Harmonising ‘Hardware’ and ‘Software’ Approaches in Small Arms Interventions

A Working Group Report
by Babu Ayindo
Harmonising “Hardware” and “Software” Approaches in Small Arms Interventions

An Assessment of the Status of Government and Civil Society Efforts in the Implementation of the Nairobi Protocol

A Report by Babu Ayindo

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The ideas and opinions expressed in this report are those of the Consultant and do not necessarily reflect those of the Working Group on Small Arms.
About the Working Group

The Working Group on Small Arms is a lobbying and advocacy network of five organizations—Norwegian Church Aid- NCA, Africa Peace Forum- APFO, IKV Pax Christi, Association of Member Episcopal Conferences in Eastern Africa- AMECEA and Fellowship of Christian Councils and Churches in the Great Lakes and the Horn of Africa- FECLAH. The Group also functions as the Technical Committee for the Eastern Africa Action Network on Small Arms (EAANSA)

The Working Group was initiated to fulfill the following general objectives thus:
- Carry out advocacy work to ensure that the Nairobi Declaration and Nairobi Protocol and its provisions are implemented by signatory states
- To lobby for the effective functioning of National Focal Points
- To provide timely input into small arms action - research, documentation, training etc
- Support individual members’ initiatives on small arms
- Influence constituency agenda in order to prioritize small arms work

About the Report

This report is a compilation of a study whose objectives were to undertake an assessment of EAANSA, benchmark progress made by National Focal Points and further provide recommendations to EAANSA and other stakeholders in order to increase efficiency and effectiveness in small arms action.

The Working Group wishes to take this opportunity to thank Mr. Babu Ayindo for undertaking this mission and drafting this report. We also wish to thank IKV Pax Christi and Norwegian Church Aid for funding this project. Our appreciation also goes to all interviewees for their hospitality and generosity of time.

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1.0 Executive Summary

If the patterns and trends on availability, movement and use of small arms and light weapons (SALW) are any guide, the East, Horn and Great Lakes regions of Africa are engulfed in a serious crisis transcending the limits of history, geography and politics. In the most fundamental way the emerging trends challenge traditional notions of security. The current data on the implications of small arms on economic development, national and regional governance, political stability, indigenous beliefs and knowledge systems and a general well being indicate calamitous scenarios in the foreseeable future unless creative, inclusive and solid interventions are devised now. Even in countries like Djibouti and Eritrea that do not have visible problems of small arms internally, there is need for solid pre-emptive interventions that create infrastructures that would ensure that SALW do not become a problem in future. Already Djibouti is experiencing the effects of small arms violence from its neighbours as witnessed in the creative youth programs for young refugees from within the region coordinated by Mohamed Farah Mao of the Association Porte Ouverte.

In this regard, the attempt by ten countries in the sub-region to formally coalesce around this issue is commendable. Signed on 15 March 2000, the Nairobi Declaration on the Problem of the Proliferation of Illicit Small Arms and Light Weapons in the Great Lakes Region and Horn of Africa marked a significant step in curbing the volume of the small but lethal instruments of violence. The Regional Centre for Small Arms (RECSA) was established in Nairobi to coordinate the implementation of the Declaration. Following the signing of the Declaration conversations began for the formation of a regional civil society initiative that would accompany, support and advocate for the timely and full implementation of the Declaration. Led by already established country chapters of the International Action Networks on Small Arms (IANSA) in Kenya and Uganda, the Eastern Africa Action Network for Small Arms (EAANSA) was born in 2004. The EAANSA Secretariat is based in Kampala, Uganda.

Four years after the signing of the Nairobi Declaration, 11 countries (Seychelles was the new entrant) entrenched their commitment and efforts by signing the legally binding Nairobi

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4 Interview, Djibouti, March 2007
Protocol for the Prevention, Control and Reduction of Small Arms and Light Weapons in the Great Lakes Region and the Horn of Africa on 21 April 2004. The implementation of the Nairobi Declaration and Nairobi Protocol is coordinated by RECSA and funded by governments and international partners. In each country, inter-agency bodies called the National Focal Points (NFPs) have been created, and are at various stages of becoming fully operational, with the mandate of ensuring the timely implementation of the Nairobi Declaration and Protocol at the national level. Civil society efforts are being coordinated at the regional level by the EAANSA secretariat and at national level by the country chapters of EAANSA. It is envisioned that each country in the region would have a country chapter including Somalia, which is the newest member of the Protocol.

Seven years after the Nairobi Declaration, it became necessary to take stock of the efforts by governments and civil society as envisioned in the solemn declarations and the more comprehensive Coordinated Agenda for Action on the Problem of the Proliferation of Small Arms and Light Weapons in the Great Lakes Region of November 2000. Though some challenges had been anticipated, it was apparent that the pace of implementation was slower than was desirable. In this regard, the Working Group discerned an urgent need to assess the status of implementation (particularly by National Focal Points and civil society organisations) hence this study.

Undertaken between January and March 2007, the study was heavily influenced by evaluation approaches based on the conviction that assessment and/or evaluation are primarily about learning. Therefore in evaluating organisations and networks, we foremost need to appreciate that organisations function like living organisms with a life cycle. Such an endeavour avoids getting stuck in the traditional evaluation discourses of fault finding to those of learning and pro-active change. In this spirit, the study sought to draw lessons and critical questions for all stakeholders and generate information and knowledge that could enhance the momentum of implementation of the Declaration and Protocol. Let us begin by considering some critical issues and lessons for all parties and stakeholders.

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1.2 Critical Issues and Lessons

It is our assessment that more energy has been directed at the “hardware” interventions, which include disarmament and destruction of small arms. While this is desirable, equal attention needs to be given to the less visible “software” interventions. For example, our interventions need to be driven by hard analysis of why people elect to arm themselves in the first place. Charles Mwaura of Conflict Resolution Program of the African Union was emphatic on the need to “disentangle from the notion that when you get rid of SALW, you automatically get peace.” This has virtually become an act of faith for some local and international Non-Governmental Organizations (NGOs). As Mwaura explained, the reality is that there are many places in the sub-region where the security organs of the State simply do not exist and ordinary citizens have little choice than arm themselves. The view that the hardware approaches – that emphasize disarmament – need to be better analyzed and conceptualized so that SALW interventions actually work to address the root causes, rather than proximate causes, was shared by majority of the interviewees particularly those drawn from civil society. Acknowledging the complexity of the problem, Richard Nabudere, the Uganda National Focal Point Coordinator noted that SALW interventions:

must take into account all those factors that influence both supply and demand. They go beyond law enforcement; they include foreign affairs and regional cooperation. We must build capacity to resolve conflicts peacefully, address livelihoods, overall security, personal security; poverty alleviation and national development. It requires proper coordination and networking.

Therefore, SALW interventions demand that we think both inside and outside the “framework” of the Nairobi Protocol so that creative alternatives that go beyond the traditional military interventions can be generated.

From the literature and the interviews, it was clear that SALW, or security in general is not, as Bizuwork Ketete put it, “a traditional area of engagement for civil society.” In post-

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6 Interview, Addis Ababa, February 2007
7 Interview, Kampala, February 2007
8 Interview, Addis Ababa, February 2007. Bizuwork is a prominent civil society actor on governance issues who, on a personal initiative, was one of those who pioneered the dialogue between government and civil society in Ethiopia.
colonial states, government and ordinary citizens have always perceived security as the preserve for the State. To date, all a government needs to do to avoid critical national questions is to label anything as a matter of national “security.” Indeed, it is one area where citizens perceived it as normal not to raise any questions. The study suggests the need to appreciate that government and civil society engagement on the sensitive area of security requires a “paradigm shift.” If approached with creativity and imagination, this engagement bears potential in modeling ways of enhancing government and civil society partnerships in a context where the relationships are dominated by mutual hostility.

Subtle challenges that both governments and civil society that needs appreciating emerge from the radically different organizational cultures. This challenge was compounded by the fact that just like each country has a different political culture so do they have civil society cultures. For instance, decisions in government tend to take a long bureaucratic path while most civil society organizations thrive on their fluidity. Even in a country like Kenya, with a robust civil society and whose pace of implementation is one of the fastest, there was evidence of how a culture of long consultations, command and control are followed before decisions are made and actions taken within government bureaucracy. While there are those like Hage and Alter who believe that “bureaucracies and networks do not mix,” it is this paper’s belief that the informal trust and relationships can actually help transcend this challenge as SALW interventions require both the short term fluidity of civil society as well as the long term interventions by governments.

Let us now consider the whole question of Non-Governmental Organization (NGOs) or civil society networks. In conversations with Focal Point Coordinators, Coordinators of EAANSA chapters and civil society actors, it was evident that dilemmas still exist on what should be the nature, character and function of a network that operates across territorial borders. In fact, one fundamental dilemma can be found in the text of the draft EAANSA constitution (EAANSA is seeking to register as a company in Uganda). Whereas small arms

9 Cited in Claudia Liebler and Marisa Ferri “NGO Networks: Building Capacity in a Changing World” published on line by the Bureau for Democracy, Conflict and Humanitarian Assistance Office of Private and Voluntary Cooperation, November 2004. However, my recent work and study of NGO organisational cultures indicate that civil society organisations are becoming more bureaucratic. In the quest for a functional models, NGOs in particular are borrowing from government and private sector.
are a highly political issue as Bizuwork Ketete noted, EAANSA defines itself as a “non-political” organization.

Should networks, because they are networks, be structured differently from institutions? What are the key areas that require core funding for networks? And, how should regional networks be led and managed? In their in-depth study, “NGO Networks: Building Capacity in a Changing World,” Claudia Liebler and Marisa Ferri note that “[a]t first glance, it may seem unnecessary to make the point that networks are not institutions. The fluidity and dynamism inherent in networks that helps give them their distinct character and makes them stand out from institutions quite readily.”\textsuperscript{10} In words echoed by EAANSA Director, Richard Mugisha, the authors proceed to make a most relevant recommendation for all parties and stakeholders:

Networks are not institutions, and the same rules do not apply. Donors can help by de-linking networks from the formal project cycle. Networks take time to develop, and often funding is terminated just at the point when bourgeoning networks are beginning to come into their own. Donors would also be wise to let go of their customary results orientation when they support networks, and trust that they will do their jobs.\textsuperscript{11}

The primary burden of ensuring that the network is well defined and understood by all parties, partners and stakeholders rests with the EAANSA Board and Secretariat and its country chapters. Our study suggests that this task needs to be undertaken diligently and with speed. When this happens, then governments and NFPs will appreciate when civil society are concerned about other issues that seem peripheral to the formal documents but which have a direct bearing on their interventions. For instance, civil society will tend to be critical of the use even of small arms and light weapons in the hands of legitimate government agencies; or they will ask why there are few AK 47s – the weapon of choice for armed groups and criminals – in the piles of weapons that are destroyed; or they provide special attention to contextual needs and challenges like the unexploded devices as is the

\textsuperscript{10} Liebler and Ferri “NGO Networks”
\textsuperscript{11} Liebler and Ferri “NGO Networks”
case of Eritrea. In short, there will be greater understanding that when civil society actors are critical it does not mean they are less committed to eradicating SALW.12

The last critical question we want to raise came up in the last interview with civil society actors in Kinshasa, Democratic Republic of Congo. “Is it not a contradiction,” the interviewees posed that “while we are working particularly hard to control small arms, the bulk of which flow from outside the sub region, we do not appear concerned about the control of ammunition that are manufactured right in the region?”13 It is instructive that in over fifty interviews this issue came up only once. The text of the Nairobi protocol acknowledges in the preamble that State Parties are “aware” of the problem of ammunition but does not include it in the objectives of the protocol. Though seemingly innocuous, this “gap” takes away the primary responsibility of the problem from some member States. More importantly it virtually ensures this critical issue hardly enters the discourses and research agendas of interventions by the signatory countries. Indeed, the Small Arms Survey notes that:

“[w]eapons are only lethal when supplied with ammunition. The procurement of the correct type of ammunition for the available stockpiles of weapons is therefore a core concern for states, non-state armed groups, and individuals. While weapons are durable goods, which can be used for many years, ammunition is quickly depleted, and stocks must be replenished. As a consequence, intensive weapons use, such as in contexts of conflict or criminality, requires the maintenance of regular supply lines of ammunition. The oversight or disruption of such supply lines potentially represents an opportunity for controlling arms proliferation and limiting weapons misuse.”14

Since the exact number of guns in legitimate government agencies is not known, as acknowledged in the Kenya National Action Plan, are we able to account for the bullets in licit and illicit hands? This implies that matter of ammunition needs to be placed firmly on

12 A cartoonist raised this critical issue in the Kenyan daily The Sunday Standard of 18 March 2007. Depicted was a character resembling the archetype criminal comfortably seated in his bed clutching an AK 47. He was watching TV news showing the burning of thousands of guns (presumably taking place in Nairobi as part of the anniversary 7th anniversary) while speaking on his cell phone to another “comrade” saying: “Sasa, comrade…? Are you watching the news? Funny…I’ve counted only a couple of AK 47s amongst the 8,000 G3s!” Within the background of this study, the cartoon raised very troubling questions with regard to the current “hardware” interventions. If AK 47s – considered a weapon of choice for criminals and armed groups – are collected during disarmament are they really destroyed? If not, where do they end up? How do these small arms flower? This issue also came up, if briefly, during the annual dialogue forum12 held in Kigali, Rwanda, in March 2007.

13 Focus group with Lynda Mvala, Phillippe Muanza, Fabien Mbayo and Flory Kayembe, Kinshasa, 14 March 2007

14 Small Arms Survey, published on line
the map of interventions. This will call for bold introspection. In this respect we need to heed the call of the IPPNW’s campaign to remain vigilant in retaining the human face of small arms violence. A solid way of doing this, IPPNW suggests, is to deconstruct our discourses, research agendas and actions so that we:

“Talk about people rather than weapons
Talk about bullets rather than 'small arms'
Talk about reducing violence, conflict and insecurity rather than the number of weapons”\textsuperscript{15}

Not all guns come from outside the sub-region. Not all bullets come from outside the region. Taking responsibility on this account would be a significant step in addressing the problem of small arms and light weapons in the sub-region.

1.3 Some Best Practices

In spite of, or occasionally because of, some of the critical challenges, some encouraging trends of best practice have emerged that need to be validated and strengthened. First, there is increasing dialogue between governments, civil society and other stakeholders on the question of SALW. Some of the dialogues are serendipitous but have led to greater learning, understanding and mutual trust regarding each stakeholder’s agendas and roles in security and defense matters and how organizations could complement each other. There is evidence of outstanding examples in Djibouti, Kenya, Uganda and Rwanda. The political will from the governments has stirred greater political and personal will from majority of the National Focal Points. These dialogues and relationships need to be tapped, particularly through the annual regional dialogue forum.

With minimal or virtually no support civil society organizations have undertaken actions, however modest, to contribute to the spirit and momentum of the Nairobi Protocol demonstrating the “voluntary power” as a strong pre-existing social capital. Indeed, the Nairobi Declaration would not have been the “Nairobi” Declaration were it not for the

\textsuperscript{15} IPPNW, “One Bullet Stories” published on line
efforts of civil society organizations that seized the initiative.\textsuperscript{16} Perhaps a good example is found in Kenya Action Network on Small Arms (KANSA) community based programs that involve financial contributions from cash-strapped Community Based Organizations (CBOs) and Civil Society Organizations (CSOs) in mounting the Global Action week on small arms. Two other examples are the campaigns mounted by Uganda Action Network on Small Arms (UANSA) jointly with the Uganda Joint Christian Council (UJCC) and the community education on SALW of the Kale Hiwot Church in Ethiopia. In Burundi, the Human Rights League has done a study on SALW in 6 out of 17 provinces which has been accepted by the Burundi cabinet and is being used already. In D.R Congo a faith based organization, Reseau d’Organisations des Droits Humans d’Education Civique d’Inspiration Chretienne en RDC (RODHECIC), has supported much of the civil society-led interventions on SALW. There are many such interventions demonstrating volunteer power in other Focal Points and country chapters of EAANSA.

The joint cross-border training for religious leaders from Uganda, Sudan and Kenya hosted by Uganda Action Network on Small Arms (UANSA) is a landmark event that all countries could learn from and adapted or replicated in other regions. Indeed, there now exists greater involvement of religious leaders and faith-based organizations in the issue of small arms.

The last few years of engagement between RECSA and civil society has resulted in greater acknowledgement, sensitivity and action towards gender issues. Within structures, institutions and interventions it is recognized the need for interaction and dialogue of both genders on the question of small arms. If the present is any guide, we are poised to see more interventions that include the feminine and women’s perspectives in EAANSA, RECSA, National Focal Points and Parliamentary initiatives.

There is increasing commitment by indigenous civil society organizations on the issue of SALW and how it interfaces with what they are already doing. At the beginning it appears that SALW were a big budget issue that could only involve well-endowed international NGOs. That perception is slowly changing in theory and practice.

\textsuperscript{16} Conversation with Mereso Agina of Kenya Coalition Against Landmines, June 2007, during the evaluation of the Kenya Action Network on Small Arms (KANSA)
Ordinary citizens are appreciating their role in security, particularly through community policing programs. Indeed, security organs have done well in shading the colonial image of as agents of terror and there is a growing understanding that human security is precisely that and everyone has a responsibility in it. Tanzania, perhaps due to historical factors, offers the best example of citizen ownership. For example, even the garbage collectors have been sensitized on the role and responsibility in reporting the presence of small arms in the garbage they collect.

The last key development is the question of definition of security. Although more needs to be done in this area, there is deep appreciation by the Focal Points leadership and RECSA that the traditional definition of security has to change in order to fully involve civil society, ordinary citizens and other stakeholders in addressing the question of SALW in particular and human security in general.

1.4 Key Recommendations

This paper wishes to offer the following recommendations emerging from the outcomes of the assessment:

**EAANSA, its Country Chapters and Board**

- Design a Regional Strategy paper that articulates the critical cross-border issues that EAANSA’s chapters could jointly collaborate in implementing in the short term, medium term and long term. This strategy could be drawn in harmony with the Best Practice Guidelines, and National Action Plans where they exist.

- Undertake an audit of existing skills within EAANSA member organizations with a view to create a resource pool as well as determine the particular training needs required at regional and country chapter level to ensure that SALW interventions build on the organic initiatives, strengthen indigenous initiatives, enhance inter-chapter collaboration and exchange, and clearly identify capacity gaps where RECSA, NFPs, communities/constituency, Funders and other stakeholders could help.
• Strengthen the institutionalisation of the network with a view to clarify the role and scope of the board and other organs of EAANSA, including the competencies and skills and terms of reference for the secretariat staff as well as coordinators of country chapters. Indeed, the board should take greater leadership in the formalisation, design and monitoring of programs. It is recommended that the board should meet at the earliest opportunity to consider and finalise the priority areas of joint actions and make final decisions on the functional structure that would effectively and smoothly implement the programs (programs and projects should determine the functional structure and not the other way round). The reality is that EAANSA must build and claim its own credibility and place starting internally before it can relate and engage credibly and effectively with other stakeholders.

• It is also recommended that the leadership and management style needs to be (re)structured to reflect a more transparent, horizontal and consultative organizational culture. One way would be to develop a leadership team at the secretariat to enhance research and communication with all country chapters and key stakeholders.

• There is need to finalize the constitution; submit papers for formal registration thereby strengthen the leadership and administration. In this process, the EAANSA board should seriously consider whether as a non-profit organization with a regional mandate, what the implications of registering as a company under the laws the Republic of Uganda might have on its mandate, regional reach and daily operation.

• The Board needs to identify capacity gaps (some of which are identified in this report) to ensure that all chapters are strengthened to the level of Kenya and Uganda at the very minimum. In SALW interventions, it is critical that all chapters move at a virtual uniform pace and that there is broader ownership and legitimacy at country level.
RECSA and National Focal Points

- There is need to clarify Terms of Reference on how National Focal Points need to relate to civil society. There are useful lessons in this regard in the OECD paper titled “Engaging with Civil Society” published online.

- Accelerate the appointment of full-time Coordinators of National Focal Points with at least one full-time assistant.

- Clarify terms of reference and competencies required by National Focal Point Coordinators.

- We also need to find ways to bolster the mutual trust between EAANSA leadership and the NFP leadership. One way would be to entrench the relationship during the annual Dialogue Forum. For instance, all NFP Coordinators and EAANSA chapter Coordinators could meet a day before the agenda proper begins to “team build” and finalize the agenda for the Forum.

- Propose guidelines in the declaration to offer insights on dealing with violations of the declaration and protocol.

- Advocate for greater funding from governments and funding partners to make the NFP fully operational in practice.

- Undertake thorough training on the capacity of civil society and NFPs to use the Best Practice Guidelines to monitor and evaluate their pace and progress.
**State Parties/Members of Parliament**

- Undertake speedy measures for comprehensive harmonization of legislation. This should include every country following the Tanzania example of developing a SALW policy. The legislation should ideally be uniform ensuring that a perpetrator of a crime related to SALW does not find refuge in any country in the sub-region.

- Consider devising and/or lobbying for sanctions for countries that abet the illegal sale of SALW and ammunition within and outside the continent.

- Include SALW issue in other critical national programs like poverty eradication and youth empowerment.

- Consider developing a component on security and SALW in existing civics education in schools.

**Working Group and Funding Partners**

- Provide core funding and support to enhance the establishment of a leadership team at the EAANSA Secretariat.

- Strengthen indigenous NGOs that are addressing small arms and security

- Support projects that utilise existing social capital and creative methods of education and interventions that are sustainable

- Strengthen capacity of all EAANSA chapters and NFPs to facilitate a more uniform pace in implementation.
2.0 Introduction

The mission and objectives of the assessment as developed by the Working Group\(^{17}\) was three fold:

- Undertake an assessment of the Eastern Africa Action Network on Small Arms (EAANSA)
- Benchmark progress made by National Focal Points in the Nairobi Protocol region.
- Make recommendations on how to increase EAANSA’s effectiveness; and how Regional Centre for Small Arms (RECSA) and the civil society could strengthen support for National Focal Points to increase their overall impact.

With regard to benchmarking, the study sought to determine the status of implementation of the *Coordinated Agenda for Action on the Problem of the Proliferation of Small Arms and Light Weapons in the Great Lakes Region and the Horn of Africa* with specific reference to State Parties’ agreement to:

(a) Ensure a sustainable solution to the problem through the pursuit of long-term coordinated and concerted effort; and

(b) Establish National Focal Points to deal with the problem of small arms and light weapons in all its aspects and to oversee the implementation of this Coordinated Agenda for Action at the national level.

The above agreements were expected to have translated into the following guidelines for benchmarking the progress of implementation of the Nairobi Declaration and Nairobi Protocol\(^{18}\):

\(^{17}\) The Working Group consists of Africa Peace Forum, Association of Member Episcopal Conferences in Eastern Africa (AMCECA), Fellowship of Christian Councils and Churches in the Great Lakes and the Horn of Africa (FECCLAHA), Norwegian Church Aid and IKV Pax Christi.
• Formation of the National Focal Point, have a coordinator and launch the NFP.
• Membership of the NFP, involve any civil society organization members and engagement of parliamentarians or parliamentary committees.
• Develop the National Action Plan and have it launched
• Carry out survey of small arms in the country.
• Implementation the National Action plan, activities being carried out, challenges and achievements.
• Coordination mechanism between NFP and RECSA
• Interaction with civil society and engage them in activities such as conferences on small arms, campaigns against small arms and coordinate with Nairobi Secretariat (RECSA)

2.1 Research Approaches and Methodology

The dominant approaches of the study were Appreciative Inquiry and Action Research\(^\text{19}\) that tend to balance the deficit discourse with identifying the “positive core” even in situations of extreme problems and challenges.\(^\text{20}\) The spirit of the study was more creative than mechanical. It was more analytical than programmatic. The prevailing motif was that the knowledge from the study would benchmark the organic steps already made; appreciate the emerging scenarios and challenges in historical context; and provide momentum for action.

The main research method was interviews (individual and Focus Group) which was carried out between February and March 2007 with select Coordinators of National Focal Points,

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\(^{18}\) Cited in the EAANSA workshop report on the Enhancement of Civil Society Participation in the Management of the Proliferation of Illicit Small Arms and Light Weapons in the Great Lakes Region and Horn of Africa held in Kampala, Uganda, November 23-24, 2006


Coordinators of Country chapters of EAANSA and select civil society actors in Uganda, Rwanda, Burundi, Ethiopia, Djibouti, Kenya, South Sudan, Tanzania and Democratic Republic of Congo. The Executive Director of RECSA, select members of Parliament and three officers of the Conflict Resolution program of the Africa Union in Addis Ababa, Ethiopia were also interviewed.  

As part of the study, the author attended the 4th annual dialogue forum held in Kigali, Rwanda, and was able to observe the regime, conduct and process of the forum. During the Kigali forum he also had informal conversations and/or interviewed civil society actors from Somalia, Eritrea, Ethiopia and one representative of the International Action Network on Small Arms (IANSA). In addition a literature review of material relating to Small Arms and Light Weapons in general and the Nairobi Declaration and subsequent formal documents in particular was undertaken.

2.2 Bird’s Eye View

In general, the pace of implementation of the Nairobi Declaration and Nairobi Protocol by governments seems slower than expected, a fact acknowledged by majority of both government officials and civil society actors. For instance, seven years after the declaration only three countries – Kenya, Uganda and Tanzania – have developed National Action Plans. Equally slow has been the evolution of EAANSA, the civil society company to RECSA. EAANSA is almost completing the process of defining its nature, character and functions. Only one of its chapters, the Kenya Action Network on Small Arms (KANSA), has a comprehensive strategic plan of action whose implementation is yet to begin.

Nevertheless, there is need to appreciate that the momentum seems to be picking up. Of the nine countries visited it was noted that four have full time Coordinators of National Focal Points (NFPs), namely, Uganda, Tanzania, Kenya and Congo. According to the Executive Secretary of RECSA negotiations are under way to have all the twelve signatories appoint full time Coordinators of the NFPs. As the name suggest, Focal Points are the heart of the

\[21\] See a complete list of all interviewees in the appendix
implementation of the Nairobi Declaration and such appointments would considerably accelerate the implementation.

At the same time EAANSA is making significant steps towards its institutionalisation and development of strategic plans. Evidence suggests that being a civil society outfit with more fluidity than government bureaucracy, EAANSA should have moved much faster. However, there are some clear ideological and practical obstacles that need to be considered in order to appreciate EAANSA’s momentum in historical context.

It is clear that the continent does not have many positive examples where Declarations and Protocols were signed and effectively implemented robustly and in a timely manner, particularly when governments have to work with civil society. Nevertheless, interventions can be accelerated if the visible “hardware” and invisible “software” approaches can be harmonized. For now, it appears the interventions are tilting towards more hardware approaches than software. For example, while most State Parties have done considerable work in disarmament, collection and destruction of guns fewer steps have been taken in addressing the question of the “politics” of why people and communities elect to arm themselves in the first place. And, more importantly, as many interviewees posed, when you take away the guns, what do you replace it with? Madjior Solness Dingamadji\textsuperscript{22} of the World Bank in Burundi spoke of the need to ensure that approaches to disarmament be more creative and address the needs of the people while Inspector Mwauzi\textsuperscript{23} of Tanzania National Focal Point emphasized the need to disarm using education rather than force.

The need to harmonize hardware and software approaches is urgent, if only to validate the community based interventions that preceded the formation of RECSA. It is undeniable that long before State Parties formalized their approach to address the problem of small arms in the sub-region, there were multiple organic and community based “non-governmental” interventions. The question is whether current interventions have validated, learnt and built from that history. For example, we need to draw solid lessons from the work of community based small arms interventions led by Rukia Subow (now Chairperson of the Maendeleo Ya

\textsuperscript{22} Interview, Bujumbura February 2007
\textsuperscript{23} Interview, Dar es Salaam March 2007
Wanawake) in Garissa as well as the peace and security work that involved both government and civil society led by Dekha Ibrahim, Nuria Abdulahi and Abdisalan Abdi of the Wajir Peace and Development Committee in north-eastern Kenya.

Finally, it is clear from the study that current interventions are already challenging the traditional concept of security and going beyond the letter of the Nairobi Declaration and Nairobi Protocol. As Kai Brand-Jacobsen and Carl Jacobsen note “wars and security threats occur because we lack the creativity and imagination to think of alternatives, and the understanding and wisdom to transform the underlying structures of conflict through a creative and constructive process.”24 This study shows that RECSA, NFPs, EAANSA and their partners are equal to the task.

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3.0 Theoretical Perspectives, Patterns and Trends

To critically appreciate the pace and unfolding relationship between State and civil society cooperation in the context of SALW interventions, it is necessary to highlight some lessons from the recent historical relationship between the two institutions. This is important since it was evident from the interviews that if this historical relationship is not appreciated, the tendency would be to expend valuable energy in blame games rather than be bold enough to break new grounds of cooperation.

Perhaps there is need to begin by acknowledging that the State and civil society in Africa have largely retained a problematic relationship. The mutual hostility is perhaps best expressed when it comes to cooperation in the sensitive area of small arms and security. It is unmistakable that some of the challenges both organisations are facing are rooted in the historical character of both institutions and the changing global political and economic architecture. In a subtle way, these factors may impede quality relationships if not encountered in a creative and conflict sensitive approach.

The State’s “undisputable” role in providing security is well underlined by Tom Mshindi in his preface to Private Security in Kenya. Arguing that the State should remain the primary referent of security, the authors of the provocative study affirm that:

Arguments for governments to remain the primary referent of security should not mean maintaining the State as the sole or unitary referent of security. Rather it means that the security of the State, in particular a State that is weak, should continue to remain primary [...] although the conceptualization of security must make the security of the people its end, the State, as means, cannot be dislodged as the primary referent. (emphasis added)  

Therefore, while the ambition of EAANSA is not to dislodge the State as the “primary referent” of security, in the context of fragile and insecure States, how would EAANSA negotiate a redefinition of security – in theory and in practice – so that it can rightfully and effectively function in a sensitive area such as small arms and light weapons?

Foremost, Max Weber’s notion that the State possesses the monopoly of the legitimate use of force is borne by experience in the sub region. In *Beyond the State*, John Hoffman is persuasive that violence is central to the nature of the State. In other words, by its very nature and structure, the State is an instrument of structural violence. The violent character of the State is most manifest in States that are weak, fragile and struggling to gain legitimacy. Pursued to their logical end, these assumptions demonstrate that States would, as a matter of course, bear weapons and seek to control anyone else owning arms. As such, undertaking a discourse on arms touches the nerve centre of the State.

The problematic relationship is perhaps inadvertently captured in the texts of the Nairobi Declaration and Nairobi Protocol. Though appearing innocuous, part of the challenge emerges from the manner this relationship is envisioned in the texts. While appreciating the brevity and legalese in which such protocols are crafted, the Nairobi Declaration mentions “civil society” directly twice under items (iii) and (v) and, in both cases, speaks in rather general terms about State “cooperation” with, and “participation” by, civil society. Even the subsequent “action documents” like the *Coordinated Agenda for Action on the Problem of the Proliferation of Small Arms and Light Weapons in the Great Lakes Region and Horn of Africa* of November 2000 declares that States will “encourage the effective utilization of the expertise available from civil society and the international bodies to address the problem of small arms and light weapons in *all its aspects*” (italics added).

The legally binding Nairobi Protocol mentions civil society directly only once under article 2, part (c). Even in this context, it enjoins State Parties to “*promote and facilitate* information sharing and cooperation...” (italics added)” with civil society, amongst others. 

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28 Read side by side with the *African Charter for Popular Participation in Development and Transformation*, adopted by the Organization of African Unity (OAU now AU) in August 1990, these formal texts suggests a mark-timing
In light of recent developments in civil society and government relations in the last decade, one would have expected a more specific and robust language in both the Nairobi Declaration and the Coordinated Agenda, given the fact that civil society organisations and community based organisations initiated “software” approaches to address the proliferation of small arms long before RECSA.29

Perhaps one could dismiss this concern as a matter of sheer semantics. Yet, on the admission of the Executive Director of EAANSA, Richard Mugisha, the organization undertook “prolonged” reflection from 2001 before EAANSA was eventually formed in 2003. It took fours years after signing of the Nairobi Protocol, that the ministerial council of 2004 approved an annual dialogue forum between civil society and National Focal Points. Part of the prolonged reflection and slow pace was a consequence of the lack of clarity on the basic what, how, when, and where could civil society engage with governments in a formal arrangement on this sensitive matter. National Focal Points Coordinators, says Peter McOmalla30 of the Tanzania chapter of EAANSA, were not open and sure how to involve or work with civil society organisations. In his view, this is improving and needs to be enhanced.

This lack of clarity seems to permeate even creative community based interventions like the Community Policing Program in Kenya. Phillip Ochieng31 of PeaceNeT notes that in his
experience, community members wonder whether their only role in community policing is serving as “informers” for the police, which can be a risky role. In the same way, civil society actors seem unsure on the quality of their “participation” in NFP and NFPs are still attempting to define when and how to “encourage” civil society participation.

It is also instructive that to date, only the Kenya chapter of EAANSA has developed a comprehensive Strategic Plan and Policy Paper. In such a serious matter, leaving critical actions to the interpretation and imagination of NFPs and civil society could only slow down action. After seven years, one would have expected that NFPs and civil society would have developed clear terms of reference to inspire their collaboration and guide their work.

Whereas strides have been made in strengthening State and civil society cooperation, it is evident that the relationship needs finer definition of where agendas converge and diverge. For instance, a critical issue that many civil society actors are concerned about, and which calls for urgent reflection, is whether civil society and government departments are cooperating as equal partners – recognizing the power and resources that each brings – or their cooperation is based on the terms, depth and pace determined by the National Focal Points.

In an insightful article on the difficulties the Tanzanian parliament was experiencing in exercising oversight over security issues, Mwasiga Baregu notes that “[t]raditionally there is no area of public policy that is more sensitive than national security. It is one area that all States have shrouded in secrecy and whose instruments range from the overt to the covert and subversive. It is also an area where public debate is conventionally restricted […]” 32 Baregu proceeds to assert that defence is a key area of public policy in light of the comparative expenditures from the national budgets and “in finding a balance between military security of the territory/state and the socio-economic security of the citizens.” He suggests that in order for parliament to effectively retain oversight it needs “all the information it may require.” 33

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By the same token, are civil society actors, parliaments and other stakeholders receiving “all the information they may require” from the State Parties (and directly from NFPs) to fully complement government? Are the instances the norm rather than the exception, that lack of timely information has actually stifled joint interventions or community based interventions led by civil society?\(^{34}\)

Further, Baregu makes the important point that the relationship between political leaders and their military and security organs tends to be rather informal and is heavily influenced by the political cultures of each country. In situations where key decisions are taken in informal fashion, it becomes difficult for other stakeholders – including parliaments, civil society and funding partners – to discern their role and scope in interventions.

The question of how States and civil society interact is not a recent one. In his seminal *Citizen and Subject*, the Ugandan political scientist Mahmood Mamdani suggests “only through a historically anchored query is it possible to problematize the notion of civil society, thereby approach it more analytically rather than programmatically.”\(^{35}\) Mamdani concludes that in the colonial state, civil society in formation languished in a juridical limbo. The situation has not fundamentally changed even in the context of the Nairobi Declaration and Nairobi Protocol as, to a large degree, the EAANSA regional secretariat and country chapters find themselves in various shades of a “juridical limbo.”

\(^{34}\) An example offered where after working jointly with civil society, the government implemented a plan of disarmament in northern Kenya without informing the civil society organizations that had jointly worked with them in small arms interventions. The perceptions created in the minds of the community thereafter were that of suspicion and mistrust of both government agencies and the civil society.

\(^{35}\) In this spirit, Mamdani argues that civil society in most of Africa was a creation of the colonial state whereby while civil society in the colony was racialised on the one hand and Native Authority was tribalised on the other hand. As a result, “[b]etween the rights bearing colons and the subject peasantry was a third group: urban based natives, mainly middle – and working – class persons, who were exempt from the lash of customary law but not from the modern, racially discriminatory racial legislation.” During the anti-colonial struggle, Mamdani talks of an expansion of civil society as the emerging native middle class struggled to enter civil society. Put differently, the anti-colonial struggle resulted in the creation of an indigenous civil society. However, Mamdani demonstrates that while political independence tended to deracialise the State, the civil society was slower to deracialise. In fact, after political independence, “[r]acial privilege not only receded into civil society, but defended itself in the language of civil rights, of individual rights and institutional autonomy.” Following political independence, Mamdani argues that through State nationalism, the continent witnessed the collapse of the emerging civil society. With nationalistic rhetoric, the State was able to demobilize civil society-based social movements while political movements were Statized.
In the last two decades with new struggles and a changing global political and economic architecture, most of Africa has witnessed a re-emergence of a strong and robust civil society. However, in majority of the cases, the traditional suspicion and animosity is extant and some of it is evident in the current relationship between government and civil society cooperation on the question of small arms. For instance, whereas many Focal Point Coordinators and civil society actors spoke of good collaboration, there existed an unspoken sense where the legitimacy of civil society to participate in the decision making of the National Focal Points was rather vague or even contested. In Tanzania for instance, the National Focal Point has for unknown reasons excluded the coordinating civil society in its meetings. In Sudan, civil society is not part of the NFP committee on grounds that security is too sensitive. Even where civil society organisations have been involved there rears a sense of the need for clarity of scope and roles.

When frictions or divergent ambitions surface, one of the unspoken – yet potent – charge against civil society is well articulated by Françoise Nduwimana in her booklet *African Civil Society: Prospects of Raising Awareness on Priority Issues*. She is emphatic that

> [d]espite the fact that they increasingly acknowledge the contribution of civil society, governments paradoxically do not hesitate to contest the legitimacy of players that claim this role, arguing that they have no representative basis because they have not been elected. The question that needs to be raised is whether or not it is acceptable that the legitimacy of civil society is recognized solely when it occupies a terrain vacated by the State and contested when it questions the actions of government.\(^{36}\)

A good example of the fragility of this relationship is well demonstrated in Ethiopia. On the admission of both the Focal Point Coordinator and civil society actors, both have not met, or entertained any dialogue, since an apparent fall out following civil society post-election advocacy activities in November 2006. In any relationship, human or institutional, some degree of dispute or conflict is expected and even natural. The challenge that both governments and civil society have to confront is how such disputes and conflicts can be resolved more constructively when they occur.

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The problem is compounded by the perception by State actors that the ultimate goal of civil society is to usurp the principal roles of government. This is a delicate issue particularly when it comes to the problem of security in an environment where the doctrine of State sovereignty is religiously upheld. It is clear that both donor organizations and civil society actors have historically failed to appreciate the potential friction a steady and tremendous increase in civil society funding in the past two decades had in the perception of government and community-based constituency.

In some cases, civil society organizations painted the image of not being accountable to their own governments and community-based constituency but to their funding partners.37 This suspicion was better expressed in off the record conversations than in the formal interviews. Could roles, interests and agendas be discussed more openly including the funding partners? Augusta Muchai of the Institute of Security Studies called for greater “sincerity” by all stakeholders. The annual dialogue round tables proposed in the Coordinated Agenda offers possibility for this.

The EAANSA membership has not been immune to civil society organizations that lend themselves to such suspicion. Not only is internal jostling, posturing and sheer competition38 evident in some chapters but, above all, a considerable number of civil society organizations have not adhered to basic and fundamental tenets of transparency that they zealously demand of government. One civil society actor, who requested not to be named – which, by itself, suggests the depth of the problem – spoke of peer organizations that simply lacked vision and leadership, attempted to domesticate the national chapter, and simply antagonized other organizations. Three EAANSA board members (out of seven) of EAANSA acknowledged the need to strengthen transparency, accountability and teamwork pointing to the structural challenge. This acknowledgement is by itself a positive step.

37 Rotimi Sankore, “What are the NGOs Doing?” New African (August/September 2005, No. 443. 13. In some cases, civil society organizations painted the image of not being accountable to their own governments and community-based constituency but their funding partners only. Let us draw an example from Nigeria relevant to this discussion. In July 2005, after granting Nigeria debt relief, it was announced that a committee would be set up to “monitor” the manner the debt relief was used. In an unparalleled move, “it was decided” that Oxfam and Action Aid would be part of the committee to be chaired by President Olusegun Obasanjo. Writer Rotimi Sankore is curious that “this step from advocacy and campaigning to execution of policy, even if in an “advisory” capacity, is unprecedented.” Therefore he asks: “does this herald a new phase of intervention in which unelected international NGOs will begin to participate in the running of African countries?

38 This is acknowledged in the Policy Paper of the Kenya Action Network on Small Arms (KANSA)
The challenge of internal conflict resolution is therefore not limited to State-civil society relations may be more urgent internally amongst civil society organizations. Both RECSA and EAANSA could work together to develop policies and frameworks of enhancing dialogue and entrenching constructive dispute resolution within the broader implementation plan.

Some of the challenges on collaboration between States and civil society have been more practical. Charles Mwaura of the Africa Union’s Conflict Management Desk (who was also involved in the discussions leading to the conceiving of the Nairobi Declaration) and Madjior Solness Dingamadjii of the World Bank in Burundi (a former senior officer in the Chad military) wondered whether the transfer of the National Focal Point Offices from the ministries of foreign affairs to those of interior or security may have slowed down the implementation and relationship with civil society. Is it not possible that the department of Police, under which NFPs are based are driven more by a exclusive “law enforcement” ideology rather than a more open, inclusive and participative approach to SALW? In Burundi for example, the NFP is called the National Committee for Disarmament, suggesting the tone and focus of its programs. To date, it is only the Democratic Republic of Congo that has retained its National Focal Point office under the ministry of foreign affairs. The rest of the NFPs are either directly under Police departments or led by senior members of Police. Being one of the most conservative State apparatus, it will require greater open mindedness in their leadership for NFP to critical engage with civil society. Perhaps it may be worth researching what the implications and effects of this have been in the last seven years. Even though it was slower in implementation, Mwaura believes the ministry of foreign affairs provided more open spaces for engagement and dialogue.

To a large degree the cooperation between the State and civil society on the question of small arms can be termed “unprecedented” for it involves an intervention that has been viewed for a long time as a preserve of the State. It also calls for the joint efforts of many actors operating in various fields. The current relationship, though encouraging, still calls for a more vigorous debate and reflection so that all partners and stakeholders can build on the existing level of trust to clarify interests, goals and agendas given the reality that small arms
proliferation involves dealing with sensitive information concerning formal and informal
governments.

The need for greater clarity notwithstanding, all the interviewees expressed a deep
understanding of the nature and extends of the problem and the need for the State, civil
society actors to work together. In this regard, this study notes three fundamental trends that
portend scenarios that call for urgent State and civil society intervention. These are small
arms and ammunition, uniform movement and militarism. These critical issues have either
been missing or offered scant attention in the literature surveyed as well as during the
interviews. These issues also point to the need to harmonise “hardware” and “software”
approaches.

3.1 Small Arms and Ammunition

Of the over fifty interviews carried out in this study, the question of ammunition only came
up in the last interview held with select civil society actors in Kinshasa on 14 March 2007.
Perhaps it was symbolic of the nature of the task. This was the eve of the deadline for
opposition leader in Democratic Republic of Congo, Jean Pierre Bemba’s armed group to
surrender as well as the eve of the 7th anniversary of the signing of the Nairobi Declaration.
“Is it not a contradiction” Fabien Mbayo and Phillipe Muaza posed “that we want to control
guns when we cannot even control the flow of bullets that are manufactured by our own
members States? Given what happened in Kinshasa a week later, this cannot remain an
academic issue.

Effectively confronting a serious problem like small arms calls for peer advocacy amongst
States on the question of ammunition. Inter-chapter collaboration and joint action needs to
be accentuated on this question. The first task is for Kenya and Tanzania – the main bullet
manufactures in the region – to demonstrate that the bullets they manufacture internally are
not actually promoting the supply and use of small arms in the region. The reality, as, Steve
Wright notes is that the “logic underpinning the arms trade inherently holds a piece of the
puzzle. The distinction between licit and illicit trade is far from clear-cut.” With colonial laws still in place in most of the sub-region and weak national regulations, is it not possible for illegitimate small arms and ammunition to find their way across territorial borders? In any case, the protocols do not offer any means and ways that peer States and civil society can sanction errant States Parties or those that default.

There are those who may argue that talking of small arms presumes the existence of bullets and other minute lethal projectiles. Lack of clarity on such seemingly small issues is part of the challenge in the crisis of implementation of the Nairobi Declaration and Nairobi Protocol. For instance, guns have a relatively long life span. Worse still, there is now an emergence of home-made guns. Hypothetically, therefore, even if the trafficking of small arms was halted today, death and suffering will still continue for a considerably long time as the bullets would still be available!

In retrospect, one must question why State Parties assert in the preamble that they are “aware” of the problem of ammunition but fail to be specific with regard to the issue in the objectives of the protocol? Before we demand accountability from States that supply weapons into the sub-region, we need to demonstrate rigorous accountability on the more lethal accompaniment of the small arms. Is this not a ripe subject that RECSA needs to debate with civil society for possible amendment of the Nairobi Protocol?

3.2 Uniform Movement

Whereas the Nairobi Protocol brings together twelve countries in the East, Horn and Great Lakes regions, only three have so far developed National Action Plans. We need to at once commend and question why Kenya, Uganda and Tanzania have moved much faster than other countries. One of the reasons advanced is the lingering “language factor.” Being English speaking, the predominant language of the protocols and funding partners, the three States potentially had a better argument power in funding negotiations. The second reason is more geographical: that RECSA is located in Nairobi which is more accessible to the East African countries and many other similar international organizations located in Nairobi.

39 Cited in Françoise Nduwimana, *African Civil Society*, 11
Third, the East African nations have experienced relative stability in the past decade and therefore could quickly mobilize human and material resources both in government and civil society for the small arms project. Fourth, it is quite possible that funding partners were anxious to work with countries, which have a “head start” in order to provide examples of “best practice” and justify investing on small arms programs.

While East Africa has indeed offered good examples, the problem with small arms and light weapons is that the physical borders in the sub-region are porous. No one country in the sub-region can claim it can fully police its borders. More importantly, arms brokers easily traverse the sub-region. When legislation or regulations become stricter in one territory, arms brokers easily find bases in other places in the sub-region. The peoples living on the borders are in most cases one people sharing language and culture. Any change in small arms intervention like disarmament in one territory engenders almost an opposite reaction in a neighboring territory. In other words, tackling the problem requires calls for a virtual uniform movement with policy and practical issues by States as well also civil society interventions. The “best practice” for interventions must take into account both the regional movement as well as the country-specific steps taken. Madjior Solness Dingamadji of the World Bank in Burundi reiterated the need to launch programs, legislation and regulations at the same time in all countries. It is in the interest of all States that all NFPs and EAANSA chapters are virtually on the same page in the implementation of critical programs. This would include the Islands like Seychelles, which do not feature prominently but because they are islands, serve as strategic trafficking routes for small arms.40

One solid way is for States to address the issue of the relatively high turn over of staff at the National Focal Points. As well, it cannot be over-emphasized that all Focal Points need full time staff dedicated to small arms issue. The building of trust and confidence, which requires time and patience, can be accelerated when this happens. For example, Rwanda has had seven coordinators in seven years! As well, Focal Point Coordinators who are already burdened with other police work and have little basic resources find it difficult to build relationships and programs that would speed up implementation.

40 Interview with Michael Padayachy, Seychelles Action Group for Small Arms, Kigali, March 2007
Whereas political will is evident, we must insist that this needs to be followed by political action so that all Focal Points can move in virtually the same rhythm. Another benefit is that this would make it possible, as Hannah Stogdon an analyst with the International Crisis Group insisted on a regional strategy by governments and civil society.

3.3 Culture of Militarism

The availability of small arms, ammunition and light weapons has resulted in a disturbing culture of militarism. The World Council of Churches defined militarism as “the result of a process whereby military values, ideology and patterns of behaviour achieve a dominating influence over the political, social, economic and foreign affairs of the State.” When examining the external face of the armed forces and security agents as well as the internal rhetoric on governance and peace, the permeating ideology of violence and domination that has now extended to social life, is noticed. In the sub-region, the politics are substantially a product of the marriage between patriarchy and militarism. In a study on women’s peacebuilding efforts in Sudan, Congo (Kinshasa) and Uganda, the International Crisis Group notes that gun ownership in Southern Sudan is tied to images of masculinity. Capitoline Ngezahayo of the Burundi Action Network on Small Arms (BUANSA) noted that women look at life and power differently from men and as such, men find it easier to maim or kill. Of course, women have been involved in gun violence either directly or by way of encouraging men, but it is not an exaggeration that the face of violence is predominantly masculine. The same could be said to such images even where armed war has not been experienced. There is emerging a growing feature of criminal violence in Kenya where adolescent boys feel that the use of a gun defines their identity and power as the male of the species. While appreciating the steps taken by RECSA in incorporating gender issues in its interventions, there is still an urgent need for a gender analysis on the question of small arms in the sub-region.

41 Cited in Yash Tandon, Militarism and Peace Education in Africa (Nairobi: AALAE, 1989)
42 Johan Galtung has undertaken a thorough study of violence and how it’s connected to patriarchal structures and ideologies. He asserts that 95% of the more common direct violence is committed by boys and men between 12 and 60 years old. This direct violence is linked to structural and cultural violence. See Johan Galtung Peace by Peaceful Means: Peace and Conflict, Development and Civilization. (London: Sage, 1996)
This research indicates that the former is more prevailing in the sub-region. Particularly within the Great Lakes and Horn of Africa a culture of militarism – where political, social and economic needs and interests are pursued foremost by force – has become the norm. Again, Madjior Solness Dingamaji expressed concern that there was a growing belief in the continent that the only way to get political power was through the gun hence the need to always bear in mind the link between small arms, governance and the economy.

Again, in the sub-region, there has been little contact between the parliament and civil society on the one hand and parliament and military on the other. Yet, the relationship between civilian authorities and the military, even where the political leadership did not emerge from the barracks, determines much of social and economic life.

For civil society organizations the concern is not limited to illegal arms being trafficked and used. Their concern extends to those arms and bullets in the hands of legitimate government agencies, which are used in suppression or in extra judicial killings. This is an area that calls for greater dialogue.

A deeper effect of militarism was outlined by Charles Mwaura and Rukia Subow whose experiences show the near death of indigenous conflict resolution methods. With a growing belief that the only way to resolve conflict is through violence, cherished and holistic traditions of life and constructive ways of resolve conflicts amongst the various age sets have been destroyed. In some way, when these traditions and cultures wither then small arms are not only destroying our past but also killing our future.

Since these issues can sometimes be lost to government agencies, RECSA, as a creature of the States needs to strengthen partnership with society particularly on the non-technical aspects of the problem of SALW and which the civil society has the culture of research and advocacy to implement. As the countries harmonise National Action Plans, there is an opportunity for these issues to become part of the next steps.
4.0 Summary Assessment of Key Benchmarks

Having reviewed the critical historical issues that hinder quality State and civil society relationship, the following is a summary of the Status of the functioning of nine National Focal Points that we visited and interviewed. A substantial part of this update is drawn from Isaie Bagabo’s report titled “Regional Case Study Towards Implementation of National Plans of Action: Successes, Constrains and Lessons Learned” presented at the workshop on Engaging Civil Society Participation in Fighting Against the Illicit Proliferation of Small Arms and Light Weapons in Rwanda held Kigali, November 2003.

4.1 Uganda

The Uganda National Focal Point became fully operational in March 2003 and has an office at the Immigration Department in Kampala, Uganda. The NFP is coordinated by a full time Coordinator, Richard Nabudere, a commissioner of Police.

The membership of the NFP include: Office of the President; Ministries of Internal Affairs; Defense; Foreign Affairs; Justice and Constitutional Affairs; Finance and Economic Planning; Education and Sports; Gender and Development; Trade, Industry and Tourism; Office of the Prime Minister; Uganda Revenue Authority. Four civil society organizations are members of the NFP, namely, Uganda Joint Christian Council, People With Disabilities; Center for Conflict Resolution and Oxfam.

Uganda has developed a National Plan that was launched in September 2006. The pace of the implementation of the Plan is commendable. Besides the collection and destruction of weapons, a mapping exercise to determine the extent and magnitude already completed. A process of crafting a national policy on SALW is also in progress.

Both the NFP and civil society have undertaken awareness raising activities. Indeed, according to Canon Joyce Nima and Stephen Kisembo, UANSA plans to create elaborate
structures and “action networks” on SALW in all strata of society. The vision is to have strong peace and security structures at the grassroots level.

Both the NFP face the challenge of lack of material resources. Uganda is also emerging from decades of war in the north and there are SALW available all over the country. The presence of armed groups and militarized communities inside and along its borders is also an enduring challenge.

The NFP and civil society retain good communication and collaboration. However, the NFP Coordinator feels that the role of civil society could be strengthened if UANSA was registered formally and its agendas and plans clearly formulated and coordinated and sustainable as this is necessary when engaging with government organs.

4.2 Rwanda

The Rwanda National Focal Point became fully operational in March 2003 with an office at Police Headquarters, Kigali. The NFP comprises the following ministries: Defense; Foreign Affairs and Cooperation; Internal Affairs; Justice and Institutional Relations. Other institutions include, Rwanda Revenue Authority, Customs and three representatives of civil society, SaferRwanda, Collectif des Ligues et Association de Defense des Droits de l'Homme (CLADHO); and Conseil de Concertation de Organisation d'Appui aux Initiatives de Base (CCOAIB).

Though Rwanda is still in the process of developing a National Action Plan, it has undertaken various activities include collection and destruction of arms, awareness raising with civil society and plans to create task forces of small arms at the sector level.

The NFP and civil society retain a good relationship. For the Coordinator, Eric Kayiranga this could be enhanced if there was greater clarity on the role, scope and level of capacity of all the civil society actors. It is my observation that the high turn over of staff at the NFP – seven Coordinators in seven years – has also resulted in a slow nurturing of the relationships between the NFP and civil society.
Like other Focal Points, Rwanda requires more human and financial resources. Given the volumes of SALW in the Great Lakes, the Coordinator needs to be relieved of other police duties while the office structure needs to be strengthened with at least two fully salaried assistants to the Coordinator.

A private member’s bill, seeking to review and harmonise legislation on SALW, coordinated by Hon. Sam Kaka Kanymera, a member of Amani Parliamentary Forum, is at an advanced stage of debate and adoption by the Rwanda Parliament.

**4.3 Burundi**

The Burundi National Focal Point (known as the National Commission on Disarmament) became operational in February 2003. Burundi has developed a national strategy on SALW, which is a critical component in the process of developing a National Action Plan. Some of the key activities undertaken by the NFP include: sensitizing the population on SALW; capacity building training programs for government and civil society; the process of creation in technical committees in provinces and communes.

There are over forty organizations civil society organizations involved in SALW or security work. The most active ones that engage with the NFP are Ligue Iteka, Compagnie des Apotres de la Paix, CNEB (Council of Churches of Burundi), Bangue Dialogue, Amani Forum and Association de Lutte contre le Torture des Prisonniers.

Burundi faces critical challenges, as the peace process is still fragile. It is still difficult to undertake disarmament programs and development work effectively. In addition, the relationship between government and civil society has been tense during the transitional period. More that any other country, Burundi needs a full time Coordinator and a well-resourced office to carry out the implementation of the Declaration and Protocol. A first step would be relieving Coordinator Sylvestre Kabeceri off other police duties.
4.4 Ethiopia

The Ethiopia National Focal Point, coordinated by Yemane Gessesew, began functioning in September 2004. Housed at Police Headquarters in Addis Ababa, the office is still not “structurally functional” according to the Coordinator as the NFP is still in the embryonic stage of formation.

The most active civil society organizations in initiating and engaging in the SALW project on the side of civil society were the Relief and Development Organization (RADO), Kale Hiwot Church and Safeworld. At an individual capacity (and as Regional Coordinator at the time for the latter) Bizuwork Ketete has been supportive of the work of the NFP. Many consultative meetings were conducted within this group with very close collaboration with Yemane on the Government side. With the help of this group also a national consultation was held where several recommendations were made but with apparently little follow up. However, after post-election related political disturbances in November 2005, there has been little, if at all, contact between the NFP and these civil society organizations.

To accelerate the implementation of the solemn documents, the NFP needs a full time Coordinator (discussions are at an advanced stage with the Deputy Commander of the Federal Police for this appointment) which can then lead to clarity on the terms, scope and composition of the NFP as recommended by earlier NFP and civil society consultations.

4.5 Djibouti

Coordinated by Omar Hassan of the Police officer in charge of Public Security of Djibouti Police, the NFP began functioning in January 2004. The NFP comprises representatives from the military, police, customs and immigration and two civil society organizations.

The key activities undertaken by the NFP include collection and destruction of arms following the disarming of the armed movement FRUD, public awareness in collaboration with civil society and hosting of RECSA meeting.
The NFP is in the process of undertaking consultations with a view to develop a National Action Plans. The NFP has a good relationship with civil society and with RECSA.

4.6 Kenya

Under the ministry of Provincial Administration and Internal Security, the Kenya National Focal Point became operational in March 2003. It has a full time Coordinator based at the Kenyatta International Conference Center in the capital, Nairobi. The NFP comprises the following ministries: Foreign Affairs; Trade and Industry; Environment; Tourism; Information. Other institutions are Intelligence Service; Attorney General’s office; Police; Customs, Military and civil society organizations.

KANSA is represented at the NFP by five organizations: Security Research and Information Center, Africa Peace Forum, Kenya Coalition Against Landmines, Norwegian Church Aid (Kenya), the National Council of Churches of Kenya and Supreme Council of Kenyan Muslims. Other active organizations are Oxfam and United Nations Development Program. The NFP works very closely with civil society particularly in research and awareness raising.

Kenya has developed a National Action Plan that was launched in July 2006. According to the Coordinator, Peter Eregae, the NFP “began implementing the National Action Plan even before it was fully developed on paper.” The NFP has undertaken massive arms destruction at the capital. Plans are underway to have the destruction undertaken in the districts where they are collected. The process of adopting a national SALW policy is also at an advanced stage.

KANSA has 13 registered members and a number of other civil society (including community based organizations) that work on small arms issues. While other countries work towards strengthening civil society participation, Kenya may be facing the challenge of a “proliferation” of civil society actors in SALW in urban areas. This can result in lack of clarity on who is doing what as agendas conflict and stifle civil society programs according to Camlus Omogo and Augusta Muchai. Greater coordination is therefore an urgent task.
4.7 Tanzania

The National Focal Point became operational in April 2002. Based at Police headquarters in Dar es Salaam, the NFP has the highest number of staff dedicated to SALW with four inspectors and five police officers. The implementation architecture of the National Action Plan comprises:

- The national defense and security committees
- The National Focal Point on Firearms and ammunition, which also serves the link to regional bodies, Southern Africa Development Committee and East African Community as well as district-level institutions.
- Provincial Focal Point agencies which work under the direction of the NFP
- National Committee on Arms Management and Disarmament working in parallel with the NFP, which is the planning, coordinating, fundraising and monitoring body of the National Action Plan.

The National Action Plan envisions the involvement of civil society at all stages of implementation to the community level. The coordinating civil society at the NFP is the Center for Peace and Economic Development (CEPEDE). Others representative are the Tanzania Maritime Foundation and the Human Rights Education and Peace International (HUREPI). The Tanzania Action Network on Small Arms (TANANSA) has a liaison office in Arusha, northern Tanzania, coordinated by HUREPI.

Tanzania has undertaken a survey of small arms in Tanzania, disarmament and destruction of arms, created a database of small arms and awareness raising utilizing the powerful and widely popular media of Kiswahili.

Whereas, Tanzania has made significant steps, there is need to strengthen the participation of civil society at the NFP. Michael Madikenya of CEPEDE feels that they have not been fully involved as the coordinating organization in the decisions and activities of the NFP.

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43 See “The National NGO Conference on the Tanzanian National Action Plan to Combat and Eradicate the Proliferation of Small Arms and Light Weapons”, 2
4.8 Democratic Republic of Congo

Housed at the Ministry of Foreign Affairs, the National Focal Point became operational in October 2004. It is the only NFP coordinated by the Ministry of Foreign Affairs as the rest are either under various versions of ministries of “internal security” and specifically under the Police department. The NFP is led by four officers: a Coordinator from the Ministry of Foreign Affairs, Albert Simabatu; Deputy Coordinator from the ministry of National Defense; a Rapporteur from the Ministry of National Security and Public Order; and a Deputy Rapporteur from the Department of Immigration. Other member units and ministries include Home Affairs; Justice; National Investigation Department; Military Intelligence; Customs; National Police, Interpol and Inter-army headquarters.

The NFP involves civil society in its activities and programs. D.R Congo has over forty six civil society organizations involved in SALW work based all over the country. However the most active organizations are Groupe Amos and RODHECIC. The church has also been active in security and SALW issues.

Because of the war, the momentum of implementation of the Nairobi Declaration has been rather slow. D.R Congo also is geographically placed where there are a myriad people and organizations involved in small arms and its attendant factors like illegal mining. Again, due its size, it may be necessary to create Liaison offices of the NFP in other parts of the country, particularly the Eastern region. The NFP is in the process of developing its National Action Plan. However, in its provisional work plan it has done a commendable job in drafting and adoption of relevant legislation, voluntary disarmament, mapping and marking existing firearms and initiating rehabilitation for former combatants.

4.9 Sudan

The Khartoum based National Focal Point became operational in early 2004. Shortly thereafter discussions began for the creation of another NFP in Juba, South Sudan. Given the geographical size and the history of civil war, it is necessary that a more inclusive process
is undertaken in addressing SALW. Ferdinand Von Habsburg of UNDP believes that the Government of South Sudan is poised to take a more central role that would then include all parties and stakeholders to address the enormous problem of SALW.

To effectively address the problem, there is an urgent need to support indigenous civil society development in South Sudan. During the war, the church, specifically the New Sudan Council of Churches (NSCC) functioned as the only strong “non-governmental” actor. The level of awareness about the Declaration and Protocol is very low. There is also need for RECSA to advocate for the inclusion of civil society in the Khartoum based NFP.

**4.10 Observations**

The following issues were noted in majority of the Focal Points:

- There is need to improve communication and exchange between the NFPs as well as among NFPs, RECSA and the EAANSA Secretariat.

- While the informal relationships between NFPs and civil society are laudable given the circumstances and challenges, there is need for clarity on the level, scope and capacity for interventions.

- There is need to bolster capacity for interventions for EAANSA country chapters.

- Caritas Inarukundo of Amani Forum emphasized the need for all NFPs and EAANSA chapters need to involve members of Parliament in their discussions and work.

- Both NFPs and EAANSA chapters and EAANSA secretariat should consider working towards establishing independent offices for their initiatives. A level of

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44 Interview by Abeba Berhe, Nairobi March 2007
autonomy and independence from other regular duties is necessary to accelerate implementation.

- NFPs and EAANSA could collaboratively work towards mutual ways of evaluating the quality of their work.

- Because of a high staff turnover in some NFPs and civil society actors, it is critical that the organic and informal relationships be formalized as soon as possible so that there is stronger institutional memory even when staff change.

- RECSA should advocate for governments to provide basic instruments of communication and networking in an office.

- There is need for training on Best Practice Guidelines and Benchmarks. Some NFP Coordinators and EAANSA Coordinators were not aware of how the pace of implementation would be assessed.
5.0 An Assessment of EAANSA

In spirit, if not in substance, the Nairobi Declaration on Small Arms and Light Weapons (SALW) and the accompanying documents suggest the need for State parties and civil society interaction and cooperation in tackling the problem of small arms and light weapons in the sub-region. Concomitantly, the Eastern Africa Action Network on Small Arms (EAANSA) was formed in early 2003 following discussions that began in 2001. Modeled after the International Action Network on Small Arms (IANSA), EAANSA seeks to operate as a regional network with country chapters. The founders of EAANSA envisioned that it would function, as stated in its draft constitution, to “curbing the excessive build up and abuse of small arms and light weapons in the Great Lakes Region and the Horn of Africa.”

In order to both appreciate the challenges that EAANSA currently confronts, it necessary to return to Darcy Ashman’s article “Promoting Corporate Citizenship in the Global South: Towards a Model of Empowered Civil Society Collaboration with Business” where the author suggests that the effectiveness of networks can be evaluated on seven key characteristics namely, pre-existing social capital; strategic fit; donor relationship; leadership commitment; governance and management: mutual trust; and joint learning. Ashman notes that effective networks are:

- the basis of mutual trust created from a shared history; employ methodologies and goals that are of value to all members; manage their partnerships with donors, allowing donors to neither unilaterally set agendas nor shirk accountability; and have strong leadership both within the network and within its member organizations. Furthermore, effective networks are managed in ways in which control is shared and management coordinates activities so that all members are represented and have influence. Network members are connected to each other by ties of trust in both quality and carry through, and there is a commitment to learn together through the embrace of new experiences, activities, and partners.45

Being a network in its embryonic stage, EAANSA has made significant organic steps in the last four years and perhaps it is the appropriate time to draw lessons from similar networks as it faces, or prepares to face challenges of networking on small arms interventions. In this

45 Cited in Liebler and Ferri “NGO Networks” published on line.
quest, I shall attempt to apply some of Ashman’s criteria in assessing the nature, character and functions of EAANSA. But first I outline some general challenges the network faced.

The first key challenge is the prevailing civil society culture. Unlike other civil society networks, EAANSA’s tasks were fairly well defined right at its inception. In this respect, it was not a “net” looking for “work” but rather there was work that cried for a net. The complex and multi-dimensional nature of the problem demanded that civil society coalesce and solidarize in joint initiatives. Nevertheless, EAANSA was entering a rather crowded field with a substantial number of established local and international peace, development and even human security organizations especially in Uganda, Kenya, Tanzania and Rwanda. Again, EAANSA was attempting to function in a vast and diverse sub-region. The role, nature and functions of civil society organizations differed in the various socio-political contexts. Given that majority of these organizations and networks already receive funds from the same funders – and from which EAANSA sought support – EAANSA and its national chapters, confronted an immediate crisis of credibility, legitimacy and resources not just with government but also with peer organizations and potential funding partners.

The question that lingers is whether the EAANSA secretariat and all its national chapters have, in theory and practice, articulated the gaps that call for an additional network; harnessed the resources that exist internally and developed a structure that engenders participatory decision-making, transparency and a learning organizational culture.

Joseph Dube46 of the International Action Network on Small Arms (IANSA) was emphatic that in the formation of EAANSA more energy has been expended in “structure” issues rather than building more on articulating the “content” issues. Dube is categorical that when working with governments, particular demands are placed on clarity of content issues. The question is not whether the need for a regional network exists but, rather, whether the needs and gaps in content have been well branded and marketed in the complex and highly contested environment that is small arms intervention.

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46 Interview, March 2007, Kigali, Rwanda
The problem was compounded by the fact that the National Focal Points with which EAANSA was supposed to directly work with are only recently clearly articulating their terms of reference and National Action Plans. As well, as mentioned previously, governments have preferred to engage with civil society organizations that undertake “less political” work like relief, rehabilitation and development. The question of concern at the point is whether EAANSA has proactively responded to this challenge. Or, as Augusta Muchai of the Institute of Security Studies stated, can civil society seize opportunities to cooperate with government in critical issues without being co-opted or losing its watchdog role?47 Indeed, part of civil society’s hesitation to collaborate has been the fear of co-optation.

Evidence suggests that for the most part the EAANSA secretariat and majority of country chapters could have done more to enhance this relationship by shading the image that civil society is quick to blame government but slow to seize initiative. Songoro Kasisiku of the Civic Education Tanzania Trust (CETAT) was emphatic that civil society organizations, need to mobilize themselves into a recognizable force. The problem is that we have had centralized systems and we are used to following orders passed on from above. We should not wait for National Focal Points to invite us. We need to be more proactive so that we build a credible constituency that would ensure the NFP cannot ignore us. (italics added)

Kasisiku’s organization matches his words with actions. With limited financial resources, CETAT has undertaken action researches on security and small arms, which they have shared with the respective security organs of government. The Kenya Action Network for Small Arms (KANSA) has taken steps, however modest, to initiate actions that demonstrate the need for voluntary power in small arms intervention.

In light of their origins, nature and functions, governments and civil society organizations are structured in different, almost diametrically opposed, ways. On the one hand, we have a relatively permanent institution with a long and revered command structure steeped in a bureaucratic culture. On the other hand we have an issue based civil society, with a fluid and

47 Interview, Nairobi, March 2007
almost flamboyant organizational culture, and, above all, with programmatic calendars that hardly go beyond five years. Therefore, how should EAANSA structure itself to effectively function in this relationship given that States would naturally prefer to interface with organizations that are created in their own image and likeness? EAANSA needs to appreciate these different organizational structures as strengths since SALW require interventions that require immediate interventions – that need the fluid structure of civil society --- and others that need long term strategic intervention that call for negotiation with the slow bureaucracy of the state. Perhaps it is a matter of enhancing strategic thinking in light of resources in civil society at both regional and country level.

Lastly, the key challenge EAANSA faces in its evolution is the question of sustainability. The network’s secretariat and its country chapters rely heavily on external funding. Whereas the Uganda national chapter has created elaborate structures that are virtually rooted in the grassroots communities, more than half of the other member countries are struggling to find ways and means to structure and organize and function and, above all, mobilize even existing resources. When addressing a perennial problem such as small arms, there is need for an accompanying solid resource mobilization strategy, which seems to be absent at the moment. It is clear that more funding partners prefer to fund “issue based” program rather than those, which appear only to build bureaucracies. In other words, once the needs to be addressed are clear it becomes easier to mobilize resources for other administrative tools that an organization needs. Extra work will be required to mobilize resources internally – from such untapped areas as the Private Sector – as well as externally.

The following is an attempt to assess the status of EAANSA intervention using Ashman’s criteria of pre-existing social capital; strategic fit; donor relationship; leadership commitment; governance and management: mutual trust; and joint learning

5.1 Pre-existing social capital

From the interviews and attendance at the 4th Dialogue Forum in Kigali, Rwanda in March 2007, it is evident that EAANSA has social capital in abundance. The problem is that the social capital has not been sufficiently recognized and validated. That is why Michael
5.2 Strategic Fit

There is no doubt that there is need for a network such as EAANSA. However, it seems that a lot more work needs to be done to articulate how it strategically fits in the broader scheme of SALW interventions particularly at the regional level. There seems to be a gap in expectations from governments and stakeholders on how EAANSA needs to be structured and what its strategic role and scope should be. Fortunately, the lessons from what the country chapters are already doing provide a basis of enhancing what the needs to focus at country and regional level. In other words, what gaps should the network focus on to enhance coordination and implementation of programs in light of other interventions like IANSA and other stakeholders?

5.3 Donor Relationship

EAANSA is still under-resourced and needs to develop a comprehensive resource mobilization strategy, effective branding and enhance its relationship with funders. The advantage is that EAANSA was formed “from the ground up” and can therefore make a good case on what areas need resources in the short and long term. Regular transformative communication from the Secretariat and country chapters would help clarify the paths, challenges and successes that EAANSA and its chapters are going through.

5.4 Leadership and Commitment

This is one area that calls for urgent attention. It was the view of many interviewees that the leadership commitment at the Secretariat and Country chapters needs to be enhanced through formalization. While a lot of commendable work has taken place, it has relied on the
commitment of a few individuals. Even in cultures that privilege charismatic leadership, it is necessary to formalize the commitment.

There is an equal sense in which civil society organizations need to be more proactive in either initiating programs and inviting National Focal Points and lobbying for their space in the NFP committees.

5.5 Governance and Management

EAANSA is governed by a Board of Directors of seven people coming from seven countries. Of these three are women and four are men.

Under the Board, there are:

Finance Committee. Not working now but will evolve from the technical committee.

Awareness raising committee. which ensures adherence to activity schedule and awareness raising.

Membership and communication committee: which handles membership, discipline and communication.

Majority of the civil society actors interviewed held the view that the EAANSA secretariat was over-burdened with only one substantive staff. The level of communication was therefore slower than that expected of a network. The quantity and quality of information flow between the Secretariat and the national chapters; amongst national chapters; between the Secretariat and government organs and stakeholders is perceived as low. With a sensitive and an ever-changing issue like small arms, there is need for greater research and information flow.

The process of decision-making and implementation was not communicated timely. A visit to the Secretariat office in Kampala, Uganda, showed the need to support the organic process that Richard Mugisha has started by evolving a kind of Leadership Team that would
assist in the molding of the network particularly in areas of research, communication, resource mobilization.

EAANSA cannot effectively coordinate, advocate, monitor and evaluate – as outlined its draft constitution – with a weak skeletal staff at the Secretariat and country chapters

5.6 Mutual trust

The challenge with networks is that they tend to function on mutual trust. It is clear that level of trust amongst country chapters and between chapters and the Secretariat needs to be enhanced through more regular communication. Like Libler and Ferri point out, effective networks are made of organization and people who are prepared to “dare to share.” EAANSA would need to mobilize resources so that it can have more face-to-face interaction to built on the existing level of trust.

5.7 Joint learning

A positive trend within EAANSA chapters and Secretariat and NFPs is that the interviewees are very aware what the challenges are. The civil society actors interviewed have a deep appreciation of the different or even competing agendas, from the grassroots to the international level on the question of small arms proliferation What is required is a forum where such critical issues can be discussed and reflected on with openness, sincerity and creativity.

It is evident that the national chapters have elaborate networks and contacts amongst themselves. However, the question is whether this information can be collated in a way that can meaningfully serve the agenda of EAANSA. Therefore, a sense of smell also requires strengthening both at the Secretariat and country chapters. Again, this calls for enhancing the research capacity at the Secretariat and national chapters.
5.8 Other issues on EAANSA Structure, Approaches and Capacities

It is evident that the EAANSA secretariat and her country chapters have a clear sense of the vision of what they ought to do on the question of human security in general and small arms in particular. In some cases, the visions are rooted on personal experiences and direct contacts with the rural and urban communities. Captain (rtd) Songoro Kasisiku of the Civic Education Tanzania Trust (CETAT) epitomizes this sense of sight from personal experiences as a solider who served in the liberation struggles in southern Africa as well as being a direct victim of urban crime in Dar es Salaam. In his life and current work, Kasisiku captures the spirit of the many other civil society actors who clearly connect the question of small arms with other civil society programs that address issues of governance, development, gender equity, amongst others.

The reality of responding to a perennial problem such as small arms where civil society has to interface with the centralized bureaucracy of government departments and armed forces, suggests the need of some level of clear legal character both at the regional and country chapter levels. Moreover, when seeking to dialogue, support or even critique government on a sensitive issue such as small arms and light weapons, a non-uniformed and non-armed organization needs to have a clear legal definition, transparent membership and clear decision making structure, if only as a sign of good faith. Having talked of the evolution of the Regional Center for Small Arms (RECSA), Francis Sang’, the Executive Director of RECSA summed up the challenge:

I wish also that EAANSA can move forward and have a legal backing so that it can authoritatively administer obligations; it must have the structures and reporting mechanism such that when they associate with RECSA we see a credible organization with clear structures […] EAANSA needs those structures so that it can credibly and effectively partner with other stakeholders, including funding partners.

At the time of writing this report, the process of institutionalizing EAANSA, and specifically adopting its constitution is in progress. This process, which should result in internal stability, needs to be concluded with speed so that EAANSA can fully address the external needs and challenges.
The question of a clear structure is interwoven with the critical issues of membership. EAANSA was emerging in a crowded or perhaps even saturated field, where several NGOs and CSOs were already, or could easily adapt to doing, human security work. Some of the civil society organizations had elaborate networks linked to policy level actors and community based grassroots programs. Celsius Barahindika of BUANSA estimates that there are about 40 organizations working on small arms in Burundi. With the proliferation of civil society-led SALW interventions, EAANSA needs to clarify who ought to qualify as working on issues of security arms and security and how would such membership relate to the national network and the EAANSA secretariat? Perhaps a good place to start would be to examine the KANSA Policy Paper that defines what kind of Community Based Organizations (CBOs) KANSA will work with. This debate needs to be taken to another level that relates to civil society organizations and Faith based organizations. Phillip Ochieng’ of the Peace and Development Network (PeaceNeT) alluded to this dilemma when he posed:

I think there is a sense of overlap of responsibility and mandate. I get the feeling that KANSA (the Kenya chapter of EAANSA) would work well as a network within [the existing] PeaceNet. The Peace committees of PeaceNet are also involved in SALW work. The mandate is overlapping. It has been difficult to place KANSA. Should PeaceNet be a member of KANSA or the other way round? Should a network be a member of another network? This can be confusing to government, our own constituency and other stakeholders!48

Yoked with the institutionalizing EAANSA is which legal character would allow EAANSA both at regional level and country level to function optimally in the various contexts with a semblance of stability. Would registering as a company in Uganda – as it intends to do – stifle or enhance its initiative as Spider web network? How would registering as a company affect the structure and legal character in other countries with different legal requirements? How can the relationships between the Secretariat and country chapters be formalized? These are some of the critical questions the current Board of Directors needs to confront before registration is finalized.

48 Interview, Nairobi, March 2007
The problem of small arms easily traverses territorial borders. Some civil society organizations that are members of EAANSA have strong constituencies across borders. EAANSA needs to initiate and support more cross border programs like the cross border training amongst religious leaders in Uganda, Kenya and Sudan undertaken by the Uganda Action Network on Small Arms and the Uganda Joint Christian Councils in 2004. As well, EAANSA can advocate with National Focal Points to initiate such programs. Perhaps a good place to begin would be reviving the regional advocacy strategy drafted in Arusha, Tanzania, in 2004.

EAANSA has done a commendable job in ensuring that critical gender issues enter the discourse and decision making of National Focal Points and EAANSA programs. This needs to be strengthened as the problem of small arms is largely a product of a patriarchal ideology and even the current interventions derive from a largely patriarchal ideology. There is an urgent need to androginise the interventions and decision making on matters of small arms.

At almost serendipitous level, faith based organizations and religious institutions have taken leadership on matters of human security and small arms. Examples include the Kale Hiwot Church in Ethiopia and religious leader's initiatives in Uganda and South Sudan. EAANSA could validate, build and support such initiatives and other initiatives that are anchored in the grassroots.

While it is envisioned that EAANSA would monitor and evaluate the State parties’ compliance with the commitments on the Nairobi Protocol, it is equally proper that EAANSA strengthens in its own internal process of benchmarking and evaluating of “best practices.” One way would be to establish a Peer Review modeled along the lines of the NEPAD peer review. Such inter-chapter mutual review would entrench learning as a core pillar in EAANSA’s praxis.

Previous experience in working in networks is that they function well when there is a clear need that then brings together various organizations to focus on. In this regard, it is recommended that EAANSA pick a number of critical issues that it needs to focus on for a
certain period and build inter-chapter coalitions and advocacy programs around common issues.

EAANSA can work to constantly ensure small arms and light weapons are linked to other social and economic development issues. While the National Focal Points are inclined to focus on the more technical and national security dimensions of the problem, civil society organizations can ensure that the human face of the problem is kept alive and in the agenda of governments.

In most countries, the country chapters have remained more urban based. All chapters need to learn from the example of Uganda that is building networks in the rural communities and within existing structures in religious institutions and government.

The members of EAANSA bring a lot of talent and knowledge that has yet been audited and used. There is need for EAANSA to build a database of existing human resources already existing in its ranks and make greater use of it in its programs.

While the EAANSA secretariat has functioned well with minimal resources, there is need for greater physical space and basic communication facilities. For EAANSA to interface with such organs like Regional Center for Small Arms and serve as a resource for all country chapters, some investment needs to be channeled in physical expansion and basic communication facilities.
6.0 Conclusion, Possible Benchmarks and Recommendations for EAANSA

As mentioned previously this evaluation and assessment is first and foremost about learning. Recent research in evaluating social change interventions suggests the need to transcend the previous deficit approach that was bent in fault finding only. In this spirit, this chapter attempts to crystallize discussions on the previous chapters as we look towards suggesting benchmarks for the future.

Foremost, it is necessary to note that whereas a useful document titled *Guidelines for Best Practices* has been developed, this study shows that it is only in Kenya where both the Focal Point and Coordinator of civil society had attempted to use the Guidelines. It was also evident during the Kigali dialogue forum that this is an area that needs urgent training. It is recommended that NFPs and civil society need to develop mutual evaluation standards and methods.

To begin the discussion on benchmarking, we are reminded of the wisdom of the Zimbabwean political economist Lovemore Mbigi who asserted that part of the problem with Africa’s development is that the continent hardly benchmarks her own successes so that they themselves and others can learn from. Even though small arms action progress is guided by the benchmark developed in the Coordinated agenda, this paper strongly suggests that this discussion transcends those benchmarks as they may contrive the scope of the positive and negative steps that have been taken. It is in this spirit that this report highlights some of the NFP and civil society-led interventions, that have taken place in spite of, or perhaps even because of, the challenges of implementation of the Nairobi Declaration. Thereafter, proposals on benchmarks and recommendations for EAANSA will be offered.

(a) Dialogue with governments and joint actions. In most of the chapters civil society organizations have enhanced considerable dialogue with governments through the National Focal Points. Some of the dialogues were serendipitous but have led to
greater learning and understanding about each stakeholder’s agendas and roles in security and defense matters and how organizations can complement each other. There is evidence of outstanding examples in Djibouti, Kenya, Uganda and Rwanda. The political will from the governments has stirred greater political and personal will from about half of the National Focal Points. These dialogues and relationships needs to be tapped, particularly through the annual regional dialogue.

(b) Voluntary Power: With minimal or virtually no support civil society organizations have undertaken actions, however modest, to contribute to the spirit and momentum of the Nairobi Protocol. Perhaps a good example is found in KANSA’s community based programs that involve financial contributions from cash-strapped CBOs and CSOs in mounting the Global Action week on small arms. Two other outstanding examples are the campaigns mounted by Uganda Action Network on Small Arms (UANSA) jointly with the Uganda Joint Christian Council and the community education of the Kale Hiwot church in Ethiopia. In Burundi, BUANSA undertook a national study on small arms which has been accepted and used by government. In Congo (Kinshasa) the faith based organization, RODESIC, has supported much of the civil society-led interventions. We believe there are many such interventions demonstrating volunteer power in other Focal Points and country chapters of EAANSA that simply were not recorded or never brought to our attention.

(c) Greater involvement of religious leaders and faith-based organizations in the issue of small arms. The joined cross border training for religious leaders from Uganda, Sudan and Kenya must merits being replicated in other regions.

(d) There is greater sensitivity and activism towards gender issues. Within structures, institutions and interventions it is recognized, not in tokenistic fashion, the need for interaction and dialogue of both genders on the question of small arms. If the present is any guide, we are poised to see more interventions that include the feminine and women’s perspectives in EAANSA, RECSA, National Focal Points and Parliamentary initiatives.
(e) Increasing commitment by indigenous civil society organizations on the issue of SALW and how it interfaces with what they are already doing. At the beginning it appears that SALW were a big budget issues that could only involve well endowed international NGOs. That perception is slowly changing in theory and practice.

(f) Although it has not moved as fast as originally envisioned, EAANSA is in the process of being institutionalized so that there is clarity of membership, functions and relationships.

(g) Governments, even in areas that are considered safer like Djibouti have collected arms and destroyed them.

(h) Ordinary citizens are appreciating their role in security, particularly through community policing programs. Indeed, security organs have done well in shading the colonial image of as agents of terror and there is a growing understanding that human security is precisely that and everyone has a responsibility in it. Tanzania, perhaps due to historical factors, offers the best example of citizen ownership. For example, even the garbage collectors have been sensitized on the role and responsibility in reporting the presence of small arms in the garbage they collect.

(i) The regular meetings and exchange of State organs – for example Police Chiefs and Members of Parliament – already shows the need for a comprehensive regional strategy on combating the problem. Indeed, these exchanges can be extended to civil society and other actors.

(j) Development of National Action Plans and process of harmonization of laws. Though the movement has been slow, the momentum is picking up and needs to be sustained.

(k) There is an increasing appreciation by civil society organizations that the nature of the problem demands they operate in a network. The challenge is simply how?
6.2 Possible Benchmarks and Recommendations for EAANSA

Unlike many other civil society networks EAANSA had its tasks fairly well defined right from the onset. As this assessment has attempted to show, its work was also groundbreaking in the sense that it was seeking to work in an area where traditionally civil society has been excluded as a matter of course. At the same time, EAANSA was not only going to bring together civil society organizations with varying mandates and agendas but also work with State institutions with equally varying agendas and mandates which in most cases are unspoken but potent. In light of this, expectations were high, perhaps unrealistically too high on the part of all the stakeholders and partners.

The assessment shows that EAANSA’s leadership has done fairly well to navigate in responding to these “teething” challenges in its embryonic stage. The study has attempted to illuminate these challenges in the socio-political and practical context that EAANSA was born. Together with the learning and experience at the 4th Dialogue Forum held in Kigali in March 2007, it appears that EAANSA secretariat and country chapters need to take some very bold decisions and steps. Four years after its birth, it is for its own sake that it be seen to be entering another phase of action. The following are some benchmarks and recommendations.

6.1 Recommendations for EAANSA and Country Chapters

Within the following six to twelve months:

- EAANSA could design a Regional Strategy Paper that articulates the critical cross-border issues that EAANSA’s chapters will jointly collaborate in implementing in the short term, medium term and long term. The paper can be drawn from the Best Practice Guidelines, on going processes within countries and the draft regional strategy drawn in Arusha in 2004.

- Country chapters could complete their strategic plans in harmony with the National Action Plans (where they already exist) and the EAANSA Regional Strategy paper.
Since the NAPs are inclined to focus more on the “hardware” of SALW, EAANSA chapters could focus on the equally potent “software” dimensions of the problem. The support of RECSA would be required.

- EAANSA could undertake an audit of existing skills within EAANSA member organizations with a view to create a resource pool as well as determine the particular training needs required at regional and country chapter level. At this point generic trainings on SALW may have worked well but in the foreseeable future, EAANSA will invest better in the trainings that address the needs and skill gaps within EAANSA. The database can then be used to negotiate with RECSA and other stakeholders on what kinds of expertise EAANSA really requires.

- EAANSA could enhance the competency of officers at the secretariat (at least 3 heading each of the committees as a department). Ensuring discipline and expansion of each core area. Create a lean but effective Secretariat

- EAANSA could finalize constitution and submit papers for formal registration. The constitution needs to clarify, *inter alia*, the core values of EAANSA, criteria of membership and minimum general principles to which all country chapters need to adhere. In this process, EAANSA should seriously consider whether as a non-profit organization and the regional mandate, what the implications of registering as a company under the laws the Republic of Uganda might have on its mandate, regional reach and daily operation.

- EAANSA could develop a Communication and Advocacy strategy paper. This would ensure there is efficient communication between the Secretariat and other stakeholders including funding partners. The language of SALW interventions has remained too formal. As Christine Muhongerwa of SaferRwanda noted, there is need to develop simple materials in mwananchi’s (people’s) language to translate the message to everyone.
• EAANSA could develop a comprehensive resource mobilization strategy paper which would outlines what resources exist within EAANSA and gaps that need external funding from various sources including government, private sector, local and international funders.

• EAANSA could open greater dialogue and collaboration with Parliaments.

• EAANSA could enhance understanding on Guidelines for Best Practices through training of civil society actors.

• EAANSA could ensure we prioritize the engagement of Indigenous CSOs/EAANSA be people’s voice.

• EAANSA could ensure greater dialogue and engagement with faith Based organizations, Academia and Members of Parliament

• EAANSA could develop minimum criteria for membership for all country chapters
Appendix: List of Interviewees

Uganda
Richard Mugisha
Marren Akatsa-Bukachi
Canon Joyce Nima
Stephen Kisembo
Richard Nabudere

Rwanda
Christine Muhongerwa
Eric Kayiranga
Sam Kaka Kanymera (Hon)

Burundi
Capitoline Ngezahayo
Celsius Barahinduka
Sylvestre Kibeceri
Caritas Inarukundo
Madjior Solness Dingamadji
Juvenal Ntakarashira

Ethiopia
Bizuwork Ketete
Yiberta Tadesse
Stella Sabiti
Yemane Gessesew
Nigussie Zewde
Naison Ngoma
Charles Mwaura

Djibouti
Omar Hassan
Mouktar Aden Douksie
Mohammed Ahmed Farah “Mao”

Kenya
Camlus Omogo
Peter Eregae
Augusta Muchai
Phillip Ochieng’
Alex Nyago
Francis Sang’
Hannah Stogdon
Rukia Subow
Grace Ireri
South Sudan
Ferdinand Von Habsburg

Tanzania
SSP Mwauzi
Michael Madikenya
Kitwana Kasanzu
Captain (rtd) Songoro Kasisiko
Peter McOmalla
Anderson O. Bango

Democratic Republic of Congo
Lynda Mvala
Phillippe Muanza
Fabien Mbayo
Flory Kayembe
Jerome Matembele
Paul Empole
Nkumu Bernard
Simabatu Albert

Kigali Rwanda
Joseph Dube
Kibreab Habte Michael
Michael Padayachy
Solomon Hailu