



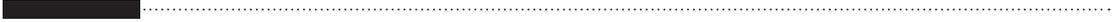
Lessons from the frontiers

Civilian disarmament in Kenya and Uganda



Manasseh Wepundi, James Ndung'u and Simon Rynn

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Acronyms

ASTU	Anti-Stock Theft Unit
DANIDA	Danish International Development Agency
DD&DC	District Disarmament and Development Co-ordinators
DDR	disarmament, demobilisation and reintegration
DPC	District Peace Committees
EAC	East African Community
EU	European Union
GSU	General Service Unit
IDPs	internally displaced persons
IGAD	Inter-Governmental Authority on Development
KIDDP	Karamoja Integrated Disarmament and Development Programme
KNFP	Kenya National Focal Point on SALW
LDUs	Local Defence Units
LRA	Lord's Resistance Army
NAP	National Action Plan on SALW
NEP	North-Eastern Province
NGO	non-governmental organisation
NRA/M	National Resistance Army/Movement
NSC	National Steering Committee on Peacebuilding and Conflict Management
PEAP	Poverty Eradication Action Plan
PRDP	Peace, Recovery and Development Plan
RECSA	Regional Centre on Small Arms
SALW	small arms and light weapons
TAC	Technical Advisory Committee
UN	United Nations
UNFP	Uganda National Focal Point on SALW
UNHCR	United Nations High Commissioner for Refugees
UHRC	Ugandan Human Rights Commission
UPDF	Uganda People's Defence Forces

1

Introduction

THE EAST AFRICAN REGION has long confronted the challenge of small arms and light weapons (SALW) proliferation. The history of small arms in the region goes back to pre-colonial times, when sprawling gun markets existed in Maji, south-western Ethiopia. At that time the Karamoja region (including those areas currently under Kenyan and Ugandan administration) was a key destination for incoming arms. Subsequently the anti-colonial Mau Mau struggle in 1950s Kenya is believed to have introduced arms to urban areas, while recurrent instability in late 20th Century Uganda worsened the small arms situation there.

Many linked factors drive demand for small arms in contemporary Kenya and Uganda. At the local level, inter-group animosities between ethnic groups or clans in poorly policed and under-developed pastoralist-inhabited areas are a key factor.¹ Pastoralist groups inhabit arid or semi-arid areas and are naturally in competition for scarce water points and pastureland. Although low-intensity violence, above all revolving around cattle raiding, has been an enduring feature of the region, the influx of automatic weaponry has transformed its nature, intensified its human cost and transformed a range of societal relationships.² In the absence of effective and accessible state security provision in these areas, small arms are naturally seen as a guarantor of security. In turn localised illicit arms transfers are also a source of income.

Ironically, poorly co-ordinated disarmament initiatives also drive up demand for small arms. In numerous cases which are explored further below, unilateral disarmament efforts by either Kenya or Uganda have allowed target communities to flee across porous borders or mount effective resistance. And the evidence shows that disarmament campaigns which fail to address communities' security and development concerns and instead reinforce perceptions of exclusion have actually increased demand. Chronic instability in the region, including the countries of Ethiopia, Eritrea, Somalia, Sudan and Uganda, naturally increases the cross-border supply of weapons while also creating conditions of insecurity.

Although they are far from unique in facing an illicit small arms problem, the states of Kenya and Uganda can in many ways be seen as at the forefront of efforts to address the problem. In Kenya, the northern region is believed to have the most illicit weapons, with estimates put at over 100,000 units.³ By 2007, it was estimated that 400,000 small

¹ Although small arms have become more available in Kenya and Uganda's cities, this study focuses on arms and disarmament in primarily arid and semi-arid areas where the countries' governments have launched successive disarmament campaigns over the years. The question of crime reduction and combating armed criminality in Kenyan and Ugandan towns and cities is topical one, but has seldom been addressed, except some might argue through shoot-to-kill operations against known criminals.

² The large-scale infusion of AK-47s after 1979 introduced a new dynamic favouring the emergence of warlords and the decline of elders. Mirzeler, Mustafa and Young, Crawford, 'Pastoral politics in the northeast periphery in Uganda: AK-47 as change agent', *The Journal of Modern African Studies*, 38 (3), 2000, pp 407–429.

³ *Ibid.* See also Wairagu, F and Ndung'u, J, 'The problem of small arms and initiatives for combating proliferation, circulation and trafficking,' ITDG EA, *Peace Bulletin*, Issue No. 2 of 2003.

arms were in circulation in Uganda, including 150,000 believed to have been with the Lord's Resistance Army (LRA). More than 40,000 illicit arms were believed to be in Karamoja region.⁴ These arms have fuelled insecurity leading to population displacement, deaths and injuries, low intensity conflict, insurgencies, and urban crime, often affecting the vulnerable groups in society the most.

There are direct and indirect impacts resulting from arms proliferation and misuse in the East Africa region, ranging from lost productivity and reduced economic output, to deaths, injuries and displacements that occur as a result of crime and violent conflict. Population displacement has been a significant problem for Uganda, where in 2001 there were eight permanent internally displaced persons (IDP) camps holding 82,645 people in Kitgum district, with more camps in other parts of northern Uganda. In Kenya's northern area, inter-community violence among pastoralists is known to have displaced as many as 164,457 people as of 2003.⁵ In fact by 2005, 206,830 people were recorded as having been displaced at one time or another by resource conflicts in which small arms featured prominently.⁶

Between 1994 and 2004, research found that there were over 3,000 deaths as a direct consequence of small arms-related conflict in northern Kenya.⁷ Small arms have also inflamed low-intensity conflicts and heightened insecurity in pastoralist zones in Kenya, Sudan and Uganda. In these areas, there is a high incidence of banditry, inter-ethnic clashes and cattle rustling. This insecurity has implications for poverty and competition for resources as groups are displaced and/or flee to more secure places, increasing pressure on land and resources.⁸ But arms prevalence in Uganda has contributed to the long history of insurgencies, with over 20 rebellions experienced since the National Resistance Movement (NRM) government came to power in 1986.⁹ Kenya and Uganda have also shown worrying trends in urban violent crime in recent years. The trend of crime incidents reported to the police steadily increased between 2004 and 2008.

Taken together these different forms of violence and insecurity, all fuelled by small arms have led to closure of schools, health facilities and markets in both countries, hampering development while basic human development indicators e.g. nutrition, literacy and health have remained low.¹⁰ In addition, there is a direct economic cost to these poor communities as they strive to acquire weapons for self-protection. In 2010, the Kenya government estimated that the country's pastoralists had spent 1.1 Billion Kenyan Shillings (\$13,750,000) to arm themselves over the years, based on the number of firearms recovered from them.¹¹

As a response to the problem, successive governments in Kenya and Uganda have launched civilian disarmament programmes, but with mixed success. This paper provides an overview of civilian disarmament experiences in the two countries over more than a century in an attempt to identify lessons and provide recommendations that should reinforce the two countries' legislative and policy frameworks for disarmament and SALW control. It begins by setting out the nature of the problem as it stands: the cost of illicit weapons proliferation in the region, and the factors that drive demand. The historical roots of small arms proliferation are then explored in detail. Alongside this a summary is provided of historical attempts to address the problem by coercive

4 Karp, A, 'Completing the count: civilian firearms' in *Small Arms Survey 2007: Guns and the City*, (Cambridge: Cambridge University Press, 2007). 27 August.

5 Pkalya, R, Adan, M and Masinde, I, *Conflict in Northern Kenya: A Focus on the Internally Displaced Conflict Victims in Northern Kenya* (ITDG, 2003), p 11.

6 Adan, Mohamud and Pkalya, Ruto, *Closed to Progress: An Assessment of the Socio-Economic Impacts Conflict on Pastoral and Semi-Pastoral Economies in Kenya and Uganda* (ITDG, 2005), p 39.

7 *Ibid*, p xii.

8 Eavis, P, 'SALW in the Horn of Africa and the Great Lakes Region: challenges and ways forward', *The Brown Journal of World Affairs*, Vol. 9, No. 1 (2002), pp 252-253.

9 See Civil Society Organisations for Peace in Northern Uganda, *Counting the Cost: Twenty Years of War in Northern Uganda* (CSOPNU, 2006) and Lomo, Z, and Hovil, L, *Behind the Violence: Causes, Consequences and the Search for Solutions to the War in Northern Uganda*, Refugee Law Project Working Paper No. 11 (RLP, February 2004).

10 Oxfam, *Conflict's Children: The Human Cost of Small Arms in Kitgum and Kotido, Uganda – A Case Study* (Oxfam, 2001); Pkalya, R, Adan, M and Masinde, I, *op cit* and Adan, M and Pkalya, R, *op cit*.

11 See 'Pastoralists Spend Sh1.1 Billion on Arms', *Daily Nation*, 24 March 2010.

collection programmes, included in some cases as part of counter-insurgency campaigns. Coming to the present day the paper examines moves by the governments of East Africa to introduce binding policy and legal frameworks for small arms control which set important new standards and norms for civilian disarmament programmes. More recent attempts by the governments of Kenya and Uganda to collect weapons are then studied in light of these commitments. Finally, the paper concludes by drawing out lessons and recommendations for governments based on these experiences.

2

Small arms proliferation in Kenya and Uganda: the historical context

SMALL ARMS PROLIFERATION IN EAST AFRICA predates 19th Century European colonialism, going back to an earlier time when there were organised raids for slaves, livestock, ivory and other game trophies by Ethiopian raiders and Arab merchants. Gun-running in the hinterland of East Africa was therefore an established trade prior to British colonial rule.¹² There were sprawling gun markets in Maji, south-western Ethiopia, before the partition of Africa by west European countries, to the extent that ammunition was used as local currency. In the first half of 1888, the East African coast is thought to have been the conduit for as many as 37,441 assorted firearms, mainly breech-loaders and Winchester rifles.¹³ The publication of *Discovery of Lakes Rudolf and Stefanie* by Ludwig von Höhnel¹⁴ in 1894 further encouraged rumours that the region contained rich resources of Africa's ivory. This, combined with rivalry between Great Britain and Ethiopia over their spheres of influence, brought more travellers, hunters and military expeditions to the area, drawing local communities into private armies and causing further weapons proliferation.¹⁵

While it is known that small arms were available in other parts of Kenya and Uganda, the Karamoja cluster straddling the contemporary Ethiopian, Kenyan, Sudanese and Ugandan borders was most affected. British attempts to pacify the Karamoja region through disarming local warriors met with stiff resistance, and in some cases the British used systematic scorched-earth methods. But this coercive disarmament reduced the incidence of cattle thefts and raids dramatically after 1913. With such progress, the Ugandan colonial administration closed Karamoja and put it under military occupation. To enter the district then, one had to obtain a permit from the District Commissioner in Moroto.¹⁶ The British disarmament efforts continued but

¹² Nene, M, 'Firearms and political power: The military decline of the Turkana of Kenya 1900–2000', *Nordic Journal of International Studies*, 10 (2), p 153.

¹³ Beachey, R W, 'The arms trade in East Africa in the late nineteenth century', *The Journal of African History*, Vol. III, No. 3 (1962), p 453.

¹⁴ Von Höhnel, L, *Discovery of Lakes Rudolf and Stefanie: A narrative of Count Samuel Teleki's exploring and hunting expedition in eastern equatorial Africa* (Longman, Green & Co., 1894).

¹⁵ Almagor, U, *Pastoral partners affinity and bond partnership among the Dassanetch of southwest Ethiopia*, (University of Manchester, 1977), p 4. The British colonial administration sent military expeditions in 1911 to defuse tensions resulting from the private armies' presence on the border of Turkanaland (i.e. Kenya and Uganda), Sudan and Ethiopia. Barber, J, *Imperial frontier: A study of relations between the British and the pastoral tribes of northeast Uganda* (East African Publishing House, 1969), cited in Akabwai, D and Ateyo, P, *The Scramble for Cattle, Power and Guns in Karamoja* (Feinstein International Center, 2007), p 12.

¹⁶ Akabwai, D and Ateyo E P, *The Scramble for Cattle, Power, and Guns in Karamoja*, op cit, p 12.

upset the balance of power between warring communities in East Africa. For instance, the Turkana of Kenya who were disarmed felt so exposed to their hostile neighbours that during the Second World War their warriors enrolled in large numbers as *askaris* (police) for the King's African Rifles not primarily to fight for King and country but to acquire the military skills and weapons required to punish their neighbours.¹⁷ Beyond the Karamoja region, the 1950s Mau Mau anti-colonial struggle in Kenya is thought by many to have introduced illicit firearms to Nairobi and Central regions,¹⁸ though a good many Africans are recorded as having brought firearms home after fighting in World War II.

Yet if the pre-colonial and colonial histories of Kenya and Uganda appear comparable when it comes to small arms proliferation, the immediate post-independence periods of the two neighbouring countries contrast markedly. Between 1962 and 1986, Uganda grappled with chronic instability, including multiple military coups and regime changes. The multiplicity of insurgent groups in the country worsened the small arms situation, while society, especially in northern Uganda, was highly militarised due to the existence of rebel groups. For instance, during President Museveni's reign alone (from 1986 to the present), the government has either quashed or made peace with up to 20 armed groups¹⁹, while the LRA rebels still pose a security problem in the region.

These rebellions and coups worsened the small arms situation in Uganda and the sub-region. For instance, the Karamojong warriors were recruited by the then Obote regime to fight the Museveni-led National Resistance Army/Movement (NRA/M). The earlier collapse of the Idi Amin government in 1979 caused the disintegration of the military in Karamoja, where weaponry from Moroto barracks was taken over by locals.²⁰ The Karamojong looted the arsenal and acquired a significant supply of automatic weapons and ammunition for the first time. Subsequently, it has been demonstrated that some of the arms from Moroto barracks found their way to Kenya through the Turkana who sold the same to neighbouring communities for commercial gains.²¹

¹⁷ Kenya National Archives (KNA), DC/ISO/2/5/5, 'The Kenya/Sudan boundary and the Ilemi Triangle', *Isiolo District Reports*.

¹⁸ Katumanga, M and Cliffe, L, *Nairobi – a city besieged: The impact of armed violence on poverty and development, a case study for the armed violence and poverty initiative*, (Bradford: Centre for International Co-operation and Security, 2005), p 5.

¹⁹ Civil Society Organisations for Peace in Northern Uganda, *Counting the cost: Twenty years of war in Northern Uganda*, (CSOPNU, 2006), p 9. See also Lomo, Z and Hovil, L, *Behind the violence: Causes, consequences and the search for solutions to the war in Northern Uganda*, Refugee Law Project Working Paper No. 11 (RLP, February 2004), p 4.

²⁰ Sabiiti, M and Hendrickson, D, *Prospects for addressing Uganda's small arms problem through security sector reform* (CSDG Papers, 2007), p 12.

²¹ Kamenju, J, Wairagu, F and Mwachofi, S, *Profiling small arms and insecurity in the North Rift region of Kenya*, (Security Research and Information Centre, Oakland Media Services, 2003).

3

Civilian disarmament from pre-independence to the present day

3.1 The pre- independence period

Kenya

Although there is no systematic record of disarmament in Kenya, the country may have implemented around 50 operations in the past 100 years, most of them in the pastoralist-inhabited north of the country. The earliest recorded civilian disarmament drive in Kenya is the 1920s *Operation Tennis* – a colonial effort to collect arms from resistant Turkana pastoralists in northwestern Kenya. It failed to recover any guns as the itinerant community relocated to escape the reach of colonial officers' patrols.²²

The second effort was an order issued in 1941 to disarm the Dassanetch.²³ An economic blockade of the Omo region²⁴ was effected to prevent them from using certain grazing grounds unless they gave up a specified number of rifles.²⁵ In a third colonial-era disarmament exercise the colonial administration closed the Kolowa district in Eastern Baringo in 1950. A cordon and search operation was then carried out resulting in a good many deaths and the displacement of some groups to Losiro, Uganda.²⁶ Last of all was the 1952 colonial counter-insurgency exercise dubbed *Operation Jock Stock*, aimed at the Mau Mau freedom fighters. The operation targeted political elites, some of whom had no idea about the insurgency, while the administration failed to address underlying causes. Emboldened and unchecked, the Mau Mau reorganised and rearmed based on their new knowledge of the colonial force's capabilities.²⁷

Uganda

In present-day Uganda, civilian disarmament initiatives predominantly target the Karamoja region (in north-eastern Uganda). This is not new – the British colonial administration's reaction to the level of armament and insecurity in Karamoja was to

²² *Ibid*, p 14. See also See Mburu, N, *The proliferation of guns and rustling in Karamoja and Turkana Districts: The case for appropriate disarmament strategies*, p 5, available at: www.peacestudiesjournal.org.uk/dl/Guns.pdf (accessed 20 February 2011).

²³ A semi-nomadic ethnic group referred to by many other names such as Merille, Gelluba etc. However, their name as far as they are concerned is Dassanetch.

²⁴ Southern Ethiopia region neighbouring Northern Kenya (Turkana and Marsabit districts).

²⁵ Records show that 146 units were eventually recovered. Kenya National Archives. 'Frontier Affairs: Gelluba Policy', PC/NFD4/4/6.

²⁶ Mathenge, G, 'War-Like Activities and the Question of Disarmament', *Daily Nation*, 7 May 2006.

²⁷ See Elkins, C, *Britain's Gulag: The Brutal End of Empire in Kenya* (Pimlico, 2005), pp 35–37.

close the district and implement a coercive disarmament effort in the early 1900s.²⁸ In 1912 a permanent Northern Garrison was established specifically to pacify the Karamoja region.²⁹ Between 1961 and 1962 (before independence), disarmament in Karamoja was aimed at collecting all instruments of violence including small arms and crude weapons (mainly spears). This led the Karamojong to refer to this period as ‘the year of the spear’ (*ekaru a’ mukuki*).³⁰ It was in these years that Lieutenant Colonel Idi Amin of the King’s African Rifles extended the force’s disarmament drive into Kenya (in Turkana). In this effort, communities in Kenya and Uganda who refused to give up their weapons were tortured and terrorised.³¹

However this government pre-occupation with disarming groups in Karamoja and establishing law and order has persisted in the post-independence period. Further, all these attempts have been predominantly coercive and security-oriented, with minimal or no peacebuilding component.

3.2 The post-independence period

Kenya

Post-colonial Kenyan governments continued the disarmament pursuit of their predecessors, in some cases with intense fervour. According to one estimate, under the long-running auspices of President Moi, not less than 20 operations targeting the Pokot community were carried out.³² There was also the 1963–1968 Shifta War – a counter-insurgency operation designed to thwart secessionist elements in North-Eastern Province (NEP) and, *inter alia*, disarm communities. In these years, the region was declared a prohibited zone in which security personnel were empowered to shoot suspected insurgents and confiscate livestock on suspicion of subversive activity.³³ In fact, while Kenya’s NEP can be said to have experienced multiple coercive disarmament drives, these are more properly described in the historical record as out and out massacres. Examples include the 1980 Bulla Karatasi massacre in Garissa; Mandera’s 1981 Malka Mari massacre; the Garse, Derakali, Dandu and Takaba operations; and most notably the 1984 Wagalla massacre.³⁴ In all of these weapons collection operations, there were cases of torture and extra-judicial killings which are finally coming under a form of scrutiny as Kenya’s Truth, Justice and Reconciliation Commission gets up and running.

1984 saw the advent of *Operation Nyundo* (Swahili for ‘hammer’) – a joint Kenya-Uganda operation targeting borderland communities (especially the Pokot and Karamojong). The operation was extremely forceful, with co-ordinated ground and air operations³⁵ that traumatised the Pokot to the extent that many remain fearful of helicopters to this day.³⁶ There were also civilian disarmament operations aiming at quelling violent inter-group conflicts in the Tana River district in 2001.³⁷ In that year, the government recovered over 250 firearms and 3,000 rounds of ammunition in NEP

28 Akabwai, D and Ateyo E P, *op cit*.

29 Republic of Uganda, *Karamoja Integration Disarmament and Development Programme: Creating Conditions for Promoting Human Security and Recovery in Karamoja, 2007/2008–2009/2010* (Office of the Prime Minister, 2007), p 6.

30 *Ibid*.

31 Kopel, B D, Gallant, P and Eisen, D J, *op cit*.

32 See Kopel, B D, Gallant, P and Eisen, D J, ‘Human Rights and Gun Confiscation’ in *Quinnipiac Law Review*, Vol. 26, 2008, p 406, available at: www.davekopel.com/2a/Foreign/Human-Rights-and-Gun-Confiscation.pdf, (accessed 20 February 2011). See also, SIKOM Peace Network for Development, *Progress report and in-depth analysis of the on-going military disarmament in North Rift particularly in Pokot Region*, Unpublished report submitted by Akoule, J, p 3.

33 See Whittaker, H, *Pursuing pastoralists: The stigma of Shifta during the ‘Shifta War’ in Kenya, 1963–68*, unpublished, p 2, available at: <http://arts.monash.edu.au/publications/eras/edition-10/whittaker-article.pdf>, (accessed 14 July 2010).

34 See M’Inoti, K, ‘Beyond the “Emergency” in the North Eastern Province: An analysis of the use and abuse of emergency powers’ in *Nairobi Law Monthly*, No. 41, February/March 1992; Kerrow, B, ‘Wagalla massacre was a crime against humanity’, in *Daily Nation*, 10 February 2010; Refugee Review Tribunal, *Somali ethnic group treatment and affirmative action* (2008), p 5, available at: www.mrt-rrt.gov.au/ArticleDocuments/92/ken33956.pdf.aspx (accessed 20 February 2011); and Sheikh, S Abdi, *Blood on the runway: The Wagalla massacre of 1984*, (Northern Publishing House, 2007), pp 22–23.

35 Kopel, B D, Gallant, P and Eisen, D J, *op cit*, pp 406–407.

36 Established from interview with key informant on 15 February 2011 in Kacheliba, North Pokot.

37 See ‘Kenya: Disarmament plan for Tana River’, IRIN, available at: www.irinnews.org/Report.aspx?ReportId=27630 (accessed on 20 February 2011).

which includes Tana over a two-month period. This was based on a voluntary disarmament exercise involving elders.³⁸

Uganda

As independent Uganda's first head of state and government, Milton Obote imposed a nationwide ban on civilian possession of firearms and ammunition shortly after an unsuccessful attempt on his life.³⁹ When Idi Amin overthrew the government and took over in 1971, he decreed the disarmament of the Karamojong a priority. A coercive disarmament exercise designed to retrieve both firearms and spears followed, leading to atrocities. To the extent the exercise succeeded, the Karamojong were left vulnerable to the armed Turkana of Kenya and Toposa of Sudan. As a result, the Karamojong's Matheniko sub-group sought a peace deal with their Kenyan neighbours. The subsequent peace agreement was marked by a literal burying of a hatchet at Lokiriama in 1978.⁴⁰

On his return to the Presidency in 1980, Obote once more pursued civilian disarmament in an attempt to enhance security for the Karamojong's neighbours. People's militia forces were subsequently established in all frontier districts and shortly afterwards the military led a forceful disarmament campaign. Although this operation included a one-month amnesty period it included livestock seizures, a significant number of killings, displacements and destruction of property. Perhaps unsurprisingly some groups relocated to Kenya to avoid the Uganda People's Defence Forces (UPDF), taking their guns and cattle with them.⁴¹

Obote's successor, President Museveni, also took up the idea of civilian vigilantism as a solution to the problem faced by his predecessors. Introduced in 1996 this new force, termed 'Local Defence Units' (LDUs) consisted of paired male and female teams, the men carrying arms, the women tasked with intelligence collection. 8,000 men alone are thought to have been trained and appointed by the UPDF for these duties before the initiative was scrapped as trainees became involved in intra-group cattle raids.⁴²

3.3 Year 2000–present

Moves towards regional standards and policy frameworks

The year 2000 marks an important break point in the history of disarmament and small arms control in East Africa. In the wake of growing international awareness of the extent and consequences of small arms proliferation, regional governments came together to issue a powerful declaration of intent that year, upgrading that commitment to a legally binding protocol four years later. The 'Nairobi Protocol'⁴³ (formerly the 'Nairobi Declaration'⁴⁴) commits state parties to criminalising illicit trafficking, manufacturing, possession and misuse of small arms and light weapons and crucially to encouraging voluntary surrender of small arms in exchange for possible immunity.⁴⁵ Together with the UN Programme of Action, the Nairobi Declaration and Protocol provided a new basis for action at the national and regional level to combat small arms proliferation.⁴⁶

³⁸ See 'Kenya: Hundreds of firearms recovered in the northeast', IRIN, available at: www.irinnews.org/Report.aspx?ReportId=26962 (accessed on 20 February 2011).

³⁹ *Ibid*, p 390.

⁴⁰ *Ibid*, p 14.

⁴¹ Republic of Uganda, *Karamoja Integration Disarmament and Development Programme*, *op cit*, p 7.

⁴² Akabwai, D and Ateyo, E P, *op cit*, pp 30–31.

⁴³ The Nairobi Protocol for the Prevention, Control and Reduction of Small Arms and Light Weapons in the Great Lakes Region and the Horn of Africa.

⁴⁴ The Nairobi Declaration on the Problem of the Proliferation of the Illicit Small Arms and Light Weapons in the Great Lakes Region and Horn of Africa.

⁴⁵ Nairobi Protocol, Article 12.

⁴⁶ In fact both Kenya and Uganda are nowadays party to a host of regional and international instruments related to the control of SALW. These are: the United Nations Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in all its aspects (2001); the United Nations Protocol against the Illicit Manufacturing of and Trafficking in Firearms, their Parts and Components and Ammunition (ratified in April 2005); the Bamako Declaration on an African Common Position on the Illicit Proliferation, Circulation and Trafficking of Small Arms and Light Weapons; as well as the Nairobi Declaration Protocol.

At the national level as required by these agreements both countries proceeded to establish National Focal Points (NFPs), governmental inter-agency structures tasked with the co-ordination of national policy and action against illicit small arms and light weapons.⁴⁷ Very similar national action plans and policies were then developed setting out a logical and comprehensive response to each country's problems, ranging from matters of research, to legal reform, public awareness raising, improved stockpile and border management, and of course, the question of civilian disarmament.

In Uganda's case a specific policy framework linking disarmament to reconstruction and development was also agreed, namely the Karamoja Integrated Disarmament and Development Programme (KIDDP) which in turn links to the Peace Recovery and Development Plan (PRDP) for the North.⁴⁸ In Uganda's Poverty Eradication Action Plan of 2004, the government acknowledged the regionalised and internationalised nature of cattle rustling and small arms problems.

At the bilateral level, the Kenyan and Ugandan governments developed the Joint Kenya Uganda Disarmament Action Plan in 2003 to address small arms concerns in the Karamoja Cluster.⁴⁹ This outlined several areas for co-operation:

- Simultaneous and co-ordinated disarmament operation
- Mobilisation, sensitisation and deployment
- Establishing law and order in areas of operation
- Branding of livestock
- Provision and reconstruction of social and physical infrastructure
- Rewards/recognition
- Support for development of alternative livelihoods.

A joint disarmament process designed to link disarmament to development initiatives began the same year, with the ultimate aim being to cover the entire Karamoja Cluster region which includes south-eastern Sudan and south-western Ethiopia.⁵⁰

In order to provide NFPs with a complementary partner at the regional level through which to co-ordinate and harmonise actions, states also agreed to establish a Regional Centre for Small Arms (RECSA). Among RECSA's initiatives the most relevant is the development of *Best Practice Guidelines on Practical Disarmament for the RECSA Region*⁵¹. The guidelines offer practical measures for disarmament that address both supply and demand factors behind small arms proliferation. For example, they recommend that disarmament programmes be thoroughly planned, have responsibilities clearly allocated among participating agencies, set clear benchmarks for success, set specific timelines and secure adequate resources. Prior baseline studies on the nature and extent of the small arms problem are encouraged and it is said that they should partly determine whether forceful or voluntary means are used and whether incentives are offered to target communities. The guidelines also recognise issues of accountability over security forces which may be tasked with disarmament but should also ultimately provide a secure environment in which rearmament is not seen as desirable.

⁴⁷ For more information on SALW legislation and SALW structures, see Saferworld, *Progress towards harmonisation of small arms and light weapons control legislation in the Great Lakes Region and Horn of Africa: Selected case studies, forthcoming, and Taking stock of Regional and National SALW Structures*, March/April 2011.

⁴⁸ Once the policy framework was in place, the Karamoja Regional Secretariat was established, stakeholder consultations on the KIDDP implementation work plan were conducted, and four District Disarmament and Development Co-ordinators (DD&DCs) were created in February 2006. Republic of Uganda, *Karamoja Integration Disarmament and Development Programme*, *op cit*, pp 11–12. Karamoja-specific interventions under the PRDP are in line with recommended activities in the KIDDP, whose development preceded the PRDP. Republic of Uganda, *Karamoja Integration Disarmament and Development Programme*, *op cit*, p 24.

⁴⁹ The earliest recorded cross-border disarmament exercise straddling the Kenya-Uganda border was in 1961, led from the Ugandan side by the then Lieutenant Colonel Idi Amin, serving in the King's African Rifles, a regiment known to have committed atrocities in Kenya and Uganda. Kopel, B, David, Gallant, Paul and Eisen, D, Joanne, *op cit*, p 406.

⁵⁰ In Uganda, this was under the KIDDP framework. In Kenya it was implemented as *Operation Dumisha Amani I* ('Sustain Peace').

⁵¹ The guidelines have been adopted by member states and are awaiting approval by RECSA's Technical Advisory Committee (TAC). A second standards document, which is already binding on RECSA member states, is the *Best Practice Guidelines for the Implementation of the Nairobi Declaration and the Nairobi Protocol on Small Arms and Light Weapons*. These guidelines define possession and offences relating to arms possession and legislative measures relevant to SALW. This set of standards is not only useful in relation to stockpile management, but also emphasises the need for revision of member states' firearms legislation and education of the public on the same; it also encourages strong regional and continental co-operation among police, customs and border control services to address illicit SALW circulation. See RECSA, *Best Practice Guidelines for the Implementation of the Nairobi Declaration and the Nairobi Protocol on Small Arms and Light Weapons* (RECSA, 2005), pp 6–7. These guidelines were approved by the third Ministerial Review Conference held on 20–21 June 2005 in Nairobi.

Recent civilian disarmament interventions: regional standards in practice?

The various policy documents, legal agreements and guidelines listed above in particular the RECSA Best Practice Guidelines are a useful benchmark against which the actions of any and all states in the region against small arms proliferation can be judged. Below an account is given of Kenya and Uganda's main disarmament efforts post-2000.

Kenya

Operation Dumisha Amani I (2005): Confronted with the futility of selective coercive disarmament efforts, the Kenyan government began altering its approach with a view to integrating development (e.g. rebuilding infrastructure and rehabilitating water points), adopting a phased approach, and co-opting more stakeholders. The two-stage disarmament initiative began with a voluntary *Dumisha Amani* ('maintain peace') stage (May 2005–February 2006), where communities in the North Rift were encouraged to surrender arms. This was then followed by a coercive *Operation Okota* ('collect') that began in April/May 2006 but allowed voluntary surrender as part of the exercise. The target areas included the seven larger districts of Turkana, West Pokot, Marakwet, Samburu, East Baringo, Laikipia East and Trans Nzoia.

This exercise was co-ordinated with neighbouring Uganda which designed a similar disarmament operation for the Karamoja region across the border. Yet while the design behind *Dumisha Amani* shows signs of growing sophistication, the programme actually began as an *ad hoc* process with no rooting in a written disarmament policy. Locally it was seen to be a top-down process that was directed by the Ministry of State for Provincial Administration and Internal Security. Moreover, there was military involvement apparently intended to intimidate communities into surrendering arms during the 'voluntary' phase of disarmament, as well as during the coercive phase. The military also implemented development projects, apparently with mixed success. According to government sources, between 2005–2006, 2,298 firearms and 4,418 rounds of ammunition were recovered; 28,719 patients were offered treatment, 170,000 livestock were branded, 66 schools were re-opened, 13 dams and 10 boreholes were constructed, and feeder/security roads totalling 167km were constructed.⁵² Despite these achievements, *Dumisha Amani I* left communities in some places such as Samburu more vulnerable to attacks. This is because the Samburu were the most co-operative in surrendering their arms, while their neighbours are believed to have mostly handed in non-serviceable weapons.

In 2008, the government implemented twin disarmament operations dubbed *Operation Okoa Maisha* ('Save Lives') and *Operation Chunga Mpaka* ('Guard the Border') in Mount Elgon and Mandera respectively. *Operation Okoa Maisha* started on 10 March 2008 and was jointly executed by a paramilitary detachment of the Kenya Police, the General Service Unit, the Anti-Stock Theft Unit and the Administration Police. The operation netted 103 assorted firearms, 1,155 rounds of ammunition, and a number of hand grenades.⁵³ These firearms included rocket launchers, rocket-propelled grenades, jumping mines and AK-47s. The operation was atypical however in having a 'hearts and minds' component. A military medical team deployed there treated over 10,602 people during the exercise. Military engineers also constructed new roads and repaired the old ones⁵⁴ and a permanent military base was set at Panandega. (More than 15 schools closed due to prior insecurity were reopened in the process.)⁵⁵ The Mt

⁵² Source: Kenya National Focal Point (KNFP) presentation entitled, 'Disarmament in Kenya', presented during RECSA Practical Disarmament Validation Workshop in Mombasa, Kenya, 30–31 August 2010.

⁵³ A presentation by the former Western Province Provincial Commissioner to a Donor Conflict Group meeting held at the Canadian High Commission in Nairobi on 26 September 2008.

⁵⁴ 'Bogita Onger: Military has won hearts in Mt Elgon, not tortured', Standard, 25 June 2008.

⁵⁵ For detailed information on the operation see Wepundi, M, 'Security' in *Mt Elgon conflict: A rapid assessment of the underpinning socio-economic, governance and security factors*, eds. W Kiragu, M Barrack and W Manasseh, (UNDP/OCHA, 2009), pp 36–49. See also presentation by Mwasserah, A K, then Provincial Commissioner of Western entitled, 'Overview of Mt Elgon Conflict'.

Elgon operation aimed at crushing the Sabaot Land Defence Force (SLDF) – a militia that was formed to agitate for land under the Chepyuk settlement scheme. This uprising followed multiple abortive attempts to allocate land to the Sabaot community – a process that dragged on over decades, hence fomenting grievances. Although the operation was largely successful in restoring stability, the Kenyan military faced accusations of misuse of force, bordering on torture and other violations of human rights.

Mandera's *Operation Chunga Mpaka* was carried out in the face of a deteriorating security situation fuelled by violent inter-clan resource-based conflicts. The competing clans fought to control water points following flash floods in an area hit by successive droughts. The disarmament operation was essentially forceful, with hundreds of claims of torture, and one person killed.⁵⁶ But 48 weapons and more than 1,200 rounds of ammunition were recovered locally, while at least 600 detonators *en route* to Mandera were recovered in Nairobi.⁵⁷

In Isiolo, following increased waves of violence and inter-communal conflicts in November 2009, the government, through the provincial administration issued an amnesty for communities to voluntarily return illegally held firearms by the end of January 2011. Local chiefs were required to facilitate the return of the arms from their respective locations. During the amnesty period close to 700 assorted weapons and 4,000 rounds of ammunition were returned by Isiolo communities. These numbers included firearms retrieved from the Kenya Police Reserves in the area following credible concerns that reserve officers were misusing firearms issued to them by the state. However, the disarmament was not successful in the neighbouring Samburu East and Laisamis districts largely because, since the disarmament of 2005 in the area, the Samburu community felt they had been left vulnerable as their hostile neighbours had kept their weapons.

Operation *Dumisha Amani II* (2010) was a continuation of the previous disarmament and development programme, designed to recover a target of 50,000 arms from northern Kenya. The operation expanded the geographical scope of disarmament beyond the North Rift (in areas initially disarmed during *Dumisha Amani I*) to also include districts in Eastern province (which constitute the Upper Eastern region).⁵⁸ The voluntary phase began in February 2010, while a second coercive phase began two months later.

According to government records, as of August 2010 the operation had led to the recovery of 1,201 firearms, 1,665 rounds of ammunition and 201 livestock.⁵⁹ However, the government did not appear to have a precise timeframe for the operation which confused matters on the ground. In addition, little was done to incorporate community views. In the eyes of many, only short-term gains were made and the causes of civilian disarmament left unaddressed.⁶⁰ The operation also contended with administrative challenges in that it brought in different forces each maintaining their independent chains of command. The Administration Police were subject to their commandant, the Kenya Police to the Police Commissioner, the General Service Unit (GSU) answered to their commandant, while the military also maintained their chain of command as did the provincial administration.⁶¹ Criticism was also directed at failures to establish workable co-ordination in all areas between civilian disarmament facilitators (chiefs and elders) and the security forces. In some cases, local leaders withdrew having learnt that they would neither be supported nor resourced to mobilise their communities to disarm.⁶²

⁵⁶ See Human Rights Watch, *Bring the gun or you'll die: Torture, rape and other serious human rights violations by Kenyan security forces in the Mandera Triangle* (Human Rights Watch, 2009), pp 38–44.

⁵⁷ UNOCHA, *OCHA Situation Report No. 1: Kenya – Mandera Crisis* (OCHA, 3 November 2008).

⁵⁸ In addition to the seven greater districts of North Rift, the Upper Eastern districts of Isiolo, Marsabit and Moyale were also targeted.

⁵⁹ KNFP Presentation, *op cit*.

⁶⁰ See Ndung'u J, *Analysis of disarmament approaches in Kenya and how to make them effective*, Paper Presented during RECSA Practical Disarmament Validation Workshop in Mombasa, Kenya, 30–31 August 2010.

⁶¹ Key informant interview on 15 February 2011 in Kacheliba.

⁶² *Ibid*.

Box 1: The role of different actors in Kenyan disarmament programmes

The military: The military has played a dual role in Kenya. First, its coercive role was in cordoning an area of operation for other units (police, GSU, provincial administration) to move in and execute disarmament. In some cases, the forceful role of the military went beyond threats and intimidation and merely cordoning off an area to actual forceful acquisition of arms. This has occurred in northern Kenya on several occasions, as well as in Mt Elgon during the *Operation Okoa Maisha* of 2009. Second, the military played a development and humanitarian assistance role in some cases. This has included sinking boreholes, the construction of roads, dams, water pans and local camps for the provincial administration.⁶³

Provincial Administration: The provincial administration plays a role in:

- Guiding the regular police on the best way to approach local communities
- Mobilising the community to attend *barazas* (public meetings) for awareness raising and discussion of disarmament plans.⁶⁴

The Kenya Police: The Kenya Police's roles under the *Operation Dumisha Amani* include:

- Issuance of certificates of good conduct and letters confirming that individuals have voluntarily surrendered their firearms to the authorities
- Receipt and safe storage of surrendered/confiscated weapons
- Effecting arrests of those who defy or disobey police orders, including resisting lawful arrests.

Kenya National Focal Point on SALW: The KNFP plays the following roles in the context of disarmament:

- Overall co-ordination of implementation of the Kenya's National Action Plan on SALW management and control especially elements related to management of stockpile right from collection of illicit weapons to destruction, as well as promoting measures that enhance security of government owned firearms
- Awareness raising
- Mobilisation of disarmament committees through District Task Forces on SALW
- Organising proper disposal and destruction of recovered firearms to minimise re-circulation.

Civil society actors: A significant number of civil society actors were integrated into disarmament efforts. These include District Peace Committees (DPCs), NGOs (especially under the auspices of the National Steering Committee on Peacebuilding and Conflict Management [NSC] and the Kenya National Focal Point on SALW). These actors' roles include:

- Community education and awareness-raising on the need to surrender arms
- Directing police officers to hot spots and community caches of small arms
- Community mobilisation
- Playing an oversight role.

Uganda

In March 2000, once again focusing on Karamoja, the Ugandan parliament passed a resolution calling for a comprehensive range of measures to tackle the small arms and cattle rustling problem there, including:

- A process of voluntary disarmament
- Re-organisation of the security system
- Establishment of adequate judicial response to cattle thefts
- Establishment of presidential peace and development commission
- Disbanding of concentrated kraal cluster
- Construction of valley dams.

A new disarmament effort followed in 2001, which in turn informed development of the later KIDDP. The effort was personally led by the President, who spearheaded a political mobilisation drive to persuade community members to surrender firearms.⁶⁵ Two distinct campaigns were carried out, a voluntary disarmament exercise running

⁶³ See Ministry of State for Defence, *Contemporary Army Operational Activities*, available at: www.mod.go.ke/army/?page_link=dumisha_amani (accessed 10 February 2011).

⁶⁴ Interestingly though, local chiefs at one point withdrew their co-operation with the provincial administration during *Operation Dumisha Amani* claiming inadequate involvement. Key informant interview in Kacheliba on 15 February 2011.

⁶⁵ Telephone interview with Richard Nabudere, former Ugandan National Focal Point, on 10 February 2011. See also Republic of Uganda, *Karamoja Integration Disarmament and Development Programme*, op cit. p 7.

for one month (December 2001 to January 2002), and a forceful disarmament phase from February 2002 to March 2002.⁶⁶ Relying heavily on chiefs and civil society organisations, a long-running sensitisation campaign was carried out in the run-up to December 2001. During the amnesty period which ran until 15 February 2002, 7,780 weapons were surrendered.⁶⁷ A subsequent year of active forceful disarmament only produced another 2,000 weapons.⁶⁸ By the end of 2003, a total of 10,000 guns had been recovered. The numbers remaining in circulation were believed to be plentiful however. These included weapons held by the 8,000 or more LDU personnel, many of whom later deserted with their arms in protest at non-payment of salaries.⁶⁹ However, when the LRA conflict spilled over into the Teso region in 2003, the army was re-deployed to counter the threat and disarmed communities in Karamoja were left vulnerable.

The most recent phase of KIDDP implementation began in 2006 immediately after the February general elections.⁷⁰ The LRA threat had by then been contained, while there was renewed armament and escalating violence in Karamoja. Community members were also not very co-operative given their experience of being left vulnerable after the previous 2001–2003 disarmament initiative.⁷¹ The early months of this phase were voluntary, but very few arms were recovered – 400 guns had been recovered by August 2006. Yet insecurity (raids, ambushes etc) persisted. Warriors were also believed to have been hiding weapons in their homes.⁷² In light of this the Uganda security forces returned to earlier coercive methods: cordon, search and disarm. With this strategy, security personnel would cordon an entire settlement or *manyatta* and search every single household and inhabitant for arms. They also used intelligence to pre-emptively intercept warriors who were planning raids. The intelligence-led aspect of the operation was viewed as a way to reduce indiscriminate treatment of entire communities.⁷³ However, the reality of the operation was that excessive force was used in contravention of set guidelines which stipulated:

- Transparent execution of cordon, search and disarmament
- Treating communities with courtesy
- Involving local leaders during cordon and search operations
- Using appropriate firepower in case shot at.⁷⁴

These excesses triggered violent resistance in some cases which in turn led to the UPDF stepping up their efforts.⁷⁵ In the eyes of the now unarmed Karamojong, the state became 'just another raider'.⁷⁶ Partly as a consequence of this, the Ugandan Government subsequently set up tribunals to investigate abuses via the Uganda Human Rights Commission (UHRC).⁷⁷

By July 2010, it was reported that 28,040 arms had been recovered to date in Karamoja⁷⁸.

⁶⁶ *Ibid.*

⁶⁷ Knighton, B, 'The State as raider among the Karamojong: Where there are no guns, they use the threat of guns,' in *Africa Journal of the International African Institute*, Africa 73 (3), 2003, pp 427–455, p 438.

⁶⁸ See *ibid.* However, the government of Uganda gave other varying numbers of guns recovered by the UPDF during the forceful disarmament.

⁶⁹ *Ibid.*, p 10.

⁷⁰ Once the Government of Uganda and LRA peace talks started in Juba, Southern Sudan, in 2006, the UPDF was able to focus again on Karamoja and disarmament in the region resumed. Telephone interview with Richard Nabudere, *op cit.*

⁷¹ Telephone interview with Richard Nabudere, *op cit.*

⁷² Republic of Uganda, *Karamoja Integration Disarmament and Development Programme*, *op cit.*

⁷³ Telephone interview with Richard Nabudere, *op cit.*

⁷⁴ See Republic of Uganda, *Karamoja Integration Disarmament and Development Programme*, *op cit.*, p 13. See also Akabwai, Darlington and Ateyo, E, Priscillar, *op cit.*, pp 35–40.

⁷⁵ *Ibid.*

⁷⁶ See Knighton, B, *op cit.*, pp 427–455.

⁷⁷ Telephone interview with Richard Nabudere, *op cit.*

⁷⁸ Saferworld, *Karamoja conflict and security assessment*, September 2010, p.16

Box 2: The role of different stakeholders in Ugandan disarmament efforts

The military: The UPDF has dominated civilian disarmament efforts within Karamoja. The rationale for this has been that “military force was needed to restore law and order that could later be maintained by the police”.⁷⁹ However, the excessive force and attendant human rights violations have raised concerns about the role of the UPDF.

Anti-Stock Theft Unit (ASTU): This police unit is charged with combating cattle theft in Karamoja. The deployment of ASTU is within the restoration of law and order aims of KIDDP.

Uganda Human Rights Commission (UHRC): UHRC opened its offices in Karamoja with the aim of investigating human rights abuses committed in the execution of disarmament operations. This, alongside the establishment of tribunals to handle such cases, gave some hope that human rights protection and prosecution of violators of human rights would be achieved.

Civil society and development partners: The KIDDP recognises and includes development interventions by some international and local actors as part of its operational framework. For instance, interventions by the Danish International Development Agency (DANIDA), European Union involvement, and UN initiatives are recognised. Similarly, international and national NGO efforts in development and peacebuilding are lauded.⁸⁰

Community: Community representatives (such as local elders) have been useful in building public confidence in disarmament. They play roles in encouraging community members to voluntarily disarm.

Uganda National Focal Point (UNFP): Established under the Nairobi Declaration and Protocol, the UNFP is a co-ordination point for SALW initiatives within Uganda. Through it, the National Action Plan (NAP) was developed, establishing a framework for comprehensive and co-ordinated action at the national level. The NAP also established co-operation and liaison forums for joint planning and joint operation across borders with neighbouring countries, aimed at reducing crime, combating cross-border dimensions of illicit arms and improving the security situation of communities along the border.⁸¹

⁷⁹ Paraphrased from telephone interview with Richard Nabudere, *op cit*.

⁸⁰ Republic of Uganda, 9, *op cit*, pp 20–23.

⁸¹ *Ibid*, p 18.

4

Conclusion and recommendations

AS THIS PAPER SHOWS, small arms proliferation in the East African region has had severe consequences. Successive Kenyan and Ugandan governments have been well aware of this and have sought over more than a century to reduce the number of illicit weapons in circulation in various ways, most notably through direct initiatives to recover weapons from civilian hands. These initiatives have taken different forms, some forceful and indeed brutal, others more consultative and sophisticated in their design, even recently linked to development work. When considered in the round, these disarmament efforts have shown mixed levels of success. In view of the challenges faced by their implementers, this is perhaps not surprising. Effective disarmament is no mean feat in contexts where physical infrastructure is lacking, poverty acute and resources scarce, the presence of the state minimal and animosities between communities run deep. Yet even the flawed attempts at disarmament described above offer up important lessons for governments, lessons that should be taken into account during future operations and incorporated into national policy frameworks. Below, we attempt to draw these lessons out before providing practical recommendations for policy-makers and practitioners that build on them.

A first lesson perhaps, is that political realities will always affect disarmament initiatives to a lesser or greater extent. In Kenya, disarmament efforts have typically been driven by government concerns about rampant insecurity and inter-group violence, and hence a national security-oriented framework has guided these initiatives over the years. For example, high profile campaigns such as the *Operation Okoa Maisha* ('Save Lives') and *Operation Chunga Mpaka* ('Guard the Border'), discussed below, were executed at a time when the state needed to boost its authority in the wake of the 2008 post-election violence. The selection of target communities for disarmament in Kenya sometimes draws criticism both for political bias and because less than comprehensive efforts have been seen to contribute to the military decline of targeted communities and the relative strengthening of their long-time foes. For instance, Kenya's ability to disarm the Turkana has weakened this group in the face of the neighbouring Dassanetch, which the Ethiopian government has not been able to disarm.⁸² The killing of over 20 Turkanas by the Dassanetch on 3 May 2011 in Todonyang, Lodwar, further reinforces the vulnerability of the frontier communities.⁸³

⁸² Nene, M, *op cit*, p 158.

⁸³ See Daily Nation, 'Dozens feared dead in Turkana bandit attack' 3 May 2011 www.nation.co.ke/News/-/1056/1155910/-/10xr3ccz/-/index.html accessed on 5 May 2011.

A second lesson that follows from this is that selective disarmament drives create localised security dilemmas which typically stiffen resistance to disarmament or even prompt rearmament. A prime example is the Karamojong, who have for years resisted the military's efforts to forcibly disarm them, convinced that they are unfairly targeted and being potentially left at the mercy of better-armed rivals.⁸⁴ But Ugandan national politics has also dictated the timing of disarmament efforts in Karamoja. Between 2004 and 2005, the Uganda government's approach to disarmament in the area was notably less forceful leading some to conclude that the President was seeking to win back voters. After the 2006 general elections the disarmament drive again took a more forceful and violent turn.⁸⁵ Similarly, episodic and reactive implementation of disarmament operations has the same effect. It follows that a more national, proactive and sustainable process is better.

Third, the link between under-development and insecurity cannot be ignored. Most communities targeted for disarmament are poor and rely on a pastoralist lifestyle. Arguably the failure to effectively integrate major development and alternative livelihood projects into disarmament efforts has hampered the success of the initiatives. Disarmament efforts will not yield any meaningful progress unless the root causes of demand for small arms by communities, most notably feelings of insecurity and vulnerability, are addressed. Budgetary constraints of course place limits on what is possible, though many would argue this is simply an effect of national political priorities and a natural outcome of the political marginalisation of such areas. This being the case, additional investment is dependent on development partners and civil society actors.

Fourth, although policy and practice has begun to shift somewhat in line with emerging regional norms, pre- and post-independence disarmament efforts in Kenya have generally been coercive. In some cases the use of force was clearly excessive, with grave human rights violations occurring. Where rights violations have occurred this can be attributed partly to heavy-handed tactics by the state but also to resistance by often fiercely independent communities with long memories and grievances against their neighbours and the state. Kenya's *Operation Okoa Maisha* in Mt Elgon was forceful, with many claims of human rights violations, but it succeeded in crushing the SLDF militia and restoring law and order. Here, peace was established, but at a cost. Yet it is arguable that even in cases such as these where a strict law and order approach appears to yield success that an opportunity to address underlying grievances can easily be missed. To their credit, both governments have shown signs of recognising this. For example, Uganda's KIDDP and the implementation of *Operation Dumisha Amani* ('Sustain Peace') in 2005 and later efforts in 2010 in Kenya do show appreciation of the need for more comprehensive approaches, including the use of developmental investments and cross-border work.

Fifth, the unpopularity of forceful disarmament underscores the need to build community confidence in the state, its representatives and its disarmament plans. Trust and co-operation are most likely to be fostered through well-planned voluntary disarmament initiatives that are built on dialogue and oriented towards peacebuilding and development. Among the root causes of civilian weapons possession in Kenya and Uganda is a sense of exclusion among target communities. Admittedly this makes outreach to communities challenging as trust in the state may not be high, often for good reason. However, not involving community representatives meaningfully in the design or implementation of disarmament exercises tends to undermine otherwise good efforts, reducing the chances of success.

Six, bilateral and regional co-operation is essential in view of the cross-border challenges described above. Kenya and Uganda have shown willingness to co-operate to some degree on civilian disarmament in recent years as the example of co-ordination under

⁸⁴ See Whitehead, D, *op cit*.

⁸⁵ Akabwai, D and Ateyo, E P, *op cit*, pp 34–35.

the KIDDP and Kenya's *Operation Dumisha Amani* shows. This however, is a very recent change and more needs to be done to co-ordinate not just cross-border disarmament efforts but also manage borders and information exchange more effectively.

Seven, the success of civilian disarmament efforts can be measured in different ways, a fact that should be exploited to improve design, communication and targeting. Too often weapons collection efforts have been judged in terms of numbers of arms recovered. Recent experience in Kenya and Uganda demonstrates the impracticality of pre-determining the amount of SALW that should be collected from communities. In Kenya, *Operation Dumisha Amani I* recovered only about 2,300 firearms against a target of 50,000. In Uganda, the estimated number of weapons in Karamoja was 40,000, but arms collection efforts have recovered 28,040 firearms by July 2010⁸⁶. Yet while numbers of weapons recovered is clearly an important measure, it is also an insufficient one when used on its own in that it tells us nothing about real or perceived levels of security, of trust in the state, or of levels of wellbeing and development in a community. Used alone this measure may also drive inappropriate behaviours on the ground where overly high targets create pressure on security personnel who in turn may use excessive force.

In view of the findings presented above, a number of recommendations are offered below. The evidence suggests that adopting these recommendations as part of wider small arms control policy and practice should further raise the standard of Kenya and Uganda's disarmament efforts, building on emerging good practice in both countries:

- 1. Strive for political neutrality:** One lesson that emerges from the research is the negative consequences that follow from partial and biased disarmament, where communities may be left at the mercy of their neighbours and trust in the state may deteriorate. The obvious recommendation then is that disarmament efforts always be undertaken in line with evidence of threats to human and state security, not narrow concerns with regime security or political capital. Well-planned initiatives, based on prior quality research and comprehensive action plans may help to guard against such biases. Furthermore, planning must be sophisticated enough to consider the implications of different targeting options and collection methods.
- 2. Take a comprehensive approach to disarmament:** This research shows the promise of more integrated disarmament approaches. As the pioneering KIDDP demonstrates, it is possible to link development and disarmament initiatives into a viable policy framework. Similarly, Kenya and Uganda's national small arms control policies and action plans now recognise that disarmament must be complemented by other control measures, ranging from improved border and stockpile management to legal reform, public awareness raising and research. Of course political will and resources are then required to implement these more ambitious plans, but a comprehensive view of the problem of illicit small arms proliferation should help to avoid knee-jerk disarmament initiatives that yield little or are counterproductive.
- 3. Use force sparingly while respecting and protecting human rights:** Kenyan and Ugandan arms collection efforts have long been associated with claims of human rights violations by security forces. Yet civilian disarmament should aim to restore human security and the rule of law. It has also been shown that excessive use of force can prove counter-productive, alienating communities further from the state, stoking grievances and even leading weapon-holders to mount fierce resistance or flee across borders. Forceful measures may yield results, provided they are well planned and executed alongside other efforts. To ensure this, security personnel need to be made fully conscious of human rights standards and the need to avoid indiscriminate and excessive use of force. Accountability measures, such as public inquests or court martials to investigate any violations by security forces should also feature in policy frameworks and be provided for as a matter of routine during and after forceful operations.

⁸⁶ Saferworld, *Karamoja conflict and security assessment*, September 2010, *op cit*.

- 4. Involve communities and civil society:** As argued earlier, consulting and involving community representatives prior to and during disarmament can help to break cycles of exclusion and suspicion and increase the effectiveness of collection efforts as the knowledge and persuasive powers of community leaders is harnessed. The involvement of civil society organisations, whether in areas of policy development, community mobilisation and sensitisation, oversight, peacebuilding, baseline research also tends to be beneficial.
- 5. Employ a peacebuilding approach:** A peacebuilding as opposed to an overly security-focused approach to disarmament operations is needed in many parts of both countries, affected as they are by underlying conflict tensions. One implication of a peacebuilding approach is greater attention to the process around disarmament, including changing attitudes and relationships between actors, as well as shorter-term disarmament 'events'. More and deeper consultation, confidence building and awareness raising work are all likely to be required for success.
- 6. Maximise efforts at regional co-ordination:** Co-ordinated cross-border disarmament efforts are clearly required in many cases where target communities straddle national borders. Fortunately there are a number of regional frameworks for co-operation on peace, security and development that can be used to support such action, including the EAC, IGAD, and RECSA. While these forums do present challenges they provide a useful foundation for discussions around co-ordination, ideally not just on disarmament operations but on border management, peacebuilding, information exchange and more.
- 7. Broaden the terms of debate about the goal of disarmament:** As argued above, there are many ways in which to define the purpose of disarmament initiatives, including reducing numbers of weapons in circulation, boosting security, regaining public confidence and more. To the extent that disarmament efforts establish targets for themselves only in terms of numbers of weapons to be collected (often unrealistic targets), they will almost certainly fail. Introducing these alternative notions of success does however require some communication skill and consistent messaging towards different arms of government, the media and the public.

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COVER PHOTO: Destruction of over 2,400 recovered firearms in Uhuru Gardens Nairobi, Kenya, March 2010. © JAMES NDUNG'U/SAFERWORLD



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