

**THE ROLE OF REFUGEES IN PROLIFERATION OF SMALL
ARMS AND LIGHT WEAPONS: THE CASE OF KAKUMA, KENYA**

BY

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DECLARATION

Declaration by the Candidate

This thesis is my original work and has not been presented for any other degree, published not submitted for examination in this or any other University. No part of this work can be reproduced without prior permission from the author and/or Moi University.

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DEDICATION

I dedicate this thesis to my beloved father Dr. Julius Nkanata, mother Madam Naomi Mutwiri, fiance Liza Kimani, beloved daughter Faith Mugambi and the entire family for their endless support during the course of study.

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ABSTRACT

The aim of this study was to establish the role of refugees in the proliferation of small arms and light weapons in Kenya through Kakuma refugee camp and its impact on regional security. The study was anchored on the following research questions; what is the role of refugees in the proliferation of small arms and light weapons in Kenya? and what is the impact of proliferation of illegal arms on regional security? The findings of the study have both theoretical and practical implications for the future of small arms and light weapons and refugee studies in Kenya. Research design adopted was cross-sectional survey design and targeted a population of 25,000. Data was collected using interview schedule, questionnaires and the use secondary data. The statistical package for social sciences (SPSS) was used for analysis. The main findings of the study are small arms and light weapons proliferation plays a major roles in regional insecurity and affect Kenya not only economically but also politically and internationally and refugees plays a role in arms proliferation. It was also concluded that small arms and light weapons proliferation is no longer an issue to under estimate but one to be taken seriously. The study recommends that Kenyan government should take the matter seriously and come up with strict policies to curb the same. Before a refugee camp is located in any particular part of the country proper feasibility study, including an environmental impact assessment study should be carried out to assess the capability of the area. The study concluded that the Kenya government should not only have strict policies on refugees but should also put the same in practice and knows refugees are not only victims of small arms and light weapons but also perpetrators of the same.

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CONCEPTUAL DEFINITION OF CENTRAL TERMS

IMPACT: Impact in this research refers to the consequences that small arms and light weapons have on the regional security i.e. social, economic and geo-political.

PROLIFERATION: Proliferation in this research refers to how small arms and light weapons move from one state to another and from an individual of one particular state to an individual of another state.

REFUGEE: The study adopted both OAU and UN definition of a refugee. According to UN Convention of 1951 Refugee is defined as “A person who owing to well-founded fear of persecution for reasons of race, religion, nationality, membership of a particular social group, or political opinion, is outside the country of his nationality, and is unable to or, owing to such fear, is unwilling to avail himself of the protection of that country”. In this research refugees exclude IDP’s, while on OAU convention ,the term “refugee” means every person who, owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable or, owing to such fear, is unwilling to avail himself of the protection of that country, or who, not having a nationality and being outside the country of his former habitual residence as a result of such events, is unable or, owing to such fear, is unwilling to return to it. Further OAU convention added that the term shall also apply to every person who, owing to external aggression, occupation, foreign domination or events seriously disturbing public order in either part or the whole of his country of origin or nationality, is compelled to leave his place of habitual residence in order to seek refuge in another place outside his country of origin or nationality.

REGIONAL SECURITY: Regional security in this research will refer to how states cooperate economically and politically. It also refers how one country if affected with civil wars or political instability may affect other countries in the region with issues of refugees and illegal arms. How countries engage in their day today activities and how this activities affect each other’s.

SMALL ARMS AND LIGHT WEAPONS: The study adopted the UN definition of SALW. United Nations defines small arms and light weapons to include revolvers, and self-loading pistols, rifles and carbines, sub-machine guns, assault rifles, light machine guns, while light weapons include heavy

machine-guns, hand-held under-barrel and mounted grenade launchers, portable anti-aircraft guns, portable launchers of anti-tank missiles and rocket systems, portable launchers of anti-aircraft missile systems and mortars of calibres of less than 100 mm. United Nations (1997, p. 24).

LIST OF ABBREVIATIONS

AFJN-Africa Faith and Justice Network's

AP-Administration Police

CEWARN-Conflict Early Warning Mechanism

CNDP- National Congress for The Defense Of The People

DRC-Democratic Republic of Congo

DTF'S- District Task Forces

GSU-General Service Unit

KPR-Kenya Police Reserves

LRA- Lord's Resistance Army

NGO- Non Governmental Organizations

NSIS- National Security Intelligence Service

ONLF-Ogaden National Liberation Front

PTF'S- Provincial Task Forces

PoA- Programmes of Action on Small arms and light weapons

RENAMO- Resistance Nacional Mocambicana

RECSA- Regional Center on Small Arms

RPF- Rwandan Patriotic Front

SPLA- Sudanese Peoples Liberation Army

SADC-South African Development Community

SALW- Small arms and light weapons

KNFP- Kenya National Focal Point

UN-United Nations

CHAPTER ONE

INTRODUCTION

This chapter presents the background to the study. It discusses a brief history of refugees and Small arms and light weapons. Further, it explores the statement of the problem, research objectives, the research questions and variables, justification of the study, scope of the study and significance of the study.

1.1 Background to the study

The United Nations Convention Relating to the Status of refugee of 1951 defines a refugee thus: ‘any person who, owing to a well-founded fear of being persecuted for a reason of race, religion, nationality, membership of a particular social group or opinion, is outside the country of his nationality and is unable or owing to such fear, is unwilling to avail himself of the protection of the country’

Kenya has continued to receive refugees from other East African countries since the late 1980s. According to Campbell (2006), the first refugees recorded in Kenya numbered about 12,000 in early 1980’s and were allowed to reside anywhere in the country, had a right to obtain work permits and attain an education. However, the political crises and instability that plagued Kenya’s neighboring countries in the 1990s led to unprecedented influx of refugees from these countries. As a result of this, there were about 400,000 refugees by 1992, most of who were from Somalia. According to the UNHCR (2013), refugees in Kenya come from different countries as shown below.

Table 1 Refugees population in Kenya

| Type of population | Origin | Jan 2013 | Dec 2013 |
|--------------------|----------|----------|----------|
| Refugees | Ethiopia | 12,170 | 12,540 |
| | Somalia | 544,000 | 568,000 |
| | Sudan | 31,100 | 22,770 |
| | Various | 16,430 | 23,340 |
| Asylum-seekers | Ethiopia | 7,380 | 7,610 |
| | Somalia | 1,840 | 1,920 |
| | Sudan | 19,070 | 13,960 |
| | Various | 16,600 | 23,590 |

UNHCR Data (2013)

According to Ndonga (2013), of the estimated 1.1 million refugees in Kenya, 735,800 get assistance from UNHCR. Loescher (1992) argues that refugees are not only a humanitarian problem but a political problem in terms of security. Refugee presence in host countries is known to accelerate existing internal problems. Kirui and Mwaruvie (2012, p. 162) argue that in third world countries, the problem of refugees is compounded by armed groups of exiles engaged in warfare with political objectives. Usually, ‘refugee warriors invite military retaliation, complicate relations with other states and threaten the host states and the security of their citizens’ (Loescher and Loescher, 1994). African states face the dilemma between humanitarian concern for the refugees, and the fact that they can be a source of tension between the African states. Cases of armed conflict between refugees and host community are common occurrences. Kirui and Mwaruvie (2012, p. 164) state that ‘In Dadaab for example, the Kenyan Somalis feel the refugees are given special attention than them because they receive assistance from humanitarian organization like UNHCR and other NGO’s. Refugees are given food, medical attention, and education among other social services. Majority of Kenyan Somalis

cannot afford this and therefore view the refugees (who are also Somalis) as enemies who are taking 'Milk and Honey' while they starve in their motherland'.

There has been constant fear that refugees are agents of arms proliferation. The establishment of the Dadaab refugee camp in 1991 was as a result of the fear that refugees (allegedly thought to have weapons) influx into Northeastern province. Kirui and Mwaruvie argue that 'refugees alone are not the only ones suspected to be key figures involved in the proliferation of SALW. In fact several pastoral communities in Kenya and especially those in the border counties have always been accused of illegal possession of firearms'.

Klare (1995), Mogire (2003; 2004) and Njoroge (2007) show the causal relationship between Small arms and light weapons and violent conflict. Although there is increasing research on the participation of refugees in violent conflict in the host countries and countries of origin, there has been no systematic examination of how refugees can participate in Small arms and light weapons proliferation especially in camps which are assumed to be safe because they are manned by the host country security personnel.

There has been limited study on the extent to which refugees have contributed to Small arms and light weapons proliferation. There is therefore a theoretical and practical interest in understanding how refugee involvement in armed conflict can and has led to arms proliferation. This study is an attempt to fill these research gaps. A major focus of Small arms and light weapons research is to analyze the 'why' (demand analysis) and the 'how' (supply analysis) of Small arms and light weapons proliferation and how the proliferation cause regional insecurity. According to Klare (1995), Small arms and light weapons proliferation is the transfer of Small arms and light weapons from a handful of producing states to a growing number of recipient states and non-state actors. Klare, (1995, p. 3) further states ,proliferation on the other hand, suggests the dispersal of arms within societies extending

not only to governments and state owned entities but also to private armies and militias, insurgent groups, criminal organizations and other non-state actors.

The literature on Small arms and light weapons proliferation has not dealt with refugees as a distinct category of actors that can foster Small arms and light weapons proliferation. Refugees are rather seen as a consequence of Small arms and light weapons proliferation and misuse (Boutwell and Klare, 1999). The contribution of this study to Small arms and light weapons research is to examine the role of refugees in Small arms and light weapons proliferation through analysis of supply and demand.

Researchers and policy makers alike acknowledge that one way in which refugees can contribute to insecurity is through the trafficking of illegal arms (Mogire, 2003). The same study also acknowledges that little research has been done on the same. So this research tried to analyze how refugees affect national and regional security.

The issue of Small arms and light weapons has been and still is a major concern in Kenya that led to the signing of Nairobi declaration on the problems of the proliferation of illicit Small arms and light weapons in the Great Lakes region and the Horn of Africa. This research tried to analyze how refugees are linked to the problem of Small arms and light weapons proliferation and how these affect regional security.

1.2 Statement of the problem

The Horn of Africa and East Africa regions have been characterized by armed conflicts for almost three decades since the early 1980s. Such conflicts have not only contributed to the proliferation of small arms and light weapons in the region but have also led to the forced displacement of millions of people. The conflicts in Uganda, Southern Sudan, Somalia, and the Democratic Republic of Congo and to a smaller extent Ethiopia are symptomatic of the conflicts in the region.

Although the proliferation of Small arms and light weapons and how they affect regional security has been of interest to government agencies, community leaders, security experts, policy analysts and

researchers, making clear connections with different actors has always been problematic. For example defeated rebels, arms traffickers or deserting government soldiers may all carry arms with them. Such groups however remain underground. Even if new governments are installed in previously conflict zones, mopping up arms in civilian hands and other groups remain a daunting task. In places where there is influx of refugees there's been the assumption of Small arms and light weapons proliferation due to the fact of conflicts and availability of arms in the "refugee origin" countries. It is instructive that the different groups may seek refuge to cover their roles in arms trafficking and conflicts. The more difficult problem however is to ascertain with certainty that the influx of refugees from conflict zone is equivalent to rise in insecurity in the host country.

The case of Kenya is even more problematic. The economic activity of the communities where refugee camps are located is mainly pastoralism, and their environment typified by harsh terrain and aridity which leads to conflict between the refugees and locals due to limited natural resources. Even before the refugee camps were set in Kakuma and Dadaab, insecurity attributed to cattle rustling were relatively high compared to other parts of the country. However, it has been difficult identifying the key source of Small arms and light weapons menace as either emanating from the refugees, the locals or some other ulterior source. Researchers who have dealt with the problem, for instance Njoroge (2007), reveals the sources of Small arms and light weapons to the pastoralists communities and how they affect regional security as discussed in the literature review.

This research therefore tried to establish whether influx of refugees plays a role in arms proliferation as assumed by sections of host governments, and if this contributes to regional insecurity.

1.3 Objectives of the study

1.3.1 Main Objective

The goal of the research was to analyze the role of refugees in the proliferation of Small arms and light weapons in Kenya through Kakuma refugee camp and its impact on regional security.

1.3.2 Specific objectives

The specific objectives were:-

- i. To establish the types of Small arms and light weapons that proliferates in Kenya.
- ii. To investigate the possible sources of Small arms and light weapons coming into Kenya through the Kakuma refugee camps and its environs.
- iii. To analyze the impact of proliferation of Small arms and light weapons on regional security.
- iv. To investigate measures taken by the Kenya government to control proliferation of Small arms and light weapons.

1.3.3 Research questions

What is the role of refugees in the proliferation of small arms and light weapons in Kenya and what is the impact of proliferation of illegal arms on regional security?

The specific research questions were:

- i. What types of Small arms and light weapons proliferate in Kenya?
- ii. What are the sources of the Small arms and light weapons into Kenya?
- iii. What's the impact of proliferation of small arms and light weapons on regional security?
- iv. What policies are in place to prevent potential threats to regional security by refugees and how effective are these policies?

1.4 Justification of the study

In spite of the recognized relationship between refugees and armed conflict arising from their acknowledged encounter with the arms from their countries of origin, the relationship has not been given much systematic consideration. For example analyses of refugees' impact on civil conflicts (Lischer, 2001) and refugee militarization (Lischer, 2000) do not pay adequate attention to how their participation in conflict could lead to the proliferation of Small arms and light weapons.

As it has been shown above, Loescher (1992) posits that refugee's influx into host countries are not only a humanitarian crisis but a source of political problems in terms of insecurity in these countries. Therefore, this study was important in establishing if there was a correlation between refugees, Small arms and light weapons proliferation and regional insecurity.

1.5 Significance of the study

The finding of the study has both theoretical and practical implications for the future of Small arms and light weapons and refugee studies in Kenya. It highlights factors that influence Small arms and light weapons proliferation and why refugees may be involved in this trade notwithstanding the risks involved. The study is also useful in leading to the improvement of strategies for the curbing of small arm proliferation. The government may use its findings to improve policies that affect Small arms and light weapons and their movements in and out of the country. The study may be of immediate significance to various government departments dealing with security such as the armed forces, police, intelligence agencies, provincial administration, immigrations, Kenya Wildlife Services (KWS), Kenya Marine Authorities, among others, in the formulation of pertinent policies. It was also be useful to various pertinent inter- governmental institutions and NGO's dealing with issues of forced migrations, security, conflict and conflict resolution, peace and inter-community justice.

Finally, this study was aimed at adding new insights and knowledge to the available body of literature on the issues surrounding refugees, Small arms and light weapons proliferation, and regional security.

1.6 Thesis structure

This work is organized as follows:

1. Chapter One is the introduction of the thesis. It provided the background of the study which is basically a definition of the subject, appreciation of context, presentation of the thesis structure and motivation. It also set the scene for the problem statement, states goal and objectives, research questions, and research limitations.
2. Chapter two: The chapter reviews the relevant Literature to the study. In its second section, it discusses the myriad theoretical assertions that underpin this work. It provides the justification for this work's incremental value by discussing knowledge gaps.
3. Chapter three: The chapter provides the methodology used in collecting data. This includes description of sources of primary data and secondary data, study area analysis, and design.
4. Chapter four: This chapter deals with presentation and analysis of the findings. It basically concentrates on demographic analysis, from looking at the pertinent objectives as subtopics. In its second section it goes on to the presentation of primary data from the field; implementation and interpretation of results.
5. Chapter Five: This chapter presents the summary, conclusions and recommendations. It is a critical assessment of the research in its entirety. The problem statement is linked to objectives, problem statement, research methods and field study results. It restates the research questions; demonstrate precision, thoroughness, contribution, comparison with closest rival and further Work. In its last section recommendations and further research are discussed.

CHAPTER TWO

LITERATURE REVIEW

Introduction

The literature reviewed is basically related to refugees, Small arms and light weapons and its proliferation. The literature review is guided by the objectives of the study, it explains from the global perspective to the Kenya perspective. This is useful in visualization of the existing gaps in the subject and identification of the place of the study. Critical review and a summary of existing scholarship is an integral part of the chapter.

2.1 Proliferation of Small arms and light weapons

Renner (1997) in his paper ‘Small arms and light weapons, big impact the next challenge of disarmament’ defines Small arms and light weapons as “cheap, light- weight, easy to use, durable and lethal weapons”. The United Nations defines small arms to include revolvers, and self-loading pistols, rifles and carbines, sub-machine guns, assault rifles, light machine guns, while light weapons include heavy machine-guns, hand-held under-barrel and mounted grenade launchers, portable anti-aircraft guns, portable launchers of anti-tank missiles and rocket systems, portable launchers of anti-aircraft missile systems and mortars of calibres of less than 100 mm. (United Nations 1997, p. 24).

According to Mogire (2004), ‘Small arms and light weapons’ is often used to describe three major subdivisions of weaponry: small arms, light weapons and ammunition and explosives.

The term ‘light weapons’ includes heavy machine guns, hand-held under-barrel and mounted grenade launchers, portable antiaircraft guns, portable anti-tank guns, recoilless rifles (sometimes mounted), portable launchers of anti-aircraft missile systems (sometimes mounted), and mortars of a caliber less than 100 mm.

According to Global security organization (2012), Guns are generally classified according to use, size, and tradition. The basic distinction is between Small arms and light weapons and artillery. Any gun below a 20-millimeter bore size is generally classified as a small arm. An alternative term gaining increasing currency is "light arms," to include individual and light support weapons.

Ammunition and explosives' refers to cartridges (rounds) for Small arms and light weapons, shells and missiles for light weapons, mobile containers with missiles or shells for single-action anti-aircraft and anti-tank systems, anti-personnel and anti-tank hand grenades, landmines and explosives (UN,1997). Therefore, 'Small arms and light weapons' includes any weapon that can be carried by one or two people, mounted on a vehicle or carried by a pack of animal.

There are probably more than 500 million military-style Small arms and light weapons in the world. It is estimated that illegal trade in Small arms and light weapons accounts for one-half of all global light weapons transfers. Small arms and light weapons were the dominant weapons used in all of the 95 internal conflicts around the world in the period between 1989 and 1996 .Small arms and light weapons are attractive because they are inexpensive, widely available, lethal, simple, durable, portable and concealable. They can be used by the military and police as well as civilians. (Boutwell & Klare, 1998).He further argues that the proliferation of light weapons and illicit arms trafficking in Africa pose a major threat to peace, security and development in the continent. Although they do not in themselves cause the conflicts and criminal activities in which they are used, the wide availability, accumulation and illicit flows of such weapons tend to escalate conflicts, undermine peace agreements, intensify violence, further crime explosion, impede economic and social development and hinder the development of social stability and cohesion, democracy and good governance.

There is a close relationship between peace and security in Africa, both internally, internationally, political, social-economic, and development of countries in the region. In Africa, effective action to control arms flows and availability requires determined, comprehensive and co-ordinated action at not

only the local and national levels but also at the level of the African sub-regions and the Organization of African Unity (OAU). Moreover, the effectiveness of sub-regional action on arms proliferation and trafficking in Africa can only be reinforced through co-operation with the OAU and through the establishment of information exchange mechanisms between each sub-regional organisation and its counterpart (Boutwell & Klare, 1998).

Awareness of the problems of weapons proliferation and arms trafficking, in Africa and also internationally, are greatly welcomed. It is important to recognise the numerous initiatives, resolutions and agreements to address the problem that have recently been taken in Southern Africa (the Operations Rachel on weapons collection, and the Programme of Action for combating illicit arms trafficking are among the most recent), the Sahara-Sahel (for example, the Mali moratorium on the import, export and manufacture of weapons), and which are making an impact on the OAU(AU), the UN and its agencies, and other members of the international community.

However, it is important to recognise that present actions to tackle these problems in Africa remain inadequately developed and often ineffective. Awareness of the severity of the problem still needs to be increased in some quarters. The problem requires a co-ordinated regional approach. However an African policy and an action programme that covers the needs of the continent has yet to be developed.

An integrated and comprehensive response is needed to meet the complex challenges of weapons proliferation and illicit trafficking, yet existing responses remain fragmented and inadequately resourced. A set of co-ordinated sub-regional programmes does not exist to tackle illicit arms trafficking. Programmes to develop effective controls on legal arms possession and transfers, among civilians and state security forces, remain inadequate. So, too, are programmes to disarm ex-combatants, remove unlicensed arms from civilians, and destroy or safely dispose of 'surplus' stocks

of arms or confiscated illicit weapons. Transparency, information exchange and consultation among countries on these issues remain weak.

According to Jacques (2009) the persistence and the complication of wars in Africa are partially due to Small arms and light weapons proliferation. The consequences of Small arms and light weapons on African people due to international conflicts within Africa, rebel group activities, mercenary groups, and armed gang activities have yet to be fully measured. The International Action Network on Small arms and light weapons, Saferworld, and Oxfam International put it in perspective when they reported that armed conflict cost Africa \$18 billion each year and about US\$300 billion between' 1990-2005. During this period, 23 African nations experienced war: Algeria, Angola, Burundi, Central Africa Republic, Chad, Democratic Republic of Congo (DRC), Republic of Congo, Cote d'Ivoire, Djibouti, Eritrea, Ethiopia, Ghana, Guinea, Guinea-Bissau, Liberia, Niger, Nigeria, Rwanda, Senegal, Sierra Leone, South Africa, Sudan, and Uganda. And from this almost all of them except countries in West Africa are sources of refugees to Kenya.

Although proliferation of Small arms and light weapons generates a lot of money for those who manufacture and trade in them, African people pay a heavy price due to a lack of accountability or international regulations to address the abuses those products cause. According to the Global Facilitation Network Security Sector Reform, five permanent members of the UN Security Council together account for 88 percent of the world's conventional arms exports. These exports contribute regularly to gross abuses of human rights in Africa and elsewhere. Some of these are legal arms sales to irresponsible governments who use them to oppress the people. Other supplies are made available to rebel groups by some countries in an effort to overthrow dictatorial regimes which in many cases become worse or as bad as the previous regimes the case of Egypt and Libya are the most recent. The

United States and France, for example, assisted Chadian President Idriss Deby in removing his predecessor, Hissene Habre, from power. Deby then became another dictator who still has not stabilized his country.

Jacques (2009) poses a question whether violence is the only tool to bring about change. She states further whoever said “who wants peace, prepares for war” was wrong in this case. Violence is not the answer to the root causes and triggers of instability in Africa. Non-violence still stands in the forefront as a means of bringing about true peace. While the root causes of violence in Africa vary, it is unquestionable that Small arms and light weapons are a major challenge to security. The United Nations Security Council’s report on Small arms and light weapons, (S/2008/258) , expresses it well by saying that “The dividing lines between underdevelopment, instability, fragility, crisis, conflict and war are increasingly blurred; the Small arms and light weapons issue is therefore intertwined with the security, development, and human rights preconditions for sustainable peace. Present-day conflict prevention, conflict resolution, and peace building require multidimensional interventions.” In fact, more than ever before, [strong measures and appropriate attention must be given to this issue](#) .

The United Nations General Assembly (2008) passed a resolution on the arms trade treaty aimed to establish common international standards for the import, export and transfer of conventional arms. It states that the absence of these standards is “one of the contributory factors to conflict, the displacement of people, crime and terrorism, thereby undermining peace, reconciliation, safety, security, stability and sustainable social and economic development.” In addition to finding a solution to the proliferation of Small arms and light weapons, manufacturers and traders of small weapons should bear partial responsibility for the abuses and crimes that are committed as a consequence of use of these arms.

Small arms and light weapons account for 90 percent of all combat deaths, more than half of which are civilians, in today's wars (Shah, 2006). In addition to causing death and injuries, Small arms and light weapons can undermine international peace and stability, can transform political conflicts in individual states into armed conflicts and can result in the militarization of civilian populations. In addition, Small arms and light weapons are largely responsible for the massive displacement of populations both internally and externally, as well as the destruction of natural resources.

According to the Governance and social Development Resource centre (2011), in Africa, the practice of pastoralism – herding domestic animals on open bush land – is under threat from violence tied to the proliferation of Small arms and light weapons. Report from think-tank, Saferworld examines the situation in the Kenya-Uganda border region and the report by Mkutu (2003) confirms that there have been many attempts to prevent and resolve conflict on the Kenya-Uganda border. Despite this, violence continues to flourish. There are myriad factors for these. First, land privatization has pushed pastoralists into smaller areas, fuelling disputes and insecurity. Secondly, pressure on land and other resources has grown due to the increasing regularity and severity of drought, leaving many pastoralists dependent on food aid. Thirdly, since independence, the authority of traditional governance institutions have weakened, leaving them unable to control resources and younger, armed community members. Fourthly, cattle's raiding is carried out on an increasingly large scale and has become commercialized. Some of the businessmen involved are assuming the characteristics of local warlords.

Inter-tribe conflict has increased the demand for Small arms and light weapons, and an influx of weapons from neighboring countries has reduced their price. Disarmament initiatives have been heavily based on coercion and have provided few economic alternatives. Thus, they have had limited

effect. According to Small Arms Survey (2011), the illicit trade is global but is concentrated in areas afflicted by armed conflict, violence, and organized crime, where the demand for illicit weapons is often highest. Arms trafficking fuels civil wars and regional conflicts which contribute to violent crimes in the region.

Governance and social Development Resource Centre (2011:2), further states that trafficking usually takes place on a regional or local level; inter-continental shipments that capture headlines account for only a small fraction of illicit transfers. Among the most important forms of illicit trafficking is the 'ant trade' numerous shipments of small numbers of weapons that, over time, result in the accumulation of large numbers of illicit weapons by unauthorized end users. Gun retailers have, for many years, been an important source of arms illicitly trafficked into and around Latin America. Governance and social Development Resource centre further states Mexican authorities have stated that some 90 per cent of seized weapons that are traced by authorities originated in the United States (having been produced there or imported by US dealers). Many of these firearms are high-powered military-style weapons such as semi-automatic versions of Kalashnikov-type rifles. These weapons are often purchased from gun shops in small numbers and then smuggled over the border. While individual transactions occur on a small scale, the sum total of the weapons trafficked into Mexico is large.

Jacques (2009) states that while publicly available evidence in Kenya suggests that most arms trafficking is conducted by private entities, certain governments also contribute to the illicit trade by deliberately arming proxy groups involved in insurgencies against rival governments, terrorists with similar ideological agendas, or other non-state armed groups. These types of transfers, which are prevalent in Africa and other regions where armed conflict is common, are often conducted in contravention of UN arms embargoes and have the potential to destabilize neighbouring countries. The

value of the illicit trade is a small fraction of the licensed trade. In recent years, governments have covertly delivered tens of thousands of Small arms and light weapons to various armed groups in Somalia despite a long-standing UN arms embargo. The weapons range from AK series assault rifles to MANPADS, one of which was used to shoot down a Belarusian cargo aircraft delivering supplies for peacekeepers in March 2007. □ This research tried to fill this gap by looking at the sources of these small arms in Kenya. Whether, the illegal Small arms and light weapons in Kenya are from the private entities, refugees or the locals themselves.

2.2 International hegemonism and proliferation of small arms and light weapons

Africa Faith and Justice Network's (AFJN) mission is an advocate for just and fair U.S.-Africa relations □ According to the organisation, [U.S military policies in Africa](#) have promoted dictatorship rather than democracy. The presence of American made weapons on the African continent has hurt the African people more than it has helped □ AFJN states that the U.S. is aware that some of their legally transferred weapons contribute to feeding the illegal arms market □ It was U.S. made weapons that supported the rebel groups RENAMO in Mozambique, UNITA in Angola, RPF in Rwanda and CNDP in the Democratic Republic of the Congo (DRC) □ In the UN experts' report on the crisis in the DRC, [S/2008/773](#) , paragraph 28 connects the origin of military uniforms shipment destined to the rebel group CNDP from the United States in these terms: "In October 2008, Rwandan security services seized a shipment of uniforms destined for CNDP at Kanombe airport in Kigali. ... The shipment reportedly originated in Boston, Massachusetts, United States." □ Although this shipment contained uniquely military uniforms, it does not rule out the possibility that weapons were shipped from the U.S destined to CNDP.

AFGN further states that Political instability in Africa continues to create more demand for Small arms and light weapons. Manufacturers of weapons know best the link between politics and weapons markets and are therefore often linked to these political instabilities to take advantage of the weapons business it creates. For example, former [Congresswoman Ms. Cynthia McKinney of Georgia, in her opening remarks before the Subcommittee](#) on International Operations and Human Rights of the Committee on International Relations of the US House of Representatives on May 17th, 2001, stated that “ [What we do know is that the U.S. Special Forces and U.S funded private military companies have been arming and training Rwandan and Ugandan troops to deadly effect. I think it is appalling that the U.S. taxpayer should be directly assisting the military efforts of Rwanda and Uganda, the aggressors in this tragic conflict and who are confirmed by Amnesty International and Human Rights Watch as the authors of terrible atrocities against Congolese civilians. Our efforts in Africa have amounted to nothing more than bankrolling belligerent and mass murders.” War creates a demand for weapons. This is why manufacturers and traders are opposed to international standards for Small arms and light weapons trade.

AFGN further states in addition to the illegal arms sales network, there is a link between the legal and the illegal trade that consists of illegally selling legally obtained arms. This is the core of the problem of Small arms and light weapons proliferation which violators are not interested in solving. As of September 26, 2008, permanent members of the UN Security Council [had not signed the protocol](#) against the illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition, a supplement to the United Nations convention against Transnational Organized Crimes.

Africa Faith and Justice Network, in its advocacy effort to the US government for peace and stability in Africa, calls upon President Obama’s administration to take a leadership role on this long overdue

issue□They recommend that the U.S. signs the international Arms Trade Treaty by the United Nations, passes legislation to hold violators accountable, and reforms its arms production and export policy□ Such legislation should include ways to track down U.S. weapons wherever they are used to prevent illegal arms trade from the U.S. to Africa and elsewhere. The international hegemony is a source of Small arms and light weapons in Africa but how these weapons proliferate from one Africa state to another is of interest to this research.

2.3 A regional perspective on Small arms and light weapons in Horn of Africa

According to Njoroge (2007), the proliferation of Small arms and light weapons is one of the biggest security challenges currently facing Kenya specifically and the entire East African sub-region (Uganda, Tanzania and Kenya, Rwanda and Burundi). The trafficking and wide availability of these weapons fuel instability, conflict and pose a threat, not only to security, but also to sustainable development. Further, he states that the widespread proliferation of Small arms and light weapons is contributing to alarming levels of armed crime, in both rural and urban areas, which exacerbates armed cattle rustling and conflicts in pastoralist areas. Armed violence disproportionately affects the poor population and is an important factor undermining development and poverty reduction efforts in Kenya. Chronic insecurity impedes the provision of services to the poor in the vast urban slum areas as well as in Kenya's under-developed peripheral regions. Much of this insecurity is fuelled by the widespread availability of Small arms and light weapons. He attributes this to their easy availability; an illegal pistol sells in Nairobi suburbs for less than US\$80 and larger weapons, such as AK-47s for under US\$140. Pastoralist communities often trade cattle for weapons. He further focuses on factors contributing proliferation of Small arms and light weapons.

According to him, Kenya shares porous borders with some of the most politically unstable countries in Africa such as Somalia and Sudan. Kenya's long and isolated borders with Tanzania, Uganda, and

Sudan, Somalia and Ethiopia and its 536 km coastline of Indian Ocean are difficult to patrol owing to limited resources and insufficient training of the police force. Poor and corrupt policing of the borders between Kenya and its neighbors has facilitated the influx of large quantities of Small arms and light weapons into Kenya. Individuals have been able to acquire weapons for overt criminal purposes. The fact that the borders are not properly and effectively policed means that arms traffickers and bandits find easy entry points along the porous borders. Specifically the rebel movements in Ethiopia, Sudan and Uganda benefit from this state of affairs. Towns on or close to the borders of these countries are major entry points for illegal firearms.

He further, argues that national law is not adequately enforced by Kenya police in their marginalized regions. According to those living in communities in northern Kenya and North Rift such as Samburu, Pokot, Turkana, Borana, Rendille, Somali and Gabbra, The only option they have is to arm themselves for personal, communal, clan or larger family defense requirements. They do this as a defensive measure against bandits and other clans as well as to advance their own interests, as they define them.

Kiflemariam (2002, P 12) states the introduction of modern weaponry into northern Kenya is a direct outcome of the post-independence *Shifita* conflict. Access to guns grew out of the linkage between the abortive war of Somali self-determination and the banditry which replaced it. Darod Somalis in particular were able to obtain guns by volunteering to join the fight for the Ogaden, and then slipped back into Kenya. In some cases, AWOL Somali soldiers did the same. During the 1970s and '80s the level of banditry in northern Kenya, Tana River, and Lamu directly mirrored episodes of instability in Somalia and contributed to the proliferation of small arms and light weapons.

He also stated that the unstable states in the Horn of Africa are one of the principal sources of Small arms and light weapons. Kenya stands at the crossroads between the conflict areas of Southern Sudan,

Somalia, Uganda and Ethiopia. For the last 50 years these countries have been embroiled in a series of civil wars and unending strife as political ambition has overtaken common sense, resulting in violent changes of government and the release of more tools of violence into society.

Reference & Operational Manual, Kenya National Focal Point, Cap 3, pg. 7, states since independence from Britain in 1962, Uganda has witnessed seven military coups, the last one in 1986, when the current head of state, President Yoweri Kaguta Museveni, took over power. Invariably, when one government loses control and the new government assumes control of the state, soldiers – sometimes comprising full units and battalions – flee with their weapons to wage civil war against the coup victors. A number of Small arms and light weapons in Uganda trace their genesis to this kind of scenario.

Further, he additionally argued that, Lord's Resistance Army (LRA) is waging a guerrilla war in northern Uganda from its bases in the Democratic Republic of the Congo. This has helped to fuel the proliferation of arms. A 19-year old soldier in northern Uganda testified: "I especially know how to use an AK-47 twelve inches, which I could dismantle in less than one minute. When I turned 12 they gave me an RPG, because I had proved myself in battle. The signing and implementation of the peace accord between the SPLA (Sudanese People's Liberation Army) and the Sudanese Government, Sudan had witnessed the longest civil war in Africa (1956-1972 and 1983-2006) causing more than two million deaths and much suffering to the Sudanese people. The SPLA rebels received arms from sympathetic governments like Uganda. They also raided government armories and purchased weapons from disgruntled government soldiers. Unfortunately rebel movements do not have mechanisms for tracking and monitoring how arms are used, so many can end up in wrong hands.

Kiflemariam (2002) further stated that in 1960's and early 70's, during the rule of Siad Barre, the government of Somalia stockpiled arms intended for use in the armed struggle to create a "Greater Somalia", which was to include parts of Kenya, Djibouti and Ethiopia. The government armed the Ogaden National Liberation Front (ONLF) to fight against Ethiopia and the Shifta to fight against Kenya. By the time Siad Barre was deposed in 1992 by Farah Aided, other clan leaders refused to recognize new government's legitimacy and the country was plunged into an abyss of anarchy. Many ordinary citizens were in possession of Small arms and light weapons. Since then Somalia has become one of the sources and transit points of Small arms and light weapons which eventually find a ready market in Kenya. It is compounded by lawlessness, the lack of a legitimate government and the illegal use of the Somali coastline by war lords who continue to reap huge profits from the sale and trafficking of arms in the neighboring countries.

Ethiopia for instance hosts a number of armed belligerents in the southern part of the country, including the Ogaden National Liberation Front (ONLF), the Oromo Liberation Front (OLF) and others. Recently Ethiopia has also become involved in Somalia's civil war on the side of the elected government against the Islamic Courts. □

Other sources of weapons entering Kenya include arms destined for neighboring countries which are diverted, arms used for drug trafficking to and from southern Africa, and arms entering with refugees. In some instances, arms are stolen from police stations, from murdered police officers, or from civilians who have gun licenses.

Singo, et al. (2001) states that, for many years, Kenya's territory has been a conduit for weapons shipments destined to nearby areas of violent conflict, but more recently, the spread of these arms is

spilling back into Kenya itself. The arms are smuggled into the country a few at a time in a steady flow and sold by traders in secret markets, with some large-scale illegal arms trafficking also reportedly taking place. The impact of even relatively modest quantities of such weapons is, however, already being felt. These weapons are illegally transported back across borders with ease, wherein they are used to commit crimes such as cattle raids, urban robberies and in conflict among the pastoral communities. A culture of violence has taken root.

He argued further that, the North Rift region of Kenya is one of the areas in the Republic that most acutely experience this problem. The region has had its share of cattle rustling-related violence, tribal conflict, violent robberies, especially against neighboring farming communities. Illicit arms have fuelled different types of violent conflict in the region with devastating consequences. People have been massacred while hundreds of others have been displaced from their homes. This displacement has had as one of its worst impacts the loss of education for tens of thousands of children, a massive slackening in the development process and ethnic polarization, among other attendant evils.

It is important to note that no systematic study has so far been published on Small arms and light weapons transfers in this area, yet it has a long history of arms proliferation and related consequences. It is hoped that this study will contribute towards filling the gaps of knowledge and provide information that is needed to facilitate the solving of this problem in Kenya.

According to Thokozani (2003), the Addis Ababa conference of 30 Nov 2000, highlighted the links between refugees and trafficking in arms, especially as a result of the militarization of camps and refugees crossing the border to take part in military activities. The conference stated that refugees are

becoming the second supply line of Small arms and light weapons in the Horn. The Nairobi declaration also identified refugees as key major contribution factor to the problem of illegal arms in the region.

Mustafa and Vendley (2010), asserts that Small arms and light weapons proliferation has been particularly devastating in Africa, where machine guns, rifles, grenades, pistols and other Small arms and light weapons have killed and displaced many civilians across the continent. These weapons have been used in deadly conflicts in Sudan, Uganda, Sierra Leone, Rwanda, Angola, the Democratic Republic of Congo, Somalia and other African countries. They are frequently recycled from country to country, and their ownership is transferred among fighters, security forces and war profiteers.

They stated that in Central and Eastern Africa, many lives have been lost through conflict and its related effects. The irregular warfare that has been common there in recent decades is well served by these kinds of weapons, which are easily available and sometimes cost less than food items. In 1994, an intra-ethnic conflict in Rwanda left more than 800,000 people murdered, mostly with Small arms and light weapons, including machetes. An estimated 300,000 civilians have also lost their lives the same way in Burundi. However, the foreign supply of arms to both governments and rebel groups continues to grow in illicit, ungoverned or poorly controlled transactions. Small arms and light weapons that are already in the sub-region move easily across borders—the borders between Cameroon, Chad and the Central African Republic have been identified specifically as areas of high proliferation.

Small arms and light weapons are widely available in Southern Africa. Civil and interstate conflicts drive demand for Small arms and light weapons and create a pool of weapons that can be used to commit violent crime as well as fuel conflict. Most were transferred there during the Cold War, but some others originate from within the region. South Africa maintains a sizable arms production

industry. There is also another aspect to the issue here the cultural significance of the AK-47 to the formerly colonized peoples of southern Africa. After decades of use by anti-colonial and antiapartheid movements, the powerful weapon has come to be associated with liberation. For example, the silhouette of a gun is featured on the Mozambican flag. Freedom songs from the struggles against minority rule in Namibia, South Africa, Zimbabwe and Angola often extolled the virtues of the AK-47, and those of the fighters carrying it. Mustafa and Vendley (2010).

Recognizing the problems posed by its proliferation, many countries are involved in coordinated action, mainly within the framework of the Southern African Development Community (SADC).

It is estimated 8 million Small arms and light weapons that are circulating throughout western Africa play a central role in fostering instability. Demand for Small arms and light weapons in West Africa is motivated by weak governance, insecurity and poverty. The supply comes mostly from external sources. They have been used in armed robberies, intra- and inter communal feuds, local wars, armed insurrections, armed rebel activities and terrorism. They are used to facilitate drug trafficking, smuggling and other such crimes. Overall, Small arms and light weapons maintain a general state of fear. As a result of the armed conflict in the region, many people have been killed, many others displaced or made refugees and property destroyed. Mustafa and Vendley (2010).

Mogire (2004), identify three major factors that attribute refugees to Small arms and light weapons. He argues that “refugees have played different roles in the proliferation of illegal weapons into Kenya. First, refugees moving across national borders move with illegal arms which they either sell or use to commit crime in the host countries.

Secondly, some refugees in Kenya are engaged in illegal arms trade. Anecdotal evidence suggests that some of the arms dealers in Nairobi, particularly in Eastleigh, a poor suburb dominated by Somalis (both local and refugees) refugees or masquerading as refugees. He further suggests refugee camps are used as illegal arms trafficking centers by illegal arms networks. Since the camps are usually poorly policed and are remote, they are ideal places for storage and distribution.

Thirdly, the presence of refugee warriors in Kenya territories and refugee camps engaged in armed opposition against the home governments partly explains the role of refugees in the proliferation of illegal weapons into the country.

In all his works, Mogire did not deal with the refugees directly. He did his research on the borders, migration offices and the police only. What this research tries to do is to bring in the views of the refugees directly from them. To find out the views of the refugees on the same matter and to find out the extent to which refugees may deal on Small arms and light weapons proliferation and why.

2.4 Environmental and natural resources angle on Small Arms Light Weapon Proliferation

Okoth-Yogo (2012) in his enunciation of the objectives of environmental law asserts that both international and within-borders national security is one of the ubiquitous *raison d'être* for conflicts. As he puts it, “people, communities and nations do fight over natural resources that are in the environment. Sometimes the fight is about greed when there is superfluity. At times the fights are related to the diminishing quantities and qualities of natural resources”

He goes on to assert that

‘Traditionally national security was a matter of government efforts at securing its borders and interests. To achieve these, countries invested heavily in developing a critical mass of soldiers, advancement of military technology, developing credible strategies and building useful military alliances. Security dealt with tangible issues.

Today security analysis must include internal and external threats that may have nothing to do with the security militarily speaking.

Quoting from Adil (2003), he adds that poverty, social vulnerability or ecological resiliencies, though intangible, are security issues.

Further to the foregoing, the fact that ‘national security must objectify the need for an appraisal of the sustainable supply of the natural resources for economic security and the defense concerns’ rings well with the situation in the northwestern Kenya Adil (2003). It neighbours Southern Sudan, Uganda and Ethiopia, three countries that continues to be at war. Again the region neighbors those sections of the countries that remain volatile.

2.5 Curbing the Proliferation of Small arms and light weapons

According to Lora (1998), Small arms control became "medium politics" on the international agenda. It was medium relative to the high politics of landmines, the issue's progenitor in many minds, but it was the subject of a feverish pace of activity compared to past years. Most notable, in late October 1998, sixteen states in West Africa signed a binding agreement to ban production, import and export of small arms for a three year trial period. In addition, western hemisphere governments signed (and several ratified) a convention on illicit manufacture and transfer of firearms. Preparations for negotiation of a global protocol against firearms trafficking were begun. And, during the summer 1998, the Canadian government proposed a treaty barring transfers of military-style small arms to insurgent forces and other non-state actors.

European Union, Organization of American States, Organization of African Unity, Economic Community of West African States, and the South African Development Community all took up some aspect of small arms control, and almost every part of the UN (including, increasingly, the Security Council) engaged the topic in the past year. Most prominent have been Belgium, Canada, Japan, the

Netherlands, Norway, South Africa and Switzerland several of which hosted international governmental conferences to discuss small arms control (Lora, 1998).

The argument is that to varying degrees, each of these states has embraced the "Ottawa model" of government-NGO collaboration, particularly in the areas of brainstorming for policy initiatives, holding consciousness-raising seminars, and funding programs to assist reintegration of former combatants and to collect and destroy weapons. NGOs from the north and south came together to launch a coordinating structure—the International Action Network on Small Arms—to rationalize and facilitate their research, advocacy and practical work.

This extraordinary explosion of activity is a result of the breadth and complexity of the small arms problem. The issue is much broader than landmines both in terms of the scope of the problem as measured by the quantity of small arms in irresponsible hands or the number of civilian deaths and casualties, and in terms of factors related to the proliferation of these arms. Whereas landmines were predominately viewed as a humanitarian issue, stemming from internal conflicts (generally), many saw at the time small arms proliferation principally as a police issue. To others, it was a conflict prevention issue, or a development problem. Each of these frameworks suggests different remedial policies and different priorities. (Lora 1998).

With small arms control there are many more fissures, some of which have been exploited by governments to stave off politically or economically unpalatable control measures. A principal divide is whether the main problem is existing stocks of "illicit" weaponry in circulation in zones of conflict, or whether on-going legal transfers are also of concern. If it is the former, how do you define the term, given that the licit trade and the illicit traffic in small arms are inextricably linked? Arms that are originally exported legally, but are not properly tracked or secured, often fall into illegal circulation, as

theft or capture of state security forces' arms is a major source of black-market supply around the world.

While some governments and NGOs sought a big conceptual framework to tie it all together, to address all facets of the problem, still it is clear that there is no "holy grail." Thus, as is ongoing, a web of initiatives is needed to reduce the illegal use and oversupply of these weapons. At the same time, lest governments and NGOs burn out on "initiative fatigue," they must work together even more closely to prioritize and consolidate major areas of activity. And, since this year's focus on small arms will not be sustained indefinitely, these concerned parties must identify and press for the farthest reaching measures to reduce the dangers from small arms proliferation. This agenda includes shoring up the agreements made thus far, focusing on transparency and accountability in legal transfers, curbing the flow of arms to conflict zones, and banning weapons supply by states to insurgents, Kornbluh, P., (1993).

Mogire (2003), in his research entitled "Refugees and the proliferation of Small arms and light weapons", collected data from the government officials, security departments, regional organizations and other entities but not on the refugees themselves. This shows the refugee's perspective on the issue was not captured. In his other work *A Preliminary Exploration of the Linkages between Refugees and Small arms and light weapons* (2004), he looked at the Small arms and light weapons issues in a general manner that is refugees and Small arms and light weapons but he did not narrow down to Kenya. He also collected data mainly from the borders hence the Refugees perspective was not clearly captured.

This research tried to fill the gap of refugee's involvement in Small arms and light weapons and how this cause regional insecurity and specifically between Kenya and its neighboring states.

Njoroge (2007) focuses on Small arms and light weapons in Kenya. He does not however try to find out who or those behind the proliferation of Small arms and light weapons i.e. if its refugees, ordinary citizens or other actors such as smugglers. This shows there is a gap on the same hence this research tried to find out that.

These authors also did talk of sources of Small arms and light weapons in a general manner but not how they enter borders movement of Small arms and light weapons occurs. In all their work, these researchers i.e Mogire (2004), Njoroge (2007), Mkutu (2008) and Klare (1995), did not concentrate on regional insecurity caused by Small arms and light weapons. They left out to investigate if the Small arms and light weapons causing regional insecurity are from refugees or local people. They did not establish the gap if the smuggled Small arms and light weapons are by the locals, other foreigners or refugees.

In conclusion Small arms and light weapons proliferation has been and still is an issue of interest to scholars and policy makers alike. This research tries to fill this gap about the sources of Small arms and light weapons in Kenya and specifically the extent to which refugees are involved in small arms issues.

2.6 Theoretical framework

Theories are a set of interrelated constructs, concepts, definitions and propositions that present a systematic view of phenomena by specifying relations among variables with the purpose of offering pertinent explanations and predictions. A theory of international relations is not just an intellectual enterprise; it has practical consequences. It influences our thinking and political practice. These study employed realism as a theory to guide its formulation and writing of the thesis. Security issues are part of mainstream policy agenda hence the need for establishing a dialectic relationship with international

relations theories of which realism is the most dominant and also a traditional approach to international security (Morgenthau, 2005).

Realist theory became dominant in the study of international relations from the period towards the end of WW11. Realism concerns itself with the analysis of state behavior and international security. It brings into fore the concept of level of analysis in international relations which it categorizes as the individual, state and international system which this study found very essential in analyzing why arms are supplied to Non-State Actors.

Philosophical precursors of the realist theory can be traced to the ancient world Thucydides (400BC) during the Peloponnesian War. Thucydides states that the strong do what they have power to do; and the weak have to accept what they have to accept. Human nature is a starting point for realism in international relations. Realists view human beings as inherently egoistic and self-interested to the extent that self-interest overcomes moral principles. At the debate in Sparta, described in Book I of Thucydides' *History*, the Athenians affirm the priority of self-interest over morality. They say that considerations of right and wrong have “never turned people aside from the opportunities of aggrandizement offered by superior strength” (chap. 1 par. 76).

According to Dougherty et al.,(1985), Niccolo Machiavelli (15th.c Italy) in his book the Prince, emphasis on rulers need to adopt moral standards different from those of individuals to ensure state survival. What he talks about which are of interest to this research is that politics is characterized by clash of interest and the nature of human beings is pessimistic and they view their survival more important than others. This is important to this research because the research established that the refugees and the locals tend to arm themselves for survival as discussed in chapter four.

Dougherty et al.,(1985), further states that Georg Hegel (1770-1831) in his work states that state's highest duty lies in its own preservation and they relate to one another as autonomous entities. Hegel also states that States has an “individual totality” that develops according to its own laws.

Max Weber (1864-1920) in his work “nature of politics and the state”, stated every political community is potential aspirant to prestige, thus constantly feel endangered. Economic policy stands in a subordinate relation to politics and power of state becomes the ultimate guarantee of security.

Hans J. Morgenthau (1904–1980) developed realism into a comprehensive international relations theory. Influenced by the Protestant theologian and political writer Reinhold Niebuhr, as well as by Hobbes, he places selfishness and power-lust at the center of his picture of human existence. The insatiable human lust for power, timeless and universal, which he identifies with *animus dominandi*, the desire to dominate, is for him the main cause of conflict. As he asserts in his main work, *Politics among Nations: The Struggle for Power and Peace*, first published in 1948, “international politics, like all politics, is a struggle for power” (25).

Morgenthau's comes up with six principles of realism contain **repetitions and inconsistencies**, we can nonetheless obtain from them the following picture: Power or interest is the central concept that makes politics into an autonomous discipline. Rational state actors pursue their national interests. Therefore, a rational theory of international politics can be constructed. Such a theory is not concerned with the morality, religious beliefs, motives or ideological preferences of individual political leaders. It also indicates that in order to avoid conflicts, states should avoid moral crusades or ideological confrontations, and look for compromise on the basis of satisfaction of their mutual interests alone.

The main assumptions of classical realist theory which was mainly postulated by scholars such as Hans Morgenthau include; international system is based on state as the key actor, international politics is essentially conflictual: struggle for power in anarchic setting; nations inevitably rely on their own capabilities for their survival, states are unitary actors hence domestic politics can be separated from foreign policy and power is the most important concept in explaining and predicting state behavior.

Realists consider the principal actors in the international arena to be states, which are concerned with their own security, act in pursuit of their own national interests, and struggle for power. National politics is the realm of authority and law, whereas international politics, they sometimes claim, is a sphere without justice, characterized by active or potential conflict among states.

Power is core concept in realist theory. Power is situational, or dependent on the issue, object or goal for which it is employed. Neo realism which is mostly associated with Kenneth Waltz talks more about power but in a structural way.

Realist stresses power and interest rather than ideas in international relations. Realist theory is conservative, empirical, prudent, and suspicious of idealistic principles and it's respectful of the lessons of history.

Realists acknowledges that, although states form alliances and coalitions, they are compelled to rely on their capabilities. The ultimate means of achieving state security is armament (self-help) this was very important to this research as the research established one state security is perceived as threat to the other hence suspicion and may lead to arm race as the case of refugees and locals around Kakuma refugee camp.

The appeal for reason and public opinion and reliance in international organizations cannot adequately support international peace (experience of the 1930s). Hence realist emphasis national security and need for military force and balance of power to support diplomacy. To realist national security represents the greatest and most immediate need of the state.

Power can be measured according to a large number of measurable elements such as population, territory, resources, level of education, level of skills, GNP, scientific technological base, Import-export, foreign investment, military expenditure, size of armed forces, agricultural production and food supply. From this perspective of power, we can see that realist theory is very essential and suitable for

this research. These elements of power are very essential and cause armament in Kakuma and its environs as discussed in chapter four.

Realists, and especially today's neo classical realists, consider the absence of government, literally *anarchy*, to be the primary determinant of international political outcomes. The lack of a common rule-making and enforcing authority means, they argue, that the international arena is essentially a self-help system. Each state is responsible for its own survival and is free to define its own interests and to pursue power. This was very essential to this research as it found that refugees and locals tend to arm themselves because of their own survival as discussed in chapter four.

This research employed Realism which seeks to explain how states behave towards each other. It examines the central role of the state and how internal characteristics of the state intervene to leader's decisions. According to neo realism, it's the leaders who sees opportunities in international relations and take action.

By the end of the 1990s people began to talk about deepening security studies. Here is where the term Human Security first appears. The concept of Human Security posits that the main reference point for security should not be the state but individual people who make up the state. The deepening of security issues was also a gendered critique of traditional security paradigms. Apart from the feminist critique of violence and war, women voices were largely silenced on security issues even though women and children were usually the worst victims of military interventions. From a Human Security perspective, it's how people define their own security that matters. If people are asked what their security concerns are, their answers might contradict the state as will be discussed in chapter four.

All these arguments were brought up by the realists and as this research looked at Small arms and light weapons proliferation, the main concerns are human security issues. The main objective was to find out the role of refugees in Small arms and light weapons proliferation and how this arms cause

regional insecurity. According to the neo classical realists it's because of human security needs and which the findings of the study tend to support as will be discussed later.

Neo classical realist were the first realist school of thought to use research and survey to come up with its conclusions unlike the previous classical and neo realist school of thoughts which relied mainly on historical events. They also adopted clearly articulated conception of the state and emphasized on research.

This theory was very helpful in this research because Small arms and light weapons is all about human security. The issue of Small arms and light weapons can be seen as human security vis avis state security.

This research tries to find out how State being the main actor of survival explore and amplifies Small arms and light weapons proliferation and how human security has become more critical than state security. It also tried to find out how States try to curb proliferation of Small arms and light weapons.

What this research mainly focused on in realist theory are:-

It looked at the state as a power centric institution which survives on the basis of being the main actor in security concerns.

According to the realist power has to be gained, maintained, expanded and demonstrated. This research tried to see how this notion may cause proliferation of Small arms and light weapons and it found out that what the refugees and the local's look at is power to survive over their enemies and neighbors who raid them time to time hence they need Small arms and light weapons for Survival. The aspect of security is very important and in this perspective, the research looked at personal security in relation to state security. How this relationship may lead to Small arms and light weapons proliferation.

Realism was the best theory to use because it talks about security in all perspectives which include, diplomacy, policy making, power and war its self. This research tried to find out how all this perspectives of realism may lead to, or not to, illegal Small arms and light weapons proliferation. The

research looked at realism in the aspect of human security vis avis state security. How human security bypass state security hence the need of people to arm themselves to protect themselves instead of the state to protect them.

In conclusion, it's important to note that researchers such as Mogire (2004), Njoroge (2007), Mkutu (2008) and Klare (1995), did not concentrate on regional insecurity caused by Small arms and light weapons. They did not investigate if Small arms and light weapons causing regional insecurity are from refugees or local people. They did not establish the gap if the smuggled Small arms and light weapons are by the locals, other foreigners or refugees.

CHAPTER THREE

RESEARCH METHODOLOGY

Introduction

This chapter addresses the Methodological approach to the study. It provides a description of the study area, a visualization of the case study approach, an explanation of the research design, details regarding the sample, chosen measurement instruments, means of data collection, and data analysis. The chapter is significant for connecting with the literature review chapters' discussions of knowledge gaps and developing an approach for creating new knowledge.

Kothari (2004) explains that in research methodology we study the various steps that are generally adopted by a researcher in studying his research problem along with logic behind the steps. This chapter provides the steps that were practically involved in studying influx of refugees and proliferation of arms the case of Kakuma Kenya.

3.1 Delimitation of the study

This study investigated the role of refugees in proliferation of small arms and light weapons the case of Kakuma Kenya. It was conducted in Turkana West County, Kakuma location between Feb 2012 and May 2012 by using survey research design. Data was collected using questionnaires, interview schedules and secondary data.

3.1.1 Description of site: Turkana West County

Kakuma refugee camp is located near Kakuma town, in the Turkana West County of Kenya. The local Kenyan population is comprised of approximately 77,000 people Predominately of the Turkana ethno - cultural community. The County has four Sub Counties namely Kakuma Sub County, Oropoi Sub County, Lokichoggio Sub County and Nanam Sub County.

The local economy is based on livestock and some subsistence agriculture, and it is one of the poorest regions in Kenya. As a result of this poverty, there has been a historical tension between the refugees and their host community that has occasionally resulted in violence. As a result, the UNHCR and implementing partners have allocated funds to support the host community and promote peaceful co-existence between the Kenyan locals and the refugees. While refugees come to the camp seeking safety, Kakuma is not without its own security risks. The proliferation of arms promotes robberies in the region. The close proximity to Sudan, Uganda and Ethiopia to Kakuma, threaten the camps security. The research is an endeavor to explore the extent to which convergence between reckless ease of access of small arms and light weapons internationally and refugee influx on one hand, aridity, insecurity and incessant underdevelopment on the other hand. How influx and proliferation stimulates arms trafficking in north-western Kenya.

This research was conducted mainly in Kakuma location as Kakuma Refugee Camp was the research case study area. The area was seen most appropriate because Kakuma is home to almost every nationality in the Horn of Africa. It is also located near the border of Uganda, Ethiopia, S. Sudan and Sudan. Refugees from these countries are hosted in the Camps hence the chances of small arms to proliferate through the camps are high.

3.1.2: Kakuma Refugee Camp

Kakuma Refugee Camp is located in Turkana West County of the northwestern region of Kenya, 120 kilometers from Lodwar County Headquarters and 95 kilometers from the Lokichoggio Kenya-Sudan border. Kakuma refugee camp is a home to about 77000 refugees who have fled their countries in search for safer places to stay in. War and drought are some of the factors that led to their fleeing from their home countries and majority of these refugees' are women and children. The neighboring Counties are West Pokot, Samburu and the Karamojong in Uganda. The County came up as a place that was set by the Kenyan Government far away from any possible threat to Kenya as a nation.

Kakuma refugee camp is 1km from Kakuma town. According to Pittaway and Bartolomei (2002), Kakuma camp is composed of three sections, Kakuma 1, 2, and 3 and covers an area of 25 square kilometers which the research established. The research established and discovered there is Kakuma section 4 which the majority of the population are locals who work in the camps.

3.2 Target Population

The research focused on the security personnel, official's from governmental organizations, non-governmental organizations, locals near the camps and the refugees themselves. According to UNHCR (2012 May) refugees from various countries were as follows: Somalia (46,865), South Sudan (29,960), Congo (5,478), Ethiopia (5,827), Sudan (4,339), Uganda (647), Burundi (2709), Eritrea (108), Rwanda (461), others (50) bringing the total to 96,444 refugees .The Locals according to the County profile, are 265,000 in total. Those who are 18years and above are 168,535. The research was narrowed down to Kakuma division which has a population of 20,000 people and those living near the Kakuma refugee camp and were over 18years 5,000 and those were the research target population. This is plus all the staff in government and nongovernmental staff in the area. To be precise, the target population was the refugees plus all 18years and above locals in the study area.

3.3 Research design

The research design adopted is the cross-sectional survey design. Survey was chosen because it allowed the researcher to do collection of the required data from a large population by using a pre-determined sample size. The survey information was collected by interviewing the relevant authorities at Kakuma. These persons included the immigration personnel, the police, and the public administration officers in charge of security, the locals and the refugees themselves. The research employed a cross-sectional survey which entailed the researcher to carry out the interviews and fill out the questionnaires. This employed asking respondent's questions face to face. The units of analysis included refugees and the proliferation of small and light weapons.

3.4 Sample design

Due to the fact that proliferation of illegal small arms and light weapons is a hidden practice, it was not possible to collect data from a pre-determined sample size. Therefore, in trying to bridge the gap between the target population and the desired respondents, the researcher thought it necessary to apply systematic sampling technique. This technique works where the major population under study is concentrated in one environment.

To link the target population 25,000 and desired respondent 146; the researcher using the systematic sampling technique and calls the target population “a” and the desired population “b”. when a/b the result is a population interval “c”. Therefore $c=a/b$ which is $25,000/146$ which yields 171. The resultant 171(population interval) then aided the researcher to identify the first respondent from whom then an application of a Non exponential discriminative snow ball was used to attain respondents up to a point of saturation. The researcher interviewed 146 respondents. The point of saturation determined the number of refugees and locals included in the study. This is when respondents started giving same answers or similar narrations or referred the researcher to people who had already been interviewed. The study sampled the refugees from the different nationalities to understand why they may be involved in the dangerous illegal trade of small arms and light weapon.

The study also sampled the local people around the Kakuma refugee camp who are mainly Turkana people to find out the extent to which they may be involved in this illegal trade of small arms and light weapon proliferation. According to the Kenya National Bureau of Statistics, at the age of twelve (12) years in the Horn of Africa a child is most likely to be involved in economic activities and in this context, economic activity is the small arms and light weapon proliferation business.

The study also sampled the Kenya government officials, who included the police and provincial administration, and NGOs officials who deal with security issues in Kakuma refugee camp. This was to find out if there have been cases of usage of small arms and light weapon in the refugee camp or

within the local areas outside the camps. In total the key informants interviewed from the security and refugees affairs were fifteen (15) i.e. those in immigration, United Nations High Commission for Refugees, Lutheran World Federation, Police and Provincial Administration. The researcher interviewed 84 refugees from nearly all the communities and 47 members of the local community. Therefore, a total of 146 respondents were included in the study.

3.5 Sampling techniques and procedures

The research used purposive sampling for the key informants from the immigration, UNHCR, Lutheran World Federation, Police, and Provincial Administration. This means the researcher decided who to include in the sample. The purpose of this sampling procedure was to collect detailed information and cross check with information provided by both refugee respondents and local people, In this research it's very essential now that the study was dealing with sensitive topic which people may not have been willing to give information freely.

The researcher used Non exponential discriminative snowball sampling technique for the locals and refugees. Since they were many nationalities, they were grouped first into their Nationalities then snowball sampling was used to identify them.

3.6 Data collection instruments

Data was collected using interview schedule, questionnaires and secondary data. The questionnaires were used to collect data from the Heads of departments at the Kakuma Refugee Camp and security personnel's.

3.6.1 Questionnaires

Fifteen (15) Questionnaires were administered to Key respondents who deal directly with the refugee protection in the country and those concerned with their social wellbeing. These included the Lutheran World Federation , the United Nations High Commission for Refugees, International Organization for Migration, Provincial Administration and Internal Security i.e. the Administration Police and the

District Commissioner department and the Kenya Police in Kakuma . The purpose of the questionnaires was to supplement the interviews by providing information necessary for both qualitative and quantitative analysis of the data. The study adopted the two approaches because they supplemented each other in information content to realize a balanced analysis of the data.

3.6.2 In-depth interviewing

To collect data from the refugees and the locals, the research adopted in-depth interviews. This kind of interview was conducted face to face. The interviews were semi-structured in nature to provide an opportunity for both the interviewer and interviewee to discuss the issues in greater detail through interviewer probing.

The purpose of interviews is often to attempt to uncover underlying motivations, prejudices and attitudes that might not be uncovered in other primary data collection techniques.

The challenge of using interviews is that the participants used different terms or expressions to explain the same thing. Research assistants were used to help in translation and interpretation of the questions into native languages of the locals and refugees.

3.6.3 Secondary data

The study also used secondary data that was already documented about small arms and light weapon proliferation in the area. These are documents that are found in the Provincial Administration, United Nations High Commission for Refugees and Kenya Police about small arms and light weapon proliferation in the region and the public can access.

In this study, pamphlets, books, journals, the internet, other published and unpublished materials that were relevant to this study were used. All these were complimentary in providing a basis for evaluation of the data.

3.7 Data analysis and quality assessment

This process involved analysis, tabulation and analysis of the data. This study used qualitative and descriptive techniques to analyze data. Qualitative analysis was preferred because it seeks the ‘why’, not the ‘how’ of its topic through the analysis of unstructured information. Interview transcripts, open ended survey responses, emails, notes, feedback forms, photos and videos. It doesn’t just rely on statistics or numbers, which are the domain of quantitative researchers. The research used questionnaires and in-depth interviews for data collection which were both closed and open ended to enable the researcher collect comprehensive information. SPSS was used for quantitative data analysis. The data is presented in form of frequency tables for the variables in the study. The research used tables, charts and graphs in its data presentation for ease of understanding the results.

In quality control and assessment in regard to the questionnaire attention was focused on accuracy, consistency and completeness. This can be ascertained if a repeated test done will ensure uniformity. After coding of the data collected, it was tabulated by classifying cases to their respective classes based on the responses. Lastly interpretation of the data comprised the findings and the responses from the respondents.

3.8 Limitations of the study

The first challenge was to get the research permit from the National Council for Science and Technology (NCST) in Nairobi. Again on reaching Kakuma, I had to go to the Ministry of State for Immigration and Registration of Persons department of Refugee Affairs to get research authorization permit to be able to access the camps.

The location of Kakuma was a very major limitation factor because it took a lot of time to cover the distance and hence it cut on the time which could have been used in the research study. Financial constraints was another major factor because the living cost in Kakuma is very high; the tasks that were undertaken required a lot of funds which included things such as: stationery, transport,

accommodation fee, typing, printing and food during the entire process. For instance typing of a one page document in Kakuma costs Ksh.75, printing per page costs Ksh.30, photocopying per page costs Ksh.20.

Kakuma weather was also a very major challenge. The place is too hot during the day and the night. This weather has made offices to be opened at 8.00am closed at 12.00pm for lunch break and opens again at 3.00pm and closed at 5.00pm. So between 12.00pm to 3.00pm you cannot find anybody in the offices and this really delayed the study.

To try and adapt to the weather, I had to use light material clothes because of the hot weather. To cover the distance between Kakuma town and the refugee Camp, the researcher had to use motor cycles who charge up to Kshs.300 per trip. Security guards were used as research assistants to cover the vast area of Kakuma camp this is because they had knowledge of the refugees language and also good geographical knowledge of the camps.

Collecting of data from some key respondents was also difficult given the nature of their jobs. Some of the security personnel were traveling to the border offices and back to Kakuma offices hence when you get hold of them, they are either tired to answer the questions or just refuse to answer. To avoid this, I had to create a good rapport with them so that they agree to answer the questionnaires at their free time.

Collecting data from headquarters offices was also a big challenge. When one goes to the head quarter offices you are referred to the border offices hence it was a big challenge hence one had to travel back to the border offices for answers.

CHAPTER FOUR

RESEARCH FINDINGS, PRESENTATION AND ANALYSIS

Introduction

This chapter deals with presentation and analysis of the findings. It basically concentrates on demographic analysis, from looking at the pertinent objectives as subtopics. In its second section it goes on to the presentation and interpretation of primary and secondary data from the field.

4.1 Biographical data

The demographic distribution was used to help understand the gender, age, level of education and marital status of the respondents and all this helps understand why people in the study area may be involved with illegal arms as it's explained according to the objectives.

Table2: Gender of respondents

| | Frequency | Percent |
|--------|-----------|---------|
| FEMALE | 40 | 30.5 |
| MALE | 91 | 69.5 |
| Total | 131 | 100.0 |

Source: Research data 2012

The research had 40 female respondents and 91 male respondents from the local and the refugee population. The key informants who were 15 were not analyzed together with the locals and refugees respondents because their bio data was not captured for them qualitative questionnaire' was used. In today's socio, economic and political life, gender is very essential. Women play a very important role in today's society. Women and children are the majority in the refugee community and are very vulnerable. When it comes to human vis avis state security according to the realist theories, women play a vital role in human security that is food security. Women after their husband dies in the raids remain the protectors of their families and in this context protection means with small arms and light weapons.

Figure 1: Age of respondents

Research data 2012

Fifty five percent (55%) of the respondents from the local community and refugees the researcher administered questionnaires to and interviewed were in the age group 22-32 followed by 32-42. This is due to the fact people in this age groups are the most active members of the communities in Kakuma Refugee camps and also the locals. They are those engaged in economic activities. Buying and selling of illegal small arms and light weapon is one of the economic activities hence they were essential to this research.

Figure 2: Level of education of respondents

Research data 2012 Twenty nine point eight per cent (29.8%) of respondents from the local community and the refugees interviewed had secondary certificate followed by primary certificate then tertiary education and above. The research itself being an investigation of illegal and hidden practice of small arms and light weapons , used non exponential discriminative snow ball hence this is not the exact situation on how people are educated in the area. For instance for the refugees majority have primary certificate others are primary school dropout.

Educational institutions and enrollment in the County according to the County profile are as follows; 55 Public and 7 Private primary schools. The County has 7 public and no private secondary schools.

Table3: Primary Schools Enrolment

| Year | 2009 | 2010 |
|-------|-------|--------|
| Boys | 7633 | 9664 |
| Girls | 4979 | 6997 |
| Total | 12612 | 16 661 |

Source: GOK 2011

Table4: Secondary Schools Enrolment

| Year | 2009 | 2010 |
|-------|------|------|
| Boys | 1931 | 683 |
| Girls | 666 | 541 |
| Total | 2597 | 1224 |

Source: GOK 2011

According to the County profile, 52% of the children are out of formal schooling in the County. This is due to; Poverty levels are High, Child labor, early pregnancies, and Low level of education among parents. Long distances to schools and insecurity along border areas are also other factors affecting schooling. As tables 3 and 4 above shows, the number of boys and girls enrolling in schools are almost the same and this is an area where women are presumed to be marginalized. The research established that of all this schools, only one primary and one secondary schools are in the refugee camp. The number of children also enrolling in school is also increasing rapidly, but the number joining secondary schools from primary schools drops significantly. This can be discussed in many dimensions but most important like the realist ascertain that security today is human security in relation to state security. Parents take their children to school in the County because of many reasons and one very important to this study is due to food security. School going children are given food ratio by NGO's and the government hence children go there so that they can get something to eat. This is relevant very important to this research as lack of education is one of the main reasons for small arms and light weapon proliferation as discussed later in the chapter.

Figure 3: Marital status of respondents

Research data 2012

Forty eight point one per cent (48.1%) of the respondents from the local community and the refugees were married while those who are single comprised of 45.8%. This is very essential to this research due cultural practice that allow unmarried men to go for cattle raids. This is discussed in detail in 4.5 . For instance, for one to marry among the locals, one needs to go to a raid so that they can acquire enough animals to pay dowry. This is one of the factors why small arms and light weapon proliferate in the area of study. Wife inheritance is still a common practice among Turkana people and the majority of the refugees hence finding a widow is hard. This implies the issue of small arms and light weapon proliferation because most of the locals said their husbands died in raids in other communities or other countries and this is heroic act. This shows widowhood mostly is as a result of criminality behavior which is as a result of insecurity brought about by small arms and light weapons proliferation.

4.2 Refugees and the proliferation of small arms and light weapons

The role of refugees in small arms and light weapons proliferation has never been clear even to previous writers who have written in the same area. According to research's conducted by Mkutu,(2003) and Mogire, (2003), it is difficult to establish with certainty the role of refugees in the proliferation of Small Arms and Light Weapons because very small percentage of the refugee respondents could talk about the issue freely. According to the data collected, on the question whether the respondent has ever encountered small arms and light weapons in the refugee camps, outside camps or both, the response were as below:

Table5: Encountering small arms

| | Frequency | Percent |
|-------|-----------|---------|
| YES | 99 | 75.6 |
| NO | 32 | 24.4 |
| Total | 131 | 100.0 |

Research data 2012

The respondents were requested to indicate if whether they have encountered small arms. According to the analysis of the findings 75% said yes the remaining 24% said no as tabulated in table 5 above.

Table6: Where the arms have been encountered

| | Frequency | Percent |
|------------------|-----------|---------|
| CAMPS | 22 | 16.8 |
| OUTSIDE CAMPS | 53 | 40.5 |
| BOTH | 24 | 18.3 |
| NOT N/A | 32 | 24.4 |
| Total | 131 | 100.0 |

Research data 2012

According to the analysis of the findings 40.5% indicated outside the camps, 24.4% revealed that not applicable, 18.5% said both of the places that is outside camps and in camps and the remaining 16.8% said in camps. From analysis results it can be depicted that most arms are encountered outside camps. The result is tabulated in table 6 above. Majority of the locals response was they have encountered arms mostly outside the camps but still also in the camps like during the clashes between refugees and locals in both 2006 and 2009 incidents. For the refugees they responded they encountered arms outside camps before they were refugees and from the percentages on table 6 above 24% were not willing to talk about the same. This clearly shows how the topic on illegal arms in the area is a very sensitive matter.

4.3 Types of small arms and light weapons in Kakuma refugee camp and its environs

Majority of the refugee communities in camps are pastoralist. Turkana County is one of the ASAL counties characterized by low rainfall and dry climatic conditions which does not allow rain-fed crop farming. Decreasing pasture and watering points is a source of conflicts between communities. Security of the area is also another major problem in the region. Majority of refugees in Kakuma refugee camp are women and children who are vulnerable. With the hostility of the host community due to grazing land, the research tried to link how this may lead to potential of arms trafficking in the area.

According to security personnel there are different types of arms in Turkana County. The most common ones according to the security data include: AK 47, MK 4, FN, G3 FMP, and G3 COF. AK 47 which is most preferred in the area because of its price and portability. An AK47 in the regions cost only four to six goats this means that it easy to acquire one. AK47 are mostly in the local community and not that common in the refugee's camps.

G3 is also another preferred small arm in the region. This is due to its portability factor and accessibility. G3 cost as cheap as Khs.3500 or an equivalent of two to three goats or sheep. A sheep or goat in the area of study as the research established its sold at Kshs1, 200. Although the AK47 are the most preferred, G3 are also very common. According to the research with the instability in South Sudan, G3 were the easiest type of illegal arms to get. Turkana being a neighbor to South Sudan and with the porous borders it is easy to acquire one.

Another common type of small arms and light weapon is the M4 which is as portable as G3 and easy to use. This type of arms is also common in the environs of the refugee camp. The refugee camp is big and there are areas which are not occupied by the refugees hence they are just fields. The research established that these areas are where the refugees hide illegal arms but not in the camps where they stay. This is due to the constant security checks of small arms in the camps by Kenya security personnel's. But the most common in the refugees are Pistols and Grenades. The availability and attachment to small arms and light weapons by the refugees and the locals in Kakuma and its environs can be attributed to their characteristics which are:

- a) **Low cost and wide availability:** small arms and light weapons are relatively low tech tools of war, and due to state-driven demand, there are well over 600 suppliers around the world. With more than 550 million in circulation whether newly produced, liquidated by downsizing militaries or circulated from conflict to conflict small arms and light weapons are inexpensive and easily diffused.

- b) **Increasing lethality:** The increasing availability of rapid-fire military assault rifles, automatic pistols and submachine guns and their distribution to non-state actors have given such actors a firepower that often exceeds that of police or military forces. The adoption of newly available technology into shoulder-fired rockets, mortars and light antitank weapons has magnified the presence of warring factions in civil conflicts.
- c) **Simplicity and durability:** small arms and light weapons are easy to maintain, require little support and may last several decades. They require almost no training to use effectively, greatly increasing their use in conflicts involving informal militias and children.
- d) **Portability:** The flow of small arms and light weapons are extremely difficult to track or monitor. Small Arms and Light Weapons can be carried by a single soldier or light vehicle, are easily shipped or smuggled to areas of conflict and can be effectively cached in legitimate cargo, warehouses or the outdoors, often in the harshest of climates.
- e) **Military, police and civilian uses:** Unlike major conventional weapons, Small Arms and Light Weapons cross the dividing line separating military and police forces from the civilian population. In many countries, there has been a dramatic increase in the number and size of private militias and security firms that, in many cases, are equipped with military-type weapons.

This clearly shows why small arms and light weapons are the ultimate weapons when we come to the refugees, locals and any other person in need of them.

Figure 4: Pictures of Small Arms and Light Weapons**Picture 1****Picture 2****Picture 3****Picture 4**

Source GOK

The above are some of the pictures of Small Arms and Light Weapons.

Picture 1 show the rifles guns. These include AK47, M4's, G3 and M16 these are some of the deadly small arms weapons in the world. M16 for instance can survive on water and sand without having malfunctioning. Picture 2 shows the grenades which are also common to refugees as the findings

shows. Picture 3 shows a G3 and how portable they are. Picture 4 shows pistols these are some of the samples of the illegal arms.

The Proliferation and misuse of small arms and light weapon is a worldwide, progressively complex and multifaceted phenomenon that affects people of all religions (Africa religious leaders, 2011). By virtue of their easy availability, low cost and manageability, Small Arms and Light Weapons (SALW) have become the weapons of choice in most conflicts in the world today and have helped raise levels of armed violence even in areas at peace like in the western parts of Kenya the Sabot Land Defense used them. These weapons are the leading contributors to the escalation of a culture of violence and to the militarization of civil society. More than 1,000 lives are lost in Africa each day to small arms and light weapon violence (Africa religious leaders, 2011).

Many of the victims are civilians. Small arms and light weapon have a disproportionate, far-reaching and long-lasting impact that extends well past their immediate use in conflict.

In Africa where over 100 million small arms and light weapon exist, their effects are devastating. In a vicious cycle, they are both a cause and effect of violence. They not only kill the innocent; they also maim, prolong conflicts, choke development and deepen poverty.

Security issues are a matter of concern in the Kakuma region especially given the fact that Somalis are both in Kenya and Somalia. The ever increasing influx of refugees suggest the danger this poses to Kenya since the extremists groups are likely to find their way into Kenya in the name of being civilians or refugees. The Kenya security agents are concerned that the fighting in Somalia will lead to a large influx of refugees into the country who might pose a security risk in the country by proliferating weapons through the porous border. The security issue in North Eastern province is therefore a major problem and the study aimed in establishing whether refugee settlement in the region play a role in propagating various security issues in Kenya. This could be worsened by the fact that fighting in

Somalia promotes proliferation of small arms into Kenya. Because most of the refugees in Kakuma camps are brought from Dadaab camps, the overwhelming congestion of Dadaab camps presents a humanitarian emergency and threatens a health and security crisis that could spill over and affect Kenyan citizens. This should be checked before the situation is out of hand. It's clear that in order to promote security in a country the members of the society should be free from illicit firearms or their easy access. Law enforcement agencies, including the police, play a legitimate and central role in combating and preventing arms trafficking to or through conflict zones.

4.4 Where Small Arms and Light Weapons are obtained from in Kenya

The sources of small arms and light weapons proliferation in Kenya are wide and diverse. The research established that there are about six sources (the British army, the police reservists, armed forces, cattle raids and refugees who are the core of the study. Although Kenya has policies that don't allow illegal arms, they are broken and illegal arms are in circulation. According to the research the sources of small arms and light weapons in the area of study are many. This is attributed to the "why" questions answered in role of refugees in small arms proliferation as discussed below. According to the key informant from the security personnel, between 8th March 2010 to June 9th 2010 the fire arms surrendered peacefully were 105 this included: AK 47 59, G3 FMP 11, MK4 20, FN AD 5, RUGGER 1, G3 COF 1, MK 1 and FN 7.

Table 7: Types of Arms surrendered

| TYPES OF ARMS | COUNTRY | NUMBER |
|---------------|--------------|-------------|
| | MANUFACTURED | SURRENDERED |
| AK 47 | Russia | 59 |
| G3 | Germany | 11 |
| MK4 | Britain | 20 |
| FN AD | Belgium | 5 |

| | | |
|--------|---------------|-----|
| RUGGER | United States | 1 |
| G3 COF | Denmark | 1 |
| MK | Britain | 1 |
| FN | Belgium | 7 |
| TOTAL | | 105 |

Research data 2012

This shows as stated in types of small arms that the most common one in the area is AK47. The number of guns which were surrendered within 3 months period are stipulated by table 6 above. This shows it's an average of one gun per day. The interesting factor is that guns like rugger and FN AD are only available to military personnel in their countries of manufacturing. How they end up in the hands of civilians is of interest.

According to the KNFP and small arms survey, they established guns such as Rugger which are only available to the soldiers and law enforcement personnel in their countries of manufacture can be got from the same during training in Kenya. For instance they state that in Samburu there were concerns about uncollected British Army munitions, with claims that some community members get arms and ammunitions from British Army training camps. Some are given as presents after completion of training and on some occasions caches of ammunition are sold at very low prices.

Today things in the camps have changed unlike what previous scholars such as Mogire (2003) and Mkutu(2004) have written. The refugees are involved in small trade like running hotels, shops, M-Pesa and many other micro-business enterprises. They seem wealthier than locals.

The research established that refugees are one of the sources of illegal small arms and light weapon. These arms are carried, dismantled and they are reassembled while in Kakuma as stated earlier. Both refugees and locals say it's for their security purposes. The study further established that refugees are a major source because while they run from the conflicts in their home countries some of them were

warlords, militia, soldiers or rebels and hence they run with their arms. When reaching Kenya, because they cannot be allowed into the country with arms, they sell to the communities near the borders to support their new way of living.

Kenya shares porous borders with some of the most politically unstable countries in Africa such as Somalia and Sudan. Kenya's borders with Tanzania, Uganda, and Sudan, Somalia and Ethiopia and its 536 km coastline are difficult to patrol owing to limited resources and insufficient training of security personnel's. Poor and corrupt policing of the borders between Kenya and its neighbours has facilitated the influx of large quantities of small arms and light weapon into Kenya. Individuals have been able to acquire weapons for overt criminal purposes. The fact that the borders are not properly and effectively policed enable arms traffickers and bandits to find easy entry points along the porous borders. Specifically the rebel movements in Ethiopia, Sudan and Uganda benefit from this state of affairs. Towns on or close to the borders of these countries are major entry points for illegal firearms. Kakuma being one of the close towns that's near Uganda, Sudan, Ethiopia and S.Sudan borders, serves as one of the entry points of such smuggling.

According to the security key informants personnel, many cases of small arms and light weapon proliferation in the Kakuma area are on the borders of South Sudan and Ethiopia. The constant instabilities in Northern part of Uganda and in Somalia have also made the two countries to be among the leading countries as source of arms in the country especially in areas around Kakuma refugee camps for the Uganda case and Dadaab from the Somalia.

The study also established that the KPR (Kenya Police Reserves) are also a source of small arms in the region according to both the locals and the refugees. Those interviewed, especially refugees on question 4 of section B which states "where do you think these small arms and light weapons come from?" they answered "from Kenya government" so when asked to elaborate, they said that the Kenya Police Reserves gives the locals arms to rob them then they share what has been robbed. After getting

the information the researcher went to the locals to verify the information. The study established it was not just rented for robberies, but was rented mostly for inter communal raids. When the locals prepare to go for raids in other communities, the KPR rent their arms to sharp shooters who share with them what they come back with. Hence this removed the bias that the statement was only from the refugees. Expectedly, KPR respondents refused to comment on the same. By the virtue that the arms from the Government of Kenya are meant for the KPR hands but they hand them over to unauthorized people makes this illegal. To this extent, this makes KPR a source of small arms proliferation in the areas around Kakuma refugee camp.

Cattle raids are another source of Illegal small arms and light weapon in Kenya. When the locals go to raid the neighboring communities or even in the neighboring countries, they return with other new illegal small arms and light weapon. Raids are one of the main sources of illegal arms in the countries. The local people raid because of many reasons but among the main ones Pride is one of the reasons why they raid to prove you can get a spouse and protect her.

Marriage is the main reason for raids. The cost for a bride in Turkana is counted in goats, sheep and cattle's. One has to pay up to 50 cattle's, 150 sheep and about 300 goats to be considered to have married in honor.

Revenge is another reason for raids. When a community has been raided and they find out which community raided them, they go for revenge to regain their pride plus return their stolen properties.

Inheritance is also another source of accusation of small arms and light weapons. Elders inherit weapons to the younger generation to protect the community and this also increase small arms and light weapon proliferation.

In conclusion the study established porous borders, raids, inheritance, smuggling and even KPR as some of the sources and how illegal small arms and light weapons enter in to the country apart from smuggling due to corruption in the borders and porous borders which make smuggling very easy by

other actors in small arms and light weapon proliferation apart from the refugees and locals. This includes international arms dealers who capitalize on the instability and continuous armed conflicts in the horn of Africa.

4.5 Reasons for the proliferation of Small Arms and Light Weapons

The question as to what drives the demand for Small Arms and Light Weapons among refugees and local communities has two dimensions. According to the study there are five reasons for this including insecurity, competition for pasture and water sources, cultural practices? Although local community and refugees cite insecurity as the main reason, they experience insecurity differently. In order to answer the question we have to look at refugee's concerns separately from those of the local community. And to do this meaningfully, we had to establish what the two groups need arms for.

According to the research, causes of small arms and light weapons proliferation are as the figure below.

Figure 5: Reasons for the need for small arms

Research data 2012

4.5.1 Insecurity

Figure 6 clearly shows that insecurity is the main concern and it's the main reason which causes a lot of small arms and light weapons proliferation in the study area. Insecurity in this case has different meaning to the locals and the refugees. Poverty, lack of jobs and drought are also causes of small arms and light weapons proliferation in the area.

Insecurity according to the refugees is that they feel insecure from the locals but according to the locals, they argued that, refugees are treated well. The Kakuma refugee camp is not as remote as it's perceived, in fact the best restaurant in Kakuma called *Franco*, is in the Ethiopian side of the camp and it's owned by a refugee. The same camp has electrical power all day supplied by the UNHCR and they

have clean water as well. The refugees are also given monthly food ration, education and medication for free unlike the host community. The refugees have invested in the camps in shops, hotels, monetary services like M-pesa and other small business hence they feel insecure from the locals who rob them many times hence the need for arms to protect themselves. They feel they are not well protected by the Kenyan government whose own people rob them hence they demand arms for protection of their properties.

On the other hand the locals feel insecure because of the perception that the government is not protecting them enough. . Kakuma being the host community is composed of Turkana people. In pastoral societies, cattle are the main source of revenue. Thus, their systems depend on access to water and pasture land. But, as small arms and light weapons have flooded into pastoral regions, cattle raiding has become more common, and in some cases commercialized. Many tribes in the Northern area of Kenya i.e. Pokot, Turkana, Karamoja, and Samburu are engaging in armed cattle rustling and sporadic communal violence, harming their economic and social structures. Weak governance, poor land and resource management policies, and political and economic marginalization pose additional risks. The areas have harsh living conditions, little water and not enough pasture for livestock. In general poverty looms, intensifying competition for scarce resources, which takes the form of violent armed conflict.

According to the district profile, water sources are as follows:-

Table 8: sources of water

| | Source | No |
|------|---------|-------------|
| (i) | Rivers | 4(SEASONAL) |
| (ii) | Springs | 2 |

| | | |
|-------|-----------------|-----|
| (iii) | Boreholes | 63 |
| (iv) | Pans and dams | 54 |
| (v) | Shallow wells | 109 |
| (vi) | Rock Catchments | 3 |
| | Total | 235 |

Research date 2012

As table 8 above shows there are no all season rivers in the County there are just 4 seasonal rivers and the main economic activity in the region being pastoralism, this bring high competition for water. Both the refugees and the locals participate in pastoralism thus this makes them rivals when it comes to water catchments hence hatred because the locals see refugees as parasites in their land and refugees see the locals as predators hence want to protect themselves. This potential demand for small arms and light weapons given the main economic activity of the area is pastoralism hence looking for ways on to scramble with this rare resource.

Table 9: Food situation in the County

| Division | Farmers | Traders | Millers | NCPB (bags) | Total bags |
|----------|---------|---------|---------|----------------|---------------|
| KAKUMA | 0 | 1650 | N/A | N/A | 1650 |

| | | | | | |
|----------------|---|------|-----|-----|------|
| LOKICHOGI O | 0 | 1550 | N/A | N/A | 1550 |
| OROPOI | 0 | 620 | N/A | N/A | 620 |
| Totals | | 3820 | | | 3820 |

GoK District profile

Food today is the main factor in security studies as discussed in the findings in this chapter.

The camp itself is not the way it's perceived to be as undeveloped. The camp is made of buildings which comprises mud houses, brick houses and also cement houses. The camp itself comprises of the refugees and the locals. They share public utilities like schools and hospitals, but the locals feel that refugees are favoured.

Complaints by the local people against the UNHCR and other NGOs working in the refugee camps according to the research is that they do not employ or give adequate chances of employment to the local youths who are unemployed hence they look for alternative source of income which in most cases causes the demand of Small Arms and Light Weapon. For instance to go for raids they need arms and they deal with other illegal activities for income such as hijacking vehicles on the highways and here they also use arms as witness mostly in the Lodwar Kakuma highway and the Kitale Lodwar road. They also complain about the NGO's and the government not giving them equal support to what refugees get e.g. protection, food, water, electricity, education and medicine this according to the new classical realists are human security which by pass the states security. What they complained most about is food stating that refugees and the locals share same harsh climate and yet refugees are fed while they are left to die. They are so bitter about it because they say they are the ones who host the refugees and by that gesture they should also get these benefits and not just left to suffer while the

refugees enjoy in their environs. In the refugee camps; some of the locals have registered themselves as refugees so as to access the free medical care and monthly food ration available therein.

The Turkana see all their neighbors as enemies. They are surrounded by other pastoralists' communities such as Samburu, Karamajong, Pokot and other pastoralists tribes from Uganda (Ugandan Karamoja's), Ethiopia and South Sudan (Dinka's) and they are in constant conflict over grazing land. Due to these constant conflicts over resources, they require fire arms to protect themselves from the cattle rustlers, to protect their herds and also conduct the same.

4.5.2 Profitable business

The other reason frequently mentioned is that the locals deal in arms because it's a source of income. The poverty index of Kakuma is too high majority of the people around Kakuma, live below poverty line in fact Turkana county is among the poorest counties in Kenya coming at the bottom five. In this context poverty is in dimension of food security, lack of clean water for domestic and pastrol use and lack of adequate jobs to earn a living. The lack of money, food and water makes the locals deal in this illegal practice of small arms as a source of income.

Figure 6 above shows why the refugees and the locals demand arms. Both the refugees and locals are responsible for small arms and light weapons proliferation although the percentage differs. The locals play a major role but the refugees also play their role, both becoming perpetrators of small arms and light weapons proliferation.

4.6 Measures taken to reduce Regional insecurity caused by Small Arms and Light Weapons

The Kenya National Focal Point (KNFP) on Small Arms and Light Weapons is the body in the government that makes policies to reduce effect of illegal small arms. As its vision states, having a peaceful, secure and prosperous society free of illicit small arms and light weapons for sustainable development, with a mission to manage and coordinate all actions in addressing the proliferation of illicit small arms and light weapons in all its aspects in Kenya.

The KNFP derives its mandate from the various international, regional and sub-regional legal instruments to which Kenya is a signatory and is responsible for liaison with states at sub-regional, regional and international level, as well as with relevant organizations, on all matters relating to their implementation. This includes developing policy guidelines and research; monitoring efforts to combat, prevent and eradicate illicit trade in small arms and light weapons in all its aspects; and coordinating collection and destruction of small arms and light weapons.

4.6.1 Identification of Hot spots

Security overviews according to the district profile which the research found very essential to the study are, the major security concerns are cross-border cattle raids and border disputes between Kenya and Sudan, now South Sudan. Security Installations in the District are Kenya Army Barracks at Lokichoggio and Nadapal border point, General Service Unit (GSU,) and AP (Administrative Police) posts at Nadapal Border point.

4.6.2 Staffing

The Government Departments' staff has strength of 349 of which, the police are only 94 and 3 National Security Intelligence Service (NSIS) officers. This clearly shows that although the area is described as a security operation area, the security concerns of the region are not adequately addressed by the Kenyan government. Lack of adequate security personnel gives room for proliferation of Small Arms and Light Weapons from neighboring countries.

4.6.3 Policies

The policies which KNFP has put in place to curb small arms proliferation include; border patrols, peaceful disarmament, Early warning system, awareness raising, arrest and prosecution and establishment of a specialized police unit to deal with small arms. The research aiming at influx of refugees and proliferation of illegal arms looked at policies the Kenya government has put in place to curb refugees, locals or other individuals to participate in illegal proliferation of small arms. For

example, according to Oluoch (2012), the issue of security at the Kakuma and Dadaab refugee camps reveals close cooperation between the Government of Kenya and UNHCR. The UN agency, for instance, built the police stations and provides the police vehicles as well as other equipment (ibid.).

For one to talk clearly about Kenya policies and measures in place to curb refugees as agents of illegal arms, one need first to talk about origin of refugees, their definition and laws that protect them.

4.6.4 International laws and refugees

The main sources of International Law on refugees are the 1951 Geneva Convention on Refugees, 1967 UN Protocol on refugees and the OAU Convention of 1969. Kenya acceded to the 1951 Convention but has not ratified it according to the UNHCR. The obligations under these documents include not sending a person back to a country where he or she may be persecuted, and in the case of the OAU convention where his or her life is threatened because of the threats to public order which form the basis for refugee status; not discriminating among groups of refugees; the right of refugees to freedom of movement and to work in the country (though a three year limit on the right to work can be imposed to protect the local labour market); the same right to basic education as a national; the duty of refugees to obey the law in the country where they are received. All this are well stipulated in refugee Act 2006 of Kenya. The OAU Convention adds that members states shall “use their best endeavors” to receive refugees and ensure their settlement.

The term “refugee” does not include “internally displaced persons” (IDP’s). These are persons who have been displaced from their homes as a result of political upheavals, social unrest, clashes between different ethnic communities and other similar disturbances of internal nature that occur within the borders of a country.

Kenya is a signatory to almost all the United Nations and OAU conventions on Human Rights and Refugees. Kenya has tried to domesticate some of these instruments through, the human rights provisions in the constitution and customary international law e.g. *the Principle of non-refoulement*, Kenya *can* be said to afford some recognition to the rights of refugees. A person does not lose his basic fundamental rights as a human being by reason only of being a refugee in a country.

Kenya has been host to refugees fleeing from neighboring countries as a result of civil war, political unrest and upheavals that at one time or another obtained in those countries such as Ethiopia, Somalia, Sudan, Uganda and countries in the Great lakes region (Zaire, Burundi, Rwanda). The UNHCR, alongside its sister agencies e.g. UNICEF and WFP and implementing partners such as GTZ, CARE, LWF, Handicap International, World Vision, and IJRS provide necessary humanitarian assistance to the local communities at Dadaab and Kakuma (Oluoch, 2012).

According to the UNHCR, during early 1990s, Kenya was host to the largest refugee population in East and Central Africa when it was close to a half a million. In the period 2000-2009 the refugee population went down due to the voluntary resettlement of some of the refugees and the resettlement of others to third countries – usually in Europe, Australia and the United States. However according to the research the number is increasing due to the unrest in Somalia and both Sudan and South Sudan. The refugees are today settled in two main camps i.e. Dadaab which has four separate camps in North Eastern Province and Kakuma refugee camp in Northern Rift Valley region. This followed the closure of other camps in Mombasa, Malindi, Thika, Moyale and Mandera (UNHCR data base). The U.N.H.C.R, other U.N specialised agencies like UNICEF and other NGOs have assumed the responsibility of providing the basic needs for the refugees in these camps (i.e. food, shelter, water, healthcare, sanitation and education) while the Kenya Government provides the necessary administrative and security back up and generally maintains Law and Order in the camps.

However, according to Oluoch (2012), encampment has its own challenges and weaknesses, particularly so in the case of prolonged stay by refugees. For example, in spite of hosting large numbers of refugees over a long period of time, the Kenya Government has not to date developed very clear guidelines and policies on how to deal with the refugees apart from “Refugee Act 2006”□ In the case of Kenya, the majority of the camps’ refugees have been there since the early 1990s and have therefore been there for about two decades (ibid.). Unlike Kenya’s neighbouring countries like Ethiopia, Sudan, Uganda and Tanzania, Kenya neither has ministry or department of government to deal with refugee affairs it’s under the office of the Vice President Ministry of Immigration□

In the absence of specific laws dealing with refugees, the immigration laws as contained in the Immigration Act, Chapter 179 of the Laws of Kenya, are applied to the refugees, even though this is clearly inappropriate as the said Act is intended to regulate the entry into Kenya of persons who voluntarily come from other countries for some specified purpose□ Refugees in Kenya basically stay in their designated camps and cannot travel out of that camp except with permission from the local administration and only for some specified cause such as medical treatment or to attend an official UNHCR sanctioned activity in Nairobi□

The encampment was chosen to avoid conflict with the local communities hence reduce conflict and to promote regional security. “the benefits of encampment are not restricted to refugees only: local communities also benefit from the policy ... a number of projects are initiated in the areas that do benefit the locals, the aim here being to ensure the wellbeing of host communities... (Oluoch, 2012, p.230).

The UNHRC also provides to the refugees ration cards to enable them get their monthly food rations and a letter commonly called□“protection letter” which identifies the person as a refugee who is out of the designated camp for a specified purpose□ The situation of the refugees in the camp is very much similar to that of a prison□ They are not allowed to come out of the camps without permission to settle

in other parts of the country, to inter mingle with the Kenya citizens, to look for work or do business outside the camps. As such, while encampment may be essential as an emergency short term measure, particularly with regard to provision of refugee aid, in the long term it impoverishes refugees (Oluoch, 2012)□Furthermore, local integration for refugees is non-existent, unless one seeks for that under provisions on naturalization (Oluoch, 2012). Oluoch (2012) goes on to say that since assistance does not exist for refugees outside the camps, and that the state strictly applies encampment policy, many refugees remain in the camp indefinitely. The few lucky ones are those that get employed by NGOs and U.N. agencies who then seek permission for them from the government. Encampment policy means that refugees have to be confined at certain specific places in the country: in the case of Kenya today, specifically at Kakuma and Dadaab camps (ibid.)□However, there are many refugees who have managed to avoid or leave the camps and live in urban centres like Nairobi and Mombasa□These are mostly the affluent ones who manage to persuade the immigration department to give them some legal status to stay in the towns either by issuance of the investor or business class visa on their passports (which is renewed regularly) or some resident permit or alien registration permit. But, according to Oluoch (2012), this is a situation that makes urban refugees in towns particularly vulnerable since it takes time to have the necessary identification cards renewed at their expiry. He goes on to say that from his study, some of these refugees lamented harassment for just being refugees□

There have been allegations of corruption and bribery in the issuance of these visas or permits□Oluoch (2012) also found that the requirement of identification is also a source of corruption, saying that some of his sample population pointed to the fact that the law enforcement had the tendency of deliberately not recognizing the UNHCR's identification cards and use that as a means of extorting money from refugees. There have been widespread complaints made against the police by various political leaders, civil society and Human Rights Organisation, UNHCR and international agencies as a result of their harsh treatment of refugees in Kenya□

Police brutality and harassment has featured as one of the major complaints of the people of Kenya. The police have been accused of committing atrocities and gross violations of the basic human rights of the refugees in the camps and in the urban centres of Kenya. Article 16 of the 1951 refugee convention for instance provides for free access to courts by refugees (Brownlie & Goodwin-Gill, 1988, as cited in Oluoch, 2012). The African Rights, a human rights NGO, conducted a study of the refugee situation in Kenya in the early 1990s and published a report prepared by Alex de Waal and Rakiya Omar. The report states wherein harrowing tales of arbitrary searches, arrest, extra-judicial killings, kidnappings and disappearances, theft of money, jewellery and rape of women carried out by the Kenyan security forces against refugees are recounted. Article 16 of the 1951 refugee convention further provides that refugees be accorded same treatment as nationals in the discharge of the judicial process (Oluoch, 2012). Regrettably the Kenya Government has not taken any step to address any of the complaints made by or on behalf of the refugees against its security forces, who appear to operate with impunity.

When refugees arrived from their country of origin, they were received by the UNHCR documented by the same and transported to other camps by the same. UNHCR did not have the machinery to check refugees for arms and other things and hence this brought about the issue of armament in the regions refugees were settled hence caused insecurity in those regions.

From this the refugees with the tension between them and the locals, did not surrender their arms to the UNHCR for protection from the host community. Today the government is the one in charge of security while the UNHCR provide logistics and other basic needs such as food, shelter and clothing. But still there is that tension because the refugees feels like the police favor the locals and hence still have fear and need to protect themselves and by this it implies arms proliferation.

How accessible the camps are to the locals is also the reasons why refugees demand arms. The interaction between the locals and the refugees is also a factor for small arms and light weapon

proliferation. A refugee can get a local friend and they speak almost the same language like the Sudanese and Turkana people can communicate. Because of the conflicts in their countries they can team and use the conflict to make profit from the small arms and light weapons in their host country. Hence together they can start the illegal trade of trafficking arms from the conflict zones in to the country.

This research established that the fact that refugees are confined in the camps makes them have no many options for income generating activities. This is echoed by Oluoch (2012) who states that since encampment curtails the freedom of refugees, it denies them the opportunity to fend for themselves. This makes them to indulge in illegal activities like selling of their monthly food ratios provided by the UNHCR, water ratios provided to them and with Kakuma being in a dry area this is a booming business. What was of interest to this research is that they indulge in the illegal business of buying and selling small arms and light weapon for survival. This shows encampment policy is a weakness although still used by the Kenya Government.

The attitude of some leaders toward refugees even suggests that life is made deliberately difficult for the refugees (Oluoch, 2012). This can be seen by the order by the secretary of state in charge of internal security in Kenya who ordered the closure of all camps in Dadaab and any camp where Somali refugees abode.

The research established that encampment is not as strict as it tends to be seen and can lead to small arms and light weapon proliferation.

Although encampment has its short comings; it is a measure taken by the Government of Kenya to reduce the regional insecurity caused by refugees. When asking the respondents if Kakuma refugee camp if it has helped solve small arms and light weapon proliferation, the answers were like in the frequency Chart below. All this is background information, I do not see the relevance

Figure 6: Kakuma refugee camp a solution to Arms Proliferation

Research data 2012

According to the research as shown above, it established that encampment has help to some extent reduce the small arms and light weapon proliferation. Hence it has reduced regional insecurity which according to the research is also caused by small arms and light weapons proliferation as shown in the table below.

Figure 7: Small Arms proliferation as a threat to regional security

Research data 2012As evident ninety three point nine percent (93.9%) of the respondents, that's the locals and refugees and even key informants , they all concur that Kakuma refugee camp as a solution to small arms and light weapon proliferation and hence increased regional security.

The normal channel of receiving asylum seekers also reduces refugee's threat as insecurity insurgents in the region. This is done before encampment. When the refugees or asylum seekers reach the country, they are first screened for arms then they look for those among the wanted from the countries they have originated from. This is a very important aspect of refugee's acceptance because if one is given the refugee status and was among the wanted or most feared person in his country of origin, he can trickle down the extend of conflict to the host community.

After screening, the refugees are documented to show they have been accepted to the host community as a refugee. This help to identify them as refugees hence if moving freely in the country without proper papers they are taken back to the camps. When a refugee gives birth, the birth is reported to the given community office immediately for documentation of the child. These children are not accepted to be Kenyan citizens unlike other children who when born in given countries became citizens by birth. Even when the refugees travel from the camps to other parts of the country, they are given papers for their suppose visit to prove why they are from the camp and this papers are given for specific days only.

Head count is another measure taken by the Kenyan government to reduce threat by refugees. According to Kakuma news reflector, new Kakuma verification exercise began in mid-November2011 and still continues. This new exercise is head count. Headcount is the first to include the collaboration of the Kenyan Government. Many refugees were worried over Kenyan government's involvement in this process in the first few days of the exercise.

The primary purpose of verification exercises at Kakuma Camp is to count the number of refugees and asylum seekers present in the camp, and to collect various other forms of demographic information. Accurate population statistics are needed for purposes of program planning, administration of services, humanitarian fundraising, accountability, and government involvement.

Registration goes far beyond a mere head count: it is the recording, verifying, and updating of information on people of concern to UNHCR so they can be protected and UNHCR can ultimately find durable solutions.

The number of people requiring protection and assistance determines the amount of food, water and other material help needed, as well as the extent of shelter, health and sanitation facilities. Registration is crucial for identifying those individuals who are at risk or have special needs.

Registration, by providing a record of their status, helps protect refugees against refoulement (forced return), arbitrary arrest and detention. It can give them access to services or assistance and can foster freedom of movement to make them more independent. Registering children helps prevent military recruitment, keeps families together and assists UNHCR in reuniting separated children with their families. UNHCR advocates that all refugees and asylum seekers be registered individually.

The registration of people, which includes details of the reasons they have sought asylum, is essential for identifying those for whom resettlement or local integration, rather than repatriation, are the most appropriate solutions.

Since 2004, the process has been facilitated by the introduction of proGres, a UNHCR database application that is now in use in more than 70 countries and contains not only written details of individuals, but also their photos. While registration of refugees and asylum seekers remains the responsibility of host states, UNHCR assists them when needed.

The refugee agency is setting up a project to improve proGres and make it more effective for operational needs. This will ensure that this valuable tool continues to play a key role in the protection of refugees and asylum seekers.

UNHCR verification notices posted around the camp contained schedules of names and registration numbers of refugees. When called to the UNHCR office on their appointed day, refugees must travel to the UNHCR Compound located beyond the periphery of the camp and wait for their name to be called in order to enter the compound and verify their identity. This is a disadvantage because refugees are free to walk from the camps hence illegal arms dealers and other asylum seekers can use the moment for their illegal trade on illegal arms. As stated on UNHCR verification notices posted around the camp: “All person registered Nationals in Kakuma, approach the verification site at 06:30 hours on each specified date.”

Refugees have voiced rising complaints over the long journey across the camp required to attend the verification process at the UNHCR Compound. Refugees and the asylum seekers were asked to leave their homes early in the morning in order to report at the verification site without transportation from the UNHCR or the government's Department of Refugee Affairs (DRA) office. Some refugees are forced to leave their homes at around 4:00am to trek across the camp to reach the verification site in time.

In interviews carried out by *KANERE*, some community leaders reacted to what they termed a 'lack of consideration on the distance' by UNHCR. In initial meetings between the UNHCR and refugee community leaders, it was agreed that vulnerable members of the communities, such as the elderly, diseased, or disabled, were to be either assisted by the UNHCR with transport to the site or to be screened at their respective homes. Neither of these promised actions was taken.

Although it has its challenges, head count help to find out if the refugees are in the camp or not. It also helps to reduce the movement of refugees in and outside camps and this help reduce the threat from refugees in regional insecurity.

Other measures taken include: closing of border crossing points, collaboration between neighbouring states to curb weapon smuggling, disarmament initiatives aimed at collecting all illegal firearms, tight security checks at roadblocks and border crossings, and stiff penalties being meted out to those found in illegal possession of arms.

Humanitarian assistance is one of the ways of curbing the arms problem.

In October 2010 Kenya hosted approximately 412,000 refugees, of which almost 90% were located in camps in Northern and North-Eastern Kenya, established in 1992 after the escalation of conflicts in neighboring Somalia and Sudan. The three refugee camps near Dadaab – Hagadera, Ifo, and Dagahaley – have traditionally hosted mainly Somali communities (94% in 2010), with their overall population rising from 172,000 in 2007 to 288,000 in 2010. Kakuma camp, currently hosting approximately

77,000 refugees, i.e. Somalis (55%), Sudanese (30%), Ethiopians (14%) and other refugees from the Great Lakes region, was originally established as a camp for refugees fleeing civil war in Southern Sudan. Its ethnic composition, however, changed notably following the relocation of Somalis from Dadaab to Kakuma. The camps are set in similar arid, semi-arid and hot environments, characterized by harsh living conditions. In the Turkana region, where Kakuma is located, and the North Eastern Province, where Dadaab is located, rain falls infrequently, usually in April and October, making the two regions best suited for nomadic pastoralists. The local economy relies on livestock, mainly camels, goat and sheep. Scarce rivers and extremely limited alternative water resources make irrigation-based agriculture difficult or often impossible. This results in higher food prices and limited food diversity and contributes significantly to the nutritional challenges in the regions.

This dire living environment exacerbates the existing challenges of life in protracted refugee settings, particularly the limited opportunities to assure one's own livelihood. Consequently, the majority of the refugee population in Dadaab and Kakuma camps is largely dependent on the general food ration provided by humanitarian organizations as their source of food. Their livelihood opportunities have been severely hindered for years, the food ration is the main source of income for the majority of refugees. The sale of food is used to buy preferred foods such as pasta, rice, milk, sugar, and tea leaves to supplement and provide variety in the diet, but also to buy basic and irregularly provided non-food items such as clothing, jerry cans and soap. As a result the required and distributed ration of Kcal 2,166 per person per day often fails to meet basic nutritional needs, although for understandable reasons. Adequately addressing food security and related needs of the refugees is the joint responsibility of the United Nations World Food Programme (WFP) and the United Nations High Commissioner for Refugees (UNHCR), working together with their implementing partners – international and local non-governmental organizations, charities and development agencies, responsible for operational implementation. Specifically, WFP is responsible for the provision of the

general food ration, to which every registered refugee is entitled, and the management of the food distribution points; UNHCR is responsible for protection and humanitarian assistance programs in the camps, i.e. the provision of health services, water and sanitation, shelter and basic non-food items, and also for distribution of complementary foods. The harsh environmental conditions at the camps also create difficult situations for refugees (Oluoch, 2012). He also points out that the climatic conditions at both Kakuma and Dadaab are quite hot and dry for much of the year.

Although Kenya is trying to curb small arms and light weapons proliferation, there are challenges facing the same which include; Few police officers, Insufficient resources, e.g. vehicles, Lack of motivation, Corruption, Few police stations, Lack of coordination among Law enforcing officers, Inadequate experienced personnel, Poor investigation, Poorly trained personnel, Few courts, Too many cases.

In conclusion the policies the Kenya government employing to curb refugees to participate in small arms include, screening of the refugees when entering the country, encampment, screening of the camps frequently and headcount. Other measures taken include: closing of border crossing points, collaboration between neighbouring states to curb weapon smuggling, disarmament initiatives aimed at collecting all illegal firearms, tight security checks at roadblocks and border crossings, and stiff penalties being meted out to those found in illegal possession of arms.

4.7 Conflict in neighbouring countries, illegal arms and refugees

Conflict in the Horn of Africa is not a new thing. Kenya neighbours have had either civil or political conflicts ever since early 1980,s.

According to Judith Achieng (2001), much of East Africa and the Horn of Africa is flooded with guns, predominantly small arms, and a large number of those weapons spill over into Kenya. Since the late 1970s the countries bordering Kenya to the north (Ethiopia, Somalia, Sudan, and Uganda) have experienced long periods of unrest and internal armed conflict. During the cold war these wars were

fueled in part by the huge quantities of arms pumped into East Africa by the United States, the Soviet Union, and their allies. The torrent of free or subsidized arms flowing to the African continent subsided significantly after the end of the cold war, but large quantities of arms have continued to pour into the region from numerous arms producers, including China, Bulgaria, and other countries of central and Eastern Europe.

Adding to the flow originating from distant countries, a huge quantity of weapons entered the private arms market with the fall of governments in Ethiopia (1991), Rwanda (1994), Somalia (1991), and Uganda (1979 and 1986), as well as conflicts in other African countries. Some governments in East and Central Africa have amply supplied rebel forces in other countries with guns and ammunition, thereby adding to the number of weapons in circulation. Fighters from wars in these countries are a prime source of weapons brought into Kenya, which they often sell for subsistence. Moreover, a number of East African states are also developing their own arms producing industries. Kenya itself, with Belgian assistance, built a bullet manufacturing plant in Eldoret capable of producing 20 million rounds a year, and such secrecy surrounds the plant that little is known about who purchases those bullets and whether they are available for export. In addition, kinship ties among pastoralist communities that straddle international borders can facilitate the movement of firearms from one side to another, as well as the spread of localized conflicts.

The patterns of weapons movements largely reflect the situation of widespread armed conflict in the region. Somalia has been a prominent source of arms since the early 1990s. Unconfirmed estimates for the volume of arms entering Kenya from Somalia range as high as 5,000 automatic rifles per month, with recovered weapons reportedly showing Chinese, U.S., and Bulgarian markings (Judith Achieng 2001) As fighting in Somalia has quieted down and armed violence has flared up elsewhere in recent years, weapons siphoned from conflicts in Sudan and Uganda have become increasingly common.

In addition, Kenya has long been a transit point for weapons shipments destined to war-torn countries

in the Great Lakes region of Africa. For example, a large weapons shipment destined to Burundi passed through Kenya's Mombasa port before being impounded by Ugandan authorities in October 1999. A Ugandan official cited concern that new weapons flows would aggravate the war in Burundi as the reason for postponing delivery. Regional sanctions imposed on Burundi in 1996 barred arms shipments, but those sanctions had been lifted in early 1999.

Judith Achieng (2001) states according to Julius Miyumo, a former top Kenyan customs official familiar with the Burundi shipment and others, no explicit legal criteria exist in Kenya for determining whether an arms shipment should be permitted to transit the country, but in practice national authorities halt weapons shipments if they appear to violate a U.N. or regional arms embargo or if the arms cargo has not been properly declared. The existence of an abusive armed conflict in the recipient country and the risk of the weapons being diverted to an unauthorized third party (or of spilling back into Kenya), however, are not considered. Moreover, he explained that according to existing procedures Kenyan authorities designate sensitive cargo (including weapons shipments) "classified" upon the request of the recipient government, and all classified shipments are exempt from inspection, regardless of their content.

The large quantities of weapons transshipped through Kenya to areas of violent conflict thus add significantly to the stocks of weapons in the region. Given the ease of weapons flows across borders, arms purchases by regional actors that are facilitated by the Kenyan government contribute to the problem in Kenya itself of weapons recycled from war. The Moi government, however, did not acknowledge this link and, to the contrary, spoke of international arms flows to the region as if Kenya itself were not implicated in the trade. For example, without any apparent irony, President Moi expressed concern about armed conflicts in the Horn of Africa and their wider impact on stability in the region, noting: "In particular, I would like to register Kenya's strong opposition to the shipment of arms to the various theaters of conflicts or any other forms of external interventions in the region as

these can only further fuel the conflicts as well as increase the human suffering."

Moreover, Kenya is vulnerable to illicit weapons trafficking through the same channels used for legal arms shipments. The Kenyan coastline and in particular Mombasa's port have been identified as entry points used by smugglers. United Nations investigators have reported suspicious arms flights that have transited Nairobi and suggested the weapons on board may have been destined to embargoed parties. Former customs official Miyumo, who also served on a U.N. expert panel on small arms, pointed out that the work of customs officers has been made much more difficult by unscrupulous arms brokers and shipping agents who use false documents, misdeclare cargo, file false flight plans, hide weapons in secret compartments in motor vehicles and shipping containers, and otherwise plot to traffic weapons undetected. He indicated that Kenyan customs authorities take a number of steps to rein in such behavior, but said better techniques and equipment were required to more systematically halt undeclared arms shipments.

In all cases, however, the decision to impound or release an unauthorized shipment, as well as when to authorize an arms shipment through Kenyan territory, ultimately depends on political authorities in Nairobi. Miyumo stated that he was aware of two cases in which undeclared (and presumably unauthorized) weapons cargo detained by customs officials was later claimed by a neighboring country and, on the instruction of officials in Nairobi, the arms were released.

Illegal gun movements in Kenya happen in secret and are difficult to document. Most of the weapons entering Kenya's illegal market appear to be trickling in, transported by small-time traders. Taken together, they account for a steady arms influx. Kenya's border is porous and in large part arid and thinly populated. Although there are nominal customs checkpoints at the main Kenyan entry points, the rest of the border is rarely patrolled and there are many smuggler's routes. The Kenyan police commissioner conceded this point: "The borders with our neighbors are expansive. Even if you take

most of the police officers in Kenya to patrol the borders they cannot prevent the flow of guns. There are so many panya [smuggling] routes." Even main roads can be used for the cross-border transport of illegal guns. According to a gun trader, a small bribe of 200 to 300 Kenyan shillings (Ksh.), approximately U.S.\$3 to \$4, will ensure that a customs official looks the other way.

Traders find it worthwhile to smuggle guns into Kenya because they command a much higher price here. For example, in 1999 Sudan People's Liberation Army (SPLA) deserters reportedly could sell an assault rifle to pastoralist Karimojong traders on the Sudan/Uganda border for 30,000 Ugandan shillings (approximately \$20), the Karimojong traders would in turn sell the weapons to Pokot traders living on the Uganda/Kenya border, who could sell it in Kenya for Ksh.10,000 (approximately \$135). That same gun could then be sold in Nairobi for as much as Ksh.40,000 (approximately \$530). In addition, it is not unusual in Kenya for guns to be bartered for other commodities. On the Kenyan border guns can be exchanged, depending on the current supply, for two goats or a cow. Judith Achieng (2001) states, there is a thriving market for guns in the border areas, with demand for such weapons fueled by local and cross-border cattle raids, as well as armed border incursions. In addition, many of the weapons that traders smuggle into Kenya are transported to the interior of the country. They are sometimes smuggled by boat, but most often carried aboard commercial vehicles used to transport livestock or other merchandise. One common destination is Lokichokio which is the head quarters of Kakuma District near the borders with Sudan and Uganda, reputed to be a center of the illegal trade in firearms and ammunition in northwest Kenya. Preliminary findings from FPSALW(focal point on small arms and light weapons) an ongoing study of firearms availability in Nairobi indicate that the major staging points for weapons trafficking destined to Nairobi, in addition to Isiolo in Eastern Kenya and Lokichokio in Kakuma near the Uganda

border area, Garissa near the Somali border; Mombasa on the coast; Eldoret, Kisumu, and Nakuru in western Kenya; and Wilson airport in Nairobi.

Judith Achieng (2001) states, although weapons circulation in Kenya is complicated and usually involves many actors, the government typically attributes weapons trafficking, along with other crimes, to refugees living in Kenya and indiscriminately accuses refugees of being the major source of insecurity. For example, the senior official responsible for firearms licensing stated: "Many refugees immigrating from neighboring war-torn countries carry with them all manner of firearms" and identified the "majority" of refugees as former fighters who "cross the borders with the weapons and sell them for subsistence." This is evident enough because even in today's President Uhuru tenure senior government official in Internal Security stated that all refugees camps should be closed due to insecurity in the country.

Former President Moi himself argued that refugees are largely to blame for bringing guns and crime into Kenya, and the top official in North Eastern Province at the time blamed arms trafficking on the refugee community living in camps. More than 200,000 refugees have sought refuge in Kenya from neighboring countries. The frequent xenophobic or anti-refugee statements, police harassment, arbitrary arrests and extortion by government officials have created an increasingly hostile environment for the thousands of refugees not implicated in arms trafficking. In the name of security, the government has confined most refugees to camps. For those refugees and asylum-seekers who remain in Nairobi, particularly Somalis, police harassment and roundups are a constant problem. It is often only with bribes that refugees can avoid arbitrary arrest and detention. The activities of the police are periodically intensified, as happened in September 1998, when roundups were carried out in a more widespread fashion, and refugees were asked to surrender their "protection letters" from the United Nations High Commissioner for Refugees (UNHCR) without being given another document in replacement (Judith Achieng 2001).

In northern Kenya which Kakuma is part of, the presence of guns is strongly felt and is having wide-ranging repercussions. In some areas, especially along the borders, guns are so common that they are openly carried. Violent incidents involving firearms appear to be sharply on the rise, and high numbers of casualties have been reported. Acts of banditry, including armed highway attacks, are widely reported in parts of Coast Province and North Eastern Province. This was evident enough because during the period of the research data collection periods, there were more than seven incidents of armed robbery in Kakuma-Kitale highway. Judith Achieng (2001) confirms that a Kenyan military expert who has studied small arms availability estimated that there are 40,000 firearms illegally held by communities in northern Kenya and that security forces have recovered less than 10 percent of them, leading to serious concerns that "such huge uncontrolled amounts of firearms could pose a significant threat to the stability of the area and undermine national security." For their part, community leaders in northwest Kenya have repeatedly stated that their communities will not give up their weapons without a guarantee of protection from armed attacks by rivals, including attacks launched from neighboring countries. Automatic weapons have changed the face of cattle rustling (also known as cattle or livestock raiding) in Kenya's northern border regions. Historically, cattle's rustling in Kenya has been defined as the practice in some pastoralist communities of using traditional weapons to take livestock from a competing group, typically at night and using minimum force. More recently, such incidents have evolved into large-scale operations involving the theft, including in daylight, of hundreds or sometimes thousands of cattle; the exchange of gunfire; rape and abduction; and, very often, the killing or wounding of people, including of women and children.

In conclusion conflicts from the neighbouring countries spill over illegal arms in to Kenya and pose a serious threat not only for national security but also regional security. The serious conflicts that have affected Kakuma are the South Sudan with Sudan, Uganda army with Kony rebels and the Ethiopia

conflicts. Somalia conflicts affect mostly Dadaab refugee camp but the spill over's also reach Kakuma as in the case of internal security permanent secretary saying all refugees camps to be closed.

In conclusion the findings of the study supported the intended research questions and answered them as much as possible and the research established refugees do play primary role in small arms and light weapons proliferation. Even so the locals also have an active role in proliferation of light weapons in the region hence the government and other agencies dealing with arms should deal with the issue with an open minded perspective from both dimensions.

CHAPTER FIVE

SUMMARY OF THE FINDINGS, CONCLUSION AND RECOMMENDATION

Introduction

This chapter presents the summary, conclusions and recommendations. It is a critical assessment of the research in its entirety. The problem statement is linked to objectives, problem statement, research methods and field study results. In its last section recommendations and further research are discussed.

5.1 Summary of the findings

The following is a summary of the findings on influx of refugees and proliferation of Arms:-

In summary, the research has established that there are small arms and light weapons in Kakuma and near its environs near refugee camps.

The types of Small arms and light weapons in Kakuma refugee camp and its environs include AK47, G3, M4, grenades and pistols this is because the weapons are easy to use, cheap and portable.

The cost of an AK47 as discussed in chapter four is 4-5 goats/sheep or a cow.

The most common among the refugees are pistols although there are cases of AK 47; this is due to the fact that the refugee camps are screened by the government of Kenya frequently hence the pistols are easy to hide. Refugees prefer the smallest of the Small arms and light weapons unlike the locals.

The weapon of choice among the locals is AK47. According to appendix 3, government data on the guns collected on the peaceful disarmament of Small arms and light weapons, AK 47 was leading in the list.

The study further established that when it came to sources of Small arms and light weapons, the civil conflicts in the neighbouring states are the main source according to the interviewees. This is due to the porous borders and lack of enough patrols in the borders. Kenya neighbours states which have been characterized by long civil wars. The area of study was at the borders of Northern Uganda where the SPLA member operates. It also border South Sudan which has experienced conflict with Sudan since

their independence hence there is ready availability of Small arms and light weapons in their country. Kakuma also borders Ethiopia which although stable, has a lot of militia groups in constant war with the Turkana people because of cattle raids and pasture. Armed conflicts in the neighbouring states leads to refugees. Some of this refugees comes with their arms hence leads to proliferation of illegal arms.

Besides, the research established that cattle raids are also a source of Small arms and light weapons proliferation into the country specifically in the study area which was Kakuma refugee camp.

The most disturbing source of Small arms and light weapons in the region according to the locals and refugees was the Kenya government through KPR (Kenya Police Reserves). This is due to the fact guns and there ammunicions given to KPR in the region are not monitored that closely hence they are hired for raids and robbery.

For the demand of Small arms and light weapons people need them because of issues such as:

Insecurity; this is the main issue according to research why people need arms in Kenya refugee camps and its environs. This is due to the fact that refugees feel that they are not well protected by the Kenyan Government hence the need to protect themselves and their property from the local residents.

Porous borders are also source of illegal arms. Since the Kenyan border is not well protected, the refugees and the locals need arms to protect themselves and their properties from the neighbouring communities from countries such as Ethiopia and Sudan. Communities from other countries tend to raid the locals their livestock hence they need arms for their property protection.

The research also established that Kenya refugees and the locals deal in small arms and light weapons business as a source of income. This due to the fact that refugees are encamped and they don't have many opportunities when it comes to income source.

The research established that, local communities complain that the presence of the influx of refugees in their areas, which was already an ecologically fragile area, has placed severe strain on the fragile ecosystem and limited resources of the area hence both need arms to protect themselves. To prevent this, Local communities who inhabit the areas where the refugee camps are located made strong and passionate appeals for the relocation of those camps to other parts of the country so that the burden of hosting the refugees is not borne by them alone.

For measures taken to curb refugees as a threat to regional security the research asserted, the encampment policy which the Kenya government has adopted is weak and does not help curbing small arms and light weapons proliferation as discussed in chapter four above.

When the process of encampment started, everything was done by the UNHCR. This gave room for the refugees to enter the country with small arms because there was no much checking and screening by the UNHCR agencies.

The research further established that refugees are not only victims of Small arms and light weapons conflict, but are perpetrators of Small arms and light weapons proliferation hence they affect regional security.

5.2: Conclusion

The main objective of the study was to establish the role of refugees in the proliferation of Small arms and light weapons in Kenya through Kakuma refugee camp and its impact on regional security. The study concluded refugees are no longer the passive innocent victims of small arms in their country of origin but they play a very major and serious role in proliferation of small arms and insecurity in Kenya. The prospect of larger-scale conflict breaking out is very real. As a result, small arms and light weapons proliferation are likely to continue to play a primary role for communities that seek to protect themselves from a host of threats. Kenyan refugee populations are no longer passive victims of country' strife; they are increasingly active facilitators of insecurity and violence, both among

themselves and within their origin and host country (Kenya). The other objectives included types of small arms in the region and this are many and it's a serious issue because in the environs of Kakuma there are sophisticated weapons such as M4. The government as much as its facilitating peaceful self disarmament in the region, it should take the matter serious and screen the all region for small arms. The reasons for small arms are wide in the region and the government should look in different dimensions i.e. the socio-economic and geo-political dimensions. The policies the Kenya government employing to curb refugees to participate in small arms include, screening of the refugees when entering the country, encampment, screening of the camps frequently and headcount. Other measures taken include: closing of border crossing points, collaboration between neighbouring states to curb weapon smuggling, disarmament initiatives aimed at collecting all illegal firearms, tight security checks at roadblocks and border crossings, and stiff penalties being meted out to those found in illegal possession of arms.

In Africa, effective action to control arms flows and availability requires determined, comprehensive and co-ordinated action at not only the local and national levels but also at the level of the African sub-regions and the Organization of African Unity . Moreover, the effectiveness of sub-regional action on arms proliferation and trafficking in Africa can only be reinforced through co-operation with the AU and through the establishment of information exchange mechanisms between each sub-regional organisation and its counterpart.

5.3: Recommendations

From the findings of the study, it is recommended that government with the concerned NGO's like UNHCR should have more peace workshops between the refugees and host communities to prevent hatred among them and encourage peaceful co-existence.

On the issue to asylum seekers in Kenya, Kenyan government should have functional policies bearing in mind that refugees are not only victims of small arms and light weapons but also perpetrators.

The result, as in the past, is likely to be short-term policies directed at addressing the symptoms of the region's problems—such as numbers of weapons— rather than structural reasons for conflict, such as marginalization, poverty, and scarcity. All of these observations suggest the need for a well-developed, long-term plan for increasing security for both residents of Kakuma and the surrounding communities. The NGO's and the government should also educate both the locals and refugees negative effects of proliferation of small arms and light weapons.

Its recommends that cross border meetings between hostile communities should be held to improve the relationships. Further, trading activities should be adopted as a strategy to means of peaceful co-existence amongst the communities in question.

Past initiatives clearly demonstrates that pure disarmament cannot come before the provision of adequate security by the state of Kenya. The state should provide both short term and long term measures of security. In the short-term, this means of protecting communities and their cattle from raids by rival groups of warriors or from economically motivated crime. In the long term, it means the provision of police forces that are able, not only to resolve crime, but to mediate disputes before they escalate.

Job opportunities should also be increased to the locals by organizations working in these areas. This will make the locals not to deal with illegal small arms and engage in robbery and theft. This will give out appropriate ways to earn a living. The government should exercise right to education by encouraging schooling in the region to reduce idleness from the youths. Education plays a major role in reducing issues of small arms and light weapons proliferation as discussed in chapter four.

The government should also encourage peaceful disarmament for both the refugees and the locals. On the same, the government should increase security and disarm the KPR because they are a source of small arms and light weapons.

Serious border patrols should also be done so that smuggling of arms and raids between different communities of different countries be reduced or be avoided.

There is an urgent need for sustained cross-border co-operation that goes beyond security issues and tackles the root causes of conflict. Governments should implement a regionally co-ordinated disarmament programme, which also incorporates community initiatives. Detection tools for small arms and light weapons should be used even in the camps to look for arms and other light weapons.

Before a refugee camp is located in any particular part of the country proper feasibility study, including an environmental impact assessment study should be carried out to assess the capacity and suitability of the area.

As part of safety and security measures the refugee camp should, as far as possible, be located closer to the border of the country where the influx is being experienced.

Governments must work together with civil society, and develop systems that nurture co-operation. This is to include UNHCR, World Lutheran Federation among others.

Providing substitute economic livelihoods to cattle raiding and other illegal activities for young men, who dominate armed groups, should be done as part of the wider strategies for sustainable development. With the respect for and promotion of the rights of refugees as guaranteed under International Law or in domestic legislation must be recognized in the constitution under the chapter dealing with Fundamental Rights and duties. The state must also be directed in the constitution under the chapter dealing with directive Principles of State Policy, to ensure the respect for and promotion of the said rights of refugees in Kenya.

As has already been mentioned, Kenya is in need of development assistance, particularly in dealing with the rural illicit arms problem. Resource based conflicts that create demand for illicit arms cannot be addressed by law enforcement alone, but in tandem with attention to the underlying factors.

The government should look for international development partners to support the National Plan of Action and assist the country in finding a sustainable solution through better law enforcement, security sector reform and development assistance.

5.4 Suggestions for further research

A further research should be done on Kenyan refugee legislation put in place with regard refugees' influx and proliferation of arms.

The research should now aim on:

- a) How do the refugee's get small arms and light weapons in there conflict zone homeland.
- b) Why do powerful states do sell arms to conflicted states as much as abuse of human right continue in this states.
- c) What is the way forward of curbing small arms and light weapons in the horn of Africa

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APPENDICES

Appendix I: Questionnaires (for officials only)

This research questionnaire is part of my Masters degree in International relations. All information that is shared remains confidential in that all respondents will remain anonymous. It's purely for academic purposes only.

Please complete the questions below and mark with a cross in the appropriate block or fill in the answer on the line provided

Thank you

Moses Mugambi Mutwiri

1. How do you deal with the Influx of refugees?

.....
.....

2. Are refugees a threat to regional security?

.....
.....

3. Do you know what small arms and light weapons are?

.....
.....

4. Have you ever come across small arms and light weapons in this region?

.....
.....

5. Have you encounter small arms and light weapons in the camps?

.....
.....

6. Have you ever encounter dealers of small arms and light weapons around here?

.....
.....

7. Have you ever encounter dealers of small arms and light weapons around the refugee camps?

.....
.....

8. If yes were they locals or refugees?

.....
.....

9. How do you think small arms and light weapons make their way here? Is it through refugees or the locals?

.....
.....

10. Are small arms and light weapons used to cause problems within the surroundings?

.....
.....

11. Have you been able to find the routes used by locals to proliferate small arms and light weapons around here?

.....
.....

12. Between the host community and the refugees, who do you think are the real perpetrators of small arms and light weapons proliferation?

.....
.....

13. How many and types of small arms and light weapons have you been able to recover from the locals/host community for the past 24hrs months?

.....
.....

14. Now that the number of refugees is increasing first, do you see this as security threat?

.....
.....

15. Do you think constant influx of refugees is bringing in new arms?

.....
.....

16. And if yes what are your strategies to curb?

.....
.....

17. Have you identified the routes used by refugees for arms proliferation?

.....
.....

18. Have you ever had any experience with insurgents and their arms?

.....
.....

19. What are the ways you use to know about the whereabouts of small arms and light weapons and how do you gather/collect them?

.....
.....

20. How many small arms and light weapons and what types have you been able to gather within the refugee population?

.....
.....

21. How have you managed contained security with such influx?

.....
.....

22. Now that there is a lot of insecurity how do you determine a genuine refugee?

.....
.....

23. In your own opinion do refugees affect regional security?

.....
.....

24. If yes what is the way forward?

.....
.....

Thank you for agreeing to take part in this research.

Appendix II: INTERVIEW SCHEDULE (for locals and refugees)

This research questionnaire is part of my Masters degree in International relations. All information that is shared remains confidential in that all respondents will remain anonymous. It's purely for academic purposes only.

Please complete the questions below and mark with a cross in the appropriate block or fill in the answer on the line provided

Thank you

Moses Mugambi Mutwiri

SECTION A: DEMOGRAPHIC DATA FOR RESPONDENTS

1. Gender of respondent

Male

Female

2. Age of Respondent

12-22

22-32

32-42

42-52

52 and above

3. Level of education

None

Primary dropout

Primary certificate

Secondary dropout

Secondary certificate

Tertiary college and above

4. How long have you been in Kakuma?

0-5 years

6-10 years

11-15years

16-20 years

20 and above years

5. Marital status

Single/Spinsters

Married

Window/widower

Divorced

Separated

Not Married

6. Have you ever encounter small arms and light weapons?

Yes

No

7. If yes where did you encounter?

In Camp

Outside Camp

8. What do you think are the causes proliferation of small arms and light weapons?

War

Drought

Poverty

Lack of jobs

9. Have you encounter small arms and light weapons conflict?

Yes

No

10. Who are the worst hit in this conflicts caused by small arms and light weapons?

Male

Female

Children

11. In case of small arms and light weapons who do carry the same?

Male

Female

12. Do you think Kakuma is the solution?

Yes

No

13. Is the world society doing enough in fighting small arms and light weapons?

Yes

No

14. Do you think small arms and light weapons proliferation is a threat to regional peace?

Yes

No

SECTION B:

1. Do you know what small arms and light weapons are?

.....
.....

2. Have you ever come across small arms and light weapons in this region?

.....
.....

3. Why do you think people participate in small arms and light weapons proliferation?

.....
.....

4. Where do you think this small arms and light weapons comes from?

.....
.....

5. Have you ever encounter small arms and light weapons dealers in this area?

.....
.....

6. If yes those dealers were they refugees or locals?

.....
.....

7. What kind of small arms and light weapons have you encountered?

.....
.....

8. According to you are small arms and light weapons in circulations?

.....
.....

9. How do you think they are in circulation?

.....
.....

10. Why do people demand small arms and light weapons around this area?

.....
.....

11. Do you think Kakuma Refugee camp is a solution towards enhancing regional security?

.....
.....

12. Do you think the worldly society has done enough in fighting small arms and light weapons proliferation?

.....
.....

13. What do you think can be done to curb the proliferation of small arms and light weapons?

.....
.....

14. Who are the worst hits by small arms and light weapons proliferation conflicts?

.....
.....

15. How do you think issues of small arms and light weapons can be addressed?

.....
.....

16. In your own opinion how do you think is the way forward in curbing small arms and light weapons?

.....
.....

17. Do you think small arms and light weapons cause regional insecurity?

.....
.....

18. How can the same issue of insecurity be addressed in this region?

.....
.....

Thank you for agreeing to take part in this research.

Appendix III Budget

| 3 MONTHS | COST PER DAY MONTHLY | TOTAL COST |
|------------------------------------|-------------------------|---------------|
| TRAVEL COST | 90@300 | 27,000 |
| MEALS | 90@300 | 27,000 |
| HOTEL | 90@1000 | 90,000 |
| WRITING MATERIALS | | 15,000 |
| RESEARCH ASSISTANT | 3@5000 | 15,000 |
| INTERNET AND DATA BASE ANALYSIS | | 10,000 |
| MESSELENEOUS | | 20,000 |
| TOTAL | | 204,000 |

