

# Mechanisms of Curbing Smuggling of Food Commodities from Uganda into Busia Town, Kenya

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**Abstract:** Smuggling is a global phenomenon which is quite complex due to its complex operations and the diverse commodities involved. The means by which commodities cross the border is the main issue that makes the cross border trade illegal. This illegal trade is common on the Kenya-Uganda Busia border town. The objective was to evaluate the mechanisms put in place to curb cross-border smuggling of food commodities from Uganda influencing socio-economic status of households of Busia town, Kenya. The study utilized human needs and transnationalism theories to examine cross-border smuggling of food commodities from Uganda influencing socio-economic status of households of Busia town, Kenya. The study adopted a descriptive survey research design. Stratified sampling technique was used to arrive at 8 strata, namely that of transporters, local residents, traders, trade agents, hawkers, revenue collectors, opinion leaders and that of government officers. Sample sizes of 193 respondents were selected from these strata and they were arrived at through census, purposive and snowballing sampling methods. Data collection instruments were Focus Group Discussions (FGDs), interviews, observation and questionnaires and secondary data through document analysis. Quantitative data was analyzed using appropriate descriptive statistics while qualitative data involved thematic and content analysis. The findings of study indicate that the social and economic effects of smuggling have both positive and negative effects on individual households, depending on the outcome in relation to an individual's engagement in the activity. The study recommends that Kenya and Uganda governments work in collaboration come up with friendly policy on trading in food commodities so as to reduce illegal trade of food commodities.

**Key Words:** Border, Cross-Border, Economic Status, Food commodities, Smuggling, Socio-economic Status

## I. INTRODUCTION

### 1.1 Background to the Study

Current global trends such as the growing interdependence between states and the opening of borders, which exist alongside socio-economic, cultural, legal and political inequalities, facilitate the activities of smuggling. Smuggling activities are also facilitated by different drivers of corruption, including: political corruption, foreign bribery in supply countries, corruption in licensing and concessions, timber 'laundering networks', judicial corruption and weak due diligence on the part of financial institutions. Smugglers are known to rely on bribery and corruption in order to establish close links with senior government officials or politicians in order to enhance their political protection and access to government information. They also take advantage of

differences in legislation, legal systems and traditions, which often seriously hamper state efforts to respond adequately to the threat of organized or trans-border crimes (Luna, 2008).

Ford and Lyons (2012) argues that smuggling involves the illegal transport of goods and persons in and out of a country to avoid taxation. It is that type of cross border trade that avoids imposed duties and restrictive trade laws and requirements. The evasion of tariffs and taxes on such commodities can realize sizeable illicit profits. A great variety of commodities are involved in underground economic exchange, among which are food commodities (Ford & Lyons, 2012). It is carried out by individuals and groups either within the same state or across international borders, either for economic, political or social benefits.

Thus, it is a set of criminal acts whose perpetrators and repercussions go beyond territorial borders. Thus smuggling can be seen as a threat to global peace, security and socio-economic development (Ortuno & Wiriyachai, 2009). Ortuno and Wiriyachai (2009) maintain that the past few years have been characterized by a significant increase in global smuggling activities. This involves a mixture of commodities such as toxic waste, counterfeit medicines, precious metals or natural resources, electronic goods, automotive, pharmaceuticals, drug trafficking and arms trafficking. In essence it is an activity that is used to earn income from carrying goods across state borders in violation of existing rules.

Cross-border smuggling is a logistics-intensive process that can be viewed as a core competency for transnational criminal organizations involved in illicit trade activities (Basu, 2013). Transnational smuggling involves the clandestine transportation and conveyance of illicit goods across national borders. Modern-day smugglers use novel, flexible, stealthy logistics methods, assets, and systems to smuggle illegal goods across national borders in order to avoid the risk of detection and apprehension. Smuggling of goods has social, political, cultural and, more importantly, economic consequences (Mosaei & Ahmadzadeh, 2010).

African borderlands have attracted growing academic attention especially in international studies, with a change of focus. Recent studies have demonstrated that African borderlands are particular zones in which transnational realities challenge state conceptions of sovereignty, territoriality and citizenship and generate specific

interconnected political settings (Markus & Dereje, 2010). One of the emerging concerns has been smuggling of goods, especially food commodities (Markus & Dereje, 2010). Africa has generally witnessed decade of falling per capita incomes, increasing hunger and accelerating ecological degradation. This has partly been caused by the informal cross-border trade (Anghuie, 2004).

The effects of smuggling on interstate relations, cross border smuggling has contributed to human security issues since it has led to a growing influence of criminal gangs along the borderlands (Miroff, 2016). In East Africa, active smuggling in food commodities causes food shortages in the region, such as the case of Tanzania in 2011, which experienced a food crisis due to a high rate of smuggling of maize to other East African regions (Golub, 2015). As cited by Nkoroi (2001), Kenya-Uganda border has also experienced continuous smuggling of food commodities since the early 1970s. In spite of the heavily guarded border, smuggling of these products is on the rise (Golub, 2015). It is because of this protracted illegal activity that the study evaluated the mechanisms put in place to curb cross-border smuggling of food commodities from Uganda influencing socio-economic status of households of Busia town, Kenya.

### *1.2 Statement of the problem*

Smuggling globally accounts for a preponderance of total trade in many countries, providing a major source of income and employment for many people. The volume of smuggling trade is often estimated to be larger than the legal cross border trade, since smuggling is characterized by not being entered in national accounts (Kinana, 2012). In Eastern and Southern Africa, it is estimated that 30,000-60,000 metric tons of maize is smuggled annually from Zambia to Zaire costing the former \$ 3 million (UNCTAD, 2009). Kenya and Uganda are important trading partners and interest in cross border trade especially in food commodities has been quite overwhelming. There are formal protocols guiding trade across the Kenya and Uganda border such as easing exchange controls and food commodity movement restrictions. However, smuggling, the illegal trade, exists across the border of the two countries. Evidence shows that this trade is persistent and is largely tolerated by the residents and even security officers tend to turn a blind eye to it (Nyaoro, 2012). In addition, reports indicate that such activities are likely to influence the socio-economic status of households of Kenya-Uganda Busia border town. This study, therefore, evaluated the mechanisms put in place to curb cross-border smuggling of food commodities in Kenya-Uganda Busia border town.

### *1.3 Objective of the study*

The objective of this study was to: evaluate the mechanisms put in place to curb cross-border smuggling of food commodities in Kenya-Uganda Busia border town.

### *1.4 Research Question*

Which measures have been put in place to curb this cross-border smuggling of food commodities on Kenya-Uganda Busia border town?

### *1.5 Justification of the study*

#### *1.5.1 Academic Justification*

From an academic and research perspective, previous studies such as Nkoroi (2001), focuses on Kenya-Uganda border smuggling of food commodities since the early 1970s. He argues that in spite of the heavily guarded border, smuggling of these products is on the rise, the study does not focus on the mechanisms put in place to curb cross-border smuggling of food commodities in Kenya-Uganda Busia border town. Thus, trade is a critical area in international relations since it is significant in the interactions among and between countries. It also strengthens the ties that exist between the countries. This study focused on the mechanisms put in place to curb cross-border smuggling of food commodities in Kenya-Uganda Busia border town. In addition, the findings will be an eye opener to governments who will therefore be required to avail funds that will be used to control smuggling through the establishment of more control centers in order to enhance formal trade. This will therefore be a foundation on which the implementation of formal cross border trade will be built with transnational actors in mind. In addition, literature on cross-border smuggling is skewed against food commodities and its socio-economic implications on households' status. The study therefore enriches the literature on cross-border smuggling with focus on transnational actors since it brings in a new aspect that has been largely overlooked by scholars.

#### *1.5.2 Policy Justification*

The findings of this study will therefore provide crucial information to policy makers, all trading partners within the East African Community and beyond, trade agencies and the concerned stakeholders who are involved in the management of all border activities and the state actors who are the main implementers of trade policies. The study therefore sought to contribute additional knowledge on how to address evaluate the mechanisms put in place to curb cross-border smuggling of food commodities in Kenya-Uganda Busia border town.

### *1.6 Scope of the Study*

The study specifically limited itself to evaluate the mechanisms put in place to curb cross-border smuggling of food commodities in Kenya-Uganda, Busia border town. The study looked from 2010 when Kenya promulgated the new constitution to 2019. The data was collected for three months.

## II. LITERATURE REVIEW

### *2.1 Measures of Curbing Cross-Border Smuggling of Food Commodities*

In the efforts to create positive socio-economic effects, global customs and border control agencies face an interesting

paradox in managing two parallel mandates. The first mandate deals with the effective facilitation of legitimate and legal trade flows of goods, services, people and capital. The second relates to the interdiction of and halting the flows of illicit commodities, services, and the apprehension and prosecution of individuals facilitating illicit trade. This parallel mandate can lead to operational inefficiencies within legitimate supply chains leading to increased cost, delivery disruption, time delays, interruptions in the smooth flow of products and services, traffic and port congestion, and longer cycle times (Lee & Whang, 2005).

The institutional friction generated between customs/border patrol agencies and transnational smugglers creates an interdiction-adaptation cycle. Customs and border enforcement initiatives focus on interdicting and disrupting the flows of illicit trade by air, sea, and land. These initiatives utilize advanced military-style technologies and control methods, customized for anti-smuggling efforts. These same customs and border interdiction campaigns create distinct transaction costs for smugglers and trigger adaptation mechanisms (Basu, 2013).

The risk of detection and apprehension by customs and law enforcement agencies forces smuggling organizations to incur specific transaction costs related to concealment and evasion. Concealment costs are the costs associated with avoiding the risk of detection by customs officials, border patrols, and police. Evasion costs are the costs associated with evading arrest, prosecution, and taxes by customs and law enforcement authorities. These transaction costs are a direct result of law enforcement interdiction, which facilitate adaptation responses by smugglers, emphasizing concealment, evasion, structural, and operational flexibility capabilities. The constant cat and mouse game between law enforcement and criminal organizations involved in smuggling creates an interdiction-adaptation cycle. This interdiction-adaptation cycle can vary in time from days and months to years and decades (Basu, 2013).

As cited by Devling (2011), many countries having realized the benefits of less restriction to cross-border trade are pushing for less restrictive borders and have adopted a strategy known as the One Stop Border Post (OSBP) as a mechanism to improve the movement of goods and services across shared international borders. Where implemented, this strategy has been found to have both economic and customs law enforcement benefits. However, to succeed, it requires the support of all border management stakeholders. The OSBP strategy has been adopted in the East Africa Common Market which was created through the establishment of EAC in a treaty entered into by 6 Eastern Africa countries of Kenya, Uganda, Tanzania, Rwanda, Burundi and South Sudan (Mbogoro, 2011).

Generally, according to World Food Programme FEWS NET report (2007), several measures need to be put in place in order to deal with smuggling of food commodities. For instance, there is need to diminish costs of formal importing

and exporting and also enhancing compliance measures with existing regulations. Besides, it is important to improve trading opportunities and services for traders in the formal sector. Globally, for example in Hong Kong as reported by Customs and Excise Department (2008), in the light of public concern about food smuggling, Customs and Excise department has established a task force against smuggling of food and animals with the food and environmental hygiene department, the agriculture, fisheries and conservation department and the police. The objective of the task force is to coordinate government efforts in deterring and detecting smuggling of food and live animals into Hong Kong.

The task force has drawn up a series of measures to tackle food smuggling, including enhanced publicity on the law governing the importation of food, poultry and live animals into Hong Kong. This has been done through closer intelligence exchange among enforcement departments concerned, more frequent joint operations against suspicious organized food smuggling activities and enhanced inspection of passengers, vessels and vehicles at the boundary control points. Publicity has been stepped up at the land boundary control points to increase public awareness of the health concern about import control of animals and meat (Customs and Excise Department, 2008). In Serbia and Macedonia, numerous arrests have been made and smuggled goods confiscated. Venezuela says it has made 13 arrests and seized tons of these food commodities since launching a major anti-smuggling operation along its border with Colombia. 80% of the cross border traders along the border are smugglers in food commodities (Miroff, 2016).

In Zambia, according to Yu (2018), smuggling has reached alarming levels because of a huge market in neighboring countries following poor harvests that were caused by erratic rains. Yu (2018), also observes that during the month of June, 2018, some 28 trucks were impounded at Malawi border and would not be released until transporters would produce the required documentation for exporting maize to Malawi. Each truck was carrying 1200 bags of maize, each weighing 50 Kg, yet the drivers did not have the required documents allowing them to cross the border. The trucks were intercepted by revenue officials at the border. Only formal exports would be allowed to neighboring countries in order to curb smuggling. Furthermore, security on routes, along Mozambique and Malawi has been tightened. Besides, a task force had been formed in Zambia to check the border routes. Security agencies have been engaged to enhance border patrols and would arrest those attempting to smuggle maize out of the country Yu (2018). Malawi has also tightened border controls to stop profiteers smuggling the much-needed maize out of the country. The government has deployed soldiers to seal its porous border with Tanzania and Zambia. The Malawi police also search vehicles on the road that head towards the border (Sanje & Reuters, 2017).

Food is the biggest driver of inflation in East Africa (Fumbuka, 2017). In Zanzibar, efforts have been put in place

to prevent smuggled goods into the country. The government has introduced the Pre-Export Verification of Conformity (PVC) to ensure quality of products coming into the country. A physical inspection prior to shipment, and document checks are done according to the regulations. In Tanzania on the other hand, anyone who is arrested trying to smuggle food out of the country will have both his consignment and the vehicle used in the smuggling operations nationalized (Fumbuka, 2017). In Uganda, the Uganda National Bureau of Standards (UNBS) in unison with the trademark owner have come up with a control measure. The trademark owner takes up legal action and UNBS remains a witness. In addition, there is a continuous market surveillance which monitors smuggled goods into the country. This has helped intercept some of the commodities (Ahimbisibwe, 2015).

In Kenya, coffee is smuggled into Uganda. Farmers sell to middlemen who transport it across the border on trucks and motorcycles. Farmers are attracted by the instant payments across the border. In order to curb this, a taskforce which was appointed by the president of Kenya, Uhuru Kenyatta, recommended an introduction of a central depository unit where every grower has an account in which money from coffee deliveries is deposited once their product is sold (Wachira, 2017).

## 2.2 Conceptual Framework

A conceptual framework is presentation where a researcher conceptualizes or represents the relationship between variables using theories. This study is buttressed by the power and transnationalism theories to evaluate the mechanisms put in place to curb cross-border smuggling of food commodities in Kenya-Uganda Busia border town.

### 2.2.1 Human Needs Theory

It is defined a state of felt deprivation which needs to be satisfied. It is something which is needed by Human beings to lead a healthy and secure life. Needs are different from wants as these are required by the human beings to lead their normal life. Needs are non-negotiable and irreplaceable whereas wants are desires which arise out of needs (Burton, 1990).

### 2.2.2 Significance of Human Needs Theory

The Human needs theory is significant and important as it shows us how conflicts can be managed and resolved through the satisfaction of basic human needs. Human Needs can be defined as 'State of felt deprivation and necessity which have to be satisfied' (Burton, 1990). Needs form an integral part of a human being and actions are directed towards the satisfaction of these needs. Human Needs theory is an alternate to the theory of power politics. Human needs theory lays stress on the satisfaction of needs essential for human beings, required for his survival, which when compromised act as a major source of conflict. The Human Needs theory can be used in all the strata of community, for intergroup and intra-group disputes, and even conflicts which are international in nature. The Needs theory stresses on the source or the origin of the

dispute and looks towards resolution by satisfying the needs of the parties involved. Another reason why the Human needs theory is treated as an asset is because it works towards uniting human beings, makes us understand how the other party feels when their needs are deprived and provides us with a platform to aid in Conflict Resolution and Management.

### 2.2.3 Criticism towards the Human Needs Theory

The most apparent and major criticism comes in the way 'Needs' are identified. Is there any concrete or stable way of mapping or identifying Human needs? In a conflict situation it would be difficult to judge which needs of the parties have been unmet and not satisfied. The second criticism this theory faces is regarding the prioritising of the interests. The question raised here is how some needs can be prioritised over others? For example: How can we prioritise need for wellbeing over the need for security? The third censure to this theory is the fact that it is not practical that parties in conflict would sit down together and try to identify self and the other's needs.

The Human Needs Theory fits this study since it the individual actors and not state who are involved in cross-border smuggling of food commodities. Thus, government officers at the Busia border such as the police, county commissioners, and county government officers are responsible with limiting or eliminating smuggling of food commodities. The governments of respective states are also mandated with safety of what border residents consume and their economic security. The weakness with the Human is that the state is unable to deal with transnational activities such as smuggling and therefore, the transnational theory fills this gap.

### 2.2.4 Transnationalism Theory

According to Nye and Keohane (1971), transnationalism refers to the diffusion and extension of social, political, economic processes in between and beyond the sovereign jurisdictional boundaries of nation-states. They argue that international processes are increasingly governed by non-state actors and international organizations. Thus, transnationalism include: economic globalization, the trans-nationalization of the state, classes, political processes, and culture.

A transnational perspective in research means shifting the unit of analysis from individual states to a global system. Sociology's object of inquiry, and its fundamental contribution, within transnational studies is the study of "transnational social structure" (Robinson, 1998). Such a shift means locating non-state forms of governance in existing and newly emergent areas of international relations. Nye and Keohane (1971) argue that transnationalism affects diverse areas of international governance including interstate politics, values, US foreign policy, and international organization. Non-state sources of governance may develop out of existing, as well as newly emergent, social movements and civil society organizations.



Transnational perspectives provide deeper understanding into a number of globally contingent social, economic, and political processes including social movements, governance and politics, terrorism, political violence, and organized crime among others. One of the most fruitful areas of study has been transnational migration. Research in this area looks at issues such as the salient interaction with the receiving society's institutions, the migration policies of states, the role of discrimination in limiting access to the institutions of the receiving society's civil society, access to computers within the home and receiving societies, and the costs and other hardships that affect groups of migrants (Kivisto, 2001). A growing research agenda concerns the emergence of civil society, state, and non-state organizations, developed in order to respond to issues of transnational immigration. Identity is continually challenged by the fluid legal and social

characterizations of migrants created and adapted to local, national, and international organizations.

The transnationalism theory fits this study since it brings on board other actors such as border communities who are involved in smuggling. Thus, respective states cannot manage smuggling of food commodities and their effects on the residents of border communities without involving other actors in the process and decision making. However, the theory does not recognize state power which is a weakness. Therefore, the independent variable is cross-border smuggling of food commodities while socio-economic status of households forms the dependent variable. Intervening variables include the EAC protocol on trade and corruption. The following figure 2.1 is a conceptual model of these variables.

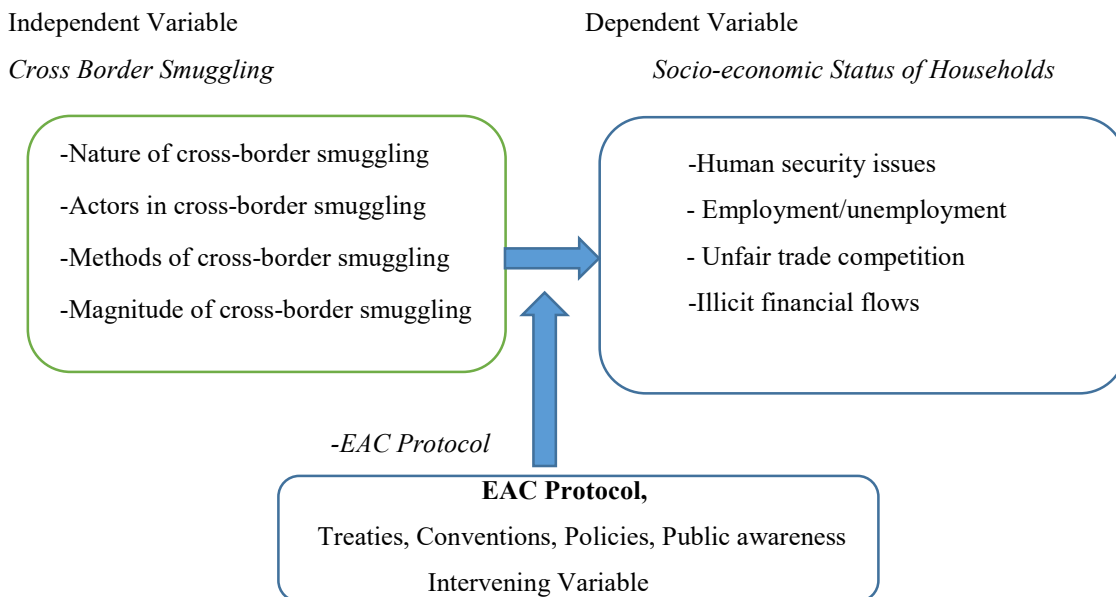


Figure 2. 1: Conceptual Model

Source: Researchers, 2019

### III. RESEARCH METHODOLOGY

#### 3.1 Research Design

The research used a descriptive survey design to evaluate the mechanisms put in place to curb cross-border smuggling of food commodities in Kenya-Uganda Busia border town. A descriptive survey gathers data at a particular point in time with an intention of describing the nature of existing condition or determines the relationship that exists between specific events (Mugenda & Mugenda, 2003). According Mwaniki (2004), a descriptive survey study involves evaluating the mechanisms put in place to curb cross-border smuggling of food commodities in Kenya-Uganda Busia border town. The descriptive survey data was collected through questionnaires and interview schedule.

#### 3.2 Study Area

The study was carried out in Busia border town, Kenya. Busia county lies at the latitude of 0°28'11"N and longitude 34°08'49"E. At Busia there are two important un-official crossing point along the border, which includes Sophia and mariachi that are monitored in addition to the main gate. The population of Busia County was estimated to the 743,946. The county is composed of seven constituencies, namely namable, Matayos, Teso South, Teso north, Butula, Funyula, and Budalangi. Major economic activities include, trade, fishing, agriculture and tourism. The Kenya-Uganda border is served by air, roads and railway networks that connect both Uganda and Kenya. Among the social services provided include banking, education, medical and different recreational facilities such as football fields 'athletics tracks rugby fields

and gymnasiums (KBS, 2009). Busia town was chosen because of their strategic significance in trade monitoring and control between Kenya and Uganda in East African region. Being border points, both legal and illegal trade are bound to occur. Figure 3.1 indicates the Kenya-Uganda border study areas.

It is a busy border town accounting for the bulk of trade and human traffic between the East Africa Community (EAC) countries. Besides, it is also the main point of entry between Kenya and Uganda, thus accounting also for the bulk of trade between the two countries (Shawiza, 2016). According to an immigration report released in 2011, 894 vehicles cross the border town every 24 hours. In early 2018, the president of Kenya and the president of Uganda jointly commissioned a one-stop border crossing between Busia Kenya and Busia Uganda (USAID, 2010).

It is characterized by heavy human traffic, medium and small scale cross border trade and containerized cargo trucks carrying imports, exports and goods on transit to other neighboring countries. It is generally investor friendly with greater opportunities for jobs. Business ventures have

generated profits with markets easily accessible owing to improved road infrastructure. In Kenya, it has been ranked among the best counties for business investment. The border town has no physical barrier separating the countries, hence, contributing to the porosity of the border. There are two important unofficial crossings in this town, namely Sofia and Marachi that are also monitored besides the main entrance and the market days within the study area are on Wednesdays and Saturdays. In spite of the Forex Bureau, it is not utilized especially by smugglers. The currency conversion is handled through the informal system of money changes (Nkoroi, 2001).

The study focused on Busia town since first, the illegal cross-border trade in the 1970s led to the growth and blossoming of the town. Secondly, the most noticeable smuggled goods around Kenya and Eastern as well as Central Africa revolve around this border, in spite of the region being guarded by security officers from either side of the border (Crown Agents, 2010). The smuggling activities are done both during the day and night times, involving diverse actors, ranging from children to adults.

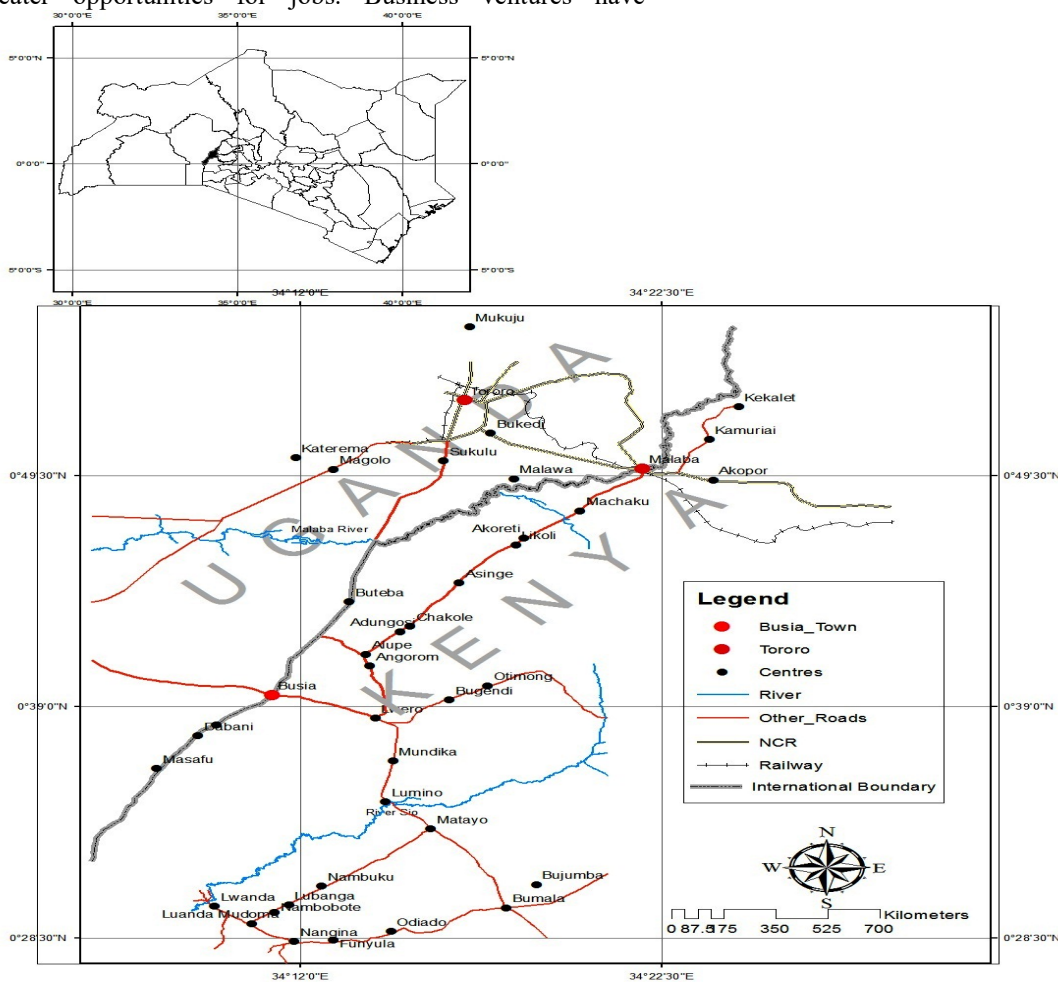


Figure 3. 1: Kenya-Uganda Border Town Map

Source: Researchers, 2019

### 3.3 Study Population

The study population was 52, 661 and the groups that the study focused on were drawn from Busia town, Kenya, within the study site. The population comprised of 171 government officers, 51, 981 local residents, 200 traders, 1,094 transporters, 12 revenue collectors, 75 hawkers, 50 trade agents and 80 opinion leaders. Government officers were basically County Government officials, security agents, customs officers were targeted since they are the administrators of the region and they are involved in security issues within the region.

### 3.4 Sampling Techniques and Sampling Size

The study was carried out in Busia town, Kenya since this is the entry point to and fro Kenya and Uganda. Stratified sampling was used to first stratify the target population. This technique is often used when one stratum or more strata in the population have a low incidence, relative to the other stratum or strata (Kish, 2011). There were 8 strata. The constituted strata were for local residents, government officers, traders, transporters, revenue collectors, hawkers, trade agents and that of opinion leaders. Random, Census, and snow ball sampling methods were applied in order to arrive at subjects for study. The census method was used to choose revenue collectors since they are few, while Random, sampling was employed to select respondents from the strata of local residents, traders, hawkers, government officers and opinion leaders (Orodho, 2002). Snow ball technique enabled the researchers obtain respondents from transporters and trade agents, since these are the ones directly involved in the illegal trade through connections and the movement of commodities. The sample size comprised of 17 government officers, 50 local residents, 50 traders, 19 transporters, 12 revenue collectors, 20 hawkers, 10 trade agents and 15 opinion leaders giving a total of 193 respondents for the study.

### 3.5 Data Collection Instruments and Methods

The study was based on both primary and secondary data. Primary data was collected through interviews, questionnaires and Focus Group Discussions (FGDs) while secondary data was gathered from both published and unpublished documents.

#### 3.5.1 Primary Data

It enabled firsthand information to be collected.

##### 3.5.1.1 Interviews

The researchers spent at least 3 months in the study area in order to conduct interviews from subjects of Busia town, Kenya. The interviews were basically conducted in Swahili and English languages. In addition, both an in-depth formal and informal interviews were done. The formal interviews were structured since they involved a set of pre-determined questions they were administered to government officers, especially the customs officers and security agents, local residents, traders and revenue collectors. The researchers

therefore conducted direct personal investigations whereby the information was collected personally from these respondents. However, interviews with the local residents, transporters, hawkers and trade agents, were not structured and as such, there were no pre-determined questions. The researchers in this case used indirect oral examination, whereby the respondents were cross-examined in order to facilitate the researchers obtain information.

##### 3.5.1.2 Observation

During the research period, the researchers would spend at least an hour every day to observe the movement of food commodities across the border. The researchers strategically positioned himself at the One Border Post, to have a clear view of what was going on. The researchers also had an opportunity on five occasions to go to Sofia and Marachi informal crossing points and were able to see how goods were being moved across the border. At these points, the researchers also spent at least an hour to have a clear view of the activities going on at these points.

##### 3.5.1.3 Questionnaires

There were 30 questionnaires which were administered to respondents from the strata of government officers and opinion leaders. The respondents included 2 County government leaders (County governor and the Deputy governor), 3 County chief secretaries for trade, public administration and transport, 1 County commissioner, 1 OCPD, 1 OCS, 1 County CID officer, 6 senior customs officers and 15 opinion leaders. This was done with the help of 1 research assistant. The open ended questionnaires were distributed to the respondents to fill. They were collected after having been completed over a period of 3 days. The researchers opted for open-ended questionnaires to enable gather a lot of quantitative data.

##### 3.5.1.4 Focus Group Discussions (FGDs)

The group discussions focused their attention on various aspects of smuggling of food commodities across the border. Members involved in these discussions were selected depending on their experience in cross-border transportation of food commodities and only those who would have been in the hawking business for more than 10 years. There were 5 FGDs which comprised of 10 members in each group and the discussion centered on certain issues as guided by the researchers.

##### 3.5.2 Secondary Data

It involved collecting data that had already been collected by someone else. It entailed the collection and analysis of published materials and information. The study used both published and unpublished reports that had some relevant information in view of the research topic. Secondary data were gathered from textbooks, internet sources and journals and periodicals, conferences and workshops. In addition, the unpublished sources included theses and reports.

Table 3. 1: Sample Size

| Target Population   | Proportion | Sampling Technique | Sample Size | Method Of Data Collection |
|---------------------|------------|--------------------|-------------|---------------------------|
| Government Officers | 171        | Purposive          | 17          | Interview/ Questionnaires |
| Transporters        | 1,094      | Snowball           | 19          | Interview/ Fgd            |
| Traders             | 200        | Purposive          | 50          | Interview                 |
| Trade Agents        | 50         | Snowball           | 10          | Interview                 |
| Hawkers             | 75         | Purposive          | 20          | Fgd                       |
| Revenue Collectors  | 12         | Census             | 12          | Interview                 |
| Local Residents     | 51,981     | Purposive          | 50          | Interview                 |
| Opinion Leaders     | 80         | Purposive          | 15          | Questionnaire             |

Source: Researchers, 2019

### 3.6 Piloting of Research Instruments

The research instruments were trial tested at the Lwakhakha border points. Feedback from the pilot study was used to revise the instruments for final data collection. The respondents in the pilot phase were excluded during the final administration of the instruments since they are from a different boarder point. The questionnaires used contained open and closed questions intended to capture a detailed level of content. It was chosen due to its ability to reach distant respondents hence minimized researchers influence on the respondents. It also allowed time for respondents to give well thought answers and time to respond to the items. Use of questionnaires was appropriate especially to guarantee unanimity (Prewitt, 1975). The researchers administered structured questionnaires personally or e-mailed to the respective respondents listed.

### 3.7 Validity and Reliability

Validity and reliability ensure that the research data are of value and of use. Validity refers to the credibility of research while reliability is the repeatability of findings (Kish, 2011).

#### 3.7.1 Validity of instruments

Face validity was used to review and develop an informal opinion as to whether or not the test would measure what it is supposed to measure. The researchers ensured that the content of the instruments that were used was adequate sample of the domain of the content they are supposed to represent. The content was based on research objective and research question of the study. To establish the validity, the researchers presented them to experienced researchers at the School of Disaster Management and Humanitarian Assistance for examination prior to carrying out the actual data collection.

#### 3.7.2 Reliability of Instruments

Prior to the actual data collection, the questionnaires were administered on the same sample on two different occasions. The test was done within a period of one week in order to maintain the same test conditions with the first one. The

questions were grouped in terms of the concepts that they sought to measure, that was to evaluate the mechanisms put in place to curb cross-border smuggling of food commodities in Kenya-Uganda Busia border town and after the responses, the researchers ran a correlation between these two groups to determine if the questionnaires would reliably measure these concepts.

### 3.8 Data Analysis and Presentation

After collecting data, the researchers did a cross-examination to ascertain their accuracy, competence and identify wrong items responded to. Data was analyzed quantitatively and qualitatively. It was then presented in form of themes, percentages and figures.

#### 3.8.1 Quantitative Analysis and Presentation

This analysis used appropriate descriptive statistics. It consisted of measuring numerical values from which description such as frequencies and percentages were made. These data were entered into the computer for analysis using Statistical Package Social Sciences (SPSS) version 27, which generated frequencies and percentages for discussion of the findings. The data was then presented in form of percentages and figures.

#### 3.8.2 Qualitative Analysis and Presentation

It involved themes and content analysis. The frequency with which an idea or word or description appeared was used for interpretation and the information was presented thematically.

### 3.9 Limitations of the Study

During the study, there was a limitation encountered. Due to the sensitivity of the study, some respondents were unwilling to provide the desired information. However, this was countered through the research assistant who was from the study area and they trusted him.

### 3.10 Ethical Considerations

The research work was carried out in accordance with set ethical standards which are of utmost importance especially when human subjects are involved. The researchers ensured that professionalism was upheld during the study, and that the dignity and privacy of every individual participating in this research was protected. The source of personal information obtained was kept confidential and respected. The consent of research subjects was obtained in advance and no individual became a research subject unless he or she would be given prior notice requesting for his or her participation. The researchers obtained an authorization letter from relevant persons and authorities.

## IV. RESEARCH FINDINGS AND DISCUSSIONS

### 4.1 Demographic Characteristics of Respondents

According to the data gathered by the researchers, there were 193 (100%) respondents from the Kenyan side of the international border. As illustrated in Figure 4.1 among these



respondents, 53 (27%) were female while 140 (73%) were male. Out of these respondents, there were 17 (9%) government officers, 50 (26%) local residents, 50 (26%) traders, 19 (10%) transporters, 12 (6%) revenue collectors, 20 (10%) hawkers, 10 (5%) trade agents and 15 (8%) opinion leaders. Most of the respondents were male since most of them were more willing to be interviewed than the females. Besides, the researchers noted that there were more male at the study area than the female and this also explains reasons as to why they dominated all categories of respondents. In spite of their dominance, the researchers was able to interview the willing female respondents.

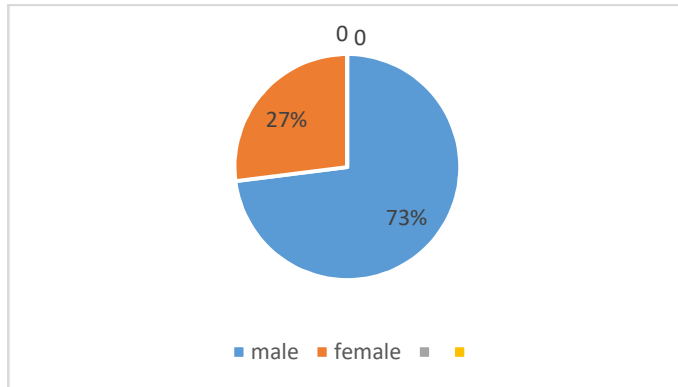


Figure 4. 1: Demographic Features

Source: Field Survey, 2019

## 4.2 Mechanisms of Curbing Smuggling of Food Commodities in Busia Town, Kenya

### 4.2.1 Actors involved in Control Measures

Smuggling as an activity is complex since it has many networks, it thus requires diverse actors to help curb it. These actors are law enforcement officers, customs officers, local residents, government leaders and the religious leaders. Each of these actors employs their own techniques in order to nab the smugglers.

### 4.2.2 Police Officers

Findings indicate that police officers have been deployed to man the international border to ensure that smugglers do not sneak their commodities across. Other police officers have been deployed also in the ungazetted entry points in order to apprehend culprits. They are to see to it that only official routes are used in any business engagements across the border. They make arrests of smugglers, seize smuggled goods and prosecute the culprits. A revelation by an FGD with transporters showed that:

On controlling smuggling we applaud our police officers even though they face challenges. They have done a lot of arrests even some of us have been arrested and prosecuted for transporting smuggled goods. They patrol the whole border not only along the official crossings but also along the informal points of Sofia and Marachi. An FGD with transporters on 28<sup>th</sup> July 2019 in Busia town.

This interview demonstrates the role of the law enforcement officers in trying to control smuggling. This is also supported by the works of Miroff (2016) who cite that along the Venezuela-Colombia border several arrests have been made and tons of food commodities have been seized. Yu (2018), states that during the month of June 2018, some 28 trucks each carrying 1200 bags of smuggled maize were impounded. Besides, Sanja and Reuters (2017) note that in Malawi, border controls have been tightened to stop profiteers smuggling the much needed maize out of the country. This information thus demonstrates the major role played by the police to curb smuggling in most countries all over the world.

### 4.2.3 Customs Officers

The researchers also got informed that the work of the customs officers is to verify documentation. They oversee the right documentation of goods so that individuals do not falsify documents and illegally move unwanted commodities across the border. They also do a search of the commodities crossing the border and seize the illegal commodities and sometimes destroy them. An interview with one customs officer showed that:

Smuggling is very complex and dealing with it is quite tricky. I confess that we officers are quite overwhelmed. We try our best. Our work involves checking documents and documenting and also inspecting the commodities being transported. Smugglers have now become very smart. What you see packed at the top is not the real cargo being transported. Other smugglers even falsify the documents. So unless you are keen you end up being duped. Interview with a customs officer on 24<sup>th</sup> July 2019 in Busia town.

The interview demonstrates that the customs officers are playing their role in controlling smuggling. This measure has also been done in other countries with a hope of completely dealing with smuggling. For instance, Fumbuka (2017) states that in Zanzibar, a physical inspection prior to shipment and document checks are done according to the regulations in Uganda. In addition, according to the report from the Customs and Excise department (2008) in Hong Kong who state that this department has established a task force against smuggling of food and animals with the food and environmental hygiene department, the agriculture, fisheries and conservation department and the police.

### 4.2.4 County and National Leaders

Other government officers such as the county and national government leaders have the responsibility of educating local residents on the EAC protocol for free trade and also inform them on the importance of formal trade. They have also come up with projects like the One Stop Border Post, which is meant to ease the congestion at the border and encourage formal channels of trade. During an interview with one County government officer, it was confirmed to the researchers that:

We have tried to put several measures in place such as awareness programmes on smuggling. Besides in collaboration with the national government have also deployed the police to man the border. We work closely with many institutions to ensure smuggling is dealt with. Interview with a County government officer on 26<sup>th</sup> July 2019 in Busia town.

This interview relates with the work of Fumbuka (2017) who writes that in Malawi the government has deployed soldiers to seal its porous border with Tanzania and Zambia. In addition, in Uganda, the Uganda National Bureau of Standards (UNBS) in unison with the trademark owner have come up with a control measure whereby the trademark owner takes up legal action and UNBS remains a witness and the government has also ensured continuous surveillance at the border which monitors smuggled goods in the country. All these citations support the fact that governments of various countries are directly involved in ensuring that smuggling is eradicated.

#### 4.2.5 Local Residents

In an interview, a custom officer argued that local residents were also vital in curbing smuggling. Whenever they identify a smuggler they tip the security officers who then waylay them and make arrests or impound the smuggled commodities. One local resident told the researchers that:

Most of us are not keen on reporting the smugglers since we greatly benefit from this business. However, there are a few individuals especially those of us who are genuinely engaged in formal trade. We feel so much inconvenienced so once we have enough evidence of smuggled goods being sold we always take the initiative of reporting the smuggler to the relevant authority. Nevertheless, even after reporting nothing is done though in very few occasions have the culprits been arrested. Interview with a local resident on 18<sup>th</sup> July 2019 in Busia town.

This information on the role of local residents lacks in the literature of most scholars. However, the study was able to capture this piece of information from the field.

#### 4.2.6 Religious Leaders

The religious leaders have also played a role in preaching to residents about legal business and they confirmed that it has had an impact, though to a very small extent, since some individuals have quit the informal trade. According to information by one local resident:

The religious leaders are not so much vocal on this. Perhaps they are ignorant on the negative implication of the activity on individuals. I only heard once a catholic priest from this parish condemning those who engage in the vice saying that this was a form of stealing and Christians need to stop engaging in such sinful acts. Generally, their involvement is quite negligible. Interview with a local resident on 19<sup>th</sup> July 2019 in Busia town.

In spite of their unnoticeable role, the interview demonstrates an effort of some religious leaders in trying to caution people against smuggling. The literature however does not mention efforts put in by religious leaders to curb smuggling.

#### 4.2.7 Effectiveness of Actors with regard to Smuggling

The researchers asked government officers, local residents, traders, transporters, revenue collectors, hawkers, trade agents and opinion leaders to explain the role of police officers in curbing smuggling. The total number of respondents was 163. The following figure 4.1 is a summary of findings:

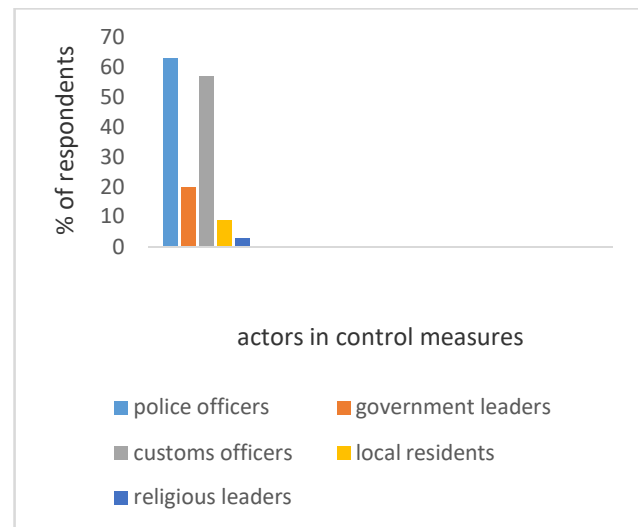


Figure 4. 1: Effectiveness of Actors with regard to Smuggling

Source: Field Data, 2019

Figure 4.1 indicates that 73 (27%) respondents of government officers, local residents, traders, transporters, revenue collectors, hawkers, trade agents and opinion leaders were of the contrary opinion. According to them, the police officers were in fact the ones encouraging smuggling. They stated that the police were doing border surveillance during daytime and even at night, and their efforts had borne fruits as quite a number of the culprits had been apprehended. They have managed to reduce the activity and some individuals fear being arrested so they have kept away from this activity. Those who wish to engage in the informal trade are scared of the police harassment so they also keep off. They stated that first the police were corrupt and always demanded for bribes to allow smuggled goods to pass through. Once they receive the bribe, commodities are moved across with a lot of ease. In addition, they are also involved in the smuggling business. They have individuals working for them as transporters, agents, hawkers and even as traders. Besides even though they are tipped of a smuggling activity, the commander in charge of the patrol at that particular time, instead deploys the officers to a wrong place to allow the smuggler to move the commodities across the border. Nevertheless 32 (17%) agreed that a good number of the police had failed as they actually colluded with the culprits though there were a few others who were committed to ensuring that smuggling was controlled

and these sentiments were also shared by the researchers. The police cannot be totally dismissed for failure to control smuggling since some efforts were being put in by these officers in spite of being pulled back by some of them. This is also in line with Miroff (2016) who cites that arrests of smugglers normally bear fruit though there are some obstacles encountered.

Findings indicate that One Stop Border Post which was commissioned in February 2018 by presidents Uhuru of Kenya and Museveni of Uganda, as a measure to ease the congestion experienced at the border during clearing processes, since one factor that encourages smuggling is the delay at the main gate. In addition, the government leaders have tried to sensitize the public on the importance of upholding the EAC trade protocol. Also, leaders organize seminars to sensitize people since they have never seen that. Furthermore, they said that the leaders do not support the security officers who are willing to work since sometimes the police vehicles lack fuel to enable in the patrol. They dismissed any efforts from the police officers.

It was that the customs officers had acted well in curbing smuggling since they always make searches of goods and documents of individuals before they cross over the border. They noted that these officers were committed and very thorough and in case they came across smuggled goods, they would destroy them and hand the culprits to the law enforcement officers. Some of them also have individuals working for them as transporters, and even sellers. Nevertheless, the 32 (17%) key informants comprising of the government officers and opinion leaders agreed that some of the officers had failed as they actually colluded with the culprits however there were a few others who were committed to ensuring that smuggling was controlled. The researchers on the other hand agreed with what the key informants stated.

#### *4.3 Measures against Smuggling of Cross-Border Food Commodities*

Data collected from the field demonstrated that various measures had been put in place to control smuggling. Some of these measures included arrests, destruction of smuggled commodities, detention, beatings and fines.

##### *4.3.1 Arrests and Prosecution*

Findings indicate that arrests were the most common form of controlling smuggling. This was being done by the security officers. The police officers have been deployed along the border and even across the un-gazetted entry points to apprehend culprits. The respondents confirmed that this measure has borne fruits as many have been arrested and prosecuted. According to one government officer, during the month of May and June when the researchers was collecting data, 10 arrests had been made and the culprits were prosecuted for evading tax. Some of those who get arrested are sometimes detained in prisons for a period not exceeding one year. On the issue of children running away from school in order to engage in smuggling, the researchers got informed

by one government officer that what is normally done is that they arrest the child, they order him/ her to direct them to the parents. If the children would have got out of school without the consent of the parents he/ she is beaten and warned never to be seen on the market. If he got out of school with the consent of the parent, the parent is arrested and then detained for about a week or fined not less than Ksh 50,000. The parents are normally prosecuted for abuses of child labor. The police officers also have sniffer dogs which help them in the border surveillance. The fine on the smuggled goods depends on the quantity involved but as stated by the police officer, some individuals have been fined as much as 1 million Kenya shillings. Vehicles carrying the smuggled commodities have also been impounded and as narrated by one security officer:

The most notorious vehicles in this business are Probox vehicles. These ones are capable of carrying a large quantity of commodities. They stuff the commodities in the boots and even under the seats and then passengers just sit on the seats. If you do not have an idea, you might think it is just transporting people yet it is carrying millions of money in material form. So we are keen on these vehicles and we normally do a thorough search. We have impounded quite a number and that is why there is a reduction of these vehicles in this region. Lorries are also used in this activity. We realized that smuggled goods are packed at the bottom. So whenever they approach the border we insist on them unpacking the commodities so that we see what is packed at the bottom. It is however challenging but we are hopeful that one day we shall completely control this. "Interview with a security officer on 19<sup>th</sup> July 2019 in Busia town.



Plate 4. 1: A Plate Showing the One of Researchers with a Security Officer  
Source: Field Data, 2019

This demonstrates the great effort being done by the police officers in trying to curb smuggling, in spite of the challenges.



This is also supported by the works of Miroff (2016) who cite that along the Venezuela-Colombia border several arrests have been made and tons of food commodities have been seized. Yu (2018), states that during the month of June 2018, some 28 trucks each carrying 1200 bags of smuggled maize were impounded. This thus reveals that arrests are a common form of dealing with smugglers globally.

#### 4.3.2 Deployment of Security along the Border

The researchers also gathered that heavy security from both countries had also been deployed in the buffer zone “no man’s land”. This was one way of discouraging illegal interactions and that interactions had to be promoted through legal activities. Besides, there were joint security operations already in place between Kenya and Uganda. This was a measure to curb the insecurity threats that come along with smuggling. An FGD with hawkers informed the researchers that:

In as much as sometimes there is laxity on the part of the police, the government has really tried to beef up security in the area nowadays though somehow we manage to sneak across our goods. You have to make your calculations right. Otherwise you can easily be nabbed by the police. They are quite cruel when dealing with a smuggler. FGD with hawkers on 27<sup>th</sup> July 2019 in Busia town.

This information gathered from the interview concurs with the scholarly works of Fumbuka (2017) who writes that in Malawi the government has deployed soldiers to seal its porous border with Tanzania and Zambia. This demonstrates a measure which is implemented not only along the Kenya-Uganda border but also elsewhere.

#### 4.3.3 Government Projects

In addition, the government has come up with projects that can help deal with smuggling. For instance, they were working on closing Sofia and Marachi informal avenues. This effort would bring order by regulating movements around these informal routes. An interview with one government officer revealed that:

These commodities especially food stuffs can be accessed cheaply from Uganda and that is why most people are engaged in the informal trade. As a County we have a master plan whereby we want to set up a center in Kenya that will attract cheap investment. Besides we have also proposed that we only have KRA doing licensing. This is a project that is starting before the end of this year because we have realized that this business is hurting households within the town as it creates competition for the local products denying them revenue. In addition, we believe that the construction of the One Stop Border Post will completely ease the congestion at the border and reduce the delays that push individuals to use informal routes. Interview with a government officer on 22<sup>nd</sup> July 2019 in Busia town



Plate 4. 2: A Plate Showing One of the Researchers at One Stop Boarder  
Source: Field Data, 2019

This finding concurs with the works of Devling (2011), who cite that many countries having realized the benefits of less restriction to cross-border trade are pushing for less restrictive borders and have adopted a strategy known as the One Stop Border Post (OSBP) as a mechanism to improve the movement of goods and services across shared international borders. The interview also demonstrates an effort being made by the county government to control this trade and as cited by Titeca and Kemanuka (2012), smuggling undermines formal trade with unfair competition. In addition, Issa (2019) argues that it lowers demand for legitimate products, leads to a decline in the sales and in the long run ends up in job losses. Hence, the control measure mentioned in the interview will greatly benefit the households within the town.

#### 4.3.4 Creating Awareness

The County government in collaboration with the national government came up with measures to stop the movement of vehicles across the border during the night. The owners and drivers of these vehicles were alerted on the dangers of crossing over the international border during nighttime. This effort worked for some time and it was successful in reducing smuggling. Besides, the government of Kenya in collaboration with that of Uganda has formed cross-border trade associations which help in educating traders on the need of doing formal business. Thus there are frequent trainings to cross-border traders on the advantages of formal trade. According to one government officer:

It is not easy. Some people will listen but others dismiss us when we talk to them about the implications of smuggling. However, we are not discouraged. We shall continue informing people and educating them on smuggling and its negative effects. Interview with a government officer on 22<sup>nd</sup> July 2019 in Busia town.

This interview is a confirmation of the efforts being done on awareness. This same measure according to a report by



Customs and Excise department (2008), is applied in Hong Kong whereby publicity has been stepped up at the land boundary control points to increase public awareness of the health concern about import control of animals and meat.

#### 4.3.5 Inspection of Commodities, Passengers, Vehicles

The researchers gathered from the field that inspection had been put in place especially at the customs to verify the commodities being transported. An interview with one customs officer showed that:

Smuggling is very complex and dealing with it is quite tricky. I confess that we officers are quite overwhelmed. We try our best. Our work involves checking documents and documenting and also inspecting the commodities being transported. Smugglers have now become very smart. What you see packed at the top is not the real cargo being transported. Other smugglers even falsify the documents. So unless you are keen you end up being duped. Interview with a customs officer on 24<sup>th</sup> July 2019 in Busia town.

This measure as highlighted in the interview is also carried out in Hong Kong according to a report by the Customs and Excise department (2008) which reveals that there is enhanced inspection of passengers, vehicles and vessels at the boundary control points. In Zanzibar, the government has introduced the Pre-Export Verification of Conformity to ensure quality of products coming into the country and hence a physical inspection prior to shipment, and document checks are done according to the regulations.

#### 4.4 Challenges in Controlling Cross-Border Food Commodities Smuggling

In spite of the efforts being put in place in order to curb smuggling certain challenges hinder the total success. Several challenges were captured among which are border porosity, corruption and limited resources.

##### 4.4.1 Border Porosity

An FGD a transporters argued that government officials were the main obstacle. First the border was porous due to the limited number of security officers to man it. In addition, the limited police officers instead of doing their job, get involved in smuggling. For instance, instead of pursuing smugglers, they escort them to safer grounds. As revealed by one trader:

I wish our police were faithful to their work. This problem will continue recurring as long as the police continue being part and parcel of this business. They are not genuine. Besides the government keeps on saying they have added the police along the border but I see the same faces. We know them and we have not seen any new ones. Who is fooling who? Interview with a trader on 21<sup>st</sup> July 2019 in Busia town.

This is a challenge captured during the interview and hence inhibits war against smuggling. A report by USAID (2010) also indicates that smuggling is thriving everywhere in Africa due to weak cross-border enforcement. Wasike (2016) also highlights that along the Kenya-Somalia border, smuggling

persists due to the absence of an effective police force at the border and this provides an easy way for smugglers.

##### 4.4.2 Corruption by Government Officers and Falsification of Documents

The researchers also learnt that some of the government officers were corrupt and as long as they are bribed, they allow the smuggled commodities to be moved across the border. Other officers also engaged in the activity so it becomes quite difficult for them to play an effective role in eradicating the illegal trade. The customs officers are specifically engaged in making false documentation, misclassification of the commodities, wrong description and under-declaration of quantities and concealment of the smuggled food commodities. Besides, some government vehicles especially ambulances were being used to transport goods. The data from the field demonstrated that patrol commanders in several instances collude with smugglers. This was revealed by one government officer who narrated to the researchers that:

Sometimes the patrol commander can receive a call informing him of the illegal goods being transported. He then dispatches all officers to a different region in order to create room for the smuggling of bigger consignments. Others demand for bribes before allowing goods to cross. At the customs there is also a problem since no proper inspection is done and false documents are issued or even stamped. This is corruption my friend and they are such kinds of officers that taint the name of the police force and that of public officers. Interview with a government officer on 25<sup>th</sup> July 2019 in Busia town.

This demonstrates why it is difficult to stamp out smuggling in the area and Miller (2016) also shares the same sentiments when he states that in Britain corruption at the border led smugglers in the 1970s and 80s to fly the smuggled commodities in cargo planes from one country to clandestine landing strips in another. New Comb (2000) further cites that in South East Europe, upon each crossing one transfers goods no customs duties are paid but instead, a bribe is paid to border police and customs officials, facilitating what is called administrative corruption, while in Romania, shipments are smuggled into the country with documents that have been forged with false customs seals and with the involvement of ghost companies.

##### 4.4.3 Lack of Resources and Personnel

The researchers also captured information from the field that the fight to eradicate smuggling was also hindered by lack of resources that would assist in the patrolling of the border. This was attributed to a lack of enough security personnel and vehicles for use. There are also limited funds to invest in the surveillance processes. As highlighted by one security officer:

It is not that we have refused to apprehend smugglers but here is a situation where you are involved of a cartel trying to cross the border. There is no vehicle to enable you pursue the smugglers or the vehicle might be available but with

insufficient fuel. Another case is where you are few officers in the station and you are out on patrol how do you therefore deal with such a situation. Sometimes we let them go because we are incapacitated. Interview with a security officer on 26<sup>th</sup> July 2019 in Busia town.

This interview demonstrates the helpless situation in which the security officers find themselves in thus an obstacle to control measures. Newcomb (2000) asserts this finding with an example from Croatia whereby smuggling was made easier by opening around 200 border crossings and only 20 of them were properly equipped for control of passengers and goods. Hence, without the required resources the control of smuggling becomes quite challenging.

#### 4.4.4 New Smuggling Techniques

The researchers also gathered that smugglers have come up with new ways of carrying out the business, and this has become more complex for the security personnel. For instance, they now hide goods in streams near borders and when the operations are over they transport the goods. This is very challenging for the security officers since these points are many and they are only known to the smugglers. As stated by an FGD with transporters:

In case the security is tight we do not transport the commodities. We agree with our customers and hide them somewhere close to the border. The customer stays at the hideout as we come to survey the situation. Once security eases up mostly in the late afternoon we rush to transport the goods. In this business you have to be sharp otherwise you will lack means of survival. An FGD with transporters on 24<sup>th</sup> July 2019 in Busia town.

This is also confirmed by a report from the Customs and Excise Department (2008) in Hong Kong who states that as regards sea smuggling the smugglers first convey the goods to a remote pier of sea shore by vehicles which are then loaded on speedboats during the small hours and the speedboats head towards the mainland at high speed. Besides there are sophisticated concealment methods including false compartments in a container, hiding in a tractor or trailer or in vehicles. Such techniques hence pose a real challenge to those who wish to stamp out the vice.

#### 4.4.5 Unwillingness to give Information

In addition, most of the local residents are not willing to give information on who is involved and where the commodities are hidden. One local resident told the researchers that:

Most of us are not keen on reporting the smugglers since we greatly benefit from this business. However, there are a few individuals especially those of us who are genuinely engaged in formal trade. We feel so much inconvenienced so one we have enough evidence of smuggled goods being sold we always take the initiative of reporting to smuggler to the relevant authority. Nevertheless, even after reporting nothing is done though in very few occasions have the culprits been

arrested. Interview with a local resident on 18<sup>th</sup> July 2019 in Busia town.

The interview indicates that local residents are not ready to report smuggling cases to the relevant authority. This could be out of fear or maybe they are the beneficiaries of this activity.

#### 4.5 Effect of Control Measures on the Socio-Economic Status of Households

Generally, the control measures have had both positive and negative impacts on households. Whenever these measures are put in place, the level of smuggling reduces and individual households that engage in formal trade are able to sell their products since they face little competition. This therefore increases income earned in the households. The patrols also help in the reduction of crimes linked to smuggling hence enhancing security and peace among households. On the issue of school dropout by children, the researchers noted that the control measures had assisted since in most households, the researchers established that children were going to school. An interview with one female local resident demonstrated this:

My son aged 10 years had a habit of running away from school at the beginning of this year. I was not aware of this until his classmates told me one day that everyday my son would be seen with Ksh 200. So I asked him one evening where he got the money from and he refused to tell me even after beating him. Two days later I received a call from a friend who sells on the market that my son had been arrested while trying to sneak some four packets of wheat flour from Uganda. I went to the customs office and found him there crying. I told the security officers to give him a good beating and when we got home his father and I beat him again. Since that day, he stopped sneaking from school. He is doing well in class and he comes home very early. Interview with a female resident on 20<sup>th</sup> July 2019 in Busia rural.

This demonstrates the positive influence that this measure has had on school dropout, hence improving the educational level in the region.

However, as noted by the researchers, female household members involved in this activity sometimes face excessive harassment especially if men conduct the body search for hidden goods as they try to cross the border. This causes embarrassment and discomfort; it even discourages some of them from pursuing the business which in the long run might make some households fall back to poverty due to the fear of harassment. In an FDG a female traders complained of their goods getting lost after being seized by the customs officers or the police thus making them go into great losses in their business. If imprisoned for long, it can lead to family breakups. Sometimes while in prison or in custody for a long period some contract diseases which negatively affect their active engagement in the business, as the individual will not be there to run it, thus hurting the members' social and economic status. The researchers also confirmed that men also go through the same humiliation such as harassment by the police and even being restricted from entry to the market,

imprisonment or detention, loss of goods to customs or police officers. All these will impact negatively on their social and economic status.

## V. SUMMARY, CONCLUSION AND RECOMMENDATION

### 5.1 Summary of the Findings

The objective analyzed control measures against cross-border food commodities smuggling and the implication of these measures on the socio-economic status of households. In addition, the participation of government in guidance, monitoring and organization of the informal trade sector players' impact immensely on the traders' incomes and the quality of goods exported.

## VI. CONCLUSION

The objective concluded that the control measures had been effective in raising the socio-economic status of households through the introduction of positive aspects in their lives. Some of these aspects included control of unfair competition from cheap smuggled goods, reduction in crime and reduction in school dropouts. However, certain control measures had hurt their socio-economic status especially when negative aspects were imposed. This included harassment, imprisonment and detention, heavy fines, seizure or destruction of the commodities.

## VII. RECOMMENDATION

It is recommended that the government to fit surveillance devices to monitor the illegal activities as well as the entry points. There is also need for a multi-faceted approach to minimize problems, hence need to urgently increase gender awareness and sensitivity of institutions in order to conduct their work in a way that recognizes gender issues and other targeted beneficiaries based on cleared identified needs which vary according to gender. The informal traders are also in dire need of market information, financial services and understanding their role in EAC regional integration processes. Governments of the two countries should therefore promote the establishment of information centers for people involved in the illegal trade, to enable them access information on what is available, pricing systems, markets and even where to access finance. In addition, policies must be reviewed within the framework of EAC policies. The information would then be disseminated through some literature written in either Kiswahili, vernacular and in English.

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