KENYA NATIONAL FOCAL POINT
ON SMALL ARMS AND LIGHT WEAPONS

Country Report to the Third UN Biennial Conference on the Status
of Implementation of the UN Program of Action on Illicit Small
Arms and Light Weapons

AND

the Implementation of International Tracing Instrument.
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<tr>
<th>Abbreviation</th>
<th>Full Form</th>
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<tr>
<td>ATT</td>
<td>Arms Trade Treaty</td>
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<tr>
<td>CBO</td>
<td>Community Based Organization</td>
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<td>CFB</td>
<td>Central Firearms Bureau</td>
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<td>CID</td>
<td>Criminal Investigation Department</td>
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<td>CSO</td>
<td>Civil Society Organization</td>
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<td>DPCs</td>
<td>District Peace Committees</td>
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<td>DRC</td>
<td>Democratic Republic of Congo</td>
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<td>DTFs</td>
<td>District Task Forces on SALW</td>
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<td>EAC</td>
<td>East African Community</td>
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<td>EAPCCO</td>
<td>Eastern African Police Chiefs Cooperation Organization</td>
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<td>General Service Unit</td>
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<td>GTZ</td>
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<td>KANSA</td>
<td>Kenya Action Network on Small Arms</td>
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<td>KNFP</td>
<td>Kenya National Focal Point on SALW and Light Weapons</td>
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<td>MDGs</td>
<td>Millennium Development Goals</td>
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<td>MPs</td>
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<td>NSC</td>
<td>National Steering Committee on Peacebuilding and Conflict Management</td>
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<td>OAU</td>
<td>Organization of African Unity</td>
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<td>PTFs</td>
<td>Provincial Task Forces on SALW</td>
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<td>RECSA</td>
<td>Regional Centre on Small Arms</td>
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<td>SALW</td>
<td>Small Arms and Light Weapons</td>
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<td>SRB</td>
<td>Interpol Sub-Regional Bureau for Eastern Africa</td>
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<td>TiCAD</td>
<td>Tokyo International Conference on African Development</td>
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<td>UNGA</td>
<td>United Nations General Assembly</td>
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<td>UNPoA</td>
<td>United Nations Program of Action to Prevent, Combat and Eradicate the Illicit Train in Small Arms and Light Weapons in All its Aspects</td>
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BACKGROUND

INTRODUCTION

Circulation of illicit Small Arms and Light Weapons (SALW) currently pose the greatest threat to global security and development. In Africa, this has served as a weapon of mass destruction judging by the deaths it is directly and indirectly responsible for. Indeed Africa’s intra and inter state conflicts that are active in Africa today are fuelled by the easy availability, relative inexpensiveness, technical simplicity and easy mobility of illicit Small Arms and Light Weapons.

Kenya has suffered the effect of SALW proliferation as a result of long porous borders with unstable neighbouring states, large refugee population, relative stability in an unpredictable region, geographically vast and isolated arid and semi arid areas that can not be policed adequately among many others. These arms have continued to fuel urban crime, abet cattle rustling and fuel ethnic conflicts. The net effect has been high cost of providing security, underdevelopment of arid areas inhabited by armed pastoral communities and instability arising from cross border manifestation of these pastoral conflicts. Recent cases of terrorism and piracy have all strengthened the resolve of the Government of Kenya to work with all willing partners within sub
regional, regional and global arrangements to address the problem of illicit Small Arms and Light Weapons.

AREAS AFFECTED

Two thirds of Kenya is inhabited by nomadic pastoral communities who have traditionally engaged in cattle rustling. These communities invariably live across the common borders with Sudan, Somalia, Ethiopia and Uganda hence gives an international dimension to this ancient practice. The easy availability of small arms has by and large mechanized the practice and thus increased severity in the practice and completely changed the character of historical resident communities’ conflicts that previously involved simple traditional weapons. These arms are also known to be available for ethnic and clan conflicts.

The net effect has been manifest in impact on various economic sectors including undermining investment, threatening the stability of tourism as a key growth sector resulting in invariably high costs of security. Studies have indicated that in Nairobi alone firms incur losses to the tune of two million shillings annually due to lost production days as a result of workers falling victims of crime. Further firms spend about 11% of their total costs on security services while house holds spend about 9% of their budget on security costs. Noting that Nairobi accounts for 44% of the

national GDP production, the security cost to the economy is thus astronomical.

The illicit Small Arms and Light Weapons problem has two dimensions within the Kenyan context. These are the rural and urban gun problems. While the urban problem is mainly restricted to the major urban centres in Kenya like Nairobi, Mombasa, Kisumu, Nakuru, and Eldoret, the rural manifestation covers mainly the areas inhabited by pastoralist communities such as:

- The North Rift Region - This includes Turkana, West Pokot, Trans Nzoia, Samburu, Laikipia and Baringo as the most affected areas.
- North Eastern Region - Mandera, Garissa, Wajir and Ijara.
- Coast Province - Tana River and Lamu
- Eastern Province - Moyale, Marsabit, Isiolo and some parts of Meru.
- Western Kenya - Mt. Elgon bordering Kenya and Uganda.

**FACTORS CAUSAL TO PROLIFERATION OF ILICIT SALW IN KENYA**

While it is acknowledged that there are a number of domestic issues which provide fertile ground for small arms demand, it is imperative to note that easy availability remains a critical catalyst to demand. The insecurity that has dogged the Great Lakes
Region and Horn of Africa with civil wars dating back to the 70's has left the region awash with arms. Competition over political power, illicit exploitation of natural resources, marginalization, improvement in infrastructure and economic integration are all factors that have facilitated the internationalization of the spread of these arms in the region. The generation of refugees and their subsequent movement to Kenya as a regional centre for refuge further exacerbated the problem.

Perhaps the most worrisome and strategically destabilizing occurrence within the Horn of Africa context was the collapse of central governing structures in Somalia and its subsequent degeneration into a centre for arms trafficking along with other trans-national crimes.

While the Government of Kenya strives to address the internal demand driving factors ranging from Governance, marginalization, under development and negative cultural practices, any move short of working towards controlling the supply and circulation of illicit arms will continue to reverse gains already made in controlling demand and further undermine efforts aimed at achieving sustainable peace and security as key ingredients for development. This control requires collective global efforts that not only address the supply factors, but also assist in creating and strengthening governing structures in states
like Somalia. Security in the region is, thus, invariably tied to restoration of peace and stability in Somalia. Acts of Piracy in the Indian Ocean Seaboard on the Eastern Africa is a case in point that has increased transaction costs for investor’s in the entire region and undermined tourism, a key economic activity in the area. These costs are gradually transferred to consumers in the region, thus at heavy cost to the economies.

The mode of trafficking Small Arms and Light Weapons remains mainly confined to refugees and displaced persons, merchandise transporters, herders, gun dealers, bandits and local traders. The post-election violence arising from the disputed presidential election is also believed to have contributed to the influx of illicit small arms and light weapons, although the extent is yet to be established.

**IMPACT**

The problem has impacted negatively not only on the affected communities but the country at large, with visible under-investment in the affected areas and the invariably huge cost of providing security at the expense of other social services. This has negated the impact of social programs in place and undermined the ability of the Government to facilitate achievement of the Millennium Development Goals (MDGs).
In order to address the above challenges, the Government of Kenya reaffirms its commitment to the implementation of the UN Program of Action with special emphasis to the coordinated agenda for action developed through the Nairobi Protocol. The Kenya Government also looks forward to a more stringent global regime, particularly those aimed at curbing regulating transfers.

The measures that have so far been instituted in addressing these challenges are as discussed herein.
CHAPTER ONE

1.0 PROGRESS MADE IN THE IMPLEMENTATION OF THE UNPoA (2003-2008)

1.1 IMPLEMENTATION INFRASTRUCTURE

A National Focal Point on SALW was established in Kenya in January 2003. A focal point committee bringing together the Government and Civil Society was launched and a Secretariat established and operationalized with assistance through the then Nairobi Secretariat (now Regional Centre on Small Arms - RECSA). The Focal Point Committee has been meeting regularly and has over the last five years established a second level of implementation at Provincial levels. All eight Provinces of Kenya have established and trained Provincial Task Forces (PTFs). At the third level of implementation are District Task Forces (DTFs) on SALW. The Kenya National Focal Point on SALW (KNFP) has prioritised the establishment and training of DTFs in Districts that share international borders with other countries.

The KNFP Secretariat has also over the last five years been capacitated with additional personnel, vehicles and commensurate office equipment. Besides, its mandate has been expanded to integrate Peace Building and Conflict Management
work, implementation of the IGAD Conflict Early Warning Mechanism (CEWARN) and promotion of Community Based Policing, in partnership with other state and Civil Society actors.

With regard to the national point of contact, the National Co-ordinator, can be reached directly through:

Ministry of State for Provincial Administration and Internal Security,
Tel No +254 20 343468/343462/343462/343539
Telefax No +254 20 313335
Post Office Box No 30510, 00100 NAIROBI, KENYA
E-mail focal.point@aridland.go.ke AND peregae@yahoo.com

The National Focal Point Secretariat has been charged with the responsibility of Developing Policy Guidelines, Research, Monitoring of efforts to Combat, Prevent and Eradicate illicit trade in SALW in all its aspects, coordination of collection and destruction of SALW, liaison with states, sub-regional and regional organizations on all matters relating to the implementation of UNPoA among others.

The Kenya National Focal Point on Small arms and Light Weapons is charged with the following key functions:

1. Co-ordinating national policy and action to address the problem of the proliferation of illicit small arms and light weapons;
2. Co-ordinating the development and implementation of the National Action Plan for Arms Control and Management;
3. Co-ordinating with regional and international bodies and other national focal points the implementation of the international and regional declarations and protocols;
4. Co-ordinating and interacting with the civil society;
5. Co-ordinating research on the problem of illicit small arms and light weapons;
6. Monitoring and evaluating the effectiveness of measures to address the problem of proliferation of illicit small arms and light weapons;
7. Facilitating the exchange and dissemination of information with regard to the small arms and light weapons problem.

1.2 LEGISLATION, REGULATIONS AND ADMINISTRATIVE PROCEDURES

Kenya has one of the most stringent legal regimes when it comes to control of arms. Licensing of civilian possession of arms is highly restricted while possession of unlicensed arms attracts deterrent jail terms of not lower than 10 years. Since independence in 1963, the Firearms Act Chapter 114 of the Laws of Kenya has been revised 22 times, at each stage strengthening the provisions. Already Bills are in Parliament seeking a repeal of the Act. However, even in the face of this toughened regime, measures are underway to ensure compliance with the provisions of the
PoA. To facilitate comprehensive revision of the legislative, regulatory and administrative regimes, a National Policy on Arms Management has been developed to inform all the proposed changes; taking into account sub-regional arrangement under the Nairobi Protocol and anchored on the Best Practice Guidelines already developed for the Great Lakes Region and Horn of Africa.

Kenya does not have a significant SALW manufacturing or production facilities in both the formal and artisanal sectors. However, in the case of small calibre bullets produced by the Kenya Ordinance factories, all measures consistent with international safeguards with regard to record keeping, marking and transfers are being observed.

1.3 RECORD KEEPING, STOCKPILE MANAGEMENT AND SECURITY

1.3.1 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 carried out on daily basis. Access to

weapons is restricted to authorized persons only. Any loss of a weapon must be reported immediately and remains the subject of an inquiry, whether recovered or not. The management of stocks of ammunitions is covered by the same regulations governing firearms.

1.3.2 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.

1.3.3 STATE-OWNED SALW

State owned SALW in Kenya are kept and used under a very rigorous supervisory and record keeping system. While there is no centralised system for tracking records of such arms, the KNFP is satisfied with the manner with which state owned weapons are accounted for currently. However, plans are underway to establish an electronic National Register for all state-owned SALW by the end of this year.
1.3.4 COLLECTION AND DISPOSAL

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 has over the last five years taken bold steps to destroy by burning and subsequently smelt its stock of illicit small arms and light weapons. So far a total of 20,136 assorted SALW and 50,000 rounds of ammunition have been destroyed in four different public destruction events. The resultants debris have all been smelted.

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 their respective constitutive Acts 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.

To facilitate on-site decentralised destruction of illicit SALW, the UK Government donated to the Kenya Government two mobile gun crunchers (one truck mounted while the other is land rover towed). These will adequately be put to use once necessary amendments have been made in legislation to authorize on-site destruction.

1.4 IMPORT, EXPORT, TRANSHIPMENT, RE-EXPORT, TRANSIT

In Kenya, various legal statues governing the export, import, transhipment of SALW were initially administered by the Ministry of Trade and Industry and the Department of Customs and Excise within the Ministry of Finance. However, this has since changed following the repeal of the Trade Licensing Act Cap 497 and Import, Export and Essential Supplies Act Cap.502 among others through Legal Notice No. 53 of 16th April, 2007. The Legal Notice, whose provisions commenced on 1st May, 2007 provides Local Authorities with the mandate to administer these relevant statues in this regard in close collaboration with the Police Department in the Ministry of State for Provincial Administration and Internal Security.

1.4.1 TRANSIT

Kenya has a deep water seaport which serves Uganda, Rwanda, Burundi and even the Eastern 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 Kenya. There is, as such, no possibility of such consignments being diverted into the country.

1.5 BROKERING

Kenya does not have legislation on arms brokering. However, through the new policy on SALW, the necessary legislation will soon be introduced to ensure that arms brokering is regulated. All arms brokers will be required to register with the Central Firearms Bureau (CFB) and all transactions will be licensed.

1.6 DISARMAMENT, DEMOBILIZATION AND REINTEGRATION (DDR)

Kenya has, since independence, not been faced with internal conflicts that involve large-scale participation by non-state actors, save for the post-election violence that was witnessed in early 2008. Subsequently the country has not been confronted with a post-conflict situation that calls for attention to demobilization and reintegration. However, the Kenya Government recognizes and acknowledges the existence of illicit arms in the hands of the nomadic pastoral communities and has been working with neighbouring states to reduce arms available to these groups and negative forces fleeing neighbouring states. Over the last five years, a joint disarmament program has been developed with the

Ugandan Government to restore peace and order among the nomadic pastoral communities that straddle the common border.

1.6.1 KENYA/UGANDA JOINT DISARMAMENT PROGRAM

Kenya and Uganda share a long common border inhabited by armed pastoral communities on each side. The communities have over the years practiced cattle rustling against each other, and have in recent times resorted to the use of easily available sophisticated small arms and light weapons to engage in cross border raids. The net effect has been perennial insecurity, loss of lives and under-investment thus an enviable poverty cycle.

Against this background, the Government of Kenya and Uganda met on June 4th 2005 and collectively agreed upon a joint program of action with the sole objective of achieving sustainable peace and development in the areas of operation, which in this case was North Eastern Uganda and the North Rift Districts of Kenya.

The Program of Action identified a number of activities to be undertaken in fulfilment of the objective as outlined herein:

1. Simultaneous and coordinated disarmament operation
2. Mobilization, Sensitization and Deployment
3. Establish law and order in areas of operation
4. Branding of livestock  
5. Provide and reconstruct social and physical infrastructure  
6. Rewards/Recognition  
7. Support the development of alternative livelihood

1.6.2 THE NORTH RIFT VOLUNTARY DISARMAMENT AND DEVELOPMENT PROGRAMME

Within Kenya, the operational component of the program commenced in May 2005 with a voluntary disarmament and development program covering seven districts in the identified area. Its main objectives are:

1. To disarm civil population to remove incentive for accumulation of illicit arms in the pretext of insecurity.  
2. To address social and economic causes of the insecurity and banditry.  
3. To encourage economic diversification to wean the population from mono-culture that has continued to fuel banditry and cattle rustling

This programme is all inclusive with stakeholder consultations and involvement at all levels, including opinion leaders, Members of Parliament (MPs), civil society organizations (CSOs), Faith-based Organizations (FBOs) women and youth based organizations. In particular, District Peace Committees (DPCs) undertake
community mobilization and sensitization. The developmental approach focuses on addressing both supply and demand driving factors. Focus has therefore been on collection of illicit SALW, rehabilitation of schools, construction and rehabilitation of medical facilities, provision of medical services, reopening of livestock markets, branding and vaccination of livestock, construction of new police posts and improvement of security, drilling of bore holes, construction and desilting of water pans, grading of roads, among other critical interventions.

1.6.3 GARISSA VIOLENCE REDUCTION IN PASTORAL CONFLICT PILOT PROJECT

In reaffirming support for stabilizing the security situation among pastoral communities in support of development, the Government of Kenya, with UNDP funding and technical support, embarked on a Pilot Project in Garissa District, one of the Districts in North-Eastern Kenya badly affected by armed pastoral conflicts. The Project commenced in 2004 and came to a close in June 2007. The four main components of this project were:

- Awareness raising and education
- Alternative livelihoods
- Water and pasture enhancing access and availability
- Disarmament - weapons collection and destruction.
A comprehensive programme on Armed Violence and Small Arms Reduction in Pastoral Communities in Kenya, dubbed “Garissa Expanded” has been developed. Plans are underway to replicate the programme in 10 other Districts besides Garissa.

1.7 AWARENESS CREATION

Kenya recognizes that the presence of illicit Small Arms and Light Weapons remains an impediment to development and a great threat to security. As a result of this, 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 by local administrative officers, political leaders, and civil society, on the need to give up weapons as a measure to bolster security and restore order.

ii. Community safety initiatives are ongoing under the Control Arms Campaign.

iii. Amnesty programmes have been put in place to encourage the surrender of illicit weapons in return for immunity from prosecution.

iv. Measures have been taken through the National Steering Committee on Peacebuilding and Conflict Management to
promote peaceful and age-old conflict resolution mechanisms, as an effort towards sustainable peace.

v. Communities have been encouraged, through community-based organisations, to adopt alternative means of livelihood, apart from livestock keeping. Garissa has been a success story where small grants have been accorded women and youth groups, who have in turn taken on small scale enterprises.

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

vii. The IGAD Conflict Early Warning and Early Response Mechanism has been activated and linked to community based conflict prevention structures to facilitate detection and address of potential conflicts before they occur, hence a disincentive to gun ownership.

viii. Through deliberate interventions, the Government is creating alternative means of livelihood and development as a way of discouraging gun ownership activity. The Government is also encouraging development dimensions in dealing with the problem.

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

Weapons destruction events have also been used to highlight issues related to small arms, security and development. The role of the civil society in this particular area has been of utmost importance.

1.8 DEVELOPMENT AND IMPLEMENTATION OF THE NATIONAL ACTION PLAN ON ARMS CONTROL AND MANAGEMENT

The Kenya National Action Plan for Arms Control and Management (NAP) was officially launched on 14th July, 2006, even though implementation of certain aspects of the NAP deemed urgent and a priority were commenced in July 2004. The following activities have so far been undertaken:

1.9 NATIONAL SMALL ARMS MANAGEMENT POLICY

The gist of the implementation of a National Action Plan is the presence of an arms management policy that informs on
legislation that provides for permanent institutional arrangements and defines linkages with other stakeholders. To this end, the Kenya National Focal Point Committee, with assistance from Saferworld, the UNDP and Oxfam GB has completed development of a draft National Policy on Small Arms and Light Weapons through a highly consultative process. Stakeholders’ validation meetings were held in this regard. The National Focal Point is keen to have the Sessional Paper presented to Parliament prior to the approval of the policy. Its approval will no doubt facilitate adjustment of legislation to reflect the gravity of the threats illicit arms pose to society and consistency with international protocols and standards. The policy will also guide the estimation of regulations and administrative procedures to ensure consistency with the UN program of Action and the provisions of the Nairobi Protocol. It is envisaged that once approved, the policy will inform the legislative review process. It will also guide the review of administrative procedures, rules and regulations governing the management of small arms and light weapons. This is important because laws that are in operation at any one given time need to be relevant, enforceable and effective.

This undertaking is in line with the objectives of the Kenya National Action Plan, Nairobi Protocol and Best Practice Guidelines as well as other various regional and international instruments governing small arms.
The Kenya National Action Plan on Arms Control and Management recognized that community/police relations are critical to the fight against illicit SALW. We have been implementing reforms within the security sector through community policing. This is aimed at facilitating and enhancing the relationship of the Police and the communities with a view to building trust and improving service delivery.

Community/Police partnership, where the community engages the police and vice versa in crime detection is a fundamental principle in crime control. The trust between the public and the police is critical to management of security issues that can effectively facilitate interdiction in arms related crimes and trafficking. It suffices to mention that the Kenya Government formally adopted community policing as a crime reduction strategy. The strategy was launched by His Excellency the President, in May 2005.

There has been a general decline in crime since the inception of this programme. The interaction between the communities and the Police has increased thus facilitating reporting of crimes before they occur. This process is very critical to enhancing recovery of illicit arms and uncovering gun running criminal groupings.
1.11 SUB-REGIONAL AND REGIONAL LEVEL ACTIVITIES

Kenya continues to play a central role in the fight against illicit arms at both sub-regional and regional levels. At the regional level, Kenya effectively participated in the African Small Arms Experts Conference held in December 2005 in Windhoek, Namibia where an African common position to the Review Conference was agreed upon and the Tokyo International Conference on African Development (TICAD) held in Addis Ababa, Ethiopia in February, 2006, where small arms proliferation was recognized as a development rather than just a security concern.

At the sub-regional level, Kenya was among the first countries to ratify the Nairobi Protocol. In reaffirming commitment to collective efforts, Kenya has also continued to actively participate in the International Conference on the Great Lakes Process, which proposes a multifaceted approach to Peace, Stability and Development in the Great Lakes Region.

Kenya remains committed to the Sudan and Somali Peace processes. The former is gradually stabilizing while the latter has seen a number of setbacks that can be attributed to lukewarm support from the international community. Subsequently the Transitional Federal Government has not been able to create security institutions that are a precondition for any meaningful stability. This has far reaching ramifications to peace and security.
in the entire region. The escalation in incidents of piracy and open warfare for control of Mogadishu bear testimony to this.

The fear of international terror organization seeking shelter in Somalia can only be addressed against the backdrop of a responsible Government in place which can be held accountable and subject to international obligations. Such a Government must be nurtured and facilitated by the international community through support towards restoration of Governing structures. It is envisaged that with stability in Somalia and Sudan, regional processes for disarmament will succeed and demand and supply of arms and circulation will be reduced.

1.12 GLOBAL LEVEL EFFORTS

1.12.1 INTERNATIONAL INSTRUMENT ON TRANSFER CONTROLS

Kenya strongly believes that sufficient safeguards on arms transfers are a minimum requirement to ensure that arms do not fall in the wrong hands for wrong purposes. Kenya believes that no single regional or sub-regional arrangement on arms transfers can effectively ensure implementation of guidelines on best practices that guide small arms transfers. This is borne by the fact that arms are transferred across regions and continents. Against this background, Kenya remains steadfast in the pursuit, through consensual efforts, of minimum global transfer guidelines on arms
transfers. At sub-regional level, through the Regional Centre on Small Arms (RECSA) the Nairobi Protocol countries, of which Kenya is a member, has already developed such guidelines. In pursuing consensus on the subject, Kenya along with the UK Government co-hosted an International Conference on 20th and 21st April, 2006, that brought together participants from all the continents to advance prospects for an agreement on Small Arms and Light Weapons. Outcomes of the conference were shared widely and discussed at the Helsinki Conference of early May 2006 on the same.

Kenya also continued to work with the International Community through the Geneva Process and the Consultative Group Process on prospects of strengthening the UN Program of Action. Kenya is also committed to the development of an Arms Trade Treaty.

Kenya was pleased to be one of the co-authors of the Arms Trade Treaty Resolution which was adopted by the First Committee in October 2006 and by the United Nations General Assembly (UNGA) on 6th December, 2006. As a developing African country, which is affected by the proliferation of illicit SALW, Kenya is committed and proud to play a leading role in the global effort to come up with an Arms Trade Treaty (ATT).
1.12.2 INTERNATIONAL COOPERATION AND ASSISTANCE

In order to effectively address the underlying demand driving issues, Kenya continues to appeal for international support particularly in Developmental interventions that would reduce the Gun culture and address the livestock complex. Kenya also has long porous borders with unstable neighbours that require very specific capacity support to law enforcement agencies to effectively Police. There is also need to support capacity building, both Governmental and Non-Governmental cross border initiatives, operating at local levels. There is further need to support a comprehensive study on cattle and gun culture among the pastoral communities in the region.

The Government of Kenya has continued working with the UNDP and other multi-lateral and Civil Society partners to address the development dimension of small arms. These efforts, though giving positive indications, remain starved of much needed funding. We would therefore like to appeal and urge like-minded countries and organizations to consider channelling the required support – technical or financial – to RECSA through which support would also be extended to KNFP for the implementation of national SALW programmes.
1.13 PARTNERSHIP WITH CIVIL SOCIETY AND NGOS

The UNPoA is very explicit on the crucial role the civil society plays 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 of the civil society at 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 Organizations in undertaking technically complex and difficult tasks like mapping. The benefits the KNFP continues to receive from these organizations in terms of resource mobilization and networking are acknowledged.
CHAPTER TWO

2.0 IMPLEMENTATION OF THE INTERNATIONAL TRACING INSTRUMENT

Kenya being a signatory to the Nairobi Declaration and the Nairobi Protocol has an obligation to ensure that it abides by the provisions of the Nairobi Protocol as provided for in the Best Practice Guidelines.

Article 1 of the Nairobi Protocol and Cap 1, 1.3 of the Best Practice Guidelines, requires that states in the Great Lakes Region and the Horn of Africa, mark all the small arms and light weapons in state possession at the time of manufacture with a unique marking, providing the name of the manufacturer, the country or place of manufacture and the serial number. The marking should be stamped on the barrel, frame and where applicable on the slide. All small arms and light weapons owned by the state will in addition, be marked with a * (star) preceding the ISO country code for example *KE in the case of Kenya. Countries in the Great Lakes Region and the Horn of Africa are required to have marked all state owned small arms and light weapons by the end of this year, 2008.

RECSA conducted a workshop for the 12 Member States from 31st March, to 4th April, 2008 in order to acquaint participants with marking methods and techniques and also facilitate the establishment of electronic data bases. This was aimed at enabling Member States successfully conduct the marking of all state-owned SALW as well as establish electronic data bases in their respective countries.
RECSA will provide each member state with one (1no.) marking machine and two (2no.) computers for storage of data within the next two months (i.e. by July 2008). This grace period would allow the upgrading of the machines from manual to electronic.

In so far as Kenya is concerned, the marking exercise will commence soon as soon as the marking machines are received from RECSA. It is expected that by the end of this year, we should have marked all state owned small arms and light weapons in accordance with the provisions of Nairobi Protocol and the International Tracing Instrument. The approved method of marking is by stamping.

It is important to note that Kenya already has in place a Central Firearms Bureau (CFB) which currently maintains a register of all small arms and light weapons in legal non-state possession. However, it is envisaged that as soon as the National Policy on Small Arms and Light Weapons receives Cabinet approval and thereafter passed in Parliament, the Central Firearms Bureau will be given a wider role of also maintaining an electronic database of all state owned small arms and light weapons.

The following minimum information will be included in the register:-

(a) The state department under whose control the firearm is, or in whose safekeeping or legal possession the firearm is in.
(b) The type of firearm, specification, make, model, serial number, caliber and any other markings such as engravings, proof marks, country identity marks and other markers on the firearm that can assist in its identification.
(c) Particulars of the movement, transfer, sale and destruction of the small arms and light weapons within 30 days of such action.

The draft National Policy on Small Arms and Light Weapons once approved will inform review of Legislation, Regulations and Administrative Procedures, hence ensure the effective implementation of the International Tracing Instrument.

The following are the challenges and assistance needs that we may face in our efforts to implement the International Tracing Instrument:-

(a) International cooperation in the area of tracing the sources of illicit small arms and light weapons.
(b) Marking all small arms and light weapons in state possession by end of 2008.
(c) Setting up an electronic data base with inadequate financial resources.
CONCLUSION

As exemplified by the activities already undertaken or in process as outlined herein, 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 Member State. 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 Partners, the Civil Society and UN bodies towards addressing the menace. The assistance so far availed through OXFAM GB, Saferworld, UNDP, EAC/GTZ Project, and the Friends of the Nairobi Declaration through RECSA has been instrumental in facilitating the achievements reported herein. In addition, regional instability within the Great Lakes Region and the Horn of Africa has continued to exacerbate the flow of illicit small arms and light weapons, even though, Kenya has remained proactive in facilitating peace process in the region. Further, the political crisis that engulfed the country following the disputed presidential results of the 2007 General

Elections negatively impacted on funding. It also affected the implementation of the NAP as focus was shifted towards resolving the political and humanitarian crises.

As has already been mentioned, Kenya is 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. 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.