national level.
12. Disarmament initiatives should be preceded by intense public awareness raising programs and local communities should be involved in planning implementation of the exercise.
13. There is need to undertake an audit of the frameworks on small arms that are relevant to the Horn of Africa and the accompanying activities in order to coordinate/support one another and avoid duplication and wastage of resources.
14. It is recommended that further research be undertaken on the following topics, among others:
 - A detailed study on the various disarmament attempts by countries of the region with the aim of drawing lessons;
 - Provision of alternative security to the communities.
 - The applicability of the UN DDR to include pastoral situations.
 - The feasibility of undertaking “weapons for development” programs where the surrender of weapons is linked to the provision of social services and capital infrastructure.

Section 4: Specific Recommendations

a) How to Promote Peace and Security in Pastoralist Communities

1. Explore and pilot the ‘Borderland’ Concept in the Region.
2. Establish a baseline by conducting a comprehensive survey of small arms and light weapons in the region.
3. Embrace the concept of ‘Responsible Possession’ by undertaking simultaneous arms registration, regulation and management as an interim measure to make the gun irrelevant and as a prelude to actual disarmament.
4. Governments and Communities co-operate in apprehending, disarming and prosecuting armed criminals in the each country and the region.
5. Disarmament should be an integral component of inter-community dialogue processes and negotiated agreements.
6. Initiate traditional and political leadership dialogue processes at all levels by convening a forum for political leaders and parliaments.
7. Provide platforms for sustained socio-cultural interaction forums, knowledge sharing and experience exchanges among communities, CSOs and governments in the region.
8. Establish joint cluster management mechanisms for periodic consultations, co-ordination, monitoring and verification, as well as review of actual activities, interventions and agreements at all levels.
9. Strengthen early warning and conflict prevention capacities through the establishment of a rapid response fund.

10. Convene a consultative forum for Ministers of Defense, Security, and Intelligence Chiefs in the region.

Activities

1. Build on Existing initiatives: e.g. KIDDP; Ethiopian Approach by assessing the extent of small arms acquisition; differentiation of illegal and legitimately owned guns and between armed civilian communities and bandits and criminals
2. Use community-managed and regulated strategy for identification, registration and enforcement of regulations.
3. Local/community institutions as managers and controllers of the process of "*making gun irrelevant*"

Follow Up Mechanisms

- Elaborate CEWARN's roles in monitoring and tracking of events and provision of early warning information downwards to the Clusters/local levels
- Field Monitors for the national mechanism as link with clusters and local actors and enhancement of local pre-emptive action
- Appeal to international partners and IPF, national governments and the private sector to commit to support in the effort of resource mobilization and by providing resources for the proposed programs and activities.

b) Control of Flows of Small Arms

01. IGAD should explore how countries outside the region have engaged pastoralist groups to disarm – both successfully and less successfully – so as to learn from best practices and help not to repeat mistakes.

02. IGAD should encourage its member states to better manage their small arms and ammunition stockpiles in light of materiel being diverted to illicit use or causing harm through unintended detonation.

03. IGAD should encourage member states to develop mechanisms to record information on trans-border arms movements, and to share this information in a timely manner with other IGAD member states.

04. IGAD should support international efforts to reduce the external supply of illicit trafficking and the transfer of weapons to undermine peace and security such as an arms trade treaty, brokering initiatives, as well as the marking and tracing instrument.

05. IGAD should develop background materials to support and encourage public information campaigns to assist member states undertaking civilian arms recovery programs or disarmament, demobilization, and reintegration initiatives.

06. IGAD should engage the African Union to address the problems of arms flows in the IGAD region as weapons from outside the region contribute to the problems of illicit trafficking of small arms in IGAD countries.
07. IGAD should expand CEWARN's information collection capabilities with civil society organizations concerning the flow and stockpiling of small arms.
08. IGAD should strengthen the capabilities of regional CEWARN bodies and make them more inter-operable to allow them to better report on small arms flows and share information in real-time.
09. IGAD member states should review the choice of weapons with which they arms their security forces with an eye to reducing lethality, and also consider introducing weapons that cannot be easily used by pastoralist and rebel groups because of the scarcity of ammunition in general circulation.
10. IGAD should strengthen its Secretariat's Peace and Security Division to enable it to evaluate regional programs such as weapons collection and DDR activities.
11. IGAD should support the development of innovation in the design and implementation of regional security initiatives.
12. IGAD should work with the AU to resolve armed conflicts in the sub-region.
13. IGAD should undertake a study on its Member States' policies to arm groups outside their own security forces; these groups include Local Defense Units (LDUs) in Uganda, Kenya Police Reservists (KRP) in Kenya, police and army reserves and militias in Sudan, Uganda, Ethiopia etc.

c) Development approaches and structural causes of under development

- Promote right-based approaches during community involvement and participation in all pastoral related development programs
- Carry out a detailed stakeholder analysis to determine partnerships
- Employ conflict sensitive approaches to development
- Establish deliberate regional and inter-district partnerships
- Entrench conflict transformation mechanisms in development as a tool for peace
- Enhance infrastructural improvements in pastoral areas
- Strengthen traditional conflict resolution mechanisms governing the use of resources - water and pasture in pastoral areas
- Develop exchange programs for pastoral communities to provide space for learning and sharing best practices
- Networking and linkages – regionally, nationally and locally
- Provision to a harmonize and coordinated framework for development within the region
- Provision of adequate personal safety to avert community fears and promote ownership
- Need to establish an elaborate media strategy aimed at educating and offering opportunities for greater understanding of pastoral communities

- Need for increased government presence in pastoral areas to enhance governance and security
- Need to enact and harmonize policies on peace, environment and poverty reduction within the region.

d) Regional Policy Co-ordination

There is need for creation of a for exchange and co-ordination of disarmament activities

PROPOSED COORDINATION STRUCTURE:

- Purpose to be clarified
- Clarification of mandates of various regional initiatives dealing with SALWs
- Agreement on areas of responsibility
- Develop T.O.R for agreeing on areas of cooperation

Section 5: Recommendations on Follow-Up Action and Way Forward

1. There is need for IGAD to convene an all inclusive Steering Group to facilitate coordination of resources to address cattle rustling, arms control, disarmament, etc, supported by Experts Working Groups on each of the identified thematic areas (above).
2. Specific regional realities must inform the kind of institutional response with regards to Disarmament in that:
 - Regarding the specific situation in the Karamoja Cluster that Kenya, Uganda, Sudan as members, and Ethiopia as a co-opted country of the IC/GLR should use the IC/GLR Project no. 1.1.2 "Disarmament of armed pastoralists and sustainable development in zone 3" as a point of departure for joint regional action based on the technical experience and know-how available and documented in this report. Such an effort will be based on the principle of subsidiarity where each country is carrying out action on their territories linking up through a ministerial and local governments committees including representation of other groups of society. IGAD should be the regional lead agency to facilitate the implementation of the Project.
3. IGAD to ensure increased awareness and dissemination of best practices guidelines developed by RECSA on control of illicit small arms and light weapons and disarmament.
4. A process of dialogue be conducted among the members states' communities on how to improve the livelihood of pastoral communities
5. CEWARN needs to explore how to enlarge its coverage and monitoring on SALWs and establish linkages with local CSO networks
6. All IGAD Member States to learn from each other on their experiences on Disarmament with a view to ensuring that their actions reinforce each other.

Appendix: 1

**Agenda and programme of the IGAD regional workshop
on the Disarmament of Pastoralist Communities,
28-30 May 2007,
at the Imperial Resort Beach Hotel
Entebbe, Uganda**

DAY I- Monday 28th May 2007

8:30 - 9:00 hrs - Arrival and registration of participants

9:00 - 10:00 hrs - Welcome and Opening

- ❖ Keynote address by Director of Peace and Security, the Inter-governmental Authority on Development (IGAD)
- ❖ Welcome address by the Minister of State for Defence of the Republic of Uganda Hon. Ruth Nankabirwa
- ❖ Adoption of Agenda and programme of work

10:00 - 10:15 - Coffee Break

Session I -

10:15 - 11:15 hrs -

- ❖ Background Paper on the Disarmament of Pastoralist Communities in the region - presented by APFO (20 mins)
- ❖ Comments by two discussants on the Background paper (10 mins each)
 - Dr. Ludeki Chweya
 - Dr. Philip A. Kasaija
- ❖ Discussion

11:15-13:30 hrs-

- ❖ Presentation of country papers by representatives of member states (15 mins each)
- ❖ Discussion

13:30 - 14:30 - Lunch Break

Session II -

14:30 - 16:00 hrs – presentations (10 mins each)

- ❖ African Union
- ❖ UNDP
- ❖ European Union
- ❖ COMESA
- ❖ East African Community
- ❖ ECOWAS
- ❖ International Conference on the Great Lakes Region
- ❖ RECSA

16:00 - 17:00 hrs - plenary discussion

DAY II- Tuesday, 29 May 2007

Session III

9:00 - 11:00 hrs – presentations (10 mins each)

- ❖ SAFERWORLD
- ❖ Small Arms Survey
- ❖ AMANI Forum
- ❖ CSOs

11:00 - 11:15 hrs- Coffee Break

11:15 - 12:30 hrs - plenary discussion

12:30 - 14:00 - Lunch Break

Session IV

14:00 - 17:00 hrs - working group sessions

Working Group 1 - Promotion of Security in pastoral Communities

Moderator- Saferworld

Working Group 2 - On the control of flow of small arms

Moderator-Small Arms Survey

Working Group 3 - On development approaches for pastoral communities to address structural causes

Moderator- UNDP

Working Group 4 - On regional Policy Coordination

Moderator- RECSA

DAY III- Wednesday, 30 May 2007

Session V

9:00 - 10:30 hrs - plenary session

- ❖ Presentations of working groups' recommendations

10:30 - 10:45 - Coffee Break

Session VI

10:45 - 12:00 hrs - plenary session

- ❖ Presentation of Workshop Recommendations and the Way forward

12:00 - 12:30 - Closing remarks:

- ❖ Minister of State for Foreign Affairs in charge of Regional Cooperation of the Republic of Uganda, Hon. Isaac I. Musumba
- ❖ Director of Peace and Security, the Inter-governmental Authority on Development (IGAD), Mr. Daniel Yifru

Appendix: 2

Please find the Welcome address by the Minister of State for Defence of the Republic of Uganda Hon. Ruth Nankabirwa separately attached in PDF format.

Appendix: 3

Please find Opening Remarks by Amb. Abdel Rahim Ahmed Khalil, Director of the CEWARN Unit of IGAD separately attached in PDF format

The European Union's approach to pastoralism and small arms in the Horn of Africa

Speech delivered by Ambassador Vincent De Visscher, Head of Delegation of the European Commission (EC) Delegation to Uganda.
Entebbe, 28.5.07

- ❖ Director of Peace and Security of IGAD, Mr. Daniel Yifru
- ❖ Hon. Ruth Nankabirwa State Minister for Defense of Uganda
- ❖ Your Excellencies,
- ❖ Ladies and Gentlemen,

It is my great pleasure to represent the European Commission at this IGAD Regional Workshop on the Disarmament of Pastoral Communities. The topic of this workshop is very timely and of great interest to the European Union.

Let me start by explaining the political approach of the European Commission towards peace and security in the Horn of Africa region. This approach is outlined in the overall 'EU-Africa Strategy', and the 'European Consensus for Development' which were both adopted already in December 2005. In addition, the European Commission has proposed to set up a 'regional political partnership' with the Horn of Africa, as a test for applying the EU-Africa Strategy. The starting point of the strategy is recognition that "without peace and security, development and poverty eradication are not possible, and without development and poverty eradication no sustainable peace will occur."

The Horn of Africa is of strategic importance to the EU for various reasons:

- ❖ The EU is the most important development partner in the Horn region. It is also one of the main providers of humanitarian assistance. Socio-economic vulnerability and inequities, shortcomings in the human and social rights field, chronic food insecurity, competition for scarce natural resources, poor governance and population growth are underlying features that EU stability and poverty reduction policies, together with regional and international partners, seek to address.
- ❖ Stability in the Horn of Africa is also strategically crucial for EU security. Cross-border dynamics, such as illegal migration and trafficking of arms, drugs and refugee flows, are factors contributing to instability and tensions that spread throughout the Horn of Africa and beyond, and could even reach the EU. Prevailing insecurity in the region has also contributed to a culture of lawlessness, banditry, and warlordism. As a result the boundaries between political conflict, criminality and terrorism tend to be blurred.
- ❖ The EU has also strong economic interests in having a stable Horn of Africa. It adjoins strategically important parts of the Middle East and it is in close proximity to countries covered by the EU Neighbourhood policy, both in North Africa and the Near East.

- ❖ Also, the EU is the key international trading partner of the region and there is potential for EU economic interests to grow, if energy supplies and economic growth in the region continue to rise and are adequately managed.

Against this background, the European Commission is committed to addressing issues of small arms and pastoralism in the Horn of Africa region. The Commission strongly believes that the Horn faces not a series of separate conflicts, but a regional system of insecurity in which conflicts and political crises, feed into and fuel one another. A crucial issue in reducing instability in the Horn of Africa is to address the mutually reinforcing connections between insecurity, poverty and governance. Especially many pastoral communities feel marginalised in the national distribution of power, wealth and access to natural resources, social services, security and justice. These communities have developed grievances which have led to violent conflicts, especially in the context of wide availability of Small Arms and Light Weapons (SALW) in the region where borders are very porous. Competition for natural resources has further negative impact on the human security, especially when coupled with population growth, worsening periods of droughts due to climate change and environmental degradation. Also, structural food insecurity especially in pastoral communities has both cause and effect implications for regional instability. Tackling the political roots of food insecurity is of strategic importance in order to break a vicious cycle of instability generating hunger and vice versa.

In order to address these challenges, the European Commission is first of all encouraging effective regional political and economic cooperation and integration through support to African Union and especially to IGAD in three areas of cooperation: 1) peace, security and governance; 2) pastoralism and food security and 3) institutional development.

Second, the Commission is addressing the key strategic political issues at the country level which have regional ramifications. For example in Uganda, the question of Karamoja disarmament and development which has important regional dimensions is one of the core issues in the political dialogue under the article 8 of the Cotonou Agreement. Such a dialogue takes place not only between the EU Heads of Mission and the Government of Uganda (GoU), but also with local leaders in the Karamoja region who have a key role to play in sensitising communities about disarmament and in showing commitment to peace. This political dialogue is accompanied by concrete peace and development interventions in the Karamoja region.

The EU's approach in Karamoja is to 'use development cooperation as an incentive for peace' i.e. more development funds can be channeled to the areas of Karamoja where the local leaders show commitment to resolving their conflicts peacefully in order to stop inter-clan raiding of cattle and other illegal practices. The EC is one of the largest development partners in the region with joint actions with the GoU since the early 1980s, and it has a field office in Moroto since those days. The development interventions have addressed the issues of local government service delivery, rehabilitation of social infrastructure, capacity building and peace building activities. Especially the Karamoja Programme, KPIU (2002-2007) has been instrumental in developing a combined peace and development approach to the region which is now followed up by the Karamoja component under the 9th EDF Northern Uganda Rehabilitation Programme. The Karamoja Roads Development Programme will support rehabilitation of some selected security and economic roads.

Finally, the EC aims to address the cross-cutting and cross-border concerns in the Horn of Africa. For example ECHO funded regional Drought Preparedness Programme in the Greater Horn of Africa aims to reduce vulnerability and strengthen capacity to withstand drought amongst vulnerable communities and more specifically to contribute to alleviating the impact of the drought cycles on targeted vulnerable local communities, through the provision of drought preparedness and related activities. The key components of this programme include community-based drought preparedness activities (water and sanitation and livelihoods); contingency planning; and strengthening of Early Warning Systems.

Also, it is planned that additional funds will be allocated under Stability Instrument to address the specific challenges of peace and security, small arms proliferation, confidence building measures, sensitisation about disarmament, and civil-military liaison in the Karamoja-Turkana cross border area which cannot be addressed through national development programmes. This proposed intervention under Stability Instrument will pave the way to a more integrated Conflict Resolution Programme in the region, planned for the 10th European Development Fund (EDF).

I would like to close my remarks by thanking the IGAD for the kind invitation to this meeting. I would like to also take this opportunity to convey the European Commission's commitment to playing a key role in supporting peace and development in the Horn of Africa.

Thank you.

Appendix: 5

Find attached Closing remarks by Minister of State for Foreign Affairs in charge of Regional Cooperation of the Republic of Uganda, Hon. Isaac I. Musumba

Appendix: 6

Draft-for discussion and comments

Disarmament in the Horn of Africa -The case of Karamoja and Somali clusters

A background paper to be presented at the IGAD Regional Workshop on Disarmament of Pastoral Communities in the Horn of Africa

28th-30th May, 2007
Entebbe, Uganda

Prepared by :

Kizito Sabala, Senior researcher and doctoral candidate at the Institute of Diplomacy and International Studies, University of Nairobi

Laban Cheruiyot, researcher

Under the auspices of the Africa Peace Forum

SECTION I

Introduction

This background paper aims to provide the context in which the question of disarming pastoral communities in the Horn of Africa¹ should be situated. It specifically discusses the questions of why disarmament? Why pastoral communities? What impact do small arms and light weapons (SALW)² have on pastoral conflicts and economy? What are the reasons for arms acquisition and in what kind of environment? Results and lessons from the past disarmament attempts of pastoral communities, the various frameworks for control and management of the problem of small arms proliferation and makes recommendations for a successful disarmament programme among pastoral communities. Using the desk research, the central argument throughout this paper is that disarmament alone will not improve the lives of the pastoral communities because it does not address the very reasons why they acquire and use arms; nevertheless, it is a necessary step.

Disarmament in the Horn of Africa and particularly that of the pastoral communities in the Karamoja and Somalia clusters³ the focus of this paper must consider the prevailing security situation that also consist of former soldiers, armed opposition groups, organized armed militias and criminal groups, clan militias, extremist Islamic groups. This should be in addition the to ongoing conflicts in Darfur, the civil war in Somalia, the uncertainty surrounding the peace talks between the Government of Uganda and the Lords Resistance Army (LRA) and the path towards the 2011 referendum in Sudan. The question of disarmament of pastoral communities in the Somali and Karamoja clusters is so complex and intricate for arouses political, religious, and cultural sensitivities that requires careful consideration. In addition, disarming pastoral communities is unique because they are not former soldiers, armed opposition groups or militias; the target of the conventional disarmament as stipulated in UN guidelines.

¹The Horn of Africa refers to the IGAD member states namely; Djibouti, Ethiopia, Eritrea, Kenya, Sudan, Somali Uganda. The pastoral communities include Oromos, Alaba, Silte, the Nyangatom and Merille ,the Arsi and Sidama Ikur Wuha in Ethiopia, the Toposa Jiye, Boya, Didinga and the Murule, the Nuer, the Dinga Bor in Sudan, the Turkana and the Pokot in Kenya and the Karamojong in Uganda

²This paper adopts the UN Panel of Experts (1997) definition which distinguishes between Small arms and light weapons. It defines small arms as those weapons designed for personal use and includes revolvers and self-loading pistols, rifles and carbines, assault rifles, sub-machine guns and light machine guns. It states that light weapons are designed for use by more than one-person serving as a crew. They include heavy machine guns; hand held under-barrel and mounted grenade launchers; portable anti-tanks and anti-aircraft guns; recoilless rifles; portable launchers of anti tank and anti aircraft missiles; and, mortars of carbines less than 100mm. Ammunitions and explosives are considered an integral part of the small arms and light weapons. The term small arms will be used to refer to both small arms and light weapons.

³This paper adopts the IGAD definition which refers to cross border areas of Ethiopia, Kenya, Sudan, and Uganda for Karamoja cluster and Somali cluster to Ethiopia-Kenya-Somali cross boarder areas

Pastoral communities whose population is said to be in the range of 15-20 million people straddle across and within Djibouti, Ethiopia, Kenya, Sudan, Somalia, and Uganda⁴. Conflicts over natural resources including grazing fields and water points among pastoral communities continue to characterize the geographical landscape that cuts across international borders⁵. In a context of increasing vulnerability at the household level, both from insecurity and economic decline, small arms are regarded as household or community assets. The small arms factor largely explains the escalation and intensification of pastoral conflicts in the sub-region, and serves the livestock theft [cattle rustling] industry among pastoral communities.

There are approximately 639 million small arms in circulation throughout the world⁶. The existence of small arms in a community whether coming out of a war or otherwise, is a threat to peace and stability. They are responsible for conflict escalation due to their destructive power, which triggers vengeance and counter vengeance leading to a vicious cycle of violence. This threat is underscored in the 2000 UN Secretary General Millennium Report which described them as 'weapons of mass destruction in terms of the carnage they cause'. "The very easy availability, affordability and accessibility of arms reduce the incentives to find non-violent solutions to conflicts and breed a spiral of insecurity.

The rationale behind disarmament among the pastoral communities whether voluntary or forced is partly to;

1. Reduce the level of destruction of properties and human casualties during raids in the event that they occur
2. Stop the proliferation of small arms into urban areas where they are used in criminal activities,
3. Promote peaceful resolution of conflicts over water and pasture instead of resort to violent means through the use of small arms

⁴The number of pastoralists varies within the Horn of Africa and the precise figures are difficult to obtain. However, a 2004 report by the Minority Rights Group International (MRGI) estimates that 10-12% of 1.5 Ethiopia's population or 7 to 8 million people are pastoralists. A local NGO suggest that 1 to 1.5 million pastoralists make up one third of Eritrea's population. USAID FEWSNET shows that 6.7million people or 70% of Somalis population are pastoralists. The US Embassy in Djibouti estimates that 93,000-130,000 Djiboutians are pastoralists while Kenya has 6 million or roughly 18% of its total population according to MRGI. For more information see Horn of Africa; Multisectoral Interventions in Pastoral Communities; USAID Fact sheet, Fiscal Year, 2005 September

⁵For more on the causes of pastoral conflicts see report on 'Assessment and Programmatic Recommendations Addressing Pastoral Conflict in the Karamoja cluster of Kenya, Uganda, and Sudan: USAID and MSI Greater Horn of Africa Peace Building Project, 2002

⁶ UNDP, UNDP Strategy and Framework for Capacity Development in the Reduction of Small Arms and Light Weapons, UNDP, Geneva 2003, P.5

4. Foster appropriate economic development in the pastoral areas
5. Protect people from violent threats to their rights, safety and lives
6. Ensure law and order

There are three main types of disarmament that depend on the context and actors. Disarmament targeting mainly small arms is often referred to as practical or micro disarmament⁷. The first type of disarmament occurs when disarmament is part of peace operations and is usually undertaken as part of a negotiated settlement⁸, this is the United Nations Disarmament Demobilization and Reintegration (UN DDR) process. This type of disarmament is often a large-scale programme, which is part of a comprehensive peace plan, usually under the auspices of the UN. United Nations operations in Namibia, Cambodia, Mozambique and El Salvador are all examples. The second type occurs when the victor initiates the process or when disarmament is done during peacetime by the government, often referred to as national disarmament; examples include the disarmament exercises in Uganda, Kenya, Somalia, Ethiopia and Eritrea. The third type is coercive disarmament which is initiated by a third party who assumes a responsibility to disarm warring parties.

For the purpose of this paper, national disarmament initiated by the governments in the context of providing security and maintaining law and order, seems to be the most appropriate because disarmament of pastoral communities has in most cases been initiated by the government. However, whichever approach, disarmament efforts must be anchored into relevant existing institutional, legal, and policy frameworks at all levels.

⁷ 'Doing it Right' in Congo in New York Times, June 25 2003

⁸ See Thokozani Thusi "The Changing Concept of Disarmament in Africa" in *ISS Monograph No.98* P 19-20

SECTION II

Reasons for arms acquisition and their impacts on pastoral conflicts

There are a number of reasons why pastoral communities acquire firearms, these include;

a) Insecurity

The inability of the governments of the Horn of Africa to provide adequate security to protect the pastoral and other marginalized communities from potential cattle raiders from neighbouring communities is one of the major reasons why they acquire arms. For instance, the Turkana have developed a culture of gun ownership arising from the need to protect their livestock from incursions by their neighbours the Pokot and Samburu in Kenya; the Karamojong in Uganda; the Toposa in Sudan and the Merille in Ethiopia. They liken their circumstances to living in a cave, surrounded by hostile neighbours and without protection.⁹ Indeed governments in the sub-region have been unable to effectively combat the unprecedented escalation of inter-pastoralist conflicts. In many cases the response to livestock raiding by the law enforcement agencies has been slow, ineffective, sometimes overly forceful or non-existent.¹⁰

b) Cultural practices and values

Some cultural practices among the pastoral communities such as the high bride-price coupled with diminishing stocks due to drought and the practice of livestock rustling encourage the acquisition and use of small arms. In 2002, a Karamojong young man from a poor family in Uganda was expected to pay 30 cows in pride price and 60 cows if one was from a rich family while among the Jie, bride price was as high as 130 cattle excluding the small stock (goats).¹¹ Other cultural aspects include initiation rights into adulthood which must be demonstrated through mounting successful livestock raids, killings and other related activities which under the modern justice system are criminal activities. Such cultural practices no doubt exert pressure on the young men to acquire arms for use during raids in order to fulfill this obligation.

⁹ Mkutu K, Pastoral Conflict and Small Arms: The Kenya -Uganda Border Region, Saferworld, 2003 p.13

¹⁰ Khadiagala Gilbert, Protection and Poverty: Community weapons collection experiences in Northern Kenya. Oxfam GB, 2003, p.23Mkutu, K. Pastoralism and Conflict in the Horn of Africa, 2001 p.7

¹¹ See Gomes, Mkutu, Iseult Op cit.

c) Commercialization of livestock raiding

Commercialization of raiding which entails funding of raids and purchasing of raided stocks by wealthy business people is fairly a recent phenomenon. The raided stock is then used to supply urban markets with beef products for economic gains.¹² The implication is that so long as the urban market for beef products remains, shrewd business people will continue funding raids and purchasing raids for economic benefits. This practice promotes livestock rustling as well as demand for small arms.

d) Underdevelopment, political and economic marginalization

The absence of deliberate viable economic opportunities coupled with political marginalization of pastoral areas means pastoral communities must struggle to ensure their survival. The pastoral communities have not participated actively in key political decision-making at the highest level due to their low representation either by design or otherwise. Even if they have, they have not been able to use their position to initiate sustainable development programmes in pastoral areas. As a result, development in these areas has not received adequate attention by the respective governments. However, there are some efforts towards this. For instance, the Uganda Government has established the Karamoja Development Agency and the Ministry of State for Karamoja Affairs in the Prime Minister's office, purposely to catalyze the development process, to help in advocacy and mobilize development resources.¹³

Impacts of SALW proliferation on pastoral Communities

a) Death and injury

The global toll of small arms is reported to be in excess of 500,000 per year¹⁴. Calculating the deaths from small arms in conflict zones is difficult because of the lack of data, but it has been estimated to be at 300,000 per year, of these, a large percentage are civilians, estimated at more than 35 percent¹⁵. While precise data is not available, murders, suicides and "accidents" involving small arms in areas not at war are in excess of 200,000¹⁶.

¹² See Mkutu 2000, Op cit.

¹³ Mworozzi E.A and Ntende A.W. *Cattle Rustling in the Karamoja region of North-Eastern Uganda* in , Improving Human Security Through the Control and Management of Small Arms, APFO/IRG Nairobi,2000 p.84

¹⁴ Wendy Cuckier "Firearms/small arms: Finding common Ground" *Canadian Foreign Policy* (6) (1) (1998)

¹⁵ International Committee of the Red Cross "*Arms Availability and the Situation of Civilians in Armed Conflicts*" (Geneva: ICRC, June 1999)

¹⁶ WHO, *Small Arms and Global Health* (Geneva: WHO, 9-20 July 2001)

In the Horn of Africa, death and or injury associated with gun related crimes seem to be on the increase. In one incidence that happened in February 2000, nearly one hundred people were killed when Merille tribesmen from Ethiopia raided the Turkana of Kenya and thousands of cattle were stolen¹⁷. In Kenya, it is estimated that the national firearm homicide rate ranges from 10-15 per 100,000. In areas where small arms are widely available, such as Garissa in the North East Province and Lokichoggio in Rift Valley Province of Kenya, the firearm homicide rate recorded was 580 per 100,000 people.¹⁸

b) Human rights violations

Small arms are also used to commit gross abuses of international human rights and humanitarian law whether in conflict, crime, law enforcement, state repression, or violence in the home. Weapons have been used to facilitate systematic rape – war crime – used to hasten the expulsion of national groups by degrading women and spreading terror, fear and humiliation. Women and girls are raped at gun point while away from home collecting firewood and water or undertaking other daily tasks. They are also vulnerable in jail or refugee camps, with no place to hide.¹⁹ Men, women and children are abducted at gun-point and forced to work for their abductors. In Uganda, the Lord's persistence Army (LRA) has abducted more than 20,000²⁰ children since 1986 and those caught trying to escape were summarily executed as a warning to others. In some situations, civilians have become strategic targets in many conflicts through summary and mass executions, brutal intimidation and criminality; hence small arms have come to represent a potent and ubiquitous instrument of terror.²¹

The violations of human rights are not only perpetrated by armed civilians, but are also prevalent during forceful disarmament exercises undertaken by states in the region. According to the United

¹⁷ Africa Peace Forum, *Improving Human Security Through the Control and Management of Small Arms*, Nairobi, 2000 p.73

¹⁸ Ibid P. 19

¹⁹ Amnesty International, *Take a Step to Stamp out Torture* (Index AFR 16/011/2002) In Hillier (op cit) P. 36

²⁰ Ibid, P. 26.

²¹ Ibid, P. 22

Nations Office of the High Commissioner for Human Rights (OHCHR), the disarmament in Uganda had been marred by torture, beatings, degrading treatment and arbitrary arrests during 'cordon and search' operations²², despite a government review following previous allegations made in November 2006. The OHCHR report cites one operation against a 'kraal' cattle camp in Lokitelaebu, Kotido District, on 12 February 2007 that left 34 Karamojong pastoralists dead, including 16 children.

"We are still seeing indiscriminate and excessive use of force", she further observed that; "We also need to look at the situation more comprehensively - there are no institutions of protection there for the people," she added, referring to the fear that many Karamojong have that they will be vulnerable to raids by other groups if they give up their weapons²³.

c) Displacement, breakdown of social order and cohesion

The availability and use of firearms negatively affects behaviour, mobility and decisions about where to live and communal cohesion within society. Small arms availability and misuse leads to forced displacement which in turn separates families and communities, disrupts normal economic activities and undermines human development persists for refugees and Internally Displaced Persons (IDPS) during and after relocation. In the Horn of Africa, the case of Kenya is illustrative. In both of Kenya's refugee camps at Daadab and at Kakuma, located at the border areas of Northern Kenya, Sudanese, Ethiopian and Central African refugees are subjected to armed violence on a daily basis. In 2003 a study estimated that over 160,000 people were displaced in northern Kenya as a result of pastoral conflicts²⁴. Insecurity has reached alarming levels that more than 150 police reservists were enlisted to police the camps.²⁵ Indicators of the effects of small arms misuse on social capital include; child-soldiers, rise in armed gangs, repeated criminal

²² IRIN News, Kampala 20th April 2007, Stop using excessive force during Disarmament, Uganda Government Urged in <http://www.irinnews.org/copyright.aspx>

²³ Ibid

²⁴ Intermediate Technology Development Group-East Africa (ITDG-EA) Displacements: Resettle Cattle Rustling Victims Too, Peace Bulletin (Sept 2004)

²⁵ Muggah R and Batchelor, P (eds) Development Held Hostage: Assessing the Effects of small Arms on Human Development (New York: UNDP, 2002) P. 28.

activity, a surge in the incidences of domestic violence, and the breakdown of customary authority²⁶.

d) Destruction of future generations

The risks presented by small arms to children living in deprived situations are enormous, particularly when the youth lack educational opportunities. According to the coalition to stop the use of child soldiers, the widespread availability of small arms, has also contributed to the child soldiers problem. This enables children to become efficient killers in combat.²⁷ Child soldiers not only lose their childhood and opportunities for education and development, they also risk physical injury, psychological trauma and even death.

e) Breakdown of order and democratic governance

Violence fuelled by small arms also presents a significant threat to the reinstatement of democratic governance essential to sustainable peace. In addition, the continued availability of weapons often can lead to the breakdown of civil order and dramatic increases in lawlessness, banditry and illicit drug trafficking. Small arms can change the balance of power and may raise the level of violence.²⁸

f) Retards economic development and worsens human security

The availability and use of small arms have had destructive consequences for formal and informal economic activity, from multinational firms to petty traders in cities and rural communities. The threat of small arms distorts the mechanisms of commerce, influences the transaction costs of trade, and disrupts production and consumption patterns. The destruction and deterioration of physical infrastructure like roads, ports, factories and other fixed capital investments as a result of mortar attack, shelling and automatic gun-fire can have a significant impact on overall economic activity. The cost of rebuilding damaged infrastructure depletes resources that could otherwise be invested in social services and human development.²⁹

g) Promotes illegal trade in small arms

²⁶ Ibid P. 146

²⁷ See *Global Report on Child Soldiers*, 2001.

²⁸ Wendy Cukeir, "Small Arms and Light weapons: A public Health Approach" *The Brown Journal of World Affairs* Vol.9 SaFER-Net p.261-280

²⁹ Ibid P. 142

The conflict environment provides markets for illegal small arms. Illegal arms dealers provides arms to meet the demand by pastoral communities who are constantly looking for better weapon to replace old ones or those that have been stolen during raids.

h) Encourages resort to violent means to conflict resolution

Generally armed people tend to resort to resolving their differences by forceful means rather than dialogue.

SECTION III: An Overview of National Disarmament Initiatives in the Horn of Africa

In a bid to enhance security in the pastoral areas, a few countries of the Horn of Africa have over the years attempted national disarmament initiatives with varying degrees of success.

a) Uganda

Uganda has witnessed decades of disarmament initiatives aimed specifically at the Karamojong community. The most recent initiative had its origins in a resolution passed in April 2000 by the Ugandan Parliament that stated that the time had come for the Karamojong to be fully disarmed. Following this resolution the first phase which was voluntary got underway in December 2001 and lasted until February 2002.³⁰ In addition to offering an amnesty to those who handed over their small arms, the Ugandan government also offered compensation, reflecting an acknowledgement that those with guns see them as an important economic asset as well as a crucial tool for security. In return for handing over a gun, people were provided with an ox-plough and a bag of maize flour. The initiative also sought to turn those who surrendered their guns into ambassadors for disarmament by using them in sensitization activities. The voluntary disarmament undertaken jointly by the Karamojong and the Ugandan authorities' netted 6,046 guns at the expiry of the exercise on 15th February 2002 which gave way for forceful disarmament.

During the forceful disarmament exercise the military rounded off individuals especially the able-bodied men and took them to the barracks or detachments for questioning. They would only be released after confirmation that they had already handed in their guns³¹. Indeed, a paltry 854 guns were recovered during these operations. The exercise was also characterized by frequent clashes between the soldiers and the armed raiders. For instance in May 2002, Karamojong fighters resisting disarmament reportedly killed 19 Uganda Peoples Defense Force (UPDF) soldiers. The UPDF retaliated by setting on fire several Karamojong homesteads in which 13 warriors were killed and several weapons recovered.³² Another attempt at disarmament began in late 2005 and by late 2006 it has generated intense violence involving the UPDF and the local Karamojon warriors with high human death, loss of livestock and property damages.

³⁰ Mkutu Kennedy, Pastoral Conflicts and Small Arms: The Kenya-Uganda Border Region, Safer world 2003, P.29

³¹ CEWARN Country Update for Uganda side of the Karamoja cluster, May-August 2006 in <http://www.cewarn.org>.

³² Ibid P.31

Several factors account for the generally low number of arms recovered during both disarmament phases, some of these include: the low number of UPDF soldiers available to provide security from attacks from neighboring communities due to the LRA insurgency; the failure to effectively block the routes used for bringing small arms into the region and the absence of complimentary disarmament efforts across the border in Kenya, seriously undermined the effectiveness of the disarmament exercise in Uganda. The porosity of the border with Kenya meant that some arms were simply moved across the border to Kenya to avoid the disarmament efforts of the Ugandan Government. Kenyan raiders were able to attack the unarmed Ugandan pastoralists and in so doing created a new demand for arms ³³ among the Ugandan pastoralists for self-defence.

The forceful disarmament exercise has been controversial, the civil society organizations have protested against it and accused the military of violating the human rights of those arrested who allege that they have been tortured in detentions and forced to confess that they have a gun even when they did not. There were also allegations that the people would then seek to purchase guns to have their relatives released, although this was vehemently denied by the military. The allegations led to the suspension of the UNDP-assistance for the disarmament exercise.

b) Kenya

Disarmament attempts in Kenya have mainly targeted pastoral communities. Since the 1980's disarmament efforts have been largely based on the use of force with intermittent voluntary ones. The former netted relatively fewer arms and strained the relationship between the pastoral communities and the government of Kenya. At the beginning of 2001, former President Daniel Arap Moi gave the residents of West Pokot, Marakwet and Baringo an ultimatum to hand over arms in exchange for amnesty. However the Pokot elders argued that "It was difficult for the Pokot to live without guns, while their neighbours, including the Karamojong of Uganda, were allowed to use guns like walking sticks"³⁴ The amnesty period ran out without any arms being recovered. As a result a public education campaign was launched to persuade the Pokot to surrender their weapons. Local leaders in particular chiefs were used to educate their communities on the

³³ Ibid, P. 28

³⁴ Daily Nation, 22 April 2001

importance of giving up their arms. In the background were government threats to seize arms by force if cooperation was not forthcoming.

In May 2006, the Government of Kenya launched a large-scale military-led operation to disarm communities in the North Rift of Kenya, and later expanded the operation to the North East. "This round of disarmament is estimated to be the 23rd in 27 years" ³⁵ was forceful and drew heavy criticism from some Members of Parliament, local leaders and civil society representatives because it was thought to violate basic human rights by displacing people and arbitrary arrests of suspected gun holders.

The Government has shown greater recognition of the link between disarmament and development and in this regard during the 2006 disarmament attempts the army constructed three schools, drilled three boreholes and began the construction of a 200 kilometre road that traverses Baringo East, West Samburu and Southern Turkana."³⁶. However these efforts are hampered by the lack of capacity to formulate and implement an integrated and co-ordinated approach to the small arms problem that addresses the development and security needs of affected communities. The failure of the forceful disarmament processes led to a rethinking of this approach. As a result the government has embarked on multi pronged community based strategies to discourage the gun culture³⁷.

c) Kenya/Uganda joint security program

Kenya and Uganda share a long common border inhabited by armed pastoral communities on each side. The communities have over the years practiced cattle rustling against each other, and have in recent times resorted to the use of easily available small arms to facilitate cross border raids. The two governments have realized that simultaneous disarmament offers more hope for success than individual state driven approaches because the latter allows arms to be moved across the border depending on where the exercise is taking place. It is against this background

³⁵ The Standard May 11 2006, P.12

³⁶ Ibid P.3

³⁷ <http://disarmament.un.org/cab/nationalreports/2006/kenya.pdf> Kenya's Country Report to the first UN Review Conference on the status of implementation of the UN Program of Action Prevent, Combat and Eradicate Illicit Trade in Small arms and Light weapons in All its Aspects. p.11

that the Governments of Kenya and Uganda met on June 4th 2005³⁸ and collectively agreed upon a joint program of action with the sole objective of achieving sustainable peace and development. The Program of Action identified a number of activities to be undertaken in fulfillment of the objective as outlined below:³⁹

- Simultaneous and coordinated disarmament operation
- Mobilization, sensitization and deployment
- Establishment law and order in areas of operation
- Branding of livestock
- Provision and reconstruction of social and physical infrastructure
- Rewards/Recognition
- Support the development of alternative livelihoods

d) Sudan

The long standing civil war in Sudan and the associated instability compelled local communities and civilians to acquire arms. The ubiquity of guns has increased the number of gangs and bandits and boosted the frequency of gun violence, lawlessness, and organized crimes. As consequence, weapons remain omnipresent in Southern Sudan, making post conflict reconstruction difficult. The Sudan case is quite unique given that it has both the UNDDR programme implemented by the UN in collaboration with the government of Sudan (GOS), and the national disarmament process initiated by the Government of Southern Sudan (GOSS) in Southern Sudan. This paper focuses on the national disarmament process undertaken by the GOSS and confines itself to Southern Sudan and specifically areas where we have pastoral communities border Uganda, Kenya and Ethiopia.

The issue of foreign insurgency groups and disarmament in the Sudan is addressed under Section 12.3 of Annexure I, which empowers parties to the Comprehensive Peace Agreement (CPA) to work together in order to disarm, repatriate or expel such groups. Part III of Annexure I of the CPA provides for the establishment of Demobilization, disarmament and Reintegration (DDR) institutions which shall include;

- The National DDR Coordination Council (NDDRC), which will set policy and oversee the activities of the NDDRC and SDDRC

³⁸ Ibid. p.13

³⁹ Ibid

- The Northern Sudan DDR commission, which will design, implement and manage the DDR process in Northern Sudan
- The Southern Sudan DDR Commission (SDDRC) which will design, implement and manage the DDR process in Southern Sudan: and
- State DDR commissions, which will implement program at the state and local levels.

The Government of Southern Sudan decided that disarmament was necessary to maintain law and order and accelerate the development of Southern Sudan. Hence, a top-down disarmament mechanism was implemented, starting with the disarmament of the Dinka-Bor community in April 2006⁴⁰. However, this strategy has caused serious unintended problems. It has left the community vulnerable to attacks by other tribes in the region. In June 2006, Nuer-Lou, an armed tribe in Southern Sudan, attacked the Dinka-Bor, killing a number of people and raiding hundreds of cattle. Another attack happened in August and November when the Murle, another armed community, attacked Dinka-Bor, killing a total of 50 people. Communities have learned from what happened to the Dinka-Bor and they would not give up their guns without a fight, unless their protection is guaranteed. A community-driven voluntary arms collection initiative was supported by the UNDP in Akobo County in which (over 1,250 weapons were collected) to mitigate an ongoing forcible disarmament process by the Sudan Peoples Liberation Army (SPLA).⁴¹

Ethiopia

The Gambella region in southwestern Ethiopia, bordering Sudan is home to five ethnic groups: the Anuak, Nuer, Majangir, Opo and Komo. The Anuak and the Nuer are the [largest groups](#) and have long standing feuds over the land and its resources. A mainly agricultural people, the majority of Anuak inhabit Gambella, although some live in eastern Sudan, and some have recently been displaced to Kenya and the US. Gambella also hosts UN refugee camps, for people who have fled the decades-long instability in South Sudan.

⁴⁰ Peter Ajak Disarmament with Development in Southern Sudan <http://www.anyuakmedia.com>. Accessed 04/04/07

⁴¹ UNMIS, Disarmament Demobilization and Reintegration (DDR) in Sudan <http://www.unmis.org>. Accessed on 04/04/07

Ethiopia is among the Horn of Africa countries which have promised to conduct campaigns against civilian gun ownership, as part of the United Nations-sponsored Nairobi Protocol. The central government, in Ethiopia's capital Addis Ababa, has [disarmed most of the Anuak](#), and even disarmed Anuak police officers⁴². The Ethiopian army, while carrying out the [disarmament exercise](#), forcefully disarmed the communities in the numerous villages on both sides of the Ethiopia-Sudan border. The "disarmament" campaign was accompanied by rape, pillaging, and murder⁴³.

According to members of the Anuak community disarmament operations commenced on 4 April 2006 were characterized by violence against civilians, including a number of killings, rapes, the looting of property and the burning of houses.⁴⁴ It was also reported that members of the Merle ethnic minority are reported to have taken advantage of the disarmament of the Anuak by attacking them near Pochalla and at Ajwara.

Somalia

Somalia has experienced coercive disarmament where third parties assume the responsibility to disarm any two or more warring parties. In 1993, the United Nations, through the United Nations Mission in Somalia (UNISOM), attempted to forcefully disarm warlords in Somalia in the hope of restoring peace and stability following the collapse of Somalia in 1991 and the subsequent conflict and violence that rocked Somalia. However, this attempt at disarmament failed miserably when the warlords killed and dragged the UN forces in the streets of Mogadishu, prompting public outcry from the American public leading to the withdrawal of UNISOM II, led by the United States army, but under the auspices of the UN.

The IGAD-facilitated Somali Peace process resulted in the formation of the Transitional Federal Government (TFG) of Somalia, led by President Abdullahi Yussuf and Prime Minister Ali Ghedi. It

⁴² Kopel Dave, Paul Gallant & Joanne Eisen, The Other War in Ethiopia December 2006. <http://www.ccsdaily.com>. Accessed April,04, 2007

⁴³ Ibid

⁴⁴ Sudan Tribune, "Ethiopian Army moving Against Anuak in South Sudan" in Sudan Tribune, April 12 2006. <http://www.genocidewatch.org>. Accessed April 04 2007

was inaugurated in December 2004 in Nairobi assumed its national responsibilities as the transitional government of Somalia.

According to the Somali Ambassador to Ethiopia, a large number of weapons were collected during the brief disarmament process in Somalia; Ambassador Abdukerin Farah⁴⁵ further noted that the disarmament process was progressing at two levels. First, there was the task of collecting the enormous weaponry left by the Union of Islamic Courts on the one hand and secondly, the large numbers of heavy weapons found in the hands of the public. On the latter, several people are reported to have handed over their arms following the call by the Prime Minister and the discussions held with local elders, religious leaders, women and intellectuals.

On [January 1, 2007](#), Somali [Prime Minister Ali Mohammed Ghedi](#) announced "The warlord era in Mogadishu is now over."⁴⁶ He said all civilian groups and businesses would have three days to disarm and turn their weapons in to the government. [Technicals](#) were to be taken to the old port in Mogadishu. All collected arms would be registered at [Villa Somalia](#). Villa Baidoa was also mentioned as an arms collection point. An amnesty to Islamists was also extended.

On [January 2](#), Prime Minister Ghedi met with leaders of the Ayr subclan of the Habar-Gidir clan, a branch of the [Hawiye](#) tribe, to reassure the sub-clan regarding disarmament and to establish how they would work with the Transitional Federal Government (TFG). On [January 17, 2007](#), [Mohamed Qanyare](#) and [Muse Sudi Yalahow](#) were the first warlords of Mogadishu to disarm,⁴⁷ turning over their weapons and committing their militiamen to the government, however, some of Sudi's arms remained in other locations controlled by Qanyare and Mohammed Dhere. Approximately 60 [technicals](#) and 600 weapons were turned in to the government, including two technicals turned in by Interior Minister [Hussein Mohammed Farah Aidid](#).

Given the conflict dynamics in Somalia at the moment, where the otherwise vanquished UIC have made a more deadly come back and are engaging in fierce battles in Mogadishu, it is not feasible

⁴⁵ Shabelle Media Networks <http://www.shabelle.net/news> (Accessed on 04 April,2007)

⁴⁶ Wikipedia Contributors, "Disarmament in Somalia", Wikipedia, The Free Encyclopedia, 14 March 2007 (Accessed on 04 April,2007)

⁴⁷ Ibid

to continue the disarmament exercise as envisioned by the prime minister in January 2007. Perhaps a more sustainable disarmament exercise should be undertaken after the resolution of the conflict in Somalia along the lines of the UN DDR process.

SECTION IV

Institutional, Legal, Policy and other Approaches to SALW Control in the Horn of Africa

The international and regional agreements, to which countries of the Horn are party to, contain a wide range of commitments relating to small arms legislation and policy. The existing institutions in the sub-region have also been provided for in the existing policy and legal frameworks. Ensuring that institutions are in place and have the necessary resources, authority and skills to co-ordinate national and regional actions to address the small arms problem is crucial if this problem is to be tackled effectively. Furthermore, the institutions must be supported by relevant policy, legal and administrative frameworks that give them legitimacy.

International and Regional Policy and Legal Frameworks on SALW Control

There are a number of international and regional instruments that are relevant to the issues of SALW control in the Horn of Africa. These include the UN Programme of Action (UNPoA) to Prevent, Combat, and eradicate the illicit Trade in Small Arms and Light Weapons in all its Aspects (2000). The UNPoA is a politically binding document whose consensus was reached at the highest political level. The agreement is a milestone in the development of international norms and standards to prevent and reduce SALW trafficking and proliferation. There is no doubt that if implemented it would make a big impact the reducing the scale of proliferation and misuse of SALW. It provides the main framework for further elaboration and development of international cooperation in this area. Although somewhat vague, the UNPoA provides some powerful hints that recognizes that there is a strong connection between illicit and legal production, transfers and accumulations of SALW and the need for a comprehensive approach. The support to UNPoA in Africa was followed by an African conference on the Implementation of the UN Programme of Action on Small arms in Pretoria, South Africa in 2002.

The Bamako Declaration on an African Common Position on the illicit Proliferation, Circulation and Trafficking of Small Arms and Light Weapons (2000), demonstrates a high level of political

commitment in Africa towards addressing the problem of SALW. The declaration has provisions relating to policies, institutional arrangements, and operational measures for addressing the problems caused by the illicit trafficking, proliferation, accumulation and unlawful use of SALW.

The Nairobi Declaration of 2000 and the Nairobi Protocol of 2004 set minimum standards to govern the manufacture, possession, marking, import, export, transit, transfer and stockpiling of SALW, as well as provisions relating to weapons collection and destruction, police cooperation, information exchange and awareness raising. Other measures call for strengthening and harmonizing legislation governing the control of firearms and operational capacity of law enforcement agencies. Other provisions urge for increased cross border co-operation between law enforcement agencies enhancement of the demobilization and reintegration of ex-combatants and an improvement of police-community relations.

Another framework that deserves special mention is the IGAD- Conflict Early Warning and Response Mechanism (CEWARN) Protocol (2002) that established CEWARN. The Protocol mandates CEWARN is to receive and share information concerning potentially violent conflicts as well as their outbreak and escalation in the IGAD region. CEWARN is currently monitoring and tracking cross-boarder pastoral conflicts in two pilot areas: the Karamoja and Somalia clusters.

State parties to the International Conference on Great Lakes Region have also demonstrated deeper commitment towards reducing the impact of illicit SALW in the region by establishing three different mechanisms for addressing directly or indirectly the proliferation of illicit SALW. The most relevant one for the Horn of Africa is the sub-program on disarmament of armed nomadic pastoralists and the promotion of sustainable development in zone three. This Zone referred to Kapototur⁴⁸ Triangle is the same region to what IGAD considers as the Karamoja Cluster. The overall goal is to undertake joint and coordinated disarmament of pastoral communities and demining, enhance state and community capacities to tackle insecurity and initiate and implement economic activities in the region.

⁴⁸ Kapototur refers to elements of the names of ethnic communities living in the area Karamojong, Pokot Toposa, and Turkana.

The Convention on the Prevention and Combating of Terrorism⁴⁹ that was adopted at the 35th Assembly of Heads of State and Government of the Organization of African Unity (OAU) in Algiers in July 1999 which entered into force on 6 December 2002 and the accompanying Plan of Action of the African Union on the Prevention and Combating of Terrorism in Africa of September 2002, is also play an important role in the control of SALW in this region.

Although still being drafted the Protocol on the Prevention, Combating and Eradication of Cattle Rustling in Eastern Africa once signed, it will be another important policy framework on the management of livestock rustling and small arms control among pastoral communities in the Horn of Africa.

National Policy frameworks on SALW Control

In addition to the above, each state has its national policy, legal and administrative frameworks that guide for the production, export, import, transit, trade and possession of SALW. For example in Ethiopia the Penal Code of the Empire of Ethiopia of 1957 states that whosoever:

- (a) Makes, imports, exports or transports, acquires, receives, stores, or hides, offers for sale, puts into Circulation or distributes without special authorization or contrary to the law, weapons or munitions of any kind or;
- (b) Without indulging in trafficking, knowingly sells, delivers or hands over arms to suspect or dangerous Persons, is punishable with simple imprisonment, without prejudice to the imposition of a fine, where he has acted for gain or has made a profession of such activities, and confiscation of material seized.

Ethiopia also has a Revised Special Penal Code proclamation No 214/1981, that provides for stiffer penalties on such crimes. There is also the Proclamation No 6/95 which mandates Security, Immigration and Refugee Affairs Authority (SIRAA) to issue licences for the possession or use of SALW, to prescribe conditions under which explosives may be sold and issue permits to individuals who deal with explosives and repair firearms.

In Kenya, the Kenya Firearms Act Cap 114 (Section 2) is an Act of Parliament for regulating, licensing and controlling the manufacture, import, export, transport, sale, repair, storage, possession and use of firearms,

⁴⁹ For details ed information on the same and other relevant initiatives; see <http://www.iss.org.za/pubs/CReports/CombatTerror03/AppendA.htm> accessed on 3rd April, 2007

ammunition, air-guns and destructive devices such as grenades. The Act has provisions relating to certain types of weapons and ammunition pertaining to use, acquisition, restrictions on carriage and transit through Kenya. Furthermore, there are provisions on possession of firearms and ammunition in regard to age, penalty for use, possession or imitation of firearms in certain cases. The management of stockpiles within the Armed Forces is covered in the following regulations: The Armed Forces Standing Orders, the Armed Forces Security Standing Orders and the Equipment Regulations. The Defence HQ (DHQ) maintains an inventory of firearms held in the armed forces, where the manufacturer's registration number and the butt number given at the unit level identify each weapon. Kenya does not have explicit laws on brokerage and stockpiling and the process of revising the current legislation to incorporate such components is underway.

Uganda has several domestic laws that regulate the acquisition and use of SALW. These include: the Explosives Act 1936 [Cap 298]; the Firearms Act (1970) [Cap 299], the National Resistance Army statute (NRA) 1992 and the Uganda Police Act 1994 [Cap 303], among others. The Firearms Act of 1970 is the most comprehensive piece of domestic legislation that aims at regulating the acquisition and use of firearms in Uganda. It also covers import and export of arms to and from Uganda. The Act explicitly spells out the kinds of firearms private individuals can own and how they can register and license them. However, there are no provisions dealing with marking and tracing weapons. There have been calls for the revision, especially of the Firearms Act (1970), in order to reflect current realities and to incorporate the new international initiatives and cover for instance arms transfers between governments.

In the **Sudan**, a considerable number of statutes operating under the 2005 Interim National Constitution (INC) were in fact enacted under either the 1983 Constitution or the phased out 1998 Constitution, both of which reflect an Islamic ideology⁵⁰. Such statutes are based on the principle of *sharia* law (which is inapplicable in Southern Sudan) and are yet to be revised to conform to INC as well as the spirit and letter of the CPA. One such statute is the *Basis of Judicial Judgments Act 1983*, which rejects any source other than the principles of *sharia* law in the interpretation of the law.

A few statutes available to the public in the North make varying degrees of reference to SALW control in the country. It appears then from these legislations, such as the *National Security Act 1999*, the *Arms, Ammunitions and Explosives Act (AAEA 1986)*, the *Arms, Ammunitions and Explosives Regulations 1993 (AAER 1993)* and the *1987 Tribal Militia, Geish al-salem ("Peace Army") charter* enacted by the Sudanese parliament, which legalized the activities of pro-government militia groups that are co-ordinated by al-Quat

⁵⁰ ICG Report, Sudan's Oil Fields Burn Again: Brinkmanship endangers the peace process, 10 Feb. 2003. pp 5-7

al-Wataniya al-Shabiya (“National Popular Forces”), within the National Army – that matters relating to weaponry have largely remained a confidential military affair in the Sudan⁵¹. This practice is not surprising given the fact that the country has had internal wars and military rule for a considerable period of time.

In Somalia, the 2002 report of the DDR committee provides the framework for a future DDR initiative to be promoted in Somalia. The Committee requested international assistance through UN observers, and stressed the need for a broad-based Somali government to take a leadership role in disarmament. The National Disarmament and Rehabilitation Commission (NDRC) charged with the task of disarming factions would utilize the assistance of military and civilian expertise. The NDRC advocated widespread weapons collection, with targets of demobilizing 100,000 militiamen in the first phase at specified DDR sites. The program design was voluntary in nature, and did not advocate the forcible disbanding of militias.

The DDR report also provides for the reintegration and psychological rehabilitation of Somalia’s ex-combatants, wishing to leave military service. For those wishing to continue in military service, the Committee also advised the construction of a national military. Not only would the creation of a state-run military consolidate government authority, but through the DDR program former militiamen could also be absorbed into the new armed forces, providing them with meaningful employment. The Committee on Conflict Resolution and Reconciliation also noted that as an essential aspect of developing peaceful conflict resolution mechanisms, a thorough review of and concerted effort to resolve the problem of small arms proliferation in Somalia was needed. The committee encouraged all clans, communities and regions to collect arms and assist with the DDR process, and requested that the international community actively prevent the flow of arms into Somalia’s borders.

Regional and National Institutions on Small Arms

Countries in the Horn of Africa have established the Regional Center on SALW (RECSA) in Nairobi, Kenya. The Center serves all the State Parties to the Nairobi Protocol. The broad mandate of RECSA is to coordinate the regional Agenda for Action specifically to:

- Ensure long-term sustainable commitment towards the achievement of the objectives as enshrined in the Nairobi Protocol;
- Develop, implement and sustain a comprehensive strategy to combat the illicit proliferation of SALW, taking into account the linkages between arms proliferation and all aspects of human security and the long-term objective of attaining peace, stability and development;

⁵¹ ICG Report, Sudan’s Oil Fields Burn Again: Brinkmanship endangers the peace process, 10 Feb. 2003. p8

- Pursue initiatives for the peaceful resolution of conflicts in the region;
- Enhance co-operation and exchange of information among the National Focal Points and other relevant agencies and organizations tasked with addressing the problem of illicit proliferation of SALW;
- Co-operate with international organizations, regional and sub-regional organizations and civil society in preventing and reducing the problem of the illicit proliferation of SALW; and
- Co-ordinate international support for the implementation of the regional Agenda for Action.

National Focal Points (NFPs) in Regional Countries

The establishment of NFPs is stated in article 4 sub section (d) of the Nairobi Protocol which calls on states to 'establish or enhance inter-agency groups involving policy, military, customs, home affairs ministry, and other relevant bodies to improve policy co-ordination, information sharing and analysis at national level. The functions and responsibilities of the National Focal Point as stated in the Implementation Plan of the Co-ordinated Agenda for Action on the Problem of the Proliferation of SALW in the Great Lakes Region and the Horn of Africa include:

- Co-ordinating with the RECSA in the implementation of the Agenda for Action;
- Co-ordinating and interacting with National Focal Points in other countries and with civil society;
- Facilitating the exchange and dissemination of information;
- Conducting and facilitating research;
- Identifying and applying lessons learned; and
- Building the capacity for sustainable approach to the problem of small arms and light weapons
- Overseeing the implementation of regional and international instruments on small arms to demystify the culture of violence.

IGAD⁵² and IGAD CEWARN

IGAD CEWARN is one of the projects that the IGAD Secretariat has developed to help enhance the capacity of member states in the area of conflict prevention, management and resolution. The IGAD Council of Ministers signed a [Protocol on the Establishment of a Conflict Early Warning and Response Mechanism \(CEWARN\)](#) in Khartoum in January 2002. The CEWARN office was established August 2002 in Addis Ababa and officially inaugurated in July 2003. The Protocol entered into force in August 2003. The objectives of CEWARN include:

⁵² <http://www.cewarn.org/> accessed on 3 April 2007

- Enabling member states to prevent cross-border pastoral conflicts from developing into armed violent conflicts on a greater scale.
- Enabling local communities to play an important part in preventing violent conflicts.
- Enabling the IGAD Secretariat to pursue conflict prevention and mitigation initiatives.

The Eastern African Police Chiefs Co-ordination Committee (EAPCCO) and the Eastern African Standby Brigade (EASBRIG)

The EAPCCO which brings together police chiefs from nine countries that are also members of the Nairobi Protocol is a useful institution when dealing with issues of small arms. This Institution was the lead agency in the development the Nairobi Protocol. Another Institution that is relevant in relation to SALW control is the Eastern African Standby Brigade (EASBRIG)⁵³ which is within the framework of the planned African Standby Force of the African Union. EASBRIG was officially launched on 11 April 2005, at the [First Summit of Heads of State and Government of the Eastern Africa Region on the Establishment of the Eastern Africa Standby Brigade in Addis Ababa](#). Other useful Institutions dealing with SALW control issues include the International Criminal Police Organization (INTERPOL) and the World Customs Organizations (WCO).

East African Community (EAC)

Earlier this year (2007), a new small arms Unit was established within the EAC Secretariat (the regional political union for Kenya, Tanzania and Uganda, later joined by Burundi and Rwanda). The Unit is to support the creation of a coherent political, institutional and legal framework to reduce the proliferation and misuse of SALW within the EAC.

National and Regional Networks on Small Arms in the Horn of Africa

A crucial element in the progress of small arms control activities in the Horn of Africa is the partnership between governments and civil society. The involvement of civil society organizations is clearly provided for in some of the policy documents; however the Nairobi Protocol makes reference to civil society under article 13 sub-sections (b). The civil society organizations in the Horn of Africa, have come together to form National and regional chapters of the International Action Network on Small Arms (IANSA), in a bid to carry out advocacy work on SALW control collaborates with other actors including governments. There is the Kenya Action Network on Small Arms (KANSA), the Uganda Action Network on Small Arms (UANSA) and the Southern Sudan Action Network on Small Arms (SSANSA). These National Networks join together to

⁵³The African Union plans are to establish five regional standby brigades, with one in each of its five designated regions. The Eastern Africa region consists of the following countries: Comoros, Djibouti, Eritrea, Ethiopia, Kenya, Madagascar, Mauritius, Rwanda, Seychelles, Somalia, Sudan, Tanzania and Uganda, although Tanzania may go to the Southern Africa region

form the Eastern Africa Action Network on Small Arms (EAANSA)⁵⁴. They have provided a crucial link to local communities and acted as important sources of expert knowledge and capacity to assist government bodies. They have also facilitated forums and organized meetings that have facilitated information exchange, dialogue and policy engagements with governments on issues of small arms.

⁵⁴For more information on these networks the following can be contacted People with Disabilities in Uganda email- pwd@imul.com and Security Research and information center (SRIC) in Kenya

SECTION V

Challenges and Lessons Learnt

From the reviewed literature on institutional, legal, policy and administrative frameworks, and the disarmament experiences in the Horn of Africa among others, it emerges that there are several challenges and lessons that should be considered for a successful disarmament programme among the pastoral communities in the Horn of Africa.

- The challenge in reducing the numbers of small arms in the Karamoja and Somali clusters is to devise sustainable measures that will enhance physical security, reduce poverty levels, promote reconciliation, provide economic opportunities for the pastoral communities and expand educational opportunities.
- Another challenge is how to reconcile the traditional beliefs, norms and values and the conventional justice system. The pastoral communities have some deep rooted practices and values such as cattle rustling and bride price that drive them into behaviours that invite conflicts. Wholesale criminalization and politicization of livestock rustling does not augur well with the efforts to finding peaceful resolution to pastoral community's problems. According to the conventional justice system, livestock raiding is criminalized under the law. But for the communities in question, livestock rustling is not a criminal offence but a way of life. In addition one has to deal with the invisible hands behind commercialization of livestock raiding, harsh environmental conditions and underdevelopment. In short disarmament processes must also take into account the social, cultural, economic, political and ecological factors that offer some explanations as to why pastoral conflicts continue to plague the sub-region.
- The continuing pockets of conflicts in the Horn of Africa in addition to organized criminal groups among others pose a serious challenge to any disarmament process. This is because players in these conflict situations continue to feed the pastoral communities with more firearms.
- The implementation of the Nairobi Protocol lies squarely in the hands of the governments. The involvement of the civil society is not explicit in the Nairobi Protocol. The challenge is to widen the participation of civil societies in countries where they are involved and encourage their participation in those nations where their operations are restricted.
- Disarmament of pastoral communities who are not ex-combatants nor can be termed as coming out of conflicts pose a challenge in the sense that there are little documented results and lessons from similar cases to draw from. Nevertheless, lessons can be drawn from other disarmament programmes particularly the UN-led process on some elements such as planning, monitoring etc.
- The decision to disarm has in most cases been made at the highest political level
- Disarmament experiences and some provisions of the existing frameworks suggest preference to voluntary disarmament to a forceful one. Voluntary disarmament has netted

more arms unlike the forceful approach which has generated frosty relations between the state agents and the pastoral communities.

Recommendations

1. There is need for effective government commitment to develop and implement sustainable integrated development policy and programmes to improve the livelihood of the pastoralist communities. This includes provision of basic social services such as water, livestock development including valley dams, free and compulsory education, and diversification of crops, roads and other communication infrastructure. This means a deliberate increment in budgetary allocation towards the development of pastoral areas and by encouraging the exploitation of the locally available resources.
2. There is need to undertake a detailed disarmament planning at the beginning of the process which is essential for smooth implementation and for successful re-integration of the disarmed. A general consent, particularly of representatives of the state and all parties concerned should be sought to gain full support. Elements of public information programme for the purpose of sensitizing the public on issues of disarmament and the entire DDR programme must be clear.
3. The region needs to develop clear standard procedures and guidelines for disarmament on issues such as timing; methodology for weapons collection; recording; disposal and location of sites among other necessities. Information needed for planning disarmament initiatives should be shared. After the disarmament exercise is over, illegal possession of arms must be a serious offence by law. Each member state should also develop national guidelines on disarmament of pastoral communities. Majority of the disarmament programmes in the sub-region have been ad-hoc, haphazard and reactionary in nature with virtually no guidelines at the national level.
4. The countries of the region must carry out simultaneous disarmament of pastoral communities if the exercise is to succeed. The transfer of small arms from communities targeted for disarmament to avoid the exercise to other safe areas across the border provides a strong case for a simultaneous regional disarmament approach. Regional disarmament programmes must be systematic and well coordinated on both sides of the border. This will help build confidence and reduce the likelihood of those surrendering arms to become vulnerable to attacks.
5. Procedures for monitoring and verifying of the disarmament exercise should be developed. The governments must cooperate with other actors to implement and verify the joint disarmament exercises to ensure that they are transparent and accountable to the public and at the same time check against human rights abuses.
6. There should also be guidelines on how the various arms of the government should relate while undertaking the exercise. In many instances for example in Kenya there are the police, the army and the National Security Intelligence Service (NSIS) and in many cases it is not clear who is doing what.
7. Disarmament is an exercise that requires must be backed with sufficient resources and political will to sustain them. Previous processes have lacked sufficient resources and therefore have been inconsistent. Countries of the region must allocate sufficient funds for this purpose. In order to have a positive impact the states must mobilize sufficient resources for sustainability of the disarmament programmes and accompanying activities. Although the states have supported community led weapons collection initiatives in certain places, they have failed to translate these efforts into increased resources for local communities, or to national policies that define and legitimizes these efforts.

8. Efforts to mitigate ongoing conflicts in Somalia, Darfur region of Sudan and in Northern Uganda must be supported and/or intensified. In addition, pockets of opposition groups in some countries should negotiate a way out of their grievances. Resolving this conflicts and tension is important because if they remain they will continue to feed the pastoral communities with more firearms. In nutshell disarmament among the pastoral communities in the Horn of Africa sub-region must take into account the existence of other armed groups and the regional security situation.
9. Countries of the region should review and harmonize their national legislation and regulations on small arms for a regional approach to be freed from national legal and administrative challenges and inconsistencies. This is because in a majority of the countries, there are legislations or policies that can be inferred to deal with certain aspects of small arms which are not in tandem with those of the neighbouring states.
10. Disarmament initiatives should be carried out in cooperation with local people and should go hand in hand with public awareness raising programmes on the dangers of SALW proliferation and misuse. Consensual disarmament programmes need to be given sufficient time to succeed and the adoption of coercive measures should be seen as a last resort. False promises and counterattacks on those who have cooperated to disarm provide a tough lesson for future disarmament
11. There are a number of institutions, legal and policy frameworks on pastoral communities and small arms in the sub-region. In addition there many activities that are taking place to tackle the problem. There is therefore need to identify the frameworks at all levels, and the accompanying activities in order to co-ordinate/support one another and avoid duplication.
12. IGAD should support and encourage research by reputable research institutions, NGOs or reserachers to inform its action. This paper recommends that research be undertaken on the following among others
 - a. A detailed study on the various disarmament attempts by countries of the region with an aim of drawing lessons
 - b. Provision of alternative security to the communities through the re-examination of the feasibility of arming vigilante groups such as the Local Defence Units (LDU's) in Moroto district in Uganda and the 'home guards' or the Kenya Police reservists (KPR) in northern Kenya in order to determine whether this portends a viable option to the challenge of provision of security to the disarmed communities.
 - c. Although DDR is normally understood to refer to the context of post conflict situations a close review of DDR shows that that the same can actually be applied to pastoral situations. For instance once those to be disarmed have been identified, it will be realized that the warriors will require some form of demobilization and re-integration. The conventional understanding of disarmament as being applicable in societies coming of conflicts must be re examined in the context of pastoral communities.
 - d. Disarmament initiatives need to incorporate provisions for "getting something back" to the communities as well as to the individuals who surrender weapons. The feasibility of undertaking "weapons for development" programmes where the surrender of weapons is linked to the provision of social services and capital infrastructure should be explored.

Conclusion

The reasons for acquisition of SALW range from the need for self protection to observe cultural practices. In addition to mounting successful raids to meet the commercial interests of business people who use them to supply urban markets. The anarchy created by small arms impacts negatively on all facets of social and economic life. Overall the problem lie in the states neglects of the pastoral areas since and combined with harsh climatic conditions produces a tragic mix of factors that drive these communities into acquiring arms. The impact of arms is devastating. It retards economic development, disrupts social cohesion in addition to causing injury and death and used as instruments in the violations of humanitarian and international law.

There exists numerous institutional, legal, and policy frameworks at international, continental, sub-regional and national levels. Consequently there are different players undertaking varying activities to tackle the problem of proliferation and use of small arms.

Disarmament among pastoral communities in the sub-region has been ad-hoc and depended on poorly conceived national policies and government decrees and combined forceful and voluntary approaches. In most cases it is a reactionary respond to periods of intensity insecurity. Forceful disarmament has drawn resentment among the communities and strained relationship between the pastoral communities and states security apparatus.

Disarmament must be seen as part and parcel of the development process and not as a one off event. It must be approached from a human security perspective that considers physical security, economic security, social security, environment security, cultural security etc. Disarmament should be incorporated into broader strategies to promote sustainable development.

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Disarmament in the Horn of Africa: The Case of Karamoja and Somali Clusters

Discussion Issues

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- Generally, the paper provides an excellent framework to discuss issues of disarmament in the region of the Horn.
- Its defined security from a very broad perspective as being human security and not state security. This is excellent. SALW do not only threaten state security but rather they affect human rights, food security, economic security e.t.c. **BUT** however, there are a number of broad and specific issues of concern that I must raise:

The Broad Issues

- 1) The paper needs to be focused on Karamoja and Somalia!
- 2) The paper gives a number of frameworks that have been put in place by states and International Organisations to combat the proliferation of SALW but as it has been noted: It is not the lack of the policies to combat SALW by East Africa and the Horn countries e.g. controlling borders, establishing registration methods and improving collection practices during demobilisation and disarmament. Policies are in place, but what is lacking is that all of them do not address the issue of the demand for firearms! Why do people seek to acquire firearms? The paper does not address this question. The answer to the question has been given as that: the demand for firearms exists because citizens perceive the need to acquire arms due to government's inability to protect its citizens, lack of economic opportunities and the tradition of violent and vendetta culture!
- 3) The paper fails to analyse the extent to which the mechanisms that have been put in place to stem the flow of SALW have been successful or unsuccessful. E.g.
 - Page 6: "... the GoU has established the KDA and the Ministry of State for Karamoja in the PM's Office purposely to catalyze the development process, to help in

advocacy and mobilize development resources" How far have these institutions succeeded or failed in their endeavours? Analysis!

- Page 22: the paper fails to appraise the work of the Regional Centre on SALW (RECSA).
- Page 23: It fails to appraise the work of the National Focal Points (NFPs).
- Page 23: It fails to appraise the work of IGAD's CEWARN.

The Specific Issues

- 1) Page 7, the authors cite Amnesty International as stating that 20,000 children have been abducted by the LRA. But note that a recent study by The World Bank has noted that 66,000 youths have been forcibly recruited into the LRA since 1986 (see *The New Vision*, 12 February 2007, p.3).
- 2) There is a failure to reference factual information! Examples: On page 7 (starting line 4), "In Kenya, it is estimated that the national firearm homicide rate ranges from 10-15 per 100,000." According to who?; On page 11 (second paragraph-line 3), "Indeed, a paltry 854 guns were recovered during these operations". Reference?; Same paragraph, "For instance in May 2002, Karamajong fighters resisting disarmament reportedly killed 19 UPDF soldiers." Reference?; Page 17 paragraph 3, "approximately, 60 Technicals and 600 weapons were turned in to the government, including 2 Technicals turned in by Interior Minister Aidid." Reference?
- 3) What is a Technical? Should explain in a footnote!
- 4) On Somalia, Page 17 (paragraph 4)- paper should appraise the work of the Africa Mission in Somalia (AMISOM) in disarming the Somali population.
- 5) On Page 21 (second paragraph), the authors should know that the Uganda army-the UPDF is no longer governed by the National Resistance Army Statute (1992) but by the UPDF Act (2005).
- 6) On pages 19-20, the paper notes that the OAU adopted a Convention on the Prevention and Combating of Terrorism (1999)-came into force in 2002 and that the AU came out with a Plan of Action on the Prevention and Combating of Terrorism in Africa in 2002. Yes, but the paper fails to explain how these instruments will "play an important role in the control of SALW in the region."
- 7) On page 11-Uganda (last sentence on page), the authors state: "Another attempt at disarmament began late 2005 and by late 2006, it had generated intense violence involving the UPDF and the local Karamojong warriors with human death, loss of livestock and property damages." The authors fail to explain exactly what happened.
- 8) On page 11, there is generally a conceptual leap from voluntary to forceful disarmament! The authors fail to explain why there was a movement from voluntary to forceful

- enforcement in Karamoja. Why did the government which had netted 6.046 guns during the voluntary disarmament suddenly see it essential to start forcefully disarming the population in Karamoja? What was the reason(s)?
- 9) On page 16 (first paragraph) the authors state: "The Ethiopian army, while carrying out the disarmament exercise, forcefully disarmed the communities in the numerous villages on both sides of the Ethiopia-Sudan border." What were the results of this exercise?
 - 10) Page 13 (paragraph 1): "This round of disarmament estimated to be the 23rd in 27 years was forceful and drew heavy criticisms from some members of parliament, local leaders and civil society representatives because it was thought to violate basic human rights by displacing people and arbitrary arrests of suspected gun holders." What were the results of this round of disarmament?
 - 11) Page 12 (paragraph 3)-Kenya: "As a result a public education campaign was launched to persuade the Pokot to surrender their weapons. Local leaders ... In the background were government threats to seize arms by force if cooperation was not forthcoming." What did this campaign of disarmament achieve?
 - 12) On page 12 (second paragraph) the authors state: "The forceful disarmament exercise has been controversial, the Civil Society Organisations (CSOs) have protested against it ... Which are these CSOs that have protested?"
 - 13) Page 12 (paragraph 2) they state: "The allegations led to the suspension of the UNDP assistance for the disarmament exercise."When?

Conclusion

- 1) What comes out of the clearly is that people seek to acquire arms because their governments have failed to give them protection. E.g. On page 12 the authors note that "The Pokot elders argued that it was difficult for the Pokot to live without guns, while their neighbours, including the Karimajong of Uganda were allowed to use guns like walking sticks", On page 15 "Communities have learned from what happened to the Dinka-Bor and they would not give up their guns without a fight, unless their protection is guaranteed." On page 16, "It was also reported that members of the Merle ethnic minority are reported to have taken advantage of the disarmament of the Anuak by attacking them near Pochalla and at Ajwara."
- 2) The emasculation of the National Focal Points (NFPs)- "The NFPs have cultivated neither the clout nor the mandate to fulfil their functions because existing core Ministries (Home Affairs and Defence) are not prepared to transfer power to the NFPs. National legislatures have not passed the necessary legislation to cover the NFP activities. In the result, the Ministries do not feel any obligation to cooperate with the NFPs."

Appendix 8

Please find attached a separate copy of the Country Report of Djibouti (Original in French) in PDF format.

Appendix: 9

Republic of Djibouti

Unofficial Translation of a country Report presented at
the IGAD Regional Workshop on
the Disarmament of Pastoralist Communities
from 28-30 May 2007
in Entebbe, Uganda.

SMALL ARMS AND LIGHT WEAPONS
WITHIN THE FRAMEWORK OF CEWARN

NATIONAL BACKGROUND

The Republic of Djibouti is a country with an area of 23,000 km², located in the Horn of Africa, and sharing its borders with Northern-Eritrea, South-Western Ethiopia and finally with South-Eastern Somalia. It has a 370 km long sea coast, which looks onto the Red Sea and the Gulf of Aden. Its geo-strategic location therefore puts it at the crossroads of large maritime routes coming from three continents, Africa, Asia, and Europe. Such a location makes it one of the busiest maritime and commercial worlds.

Moreover, the Republic of Djibouti is also a sea entry and exit point for a hinterland constituted of several million inhabitants from neighboring landlocked countries.

The Republic of Djibouti became independent on the 27th June, 1977. The two majority ethnic groups in Djibouti are the Afar and the Somali, nomadic and pastoralist people. An important Arabic community of Yemeni extraction is also living in Djibouti, as well as a population of French families with the presence of the largest French military base in Africa.

However, due to persistent conflict outbursts all around the Republic of Djibouti, the latter was subject to a constant pressure of refugees' movements coming from all countries of the region since its independence in 1977.

As a result, due to its geographical location, the Republic of Djibouti is in a region facing instability generated by conflicts and where it constitutes a safe haven. These conflicts effectively resulted in the proliferation of fire arm supplies.

However, it should be noted that despite this conflict prone situation prevailing in our region since many years, the Republic of Djibouti is not experiencing a large crime with recourse to the use of fire arms.

It is clearly acknowledged that illicit trafficking and use of fire arms for criminal acts seriously undermine the security of all states and constitute a serious threat to the well-being of populations as well as social and economic promotion.

The movement and use of these arms result in a significant loss of human lives and displacement of part of the civil society.

That's why a number of measures were taken and are in place in order to prevent, combat, and eradicate illicit possession of Small Arms and Light Weapons.

Establishing an Institutional framework

There is a need to underline that the Republic of Djibouti has a legislation including provisions for fire arms import, export, and transit.

It is clearly specified in our criminal code that it is strictly prohibited for any person to engage in such activities without a license.

Indeed, possession of fire arms is only authorized for law enforcement. Furthermore, there is no commercial gunsmith's, neither any shop or production unit of fire arms in the whole country.

In this regard, Djibouti's legislation, the 2nd June 1962 Act No 62/621, prohibits any person, except law enforcement, from carrying arms and ammunitions. This act prohibits the possession, sale, brokerage and manufacturing thereof by civilians.

However, there are some exemptions for civilians of this legislation. They apply to local traders who can apply specifically to the Ministry of Interior and Security for specific cases of threat or proven risk, related to their profession.

Moreover, a law relating to the development of a new criminal code was enacted on the 5th of January 1995, within the framework of modernization of the criminal law in the Republic of Djibouti.

Djibouti specificity

Despite the perpetual tensions induced by recurrent conflict situations in neighboring countries, the Republic of Djibouti won the bet of remaining an exception, appearing like an example in the whole region through, first of all its virtual inexperience in carrying fire arms and, then, its extensive experience in a traditional and peaceful way of life, and conflict settlement.

The Republic of Djibouti, which is developing a culture of peace for many generations, knowing how to go beyond the differences of opinion and internal dissensions, peculiar to any community, owing to dialog and consultation, got even many times to the point of exporting in the sub-region this hundred-year-old civic and civilized legacy, which consists in trying first of all to settle differences in a different way other than with arms.

Indeed, this small country has notably played successfully, more often spontaneously than at somebody's invitation, a mediator role through organizing or participating in reconciliation conferences between the huge belligerent neighbors.

Some recent examples, such as the following, will depict these facts:

- The large reconciliation conference, which took place in the Republic of Djibouti en 1986, between the two leaders of Somalia and Ethiopia, and induced the establishment of IGADD (Regional agency for countries in the Horn of Africa as members, and which today has been renamed IGAD with its missions being updated).
- The numerous mediations between the two rivals within the same camp, Ethiopia and Eritrea.
- The successful Mediation between the former and the incumbent Sudanese Presidents in 1999.
- The reconciliation Conference for the People of Somalia, which was entirely funded with a deduction on a voluntary basis from the salaries of Djibouti people and which

led, in 2000, to the election of a transition Parliament in Somalia, which in turn was able to elect the acting President whose mandate was for three years.

- The involvements of the Republic of Djibouti in the small mediation group for Côte d'Ivoire, between the current President Gbagbo and his opponents.

The non problematic of small arms and light weapons

Due to its geographical location, the Republic of Djibouti is in a region facing a recurrent instability situation, generated by brewing conflicts, which burst out in the sub-region countries.

However, the Republic of Djibouti has been spared from the armed crime phenomenon, which is raging in the other countries of the sub-region. A notable case, for it is rare, the country and its civil inhabitants don't even have a tradition of possession or use of fire arms.

During the civil conflict, which lasted three years (1991 - 1994), and at the end of which an agreement was signed between the rebels and the government, one of the main clauses for re-integration of former dissidents into the regular army was to hand over all the SALW in their possession with a view to add them to the large destruction stake, which was set up to this end. This was achieved as soon as the Peace Agreement was signed.

Nomads vs. Arms in the Republic of Djibouti

The population of Djibouti has its roots embedded in nomadism and has family and ethnic kinship beyond borders, within the populations of the countries bordering it.

This can be explained by the fact that the borders drawn by colonial authorities froze in time, spaces inhabited by Djiboutian ancestors.

However, non urban populations never let themselves be stopped by these borders they consider as artificial, and they often, especially during reminiscences of great transhumance time, attend to their business such as trade, crossing joyfully the so called borders.

Consequently, the Djibouti government had to impose rules of conduct to which they were obliged to adjust.

Indeed, it is formally mandatory for nomads to lay down at the borders of the Republic of Djibouti all their fire arms with no exception in order to avoid any accident.

Nevertheless, understanding the need to carry arms for self-defense in the vast areas they cross all alone, the state returns the arms when they leave the territory and that, without any constraint!

These rules are accepted and applied for a long time by all nomads who wish to come into the Republic of Djibouti to practice trade, long before independence.

INTERNATIONAL BACKGROUND

The Republic of Djibouti is signatory of quite a good number of International Agreements, which cover all areas. However, we shall only address the field concerning small arms and light weapons.

In addition to the Bamako Declaration on a common African position on proliferation, movement and illicit trafficking of small arms and light weapons, and the Program of Action to Prevent, Combat and Eradicate illicit trade of small arms and light weapons in every aspect, the Republic of Djibouti is signatory of the Nairobi Declaration on proliferation of small arms and light weapons in the Great Lakes region and in the Horn of Africa, and also of the Nairobi Protocol on prevention, control and reduction of small arms and light weapons in the Great lakes region and the Horn of Africa.

Djibouti is also a founding member of the «Regional Center on Small Arms and Light Weapons» (RESCA), and is part of the ten (10) countries, which are participating in the Pilot Project, entitled «SATCRA».

Following the example of other RESCA member states (formerly «Nairobi Secretariat», because the members were countries signatory of the Nairobi Declaration), a National Commission/Focal Point for small arms and light weapons, gathering all relevant stakeholders in the field of small arms and light weapons issues (Custom, Justice, Military, Police, Gendarmerie, Associations, Foreign Affairs, etc.) already exists and serves as a framework for any illicit SALW prevention, surveillance and destruction activities.

Besides, this Commission/Focal Point for small arms and light weapons has commemorated the fifth anniversary of the Nairobi Declaration Signature by countries of the Great Lakes Region and the Horn of Africa, carrying out the destruction through fire of a significant amount of fire arms seized during attempts to introduce them across the borders.

This event took place on the 15th March 2005 in the Police College in the presence of National Police senior officials as well as government senior officials. It was an opportunity to commemorate the five years during which the Republic of Djibouti spared no effort to curb the flow of firearms coming from countries bordering it, and that could spill over inside our borders.

This permanent vigilance naturally reflects the choice of the Republic of Djibouti as well as its will to protect its population from an epidemic: The «desire to possess fire arms», the best warranty to preserve tranquility and security, so unique in this permanent or latent conflict prone region.

Appendix: 10

Please Find Attached a separate copy of the Country Report of Sudan in PDF format

Appendix: 11

Please find a Presentation by GoSS, DDR Commission, Juba as a separate copy in PDF format

DISARMAMENT OF PASTORAL COMMUNITIES: KENYA'S PERSPECTIVE

1.0 INTRODUCTION

Kenya since time immemorial has had cattle rustling and banditry problems in pastoral communities. It has been established that this way of life is caused by harsh climatic conditions, aridity and low socio-economic activities in the concerned communities. Involved areas and communities include those of North Eastern province, Lamu and Tana River districts of Coast province, Isiolo and Marsabit districts of Eastern province, the North Rift Valley districts of Turkana, West Pokot, Trans Nzoia, Baringo, Samburu, Laikipia and Marakwet covering about 65% of Kenya's total area.

The Government efforts to address the underlying socio-economic causes of cattle rustling and banditry have borne fruits though the problems still exist due to proliferation of small arms. The gravity of the problem in some areas is quite high. For example we had increased incidents in Trans Nzoia and West Pokot Districts in the period of February – April 2005 amounting to 26 cases of banditry/cattle rustling in which 22 people were killed, 16 people injured, 5,156 livestock stolen, several houses burnt down and villages abandoned, about Kshs 226,000.00 (3,388.30 USD) stolen, over 60,000 people displaced, over 100 schools closed and economic activities in the affected areas disrupted.

Incidences are caused by politicization, inflammatory and irresponsible utterances by political and/or community leaders (Laiyons). The same is the case with the example above triggered by the eviction of an invading community from Kapolet forest settlement, which belongs to Sengwer/Cherangany community.

It should be noted that conflicts in some Kenya's neighbouring countries have aggravated the problem of proliferation of small arms. The same has spilled in urban areas, hence increasing security and safety challenges.

2.0 CONTROL MEASURES

Kenya is committed to addressing the problem of proliferation of small arms and light weapons within the Great Lakes Region and the Horn of Africa. To attest to this commitment, the Government of Kenya signed and ratified Regional Declarations and Protocols between 2000 and 2005 and is also a signatory to a number of international instruments aimed at bolstering the initiatives on small arms issues. Kenya is also pleased to inform that she is one of the sponsors and co-authors of the Arms Trade Treaty Resolution A/RES/61/89 that was adopted by the UN General Assembly on 6th December 2006. Kenya has collaborated with all stakeholders such as civil society and development partners to address issues of conflict management and proliferation of illicit small arms and light weapons at all levels – Nationally, Regionally and Internationally.

At the national level, the Government established the Kenya National Focal Point (KNFP) on Small Arms and Light Weapons (KNFP) in 2002 with the mandate of coordinating all action on small arms

in the country. Keen on addressing the small arms problem through a consultative and all-inclusive approach, it was deemed necessary to ascertain the extent and magnitude of the proliferation of illicit SALW in Kenya. This was on the understanding that the success of any meaningful disarmament programme contributing towards the effective reduction/removal of the availability of weapons among the communities would be determined by, among others, the accuracy of disarmament/weapons collection targets. It is in light of this that the Government of Kenya conducted a national assessment for the illicit SALW weapons in March 2003. On the basis of this assessment, the KNFP developed a National Action Plan (NAP) for Arms Control and Management through a consultative process. The NAP was officially launched on 14th July 2006, though its implementation in part started in July 2004 and it has ten main components as follows:

- a. Institutional framework
- b. Policy and legislation
- c. Stockpile management
- d. Public education and awareness
- e. International, regional co-operation and information exchange.
- f. Border control and refugees
- g. Human development planning
- h. Training and capacity building
- i. Research
- j. Critical area of support

Cognizance of the role that the proliferation of illicit arms and light weapons play in fuelling conflicts, the Government of Kenya has made and continues to make deliberate efforts to address the small arms problem. In an effort to fast-track the implementation of the National Action Plan for Arms Control and Management by conducting multi-sectoral operations aimed at removing the illicit SALW from circulation in certain parts of the country. Also see Annex 'A' attached.

3.0 **DISARMAMENT OPERATION IN NORTH RIFT VALLEY**

To address the situation given in the background the Government launched a multi-sectoral operation in seven districts in North-rift (Turkana, west Pokot, Marakwet, samburu, Marsabit, Baringo and Trans-Nzoia). Phase one began in may 2005, whereas the second phase began in early 2006 starting with areas along the border between Kenya and Uganda and is still on-going. The operation is multi-dimensional Civil Military Operations conducting security operations, combining both voluntary surrender and forceful collection of illicit SALW and Humanitarian Civic Activities (HCA). HCA embrace development interventions including the re-opening of schools, dispensaries and livestock markets, livestock branding and vaccination, sinking of boreholes, construction/rehabilitation of water pans, opening of security roads, and opening up/staffing of chiefs and police posts.

3.1 **Weapons Collection, Control And Disposal.** Notably, the Government has collected and conducted public destruction of over 20,000 assorted illicit small arms and

light weapons on various occasions with a view of raising public awareness. Further, this serves to demonstrate the Government's commitment to remove illicit SALW from circulation. The Government of Kenya has therefore, conducted public destruction of illicit SALW on various occasions as indicated here:

<u>Year</u>	<u>Total</u>
2003	8,289
29 th June 2005	3,839
15 th March 2007	8,008
12 th April 2007	50,000 rounds of ammunition

The destruction of illicit SALW is in line with the Declarations, Protocols Kenya has signed for the Prevention, Control and Reduction of Small Arms and Light Weapons in the Great Lakes Region and the Horn of Africa.

3.2 **Socio-Economic Measures (Hca)**. Through the disarmament operations, there has been a remarkable decline in incidents of both internal and cross-border cattle rustling by 90%. It also suffices to note that, by mid-2006 (a period of one year), over 69 schools reopened; 80 dispensaries rehabilitated; 20 boreholes drilled and 9 rehabilitated; 22 water pans constructed and 10 rehabilitated; about 155 km of roads graded; over 200,000 animals branded and vaccinated and 9 chiefs camps and Police Posts opened and staffed. The population (25,719) also benefited from special health services organized through medical camps by the military.

It is worth noting that Kenya recognizes the regional dimension of the small arms problem. It is in this context that both Governments of Kenya and Ugandan prepared a Joint Disarmament and Development Programme in 2005 and launched the operation along the border simultaneously.

4.0 **OTHER SPECIFIC MEASURES**

It should be underscored that there are a series of other initiatives that have been put in place to complement the arms collection and disposal. Among these are the following:

4.1 **Institutional Framework for Peace building and conflict Transformation**. Kenya established and operationalised both the National Steering Committee on Peace building and Conflict Management (NSC) in 2002, as inter-agency Committee to address issues of Peace building and Conflict transformation. District Peace Committee as well as community policing fora have also been established in most districts to address these issues.

4.2 **Policy Framework**. The Government in collaboration with other stakeholders are currently working on draft policies on Small Arms and Light Weapons; Peace building and Conflict Management; and Community Policing.

4.3 **Capacity Building for Stakeholders.** Training of a wide range of stakeholders, including government officials, civil society organizations, NGOs, and development partners on issues of Small Arms and Light Weapons, Peace building and Conflict management, mediation, negotiation and community policing are on-going. A group of mediators has been trained to undertake mediation among warring groups.

4.4 **Enhanced information sharing and exchange.** The Government has stepped up efforts in information sharing and exchange at all levels. At the regional level, however, there are initiatives that have led to regional consultations and structures. For instance, the East Africa Police Chiefs Co-operation Organization (EAPCCO) has been instrumental in steering the process for the development of a draft Protocol on Cattle Rustling. Again, consultative meetings between the Defence Chiefs and Ministers in Charge of Defence have also been enhanced in the Eastern Africa Region.

4.5 **Bilateral Meetings.** Kenya encourages the facilitation of cross-border peace dialogue with her neighbours. Bilateral Meetings have annually been held especially between Kenya/Uganda; and Kenya/Ethiopia through Cross Border Commissioners/Administrators Meetings. Through these arrangements, security related issues and other major issues of interest are discussed. Efforts are being made to establish and strengthen cross-border community committees at all levels with a view to owning and driving the peace processes.

4.6 **Cross-border Projects.** At another level, Kenya has been supportive of cross-border projects that address the development needs of border communities. For instance, the South Omo (Ethiopia) / Turkana (Kenya) initiative - Supported by Oxfam GB - has enhanced dialogue and interaction between the Turkana and Nyangatom / Dessanach. This has gone a long way in reducing the conflict incidents along the Kenya/Ethiopia/Sudan axis. Efforts have also been made to link the Peace building structures on both sides of the border between Kenya and Ethiopia and Kenya/Uganda. Considering that illicit SALW exacerbate conflicts in the region, there has been a deliberate attempt to address this dimension of conflicts through strengthened and collaborative cross-border initiatives.

5.0 **IMPLEMENTATION OF REGIONAL AND INTERNATIONAL AGREEMENTS**

Kenya is a signatory to a number of regional protocols and agreements regarding small arms and conflict management. Examples of these are the Nairobi Declaration, Nairobi Protocol, CEWARN Protocol, UN Programme of Action on Small Arms among others. The Government has ratified most of these Agreements, as a sign of political commitment and goodwill. Kenya hosts the Regional Centre on Small Arms (RECSA). This depicts her commitment to addressing the problem on proliferation of illicit small arms and light weapons, not only in the region but in the international system.

Appendix 13:

WORKSHOP PAPER ON DISARMAMENT OF PASTORALIST COMMUNITIES IN UGANDA AS PART OF IGAD REGION WHICH TAKE PLACE ON 28 – 30 MAY 07 IN ENTEBBE - UGANDA

BACKGROUND

1. Uganda as a country of 241,000 square km is divided into four Regions. The Eastern bordering with Kenya, Northern bordering with Sudan, Western Bordering with DRC and Rwanda, and finally the Central that borders with Tanzania to the South.
2. Since time immemorial, there have been pastoralist communities in three of Uganda's Regions and their migration has all along been determined or influenced by the climate conditions of the country.

AIM

3. The aim of this paper is to give an over view on the progress of the disarmament of pastoralist communities in this country.

SCOPE

4. The paper presentation will cover the following:
 - a. **Pastoralist communities in Uganda.**
 - b. **Karamoja Region Pastoralists:**
 - (1) Area of movement.
 - (2) Activities during movement.

(3) Effects.

c. Government Efforts on Disarmament.

(1) National Policy.

(a) Disarm.

(2) Achievements.

(3) Challenges.

d. Way forward:

(1) Continue Disarmament.

(2) Joint Disarmament with Kenya.

(3) Attract EAC Secretariat Attention.

(4) Involve IGAD.

e. Karamoja Integrated Disarmament and Development Program (KIDDP):

(a) Component - 1

(b) Component - 2

(c) Component - 3

(d) Component - 4

(e) Component - 5

(f) Component - 6

f. Conclusion.

PASTORAL COMMUNITIES IN UGANDA

5. Pastoral communities in this country are found in three Regions as follows:

a. Central Region. In this region pastoralists are found in Masindi, Luwero, Nakaseke and Nakasongola Districts. While moving in search of pasture, these people normally cross to the Northern and Eastern Regions. They have however never been armed with any rifle.

b. Western Region. In the Western part of the country, pastoralists are found in the districts of Mbarara, Kiruhura and Kasese. These move within the region and often cross to Tanzania in search of pasture. Like their counterparts in the Central Region, they are never known to possess guns.

c. Eastern Region. The pastoralists in this region are from Teso and Karamoja. While the Teso pastoralists are not armed and move within

Teso areas only, the Karamoja pastoralists go beyond Karamoja and the International boundaries. These are known to be armed with automatic rifles they keep in pretence of protecting their animals.

KARAMOJA REGION PASTORALIST

6. This is the only armed pastoralist community in Uganda, that is armed with automatic rifles.

7. **Area of movement.** The Karamoja pastoralists move in search of pasture from time to time. This is because Karamoja region is semi arid with limited pasture and water for the animals.

This situation forces them to move within Karamoja, to neighbouring districts in the country and also across the international boundaries to Sudan and Kenya.

8. Since the parts of Sudan and Kenya that border Uganda have similar climate conditions, the natives there are also in constant search of water and pasture which in most cases make them end up in Uganda. This situation is further aggravated by the fact that ethnic relations and similarities exist across the International borders.

9. **Activities.** As they move in search of pasture, the people of this community use their armed capacity to commit crimes. These crimes include the following:

a. Raiding of animals within Karomoja, the neighbouring districts and even across the International boundaries.

b. **Road thugery.** These are characterised by staging illegal road blocks and vehicle ambushes.

c. Armed robbery, murder and rape.

10. **Effects of Guns Presence.** As a result of guns presence and gun related crimes, the region has suffered obvious isolation. There is also serious absence of the following:

a. **Development.** Despite the fact that the region has various minerals and other resources no investor can risk exploring them.

b. **Population.** Although Karamoja has the largest area as a region in the country whose population is 27 million, the total population of Karamohongs is less than one million. Most mature male die during the daily cattle raids.

GOVERNMENT EFFORTS ON DISARMAMENT

11. The government of Uganda has noted with serious concern the situation in Karamoja where an estimated 40,000 guns are in illegal hands. Where there is no security, there is no development and where there is no development there is no security.

12. **National policy.** "Creating Conditions for promoting Human Security and Recovery in Karamoja, 2007/2008-2009/2010". This implies restoration of peace and security in the region in order to enable it develop. Therefore DISARM the Karamijong of all illegal guns. The process of disarmament started in 2001 and ended in 2002, then it was resumed in Sep 2004 but is going on to date with these concepts:

- a. Disarmament as a multi sectoral approach involving all stake holders.
- b. Disarm voluntarily but also force full where crime by use of a gun is committed.
- c. Phase the program as follows:
 - (1) Mobilization and sensitization of the population.
 - (2) Disarm.
 - (3) Reintegrate the people peace, build and develop the region.

13. **Achievements.** Since the resumption of disarmament, there have been a number of achievements as follows:

- a. **Relative Peace.** The region is enjoying a peaceful atmosphere just like many other parts of the country.

- b. **Law and order.** There is reasonable law and order in the region with increased state organs presence. There is no more loitering with guns
 - c. Reduction in road thugery.
 - d. **Recovered guns.** During 2001/2001 disarmament 10,000 guns were received and from Sep 2004 to date close to 10,000 guns have been recovered. All this is out of the total 40,000 estimated to have been in illegal hands in the region prior to disarmament commencement.
14. **Challenges.** The disarmament program has been faced with a number of challenges but the most notable one are as follows:
- a. **Source of guns.** The guns found with the pastoralist community in Karamoja came from various sources that include:
 - (1) **Uganda itself.** Through attacks on isolated targets, a number of guns have been lost to the community.
 - (2) **Foreign countries.** Most of the guns in Karamoja come from Sudan, Ethiopia, Somalia and Kenya. These countries have pastoral communities with ethnical links to Karamojongs and usually sell them arms.
 - b. **Escape to neighboring countries.** The Kenya/Uganda Border is an imaginary line that cut through a society of same families. This resulted in same families and tribes being divided in two different countries. Whenever crime is committed or in order to avoid disarmament, Ugandan pastoralists move to Kenya.
 - c. **Influx from neighboring countries.** Pastoralists from Sudan and Kenya often come to Uganda in pretence of search for pasture but come when fully armed and end up in cattle rustling and arms dealing.

d. **Alternative means of livelihood.** For a long time now, the gun is being used to acquire wealth. Animals are stolen, road blocks staged and thefts are carried out for financial gains. If the gun is taken away then there is fear of becoming poor.

e. **Lack of popular support for Disarmament.** Since there was a financial gain objective in acquiring guns, no one is willing to surrender his. The few who acquired them for protection cannot easily surrender them either. This gun culture was first adopted to acquire animals for prestige but over time, the new dimension of selling off the stolen animals has changed their way of life.

WAY FORWARD

14. **Continue with Disarmament.** Since a number of achievements have been noticed then disarmament has to continue and is continuing.

15. **Joint Disarmament with Kenya.** In order to stop the escape of criminals to Kenya, and vice versa, the two countries made or joint disarmament program that resulted into the following:

- a. Formation of Inter Ministerial Committee on disarmament.
- b. Formation of a Technical Committee by Permanent Secretaries of the relevant ministries.
- c. Appointment of Military Liaison Officers.
- d. Cross boarder District meetings.
- e. Recovery and return of stolen animals from country to country.

16. **EAC Matter.** As the matter involved two sister States of EAC, it was decided that the matter be given EAC attention. A Defence Expert Working Group (DEWG) on cattle rustling was constituted and it confirmed the matter as serious security threat with arms coming in from other countries outside EAC.

17. **IGAD Matter.** Since the matter and particularly the source of guns is beyond EAC Partner States, then there was need to make this an IGAD matter. After all Sudan, Ethiopia and Somalia are members of IGAD.

18. **Karamoja Integrated Disarmament and Development Program (KIDDP).** As both an immediate and long term program, the KIDDP was embarked on. This project has a theme of "Creating Conditions for Promoting Human Security and Recovery in Karamoja 2007 – 2010". This program has six components to be fulfilled as follows:

a. **Component 1.** Provide and ensure adequate security for the people of Karamoja.

(1) **Objectives:**

(a) Undertake Strategic deployment of the Uganda Peoples' Defence Forces (UPDF) and Local Defence Units (LDUs) to effectively check the international trafficking of small arms and ammunition into Karamoja, as well and protect the people of Karamoja and their property.

(b) Design and pilot a Community-based Security System (CSS) to rid Karamoja of criminal elements that undermine disarmament and development interventions.

(c) Ensure continued collaboration between the UPDF and the local communities and other stakeholders in order foster peace building in Karamoja.

(d) Provide incentives to encourage voluntary surrender of all illegal weapons.

(e) Provide an enabling environment for safeguarding peoples' basic human rights as well as civil, political, economic and cultural rights during and after disarmament.

(g) Facilitate joint cross border disarmament intervention to support peace building.

(h) Establish and operationalise collection procedures, record keeping and custody of surrendered collected weapons.

(i) Conduct public destruction of all weapons collected in accordance with international policy and best practice.

(j) Operationalise a Conflict Early Warning Mechanism in Karamoja.

b. **Component 2.** Establish Law and Order in Karamoja.

(1) **Objectives:**

(a) Enhance the capacity of the state to undertake its functions and effectively exercise authority over the people of Karamoja.

(b) Strengthen the capacity of Local Governments and Councils to undertake service delivery and enhance governance.

(c) Facilitate the control of cross border movement of people and goods, including livestock.

c. **Component 3.** Support the provision and delivery basic social services to the people of Karamoja.

(1) **Objectives:**

(a) Provide support for education in Karamoja to break recruitment of young boys and encourage girls to stay in school.

(b) Provide and reconstruct social and physical infrastructure that stimulate economic activity and facilitate governance in the region.

d. **Component 4.** Support the development of alternative means of livelihood.

(1) **Objectives:**

(a) Empower the Karimojong to harness the potential of their natural resources.

(b) Promote sustainable utilization of gun Arabic and related dry land products for improved livelihood and biodiversity conservation.

(c) Support economic diversification interventions in Karamoja to reduce reliance in livestock as a means of living.

(d) Secure the land rights of communities in order to encourage sustainable utilization of natural resources.

(e) Support interventions to improve the availability of pastoralism in Karamoja.

(f) Facilitate the resettlement and rehabilitation of people affected by natural disasters and armed conflicts.

e. **Component 5.** Undertake stakeholder mobilization, sensitization and education.

(1) **Objectives:**

(a) Involve all stakeholders in community sensitization, education and mobilization, as well as in the planning and execution of voluntary disarmament programs.

(b) Support and foment initiatives that will promote peaceful resolution of conflicts.

(c) Undertake peace education and other peace activities in the communities.

(d) Create an enabling environment for women, youth and the elite Karimojong to effectively participate in and influence all disarmament activities.

f. **Component 6.** Enhance the coordination, monitoring and evaluation systems.

(1) **Objectives:**

(a) Coordinate and harmonise existing peace building initiatives by all the different stakeholders.

(b) Define clearly results/output and outcome/impact monitoring and evaluation indicators.

(d) Define the monitoring and evaluation methods, tools and technique to be used.

(e) Strengthen the capacity for coordination, monitoring and evaluation.

19. In Uganda, only one pastoral community is armed but its extent has related the development of the area. When there is no security there cannot be development, therefore KIDDP should have all the blessing.

20. The fact that armed pastoralist cross to and from Sudan and Kenya to Uganda and vice versa, and due to the fact that guns used in these areas come from various countries, the issue of disarmament needs to be addressed by a an organization larger than EAC and therefore IGAD attention is a saving.



COORDINATION OF REGIONAL POLICY ON DISARMAMENT AND SMALL ARMS AND LIGHT WEAPONS IN THE GREAT LAKES REGION, HORN OF AFRICA AND BORDERING STATES

BY

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IGAD WORKSHOP ON THE DISARMAMENT OF PASTORALISTS COMMUNITIES
ENTEebbe – UGANDA, MAY 28th – 30th, 2007

Presentation Outline

The presentation will cover background information on the Nairobi Declaration and its Coordinated Agenda for Action focussed on seven key areas one of which provides for current RECSA's aims and objectives, mandates, functions, responsibilities and tasks assigned to fulfil the expectations, aspirations, purpose for which it has been established.

The second part provides definitions of key terms used in this paper.

The third part examines the nature of the problem of proliferation of small arms and light weapons; international, regional, sub- regional politically and legally binding instruments translated into regional , sub- regional and national policies and programmes. The achievements, challenges and the way forward. The fourth part is the conclusion.

Background

The first significant, international-level assertion of addressing the issue of small arms was made by the UN Secretary-General Boutros Boutros-Ghali in his report, "Supplement to An Agenda for Peace" in 1995. The question of small arms and light weapons is a multi-disciplinary issue in the sense that the widespread use of small arms not only results in a large number of casualties but also has a socio-economic dimension.

It is an important area where the nexus of peace and development, which is the key underlying notion of the High-level Panel Report on Threats, Challenges and Change, shows itself. Small arms proliferation constitutes a serious threat to global peace and prosperity, and is part of a worldwide "security malaise" where a "culture of violence" has become pervasive. The guiding light in the United Nations process to tackle the small arms issue comes from The "Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects", adopted in 2001.

The Nairobi Declaration on the Problem of the Proliferation of Illicit Small Arms and Light Weapons in the Great Lakes Region and the Horn of Africa was signed on March 15, 2000 by the Ministers of Foreign Affairs and / or duly designated representatives of the Governments of Burundi; Democratic Republic of Congo; Djibouti; Eritrea; Ethiopia; Kenya; Rwanda; Sudan; Tanzania and Uganda.

The main objectives of the Nairobi Declaration are:-

- To provide a comprehensive framework to combat the easy availability of Illicit Arms and Light Weapons, which contribute to prolonged conflicts, political instability and armed crime in the Region;
- To pursue peaceful resolution to conflicts in the Region;

- To encourage a concrete and coordinated Agenda for Action to promote human security by ensuring that the States Parties to the Declaration put in place adequate laws, regulations and administrative procedure to exercise effective control over the possession and transfer of SALW; and,
- To urge the source countries of these arms to ensure effective control on the manufacturers, traders, brokers, financiers and transporters through licensing.

The continued commitment and determination in fighting the scourge of the proliferation of illicit small arms and light weapons in the sub- region has been demonstrated by the signing of the Nairobi Protocol for the Prevention, Control and Reduction of Small Arms and Light Weapons, its ratification and depositing of instruments of ratification by the 2/3 of States signatories which made it to enter into force on May 5, 2006 as a legally binding instrument. Another milestone is the welcome the accession of Seychelles and Somalia as admitted them as additional member States, as well as, the June 2005 signed Agreement on the Establishment of the Regional Centre on Small Arms (RECSA) an inter-governmental institution with international juridical personality.

Article 8 of the Agreement provides that the principle objective of RECSA shall be to ensure the efficient and effective implementation of the Nairobi Declaration and the Nairobi Protocol. Further, it provides the following RECSA objectives:-; to,

- ♦ facilitate, promote and strengthen cooperation at the regional and international levels to effectively prevent, combat and eradicate the illicit manufacturing and use of small arms and light weapons, in collaboration with relevant partners;
- ♦ promote peace and stability in the region by encouraging accountability, law enforcement and creating mechanisms for efficient control and management of small arms and light weapons held by States Parties and civilians;
- ♦ promote and facilitate information sharing and cooperation between the governments in the region as well as between governments, intergovernmental organizations and civil society in all matters relating to the illicit trafficking and proliferation of small arms and light weapons; and,
- ♦ develop such other activities as the member States may decide in furtherance of the objectives of the Agreement.

The PACT on Peace, Security and Stability of the Great Lakes Region signed on December 15, 2006 in Nairobi by Eleven Heads of States and Governments of the core countries of the International Conference on the Great Lakes Region on the occasion of the 2nd Summit mandated RECSA to be responsible for the project “ *Coordination of activities and reinforcement of capacities in the sub- region to fight the proliferation of illicit small arms and light weapons*” (the Sub-Program of Action for the Promotion of Inter-State Cooperation on Peace and Security) and to play the role of Project. This has necessitated RECSA to integrate,

plan and extend its activities in Angola, The Central African Republic, The Republic of Congo and Zambia.

This has positioned RECSA as the sub- regional coordination body on small arms and light weapons in the Great Lakes Region, Horn of Africa and Bordering States. The signatories States to the Nairobi Declaration and the Nairobi Protocol have also established national coordination agencies, known as the National Focal Points that plans, coordinates and monitors national action to address the small arms and light weapons problem in a comprehensive and integrated manner.

RECSA member States have a vision for “a safe and secure sub-region in a peaceful continent free from arms proliferation” and have therefore, mandated RECSA to coordinate action against small arms and light weapons proliferation in the Great Lakes Region and the Horn of Africa.

Definitions

The United Nations has come to an official definition is contained in the International Instrument to Enable States to Identify and Trace, in a Timely and Reliable Manner, Illicit Small Arms and Light Weapons ([A/60/88](#)), adopted by the United Nations General Assembly on 8 December 2005. In that document, “small arms and light weapons” mean any man-portable lethal weapon that expels or launches, is designed to expel or launch, or may be readily converted to expel or launch a shot, bullet or projectile by the action of an explosive.

“**Small arms**” are, broadly speaking, weapons designed for individual use. They include, inter alia, revolvers and self-loading pistols, rifles and carbines, sub-machine guns, assault rifles and light machine guns.

“**Light weapons**” are, broadly speaking, weapons designed for use by two or three persons serving as a crew, although some may be carried and used by a single person. They include, inter alia, heavy machine guns, hand-held under-barrel and mounted grenade launchers, portable anti-aircraft guns, portable anti-tank guns, recoilless rifles, portable launchers of anti-tank missile and rocket systems, portable launchers of anti-aircraft missile systems, and mortars of a caliber of less than 100 millimeters.

DDR (Disarmament, Demobilization and Reintegration, includes Resettlement and Rehabilitation)

DDR refers to the post-conflict restoration of public order and stability and the prevention of further outbreaks of conflict by collecting and disposing of weapons, demobilizing troops, and reintegrating former combatants smoothly into civilian society.

Disarmament has been defined by Dr. Marshall⁵⁵ as the collection, documentation, control and disposal of small arms, ammunition, explosives and light and heavy weapons of combatants and

⁵⁵ Lecture at the 1st African DDR Course between 30th October, 2006 – 10th November, 2006 at the Rwanda Military Academy (RMA) in Nyakinama.

often also of the civilian population. Further, that disarmament also includes the development of responsible arms management programmes.

Conflict is defined as a disagreement about values.

The nature of the problem of proliferation of small arms and light weapons in the RECSA member States

There are estimated to be nearly 650 million small arms in the world today. Nearly 60 per cent of them are in the hands of private individuals and the vast majority of those who make, sell, buy, own, use or misuse small arms are men. The unregulated proliferation of firearms is the source of most people's insecurity. Unless governments act to stop the spread of arms, deadly weapons will continue to fuel violent conflict, state repression, crime, and domestic abuse. Governments have been repeatedly called upon to introduce global principles to regulate the transfers of weapons and ensure they do not end up in the hands of human rights abusers. "Uncontrolled proliferation of illicit small arms and light weapons has blighted every corner of the globe, with millions of people living in daily fear of becoming a victim of armed violence⁵⁶," said Irene Khan, Amnesty International's Secretary General.

The proliferation of small arms and light weapons is among the illicit cross-border activities in the Great Lakes Region and the Horn of Africa. The consequences of illicit use of SALW are multidimensional. Considerations in promoting regional stability are explored, including in particular, the role of regional bodies in combining economic cooperation, peace making and security roles. RECSA member States recognize the overlapping/ dual memberships to the sub-regional groupings and have been careful to formulate policies that encourage complementarities and compatibility to the sub-regional initiatives in place for mutual benefits.

Armed violence carried out primarily with small arms is a major contributing factor to increasing poverty and human insecurity in the region. The contributing factor to the specific SALW problem of the region is its geography. Precisely, the land output generated within the RECSA Member States certainly poses an increasing threat to security as resources become even scarcer. Whether struggling for access/control of minerals, water, livestock or other natural resources, this region harbours zones where SALW demand is increasingly high. In the pastoralist communities of Eastern Africa and the Horn of Africa alone, there is an estimated five million arms. The Regional Economic Communities, International bodies and the civil society organizations have all identified combating the problem of the proliferation of small arms and light weapons as one of the main priorities in the region.

Several characteristics of small arms and light weapons make them an uncommonly difficult arms control policy issue. These characteristics include:

- the nature of these weapons makes them easy to transport, difficult to track, and relatively simple to maintain in circulation for a long time;
- The large number of producers and producer countries (up to 300 firms in approximately 70 states⁴) makes traditional supply-side control mechanisms difficult;

⁵⁶ (http://www.controlarms.org/latest_news/guncrimesurvey-pr190606.htm)

- The legitimate use of these weapons for national (and in some places individual) defence, and the retention of such weapons when governments fail to guarantee the physical safety of their citizens;
- The "grey" and "black" markets in such weapons, which often links them to transnational crime and drug trafficking, and to the activities of a host of non-state actors;
- The relationship between light weapons flows (and their consequences) and situations of economic deprivation and insecurity, with the resulting social and political conflicts;
- The difficult disarmament requirements of post-conflict settings, including the demobilization of ex-combatants;
- Differing national norms for firearms possession and use.

In recent years, small arms proliferation has gained increased international attention because they exacerbate conflicts and increase risks for civilian population. The proliferation and misuse of small arms endanger the security of people and nations. The misuse of small arms leads to serious physical and psychological wounds to large sections of the populations, displacement of millions of people, the breaking up of families and communities, the collapse of economies and the destruction of the environment. The net effect is the untold human sufferings. One serious security issue, human and property, is the availability and circulation of large numbers of small arms and light weapons in the EAC, EAPCCO, IGAD, IC/GLR and RECSA sub- regions.

In the Millennium Declaration, leaders of all countries in the world agreed and promised to ensure people live free from poverty and fear. Tackling the small arms problem is fundamental to ensuring that the development goals they set are achieved in the Great Lakes region and the Horn of Africa by 2015.

Research carried out by Practical Action (formerly ITDG⁵⁷) on the socio-economic impacts of conflicts on pastoral and semi-pastoral economies in Kenya and Karamoja region in Uganda found out that between 1994 and 2005, pastoralists districts lost an estimated 460,000 livestock valued at over Ksh. 5 billion to cattle rustling. Moreover, by all means, the report indicated that these figures are under reported. The study established that trade and commerce in pastoralists' areas has been so adversely affected by violence. The commercialization of cattle rustling has led to intermittent closures of major livestock markets as security officials try to curtail commercial rustling.

Food production has also taken a heavy beating from conflict. When conflict force farmers to flee their farms, large swathes of farmland are left bare, Many children have been displaced and forced out of schools by conflict. with corresponding drops in production. Over the said period, a cumulative 43,000 acres of land were left fallow because of conflict, representing an estimated 17,000 tones of lost cereal valued at more than Kshs 400 million. In areas where farming is largely for subsistence, the effects of lost food production are felt in food insecurity. For instance in Tana River district, the percentage of food insecure households runs in excess of 70 % largely owing to disruption of farming by intermittent Orma-Pokomo clashes. It has been recognized that the spread of illicit small arms and

⁵⁷ Peace Bulletin issue No.9 April, 2006

light weapons is a global threat to human security and human rights. The former UN Secretary-General, Kofi Annan, *In Larger Freedom* 2005 Report said, "The accumulation and proliferation of small arms and light weapons continues to be a serious threat to peace, stability and sustainable development".

International, regional, sub- regional politically and legally binding instruments on the problem of the proliferation of illicit small arms and light weapons translated into regional, sub- regional and national policies and programmes.

The Programme of Action (PoA) is a politically binding international instrument that aims to curb the proliferation of illicit small arms and light weapons. It was adopted unanimously by UN Member States at the July 2001 United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects. The PoA required member nations to domesticate the international convention so as to control and manage illicit use of SALW. The majority of the RECSA member States through RECSA and the NFPs have made considerable progress towards setting mechanisms for the implementation of the PoA. The PoA mentioned above stipulates a wide range of political undertakings and concrete actions that Member States committed themselves to at the national, regional and global levels.

The signing of the Nairobi Declaration on the problem of the proliferation of illicit small arms and light weapons in the Great Lakes Region and the Horn of Africa resulted into the establishment of Nairobi Secretariat now RECSA as a regional institution specialized on coordination , implementation and the development of the Regional Strategy , Strategic Research and Work Plans in line with the Coordinated Agenda for Action of the Nairobi Declaration and the Nairobi Protocol and other politically and legally binding instruments in the sub- region to promote sustainable security, regional cooperation and coordination, peace, development and stability.

The Nairobi Declaration contains the commitments and continued concerted efforts of the RECSA member States to: -

- ♦ address in a comprehensive manner the illicit proliferation of small arms and light weapons;
- ♦ establish institutional framework sub-regional coordinating structure, Nairobi Secretariat now RECSA and the National Focal Point that comprises representatives of key Ministries, Directorates, Departments and Civil Society Organisations entrusted with the design and implementation of a national action plan) .

The East African Police Chiefs Co-operation Organization (EAPCCO) was established over six years ago to deal with issues of cross border crime and to identify effective ways in which police may effectively combat cross border and international crime. EAPCCO and RECSA have collaborated closely since the inception of the Nairobi Declaration and the legally binding Nairobi Protocol.

Following two highly successful regional meetings which RECSA and the NFPs provided insights and technical inputs in 2003 and 2004 on the "Prevention, Combating and Eradication of Cattle Rustling in Eastern Africa", EAPCCO Secretariat through the coordination of Interpol Sub- Regional Bureau Nairobi in 2005 developed a Draft Protocol on the "Prevention, Combating and Eradication of Cattle Rustling in Eastern Africa". The Protocol is an attempt to ensure that a legal instrument is in place in order to strengthen law enforcement, civil society and other concerned stakeholders towards addressing cattle rustling related issues and challenges. Cattle's rustling is a result of poverty, lack of human basic needs such as food, water and education as well as prestige among the pastoralist communities who desire to have bigger share of available resources. Ignorance has been a contributing factor and some members of the community are unaware of the dangers of cattle rustling and peer group pressure. Cattle rustling activities are also used for marriage arrangements.

The availability of cheap arms and political maneuvering which in some instances lead to arming of other communities against Karamojong, leads to the escalation of the conflict. There has also been a crisis of elders in the community since they have been unable to deal with many of the new problems. The Karamojong have not been incorporated into the Ugandan system in order to enable them to be effectively governed and less marginalized.

The main causes of cattle rustling in Karamoja are cultural, poverty, political isolation, absence of effective government. Also, lack of clear government policies and the presence of guns also heighten the crisis of conflict in this region. We have to point out here that Poverty, alienation and insecurity are not the only reasons for the raids. Sometimes, traditional tribal justifications for raiding are exploited for political and financial gains and thus there is a commercialization of these raids and some of the livestock ends up in major markets.

The Eleven Heads of States and Governments of the core countries of the International Conference on the Great Lakes Region signed the Dar – es- Salaam Declaration of Principles on Peace, Security, Democracy and Development for the Great Lakes Region of which in paragraph 22 of the Declaration , the signatories pledged to promote common policies to put an end to the proliferation of illicit small arms and light weapons, as well as personnel mines, in that regard, harmonize and ensure the implementation of existing agreements and mechanisms. Countries from the Great Lakes region and the Horn of Africa have openly declared their support for an Arms Trade Treaty⁵⁸, making them the first region to give full support to the initiative.

Achievements

The Implementation Plan of the Coordinated Agenda for Action has set out guidelines for the RECSA member States in the prevention, management and resolution of the problem of proliferation of illicit small arms and light weapons; promotion and facilitation of regional cooperation and exchange of information and experience; and, creation of a conducive environment for closer regional cooperation necessary to ensure the sustainable commitment of the region towards the goal.

⁵⁸ http://www.controlarms.org/latest_news/nairobi-support.htm)

From its inception, the then *Nairobi Secretariat on Small Arms* (now transformed into *RECSA*) has consistently implemented the various recommendations of the Member States, used the shared experiences and lessons learned to improve, increase and expand its performance. From 2003, a Group of Donors following an appeal by the RECSA member States came together to support the Nairobi Declaration under an initiative known as the ‘Friends of the Nairobi Declaration’ formed by 15 members with a Terms of Reference which allows it to provide funding to RECSA.

I am pleased to disclose that UK, Dutch, Norway, Belgium, Canada, USA and other international agencies/ organisation such as UNDP, DFID, IDRC, GTZ, OXFAM GB Kenya, QUNO, Small Arms Survey, EAANSA, Saferworld, SaferAfrica, Amani Forum, etc to mention but a few have sustained support to the regional initiative.

The main achievements by RECSA to date are:-

- ◆ Developed Plan for a comprehensive Regional Strategy for the Implementation of the Coordinated Agenda for Action of the Nairobi Declaration and the Nairobi Protocol on the Prevention, Control and Reduction of Small Arms in the Great Lakes Region, Horn of Africa and Bordering States focused on seven key areas, namely; Institutional Framework; Regional Cooperation and Coordination; Legislative Measures; Operational and Capacity Building; Control, Seizures, Forfeitures, Distribution, Collection and Destruction; Information exchange and Record Keeping Public Education and Awareness.
- ◆ Enhanced solidarity in understanding and handling the problem of small arms and light weapons in the RECSA member States.
- ◆ Increased visibility of RECSA and / or participation in discussions to share lessons learned and cooperation with other sub- regional inter- governmental organisations to at international, continental and regional forums with the primary aim to reduce the problem of proliferation of illicit small arms and light weapons in the region.
- ◆ The establishments of the Annual Civil Society / NFPs/ RECSA Dialogue Forum and the Region to Region Interaction and Information Exchange for lessons learnt and development of common responses to international initiatives; and, Researchers and the Parliamentarians Roundtable to discuss progress with the implementation of the Nairobi Declaration and the Nairobi Protocol across the region.
- ◆ Increased public education and awareness that is promoting dialogue and a culture of peace in the region.
- ◆ Developed Strategic Plan on Integrating Research Capacity – Building and Information Exchange on Small Arms and Light Weapons in the Great Lakes Region, Horn of Africa and Bordering States focused on three pillars, namely; research in small arms and light weapons; building research capacity; and, advocacy and outreach
- ◆ Establishment and formal launch of 11 National Focal Points in accordance with the requirements of the Nairobi Declaration except Somalia.
- ◆ The Development and official launch of the Kenya, Tanzania and Uganda integrated National Action Plans.
- ◆ Destructions of over 95,072 small arms and light weapons in the RECSA member States as symbol of commitments to the continued concerted efforts in addressing the problem of the proliferation of illicit small arms and light weapons in the region.

Challenges

In pastoral societies, livestock holds central value within society in a complex social, economic, cultural and political environment. North- eastern Uganda, north – Western Kenya, South Eastern Sudan and South Western Ethiopia continue to be characterized by contestation among pastoralist groups whose logic for socio economic reproduction revolves around movement in search for pasture and water along side with extreme levels of cattle predation. Absence of State presence, socio economic infrastructure and influx of small arms has fueled violent conflicts in the region. Cross border raids and predation have increased in intensity costing lives and loss of economic livelihoods⁵⁹.

The challenges in creating human security for a safe and secure sub-region free from illicit proliferation of small arms and light weapons in the African continent are enormous. They include challenges in security sector reform, institutional building, international cooperation, enhanced regional coordination, sharing of national experiences between police, customs and other law enforcement agencies and effective engagements and partnerships among governments and civil society.

Low domestication of international and regional agreements through enactments of legislations have lead to limited resources mobilized through the national budgets for the implementation of priority activities of the PoA for addressing the SALW problems in the region. Weak legal systems have frustrated efforts for punishing offenders. Mechanisms for monitoring movement of officially-held guns, manufacture of arms, issuing of end-user certificates for exports or transit, and notification of the original supplier nation of re-exports are either absent or inadequate. While some RECSA Member States have relative peace, management of surplus and redundant arms stock is a challenge. Some arms from poorly managed stockpiles end up in the hands of criminals, thus making peace fragile. Porous borders have enabled easy movements across borders by smugglers, cattle rustlers, gun dealers and illicit transfer of arms.

Also, of all the challenges faced in the area of small arms and light weapons, is one of building a sustainable capacity of the research community in the Great Lakes Region, Horn of Africa and Bordering States. This is equally critical because policy making is hampered by the inability to collect the relevant data; knowledge about movements and agents of proliferation of small arms and light weapons has been curtailed by the lack of proper analysis of data.

Way forward.

Collection and destruction of illicit small arms and light weapons, capacity building in the development of appropriate legislation and regulations as well as import and export control are the areas where cooperation from the international community is especially needed.

RECSA's developed Plan for a comprehensive Regional Strategy for the Implementation of the Coordinated Agenda for Action of the Nairobi Declaration and the Nairobi Protocol; Five and Two Year Work Plans and the Research Strategic Plan seek to reach out to the RECSA member States with the primary aim to accelerate the implementation of the various signed agreements. The inter-

⁵⁹ Reference to KAPOTOTUR / Karamoja Cluster zones

governmental organisations need to complement the work of RECSA to sustain the momentum and new synergies since I have pointed out in this paper that the consequences of illicit use of SALW are multidimensional.

RECSA has planned to organize and co-host with IGAD in conjunction with EAPCCO, IC/GLR, EAC and the RECSA related NFPs the cross border meetings with security, political and community leaders in Kenya, Uganda, Sudan, Somalia and Ethiopia on disarmament as mandated under Sub- Program of Action for Joint Security Management of Common Borders to contribute to promote and support joint and coordinated disarmament of armed pastoralists groups. There is a Project proposal under development to be known as "MIFUGO", a Swahili word for "Cattle" which EAPCCO Secretariat, Nairobi will spearhead in conjunction with RECSA and ISS as the Project Steering Committee (PSC) members. IGAD, EAC and IC/ GLR will also be the key partners depending on when funding is secured.

Conclusion

DDR is an important component of the peace process as it affirms that peace is sustainable and links with the fact that to have sustainable peace it must begin with understanding the conflict. You will agree with me that DDR programmes must be designed to provide "local solutions to local problems and the DDR authorities, national and international actors must be accountable to participants and beneficiaries.

Further, it has been argued in many for a in the region that the responsibility to move the DDR process forward in terms of planning, coordinating and implementation, rests with national and local actors and stakeholders. In other words, the national ownership is broader than central government leadership. National ownership implies participation of a wide range of actors at national, provincial and local levels.

Appendix: 15

Please find attached the Presentation by the International Conference on the Great Lakes Region (ICGRL) attached as a separate copy in PDF format

Appendix: 16

Please find attached a Presentation by UNDP as a separate copy in PDF format

Appendix: 17

Please find a Presentation by East African Community (EAC) separately attached in PDF format

Appendix: 18

Please find a Presentation by Small Arms Survey separately attached in PDF format

IGAD WORKSHOP ON DISARMAMENT OF PASTORALISTS COMMUNITIES

A Presentation by Alex Nyago,
Project Coordinator – Horn and Great Lakes, Safer world UK

A. Introduction

This paper focuses on disarmament exercises in the greater Karamoja cluster with specific emphasis on Northern Uganda. It attempts to identify potential entry-points for future engagement in the region. Its specific objectives are:

- assess the impact of conflict and small arms proliferation on security, development and prospects for peace in the Karamoja cluster region
- Explore information on previous disarmament exercises⁶⁰
- Suggest possible entry points for broader engagement in the Karamoja region.

Brief Background Note on Karamoja⁶¹

Karamoja cluster covers the region of north-eastern Uganda, north-western Kenya and parts of South Sudan. In Uganda the region in question covers the districts of Kotido, Moroto and Nakapiriprit⁶². The region is predominately populated by a number of pastoralist communities including the Jie, Dodoth, Matheniko, Pokot and Bokora. The region is one of the most underdeveloped in the Horn of Africa and has the lowest socio-economic indicators of wellbeing of all regions in Kenya and Uganda⁶³.

Pastoralism is the dominant economic livelihood for the Karimojong and its' viability as both a way of life and livelihood is dependent upon the availability of natural resources, access to land and environmental factors. The historic marginalisation of the wider karamoja cluster region successive colonial and post-independence regimes, recent economic and land policy shifts and the effects of climate instability have undermined the economic viability of pastoralism and social cohesion of communities.

The role of the state in the provision of security and justice has been minimal. Policing and judicial structures are extremely weak and lack the resources to effectively monitor and respond to the security requirements of a region populated by migratory communities. Decades of political

⁶⁰ For further reading go to <T:\Africa\Uganda SALW\research materials on disarmament>

⁶¹ See SW publication by Kennedy Mkutu 'Pastoral Conflict and Small Arms: The Kenya-Uganda Border Region' for a more comprehensive report on Karamoja and the nature of pastoralist conflict.

⁶² See Annex I for map.

⁶³ J. Nannyonjo 'Conflicts, Poverty and Human Development in Northern Uganda'. Research Paper no. 2005/47 for the United Nations University. <http://www.wider.unu.edu/publications/rps/rps2005/rp2005-47.pdf>

marginalisation by central government and minimal intervention of the state in the administration of justice has allowed traditional conflict resolution methods to remain intact amongst pastoralist communities and justice and punishment are administered by community elders.

Until recently the development and security needs of the region have not been a priority for the central state due to historical bias towards.

In recent times there has been a growing recognition by the governments of Kenya and Uganda of the links between conflict, security and development. The Government of Uganda (GoU), has for example, begun to acknowledge the relationship between marginalisation by the state and protracted, low intensity conflict in Karamoja. Pillar 3 of the Poverty Eradication Alleviation Plan (PEAP) formally acknowledges the need to address the development needs of the Karimojong and identifies conflict in the region as one of the main obstacles to future peace and development in Uganda as a whole. At the international level UNICEF recently announced that Karamoja will be a priority region for future UN work in 2007 and has urged both international donors and the GoU to treat the situation in Karamoja with the 'same urgency' as areas affected by the conflict with the LRA.

B. Conflict and the SALW problem in the Karamoja cluster

Inter-communal tension over access to resources and cattle rustling has been a feature of pastoralist life for generations. However structural inequality, economic marginalisation and increased pressure on environmental resources have transformed cattle rustling from an activity for stock replenishment sanctioned by community elders into a violent and increasingly commercialised enterprise. The widespread availability of weapons in the region has exacerbated and transformed these tensions from a manageable feature of communal life to costly, retributive and divisive incidents of armed violence. Conflict between different pastoralist communities over access to diminishing natural resources and livestock coupled with the proliferation of weapons has had severe consequences for societal relations, prospects for economic development and environmental sustainability.

1. The SALW problem

The widespread availability of small arms in these area has accelerated tensions over resources and transformed grievances into violent conflicts between pastoralist communities. The ownership of small arms has become a necessity for the protection of self and property in a region which has been systematically marginalised by central government. The absence of the state as a source of protection and order in the region has created an environment that fuels both the supply and demand for small arms amongst pastoralist communities and those in neighbouring districts who are subject to increasing levels of armed violence. The state's failure to guarantee the safety of communities and the absence of a functioning justice system are the main factors fuelling the demand for small arms amongst the local communities.

Factors that have contributed to facilitating the supply of weapons to the region relate to the geographic position of Karamoja and government policy. The combination of weak border controls and proximity to high intensity conflict zones and armed insurgent groups within Uganda and the wider region has facilitated both the operation and stock replenishment of arms trafficking

networks. The fall of Idi Amin's regime and the subsequent retreat of the armed forces from Karamoja left large quantities of weapons available for repossession by Karimojong warriors. The seizure of weapons from Moroto military barracks by the Matheniko prompted other pastoralist groups to arm themselves as well. The GoU armed the Karimojong to fight the Teso insurgency in the early '90s and continued to supply them with weapons in exchange for fighting as a proxy force.

The failure to enforce tight border controls and to protect communities who were disarmed by the respective country security systems have also increased cross-border trade in illicit firearms.

II. Impact of conflict and SALW on the Karamoja region

Protracted inter-communal conflict and the widespread availability of small arms have had devastating social, economic and environmental impacts upon the Karimojong in addition to further destabilising an already volatile regional security environment.

Rising mortality and injury rates among male Karimojong have affected the gender balance of pastoralist communities. Women have become the main providers in many households and the cumulative effects of conflict, forced disarmament and environmental degradation upon the viability of pastoralism have forced many women and children to relocate to urban centres. The prevalence of small arms ownership amongst young males has undermined the position of community elders who have traditionally functioned as the source of authority amongst the Karimojong. Furthermore, this has had a damaging effect upon the capacity of pastoralist communities to manage and mediate inter-communal conflicts. Conflict and violence in the region have forced people to leave their homes and relocate to more secure areas such as trading centres, larger settlements and IDP camps.

Insecurity has placed further pressure on a pastoralist livelihood already undermined by economic marginalisation and the land policy of successive governments limits the possibility of future development. Large tracts of arable land have been rendered into 'no-mans land' due to increased violence between pastoralist groups who are forced to settle in areas where they can organise their own protection and protect their livestock from raids. The concentration of people and livestock in particular areas and IDP camps has placed increased pressure on already tense societal relations. Furthermore it has accelerated environmental degradation in certain areas by placing too much pressure on an already fragile environment.

In addition to the negative impact upon the Karimojong conflict and SALW use are beginning to have a wider destabilising effect on communities in neighbouring districts and the region as a whole. Rising levels of armed violence and increased frequency of cattle raids has spilled over into neighbouring districts and has forced some to resettle in IDP camps. Following the drought in 1999 the Karimojong clashed repeatedly with neighbouring communities and forced over 135,000 people to leave their homes. According to the Ugandan Human Rights Commission (UHRC) over 80,000 people in Kitgum, 35,000 in Katakwi, 15,000 in Lira and 2,500 from both Kumi and Soroti districts were displaced because of inter-communal violence.

E. Previous Disarmament Exercises⁶⁴

Previous attempts to disarm the Karimojong have failed to reduce either the frequency of armed violence or the number of weapons circulating in the region. Voluntary and forced disarmament exercises have narrowly focused on the removal of guns and have failed to tackle the wider causes of communal tension or address the weakness of formal security provision in Karamoja. Previous disarmament exercises highlight the need to develop an integrated approach to disarmament that incorporates security sector reform and draws upon the support of a range of actors to address both the development requirements and root causes of conflict. This has wider implications for the development of a 'best practice' model for linking voluntary disarmament with security sector reform and development.

I. Background to the Karamoja Disarmament Programme

The late 1980s and 1990s saw cattle raiding amongst the Karimojong and pastoralist communities in Sudan and Kenya became more frequent and violent. The response of the government to conflicts that have been driven by competition over resources and compounded by government economic policy has centred upon disarming the communities rather than addressing the root causes of conflict in the region. There have been a number of disarmament exercises to date in the region that have failed to either put an end to violence in the region or curb the availability of weapons amongst pastoralist communities.

The drought in 1999 triggered violent attacks upon communities in neighbouring districts of Kitgum, Katakwi, Lira, Kumi and Soroti and brought inter-communal tensions to a head. The President requested the **Karamoja Parliamentary Group (KPG)** to investigate the possibility of launching a disarmament exercise in Karamoja. The KPG recommended that disarmament of the Karimojong should be preceded by a complete overhaul of the security system in Karamoja and linked into broader development activities. The KPG stressed that an intensive programme of sensitisation and awareness-raising activities around disarmament should be undertaken prior to any attempts to collect weapons from warriors in Karamoja. Finally, the parliamentarians recommended that disarmament should be a voluntary exercise characterised by a high degree of community participation during both the planning and implementation stages. These recommendations were incorporated into a government resolution including a range of measures to tackle armed violence, cattle rustling and small arms proliferation in Karamoja. In addition to voluntary disarmament of the Karimojong the **Motion on the Disarmament of Karimojong Warriors** committed the GoU to a number of other measures including; re-organisation of the security system, establishment of a judicial response to cattle thefts, establishment of a Peace and Development Commission, disbandment of concentrated *kraal* clusters and the construction of valley dams.

The GoU formally launched the **Karamoja Disarmament Programme** in December 2001 and the disarmament activities were grouped under three phases. The initial phase of the disarmament programme was to be voluntary and existing security structures were to be strengthened under the second phase. Forced disarmament exercises were to be a last resort to restore security to the region and neighbouring districts.

⁶⁴ See Annex III for timeline of disarmament exercises in Karamoja.

II. *The Karamoja Disarmament Programme 2001 - 2004*

The launch of the GoU Karamoja Disarmament Programme coincided with an increase in CSO activity in peace-building initiatives in Karamoja. CSOs recognised that successful disarmament of the Karimojong would improve prospects for peace and long-term development of the region. The GoU decision to encourage the Karimojong to give up their weapons voluntarily created space for CSOs to build up partnerships with a variety of government and security agencies. CSOs in the region quickly established links with important and trusted figures within local communities including *kraal* leaders, religious leaders and elders and built up relations with the UPDF that were formalised with the establishment of Civil Military Operations Centres (CMOCs)⁶⁵.

A **sensitisation and awareness campaign** was launched in the region to inform people of the GoU plans to disarm the warriors and to encourage people to recognise the benefits of a weapons-free Karamoja. Activities included; community meetings, peace rallies, peace races, radio shows and advertisements and the distribution of pamphlets. These activities were carried out joint working-groups established in each district composed of CSOs, respected members of the community and UPDF officials. The initial sensitisation campaign reached 20,424 people across the three districts. A review meeting on January 3rd 2002 determined that the initial sensitisation campaign had been instrumental to persuading people to give up their weapons voluntarily. A second sensitisation campaign was launched to engage with women and communities that the initial phase had not reached and 35, 813 people were reached. In addition to the sensitisation and awareness raising campaign the GoU announced that **incentives** would be given to people who surrendered their weapons during the voluntary phase. The 'tokens of appreciation' included an ox-plough, iron sheets and a certificate of participation.

Local Defence Units (LDUs) and UPDF were charged with security provision during the voluntary disarmament phase. The LDUs were modelled on the '**vigilante**' system that the GoU had established to deal with the security needs of migratory Karimojong communities⁶⁶. Warriors from local communities had an unrivalled knowledge of the terrain, raiding corridors and escape routes in addition to the ability to recognise the early warning signs of raids. Concerns around clan allegiances were offset by decision to guarantee that each LDU would have members drawn from different clans.

People who participated in the voluntary disarmament phase were dependent upon the LDUs and the UPDF to protect them from neighbouring clans who had not been disarmed and from cross-border raids.

The later withdrawal of security forces from the region coincided with the launch of the forced disarmament phase. People who had participated in the voluntary disarmament phase were left unprotected and vulnerable to violent attack and cattle raids.

⁶⁵ According to the UHRC the CMOCs were established as a 'compliment to the work of the Military Joint Command Centres'. CMOCs were set up in each of the three districts to function as a 'harmonizing point' between civilians and the UPDF. CMOCs were staffed by UPDF officials, desk officers from UPDF Human Rights Desk, CSOs and UHRC. CMOCs funded by DANIDA and the EU HRDP.

⁶⁶ Refer back to p. 3 for discussion of the vigilante groups.

III. Evaluation of Previous Disarmament Exercises

1) Successes

- According to the UHRC there was a tangible **change in the 'culture of the gun'** as a result of the sensitisation campaign. Warriors stopped carrying weapons in public places such as trading centres and there was recognition that illegal guns were detrimental to the region as a whole. This led to a temporary drop in the price of weapons at trading centres.
- The voluntary disarmament phase **strengthened relationships** between CSOs and local communities. The creation of the CMOCs was also a positive step in building up relations between CSOs, local communities and the UPDF.
- Over 10,000 guns were collected during the 6 week voluntary disarmament phase. Although this figure is not significant in terms of the number of weapons circulating in the region the **willingness of Karimojong warriors and local communities to participate** in the programme was a clear manifestation of desire to improve the security environment in the region.

2) Weaknesses

- **Failure to protect** communities who had disarmed and failure to improve security provision in the region seriously undermined the positive aspects of the voluntary phase.
- **Incentives were inappropriate** for the region. For example the UHRC reported that the use of iron sheeting on roofs sent a clear signal that the occupants were unarmed and consequently an 'easy target' for raids. Ox-ploughs were not suited to the terrain.
- **Allegations of ethnic bias** during the cordon and search operations. Many communities felt that they were being unfairly targeted by the UPDF.
- **Inadequate weapons management and storage provisions.**
- **Increased displacement** as a direct result of forced disarmament phase both within the region and to neighbouring countries (Sudan and Kenya).
- **Breakdown of trust** within local communities. Community elders played a key role in persuading younger men to give up their weapons during the voluntary disarmament phase. They were left in an extremely vulnerable position following the withdrawal of security forces from the region.
- **Lack of regional coordination.** There was an initial push to get Sudan and Kenya to conduct simultaneous disarmament exercises. This did not translate into joint planning or implementation of disarmament exercises of pastoralist communities or effective control of vulnerable border areas.

Ideas for Possible future engagement

Parliamentarians and MPs;

Local support for disarmament will depend largely upon the extent to which it is distanced from the cordon and search operation and upon the governments commitment to providing budgetary support to disarmament programmes. Awareness raising work that flags up the importance of supporting the disarmament process and the relationship between small arms control, security and development could target a broad group of parliamentarians and specifically focus on MPs representing the region and the surrounding districts. Potentially CSOs could hold meetings to develop their own concerns and recommendations around disarmament in the region, and then meet with MPs to put forward these concerns and recommendations and encourage MPs to actively push for their implementation. The potential for supporting cross-border discussions with MPs and possibly officials from the GoSS to take forward discussions on the need for a regional approach to disarmament exercises that improve security and prospects for development must also be done.

Any disarmament attempts must also involve local communities in for example holding awareness raising activities that target local communities. The initial meetings should bring together local people and CSOs to discuss the negative experiences of disarmament and more importantly to build up an understanding of the kinds of conditions and incentives that people would require to relinquish weapons.

- Previous assessments of the conflict have highlighted the close relationship between the absence of effective security provision by the central government, widespread availability of small arms and conflict.

Conducting Conflict analysis to determine this theory is important.

The conflict analysis could be in two phases. The first phase would involve desk-based research examining the causes of conflict in the region as a whole. This research could guide the choice of priority areas for deeper engagement.

Building Support for SSJD at the Government Level

The successful implementation of both disarmaments programmes will depend upon improving security provision for the local communities. The regional governments must prioritise SSJD which could be the foundation upon which to take development and disarmament activities forward.

Facilitating dialogue between pastoralist communities and Governments

Future SSJD interventions in the region must be responsive to the requirements of the region and more specifically to the needs of communities. At present there is an absence of 'space' for dialogue between communities and the governments and this absence mitigates against developing ways to improve security provision in the region.

Developing Guidelines for Community Safety Among Pastoralist Communities

Pastoralist communities have specific security requirements that have not been fulfilled by successive governments in the region. The failure to address these security needs has led to the escalation of conflict, accelerated tensions within pastoralist communities and facilitated the widespread availability of small arms. The failure to develop security provisions for pastoralist communities is a pattern replicated across the wider East African region.

Disarmament of pastoralist communities and the successful implementation of development plans could be undermined if regional countries fail to address conflict and SALW problems in bordering areas.

There has been growing recognition that pastoralist communities across the Horn of Africa are facing similar problems in their respective countries and the potential for tensions between these groups to escalate into violent conflict that negatively impact upon surrounding communities.

Appendix: 20

Please find attached a Presentation by East African Police Chiefs Organization (EAPCO) separately attached in PDF format

Appendix: 21

Please find attached a Presentation by AMANI-Forum separately attached in PDF format

**A Report on a Peace and Conflict Resolution meeting between Afar and Issa
Pastoralists in January 2006 at Dikhil Region (As - Eyla)**

**RENCONTRE DE CONSOLIDATION DE LA PAIX
ENTRE LES TRIBUS AFARS ET ISSAS
DE LA REGION DE DIKHIL**

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- 1.4. Résultats attendus

II. Déroulement de la rencontre

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- 2.2. Logistique et facilitations.
- 2.3. Réunions et consultations préparatoires
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- Liste des membres des deux délégations ;
- Liste des membres et photos de la Commission de travail
- Album photos de la Rencontre ;

I. Introduction

1.1. Le pourquoi et les objectifs de la rencontre

Suites aux différents problèmes relatifs aux vols de bétails et de tueries qui se sont produits il y a deux (2) ans dans la région frontalière du district de Dikhil où se côtoient les tribus Issas et les tribus Afars (Assahémaras, Debneh), le Sultan Ali Boko a demandé aux Chefs des différents tribus Issas et Afars de la région de venir assister à une rencontre pour consolider la paix fragile. Ces derniers se sont mobilisés et ont répondu à l'invitation du Sultan pour prendre en main leur destiné et régler ainsi leur litige par la voie pacifique selon les règles et pratiques traditionnelles communes. En cette période de grande sécheresse, cette rencontre est destinée à prévenir les confrontations et affrontements entre les tribus Issas et les Assahémaras autour des points d'eau et des maigres pâturages existants encore. Comme les précédentes, cette rencontre s'est déroulée dans la circonscription administrative d'As- Eyla, du District de Dikhil, du 03 au 06 janvier 2006.

1.2. Arrivée et accueil des délégations Afars et Issas

Les deux délégations composées de 27 Issas, 22 Assahémaras et 9 Debnés, sont arrivées à Galangalita dans l'après-midi du lundi 02 janvier 2006. Le chef de Poste Administratif d'As-Eyla s'est rendu sur place, accompagné de 3 policiers pour les accueillir et procéder à leur désarmement. Leurs fusils et autres armes blanches furent déposés au poste de police.



Comme ils étaient fatigués, les deux délégations ont passé ensemble la nuit à Galangalita. Sur instructions du Chef de Poste, les policiers ont.

Le lendemain, le véhicule de la coopérative a été dépêché pour les acheminer à As-Eyla. Au préalable, toutes les dispositions nécessaires ont été prises avec la collaboration du Sultan et la communauté villageoise, pour les installer et les prendre en charge.

1.3. Les parties prenantes

La tenue de cette rencontre a été permise et soutenue par le Président de la République, Chef du Gouvernement, Son Excellence Monsieur Ismail Omar Guelleh. De ce faite, les Commandements des Forces Armées Djiboutiennes, de la Gendarmerie et de la Police de la région, ont mobilisé tous les moyens nécessaires en matière de logistique et de sécurité pour faciliter le bon déroulement de la rencontre.

Les travaux de cette rencontre ont été dirigés par le Sultan Ali BOKO, Autorité Coutumière de la région et le Commissaire de la République, Chef du district de Dikhil, Monsieur Moussa Djama Guedi, représentant l'Etat, entourés d'une équipe constituée des cadres et des Oulémas du District de Dikhil.

1.4. Résultats attendus

Contrairement aux précédentes rencontres de ce type, il est attendu à la fin de la rencontre de formaliser par écrit les discussions, les recommandations et résolutions prises, sous forme d'un Mémoire paraphé par toutes les parties prenantes.

II. Déroulement de la rencontre

2.1. Programme et durée de la rencontre.

D'un commun accord, le Commissaire de la République et le Sultan ont planifié le déroulement des travaux de la rencontre sur quatre (4) jours du 03 au 06 janvier 2005.

Cette planification a permis aux différentes tribus Issas et Afars d'avoir le temps de se reposer, de bien discuter et de mieux se connaître. Le Sultan a aussi eu le temps d'écouter les réclamations et doléances de chaque tribu. Il a ainsi pu les convaincre à se pardonner et à se réconcilier en faisant table rase sur les pertes et les rancunes antérieures au Nom de d'Allah.

03.01.06 :

- Arrivée et dépôt des armes en présence du Chef de Poste Administratif d'As-Eyla et les FAD, à Galangaleita ;
- Accueil et installation des deux délégations à As-Eyla ;
- Rencontres séparées des délégations avec le Sultan ;
- Première séance de prêche des Oulémas ;

04.01.06 :

- Seconde séance de prêche des Oulémas ;
- Rencontres séparées des délégations avec le Sultan ;
- Réunion entre le Commissaire et le Sultan pour la préparation du déroulement des discussions ;
- Réunion préliminaire avec les Chefs des tribus Afars et Issas ;
- Séance plénière ;
- Séance de travail en groupes de réflexion ;

05.01.06 :

- Troisième séance de prêche des Oulémas ;
- Séance de discussion entre les Chefs des tribus Issas et Afars ;
- Séance de restitution et de validation des résultats des groupes de réflexion ;
- Séance de validation et d'acceptation des conclusions et recommandations de la rencontre par les Chefs des tribus Issas et Afars en présence du Sultan et du Commissaire ;
- Séance de clôture ;

06.01.06 :

- Distribution de vivres et de vêtements aux membres des délégations ;
- Rapatriement des deux délégations

2.2. Moyens logistiques et facilitations.

Vu les moyens limités consentis (rencontre non prévue sur le budget du District), toutes les ressources humaines et matérielles (personnelles et logistiques) du District ainsi que les

moyens des services différents déconcentrés du District de Dikhil, ont été mobilisées, pour permettre le bon déroulement de la rencontre.

La tenue de cette rencontre a mobilisé 142 personnes (Cadres, Personnels du District, Cadres d'ONGs et Associations, Membres de la Communauté, Policiers, Gendarmes et Militaires), 5 véhicules utilitaires et 3 camions.

Le coût de la rencontre est détaillé dans le tableau, ci-après, et s'élève à **1.084.320 FD**.

Activités réalisées	Moyens mobilisés	Spécifications des dépenses	Coût unitaire/jr	Coût total pour 4 jours
Transport des personnes	5 véhicules	Carburant	50L/jr x 5 véhi x 4jr x 148FD/L	148.000 FD
Transport des vivres et matériels	3 camions	Carburant	70L/jr x 3 camions x 4jr x 148FD/L	124 320 FD
Discussions et convivialités		Khat	80.000 FD x 4 jr	320.000 FD
		Tabac	15.000 FD x 4 jr	60.000 FD
Rafrâichissements		Boissons (chaudes et fraîches)	12.000 FD x 3 fois x 4 jr	144.000 FD
Repas		Riz, Sucre, Dattes, Viande, Légumes, Fruits, Pain	35.000 FD x 4 jr	140.000 FD
Mobilisation des facilitateurs et autres personnels	Cadres et personnels du District, Services déconcentrés, Chauffeurs et conducteurs de Camion	Per diem pour le déplacement et séjour sur le site pour 4 jours	12.000 FD x 4 jr	48.000 FD
Achat de couvertures pour tous les membres des deux délégations		Achat de 100 couvertures		100.000 FD
TOTAL				1.084.320

2.3. Réunions et consultations préparatoires

Pour faciliter les discussions en plénière et les travaux de réflexion en groupe, trois réunions importantes ont été programmées et organisées préalablement le 03 et 04 janvier 2006. Dans un premier temps, les Oulémas de la région sont allés à la rencontre des tribus Afars et Issas pour prêcher la Parole Divine et la Souna de notre Prophète MOHAMED (Paix sur Lui), en leur rappelant que tuer son prochain et/ou voler ou prendre par la force les biens d'autrui sont les actes les plus vils qui conduisent à l'Enfer.

Dans un deuxième temps, le Sultan, en présence du Chef du Poste Administratif d'As-Eyla, s'est entretenu séparément avec les 2 délégations pour s'enquérir sur les situations qui prévalent actuellement dans ces contrées. A chaque fois, le sultan a rendu hommage et exprimé ses vifs remerciements aux représentants des tribus qui ont répondu favorablement à

l'invitation. Il les a écoutées et les a sensibilisées sur l'importance de sceller et consolider une Paix Durable dans la région.

Profitant de ces rencontres séparées, les représentants de tribus ont pu faire part au Sultan leur doléances, mais ont surtout exprimé leur engagement en faveur de la paix et leurs vœux de voir les nomades (Issas, Assahémaras et Debnés) vivre en harmonie.

Enfin, dans l'après-midi du mercredi 04 janvier 2006, le Commissaire de la République et le Sultan ont tenu une rencontre préliminaire avec les Chefs des tribus Afars et Issas des deux délégations, pour leur expliquer le déroulement des discussions et les résultats attendus de la rencontre. Lors de cette réunion, le Commissaire a insisté sur l'importance de cette rencontre et a remercié le Sultan et les Chefs des différentes tribus. Ces derniers ont tous déclaré qu'ils ont répondu à l'appel du Sultan et qu'ils sont venus en paix et pour sceller une paix durable. Ils ont acceptés sans condition les conseils et recommandations du Sultan, ainsi que les objectifs et la méthode de travail de cette rencontre.

2.4. La séance plénière.

La séance plénière a eu lieu le mercredi 04 janvier 2006, vers 16h. Elle a consisté à l'ouverture officielle des travaux de la rencontre par le Sultan Ali Boko et le Commissaire de la République Mr. Moussa Djama.

Dans son intervention, le Commissaire de la République a tout d'abord fixé le cadre général de cette rencontre de consolidation de la paix entre les tribus Afars et Issas, en informant les participants que le Chef de l'Etat a autorisé et soutient sa tenue en fournissant tous les moyens de logistique et de sécurité nécessaires. Il leur rappela que la paix et la sécurité des biens et des hommes, à Djibouti et dans la région, constituent les priorités premières de la politique du Président de la République.

Il remercia et salua, ensuite, les efforts inlassables du Sultan pour prévenir et régler les conflits pastoraux, et préserver la paix dans la région. Il a souligné que la paix est le bien le plus précieux que Dieu a descendu sur Terre et ordonné aux Hommes musulmans. Le Commissaire souligna que les Afars et les Issas étant tous des musulmans, ils doivent alors, abandonner l'idée traditionnelle mensongère consistant à penser que tuer et voler les biens d'autrui est un acte héroïque et noble. Il leur rappela que Dieu banni et puni de l'Enfer celui qui pense et agit ainsi.

Le Commissaire conclut que :

- nous devons dorénavant, tous dénoncer et désigner le tueur et le voleur par son nom (untel de telle clan, ...), même quand c'est un parent ;
- Les Chefs des tribus et l'Etat devons rechercher, arrêter et juger sans attendre, le tueur ou le voleur quelle que soit sa tribu ;
- Les biens volés doivent être restitués le plus rapidement possible ;
- Vous devez dorénavant réfléchir à l'avenir de vos enfants en terme d'éducation, de santé et de sécurité, car il est prouvé que l'homme instruit et en bonne santé constitue la principale ressource pour le développement de tout pays ;
- Les Issas et les Afars étant encore majoritairement nomades et la vie nomade étant de plus en plus difficile, les Etats de la région IGAD réfléchissent actuellement sur les voies et moyens de fixer les nomades dans leurs zones respectives afin de leur

apporter des infrastructures d'éducation et de santé, et de mettre en place des mécanismes de pacification et règlement des conflits pastoraux.

Le Commissaire de la République termina son intervention en disant que : vous nous avez tous dit que vous venez en paix et pour sceller une paix durable. Nous nous contenterons uniquement alors de réfléchir sur les voies et moyens de consolider et de préserver cette paix. Vous discuterez et réfléchirez en deux groupes formés des représentants des chaque tribus. Le premier groupe devra déterminer et énumérer les principaux facteurs ou causes des conflits pastoraux. Le second groupe réfléchira à comment construire et préserver une paix durable. L'Etat ne prendra en compte et n'appliquera que vos propositions et résolutions.

Le Sultan remercia le Commissaire de son appui permanent pour la préservation et la prévention des conflits dans le district. Il le remercia également pour la valeur et la profondeur de ses propos inspirés de notre religion, de notre culture et des lois et valeurs de la vie en communauté sur terre. Il pria le Très Haut que ces paroles aillent droit aux cœurs des Assahémaras, Debnés et des Issas ici présents et qu'ils sachent répercuter ceci sur leurs communautés respectives.



Les trois Chefs de délégation prirent chacun la parole par la suite.

Le Chef des Assahémaras, Louba Omar Daoud, déclara que les Assahémaras ont répondu favorablement à la demande du Sultan et acceptent les conseils et recommandations du Sultan et les mots justes du Commissaire de la République. Il souligna que celui qui a la paix dans son cœur doit le dire ici et se comporter en conséquence après cette rencontre. Il déclara qu'il a bien des réclamations importantes de bétails volés à faire, mais que la priorité est de se mettre d'accord sur les conditions, les voies et moyens de sceller et d'appliquer une paix durable.

Le Chefs des Issas, Elmi Dirir Guessod, déclara qu'il n'a pas vu sa famille depuis deux mois car il parcourt les territoires Issas et Afars pour préparer cette Paix. Il souligna aussi que tous les membres de la délégation Issa, sont là à l'appel du Sultan pour sceller une paix durable en présence du Commissaire de la République, représentant de l'Etat, qu'il remercia pour ses paroles de paix, forts justes. Il interpella le Chef Assahémara en lui rappelant que tous les

deux savent quand et comment la paix a été perdue. Il insista qu'il a marché longtemps pour retrouver la paix et qu'il remercie Dieu pour cette occasion pour la sceller à nouveau et la consolider avec ses frères Afars. Pour cela, nous devons nous demander seulement maintenant, que faire ? dit-il. Doit-on laisser les réclamations des bétails et hommes perdus et partir sur des nouvelles bases saines ? Je jure que nous venons en paix et pour une paix durable conclu-t-il.

2.5. Les commissions de réflexion.

A l'issue de la séance plénière, la méthode et l'organisation du travail, proposées par le Commissaire de la République, ont été adoptées. Deux commissions de réflexion constituées de 24 membres (12 Afars et 12 Issas) chacune ont été mises en place. Dans chaque commission, quatre cadres du District (deux facilitateurs et deux rapporteurs) ont été chargés d'encadrer les participants à discuter et à réfléchir ensemble pour consolider la paix.

- *La première commission devra recenser les causes et les facteurs déclenchant les conflits entre les tribus Issas et Afars de la région.*
- *La seconde Commission est chargée de réfléchir sur les voies et moyens de règlement des conflits et de préservation de la paix.*

Les deux commissions ont démarré leurs travaux à 21h, simultanément et ont terminé leurs réflexions à 23H 45.

III. Les résultats des commissions de réflexion.

3.1. Commission de réflexion sur les causes et les facteurs déclenchant les conflits entre les tribus Issas et Afars de la région.

Tour à tour les membres des notables présents dans cette commission ont pris la parole. Toutefois, l'intégralité des propos des orateurs de deux communautés est rapportée ci-après. Les listes des encadreurs et des participants de cette commission sont jointes en annexe.

OKALS AFARS :

Tout d'abord, le notable GABALTO, LOUBA OMAR DAOUD a indiqué que le principal facteur déclencheur des événements était le vol des bétails puis celui de pâturage qui par la suite engendre une sorte de rancune entre les deux communautés qui ne cessent de réclamer ses biens humains ou animaux.

Le non règlement immédiat de ces problèmes conduit à une confrontation qui donne lieu à la généralisation du conflit sur toute la communauté de part et d'autre.

Succédant à ce dernier, HOUMED MOHAMED IDRIS notable de OULOUTO a quant à lui déclaré que l'origine du conflit restait le même c'est-à-dire le vol de troupeaux. Non seulement a-t-il déclaré le voleur est coupable mais la communauté qui le protège en partageant les biens volés sont aussi complices des actes commis par celui-ci.

Donc, une fois le conflit généré a-t-il poursuivit, l'une de deux communauté prend des mesures allant jusqu'à priver d'eau et de pâturage ce qui peut encore aggraver la situation.

A son tour HASSAN MOHAMED KAMIL notable de DEBNES a cité le manque de croyance en DIEU et la le non respect de pacte conclu qui crée un conflit continu voire interminable. Selon lui, il exhorte l'ensemble de deux communauté à croire en un DIEU unique et de se respecter tout en ne violant pas la pacte sachant que le mal vient de deux coté puisque l'une de partie répond aux provocations de l'autre.

C'est au tour de GOOBO ABBO YABEH ,notable GAL-ELA qui débuta ses propos en affirmant que ni l'un ni l'autre de deux communauté n'est fautif c'est-à-dire comme le disait HASSAN ,les deux parties manquent de collaboration vis-à-vis de l'autre. Etant membres de chaque délégation lors de la négociation, je connais bien les problèmes qui persistent puisque le règlement de compte se fait sous forme de la loi de la jungle.

OKALS ISSAS :

La discussion passa ensuite à la partie ISSA et ce fut le notable HOUSSEIN OMAR, qui commença en affirmant que parler beaucoup tout au long de la soirée ne servait à rien et qu'il priait DIEU, LE TOUT PUISSANT à permettre à l'ensemble de la communauté de vivre dans la paix et qu'il remerciait la délégation ayant organisé cette conférence ainsi que de leurs gestes bienfaisants.

En continuant ses allocutions, HOUSSEIN a ajouté que tant qu'il y a le vol des bétails une solution ne sera jamais possible à conditions que les moyens efficaces soient mis en place pour enfin éradiquer ces problèmes définitivement.

Il fut suivi de GALAB SOUGAL ADEN un autre notable ISSA qui lui veut que la paix soit enfin restaurer entre ces deux frères ennemies et que la principale cause donnant lieu à la confrontation reste comme le disait mes compatriotes le vol de bétail qui constitue en quelque sorte notre principale ressource vitale.

BARKADLEH ELMI ASKAR a quant à lui tenu les même propos que les précédents en affirmant que le vol de bétails était bien sur la cause primordiale des conflits.

Le notable OSMAN SOUGUEH KAYAD a joint ses propos en déclarant que tout a été dit et qu'il ajoutera le conflit qui génère de la délimitation de l'espace de pâturage et que la privation d'eau se suivait.

Or a-t-il affirmé, ces deux ressources très importantes et vitales servaient de besoins dont on ne pouvait se passer et que le conflit succédait à ces problèmes.

Et enfin, ELMI SAID, notable très connu dans la région de Dikhil a indiqué pour sa part que par manque de moyens pour venir à bout de vol de bétail qui en est l'origine des conflits interethnique ils ne peuvent arrêter ou identifier le voleur .Et ceci, a-t-il poursuivit, nous emmène à solliciter l'aide de l'Etat pour en venir à bout.

3.2. Commission de réflexion sur les voies et moyens de règlement des conflits et de préservation de la paix.

Ce groupe de travail avait en effet pour mission de réfléchir sur la manière de créer des conditions propices à la pérennisation de la paix.

Aussi, après avoir expliqué le but de la réunion, le président de la séance M. Hamadou Ali a invité les participants à réfléchir à la fois aux moyens susceptibles de prévenir les conflits et aux règlements des éventuels litiges susceptibles de se produire.

Il a en outre expliqué que les propositions qui seront formulées au cours de cette séance seront ensuite soumises à l'approbation des chefs coutumiers de l'ensemble des tribus concernées. Ces derniers seront habilités à modifier ou à compléter ces recommandations avant de la ratifier.

Une fois approuvé par toutes les parties, ce texte servira de référence pour garantir la consolidation de la paix dans cette région, notamment aussi bien pour la résolution d'un litige ponctuel que pour le fonctionnement de la commission interethnique qui pourrait être mise sur pied à l'issue de cette rencontre.

Les interventions des différents participants sont rapportées ci-après, aussi fidèlement que possible.

HOUSSEIN MOHAMED dit MERANTOU (Chef coutumier de GAL-ELA)

Moi, je vais vous parler des principes existants entre nos deux communautés : Une tradition ancestrale existait entre AFAR et ISSA pour tout dédommagement, à savoir, 20 dromadaires pour toute personne tuée. Ensuite elle est redescendue à 15 dromadaires. Le vol était sanctionné à 12 chèvres. Parfois, on pourrait excuser mais tout en donnant un KAFANE. Pour avoir l'opinion de l'autre partie sur la paix, nous envoyons une femme portant un brin d'herbe.

HOUSSEIN poursuit ainsi

Maintenant, on ne respecte plus les règles établies par nos aînés. Nous devons tracer un chemin durable pour la paix et chaque responsable de tribus ou de communauté doit scrupuleusement les respectés ou les faire respecter

IDRISS GONA HASSAN (CHEF COUTUMIER DU SECTEUR SADIRI)

Je suis le fils de IDRISS HASSAN un homme qui a donné toute sa vie à la sauvegarde de la paix.

Tout le monde connaît que le dédommagement s'élève à 15 chameaux avant l'indépendance mais après il n'y a pas eu un chemin bien tracé parce que on ne cherchait pas à compenser la famille de victime

Nous vivons en paix si les deux communautés font du bon travail chacun de son côté.

OMAR HARED ASSOWEH (CHEF COUTUMIER HARLA)

Nous, nous n'avons beaucoup travaillé pour la paix mais nos parents ont beaucoup oeuvré pour la paix malgré leur ignorance. Quand un crime est commis, les vieux s'efforçaient à toujours préserver la paix .Quand au voleur, on le punissait de manière suivante : 12 moutons, confiscation de son arme. Celui qui tue doit donner 100 chameaux

IBRAHIM MOUSSA FARAH (OKAL WALALDONE)

La paix de nos jours ne perdure pas très longtemps contrairement aux années passées.

Qu'est qui manque pour avoir une paix durable ?

Avant il y'avait des lois à respecter mais par contre aujourd'hui il n'y en a rien. Alors si dans la communauté issa quelqu'un met en péril la paix sa famille est sévèrement sanctionnée. L'absence des sanctions fragilise la paix Ce soir nous devons jeter les bases d'une paix durable

HASSAN MOHAMED KAMIL (CHEF COUTUMIER ANKALI)

Nous sommes venu de loin pour parler uniquement de la paix et cette paix demande des efforts particuliers de la part de tout le monde .Tout individu qui viole cette paix doit être sanctionnée . Selon un proverbe AFAR « les femmes et les enfants ont peur du bâton et non d'un dieu non visible » .Ceci pour dire que le criminel doit être puni sans avoir pitié à lui. Allant jusqu'à détruire les biens de sa famille. Aujourd'hui le voleur ou le criminel trouvent bien leur place dans la société Or, il fallait qu'ils paient de leurs actes barbares à savoir l'arrêt du criminel ou voleur avant même de payer le gain de cause de l'enterrement Quant au vol des petits ruminants, ils ne font mal à personne.

AHMED DOUALEH FARAH (ISSA FOURLABA)

Si nous sommes là ce soir c'est grâce à ALLAH . Aussi je remercie notre Etat qui nous a permis de nous retrouver autour de cette table .Soyons correcte et sincère entre nous envers l'Etat et envers le bon DIEU. La paix a toujours existé avec nos ancêtres et elle peut être préservé éternellement à condition que les Issa et les Assahémaras se disent la vérité .Nous devons signer un accord durable entre nous.

MOUMIN RAYALEH GADODEH (ISSA ODAH GOB)

Je ne suis pas un okal payé par l'Etat, je suis un simple berger. Je me suis déplacé pour faire la paix avec mes frères Assahémara. Donc maintenant, comment peut –on consolider la paix. Faut-il renforcer les lois et procédures traditionnelles ou proposer des nouvelles lois.

ALI MOHAMED ALI (DEBNEH ARALOSSO)

Le fait de s'emparer les biens de la tribu ou du clan de celui qui a commis l'acte criminel est un péché. Selon les lois islamiques, seul le coupable mérite d'être puni .Comme les Issas et les Afars pratiquent les préceptes de l'islam, le meurtrier doit être remis à l'Etat.

ABDILLAHI CHEIK ADEN (ISSA HORONEH)

Durant mes séjours à As-Eyla, je suis en paix avec les Assahémaras, mais ce n'était pas le cas quand j'étais avec mes enfants. Si nous avons répondu à l'appel du Sultan et de l'Etat c'est que nous aimons vivre en paix en harmonie. Une paix trompeuse ne peut être acceptée par aucune de nos deux communautés. Si nous sommes des musulmans, il faut que l'on se dise la vérité surtout vous les Assahémaras et nous les issas.

HOUSSEIN MOHAMED dit MEIRANTOU prend une 2ème fois et dit ainsi :

Pour consolider la paix nous devons nous faire confiance entre nous, créer des commissions mixtes, dédommager la famille des victimes et avoir surtout des contacts permanents entre les communautés.

3.3. Restitution et validation des résultats

Le jeudi 05 janvier 2006, à 18h 30, les rapporteurs des deux commissions ont lu les rapports aux membres de chaque commission. Après la restitution, chaque commission a complété et validé son rapport.

Les conclusions et recommandations de chaque commission sont intégralement rapportées ci-après.

IV. Les conclusions et recommandations finales de la rencontre

4.1. Les conclusions et recommandations finales des groupes de réflexion

a) Sur les causes et facteurs déclenchant des conflits ;

Sur les causes et facteurs qui génèrent les tensions et conflits entre les tribus Issas et Afars, les représentants des deux communautés (12 ISSAS et 12 AFARS) dans cette commission ont été d'accord et unanime sur les points cruciaux suivants :

- Ce sont les vols des bétails ponctuels ou organisés que ce soit du côté des ISSAS ou des AFARS sont les principales causes des tensions et conflits entre les deux communautés. Ils sèment par la même occasion la haine et l'esprit de vengeance entre ces derniers,
- Le non partage des puits d'eau,
- Le non partage des pâturages (délimitation territoriale),
- Suite aux rancunes antérieures dues aux vols des bétails ; l'enlèvement ou le viol de filles et femmes ; le refus d'une cohabitation harmonieuse entre les deux communautés aboutissant en général aux meurtres perpétuels.,
- Finalement, l'acte commis par le malfaiteur se répercute sur l'ensemble de sa communauté qui est jugée coupable de cette action et cela entraîne des représailles sur des innocents qui en subissent les conséquences.

b) Sur les voies et moyens de préserver une paix durable ;

A l'issue d'une discussion longue et parfois houleuse, les participants sont arrivés à un consensus sur les mesures suivantes à mettre en œuvre :

1. Collaboration :

Les participants ont exprimé leur ferme conviction de la nécessité de coopérer tous pour oeuvrer à l'instauration d'une paix durable dans la région. Ainsi, la paix sera considérée comme un bien communautaire sur lequel doit veiller tout individu.

2. Cohabitation harmonieuse

Les participants ont convenu d'établir des contacts permanents entre les différentes communautés pour favoriser une cohabitation harmonieuse, l'instauration d'un climat fraternel et une confiance mutuelle.

3. Lois antérieures

Pour le mode de règlement des conflits, il est nécessaire de restaurer la mise en application des lois qui étaient appliquées traditionnellement pour régler les litiges et conclure la paix entre les deux communautés afar et issa.

A titre d'exemple :

- Tout crime était passible de 15 chameaux

- Un vol, entre 12 à 15 têtes de moutons ainsi que la confiscation de l'arme du coupable.

Quand une fraction souhaitait renouer la paix avec ses ennemis, elle envoyait chez eux des femmes qui portaient un brin d'herbe en signe de paix. Ces derniers, soit accueillaient bien les femmes pour accepter la proposition ou soit les chassaient pour en rejeter.

Enfin, lors des réconciliations, les parties en conflit égorgeaient un mouton et se régalaient pour témoigner leur bonne foi.

4. Responsabilité individuelle de l'acte.

Les participants ont reconnu qu'un changement de mentalité soit indispensable pour parvenir au résultat escompté, concernant les délits et leur mode de dédommagement qui en résulte.

En effet, il est convenu qu'une communauté ne soit plus considérée dorénavant comme étant responsable des dommages causés par l'un de ses membres. Seul l'auteur de faits sera tenu pour responsable et à ce titre subira les sanctions prévues à cet effet.

La punition est en effet indispensable pour tenir les malfaiteurs en échec et les dissuader dans leur entreprise.

5. Commission interethnique

Nécessité de mettre sur pied une commission composée de représentants de chaque tribu résidant dans la région et qui sera chargée d'assurer le respect des règles prescrites.

Cette commission interethnique sera chargée du suivi permanent du processus de pérennisation de la paix. A ce titre, ils doivent être un cadre privilégié et apprécié par les membres de toutes les communautés concernées.

La commission doit permettre d'une part l'articulation entre les déclarations théoriques et les réalisations pratiques.

Enfin, dès qu'un conflit survient, la partie victime doit informer les membres de cette commission qui dorénavant est tenue, dans le cas d'un vol, de restituer d'une part les biens volés et d'autre part de remettre le(s) coupable(s) à l'administration la plus proche.

Enfin, la commission interethnique est habilitée à se prononcer sur la nature de sanction à prendre, en fonction de la gravité des faits, à l'endroit de toute personne qui transgresserait les principes et les recommandations adoptées au cours de cette assemblée.

6. Respect des préceptes de l'islam

Nécessité de se conformer aux préceptes de l'islam et de s'abstenir de tout acte susceptible de nuire à son prochain.

A la fin de la séance, les recommandations suivantes ont été formulées et approuvées par tous les membres du groupe de réflexion :

- 1. Enterrer la hache de guerre,**
- 2. Arrêter et remettre à l'Administration tout auteur de meurtre,**

3. *Condamner le coupable à payer à la famille de la victime, 4 chameaux en guise de participation aux frais d'enterrement,*
4. *Condamner le coupable à payer à la famille de la victime, 100 chameaux en guise de dédommagement.*
5. *tout vol doit être passible de 24 chèvres (12 en faveur de la victime et 12 autres en faveur du comité interethnique chargé de veiller sur la paix),*
6. *Constitution d'un nouveau comité de sages interethnique, composé des principaux Chefs de tribu influents, qui se réunirait une fois par mois pour se concerter dans le cadre de leur mission de maintien de la paix (prévention, règlement des litiges, sensibilisation et plaidoirie de facilitation de la cohabitation pacifique des tribus Afars et Issas),*
7. *Favoriser le bon voisinage et la cohabitation par :*
 - a. *Le partage des points d'eau,*
 - b. *Le partage des pâturages,*
 - c. *Echange de filles en mariage*
8. *Recrutement et rémunération des chefs de tribu membres du Comité interethnique par l'Etat, en tant que Notables pour la sécurité et la paix du monde rural,*
9. *Lutter contre la vente et l'achat des minutions et interdire aux jeunes le port et le maniement d'armes,*
10. *Sensibiliser et informer les nomades sur les questions du développement rurale (agropastorale) et sur le respect des Droits Humains,*
11. *Œuvrer à fixer les tribus par des Programmes et des projets de développement agropastoraux, de scolarisation des enfants et d'alphabétisation des adultes.*

c) Restitution au Sultan

Vers 21h30, les conclusions et recommandation des deux commissions de réflexion ont été lues au Sultan et au Commissaire de la République, en présence des chefs des différentes tribus Afars et Issas des deux délégations. Le Commissaire ouvrit la séance et invita les chefs des tribus à donner leurs points de vue sur ces propositions.

Il invite enfin les Chefs des tribus à donner leurs points de vue sur ces propositions. Chacun pris la parole pour faire son commentaire et donna sa position. Les Chefs des tribus Afars commencèrent par présenter les nombres de bétail qui leur ont été volés, en soulignant que leur tribu respective attend qu'on leur restitue d'abord ce bétail. Les Chefs des tribus Issas firent remarquer qu'il est possible de restitué du bétail, mais feront les Assahémaras pour restituer les hommes et femmes Issas qu'ils ont tués. Les détails des propos de chaque chef de tribu et les conseils et remarques d'arbitrage du Commissaire et du Sultan sont en annexe. Le résultat c'est qu'il y a eu une convergence des vues et un consensus générale approuvant les conclusions et recommandations pour sceller une paix durable.

Après cette approbation, le Sultan prit la parole et informa les chefs des tribus de ses décisions et résolutions qu'il a pris et qu'ils devront signer en séance plénière pour consolider et préserver la paix scellée aujourd'hui. Il s'exprima en ces termes :

« Nous vous avons appelé pour consolider la paix et c'est dans cette voie que nous nous dirigeons. Mes aïeux ont oeuvré en faveur de la paix, je continue sur le même chemin. Je me suis entretenu avec les représentants de toutes les communautés. Tous ont manifesté leur désir de la paix.

Nous avons informé les autorités supérieures de l'Etat, jusqu'au Président de la République, de l'organisation de cette rencontre et ils attendent son résultat final. Quand on construit une maison, si l'une des pierres ne cesse de bouger, on place une grosse pierre sur elle afin de l'immobiliser. C'est pourquoi nous avons décidé d'adopter des mesures de grandes envergures pour mettre fin aux hostilités dans la région. Aussi, dans cette perspective, nous avons opté d'imposer des sanctions supplémentaires en dehors de celles qui existaient déjà. En effet, toute partie qui viole les règles qui régissent la paix sera condamnée à payer « le Prix de la Paix »:

- *Soit 12 chameaux*
- *Ou 24 vaches*
- *Ou 240 petits ruminants*
- *Ou bien, de payer en espèce l'équivalent de la valeur du prix de 12 chameaux.*

Voici les nouvelles mesures préventives pour lesquelles nous avons optées. Les Issas ont déjà manifesté leur approbation. Je demande maintenant l'accord des Assahémaras. »

Les chefs des délégations ont chacun leur tour pris la parole pour dire leur avis et positions, mais ont tous approuvé et accepté de signer, de respecter et de faire respectées ces décisions et résolutions du Sultan.

d) Séance de clôture

Sous la Présidence du Sultan et du Commissaire de la République la séance de clôture a débuté vers 23h45. Elle a commencé par des prêches islamiques du Cheik Hadji ABASS.

En citant des Versets du SAINT CORAN, Hadji ABASS rappela aux membres des deux communautés le rôle prépondérant que joue la religion dans la consolidation de la PAIX. Dans son prêche, le Cheick leur rappela que devant DIEU, les ISSAS et les AFARS sont égaux et que la Paix est la chose la plus importante devant le TRES HAUT, d'autant plus qu'actuellement ces soirées sont très bénies par le TRES HAUT (mois sacré du PELERINAGE). Il souligna que le nombre important des représentants, de deux communautés, venus de très loin, témoigne de l'importance qu'ils attachent à la PAIX. Le TRES HAUT les assistera pour instaurer une paix durable entre ces deux frères ennemis qui partagent beaucoup des similitudes (religion ; nationalité etc.....).

Cheik ABASS leur fit remarquer que la majorité des représentants sont des hommes murs et responsables des différents tribus et peuvent parvenir à la signature d'un PACTE de PAIX durable et historique. S'appuyant énormément sur la religion, Cheik ABASS les mis en garde que tout malfaiteur ou meurtrier finira mal ses jours et aura comme dernier demeure l'ENFER. Continuant toujours la bonne parole ; Hadji ABASS rappela que le PACTE de PAIX conclu entre les ISSAS et les AFARS n'est pas un ACTE accompli devant une créature (ex : commissaire ; membres de deux commissions) mais c'est plutôt devant le TRES HAUT(LE MISERICORDIEUX).

Enfin, Hadji ABASS poursuivant les bienfaits de la PAIX, demanda aux représentants de deux communautés présents dans cette rencontre de se pardonner d'abord eux-mêmes, de ne laisser la moindre rancune à l'intérieur d'eux-mêmes et de propager ce PACTE de PAIX historique dans leur communauté respective.

Le Commissaire de la République, Chef du District de DIKHIL, pris la parole et adressa ses remerciements aux participants de la rencontre. Il remercia également le SULTAN de Ali BOKO et le Chef du Poste Administratif d'AS-EYLA, qui n'ont ménagé aucun effort pour supporter et faciliter ces assises pendant 4 jours; et enfin aux cadres qui ont aidé et encadré les deux groupes de réflexion. Commencant proprement ses propos ; le Commissaire rappela que son rôle principal consiste à consolider la PAIX et cela va de même pour le SULTAN. Les points forts des propos du Commissaire ont été les suivantes :

- nous devons consolider la PAIX afin d'instaurer une harmonie entre les communautés
- Que DIEU vous rend les mérites de votre patience pendant ces jours séjournés à AS-EYLA
- vos efforts et résultats louables accomplis pour restaurer une PAIX durable seront rapportés au Gouvernement et surtout au Président de la République ;
- Que toute chose a besoin d'une organisation et que la vie sur Terre est rythmée par la PAIX ;
- Le MONDE évolue, nous devons donc apporter notre pierre quant à l'édification de cette PAIX durable et accompagné par la même occasion cet essor mondial ;
- Vous devez signer vos réflexions et propositions rapportées par les commissions de travail d'une manière intégrale une fois qu'elles vous seront lues ;
- Nul ne doute que la source principale des conflits réside dans les vols des bétails et constitue comme cause majeure de tensions ethniques (propos recueillis par la 1^{ère} commission) ;
- Continuant toujours son intervention, le Commissaire rappela que la sécheresse chronique qui sévit dans la région n'est que le résultat de nos péchés. Cette sécheresse conduit généralement aux attroupements des bétails autour des points d'eau générant par la suite des confrontations ethniques ;
- Le Commissaire fait un bref survol sur les travaux de deux commissions à savoir les Causes et les Modes de règlements des tensions ethniques devant les représentants de deux communautés ;
- Le Commissaire rappela l'importance des propositions laissées par écrit et qui constituent d'ailleurs une première dans l'histoire de règlement des conflits pastoraux intercommunautaires.



Le Commissaire céda la parole au SULTAN qui remercia le Commissaire et l'ensemble des participants de ses assises. Le SULTAN s'est réjoui de la réussite de cette rencontre pour la consolidation de la paix qui enregistre d'ailleurs une forte participation des représentants de deux communautés. « Sans paix point de vie sur Terre » déclara-t-il.

Il recommanda aux protagonistes de deux parties de préserver jalousement ce Pacte de Paix conclu en ces jours bénis de DIEU.

Le SULTAN recommanda aux ISSAS et AFARS d'abandonner leurs revendications de restitution ou de dédommagement au profit de cette Paix. Il annonça les décisions et résolutions qu'il instaure aujourd'hui contre tout contrevenant à ce Pacte de Paix.

Enfin, le SULTAN termina en recommandant à l'Etat de doubler les moyens afin de contribuer à la consolidation de cette Paix et demanda aux membres de des délégations de se pardonner, de se donner les mains en enterrant toutes les haches de guerre, les rancunes et haines.

Par la suite, la parole fut donnée aux représentants de deux communautés.

Ainsi ; un intervenant AFAR (Louba Omar) prit la parole et déclara qu'il aura gaspillé toute cette énergie pour rien s'il n'acceptait pas ce soir cette Paix tant attendue, mais réclama néanmoins la restitution du bétail appartenants aux Gabalto. En répondant à ce dernier, le SULTAN lui fit savoir que tout vol de bétails antérieur au présent Pacte de Paix, est abandonné. Le SULTAN ordonna à tous d'oublier les anciennes pertes au profit de la PAIX.

Ensuite, ce fut l'intervention du Chef des tribus Issas M. Elmi Dirir Guessod. Ce dernier déclara, très en colère, que les exigences de l'intervenant AFAR sont sans fondements : il réclame des bétail, mais moi je lui demanderais les vies des humaines qu'il a tué. Continuant ses propos ; ELMI déclara : soyons responsables et saisissons cette opportunité car nous avons soif de connaître cette Paix tant attendue. Il exhorta son protagoniste de tenir sa parole donnée au Sultan et au Commissaire en présence de tous les Chefs des tribus des deux

communautés dans la réunion précédente et de passer sur les erreurs commises auparavant au profit de ce PACTE de PAIX dont les témoins sont de taille ce soir (présence du commissaire, Chef de poste, Oulémas et cadres de la région).

Mais, Louba Omar persista encore avec des propos coléreux cette fois-ci. La discussion devenant houleuse et les efforts des deux longues journées risquant d'être réduit à néant, le Commissaire mis fin aux paroles interposées des deux protagonistes en leur faisant savoir les prérogatives de chacun d'eux. Le Commissaire invita d'autres sages de deux communautés à prendre la parole afin de ne laisser la moindre suspicion dans leurs ventres.

Dieu merci, tous les autres intervenants (Afars et Issas) tinrent des propos raisonnables en disant qu'ils seront impardonnables si, à cette heure (01H30 du matin), les sentiments et intérêts personnels passent avant l'intérêt général et empêchent de sceller le prix ce soir. Tous demandèrent aux deux protagonistes de revenir à la raison, de se respecter, de respecter le Sultan et le Commissaire et de se pardonner.

Enfin, l'heure tant attendue arriva avec grand bonheur. Vers 02H05mn, tous les participants crièrent d'une même voix « Par Allah, Oui à la Paix » en levant les mains et ensuite les accolades de pardon plurent comme de la pluie. Et les échanges des paroles contradictoires ainsi que les longues attentes furent clôturées par le pardon et des bénédictions collectives furent demandées au MISERICORDIEUX.





Cette longue accolade de réconciliation et de pardon entre Louba Omar et Elmi Dirir Guessod clôtura les discussions.

Challenges in Disarming Pastoralists of the Karamoja Region of Uganda

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Introduction

Uganda is home to a large pastoralist population. These include the sub-humid pastoralists in central, western, and south-western rangelands; and the semi-arid pastoralists in the north-eastern region of Karamoja. Whereas both pastoralists groups have been subject of control by the state, interventions in sub-humid pastoralism was informed by ecological considerations aimed at controlling rangeland management. The interventions in the Karamoja region were aimed at pacifying a pastoral people whose lifestyle was characterised by violence. The disarmament of pastoralists in Uganda is therefore targeted at the semi-arid Karimojong pastoralists, and this is the context of the discussions in this paper.

The Karamoja region is home to a pastoral people commonly referred to as Karimojong⁶⁷. These are largely pastoral groups engaged in transhumant livestock management. Cattle thefts and raids are common occurrence in pastoral communities in the region.

This is a semi-arid region characterised by scarcity. Since cultivation is made unviable because of inadequate and unreliable precipitation, the people have taken to cattle pastoralism as the best option for utilizing their environment. However, pastoralism in this region is also characterised by cattle thefts and raids. This is a practice that is probably as old as the pastoralism in this region as the people sought to replenish their stocks often following epidemics. However, cattle raids in the Karamoja region have continued to change in magnitude and tactics because of changes in weapons used – from the traditional spears to modern automatic guns today. The result has been increasing levels of destruction of human lives and property as warriors engage in raids and counter raids.

The Karimojong have engaged in raids and counter raids at inter-clan level among the Karimojong themselves, with their neighbours within the country (including the Bagisu, Sabinu, Iteso, Langi and Acholi ethnic groups) and with the Turkana and Pokot from neighbouring Kenya, and the Toposa and Didinga from the Sudan.

The violence in the Karamoja region has been of concern to governments right from the colonial era. The main approach to addressing the violence in the region has been the use of force. We argue here that the use of force per se has not brought the desired restoration of peace and security in the region. There is therefore need to reconsider the approaches to restoration of peace and security in the region in order to realise effective and sustainable peace and security in the region.

The inability of the colonial and post colonial governments to provide adequate protection to the Karimojong against their neighbours has led to increasing demand for self defence and therefore continued demand of illegal arms.

A retrospect

Karamoja region has historically lagged behind in socio-economic and political development. This region did attract the colonialists as an agriculturally productive area, which was the interest of the colonial administration at the time. However, Arab, Greek, Abyssinian, Swahili, and some British ivory traders traversed the region as they sought to purchase ivory from the warriors. Other than the trinkets and cattle they received in payment, the warriors also received arms and ammunition as payment – with which they used to kill the elephants, and also

⁶⁷ Although the people in this region are generally referred to as Karimojong, it comprises of 10 ethnic groupings.

raid cattle from some of their neighbours (Welch, 1969 :47-51). This was going on without the knowledge of the colonial government since the argument was that both the human and economic cost of administering this remote region was too great as was stated by Secretary of State Lord Harcourt⁶⁸. However, firearms continued to proliferate in the region. While discussing the history of the colonial period in Karamoja, Barber observed that on the strength of such reports,

“... border officials argued that action had to be taken, not because administrative expansion was profitable, not because there might be untapped resources, but because in military terms, the British could no longer ignore the North.”⁶⁹

The visits to the region by District Superintendent of Police P.S.H. Tanner later in 1910, and administrative officer T. Grant in 1911 resulted in them confirming that Karamoja was a lawless and militarized area (Barber, *ibid.*: 19). It was then that the colonial government embarked on control by military means. In deed the Secretary of State for Colonial Affairs granted permission for limited positive action to control. Soon after assuming office as Governor of the Protectorate in 1911, Frederick Jackson saw that it was the traders who were to blame for the sorry state of affairs in Karamoja, and so decided to close the district to all traders, allowing only one opening at Mbale, and with just occasional patrols in the area⁷⁰. By 1912, a permanent Northern Garrison had been established. This group met stiff resistance from the warriors and therefore embarked on a systematic pacification program in the region shooting the warriors, disarming them, burning their huts, and seizing their livestock (Welch *op cit.*: 54). In 1916, two police posts were established in the area under Turpin, one of the British officers, which force was meant to work with the local chiefs who had earlier in 1911 been introduced in the area (Dyson-Hudson, 1966). By 1921 the region had largely been subdued.

The concerns by the colonial government with maintaining security, law and order in the region were overriding and so little attention was given to bringing about socio-economic development in the region. This left the only contact between the Karimojong and the colonial government as that of contradiction with the Karimojong regarding the colonial government as an ‘enemy’. Concerns for security in Karamoja by the colonial administration were carried forward by post independence governments.

A Report of the Karamoja Security Committee provided a research basis for the post-independence governments. The problem with Karamoja was diagnosed as that of “virtual breakdown of law and order”. The prescription: a force that is superior to theirs ...⁷¹.

However, this did not deter the Karimojong from acquiring more guns. Other than look for guns, the Karimojong started to locally make guns (called *amatida*). Boreholes and furniture made from hollow sections were vandalised for making these guns.

⁶⁸ See File 1049 Entebbe Archives, Secretary of state to Government of Uganda, 2 December 1910, in Barber, J.P., *Karamoja in 1910*. Uganda Journal, 28, 1, 1964 :16. “... it appears to me both dangerous and unremunerative for the Governor of Uganda to undertake the administration of a country which is not easy to access from headquarters and which has no great resources”.

⁶⁹ Barber, J.P., 1968, *Imperial Frontier*, East African Publishing house, quoted in Welch, *op cit.*: 50)

⁷⁰ See Welch, 1969 :52; Cisterino, 1979 : 67. Cisterino shows how even after Uganda achieved independence there was still a notice at Iri as one entered Karamoja that read, “YOU ARE NOW ENTERING KARAMOJA CLOSED DISTRICT. NO VISITOR MAY ENTER WITHOUT AN OUTLYINF DISTRICT’S PERMIT”

⁷¹ See Bataringaya , *A Report of the Karamoja Security Committee*, 1961.

A turning point in the armament in the region came with the fall of Idi Amin's regime in 1979. The Karimojong broke into the armoury of Moroto barracks and looted an unspecified amount of guns and ammunitions. This single event accounts for the most significant change in the dynamics of cattle raids in the region.

Curbing cattle raids and conflict in Karamoja

Governments, from the colonial period to date, have been concerned with curbing raids in the Karamoja region. The current on-going disarmament is yet another of such attempts. But for the NRM government, this was part of what was planned even before they took power. Point number 8 of the Ten-point Programme of the National Resistance Movement (NRM) in part reads '*...resettlement of the displaced persons and development of Karamoja*'. The removal of illegal guns from the hands of the Karimojong warriors has therefore been a key policy strategy for the National Resistance Movement (NRM) government since it took power in 1986. The prevalence of guns in the region was considered an impediment to development and the concern by the NRM government about bringing development in Karamoja was demonstrated by the establishment of the Karamoja Development Agency (KDA) by Statute 4 of 1987. KDA was expected to usher state-led development programmes to the region⁷². Over the years, the performance of KDA was found wanting and was dogged with allegation of poor leadership and financial mismanagement⁷³.

This led to the establishment of the office of Minister of State for Karamoja Development under the Office of the Prime Minister and authenticates the commitment to the development of the region by the NRM government. Until 2006, this position was held by personalities from the Karimojong ethnic group. The reason for this could be that it is the Karimojong who know the local dynamics best and can, therefore, design and implement appropriate and sustainable programmes that can bring about peace, security and development to the region.

In 1998, the Karamoja Projects Implementation Unit (KPIU) was also established with a similar objective of fostering the development of the region. However, the desired peace and development still elude the region. To date, the gun continues to be a common asset to the Karimojong. These guns continue to be security problem and, and the disarmament policy, through which government seeks to remove illegal guns from the warriors, is fronted as the solution. This is because of the argument that there cannot be development without peace and security, to the establishment of peace and security is paramount.

The NRM government has expressed interest and commitment to bringing about peace and development to Karamoja. However, the fact that after establishing of the various bodies meant to bring about change, the desired change is still elusive is an indicator that there is still a missing link.

Government initiated a disarmament program for Karamoja in December 2001, and to date, there have been three phases of disarmament. The first phase that started in December 2001 lasted until December 2003. This marked the first phase of disarmament by the NRM government. The second phase began in September 2004 and lasted to June 2005. The third and present phase of disarmament started in June 2006.

Soon after taking power in 1986, the NRM government embarked on forcefully disarming the Karimojong. People were rounded up, tied up using the "three piece" approach, beaten, and those who attempted to run were shot. The number of clashes between the military and the warriors during this period was unparalleled, and about two

⁷² See Statute 4: Karamoja Development Agency Statute, 1987, Government of Uganda.

⁷³ See *The New Vision*, September 19, 1995; and *The People*, February 28, 1996. KDA is also accused of sidelining the local people in the process of project design and implementation resulting to the failure of most of the projects.

years later, there was little progress made. The continued resistance by the warriors made government change the approach from military to dialogue. This was probably the first time any government dialogued with the Karimojong on security matters and marked the beginning of a change in the relationship between the Karimojong and government.

The loose agreement between the Karimojong and government was that they would continue to possess their guns, but used them for protecting their livestock only. At the same time, government was also occupied with quelling outbreaks of rebel groups in different parts of the country, including the Uganda People's Army (UPA) in Teso and the Uganda People's Democratic Army (UPDA), was characterised with unprecedented raiding by the Karimojong that devastated much of the region itself and all the neighbouring districts. The warriors had evidently not honoured their part of the agreement.

The 2001 Disarmament Exercise (Phase One)

On the 15th March 2000, the Sixth Parliament of the Republic of Uganda passed a motion calling for the disarmament of the Karimojong as a measure to tackle cattle rustling that was devastating the neighbouring districts. A disarmament exercise was then formally launched by Government in December 2001 by His Excellency the President. The president took time to discuss with, educate and sensitize members from different social categories of the society in Karamoja including opinion leaders, elders, youth and the women. This he did at Morulinga in Bokora sub-county, Moroto district where he had pitched camp for weeks. Other stakeholders, both government and non-government also engaged in sensitization and mobilisation campaigns for disarmament. A presidential circular to all political leaders and military commanders outlined guidelines for mobilisation for the disarmament exercise. It was observed in the circular that it was critical for the Karimojong to understand the need for government to take away their illegal guns. It also assured that after handing in their guns, government would protect them with protection against their internal and external adversaries.

The disarmament program aimed at collecting illegal guns from the Karimojong warriors. The disarmament exercise was phased with the first phase comprising voluntary disarmament and lasting from December 2001 to mid-February 2002, and the second phase of forceful disarmament kicked off on the 15th February 2002. The initial success of the disarmament was commendable with some 7,319 guns collected in the first phase. This success can be attributed to assurances the people received through the sensitization and mobilisation campaigns.

However, it did not take long for some of the communities that had surrendered their guns to begin questioning the ability of the state to provide them adequate security after they lost their family members, friends, and livestock to raiders both from within the country and from across the border. The people of Rupa sub-county (Moroto district) for instance complained of relentless raids by the Kenyan Turkana, a group that they had until then, assumed were their allies. The Tepeth, also of Moroto district, complained of persistent raids by the Kenyan Pokot⁷⁴. The disarmament program soon became unpopular and left most Karimojong bitter with themselves for trusting government⁷⁵. Most other pledges including the construction of security roads, establishment of permanent barracks' along the international border, valley dams were not fulfilled.

⁷⁴ see Ministry of Finance, Planning and Economic Development, 2002, Uganda Participatory Poverty Assessment Process

⁷⁵ See Otim, O. Peter: 2006, 'A Tale of Pastoral Terror in the Karamoja Region of Uganda' A study under the project 'Comparative Research on Pastoral Conflicts in the East African Region: Case Studies from Ethiopia, Kenya, Somalia Sudan and Uganda', by the Development Policy Management Forum (DPMF), Addis Ababa - Ethiopia.

Second stage

The second stage of disarmament was a military-led exercise with the forceful removal of the gun being the main method. Some 1,188 guns were recovered over a period of one year. The military operations by the national army, the Uganda People's Defence Forces (UPDF) involving impounding and confiscation of livestock and torture led to an increasing level of clashes between the military and the warriors.

Early March 2002, there was increased activity by the rebel Lord's Resistance Army (LRA) in the northern part of the country and most of the troops that were deployed in Karamoja to implement the disarmament program were redeployed to the north to deal with the (LRA) under 'Operation Iron Fist'.

Consequently, those groups that had not handed in their guns voluntarily and had not forcefully been disarmed like the Pokot who had fled to Kenya, returned and mounted relentless raids against the Pian and Bokora. The Matheniko also suffered raids from the Kenyan Turkana, and Jie raided Bokora and Dodoth and vice versa; the Pian were locked in raids and counter raids against the Bokora and Pokot – et cetera. The region experienced total mayhem in the following months and the remaining troops that were left in the region could not cope with the upsurge of violence (SNV and Pax Christi, 2004: 39; UHRC, 2004: 77). Those communities that had disarmed immediately sought to re-arm themselves. By November 2003, government was already planning a fresh start for disarmament in Karamoja.⁷⁶

The 2004 Disarmament Exercise (Phase Two)

On September 21, 2004, His Excellency the President returned to Karamoja to launch the disarmament program. Mobilization and sensitization were part of the program. Disarmament committees were instituted regional, district, and sub-county levels. There continued to be clashes between the warriors and the UPDF as implementation of the disarmament was forceful.

By the end of 2004, various stakeholders, including government ministries and, international organisations and donors, were involved in trying to put together an agenda which was intended to support an approach that would integrate military-type disarmament interventions with development-oriented interventions. This is the main thinking behind the KIDDP. Through assistance of DANIDA to the Office of the Prime Minister, the Karamoja Integrated Disarmament and Development Program (KIDDP) was drafted in 2005. Even without the program being officially launched, UNDP immediately undertook to participate in implementing some aspects of the KIDDP.

March 2006 to date (Phase Three)

Towards the end of 2005, there were very low key operations by the UPDF mainly because of the Presidential and Parliamentary elections – remaining largely responses to raids and acts of banditry.

The intensification of armed conflicts resulting from road ambushes, raids with the new practice of perpetrators hiding in homes with their arms after committing crime prompted the UPDF to introduce 'Cordon, Search and Disarm' operations immediately following the general elections in May 2006. The UPDF issued guidelines to be followed in implementing the forceful disarmament operations – including transparency; treating the civilians with courtesy; involving local leaders during cordon and search operations; and using proportionate fire power.

⁷⁶ . See 'Fresh Start', *New Vision 1 December 2003*, pp. 4

This approach has drawn criticism from the local people, civil society organisations, and development agencies for alleged abuse of human rights committed in the process. The UPDF has been accused of torture, rape and even committing murder, and indiscriminate aerial bombing during the operations. There are allegations that adult men would be rounded up and detained in the military establishments and would only be released in exchange for a gun. It is alleged that in deed some of the men arrested had guns and their women would take the guns to the barracks to secure the release of their husbands. However, there are claims that some of the men would send for their wives or relatives to buy guns in order to secure their freedom since pleas to the UPDF that they do not own a gun would only attract more torture.⁷⁷

Nonetheless, there are also reports that there is increasing demand for guns as some people purchase guns to hand to the UPDF in case or when they are rounded up, or to use to replenish lost stock. As a result, an AK-47 assault rifle now costs 15 head of cattle – up from 3 before the operations started. It is also argued that this has impoverished some households even more. We present some cases below.

Case 1: *A man from Karenga in Kaabong district was arrested by the UPDF and detained pending his production of a gun. The search for a gun to secure her husband's release took his wife up to Sudan. Indeed the husband was released when she delivered the gun to the UPDF. However, most of the people in Karenga are agriculturalists, and this family was no exception. The pleas by the man to explain this to the military fell on deaf ears and it took his wife to sacrifice grain and assistance from his kinsmen for her to get a gun.*

Case 2: *One Lopakale of Sasak in Pokot county, Nakapiripirit district had his 5 sons rounded up by the UPDF in one of the Cordon, Search and Disarm operations. All the Men were involved in petty trade and allegedly had no guns. However, Lopakale had to get a gun to secure the release of each of his sons, and this has allegedly either depleted the capital of his sons or has caused total collapse of business in others.*

Case 3: *A man from Nabilatuk sub-county in Nakapiripirit district was arrested and taken for detention in one of the operations. He handed in his gun to secure his release. After some time, he was arrested again. His please that he had already handed in his gun were not heard. His wife had to buy a gun to secure his release. This happened a third time and he still had to purchase another gun.*

On the other hand, there are also cases where civic leaders have tried to plead to the military for the release of detained individuals because to the best of their knowledge the detained individual does not possess a gun. However, that the family of the arrested individual turn up with a gun to secure his release. It is argued that whereas the guns delivered are purchased, this has discredited the local leadership.

However, the UPDF has refuted such reports implying a systematic practice of torture by the UPDF by the UPDF quoting the UPDF Act

07/05 on "Operational Offences Relating to Security", that stipulates how operations like that for disarmament are handled, and that where there is evidence of wrongdoing the implicated soldiers have been prosecuted.

⁷⁷ See "K'jong women buy guns", *New Vision* 3 October 2006, pp. 7; "Guns for freedom", *New Vision* 1 October 2006".

The Cordon, Search and Disarm" operations did not stop the rustlers. CEWARN continued to receive reports of cattle raids all over the region albeit at a lower scale than the period before the implementation of the Cordon, Search and Disarm operations as shown in the matrix below.

Period	Total Violent Incidents	Cattle raids
January – April 2006	172	108
May – August 2006	117	51
September – December 2006	132	72

Source: CEWARN Updates for Uganda

The KIDDP is under revision through a consultative process that involves various stakeholders. It is hoped that the final document will address both security and development concerns that the stakeholders have been raising, and that the revised document will be launched as an official document to be used by all stakeholders in the quest for peace, security, and development of the Karamoja region.

The program components in the revised Karamoja Integrated Disarmament and Development Programme (2007/2008-2009/2010) include:

- Component 1: Provide and ensure adequate security for the people of Karamoja
- Component 2: Establish law and order in Karamoja
- Component 3: Support the Provision and Delivery of Basic Social Services to the People of Karamoja
- Component 4: Support the Development of Alternative Means of Livelihood for the people of Karamoja
- Component 5: Undertake Stakeholder Mobilisation, Sensitisation and Education in Karamoja
- Component 6: Enhance the Coordination, Monitoring and Evaluation of KIDDP interventions
- Component 7: Crosscutting Issues

Lessons from previous disarmament programs

- a) Right from the colonial era, disarmament concerns have been focused at the removal of the instruments of violence (spears, bows and arrows, and guns), which are seen as the problem. As a result, disarmament is seen as a purely military affair – since it is the military that is best fitted to remove instruments of violence. The military approach has drawn criticism and resistance from locals as the military are accused of brutalising the innocent, impounding and sometimes even taking away animals. This continued to make the Karimojong view government as part of the enemy.
- b) The involvement of the local leadership in sensitization and education campaigns for disarmament in 2001 was responsible for its initial success. But not only were the sensitization and education campaigns short lived, some of the promises made in these campaigns were either only partially realised, or not realised at all.
- c) Recovery of raided livestock and handing them back to the rightful owners is important for the pastoralists not only to assure them of government's ability to protect them and their property but to also send a message that government will track down raiders. However, the challenge that the

military faces is that the tactics of raiders are at variance with military procedures and command structures. No wonder the warriors discovered that the UPDF could not immediately respond to raids at night and therefore concentrated on them at a certain period in time.

- d) Timing of disarmament programs have been of concern. Since the aim is removal of the instruments of violence, the preparations have remained only military without taking into consideration “why” the people of Karamoja have often sought to be armed.

Suggestions for Way Forward

Protracted conflicts often tend to generate new causes – like proliferation of weapons, development of a culture of violence and a war economy – all of which will help to prolong conflict. This is because people developed new cultures, ways of doing things, values and practices that have conflict and violence at the core. This is part of what we see in Karamoja today.

But change is part of society, and although there have been arguments that pastoralists are resistant to change, there have equally been arguments to the effect that pastoralists are not a static community. If change is defined as a shift from one thing to another, then we agree with the argument that the cumulative nature of change means that previous change has an impact on all that comes after. The fact that the Karimojong have changed over time – but on the negative, with the provision of viable alternatives and an enabling environment, Karimojong can be able to change and adapt to peaceful means of eking out a living. Whereas disarmament remains an important component of providing a secure environment, it should involve development and provision of social services.

1. The first step should be an appreciation that disarmament should not just focus at the removal of guns, but should be part of addressing and answering the “why” of the gun in Karamoja, and therefore looking at alternatives and options that will eventually eradicate the demand for the gun.
2. Secondly, disarmament of the Karimojong should not be treated as a quick operation to remove illegal guns, but should be a long-term strategy that includes continuous sensitization and education to change the psych, develop the requisite infrastructure that will be part of the confidence building to guarantee people's security. The sensitization and education should be a joint venture by government – including local politicians and civil society.
3. Thirdly, the establishment of security system that will ensure not only provide protection to the people but will enforce law and order for defiant elements. The establishment of an effective police and judiciary should also be ensured.
4. Provision of photo identification to the disarmed warriors should eliminate the complaints of double victimisation. In this digital age, provision of a photo card can be done upon delivery of the gun.
5. The governments of both Kenya and Uganda have been implementing disarmament programs but without strong cooperation and collaboration. The involvement of all stakeholders in both countries in planning and executing a coordinated disarmament exercise in the two countries. Both countries are implementing the Conflict Early Warning and Response Mechanism under the auspices of IGAD. This could be an entry point for an IGAD coordinated disarmament approach.
6. Cutting the supply side of arms and ammunition is critical to re-armament. The pastoralists in the IGAD region have attracted a bustling business of arms trafficking to the area. The IGAD Secretariat can play an important role of bringing together the Member States to discuss strengthening and coordinating modalities for collaboration in checking gun trafficking.

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Appendix: 24

Please find attached a Presentation by CSO Djibouti separately attached in PDF format

REGIONAL WORKSHOP ON THE DISARMAMENT OF PASTORALIST COMMUNITIES

A presentation by Pastoralist Legal Aid Organization

28TH – 30TH MAY 2007
THE IMPERIAL RESORT BEACH HOTEL
ENTEbbe, UGANDA

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INTRODUCTION

Kenya has 21 pastoral districts, which are geographically classified as Arid and Semi-Arid areas. The pastoral districts occupy 2/3 of Kenya's land mass. Government established a special ministry for pastoral communities in Kenya known as ministry of special programmes.

The larger populations of pastoral communities solely depend on livestock as their only source of livelihood, but there are few of them have alternative source like farming. During drought seasons these pastoralists move with their livestock from place to place (within & outside the country) in search of water and pasture.

The pastoral communities experienced both internal and external conflicts. The conflicts occur between communities within a district and with neighbouring districts and countries. 80% of pastoral populations are illiterate people who do not know how to read and write. In addition, they don't understand how government machineries operate.

Although pastoral districts share common pastoral conflicts related problems, pastoral communities living in Northern Kenya (North-Rift, Upper Eastern and North Eastern) remain the most affected. Pastoral districts in Northern Kenya are Turkana bordering Southern Sudan to the North and Uganda to the West, Moyale and Marsabit bordering Ethiopia to the North, Wajir and Mandera bordering Somalia to the East and Ethiopia to the North, Garissa, Ijara and Tana-River bordering Somalia to the East and Isiolo and Samburu that are not bordering any country.

Being in possession of SALWs isn't the problem in North Eastern Kenya; use of the said guns is what causes problems to pastoral communities.

WAJIR EXPERIENCE

Wajir district is the largest district in the arid North Eastern Kenya & the second largest district in Kenya with approximately an area of 56,000sq kms and estimated population of 400,000 people. The district is bordering the following pastoral districts: Mandera to the North-east, Moyale to the North-west, Garissa to the South, Isiolo to the South-west and Marsabit to the West. It is also bordering Ethiopia to the North and Somalia to the East.

Wajir district is inhabited by Somali community whose livelihood is Nomadic Pastoralism. The three major clans living in Wajir are Ajuran, Ogaden & Degodia not forgetting to mention minority clans like Garre, Murulle, Arabs, Harti and Sakuye. The Somalis move from place to place with their livestock in search of water & pasture.

The district is divided into 13 divisions with 76 locations & 104 sub-locations. Politically, it has four (4) constituencies namely Wajir North, East, West & South and thirty two (32) wards.

Wajir has been a conflict prone area and experienced inter-clan animosities since Kenya's independence. The three major clans in the districts were clashing within themselves and with pastoral communities in the neighboring districts of Moyale, Marsabit, Mandera and Isiolo and bordering countries of Somalia and Ethiopia. After 1992/94 inter-clan conflict in Wajir, communities formed peace groups of elders, women and youths which was later harmonized into one umbrella District Peace Committee.

Currently the district has an internationally recognized and active peace committee known as **Wajir Peace & Development Committee (WPDC)**. Wajir peace and Development Committee conducted continuous peace building and CPMR workshops and seminars within and outside the district that resulted to a weak voluntary disarmament. It is after these workshops that the armed pastoral communities in the district started voluntarily surrendering the illegal SALWs in their possession. Since the formation of WPDC the pastoral communities in Wajir experienced less inter-clan conflicts whereas normal banditry, livestock thefts and incidents of rape and defilements activities are unavoidable.

Some of the armed pastoral youths that voluntarily surrendered their illegal arms are currently working as Kenya Police Reservists (KPRs) while other are doing vocational courses at village polytechnics.

Pastoralist Legal Aid Organization (PLAO), a Human Rights NGO based in the region has been educating pastoral communities on their rights through seminars/ workshops. PLAO also conducts peace building and conflict management workshop for the pastoralists and facilitates dialogue meetings between pastoral communities in conflict.

MOST COMMON CONFLICTS

Resource-based

With the unique nomadic lifestyle of moving with livestock from place to place in search of water and pasture, Pastoral communities in Northern Kenya always conflict over access, use and control of land, water and pasture. The minority clans, vulnerable women, elderly and children suffer most.

Political rivalry

Inflammatory statements & utterances, nepotism and unfair distribution of resources at the constituencies by politicians that promotes gradual build-up of tensions, mistrust and hatred among pastoral communities hence result into inter-clan conflicts.

Creation of unnecessary settlements

Government employ Chiefs or Assistant Chiefs in a district hence clan based settlements are created. During such settlements, grazing lands of pastoral communities get affected.

PROLIFERATION OF SALWs

Most of pastoral communities in Northern Kenya have there clan members in the bordering countries as shown in the table below

Community	Country
Borana	Kenya and Ethiopia
Gabra	Kenya and Ethiopia
Somali	Kenya, Somalia, Djibouti and Ethiopia
Oromo	Kenya and Eritrea

Unfortunately, the privilege of pastoral communities living in more than country was negatively used hence proliferation of small arm became a major problem in the region especially during the collapse of Somali government in 1990. Pastoral business communities were transporting illegal arms from neighbouring countries and selling it in the interior parts of the country.

POSSESSION OF ILLEGAL SALWs

Almost two third of the pastoral populations in Kenya possess illegal SALWs and it is mainly because of two reasons:-

- **Protection of lives (human & livestock) and properties**

Since pastoralists have a unique lifestyle of moving with livestock from one district/country to the other in search of water and pasture, they get armed to protect themselves from local/foreign aggressors.

- **Source of income**

Individual armed pastoralist use SALWs for self-reliance through becoming highway bandits, while others end up arms traffickers.

EFFECTS OF SALWs

- Loss of lives (human & livestock) and properties
- Displacements – internally & externally
- Traumatization of affected persons
- Increased incidents of rape and defilements of innocent women & girls
- Gradual build-up of fear, tensions, mistrust and hatred
- Tribalism/ clanism
- Underdevelopment in the region

DISARMAMENT ACTIVITIES

In the disarmament initiatives within pastoral communities there are important thing to be looked into:-

- Enhancing cordial relationships between neighbouring pastoral communities at district and cross-border levels
- Government ensuring a long-lasting pastoral community security
- Carrying out simultaneous disarmament activities in all pastoral communities in the region.

RECOMMENDATIONS

- ✓ Continuous community mobilization, sensitization and awareness creation on the importance of disarmament, peace building and CPMR.
- ✓ Creating alternative sources of livelihood to the armed pastoralists i.e. loaning, initiating IGAs
- ✓ Recruiting armed pastoralists as KPRs and review KPR policy in terms of providing extensive trainings and incentives to the KPRs.
- ✓ Restocking of Internally Displaced Persons (IDPs) and provision of shelters
- ✓ Community capacity building- existing active women and youth groups
- ✓ Drilling of borehole in the affected pastoral districts
- ✓ Construction/ desilting of water pans
- ✓ Improving animal health services and facilities
- ✓ Construction/renovation of education and health facilities
- ✓ Grading of existing road networks
- ✓ Reviving and strengthening traditional rules governing the use of water and pasture
- ✓ Networking with and supporting local NGOs in the pastoral districts

CONCLUSION

Although there was no actual disarmament activities carried out in Wajir by either the government or civil society organizations, there has been a serious engagement in peace initiatives and voluntary surrender of SALWs that seriously reduced conflict trends in North Eastern Region of Kenya. Disarmament initiatives is very necessary in North Eastern Kenya and other pastoral communities within Kenya and bordering countries but before talking of disarmament extensive community mobilization and sensitizations on the same is most paramount.

Political leaders in the region should be brought on board in all stages of disarmament initiatives/processes.



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Disarming The Turkana

The Riam Riam Experience

May, 2007

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Overview

Riam Riam is the Turkana District Peace and Development Committee, part of a national attempt to address differences, disputes and conflicts that rage between and among communities within Kenya. Falling under the grassroots based peace committee framework adopted in Kenya in the 90's and increasingly becoming popular in the country and elsewhere, Riam Riam was formed in 2002 as a response and a strategy to address the runaway conflict situation in Turkana District with its neighbouring communities both within Kenya and across the borders in Uganda, Sudan and Ethiopia. Riam Riam then was formed to formulate and facilitate strategies and approaches aimed at mitigating these conflicts using local structures and resources in this quest.

Thus, the formation of Riam Riam was based on the premise that previous unilateral peacebuilding interventions by civil society and governments had registered little impact and the time was ripe for a strategic shift which had to involve direct community participation and a contribution and involvement of a cross-section of the critical sectors of society in a partnership arrangement.

Building peace in an area faced with many problems ranging from underdevelopment, poverty, disease, hostile climates against a poor policy environment presents many challenges that have to be surmounted for a successful process. Perhaps, the greatest challenge to the governments of the region in attempting to address the conflict and security scenarios is the issue of small arms that are a key factor in any violent contest in the region. Thus, matters of prevalence, continued proliferation and misuse become a security issue to be addressed but this is again challenged by the absence of formal security systems in the areas under focus for the communities to depend on. In the last disarmament exercise in Turkana District that Riam Riam participated in at the invitation of the Government of Kenya, many issues were raised by the communities that we interacted with and any future disarmament exercise will find these an invaluable input.

The Anatomy of the Small Arms Problem

The number of arms circulating freely in communities in recent years has occasioned a growing awareness and deep concern. These arms, both legal (KPR) and illegal are seen by some as being responsible for increases in violence, crime and fatal accidents and looking at the bigger picture, the number of weapons and lack of control over their possession and use have disrupted socio-economic development, endangered the security of citizens and forced people to arm to protect themselves.

Traditionally, actions to curb the prevalence of weapons have been focussed either on gun control at national level, or arms control in a regional or international context. Each has tended to focus on measures to limit or restrict supply by implementation legislation to circumscribe ownership of firearms and limitations on their import and export; or regulations to ensure the safe use, carrying and storage of weapons by individuals. In particular, the arms control community has, in the past, been concerned with weapons of mass destruction or larger conventional weapon systems than machine guns, pistols and hand grenades. For too long, it has been assumed that small arms were inconsequential but in reality now, it is becoming clearer that they are the most deadly of all. In addition, these gun and arms control measures focus on the proliferation of weapons while to a large extent, the proliferation has already occurred which leaves the problem of reversing rather than of control.

The complexity of collecting weapons already circulating cannot be underestimated. As noted by T Naylor, *"tertiary supply-side control bumps up against the fact that the arms supply business is subject to the law of entropy –the further the material moves away from the primary source and the greater the degree of dispersal, the greater the problems of putting the process in reverse."* Internal instability, the break down of civil order and economic imperatives induce people to possess weapons. In addition, countries which were

caught up in the fighting of proxy wars during the Cold War created an arms market previously unknown. The remnants of these weapons still exist in the form of small arms ranging from pistols to shoulder-fired surface-to-air-missiles. These weapons are now circulating internally within countries or within regions; there is no need for the import of more weapons and so traditional supply-side restrictions (for example, export bans by supplier states become irrelevant).

There is thus need for new thinking at the conceptual level. Some solutions may lie in the grey area between arms control and gun control to involve more actors and issues including development, human rights, justice and public security processes and agencies. It also means reducing the number of weapons available and changing the demand for weapons among communities by address the most basic of all human needs-security.

Programmes to reduce or change demand tend to either focus on **education** or **changing behaviour and attitudes**. Education programmes for both children and adults have focussed on improving awareness about safely handling firearms and learning conflict resolution techniques that deflate tense situations before they become violent. The public health approach to gun violence tries to change behaviour and attitudes as did the anti-smoking campaign in the United States. A necessary element in changing demand is those programmes, which address the lack of services or conditions which force people to possess weapons in the first place.

The options for collecting weapons are more limited being either coercive or voluntary. In the case of the North Rift, the more friendlier version of the disarmament witnessed in the period 2005/2006 was 'voluntary' and the apparent success of the process holds more promise owing to the partial involvement of the community based institutions especially the district peace committees and the local leaders.

The Disarmament Process: The District Peace Committee-Government Partnership'

The 'attempted' disarmament of the communities of the North Rift in the period 2005/6 was driven largely by three concerns;

- The proliferation of illegal small arms and light weapons in the region,
- Increased lawlessness and insecurity; cattle rustling, conflicts amongst communities, highway banditry, the use of guns to settle personal grudges and poaching,
- Challenge on the government by politicians, civil society and the media to intervene.

The process began in May 2005 in Turkana District in what in the Riam Riam opinion was an haphazard manner given that the communities were ill-prepared and had not been adequately mobilized and informed of the process and moreso, the provincial administration that was to partner with the military in the 'disarmament for development' process were not adequately briefed on the exercise. This may be the subjective view but the initial stages were marked by confusion as the military and the provincial administration appeared not to be reading from the same script till when complaints from Riam Riam, the local leaders and the general public made convening a leaders' meeting to discuss the process a necessity. This meeting clarified many of the concerns from the community and in the end, it was revealed that the process will initially be voluntary but in the event that the communities proved recalcitrant, a more forceful approach could be adopted. The meeting also unveiled an ambitious plan by the military to cordon off all the areas mentioned to be conflict hotspots and as such, assured the people of their security during and after the disarmament. Promises to the effect that pastoralist friendly development projects will be provided were made including building and

improving schools in conflict prone areas, more so in areas that have been abandoned due to insecurity, waterpans, security access roads, human and veterinary health services etc.

From the meeting, a spirit of partnership emerged where the civil society represented by Riam Riam were to be active participants in the process, their brief being restricted to community mobilization, convincing people to trust the government's intentions in disarming them. At all times however, the program for the exercise was firmly controlled by the provincial administration making it hard to pursue it consistently and in a focused manner.

All in all the process was designed in three phases : Operation *Dumisha Amani*, which was meant to secure the targeted areas and improve general security and people's confidence in the process. This was the voluntary weapon collection stage of the process where individuals were promised amnesty and freedom from prosecution. No force was used. Operation *Okota I* on the other hand was supposed to be the forceful disarmament phase in instances where the communities refused to respond favourably to the requests to disarm in phase I. Phase III or *Okota II* was supposed to introduce the development component of the process while the disarmament was undertaken. In the end, the three phases managed to produce 1710 (?) weapons from Turkana District and 5700(?) ammunition. These were recovered from five, mainly internal divisions of the district while the rest of the conflict prone divisions facing the international borders were largely untouched. Two boreholes and a chief's office are on record as having been dug by the military as part of this process.

Challenges

The disarmament of the Turkana community and indeed the entire North Rift from the outset faced many challenges. Riding on the back of several previous failed attempts especially in Pokot and Turkana districts, it was viewed with lots of suspicion and resentment in view of previous experiences where communities were tortured, lost lives and thousands of livestock and property and lived in the aftermath of trauma and wrongful victimization. This phase, like the previous ones;

- Was not derived from any clear government policy with clear goals, outcomes, timeframes, interventions, partnerships and responsibilities for various players.
- The disarmament process was rushed, as if to meet some invisible deadline. In the end, the communities did not understand the process well and did not believe in the achievement of its objectives. It raised many questions from the communities that could be answered by either us or the government representatives detailed to undertake this process.
- Piecemeal disarmament remains a real challenge. The disarmament of the communities of the North Rift was undertaken in some pockets of the constituent districts leaving out other areas that were not perceived to be a threat yet carried the same destabilizing potential as the areas considered 'hotspots'.
- The inability to provide security and the promised development projects for the communities within the disarmament period took its toll on the civil society and government arms involved over the new vulnerability of the communities that had been disarmed. To date, sections of Turkana South that responded favourably to the call to disarm are a daily target of attacks from the Pokot community and the blame has been laid squarely at Riam Riam's and the local leaders' feet.

Disarming the Turkana: Lessons To Implement

Awareness Creation and Prior Mobilization is a must. The communities are aware of the effects of small arms in the wrong hands, but they are also aware of the vulnerabilities that come with the absence of firearms and assured security in their midst. An attempt to disarm these communities should therefore be accompanied by a well designed public awareness campaign covering the objectives and expectations and outcomes of the disarmament programme. This in essence will be aimed at getting community support and encouraging compliance with the requirements of the exercise. Again, a whole inclusive exercise that brings together trusted institutions like the district peace committees and key individuals in those communities working hand in hand with the government representatives will seek to remove doubts from the collective mind of the community. It is also argued that there is need for a pre-disarmament assessment of the landscape upon which this exercise shall be conducted to obtain detailed information on the existing data and crime related statistics and also the communities opinions and perceptions at that time.

Phased Voluntary Processes yield better results. Looking at the GoK experiences in Turkana and West Pokot districts through all the attempted disarmament processes of the two communities since the early 80's none has posted demonstrable success as the last one where there was substantial involvement of the civil society in a voluntary process and a marked use of less force. The earlier ones were forceful with untold human rights abuses reported in both districts with fewer weapons recovered.

A voluntary process serves to boost the people's confidence in government and the civil society institutions involved in the process. On the other hand, it may not be possible to mop up all the superfluous weapons in the hands of civilian populations since as aforesaid, there is need for the provision of critical services (security etc) for a total declaration of support of the weapons collection process. Before then, there is need for thinking on phasing of the exercise depending on the response of the communities and to create room for a mid-term evaluation of the exercise in the form of weapons surrendered and the people's peace confidence index.

'Commitments To Precede Disarmament' is a statement made by the communities in Turkana District and I believe elsewhere in the aftermath of the last disarmament exercise where various promises that were to stabilise the communities were made by the government. Roads, schools, medical facilities and above all, security was promised in the form of additional policemen and the dependable KPR were said to be part of the bigger disarmament agenda. The upshot of this was that none of these were provided in the long run and is currently responsible for the current feeling of betrayal by the communities towards the civil society and government. In fact, the response that met the attempted disarmament of the Lopiding community, Lokichoggio Division in Turkana District is a telling example of how a poorly mobilized community can respond to the disarmament exercise. In fact, there are all signs that the next phase will be met with resistance if the proposed procedure and protocol is not pursued.

A Regional Process is what is desired as the conflicts arising from the misuse of SALW are regional in nature across countries within the Greater Horn of Africa and as such, governments in the region should agree on one framework, one timetable and similar benchmarks for a regional disarmament process. This will on one hand, reduce the vulnerabilities of a unilateral disarmament and secondly open up the targeted marginal areas for development if the strategy will still be 'disarmament for development'.

Appendix: 27

Please find attached a Presentation by PeaceNet separately attached in PDF format

Appendix: 28

Please find attached a Presentation by PACT-Sudan separately attached in PDF format

**WORKSHOP ON THE DISARMAMENT OF PASTORALIST COMMUNITIES
HELD IN ENTEBBE, UGANDA.
MAY 28TH-30TH, 2007**

**Presentation paper by Romano Longole,
Coordinator Kotido Peace Initiative (KOPEIN)**

1. The history of disarmament in Karamoja.

Why the Karimojong do had to keep guns?

This is a very complicated question to give a straight forward answer but the most common and obvious one is that the guns in Karamoja were kept for the purpose of keeping security. The Karimojong people were abandoned on their own by all successive regimes since Uganda's independence in the early 1960s. They suffered massive attacks from outside tribes like the Toposa, Turkana and Pokot. As a result, the Karimojong clans underwent displacement, resulting with the first Internal Displacement Camps which no single regime in Uganda has noticed and consequently resettled. The camps are evident everywhere in Karamoja and are in the form of massive and crowded settlements commonly known as villages (Ngireria). Nakapelimoru camp, which is in Jie County, Kotido District, is believed to be the biggest village found in Eastern Africa. During displacement, the Karimojong had to abandon lots of arable lands due to insecurity and had to squeeze their settlements together for security purposes. That's why we have more than ¾ of land in Karamoja not occupied. Lotisan Sub County in Matheniko County, Moroto district, was abandoned to date. The occupants of Lotisan are still squeezed in the stony areas of Rupa Sub county. There are many such abandoned places everywhere in Karamoja. The displacement in Karamoja has directly affected food production in the area as most of fertile land is not utilized. Animal pasture land has been greatly affected making the animals unproductive in terms of milk and other related products. This scenario of systematic food shortage in Karamoja has greatly impacted on the population of Karamoja, thus many have resorted to run away to take refuge in urban centres within and outside Karamoja.

It is therefore important for one to note that the huge villages that we see in Karamoja are not a normal way of settlement as many people think to be. As we talk of resettlement of the people of Northern Uganda, it is important for the government of Uganda to lobby for resources to resettle the people of Karamoja as well. They have continued to stay in the forgotten camps for so long. Are they not IDPs?

The helpless situation faced by the Karimojong dictated for a call for armament which to some extent was very justified. People had to look for guns from wherever they would find. Some local manufacturers made local guns whose barrels were made of legs of metallic pipes of school benches, (Ngamatidae). Other sources of guns, besides buying, included recovering from the enemy after being killed, government abandoned armory like in the case of Moroto barracks, after the overthrow of President Idi Amin in 1979.

The reasons for the massive armament were given as stated below:

- Self defense and protection against outside aggression and Government armed militia groups within Uganda along the borders with Karamoja. Many trading centres bordering the neighbours in the west were burnt by such government armed militia, for example – Angolebwal (Abim), Lokitelakebu, (Kotido), Iriiri and Kaangole (Moroto).
- Used for raiding as an alternative source of livelihood.

2. Disarmament attempts in Karamoja

There have been numerous disarmament attempts to disarm the Karimojong by the Uganda government before and after independence in 1960s. The first disarmament attempts before independence were focused on the removal of local weapons used by the Karimojong before they acquired the modern weapons. The main weapons during the past disarmament were mainly the spears and arrows (mikuku/michale).

With increased spread of modern weapons, the raiding took another dimension as the Karimojong used modern rifles during raids. As competition for resources increased, the conflict in Karamoja diversified to include other elements like road ambushes and human abduction. All disarmament attempts have been done without attention to address the root causes of the problem; mainly the Karimojong insecurity and introduction of alternative livelihoods. It is important to note that all the disarmament attempts in Karamoja have been done by successive regimes since independence with the sole purpose of getting rid of the physical guns without putting in place any meaningful sustainable measures to ensure lasting peace in Karamoja.

Prior to the present forceful disarmament, the voluntary disarmament which was held between 2001- 2003, ended prematurely when the soldiers were withdrawn in Karamoja due to pressure from the LRA rebels in Northern Uganda. The disarmament had no plan but was mostly in terms of appeals by local leaders, spearheaded by the president who camped in Morulinga mini state lodge for over a month. The appeal worked and collected close to 10,000 guns in the whole of Karamoja. Hardly any single life was lost during the appeal process. In Kotido district KOPEIN worked in close collaboration with the members of the District Security Committee and conducted disarmament sensitization meetings in the kraals in both Dodoth and Jie. The disarmament committee included all important stakeholders; the elders, karacuna (young warriors), women, UPDF representatives, local councilors, kraal leaders, diviners and women. With the support of HRDP Danida, the committee held review/evaluation meetings with the purpose to ascertain on the progress of disarmament. The sudden withdrawal of UPDF in Karamoja during the disarmament sparked new sporadic violence among the Karimojong communities, leading to fresh armament by the Karimojong clans. The sudden withdrawal by the UPDF left the communities in a state of dilemma as the insecurity intensified. There were massive raids and rampant high way ambushes and robberies. The neighbouring communities, mainly Teso, Langi and Acholi came under renewed attacks from pockets of armed Karimojong raiders who roamed in bushes side by side with LRA rebels.

In Karamoja, the communities were abandoned on their own to face the music of insecurity caused by raiders. The assurances made to them by the UPDF on their security during disarmament appeals (sensitizations) became null and void. The members of the civil society, in particular KOPEIN, turned to be a target as the communities accused them for cheating the people with the army by appealing to them to return the guns during the sensitization. It was a big lesson to learn by KOPEIN staff and it has made them to be more extra cautious in further similar undertakings.

3. On present disarmament in Karamoja

The present disarmament has been going on for over one year since it started at the beginning of May 2006. It is the forceful disarmament whose operational motto is "*to condone and search*". The exercise was started simultaneously in all parts of Karamoja. The methodology of condone and search implies that the soldiers will go secretly and surround (condone) the suspected village/manyata/kraal or trading centre or cattle market and the occupants are sorted out accordingly. All the suspects are held for scrutiny and investigation. During the cordon, the soldiers search the place for any guns or ammunitions before sorting out the catch. Those who are found eligible of guns are taken to nearby army detachments for further questioning

before they are finally released. During the cordon and search exercise anyone seen running out of the cordon with the intention to escape, whether armed or not, is ordered to be shot dead.

In Kotido district, where KOPEIN is based, the disarmament faced many challenges one major such challenge being occasional resistance by the warriors. Such events resulted with high losses in terms of human lives and property.

Some of the problems faced during the disarmament included the following namely;

- high losses of human lives - both civilians and army personnel,
- destruction of property – in terms food, cattle, homesteads),
- rampant cattle rustling,
- increased high way ambushes
- prolonged detention of people suspected to be in possession of guns.

4. Some of the achievements made

Although the present disarmament can be described as one of the most violent disarmaments ever conducted in the history of Karamoja, it is important to note down some of the achievements that have been realized so far and these include the following;

- guns are no longer seen in Karamoja as a public nuisance,
- cases of intimidation by warriors using the guns have ceased,
- massive raids have greatly reduced,
- Road ambushes/robberies have greatly reduced.

5. Challenges faced in the present disarmament

The biggest challenges facing the current disarmament include the following;

- Persistent insecurity, raids are still going, though organized in small groups,
- Continuous flow of arms/ammunitions,
- Lack of active involvement of Karamoja communities in the whole process,
- Lack of similar disarmament efforts in the neighbouring communities in Kenya and Sudan,
- Lack of holistic approach to the disarmament.
- The questions of the sustainability to attain a gun free Karamoja.

6. Recommendations:

- Maintenance of law and order in Karamoja as the basis of any meaningful disarmament. No disarmament will ever succeed if this aspect is not taken care. It is the breakdown of law in Karamoja which encourages raids and it is the raids which make people not to cooperate to surrender the guns. Raiders must not be allowed to benefit from the guns they have refused to surrender.
- Active involvement of the local communities of Karamoja in the disarmament exercise to guarantee sustainability of any progress scored. The government of Uganda should endeavor to include the Karimojong warriors as part and parcel of the Karamoja solution finding on insecurity problem.
- Need to set up a community based security system with assistance of Karamoja elders. The issue of sustainability in deployment of regular security forces to guard communities and property in Karamoja poses a major challenge in search for sustainable peace in the area. The vigilante method was closer to a viable approach to tame the warriors and it had worked very well in the whole of Karamoja but

the system failed due to poor management arising from financial mismanagement by some army officers. The method embraces taming warriors to be useful citizens and in the end result in attitudinal change. Many people are wondering why all communities bordering Karamoja are recruiting and training young men for community based security while no such effort is going on in Karamoja where it is most needed.

- The disarmament should not be rushed by any stake holder but instead it should be done with lots of patience and careful planning to avoid any massive loses in terms of lives and property.
- Transparency by those carrying out the disarmament is very paramount as this will enhance trust and confidence. It is important to note that the warriors in Karamoja consider the army just like another raiding party against whom they should defend themselves. This argument is built and reinforced by glaring examples like the recent incident which took place in Lomukura (Kotido-Pader border), Jie County, Kotido district, in early November 2006. During the incident some soldiers (stationed in Kalongo in Pader district) took cattle at gun point (a raid) and drove them off to Kalongo via Paimol Muto. Not even the shepherd who was abducted during the raid has been recovered!
- As a back up to the point of transparency already mentioned above, the army should minimize loses of cattle which have been impounded. In many occasions, impounding of cattle has been taken by some soldiers as an occasion to steal the cattle; a case in point is that of the incidence in Morulem, March, 2002 when some of the impounded cattle were sold and transported in dynas to the neighbouring districts. The most recent one was in Adilang, Pader District, on May 25th 2007.
- Urgent need to bring cattle markets under tight control so as to counter their encouraging effects on cattle raiding. The police, together with community leaders should work out modalities to intercept and bar raided cattle from the markets. Both the sellers and buyers of such cattle should be sensitized or punished if they persist doing business on raided animals.
- Need for deliberate provision of alternative livelihoods to Karamoja. There is need for some practical training to target the young herdsmen through the ABEK education programs.

Appendix: 30

Please find attached a Presentation by UJCC separately attached in PDF format

Appendix: 31

Please find attached a Presentation by Action Aid Uganda separately attached in PDF format

THE ROLE OF CSOs IN PEACE BUILDING: THE CASE OF DENIVA AND TESO/ KARAMAJONG REGION

Introduction

Development Network of Indigenous and Voluntary Associations (DENIVA) is a national network of associations, whose membership is widely spread in the whole country. The issues being addressed are of divergent nature as reflected by the membership.

DENIVA in partnership with its member organizations particularly in the North Eastern parts of Uganda like KAUFUO, have perceived the non-violent approach to the conflict in that region. In the last two years, with the support from Ford Foundation, KAUFUO and DENIVA developed a people-centered approach, which has yielded positive results.

DENIVA considers information, research and networking as complementary strategies to bring the concerned people at the centre stage of events.

The use of media and community dialogues (Bimeza) has provided a good opportunity to boost the people's participation in solving the conflict equation through peaceful means. This is aimed at raising people's voices and ensuring participation in conflict resolution.

Nature of conflict and DENIVA approach

Considering the diversity in our society, people have different interests, values, and aspirations. These differences bring about different factors including social background, cultural influences, and economic inclinations.

The Teso/Karamoja conflict can be traced way back in the 60s and has kept on taking different shapes influenced by the different circumstances: Social, economic and cultural in nature. Given this diversity, a multi-sectoral approach to solving the problem is very critical.

Addressing the causes rather than the effects of the conflict have been DENIVA's approach, activating the indigenous conflict resolution methods.

The young generation from both sides of Teso region and that of the Karamojong are at crossroads, confused by the mistakes as caused by history.

The role that has been played by the national political conflicts and that within the region like conflict in Somali land, Sudan, Ethiopia plus the inter-ethnic conflict have escalated the acquisition of firearms among the Karamojong.

The over dependence on cattle by both communities of Teso and Karamoja complicates the conflict with one part being weak as a result of one side (Karamoja) using fire arms. These firearms that could have been

acquired for a different purpose of protection from the Turkana, Pokot and the Jie from Kenya have ended up being used to raid from the Teso regions.

Disarmament

Different governments in Uganda for the last years initiated the process of disarmament of the Karamojong with an aim of pacifying the region but no evident success has been realized. The people, or call them victims or target, have always remained on the defensive and have continued to acquire more ammunition from the neighbouring conflict areas of Somali, Ethiopia and Sudan at cheaper rates.

While it is the Government obligation to secure the region with disarmament process, to make it more realistic, DENIVA has been involved in making the people from either side understand and appreciate the objective of disarmament. The tool of information networking and research has been key.

Conclusion

Disarmament is aimed at ensuring realization of peace among the Teso/Karamoja region and the people must be at the centre. The role of Civil Society is to build capacity of grassroots communities the benefits of the disarmament process as different from the previous governments' disarmament programmes.

Appendix: 34

Please find attached Media reports on the regional workshop separately attached in PDF format.

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28-30 May 2007,
The Imperial Resort Beach Hotel, Entebbe, Uganda**

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