The Permanent Mission of the Republic of Kenya to the United Nations presents its compliments to the Department of Disarmament of the United Nations and has the honour to forward herewith the country report on the Implementation of the Programme of Action on Illicit Trade in Small Arms and Light Weapons in all its Aspects.

The Permanent Mission of the Republic of Kenya to the United Nations avails itself of this opportunity to renew to the Department of Disarmament of the United Nations the assurances of its highest consideration.

July 7th, 2003
New York.

Department of Disarmament of the United Nations, New York.
KENYA COUNTRY REPORT TO THE UN BIENNIAL CONFERENCE ON THE IMPLEMENTATION OF THE UN PROGRAMME OF ACTION

NAIROBI

1ST July 2003.
ABBREVIATIONS

CBO-Community Based Organizations
CFB-Central Firearms Bureau
CID-Criminal Investigations Department
CSO-Civil Society
EAC-East African Community
EAPCCO-Eastern African Police Chiefs Coordination Committee
GSU-general Service Unit
KNFP-Kenya National Focal Point
KWS-Kenya Wildlife Services
NSC-National Steering Committee on Peace Building and Conflict Management
SRB-Interpol Sub Regional Bureau
UNDP-United Nations Development Program
UNPOA-United Nations Programme of Action on Illicit Small Arms and Light weapons
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1.0 INTRODUCTION

The problem of small arms and light weapons is a global phenomenon, whose adverse effects are most visible in Africa. Although they do not themselves cause the conflicts and criminal activities in which they are used, the easy availability and accumulation of small arms and light weapons directly contribute to the conflicts, intensified violence, increased crime rate and impedes economic and social development.

Kenya has been a conduit for weapon shipment destined to neighbouring countries where conflicts are rampant, but more recently the spread of these arms is spilling back into Kenya. The arms are smuggled into the country and sold in secret markets. The impact has been an upsurge of crimes such as cattle rustling, urban robberies and conflicts among the pastoral communities.

1.1 AREAS AFFECTED

➢ The North Rift Region –This includes Turkana, West Pokot, Trans Nzoia, Samburu, Moyale as the most affected areas.

➢ North Eastern Region, Coast Province-This includes Wajir, Mandera, Garissa, Isiolo and Tana River.

These regions are occupied mainly by pastoral/nomadic communities, spread along the boundary with Uganda, Sudan, Ethiopia, and Somalia. Pastoralism remains the main economic activity in the region and land ownership is mainly communal except within the urban areas. The regions also have poor infrastructure with little exposure to economic development.

1.2 HISTORICAL BACKGROUND

The history of gun culture in these regions is directly linked to the resource-based conflicts among the pastoralists and their neighbours in the regions and across the national borders.

Some of the ethnic communities in the region are not necessarily pastoralists,
but have critical boundary and resource disputes with pastoralists. Consequently, raids and counter raids among the communities are a common phenomenon.

The reasons for raids include restocking, acquisition of livestock for dowry payments, heroism and revenge and of late for commercial purposes. Communities in these regions share the same cultural beliefs. This fact abets the uncontrolled flow of human traffic, which makes it easy for arms to move from one community to the other, and by extension to other neighbouring countries with the same ethnic clusters.

1.3 CAUSES OF SMALL ARMS PROLIFERATION IN KENYA

i. *Easy availability of arms* - Civil wars in Southern Sudan, Ethiopia and the collapse of civil authority in Somalia provides a steady supply of arms in the regions.

ii. *Control over natural resources* - These arms fuel conflicts as communities seek supremacy and control of resources, e.g., Samburu District enjoys a better climatic condition than the neighbouring Turkana West Pokot and Isiolo, which makes it a war zone over pastures during the dry season.

iii. *Cattle rustling* - Acquisition of small arms is also encouraged by security needs, mainly for the protection of lives and property particularly, livestock, against hostile neighbours.

iv. *Feeling of insecurity* - Some communities arm themselves as a result of the other communities possession and use of illegal arms.

v. *Environmental factors* - The prevalence of natural calamities such as drought, floods and environmental degradation contribute to the conflict in the region, consequently heightening the demand for arms.

vi. *Restocking* - During drought, livestock is reduced due to lack of pasture and the affected communities resort to the use of arms in raiding their neighbours for the purpose of restocking.
vii. *Clan feuds* – historical differences and cleavages create conditions that encourage possession of arms amongst clans, hence escalation and counter acquisition of arms by opposing clans.

viii. *Poverty* – Poverty in the region is very prevalent. This explains the acquisition of arms to alleviate the problem, by engaging in commercialized stock theft and cattle rustling as a means of livelihood.

### 1.4 TRENDS

Conflicts and insurgencies in neighbouring countries have been the main sources, of illicit arms. The gun culture among the communities in the Karamoja cluster has further enhanced affinity to firearms.

(a) The road that connects Sudan and Lokichoggio serve as a leading route for arms flow from Sudan into Kenya. The war deserters cross over the border and sell their arms to the local people gradually finding their way to meet demands in urban centers.

(b) The link between Kenya and Uganda at Kanyerus, Suam and Amdat facilitate supply of arms to communities bordering Uganda.

(a) Exchange of goods between border communities also makes it easy to acquire arms. Of these arms, AK47 remain the most popular. This is because it is:-

1. Relatively small in size
2. Very light
3. Efficient
4. Easily dismantled and concealable.
5. Cheep to buy - costs between Ksh.20,000 and Ksh.50,000 or 5 cows and 20 cows respectively.

(d) Refugees fleeing the war in Southern Sudan, Somalia and Ethiopia. They sell the arms to the locals.

(e) The use of illegal routes within our expansive and porous borders still provide room for some illegal arms to flow into the country.
Others causes are:-

(i) Retarded structural and economic development in the areas affected by the insecurity.

(ii) Enhanced poverty among the communities living within the areas proliferated with illegal arms.

(iii) Under development- more and more professionals have deserted regions prone to insecurity reversing previous achievements in Agriculture, Education and Administration.

(iv) Regional instability – due to internal conflicts in neighbouring countries.

The mode of trafficking is mainly through refugees, transporters, herders, gun dealers, bandits and non-state actors.

1.5 IMPACT.

The manifestation of the problem has negatively impacted on the affected communities as follows:-

(i) Cattle rustling and banditry which was initially associated with cultural practices and habits has now been commercialized as guns are used in cattle raids.

(ii) Conflicts among the pastoralist communities – illegal arms have fuel led different types of violent conflicts with devastating consequences of loosing lives.

(iii) Increase in gun related crimes, mainly in urban areas thus a cause of further economic decline.

(iv) Instilling fear and despondency to citizens of the areas affected.

(v) Death and injury to victims of violent crime.

(vi) Cross border crime- influx of refugees and the proliferation of arms and drugs.

(vii) Declination of Wildlife

(viii) Increase in cattle rustling

(ix) Increase in roadside banditry

(x) Disincentive to the tourist sector

(xi) Increase in the number of displaced persons both internally and
externally hence the break down of family structures that has led to the loss of moral behaviour over the younger generation.

(xli) Increase in cost of providing services due to insecurity.
(xlii) Increase in incidences of HIV/AIDS
(xliv) Negative impact on education in affected areas.

In order to address the above challenges, the Government of Kenya has committed itself to implementing the UN Program of Action with special emphasis on the coordinated agenda for action developed through the Nairobi Declaration. Besides strengthening law enforcement mechanism, the Government of Kenya views, in particular, the rural illicit weapon problem to be grounded in certain underlying factors which must be addressed. These may in particular call for development, cultural and social interventions.

2.0 NATIONAL LEVEL COORDINATION

National Coordination Agency and Contact Point

In Kenya, a National Focal Point was established in the Office of the President in 2002 to oversee the implementation of the UN Programme of Action with special emphasis to the Nairobi Declaration. The National Focal Point is chaired by the Office of the President due to its centrality with regard to security matters. The National Focal Point has a membership drawn from both the Government and the civil society that include:

- The Office of the President – Chair and Secretariat
- The Kenya Police - Coordinator
- The Administration Police
- Ministry of Home Affairs and National Heritage
- The Attorney General’s Office
- The Ministry of Tourism and Information
The Ministry of Environment, Natural Resources and Wildlife
The Ministry of Gender, Sports, Culture & Social Services
The Ministry of Trade and Industry
The Ministry of Foreign Affairs
The Ministry of Finance
The Department of Defence
The National Security Intelligence Services
5 Representatives of civil society organizations as nominated by the umbrella body.

The National Contact Point at the National Focal Point is the Coordinator, who can be reached directly on Tel No. +254 20 229172 through the Secretariat on Tel No. +254 20 227411 ext 22144 and Post office No. 30510,00100 NAIROBI KENYA.

To ensure coordinated efforts towards the ultimate objectives of sustainable peace and security, the NFP works in close coordination with the National Steering Committee on Peace Building and Conflict Management (NSC). The Committee is heavily involved in various aspects of small arms, particularly those touching on economic and socio-cultural interventions. The two share a Secretariat for purposes of close coordination.

The National Focal Point meets once every month to review the implementation status of various activities, review resource mobilization and exchange ideas on the way forward. However, based on need, the NFP may meet as frequently as may be necessary.

Currently, the Kenya National Focal Point is in the process of carrying out a small arms mapping exercise to determine the magnitude of the problem in the country. It is envisaged that a National Plan of Action will be in place by the end
of the year, 2003. While the mapping continues in the last four months, the National Focal Point has undertaken the destruction of 8062 illicit arms and organised a variety of awareness raising activities at all levels through the relevant Government Agencies and the civil society.

3.0 LEGISLATION, REGULATIONS AND ADMINISTRATIVE PROCEDURES

In Kenya, relevant legal statutes are administered by the Ministry of Trade and Industry as well as the Finance Ministry regarding the production, exports and imports of all goods and services. The administrative procedures have been developed which are subjective to periodic amendments as deemed necessary. Detailed below is an outline of laws and procedures that govern the production, export and import of Small Arms and Light Weapons (SALW).

3.1 Production - The Production of goods and services are governed by the Trade licensing Act, Chapter 497 of the Laws of Kenya. The Act commenced operation on January 8th 1968. There is, therefore, no section of this Law that applies specifically to SALW. The law only requires that any person or company engaged in any business should acquire a trade licence from the Government.

3.2 Administrative Procedures - A potential manufacturer is required to complete an application form obtained from the Ministry of Trade and Industry and submit it with the following attachments.

- Certificate of Incorporation along with the Memorandum and Articles of Association.
- Identification or passport particulars of the directors/shareholders.
- Appropriate entry permit, if non-citizen.
- Title deeds or landlord/tenant agreements.
In the case of small arms, an approval from the Office of the President, Police Department is required.

Decision on an application is thereafter made within two weeks by the Department of Internal Trade. Any objection to an application is communicated in writing indicating reasons thereof. Applicants reserve the right to appeal to the Minister or Trade and Industry in the event of an objection. At present there is only one SALW related factory in Kenya that is a Defence establishment. No potential investor has approached the ministry of Trade and Industry wishing to establish an arms related industry in Kenya.

3.3 Export - This is regulated by Imports, Exports and Essential Supplies Act, Chapter 502 Laws of Kenya that commenced operation on 9th December 1958, and amended by an Amendment Order No. 2 of 1994, that took effect on 17th August, 1994. Exportation of SALW related items require an export licence from the Ministry of Trade and Industry, but only after obtaining necessary approval from relevant authorities. So far only the Department of Defence and the Office of the President have approached the Ministry of Trade and Industry for export licences. Products involved are those produced at a Defence production establishment.

Export Controls – Under powers conferred on the Minister by Section 4 of the Import, Exports and Essential Supplies Act, Cap 502, the Minister of Trade and Industry, can order under Legal Notice No. 135 of 1993, Amendment No. 2, that certain goods which are restricted require an importer and/or exporter to obtain prior approval from the relevant authorities before an import or export licence can be approved. In terms of SALW, approval must be granted by the Police Department of the Office of the President, based on their own criteria. Any import or export that does not adhere to this procedure is deemed illegal and subject to seizure under Section 185 and 187 of the Customs and Excise Act.
3.4 IMPORT - The imports are also governed by the Imports, Exports and Essential Supplies Act, Cap 502, which commenced operation on 9th December 1958 as amended by Legal Notice No. 135 of 1993 and took effect on 14th May 1993. As per the powers conferred on the Minister by Section 4 of Cap 502 made order under legal notice No. 135/93, an import licence is required when importing goods specified in Part B of the Schedule. Goods under this Schedule are restricted, hence subjects a potential importer to obtaining prior approval from the relevant authorities before issuance of import licence. In the case of SALW, the approval must be obtained in writing from the Police Department of the Office of the President. The Customs and Exercise Act also requires that such restricted import be declared. Failure to adhere to these provisions subjects the imports to seizure.

3.5 TRANSIT – Kenya has a deep-water seaport, which serves Uganda, Rwanda, Burundi and even the eastern Democratic Republic of Congo (DRC). As a result, there are occasions when legitimate arms imported by these nations are transited through Kenya. The current regulations provide for such goods to be escorted until they leave Kenyan territory. There is, as such, no possibility of such consignments being diverted into the country.

3.6 RETRANSFER – So far Kenya has had no cases of retransfer.
4.0 PUBLICITY AND AWARENESS ON LAWS RELATING TO SALW

The legal process commences with the drafting of legislation. During this process, various stakeholders and interest groups are invited to a number of forums, where the implications of the proposed bill are discussed. Inputs from the various stakeholders are incorporated into the bill after which it is published. The publication of the bill also marks another point where any interested parties can lobby aspects of the bill with their legislators. Through media coverage of discussions in various forms and the subsequent gazettement of the bill, the public is made aware of the impending legislation.

Through publicity provided to parliamentary debates, further awareness is generated or created. Once assent is granted giving the bill legal force, a Kenya Gazette notice is issued which declares the date the law takes effect.

The print and electronic media also play a crucial role in facilitating dissemination of information to Kenyans on various thematic issues, including small arms. Other modes by which information is disseminated include the Rural Press using vernacular languages, public barazas (meetings), and pronouncements by senior government officials and political leaders and through civic education carried out by the civil society.

5.0 LAW ENFORCEMENT/CRIMINALIZATION

Kenya has one of the most stringent laws that govern all aspects of arms, licit and illicit. Over the years, the legislation has been amended from time to time, to adapt to changing circumstances. The current national legislation that regulates manufacturing, possession and stockpiling and trading of SALW is provided in the Firearms Act, Chapter 114 of the Laws of Kenya, which apportions the following penalties for violations:
- Unlawful possession of firearms is punishable by a prison sentence, a fine or both.
- Illegal manufacture without a license is punishable by a fourteen-year jail term.
- Illegal stockpiling and trading in firearms is a criminal offence punishable by a five-year jail term.

However, further reviews are currently in progress with the ultimate objective of classifying gun related offences as capital, hence non-bailable with stiffer penalties as a measure towards increasing deterrence.

Individuals found to have participated or engaged in the illegal manufacture, trade, stockpiling, transfer, possession, as well as financing for acquisition of illicit SALW have been taken to court of law and charges preferred against them. However cases of illicit manufacture and trading are extremely minimal, and as such, remain a rare occurrence.

As a country, Kenya has always observed the various UN Security Council resolutions to the letter. Measures have continuously been put in place to ensure that Kenyan territory or its citizens are not in any way involved in the violation of such resolutions, including those relating to arms embargo.

### 6.0 STOCKPILE MANAGEMENT AND SECURITY

#### 6.1 Management of legitimate stockpile

The management of stockpiles among all disciplined services are regulated by the various National laws and their respective Standing Orders. Each disciplined armed service maintains an inventory of firearms held, where the manufacturer's registration number, type and other identification features are documented. All arms are secured in the armouries, under 24-hour guard. Weapon checks are
subject of an inquiry, whether recovered or not. The management of stocks of ammunitions is covered by the same regulations governing firearms.

6.2 Management of Recovered/Surrendered Stockpile

The management of recovered/surrendered illicit weapons is covered in the Chapter 114 Laws of Kenya. The Act stipulates that any weapon recovered or surrendered must be handed over to the Chief Firearms Licensing Officer, Kenya Police Department for custody, documentation and disposal.

7.0 COLLECTION AND DISPOSAL

Kenya does not and has never had a surplus of weapons within the disciplined services. However, for each of the institutions that are armed within the Republic, there is a specific procedure in law that provides for disposal of surplus stocks.

However, in the event of existence of surplus weapons earmarked for destruction, the same are stored in Police armouries under 24-hour guard. Such weapons are individually documented and destruction certificates prepared, to be signed upon completion of the destruction exercise.

All illicit weapons seized or surrendered are destroyed, except, in cases where they constitute part of evidence that is still required in court.

In compliance with commitments made under the various conventions and protocols signed by the country, Kenya took a bold step on March 15th and commenced destruction of its stock of illicit small arms and light weapons. The initial public symbolic burning, which involved 1015 assorted small arms and light weapons, was presided over by His Excellency the Vice-President. A further
7047 assorted illicit weapons were destroyed by fire on 19th May 2003, adding up to a total of 8062. The Government is, within its procurement regulations, in the process of appointing a smelter to facilitate completion of the destruction process. Information on the weapons destroyed by fire has already been communicated to the Nairobi Secretariat on small arms and light weapons.

8.0 BROKERING

All trade in SALW in Kenya, is regulated by Imports, Exports and Essential Supplies Act, Chapter 502 that commenced operation on 9th December 1958, and was amended by an amendment order No. 2 of 1994, taking effectiveness on 17th August. Any acts of brokering must be consistent with the Act.

9.0 DISARMAMENT, DEMOBILIZATION AND REINTEGRATION (DDR)

Kenya has, since independence, not been faced with internal conflicts that involve large-scale participation by non-state actors. Subsequently, the country has not been confronted with a post-conflict situation that calls for attention to disarmament, demobilization and reintegration.

10.0 AWARENESS – RAISING

Kenya recognizes that the presence of illicit small arms and light weapons remains an impediment to development and a threat to security. As a result, the government has embarked on multi pronged community based strategies to discourage the gun culture. Amongst the measures that have been put in place are:
i. Public awareness campaigns- communities continue being educated through local forums on the need to give up weapons as a measure to bolster security.

ii. Programmes have been put in place to encourage the surrender of illicit weapons in return for immunity from prosecution.

iii. Measures have been taken though the National Steering Committee to promote peaceful and age old conflict resolution mechanisms, as an effort towards sustainable peace.

iv. Communities have been encouraged, through community-based organizations, to adopt alternative means of livelihood, apart from livestock keeping.

v. Measures have been taken through CBOs to encourage community members to move away from cultural practices that encourage stock theft and other retrogressive practices.

vi. Conflict early warning mechanisms have been developed to facilitate detection and address of potential conflicts before they occur, hence a disincentive to gun ownership.

vii. The Government has taken the war against small arms and light weapons to schools and the electronic/print media to create a positive influence in the mind set of the younger generation.

The symbolic destruction of small arms in Kenya on 15th March 2003 reaffirmed the political will towards a concerted effort to addressing the small arms problem in Kenya. The role the civil society has played in furthering awareness creation remains commendable.

11.0 REGIONAL LEVEL

11.1 LEGALLY BINDING INSTRUMENTS
Kenya remains firmly committed to the elimination of the proliferation of illicit arms in all its aspects. In this regard, Kenya has exemplified its resolve by signing and ratifying the following conventions, protocols and declarations:

i. **OAU Convention on the Prevention and Combating of Terrorism**

The Convention was adopted in Algiers on 14th July 1999 and Kenya acceded to it on 10th December 2001. Member States of the Organization of African Unity recognized the need to promote human moral values based on tolerance and rejection of all forms of terrorism irrespective of their motivations as this poses a danger to stability and security of states. Member states of OAU also considered the growing links between terrorism and organized crime, including the illicit traffic of arms, drugs and money laundering. To this end they agreed to develop and strengthen methods of monitoring and detecting plans or activities aimed at the illegal cross-border transportation, importation, export, stockpiling and use of arms, ammunition and explosives and other materials and means of committing terrorist acts.

ii. **The Nairobi Declaration**

The Nairobi Declaration on the problem of the Proliferation of Illicit Small Arms and Light Weapons in the Great lakes Region and the Horn of Africa – 15th March, 2000. The Nairobi Declaration of 15th March, 2000 was signed by 10 countries of the Great lakes Region and the Horn of Africa, Kenya included. These countries recognize that the problem of proliferation of illicit small arms and light weapons stems from past and ongoing armed conflicts in the region; as well as from illicit terrorist activities, compounded by the inadequate capacity of member states to effectively monitor their borders. The Nairobi Declaration therefore calls upon member states to comprehensively address the problem of illicit small arms and light weapons and pursue positive policies and measures aimed at creating a
socio-economic environment that would lessen the resort to arms by individuals and communities. It also calls upon state parties to implement the relevant decisions of the United Nations and OAU (Now African Union) aimed at addressing the problem of illicit small arms and light weapons.

iii. The Bamako Declaration

The Bamako Declaration on an African Common position on the Illicit Proliferation, Circulation and Trafficking of Small Arms and Light Weapons was signed on 1st December 2000. In this Declaration Member states of OAU (Now African Union) agreed to address the problem of illicit proliferation, circulation and trafficking of Small arms and light weapons in comprehensive and efficient manner in order to promote peace, security and stability in the continent of Africa. They also undertook to promote measures aimed at restoring peace, security and confidence among member states with a view to reducing the resort to arms and providing negotiated solutions to regional conflicts.

iv. The Ministerial Review Declaration

Ministerial Declaration for Continued Concerted Action in the Great Lakes Region and the Horn of Africa (Nairobi, August 7-8-2002). In this Ministerial Declaration, the Ministers of Foreign Affairs of the countries of the Great Lakes Region and the Horn of Africa undertook to improve the coordinating mechanisms that will guide and facilitate the implementation plan of the coordinated Agenda for Action on the problem of illicit arms and light weapons. They also reaffirmed the need to improve the national and regional coordinated capacity to prevent, control and reduce the small arms and light weapons problem in the region.
This Ministerial Declaration was adopted at the First Ministerial Review Conference of the Nairobi Declaration on the problem of proliferation of illicit small arms and light weapons held in Nairobi on 7th and 8th August, 2002.

The implementation of the above instruments is already underway. Kenya has already put in place the institutional arrangements to facilitate implementation by establishing a National Focal point. Arms collection, destruction and awareness raising remain a continuous exercise that is being undertaken by the government in close collaboration with the civil society. Plans are in progress for a National Mapping exercise, which will lay out a comprehensive plan to combat the proliferation of illicit small arms and light weapons in all its aspects.


The United Nations Convention Against Transnational Organized Crime was adopted by the General Assembly in its Resolution 55/25 of 15th November 2000. The purpose of the convention is to promote cooperation to prevent and combat transnational organized crime more effectively. Kenya has not ratified the convention against Transnational Organized crime, neither has it ratified any of its protocols including the above protocol against illicit manufacturing and trafficking in firearms.

KENYA'S POSITION
Kenya has not ratified the Convention against Transnational Organized Crime, neither has it ratified any of its protocols including the above protocol against illicit manufacturing and trafficking in firearms. However, the Government is in the process of ratifying the said convention and its protocols. The Ministry of Foreign Affairs in consultation with the Attorney-Generals Chambers and the Ministry of Home Affairs is doing the same.

The Government of Kenya is committed to the eradication of small arms and light weapons, and the promotion of sustainable security within the country and the region at large. Kenya’s Foreign policy will consequently continue to be geared towards the achievement of its primary national interests in the context of a secure environment.

11.2 Regional Cooperation

International and Regional Integration

International and Regional Co-operation form major component of Kenya’s foreign policy. Kenya is an active member of the U.N. and its agencies as well as several regional initiatives, such as COMESA, ACP-EU, IGAD and the Indian Ocean Rim Association for regional Co-operation amongst others.

Foreign Policy objectives and their relevance to the Small Arms and Light Weapons

The National Action Plan on small arms and light weapons is expected to address itself to the issue of how to tackle in the Kenyan context, the problems caused in Kenya, by the proliferation and illicit trade in small arms and light weapons.

The proliferation and illicit trade in Small Arms and Light Weapons pose serious, if not, daunting challenges to the government and people of Kenya. It presents a grave threat to peace, security and stability which impacts negatively on sustainable developments. In a developing country such as Kenya where
poverty levels are rising coupled with HIV/AIDS pandemic and threatened by natural calamities such as drought and floods, the threat posed by uncontrolled proliferation and illicit trade in SALWS is alarming at the very least.

1. Kenya’s foreign policy in this respect is grounded on safeguarding its territorial integrity and sovereignty by actively promoting regional and international initiatives that ensure that inflows of and trade in this Small Arms and Light Weapons are controlled to the maximum possible extent.

2. Promotion of good neighbourliness will be further enhanced through such regional co-operation. All elements of society, governmental, non-governmental, and military and civilian must be engaged in the promotion of cross-border cooperation and increased information sharing along with the training of law enforcement personnel to counter this menace.

3. The development and maintenance of friendly relations with all states can be achieved by involvement in international action and other initiatives such as the Nairobi Declaration, Bamako Declaration and the United Nation Plan of Action on the illicit Trade of Small Arms and Light Weapons in all it’s aspects. The Action plans advocated for in these protocols will be incorporated into the National Plan of Action.

4. The issue of protection and promotion of National Interests is being addressed through support for the proposed mechanism on marking and tracing of Small Arms and Light Weapons which would ensure that the eastern Africa Sub-regional does not become a dumping ground for these weapons by their manufacturers.

Apart from being a signatory to the National Declaration, Kenya is working with the East Africa Community for a common position on small arms issues within the context of the Nairobi Declaration. The impending creation of a
customs union poses a challenge that require the three East African States to approach Small arms issues at the same pace.

Within the context of the East African Community, the three sister states have been actively working on harmonizing laws that relate to illicit arms among others. It is instructive to note that this process has been proceeding in tandem with the efforts made through the EAPCCO and Interpol Sub-Regional Bureau for a common approach towards the illicit arms menace.

12.0GLOBAL LEVEL
12.1 International instruments against terrorism and crime
Kenya strongly ascribes to the UN Security Council resolution on suppression of terrorism. Having been victims of terrorism in the past, Kenya has published a bill that addresses threats posed by terrorism and experts to have a law in place by year end.

12.2 International Cooperation and assistance
Kenya is a member of the ten-member state Eastern African Police Chiefs Coordinating Organization (EAPCCO). The member states have drafted a mutual assistance protocol that is awaiting ratification. Once ratified, the Protocol will provide clear guidelines on matters pertaining to exchange of information on a wide range of criminal activities amongst the states, which are also signatories to the National Declaration. The standardised use of ROCCIS and X-400 will be made mandatory in combating cross border crime.

Kenya remains in the forefront in the fight against terror, transnational organized crime and drug trafficking. In this regard, Kenya has in the recent past facilitated the arrest and extradition of terrorism suspects. In the area of drug trafficking, the Kenyan security agencies continue working closely with anti-narcotic agencies in other countries. These efforts have borne fruit
judging by the large number of courier intercepts that have been made in recent years, particularly from the Asian sub continent.

Kenya continues to cooperate with other Interpol member states in the area of information exchange and facilitation of the arrest of wanted persons. Kenya also hosts the Sub-regional Bureau for eastern Africa with which it has been working closely in the implementation of various aspects of the Nairobi Declaration.

12.3 Cooperation with civil society and NGOs

The Nairobi Declaration is very explicit on the crucial role the civil society has in achieving the ultimate objective of an illicit weapons free society. In this regard the Kenya National Focal point continues to view the civil society as valuable partners in the fight against illicit weapons. This is demonstrated by the enhanced membership in the National Focal Point.

At National level, the KNFP maintains a compendium of all its civil society partners and promotes information sharing and collective approach amongst them. Measures have been taken to encourage partnership between National Level Civil Society organizations and those that operate at community level. This will certainly increase the reach and hence the effectiveness of the campaign against illicit arms.

At regional and global levels, the KNFP continues to benefit from expertise and experience available with regional and global civil society organisations in undertaking technically complex and difficult tasks like mapping. It is equally important to acknowledge the benefits the KNFP continues to receive from these organizations in terms of resource mobilization and networking.
12.4 Information Exchange

Through the Interpol sub-regional Bureau and the Nairobi Secretariat, information continue being exchanged with other member countries on various aspects pertaining to small arms and light weapons. However limitations remain in place as not all countries are in the same threshold in so far as implementing the Nairobi Declaration is concerned.

13.0 CONCLUSION

As exemplified by the activities already undertaken or in process, the KNFP remains firmly on track in the implementation of the provisions of the UNPOA. It indeed requires a lot of courage, political will and commitment to implement the measures expected of each signatory nation. This commitment, at all levels, has been demonstrated by the measures taken within the short time the NFP has been in existence.

Among the impediments standing in the way of Kenya in the implementation of the UNPOA are resource scarcity and appropriate technical skills necessary to effectively deal with the small arms problem. Kenya continues appreciating, both the financial and technical support that has been made available to the Country by Development partner, the civil society and UN bodies towards addressing the menace. The assistance so far availed through OXFAM GB (SRIC), the UNDP and the friends of the Nairobi Declaration has been instrumental in facilitating the achievements reported herein.

The country is still in need of development assistance, particularly in dealing with the rural illicit arms problem. Resource based conflicts that create demand for illicit arms cannot be addressed by law enforcement alone, but in
tandem with attention to the underlying factors. As Kenya embarks on the mapping exercise, there is optimism that the international development partners will come forward in support of the National Plan of Action and assist the country in finding a sustainable solution through better law enforcement, security sector reform and development assistance.