



Kenya National Action Plan for Arms Control and Management

Published by
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Office of the President
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© Kenya National Focal Point on Small Arms and Light Weapons
First published in 2006

ISBN 9966-7125-0-X

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Design and Production
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Abbreviations & Acronyms

AIDS	Acquired Immune Deficiency Syndrome
ALRMP	Arid Lands Resource Management Project
CFA	Chief Force Armourer
CFB	Central Firearms Bureau
CID	Criminal Investigation Department
CPC	Criminal Procedure Code
DOD	Department of Defence
EAPCCO	Eastern Africa Police Chiefs Cooperation Organisation
ERS	Economic Recovery Strategy for Wealth Creation and Employment
FSO	Force Standing Orders
GPS	Global Positioning System
HIV	Human Immuno deficiency Virus
IDPs	Internally Displaced Persons
KNFP	Kenya National Focal Point on Small Arms and Light Weapons
KRA	Kenya Revenue Authority
KWS	Kenya Wildlife Service
LEA	Law Enforcement Agencies
MC	Movement Control
NAP	National Action Plan
NGOs	Non-Governmental Organisations
OP	Office of the President
PC	Penal Code
PTFs	Provincial Task Forces
RECSA	Regional Centre on Small Arms
SALW	Small Arms and Light Weapons
SOP	Standard Operating Procedure
SRIC	Security Research and Information Centre
SWP	Standard Working Procedures
UK	United Kingdom
UN	United Nations
UNHCR	United Nations High Commissioner for Refugees
UNPOA	United Nations Programme of Action on Small Arms and Light Weapons

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Foreword

The single most serious security challenge facing the world today is the proliferation and circulation of illicit small arms and light weapons. By virtue of their easy availability, relative cheapness, technical simplicity and concealability, these weapons have become arms of choice to all categories of criminals. Within the context of our region, they are the weapons of choice for cattle rustlers, carjackers, terrorists, pirates and insurgents focused on undermining legitimate governments.

This state of affairs has exacerbated poverty and created a state of insecurity against which no meaningful development can be achieved. It is in realization of the devastating effects of these illicit small arms and light weapons on safety, security and development, which states, have resolved to act. At the international level, a United Nations Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in all its Aspects (UNPoA) was agreed in July 2001. While in our own sub-region, the states of the Great Lakes Region and the Horn of Africa signed 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 in March 2000, and consequently, the Nairobi Protocol for the Prevention, Control and Reduction of Small Arms and Light Weapons in the Great Lakes Region and The Horn of Africa that came into force on 5th May 2006. These agreements commit states to take a series of measures to address the scourge of small arms and light weapons within their territories.

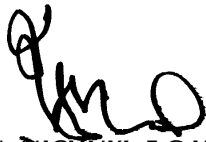
Kenya has been at the forefront of efforts to, prevent and resolve conflict in the sub-region and in particular to tackle the proliferation of illicit small arms and light weapons. We have ratified the Nairobi Protocol and also host the Regional Centre on Small Arms (RECSA), which co-ordinates and oversees the implementation of the Nairobi Protocol.

The Government of Kenya attaches great importance to the successful implementation of both the Nairobi Declaration and the Nairobi Protocol. To ensure that we fulfil these commitments, we have developed our National Action Plan for Arms Control and Management (NAP). This NAP provides a comprehensive set of measures to tackle the proliferation of illicit small arms and light weapons; capacity building for civil society organizations and law enforcement agencies; establishment of development-oriented small arms reduction programmes, among others. Indeed, the development of the NAP marks an important step in Kenya's efforts to tackle the proliferation of illicit small arms and light weapons.

I am glad to note that the implementation of this NAP is on-going in line with the commitments we have made in the Nairobi Declaration, the Nairobi Protocol, the Bamako Declaration and the UNPoA. It suffices to note that the success of our efforts in address-

ing the problem of the proliferation of illicit small arms and light weapons will depend on concerted efforts and sustained partnerships at various levels. I also wish to note that we have joined hands with the Government of the Republic of Uganda and developed a joint Disarmament and Development Plan, whose implementation is also underway. We therefore, envisage addressing the small arms problem from a developmental perspective.

The Government remains steadfast in its war against illicit small arms. Through the Kenya National Focal Point on Small Arms and Light Weapons, an inter-agency body that co-ordinates all actions on small arms, this NAP has been developed. It should be acknowledged and emphasized that the small arms problem cannot be handled single-handedly by the Government. There is need to embrace a multi-sectoral approach. Hence, the successful implementation of this National Action Plan entirely depends on the joint efforts of all stakeholders.



HON. JOHN N. MICHUKI, E.G.H., MP
MINISTER OF STATE FOR PROVINCIAL ADMINISTRATION
AND INTERNAL SECURITY

Acknowledgements

Many individuals and institutions contributed to the successful development of Kenya's National Action Plan for Arms Control and Management and to the production of this report. We thank most sincerely the UK Government for its financial support, provided through international NGOs - Saferworld and SaferAfrica - to the development of the NAP and the production of this report.

We would like to thank Saferworld and SaferAfrica for the technical support they have provided through every stage of the mapping process and the development of the NAP and would like to acknowledge the relentless support provided by their staff.

Civil society organizations have made an important contribution at every stage in the development of the NAP. In particular the contribution of Security Research and Information Centre (SRIC) is highly appreciated. We also thank Oxfam GB for their valuable support.

We would like to acknowledge the Assessment Team together with the surveyors for accepting the very important task of conducting the mapping exercise under the able guidance of the former Kenya National Focal Point (KNFP) Co-ordinator, David Kimaiyo. They traveled far and wide to gather data that forms the basis of this NAP.

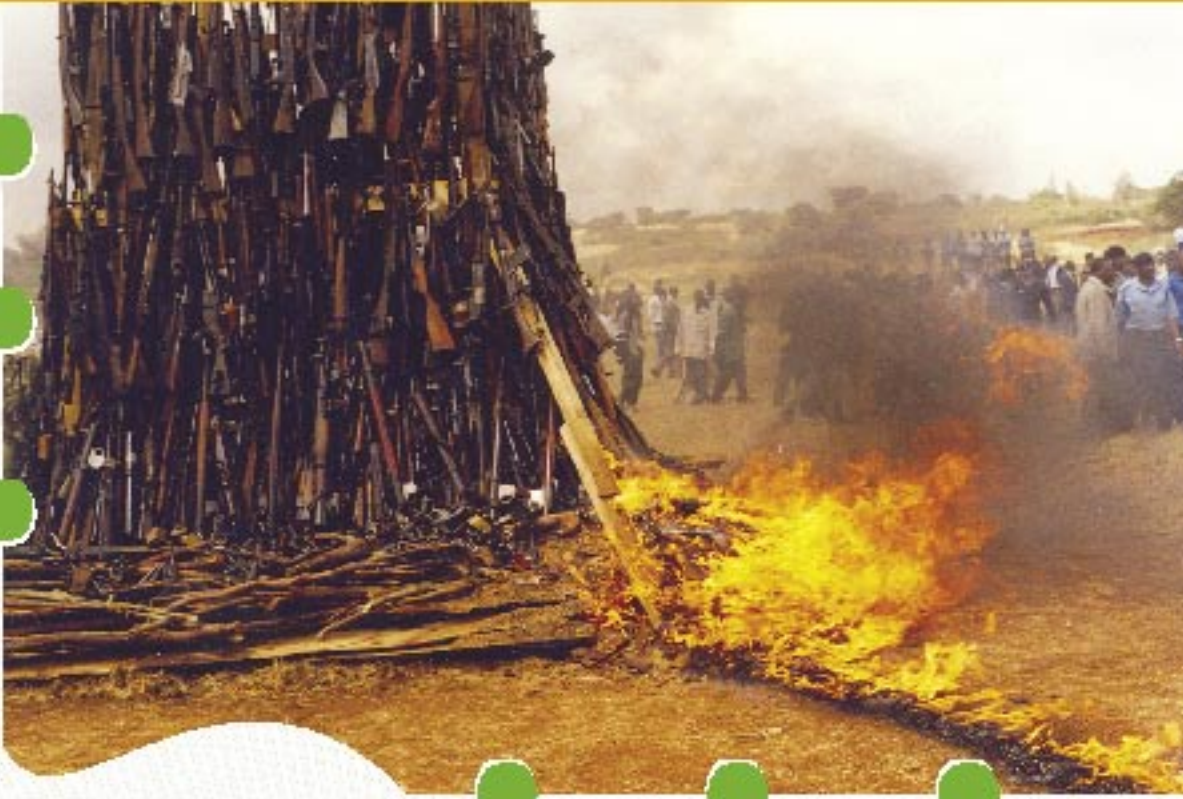
We also wish to acknowledge the critical role played by the participants both at the law enforcement workshops as well as civil society workshops for their invaluable contributions and input. Indeed, this Report would not have come to fruition without their co-operation. And to the communities themselves, we thank you.

In the production of this report, special thanks go to Saferworld and SaferAfrica and to the Editorial Team under the able guidance of the KNFP National Co-ordinator, Peter E. Eregae. The members of this Team were Leonard Onyonyi, Ambassador Ochieng' Adala, Jennifer Halwenge, Bilha Awori, Jacinta Nyamosi, Martin Omella, Samuel Cheruiyot, Augusta Muchai, Dickson Magotsi, and Josephine Ouko. All the members of the KNFP also deserve mention for their invaluable input. Oakland Media Services further edited the Report, did the typesetting and layout. Their commitment to quality work is gratefully acknowledged.

Last but not least, we thank the KNFP Secretariat for the lead role they played in the development of this NAP.

Thank you.

Part ONE



Introduction and background

Introduction

In June 2004, the Permanent Secretary Provincial Administration and Internal Security approved Kenya's National Action Plan for Arms Control and Management (NAP). The NAP provides the framework for a comprehensive set of activities to address the problems associated with the proliferation of small arms and light weapons in Kenya. The Kenya National Focal Point on Small Arms and Light Weapons (KNFP) - a committee made up of representatives from a wide range of government ministries and departments, as well as civil society representatives, and international agencies which is charged with the responsibility of co-ordinating all of Kenya's actions on small arms - led the process of developing the NAP. It developed the NAP following an intensive period of research, consultation and analysis, which involved holding consultations with members of the law enforcement agencies, civil society and the general population. Implementation of the NAP has already begun, with a draft Small Arms and Light Weapons (SALW) policy developed; civil society organisations from across the country trained to take action against small arms; and, Provincial Task Forces (PTFs) established and trained in each of the provinces.

This report aims to provide an accessible overview of how and why Kenya came to have a NAP for arms control and management. Part one outlines the reasons for developing the NAP in Kenya, looking at both the internal and external factors that influenced the decision, and explains the rationale for conducting a national assessment of the small arms situation in Kenya. This national assessment provided the base of information upon which the NAP was developed. Part two explains the methodologies and processes that were followed to conduct the national assessment of the small arms situation in Kenya. Part three provides an overview of the findings of the national assessment, examining some of the key small arms issues in Kenya. Part four outlines the main recommendations that were drawn from the national assessment, as well as Kenya's regional and international commitments to small arms control, and how these informed the development of the different priorities identified in the NAP. The NAP itself is then produced in full.

Why has Kenya developed a National Action Plan on small arms?

Threats to Kenya's security and prosperity - the internal rationale

While Kenya is one of the few countries around the Great Lakes Region and the Horn of Africa that has escaped the ravages of large-scale war since gaining its independence, it is nonetheless affected by many challenges to its safety and security. These challenges

include high levels of crime - often violent and indiscriminate in nature and frequently involving arms; low-level violent conflict in the form of ethnic clashes - often associated with cattle rustling; poaching, terrorism and the spill over impact of conflict and instability in neighbouring countries. The sense of fear and insecurity that this reality has bred has become a significant factor in the lives of Kenyans. To gauge the scale of insecurity in Kenya, be it that of the true incidence of crime or terrorism or the common perception of insecurity or fear for one's safety, one only has to read the newspapers or follow political debates.

Both the Government of Kenya and civil society see security and safety as key issues in the country's development. There is a growing public awareness of issues of safety and security, which have increasingly been reported in the popular media and have become subjects of research and reports by non-governmental organisations, (NGOs) academics and others. This trend has been mirrored internationally, where there has also been an increased focus on the role of security issues and their potential to impact on the creation of sustainable development. Representatives of government and civil society in Kenya tend to agree that insecurity is negatively impacting on the daily lives of many Kenyans, reducing their quality of life - for instance, by impeding their freedom of movement through fear of carjackings or highway robberies - and, even denying some their most fundamental right: the right to life. Many also see insecurity in Kenya as a key obstacle to economic development and good governance.

Small arms are central to many of the security challenges Kenya faces. They are frequently the tools of violence in carjackings, robberies, burglaries, terrorism, cattle rustling and inter-ethnic violence - some of Kenya's major security challenges. While not a root cause of conflict, terrorism or crime, small arms are frequently used in the commission of such acts. The presence of small arms in particular environments and scenarios can also transform the nature of these situations, both hampering efforts to address other causes or contributing factors, and escalating the risk of injury or death and the sense of fear and insecurity. For instance, addressing conflict between neighbouring communities over access to water or grazing land, or attempting to apprehend criminals can be significantly more protracted, difficult and dangerous if small arms are present. The presence of small arms in conflict situations can hamper efforts of peaceful resolutions, speed the resort to violence and increase the lethality of that violence, while often prolonging conflict and impeding its cessation. Addressing the presence of small arms as a central element of tackling the major threats to Kenya's security can, therefore, be an important and effective way of lessening the impact of these threats and enabling their other causes and contributory factors to be more easily and effectively addressed.

The high incidence of armed violence of many kinds, the strong sense of fear and insecurity, along with the resulting public focus on safety and security issues, have thus spurred both the Government of Kenya and civil society to take action against the proliferation of small arms. The Government is also working to address other factors sustain-

ing or contributing to insecurity, through a range of initiatives from police reforms, to conflict management, to rural development.

Small arms as a global issue - the external rationale

In addition to the momentum from within Kenya to develop a comprehensive response to the problems associated with the proliferation of small arms, there is also a significant external or international dimension to the country's decision to develop a National Action Plan on small arms. The increased recognition of the role of small arms as a driver and facilitator of insecurity in Kenya has been mirrored by a growing international focus on the issue of small arms control over the past decade. This international attention on the small arms issue and the growing consensus about the need for international co-operation to tackle the proliferation of small arms across the world, led to the conclusion of a number of regional and international agreements on small arms. Kenya is a signatory to many of these and has therefore, committed to take a number of specific steps to control small arms. The most significant of these agreements are the United Nations Programme of Action¹ - the global agreement on the need to tackle the proliferation of small arms; the United Nations Firearms Protocol² - a legally binding global agreement on particular aspects of small arms control; the Nairobi Declaration³ and Nairobi Protocol⁴ - the agreement and protocol which focus specifically on the Great Lakes Region and the Horn of Africa.

It is notable that the legally-binding Nairobi Protocol represents one of the most far-reaching agreements on small arms anywhere in the world. As home to the Regional Centre on Small Arms (RESCA) - the co-ordinating body for small arms activities in the Great Lakes Region and the Horn of Africa - Kenya has been at the forefront of small arms efforts in the region. Kenya's desire to be a leader in the region's dynamic small arms movement has contributed to its drive to fulfil its commitments within regional and international agreements. Kenya was one of the first states to set up a national inter-agency co-ordination body focusing on small arms, establishing its KNFP in 2002. The presence of this central agency to co-ordinate and direct action on small arms has been central to the country's ability to fulfil other regional and international commitments on small arms. Foremost among these is the commitment to develop a comprehensive national strategy or plan to tackle small arms proliferation.

1 United Nations Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All its Aspects, was signed in July 2001

2 Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition, supplementing the United Nations Convention against Transnational Organised Crime, came into force on 3rd July 2005, 90 days after the submission of the fortieth instrument of ratification.

3 Nairobi Declaration on the Problem of the Proliferation of Illicit Small Arms and Light Weapons in the Great Lakes Region and Horn of Africa, was signed by ten states in March 2000.

4 Nairobi Protocol for the Prevention, Control and Reduction of Small Arms and Light Weapons in the Great Lakes Region and the Horn of Africa was signed in April 2004 and came into force in May 2006.

Conclusion

A number of factors have therefore, contributed to Kenya's decision to develop a NAP. Internally, Kenya is faced with a number of pressing challenges to the safety and security of its citizens. Small arms are a key contributory factor or a significant impediment to successfully addressing the root causes of many of these safety and security challenges. There has also been a growing recognition in Kenya and in the wider international community of the need to take action focused specifically on issues relating to controlling the demand for and supply of small arms. As a result, Kenya has become party to a number of regional and international small arms agreements, which commit Kenya to take action to tackle the proliferation of small arms. This combination of factors influenced Kenya's decision to develop a NAP to address the proliferation of small arms.

Why conduct a national assessment of the small arms situation in Kenya?

The KNFP decided to conduct a national assessment of the small arms situation in Kenya in order to better understand the nature and extent of the small arms problem, and to identify the specific needs that the NAP should address. The KNFP was clear from the outset that if its efforts to address small arms proliferation in Kenya were going to be successful, its approach would have to address all of the key factors influencing both the demand for and the supply of small arms across the country. Fundamental to the process that the KNFP wanted to undertake, was the principle that its actions should be comprehensive. In addition to this, it was crucial that the action taken on small arms was integrated with other initiatives to address insecurity and promote development. Kenya was not starting from scratch in tackling the small arms problem, as initiatives led by government and in particular, by civil society, had already taken place. Furthermore, Kenya already had programmes in place to address conflict, security and development issues, which were complementary to efforts to address small arms. What was crucial, therefore, was that any action sought should build upon and complement existing small arms initiatives, and that it was designed to link, wherever appropriate, with programmes in other related areas of security and development.

In developing the NAP, the KNFP sought to build upon the existing body of knowledge on small arms and security issues in Kenya. While a number of important and relevant studies had already been conducted, there were a number of reasons why further research was required:

- The existing research had not been brought together and analysed as a whole, to give a consolidated picture of the nature and extent of the small arms problem.
- Though a number of studies on small arms had been completed, there were particular issues and geographic regions that had either not been researched at all,

or were researched only in part.

- No research had been done looking at all the key small arms factors across the whole country, nor had any such research been done that was aimed at the development of countrywide practical and realistic solutions.
- While much of the understanding of the small arms problem in Kenya was based upon a solid foundation of research, some common perceptions of the nature and extent of the problem were less vigorously tested, and based on more anecdotal evidence. For these reasons, the KNFP decided that it was necessary to conduct further research into the small arms problem in Kenya, in order to collect the information needed to develop a comprehensive, realistic and practical response to the problem.

The KNFP, therefore, decided to undertake a national assessment in order to build up a clear picture of the factors shaping the demand for and the supply of arms across the country, and to identify existing initiatives and resources that could be built upon in developing the NAP.

Partners in the process

The Government of Kenya recognised that by collaborating with others, both within Kenya and internationally, it could more effectively and efficiently achieve its objectives of developing a NAP. From its establishment, the KNFP had identified the need to draw upon and include the knowledge, perspectives and skills of civil society, providing for a number of civil society representatives to be members of the KNFP. The Government of Kenya also saw civil society organisations as central players in the development and implementation of the NAP.

The KNFP also recognised the need to draw upon international support to bolster its technical and material capacity. The KNFP, therefore, approached international NGOs Saferworld and SaferAfrica, based in London and Pretoria respectively, to assist in the development of Kenya's NAP. These two organisations brought considerable experience of working on issues related to security, and in particular small arms, at both the regional and national level elsewhere in Africa. Most importantly, however, these organisations had developed a flexible methodology for developing a NAP. They had experience of working closely with other governments in Africa in implementing this approach - for instance in Tanzania and Uganda - and were thus well placed to support the Kenyan initiative. Saferworld and SaferAfrica, along with the local Kenyan organisation, Security Research and Information Centre (SRIC) were therefore invited to provide technical support to the development of Kenya's NAP and to be members of the assessment team, which was led by the KNFP Co-ordinator. Through Saferworld and SaferAfrica, the UK Government provided financial support to the process.

Part TWO



Methodology and the process in Kenya

Introduction - key objectives of the national assessment

Kenya's overall goal in developing a NAP was to improve security and community safety across Kenya, by effectively tackling the proliferation of small arms in all parts of the country. To do this, the KNFP set four key objectives, which informed the national assessment process that it decided to develop. These objectives were:

- i) The need to have a clear understanding of the true nature and extent of the impact of small arms across the whole country.
- ii) To identify what resources were available, both human and material, to tackle the problems identified and how these capacities could be strengthened, if needed.
- iii) To use this information to inform the development of a NAP that would guide Kenya's actions in tackling the small arms problem.
- iv) To ensure the development of the structures needed to effectively sustain implementation of the NAP, and to ensure that the requisite support for implementation of the plan was generated.

The approach that the KNFP, therefore, decided upon, sought to meet these objectives as fully as possible. It decided that a national assessment of the small arms situation should determine the true nature and extent of the small arms problem in the country, and to identify the level of existing resources that could be utilised to address the problem. This focus on resources, within government, civil society and the general public, was crucial in shaping activities within Kenya's NAP, and ensuring that it was realistic and sustainable.

The national assessment was, at root, a large-scale research exercise because it formed a central element of a broader strategy of which the final goal was to implement activities to improve the security and community safety of Kenyans. It was crucial that during the national assessment, the ground was prepared for the implementation of practical action on small arms. In this regard, it was important to enhance the capacity of those who were to lead the process, that is the KNFP itself. It was also important that others, such as members of civil society and the law enforcement agencies, who it was envisaged would be closely involved in the initial activities of the prospective NAP, were brought into the process and informed of the role that they could play in supporting the NAP. To this end, the national assessment activities were designed to ensure that the capacity of the KNFP to lead the implementation of the NAP was enhanced, and that not only was information collected from civil society and the law enforcement agencies, but that they were also primed for their future role in the implementation of the NAP. This secondary objective of informing civil society and the law enforcement agencies of their potential role in the NAP helped to shape the design of some of the activities conducted during the national assessment, as outlined below.

The national assessment process

The national assessment of the small arms problem in Kenya took place between March 2003 and April 2004. The process was divided into three phases: the preparatory phase, the information collection phase, and the analysis and plan development phase.

The preparatory phase

From March to August 2003 the KNFP, working closely with the technical support of Saferworld, SaferAfrica, and SRIC, undertook the crucial preparatory work for the national assessment. In many ways this was the most important stage of the entire process, because it was during these months that the foundations, upon which the whole success of the NAP would rest, were laid. During these six months the objectives of the NAP were set, the specific needs that the NAP was to fulfil identified, the exact focus and scope of the national assessment determined, and the roles and responsibilities for the assessment allocated.

As mentioned, enhancing the capacity of the KNFP was to be crucial if the process was to be a success, as the KNFP were to lead the development and implementation of the NAP. Consequently, in April and May, the KNFP participated in two training workshops that covered some of the key issues relating to small arms control, and planning and objective-setting for the NAP. Subsequently, a series of activities were undertaken to prepare for the national assessment, which included:

- Planning workshops in May and June to establish the guidelines for planning the national assessment, set the objectives of the assessment, and carry out the detailed planning for the field research components of the assessment;
- Compilation of a background country study to identify the existing research and knowledge on the small arms problem in Kenya, and from which to identify the key information gaps that the assessment should seek to fill;
- Preliminary field research to prepare for the full field assessment, in particular, focusing on collecting information on infrastructure and key conflict / security issues;
- Development of a finalised assessment plan. This drew on the initial field research and the background country study, and was agreed by the KNFP at the end of July 2003. It detailed the specific activities that were to take place during the assessment, and the roles and responsibilities of those who were to carry out the assessment.

Based upon the objectives set by the KNFP, and the information gaps identified within the background country study, three key sources of information for the national assessment were identified:

- i) **The law enforcement agencies** - police, customs, immigration, intelligence, wild life service and defence. As those involved in the day-to-day fight against crime

- and insecurity in Kenya, the NAP needed to be informed by their understanding of the small arms problem, and their needs in attempting to address this problem;
- ii) **The civil society** - civil society organisations work on many of the key issues that Kenya faces and consequently, the NAP needed to reflect their needs and tap their knowledge. In addition, civil society organisations would be key players in ensuring the successful implementation of whatever action plan was to be developed. Their early engagement was therefore, seen to be important for the long-term success of the initiative;
 - iii) **The wider Kenyan population** - the NAP needed to respond to and be based on the experiences, needs and attitudes of the population in relation to issues of security and small arms, as well as to related issues of economic and social development.

The assessment plan also identified key issues on which specific information was needed that might not have emerged from consultations with the law enforcement agencies, civil society, or the general population. The KNFP, therefore, planned consultative workshops with the Kenya Wildlife Service, to investigate the role of small arms in poaching; with the United Nations High Commissioner for Refugees (UNHCR) to study the issue of small arms and refugees.

The information collection phase

The information collection phase of the national assessment was carried out from August to December 2003. The assessment team gathered information through three main activities: provincial workshops with law enforcement agencies, which were complemented by a survey administered to all participants in the law enforcement agency workshops; seminars with civil society organisations; and a population survey. These three methods captured different types of information, and were used to gauge the scope and magnitude of the small arms problem, and the steps required to tackle it.

The first activities were the provincial workshops with law enforcement agencies. These workshops involved consultations with the police, customs, immigration, military, and intelligence officers in each of Kenya's eight provinces along with local government officials, and where applicable, Kenya Wildlife Service. In total, 10 workshops were held during August and September, during which 667 officials were consulted. During the workshops, each of the participants completed a questionnaire designed specifically to capture the experiences, needs and perceptions of law enforcement officials in relation to the small arms issue.

The workshops aimed to collect information on the perceptions and experiences of the small arms problem, to identify specific issues that needed to be addressed in each of the provinces, as well as to inform the officials of the NAP and their future role in its implementation. In particular, the workshops and the law enforcement agency survey were critical to gathering information such as:

- Perceptions and experiences of law enforcement officials regarding the nature, impact and causes of the small arms problem, and specific issues of concern in their provinces such as poaching, cattle rustling and border control;
- Possession, use, management and regulation of state-owned small arms;
- Perceptions and experiences regarding the adequacy of national legislation and policy on small arms, and levels of awareness with regard to the regional and inter national agreements on small arms control;
- Staffing, training, capacity building and resource needs of law enforcement agencies related to addressing the small arms problem.

Two additional consultative workshops were also conducted at this time to address specific issues identified during the planning for the assessment. A workshop was held at the Tsavo National Park with the Kenya Wildlife Service, to investigate the issue of poaching and the role of small arms, while a second consultation was held at the Kakuma Refugee Camp with the UNHCR; to look at the issue of refugees and small arms.

The second round of consultations that took place was a set of workshops with civil society organisations. In October 2003, three workshops were held in Nairobi and Eldoret, which drew together representatives of 41 civil society organisations from every province in Kenya. These organisations worked on a wide range of issues such as conflict resolution, youth development, women, human rights, micro-development, education, and HIV/AIDS.

As with the law enforcement agency workshops, the aim was to collect information on the perceptions and experiences of the small arms problem, to identify specific issues that needed to be addressed in each of the provinces, and to inform these civil society representatives of the NAP; and the role that they could play in its implementation. In particular, the civil society workshops were critical to gathering information such as:

- Perceptions and experiences of civil society organisations' representatives on the nature, causes, and impact of the small arms problem, and the specific issues of concern in their constituencies;
- Levels of awareness of small arms issues among civil society organisations' representatives and their constituencies;
- Existing civil society initiatives, either complementary to, or directly addressing small arms;
- Training and capacity building needs of civil society organisations, related to addressing the small arms problem.

The last activity that took place was the national population survey. The population survey was designed to gather perceptions, attitudes and experiences of a representative cross-section of the general public. A team of surveyors was recruited and intensively trained over the course of one week to carry out the survey. The surveyors were divided into teams and dispatched across the country to interview members of the public, ensuring that the teams were made of surveyors with a suitable profile to administer

the questionnaires effectively in the areas to which they were sent. The language skills of the surveyors were a key consideration in this regard. Between the 20th and 30th November 2003, a total of 3,368 valid questionnaires were administered throughout the country, with a cross-section of the public interviewed in terms of age and gender. The survey was also conducted to ensure that the survey results reflected the geographical distribution of citizens in the country: that is to say, the percentage of the total number of surveys conducted in each district corresponded to the percentage of the population resident in each district.

The population survey captured the attitudes, perceptions and experiences of the general public on issues such as:

- Presence and impact of small arms within communities;
- Perceptions of crime and security within communities, including perceptions of policing services;
- Public attitudes towards small arms and a public willingness to take action to address small arms related problems;
- Causes and impacts of small arms proliferation, including potential links with crime, insecurity and underdevelopment.

In order to analyse potential links between small arms and other social and economic factors, the survey gathered public perceptions regarding a range of social and economic issues. This data was analysed so as to identify correlations between various indicators, for example, the presence of small arms and perceptions of insecurity. This information is useful in identifying possible relationships between certain variables, although it was not possible to establish causal relationships on the basis of such a survey.

In addition to these major research activities, the survey team also collected information relating to government policies and legislation, regional and international agreements on small arms control to which Kenya is a party, administrative structures, existing governmental and non-governmental initiatives on security and related issues, among other areas. The survey team engaged in a continuous dialogue with members of the KNFP on issues emerging from the field research.

The analysis and plan development phase

The analysis and plan development phase of the national assessment took place between January and April 2004. The assessment team collated the mass of information collected over the previous nine months, and began the first stage of analysis in order to digest, organise and present the findings to the KNFP. They compiled the results of the workshops and population survey by province, so as to aid the identification of particular issues in each area of the country. In March 2004, the KNFP analysed this information and, with reference to the objectives set out at the beginning of the process, developed a draft of the NAP. It then fine-tuned the draft NAP, and developed an activity schedule for its implementation, which the KNFP approved in early April, 2004.

Part **THREE**



Findings of the National Assessment

Introduction

The central objective of the national assessment was to provide information regarding the nature and extent of the small arms problem across Kenya, and the capacity to address it, in order to inform the development and implementation of the NAP. Part two outlined the methodology and process for conducting the national assessment, including the sources and types of information collected. This part of the report provides an overview of the key findings of the national assessment. The NAP provides the framework and overall focus for efforts to address the proliferation of small arms in the country. As such, in many areas, the details of specific activities will be developed as the NAP is implemented. Therefore, whilst this part of the report provides an overview of the more significant trends at the national and provincial level, the mass of information collected during the national assessment will be further analysed during the implementation of the NAP, in order to shape activities at the district and local level.

Overview of key findings

The findings of the national assessment have been organised into 11 key issues or themes that emerged from the assessment, and from which priority areas for action can be identified. They are as follows:

- 1) Civilian access to small arms;
- 2) Concern regarding the small arms situation and willingness to address it;
- 3) State-owned small arms;
- 4) Personal security;
- 5) Development;
- 6) Pastoral communities and stock rustling;
- 7) Import, export and transit;
- 8) Borders, customs and immigration;
- 9) Poaching;
- 10) Refugees and internally displaced persons; and,
- 11) Law enforcement agencies.

The NAP, presented in part four of this report, provides the framework for addressing these priorities, and responding to the findings presented here.

Civilian access to small arms

In order to effectively identify and address the problems caused by small arms in Kenya, it was important to assess how widespread the possession and use of small arms was across the country, and to ascertain factors such as who is in the possession of these arms, whether they are legally owned, and what their impact is upon society. It was also important to analyse the current legal framework for controlling the possession and use of small arms. This information could then be used to identify the steps that need to be

taken to reduce the demand for small arms, improve controls over those arms already in circulation, and address the negative impact of small arms availability. This sub-section, therefore, focuses on the levels of civilian access to small arms; and on their presence and impact within communities. The following sub-section then looks at levels of awareness among civilians in Kenya regarding the small arms situation, and their willingness to play a role in tackling small arms related problems in their community. The third sub-section then considers those small arms in the possession of the State.

One of the concerns emerging from nearly all of the law enforcement and civil society workshops was the number of illegally-owned small arms, and the inadequacy of the current legislation governing the civilian possession and use of small arms. Indeed, the police stated that illegally held small arms were fuelling violent conflict and being used against law enforcement officers, and undermining development and security⁵.

Due to their illicit nature, it is very difficult to compile figures regarding the number of illegally held small arms. The population survey sought to gather people's perceptions of the level of access to and presence of small arms in their communities to provide an indication of the level of possession of illegal and legal small arms, and the impact these weapons are having. Providing an indication of the total level of access to small arms - be they legal or illegal - across the country is therefore possible. However, given the inadequacies of the record-keeping for legally held civilian small arms outlined below, it is not possible to then disaggregate the numbers of small arms that might be possessed illegally.

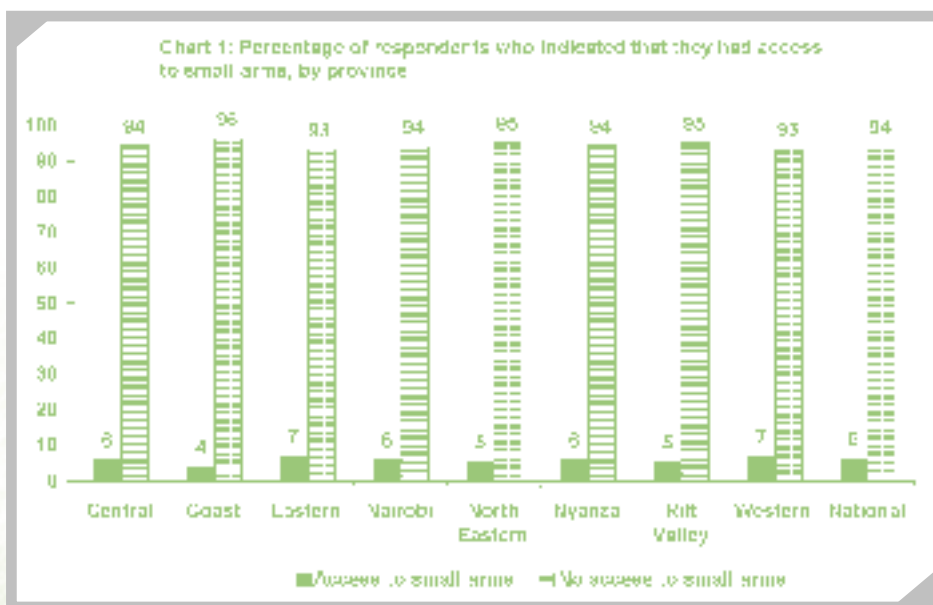
One way in which to gauge the levels of legal civilian possession of small arms is through the analysis of official records on the licensed civilian possession of small arms. Such records are maintained at the Central Firearms Bureau, (CFB). These records should enable law enforcement officers to monitor the legal possession of small arms, and also to distinguish between those small arms that are legally held, and those which are illicit. Some participants at law enforcement workshops across the country indicated a low-level of confidence in the adequacy of the data contained in current records. A key recommendation given by the police at the initial planning workshops, which also emerged from the provincial law enforcement agency workshops, was that an audit of all civilian-owned small arms should be undertaken to verify the data in the CFB and establish an accurate record of all legally-owned small arms in civilian possession. It was further recommended that the procedures for updating and maintaining the CFB be reviewed, and that the information contained in the CFB be accessible not only to law enforcement officers working at the national level, but also to those at the provincial and local levels.

Improvements with regard to legislation and record-keeping should make it possible, in the future, to accurately ascertain the number of legal arms in the possession of civilians in Kenya using official sources, and to distinguish between licit and illicit arms. In

5 Kenya Police Service presentation to the KNFP, May 2003

the meantime, the results of the population survey provide some key indicators of the presence and impact of small arms in Kenya, be they legally or illegally-owned.

A series of questions were included in the population survey that sought to indicate levels of civilian possession of small arms across the provinces. Respondents were asked a number of questions designed to ascertain whether or not they had access to small arms, such as "Do you have access to a gun?" and "Does your household keep a gun?" The results suggest that six per cent of the total population of Kenya has access to small arms.



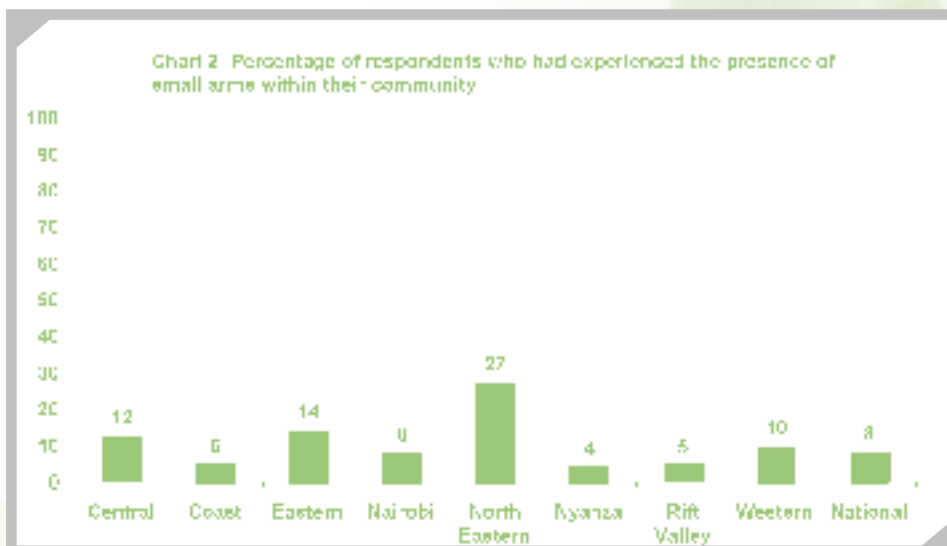
Overall, the results of this set of questions suggest that levels of access to small arms are consistent across the country. However, this particular group of questions may hide distinct variations in the level of access to small arms within the provinces. Additionally, these figures may give only a partial picture of the reality of small arms ownership in Kenya, as respondents may have been reluctant to disclose information on possession or access to arms, and may not have answered with total honesty. Further questions were therefore included in the population survey, which sought to provide additional indicators of the extent to which small arms are widely available; and widely used across the country. Questions were also asked, which sought to ascertain the nature and extent of the impact of small arms on everyday life, and to identify those provinces and those groups of people who are particularly affected. This information is important in terms of developing targeted strategies to address the impact of small arms, which respond to the varying needs of different groups of people.

Two discrete sets of questions were used to gather information on the extent to which small arms are present within the community. The first set included questions

such as "Do you know of a close friend or family member who has a gun?" and, "How often are gunshots heard within the community?" These questions are useful because they are queries to which respondents can provide definitive answers based upon their own personal experiences, but which may not be as sensitive as questions regarding ownership or direct access to small arms. They may, therefore, provide a more accurate picture of the extent to which small arms are present within society. The responses to these questions are used as indicators of the presence of small arms throughout the analysis presented in this section. For instance, where we analyse the possibility of a relationship between the presence of small arms and perceptions of insecurity.

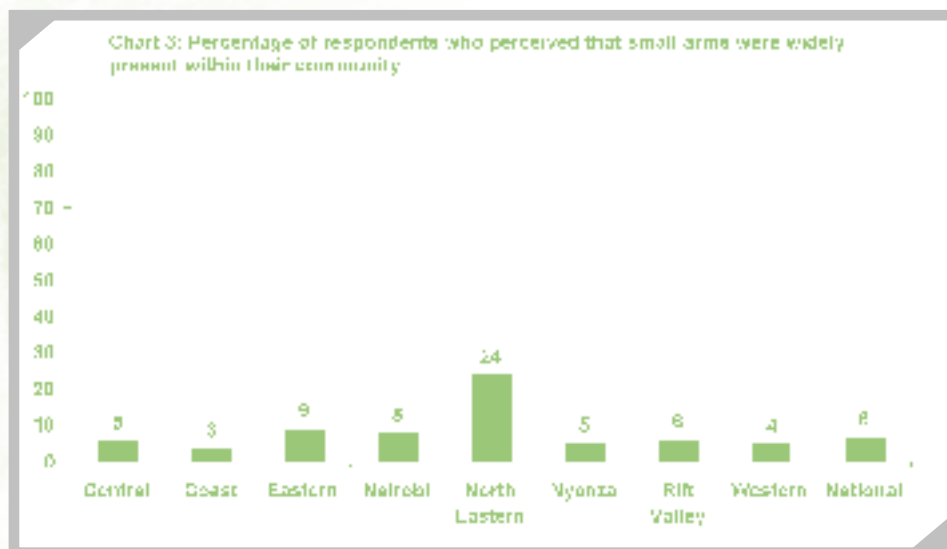
The results of this set of questions were grouped into those people whose answers indicated that they had experienced the presence of small arms in their community, and those whose responses indicated that they had not. According to this set of indicators, eight per cent of respondents had experienced the presence of small arms within their community. This percentage was much higher in North Eastern Province, where 27 per cent of respondents indicated that arms were present, and was also relatively high in Eastern and Central Provinces (see Chart 2).

Other research suggests that the high presence of small arms within the North Eastern and Eastern provinces is perhaps a reflection of the use of small arms in stock rustling and in settling local disputes, proximity to the borders with Ethiopia and Somalia, and the actual or perceived failure of the State to provide adequate security for civilians living in these areas. The possession and use of small arms is not limited to these border provinces, however, as the results for Central, Nairobi and Western provinces indicate. These regions have a greater concentration of urban communities. Therefore, the results suggest that, given the different security threats, and social and economic conditions in rural and urban areas, the demand and use of small arms is driven by a variety of factors.



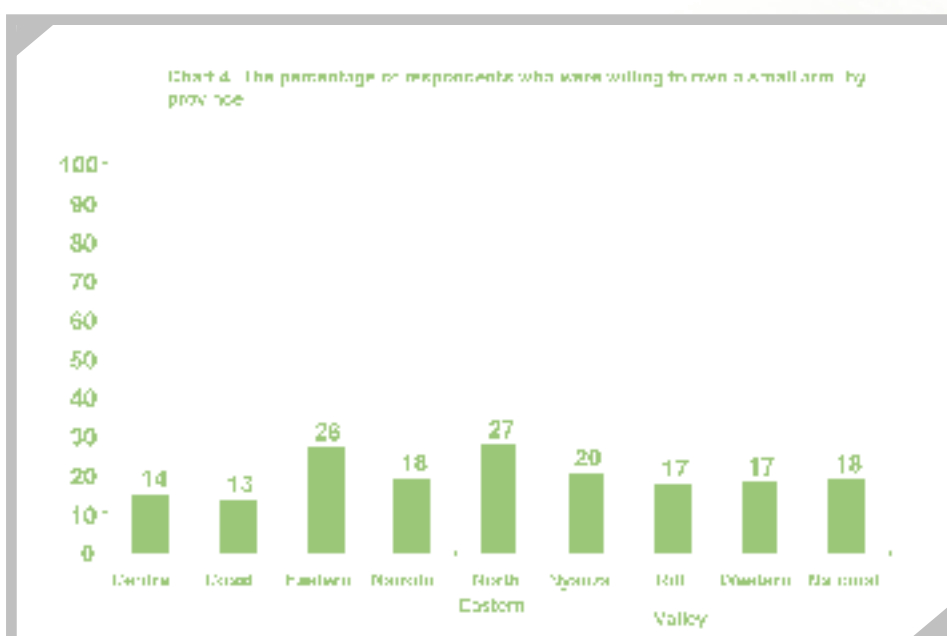
The second set of questions was designed to measure people's perceptions of the presence and impact of small arms. Respondents were asked questions such as "How common is firearms possession in your area", "Are firearm injuries common in your area?" and, "How often are firearms used in your community to commit crimes?" These questions, therefore, focused upon less tangible and measurable indicators of the presence of small arms, and were designed to provide information based upon people's perceptions; as opposed to their own personal experiences. These perceptions are, however, important factors that may shape how individuals respond to the presence and impact of small arms - potentially by acquiring small arms themselves - or whether they are willing to contribute towards tackling the small arms problem. These perceptions will therefore serve to inform the manner in which interventions to address the presence and impact of small arms are developed and targeted.

The results indicate that, at the national level, six per cent of people perceived small arms to be widely present in their community, 23 per cent believed the presence of small arms in their community to be of an average or medium level, and 71 per cent perceived there to be a low presence of small arms in their community. It appears from these results that North Eastern, Eastern and Nairobi Provinces are the areas in which the highest proportion of respondents perceives small arms to be widely present, (see Chart 3). Overall, these findings are consistent with those regarding people's actual experiences of the presence of small arms. This is relevant because it appears to indicate that people's perceptions of the presence and impact of small arms in Kenya are not overblown.



In addition to examining the extent to which small arms are present within communities across the country, the national assessment also sought to determine people's

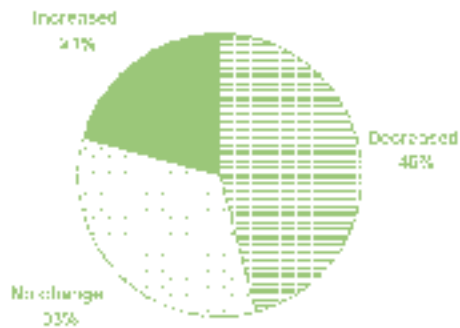
willingness to own small arms. This information is useful in determining the levels of demand for small arms across the country, and in assessing the extent to which civilians view the possession of small arms as legitimate, desirable or necessary. Respondents were asked, "Would you personally own a small arm?" and, 18 per cent of respondents indicated that they would. While the results of the population survey do not uncover the exact motivations behind people's willingness to own small arms, they do suggest that more people would be willing to own a small arm than currently have access to one. This suggests that there may be a significant demand for small arms in Kenya and that, if the possession and availability of small arms is to be controlled and limited, measures are needed to reduce the level of demand and of willingness to own small arms. Interestingly, the population survey suggests that levels of civilian willingness to own small arms are highest in the Eastern and North Eastern Provinces, where 26 per cent and 27 per cent respectively of respondents were willing to own small arms; compared with 20 per cent or less in all other provinces, (see Chart 4). The survey results also indicate that a greater proportion of male respondents, (23 per cent) were willing to own small arms than of female respondents, (13 per cent) suggesting that men are an important target group for efforts to reduce demand for small arms. However, the willingness to own small arms did not vary greatly across age groups.



The national assessment also sought to determine whether levels of small arms in Kenya are on the rise. Respondents were therefore asked to indicate how the quantity of small arms had changed in their locality, as compared with previous years. While it was found that 21 per cent of respondents felt that the number of small arms had

increased, a greater proportion felt that numbers had either decreased, (46 per cent) or not changed, (33 per cent) (see Chart 5). While these findings were based upon people's perceptions, and the statistics are not available to show whether or not this is in fact the case, it is interesting to note that the majority of people thought that the levels were either decreasing or staying the same. This was the case in all provinces. However, as noted below, in the section on 'Awareness of the small arms situation and willingness to address it', a high-level of concern is still felt across the country in regard to the number of small arms.

Chart 5: The percentage of people who perceived an increase, decrease or no change in the quantity of small arms in Kenya, (2003), as compared to previous years.



As mentioned, a key concern raised by participants in both the law enforcement and civil society workshops was of the inadequacy of existing legislation on small arms. The primary legislative controls regarding the civilian possession and use of small arms are contained within the Firearms Act, Chapter 114 of the Laws of Kenya. This Act dates back to 1954, although it has since been amended on several occasions. Participants at both the law enforcement agency and civil society workshops raised concerns regarding the scope and effectiveness of the current legislation, and only 38 per cent of respondents in the law enforcement survey believed that the current legislation was adequate.

According to this legislation, a firearms certificate is required for the civilian possession of small arms. The legislation also states that certificates may be granted if the licensing officer is satisfied that the applicant will store the firearm safely, and is fit to be entrusted with a firearm. The legislation therefore, goes some way towards providing a framework for controlling the civilian possession of small arms and meeting the commitments that the Government of Kenya has signed up to in the regional and international agreements on small arms control.

However, the legislation falls short of meeting the provisions of these agreements in a number of other aspects. For example, it does not place a limit on the number of firearms that may be licensed to any one civilian. A key recommendation of the assessment was, therefore, to review existing legislation, conduct a comprehensive awareness raising campaign for civilians on any new laws; and provide training for law enforcement agencies in order to ensure that the reviewed legislation would effectively be implemented.

Concern regarding the small arms situation and willingness to address it

One of the key factors determining the need for, and the success of, strategies to address small arms availability and misuse is the extent to which civilians are aware of - and concerned by - the small arms situation and are willing to play a role in tackling small arms related problems in their community.

The population survey indicated that a large proportion of the population is concerned by the small arms situation within the country. In response to the question, "Are you concerned that there are so many small arms in Kenya?" A total of 90 per cent of respondents indicated concern. This concern is felt by at least 80 per cent of respondents in each province, with the highest proportions being recorded in Eastern, North Eastern and Central Provinces, (95 per cent) and Rift Valley, (94 per cent) and the lowest in Nyanza and Coast Provinces, (80 per cent).

Participants in the population survey were also asked, "Do you think that there is a need for improved controls over firearms in your area?" and, 88 per cent of respondents said yes. The highest proportion of respondents indicating a need for improved controls was again recorded in Eastern, (93 per cent) North Eastern and Central, (92 per cent) and Rift Valley, (91 per cent) and was lowest in Nyanza, (76 per cent). These results suggest that a large majority of civilians are concerned by the small arms situation, and feel that improved controls are needed, particularly in the Eastern, North Eastern, Central and Rift Valley Provinces.

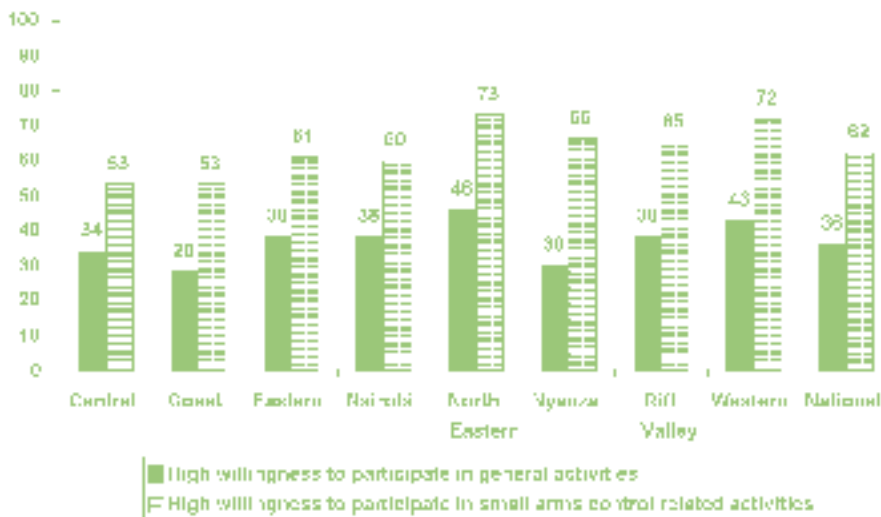
This concern appears to be shared by law enforcement officials, with 83 per cent of respondents in the law enforcement agency survey being of the opinion that Kenya has a problem in relation to illegal small arms, and 90 per cent believing that initiatives to reduce the proliferation of small arms would improve the living conditions of civilians.

In addition to measuring the level of concern regarding the small arms situation in Kenya and perceptions of the need for improved controls, the population survey also sought to measure the willingness of civilians to actively participate in activities designed to tackle the problems caused by small arms. This information will be crucial to the targeted development of awareness raising and community-based activities during the implementation of the NAP.

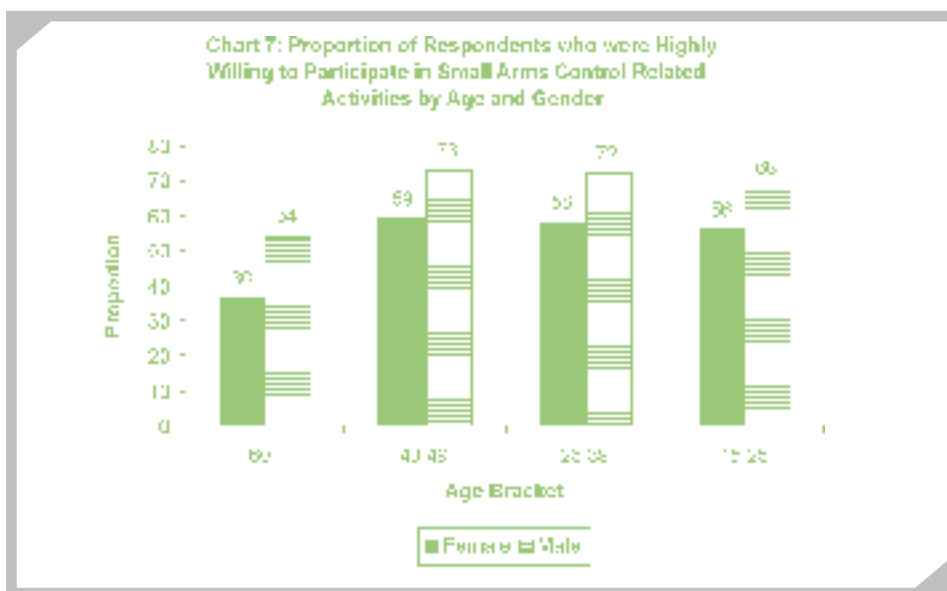
As a way of measuring people's willingness to take action against the problems caused by small arms in their communities, respondents were asked whether they would participate in a range of volunteer activities, some of which related specifically to small arms. Respondents were asked whether they would be willing to encourage people to hand in weapons for destruction, and whether they would distribute flyers to inform the public about the national laws and regulations regarding small arms. They were also asked whether they would participate in a range of other activities, including repairing public roads and pavements, and maintaining parks and gardens.

Overall, it was found that a higher proportion of people, (62 per cent) were willing to participate in small arms control related activities, than were willing to participate in other initiatives, (36 per cent). In all provinces, more than half of those people surveyed indicated a willingness to take part in small arms control activities, which is an encouraging sign that there is the potential to develop well supported and active strategies to involve the public in efforts to tackle the problems caused by small arms in their communities, (see Chart 6). The level of willingness to participate in small arms control activities was slightly higher among men than women, and was particularly high among

Chart 6: Percentage of respondents who feels were highly willing to participate in general activities and in small arms control related activities, by province



men between the ages of 26 and 59, (see Chart 7). This suggests that, whilst there is a need to address the greater willingness of men to own small arms - as shown earlier in this section, men are also committed to tackling small arms problems in their communities.



State-owned small arms

Although exact figures are not known, those small arms in the possession of the state form a large proportion of the total number of small arms in Kenya. The state imports arms for the purposes of self-defence, and for the maintenance of law and order and security. As in all countries, however, it is vital that the state uses, stores and controls these arms effectively and responsibly, so as to protect the security and human rights of civilians, and so as to prevent these arms from falling into the wrong hands. The loss or theft of state-owned small arms can otherwise prove a source of illegally-owned small arms in the possession of civilians or organised criminal groups.

The national assessment, therefore, sought to collect information relating to the possession and use of small arms by the army, police and other state bodies within Kenya. According to information provided by members of the National Focal Point, the Kenya Police, the Kenya Police Reserve, Administration Police, Armed Forces, Kenya Wildlife Service and Kenya Prisons Department all possess small arms⁶.

According to the Kenya Police, the small arms issued to police are intended for use only during extreme situations for the purposes of maintaining law and order, and protecting life and property. The Force Armourer maintains the databank for police arms at the Kenya Police Headquarters. The arms are held and maintained according to procedures laid down in the Force Standing Orders (FSO).⁷

The armed forces maintain stockpiles of small arms, and do so according to the Armed Forces Standing Orders. The Department of Defence, (DOD) maintains an inventory of small arms held by the armed forces, which enables the identification of each

⁶ Kenya Police presentation to the NFP, May 2003

⁷ Ibid.

arm according to the manufacturer's registration number and the butt number given at the unit level.⁸

Illicit weapons that are captured by - or surrendered to - the state are managed according to specific operational orders. The illegal stockpiles are eventually handed over to the Chief Firearms Licensing Officer, at the Kenya Police Department; for destruction.⁹

While provisions for the management of state stocks exist, participants at the law enforcement agency workshops raised concerns over the ability of some units to address issues related to possession and care of small arms, particularly by the Kenya Police Reserves. They also raised concerns regarding the facilities used for the storage of state-owned small arms, including those within police stations. A number of officials reported that current facilities were not sufficient to guarantee the security of these stocks, and urgent action should therefore be taken to ensure that state-owned arms do not leak into the illicit market.

The national assessment highlighted the need for effective, safe and secure stockpile management. Clear and comprehensive policy guidelines and procedures are needed on a range of issues relating to arms in possession of the state, including: the keeping of accurate inventories of all arms in state possession; the need for regular assessments of all government stocks to identify surplus, obsolete and unserviceable arms and ammunition; the destruction of surplus, obsolete and unserviceable stocks; the physical security of stocks; procedures governing the issuing of arms and the storage and use of arms by state employees; and the provision of training to all personnel involved in the management of state arms and ammunition stockpiles.

Civil society participants in the workshops highlighted the need to review the existing legislation on the manufacture of arms and ammunition in Kenya. This would include a review of measures to ensure that ammunition is stored and transported securely, and is disseminated and used appropriately. It would also include a review of procedures for keeping records on the type and amount of ammunition produced, to ensure that loss or theft is easily identified and investigated, and a review of the training and monitoring of staff. They also called for a review of Kenya's policy on the export of ammunition and on the marking of ammunition at the time of production.

Personal Security

The national assessment sought to explore possible factors that might influence people's perceptions of small arms, or be affected by the presence of small arms in the community, and which should be taken into account when developing the NAP.

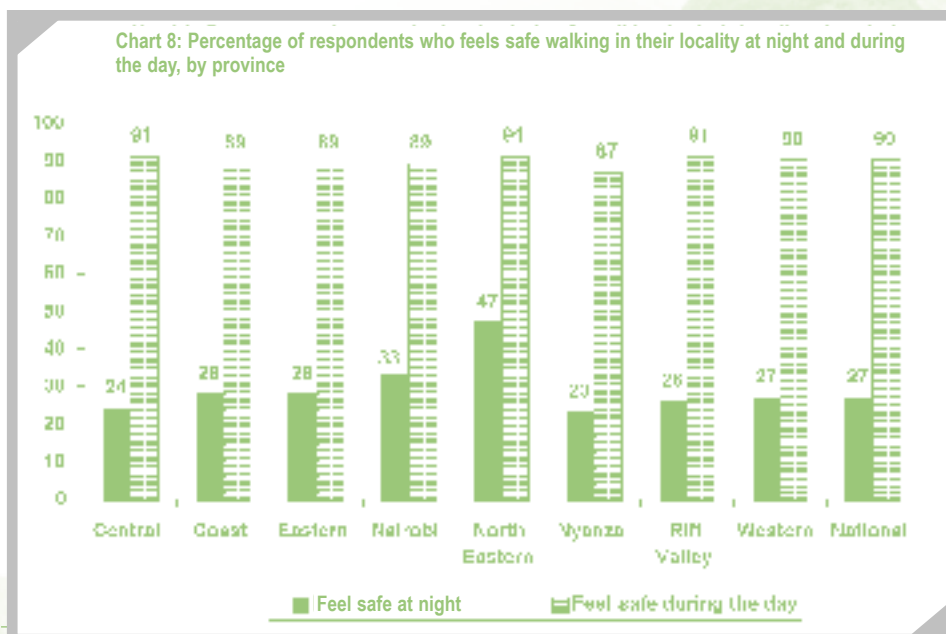
⁸ Ibid.

⁹ Ibid.

One such factor is the extent to which people feel secure, since a perceived lack of personal security may be a factor driving the demand for small arms, and their presence may undermine that security. A series of questions were therefore included in the population survey to measure people's perceptions of personal security, such as "How worried are you about your safety?" "How safe do you feel walking in your locality during the day?" and, "How safe do you feel walking in your locality at night?" It was found that, although 90 per cent of respondents felt safe walking in their locality during the day, only 23 per cent felt safe walking in their locality at night; and that 68 per cent expressed concerns regarding their safety. These results did not vary greatly according to the province in which respondents lived, although a higher proportion of respondents felt safe walking at night in the North Eastern province, (46 per cent) than in others, (see Chart 8) which is perhaps surprising; given the relatively high presence of small arms reported in this province.

The results do not show a direct correlation between the presence of small arms and respondents' perceptions of personal security. This may be because perceptions of personal security are relative and not directly linked to the experience of small arms, or because some view access to small arms as contributing to personal security, while others consider it as undermining it. Further research and consultation are needed to better understand the relationship between small arms and perceptions of personal security in particular localities.

Participants in the law enforcement agency workshops observed that, even though the state had attempted to address insecurity, the proportion of the security personnel to the citizens was still a challenge which needs to be addressed. This suggests that small arms control strategies should therefore be incorporated within broader strategies



aimed at promoting personal security. A key recommendation of the assessment was that Kenya's NAP should address the factors contributing to insecurity.

Crime

The national assessment sought to investigate levels of crime in Kenya, to explore what types of crime are most common, and to investigate whether links exist between small arms availability and levels of violent crime.

Respondents in the population survey were asked to indicate how often the following serious and violent crimes took place in their locality: murder, assault, rape, suicide, domestic violence, child abuse, armed robbery, mugging, hijacking, banditry, cattle-rustling and house break-ins. The responses to these questions were then combined and the overall results split into those people who indicated that crime levels were high, those who indicated levels were low, and those who indicated that levels of crime were 'average' or medium. At least seven per cent of respondents indicated that levels of crime were high, whilst 31 per cent felt they were low and the remainder, 62 per cent, thought that levels were 'average'.

The survey found that perceptions of high levels of crime were more prevalent among those people who had experienced the presence of small arms in their community. Further, 18 per cent of those respondents who had experienced the presence of small arms within their community also reported high levels of crime. This compared with only 7 per cent of those respondents who had not experienced the presence of small arms in their community. This suggests that there may be a link between the presence of small arms in the community and the levels of crime. However, it is important to bear in mind that the findings were based on respondents' perceptions of relative crime levels, rather than crime statistics or reported incidents.

In order to further investigate levels of violent and serious crime, respondents were also asked to indicate whether they or a member of their family had been a direct victim of the following crimes in the last year: assault, robbery, hijacking, burglary, murder and sexual assault. Overall, 3 per cent of respondents indicated that they or a member of their family had been a victim of one such crime. Interestingly, the results suggested that levels of crime were higher in areas where levels of access to small arms were greater, with 9 per cent of respondents who indicated having access to small arms indicating that they had been a victim of crime, compared with only 3 per cent, who indicated that they did not have access to small arms.

The law enforcement agency survey conducted during the law enforcement agency workshops asked participants to indicate the extent to which violent crime in Kenya involves the use of small arms. In response to this, 39 per cent indicated that small arms were often used in the commission of crime, compared with 38 per cent, who said that small arms were occasionally used; and 22 per cent who said that they were used rarely.

Further research is required to support these findings, and to establish which crimes most frequently involve the use of small arms. It appears from the results of the population survey that crime is highest in those areas of the country where small arms presence is relatively high; and where people have greater access to such weapons. Statements made by participants in the law enforcement agency workshops also suggest that crime in Kenya is of an increasingly violent nature, and that the presence of small arms is a contributing factor. However, they also identified the need to enhance the ability of the police to prevent and tackle crime. A key recommendation of the national assessment is that the NAP should include programmes to enhance cooperation between the public and the police, and to improve the capacity of the police to prevent and tackle crime, (see Law Enforcement Agencies section below).

Development

The national assessment sought to provide an indication of levels of development across the country and to explore the possibility that there is a relationship between development, or lack of development, and the possession, use and impact of small arms.

Participants at both the law enforcement and civil society workshops cited underdevelopment as both a cause and a consequence of small arms proliferation. According to participants, crime and insecurity, driven by the presence and availability of small arms, are hampering and reversing progress towards greater development. It was also reported that the proliferation of illicit small arms is contributing to poverty in affected communities¹⁰, and participants in the civil society workshops across the country also expressed this view. It was further reported that insecurity in the country has affected tourism to some extent.

The national assessment also highlighted ways in which underdevelopment can in turn contribute to the demand for, and use of, small arms leading to insecurity. Civil society and law enforcement agency representatives from across the country cited underdevelopment and unequal access to opportunities, resources and services as factors behind the demand for small arms. They reported that some people living in affected communities are motivated to take up arms as a means of trying to secure an income or, for instance, to protect the livestock on whom their survival is dependent. It was reported that in some communities, the gun is regarded as a 'wealth-generating tool'.¹¹

Participants at the law enforcement workshops further highlighted that unemployment is driving the possession and use of small arms, as young people seek to generate income and cope with idleness and frustration. It was recommended that development and small arms control strategies need to be developed and implemented jointly, so as

¹⁰ Ibid.

¹¹ Kenya Police Service presentation to the KNFP, May 2003

to reduce the demand for small arms, and also to minimise the obstacles to development caused by small arms and insecurity.

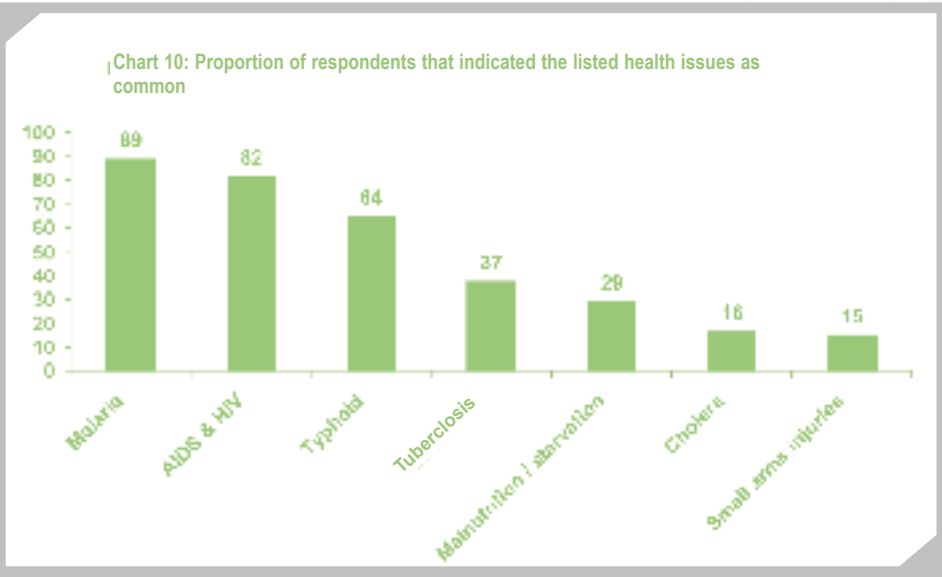
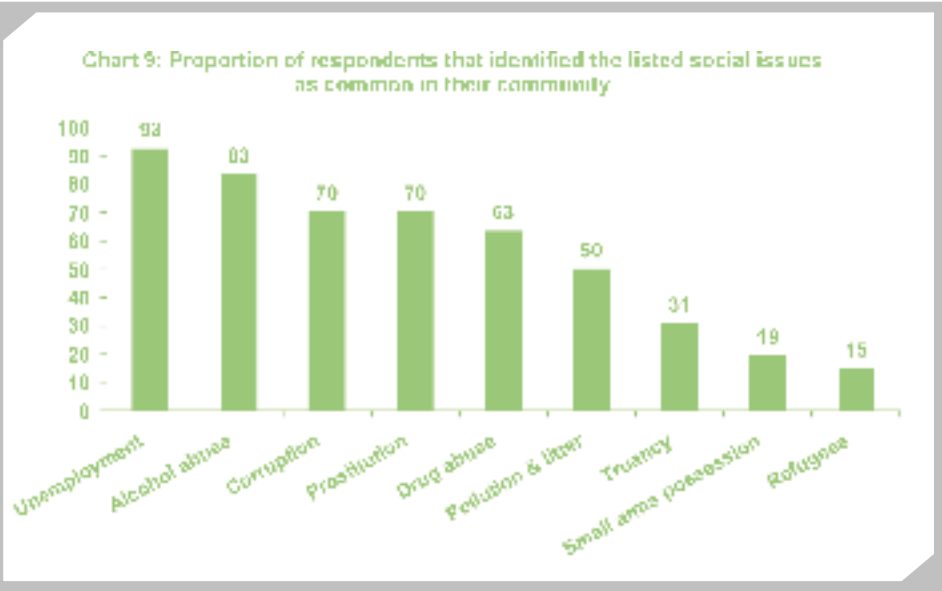
A series of questions was included in the population survey to highlight particular development-focused incentives and initiatives that might have the most impact on reducing the demand for small arms. The population survey used four clusters of questions which provide various indicators of development, namely: the extent to which various social problems occur in the community; the prevalence of health problems; the level of access to basic utilities; and the level of access to services. These indicators of development are by no means exhaustive, but were included to provide a preliminary overview of levels of development across the provinces, and to highlight specific development-focused initiatives that might be used to reduce demand for small arms. Due to the nature of the survey, these indicators measure perceptions of various economic and social problems, rather than their actual incidence.

Respondents were asked to indicate whether the following social problems were common in their area: pollution and litter, alcohol abuse, drug abuse, truancy, unemployment, corruption, prostitution, refugees, and the possession of small arms. It was found that most of the other social issues were more prevalent at the national level than was the possession of small arms, (see Chart 9). Respondents were also asked to indicate whether they had access to the following services: health care, legal assistance, banking, policing, transport, schooling, sports and recreation. They were also asked whether the following health problems were common in their area: typhoid, malaria, cholera, tuberculosis, malnutrition, and HIV/AIDS; (see Chart 10). According to the results of the survey, perceptions of the prevalence of these health and social problems and of access to these services did not vary greatly according to the province in which the respondent lived, nor did it vary greatly according to the extent to which small arms were present within the respondent's community.

The findings of the population survey may reflect the fact that it gathered respondents' perceptions of development and social problems - rather than using more objective indicators - and only provided a partial picture of development, based upon four indicators. Further research could explore the links between demand for small arms and other development indicators, such as levels of employment, income, and inequality. The fact that the indicators collected show that levels of development were relatively consistent across the provinces suggests that local level variations in development may be more important than provincial variations. Therefore, further research to explore the links between demand for small arms and underdevelopment at the local level would be useful. This research might help to identify the types of development interventions that could reduce demand for small arms.

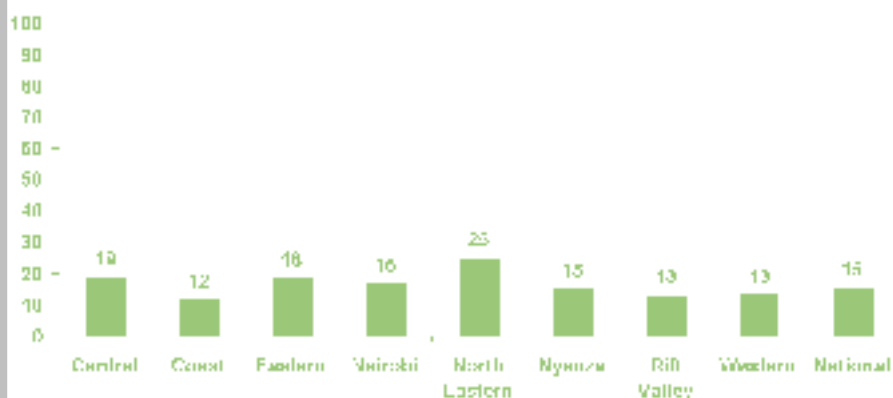
Nationally, a total of 15% of the respondents stated that small arms injuries were common in their locality. At least in all the provinces, over 12 per cent of the respon-

dents stated that small arms injuries were a common occurrence. The statistics indicate that there is a possibility of being harmed by a firearm in different crime circumstances



in different parts of the country. Incidences of small arms injuries are an indication of the extent of the proliferation of illicit small arms in the Kenyan communities. As shown in Chart 11 below. North Eastern Province had the highest number of respondents who stated that small arms related injuries were common.

Chart 11: Proportion of respondents that stated that small arms injuries were common by provinces



Pastoral Communities and Stock Rustling

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Participants at each of the law enforcement agency and civil society workshops raised concerns regarding the possession and use of illicit small arms in rural, border areas. This was reported as being widespread amongst pastoralist communities in border areas, and was seen to be closely linked to inadequate security in these areas and to cattle rustling, competition for resources and cultural practices.

One of the major problems in the border areas was reported to be that of cross-border conflict over livestock and other resources. According to participants in the civil society workshops, cattle rustling, initially associated with cultural practices, increasingly involves the use of small arms as opposed to traditional weapons such as spears. Armed cattle rustling was reported to be a particular problem in the Northern Rift Valley, North Eastern Province and the Northern Districts of the Eastern Province. The transformation of cattle raiding into a commercial activity has reportedly increased the intensity of raids, and is leading to major changes in economic, social and political structures in the border areas.

It was reported that cattle rustling is increasingly becoming a means of generating income amongst the pastoralists, in the absence of other economic activities. It was reported that a cross-border black market in cattle trading exists, with raided livestock no longer simply supplementing local herds, but being driven straight to the market. It was also reported that these armed raids and other violent and armed activities are contributing to loss of life, rape, displacement, property destruction and other human

rights abuses. The presence of small arms in these communities was further observed to be fuelling ethnic rivalries and conflict over scarce resources, and to be a severe impediment to development¹². This phenomenon is not confined to Kenya, but has a significant cross-border dimension involving clans from Ethiopia, Somalia, Sudan and Uganda.

The population survey results support the perception that the North Eastern and Eastern provinces are amongst those regions in which the greatest number of small arms are present. The North Eastern and Eastern provinces were also regions in which a relatively high proportion of respondents indicated that they would be willing to own a gun, (see Charts 2 and 4). According to participants at the law enforcement workshops in these two provinces, many of the small arms present in these communities are illegally-owned. It was, therefore, recommended that strategies be developed to address this; such as amnesty periods for the surrendering of small arms. A key recommendation of the assessment was that efforts to reduce small arms in pastoralist areas be linked with development initiatives that reduce reliance on cattle rustling, as well as efforts to improve security. It was further recommended that cross-border co-operation be strengthened, so that communities on both sides of the border are included within such initiatives.

Import, Export and Transit

31

Controls over the import, export and transit of small arms are vital in preventing destabilising accumulations of small arms that could be detrimental to peace and security. Standards and principles for governing the import, export and transit of arms are contained within international humanitarian and human rights law, and provisions on this issue are also included within regional and international agreements on small arms control.

In Kenya, a licence is required for the import, export and transit of small arms, and the import and export of certain categories of arms is prohibited under the Firearms Act, Chapter 114 of the Laws of Kenya. The Customs and Excise Act also contains controls relating to the import and export of arms, and classifies them as 'restricted goods'. According to the Kenya Revenue Authority, between January 2002 and May 2003, about 397 revolvers and pistols were imported, mostly by licensed dealers. These arms were sourced from various countries including South Africa, Germany, the United States and Italy.¹³

With regard to the transit of arms, the Kenya Revenue Authority reported that agreements such as the one for the Northern Corridor Countries, signed by Kenya, Uganda, Rwanda and Democratic Republic of Congo, are massively detrimental to efforts to

¹² Kenya Police presentation to the KNFP, May 2003

¹³ Kenya Revenue Authority report to the KNFP, May 2003

control the movement of small arms; and need to be reviewed.¹⁴ This agreement states that goods in transit through Kenya, Uganda and Rwanda and into the Democratic Republic of Congo should not be opened for examination at the point of entry. The Kenya Revenue Authority also highlighted that Kenya, Uganda and Tanzania are in the process of harmonising various aspects of the controls on the movement of goods, for example; reducing transit periods, discontinuing loose cargo, increasing the exchange of information and introducing cargo scanners and the electronic tagging of goods. Consideration should be given to the implications of this upon the ability of law enforcement officials from all three countries to detect and interrupt the flow of illicit goods, including small arms.¹⁵

The Kenya Revenue Authority also reported that those importing and transporting goods sometimes make false declarations in an attempt to conceal the movement of contraband goods, including small arms. They further noted that the role of the Customs Department is changing from the traditional one of a tax collector, to that of a facilitator of trade. This shift is intended to speed up the movement of goods and services from one nation to another. However, it was said to present a challenge to Customs Officers who had to balance their duties of preventing the movement of contraband goods, including small arms, with their role in speeding up the movement of legitimate goods.¹⁶

The national assessment highlighted a number of deficiencies in the import, export and transit controls in Kenya. The assessment also highlighted the need to ensure that Kenyan import, export and transit controls are fully informed by the regional standards being developed through RECSA and internationally through existing UN instruments, and through the debate around the development of stronger international controls on arms transfer; for which the Government of Kenya has voiced its support.

The assessment also highlighted the need for stringent provisions on the marking and tracing of small arms within Kenya, which was highlighted by the Ministry of Foreign Affairs.¹⁷ Such provisions are important in enabling the tracing of small arms throughout their life cycle, and in identifying points at which small arms are diverted into the illicit market. The assessment identified the need to ensure that Kenya's provisions are consistent with regional and international agreements on small arms control, which call upon states to apply unique markings to small arms at the points of manufacture and import, and to keep accurate records on all holdings and transfers of small arms within their jurisdiction. According to these agreements, states are also responsible for sharing this information and reporting to regional bodies, such as RECSA. Crucially, the provisions of the Nairobi Protocol apply equally to the marking of ammunition, as well as small arms. As highlighted by the Ministry of Foreign Affairs, the marking and tracing

¹⁴ Kenya Revenue Authority report to the KNFP, May 2003

¹⁵ Ibid.

¹⁶ Ibid.

¹⁷ Ministry of Foreign Affairs presentation to the KNFP, May 2003

of small arms is also in Kenya's national interest, since it increases the accountability of arms' manufacturers and exporters, and will help to prevent the irresponsible transfer of arms.¹⁸

Borders, customs and immigration

Strong and effectively implemented controls on the import, export and transit of small arms within national policy and legislation are vital to efforts to control the movement of small arms. Participants in the law enforcement agency workshops indicated that a key challenge in this regard are Kenya's long and porous borders, many of which are shared with countries experiencing instability of varying forms. It was reported that the movement of small arms into Kenya across borders with Somalia, Ethiopia, Uganda and Sudan is one of the key factors contributing to the small arms problem, and reported that improving border controls should be an urgent priority across Eastern Africa.¹⁹ Only 19 per cent of respondents in the law enforcement agency survey believed that the current border mechanisms are effective in stopping the flow of illegal weapons, and the Kenya Police reported lack of adequate resources to effectively control and patrol border points, and to prevent people bringing arms into the country.²⁰

The Immigration Department also raised concerns regarding border controls, reporting that border control posts are few and located far apart, and that as a result, controls over the movement of people and goods across Kenya's borders are largely ineffective.²¹ At the official border points that do exist, capacity to institute effective border controls is limited, with lack of screening facilities at points of entry and departure. Low staffing levels and need for further training for Customs and Immigration officials were also cited as an obstacle, with the Immigration Department reporting at the time of the national assessment, that it was operating at 30 per cent of its total capacity. In addition, the legislation governing immigration is seen to be inadequate to deal with the problem of small arms. The current laws authorise immigration officers to search only for documents, and the carrying or conveying of arms by nationals and aliens is not an offence under the Immigration Act.²²

The assessment identified the need for training and resources to address the staffing needs of officials responsible for enforcing border controls. Within the law enforcement agency survey, 84 per cent of respondents indicated that training was required on methods to identify concealed weapons, and 79 per cent said that training was required on methods for detecting illegal small arms. Law enforcement officers from across the country also reported a need for improved equipment, and for increased staffing numbers and capacity.

18 Ibid.

19 Kenya Police Service presentation to the KNFP, May 2003

20 Ibid.

21 Immigration Department presentation to the KNFP, May 2003

22 Ibid.

Poaching

Law enforcement officials and civil society representatives reported that the proliferation of small arms has impacted negatively on Kenya's tourism industry, and on the conservation of wildlife. Officials from the Kenya Wildlife Service (KWS) reported that the ready availability of small arms has significantly increased incidences of poaching. According to the KWS, the protected areas particularly affected by the use and availability of small arms are:

- Samburu/Dodori/Arawale National Reserves
- Boni/Dodori/Arawale National Reserves
- Tsavo East / West National Parks
- Marsabit National Park/National Reserve
- Meru/Bisanadi/Kora National Parks
- Nasolot/South Turkana National Reserves.

At the time of the national assessment in 2003, KWS reported that since 1989, they had seized or recovered 353 rifles; 22 pistols; 8,836 rounds of ammunition; 14 grenades and 131 rifle magazines.²³

According to the KWS, bandits and poachers have also used illegally obtained small arms to ambush tourists on parks' access roads. They said that these incidents were having a negative impact on Kenya's international reputation and tourism industry, through creating the impression that the security of tourists could not be assured.

Illegal arms also pose a significant threat to KWS officers. At the time of the national assessment, it was reported that since 1989, 70 KWS security personnel had been killed and 55 injured, in incidents involving armed bandits and poachers. According to the KWS, civilians living in and around the protected areas are also affected by the proliferation of small arms and in some cases, they have sought assistance from KWS law enforcement units, since they are sometimes the only security agency operating in remote areas of the country.²⁴

Refugees and Internally Displaced Persons

Across the country, many participants at both the law enforcement and civil society workshops perceived a link between the availability and misuse of small arms, and the large number of refugees and internally displaced persons (IDPs) in Kenya. Conflicts between refugees or IDPs and local communities were reported over resources, and the number of small arms present within refugee camps and the surrounding areas was said to be particularly high.

The relationship between the presence of refugees/IDPs and small arms needs to be explored further, and there are a number of possible explanations for the reported link

²³ Kenya Wildlife Service presentation to the KNFP, May 2003
²⁴ Ibid.

between the presence of small arms and the presence of refugees within communities. For example, armed conflict in neighbouring countries may contribute to both the displacement of refugees/IDPs and arms trafficking, and/or arms acquired in these conflicts may be brought into Kenya by those seeking refuge. Conflict between refugees/IDPs and neighbouring communities and inadequate provision of security around IDP/refugee camps, may further drive the demand for small arms. It is also possible that the black market in arms provides displaced people who lack other economic opportunities with a means of generating an income. The results of the assessment highlight the need for further research in this area.

In addition, the Immigration Department and law enforcement officials also highlighted a need to review existing legislation on immigration, and to improve the management of information regarding refugees in the country.²⁵

Law Enforcement Agencies

Law enforcement agencies, in particular the police, are the primary mechanism through which small arms are controlled at the national level. In Kenya, there are two police institutions - the Kenya Police and the Administration Police.

The Kenya Police was established under the provisions of the Police Act, Chapter 84 of the Laws of Kenya. According to Section 14 of the Act, the Kenya Police, which is headed by the commissioner of police, is set up in the Republic of Kenya to perform the following functions: maintenance of law and order; the preservation of peace; the protection of life and property; the prevention and detection of crime; the apprehension of offenders; and the enforcement of all laws and regulations with which it is charged.

The Administration Police was established under the provisions of the Administration Police Act, Chapter 85 of the laws of Kenya, and is headed by the administration police commandant. The Administration Police further derives its powers from the following Acts in the Laws of Kenya; the Chiefs Authority Act, (Chapter 128) Penal Code, (Chapter 63) and Criminal Procedure Code, (Chapter 75). The mandate of the Administration Police is defined as: assisting Government officers in exercise of their lawful duties; maintenance of law and order; preservation of peace; protection of life and property; prevention of commission of offences; apprehension of offenders; and defence and control of Kenya's borders in peace, war or emergency.

In all countries, it falls within the role of the police to enforce legislation and ensure that legally-owned arms are used within the limits of the law. While the police are central to controlling arms, other law enforcement agencies need to work closely with the police to ensure the full ambit of small arms controls are enforced. At the national level, the KNFP is an inter-agency body that brings the law enforcement agencies together to co-ordinate control nationally between the Police, Departments of Customs

²⁵ Immigration Department presentation to the KNFP, May 2003

and Immigration, the KWS, Intelligence Service and the Army. The relationship between these agencies and the prosecutors also needs to be well co-ordinated, to ensure that those who are not abiding by the stated controls are penalised appropriately. Also, the relationship between the law enforcement agencies and the public is also of critical importance. The public are key providers of information to the law enforcement agencies, and they are the recipients of the security services provided by these agencies. The key responsibility of the law enforcement agencies is to guard the safety and security of the public and as such, the public are key partners, and can be key sources of information on issues of crime and security.

A series of questions were included within the population survey to gauge public perceptions of the police in Kenya, such as "Do you think the police in your district are doing a good job?" "If a member of the public sent a distress call to the police following a crime situation, how confident are you that they would respond?" And, "Currently, how would you rate levels of performance within the Kenya Police?" The information provided by these questions is useful in examining current relations between the public and the police, and in identifying ways in which relations might be improved. The public's perception of police effectiveness, and their degree of confidence in the police's capabilities, may influence both the degree of illicit use of small arms, and the demand for arms for personal protection.

When the results to this series of questions were combined, it was found that only 20 per cent of the population had a positive perception of the police, compared with 41 per cent who held poor perceptions of the police, and 39 per cent whose perceptions were 'average' - or between good and poor, (see Chart 12). Perceptions of the police vary across age groups, with a greater proportion of young people having poor perceptions of the police. For instance, 46 per cent of respondents in the 26-39 years' age group held poor perceptions of the police, compared with only 29 per cent of respondents over the age of 60. Perceptions of the police also varied slightly according to the province in which the respondent lived. The two provinces with the highest and lowest proportions of respondents with regard to the poor perception of the police were North Eastern, (46 per cent) and Nairobi, (37 per cent).

Chart 12: Respondents' perception of the Kenya Police



The population survey also sought to identify factors that might influence people's perceptions of the police. Interestingly, a relationship appears to exist between people's perceptions of the police, and the presence of small arms within their community. Amongst those respondents who had experienced the presence of small arms within their community, eight per cent had positive perceptions of the police, compared with 21 per cent of respondents who had not experienced the presence of small arms within their community. A relationship was also found between perceptions of the level of crime in the community, and perceptions of the police.

Among the respondents who perceived the level of crime within their community to be low, 30 per cent had positive perceptions of the police, whereas only eight per cent of respondents who perceived levels of crime in their community to be high held positive perceptions of the police. This suggests that there may be a link between the extent of small arms ownership within a community, levels of crime, and popular perceptions of the police. There are a number of possible interpretations of this correlation. For example, people may have lost confidence in the police due to high levels of crime, and/or the presence of small arms within their communities. High levels of small arms may also be a consequence of the perceived failure of the police to provide security, if people arm themselves as a means of providing personal security, or exploit the security vacuum through criminal activities.

The perceptions and ideas held by the Kenya Police themselves, and by the Administration Police and other law enforcement agencies, are also important factors to take into account when designing strategies to tackle crime; improve the performance of the police, and build relations between the police and the community. A series of questions was therefore put to members of the Kenya Police, the Administration Police and officials from other law enforcement agencies - representing the Departments of Defence; Intelligence; Customs and Excise; Immigration; the Kenya Wildlife Service; and the Judiciary; regarding various aspects of their performance - and their relations with the public.

Participants in the law enforcement agency survey were asked for their opinions regarding the public's view of the Kenya Police. Less than half of respondents from the Kenya Police, (36 per cent) the Administration Police, (43 per cent) and other law enforcement agencies; (19 per cent) were of the opinion that the public thought the Kenya Police were doing a good job. These results are consistent with the results of the population survey, which show that only 20 per cent of respondents had positive perceptions of the police, and suggest that the police and law enforcement officials are aware of the poor perceptions held by the public.

Respondents were also asked to rate the level of performance within the Kenya Police as either high, average, or low, and only 32 per cent of respondents from the Kenya Police; 33 per cent from the Administration Police; and only six per cent from

the other law enforcement agencies rated the level of performance as high. Respondents in the law enforcement agency survey were also asked to rate the level of morale within the Kenya Police as high, average, or low. Only 13 per cent of respondents from the Kenya Police, 13 per cent of respondents from the Administration Police, and seven per cent of respondents from the other law enforcement agencies believed that morale was high, and more than half of respondents from the Kenya Police; (52 per cent) said that morale was low.

Questions were also included to ascertain which factors would improve the motivation levels of the respondents in the law enforcement survey. Respondents were asked to indicate whether or not the following changes would motivate them to work harder: extra money; the chance of promotion; the chance to be recognised for their work; the chance for training; the chance for travel; a more challenging job; a change in boss or supervisor; a clearer vision of what they were planning to do; and a positive outcome to their cases. In response to all options other than a change in supervisor or boss, more than half of the respondents said that these changes would increase their levels of motivation. However, the most popular option amongst respondents was the chance for training, with 86 per cent of respondents indicating that further training would enhance their motivation levels.

The findings of the national assessment emerging from the law enforcement agency and population surveys, and the law enforcement and civil society workshops, highlight the need for the enhanced training of law enforcement officials; to boost morale and efficiency; and provide them with the technical skills for small arms control. Further, both law enforcement and civil society representatives highlighted the need for improved relations between the police and the local communities that they serve. In this regard, a specific recommendation of the civil society workshops was to promote and implement more widely the Kenya Police and Administration Police programme of community-based policing. This supports the view expressed by the Kenya Police, that policing should be based upon the needs of local communities, and should enable civilians to play an important role in partnership with the police.²⁶

Indeed, participants in the Rift Valley Province law enforcement workshop said that the provision of security in the rural areas through visible policing, and provision of police infrastructure would greatly reduce insecurity and the demand for small arms. In addition, the Kenya Police recommended reform of the police and the wider security sector, as a means of enhancing the capacity and the ability of the police to provide security; thus removing the need or incentive for civilians to arm themselves in order to provide for their own security.²⁷

²⁶ Kenya Police presentation to the KNFP, May 2003

²⁷ Ibid.

The issue of ensuring effective co-ordination of efforts to tackle small arms, and in particular, to implement the NAP; was also raised in all the law enforcement workshops. This highlights the need to establish provincial bodies to co-ordinate the work of the various law enforcement agencies involved in small arms control at the provincial level. It was recommended at the law enforcement agency workshops across the country, that these provincial bodies should mirror the membership and structure of the KNFP, and include civil society representatives.

Part **FOUR**



Kenya's National Action Plan for Arms Control and Management

Introduction

This final part of the report outlines the main sections of the NAP, and provides a brief overview of why the issues included in the NAP were identified as priority areas for action. The full NAP is then included.

Following the collation of information from the various primary and secondary sources used to collect data as part of the national assessment on small arms, the KNFP analysed this information in March 2004. On the basis of this analysis, and with reference to the objectives and needs identified by the KNFP at the beginning of the process, the KNFP developed Kenya's National Action Plan for Arms Control and Management. The National Action Plan was approved in June 2004, and in the last two years, a number of initial activities have taken place to implement the NAP. For instance, a policy drafting committee has been established and has developed a first draft of the SALW Policy; civil society organisations from every province have been trained on issues relating to small arms and on how to better develop and mainstream the same into the existing projects and activities; Provincial Task Forces have been established and trained in every province; the Government of Kenya has also destroyed a number of illicit small arms and light weapons - about 9,000 and 4,000 in 2003 and 2005 respectively - in public awareness raising activities. Kenya's NAP, is therefore, already a living document that has begun to have an impact on the ground.

What is the National Action Plan for Arms Control and Management?

The NAP provides a framework of activities to comprehensively address the small arms problem in Kenya. The NAP is designed to cover an initial period of five years commencing 1st July 2004, after which it is envisaged that a further assessment will take place to gauge the success of implementation, and to inform the development of a follow on plan. The structure of the NAP is determined in large part by the commitments of the regional and international agreements to which Kenya is party. Some of the common themes found in these agreements relate to:

- the development of institutional frameworks to co-ordinate action;
- review of legislation;
- stockpile management;
- research.

The findings of the national assessment will shape the implementation of these activities, but the findings have also informed the development of some additional sections in the NAP to meet the specific national requirements, for instance, the section on human development planning. In total, the NAP contains 10 sections within which specific objectives and tasks are outlined.

The areas of focus in the NAP have been determined by three main factors:

- i) the needs identified by the KNFP at the beginning of the process - already known problem areas;
- ii) the regional and international agreements - agreed areas of concern on which Kenya is committed to act; and,
- iii) the results of the national assessment - newly identified or confirmed problem areas.

The NAP is intended to provide the structure and outline of the action that needs to take place on different aspects of small arms control. It is not intended, however, to unpack the detail of the specific activities that need to be undertaken. For instance, the NAP states that an education programme to foster peace should be implemented in all schools in Kenya but it does not unpack exactly what that education programme should contain, the specific teaching modules that should be developed, etc. The NAP is intended to guide the development and implementation of specific projects.

Similarly, the data collected during the national assessment, while informing the development of the NAP, will also be further analysed to shape the development and implementation of specific projects within the NAP. The NAP, therefore, highlights particular areas in which further analysis of the national assessment data will be needed, for instance, in identifying the main themes and media for awareness raising activities or pinpointing severely affected communities for the development of arms reduction programmes. The NAP also highlights where further research on the detail of certain issues is needed such as border controls, and also contains a separate section that focuses on other areas identified as requiring further research.

The content of the National Action Plan

This section provides an overview of the content of the NAP. For each section of the NAP, it first highlights the relevant provisions of the regional and international small arms agreements that informed that section of the NAP. It then highlights the key findings of the national assessment relevant to that section. And, finally, it provides an overview of the content of that section of the NAP.

1. Institutional framework

Content of the NAP

This sub-section focuses on the structures that need to be put in place or enhanced to ensure the effective implementation of the NAP. It therefore, includes an objective to enhance the capacity of the KNFP - as the lead agency in co-ordinating activities on small arms - and ensure that the KNFP has the necessary skills and capacity to effectively implement the NAP. An objective is also included to establish Provincial Task Forces,

provincial level bodies with a similar inter-departmental composition to the KNFP, which are intended to be the on-the-ground implementers of the NAP; providing operational capacity and forums for project development at the local level.

Key commitments of regional and international small arms agreements

- United Nations Programme of Action, in Part II articles 4 and 5, calls for the establishment of the institutional framework to address the illicit trade in small arms in all its aspects.
- Nairobi Declaration's Implementation Plan, in articles 1.2 and 4.3, calls for National Focal Points and inter-agency groups to be established and enhanced.
- Nairobi Protocol, in articles 4(d) and 15(iii), calls for the establishment and enhancement of inter-agency groups and multi-disciplinary / specialised law enforcement units.

Key findings of the national assessment

- Developing the capacity and effectiveness of the KNFP was a priority of the KNFP itself from the outset of the process.
- A key recommendation of the law enforcement agency workshops was for the enhancement of national and regional co-ordination mechanisms. As such, they recommended the formation of Provincial Task Forces, structured in the same manner as the KNFP.
- Other findings of the national assessment confirmed that the small arms problem manifests itself differently across provinces, and therefore, that the development of provincial and district specific activities will be necessary.

2. Policy and legislation

Content of the NAP

This sub-section outlines the processes to be undertaken to develop Kenya's SALW Policy, and to review Kenya's legislation. It stipulates that a policy drafting committee should be established to draft Kenya's SALW Policy, and that this drafting committee should ensure that civil society are effectively consulted in its development. This process of policy development is already well-advanced. Following the agreement of the national SALW policy, a similar legal drafting committee should be established to compile a revised, or if necessary; a new law on firearms control along with regulations and administrative procedures. It also states that a simplified guide to the new legislation should be developed for awareness raising activities.

Key commitments of regional and international small arms agreements

The regional and international agreements contain provisions relating to a wide range of measures and issues that should be considered when attempting to comprehensively address the small arms problem in Kenya. The provisions highlighted below relate to just some of these, and focus on the more explicit commitments relating to the review of legislation:

- United Nations Programme of Action, in Part II articles 2, 3, 12, 15 and 28; contains a number of specific provisions relating to the content and coverage of legislation and policy on small arms including provisions on manufacture, import, export, transit, re-transfer and arms embargoes.
- United Nations Firearms Protocol, in articles 5, 10 and 15; commits signatories to criminalise particular offences, including illicit manufacturing and trafficking of firearms, their parts, components and ammunition, to establish effective systems of import and export licensing and to consider establishing systems to regulate brokering activities.
- Nairobi Declaration's Implementation Plan, in article 3, contains a number of commitments relating to legal controls over the manufacture, possession, import, export, transfer, transit, transport of small arms; and relating to the enforcement of international sanctions.
- Nairobi Protocol, in articles 3, 5 and 11; contains a number of commitments relating to legislative measures covering possession, trafficking and manufacturing, including provisions relating to brokering, collecting and marking small arms and managing small arms stockpiles.

Key findings of the national assessment

- The development of a SALW policy, and the review and amendment of Kenya's existing legislation on SALW, were identified as priorities at the outset of the NAP process.
- The need for a policy and for the review of legislation was re-enforced in the recommendations of the law enforcement agency workshops - those working within the existing legal framework felt that it was inadequate - and in the recommendations of the civil society workshops.
- The national assessment identified a number of specific issues that were recommended for examination during the review of legislation, and areas in which existing legislation was inconsistent with the provisions of the regional and international agreements, including those relating to:
 - civilian possession and in particular, limiting the number of firearms that

may be licensed to one civilian, and prohibiting civilian possession of all automatic and semi-automatic rifles and machine guns;

- stockpile management, including the need for improved regulation of the storage and use of state-owned arms;
- manufacturing, including provisions to ensure that future production of ammunition is managed responsibly, including a review of Kenya's policy on marking and export of ammunition, as well as record-keeping, storage and transport;
- transiting of goods, including regional agreements to harmonise restrictions on the movement of goods, in order to ensure that they do not facilitate the flow of illicit arms; and
- import, export and transfer controls, including ensuring that these are consistent with regional small arms agreements, UN instruments and Kenya's support for international transfer controls.

3. Stockpile management

Content of the NAP

The three key objectives relating to stockpile management in the NAP relate to record-keeping, stock-taking and the collection and destruction of small arms. The first objective of record-keeping focuses on the review and reform of the CFB. The second objective envisages that a national stock-taking operation will be undertaken to ensure that the state has up-to-date knowledge of the arms within its possession, and ensure that records of all arms are captured in the CFB database. The final objective looks at issues around the control of stocks that are collected, and the development of procedures for the destruction of all surplus, seized, captured and voluntarily surrendered stock.



Key commitments of regional and international small arms agreements

- United Nations Programme of Action, in Part II articles 9, 10, 16, 17, 18, 19 and 29; call for action to be taken on a number of issues relating to the effective management of stockpiles - including the marking and tracing of stocks and the physical security of stockpiles - as well as collection and destruction of small arms, including surpluses.
- United Nations Firearms Protocol, in articles 6, 7, 8 and 11; calls for signatories to institute measures relating to the confiscation, seizure and disposal - including destruction - of small arms, establishment of effective systems of marking and record-keeping; including specific commitments relating to the manner of marking, and to the security of firearms stocks.
- Nairobi Declaration's Implementation Plan, in articles 4.1 and 5; contains commitments covering enhancing national firearm databases, safe storage, strict accountability of state-owned arms and those in the possession of private security companies and dealers, measures to collect and destroy small arms, and the effective storage of recovered weapons.
- Nairobi Protocol, in articles 4(c), 6, 7, 8 and 12; contains provisions covering the establishment and improvement of national databases/inventories of civilian and state-owned firearms, the marking and tracing of small arms, the disposal of state-owned small arms, and the introduction of programmes for the voluntary surrender of small arms.

Key findings of the national assessment

- The law enforcement agency workshops identified a number of key issues that needed to be addressed in regard to stock-taking, these included:
 - to undertake a national stock-taking operation to ascertain the current level of existing state stocks;
 - to review the operation of the CFB, including an audit of civilian-owned firearms to verify the data held by the CFB, and establish an accurate record of legally-owned small arms;
 - to improve the facilities used for storage of state-owned arms; and to review procedures to guarantee the security of stocks;
 - to develop comprehensive policy guidelines and procedures for managing state-owned stocks, covering areas such as inventory and regular assessment of stocks, destruction of surplus stocks, and training and monitoring of personnel responsible for managing stocks;
 - to collect and destroy illicit weapons, as a means of reducing crime and insecurity, and creating an environment conducive to development. The need

to link disarmament with targeted development interventions designed to reduce the demand for small arms was also highlighted, in particular with regard to pastoralist communities and in border areas;

- In addition to these specific recommendations from law enforcement officials, participants in the civil society workshops identified the need to review measures to ensure the safe and secure transport and storage of ammunition.

4. Public education and awareness raising

Content of the NAP

The public education and awareness raising activities within the NAP seek to promote awareness of key aspects of the NAP and its implementation. As such, it foresees awareness raising activities to promote understanding of the revised firearms legislation that is to be produced, communicate the government's objectives on small arms control; and enhance co-operation between local authorities, PTFs and national authorities. Developing an education programme in schools to promote peaceful conflict resolution, and a culture of peace is another key task.

Key commitments of regional and international small arms agreements

- United Nations Programme of Action, in Part II articles 20 and 41; calls for the development and implementation of public awareness, education and confidence-building programmes on the problems and consequences of the illicit trade in small arms.
- Nairobi Declaration's Implementation Plan, in article 7; contains provisions for public awareness raising on the problem of small arms, the promotion of a culture of peace, the responsible management, storage and use of firearms and the involvement, and co-operation of all sectors of society in tackling small arms problems.
- Nairobi Protocol, in article 13, commits states to develop local, national and regional public/community education and awareness programmes.

Key findings of the national assessment

- Participants in the civil society workshops highlighted the need to change the attitudes of many of those for whom possessing firearms has become normal and accepted behaviour.
- Civil society workshops came up with a number of recommendations to raise awareness, including issues such as the dangers of firearms, conflict resolution and peace building, and the public's responsibility to tackle security issues including awareness of community policing.

- The law enforcement agency workshops made recommendations that stressed the need for awareness raising on the NAP itself, to ensure its successful implementation.
- The assessment identified the need for awareness raising following the review of national legislation, to ensure that the public has a solid understanding of new laws.
- The findings of the population survey suggested that 18 per cent of the respondents were willing to own small arms. It also showed that there was widespread concern about the small arms problem, and that a large proportion of the respondents would be willing to participate in activities to address it.

Preliminary analysis suggests that awareness raising programmes should account for the different perceptions of men and women. Further analysis of the survey data will be needed to identify particular target groups.

5. International and regional co-operation and information exchange

Content of the NAP

While Kenya can do much to improve controls on small arms within its borders, the nature of the problem is an international one and as such, has to be addressed in co-operation with its neighbours. As a result, in the deliberations on the content of the NAP, it was deemed important that the plan include specific provisions to improve Kenya's ability to co-operate and share information with her neighbours, and to conduct joint operations and joint planning. The NAP details the procedures that need to be developed to cover operations in this area, and the process for establishing joint cross-border training workshops with Kenya's neighbouring states. This includes developing standard operating procedures for cross-border co-operation, and establishing mechanisms for sharing information with law enforcement agencies in other countries.

Key commitments of regional and international small arms agreements

- United Nations Programme of Action in Part II, articles 5, 10, 11, 27 and 31; contains provisions relating to the establishment of points of contact for international liaison, the international tracing of small arms, the establishment of sub-regional mechanisms for information sharing among law enforcement agencies; and the enhancing of transparency measures.
- United Nations Firearms Protocol, in article 12, contains provisions relating to the exchange of information between states on issues such as known organised criminal groups, means of concealment of small arms and the nature of their illicit trafficking, as well as relevant technological/scientific law enforcement methods; and the tracing of small arms.

- Nairobi Declaration's Co-ordinated Agenda for Action and Implementation Plan, in articles 2 and 6; calls for states to enhance co-operation between National Focal Points and with regional and international organisations, to exchange information on national databases, and between law enforcement agencies on specific aspects of the illicit trafficking of small arms.
- Nairobi Protocol, in articles 4(a), 9(b), 15(i) and (iv), and 16 (b) and (c); calls for enhanced sub-regional co-operation among law enforcement officials, the development of joint operations to locate arms caches, the promotion of co-operation with regional and international organisations, and improved transparency and information exchange on small arms control issues.

Key findings of the national assessment

- The Kenya Police, Immigration Department and the Customs and Excise Department, all expressed the challenges that they face in monitoring and effectively controlling the movement of people and goods through the long and porous borders.
- In particular, the problem of arms entering the country through the porous borders compounded by Kenya's geographical location, was observed.

6. Border control and refugees

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Content of the NAP

This sub-section of the NAP makes provision for the establishment of a Movement Control Working Group, to examine how to establish better controlled commercial ports of entry. The NAP, therefore, makes provision for the creation of targeted developmental arms reduction programmes around Kenya's main refugee communities, based upon targeted surveys to determine the true causes of insecurity and armed violence in these areas. The NAP also seeks to ensure that Kenya's policy and laws on refugees link with the objectives of arms reduction contained in the NAP, and that an inter-agency co-ordination committee be established to enhance government responses to refugee management and arms control.

Key commitments of regional and international small arms agreements

- United Nations Programme of Action in Part II, article 27, calls for states to establish trans-border customs co-operation and networks for information sharing.
- United Nations Firearms Protocol, in article 11(b), calls for states to institute the necessary measures to increase the effectiveness of border controls and customs trans-border co-operation.

- Nairobi Declaration, in its preamble, recognises that the inadequate capacity of states to monitor their borders, poor customs control, and the movement of armed refugees across borders, has contributed to the proliferation of small arms in the region.
- Nairobi Protocol, in article 4(c), calls for states to improve communication systems, and acquire equipment to monitor and control small arms movements across borders.

Key findings of the national assessment

- The Kenya Police, Immigration Department and the Customs and Excise Department, all expressed the challenges that they face in monitoring and effectively controlling the movement of people and goods through Kenya's long and porous borders.
- The Kenya Revenue Authority identified the need to review Kenya's policy on the transit of goods, including regional agreements to harmonise restrictions on the movement of goods, in order to ensure that they do not facilitate the flow of illicit arms. In this regard, the Kenya Revenue Authority also highlighted that current efforts to speed up the trade in legal goods presented challenges to customs officials in preventing the flow of illicit goods, including small arms.
- The results of the national assessment highlighted that the issue of small arms and refugees is a sensitive and complex one. The assessment identified the need for further research to understand the main causes of insecurity in and around refugee camps, in order to inform arms reduction programmes.
- The Immigration Department felt that there were insufficient numbers of border control posts, and that the existing ones lacked capacity and adequate screening facilities. They also identified the need for increased staffing and improved training of those responsible for enforcing border controls.
- Immigration and other law enforcement officials recommended a review of existing legislation and improvement in the management of information on refugees. They recognised that these efforts should ensure that the rights of both refugees and host communities are protected and should be based upon further research.

7. Human development planning

Content of the NAP

Sub-section seven of the NAP relates to human development planning and focuses on issues fuelling the demand for small arms in Kenya, as well as seeking to link the NAP to some of the broader causes of insecurity and violence that relate to small arms control. It addresses four specific objectives:

- i) To create development initiatives as a means of reducing the demand for arms. Through further analysis of the national assessment findings, it envisages the identification of the key demand factors for small arms, the main causes of armed violence, the most affected members of society and incentives to reduce demand for small arms, in communities severely affected by small arms proliferation.
- ii) To build the strength of existing peaceful conflict resolution mechanisms to address armed violence. In doing so, it envisages that Provincial Task Forces and District Peace and Development Committees will play a central role in enhancing existing initiatives, and developing new conflict resolution mechanisms.
- iii) To ensure that the NAP on small arms links effectively with the government's ongoing police reform programme, and its efforts to institute community-based policing in Kenya. Integrating small arms issues into the community-based policing initiatives is envisaged as a central aim in this regard and as such, the National Steering Committee on Peace building and Conflict Management (NSC) will play a key role.
- iv) To link the NAP to other peace, security and development initiatives, and ensure that it complements and builds upon existing policies and plans for development in Kenya. In this regard, the NAP seeks to ensure that its objectives and activities are effectively linked with initiatives such as the Economic Recovery Strategy for Wealth and Employment Creation (2003-2007) and the Arid Lands Resource Management Project (ALRMP).

Key commitments of regional and international small arms agreements

- United Nations Programme of Action, in its preamble, article 2; highlights the humanitarian and socio-economic consequences of small arms proliferation, as well as the threat that small arms can pose to sustainable development.
- United Nations Firearms Protocol, in its preamble, highlights the harmful effects on socio-economic development of the illicit trafficking and manufacturing of fire arms.
- Nairobi Declaration and Nairobi Protocol, in their respective preambles, acknowledge that the problem of the proliferation of small arms has been exacerbated by extreme poverty; and that a comprehensive strategy must therefore include measures to promote democracy, human rights, the rule of law, good governance and economic recovery and growth.

Key findings of the national assessment

- Participants in both the civil society and law enforcement agency workshops highlighted the link between livelihoods and the possession and use of small arms

in pastoralist communities. They recommended that efforts to improve security in these regions need to be linked with initiatives to reduce the reliance on cattle rustling, reduce conflict over scarce resources, and diversify economic opportunities.

- Civil society workshop results highlighted the need to address broader issues of peaceful conflict resolution, if small arms proliferation is to be effectively tackled.
- Civil society workshop findings also highlighted the importance of promoting community-based policing, as a means of addressing crime and small arms proliferation.
- Results of the population survey highlight the currently poor perception of policing in Kenya in many areas, and the need to enhance police-community relations and the effectiveness of the police. The survey suggests that where perceptions of the police are particularly poor, there may also be a relatively greater presence of small arms.
- The population survey did not provide conclusive indications that could shape national or provincial level development interventions to address the demand for small arms. However, it suggested that further research should focus on identifying economic and social factors that are driving the demand for small arms in particular districts, rather than at the national or provincial level.
- The Kenya Police recommended reform of the security sector as a means of enhancing the provision of security.
- Participants in the law enforcement agency workshops, particularly in the Rift Valley, suggested that more visible police presence and improved relations between the police and the public would enhance the willingness of civilians to surrender illegal small arms, and improve the reporting of crime.
- The Government of Kenya is keen to ensure that its different policies, plans and initiatives link with and complement one another. Therefore, connecting the NAP to broader development frameworks was deemed to be important.

8. Training and capacity building

Content of the NAP

Fundamental to the success and sustainability of Kenya's NAP are the skills and knowledge of the officials and civil society representatives, who are charged with implementing its objectives. As such, training and capacity building are crucial to its long-term success in tackling the proliferation of small arms in Kenya. Section 8, therefore, focuses on the capacity building of the KNFP, law enforcement officials, PTFs and members of civil society. It sets out activities to train the KNFP, senior officials and the PTFs on the NAP, technical issues relating to arms control and management, and key issues relating to firearms control facing the police, customs and wildlife officials. Training is also

included for civil society organisations to enhance their knowledge of the NAP and small arms issues, as well as their capacity to take action and support the implementation of the NAP.

Key commitments of regional and international small arms agreements

- United Nations Programme of Action in Part II article 40, and Part III article 7; calls for enhanced co-operation, exchange of information and training among competent officials, and encourages co-operation with civil society.
- United Nations Firearms Protocol, in article 14, calls for states to co-operate so that they may receive the necessary training and technical assistance to tackle the proliferation of small arms.
- Nairobi Declaration's Implementation Plan, in articles 2.5, 4 and 7.4; calls for co-operation with and involvement of civil society, the development of training programmes to enhance the capacity of law enforcement agencies, and the enhancing of inter-agency groups.
- Nairobi Protocol, in article 4(d) and (e); commits states to enhance inter-agency groups, and to develop national training programmes to enhance the capacity of law enforcement agencies.

Key findings of the national assessment

- From the outset of the process, the KNFP had identified building its capacity and that of law enforcement officials and civil society organisations as critical to the success of the NAP.
- The results of the law enforcement survey highlighted the need for training in techniques for enforcing border controls, such as methods for detecting concealed weapons and illegal small arms.
- The assessment identified the need for training of law enforcement officials following the review of national legislation, to ensure that it is effectively implemented.
- The law enforcement survey indicated that police morale was low, and that the provision of training was among the factors that could help boost morale. Training and capacity building for law enforcement officials under the NAP should take account of issues such as low morale and poor public perceptions of the police, and link with Kenya's community-based policing programme, which also includes training.
- Civil society organisations also highlighted their needs with regard to capacity building if they were to play an active and central role in the implementation of the NAP. At the same time, law enforcement agency officials highlighted the importance of engaging civil society in the NAP process.

9. Research

Content of the NAP

The national assessment identified the key trends and issues that need to be addressed in tackling the proliferation of small arms. However, there were a number of issues which the KNFP felt need further investigation, in order to develop suitable and targeted responses. The NAP, therefore, sets out a number of issues on which more in-depth research is needed; and envisages that the research be outsourced to universities, think-tanks or research institutes with the requisite knowledge and expertise.

To address these, the sub-section sets out two specific objectives:

- i) To propose the undertaking of a joint research project between government and civil society to further investigate and monitor the dynamics of the illicit trade in small arms in Kenya, to inform the implementation of ongoing activities.
- ii) To identify particular issues relating to the activities of law enforcement agencies, including research on four affected communities - two urban, one rural, one pastoral - poaching-prone areas, approaches to the surrender and collection of illegal firearms, the proliferation of military-type weapons in pastoral communities, and other key issues.

Key commitments of regional and international small arms agreements

- United Nations Programme of Action, in Part III article 18, calls for the development of action-oriented research aimed at facilitating greater awareness and better understanding of the nature and scope of small arms related problems.
- Nairobi Declaration's Implementation Plan, in article 2.3(d), calls for research and education programmes designed to enhance public and official/governmental understanding of links between small arms proliferation and conflicts.

Key findings of the national assessment

- Kenya Wildlife Service officials highlighted the problem of poaching in Taita-Taveta. They identified the need for support in preventing poaching and providing security to tourists and civilians.
- KNFP discussed different approaches to collection and destruction of weapons during the development of the NAP, but felt further information was required in order to inform their actions in this area.
- Throughout the national assessment process, the issue of small arms in pastoral areas was highlighted by civil society, law enforcement officials and the KNFP, and by other existing research. However, the KNFP felt that further consolidated research was needed to guide their responses in this area.

- Cross-border nature of the small arms issue was highlighted during the assessment, but little has so far been done to co-ordinate action between neighbouring states and across borders.
- During the development of the NAP, the KNFP highlighted the importance of developing effective monitoring and evaluation mechanisms for its arms control and management activities.

10. Critical areas support

Content of the NAP

The final sub-section covers activities to support law enforcement initiatives in affected areas, and conduct joint operations with law enforcement officials from neighbouring countries. Crucial to this will be the ability to collect and interpret statistical data. The objective of this section is to enhance the ability of law enforcement agency officials to carry out their duties in critical areas of performance. A detailed study will therefore, take place on the formation of a National Firearms Unit, and on building the capacity of the Crime Intelligence Unit. A Crime Statistics and Research Office will be established. To ensure that joint operations and law enforcement activities are effectively carried out, a number of key material needs were identified covering transportation, communication and information technology issues, as well as specific costs relating to joint operations.

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Key commitments of regional and international small arms agreements

No relevant provisions.

Key findings of the national assessment

- Law enforcement officials across the country identified the need for greater provision of staff, technical equipment and improved facilities, in order to effectively enforce small arms controls and prevent crime.
- Participants in the law enforcement workshops suggested that a more visible police presence in rural areas, as well as improved relations between the police and the public, would help to reduce insecurity and the demand for small arms.
- Consultations with law enforcement officials highlighted the absence of a national co-ordination unit for firearms, and of a central unit to collect and analyse crime statistics.

SERIAL	TOPIC	OBJECTIVES	TASKS
1.	Institutional Framework		
1.1	National Security Advisory Committee: National policy making body. Body exists and is functional.	Objective 1: To involve the National Security Advisory Committee in the implementation of the National Action Plan, and keep them informed of the progress and activities.	<ol style="list-style-type: none"> 1. Presentation of the National Action Plan (NAP) to the PS/Internal Security, for approval and issuance of any additional guidelines. 2. Presentation of the National Action Plan (NAP) to the National Security Advisory Committee for approval and issuance of any guidelines. 3. Drafting of final NAP incorporating the above guidelines, if any. 4. Printing and publishing of the final NAP. 5. Convene a national civil society/Government conference to introduce the National Action Plan and discuss partnerships for implementation. 6. Kenya National Focal Point, (KNFP) to submit a monthly report to the National Security Advisory Committee, including the activity schedule for the following month.
1.2	National Focal Point on Small Arms. National co-ordination agency; co-ordination with RECSA; and representative of the Government of Kenya in regional and international forums on SALW.	Objective 2: To capacitate the NFP to enable it to co-ordinate the implementation of international and regional action programmes and protocols, and to manage the implementation of the National Action Plan.	<ol style="list-style-type: none"> 1. Inter Departmental Workshop on the role, functions, tasks and composition of the KNFP. 2. Compile Standard Working Procedure, (SWP) for KNFP, that includes civil society co-operation and co-ordination procedure. Present for discussion. 3. Inter Departmental Workshop on SWP and duty sheets. Discuss guidelines on the role, functions, responsibilities and composition of PTFs. 4. KNFP Training Workshop on SWP, and training curriculum of PTFs. 5. Submission of training curriculum to Directorates of Training for approval. 6. Training according to schedule. 7. Monthly KNFP meetings.
1.3	Provincial Task Forces: Provincial co-ordination agency with main responsibility to KNFP and for implementation of National Action Plan. Be formed, capacitated and facilitated.	Objective 3: To establish and capacitate PTFs to implement the NAP at provincial and district levels.	<ol style="list-style-type: none"> 1. Inter Departmental Workshop on SWP and duty sheets. Discuss guidelines on the roles, functions, responsibilities and composition of PTFs. 2. Compile SWP for NFP that includes civil society co-operation and co-ordination procedure. 3. KNFP Training Workshop on SWP, and training curriculum of PTFs. 4. Submission of training curriculum to Directorates of Training for approval. 5. Training according to schedule.

SERIAL	TOPIC	OBJECTIVES	TASKS
2.	Policy and Legislation		
2.1	National Policy	<p>Objective 4: To formulate and approve a National Policy on SALW in accordance with international and regional action programmes, protocols and national objectives by April 2007. This will include the following aspects:</p> <p>Possession - state and private - use, importation, exportation, dealing, brokering, transit, storage, stockpiling, manufacture, marking, record-keeping, collection, seizure, confiscation, destruction, disposal.</p>	<ol style="list-style-type: none"> 1. Appointment of National Policy Drafting Committee. 2. Preparation of the requirements for National Policy, including: <ol style="list-style-type: none"> a. Assessment and summary of National Policy requirements and National Mapping, Part 2. b. Assessment and summary of the Nairobi Protocol. c. Assessment and summary of the UN Protocol against the illicit manufacture of, and trafficking in firearms, their components and ammunition. d. Assessment and summary of the requirements and guidelines as in the UN Programme of Action, the Bamako Declaration and the Nairobi Declaration. e. Assessment of all relevant national legislation. 3. Draft Discussion Document on National guidelines and objectives, as well as regional and international recommendations completed. 4. Workshop Draft Discussion Document and finalise policy list. 5. Review of the current licensing system in accordance with National Policy. The following aspects need to be addressed: <ol style="list-style-type: none"> a. Current application and approval procedure. b. Complete screening process of all applicants and include: <ol style="list-style-type: none"> i. Fingerprinting ii. Competency testing iii. Background checks in terms of stability iv. Physical check on gun safe and storage facilities v. Procedures with regard to deceased licence holder must be finalised vi. Licence renewal every year. vii. Transporting firearms viii. Owners relinquishing control 6. Develop and implement guidelines for active participation of, and interaction with, relevant civil society and NGOs, think tanks and other

SERIAL	TOPIC	OBJECTIVES	TASKS
			<p>experts in research, information gathering and information sharing as part of the National Policy.</p> <ol style="list-style-type: none"> 7. Ensure active participation of, and interaction with, relevant civil society in the development of the National Policy. 8. Policy Drafting and Workshop Schedule: <ol style="list-style-type: none"> a. Creating Draft 1 b. Workshop of Draft 1 c. Creating Draft 2 d. Workshop of Draft 2 e. Creating Final Draft 9. Presentation of the Final Draft to the National Security Advisory Committee, for provisional approval and submission to the Law Review Commission for their comments. 10. Approval Process - National Security Advisory Committee to Cabinet for final approval.
2.2	National Legislation	<p>Objective 5: To review all current national legislation, regulations and administrative procedures that deal with small arms and light weapons in accordance with the National Policy, international and regional action programmes and protocols by 2007.</p>	<ol style="list-style-type: none"> 1. Appoint Legal Drafting Committee as soon as Nairobi Protocol is signed. 2. Legal Drafting Committee working meeting 1: Discussing the guidelines for the review of legislation, regulations and administrative procedure. Preparing the work plan and activity schedule for the drafting of the guidelines and requirements for the review. 3. Compile requirements and guidelines for the review of legislation from Protocol, Action Plans and National Policy. Finalise Working Draft for discussion. 4. Workshop of working draft with the rest of the KNFP. Finalising requirements and aspects for inclusion. Prepare work plan for review and drafting of Legislation, Regulations and Administrative Procedure. 6. Legal Drafting Committee: Working Meeting 2. Discussion of initial draft and comparison with approved Policy Document. 7. Legal Drafting Committee: Working Meeting 8. Legal Drafting Committee: Working Meeting

SERIAL	TOPIC	OBJECTIVES	TASKS
			<ol style="list-style-type: none"> 8. Legal Drafting Committee: Working Meeting 4. Discussion of final Draft Bill, Regulations and Administrative Procedure. 9. Compile final Bill Regulations and Administrative Procedure. 10. Workshop final Bill, Regulations and Administrative Procedure for approval by K NFP. 11. Presentation of legal review recommendations to: <ol style="list-style-type: none"> a. National Security Advisory Committee for approval; b. The Law Review Commission for more input; c. Cabinet for approval; d. Forward to Parliament for promulgation. 12. Implementation of new legislation <ol style="list-style-type: none"> a. Publication and dissemination. b. Develop a simplified guide for the KNFP on the relevant legal documents related to security, for use in public awareness raising activities. 13. Training Workshops on new legislation and regulations.
3. Stockpile Management			
3.1	Record-keeping	<p>Objective 6: To ensure accurate national record-keeping of civilian and state-owned stocks, and to facilitate information exchange on the regional and national level, develop and implement an organisational structure, regulations and procedures for the Central Firearms Bureau (CFB) by 2007.</p>	<ol style="list-style-type: none"> 1. Appointment of a CFB Working Group, as soon as the National Policy is handed over for approval. 2. CFB Working Group. Working Meeting 1: Discussing the guidelines for the review of the CFB functioning from the National Policy. Preparing the work plan and activity schedule for the work-study. 3. Complete the work-study of the current situation at the CFB. 4. National Defence Workshop to include the National Defence in the record-keeping study, to avail the current situation of controls and record-keeping, and to assist the Kenya Ordnance Factory to comply with the requirements of the Nairobi Protocol and other international protocols on the same. 5. Discussion of work-study and requirements to operationalise the policy and identified requirements at CFB. Discuss implementation guidelines and create draft work plan.

SERIAL	TOPIC	OBJECTIVES	TASKS
			<ol style="list-style-type: none"> Working Meeting 3: Workshop draft implementation plan, complete budget, implementation plan and equipment requirements for CFB. Forward CFB work plan and budget for approval. Hardware and software installation. Verification of paper records for capturing and entry into database. Data capturing. CFB Working Group, Meeting 4: Functions of the CFB and working procedure. Verification of the entered records for Month 1. CFB Working Group, Meeting 5: Formats of records and information exchange mechanisms. Verification of entered records, Month 2. CFB Working Group, Meeting 6: Licensing system and state records. Verification of entered records, Month 3. CFB Working Group, Meeting 7: Working Procedure and database layout. Verification of entered records, Month 4. Training of CFB staff in station. Final record verification and activation of database. Handover to CFB staff.
3.2	Stocktaking	Objective 7: To conduct a National Stock-taking Operation of all small arms and light weapons on the National Register, to establish a verifiable and accurate national database. This should include all civilian and state-owned firearms, as well as seized and captured stock.	<ol style="list-style-type: none"> Develop guidelines for the National Stock-taking Operation from the National Policy. Issue guidelines for the National stock-taking Operation to all government departments and agencies holding firearms. Follow-up on the submission of stock sheets, and determine the basic procedure for verification of stock with the submitted sheets. Verify stock sheets on provincial and district levels. Verify data in CFB Database on a monthly basis, until completion of data capturing. Records of identified surplus, obsolete, captured and seized stock to be forwarded to CFB and Chief Force Armourer (CFA).
3.2	Collection and destruction of small arms and light weapons.	Objective 8: To identify, collect, pool, administer and destroy all surplus, seized, captured and voluntarily surrendered stock.	<ol style="list-style-type: none"> Develop and implement an administrative procedure for the record-keeping, accounting and safe storage of firearms that are to be destroyed. Develop and implement a voluntary surrender programme for licit and illicit firearms in civilian possession.

SERIAL	TOPIC	OBJECTIVES	TASKS
4. Public Education and Awareness Raising			
4.1	National Education and Awareness Raising Programme	Objective 9: To curb proliferation, reduce demand and promote responsible management of small arms and light weapons, develop and implement a national awareness raising and education programme.	<ol style="list-style-type: none"> 1. Implement an awareness raising programme in the priority areas - as identified by the KNFP - to reduce SALW, reduce demand and establish a culture of peace. <ol style="list-style-type: none"> a. Analyse population survey data to determine the main themes and media for communication; b. Develop a work plan for the public awareness raising programme in collaboration with the KNFP/PTFs and civil society; c. Present work plan for approval and implementation; d. Expand to bordering districts as programme progresses. 2. Implement district level education programmes to educate local/district authorities with the aim of: <ol style="list-style-type: none"> a. Establishing co-operation among local authorities, PTFs and district/local authorities on arms control and management; i. Developing a communication plan for the KNFP to inform PTFs and districts/local authorities of the NAP; ii. Developing PTF work plans for the training and capacity building of district / local authorities; b. Communicating the government's objectives and needs to combat, reduce and eradicate the illicit trade in SALW; c. Capacitating local and district authorities to undertake educational and awareness rising activities;

SERIAL	TOPIC	OBJECTIVES	TASKS
			<p>3. Develop an education programme in all schools in Kenya with the aim of fostering a culture of peace among the youth, educating them in conflict resolution techniques, providing information on the impact of violence in society, and teaching them on mechanisms and skills to minimise their resort to violence.</p> <p>To this effect:</p> <ol style="list-style-type: none"> Conduct a workshop with the Ministry of Education, Science and Technology for national and international experts on the objectives and modalities of the programme with the aim of developing a National Small Arms Education Policy document and guidelines for a curriculum; Develop a curriculum for inclusion in school curricula that meet the set objectives of the National Small Arms Education Policy; Develop a capacity building programme to train and capacitate teachers and trainers to implement the curriculum Sourcing of training and education materials to sustain the programme.
5. International and Regional Co-operation and Information Exchange			
5.1	Establish and maintain capacity at the national level to assist in international and regional investigation, co-operation and exchange of information.	<p>Objective 10: To facilitate transparent and effective co-operation and information exchange nationally, within the sub-region and internationally; develop and implement the required policy, regulations and administrative procedures.</p>	<ol style="list-style-type: none"> Develop and implement national guidelines for the exchange of information between inter governmental agencies, and between the KNFP and regional and international agencies and governments. Discuss requirements with Legal Drafting Committee and issue guidelines for inclusion in revised legislation, regulations and administration procedure. Develop and implement guidelines and regulations for law enforcement agencies and other relevant departments so as to combat cross-border crime, enhance human security and foster understanding amongst border communities. Discuss requirements for draft Standard Operating Procedure, (SOP) for cross-border co-operation and exchange of information with neighbouring countries during cross-border training meetings.

SERIAL	TOPIC	OBJECTIVES	TASKS
5.2	Joint planning and joint operations.	Objective 11: To reduce trafficking demand and criminal activities in border areas; undertake joint planning and operations with neighbouring countries.	<ol style="list-style-type: none"> Develop and implement mechanisms to share information and establish co-operation on cross-border development programmes and initiatives, and to link these to small arms control and developmental arms reduction activities. Establish and maintain cross-border co-operation and information sharing committees with Tanzania, Uganda, the Sudan, Ethiopia and Somalia. Discuss requirements with Legal Drafting Committee and issue guidelines for inclusion in revised legislation, regulations and administration procedure. Organise and host joint training workshops with law enforcement officials from neighbouring countries, to establish and maintain effective co-operation and information sharing committees. Workshop Group A: Kenya, Tanzania Uganda. Workshop Group: B Kenya, Uganda, the Sudan, Ethiopia. <ol style="list-style-type: none"> Liaise with invited countries to finalise date and venue for workshop Issue invitations for Group A workshop Finalise participants' list and agenda for Group A workshop Arrange accommodation and travel for Group A workshop Group A workshop. Liaise with invited countries to finalise date and venue for workshop Issue invitations for Group B workshop Finalise participants list and agenda for Group B workshop Arrange accommodation and travel for Group B workshop Group B workshop. Utilising the experience gained in the sub-region to undertake general crime reduction operations to stabilise and improve normal activity in border regions. Utilising the experience gained and structures established through joint operations in the sub-region aimed at drug and vehicle related crimes; plan and undertake joint law enforcement operations on the Kenya-Tanzania-Uganda borders, the Kenya-Uganda-Sudan borders, the Kenya-Ethiopia-

SERIAL	TOPIC	OBJECTIVES	TASKS
			<p>Somalia borders to reduce crime and remove illicit SALW from communities on both sides of these borders.</p> <p>3. Establishing co-operation and liaison fora for joint planning and joint operations across borders with neighbouring countries through engagement of RECSA. Plan and conduct joint operations between the law enforcement agencies of Kenya, Tanzania, Uganda, Ethiopia and Somalia to remove illicit SALW from communities along the border, search for and destroy weapons caches on both sides of the borders, reduce and control the illicit manufacturing trade, and improve the security situation of the communities along the borders.</p>
6. Border Control and Refugees			
6.1	Movement Control	<p>Objective 12: To facilitate control of the cross-border movement of people and goods - including firearms, ammunition, explosives and related materials -, expand and utilise the computerised movement control system, including search and detection equipment at all ports of entry.</p>	<ol style="list-style-type: none"> 1. Appoint a Movement Control (MC) Working Group, and issue pre-study material on the subject. 2. Conduct a study to determine the major ports of entry, and to determine the feasibility of establishing designated commercial ports of entry. This study group should make recommendations on the following: <ol style="list-style-type: none"> a. Use of sniffer dogs b. Search bays c. Other portable detection equipment d. Accessibility of patrol routes, including the problem of privately-owned firms on these patrol routes e. Supply of safekeeping facilities at border posts. f. Establishment of Border Police Unit. g. Control and monitor movement of people and goods. h. Control over the use of private airstrips and manning of public airstrips. 3. MC Working Group meeting 1: Analyse requirements of the national assessment and guidelines given in the National Policy on SALW concerning movement control. Develop guidelines in consultation with Police, Customs and Immigration. 4. MC Working Group meeting 2: Discuss guidelines and develop draft user specification.

SERIAL	TOPIC	OBJECTIVES	TASKS
6.2	Refugee management	Objective 13: To develop a refugee management policy and enact the current draft Refugee Bill, create an interagency co-ordination mechanism to share information, enhance responses to refugee crises and assist with the management of human security in and around refugee camps, and reduce the availability of arms.	<ol style="list-style-type: none"> 1. Circulate draft user specification to other Law Enforcement Agencies for final comments. 2. MC Working Group meeting 3: Finalise user specification and compile implementation work plan. 3. Review the existing refugee policy and draft Bill, and ensure that it links with the objectives of the NAP on Arms Control and Management. 4. Assist with the establishment of an interagency co-ordination committee in the Department of Immigration and Registration of Persons, to share information and enhance governmental responses in refugee crises. 5. Develop and implement a developmental arms reduction programme in and around refugee communities to address armed violence, reduce demand for arms, and establish a culture of peace: <ol style="list-style-type: none"> a. Plan and conduct targeted surveys in the main refugee camps to determine the main causes for insecurity and armed violence, demand factors and incentives to reduce demand for arms in and around the refugee camps. b. Identify the key stakeholders and conduct consultations to identify existing programmes, the resource base and opportunities for linking with/building upon existing work. c. Develop an arms reduction programme in co-operation with the PTFs and local and international civil society and international agencies in accordance with National Policy. <ol style="list-style-type: none"> i. Workshop 1 - Develop guidelines for national arms reduction programmes in accordance with national policy. Discuss the framework for arms reduction in and around refugee camps in conjunction with Provincial Arms Reduction activities. Develop an arms reduction programme in and around refugee camps as part of the Provincial Arms Reduction programmes. ii. Present the programme for wider consultation with other stakeholders before implementation.

SERIAL	TOPIC	OBJECTIVES	TASKS
7.	Human Development Planning		
7.1	Reducing the demand for arms through development initiatives.	Objective 14: To reduce the incidence of armed violence in affected communities; develop and implement development programmes to address the demand for arms in these communities. These programmes will seek to address issues such as cattle rustling and armed urban crime, among others.	<ol style="list-style-type: none"> 1. Appoint Human Development Planning Committee. 2. Identify affected communities, both rural and urban, in Kenya. 3. Develop and implement a developmental arms reduction programme in the identified communities to address armed violence, reduce demand for arms and establish a culture of peace: <ol style="list-style-type: none"> a. Analyse population survey data to determine main causes of armed violence, demand factors, the most affected sectors of the community and incentives to reduce demand for arms. b. Identify the key stakeholders and conduct consultations to identify existing development programmes, the resource base and opportunities for linking with/building upon existing work (see Objective 18, Tasks 1-4, for more details of activities). c. Identify areas for enhanced government participation in community-based projects to address armed violence, reduce demand for arms and establish a culture of peace. d. Develop an arms reduction programme in co-operation with the PTF's and local and international civil society and international agencies, in accordance with National Policy. <ol style="list-style-type: none"> i. Workshop 1 - Develop guidelines for national arms reduction programmes in accordance with National Policy. Discuss the framework for provincial arms reduction activities. ii. Develop provincial arms reduction programmes. iii. Present the programme for wider consultation with other stakeholders before implementation. iv. Implement the programme.
7.2	Peaceful resolution of conflict and enhanced human security.	Objective 15: To improve security and reduce the incidence of armed violence in affected communities; strengthen peaceful conflict resolution mechanisms.	<ol style="list-style-type: none"> 1. Identify affected communities, both rural and urban. 2. Analyse survey data to determine causes of conflict and insecurity. 3. Inform District Peace and Development Committees and PTF's on findings to facilitate development of possible additional peace and conflict resolution mechanisms.

SERIAL	TOPIC	OBJECTIVES	TASKS
7.3	Promoting police-community relations.	Objective 16: To improve security and reduce the incidence of armed violence in affected communities; strengthen police-community relations, and develop and implement community-based policing.	<ol style="list-style-type: none"> Identify and strengthen existing conflict resolution mechanisms, such as traditional practices and District Peace and Development Committees, and establish and strengthen links between these and the PTF's. Develop links between the NAP and the Office of the President's (OP) Programme to support and develop District Peace and Development Committees. Consultation between the KNFP and the National Steering Committee on Peace building and Conflict Management Consultation between the KNFP and NSC to identify where and how the NAP and the OP's Programme can complement and support one another.
7.4	Develop linkages between the NAP and existing development initiatives.	Objective 17: To ensure that the activities of the NAP complement and build upon existing policies and plans for development, develop and implement a framework for harmonising and mainstreaming small arms and security into these identified policies and plans.	<ol style="list-style-type: none"> Identify existing development policies and plans of government, civil society and international agencies, including National Development Plan (2002-2008) Economic Recovery Strategy for Wealth and Employment Creation, Arid Lands Resource Management Project, Disaster Management Policy and Refugees Management Policy. Identify the linkages to the NAP's developmental arms reduction activities in the identified policies and plans. Advocate for mainstreaming of small arms and security issues in existing development policies and plans. Hold workshops with key stakeholders to discuss and develop complementary or joint activities. Implement complementary or joint activities. Develop monitoring, evaluation and reporting plans for the implementation of these activities.

SERIAL	TOPIC	OBJECTIVES	TASKS
8.	Training and Capacity Building		
8.1	Training and Capacity Building of Law Enforcement Officials and Other Personnel.	<p>Objective 18: To establish the capacity needed for the sustainable implementation of international and regional agreements, declarations, protocols and the NAP, develop and implement comprehensive training and capacity building programmes.</p>	<ol style="list-style-type: none"> 1. Training of officials at the KNFP and relevant departments in: <ol style="list-style-type: none"> a. Arms control and management. b. Stockpile management and security. c. SALW collection and destruction. d. Marking and Tracing. e. Investigation of trans-national arms offences, and arms-related crimes. f. Information gathering and sharing. g. Record-keeping and databases. h. SALW identification. i. Border controls. j. Investigation of firearms-related crimes. 2. Senior Arms Management and Disarmament Training Course: Training of senior management officials from the Ministry of Foreign Affairs, Kenya Wildlife Service and departments of Police, Defence, Intelligence, Customs, Immigration, Prisons and Mines & Geology, in: <ol style="list-style-type: none"> a. The National Policy on SALW. b. The firearms legislation, regulations and administrative procedure. c. Regional and sub-regional co-operation d. Arms management concepts such as: <ol style="list-style-type: none"> i. Stockpile management and security. ii. SALW collection and destruction. iii. Marking and tracing. iv. Information gathering and sharing. v. Record-keeping and databases. vi. Border security and co-operation. vii. Inter-departmental co-operation 3. Training and capacitating national law enforcement officials to implement and sustain the NAP. Training of members of the KNFP with responsibility for: <ol style="list-style-type: none"> a. Implementation, management and monitoring of NAP. b. KNFP activities and functions. c. Central Firearms Bureau (CFB) and record-keeping. d. International co-operation and investigation support.

SERIAL	TOPIC	OBJECTIVES	TASKS
			<ol style="list-style-type: none"> 4. Training of seven officers as specialised SALW-related case investigators: two instructors at the Kenya Police College - Kigambo and five to man the international investigation and co-operation function at the CID headquarters. These officers will investigate all national and relevant international cases of brokering, transport, transit, export, import and criminal SALW-related cases. 5. Training of 16 police officers, (minimum rank of inspector) as provincial firearms officers responsible for the following: <ol style="list-style-type: none"> a. Investigation of SALW-related cases. b. Prosecution of firearm-related cases. c. Arms registry data and record-keeping. d. Management and implementation of NAP at the district level. 6. Development of a curriculum and training materials to train 150 district CID officers in the investigation of firearm-related cases, and arms control and management. 7. Establish linkages with the police reform process, to ensure that the training and capacity building requirements of the NAP are met by the envisaged reform process. 8. Development of a curriculum and training materials to train Customs officers in the following: <ol style="list-style-type: none"> a. Investigation of SALW-related cases b. Stockpile management and security c. Identification, safe handling of firearms, their parts and components ammunition and explosives d. The SALW legislation, regulations and administrative procedure. e. Proper use of search and detection equipment f. Search techniques g. Proper record-keeping 9. Development of a curriculum and training materials to train immigration officials in the following: <ol style="list-style-type: none"> a. Computerised movement control systems b. The SALW Legislation, Regulations and Administrative Procedure. c. Screening and profiling of suspect persons d. Proper record-keeping

SERIAL	TOPIC	OBJECTIVES	TASKS
			<p>10. Development of a curriculum and training materials to train Kenya Wildlife Service Officials in the following:</p> <ol style="list-style-type: none"> Investigation of firearm-related cases Identification, safe handling of firearms, their parts and components, ammunition and explosives The SALW Legislation, Regulations and Administrative Procedure. Proper record-keeping Proper use of specialised equipment i.e. night sight equipment and Global Positioning System (GPS).
8.2	Training of Provincial Task Forces.	<p>Objective 19: To establish the capacity needed for the sustainable implementation of the NAP at the provincial level; implement the approved training and capacity building programme for Provincial Task Forces early enough to support implementation activities.</p>	<ol style="list-style-type: none"> Training of PTF members, including the civil society members in: <ol style="list-style-type: none"> The Nairobi Declaration and Protocol and other relevant action programmes that relate to the NAP. The NAP, their roles and responsibilities in the implementation of the NAP. The day-to-day running of the PTFs.
8.3	Training of Relevant Civil Society Organisations.	<p>Objective 20: To establish the capacity required by relevant civil society organisations, to support the National Focal Point and Provincial Task Forces in the implementation of the National Action Plan; implement the approved training curriculum for relevant civil society at the national and provincial level.</p>	<ol style="list-style-type: none"> Conduct training workshops to capacitate members from relevant civil society and community-based organisations to engage with PTFs on the NAP in a meaningful and informed manner, and to conduct activities in support of the public awareness raising campaign down to district and village levels, as follows: <ol style="list-style-type: none"> Workshop 1: Coast Province Workshop 2: Western Province Workshop 3: Upper Eastern Region Workshop 4: North-Rift Region Workshop 5: Nairobi Province Workshop 6: Nyanza Province Workshop 7: North Eastern Province Workshop 8: South-Rift Region Workshop 9: Lower-Eastern Region Workshop 10: Central Province

SERIAL	TOPIC	OBJECTIVES	TASKS
9. Research			
9.1	Action oriented research.	Objective 21: To facilitate good co-operation between the Government of Kenya and civil society in activities related to small arms and light weapons, and build confidence between government agencies and civil society; develop and fund an action oriented research programme.	<ol style="list-style-type: none"> 1. Critical areas of research - as identified during the national assessment that will enhance governmental efforts to control and eradicate the illicit trade in small arms and light weapons - must be included in research topics at national universities, or undertaken by national and regional think tanks and institutes with the relevant expertise. 2. Ensure active participation of, and interaction with, civil society in the development of a National Policy on SALW to greatly enhance co-operation and build confidence between government and civil society. 3. Establish and support a joint research project between national law enforcement agencies and relevant civil society expertise on the illicit trade dynamics in the country and region: types of small arms and light weapons; their sources, supply routes, destinations and methods of transportation; brokers and transport agents; financial sources; and the impact of the flows on society.
9.2	Research on key performance factors in the law enforcement environment.	Objective 22: To improve law enforcement practice and enhance security in the most affected regions, reduce demand and address the impact of the problem of illicit small arms and light weapons; initiate and co-ordinate research projects that will address key performance factors in the law enforcement environment.	<ol style="list-style-type: none"> 1. Undertake a research project in the most affected regions - two urban, one rural, and one pastoral community - to determine: <ol style="list-style-type: none"> a. The real factors influencing the rise in crime in general, and specifically, in SALW-related crime. b. Suggest solutions to the current challenges to law enforcement, management and utilisation of existing infrastructure and resources. 2. Undertake a research project in the poaching-prone areas to determine the extent of poaching and its impact on the local economy and security, and suggest courses of action for its eradication. 3. Undertake research on approaches to the surrender and collection of illegal SALW in the most affected communities, to establish best practice. This may include examining, amongst other issues, traditional mechanisms of conflict resolution, weapons for development programmes, and the registration of illicit SALW and their eventual replacement with legally licensed SALW. 4. The proliferation of "military type of weapons" in pastoral areas needs to be researched, and courses of action need to be found to curb this activity in the region.

SERIAL	TOPIC	OBJECTIVES	TASKS
			<p>5. Assess and review the law enforcement architecture between Kenya, Tanzania and Uganda, and make suggestions on how co-ordination, joint planning and joint operations on both sides of these borders can be improved/enhanced to eradicate the problem.</p> <p>6. Develop and implement a monitoring and evaluation mechanism to assess the effectiveness of the disarmament components of these operations, and suggest measures for continued improvement.</p>
10. Critical Areas for Support			
10.1	In order to implement and undertake the necessary actions to combat, reduce and eradicate the trafficking in illicit small arms and light weapons, and assist in improving detection, seizure and destruction of these weapons in the Great Lakes Region and Horn of Africa, the government of Kenya should establish the capacity to collect and interpret statistical data and undertake joint operations and law enforcement in the most affected areas	<p>Objective 23: To capacitate law enforcement agencies in Kenya to undertake their responsibilities in a comprehensive and sustainable manner, critical areas of performance and capability should be addressed.</p>	<ol style="list-style-type: none"> Conduct a detailed study on the following subjects that were identified in the Law Enforcement Workshops, as well as the Law Enforcement Agency (LEA) Survey: <ol style="list-style-type: none"> The formation of a multi-disciplinary National Firearms Unit, to assist in combating the small arms problem. Capacitating the Crime Intelligence Unit to perform its duties as required, and enable it to support the implementation of the NAP. Staffing, funding and training are some of the more important aspects that need to be addressed. Establish, equip and maintain a Crime Statistics and Research Office to assist with the gathering, analysis and interpretation of crime data and statistics, to support the research responsibilities of the NAP. Joint Operations and law enforcement in most affected areas. The training needs to enhance and improve the functioning of all law enforcement agencies have been dealt with in serial 8 of this document. In addition, material support of all law enforcement agencies will greatly enhance the capacity of these agencies to implement action and enforce legislation in a comprehensive and sustainable manner. Main areas of material support include: <ol style="list-style-type: none"> Transport, such as all-terrain vehicles and motorcycles. Communication equipment, such as radio sets - base stations, vehicle mounted and walkie-talkie sets; relay stations and fax machines. Data capture and information sharing equipment, such as computers, e-mail and mainframe equipment and training.

SERIAL	TOPIC	OBJECTIVES	TASKS
			<ul style="list-style-type: none"> d. Support for joint operations in terms of: <ul style="list-style-type: none"> i. Aircraft, helicopter, and vehicle fuelling. ii. Rations and camping equipment for deployed officials. iii. Specialised equipment such as night vision, ground and aerial surveillance equipment. iv. Mobile scanning equipment, such as hand-held scanners. v. Supply of helicopters. e. Monetary support for planned and budgeted joint operations, conducted with other EAPCCO law enforcement agencies along common borders.

Annex A

Key recommendations of law enforcement agency workshops

● **Policy on Small Arms and Light Weapons:** A clear and comprehensive national policy on small arms and light weapons was identified as a priority requirement to govern the National Action Plan, and provide the guidelines to prevent, control and manage the proliferation, illicit possession and abuse of SALW. The policy should address the full spectrum of issues related to SALW, and provide the basis for the review of national legislation, regulations and administrative procedure governing SALW.

● **Firearms Act:** The existing Firearms Act is regarded as outdated, and not in step with current realities and law enforcement requirements. The Act should be amended to incorporate the National Policy on SALW, current realities prevalent in Kenya, and sub-regional and internationally agreed measures to deal with the SALW problem in a comprehensive and co-ordinated manner.

● **Central Firearms Database:** A central electronic database for national record-keeping and control of the national stockpile to assist with investigation, national information needs, and sub-regional co-operation is a priority concern. Participants felt that they will only be able to deal with illicit SALW once they are able to establish what is licit. Currently, national records are insufficient, and cannot provide for the needs of law enforcement; control and investigation.

● **Stockpile Management:** Participants agreed that serious attention should be given to stockpile management issues in the development of the national policy. Clear and comprehensive policy guidelines should be given to issues such as security of stock; proper storage; issue of firearms and ammunition from armouries; management of captured and seized stock; levels of stock kept at national armouries and depots; surplus and obsolete stock; disposal and destruction; national record-keeping; licensing criteria and procedure; among others. A clear and present concern was expressed on the arming of security apparatus, such as the KPR.

● **Capacity Building and Training:** A wide range of added capacity and skills was recommended during the feedback session. In summary, those relate to the following

training and capacity needs:

- Arms control and management skills for middle and senior management personnel.
- Specialised investigation skills at national level such as ballistic experts, forensic investigation, record-keeping and stockpile management.
- Basic investigation skills such as firearm identification, management of a crime scene, firearm crime-related investigation, etc.
- Specific skills, such as computer literacy.

● **Resources:** Various recommendations were made on resource needs to enable sufficient performance and effective enforcement and response. These needs should be dealt with in part between the National Action Plan and the national Budget.

● **National Co-ordination Mechanisms:** It became clear during the discussion sessions that the National Focal Point will need assistance to co-ordinate and implement the National Action Plan down to the district level. For this purpose, participants recommended the formation of Provincial Task Forces, structured in the same manner as the National Focal Point. The Provincial Task Forces will be responsible for the co-ordination and implementation of the National Action Plan as directed by the National Focal Point, and will also function as the co-ordination mechanisms between the National Focal Point and districts. The specific recommendations will be analysed in detail and examined in workshops during the analysis phase, to ensure compatibility with the Kenya National Focal Point and existing security committees.

● **Involvement of Civil Society:** The crucial role that civil society organisations must play during the mapping phase and the implementation of the National Action Plan was acknowledged by participants throughout the country. A variety of organisations and institutions was recommended by participants, in both provincial and district contexts, for participation in stage 2 of the mapping as well as forming the nucleus of civil society participation and involvement in the National Action Plan. These recommendations will be consolidated and handed over to the civil society representatives on the National Focal Point, to obtain the contact detail for invitations and co-ordination of participation.

● **Development and Alternatives to Firearms:** Participants highlighted the need to investigate how alternative sources of livelihood can be developed, and how more general economic development can be encouraged in those regions most severely affected by SALW misuse, and these should be considered during the development of the National Action Plan.

● **Public Awareness and Education:** Most participants stressed the need for a massive public awareness and education programme early in the National Action Plan. The civil society workshops should also be utilised as a public awareness tool. Accompanying press coverage and radio broadcasting sessions should be used to inform the general public of the intentions and objectives of the National Action Plan.

Annex B

Key recommendations of civil society workshops

● **Programmes to change attitudes** - changing the perceptions of those possessing firearms was seen as crucial in addressing small arms proliferation in the country. In some areas, it was felt that firearm possession has become acceptable. Public awareness raising and civic education campaigns should be conducted on: the NAP; the dangers of firearms; conflict management and peace building; and the role of the public in responding to security issues - including community policing awareness.

● **Provision of effective security** - how the state provides security was felt to be perhaps the single most important factor in addressing the illegal possession of firearms. Without the effective provision of security, the proliferation of firearms cannot be successfully tackled. Police reform through the development of community-based policing should be prioritised, and address the following issues as well:

- Perceived corruption, criminality and lack of professionalism within the police services.
- Promotion of a harmonious and professional working relationship between different security organs.
- Provide alternative security arrangements for nomadic groups.
- Motivation of the police officers, including issues of remuneration, insurance, and compensation; living conditions and personal security.
- Police training generally, but also with specific regard to firearm use.
- Promotion of effective government / civil society interaction - this should include:
 - The development, where they do not exist, of and consolidation of local structures to ensure that civil society members regularly interact and discuss security issues with local law enforcement and local government officials.
 - Representation of the civil society in the District Security Committees.
 - The development by the KNFP of a communications outreach strategy for engagement with civil society, to ensure effective and open sharing of information from government and from civil society.
- A strategy for the KNFP to enhance and engage existing civil society networks.

- The development by the KNFP of working practices that actively seek to demonstrate and practise transparency and accountability.
- The development of a strategy to change the attitudes of both government and civil society on their perceptions of, and attitudes to, working with the other.
- Governance issues and regional marginalisation - the importance of linking the NAP to other programmes and strategies to deal with poverty and governance - in particular corruption - was stressed. Poor governance and marginalisation were identified as key underlying factors causing insecurity and driving the demand for small arms. Without addressing these issues, many felt that the problem could not be effectively tackled.
- Review of firearms legislation in particular, with regard to civilian possession, state possession, stockpile management and manufacture.