



# International Peace Support Training Centre Nairobi, Kenya

## **IPSTC AMANI Lecture Series Report**

*Changing Trends of Conflicts and Response Strategies in  
Eastern Africa: Interrogating SALW Control*



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**16<sup>th</sup> July 2015**

**At**

**AMANI Hall, IPSTC**

**Westwood Park Road, Karen**

**Nairobi, Kenya**

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# 1. Executive Summary

The mission of the International Peace Support Training Centre (IPSTC) is to be an independent Research, Training and Education centre in Eastern Africa that is responsive to peace operations training and education needs of the African Peace and Security Architecture (APSA). IPSTC seeks to conduct applied research, training and education of military, police and civilian personnel in all aspects of peace operations in order to help improve the effectiveness of the international response to complex emergencies.

On the 16<sup>th</sup> of July 2015, IPSTC held an AMANI lecture series that was informed by the 2015 Research Agenda “Changing Trends of Conflict and Response Strategies in Eastern Africa”. The AMANI lecture focused on interrogating Small Arms and Light Weapons and the goal is to stimulate intellectual discussion on topics of relevance to regional peace and security initiatives. Lectures are conducted twice a year and invitations are extended to all in the Nairobi area peace and security community.

This report documents the AMANI lecture held on the 16<sup>th</sup> of July 2015. It briefly outlines the presentations made by the distinguished invited guests whose focus was on Small Arms and Light Weapons (SALW). It also includes the remarks made by the discussant of the lecture as well as comments and suggestions made during plenary by the audience.

The AMANI lecture focuses on the illicit trade and misuse of SALW and how it presents a devastating impact on Human Security and development in various regions. The lecture specifically focused on how the proliferation and accumulation of SALW in Eastern Africa posed a major threat to peace, security and development in the region.

## 2. AMANI Lecture Series Concept

AMANI lecture series provide an opportunity for regional stakeholders and experts to share current knowledge and trends on contemporary peace and security issues that inform regional policies and practice.

### 1.1 Objectives of the Lecture Series

The overall aim of this AMANI lecture is to foster synergies and strengthen cooperation among selected stakeholders active in the field of peace and security within Eastern Africa and in Nairobi. More specifically, the forum will give the audience the opportunity to:

- a.) Discuss the proliferation and/or circulation of SALW in the region;
- b.) Discuss and share the effects and impacts of SALW proliferation on security and development;
- c.) Discuss current state of SALW control regimes; and
- d.) Explore options for sustainable armed control systems and policies in the region.

### 1.2 Expected Outcome

The symposium was intended to have three major outcomes:

- a.) To provide critical input to the research and discussion on SALW;
- b.) To strengthen networks of collaborations with different organizations, institutions and partners in peace and security; and
- c.) To serve as a platform for sharing lessons learnt in the discussion on SALW.

### 2.3 Participants

The lecture series brought together distinguished representatives from State agencies, International Community, different institutions of Higher learning, Regional Economic Mechanisms, Regional Think Tanks, and Non-Governmental Organisations.

### 2.4 Venue and Date

The Lecture took place at the International Peace Support Training Centre along Westwood Park Road in Karen, Nairobi, Kenya on the 16<sup>th</sup> of July, 2015.

### 2.5 Methodology

During the lecture series the key research findings were presented by the respective speakers and then reviewed by one discussant. Finally, the presentations were reviewed in plenary and recommendations made on how they could be improved.

## 2.6 Areas of Discussion

The thematic areas formed the central topics of discussion based on:

- a.) **International Frameworks for the Control of SALW** by H.E Mr Michal Mlynár, Ambassador Slovakian Embassy in Nairobi;
- b.) **Arms Regimes in Eastern Africa** by Mr. Théoneste Mutsindashyaka, Executive Secretary Regional Centre on Small Arms;
- c.) **Practical Disarmament** by James Ikumbu Ngului, MBS, HSC- Deputy Director, Kenya National Focal Point (KNFP) on Small Arms and Light Weapons; and
- d.) **An Academic Perspective of Small Arms and Light Weapons** by Dr. Solomon Njenga, Chairman, Peace and Conflict Department, Africa Nazarene University.



### 3. Opening Remarks

Lieutenant Colonel Joyce Sitienei opened the AMANI lecture series by welcoming guests and briefly highlighting the significance of the AMANI lecture series which was implementing the centre's core mission to conduct applied research, training and education of military, police and civilian personnel in all aspects of peace operations.

Lt. Col Joyce Sitienei informed the audience that the key objective of the Peace and Security Research Department was the production and dissemination of knowledge on emerging peace and security issues in Africa. This lecture series would enable the centre an opportunity to illuminate on the illicit trade and misuse of SALW.

Lt. Col Sitienei concluded by introducing the moderator of the lecture series Professor Timothy Gatara who is also a Senior Researcher at the centre. Professor Gatara provided greater insight into the discussion on SALW and the need for the development of effective legal and institutional mechanisms for the management and control of SALW and most importantly the need for regional and international cooperation.

Professor Gatara went further on to state that these concerns formed the foundation for the IPSTC 2015 Research Agenda, anchored on *'Trends in conflict and security in the East African Region'*.

He urged the audience to engage with the topics presented in order to enrich the important discussion on SALW in Eastern Africa.

As the moderator of the Lecture Series, Professor Gatara welcomed IPSTC's Director, Brigadier Robert Kabage who made the welcome address.

## 4. Welcome Address



### Brigadier Robert Kabage, Director, IPSTC

Our Chief Guest, Cabinet Secretary, Ministry of Interior and Coordination of National Government Hon. Maj Gen (Rtd) Joseph Nkaissery, H.E Mr Michal Mlynár, The Ambassador of Slovakia to Kenya, The Deputy Army Commander, Maj Gen Ondieki, The GOC East Com, Maj Gen Biwott, Mr. Théoneste Mutsindashyaka, Executive Secretary, Regional Centre on Small Arms, Mr James Ngului, the Deputy Director of the Kenya National Focal Point (KNFP) on Small Arms and Light Weapons, Dr Solomon Njenga, The Chairman Peace and Security Studies Department of the

Africa Nazarene University, Distinguished invited guests, Ladies and Gentlemen,

Good Afternoon.

It is indeed a great pleasure and honour for me to welcome you all to IPSTC and to our first AMANI lecture series for 2015 on ***“Changing trends of conflict and response strategies in Eastern Africa: Interrogating Small Arms and Light Weapons control”***. The AMANI lecture series is a biannual forum organised by this centre to provide an opportunity for peace and security stakeholders and experts to share current knowledge and trends on contemporary topical issues and inform regional policies and practice. Our last AMANI Lecture was held on 21st August 2014 and addressed ***“Changing Dimensions of International Peacekeeping in Africa”***.

Ladies and Gentlemen, today’s forum is intended to give you an opportunity to not only share experiences of peacekeeping and SALW management in the current African context but also to discuss the current state of SALW control regimes so that we can explore options for sustainable armed control.

As a Regional centre of excellence in peace support operations training and research, IPSTC has great interest in interrogating the issue of SALW control. As you are aware the problem of unlawful use of SALW is always prevalent in conflict areas where peace operations take place. Apart from causing hundreds of deaths among innocent civilians, it has been argued that, the simple nature of their use encourages the recruitment and use of children in conflict as was the case in Liberia, DRC and in Uganda with the LRA.

A high priority for PSO missions is therefore placed on efforts to remove these SALWs from circulation once a conflict has ended through disarmament programmes. This is in recognition of the fact that the availability of such weapons facilitates either a renewal of the conflict or destabilization of efforts to build peace.

Disarmament programmes focus on weapons collection initiatives, weapons destruction and disposal, decommissioning of weapons systems, and arms embargoes among others with a view of reducing the destructive and destabilizing impact of arms on the state and society as well as the environment. Operationally, disarmament programmes also focuses on demobilization of armed groups and restoration of armed combatants and vulnerable groups associated with conflicts back into society. These activities are informed by particular peace operation mandates in the form of specific UN Security Council Resolutions.



Today peacekeepers are faced with ever increasing dangers related to proliferation of arms. Peacekeepers have been attacked and suffered the loss of hundreds of weapons and hundreds of thousands of rounds of ammunition. In Darfur, for instance, a recent Small Arms Survey report reveals that weapons losses have included pistols, assault rifles, machine guns (including heavy machine guns), grenade launchers, anti-tank weapons, and mortars. Such losses do not help peacekeeping efforts. In countries like Mali and Somalia terrorist activities have been linked to proliferation of SALW.

As we discuss this important subject, I hope these challenges will be addressed and that we will examine the responses to the ongoing concerns surrounding the proliferation of small arms in our region. Our distinguished panel of speakers will shed light on the national, regional and international regimes that inform SALW control. I hope the follow on discussions will help us contextualize them and provide policy options in this crucial area of peace and security.

In conclusion, I would like to thank you all for honouring our invitation to participate in this forum; we look forward to very fruitful presentations and discussions.

With those few remarks, it is my honour and privilege to invite our Chief Guest Hon. Maj Gen (Rtd) Joseph Nkaisery, Cabinet Secretary, Ministry of Interior and Coordination of National Government to make his remarks and officially open this AMANI Lecture. CS Sir.

## 5. Key Note Address



**Hon. Maj Gen (Rtd) Joseph Nkaiserry, Cabinet Secretary, Ministry of Interior and Coordination of National Government**

H.E. the Ambassador of Slovakia to Kenya Mr. Michal Mlynár, The Executive Secretary, Regional Centre on Small Arms Mr. Théoneste Mutsindashyaka, Mr James Ngului, the Deputy Director of the Kenya National Focal Point (KNFP) on Small Arms and Light Weapons, The Director International Peace Support Training Centre (IPSTC), Distinguished Guests, Ladies and Gentlemen.

It is a great pleasure and honour for me to be here on this occasion of the official opening of the Small Arms and Light Weapons Control AMANI Lecture at IPSTC. The proliferation of small arms is a complex and multifaceted phenomenon that affects the lives of many worldwide. It has been estimated that at the global level, about 45 percent of all violent deaths are caused by fire arms, most of which are illegally acquired, transferred, held or used in violation of national or international law.

In the Eastern Africa sub-region, the proliferation of Small Arms and Light Weapons is a major security challenge. The wide availability and trafficking of these weapons fuels instability, conflict and poses a threat, not only to human security, regional stability, but also to sustainable development. The widespread proliferation of small arms is contributing to alarming levels of crime, in both rural and urban areas, and fuels banditry economy through cattle rustling and ethnic conflict in pastoralist areas.

In Kenya, according to a survey conducted by the Kenya National Focal Point on Small Arms & Light Weapons; an estimated Seven Hundred Thousand (700, 000) arms are in the wrong hands. Furthermore, armed violence perpetrated by extremist criminal gangs such as Al Shabaab is posing a serious threat on our security, tourism industry and the economy at large. That is why our fight against the proliferation of Small Arms & Light Weapons is a key priority to Kenya's peace, stability and security.

Management of Small Arms & Light Weapons is a critical pillar of achieving the post Millennium Development Goals (MDG) currently being drafted by the UN as Sustainable Development Goals (SDG). Goal sixteen of Sustainable Development Goals (SDG) proposes among other issues steps that should be taken to significantly reduce illicit arms flows by 2030. This is a recognition that for sustainable development to be achieved, illegal arms flow must be stopped.

The current International Arms Trade Treaty (ATT) commits States to specific criteria and processes regarding the regulation of international arms transfers. Kenya is in the process of ratifying ATT and I can confidently give assurance that the Government is committed to maintenance of national, regional and international peace and security through arms control and promotion of human rights. Let me also take this opportunity to point out that Kenya has high-level Stockpile Management Regulatory Mechanisms and has had no major incidents of loss of Government arms and ammunition to illegal groups or accidental explosions. The Government also has a comprehensive Human Security based framework for non-proliferation and disarmament as articulated in our Constitution, Vision 2030, National Policy on Peacebuilding and Conflict Management, and the National Policy on the Control

of Small Arms & Light Weapons. The human security approach includes not just physical safety but also safeguarding economic and basic freedoms.

By and large, Kenya is committed to the implementation of all the regional instruments for arms control such as the Nairobi Protocol, UN Programme of Action on Small Arms (UNPoA), Kinshasa Convention, International Tracing Instrument (ITI), the SADC Protocol and the ECOWAS Convention. The Government also works closely with the Regional Center for the Control of Small Arms & Light Weapons (RECSA) to implement national arms control obligations. The Government recognizes the work being done by IPSTC to enhance regional peace and security through research and training. That said, there is a need for closer collaboration between peace and security think-tanks, practitioners and policy makers to enable evidence-based policy, strategies and operations in security sector. I am aware that IPSTC has trained officers serving in AMISOM and other peacekeeping missions in civil affairs, arms control, Peace Keeping Operations, safety and humanitarian support courses.

The Ministry of Interior and Coordination of National Government will collaborate with IPSTC in its effort to come up with innovative means of dealing with illicit arms, terrorists and other domestic security threats. In conclusion, I would like to thank the IPSTC for drawing up a comprehensive programme that tackles this important subject that will help us get a step closer to enhanced peace and security in our country and region.

I also want to thank the Ambassador of Slovakia to Kenya, RECSA and Kenya National Focal Point on Small Arms & Light Weapons for the support they provided towards the success of this workshop. Last but not least, allow me to thank the speakers and all of you who are here today eager to listen, learn and share ideas and experiences. I wish you fruitful deliberations. It is now my pleasure to declare the AMANI Lecture on Small Arms and Lights Weapon Control officially open. Thank you all.

## 6. Presentations



### 6.1 International Frameworks for the Control of SALW: *H.E Mr Michal Mlynár, Ambassador Slovakian Embassy in Nairobi*



Small Arms and Light Weapons that fall into the wrong hands often become tools of oppression, used to commit violations of human rights and international humanitarian law. They frequently exacerbate situations of regional instability and armed conflict and hinder post-conflict reconstruction. In the ideal society functioning under the rule of law, the armed forces and police carry guns so that the rest of the population doesn't have to. The opposite case is one in which no enforcement of the rule of the law leads to vigilantism and high levels of firearm violence and death.

When Kofi Annan served as the UN Secretary General, he highlighted that the issue of the proliferation of Small Arms and Light Weapons was in no way small and no way light. Mr Annan often stated the death toll from small arms dwarfs that of all other weapons systems – and in most years greatly exceeds the toll of the atomic bombs that devastated Hiroshima and Nagasaki. In terms of the carnage they cause, small arms, indeed, could well be described as ‘weapons of mass destruction’.

Ban Ki Moon, the current UN Secretary General has also expressed himself on this particular issue. Mr. Ki-Moon has reiterated that addressing the issue of small arms requires us to go beyond measures for arms control. It needs to be an integral part of a wider spectrum, covering conflict and security, armed violence and crime, trade and human rights, health and development.

The international community's concern with the illicit trade in Small Arms and Light Weapons (SALW) derives from the recognition that illicit SALW have a major adverse humanitarian impact that cannot be ignored. Small arms play a prominent role in all present-day conflicts, resulting in thousands of deaths and the displacement of millions of people. The proliferation of illicit SALW threatens to disrupt peacebuilding and development efforts; and it is small arms that are used by criminal gangs that spread insecurity and fear in our cities.

Insurgents, armed gang members, pirates, and terrorists can all multiply their force through the use of unlawfully acquired firepower. The illicit circulation of small arms, light weapons and their ammunition destabilizes communities, and impacts security and development in all regions of the world.

Small arms are cheap, light, and easy to handle, transport and conceal. A build-up of small arms alone may not create the conflicts in which they are used, but their excessive accumulation and wide availability aggravates the tension. The violence becomes more lethal and lasts longer, and a sense of insecurity grows, which in turn lead to a greater demand for weapons. Most present-day conflicts are fought mainly with small arms, which are broadly used in inter-State conflict. They are the weapons of choice in civil wars and for terrorism, organized crime and gang warfare. The number of people affected by SALW is huge. About half of them with small arms are in the category of low and middle income countries.

There are different ways how we can look at the issue of SALW. In particular the UN has been working with two, namely:

- a.) The role that SALW has played in armed conflict in a wider Peace and Security model; and
- b.) The humanitarian and social consequences that SALW can produce in society.

To ensure that Small Arms and Light Weapons will be kept out of the wrong hands, the UN Member States unanimously adopted in 2001 a Programme of Action to combat the illicit trade in those weapons. The United Nations Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons (UNPoA) focuses on practical solutions, such as collecting and destroying illegal weapons, strengthening import and export controls, raising awareness on the effects of illegal weapons, improving the security and safety of weapons storage facilities and helping affected countries track down illegal transfers of small arms and the brokers involved. The UNPoA was a politically binding commitment.

This was followed by the International Instrument to enable States to identify and trace, in a timely and reliable manner, illicit Small Arms and Light Weapons. The International Tracing Instrument, adopted by the UN General Assembly in December 2005, commits States to undertake a number of measures to ensure the adequate marking and record-keeping of Small Arms and Light Weapons and to strengthen cooperation in tracing illicit firearms.

Thereafter there was the UN Protocol against the Illicit Manufacturing of and Illegal Trafficking in Firearms and Ammunition (UNFP). The UNFP is the first global instrument in the fight against transnational organised crime and trafficking in firearms. It sets out a multilateral framework and a variety of important minimum standards for all participating States. The Protocol promotes cooperation among States Parties in order to prevent, combat and eradicate the illicit manufacturing of and trafficking in firearms, their parts and components and ammunition. This became the first legally binding global instrument on small arms.

The international community has gone a step further to the development of the Arms Trade Treaty of 2013. The Arms Trade Treaty establishes common international standards for the regulation of the international trade in conventional arms, ammunition and parts and components for the purpose of contributing to peace and security, reducing human suffering, and promoting cooperation and transparency. There was the first group of fifty countries that have ratified ATT. Kenya is working on

the ratification of this crucial document.

In addition to these key documents and frameworks, the UN Security Council in 2013 adopted a resolution dedicated to the question of Small Arms and Light Weapons. The Council adopted resolution 2117 (2013), its first-ever text dedicated exclusively to the issue of Small Arms and Light Weapons. The ensuing debate marked the first time in five years that the 15-member body had taken up the issue, which had been deleted from its agenda. Moreover, in May 2015, the UN Security Council adopted a resolution S/RES/2220 on small arms that contained new provisions aiming to strengthen UN coordination and action on small arms, promote effective implementation of UN arms embargoes and support the Arms Trade Treaty.

Kenya has played an important role in the development of international frameworks on SALW Control. The Nairobi Protocol for the Prevention, Control and Reduction of Small Arms and Light Weapons in the Great Lakes Region, the Horn of Africa and Bordering States was established in 2005. The Nairobi Protocol sought to address the challenges as a result of the proliferation of Small Arms and Light Weapons in the region. 11 countries signed the legally binding document. Implementation of the Protocol by Member States contributes to the implementation of international small arms instruments such as the UN Program of Action on Small Arms and Light Weapons and the International Tracing Instrument. It, therefore, contributes to efforts aimed at the attainment of a safe and secure sub-region.

Also worth mentioning is the ECOWAS Convention on Small Arms And Light Weapons, their ammunition and other related materials which was signed in June 2006 and the Central African Convention for the control of Small Arms and Light Weapons, their ammunition, parts and components that can be used for the manufacture, repair or assembly (also known as the Kinshasa convention). Both of these conventions aimed at regulating SALW and combating their illicit trade and trafficking in West and Central Africa respectively.

Terrorism is an important element when addressing control of SALW. No single region can deal with this on its own. It is important to focus on these issues because often loopholes and gaps which exist in the areas of SALW have direct implications on terrorism or transnational crime especially in this region.

International frameworks are only as good as the Governments, the NGOs and the CBOs are able to implement them. If and how we are able to implement the important frameworks in our everyday lives for the benefit of the people who are most affected either by the armed conflict, the level of crime, poverty or other factors that contribute to the spread and proliferation of SALW depends largely on political will.

Governments have a responsibility to ensure public safety and they have an interest in providing human security and development to their citizens. So they should ensure that small arms from Government stocks or from private ownership are not misused and do not enter illicit circuits, where their use may contribute to instability and to exacerbating poverty.

## 6.2 Small Arms Regimes in Eastern Africa: *Mr. Théoneste Mutsindashyaka, Executive Secretary Regional Centre on Small Arms*



Mr. Mutsindashyaka began by introducing the Regional Centre on Small Arms (RECSA). RECSA is an international organization in the Great Lakes Region, the Horn of Africa and Bordering States that is mandated to coordinate the implementation of the Nairobi Protocol on the Prevention, Control and Reduction of Small Arms and Light Weapons among member states. RECSA is hosted by Kenya pursuant to a host agreement between 15 Member States that include Burundi, Central Africa Republic, Republic of Congo, Democratic Republic of Congo, Djibouti, Ethiopia, Eritrea, Kenya, Rwanda, Seychelles, Somalia, South Sudan, Sudan, Uganda and the United Republic of Tanzania.

There are various channels that facilitate the movement of illicit Small Arms and Light Weapons. One channel is from the Islamic states, through Libya, Mali and Central Africa Republic, South Sudan and to East Africa. Another channel is from Yemen through Somalia and into East Africa.

In other parts of the world, there are systems in place to control Small Arms and Light Weapons, however in Africa; this remains an area with limited implementation which has in turn hindered development in the Continent. Studies have shown that there is a nexus between security and sustainable development.

East Africa faces a broad range of problems fuelled by easy availability of Small Arms and Light Weapons and they include:

- Terrorism;
- Armed violence (armed robbery, homicide, Gender Based Violence, etc);
- Persistent rebel groups;
- Persistent wars;
- Cattle rustling; and
- Poaching, etc.

All Small Arms and Light Weapons begin by being legal as per Article 51 of the UN Charter that prescribes for the right of countries to engage in self-defence, including collective self-defence, against an armed attack. There are two regimes of SALW and they include legally owned firearms and illicit weapons.

East Africa has made some strides in combating the proliferation of Small Arms and Light Weapons. To begin with, is the Nairobi Protocol for the prevention, control and reduction of Small Arms and Light Weapons in the great lakes region, the horn of Africa and bordering states.

Some of the achievements of the ratification of the Nairobi protocol include:

- a.) Five States have established National Focal Points to oversee implementation of the Protocol;
- b.) Burundi has gone a step further and established a Commission that has the mandate to implement the protocol;

- c.) Development of National Action Plans for the management and control of SALW in all five countries;
- d.) Rwanda, Burundi and Tanzania have harmonized their SALW legislations; and
- e.) The Governments of Burundi, Tanzania, Rwanda, Kenya and Uganda marking of state owned firearms.

RECSA has been able to introduce an electronic small arms tracing systems software for the management of SALW in use in Rwanda, Uganda and Tanzania. In addition, RECSA has been able to spearhead the destruction of surplus, redundant and obsolete SALW and UXOs. Moreover, RECSA has developed a safe storage modern armoury to enhance stockpile security.

RECSA supported its Member States to establish functional National Focal Points or National Commissions on Small Arms Control and Management. These agencies are situated within the Governments and have been established in most RECSA Member States with the exception of Central African Republic, the Republic of Congo and Somalia. The RECSA Secretariat is providing technical support to NFPs to develop national projects to address the problem of SALW.

RECSA has supported technically and/or financially eight of its Member States (Burundi, Democratic Republic of Congo, Djibouti, Eritrea, Kenya, Rwanda, Tanzania and Uganda) to develop national strategies to control and reduce the problem of small arms. The action plans guide implementation of the Nairobi Protocol at the national level.

Regional Centre on Small Arms (RECSA) has in place Information, Education and Communications strategy to guide its awareness activities. Public awareness raising and education are an important part of efforts to prevent the proliferation of SALW. It assists in changing attitudes towards illegal ownership (mental disarmament) and use of SALW among the public and is also useful in fostering a culture of peace.

Some of the challenges facing the control of Small Arms and Light Weapons include:

- a.) Weak institutional capacity at national level;
- b.) SALW are not viewed as a security and development issue;
- c.) Lack of required resources; and
- d.) More attention given to redress measures than prevention measures.

Recommendations to improve the control of SALW include:

- Countries should integrate SALW control programmes into the wider national and development agendas;
- Countries should work to address driving factors of civilian armaments;
- Countries should strengthen the national institutional capacity on SALW control;
- National Commissions or Semi-autonomous Directorates work better;
- Need for enhancement of regional cooperation in small arms control; and
- Need for coordination at continental level in small arms control.



### 6.3 Practical Disarmament: *James Ikumbu Ngului, MBS, HSC, Deputy Director Kenya National Focal Point (KNFP) on Small Arms and Light Weapons*



The concept of Practical Disarmament (PD) was introduced in 1995 by the UN as a strategy to drive the World's body peace agenda. Practical disarmament is meant to end, prevent conflicts, strengthen the rule of law, and to promote public safety and security.

Practical disarmament is a people-centred collaborative approach to the control of illicit SALW and requires the participation of all stakeholders in order to establish a society free from violence and illicit SALW. PD is often combined with but is distinct from Disarmament, Demobilization and Reintegration (DDR) programmes .DDR is most suitable where conflict is just ending. Conventional DDR approaches may not adequately address conflicts which are associated with armed civilians, militias and pastoralists among others.

The challenges facing the control of SALW prompted RECSA in conformity with the provision of UNPoA on preventing, controlling and eradicating illicit SALW in the region to develop best practice guidelines on practical disarmament to help the Member States in handling the menace of illicit SALW.

The aim of Practical Disarmament is to:

- Reduce armed violence and demands for illicit SALW.
- Improve State management of security.
- Create conditions for achievement of sustainable peace and development.
- Be a tool in the implementation of the Nairobi protocol on prevention, control and reduction of illicit SALW in the Great Lakes Region, the Horn of Africa and Bordering States.
- Promote political reconciliation, social tolerance and cohesion.
- Promote a demilitarized culture in the society.

The Central objective of Practical Disarmament is to prevent:

- The onset of Armed Violence( AV);
- Distribution of illicit SALW;
- Continuation of AV through combination of initiatives for peace building and preventing occurrence of Armed Conflicts (AC) in the future;
- It fosters harmonious co-existence among communities for sustainable development.

The Kenya National Focal Point (KNF)has developed a National Disarmament Plan which is based on Practical Disarmament (PD), the National action plan on control and management of SALW, National policy on the Management of SALW including the Security amendment Act 2014 all to address the illicit SALW concerns in the Country.

Practical Disarmament and development programmes are designed to be all inclusive and consultative processes which draw multiple stakeholders including Government agencies, National Security Organs, National Assembly, CSOs and the International Community.

The National disarmament plan spells out objectives of the short, medium, and long-term objectives. Some short term objectives include stabilization of the affected area and return to normalcy and facilitating and supervising the return of communities to their traditional areas. The medium term objectives include the provision of alternative means of livelihood and change of values and attitude among local communities. Lastly, the long-term objectives include initiating opportunities for different livelihoods and investing in basic infrastructure to spur economic growth.

The government collaborates with local community to mobilize voluntary surrender of illicit SALW, for instance the Presidential amnesty on voluntary arms surrender done recently in Baringo, West Pokot, and Turkana. The use of chiefs and elders is especially crucial given their knowledge of the community and the people's trust they enjoy.

Where voluntary surrender has not yielded the expected result, KNF uses coercive disarmament methods. The transition to this coercive disarmament phase is dependent on the Government's assessment of the level of success of the preceding voluntary arms surrender. Where the number of arms surrendered is below the targeted figure, the use of force is initiated. As such, a joint security team is involved. The challenge with this form of disarmament is that communities feel victimized and in most cases flee or rearm after the Practical Disarmament exercise.

Recommendations for Practical Disarmament in Kenya include:

- a.) The country needs to continue implementing conflict management and peace building strategies like The Peace Policy, Disarmament Action Plan among others.
- b.) Education for Security Culture Strategy should be aimed at increasing students' enrolment and sustain education culture in the affected areas;
- c.) Cattle branding and chip tracking devices for easy identification of community livestock and to act as a deterrent to potential cattle rustlers;
- d.) Range management strategy for ensuring all communities understand their grazing areas and respect personal property;
- e.) Implement peace dividends projects targeting reformed warriors and communities;
- f.) Political strategy aimed at mobilizing political leaders, in order to cultivate a clear understanding of the aims and objectives of Practical Disarmament; and
- g.) Communication strategy aimed at using the media to sensitize communities on the aims and objectives of Practical Disarmament.

The Kenya's vision 2030 identifies the preservation of a peaceful and stable society as an indispensable prerequisite for accomplishing its broad development goals. Practical Disarmament contributes to the maintenance of peace and stability in Kenya.

## 6.4 An Academic Perspective of Small Arms and Light Weapons: *Dr. Solomon Njenga, Chairman, Peace and Conflict Department, Africa Nazarene University*



The narrative of Small Arms and Light Weapons must shift from focusing on death as the result of SALW to the root cause of the spread of SALW in East Africa. The focus needs to shift towards the transportation of SALW and to the role that manufacturers play in their proliferation. Is it necessary to monitor manufacturers of these Small Arms and Light Weapons in order to ensure that they don't play a role in the proliferation of these weapons? How easily accessible are our borders if these SALW are able to be transported more often than not without interference from our security organs?

For any illegal act there is often a sense that, even if one starts by thinking about the principal perpetrator, there is a need to consider others who: finance, facilitate, encourage, support and assist in the enterprise.

Controlling cross-border transfers of weapons is a particular challenge for the international community because it cannot be fully addressed without the concerted action of all States. It is a typical collective action problem, where lower regulatory standards or lesser regulatory capacity of a few States can usurp the best intentions of the rest. Too easily, small arms find their way to those who abuse them because States have not sufficiently controlled what leaves their territory and to whom it goes.

Underlying current efforts to regulate the transfer of guns and ammunition is the principle that governments should prevent weapons from leaving their territory when there is a known risk that their end-use will involve serious violations of international law. Individual States have a role to play in protecting their citizens from the proliferation of SALW and must collaborate with other States in safeguarding their territories.

There are academics who argue that the legalisation of small arms and large weapons would aide in the deterioration of deaths and conflict. This is an area that needs to be explored in order for the gaps to be filled.

Another angle that ought to be explored is ensuring that the solutions that are sought are Afrocentric and not imposed on East Africa by the International Community. While insisting that East Africa should ratify the Arms Trade Treaty (ATT) is a step forward in controlling SALW, it may not be the best option for East Africa because it has not been initiated by Africans. A treaty that is funded by the UN or sponsored by the UN to these countries that are developing to some extent, doesn't make a lot of sense. What are the underlying issues? Is it to an advantage for African states? Will it aide in the fight against conflict and the proliferation of SALW? These questions must be explored before countries move forward to ratify international instruments.

Unless issues such as poverty, joblessness or inter-tribal conflicts are addressed the proliferation of SALW will still persist. The trade of illicit SALW sometimes creates jobs, feeds families and seems to protect families against external attacks. States need to address these underlying issues before they begin to tackle the proliferation of SALW.

There must be political will to address the proliferation of SALW. Studies have shown that more often than not, leaders know the perpetrators of SALW but fail to have them apprehended. Why is this? Is it possible that this may be one of the major reasons for the continuous proliferation of SALW?

There is need for States to seriously engage in public awareness and civic education. Public awareness raising/education is an important part of efforts to prevent the proliferation of SALW. It assists in changing attitudes towards illegal ownership (mental disarmament) and use of SALW among the public and is also useful in fostering a culture of peace.

## 7. Summary of Plenary Session



*Participants in a plenary session during the Lecture*

After the presentations and remarks by the discussant, the audience were given an opportunity to contribute to the broader discussion of SALW.

Plenary discussions centred on questioning the root causes of the proliferation of SALW, the legislation and the role of States and international communities in safeguarding against illicit SALW.

Some of the issues raised included:

- a.) **Governance failure in controlling the proliferation of SALW:** The concentration of SALW in particular regions are in countries that have failed in governance. The failure in governance to provide the needed security was a factor that compelled citizens to look for an alternative. Studies indicates that, lack of confidence in security forces, understaffing or sometimes simply the inability of security agencies to carry out their duties effectively in many African countries informed the strong need by citizens to acquire arms in order to protect themselves and their property from armed violence. There is need for political accountability and good governance in order to tackle the proliferation of illicit SALW.
- b.) **Many countries don't go beyond the signing of a treaty or agreement:** The policies, agreements suffer lack of implementation either due to lack of capacity or resources, political will or both; others detest the small arms agenda or see it as a non-priority. The debilitating economy, failure of State to deliver the basic necessities of life, security, and rising rate of unemployment, and above all corruption are some of the major internal factors that are obstacles to any meaningful effort at combating proliferation of small arms in the region.

- c.) **The need to explore gender perspectives on the proliferation of Small Arms and Light Weapons:** It is known, for example, that while firearm casualties among women and children are significant both in conflict situations and in peace, the vast majority of victims of gun violence are men. At the same time women are targets of certain types of violence involving small arms, particularly domestic violence. A gender analysis draws attention to people, and raises questions about who distributes, who owns, who uses, and who is killed and wounded by small arms. Such an analysis highlights human rights aspects of small arms proliferation and use.
- d.) **States should lead the development of a legally binding arms trade treaty that would establish common international standards at the highest level on the export of conventional weapons, including small arms:** The creation and implementation of a clear and coherent national policy on SALW proliferation control should be done through the organization of national conferences bringing together all different levels of society such as governmental representatives, Community-Based Organizations, NGOs and decision-makers. A broad participation would enable the development of integrated and comprehensive policies in tackling SALW proliferation at various levels and through various approaches.
- e.) **Stricter measures need be taken on issues of corruption:** Corruption renders fruitless most of the efforts put in place to combat small arms especially in West Africa. Workable solutions must be sought for at the international level so that it would compel adherence at the regional and national levels just as it was the case with democratic system and military dictatorship.
- f.) **The existence and enforcement of comprehensive legislative and regulatory frameworks are critical for the control of SALW:** Many States, however, have legislation that is out-of-date or limited in scope, which reduces the effectiveness of efforts undertaken. In this context, the review and strengthening of the legislative and regulatory frameworks should become a priority for East African governments.



*Invited guests following the proceedings during the lecture*

## 8. Closing Remarks

### Brigadier Robert Kabage, Director, IPSTC



The Deputy Army Commander, Maj Gen J M Ondieki, The GOC East Com, Maj Gen Benjamin Biwott, Senior Officers present, our key speakers this afternoon, Ladies and Gentlemen, Good Afternoon.

This forum should give us all an opportunity to interrogate Small Arms and Light Weapons control. My verdict is that we have achieved the objectives. I wish to inform you that the proceedings of this afternoon will be captured in a document that we will be producing soon which will be shared with you.

As Professor Gatara urged you all, I also want to encourage you to give IPSTC some articles on this issue so that the articles can be included in the third issue of the AMANI Journal of IPSTC.

With those few remarks, I want to thank you once again for finding time and for accepting the centre's invitation to attend this very important lecture. Lastly, I invite you all to a cocktail at the Peace Banda.

Thank you all.



*The Director, IPSTC, hosting the Key Note Speaker and Chief Guest, Cabinet Secretary, Ministry of Interior and Coordination of National Government Hon. Maj Gen (Rtd) Joseph Nkaisery alongside other invited dignitaries.*

## 8. Annex I-List of Participants in the Symposium

Item No.	Rank	Name of Participant	Nationality/Organization
1.	Dr	Njenga Solomon	Kenyan
2.	Brig	C M Kang'ethe	Kenyan
3.	Lt Col	Omwenga	Kenyan
4.	Maj Gen	J M Ondieki	Kenyan
5.	Maj Gen	Benjamin Biwott	Kenyan
6.	Maj Gen	G R A Owinow	Kenyan
7.	Mr	Benediste Hoalean	Seychellois
8.	Brig	D N Kamuki	Kenyan
9.	Ms	Jedidah Kinya	Kenyan
10.	Rev	J Njenga Kamau	Kenyan
11.	CI	Zipporah Nderitu	Kenyan
12.	Maj	Misiani Geoffrey	Kenyan
13.	Maj	Irene Machango	Kenyan
14.	Prof	Martin C Njoroge	Kenyan
15.	Mr	Davis Muguimi	Kenyan
16.	Lt Col	Jouni Vainio	Finish
17.	Dr	Eunice Njambi	Kenyan
18.	Ms	Brenda Wambua	Kenyan
19.	Lt Col	Manfred Noajesbey	German
20.	Mr	Theoneste Mutsindashyaka	RECSA
21.	Mr	Samuel Dusengiyuhua	RECSA
22.	Mr	Chege Gathogo	Kenyan
23.	Mr	Hillary Kiboro	Kenyan
24.	Mr	Thierry Meyrat	ICRC, Nairobi
25.	Mr	Luc Ansobi	ACORD
26.	Col	Makunga LM	Kenyan
27.	Ms	Nelly Kibet	Kenyan
28.	Lt Col	B K Ngeiywa	Kenyan
29.	CIO	Gerald Mong'are	Kenyan
30.	Lt Col	FG Machemba	Kenyan
31.	Mr	Mwenda Njoka	Kenyan
32.	Mr	Festus Aboage	Kenyan
33.	WOI	Georgre Mutuku	Kenyan



34.	Ms	Catherine Cherotich	Kenyan
35.	SSCY	John L	Kenyan
36.	Maj	Jeff Allen	Canadian/IPSTC
37.	Ms	Lorna Koskey	Kenyan
38.	Ms	Caroline Gatimu	Kenyan
39.	WOII	Ceprian Kokonya	Kenyan
40.	Mrs	Barbara NK	Uganda
41.	Mrs	Daniela L	German
42.	Mr	Watson Karuma	Kenyan
43.	Ms	Shirley Nakhumicha Otube	Kenyan
44.	Brig (Rtd)	Joe Mweu	Kenyan
45.	Mrs	Winnie Wamalwa Marishano	Kenyan
46.	Mr	Kimani MJ	Kenyan
47.	Lt Col	Joel K Cherutich	Kenyan
48.	Lt Col	E Rugeno	Kenyan
49.	WOI	Michael Ngachra	Kenyan
50.	Brig	P Manyara	Kenyan
51.	Mr	Simon Karanja	Kenyan
52.	Mr	Kevin Kioko	Kenyan
53.	WOII	Michael Lengees	Kenyan
54.	SGI	Wilson Tandui	Kenyan
55.	Maj	Japheth Gichuru	Kenyan
56.	Mrs	Leah Barasa	Kenyan
57.	Lt Col	Nduimana Donnatien	Burundian
58.	ACP	Finn Ton P.	Norway
59.	Mr	Uwe Wissenbach	European Union
60.	Mr	Stephen Kamamia	Kenyan
61.	Dr	Arthur B	Uganda



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