



The Karamoja Cluster of eastern Africa: Arms transfers and their repercussions on communal security perceptions

Ken Matthysen, Sergio Finardi, Brian Johnson-Thomas and Peter Danssaert



Editorial

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Caption photo Front Page: A Turkana herder watches over his livestock at a watering hole in Kenya. (copyright AFP / Belga, published with permission)

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Summary

Nomadic peoples are often, if not universally, perceived as a problem by the governments of the nation states who have responsibility for them; this is particularly so in the case of the three nations with which this report is concerned, viz: Kenya, Uganda and (southern) Sudan. The pastoralist societies within the Karamajong cluster have been unable to adequately defend themselves politically against claims that they, the pastoralists, are responsible for the proliferation of small arms and light weapons in East Africa. This report endeavours in a small way to redress this balance; it is our contention that the majority of the blame for this SALW proliferation should be laid at the doors of the three governments concerned, governments who themselves have failed to adequately address the problems of regional insecurity, weapons diversion and, in many cases, have been quite unable to resist the temptation to support individuals and groups intent on destabilising their neighbours. Although at first sight this linkage between State actors and local actors is, perhaps, not always obvious – and, indeed, may serve to mask the impact of SALW on pastoralists – it is our contention that all unavowed arms transfers are, ipso facto, destabilising and can only serve to exacerbate existing perceptions of communal instability. Indeed, the burden of our song is that any illicit or unavowed transfer of arms will earn a concomitant repercussion in such communal security perceptions.

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1. Introduction

Nomadic peoples are often, if not universally, perceived as a problem by the governments of the nation states who have responsibility for them; this is particularly so in the case of the three nations with which this report is concerned, viz: Kenya, Uganda and southern Sudan.

It takes a special kind of person to make a success of life in the arid scrubland of northern Kenya, northern Uganda and southern Sudan – a landscape which has a confusing lack of striking geography and where the various national frontiers are notional lines on a map in an office somewhere, rather than a tangible presence in ordinary life.

Yet the lives of nomads, pastoralists, whatever name one chooses, are affected by decisions made primarily for the benefit of settled communities living usually at some distance from them; decisions, moreover, made for the benefit of governments whose primary concern is often, if not usually, to placate their settled urban or agrarian constituents.

This means that many of the actions of these governments have not only failed to impact positively on the lives of the indigenous peoples of this region, they have often in practice impacted negatively. Equally, because of the nature of pastoralist societies, they have been unable to adequately defend themselves politically against claims that they, the pastoralists, are responsible for the proliferation of small arms and light weapons in this region.

This report endeavours in a small way to redress this balance; it is our contention that the majority of the blame for this SALW proliferation should be laid at the doors of the three governments concerned, governments who themselves have failed to adequately address the problems of regional insecurity, weapons diversion and, in many cases, have been quite unable to resist the temptation to support individuals and groups intent on destabilising their neighbours.

Although at first sight this linkage between State actors and local actors is, perhaps, not always obvious – and, indeed, may serve to mask the impact of SALW on pastoralists – it is our contention that all unavowed arms transfers are, ipso facto, destabilising and can only serve to exacerbate existing perceptions of communal instability. Indeed, the burden of our song is that any illicit or unavowed transfer of arms will earn a concomitant repercussion in such communal security perceptions.

2. Pastoralist Communities in East Africa

2.1. Pastoralism in the Karamoja Cluster

Pastoralism traditionally is an essential means of existence in the Horn of Africa, constituting to date the primary livelihood strategy for 15 to 20 million people in the region. This report will discuss especially the pastoralist communities living in the borderlands between Uganda, Kenya, Sudan and Ethiopia, which is called the 'Karamoja Cluster', also known as the 'cattle corridor'.¹ Most of the pastoralist communities classified under the cluster share the same ethnic roots and the Ateker language.² A short list of pastoral communities belonging to the Karamoja cluster includes the Turkana and Pokot from Kenya, the Dodoth, Jie and Karamojong from Uganda, the Toposa from Sudan and the Merille from Ethiopia.³

Because climate conditions can be harsh in the region, with periodic droughts, it has shaped the pastoralist communities' livelihood systems. To cope with seasonal fluctuations, the pastoralists cover large distances with their cattle.⁴ Most of them combine their cultivation activities during the wet seasons with semi-nomadic pastoralism, looking for grasslands and water, during the dry season. This combined livelihood strategy is referred to as agro-pastoralism.⁵

The communities living in the Karamoja Cluster are mostly socio-economically and politically marginalized, which hampers the region's development. In Uganda's Karamoja region, for example, 82 percent of the population lives in poverty, according to data of 2006 from the Uganda Bureau of Statistics. It constitutes thus the poorest region in the country.⁶ No more than 20 percent of the children go to school.⁷ Further, an estimated life expectancy of 42 years is 10 years under the national figure. There are no more than 2,5 km of paved roads, according to a 2009 survey, and the region has a population density which is only about a third of the national average.

Central governments of the region's countries seem to judge these communities' pastoralist lifestyles as pre-modern, chaotic, unsustainable and economically unproductive.⁸ Policies pursued have therefore served to further marginalize pastoral communities, as they ignored their needs⁹ or even in some cases envisaged the eradication of their culture and identity.¹⁰ A Ugandan governmental report admits the allocation of financial means to local governments currently happens mostly in disregard of expenditure needs to address underdevelopment and poverty.¹¹

¹ I. Farah: "Human Security and the Livelihood of Pastoral Communities in the Horn of Africa.", p.181-199, in M. Mwangi, Human Security – Setting the Agenda for the Horn of Africa, Africa Peace Forum, 2008, p. 288: p. 181-183

² Although variance of dialects exists. (Source: J. Bevan: "Blowback Kenya's Illicit Ammunition Problem in Turkana North District", Small Arms Survey, June 2008: p. 22)

³ I. Farah: "Human Security and the Livelihood of Pastoral Communities in the Horn of Africa.", p.181-199, in M. Mwangi: Human Security – Setting the Agenda for the Horn of Africa, Africa Peace Forum, 2008, p. 288: p. 183 and "Get the Gun!" - Human Rights Violations by Uganda's National Army in Law Enforcement Operations in Karamoja Region, Human Rights Watch, September 2007: p. 2-3; For a more detailed description of the numerous communities living in northeastern Uganda, of whom a lot belong to the Karamojong, we refer to: D. Akabwai and P. E. Ateyo: "The scramble for cattle, power and guns in Karamoja.", Feinstein International Center, December 2007: p. 8

⁴ I. Farah: "Human Security and the Livelihood of Pastoral Communities in the Horn of Africa.", p.181-199, in M. Mwangi, Human Security – Setting the Agenda for the Horn of Africa, Africa Peace Forum, 2008, p. 288: p. 182

⁵ E. Stites, D. Akabwai, D. Mazurana and P. E. Ateyo: "Angering Akujū: Survival and Suffering in Karamoja - A Report on Livelihoods and Human Security in the Karamoja", Feinstein International Center, December 2007: p. 11

⁶ C. Chapman and A. Kagaha: "Resolving conflicts using traditional mechanisms in the Karamoja and Teso regions of Uganda", Minority Rights Group International, August 2009: p. 2

⁷ "Surviving Uganda's cattle wars", BBC, 19 January 2007

⁸ C. Chapman and A. Kagaha: "Resolving conflicts using traditional mechanisms in the Karamoja and Teso regions of Uganda", Minority Rights Group International, August 2009: p. 2

⁹ I. Farah: "Human Security and the Livelihood of Pastoral Communities in the Horn of Africa.", p.181-199, in M. Mwangi: Human Security – Setting the Agenda for the Horn of Africa, Africa Peace Forum, 2008, p. 288: p. 192

¹⁰ For example, former Ugandan president Idi Amin Dada issued a decree stating the Karamojong were obliged to wear Western dress, instead of traditional clothing made from livestock hides. (Source: D. Akabwai and P. E. Ateyo: "The scramble for cattle, power and guns in Karamoja.", Feinstein International Center, December 2007, p 13);

¹¹ Allocation principles, formulae, modalities and flow of central government transfers - phase one, The Republic of Uganda – Local

2.2. Competition for resources and inter-communal conflicts

Because of the harsh climate conditions, described above, people have to struggle to meet basic needs in an environment where resources are scarce. The pastoral communities have to cope with livestock diseases and a reducing availability of land and water following desertification, bush encroachment, soil erosion, population growth, and political and economic marginalization.¹² Additionally, the communities' mobility, to go along with the seasons, makes them encounter each other. Consequently there have always been conflicts between different communities living in the border regions, involving cattle rustling and disputed boundaries. The communities' interdependence however stimulated them to pursue harmonious relations with each other.¹³ The environment and high degree of mobility created a sort of symbiotic relationship between the communities. The pastoralists moved around and relied on agrarians for crops to supplement their food.¹⁴ The need for trade and more distant pastures made social interaction and good inter-community relations advantageous.

A number of intertwined events, which nonetheless can be clearly distinguished, however made these conflicts become more violent, perpetual and lethal over several decades. Inevitably, it seriously affects the region's security situation and furthers the proliferation of small arms and the rise of gun violence. This is extremely harmful for human security and has a devastating effect on the pastoralists' livelihoods. To illustrate, one can take a look at an example of the second half of the 1980s. Back then, Acholiland and Lango, two regions in northern Uganda, were seriously plagued by Karamojong raids, because local warriors had fled to the north, following a regime change in Kampala. Between 1980 and 1989, the estimated number of cattle in the area was seriously reduced from an estimated 685.000 to around 72.000.¹⁵

2.3. Underlying roots of the worsening security situation and the raids becoming more violent and more frequent.

For the sake of clarity, the events constituting the source of the rising level of violence in the Karamoja region will be analysed, hereafter, one by one. They are however all interdependent and can not be considered separately. They should all be regarded as being part of the conflict situation. In succession we will analyse the curtailment of the pastoralists' migration patterns, the changing nature of raiding, the crisis of traditional authority, the unimpeded influx of firearms, the changing value of cattle, the lack of law and order, and failed disarmament operations.

Pastoralist communities' migration patterns have known several curtailments. Their lifestyle and movement go beyond modern state borders. The Karamojong communities' need for water and pastures, combined with seasonal fluctuations, ties them to a high degree of mobility. Colonialism was a first infringement on their lifestyles as it imposed national boundaries and emphasized ethnic differences.¹⁶

Ever since then governments have tried to settle pastoralists, as they are often not sympathetic of their way of life. Governments have, for example, restricted migration routes, imposed international borders on them and seized grazing land to create forest reserves, continually decreasing the available

Government Finance Commission, June 2003: p. xii, (<http://www.lgfc.go.ug/docs/Principals%20in%20the%20Design%20of%20the%20Allocation%20Formular.pdf>)

¹² I. Farah: "Human Security and the Livelihood of Pastoral Communities in the Horn of Africa.", p.181-199, in M. Mwangi: Human Security – Setting the Agenda for the Horn of Africa, Africa Peace Forum, 2008, p. 288: p. 181

¹³ C. Chapman and A. Kagaha: "Resolving conflicts using traditional mechanisms in the Karamoja and Teso regions of Uganda", Minority Rights Group International, August 2009: p. 1

¹⁴ I. Farah: "Human Security and the Livelihood of Pastoral Communities in the Horn of Africa.", p.181-199, in M. Mwangi: Human Security – Setting the Agenda for the Horn of Africa, Africa Peace Forum, 2008, p. 288: p. 184

¹⁵ E. Stites, D. Akabwai, D. Mazurana and P. E. Ateyo: "Angering Akujū: Survival and Suffering in Karamoja - A Report on Livelihoods and Human Security in the Karamoja", Feinstein International Center, December 2007: p. 56

¹⁶ I. Farah: "Human Security and the Livelihood of Pastoral Communities in the Horn of Africa.", p.181-199, in M. Mwangi: Human Security – Setting the Agenda for the Horn of Africa, Africa Peace Forum, 2008, p. 288: p. 184

land for pasture.¹⁷ As such, boundaries have limited the communities' migration possibilities to head to environments with greener pastures and more pools, making the access to land more scarce, and competition harder. Furthermore it reduced the interdependency between communities and as such reduced also the advantage of maintaining amicable relationships with each other.¹⁸ In such an environment there's more room for hostility and insecurity to develop. The deteriorating security situation in its turn further hampers the pastorals' itinerary possibilities, which creates a vicious circle.¹⁹ It also hampers the pastoralists' access to markets, on which they depend to sell their cattle and buy provisions.²⁰

Another explanatory factor for the high level of insecurity and gun violence, accompanying cattle raiding in the region, is the **changing nature of raiding**. In the past, entire communities were involved in the consultation process to decide whether or not to conduct a raid. The elders of a community organised ceremonies and planned the raid. It was impossible to imagine a raid without their involvement. Afterwards, the stolen cattle joined the herds of several families of the community. All this implied that the entire community approved the raid and benefited from it. Targeted communities were challenged in advance, and the battle was fought outside the villages. Women and children were consequently spared and the death toll was kept down.²¹ Nowadays, raiding patterns have changed. The attacks are planned and carried out by smaller groups of young warriors, often without the consent of the elders and the wider community. In many cases, the raids are secretive and the targeted community is taken by surprise. The rustlers may descend upon a village, killing women and children, but trying to avoid the enemy warriors.²² With the changing nature of cattle rustling, the frequency of raids has caused a considerably higher impact on societies affected.

A factor helping to explain the rise of cruel raids, performed increasingly by small groups of young warriors, is the **waning authority of the elders**, traditionally an important actor to balance the pros and cons of a raid. The elders, presumed to act in the interest of the entire community, tried to avoid thefts from neighbours, because this could harm the inter-community relationships and its accompanying advantages.²³ During the colonial era, their authority got a first blast. The traditional leaders were sidelined by the new administration that created a modern leadership structure. Today there is still confusion about how customary leadership relates to the elected local authorities.²⁴ Further, during these last decades the traditional transfer of power and authority by the elders to younger generations is being held off within the Karamoja communities. This strengthens a feeling of disgruntlement within the younger generations, decreasing their sympathy and respect for the elders and their authority.²⁵ Additionally, there is the worsening poverty and the elders' rising inability to ensure food security, which affects their status.²⁶

Traditional authority and the old raiding patterns have, among other things, been seriously affected by the **widespread proliferation of small arms** in the Horn of Africa. Small arms flooding into the

¹⁷ C. Chapman and A. Kagaha: "Resolving conflicts using traditional mechanisms in the Karamoja and Teso regions of Uganda", Minority Rights Group International, August 2009: p. 2

¹⁸ C. Chapman and A. Kagaha: "Resolving conflicts using traditional mechanisms in the Karamoja and Teso regions of Uganda", Minority Rights Group International, August 2009: p. 2

¹⁹ E. Stites, D. Akabwai, D. Mazurana and P. E. Ateyo: "Angering Akujũ: Survival and Suffering in Karamoja - A Report on Livelihoods and Human Security in the Karamoja", Feinstein International Center, December 2007: p. 4

²⁰ I. Farah: "Human Security and the Livelihood of Pastoral Communities in the Horn of Africa.", p.181-199, in M. Mwangi: Human Security – Setting the Agenda for the Horn of Africa, Africa Peace Forum, 2008, p. 288: p. 182

²¹ E. Stites, D. Akabwai, D. Mazurana and P. E. Ateyo: "Angering Akujũ: Survival and Suffering in Karamoja - A Report on Livelihoods and Human Security in the Karamoja", Feinstein International Center, December 2007: p. 57

²² D. Akabwai and P. E. Ateyo: "The scramble for cattle, power and guns in Karamoja.", Feinstein International Center, December 2007, p. 25-26

²³ E. Stites, D. Akabwai, D. Mazurana and P. E. Ateyo: "Angering Akujũ: Survival and Suffering in Karamoja - A Report on Livelihoods and Human Security in the Karamoja", Feinstein International Center, December 2007: p. 62

²⁴ C. Chapman and A. Kagaha: "Resolving conflicts using traditional mechanisms in the Karamoja and Teso regions of Uganda", Minority Rights Group International, August 2009: p. 2, 4

²⁵ E. Stites, D. Akabwai, D. Mazurana and P. E. Ateyo: "Angering Akujũ: Survival and Suffering in Karamoja - A Report on Livelihoods and Human Security in the Karamoja", Feinstein International Center, December 2007: p. 16-18, 61

²⁶ C. Chapman and A. Kagaha: "Resolving conflicts using traditional mechanisms in the Karamoja and Teso regions of Uganda", Minority Rights Group International, August 2009: p. 2

region because of frequent conflicts, have become widely available and cheap. Reliable information on the number of small arms present in Karamoja region is practically nonexistent. It is estimated between 30.000 and 200.000 firearms are circulating in the Karamoja region.²⁷ It enables cattle rustlers to successfully raid other communities in small bands, outside of their own communities' consent, for their own profit.²⁸ The repercussions, however, often recoil upon the entire community of the warriors, as raids produce revenge attacks. In many cases, counter-raids are not directed towards the attackers' village, because of ignorance or power gaps, which affects third communities.²⁹ Apart from that, the proliferation of small arms has also changed the power balance in the Karamojong communities. It appears elders are more reluctant to punish someone who himself holds a gun.³⁰

The **changing value of cattle** is another factor leading to increased insecurity in the Karamoja Cluster. Traditionally, cattle had an important cultural and social value to the pastoralist communities. Over time, the traditional value lost weight in favour of the economic value, because of the rising demand for cattle products. Commercial reasons have therefore become the primary motive for cattle raiding in the region.³¹ Nowadays, the objective of the raid is mostly personal rapid profit, conducted by a small group of warriors, often no more than ten. The looted cattle are quickly sold or bartered for guns, alcohol, food or other goods. In the past, the reasons for carrying out a raid were much more diverse. Next to an increase of wealth, the community aimed to use the cattle to redistribute wealth and food in times of scarcity, to avert competition for resources within the community. Furthermore, raids were a way for young men to prove their manhood and to acquire dowry,³² as a bride price can amount to 100 head of cattle.³³

Fighting the security problem and executing disarmament exercises will be particularly difficult, as the commercial nature of cattle rustling has **attracted powerful individuals**, such as politicians, government officials, military officers, wealthy businessmen and traders.³⁴ A local newspaper, for example, reported recently on the Ugandan army officer Brigadier Matayo Kyaligonza's involvement in the theft of cows.³⁵

The weak presence of state institutions in the Karamoja region, the **lack of law and order**, and the police's inability to deal with the security problem creates an environment open for armed raiding.

Colonial governments cracked down on rising levels of insecurity through emergency law. This policy suppressed the symptoms of the problem, but did not address the deeper social, political and economic causes of it. Consequently, after independence, insecurity flared up as the post-colonial governments could not avert the violence with the same display of power as colonial governments did.³⁶ In 2006, it was reported no more than 137 policemen were present in the Karamoja region. With a population reaching almost one million, it means there is one policeman for 7.300 civilians, far below the UN standard recommending 1 policeman per 450 civilians and the Ugandan national average of 1 per 1.800.³⁷

Looking at the judicial system and conflict resolution in the Karamoja region, one can observe a tension between traditional conflict resolution mechanisms and the formal state mechanisms for justice and conflict resolution. Neither of them is however capable of delivering true justice and compensation.

²⁷ *"Get the Gun!" - Human Rights Violations by Uganda's National Army in Law Enforcement Operations in Karamoja Region*, Human Rights Watch, September 2007: p. 15

²⁸ D. Akabwai and P. E. Ateyo: *"The scramble for cattle, power and guns in Karamoja."*, Feinstein International Center, December 2007, p. 26

²⁹ J. Bevan: *"Blowback Kenya's Illicit Ammunition Problem in Turkana North District"*, Small Arms Survey, June 2008: p. 25

³⁰ C. Chapman and A. Kagaha: *"Resolving conflicts using traditional mechanisms in the Karamoja and Teso regions of Uganda"*, Minority Rights Group International, August 2009: p. 4

³¹ N. Alusala: *"Re-thinking forceful civilian disarmament in the Horn of Africa"*, Institute for Security Studies, 8 October 2010

³² E. Stites, D. Akabwai, D. Mazurana and P. E. Ateyo: *"Angering Akujũ: Survival and Suffering in Karamoja - A Report on Livelihoods and Human Security in the Karamoja"*, Feinstein International Center, December 2007: p. 60

³³ *UGANDA: The rule of the gun in Karamoja*, in *"Guns out of Control: the continuing threat of small arms"*, IRIN, May 2006

³⁴ D. Akabwai and P. E. Ateyo: *"The scramble for cattle, power and guns in Karamoja."*, Feinstein International Center, December 2007, p. 27-28

³⁵ *Museveni to Probe Cattle Theft Reports*, New Visio, 6 December 2010

³⁶ I. Farah: *"Human Security and the Livelihood of Pastoral Communities in the Horn of Africa."*, p.181-199, in M. Mwagiru: *Human Security – Setting the Agenda for the Horn of Africa*, Africa Peace Forum, 2008, p. 288: p. 186

³⁷ *"Get the Gun!" - Human Rights Violations by Uganda's National Army in Law Enforcement Operations in Karamoja Region*, Human Rights Watch, September 2007: p. 18

The formal state mechanisms are not adequately implanted in the region and lack the local population's trust. Traditional mechanisms on the other hand are firmly embedded in the local communities and are present in areas where state authority is completely missing. During the last decades, however, these mechanisms have failed to cope with the rising level of violence. Among other things, this has been caused by the aforementioned waning authority of the elders, a lack of equality and the failing of enforcement of punishment and compensation because of the widespread presence of firearms.³⁸ Being unable to respond to thefts and raid, to try the culprits and to provide compensation to victims, the state can not prevent retaliation, and as such can not halt the cycle of violence.³⁹

The state's security and justice institutions thus hardly succeed in delivering security and justice in the Karamoja region. In case of cross-border raids it is even almost impossible to regain the stolen cattle in a lawful manner.⁴⁰ Recently, however, Kenyan authorities allowed Ugandan soldiers to pursue Pokot raiders on Kenyan territory. Such cooperation is still rather exceptional, but might be essential to curb cattle rustling in the future.⁴¹

The level of insecurity and the lack of law and order boost the proliferation of small arms in the region. On the one hand firearms offer a means to gain rapid profit through rustling, on the other they are indispensable to defend one's livestock and family against raiders. Pastoralists have to rely on self-defence because of the weak state security apparatus.⁴²

2.4. Disarmament operations

To be effective, initiatives to fight the problem of cattle rustling, gun violence and the proliferation of small arms and light weapons in the borderlands between Sudan, Uganda and Kenya, should consider all the wide array of underlying socio-economic and political roots of the problem. The supply side as well as the demand side of the arms proliferation should be taken into account to establish a successful disarmament campaign.

Governments in the Horn of Africa, however, tend to apply narrow-mined security approaches to address this multifaceted problem, focussing on the supply side and apparently considering the firearms as the primary cause of the problem. Forceful disarmament of civilians, carried out by military forces, has however generated counterproductive effects in Uganda and Kenya.⁴³ Another factor impeding successful disarmament is that governments have inconsistent policies on arms proliferation. In several cases, they are known to be disarming civilians and proxy militias that they armed in advance to carry out work that police and military forces cannot handle.⁴⁴

The way disarmament campaigns in the region have been carried out, has already been extensively criticized. Since May 2006 the Ugandan national army has relaunched a campaign of forced disarmament. Typical are the 'cordon-and-search' operations, in which soldiers surround the villages, obliging civilians to come out while they search their houses for firearms.⁴⁵ From one point of view, these campaigns turned out to be successful. According to a recent newspaper article the number of illegal guns in the

³⁸ C. Chapman and A. Kagaha: "Resolving conflicts using traditional mechanisms in the Karamoja and Teso regions of Uganda", Minority Rights Group International, August 2009

³⁹ D. Easton: "The Business of Peace: Raiding and Peace Work Along the Kenya-Uganda Border (Part I)", African Affairs, Volume 107 (2008), Issue 426: p. 89-110; "(Part II)", African Affairs, Volume 107 (2008), Issue 427: p. 243-259

⁴⁰ E. Stites, D. Akabwai, D. Mazurana and P. E. Ateyo: "Angering Akujũ: Survival and Suffering in Karamoja - A Report on Livelihoods and Human Security in the Karamoja", Feinstein International Center, December 2007: p. 60

⁴¹ "Army Recovers 150 Head of Cattle", *New Vision*, 2 September 2010

⁴² N. Alusala: "Re-thinking forceful civilian disarmament in the Horn of Africa", Institute for Security Studies, 8 October 2010; I. Farah: "Human Security and the Livelihood of Pastoral Communities in the Horn of Africa", p.181-199, in M. Mwangiru: Human Security – Setting the Agenda for the Horn of Africa, Africa Peace Forum, 2008, p. 288: p. 188

⁴³ N. Alusala: "Re-thinking forceful civilian disarmament in the Horn of Africa", Institute for Security Studies, 8 October 2010

⁴⁴ UGANDA: *The rule of the gun in Karamoja*, in "Guns out of Control: the continuing threat of small arms", IRIN, May 2006 ; "Get the Gun!" - Human Rights Violations by Uganda's National Army in Law Enforcement Operations in Karamoja Region", Human Rights Watch, September 2007: p. 30

⁴⁵ "Get the Gun!" - Human Rights Violations by Uganda's National Army in Law Enforcement Operations in Karamoja Region", Human Rights Watch, September 2007: p. 2-3

region has been reduced from an estimated 40.000 to 50.000 in 2001, to less than 10.000 today.⁴⁶

Several human rights organizations however have denounced the excessive use of force applied by the Ugandan Peoples' Defence Force during these disarmament campaigns.⁴⁷ Human rights violations and abuses committed by the UPDF have seriously increased the pastoral communities' mistrust in the state apparatus.⁴⁸ These violations are alleged to include unlawful killings, torture, arbitrary detention, theft and destruction of property.⁴⁹

Another unintended side effect of the Ugandan disarmament campaigns was that it left the disarmed communities powerless and unprotected, because of the lack of law and order and the incapacity of the state's security institutions. Weapons have become an indispensable means to defend livestock and to access limited resources vital for the cattle.⁵⁰ Communities that have undergone disarmament are justified in fearing attacks by cattle rustlers, still in possession of their arms,⁵¹ a consequence of unbalanced disarmament. The campaign was not executed simultaneously throughout the Karamoja region. While one village had handed over its arms, another still possessed theirs. The groups that retained their firearms could easily raid the disarmed ones.⁵² In several cases, no more than a few days after a village had been disarmed, a raid struck its population.⁵³ Because of the weak state security apparatus, the disarmed pastoralists cannot be guaranteed security by the state.

Improved coordination and regional cooperation in disarmament exercises would certainly facilitate its effectiveness. A plan, recently developed by Ugandan and Kenyan authorities, to set up a joint cross-border disarmament in Uganda's Karamoja district and North Pokot in Kenya, might be an interesting development. It could be an important step to tackle unbalanced disarmaments.⁵⁴

⁴⁶ "Army Under Scrutiny for Rights Abuses in Karamoja", *The East African*, 11 October 2010

⁴⁷ "Blood at the Crossroads: Making the case for a global Arms Trade Treaty", Amnesty International, 30 November 2008: p. 101

⁴⁸ Chapman et al., August 2009, o.c., p. 1

⁴⁹ "Get the Gun!" - Human Rights Violations by Uganda's National Army in Law Enforcement Operations in Karamoja Region", Human Rights Watch, September 2007: p. 3

⁵⁰ "Get the Gun!" - Human Rights Violations by Uganda's National Army in Law Enforcement Operations in Karamoja Region", Human Rights Watch, September 2007: p.3

⁵¹ C. Chapman and A. Kagaha: "Resolving conflicts using traditional mechanisms in the Karamoja and Teso regions of Uganda", Minority Rights Group International, August 2009: p. 3

⁵² D. Akabwai and P. E. Ateyo: "The scramble for cattle, power and guns in Karamoja.", Feinstein International Center, December 2007, p. 32

⁵³ E. Stites, D. Akabwai, D. Mazurana and P. E. Ateyo: "Angering Akujũ: Survival and Suffering in Karamoja - A Report on Livelihoods and Human Security in the Karamoja", Feinstein International Center, December 2007: p. 6

⁵⁴ "Kenya and Nation to Start Joint Disarmament", *The Monitor*, 29 November 2010

3. Arms Proliferation in the Great Lakes Region and East Africa

3.1. Sea and land routes

The **seaport of Mombasa is the main gateway** for East and Central Africa.⁵⁵ In the 2009 Logistics Capacity Assessment for Kenya, performed by the Global Logistics Cluster Support Cell of the United Nations World Food Programme, it is indicated that the seaport of Mombasa serves Kenya, Uganda, Rwanda, Burundi, DRC, Southern Sudan, Ethiopia, Somalia and Northern Tanzania.⁵⁶ In addition the Kenya Ports Authority announces the possibility of a megaport near Lamu with a direct rail connection to South Sudan, and possibly a road and land connection through Central African Republic and Cameroon. The Government of South Sudan has expressed its interest in the project. Another important sea port for the region is Dar es salaam.

Import by Country through Mombasa – 2008 (metric tons)							
(Logistics Capacity Assessment 2009 – Kenya, WFP)							
Kenya	Uganda	DR Congo	Rwanda	Tanzania	Sudan	Burundi	Somalia
11,541,074	3,701,255	304,401	293,501	250,805	223,281	56,755	43,176

After arrival at the seaport of Mombasa the main method of transportation for any kind of goods is by land route.⁵⁷ A steady stream of trucks passes – back and forth – from Mombasa to the hinterland: eastern DR Congo, Burundi, Rwanda, Uganda, (South Sudan). In Mombasa natural resources are off-loaded from the trucks, while they are then reloaded for subsequent transportation back to various clients in the hinterland. In 2010 one such transport – an ammunition transport for the United Nations Mission in Congo no less – was hijacked by armed robbers. Kenyan law enforcement officials were displeased with the lack of security the United Nations had provided.⁵⁸

In general weapons and ammunition are smuggled on foot across the porous borders with North Uganda, South Sudan, Ethiopia or Somalia.⁵⁹ Another major smuggling method is the use of public transport (buses) to smuggle guns across borders (Tanzania, Uganda).⁶⁰

In 2010 Kenyan law enforcement authorities have made several arrests along the Somali border. In September an ammunition cache was discovered on a mini-bus.⁶¹ In May a truck was stopped, crossing the Somali border into Kenya, carrying ammunition.⁶²

⁵⁵ S. Finardi and P. Danssaert: *“The role of Road and Air Transport in the Export of Minerals from eastern DR Congo’s Mining Sites to Mombasa”* (tentative title) (forthcoming IPIS vzw, 2011). See also Kenya Ports Authority Handbook 2010-2011. Another major transport hub is the sea port of Dar es salaam.

⁵⁶ It should also be noted that the sea port of Dar-es-Salaam performs a similar function, servicing Burundi, Uganda, Rwanda and DRC. (Shipping documents e-archive author.)

⁵⁷ Confidential interviews with Kenyan officials.

⁵⁸ Confidential interviews with Kenyan officials.

⁵⁹ Confidential interviews with Kenyan officials and civil society.

⁶⁰ Confidential interviews with Kenyan officials.

⁶¹ “Kenyan police intercept illegal weapons in region bordering Somalia”, *BBC Monitoring Service*, 30 September 2010.

⁶² “Kenyan police intercept ammunition smuggled from Somalia”, *BBC Monitoring Service*, 5 May 2010.

3.2. Supply of weapons

The local governments in East Africa are a major source of ammunition in the region. **Fifty (50) percent of all ammunition used in East Africa is locally manufactured.** The following countries in the region have ammunition-manufacturing capability: Kenya, Sudan, Tanzania, Ethiopia and Uganda. No official information is available on ammunition exports from these various countries.⁶³

3.2.1. East African ammunition capability

It should be noted that the **Kenyan Ordnance Factory Corporation (KOFC)**, located in Eldoret, has access to Eldoret International Airport and has a direct rail connection to Kisumu port at Lake Victoria. Kisumu is a busy port servicing Lake Victoria. Within Lake Victoria is located the contested island Mijingo (Migingoo). Which has been identified by Kenyan customs officials as a hub for SALW smuggling.⁶⁴

The Kenya Ordnance Factory Corporation, codenamed N'Gano Farm Project⁶⁵, came into the limelight during 1996 after it was revealed by the Belgian daily newspaper *De Morgen* that Kenya had begun to build an ammunition factory with assistance from the Belgian arms company Fabrique Nationale Herstal. The origin of KOFC dates back to the 1970s when tensions in East Africa intensified and Kenya felt threatened from all sides. Ethiopia had just witnessed a *coup-d'état* under guidance of the Armed Forces Coordinating Committee or *Dergue*, which promoted Ethiopian socialism. Rising tensions over the Ogaden desert led to full scale war between Ethiopia and Somalia in 1977-1978. The conflict quickly spread beyond the borders of the Ogaden into neighbouring provinces, and the Northern Frontier District of Kenya was used by Somali forces as a transit area – a district to which the Somalis had previously laid some claims. Meanwhile the Ugandan President, Idi Amin Dada, claimed certain parts of Kenya, while socialist Tanzania expressed ideological differences with the government in Nairobi.⁶⁶ For Nairobi an apparently secret defence pact with Great Britain did not serve to withstand all the threats that Kenya perceived. Ammunition supply from Britain was slow, and above all, unpredictable and costly. Self-sufficiency seemed to be the most viable option. Design of the Ordnance Factory began in the late seventies but would remain on paper for almost 10 years (1979-1988).⁶⁷

A 75 million euro deal was reportedly made in 1988 between FN Herstal and a Kenyan limited liability company.⁶⁸ FN Herstal's 1989 annual financial report listed a huge order for FN Engineering for the establishment of an ammunition factory in an undisclosed country: "*The biggest contract in this sector for the past five years*"⁶⁹. The Belgian newspaper *De Morgen* noted that President Daniel Arap Moi, vice-president Saitoti and former vice-president Biwot had a major interest in the Kenyan limited liability company.⁷⁰ Construction began in 1989, but was halted in 1990 when the allocated US\$6 million, for the construction of the infrastructure, was used up and no new money was forthcoming. In this first phase the access road-works were finished.⁷¹ Construction was finally resumed in 1995, and finalised in 1996. At least three Belgian companies were involved in the construction of the ammunition plant: FN Herstal, M.A.D. and New Baron & Lévêque International (NBLI). The latter two companies worked as sub-contractors for FN Herstal and/or the Kenyan Department of Defence and built most of the infrastructure.⁷²

⁶³ Confidential interviews with Kenyan officials.

⁶⁴ Confidential interviews with Kenyan officials.

⁶⁵ <http://www.cecoforma.be/en/articles/cecoforma/references/technical-assistance-and-consultance.cfm> (26/11/2010); See also: Peter Danssaert, *FN Herstal: Licensed Production*, Small Arms Survey, Background Paper, 2001.

⁶⁶ A.S. Banks; T.C. Muller (eds.) (1998): *Political Handbook of the World 1998* (CSA Publications, SUNY, 1998); ISSS (1978): *Strategic Survey 1977* (ISSS, London); ISSS (1979): *Strategic Survey 1978* (ISSS, London)

⁶⁷ Kenya Ordnance Factory Corporation, Small Arms Survey, Background Paper, Geneva: Small Arms Survey, 2001

⁶⁸ "Belgische staat waarborgt FN-fabriek in Kenia", *De Morgen*, 22 March 1996; "Secret arms factory", *New African*, July/August 1996, p. 20; "Row over munitions factory", *New African*, October 1996, p. 32

⁶⁹ Fabrique Nationale (1990): *Verslagen 1989* (Herstal, juni 1990)

⁷⁰ "Belgische staat waarborgt FN-fabriek in Kenia", *De Morgen*, 22 March 1996

⁷¹ Kenya Ordnance Factory Corporation, Small Arms Survey, Background Paper, Geneva: Small Arms Survey, 2001

⁷² See <http://egmfkenya.co.ke/Projects/Electromechanical/NganoFarmElectricityProject.aspx>; <http://egmfkenya.co.ke/Projects/Electromechanical/NganoFarmFactoryProject.aspx>; Peter Danssaert, *FN Herstal: Licensed Production*, Small Arms Survey,

Three calibre types in seven variants are produced at the Ordnance Factory:

- 9x19mm;
- 7.62mm x 51 mm (long) in ball and blank;
- 5.56mm in ball and blank.⁷³

The ammunition is stamped with a "KOF" mark and a batch number that gives an indication of the year of manufacture⁷⁴.

In 2001 it was estimated that the factory would have a production capacity of 20 million rounds of 7.62mm ammunition annually.⁷⁵ The *East African* alleged in 1999 that the factory's ammunition production was intended to be supplied to the Kenyan armed forces, while any surplus would be bought by FN Herstal. According to the KOF website the ammunition is intended for the Kenyan Army, Police and private security companies, but also for "approved friendly governments / nations"⁷⁶.

The Small Arms Survey in its 2008 yearbook reported that "*in northern Kenya 40 per cent of ammunition on the illicit market has leaked from Kenyan armed forces*"⁷⁷. Within Kenya a major problem is corruption amongst law enforcement officials. Police officers either sell weapons to criminals or licit weapons are leased to criminals.⁷⁸ Another issue is accountability for government property – this can be illustrated by the case of Police Corporal Richard Ramatta Jillo (PF/No. 61956). "*On 29th September, 2006, he was the Division Duty Officer at Mwingi Police Division. He was issued with a Ceska Pistol, serial No.SNOF3120 with 15 rounds of ammunition. He proceeded on mobile patrol within Mwingi Township in the company of two other police officers. They conducted their patrol up to the early hours of 30th September, 2006, when he left the others and proceeded to Kanini Kaseo Bar, where he engaged in a drinking spree in the company of a woman until 6.00 a.m. He hired a room to sleep where he went accompanied by the woman, woke up late and found the lady, the Ceska Pistol loaded with 15 rounds of ammunition and his mobile phone missing. The officer then alerted his colleagues and conducted a fruitless search without informing his superiors. Later the same day at about 4.00 p.m., he made an official report in the occurrence book. A police inquiry within Mwingi No.1/2006 was opened to inquire into the circumstances leading to the loss of the fire arm and ammunition. After the inquiry, the officer was charged before a court in police case file No.CR491/203/206 and court file No.1215/2006 with the following offences:- Count one was failing to ensure safe custody of a firearm contrary to Sections 18(3) and (4) of the Firearms Act, Cap.114, Laws of Kenya. Count two was failing to ensure safe custody of ammunition contrary Sections 18(3) and (4) of the Firearms Act, Cap.114, Laws of Kenya. The court case was finalized on 9th May, 2007, and the accused was acquitted under Section 215 of the*

Background Paper, 2001. All the necessary export licences were provided by the Belgian government after a favourable advise from the Belgian Ministry of Foreign Affairs. In January 1996 an export licence was signed for Eldoret by the then vice-Prime Minister and the Minister of Finance and Foreign Trade. According to the then minister of Foreign Affairs Derycke the issued export licence was for the civilian part of the Eldoret contract because the military part had already been completed ("Mondelinge vraag van de heer Anciaux aan de minister van Buitenlandse Zaken...", Belgische Senaat, *Parlementaire Handelingen*, Vergaderingen van donderdag 28 maart 1996). Meanwhile the Belgian government was professing a policy of conflict prevention for the Great Lakes Region in Africa. ("Mondelinge vraag van de heer Anciaux aan de minister van Buitenlandse Zaken...", *Ibidem*.) After the revelations in *De Morgen* a political uproar ensued over the matter. Several members of parliament demanded the necessary answers from the Belgian government. In 1996 it was estimated that production would begin in 1997, but during 1996 the rumour spread that the factory was already test-running and had allegedly sold ammunition to Hutu-militias in Eastern Zaire. Due to this the Belgian government suspended the contract between FN and the Kenyans on the 14 November 1996 for sixty days. But on November 22 *De Morgen* announced that FN was to send two additional engineers to Kenya to join their six colleagues, who had been present since several months. ("FN stuurt nog twee ingenieurs naar Eldoret", *De Morgen*, 22 november 1996; "Interpellatie van de heer Lode Vanoost tot de vice-eerste minister en minister van Financiën en Buitenlandse Handel en de minister van Buitenlandse Zaken...", Commissie voor de Buitenlandse Betrekkingen, *Handelingen van de Kamer*, 27 november 1996) These six FN engineers were there to provide technical assistance to get the production of the factory going. Questions were raised in the Belgian parliament why the 6 engineers weren't recalled from Kenya, nor why the government did not prevent the 2 engineers from going to Kenya. ("Interpellatie van de heer Lode Vanoost tot de vice-eerste minister en minister van Financiën en Buitenlandse Handel en de minister van Buitenlandse Zaken...", *Ibidem*)

⁷³ Kenya Ordnance Factory Corporation website, <http://kofc.co.ke/products.htm>.

⁷⁴ Kenya Ordnance Factory Corporation, Small Arms Survey, Background Paper, Geneva: Small Arms Survey, 2001

⁷⁵ "Belgische staat waarborgt FN-fabriek in Kenia", *De Morgen*, 22 March 1996; "Kenyan ammo factory finally gets political recognition", *East African*, April 3-8, 1999.

⁷⁶ Kenya Ordnance Factory Corporation website, http://kofc.co.ke/about_us.htm.

⁷⁷ *Small Arms Survey 2008*, Cambridge University Press, 2008: p. 43.

⁷⁸ Confidential interviews with Kenyan officials and civil society.

*Criminal Procedure Code on the grounds that the case was not proven beyond reasonable doubt.*⁷⁹

On 7th December 2009 a businessman was arrested in Narok by the Kenyan police for having in possession approx. 100,000 rounds from KOFC and the British army. *“Preliminary investigations indicated that part of the ammunition was from the Administration Police Training College, and the British Military Training Base at Nanyuki.”*⁸⁰ Also under arrest were the chief armourer of the Administration Police, and a civilian working at the Nanyuki British Army base.⁸¹

Between 2004-2005 the **Tanzanian Mzinga Corporation** tried to obtain new ammunition manufacturing equipment from a Belgian company to enhance the existing production capability to 10 million rounds per year. This coincided with the approximately 700 rounds/firearm in use every year by the Tanzanian armed forces. The United States and Belgium, for example, use only 56 rounds per weapon in peacetime!⁸² In a 2002 interview conducted by the Centre for Peace and Economic Development (Cepede) with the general manager of the Mzinga Corporation the latter confirmed, *“that deliberate efforts were being made to secure markets in the neighbouring countries of Kenya, Uganda, Zambia, Rwanda, Burundi, Democratic Republic of Congo and Mozambique.”*⁸³

RECSA claims that the **Ugandan Nakasongola** factory⁸⁴ only manufactures ammunition for training purposes but the Feinstein International Center reported in 2007 the diversion of Nakasongola ammunition by the Ugandan military to pastoralists: *“A number of informants, including high level district government officials, alleged that Ugandan military commanders sell arms and ammunition to the Karamojong warriors. One government official told us—on conditions of anonymity: The soldiers are also known to sell bullets to the warriors. The local councillors have discovered that the warriors acquire the Nakasongola [sic] bullets. The source of such bullets can only be the soldiers! The army commanders do not like such revelations and they even victimize those trying to disclose such corruption. The local council leaders have a cold relationship with the army commanders in the district. They accuse the local councillors of interfering with security matters.”*⁸⁵

In 2005 researchers of the International Peace Information Service obtained a classified report, written by military attaches stationed in Kampala, claiming that *“the Ugandan military ammunition facility at Nakasongola has been in the habit of repairing - and subsequently renumbering - weapons of various types. This facility, which is managed - says the classified report - by the wife of the Defence Minister, was established for the UPDF by the Chinese government and there have been reports in the past of that facility producing ammunition (7.62x39mm) used by various factions involved in the Congolese war”*⁸⁶.

Ammunition production in **Ethiopia** can be traced back to the 1950s when Czechoslovakia provided technical assistance to build an ammunition factory.⁸⁷ Negotiations for the construction of the plant had begun in March 1948 and were concluded in June 1948. Construction of the plant was completed in 1953.⁸⁸ Under the Dergue regime (1974-1991) the defence production base was further enhanced with help from the Soviet Union and other Eastern Bloc countries. Management of the various production plants came under the auspices of the Defence Industry Sector (DIS). Ammunition production was consolidated in the Homicho Ammunition Engineering Complex (HAEC).⁸⁹ In 2009 the Ethiopian Prime

⁷⁹ Kenyan National Assembly – Official Report, 7 July 2010.

⁸⁰ Kenyan National Assembly - Official Report, 23 March 2010.

⁸¹ See various articles in *The Standard* and *Daily Nation*, between December 2009 and June 2010.

⁸² This is approximately 700 rounds/firearm in use by the Tanzanian armed forces. The United States and Belgium use 56 rounds per weapon in peacetime!

⁸³ Document in IPIS archive. See D. Verbruggen, P. Danssaert, J. Peleman, et. als.: *“Wapentrafieken in de regio van de Grote Meren: Tanzania”*, dossier for Belgian Ministry of Foreign Affairs, June 2005.

⁸⁴ Formerly Luwero Industries.

⁸⁵ D. Akabwai, P. E. Ateyo: *“The Scramble for Cattle, Power and Guns in Karamoja”*, Feinstein International Center, 2007: p. 19. See also: *“Blowback. Kenya’s Illicit Ammunition Problem in Turkana North District”*, Small Arms Survey, 2008: p. 35, 37.

⁸⁶ P. Danssaert & B. Johnson-Thomas: *“Greed and Guns: Uganda’s Role in the Rape of Congo”*, IPIS vzw, Antwerp, July 2006.

⁸⁷ B. F. Griffard & J. F. Troxell: *“Enhancing Professional Military Education in the Horn of Africa”*, Issue Paper, Center for Strategic Leadership, U.S. Army War College, 2009.

⁸⁸ Jan Dvořáček: *“Československo-Etiopské vztahy 1955-1974”*, Thesis, Pardubice University, 2009; Shrnutí výsledků vědeckého projektu MZV RM 03/28/04 - Československo a subsaharská Afrika v letech 1948–1989 (www.mzv.cz).

⁸⁹ B. F. Griffard & J. F. Troxell: *“Enhancing Professional Military Education in the Horn of Africa”*, Issue Paper, Center for Strategic

Minister announced to boost arms production. According to Agence France Press, Ethiopia “manufactures assault rifles, rocket propelled grenades, small arms and hosts an assembly plant to manufacture tanks”. Prime Minister Meles Zenawi said: “Our main objective is to reduce our defence expenditure and its pressure on availability of foreign exchange. In order to do that, we have to reduce our imports and improve our exports. The objective is to take care of our defence requirements, primarily in terms of ammunition and partly in terms of armaments”⁹⁰. In June 2010 the nine defence companies were put under management of the Metals and Engineering Corporation (MetEC).⁹¹ Ammunition is allegedly smuggled from Ethiopia into Kenya within ‘jerry cans’ which normally carry fuel. The manufacturer of said ammunition is unknown.⁹² There is some suggestion that this smuggling may form part of larger people trafficking operations but, so far as the authors are aware, this has yet to be conclusively demonstrated.

In **Sudan** ammunition production is the responsibility of the Military Industry Corporation (MIC). The first small arms ammunition plant (the Al Shagara Industrial Complex) was built in the 1960s. The origins of the MIC begin in the early 1990s. In 1994 Al Shagara was incorporated into the MIC.⁹³

3.2.2. Major arms suppliers to East Africa

The recorded arms suppliers to **Kenya** are: China, Spain, United Kingdom, United States, Pakistan, Eritrea, Israel, Burundi, South Africa, France, Italy... Between 2006 and 2009 Kenya has officially imported at least \$US50 million of military equipment.⁹⁴ (See Addendum 1)

Uganda procures arms and ammunition from: Israel, Romania, Serbia, Slovakia, South Africa, United Arab Emirates, United Kingdom and the USA. (See Addendum 2)

South Sudan is armed by Kenya, Ethiopia and Ukraine.⁹⁵ (See *infra*.)

Interviewees have pointed out that weapons supplied to the various countries in the region will eventually cross the porous borders.⁹⁶ Pointing at neighbouring countries is thus a method frequently used by the countries in the region to explain the influx and proliferation of small arms and ammunition within their territory. This is however an inadequate explanation,⁹⁷ which will be elucidated by the following parts. Moreover, there is the constantly rising tide of insecurity, which the region’s governments can not handle, pushing further the demand for SALW.

3.3. Diversion of weapons

3.3.1. Internal

There is a strong internal demand within **Kenya** for SALW and ammunition. This demand stems partially from the pastoralist communities who cannot rely on the Kenyan government for security.⁹⁸ The Kenyan security forces supply weapons and ammunition to pastoralists to secure certain areas from trans-border raids.⁹⁹ These claims are supported by recent research: “the Kenya Police supplies almost 50 per cent of the ammunition that circulates illegally in Turkana North, ostensibly to provide the Turkana with

Leadership, U.S. Army War College, 2009.

⁹⁰ “Ethiopia to boost arms production: PM”, *AFP*, 14 April 2009.

⁹¹ “Metals Corp umbrella soon to cover new entrants”, *Addis Fortune*, 8 November 2010.

⁹² Confidential interviews with Kenyan civil society.

⁹³ www.mic.sd

⁹⁴ United Nations COMTRADE data. See also forthcoming report “*The Arms Flyers*”.

⁹⁵ Mike Lewis: “*Skirting the Law: Sudan’s Post-CPA Arms Flows*”, Small Arms Survey, Geneva, 2009. The major players in arming Sudan are for instance China, Iran, Belarus, Saudi Arabia, Egypt, Italy, Germany, and the Russian Federation. (“Sudan: arms continuing to fuel serious human rights violations in Darfur”, Amnesty International, AFR5401907, May 2007.)

⁹⁶ Confidential interviews with Kenyan civil society.

⁹⁷ J. Bevan: “*Blowback Kenya’s Illicit Ammunition Problem in Turkana North District*”, Small Arms Survey, June 2008: p. 30

⁹⁸ Confidential interviews with Kenyan officials.

⁹⁹ Confidential interviews with Kenyan officials and civil society.

some defence against rival groups in Sudan and Uganda"¹⁰⁰. Apparently state and non-state actors have the same source for ammunition.¹⁰¹ These weapons are handed from father to son. Africa Peace Forum (hereafter APF) estimates that each pastoralist family has 2 rifles. The pastoralists are willing to disarm if the Kenyan government would be able to secure their safety. APF claims that the instability stems from a lack of resources (water, land) and a burdening overpopulation, but most importantly a lack of law and order.¹⁰²

A similar situation exists in **Uganda** where the army supports and arms local militias, and corrupt soldiers sell weapons and ammunition to pastoralists.¹⁰³ Just like Kenya, the Ugandan government applies auxiliary forces to provide security to communities in areas where the presence of the state's authority is lacking. The auxiliary forces are provided with weapons and ammunition by the government, but with limited law enforcement training. Combined with the fact that the members of these forces are recruited among the local communities, weapons and ammunition are frequently deviated to the wrong hands.¹⁰⁴ This finding has been substantiated by James Bevan with statistical data showing strong correlation between the ammunition circulating within local communities in Kenya and Uganda on the one hand, and local auxiliary forces on the other.¹⁰⁵

A similar concept, that of arming local militias to halt the abuses committed by armed groups, springs up currently in **Southern Sudan**. Local leaders in Western Equatoria are demanding the Southern Sudanese government arm the Arrow Boys militia, so they can protect the population against the LRA rebellion's attacks.¹⁰⁶

3.3.2. External

3.3.2.1. Kenya

The **Kenyan government has been identified as a conduit** for weapons to neighbouring countries. More specifically reference has been made to the content of the motor vessel 'Faina' and its final destination in South Sudan.¹⁰⁷ Here we should initially observe both that it remains unclear whether the events surrounding the shipment on the 'Faina' were the deliberate result of State policy or perhaps simply those within the state system who wished to realise a personal profit and also that, whilst there is limited linkage between State level action and local level actions, such linkage nevertheless exists. The m/v 'Faina' was hijacked by Somali pirates on 25 September 2008, and released after a \$US3.5 million ransom payment early in 2009. The vessel was carrying 33 Russian-made T-72 battle tanks, 150 rocket grenade launchers, six anti-aircraft guns and thousands of tonnes of small arms and ammunition.¹⁰⁸ The Kenyan government declared that the cargo was intended for its military, although the Americans claimed that the cargo was intended for South Sudan.¹⁰⁹ The cargo manifest lists the Kenyan Ministry of Defence as the consignee, but referral is made to a South Sudanese government contract.¹¹⁰ The main battle tanks used by the Kenyan armed forces are of British design.¹¹¹ In July 2009 *Jane's Defence Weekly* obtained satellite images confirming the presence of the T-72 tanks in South Sudan.¹¹² The 'Faina' was only one of three shipments: "an eyewitness in Lokichoggio, a Kenyan town on the main Kenya–Sudan road around 30 km from the Sudanese border, described seeing two night-time convoys of tanks being conveyed

¹⁰⁰ "Blowback: Kenya's illicit ammunition problem in Turkana North District", Small Arms Survey, 2008: p. 17-18.

¹⁰¹ Ibidem.

¹⁰² Confidential interviews with Kenyan officials.

¹⁰³ D. Akabwai, P. E. Ateyo: "The Scramble for Cattle, Power and Guns in Karamoja", Feinstein International Center, 2007.

¹⁰⁴ "Get the Gun!" - Human Rights Violations by Uganda's National Army in Law Enforcement Operations in Karamoja Region", Human Rights Watch, September 2007: p. 19-21

¹⁰⁵ J. Bevan: "Blowback Kenya's Illicit Ammunition Problem in Turkana North District", Small Arms Survey, June 2008: p. 41

¹⁰⁶ SUDAN: Arm militia to contain LRA in Western Equatoria, say leaders, IRIN, 10 December 2010

¹⁰⁷ Confidential interviews with Kenyan officials and civil society.

¹⁰⁸ Cargo manifest m/v Faina, in e-archive authors. For a detailed account of events see: Mike Lewis: "Skirting the Law: Sudan's Post-CPA Arms Flows", Small Arms Survey, Geneva, 2009.

¹⁰⁹ Lewis, op. cit.

¹¹⁰ Cargo manifest m/v Faina.

¹¹¹ Lewis, op. cit.

¹¹² "IMINT tracks T-72 tanks towards South Sudan", *Jane's Defence Weekly*, 8 July 2009. See also Lewis, op. cit., for further details.

by around 15 lowboy wide-load trucks in late 2007 and February 2008, heading in the direction of Sudan. These dates correspond with the (unreported) arrival by sea of the first two arms shipments in Mombasa in September 2007 and January 2008, and with subsequent Kenyan press reports of tanks being transported by rail from Mombasa on 22 November 2007 and 25 January 2008.¹¹³ The November 2007 shipment contained nearly 2 million kilograms of military equipment.¹¹⁴ To put this in perspective, an Ilyushin-76 transport aircraft can transport a maximum of 60,000 kilograms in one flight. Mike Lewis rightly notes that “an international array of actors” must have been involved, including the Kenyan government. He adds “serious questions regarding the adequate enforcement of the EU arms embargo on Sudan” can be raised. These deliveries are in violation of the Comprehensive Peace Agreement. The CPA allows arms transfers to South Sudan if the transfers have been approved by the Joint Defence Board. We are not aware that these transfers have been presented to the JDB for approval.

Shipments delivered to MoD Kenya and diverted to South Sudan		
Contract 29 December 2006	Contract 15 February 2007	Contract 5 May 2008
ZU-23-2 (23mm) anti-aircraft guns	T-72M1 main battle tanks	13,926 rounds 125mm tank ammunition
ZPU-4 (14.5mm) anti-aircraft guns	Spare parts, tools, accessories	
BM-21 GRAD 122mm multiple launch rocket systems		
RPG-7Vs rocket propelled grenade		
AKM assault rifles		
M. Lewis: “Skirting the Law: Sudan’s Post-CPA Arms Flows”, Small Arms Survey, Geneva, 2009.		

The U.S. diplomatic cables released by Wikileaks shed more light on the various arms deliveries to the Government of south Sudan. The U.S. Ambassador in Nairobi discusses, in a cable dated October 2, 2008, the capture of the m/v ‘Faina’ and the ultimate destination of its cargo. According to the cable the secrecy surrounding the destination of the cargo “is a poorly kept secret that the tanks are bound for the Government of South Sudan”¹¹⁵. The topic was discussed a year later, September 2009, during the semi-annual non-proliferation dialogue between the U.S. Embassy in Kiev and Ukrainian officials. During the meeting the U.S. representative allegedly recalled the Ukrainians that “the U.S. had raised with Ukraine in July 2008 that an additional shipment of T-72 tanks, BM-1 GRAD armored vehicles, small arms, and other military equipment planned for a late June or early July shipment to Kenya was being purchased by the Kenyan Ministry of State Defense for South Sudan”¹¹⁶. This July 2008 meeting is several months prior to the ‘Faina’ being captured by pirates. Moreover it says clearly that previous shipments had preceded this one. This is confirmed in the October 2, 2008 cable: “This is not the first time a T-72 shipment to South Sudan has been publicly diverted. In mid-February, the Government of Kenya was reported as “seizing” a shipment of tanks bound for the Sudan People’s Liberation Army as it violated the 2003 Comprehensive Peace Agreement to end Sudan’s civil war”.¹¹⁷ The Ukrainians claimed that “Ukraine... had received an end-user certificate from the Kenyan government and receipts acknowledging the arrival of the earlier tank shipment in Kenya”¹¹⁸. This was clearly a fraudulent use of the EUC by the Kenyan authorities.

¹¹³ Lewis, op. cit.

¹¹⁴ Bill of lading, cargo manifest and Mate’s Receipt in e-archive authors.

¹¹⁵ Cable: “SUBJECT: WHITHER M/V FAINA’S TANKS?” (<http://213.251.145.96/cable/2008/10/08NAIROBI2290.html>)

¹¹⁶ Cable “SUBJECT: U.S.-UKRAINE NONPROLIFERATION MEETINGS SEPTEMBER 23-24, 2009”, dated 9 November 2009 (<http://213.251.145.96/cable/2009/11/09KYIV1942.html>)

¹¹⁷ Op. cit. <http://213.251.145.96/cable/2008/10/08NAIROBI2290.html>

¹¹⁸ Op. cit. (<http://213.251.145.96/cable/2009/11/09KYIV1942.html>)

The November 9, 2009 cable from the Kiev Embassy demonstrates that the Ukrainians were threatened with sanctions by the Americans for allegedly lying to a 'strategic partner'. Was this justified?

In a cable two days after the hijacking of the m/v 'Faina' the U.S. Department of State wired following message to the U.S. Embassy in Kiev (27 September 2008): "*As part of a contract signed between Ukraine and the Sudanese People's Liberation Movement/Army in December 2006, the vessel is believed to be carrying the following cargo intended for transshipment to southern Sudan:*

- 33 T-72 tanks, with spare parts
- 42 ZPU-4 rolling anti-aircraft guns
- 36 RPG-7v
- 6 BM-27 Self propelled multiple rocket launchers
- 13,000 125mm rounds of ammunition (T-72)"¹¹⁹.

According to this it would seem that the Department of State was well aware of the final destination of the cargo.

The October 2, 2008 cable continues with: "*Since last year, Kenya's Ministry of Defense has indeed played a major role in assisting the Government of South Sudan receive arms shipments from the Government of Ukraine. When the shipments are off-loaded at the port of Mombasa, they are transported via rail to Uganda and then onward to Southern Sudan*". This, of course, gives the impression that the Americans are aware of the situation but are not actively engaged. A cable dated December 16, 2009 sheds a different light. This cable describes several meetings with Kenyan officials. The cable starts with the U.S. Ambassador threatening the Kenyan Prime Minister on December 15: "*Ambassador Ranneberger reiterated to the PM that any further transfer of the tanks, via Uganda or otherwise, would violate U.S. law and could trigger sweeping sanctions against Kenya*"¹²⁰. A day later the Chief of General Staff, General Jeremiah Kianga, expressed the Kenyan government's confusion over the U.S. "*position and did not understand why they needed a waiver, since the past transfers had been undertaken in consultation with the United States and they thought we were in agreement on the way forward towards implementation of the CPA*"¹²¹. Moreover Kianga: "*asked about the significance of what appeared to him to be a major policy reversal, and questioned whether the United States is rethinking the CPA, increasingly shifting its support to Khartoum, and/or now seeking a unitary state in Sudan*"¹²². This raises the interesting question; is Kianga here implying that prior to these events the U.S. was seeking to break up Sudan?

The cable concludes with: "*Over the past two years, KMOD officials have shared full details of their engagement with the SPLA as we have shared details of our training program for the SPLA, including combat arms soldier training, under a May 2007 Presidential Directive. The GOK views this as a reversal of U.S. policy that has significant security, financial, and political implications for them. It is difficult to persuade the Kenyans that transferring this equipment to the SPLA violates the terms of the CPA and therefore will merit sanctions if completed when they are well aware that the United States is continuing military to military security sector reform assistance to the SPLA*"¹²³. One could argue that there is some latent hypocrisy in this statement. Especially if one then continues to compare it with: "*all other transfers have been done with full disclosure to the United States, and the GOK has shared all information regarding these transfers without hesitation*"¹²⁴. Did these shipments not violate the terms of the CPA? Or is this a case where we are asked to believe that the left hand did not know what the right hand was doing?

A cable from the American Embassy in Khartoum dated July 29, 2009 discusses the pressure the SPLA has put on the Kenyan government to tranship the remaining tanks through Uganda. More importantly this cable carries the interesting line that in November 2008 "*Finance Minister David Deng Athorbei's failed*

¹¹⁹ Cable "SUBJECT: NOTIFICATION OF AFFECTED STATES: HIJACKING OF BELIZE-FLAGGED CARGO SHIP M/V FAINA, IMO NUMBER 9419377", dated 27 September 2008 (<http://213.251.145.96/cable/2008/09/08STATE103511.html>)

¹²⁰ Cable "SUBJECT: Kenya responds to Sudan tank demarche", dated 16 December 2009 (<http://213.251.145.96/cable/2009/12/09NAIROBI2497.html>)

¹²¹ Op. cit. (<http://213.251.145.96/cable/2009/12/09NAIROBI2497.html>)

¹²² Op. cit. (<http://213.251.145.96/cable/2009/12/09NAIROBI2497.html>)

¹²³ Op. cit. (<http://213.251.145.96/cable/2009/12/09NAIROBI2497.html>)

¹²⁴ Op. cit. (<http://213.251.145.96/cable/2009/12/09NAIROBI2497.html>)

(in) attempts to purchase attack helicopters for the SPLA out of Ministry of Roads and Transport monies"¹²⁵.

Perhaps we should reiterate here our earlier point that whilst the connection between the 'Faina case' and pastoralist conflicts might initially seem tenuous we would argue that, if we accept that this arms transfer was, of itself, destabilising (and, arguably, illegal) then this transfer further contributes to the level of instability within south Sudan and thus potentially triggers increased demand for SALW.

Another case study involves Lokichoggio in Kenya. In 2006 IPIS was contracted by Amnesty International to conduct research into arms transfers to Sudan. IPIS established that Lokichoggio airport was used as a transit point for logistics supplies to the Sudanese People's Liberation Army (SPLA) by an aviation company based in Lokichoggio. The Kenyan company was operating an Antonov-28 (a passenger aircraft with a maximum load capacity of 2,000 kg) between Lokichoggio and south Sudan, and between various airstrips in south Sudan. On the 23 November 2006 eyewitnesses saw the offloading of ammunition boxes from this aircraft in Juba. The aircraft was transferring ammunition between Yei and Juba.¹²⁶ When questioned the employees of the company acknowledged flying various goods (including ammunition) for the SPLA from Lokichoggio.¹²⁷ The aircraft was registered in the name of a British company. The two individuals running the aviation company were most likely two British passport holders. The EU arms embargo against Sudan prohibits EU citizens and commercial entities from *"the sale, supply, transfer or export of arms and related materiel of all types, including weapons and ammunition, military vehicles and equipment, paramilitary equipment and spare parts... to Sudan by nationals of Member States or from the territories of Member States, or using their flag vessels or aircraft,... whether originating or not in their territories. It shall also be prohibited to grant, sell, supply or transfer technical assistance, brokering services and other services related to military activities and to the provision, manufacture, maintenance and use of arms and related materiel of all types... directly or indirectly to any person, entity or body in, or for use in Sudan"*¹²⁸. When questioned by the *Sunday Times*, the owner of the aviation company referred to a United States Presidential Executive Order (issued 13 October 2006) as explanation of why his company had supplied the SPLA.¹²⁹

The transfers of these ammunition boxes onto smaller aircraft at Lokichoggio can only happen if Kenyan officials allow this to happen. Most likely, however, they are backed by their government. Kenyan Civil Aviation claims to have full control over the eight international airports inside the country (including Lokichoggio, Eldoret International, Jomo Kenyatta, Moi, Wilson Field...), and added that if an airport was used to transport military equipment CAA would know.¹³⁰

2.3.2.2. Uganda

Uganda has been known to supply military equipment to its proxies in the neighbouring countries. During a research trip to Bunia (DRC) in 2005 two IPIS researchers found Romanian AK47s which MONUC had obtained from local militias during the disarmament process. "[T]his is not a surprise since we... also obtained both copies of the original Ugandan End Use Certificate supplied to the Romanian factory at Cugir in late 2000 and internal UPDF documents authorising the issue of some of these guns to Bunia early in 2001 'to deal with the emerging situation'"¹³¹. In the period that these arms transfers took place Uganda was heavily engaged in the Congolese conflict through direct combat and through its proxies. In 2002 the Porter Commission¹³² concluded that the record-keeping of the UPDF in regard of transfers of arms and ammunition to the DR Congo, had initially, been very poor. But from the partial records the Porter Commission had unearthed it was possible to count over 5 million rounds of AK47 (7.62x39mm)

¹²⁵ Cable "SUBJECT: GOK/GOSS AGREE ON TIMETABLE FOR SECOND TANK", dated 29 July 2009 (<http://213.251.145.96/cable/2009/07/09KHARTOUM881.html>)

¹²⁶ Eyewitness account by BICC employee, email 20 December 2006.

¹²⁷ Various interviews with employees 26 and 28 March 2007, 2 April 2007.

¹²⁸ Council Common Position 2004/31/CFSP of 9 January 2004 concerning the imposition of an embargo on arms, munitions and military equipment on Sudan.

¹²⁹ Email to *Sunday Times* 25 April 2007.

¹³⁰ Confidential interviews with Kenyan officials.

¹³¹ P. Danssaert & B. Johnson-Thomas: *"Greed and Guns: Uganda's Role in the Rape of Congo"*, IPIS vzw, Antwerp, July 2006.

¹³² Judicial Commission of Inquiry into Allegations into Illegal Exploitation of Natural Resources and Other Forms of Wealth in the Democratic Republic of Congo (May 2001 – November 2002) - Final Report, November 2002.

ammunition leaving Entebbe for the DR Congo (Kisangani, Lisala...) between 1999 and 2000.¹³³ Amnesty International reported the delivery of "large quantities of small arms, light weapons and ammunition from late 2001 to mid 2003" from Bosnia to Uganda. Included in those shipments were nearly 12 million rounds of 7.62x39mm ammunition, 14,000 rounds of 82mm mortar ammunition, and nearly 11,000 rounds of 60mm mortar ammunition.¹³⁴

Furthermore, Uganda is also known to have supplied arms and ammunition to the Sudan People's Liberation Army (SPLA), which operated in southern Sudan against the Government of Sudan. Also Eritrea and Ethiopia have been sources of weapons for the SPLA.¹³⁵ On the other hand, the Sudanese government has backed the Lord's Resistance Army (LRA) rebels in northern Uganda, supplying them weapons and ammunition.¹³⁶

In 2009 the **United States** Department of State acknowledged that the U.S. government had supplied, and was still supplying weapons and ammunition, to the **Transitional Federal Government (TFG) in Somalia** through the Ugandans: "*We have provided funds for the purchase of weapons; and we have also asked the two units that are there, particularly the Ugandans, to provide weapons to the TFG, and we have backfilled the Ugandans for what they have provided to the TFG government... we have gone to the Ugandans when the TFG has run short of weapons and ammunition and have told the Ugandans to provide what the TFG needs. When the Ugandans provide those weapons, they give us a bill and an accounting for what they have turned over, and we then give them the money to replace the stores. We've shipped probably in the neighbourhood of 40 tons worth of arms and munitions into Somalia in support of the TFG... I will say within the last six weeks – certainly within – to be more precise.*"¹³⁷ The U.S. government has also provided military training: "*We have supported the training of TFG forces outside of Somalia, mostly in Uganda but also in Djibouti*"¹³⁸. According to the United Nations Monitoring Group on Somalia the United States has delivered "*94 tons of weapons and ammunition and \$2 million in financial assistance*"¹³⁹. Some of these weapons might have been diverted to Puntland: "*Although the bulk of arms flows from Puntland are towards the south, the Monitoring Group has also learned of small-scale northwards flows. One notable example involved the arrival in Puntland markets of AK-47 type assault rifles, still crated, allegedly from Transitional Federal Government weapons stocks*"¹⁴⁰. Continuing: "*Reliable sources believed that these weapons had been part of a consignment delivered to the Transitional Federal Government by the Uganda People's Defence Forces, but the Monitoring Group has been unable to obtain specimens and serial numbers to verify this information*"¹⁴¹. In 2008 the UN Monitoring Group on Somalia had estimated that **80 per cent** "*of the international investment in building the Transitional Federal Government security forces had been diverted to purposes other than those for which it was intended*"¹⁴².

It would seem reasonable also to give credence to the suspicion that many of the individual weapons involved in these transfers may thus have ended up providing extra fuel for the pastoralist conflicts within the Karamoja cluster.

¹³³ . Danssaert & B. Johnson-Thomas: "*Greed and Guns: Uganda's Role in the Rape of Congo*", IPIS vzw, Antwerp, July 2006.

¹³⁴ Dead on Time – arms transportation, brokering and the threat to human rights, Amnesty International, ACT 30/008/2006.

¹³⁵ J. Marks, "*Border in Name Only: Arms Trafficking and Armed Groups at the DRC-Sudan Border*", Small Arms Survey, May 2007: p. 18-21

¹³⁶ J. Bevan, "*Fuelling Fear – The Lord's Resistance Army and small arms*", pp. 272-294, in Small Arms Survey 2006

¹³⁷ "*Background Briefing on U.S. Assistance to the Somalia Transitional Federal Government*", Special Briefing – Background Briefing by a Senior Department Official, 26 June 2009 (<http://www.state.gov/r/pa/prs/ps/2009/06a/125448.htm>).

¹³⁸ "U.S. Policy in Somalia", Special Briefing - Johnnie Carson (Assistant Secretary, Bureau of African Affairs), 12 March 2010 (<http://www.state.gov/p/af/rls/rm/2010/138314.htm>)

¹³⁹ Letter dated 10 March 2010 from the Chairman of the Security Council Committee pursuant to resolutions 751 (1992) and 1907 (2009) concerning Somalia and Eritrea addressed to the President of the Security Council, S/2010/91: para 193.

¹⁴⁰ Letter dated 10 March 2010 from the Chairman of the Security Council Committee pursuant to resolutions 751 (1992) and 1907 (2009) concerning Somalia and Eritrea addressed to the President of the Security Council, S/2010/91: para 164.

¹⁴¹ Letter dated 10 March 2010 from the Chairman of the Security Council Committee pursuant to resolutions 751 (1992) and 1907 (2009) concerning Somalia and Eritrea addressed to the President of the Security Council, S/2010/91: footnote 94.

¹⁴² Letter dated 10 December 2008 from the Chairman of the Security Council Committee established pursuant to resolution 751 (1992) concerning Somalia addressed to the President of the Security Council, S/2008/769: para 173.

BOX 1: Somalia

Eritrea has been repeatedly accused of supplying weapons and ammunition to the Islamist rebel groups fighting the Transitional Federal Government of Somalia (TFG), in particular the Al-Shahab Islamic Movement.¹⁴³ Meanwhile the spokesman of Al-Shabab Islamic Movement has claimed that his group had seized weapons late January 2010 destined for Ahlu Sunnah wal Jama'a in central Somalia. Ahlu Sunnah are moderate Islamists allegedly supported by the **TFG**.¹⁴⁴ Early January 2010 a TFG Army spokesperson had allegedly said that Ahlu Sunnah wal Jama'a had requested the Somali government to supply them with weapons and ammunition.¹⁴⁵ (For arms exports data to Eritrea see Addendum 4.)

Also **Ethiopian** forces have been accused repeatedly of supplying arms and ammunition to pro-government forces in Somalia.¹⁴⁶ The United Nations Monitoring Group on Somalia reported in 2008 that Somali clans along the Ethiopian-Somali border had received ammunition to act as a buffer against Somali insurgents, and "to contain the activities of the Ogaden National Liberation Front, which conducts insurgent activity against the Ethiopian Government from the cross-border Ogaden region"¹⁴⁷. The Somaliland Armed Forces have also been supplied with military equipment by Ethiopia.¹⁴⁸ (For arms exports data to Ethiopia see Addendum 5.)

Another country accused of supporting the TFG is **Yemen**.¹⁴⁹ While the TFG has accused **Yemeni rebels** of supplying weapons and ammunitions to the Al-Shahab Movement.¹⁵⁰ In 2008 and 2010 the UN Monitoring Group on Somalia stated that commercial imports, mainly from Yemen, remained the most consistent source of arms, ammunition and military materiel to Somalia.¹⁵¹ (For arms exports data to Yemen see Addendum 6.) A U.S. diplomatic cable, released by Wikileaks, dated January 15, 2010 discusses a USD55 million arms deal, financed by the United Arab Emirates, from Bulgaria to the government of Yemen. The arms sale will include: "30,000 assault rifles, 100,000 high-explosive charges, RPGs, and ammunition"¹⁵². The U.S. diplomat correctly expressed his concerns over proliferation of the weapons. The Bulgarians allegedly replied by saying that "the Export Commission decided to go ahead with the deal, noting that the difficult economic situation made the offer extremely attractive to domestic arms producers"¹⁵³.

The majority of these weapons are transported by land or by sea.¹⁵⁴

¹⁴³ See for instance: *Letter dated 5 October 2005 from the Chairman of the Security Council Committee established pursuant to resolution 751 (1992) concerning Somalia addressed to the President of the Security Council*, S/2005/625: paras. 36-42; *Letter dated 4 May 2006 from the Chairman of the Security Council Committee established pursuant to resolution 751 (1992) concerning Somalia addressed to the President of the Security Council*, S/2006/229: paras. 15-21; *Letter dated 21 November 2006 from the Chairman of the Security Council Committee established pursuant to resolution 751 (1992) concerning Somalia addressed to the President of the Security Council*, S/2006/913: paras. 15-55; *Letter dated 17 July 2007 from the Chairman of the Security Council Committee established pursuant to resolution 751 (1992) concerning Somalia addressed to the President of the Security Council*, S/2007/436: paras. 11-22; *Letter dated 24 April 2008 from the Chairman of the Security Council Committee established pursuant to resolution 751 (1992) concerning Somalia addressed to the President of the Security Council*, S/2008/274: paras. 53-57, 64, 77-84; *Letter dated 10 December 2008 from the Chairman of the Security Council Committee established pursuant to resolution 751 (1992) concerning Somalia addressed to the President of the Security Council*, S/2008/769: paras. 110-117; *Letter dated 10 March 2010 from the Chairman of the Security Council Committee pursuant to resolutions 751 (1992) and 1907 (2009) concerning Somalia and Eritrea addressed to the President of the Security Council*, S/2010/91: paras. 54-70; "Somalia accuses Eritrea for arming rebels", *BBC Monitoring Service*, 8 February 2010; "Eritrea said raps neighbouring states, Western intelligence bodies over Somalia", *BBC Monitoring Service*, 22 October 2009;

¹⁴⁴ "Somali Islamists reportedly seize arms destined for rival group", *BBC Monitoring Service*, 27 January 2010.

¹⁴⁵ "Moderate Islamists said seek arms from Somali government", *BBC Monitoring Service*, 6 January 2010; For alleged TFG support see also: "Somali moderate Islamists receive arms from government", *BBC Monitoring Service*, 27 August 2009.

¹⁴⁶ S/2005/625: paras. 23-35; S/2006/229: paras. 22-24; S/2006/913: paras. 56-86; S/2008/274: paras. 85-96; S/2008/769: paras. 158-169; S/2010/91: paras. 200-202; "Ethiopian troops reportedly gives military supplies to Somali troops", *BBC Monitoring Service*, 22 November 2009.

¹⁴⁷ S/2008/274: para 91.

¹⁴⁸ S/2008/274: para 95.

¹⁴⁹ S/2005/625: paras. 20-22; S/2006/229: paras. 30-31; S/2006/913: paras. 132-137.

¹⁵⁰ "Somalia minister accuses Yemen rebels of arming Al-Shabab", *BBC Monitoring Service*, 4 January 2010.

¹⁵¹ S/2008/769: paras. 118-121. See also S/2010/91: para 157.

¹⁵² Cable "SUBJECT: BULGARIA ENHANCES END-USE MONITORING MECHANISMS FOR YEMEN ARMS DEAL", dated 15 January 2010 (<http://213.251.145.96/cable/2010/01/10SOFIA31.html>)

¹⁵³ Op. cit. (<http://213.251.145.96/cable/2010/01/10SOFIA31.html>)

¹⁵⁴ See various reports of UN Monitoring Group on Somalia.

4. CONCLUSION

Although cattle rustling is not a new phenomenon, it has definitely become a lot more violent, lethal and frequent due to the worsening security situation over the last decades. Addressing this problem and the proliferation of SALW in the Karamoja cluster has often led to blinkered approaches. Governments of the region have tended to hold pastoral communities and the influx of small arms from neighbouring countries responsible for the high level of violence in the region. In doing so, they have ignored their own inability to adequately address insecurity in the region, their involvement in the dispersion of SALW and, finally, the root causes of cattle rustling.

Governments of the region are all equally responsible for the proliferation of SALW in the region and this involves internal as well as external diversions. All governments are known to have been arming local communities, local militias or local auxiliary forces, to enable these communities to secure themselves against raids or armed groups. As well as this internal diversion of weapons, all governments have also supplied arms and ammunition to neighbouring countries, destabilizing the internal situation there.

These government's actions to curb insecurity through militarised disarmament operations have caused a corresponding lack of attention to some of the less visible causes of the spread of SALW in the Karamoja region, such as the curtailment of migration patterns, the changing nature of raiding, the crisis of traditional authority, the unimpeded influx of firearms and the changing value of cattle. Above all, the lack of law and order and the inability of States to protect the pastoral communities against insecurity and the frequent raids which this causes have aggravated the situation.

In order to move things forward, several things need to be done. First, a disarmament campaign should be accompanied by serious efforts to provide security to local communities, reducing the need to own a gun for self-protection. Second, the various governments should recognize that pastoralism is a crucial means of existence in the borderlands. Third, they should assign additional means to enhance development in the region. And fourth, they should develop policies to support the livelihood strategy of the communities and promote cooperation between the communities, which could increase confidence between them.

The following recommendations can be made:

Stockpile management systems for weapons and ammunition need, in all States in this region, to be considerably enhanced i.e, by the introduction of better accounting procedures, centralized record-keeping and systematic auditing of stocks.

Accountability. There is, in all the States the subject of this report, a need to enhance the concept of accountability; this implies accountability within such organisations as national Defence Ministries as well as accountability of governments to their respective parliaments.

Disarmament initiatives should be monitored by independent observers, who should also be responsible, in combination with national authorities, for record keeping and for other related activities (i.e. the marking of SALW).

Promote good governance. One can argue that the current proliferation of SALW in this region is but one manifestation of a general malaise arising from decades of questionable governance and a consequent diminution in the reputation of central governments.

The root causes of the pastoralists' grievances need to be addressed: this may imply **cross-border agreements between the governments concerned.**

Addendums

Addendum 1: Kenya

Major exports of military equipment to Kenya (USD) as reported by exporting countries (Source: United Nations COMTRADE) (SITC rev. 3)		
	2006	2009
Burundi	9,037,356	
Israel		6,045,000
USA		905,607
UAE		628,444

Major exports of military equipment to Kenya (Source: United Nations Register of Conventional Arms)				
	2007		2008	
China	Armoured Combat Vehicles	32		
Ukraine	T72 main battle tanks	77		
Ukraine	BM21	5		
Ukraine			T72 main battle tanks	33
Ukraine			BM21 122mm	6

Major imports of military equipment as reported by Kenya (USD) (Source: United Nations COMTRADE) (SITC rev. 3)			
	2006	2007	2008
World	3,400,603	32,330,072	6,096,144
China		19,502,120	630,521
Spain		5,256,577	
USA		4,051,879	245,596
Pakistan			2,155,029
Eritrea			1,337,398
UK	1,145,714	2,750,622	227,821
South Africa	795,673		
France	690,188		
Israel	330,298		1,174,308
Italy	183,703		
Russia		280,230	
Belgium			167,906

Addendum 2: Uganda

Major exports of military equipment to Uganda (USD)				
(Source: UN Comtrade) (SITC rev.3)				
	2006	2007	2008	2009
Romania	100,000			
Slovakia	272,577			
USA		342,535	1,127,218	
Israel			114,000	3,491,000

Major imports of military equipment as reported by Uganda (USD)				
(Source: United Nations COMTRADE) (SITC rev. 3)				
	2006	2007	2008	
World	2,661,718	1,029,816	6,729,906	
Israel	210,921	252,320	186,729	
Serbia			4,741,428	
Seychelles	108,000			
South Africa	2,233,147			
Turkey			145,144	
USA		584,751		
UAE			930,419	
UK			473,274	

Addendum 3: Tanzania

Major exports of military equipment to Tanzania (USD)				
(Source: UN Comtrade) (SITC rev.3)				
	2006	2007	2008	2009
Austria	178,055		146,101	239,945
Czech Rep.	487,166	193,157	268,591	557,320
Israel				1,003,000
Italy				184,608
Rep. Of Korea				330,239
Sweden			164,910	143,667
Turkey			139,819	

Major imports of military equipment as reported by Tanzania (USD)				
(Source: United Nations COMTRADE) (SITC rev. 3)				
	2006	2007	2008	2009
World	551,565	590,012	1,490,216	520,818
China	290,344			130,170
Kenya		302,051		
Cameroon			221,506	
South Africa			188,002	128,242
Switzerland			251,479	
USA			443,838	
Czech Rep.				123,928

Addendum 4: Eritrea

Major exports of military equipment to Eritrea				
(Source: United Nations Register of Conventional Arms)				
	2007		2008	
Belarus	Multiple Launch Rocket System 9P140 "Uragan"	9		
Bulgaria			82mm mortar	50

Addendum 5: Ethiopia

Major exports of military equipment to Ethiopia (USD)				
(Source: UN Comtrade) (SITC rev.3)				
	2006	2007	2008	2009
Czech Rep.	378,467	123,859	263,792	
Rep. Of Korea	400,829			
China			383,132	
Turkey			470,000	
Israel				338,000

Major imports of military equipment as reported by Ethiopia (USD)			
(Source: United Nations COMTRADE) (SITC rev. 3)			
	2006	2007	2008
World	32,449,910	57,403,767	879,814
Belarus		3,478,188	
Bulgaria		3,492,477	
Burundi	1,064,083		
China	16,236,156	48,574,995	
Germany	212,608		
Israel	172,953		
Rep. Of Korea	932,012	1,495,824	
Russian Fed.	13,699,746		302,189
UK		245,634	
Turkey			520,164

Addendum 6: Yemen

Major exports of military equipment to Yemen (USD)				
(Source: UN Comtrade) (SITC rev.3)				
	2006	2007	2008	2009
Brazil	312,600	1,714,998	350,000	
China		106,520		
Czech Rep.	1,489,213	377,616	520,602	11,674,156
Italy				326,968
Rep. Of Korea			880,800	129,000
Philippines		1,630,409		1,200,000
Poland		717,153		
Saudi Arabia	1,150,362	132,839		
Turkey		190,000	145,600	5,861,116
USA	834,563	1,712,607	307,803	360,340

Major imports of military equipment as reported by Yemen (USD)			
(Source: United Nations COMTRADE) (SITC rev. 3)			
	2006	2007	2008
World	3,973	32,015,148	17,488,728
Austria		294,643	147,005
Belgium		5,685,172	
Bulgaria		18,228,121	
China			808,741
Italy			7,209,532
Philippines			120,024
Russian Fed.			7,145,313
Turkey			230,248
Ukraine		7,759,772	
USA			1,796,723

