



Kitemo Liyet, a pastoralist violence survivor, suffered debilitating injuries on his hands and legs after an ambush in his village, Tirioko, Kenya. Photo credit: Rashid Kimani Mungai /Winds of Change.

How to Use the Arms Trade Treaty to Address **Armed Violence in Pastoralist Communities**

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The United Nations Arms Trade Treaty (ATT) creates opportunities to address the effect of small arms and light weapons (SALW) proliferation on pastoralist communities in The East and Horn of Africa region and elsewhere. Policymakers and advocates can use the ATT to limit the risks of diversion of guns and ammunition to militias, gangs and cattle raiders. The ATT also offers a framework to encourage security forces to follow international human rights and humanitarian law in pastoralist communities.

This report recommends that states, international organizations, media and civil society should:

- Encourage the universalization and rigorous implementation of the ATT (as well as relevant international and regional SALW instruments), particularly in states at risk of pastoralist conflict,
- Assess the risks that arms transfers will exacerbate armed violence in pastoralist communities, including cattle raiding, as well as counterproductive, militarized approaches to controlling pastoralist conflict,
- Establish and support programs that limit the risks of diversion and misuse of SALW ammunition, by militias and gangs in pastoralist communities and also by state security forces.
- Support international, regional and national cooperation and assistance to mitigate such risks.

1. Introduction

This report was written for the “ATT Academy”, a project of Pace University and Control Arms funded by the United Nations Trust Facility for Supporting Cooperation on Arms Regulation (UNSCAR). The ATT Academy trains government and civil society personnel on the Arms Trade Treaty (ATT), and its inaugural session focused on officials from the East and Horn of Africa. This report builds on earlier explorations of possible uses of the ATT for addressing wildlife crime published by Control Arms in 2016¹ and incorporates information gathered from qualitative fieldwork undertaken in a series of visits to Uganda and Kenya from 2014 to 2016. During the visits, Pace University and Control Arms staff visited and interviewed relevant government and civil society personnel from the East and Horn of Africa region.

The East and Horn of Africa region is home to one of the largest concentrations of pastoralist communities – some 20 million people whose cultures and livelihoods have traditionally revolved around herding cattle, camels, sheep and/or goats.² Nomadic and semi-nomadic life-ways are well-suited and adapted to the arid and semi-arid Great Rift Valley and surrounding savannahs. Seeking pasture and water through regular movement over wide areas, herders can avoid overgrazing and limit their impact on fragile ecosystems.³

However, pastoralists in the East and Horn of Africa have been marginalized politically, economically and socially. Colonial governments seized some of the best grazing land traditionally used by pastoralists, enclosing it for white settlement, government use or for wildlife reserves. Pastoralist communities were often displaced into, or confined to, marginal areas. They were also subjected to neglect through systems of indirect rule, which armed and abetted proxies doing the state’s bidding. Government interventions tended to be punitive and coercive, rather than offering investment in security and development. Such policies often continued into the postcolonial period.⁴ Scarcity of water and pasture has been exacerbated by climate change and environmental degradation.⁵

These factors have contributed to cultural and social divisions. It is common in the region to hear policymakers, NGOs and activists talk about “pastoralist conflict.” That term is sometimes used here too for ease of understanding. However, it can be misleading, pathologizing pastoralist people as prone to conflict. In fact “pastoralist conflict” is actually made up of many interlinked layers of conflict. There is conflict within pastoralist communities, between pastoralist communities; between pastoralist communities and settled communities; and between pastoralist communities and governments. A more helpful term, then, may be “armed violence in pastoralist communities.”

Conflict between pastoralist communities – as well as with more settled communities – has long existed. Traditional customary norms constrained violence through local peace pacts and systems of common pasture regulation. Many pastoralist communities in the region have traditions of cattle raiding – taking cattle from other communities to build or restock herds. However, raids were limited by expectations that they would be done stealthily and with traditional weapons (or none), constraining violence to low levels.

In December 2016, at a Control Arms NGO meeting in Nairobi, participants stressed the importance of not reading pastoralist conflict through the lens of “culture” (i.e. pathologizing nomadic and semi-nomadic people as somehow inherently problematic). Pastoralist conflict is often misrepresented as a localized, outmoded and “primitive” practice of “cattle rustling.” Pastoralist conflict is often a manifestation of broader conflicts in the region’s “peripheries” and overlaps with tensions over power, wildlife conservation, land and water.⁶ Cattle rustling is also embedded in sophisticated organized criminal complexes and neo-patrimonial patronage systems connected through arms trafficking networks, patronage and stolen cattle that extend throughout the region and even the world.⁷



Charles Awaloi, from Kakapul, Kenya, was shot in his left leg by a group of raiders. Photo credit: Rashid Kimani Mungai /Winds of Change

The proliferation of small arms and light weapons (SALW) and ammunition, commercialization of cattle trafficking, private enclosures of pasture and political polarization have increased the stakes of conflict in pastoralist communities. For example, in early 2017, some 10,000 pastoralists armed with automatic rifles raided farms, wildlife reserves and conservancies in Laikipia, Kenya, attacking wildlife, people and raiding livestock. The region is currently affected by severe drought, and tensions are flaring as political figures exploit ethnic tensions as they campaign for the upcoming 8 August 2017 elections.⁸ Numerous researchers have found that militarized state interventions to address cattle rustling often exacerbate the situation, introducing new weapons (that enter the illicit market sector through theft or sale) and extrajudicial violence. It is also expensive, diverting important resources away from sustainable development.⁹

Some countries in the region have addressed the problem of armed pastoralist conflict better than others.¹⁰ One productive approach has been multilateral cooperation. Over the last decade states and civil society have constructed transformative legal and normative frameworks to address the human suffering caused by an unregulated arms trade and unchecked proliferation of SALW. These include the United Nations Programme of Action on SALW (PoA) and regional SALW instruments (including the ECOWAS Convention, Kinshasa Convention, Nairobi Protocol and SADC Protocol). Most recently, the 2013 ATT has established, for the first time, global regulations on the transfer of conventional weapons that can prevent arms from getting into the hands of human rights abusers, terrorists, war criminals and organized crime. Championed by African states, global civil society and faith leaders who called attention to the devastation of armed conflict on the continent, the Treaty creates new opportunities to limit SALW proliferation in regions affected by pastoralist conflict and armed cattle raiding. However, while the majority of African states have signed the ATT, movement toward ratification has been slow outside West Africa. In particular, the level of accession in the East and Horn of Africa region – an area struggling with the human impact of pastoralist conflict – has been low.¹¹ Burundi, Djibouti, Rwanda and Tanzania are signatories to the ATT though have not yet ratified. Democratic Republic of the Congo (DRC), Ethiopia, Eritrea, Kenya, Somalia, South Sudan, Sudan and Uganda have not yet joined the Treaty.¹²

Using the ATT framework, states, international organizations, media and civil society can monitor arms transfers to ensure that weapons, ammunition, parts and components do not exacerbate armed violence in pastoralist communities or the negative impacts of militarized interventions aimed to control it. It is followed by a section outlining specific ways the ATT can be used to mitigate and prevent these risks.

2. Risk Posed by Arms Proliferation and Pastoralist Conflict

The transfer of weapons to regions severely affected by pastoralist conflict poses risks to peace and security, the rule of law, international human rights and humanitarian norms. The ATT places obligations on exporting, importing, transit and trans-shipment states to ensure arms transfers do not exacerbate such risks. The following examines these risks in more depth, as well as their relevance to the ATT.

a. Organized Crime, Cattle Raiding and Wildlife Crime

The ATT requires exporting States Parties to “assess the potential” that a transfer of conventional weapons, ammunition or parts and components will be used to “commit or facilitate ... transnational organized crime” (Article 7.1 (b.iv)). If so, exporters are required to engage in risk mitigation measures in collaboration with the importing State (Article 7.2). If an “overriding risk” remains, then the exporter “shall not” authorize the transfer. States Parties are also required to “take measures to prevent” diversion of arms to unauthorized users or uses (Article 11).

While traditional cattle raiding in East Africa was driven by concerns of raising dowry, replenishing stocks, demonstrating bravery and taking revenge, in the last three decades it has been transformed by a commercialization of the illicit cattle trade. Raiding is now connected to regional

and global organized crime networks that traffic stolen cattle to central marketplaces, where they can be 'laundered'.¹³ Indeed there are significant linkages between the movement of cattle, arms and other illicit goods, including through similar transit points. Cattle trading cartels are linked to high-level political leaders, who profit from corruption and provide protection from prosecution. This nexus has politicized cattle raiding, turning gangs of raiders into militias that can be used to punish leaders' perceived rivals and opponents. The distribution of weapons – ostensibly to aid a community's protection from raiding – is diverted to buy the loyalty of criminal gangs involved in raiding.¹⁴



Women participating in the “Sports for Peace and Development” race calling for peace between pastoralist communities. (20 December 2015, Baringo, Kenya) Photo credit: Rashid Kimani Mungai /Winds of Change

One of the most helpful examinations for the link between guns and cattle rustling can be found in a recent report by the Regional Centre on Small Arms (RECSA), in Nairobi. They found that a “strong correlation between cattle rustling and proliferation of illicit SALW creates a vicious cycle where illicit SALW creates a more violent business of cattle rustling. This in turn leads to higher proceeds, which facilitates the acquisition of more sophisticated illicit SALW.”¹⁵ RECSA found that Kalashnikov-pattern rifles like the AK-47 are the most commonly used weapons by cattle rustlers in the region.¹⁶ RECSA compiled regional government statistics, which suggest that there were “650,000 illicit SALW in circulation” in Kenya, “an estimated 320,000 guns (both licit and illicit) in the hands of Ethiopian civilians”, and between 15,000 to 200,000 “firearms in the hands of civilians in Uganda.”¹⁷ Small Arms Survey estimates the presence of 500,000 civilian firearms in Somaliland and 720,000 in South Sudan.¹⁸ They also found ammunition from at least 25 countries circulating in the borderland between Kenya, Uganda and South Sudan and suggested that much came from leaked state stocks.¹⁹

Several states in the East and Horn of Africa region have reacted to the threat of cattle raiding gangs by deploying military or paramilitary forces in pastoralist communities. However, there have been several cases reported where meat from cattle raiding has been sold to military camps to feed troops, who may in turn be selling weapons and/or ammunition to local gangs. States should be mindful of the possibility that maintaining a military presence among pastoralist peoples may actually fuel both the demand for meat and the supply of arms and ammunition. A militarized state response to cattle crime may have unintended consequences that can exacerbate the problem. Indeed, military forces themselves have been implicated in cattle raiding in the East and Horn of Africa region.²⁰

There are similar dynamics with the participation of some people from pastoralist communities in wildlife crime, such as elephant and rhino poaching. This often results in a stereotyping of these communities as innately difficult to control or as hostile to wildlife conservation. However, as was noted in a presentation by the Kenya Wildlife Service to the ATT Academy in Kenya in December 2016, the participation of pastoralists in wildlife crime may be explained by their proximity to wildlife reserves and conservancies, which were often actually alienated from pastoralist communities. In the early companion paper to this one, Pace University and Control Arms researchers found that wildlife crime, like cattle raiding, is an increasing globalized criminal enterprise. Responding to demand far from East Africa, transnational organized crime networks are involved in the poaching and trafficking of wildlife around the world. Militarized state responses to this crisis (of collapsing populations of elephants and rhinos) have often failed to meet human rights standards and have even been implicated in poaching.²¹ A recent RECSA report had similar findings.²² The ATT thus offers a useful framework for addressing the impact of transnational organized crime in pastoralist communities, both from cattle raiding and wildlife crime.

b. Violations of International Human Rights and Humanitarian Law

As with its provisions on organized crime, the ATT requires assessment and mitigation of risks that transfers of conventional weapons, ammunition or parts and components “could be used to commit or facilitate a serious violation” of international human rights and humanitarian law (Article 7.1(b i, ii)). It also contains more stringent prohibitions of any transfers of arms if a State Party “has knowledge” that they “would be used in the commission” of genocide, crimes against humanity or war crimes (Article 6.3).

Pastoralist conflict in the East and Horn of Africa region has resulted in numerous violations of international human rights and humanitarian law, as intersections between raiding and armed conflict combine attacks on civilians with stealing livestock. For example, in April 2016 an armed militia associated with the Murle pastoralist ethnic group in South Sudan crossed into Ethiopia and attacked Nuer villages, killing 208 people, abducting 146 children and stealing more than 2,000 cattle. UN human rights officials specifically identified the “flow of small arms in the region” as “increasing the deadly outcome of these raids.”²³

However, policymakers and media commentators must avoid broadly pathologizing pastoralists. Pastoralist communities have long been subject to repression and marginalization. Colonial governments forcibly enclosed traditional pastureland, turning it over to settlers or ‘gazetting’ it into

wildlife reserves. Herders were framed discursively as “stealing” grass when they drove their cattle onto now enclosed estates, even though from the pastoralists’ perspective it was the colonial authorities who had stolen from them. In many cases, pastoralist people were pushed into peripheral land where access to water and good pasture was limited. Colonial authorities also governed pastoralist communities through coercive systems of indirect rule that failed to provide the public services available in the urban core. Such systems engaged in collective punishment and politicized (and sometimes even created) ethnic divisions. In this context, imperial systems of arms control aimed to prevent potentially resistant groups from accessing weapons, while actively arming those perceived as loyal, thus militarizing social fissures.²⁴



Shadrack Kipyatich Yatum , who was shot in his left arm and had his livestock stolen by cattle raiders, near Tot Centre. Photo credit: Rashid Kimani Mungai /Winds of Change

These patterns of governance have persisted post-independence. In many cases, states in the East and Horn of Africa region have managed pastoralist communities through modified versions of indirect rule, extending the coercive arms of the state while withholding economic and social development. This has included arming poorly-trained and under-regulated militias and police reserve units. Forcible and selective disarmament programs have rarely offered adequate protection to those disarmed. Security forces have been implicated in the illicit sale or renting of arms to local gangs and militias. Divisions between pastoralist communities have been exacerbated by political polarization, selective withdrawal of protection from cattle raiding and even punitive killing of cattle by security forces.²⁵

In short, gangs, militias and armed groups associated with pastoralist communities in the region have been implicated in abuses of international human rights and humanitarian law. States in the

region have a history of failing to protect – or even of abusing – the human rights of pastoralist communities, aided by the punitive state apparatus. In both cases the violations are facilitated and exacerbated by the proliferation and misuse of SALW and ammunition.

c. Destabilization of Peace and Security and Links to Terrorism

The ATT requires States Parties to assess and mitigate the risk that a transfer of arms, ammunition or parts and components will be used to “undermine peace and security” (Article 7.1(a)) or to “commit or facilitate ... terrorism” (Article 7.1 (b, iii)). States Parties are also required to “take measures to prevent” diversion of arms to unauthorized users or uses (Article 11).

Media and policymakers often depict pastoralist conflict in the East and Horn of Africa region as a localized problem. However, it is closely intertwined with broader national, regional, and even global peace and security issues. In areas where there is armed conflict, such as in Somalia or South Sudan, pastoralist militias are often drawn into war, sometimes aligning with groups that have been accused of terrorism. Pastoralist conflict has also been made more deadly as weapons proliferate and circulate through regions of instability. Neglected by the state, many pastoralist communities arm themselves to provide their own security. This has often provoked a militarized response in the region, a measure that can be further destabilizing if security forces supply weapons to local actors, either by arming militias or by ‘leaking’ guns and ammunition.²⁶

Irresponsible arms transfers to the East and Horn of Africa region thus pose the risk of destabilizing peace and security and facilitating terrorism. Poorly managed weapons and ammunition make existing violence in pastoralist communities much more deadly, drawing pastoralist groups into armed conflict within the region. Ill-conceived state security measures such as forcible and selective disarmament and the arming of militias or local gangs may further destabilize pastoralist communities.

d. Gender Dimensions

The ATT requires exporting States Parties, before authorizing an export, to “take into account the risk” of a transfer of conventional weapons, ammunition or parts and components “being used to commit or facilitate serious acts of gender-based violence or serious acts of violence against women and children” (Article 7.4). This decision should be made in consultation with importing, transit and trans-shipment states (Article 7.6 and 7.7). This groundbreaking provision is the first ever mention of “gender-based violence” in an international treaty.

Like all armed violence, pastoralist conflict in the East and Horn of Africa region is deeply gendered. It is shaped by cultural norms regarding initiation, dowry and masculinities. The impact of the violence is also gendered. There have been numerous cases of both militias and state security forces using sexual assault as a weapon in pastoralist conflict.²⁷ Small Arms Survey found that the proliferation of guns in South Sudan had exacerbated widespread sexual assault and gender-based violence.²⁸ One academic study found that women who lost their husbands to conflict in the Turkana region of Kenya were particularly vulnerable to losing customary rights to land, cattle and water.²⁹

It is important to be careful not to reproduce gender stereotypes when writing about the impact of violence. Pastoralist conflict in the Karamoja region of Uganda has had many nuanced impacts on gender relations – it is important not to depict women as only passive victims.³⁰ Indeed, a 2008 Minority Rights Group report found that women in pastoralist communities “may encourage or even provoke their male kin to become involved in acts of violence by cultivating a notion of hero worship.” Nevertheless, the report also found that in Karamoja, women had been targeted “as the mothers of future generations of ‘enemies’ and, as retribution, they are victims of abduction, rape and murder.”³¹

3. Risk Mitigation Measures, International Cooperation and Assistance

In addition to requiring States Parties to assess risk of weapons transfers being abused, the ATT requires them to address such risks through the “establishment of mitigation measures such as confidence-building measures or jointly developed and agreed programmes by the exporting and importing States” (Article 11.2). It encourages States Parties to engage in “international cooperation”, information sharing and provision of “international assistance” (including through a newly established “voluntary trust fund”) (Articles 15 and 16). ATT States Parties are also required to meet in annual Conferences of States Parties to review implementation. These provisions offer opportunities to address the negative impact of the arms trade on pastoralist conflict and mitigate problems with militarized efforts to control it. The following offers a few examples of potential measures that could be instituted through the ATT implementation framework. It is by no means an exhaustive list, but rather intended to encourage creative innovation by states and civil society.

a. Gathering, Analyzing and Sharing Information on Arms Movements

Better addressing the impact of weapons in pastoralist communities in the East and Horn of Africa region will require a more thorough understanding of how arms and ammunition move through the region. The ATT requires States Parties to “maintain national records” on relevant transfers, encouraging them to include in these archives the quantity, value, exporters, importers, transit and trans-shipment states and end-users of the weapons that are both authorized and actually transferred (Article 12). States Parties are also to submit an initial report on implementation measures taken and annual arms transfers reports to the ATT Secretariat, (Article 13) and to exchange “information on matters of mutual interest regarding the implementation and application” (Article 15) of the ATT. Many states and civil society see these provisions as encouraging a norm of transparency and openness in the international arms trade.³²

Transparent reporting on transfers could be very useful in addressing armed violence in pastoralist communities, by aiding research on movements of weapons most at risk of exacerbating the situation. The international cooperation and assistance measures of the ATT (Articles 15 and 16) and the Conferences of States Parties also offer opportunities for sharing of good practices in addressing the impact of arms proliferation on pastoralist conflict. One potential avenue of cooperation and assistance would be a more careful identification and analysis of arms trafficking in the region, tracking how guns move and potential sources of “leakage” from state stockpiles.

Sharing this information will enable states – both in the region and beyond – to target policy and programs to disrupt trafficking routes and prevent diversion of weapons to militias, gangs and organized crime networks.



Chematai Konoita of Tirioko, Kenya, was shot in his left thigh in a raid. Photo credit: Rashid Kimani Mungai /Winds of Change

b. Improving Transfer Controls

The ATT requires all States Parties to “establish and maintain a national control system” (Article 5.2) for arms included in the Scope of the Treaty, including SALW, as well as ammunition, parts and components.

The weapons used in pastoralist conflicts in the East and Horn of Africa region are often circulating from one country to another. Assault rifles from Ugandan government stockpiles in Moroto, looted by Karamajong militias in 1979, spread to Kenya.³³ Guns from the conflicts in Ethiopia, South Sudan and Somalia have converged and circulated throughout the region.³⁴ While militarizing borders may seem like an obvious solution to trafficking in the region, it can often contribute to arms proliferation, since security forces may “leak” weapons to local groups and fuel the demand for illicit meat. Nevertheless, more careful controls on the movements of arms into and through the East and Horn of Africa region contribute to stemming diversion to unauthorized users and uses.

The ATT can serve as a catalyst for improving export, import, transit and trans-shipment controls in smart ways. The information sharing, cooperation and assistance provisions contained within the ATT enable states to work together and engage in conversations about best practices.

c. Preventing Diversion

The ATT requires all States Parties to “take measures” to prevent diversion of weapons to unauthorized uses or users, by “assessing the risk” of diversion and establishing “mitigation measures such as confidence-building measures or jointly developed and agreed programmes by the exporting and importing States.” It offers examples of “other prevention measures”, including “examining parties involved in the export, requiring additional documentation, certificates, assurances, not authorizing the export or other appropriate measures” (Article 11).

The measures listed explicitly in the ATT are focused on trade regulations. However, in implementing the UN PoA, Nairobi Protocol, SADC SALW Protocol, ECOWAS SALW Convention and Kinshasa Convention, states in the region have already taken many additional measures to limit diversion. These include marking of both government and civilian firearms; registration and tracing measures (like databases) to track to internal movement of weapons; destruction of surplus weapons and ammunition; and improvements to the security and management of stockpiles. Therefore, implementation of the ATT should be harmonized and coordinated with other relevant instruments.

Given that much of the supply of weapons involved in pastoralist conflict in the East and Horn of Africa region has come from state sources, much more needs to be done to limit diversion of guns and ammunition to unauthorized users and uses. Anti-diversion measures should not only be directed at halting the illicit flow of weapons to cattle raiders and militias – it must also ensure that state security forces do not use the weapons they receive in ways that create insecurity, violate human rights or contribute to gender-based violence. For a detailed study of the potential of the ATT to address arms diversion in the Horn of Africa (Djibouti, Eritrea, Ethiopia, Kenya, Somalia, South Sudan, Sudan and Uganda), see PAX’s recent ‘Armed and Insecure’ report.³⁵

d. Deepening Respect of Human Rights and Humanitarian Law

In addition to anti-diversion efforts, the ATT enables states engaged in arms transfer to develop joint risk mitigation and prevention measures that reduce the potential for weapons to be used in violations of international human rights and humanitarian law, as well as gender-based violence. Before authorizing transfers of SALW and ammunition to the region, both exporting and importing states should engage in efforts to build state institutions’ respect for international human rights and humanitarian law as well as gender-based violence prevention. This could include training for state security forces deployed in pastoralist regions, as well as deputized militias like police reserves. States involved in transfers could also put in place legal, policy and institutional reforms to encourage accountability for violations and civil society feedback. Membership of the ATT could aide states’ applications for international development assistance directed at strengthening respect for international human rights and humanitarian norms, as well as security sector reform. You avail

e. Peacebuilding and Sustainable

Insecurity and poverty are key drivers of both pastoralist conflict and SALW proliferation. A lack of livelihood opportunities in the legitimate economy often provides incentives to engage in cattle raiding. Reducing both the supply and demand for weapons to be used in pastoralist conflict thus requires peacebuilding as well as sustainable development efforts.³⁶ ATT-mandated risk mitigation measures and international cooperation and assistance provisions (Articles 15 and 16) could be used to build peace and development in regions where there is a nexus of pastoralist conflict and SALW proliferation. Membership in the ATT may also help with applications for development assistance to or peacebuilding and sustainable development programs that aim to address the root causes – marginalization, deprivation, persistent instability – of SALW proliferation.



Julius Arile, Control Arms Millionth Supporter, after winning 4th place in the New York City Marathon in November 2013.

There are many government, civil society and community-initiated programs throughout the region that would benefit from further support. Local peace committees, often supported by religious institutions and international NGOs, have engaged in grassroots peace talks that have resulted in negotiated agreements, facilitated non-coercive disarmament and persuaded young people to limit raiding.³⁷ Peace races and caravans have encouraged young men to seek alternatives to raiding in sports and activism.³⁸ Community radio programs try to counteract ethicized political propaganda. For example, Kenya Pastoralist Network, a Control Arms member organization, has conducted 20 community radio programs on the ATT in pastoralist areas of the country. Conflict-sensitive development programs, including irrigation schemes, dairies, road construction, schools, clinics, wildlife tourism and cattle dips, can provide alternative livelihoods to raiding and reduce economic deprivation. It is crucial that such efforts not entrench pre-existing inequities that have contributed to the conflict.³⁹ A useful framework for such efforts is provided by the 2016 Lukenya Declaration, issued by pastoralist organizations from across Eastern and Southern Africa. This framework calls for “policy makers listen to the voices of the pastoralist communities to better understand their livelihoods and way of life so as to design policies, provide services and address their needs in order to reverse the present threats.”⁴⁰

f. Monitoring and Advocacy

The ATT came into being following a vigorous global and regional campaign by civil society – under the umbrella of the Control Arms Coalition – engaged in monitoring, advocacy and programming in the humanitarian, development and human security sectors. Similarly, civil society organizations and churches have played a crucial role in raising awareness of the human impact of

pastoralist conflict in the East and Horn of Africa region. Marathon runner Julius Arile, a former cattle raider turned peace activist from a pastoralist community in Kenya, played a significant role in the campaign. He was the “Millionth Face” of Control Arms mass petition for an ATT, and delivered it in a ceremony to then UN Secretary-General Kofi Annan in 2006. Arile remained involved in advocacy for the ATT throughout the negotiation of the Treaty delivering a further petition in 2012 to Annan’s successor Ban Ki Moon. His story of moving from cattle rustler to runner is the focus of the recent film *Gun Runners*.⁴¹

Effective monitoring and advocacy by civil society and the media will be crucial to the effective universalization and implementation of the ATT. Support for civil society in pastoralist communities will help to ensure that implementation of ATT and other relevant instruments is sensitive to their particular needs and concerns. Local reporting on the proliferation and impact of weapons on pastoralist communities can help states to shape better policies, procedures and programs for controlling arms transfers. For example, Kenya Pastoralist Network has collected some 50,000 signatures on a petition calling on the Kenyan government to join the ATT and, at the time of fieldwork, was planning on submitting it to the Ministry of Foreign Affairs.

4. Conclusion

The proliferation and circulation of arms, particularly SALW and ammunition, in the East and Horn of Africa region has made pastoralist conflict more deadly. It is important not to pathologize pastoralist communities as violent people, but rather to recognize legacies of colonialism, state neglect and economic marginalization, which weakened institutions of conflict mitigation, resolution and transformation. Militarized state responses to pastoralist conflict have, in many cases, caused further harm and introduced additional supplies of weapons to militias and cattle raiding gangs (through ‘leakage’, capture and selective armament). The ATT offers a useful policy framework and forum for preventing arms flows from contributing to cattle raiding, instability, human rights violations and gender-based violence in pastoralist communities. It mandates risk mitigation and prevention measures, international cooperation and assistance, as well as information sharing that would be beneficial to all states in the East and Horn of Africa region. The ATT also offers ways for arms exporting (or transit and trans-shipment) states outside the region to make sure that they limit the harm of arms transfers from or passing through their territory. It is thus crucial that all states – in the region and beyond – accede to the Treaty as soon as possible and promote its rigorous implementation. In the meantime, international agencies, regional institutions and bilateral donors should study the potential for the ATT (in combination with other relevant instruments) to limit the negative impact of arms transfers on pastoralist conflict.

Written by Dr. Matthew Bolton for the Arms Trade Treaty Academy, a project of Control Arms Secretariat, and Pace University International Disarmament Institute. Funded by UNSCAR. Photos courtesy of Rashid Kimani Mungai / Winds of Change and Control Arms. Layout design by Gabrielle Chalk.

End Notes

¹ Matthew Bolton. (September 2016) "How to Use the Arms Trade Treaty to Address Wildlife Crime." Control Arms. <<http://controlarms.org/en/wp-content/uploads/sites/2/2016/10/Wildlife-Crime-Paper-REVISED-Email.pdf>>; Matthew Bolton. (2015) "Using the Arms Trade Treaty to Address Wildlife Poaching in East Africa: A Human Security Approach." Control Arms. <<http://controlarms.org/en/wp-content/uploads/sites/2/2015/12/BoltonPoaching-1.pdf>>.

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