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Project report

REGULATING SMALL ARMS BROKERING IN EASTERN AFRICA

August 2011

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Executive Summary

This report compiles the findings from the research conducted as part of the project *Regulating Small Arms Brokering in Eastern Africa* and charts out the legal framework of small arms brokering in the Eastern African states of Burundi, Kenya, Rwanda, Tanzania and Uganda. It also gives an overview of the issues relating to small arms brokering and the perception of the issue by national actors in Eastern Africa.

With the financial support of the governments of Austria and the Netherlands, the United Nations Regional Centre for Peace and Disarmament in Africa (UNREC) carried out the first phase of the project from 2008 to 2010. The aim was to strengthen the capacity of six Eastern African states to meet the objectives of the *Nairobi Protocol for the Prevention, Control and Reduction of Small Arms and Light Weapons in the Great Lakes Region and the Horn of Africa* (Nairobi Protocol). With an emphasis on the brokering aspects of the protocol, the project activities included:

- Analysis of the existing national legislation on small arms brokering and comparison of national legislations with the provisions of the Nairobi Protocol
- Assistance to the countries to identify brokers
- Development of national electronic registers of brokers and brokering licences
- Assistance to national authorities in the adoption of electronic registers for brokers

The Nairobi Protocol, which entered into force in 2005, calls for the regulation of small arms brokering through licensing and registering. Studies conducted in the six Eastern African Signatory States show that two of the State Parties have already incorporated brokering in their firearms legislation in compliance with the Nairobi Protocol. Indeed, the national legislations of Burundi

and Rwanda both require a register of authorized brokers to be kept by the government and a licence for brokers to operate. However, neither Burundi nor Rwanda has set detailed regulations for registering or licensing.

In Kenya and Tanzania, legal provisions for brokering control are not yet in place, but preparation for greater compliance with the Protocol is underway in both countries: through a draft policy in Kenya and through regulations in Tanzania. The current versions of the new regulations do not comprise the requirements of the registering or licensing of brokers, and according to the research interviews, it is not yet certain which kind of control tools for brokering are foreseen to be adopted in Kenya or Tanzania. In Djibouti and Uganda, legal reforms following the Nairobi Protocol are still in their initial stage. Project activities were carried out in Uganda but postponed in Djibouti until the next phase.

As the six country cases demonstrate, regulating small arms brokering is a novel concept. Brokering does not appear in the national legislations promulgated before the Nairobi Protocol and only Burundi and Rwanda have so far amended their firearms legislation to include brokering regulation.

Unsurprisingly, the concept of brokering is not always understood unequivocally. The project study showed that brokering is often confused with arms trafficking or dealing, as dealers occasionally act as brokers. Moreover, many do not recognise that brokering is not limited to arms export and import but can include various other services such as facilitation of arms transport and financing of arms deals. Many brokering activities thus frequently go unnoticed.

Finally, in the absence of national brokering legislation, accurate information on brokering and brokers is hard to acquire. Current national legislations do not oblige brokers to register, and brokers also wish to remain anonymous. It is thus difficult to identify brokers and their activities for inclusion in the register.

The brokers identified in Burundi, Kenya and Tanzania during the course of the project were entered into the respective national electronic registers provided by the project. No broker was found in Rwanda.

In the light of the project findings, the report recommends the following measures to be taken in the Eastern African states of Burundi, Djibouti, Kenya, Rwanda, Tanzania and Uganda:

- Review and amend national legislations to comply with the Nairobi Protocol and the Best Practice Guidelines for the Implementation of the Nairobi Protocol.

- Introduce legal provisions establishing a national register for brokers and oblige all brokers to register and acquire licences for brokering activities.
- Include accurate definitions of brokering activities and the profession of broker in the national legislation in order to avoid confusion with dealing, trafficking, importing and exporting.
- Provide continuous training and sharing of information among Nairobi Protocol States Parties.

As the project *Regulating Small Arms Brokers in Eastern Africa* concludes its first phase, UNREC intends to extend the scope of the project to cover the rest of the Nairobi Protocol States Parties and to broaden project activities to include legislative assistance and review. The Economic Community of West African States (ECOWAS) has shown interest in the electronic register and some governments participating in the project have suggested that electronic registering be used in the regulation of arms dealers and gunsmiths.

Presentation of UNREC

At the twenty-first Assembly of the Organization of African Unity, held in Addis Ababa from 18 to 20 July 1985, the Heads of State and Government called upon the Secretary-General of the United Nations to establish a regional office in Africa to promote peace, disarmament and development on the continent (Resolution AHG/Res.138 XXI). On 16 December 1985, in response to this call and reasserting its previous resolutions on regional disarmament, the General Assembly adopted Resolution A/Res/40/151/G creating the United Nations Regional Centre for Peace and Disarmament in Africa (UNREC). UNREC was established within the framework of the United Nations Secretariat on 1 January 1986 in Lomé, Togo, and is part of the United Nations Office for Disarmament Affairs.

The General Assembly gave a mandate to UNREC to provide, upon request, substantive support for initiatives and other efforts of Member States of the African region towards the realization of measures of peace, arms limitations and disarmament in the region. UNREC was further mandated to cooperate with the African Union – successor to the Organization of African Unity – and to coordinate the implementation of regional activities in Africa leading to peace, arms control and disarmament.

UNREC conducts its activities on the African continent and covers all types of weapons, from small arms and light weapons to weapons of mass destruction. Owing to the specific nature of the threats to human security in Africa, the Centre has placed emphasis on activities linked to controlling the illicit trade and proliferation of small arms and to conventional weapons such as cluster munitions and other explosive remnants of war and landmines. In particular, UNREC has lent extensive support to Member States and civil society in their implementation of the United Nations Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects.

UNREC works along four priority areas:

- Peace and security, including human security
- Disarmament and arms control
- Advocacy and resource mobilization
- Information, research and publication

UNREC provides assistance to Member States, regional organizations and civil society in:

- Adherence to international legal norms and political commitments
- The development of national or regional legal norms and policies
- Capacity-building and training
- Advocacy and information

UNREC carries out this programme of activities through the provision of substantive and technical advice to Member States, the publication of studies and reports, organization of seminars and capacity-building training sessions, and the promotion of peace, arms control and disarmament. UNREC funds its projects through voluntary contributions from Member States and other donors. The management staff and part of the operating expenses are covered by the UN Regular Budget.

Foreword

The global arms trade involves a complex web of actors including producers, commercial agents, dealers, transporters and financiers. This has made buyers and sellers of arms increasingly reliant on middlemen or brokers to act as intermediaries and to facilitate arms deals between the different parties.

Despite significant attention devoted to arms brokering over the past two decades, brokers continue to facilitate illicit arms deals with very few constraints and controls. Unregulated and irresponsible brokering in small arms and light weapons (SALW) facilitates the flow of illicit small arms into conflict areas and into the hands of criminals. This has grave consequences for international peace and security as well as for economic and social development.

An estimated 50 States, mostly in Europe and the developed world, have enacted specific legislation on brokering or control of brokering activities through their import and exports laws. The lack of effective controls of international arms brokering in the remaining countries constitutes an important factor in fuelling numerous conflicts around the globe and in Africa in particular.

Illicit brokering in small arms has a profound destabilizing effect and has been an important factor in facilitating the violation of arms embargoes imposed by the United Nations Security Council. Various UN investigative reports on arms embargoes as well as other reports from non-governmental organizations have revealed that arms brokers have played an important role in arming the perpetrators of the Rwanda genocide and in helping to arm former rebel groups in, among others, Angola and Sierra Leone.

Illicit arms brokers exploit legal loopholes and often operate within a network of front companies and subcontractors. They falsify documents, use complex transportation routes, and associate themselves with organized crime structures and corrupt government officials. Their transactions are opaque and can hinder law enforcement structures from tracing their activities.

The United Nations Group of Governmental Experts, established pursuant to General Assembly Resolution 60/81, emphasizes the globalized nature of

the environment in which arms brokering activities take place. It therefore requires that national frameworks adopt a coherent and holistic approach that takes into account the complexity of arms brokering. International cooperation needs to be strengthened through capacity-building and sharing of information to better combat illicit arms brokers and their activities.

With the implementation of international instruments such as the UN Firearms Protocol and the Nairobi Protocol, East African States have committed themselves to controlling brokering activities in their territories. In response to the need of the Nairobi Protocol States Parties to start registering and licensing brokers and brokering transactions, UNREC embarked upon the project *Regulating Small Arms Brokering in Eastern Africa*. With the aim of building capacity in the six States Parties to the Protocol, the project helped create an electronic broker register for more effective control on brokers and brokering activities.

In close cooperation with the Regional Centre on Small Arms (RECSA) and their National Focal Points, and following the RECSA Best Practice Guidelines, the project had a regional approach from the outset. The major project output, an electronic register, enables regional information-sharing in standardized format. It is the regional approach of the project that has also encouraged UNREC to plan to extend the project beyond the initial target countries, particularly to the rest of the Nairobi Protocol States Parties and the ECOWAS and ECCAS regions where issues of brokering are prominent in the SALW Convention, which the respective Member States have adopted. In this regard, UNREC will seek partnership and donor assistance in the realization of this objective.

Ivor Richard Fung

Director of UNREC

August 2011

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The project team at UNREC – Camilo Duplat (Project Manager), Elom Khaunbiow (Associate Project Manager), Jérôme Tatrabor (IT specialist), Rodger Glokpor (Interim Project Coordinator) and Laura Kokko (Interim Project Coordinator) – was outstanding in investing every effort to overcome not just the logistical hurdles but also the substantive and politically related sensitivities that characterized the project. UNREC takes this opportunity to reiterate to them and the entire staff its appreciation for their professionalism and dedication.

Acronyms

CLO	Chief Licensing Officer
ECCAS	Economic Community of Central African States
ECOWAS	Economic Community of West African States
LO	Licensing Officer
NFP	National Focal Point
RECSA	Regional Centre on Small Arms
SALW	Small Arms and Light Weapons
UNPoA	United Nations Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects
UNREC	United Nations Regional Centre for Peace and Disarmament in Africa

Introduction

Africa is deeply affected by the proliferation of small arms and light weapons (SALW) and its negative implications for economic and social development. SALW play a significant role in sustaining armed conflicts and violence, complicating post-conflict reconstruction and facilitating terrorism and organized crime in the region. Eastern Africa and the Great Lakes Region in particular have been affected by numerous wars, armed violence, terrorism and civil strife that have been fuelled by the availability of small arms and light weapons.

In an effort to prevent further proliferation of SALW in the region, eleven States in the Great Lakes Region and the Horn of Africa signed in 2004 the *Nairobi Protocol for the Prevention, Control and Reduction of Small Arms and Light Weapons in the Great Lakes Region and the Horn of Africa* (Nairobi Protocol). The Nairobi Protocol has been ratified by Burundi, the Democratic Republic of Congo, Djibouti, Ethiopia, Eritrea, Kenya, Rwanda, Sudan and Uganda. It requires the States Parties to incorporate provisions for regulating SALW into their national laws. Such provisions are to restrict the manufacture, purchase, possession, storage and transport of SALW through such measures as registration, minimum standards, licensing and tracing. The Nairobi Protocol also calls for the regulation of small arms and light weapons brokering through the registration of brokers and the issuance of brokering licences.

Arms brokers are intermediaries who negotiate or arrange arms deals. They can also be involved in other purchase-related activities such as contract arrangements and acquirement of necessary documentation or authorization. Arms brokers may also engage in other aspects of transaction such as transportation, freight forwarding, storage, logistics, financing and insurance.

Arms brokers play a major role in the proliferation of SALW in Africa in that they facilitate illicit arms sales to rebel groups, criminals, countries under UN arms embargoes, or other undesirable users. Owing to the lack of regulations and non-existent controls, brokers have thus far operated without any

major constraints. This is the reason that provisions for regulating brokering activities were incorporated in the Nairobi Protocol, obliging the States Parties to establish national control systems for brokers.

According to the Protocol, the control system must include mechanisms to register all brokers operating within the territory of the State Party and ensure that all registered brokers seek and obtain authorization for each individual transaction. Moreover, States have to check regularly and randomly on all brokers in the register and ensure that “all brokering transactions provide full disclosure on import and export licences or authorization and accompanying documents of the names and locations of all brokers involved in the transaction” (Nairobi Protocol, Article 11, iv).

The Regional Centre on Small Arms (RECSA), which acts as the Executive Secretariat of the Nairobi Protocol, in 2005 developed the *Best Practice Guidelines for the Implementation of the Nairobi Declaration and the Nairobi Protocol on Small Arms and Light Weapons* (Best Practice Guidelines). These guidelines contain specific measures to be taken by the Nairobi Protocol States Parties to regulate and register arms brokers in their territories.

With the aim of helping Eastern African States to meet the objectives of the Nairobi Protocol and international concerns over brokering, UNREC in 2008 launched the project *Regulating Small Arms Brokering in Eastern Africa*. Six of the States Parties (Burundi, Djibouti, Kenya, Rwanda, Tanzania and Uganda) participated in the first phase of the project, which envisaged the establishment of national control systems for brokers and building the capacities of national authorities to control brokering. To this end an inventory of brokers operating in the target countries was drawn up and a list was compiled of the existing legislative and regulatory instruments relating to arms brokering. The project also introduced a control mechanism by creating an electronic register for arms brokers and brokering licensing.

This report presents the activities undertaken during the first phase of the project and describes the major findings of the research conducted on national brokering legislations in the six States Parties¹ to the Nairobi Protocol in Eastern Africa and the Great Lakes Region. The intention is to involve all interested States Parties to the Nairobi Protocol in the second phase of the project.

1 Project activities in Djibouti could not be concluded, owing to Djibouti's own internal processes.

Project Content and Design

2.1 PROJECT TEAM

The project team included a Project Coordinator (funded by the Government of the Netherlands), a Project Assistant (funded through a contribution from the Government of Austria) and a Software Development Expert (funded through the UN Regular Budget). The team also included six national consultants, each responsible for the research on brokering legislation and brokers in his respective country. The team worked under the direct supervision of the Director of UNREC. The consultants, as well as all other project activities, were financed through the contribution from the Government of Austria.

2.2 PROJECT OBJECTIVE

The overall objective of the project was to strengthen the capacity of six Eastern African States (Burundi, Djibouti, Kenya, Rwanda, Tanzania and Uganda) to control and regulate SALW brokering activities and brokers in their territories. In particular, the project addressed the need of the target countries to establish an electronic database of arms brokers for more effective control and regional coordination through information standardization.

2.3 PROJECT ACTIVITIES

2.3.1 National consultations

National consultations were organized in the target countries with the objective of discussing with the relevant national authorities project implementation requirements and of enhancing the understanding of the issues and structures involved in the brokering concept and practices. They provided an opportunity for UNREC to familiarize with the National Focal Points and reach an

understanding on the selection and supervision of the national consultants. The consultations were participatory in nature and brought together representatives of government structures and relevant civil society organizations working in the field of SALW in the respective countries. Where possible, UNREC ensured that the embassies of Austria and the Netherlands, the donor countries, were also represented.

The national consultations helped ground national ownership for the project and boosted understanding of the relevant government services of the security benefits in regulating brokering activities in SALW. The consultations also provided an opportunity for UNREC to develop country-specific implementation concept notes. Concept notes included the recruitment of national consultants, for whom terms of reference were prepared. Concept notes and terms of reference for the national consultants were discussed carefully and agreed upon with the National Focal Points prior to the start of the activities. At the regional level, UNREC discussed project implementation with RECSA in order to avoid duplication of work and maximize project impact.

2.3.2 Research on national legislation on brokering and identification of brokers

The project recruited national consultants to work in close cooperation with the National Focus Points and under the direct supervision of the Project Coordinator and overall supervision of the Director of UNREC. The consultants undertook, in their respective target countries, an analysis of the existing national legislation on SALW brokering. The aim was to establish the scope of the problem of brokering and to compare existing national legislations against the relevant provisions in the Nairobi Protocol. The research revealed that brokering as a concept was not well known, was largely misunderstood by the bureaucratic firearms control structures (which sometime confused brokering with dealership), and was largely unregulated, even in those countries that had included aspects of it in their legislations on SALW. The research also pointed to the fact that, in nearly all of the countries, there was a gross lack of human and institutional capacities to control brokering activities. It was a sensitive exercise in that some took the research as an investigation into the general arms importation practices in the countries concerned. This was, of course, far from being the aim.

2.3.3 Development of the electronic register of brokers and brokering licences

Building on the RECSA Best Practice Guidelines and the valuable feedback provided by various experts, UNREC developed software for registering SALW brokers and brokering licences. The software was developed in different phases starting with a needs assessment followed by analysis of data, programming, and installation. In cooperation with RECSA, a regional seminar was organized for the National Focal Points with the objective of enabling them to review the draft version of the software. The outcome document of the seminar recommended that the States Parties to the Nairobi Protocol join this UNREC initiative and acquire the software required to exert effective control over brokers in their countries. The final version was based on the comments received and a user guide was prepared to familiarize users with the operation of the software and supply troubleshooting information. English and French versions of the software were developed.

Legal Frameworks for Brokering

In this chapter, the results of the study of existing national legislation on brokering are discussed country by country. First, however, existing legal and political instruments at international and regional level are briefly discussed.

3.1 AT THE INTERNATIONAL LEVEL

Concerned about the proliferation of SALW and its consequences, UN Member States have agreed on a number of international and regional instruments to enhance control over SALW and combat their illicit manufacturing, trafficking and circulation. These international instruments include specific provisions and recommendations for States to consider when regulating arms brokering.

At UN level, there are two international instruments that specifically address brokering controls: the *United Nations Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition* (the UN Firearms Protocol) and the *United Nations Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects* (UNPoA).

The UN Firearms Protocol supplemented the UN Convention against Transnational Organized Crime. It was adopted in 2001 with a view to preventing and combating illicit manufacturing and trafficking in firearms, their parts, components and ammunition. It stipulates that States Parties to the Protocol shall consider establishing a system for regulating the activities of those who engage in brokering by requiring, for example: (1) registration of brokers operating within their territory; (2) licensing or authorization of brokering; and (3) disclosure on import and export licences or authorizations, or accompanying documents, of the names and locations of brokers involved in the transaction.

Shortly after the adoption of the UN Firearms Protocol, the UNPoA, the principal UN policy framework to address the SALW issue, was established.

The UNPoA contains a wide range of political undertakings and concrete measures to tackle the illicit trade in SALW at the national, regional and global levels. With regard to brokering in particular, the UNPoA calls upon States to develop adequate national legislation or administrative procedures to regulate the activities of those who engage in SALW brokering. According to the UNPoA, the legislation and procedures should include measures such as registration of brokers, licensing or authorization of brokering transactions, as well as appropriate penalties for all illicit brokering activities performed within the jurisdiction and control of the State concerned.

In 2006, a Group of Governmental Experts was established by the United Nations General Assembly (in pursuance of Resolution 60/81) to consider further steps to enhance international cooperation in preventing, combating and eradicating illicit SALW brokering. The Group highlighted the need for international cooperation through the provision of assistance for capacity-building and enhanced information-sharing. Moreover, the Group's report advocates strongly for the intensification of international exchange of evidentiary information and other mutual assistance arrangements for the identification, investigation and prosecution of illicit brokers.

At the regional level, the Great Lakes Region and the Horn of Africa States in 2004 adopted the *Nairobi Protocol for the Prevention, Control and Reduction of Small Arms and Light Weapons in the Great Lakes Region and the Horn of Africa*. Similar to the UN Firearms Protocol, the Nairobi Protocol requires the registering of brokers operating within the territories of the States Parties. Furthermore, it requires all registered brokers to seek and obtain authorization for each individual transaction. The Nairobi Protocol also establishes that all brokering transactions shall provide full disclosure on import and export licences or authorization and accompanying documents of the names and locations of all brokers involved in the transaction. Moreover, the Nairobi Protocol includes a provision for checking regularly and randomly on brokers.

These international and regional instruments outline the need for States to regulate small arms brokering and to set up minimum standards that countries shall meet in order to effectively control brokering activities in their territories.

3.2 NATIONAL LEGISLATIONS AND INSTITUTIONAL CONTROLS ON SALW BROKERING IN BURUNDI, DJIBOUTI, KENYA, RWANDA, TANZANIA AND UGANDA

Although international legally binding instruments and political declarations on SALW control have drawn attention to the issue of brokering, few countries

have developed specific legislation or introduced effective controls to regulate arms brokers and their activities.

Since the Nairobi Protocol entered into force in 2005, States Parties have considered reviewing their SALW legislation in light of the provisions of the Nairobi Protocol. While some of these countries (Rwanda and Burundi) have already enacted new legislation that contains provisions on brokering, others are still addressing the issue at the policy level or are envisaging a comprehensive review of their national legislation.

Therefore, the target countries have thus far only partly fulfilled their obligations in brokering control set forth by the international and regional instruments. Without the relevant legal provisions that oblige brokers to register, control mechanisms such as the register of brokers can hardly be effective. In addition to the legal framework, specific regulations and administrative procedures need to be formulated to ensure effective functioning of the control mechanisms. For instance, minimum requirements for accepting licence applications need to be established.

In the absence of national brokering legislation, concerned actors are currently operating in uncertainty. They do not know whether their activities are illicit or even illegal. This state of limbo also had repercussions on the research conducted during the project. While trying to identify individuals and companies that were currently providing brokering services, national consultants were met with reluctant cooperation since brokering information was treated with secrecy.

Furthermore, it was observed in the project that insufficient legislation helped create various misconceptions about brokering among law enforcement officers, private security companies, dealers and other actors. Some interviewees of the national consultants may have confused brokering with arms trafficking or smuggling and assumed brokering to be always illegal. Brokering was also repeatedly confused with dealership, perhaps because some dealers were reported to be practising both. Finally, brokering was sometimes misperceived as to only include arms import and export, while many other types of brokering transactions such as transport, insurance and financing arrangements for arms deals were often overlooked.

3.2.1 Burundi

The Burundian law on small arms and light weapons is based on Decree-Law No 1/91 of 2 August 1971 on firearms and ammunition as well as Presidential Decree No 1/92 of 2 August 1971, which lays down measures for the

implementation of Decree-Law No 1/91. Decree-Law No 1/91 was repealed by Law No 1/14 of 28 August 2009, which governs the system for small arms and light weapons.

With regard to brokering controls, the Law of 2009 incorporates the definitions of 'brokers' and 'brokering' in compliance with the Nairobi Protocol. Articles 28 and 29 outline the main elements to control and regulate brokering, notably through the development of a register of brokers, requirement of brokers to request individual licences from the Minister of Public Security for every transaction, and the call for a full disclosure of permits or authorizations for every brokering transaction and accompanying documents with the names and location of all brokers involved. In general terms, the Law sets up minimum requirements to conduct brokering activities.

However, the Law does not mention the need to regulate financiers and transporters through licensing as in Article 11 of the Nairobi Protocol. This could be related to the fact that the Nairobi Protocol fails to define these two categories of actors, or because these activities are considered to fall within the scope of brokering services. Similarly, the Law does not require carrying out regular and random checks on brokers, as stipulated in Article 11 of the Nairobi Protocol. This would permit brokers' activities to be monitored on a regular basis while updating the registered data at the same time.

Under the present law, individuals or organizations wishing to import firearms and/or ammunition for private use have to submit an application to the Chief of General Staff of the Armed Forces in order to obtain import authorization. Application must include information on the individual/organization importing the firearm, reasons for importing the weapon, and characteristics of the weapons to be imported (including the model, make, serial number, calibre, and the amount and type of ammunition to be imported). Weapons imported for the use of the Armed Forces and other public security agencies must meet the procurement requirements in accordance with Law No 1/01 of 4 February 2008 of the Public Procurement Code of Burundi. However, as the State's weapons acquisitions are of a confidential nature due to the necessity to protect the fundamental interests of national security, import of such weapons falls within the framework of mutual agreements controlled by a special commission (Book 3, Title 2, Chapter 4, Articles 39-40 of the Public Procurement Code).

The Law creates an overall framework to regulate firearms brokering activities. Yet its shortcomings as discussed above need to be remedied for more effective law enforcement in agreement with the Nairobi Protocol. Moreover, precise and detailed standards for the registering of brokers and

the licensing system need to be further developed through regulations and administrative procedures.

3.2.2 Djibouti

At the request of the Djiboutian authorities, it was decided that research on national brokering legislation in Djibouti would be postponed to the next phase of the project, allowing project activities to be integrated into the implementation of the National Action Plan which, at the time of writing of this report, had still not been adopted.

3.2.3 Kenya

The Firearms Act Chapter 14 Laws of Kenya (1954) regulates all aspects relating to firearms in the country. The Act covers licensing and controlling of the manufacture, importation, exportation, transportation, sale, repair, storage, possession and use of firearms, ammunition, air guns and destructive devices.

The Firearms Act does not include any provisions for firearms brokering. Nor are there any regulations or specific controls in the imports-exports legal framework that would address the issue of firearms brokering. However, at the time of writing this report, a draft policy on SALW was awaiting Cabinet approval. The draft policy addresses firearms brokering and takes into consideration the Nairobi Protocol and the Best Practice Guidelines as well as the particularities of the Kenyan context.

Under the Firearms Act, licensed dealers are only allowed to purchase firearms directly from the manufacturer or a licensed supplier of the manufacturer in the country of origin. Once at customs, the dealer, accompanied by an official from the Central Firearms Bureau, clears and verifies the consignment. The consignment is then escorted by armed police to the Central Firearms Bureau for further documentation before it is released to the dealer. Government arms purchases are done through agreements between governments. Government ministries or departments can also buy directly from the manufacturers.

This draft policy will guide national authorities in the development of effective controls to regulate firearms brokering. Nevertheless, the national legislation needs to be reviewed in order to cover the issue of brokering. This is the only way to provide legal support for control tools such as the electronic register of brokers and brokering licences provided by this project.

Additionally, research conducted during the project has found that Kenyan firearms dealers (and in some cases clearing agents handling imports and

exports) are involved in both dealership and brokering. This double role of dealers is not recognized by the current legislation, which remains silent on brokering.

3.2.4 Rwanda

Originally approved in 1964, Rwandan firearms legislation has gone through a series of reviews. It was modified in 1979 and 2000 by Decree No 12/79, Presidential Decree No 111/02 and Law No 13/2000. Despite several revisions, some gaps remained in the firearms legislation concerning the civilian acquisition of arms and ammunition, registration and marking, import and export licensing, as well as brokering. Moreover, the Rwandan signature of the Nairobi Protocol in 2004 set in motion the third legal review, which resulted in Law No 33/2009 of 18 November 2009. The current legislation clarifies the previously missing topics and responds to the requirements of the Nairobi Protocol.

With regard to brokering, Article 60 of the Law states that registration with the Rwanda National Police is mandatory for any person wishing to act as a broker. Furthermore, Article 61 requires brokers to have special authorizations issued by the Minister in charge of the National Police prior to any purchase, sale or transportation of arms, ammunitions or other materials. These authorizations shall be accompanied by: (1) import/export authorizations; (2) a power of attorney permitting the broker to import/export arms and ammunitions and other related material; and (3) a list of other brokers who will assist him/her in such a transaction. In addition, Article 62 stipulates that the National Police will check the brokers register every six months or whenever considered necessary.

In other words, Rwandan legislation addresses the main elements for brokering controls stipulated in the Nairobi Protocol. However, Articles 60 and 61 of the current Law are not precise in describing the requirements for obtaining a broker's licence or special authorization. In order to effectively control Rwandan brokers, these requirements need to be further developed through regulations and administrative procedures.

When it comes to the international transfer and trade of weapons, current Rwandan Law allows anybody to import or export firearms, ammunition and other related materials to/from Rwanda, provided that he/she is in possession of the proper authorization. Institutions in the private sector, as well as individuals, must request authorization from the Ministry of Internal Affairs through the Commissioner General of Police. If arms are destined for the

Rwanda Defence Forces, the licence is issued by the Minister in charge of the Defence Forces.

Rwandan law also differs from the Nairobi Protocol in some respects. First, the Protocol is specific on SALW brokering while Rwandan law addresses brokering of arms, ammunitions and other related material in more general terms. Second, the Rwandan law does not clearly specify financiers as brokers. Third, Rwandan legislation emphasizes importers, exporters and carriers. From reading the current law it may seem that brokers are only engaged in import or export transactions. The Nairobi Protocol, on the other hand, defines brokers more generally as facilitators of arms deals.

3.2.5 Tanzania

Three Tanzanian laws currently regulate the circulation of firearms in the hands of civilians and state offices. While none of the existing laws explicitly address brokering as such, some can be used to regulate brokers when they are applied to all actors handling arms.

First, the Explosives Act (Act No 56/1963) regulates the manufacture, transport, storage, acquisition and use of explosives. Aiming to prevent accidents in the Tanzanian mining industry, it focuses solely on the peaceful use of explosives. To this end it sets forth the licensing requirements for related actors and minimum safety standards in the sector. In addition it authorizes specific personnel to inspect the sites where explosives are manufactured, stored or used.

Second, the Armaments Control Act (Act No 2/1991) regulates the acquisition and manufacture of, and dealings in, arms of war. Covering various types of arms (for example artillery, explosives, machine guns, rifles and grenades), the law requires specific authorizations for the manufacture, assembly, import and export of any armaments. In order to implement the armaments control, the law established the National Armaments Control Advisory Board, which processes acquisition requests from government departments.

Third, the Arms and Ammunition Act (Act No 1/1991) regulates the civil possession, export, import, storage, and other dealings of arms and ammunition. According to this Act, possession of all types of firearms is subject to a licence or permit, mandatory waiting periods, training certifications, and background checks. The Act was amended in 2001 with new inclusions such as registration requirements. However, since the UN Firearms Protocol was only adopted in the same year, the Act was not yet able to cover the issue of brokering.

To date, there is no law in place to empower law enforcement agencies to regulate brokers. However, Tanzania has begun to draft regulations to

replace the existing legislation and the first meeting of national experts was held in April 2010 in Dar-es-Salaam to review the Draft Bill. The workshop resulted in a series of recommendations for Tanzanian legislators with regard to the inclusion of brokering in the national laws. Tanzania was encouraged to comply with the Nairobi Protocol through such measures as registration of brokers, licensing for brokering transactions, and penalties for illicit brokering activities.

3.2.6 Uganda

SALW regulation in Uganda is based on the Firearms Act of 1970. Its Chapter 299 regulates the purchase, possession, manufacture and sale of firearms and ammunitions. The Firearms Act covers the regulation of all actors involved in the arms business (notably dealers) but remains silent on brokers. However, the project study shows that, similarly to Kenya, legally recognized dealers in Uganda also engage in brokering transactions.

In order to comply with regional and international obligations, Uganda is currently reviewing its firearms legislation. The Draft Bill underwent nationwide consultations in 2008 and was revised in 2010 to comply with the input received. The new Bill will replace the 1970 Firearms Act and according to the Ugandan UNPoA country report, will be aligned with the provisions of all international instruments.

Current Ugandan legislation covers the regulation of arms imports and exports. The Firearms Act specifies that no person shall import or export any firearm or ammunition, except when designated by the Minister by a notice published in the official journal (Gazette) and in accordance with an import permit issued by the Chief Licensing Officer (CLO) or export permit issued by the Licensing Officer (LO).

With regard to firearms and ammunitions in transit, they are equally regulated under Section 28(1) of the Act, which reads: “A customs officer shall after consultation with the Chief Licensing Officer (CLO) and, after obtaining approval of the Minister, grant with or without conditions or refuse, suspend or revoke transit permits for transportation across Uganda of firearms or ammunition to any place outside Uganda.”

3.3 LEGAL ASSISTANCE TO TANZANIA

Some countries where the project was implemented – notably Rwanda, Tanzania and Uganda – requested assistance to review their SALW national

Photo 1 Tanzania: The National Workshop on the Drafting of Tanzania's Regulation on Small Arms and Light Weapons in progress



legislation. As these activities fell beyond the scope of the project, only Tanzania was supported as a pilot case. In cooperation with RECSA, UNREC assisted national authorities to review the Tanzanian draft regulations and the Draft Bill on SALW.

The National Focal Point of Tanzania, in cooperation with other national authorities, prepared the Draft Bill to replace existing legislation through a lengthy process that started in 2003. A drafting committee comprising ten experts met from 26 to 30 April 2010 in Dar-es-Salaam to review the draft documents and to provide concrete recommendations for their finalization. The participants represented the Ministries of Home Affairs, of Justice and Constitutional Affairs, of Energy and Minerals, of Defence and National Services, the Attorney General's Office, the Director of Public Prosecutions, the Tanzania Police Force, and the National Focal Point on SALW.

The outcome document included a compendium of substantive and structural recommendations regarding each section of the Draft Bill and regulations. With regard to brokering controls, it was recommended to include in *Chapter 1: Definitions* the definitions of 'broker' and 'brokering' as defined in the Nairobi Protocol. Additionally, it was recommended to include a new article on brokers under *Chapter 6: Licences issued to particular categories of persons*. In accordance with the Best Practice Guidelines, the recommendations suggested that the new article should cover provisions for the registration of brokers, the licensing of brokering transactions, and penalties for illicit brokering activities.

The workshop in Tanzania was the first activity in the region that focused on bringing national legislation in line with the Nairobi Protocol. It is expected to guide similar events in other target countries.

Electronic Register of Brokers Software

The Nairobi Protocol – as well as other international instruments on SALW disarmament – requires States to register brokers and to request licences for each of their transactions in order to control, monitor and analyze brokering activities. Indeed, record-keeping and database management are effective in controlling arms brokering. The use of specially developed software in particular has many advantages.

For these reasons UNREC embarked on the development of software for the electronic registering of brokers and brokering licences.

4.1 SOFTWARE DEVELOPMENT

In 2005, RECSA published the *Best Practice Guidelines for the Implementation of the Nairobi Declaration and the Nairobi Protocol on Small Arms and Light Weapons*. The third chapter of the Best Practice Guidelines focuses on controlling brokering in SALW and includes detailed descriptions of the nature of information that is expected to be included in the registers of brokers and brokering licences. In fact, the Best Practice Guidelines provides models for registration forms, application forms and registration certificates, including a comprehensive set of inquiries and lists of compulsory accompanying documents to be requested from the brokers.

As the target countries had not yet begun to compile their own registers, UNREC used the models in the Best Practice Guidelines to develop the first version of the register. The draft version was presented to the Nairobi Protocol States Parties during the Regional Seminar on Brokering organized by RECSA, which took place on 6-7 July 2009 in Kigali, Rwanda. At the meeting UNREC received valuable feedback on the software from the National Focal Points attending the meeting. The outcome document of the seminar recommended that the States Parties of the Protocol join the UNREC initiative and acquire the software to control brokers in their

countries. In November 2009 UNREC presented the second version of the software to RECSA. The electronic register was finalized and validated at the meeting.

4.2 SOFTWARE ADVANTAGES

The electronic register has various advantages:

- *Consolidation of information in a single database:* The software makes it possible to manage all information regarding the registration of brokers and brokering licences within a single application.
- *Ability to organize and search for information:* Through its advanced built-in search engine the software offers various options for organizing the information, thereby constituting a tool for processing and analyzing information.
- *Quick access to information:* The different interfaces of the software and its advanced search engine provide rapid access to information without needing to go through files or documents.
- *Safeguarding information:* As the information processed through the software has a certain level of confidentiality, the software provides a secure system that requires a username and password for access.
- *Ability to transfer data to other programs:* The information captured can be imported into Word or Excel files. This enables authorities to transfer information on a regular basis.
- *Facilitating the exchange of information:* Nairobi Protocol States Parties that have installed the software will have standardized information on brokers and their transactions. Uniform standards facilitate the exchange of information between States Parties.
- *Raising awareness of the Best Practice Guidelines:* By developing the software, UNREC contributes to the raising of awareness on the Best Practice Guidelines in the region, as well as to the promotion of brokering controls and the development of national legislation in the various countries.

4.3 SOFTWARE INTERFACES

The main user interfaces of the electronic register of brokers are discussed below. The interfaces are presented in the order in which they appear to the user who logs into the system. This will enable the reader to visualize the content of the information and the applications of the software.

Interface 1 The login interface

STANDARDIZED ELECTRONIC REGISTER OF BROKERS IN AFRICA

USER IDENTIFICATION

Login ID:

Password:

CONNECTION CANCEL

Interface 2 Choice between brokers and brokering licences

STANDARDIZED ELECTRONIC REGISTER OF BROKERS IN AFRICA

Register of Brokers Register of Brokering Licenses

Quit Software

Interface 3 Search options

STANDARDIZED ELECTRONIC REGISTER OF BROKERS IN AFRICA

Individual Application Company Application Search Data

Close Form

4.3.1 Login interface

This first user interface – the login interface – ensures secure access to the data stored in the software. Only officers authorized by the competent authority have access to the information. Each session starts with this interface. See Interface 1

4.3.2 Databases for Brokers and Brokering Licences

The software manages two inter-connected databases: one for brokers and the second for brokering licences. The user can click on the database he/she wishes to access. See Interface 2

4.3.3 Databases for Individuals and Companies

The software has two sets of databases for brokers – for individuals and for companies. Users are requested to click on the button with the relevant option. The system also has a search engine to access information already captured in the database. The third button, Search Data, will take the user to the search engine for brokers. See Interface 3.

Interface 4 lists the data required for registering an individual as a broker.

Interface 4 Individual Application

Select the Name:

Individual Application

Administration reference number: Status:

Registration number: Approving officer:

Date of application: Reason for approving or refusing:

Information about Applicant

First name: Surname:

Physical address:

Postal address:

Other professional activities:

Telephone 1: Telephone 2:

Email: Email2:

Fax: Gender:

Date of birth: VAT:

PIN: National identity number:

Other:

Add New Record

Close the Form

Delete

Citizenship informations

Passport number	Citizenship
<input type="text"/>	<input type="text"/>

Please find here the location of required documents:

For countries where required: * VAT=Value Added Tax * PIN=Personal Identification Number

Interface 5 Company Application

Select the Company Name:

Company Application

Administration Reference Number:

Status:

Pending

Reason for approving or refusing:

Registration number:

Approving officer:

Date of application:

06/03/2011

Information about company or business enterprise:

Information about authorised representatives

Name of the company or business enterprise:

Physical address of the company or business enterprise:

Postal address:

Telephone: Fax:

Email address:

First name: Surname: PBI:

Physical address of the authorised representative:

Postal address: Title: VAT:

Telephone: Telephone2: Fax:

Email: Email2: Other:

If you have more than one person, click the following button to add

Err:

14

 < 1 > sur 1

Information about persons who owns the company or business enterprise

Information about persons responsible for day-to-day management

First name: Surname: Date of birth:

13/03/1981

VAT: Title: PBI:

National identity number: Other:

If you have more than one person, click the following button to add

Err:

14

 < 1 > sur 1

Information about subsidiary companies:

Name:

Physical address:

Postal address: Subsidiary telephone:

Fax: Subsidiary email address:

Please find here the location of required documents:

For countries where required: * VAT=Value Added Tax * PBI=Personal Identification Number

Close the Form

Add new Record

Delete

Interface 5 lists the data required for registering a company as a broker.

4.3.4 Search engine for registered brokers

The search engine allows users to search for a specific broker or to view all registered brokers. See Interface 6.

Interface 6 Search engine for registered brokers

STANDARDIZED ELECTRONIC REGISTER OF BROKERS IN AFRICA

INDIVIDUAL

Select the broker:

VIEW SELECTION

COMPANY

Select the broker:

VIEW SELECTION

VIEW ALL PERSONS

CLOSE



Interface 7 Registering of brokering licences

Brokering License Registration

License Admin Ref Num:

Status: Date: Reason for approving or refusing:

Person name:
 Date of license application:

Approving officer:

Admin Ref Number:
 Date of application:
 Physical address:
 Postal address:
 Telephone: Fax:
 Email address: Date of Birth:

License Number:
 Nature of Participation in the brokering activities:
 Detail Description of Financial or other rewards the on the transaction
 Facilitating
 Supplying
 Freight Forwarding
 Transporting
 Transferring
 Selling
 Purchasing
 Mediating

Identification of other party of the transaction
 Identification of the manufacturer
 Identification of ownership
 Identification of end-user

Information about the manufacturer of firearms:
 Name of the company or business enterprise:
 Physical address of the company:
 Postal address of the company or business enterprise:
 Telephone1: Telephone2:
 Fax: Email Address:
 If the company has an authorised Representative, then click this Button

Information about authorised representatives
 First name: Surname: PIN:
 Physical address of the authorised representative:
 Postal address: Title: VAT:
 Telephone1: Telephone2: Fax:
 Email1: Email2: Other:
 If you have more than one person, click the following button to add

Err: 1 sur 1

4.3.5 Registering of brokering licences

Brokering licences can be registered either to an individual or to a company. The interface below shows the data required for registering a company licence. See Interface 7.

Interface 8 Search engine for brokering licences

You can search for brokering licenses using 4 criteria. You can either search by choosing one single criteria or by matching several criteria simultaneously, thus obtaining more precise results.

1. Type of brokers : Name of the brokers:

2. Nature of participation :

3. Status :

4. Date

Company Name	Nature of Participation	License Number	Status	Date of Application
[Empty table body]				





4.3.6 Search engine for registered brokering licences



The search engine allows users to search brokering licences using four criteria: type of broker, nature of the transaction, status of the application, and date. Users can search by choosing a single criterion or by matching several criteria simultaneously, thus obtaining more precise results. See Interface 8.

4.3.7 Results of search

This is how the information is presented when it is ready for printing or when the user wishes to transfer it to other formats such as Word or Excel. See Interface 9.

Interface 9 Search results

Close Report
 




STANDARDIZED ELECTRONIC REGISTER OF BROKERS IN AFRICA



Information about individual brokers	
Name :	
Date of Application:	22/06/2010
Licence Number:	37
Detail Description of Financial or other rewards the applicant will receive from the transaction:	
Nature of Participation in the brokering activities:	

Information about other parties of the transaction	
Name of Party:	
Nature of Participation:	
Nationality:	
Country of residence:	
Physical Address:	
Location of Business:	

Information about the manufacturer of firearms	
Name of the Company:	
Physical Address:	
Postal Address :	
Telephone:	
Fax:	
Email Address:	

Information about ownership	
Name of the Company:	
Physical address:	

Page : 14 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 100 101 102 103 104 105 106 107 108 109 110 111 112 113 114 115 116 117 118 119 120 121 122 123 124 125 126 127 128 129 130 131 132 133 134 135 136 137 138 139 140 141 142 143 144 145 146 147 148 149 150 151 152 153 154 155 156 157 158 159 160 161 162 163 164 165 166 167 168 169 170 171 172 173 174 175 176 177 178 179 180 181 182 183 184 185 186 187 188 189 190 191 192 193 194 195 196 197 198 199 200 201 202 203 204 205 206 207 208 209 210 211 212 213 214 215 216 217 218 219 220 221 222 223 224 225 226 227 228 229 230 231 232 233 234 235 236 237 238 239 240 241 242 243 244 245 246 247 248 249 250 251 252 253 254 255 256 257 258 259 260 261 262 263 264 265 266 267 268 269 270 271 272 273 274 275 276 277 278 279 280 281 282 283 284 285 286 287 288 289 290 291 292 293 294 295 296 297 298 299 300 301 302 303 304 305 306 307 308 309 310 311 312 313 314 315 316 317 318 319 320 321 322 323 324 325 326 327 328 329 330 331 332 333 334 335 336 337 338 339 340 341 342 343 344 345 346 347 348 349 350 351 352 353 354 355 356 357 358 359 360 361 362 363 364 365 366 367 368 369 370 371 372 373 374 375 376 377 378 379 380 381 382 383 384 385 386 387 388 389 390 391 392 393 394 395 396 397 398 399 400 401 402 403 404 405 406 407 408 409 410 411 412 413 414 415 416 417 418 419 420 421 422 423 424 425 426 427 428 429 430 431 432 433 434 435 436 437 438 439 440 441 442 443 444 445 446 447 448 449 450 451 452 453 454 455 456 457 458 459 460 461 462 463 464 465 466 467 468 469 470 471 472 473 474 475 476 477 478 479 480 481 482 483 484 485 486 487 488 489 490 491 492 493 494 495 496 497 498 499 500 501 502 503 504 505 506 507 508 509 510 511 512 513 514 515 516 517 518 519 520 521 522 523 524 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1220 1221 1222 1223 1224 1225 1226 1227 1228 1229 1230 1231 1232 1233 1234 1235 1236 1237 1238 1239 1240 1241 1242 1243 1244 1245 1246 1247 1248 1249 1250 1251 1252 1253 1254 1255 1256 1257 1258 1259 1260 1261 1262 1263 1264 1265 1266 1267 1268 1269 1270 1271 1272 1273 1274 1275 1276 1277 1278 1279 1280 1281 1282 1283 1284 1285 1286 1287 1288 1289 1290 1291 1292 1293 1294 1295 1296 1297 1298 1299 1300 1301 1302 1303 1304 1305 1306 1307 1308 1309 1310 1311 1312 1313 1314 1315 1316 1317 1318 1319 1320 1321 1322 1323 1324 1325 1326 1327 1328 1329 1330 1331 1332 1333 1334 1335 1336 1337 1338 1339 1340 1341 1342 1343 1344 1345 1346 1347 1348 1349 1350 1351 1352 1353 1354 1355 1356 1357 1358 1359 1360 1361 1362 1363 1364 1365 1366 1367 1368 1369 1370 1371 1372 1373 1374 1375 1376 1377 1378 1379 1380 1381 1382 1383 1384 1385 1386 1387 1388 1389 1390 1391 1392 1393 1394 1395 1396 1397 1398 1399 1400 1401 1402 1403 1404 1405 1406 1407 1408 1409 1410 1411 1412 1413 1414 1415 1416 1417 1418 1419 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4.4 OFFICIAL LAUNCH OF THE BROKERING SOFTWARE AND OFFICIAL HANDOVER

Public handover ceremonies involving governmental authorities, diplomatic representatives, civil society organizations and the media were held in Burundi, Kenya, Rwanda, Tanzania and Uganda. On these occasions the registers of brokers were handed over to the respective national authorities.

In order to raise awareness among government officials and other national stakeholders, UNREC organized handover ceremonies in the target countries. The ceremonies included a software demonstration and a presentation stressing the register's importance for the national control systems of small arms brokering.

4.5 INSTALLATION OF SOFTWARE AND TRAINING OF OFFICERS

In order to facilitate adoption of the register, computers containing the software were donated to the target countries. Prior to the donation, all brokers

Photo 2 Burundi: Mr Jean Claude Nkezabahizi (National Consultant) presents the conclusions of his research in the framework of the project



identified by the national consultants were entered in the register. After the National Focus Points had designated the relevant user authorities, UNREC project staff transported computers to the target countries and installed them in their user environment. National officers were trained to use the electronic register and were given a guide drafted by project staff to help users in case of functional troubles or software reinstallation. The software was installed in the target countries as follows.

Photo 3 Kenya, from left to right: Mr Fanuel M B Musonye (Deputy Licensing Officer of Kenya), Dr Francis Sang (Executive Secretary of RECSA), Hon Minister George Saitoti (Kenya), and Mrs Jacqueline Seck-Diouf (Director of UNREC)



4.5.1 Burundi

Hardware was installed at the premises of the Permanent National Commission on SALW in Bujumbura on 20 December 2010 and three staff members were trained. See Photo 2.

4.5.2 Kenya

Hardware was installed at the premises of the Central Arms Bureau in Nairobi on 17 February 2010 and three officers were trained. See Photo 3.

Photo 4 Rwanda: Mr. Jerome Tatrabor is training police officers on the effective use of the software



Photo 5 Tanzania: Participants to the handover ceremony



4.5.3 Rwanda

Hardware was installed in the Central Firearms Registry Office in the Police Headquarters in Kigali on 16 December 2010. Five police officers were trained. See Photo 4.

4.5.4 Tanzania

Hardware was installed in Tanzania Police Headquarters in Dar-es-Salaam on 1 March 2011 and three officers were trained to use the equipment. See Photos 5 and 6.

4.5.5 Uganda

Hardware was installed in the premises of the Central Firearms Register in Kampala on 12 July 2011 and three users were trained to use the equipment. See Photo 7.

Photo 6 Tanzania: Mr Ivor Richard Fung (Director of UNREC) and Mr Robert Manumba (Director of Criminal Investigation of the Tanzania Police Force)



Photo 7 Uganda: Mr Rodger Glokpor (Interim Project Coordinator of UNREC) and Mr James Baba (Minister of Interior, Ambassador)



Conclusions and Recommendations

This report presented the findings of research conducted during the project *Regulating Small Arms Brokering in Eastern Africa*. Six States Parties to the Nairobi Protocol in Eastern Africa and the Great Lakes Region (Burundi, Djibouti, Kenya, Rwanda, Tanzania and Uganda) participated in the first phase of the project, which drew up an inventory of the brokers operating in the target region and analyzed existing legislative and regulatory instruments related to arms brokering.

Based on the project results, various conclusions can be drawn.

Currently brokers or brokering activities in Kenya, Tanzania and Uganda are not controlled by national legislation. Among the target countries, at the time of writing this report, only Burundi and Rwanda have so far amended their national legislation to comply with the Nairobi Protocol, which invites its States Parties to incorporate provisions for brokering into their national legislation. Other States Parties to the Protocol are therefore encouraged to follow the example of Burundi and Rwanda and to integrate provisions of the Nairobi Protocol in their legislation and national regulatory frameworks.

The Nairobi Protocol includes definitions for ‘brokers’ and ‘brokering’. However, these definitions are not well known among the various actors in the target countries. In order to avoid confusion (particularly with related activities such as arms dealing, trafficking, smuggling, importing and exporting) clear definitions of brokering should be included in the national legislation. In addition, further training and information-sharing activities are needed to overcome the remaining lack of capacity.

The Nairobi Protocol calls for the establishment of a national register of brokers and stipulates the obligation of all brokers to register and acquire licences for brokering operations. The project succeeded in installing new registers in Burundi, Kenya, Rwanda, Tanzania and Uganda. However, as long as there is no legal requirement to register, brokers are not obliged to do so. Therefore the obligation to register should be foreseen by the law and

specific regulations and administrative procedures should be formulated to ensure effective functioning of the control mechanisms.

The project also identified the need for existing manual registers of arms dealers and gunsmiths to be converted into electronic format. In fact, some governments participating in the project suggested that software for the regulation of arms dealers and gunsmiths be developed.

In the next phase of the project, UNREC would wish to extend the project to cover the rest of the Nairobi Protocol States Parties. This would include assistance on legislative reform for all Nairobi Protocol States Parties and would pave the way for a coherent approach towards regulating arms brokers in the region. At the same time, Nairobi Protocol States Parties would be allowed to exchange information on brokering. Common software adopted by all countries would guarantee the flow of standardized and comparable information.

A similar approach could be adopted in the rest of Africa. The Economic Community of West African States (ECOWAS) and ECCAS have already shown interest in the electronic register and UNREC is prepared to assist all governments and regional organizations in Africa that seek to control small arms brokers and brokering activities in their territories.

The Nairobi Protocol for the Prevention, Control and Reduction of Small Arms and Light Weapons in the Great Lakes Region and the Horn of Africa

PREAMBLE

We, the Ministers of Foreign Affairs and other plenipotentiaries of:

- Republic of Burundi
- Democratic Republic of Congo
- Republic of Djibouti
- Federal Democratic Republic of Ethiopia
- State of Eritrea
- Republic of Kenya
- Republic of Rwanda
- Republic of Seychelles
- Republic of the Sudan
- United Republic of Tanzania
- Republic of Uganda

(Hereafter referred to as the States Parties);

REAFFIRMING the inherent right of states to individual or collective self-defence as recognized in Article 51 of the United Nations Charter;

GRAVELY CONCERNED with the problem of the proliferation of illicit small arms and light weapons in the Great Lakes Region and the Horn of Africa and the devastating consequences they have had in sustaining armed conflict and armed crime, degrading the environment, fuelling the illegal

exploitation of natural resources and abetting terrorism and other serious crimes in the region;

CONCERNED about the supply of small arms and light weapons into the region and conscious of the need for effective controls of arms transfers by suppliers and brokers outside the region (including measures against transfer of surplus arms) to prevent the problem of illicit small arms and light weapons;

AWARE of the urgent need to prevent, combat and eradicate the illicit manufacturing of, excessive and destabilising accumulation of, trafficking in, illicit possession and use of small arms and light weapons, ammunition and other related materials, owing to the harmful effects of those activities on the security of each state and the sub-region and the danger they pose to the well-being of the population in the sub-region, their social and economic development and their right to live in peace;

ACKNOWLEDGING that the problem of proliferation of illicit small arms and light weapons in the region has been exacerbated by internal political strife, terrorist activities and extreme poverty, and that a comprehensive strategy to arrest and deal with the problem must include putting in place structures and processes to promote democracy, the observance of human rights, the rule of law and good governance, as well as economic recovery and growth;

RECOGNISING also that the inadequate capacity of states in the region to effectively control and monitor their borders, poor and sometimes open immigration and customs controls, as well as movement of armed refugees across national borders in certain countries, have greatly contributed to the proliferation of illicit small arms and light weapons;

RECOMMENDING that States Parties should consider becoming parties to international instruments relating to the prevention, combating and eradication of illicit manufacturing of, excessive and destabilising accumulation of, trafficking in, illicit possession and use of small arms and light weapons and to implement such instruments within their jurisdiction;

ACKNOWLEDGING the work of the United Nations, the African Union, the European Union, the Organisation of American States, as well as the efforts in Africa to address problems associated with illicit small arms and light weapons;

AGREEING that they shall fulfil their obligations and exercise their rights under this Protocol in a manner consistent with the principles of sovereign equality, territorial integrity of States and non-intervention in the domestic affairs of States Parties;

With the purpose of reaffirming the goals of, and implementing, the Nairobi Declaration and the Coordinating Agenda for Action,

HEREBY AGREE as follows:

ARTICLE 1: DEFINITIONS

In this Protocol, unless the context otherwise indicates:

“broker” is a person who acts:

- (a) for a commission, advantage or cause, whether pecuniary or otherwise;
- (b) to facilitate the transfer, documentation and/or payment in respect of any transaction relating to the buying or selling of small arms and light weapons; or
- (c) as an intermediary between any manufacturer, or supplier of, or dealer in small arms and light weapons and any buyer or recipient thereof.

“brokering” means acting:

- (a) for a commission, advantage or cause, whether pecuniary or otherwise;
- (b) to facilitate the transfer, documentation and/or payment in respect of any transaction relating to the buying or selling of small arms and light weapons; or
- (c) thereby acting as intermediary between any manufacturer, or supplier of, or dealer in small arms and light weapons and any buyer or recipient thereof.

“illicit manufacturing” shall mean the manufacturing or assembly of small arms and light weapons:

- (a) from parts and components illicitly trafficked;
- (b) without a licence or authorisation from a competent authority of the State Party where the manufacture or assembly takes place; or
- (c) without marking the small arms and light weapons at the time of manufacture, in accordance with Article 7 of this Protocol.

“illicit trafficking” means the import, export, acquisition, sale, delivery, movement or transfer of small arms and light weapons from or across the territory of one State Party to that of another State Party if any one of the State Parties concerned does not authorise it in accordance with the terms of this Protocol or if the small arms and light weapons are not marked in accordance with Article 7 of this Protocol.

“light weapons” shall include the following portable weapons designed for use by several persons serving as a crew: heavy machine guns, automatic cannons, howitzers, mortars of less than 100 mm calibre, grenade launchers, anti-tank weapons and launchers, recoilless guns, shoulder-fired rockets, anti-aircraft weapons and launchers, and air defence weapons.

“small arms” are weapons designed for personal use and shall include: light machine guns, sub-machine guns, including machine pistols, fully automatic rifles and assault rifles, and semi-automatic rifles.

“small arms” shall also include:

“firearms”, meaning:

- (a) any portable barrelled weapon that expels, is designed to expel or may be readily converted to expel a shot, bullet or projectile by the action of an explosive, excluding antique firearms or their replicas. Antique firearms and their replicas shall be defined in accordance with domestic law. In no case, however, shall antique firearms include firearms manufactured after 1899;
- (b) any other weapon or destructive device such as an explosive bomb, incendiary bomb or gas bomb, grenade, rocket launcher, missile, missile system or mine.

“ammunition”, meaning the complete round or its components, including cartridge cases, primers, propellant powder, bullets or projectiles, that are used in a small arm or light weapon, provided that those components are themselves subject to authorisation in the respective State Party;

and **“other related materials”**, meaning any components, parts or replacement parts of a small arm or light weapon that are essential to its operation.

“tracing” shall mean the systematic tracking of small arms and light weapons from manufacturer to purchaser for the purpose of assisting the competent authorities of States Parties in detecting, investigating and analyzing illicit manufacturing and illicit trafficking.

ARTICLE 2: OBJECTIVES

The objectives of this Protocol are to:

- (a) prevent, combat and eradicate the illicit manufacturing of, trafficking in, possession and use of small arms and light weapons in the sub-region;
- (b) prevent the excessive and destabilising accumulation of small arms and light weapons in the sub-region;
- (c) promote and facilitate information sharing and cooperation between the governments in the sub-region, as well as between governments, inter-governmental organisations and civil society, in all matters relating to the illicit trafficking and proliferation of small arms and light weapons;
- (d) promote cooperation at the sub-regional level as well as in international fora to effectively combat the small arms and light weapons problem, in collaboration with relevant partners;
- (e) encourage accountability, law enforcement and efficient control and management of small arms and light weapons held by States Parties and civilians.

ARTICLE 3: LEGISLATIVE MEASURES

- (a) Each State Party shall adopt such legislative and other measures as may be necessary to establish as criminal offences under its national law the following conduct, when committed intentionally:
 - (i) illicit trafficking in small arms and light weapons;
 - (ii) illicit manufacturing of small arms and light weapons;
 - (iii) illicit possession and misuse of small arms and light weapons;
 - (iv) falsifying or illicitly obliterating, removing or altering the markings on small arms and light weapons as required by this Protocol.
- (b) States Parties that have not yet done so shall adopt the necessary legislative or other measures to sanction criminally, civilly or administratively under their national law the violation of arms embargoes mandated by the Security Council of the United Nations and/or regional organisations.
- (c) States Parties undertake to incorporate in their national laws:
 - (i) the prohibition of unrestricted civilian possession of small arms;
 - (ii) the total prohibition of the civilian possession and use of all light weapons and automatic and semi-automatic rifles and machine guns;
 - (iii) the regulation and centralized registration of all civilian-owned small arms in their territories (without prejudice to Article 3 c (ii));
 - (iv) measures ensuring that proper controls be exercised over the manufacturing of small arms and light weapons;
 - (v) provisions promoting legal uniformity and minimum standards regarding the manufacture, control, possession, import, export, re-export, transit, transport and transfer of small arms and light weapons;
 - (vi) provisions ensuring the standardized marking and identification of small arms and light weapons;
 - (vii) provisions that adequately provide for the seizure, confiscation, and forfeiture to the State of all small arms and light weapons manufactured or conveyed in transit without or in contravention of licences, permits, or written authority;
 - (viii) provisions for effective control of small arms and light weapons including the storage and usage thereof, competency testing of prospective small arms owners and restriction on owners' rights to relinquish control, use, and possession of small arms;
 - (ix) the monitoring and auditing of licenses held in a person's possession, and the restriction on the number of small arms that may be owned;

- (x) provisions prohibiting the pawning and pledging of small arms and light weapons;
- (xi) provisions prohibiting the misrepresentation or withholding of any information given with a view to obtain any license or permit;
- (xii) provisions regulating brokering in the individual State Parties; and
- (xiii) provisions promoting legal uniformity in the sphere of sentencing.

ARTICLE 4: OPERATIONAL CAPACITY

States Parties shall:

- (a) strengthen sub-regional cooperation among police, intelligence, customs and border control officials in combating the illicit circulation and trafficking in small arms and light weapons and suppressing criminal activities relating to the use of these weapons;
- (b) enhance the capacity of national law enforcement and security agencies, including appropriate training on investigative procedures, border control and law enforcement techniques, and upgrading of equipment and resources;
- (c) establish and improve national databases, communication systems and acquire equipment for monitoring and controlling small arms and light weapons movements across borders;
- (d) establish or enhance inter-agency groups, involving police, military, customs, home affairs and other relevant bodies, to improve policy coordination, information sharing and analysis at national level;
- (e) develop or improve national training programmes to enhance the capacity of law enforcement agencies to fulfil their roles in the implementation of the agenda for action.

ARTICLE 5: CONTROL OF CIVILIAN POSSESSION OF SMALL ARMS AND LIGHT WEAPONS

- (a) States Parties undertake to consider a coordinated review of national procedures and criteria for issuing and withdrawing of small arms and light

weapons licenses, and establishing and maintaining national databases of licensed small arms and light weapons, small arms and light weapons owners, and commercial small arms and light weapons traders within their territories.

- (b) State Parties undertake to:
 - (i) introduce harmonised, heavy minimum sentences for small arms and light weapons crimes and the carrying of unlicensed small arms and light weapons;
 - (ii) register and ensure strict accountability and effective control of all small arms and light weapons owned by private security companies;
 - (iii) prohibit the civilian possession of semi-automatic and automatic rifles and machine guns and all light weapons.

ARTICLE 6: CONTROL AND ACCOUNTABILITY OF STATE-OWNED SMALL ARMS AND LIGHT WEAPONS

States Parties undertake to:

- (a) establish and maintain complete national inventories of small arms and light weapons held by security forces and other state bodies, to enhance their capacity to manage and maintain secure storage of state-owned small arms and light weapons;
- (b) ensure strict national accountability and the effective tracing of all small arms and light weapons owned and distributed by the state.

ARTICLE 7: MARKING AND TRACING OF SMALL ARMS AND LIGHT WEAPONS AND RECORD-KEEPING

States Parties undertake to:

- (a) mark each small arm or light weapon at the time of manufacture, with a unique marking providing the name of the manufacturer, the country or place of manufacture and the serial number. The marking should be on the barrel, frame and, where applicable, the slide;

- (b) mark each small arm or light weapon at the time of import with a simple marking permitting identification of the country of import and the year of import, and an individual serial number if the small arm or light weapon does not bear one at the time of import so that the source of the small arm or light weapon can be traced;
- (c) ensure that all small arms and light weapons in the possession of the state are marked with a unique mark;
- (d) ensure the maintenance, for not less than ten years, of information in relation to small arms and light weapons that is necessary to trace and identify those small arms and light weapons which are illicitly manufactured or trafficked and to prevent and detect such activities. Such information shall include:
 - (i) the appropriate markings required by this Article;
 - (ii) in cases involving international transactions in small arms and light weapons, the issuance and expiration dates of the appropriate licenses or authorisations, the country of export, the country of import, the transit countries, where appropriate, and the final recipient and the description and quantity of the articles.

ARTICLE 8: DISPOSAL OF STATE-OWNED SMALL ARMS AND LIGHT WEAPONS

States Parties undertake to identify and adopt effective programmes for the collection, safe-storage, destruction and responsible disposal of small arms and light weapons rendered surplus, redundant or obsolete, in accordance with domestic laws, through, inter alia, peace agreements, demobilisation or (re-) integration of ex-combatants, or re-equipment of armed forces or other armed state bodies. States Parties shall accordingly:

- (a) develop and implement, where they do not exist, national programmes for the identification of surplus, obsolete and seized stocks of small arms and light weapons in possession of the state;

- (b) ensure that small arms and light weapons rendered surplus, redundant or obsolete through the implementation of a peace process, the re-equipment or reorganization of armed forces and/ or other state bodies are securely stored, destroyed or disposed of in a way that prevents them from entering the illicit market or flowing into regions in conflict or any other destination that is not fully consistent with agreed criteria for restraint.

ARTICLE 9: DISPOSAL OF CONFISCATED OR UNLICENSED SMALL ARMS AND LIGHT WEAPONS

States Parties undertake to:

- (a) adopt, within their domestic legal systems, such measures as may be necessary to enable confiscation of small arms and light weapons that have been illicitly manufactured or trafficked;
- (b) maintain and further develop joint and combined operations across the borders of States Parties to locate, seize and destroy caches of small arms and light weapons left over after conflicts and civil wars;
- (c) encourage law enforcement agencies to work with communities to identify small arms and light weapons caches and remove them from society;
- (d) establish an effective mechanism for storing impounded, recovered or unlicensed illicit small arms and light weapons pending the investigations that will release them for destruction.

ARTICLE 10: IMPORT, EXPORT, TRANSFER AND TRANSIT OF SMALL ARMS AND LIGHT WEAPONS

- (a) Each State Party shall establish and maintain an effective system of export and import licensing or authorisation, as well as of measures on international transit, for the transfer of small arms and light weapons.
- (b) Before issuing export licenses or authorisations for shipments of small arms and light weapons, each State Party shall verify:

- (i) that the importing States have issued import licences or authorisations; and
 - (ii) that, without prejudice to bilateral or multilateral agreements or arrangements favouring landlocked States, the States have, at a minimum, given notice in writing, prior to shipment, that they have no objection to the transit.
- (c) The export and import licence or authorisation and accompanying documentation together shall contain information that, at a minimum, shall include the place and the date of issuance, the date of expiration, the country of export, the country of import, the final recipient, a description and the quantity of the small arms and light weapons and, whenever there is transit, the countries of transit. The information contained in the import licence must be provided in advance to the transit States.
- (e) The importing State Party shall inform the exporting State Party of the receipt of the dispatched shipment of small arms and light weapons.
- (f) Each State Party shall, within available means, take such measures as may be necessary to ensure that licensing or authorisation procedures are secure and that the authenticity of licensing or authorisation documents can be verified or validated.
- (g) States Parties may adopt simplified procedures for the temporary import and export and the transit of small arms and light weapons for verifiable lawful purposes such as hunting, sport shooting, evaluation, exhibitions or repairs.

ARTICLE 11: DEALERS, BROKERS AND BROKERING

State Parties that have not yet done so, shall establish a national system for regulating dealers and brokers of small arms and light weapons. Such a system of control shall include:

- (a) regulating all manufacturers, dealers, traders, financiers and transporters of small arms and light weapons through licensing;
- (b) registering all brokers operating within their territory;

- (c) ensuring that all registered brokers seek and obtain authorization for each individual transaction taking place;
- (d) ensuring that all brokering transactions provide full disclosure on import and export licenses or authorisation and accompanying documents of the names and locations of all brokers involved in the transaction; and
- (e) licensing, registering and checking regularly and randomly all independent manufacturers, dealers, traders and brokers.

ARTICLE 12: VOLUNTARY SURRENDER

States Parties shall introduce programmes to encourage the following:

- (a) small arms and light weapons in lawful civilian possession may be voluntarily surrender their small arms and light weapons for destruction/disposal by the State in accordance with its domestic laws;
- (b) illegal small arms and light weapons holders shall surrender their small arms and light weapons for destruction. In such cases, the State may consider granting immunity from prosecution.

ARTICLE 13: PUBLIC/COMMUNITY EDUCATION AND AWARENESS PROGRAMMES

States Parties undertake to develop local, national and regional public/community education and awareness programmes to enhance the involvement of the public and communities and support for efforts to tackle the proliferation and illicit trafficking of small arms and light weapons, and to encourage responsible ownership and management of small arms and light weapons. These programmes shall:

- (a) promote a culture of peace;
- (b) involve, and cooperate with, all sectors of society.

ARTICLE 14: MUTUAL LEGAL ASSISTANCE

- (a) States Parties shall engage in the creation of a mutual legal assistance system in order to cooperate with each other to afford mutual legal assistance in a concerted effort to eradicate the illicit manufacturing and trafficking of, and control the possession and use of, small arms and light weapons. Mutual legal assistance shall, *inter alia*, include the following:
 - (i) investigation and detection of offences;
 - (ii) obtaining evidence and/or statements;
 - (iii) execution of searches and seizures;
 - (iv) communication of information and transfer of exhibits;
 - (v) inspection of sites or examination of objects and/or documents;
 - (vi) request for judicial documents;
 - (vii) service of judicial documents;
 - (viii) communication of relevant documents and records;
 - (ix) identification or tracing of suspects or proceeds of crime; and
 - (x) application of special investigative techniques, such as forensics, ballistics and fingerprinting.
- (b) States Parties may further agree upon any other form of mutual assistance consistent with their national laws.
- (c) States Parties shall designate a competent authority which shall have the responsibility and power to execute and monitor requests for mutual legal assistance.
- (d) Requests for mutual legal assistance shall be made in writing to the competent authority and shall contain:
 - (i) the identity of the authority making the request;
 - (ii) the subject matter and nature of the investigation or prosecution to which the request relates;
 - (iii) the description of the assistance sought;
 - (iv) the purpose for which the evidence, information or action is sought; and
 - (v) all relevant information available to the requesting State Party and which may be of use to the requested State Party.
- (e) A State Party may seek any such additional information which might be necessary for the execution of the request in accordance with its national laws.

ARTICLE 15: LAW ENFORCEMENT

- (a) States Parties shall establish appropriate mechanisms for cooperation among law enforcement agencies to promote effective law enforcement including:
- (i) strengthening regional and continental cooperation among police, customs and border control services to address the illicit proliferation, circulation and trafficking of small arms and light weapons. These efforts should include, but not be limited to, training, the exchange of information to support common action to contain and reduce illicit small arms and light weapons trafficking across borders, and the conclusion of necessary agreements in this regard;
 - (ii) establishing direct communication systems to facilitate free and fast flow of information among the law enforcement agencies in the sub-region;
 - (iii) establishing multi-disciplinary/specialized law enforcement units for combating the illicit manufacturing of and trafficking in, possession and use of small arms and light weapons;
 - (iv) promoting cooperation with international organisations such as the International Criminal Police Organisation (INTERPOL) and the World Customs Organisation (WCO) and to utilise existing databases such as the Interpol Weapons and Explosives Tracing System (IWETS);
 - (v) introducing effective extradition arrangements.

ARTICLE 16: TRANSPARENCY, INFORMATION EXCHANGE AND HARMONIZATION

States Parties undertake to:

- (a) establish National Focal Points to, inter alia, facilitate the rapid information exchange to combat cross-border small arms and light weapons trafficking;
- (b) develop and improve transparency in small arms and light weapons accumulations, flows and policies relating to civilian-owned small arms and light weapons, including serious consideration to the development of a sub-regional small arms and light weapons register on civilian possession;

- (c) encourage the exchange of information among law enforcement agencies on criminal groups and their associates, types of small arms and light weapons, sources, supply routes, destinations, methods of transportation and financial support of these groups;
- (d) establish national small arms and light weapons databases so as to facilitate the exchange of information on small arms and light weapons imports, exports and transfers;
- (e) establish systems to verify the validity of documents issued by licensing authorities in the sub-region;
- (f) establish a sub-regional system to facilitate intelligence exchange on small arms and light weapons violations and trafficking;
- (g) establish a sub-regional system to harmonise relevant import, export and transfer documents and end-user certificates.

ARTICLE 17: CORRUPTION

States Parties shall institute appropriate and effective measures for cooperation between law enforcement agencies to curb corruption associated with the illicit manufacturing of, trafficking in, illicit possession and use of small arms and light weapons.

ARTICLE 18: INSTITUTIONAL ARRANGEMENT

- (a) States Parties mandate the Nairobi Secretariat to oversee the implementation of this Protocol.
- (b) In this regard the Nairobi Secretariat shall be responsible for:
 - (i) development and issuance of guidelines and instructions for the implementation of, monitoring the implementation of, the execution of, and the evaluation of this Protocol, in liaison with law enforcement agencies, and ensuring adherence to the standards set out therein informing Ministers on a regular basis of progress thereof;

- (ii) attending to the difficulties experienced in the application of this Protocol.

ARTICLE 19: SETTLEMENT OF DISPUTES

Disputes arising out of the interpretation or application of this Protocol which are not settled amicably shall be settled in accordance with the principles of public international law.

ARTICLE 20: AMENDMENTS

An amendment to this Protocol shall be adopted by a decision of three-quarters of the members of the States Parties.

ARTICLE 21: SIGNATURE

This Protocol shall be signed by duly authorised representatives of Member States.

ARTICLE 22: RATIFICATION

This Protocol shall be ratified by the Signatory States in accordance with their constitutional procedures.

ARTICLE 23: ENTRY INTO FORCE

This Protocol shall enter into force thirty (30) days after the deposit of the instruments of ratification by two-thirds of the Member States.

ARTICLE 24: ACCESSION

This Protocol shall remain open for accession by any Member State.

ARTICLE 25: DEPOSITARY AND LANGUAGES

- (a) The original text of this Protocol will be in English, French and Arabic; the three texts being equally authentic.
- (b) Instruments of ratification and accession shall be deposited with the Nairobi Secretariat, who shall transmit certified copies to all Member States.

IN WITNESSES WHEREOF, WE, the Ministers of Foreign Affairs and other plenipotentiaries of the States Parties, have signed this Protocol.

Done at Nairobi this 21st day of April 2004.

For the Government of Republic of Burundi

For the Government of Democratic Republic of Congo

For the Government of Republic of Djibouti

For the Government of Federal Democratic Republic of Ethiopia

For the Government of State of Eritrea

For the Government of Republic of Kenya

For the Government of Republic of Rwanda

For the Government of Republic of Seychelles

For the Government of Republic of the Sudan

For the Government of United Republic of Tanzania

For the Government of the Republic of Uganda
