



Nature of women participation in counterfeit trade between Kenya and Uganda

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ABSTRACT

Counterfeit trade remains a major global, regional, national, and local problem, particularly at high-traffic border points such as Busia and Malaba along the Kenya–Uganda border leading to loss of jobs and government revenue. The fight against counterfeit goods requires an understanding of women participation in counterfeit trade. This study, therefore, sought to interrogate women participation in counterfeit trade influencing the management strategies between Kenya and Uganda. The study was anchored on liberalism and transnationalism theories. The study adopted a descriptive research design. The target population comprised 39,686 women aged 18 years and above residing in Malaba and Busia Municipalities in both Kenya and Uganda, alongside 83 key informants drawn from the Kenya Revenue Authority (KRA), Kenya Bureau of Standards (KeBS), Anti-Counterfeit Authority, Uganda Revenue Authority (URA), Uganda National Bureau of Standards (UNBS), and security officials from both countries. The study adopted simple random sampling and purposive sampling to select an overall sample of 396 respondents. The primary data was collected by use of semi-structured questionnaires, key informant interview guides, and Focus Group Discussions. Secondary data was obtained from books, journals and government reports in addition to annual reports of Kenya Revenue Authority (KRA), Kenya Bureau of Standards (KeBS), Anti-Counterfeit Authority, Uganda Revenue Authority (URA) and Uganda National Bureau of Standards (UNBS) with the help of a data extraction checklist. Qualitative data was derived from key informant interviews and open-ended questions were analysed using thematic analysis. Utilizing the statistical software Statistical Package for the Social Sciences (SPSS version 25), descriptive statistics was employed to analyse quantitative data. The study found that counterfeit trade along the Kenya–Uganda border is widespread, involving diverse products, organized production methods, and structured distribution networks. It concludes that coordinated cross-border efforts are essential to address the institutional and transnational factors driving counterfeit trade. The study recommends strengthening public awareness, enforcement capacity, and cross-border collaboration to curb the trade in counterfeit goods.

Keywords: Border Governance, Busia, Counterfeit Trade, Kenya, Malaba, Transnational Crime, Uganda, Women

I. INTRODUCTION

Counterfeiting is the deliberate production, imitation, or distribution of goods that falsely bear another party's registered trademark, brand name, logo, or packaging without authorization, with the intention of deceiving consumers into believing the products are genuine. The global counterfeit trade exposes consumers to substandard uncontrolled goods, undermines lawful enterprises, and costs governments billions of dollars in lost tax income (World Trade Organization, 2020). The world economy loses between \$1.6 trillion and \$2.2 trillion every year because of illegal trade (US Homeland Security, 2020). It is estimated that \$464 billion, or around 2.5 per cent, of global trade consists of counterfeit and pirated products. An estimated 400–460 billion cigarette, or 10–12% of the world's total tobacco use, is illicit (UN Office of Drugs and Crime, 2020).

According to Chow (2009), the majority of the counterfeit and pirated items confiscated by U.S. Customs and Border Protection in 2021 were Chinese, as well as goods transhipped from China to Hong Kong. The United States Department of Homeland Security estimates that the counterfeiting and piracy sector was worth \$461 billion in 2020, with the most common counterfeit goods being cigarette products, cosmetics, clothing, and accessories. Over 39,000 wholesale employment and 280,000 retail jobs were lost due to counterfeit production, costing workers over \$13.6 billion in wages and benefits.

Annually, Africa has an illicit capital flight amounting to around US\$88.6 billion, which is equivalent to 3.7% of the continent's gross domestic product (Charlier, 2021). In Nigeria, around 60-80% of goods are counterfeit, with pharmaceuticals, luxury goods, software and computer hardware, audio and visual products, motor vehicle spare parts,

and food and beverages being the main categories affected (Ibekwe & Nosiri, 2017). Counterfeit products constitute around 30 to 35% of the whole product market in South Africa (Vellios, van Walbeek & Ross, 2020). Uganda is a major recipient of counterfeit products within the East African Community (EAC). Over 54 per cent of the products available for sale are thought to be counterfeit. According to Jjingo (2022), companies such as Nice House of Plastics suffer an annual loss of up to \$2 million (equivalent to sh4 billion) due to counterfeit goods.

In Kenya, the market for counterfeit goods experienced a 14% growth, rising from KES 726 billion in 2017 to KES 826 billion in 2018 (Derege et al., 2023). The percentage of the services sector in the Gross Domestic Product (GDP) increased from 8.9% in 2017 to 9.3% in 2018, significantly surpassing the manufacturing sector's participation in the GDP. The presence of counterfeit goods resulted in financial losses for companies that reported facing unfair competition from illegally traded products (Kimeu, 2018). The total reported sales losses had a downward trajectory, decreasing by 59% from KES174 billion in 2016 to KES72 billion in 2018. The decrease was ascribed to the heightened efforts against illegal commerce, which began in 2016 with the Anti-Counterfeit Authority (ACA) recruiting more inspectors and the Kenya Revenue Authority (KRA) taking strong action against unauthorized items.

Counterfeit goods smuggling has been widespread at the Busia and Malaba borders for the past ten years. This is evident from the quantity of confiscated counterfeit items at certain border locations (Jubat, 2013). In 2022, authorities confiscated counterfeit Motor Vehicle Engine Oil at the Busia Kenya - Uganda Border Town. In March 2023, the Uganda Revenue Authority confiscated counterfeit currency in the form of 5,000 and 10,000-shilling bills, totaling 40.8 Million Shillings.

Counterfeit trade has over the years been considered to be man's activity (Hicks, 2021). However, this has considerably changed over the years as women have been arrested and prosecuted in different parts of the world for their involvement in counterfeit trade. For instance, in the United States, Lindsay Castelli, was arrested and prosecuted for trademark counterfeiting of luxury brands, including Gucci, Chanel, Prada, Dior, and Louis Vuitton. In Kenya, women were arrested with 200 bottles of counterfeit alcohol in Ruai and 300 Cartons in Thika (Kinyanjui, 2023). This study therefore sought to interrogate women participation in counterfeit trade influencing the management strategies between Kenya and Uganda.

1.1 Statement of the Problem

Counterfeit trade remains a persistent and expanding challenge in Kenya. According to the Organisation for Economic Co-operation and Development (OECD) and the European Union Intellectual Property Office (EUIPO) (2019), counterfeit and pirated goods account for approximately 3.3% of global trade, with developing economies and cross-border transit points such as those in East Africa being disproportionately affected. Counterfeiting rates in Kenya increased from 18% in 2018 to 23% in 2024, according to the Anti-Counterfeit Authority (2024). Traditionally, women were considered as victims of trade including counterfeit goods. However, this has changed in the last two decades with women playing supporting, operation and leadership roles. Women increasingly occupy operational roles in counterfeit trade networks, a trend now observed in East African border economies (Farfán-Méndez, 2020). In Kenya, (Kinyanjui 2023) documented the arrest of women found with 200 bottles of counterfeit alcohol in Ruai and 300 cartons in Thika, suggesting an organized network.

The fight against counterfeit goods requires an understanding of women participation in counterfeit trade. However, studies on the trade of counterfeit goods in Kenya have not shown women participation. For instance, Mwangi (2021) found that counterfeit construction materials account for significant financial losses to retailers in Nairobi's CBD, yet the study did not investigate gendered participation in procurement or distribution networks, leaving a fundamental analytical gap. Despite sustained legislative and institutional interventions, counterfeit trade remains a challenge hence the need for this study.

1.2 Research Objective

To examine the nature of women participation in counterfeit trade between Kenya and Uganda

II. LITERATURE REVIEW

2.1 Theoretical Review

2.1.1 Liberalism Theory

In explaining women's participation in counterfeit trade between Kenya and Uganda, liberalism suggests that women engage in such activities to maximize economic benefits, driven by rational self-interest, especially when legitimate economic opportunities are scarce (Sørensen et al., 2022). The theory argues that individuals, including women, act to improve their welfare within available economic structures. To curb counterfeit trade, liberalism advocates for strengthening institutions and enhancing trade regulations through cooperation between the two governments.

By creating robust legal frameworks, fostering economic alternatives, and promoting cross-border partnerships, the states can reduce incentives for counterfeit trade, encouraging lawful economic activities and reducing the appeal of counterfeit goods as a livelihood. Liberalism theory is relevant to this study because it provides a theoretical lens for examining institutional effectiveness, cross-border cooperation, legal enforcement mechanisms, and the role of non-state actors in managing counterfeit trade between Kenya and Uganda.

2.1.2 Transnationalism Theory

Transnationalism theory examines interactions, networks, and activities that transcend national borders and involve both state and non-state actors. Robert Keohane and Joseph Nye introduced the concept of transnational relations, emphasizing how non-state actors influence international politics beyond formal state structures (Viotti & Kauppi, 2019). Nye further developed the notion of complex interdependence, highlighting multiple formal and informal channels connecting societies across borders. Transnationalism theory is relevant for this study because it captures the cross-border nature of counterfeit trade and the interconnected roles of state institutions and non-state actors (Fukushima & Tricorache, 2020). It enables an understanding of how women participate in transnational trade networks that operate across Kenya and Uganda, and how these networks interact with enforcement and regulatory structures.

2.2 Empirical Review

According to INTEROL (2020), there is a wide range of counterfeit goods around the world. These goods include cigarettes, alcohol, medicines, food items, arms, art and cultural products, and minerals (gold and diamond) among others. In European countries like Italy, the Netherlands, Spain and Switzerland, Brodie, Batura and Hoog (2019) found that some of the counterfeit goods include cultural goods and antiquities (such as inscriptions, coins, small seals and the like), followed by archives of sound, film and photographs; household items (carpets, samovars); and archaeological items.

Airports frequently serve as hubs for the transportation of counterfeit merchandise. The air mode has emerged as a highly desirable transportation route for thieves seeking to transport counterfeit goods across international borders. Air transport offers speed and convenience, as well as the ability to divide large shipments into smaller ones, which helps to minimize the likelihood of detection. In Africa, Basu (2020) observed that counterfeit goods in markets in Africa include tobacco and cigarettes. In Uganda, Jjingo (2022) discovered that cigarettes were among the products implicated in trafficking. Subsequently, alcohol was consumed. In Kenya, the primary catalyst for the counterfeit tobacco trade is the circulation of tax-evaded cigarettes, which include those bearing counterfeit tax stamps, cigarettes intended for export but not sold in their designated market, and cigarettes smuggled into the country. According to Jubat (2013), over 15,000 sacks of sugar worth over Sh72 million are smuggled via the weak border with Somalia every day by illegal immigrants, some of whom have obtained Kenyan ID cards. Various measures have been implemented to tackle this menace (Anom, 2021).

III. METHODOLOGY

3.1 Research Design

This study employed a descriptive research design. Devi (2019) notes that this design is suitable for examining phenomena by addressing questions of who, what, where, when, and how. The design was appropriate because it enabled the collection and analysis of quantitative and qualitative data to describe the study variables and examine relationships between the independent and dependent variables without manipulating the study environment. Therefore, it provided relevant evidence for addressing the research objectives and questions.

3.2 Study Area

The research was conducted at the Busia and Malaba border points along the Kenya–Uganda border. These border crossings constitute two of East Africa's busiest international trade corridors, serving as strategic transit routes connecting the Port of Mombasa to Uganda, Rwanda, South Sudan, the Democratic Republic of the Congo, and other countries within the region. Their high volumes of commercial traffic and extensive informal cross-border trade make them particularly susceptible to counterfeit goods trafficking, thereby providing an appropriate setting for examining women's participation in counterfeit trade. Figure 1 indicates the study area.

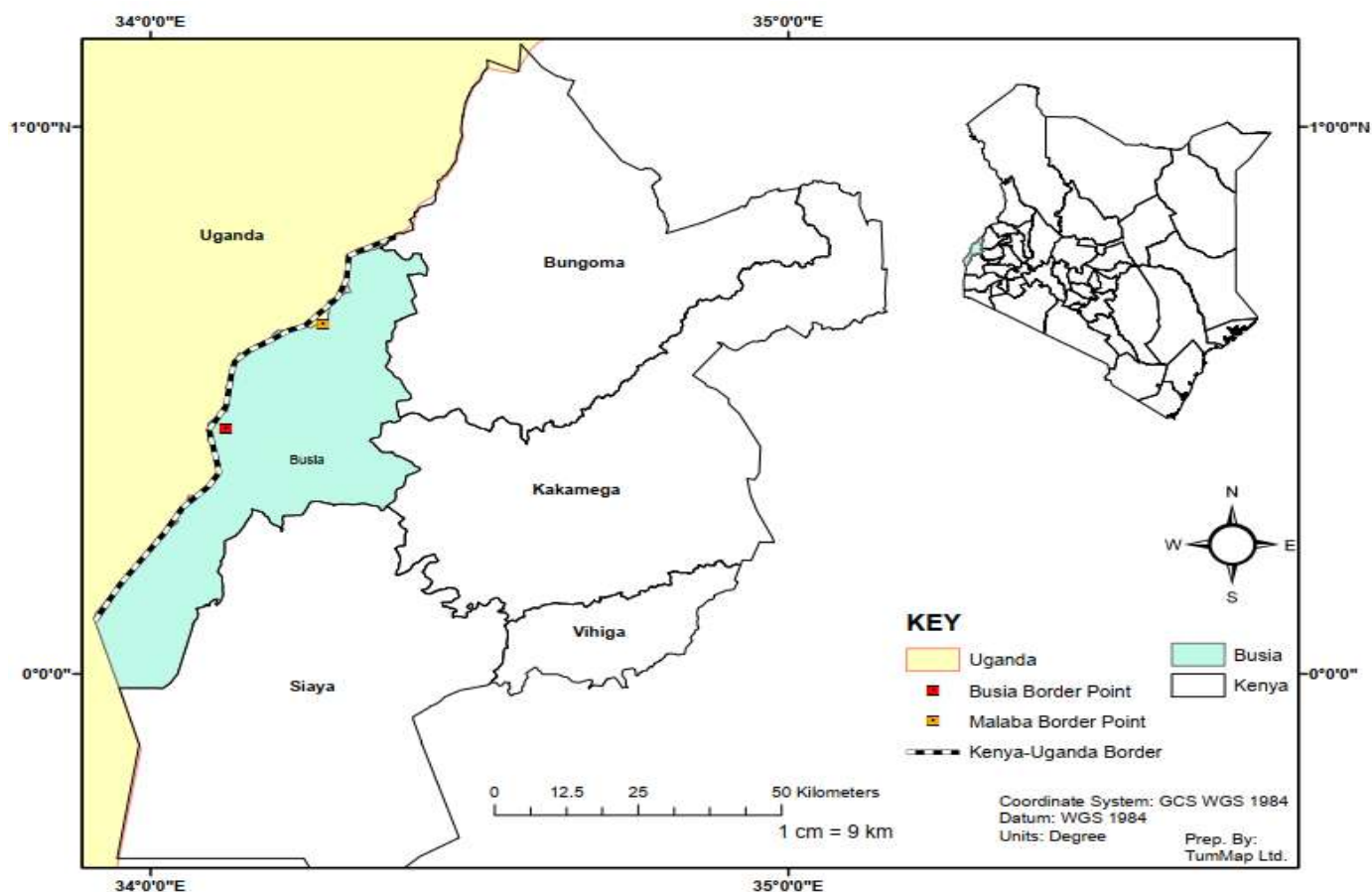


Figure 1
Study area, Busia and Malaba Border Points
Source: GIS Expert, 2023

3.3 Target Population

The study included 10,125 women in Malaba Municipality (Kenya), 12,901 women in Busia Municipality (Kenya), 8,893 women in Malaba Municipality (Uganda), and 7,767 women in Busia Municipality (Uganda). The study incorporated registered traders - 677 in Kenya and 650 in Uganda - who represent a critical link between suppliers and buyers within formal and informal markets. The target population further included key stakeholders from relevant enforcement and regulatory institutions. In Kenya, these comprised 21 Kenya Revenue Authority (KRA) officials, 14 Kenya Bureau of Standards (KeBS) officials, 12 Anti-Counterfeit Authority officials, and 10 security officers drawn from the Kenya Defence Forces (KDF), National Intelligence Service (NIS), and National Police Service (NPS). In Uganda, the study included 8 Uganda Revenue Authority (URA) officials, 12 Uganda National Bureau of Standards (UNBS) officials, and 6 security officers from the Uganda People's Defense Forces (UPDF), Internal Security Organization (ISO), and Uganda Police Service (UPS).

3.4 Sampling and Sample Size

The study used purposive sampling. The sample size of women in Malaba Municipality (Kenya), Busia Municipality (Kenya), Malaba Municipality (Uganda) and women in Busia Municipality (Uganda) and registered traders was determined using Yamane's Formula which allows a researcher to sample the entire population but within an acceptable margin of error (Waddell, 2020).

$$n = \frac{N}{1 + N(e)^2}$$

Where:

n = no. of samples;

N = total population

e = error margin / margin of error (0.05)

$$n = \frac{41,029}{1 + (41,029 * (0.05^2))}$$

$$n = 396$$

3.5 Data Collection Instruments and Procedures

Primary data was collected using questionnaires, key informant interview guide and focus group discussions while secondary data from books, essays, journals, government reports, and annual reports of Kenya Revenue Authority (KRA), Kenya Bureau of Standards (KeBS), Anti-Counterfeit Authority, Uganda Revenue Authority (URA) and Uganda National Bureau of Standards (UNBS).

3.6 Data Analysis

Thematic analysis was employed to examine qualitative data obtained from the open-ended questions and key informant interviews. Quantitative data was analysed using descriptive statistics with the assistance of the Statistical Package for Social Sciences (SPSS version 25) software. The analysed data was then presented in descriptive statistics, specifically frequencies and percentages. The findings were then presented in tables, bar charts and pie charts.

3.7 Ethical Consideration

The study conformed to the ethical code of conduct during the research. First, the researcher obtained all necessary approvals ranging from school approval, NACOSTI, County Commissioner and the Residence District Commissioner (RDC) from Uganda. The study observed informed consent, confidentiality and anonymity. Participants were free to participate or withdraw at any time during the research process.

IV. FINDINGS & DISCUSSION

4.1 Demographic Characteristics

Demographic characteristics refer to the quantifiable statistics of a population, such as age, income level, duration in trade along the border as well as level of education.

4.1.1 Distribution of Respondents in Uganda and Kenya Border

From the results as shown in Figure 1, the highest percentage of respondents, 31.6% (96), indicated that they were working in Busia, Kenya, 25.0% (76) were working in Malaba, Kenya, 22.4% (68) were working in Malaba, Uganda and 21.1% (64) were working in Busia, Uganda.

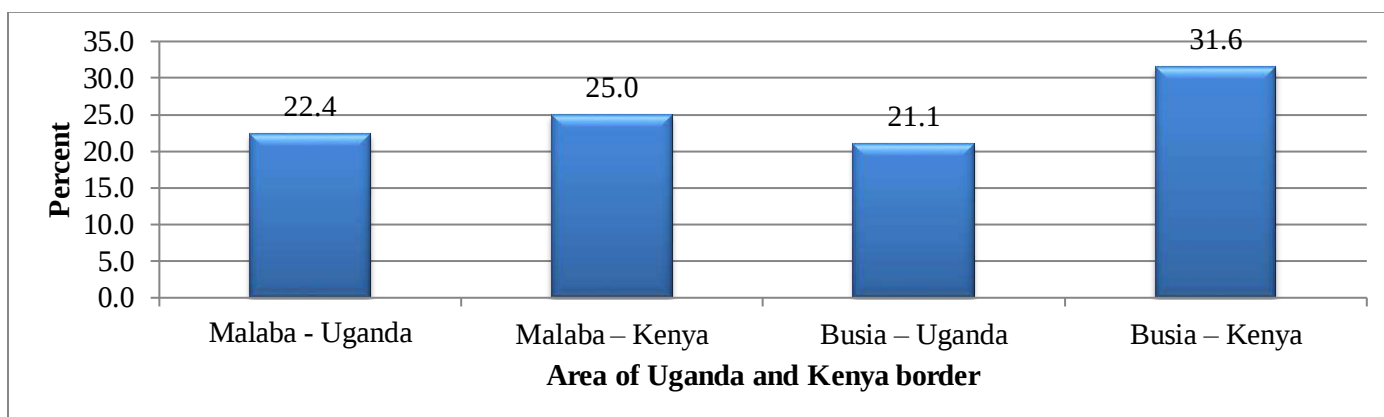


Figure 1

Distribution of Respondents in Uganda and Kenya Border

The results indicate that Busia, both on the Kenyan and Ugandan sides, has a higher concentration of respondents at 52.7% (160) compared to Malaba at 47.4% (150). This concentration suggests that Busia is a significant hub of activity and commerce. The relatively higher presence of respondents in Busia could be attributed to factors such as its strategic location, better infrastructure, higher population density, and greater economic opportunities compared to Malaba. The fact that Busia, Kenya, has the highest percentage of respondents highlights its importance as a bustling trade center on the Kenyan side of the border. This suggests that a substantial number of individuals are engaged in various economic activities, including cross-border trade, commerce, and transportation. Similarly, the presence of respondents in Busia, Uganda, indicates the importance of this border town as a commercial and economic hub on the Ugandan side.

4.1.2 Age of the Respondents

The age of respondents, particularly women, is of significant importance in a study interrogating women's participation in counterfeit trade influencing management strategies in Kenya and Uganda. In this study, Figure 4.2 shows that 40.8% (124) of the respondents were aged between 26 and 35 years, 36.8% (112) were aged between 36 and 45 years, 11.8% (36) were aged between 18 and 25 years and 10.5% (32) were aged between 46 and 55 years.

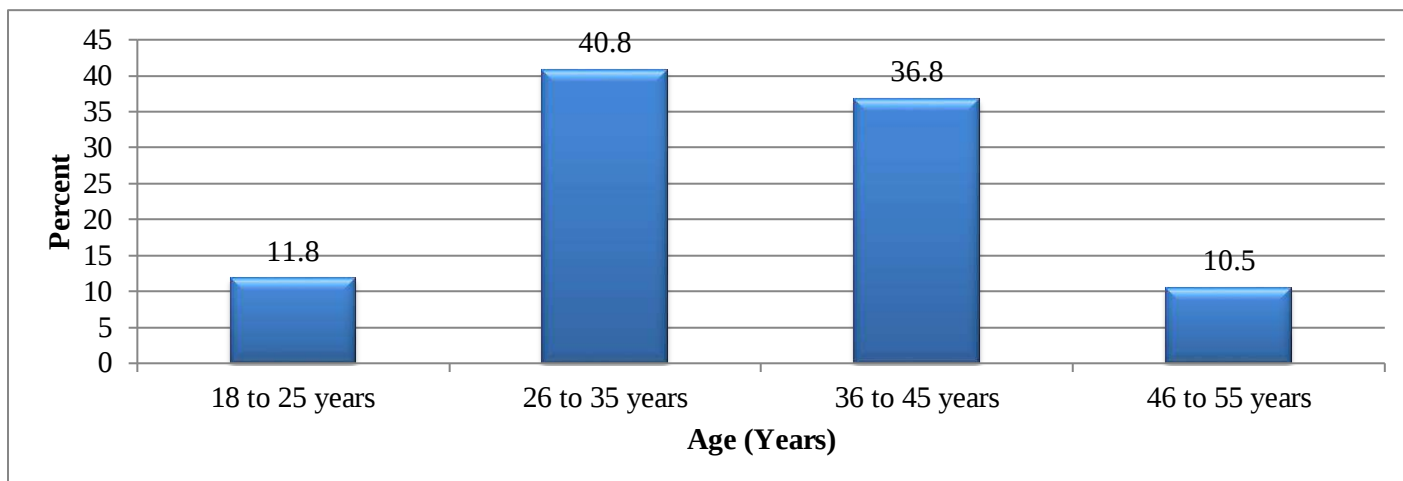


Figure 2
Age of the Respondents

The majority of respondents, 40.8% (124), belong to the age bracket of 26 to 35 years. This indicates that a significant proportion of respondents are in the prime of their working-age years. Individuals in this age group are likely to be actively engaged in various economic activities, including trade, commerce. In addition, 36.8% (112) of respondents fall within the age range of 36 to 45 years. This age bracket represents another substantial portion of the respondent population. Individuals in this age group may have more experience and established roles within the trade networks at the Busia and Malaba border points, potentially serving in leadership positions or as experienced traders. Further, 11.8% (36) of respondents fall within this age bracket. This suggests that a relatively small proportion of respondents are young adults, aged between 18 and 25 years old. Younger adults in this age group may be less represented in the study, possibly due to factors such as educational pursuits, limited work experience, or less involvement in trade-related activities. The smallest percentage of respondents, 10.5% (32), is aged between 46 and 55 years. This suggests that fewer older adults are represented in the study compared to younger and middle-aged respondents. However, this age group still represents a notable segment of the respondent population, likely contributing valuable insights based on their experience and longevity in trade-related activities.

4.1.3 Duration of Trading along the Kenya and Uganda Border

As shown in Figure 4.3, the majority of respondents have been in the trade for 4 to 11 years, comprising 68.4% (208) of the total, while a smaller proportion are evenly distributed between those with less than 3 years (14.5% (44)) and above 11 years (17.1% (52)).

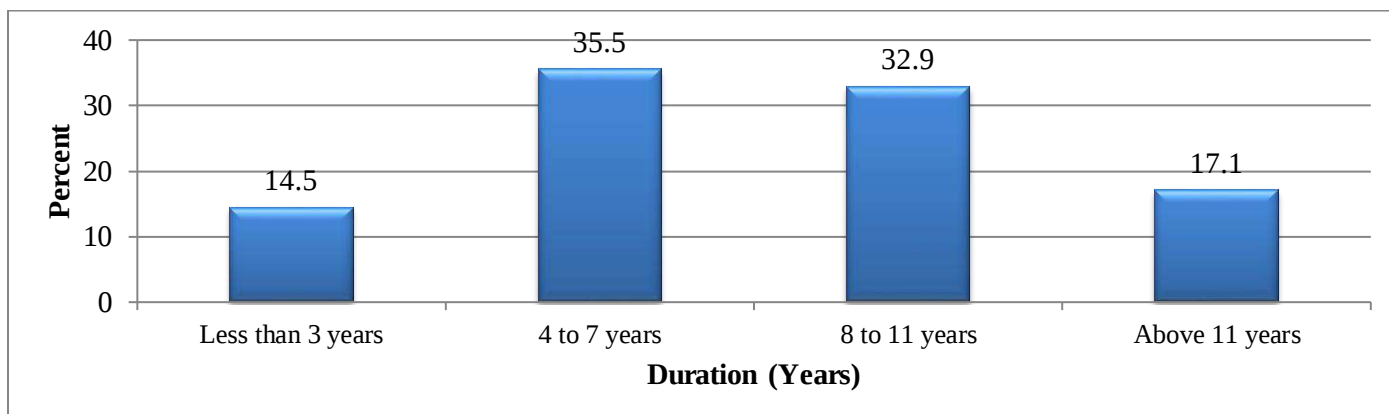


Figure 3
Duration of Trading along the Kenya and Uganda Border

The distribution of experience levels in counterfeit trade between Kenya and Uganda sheds light on women's participation in this complex economic activity. The significant proportion (68.4% (208)) of individuals with 4 to 11 years of experience suggests a core group of female traders who have developed a solid understanding of the trade dynamics, potentially serving as key players in the market. This indicates the presence of a stable cohort of women who have successfully navigated the challenges and opportunities within the counterfeit trade, contributing to its continuity and viability.

The inclusion of women with less than 3 years of experience (14.5% (44)) reflects a continuous influx of newcomers into the trade, including women who may be entering the sector for the first time. This underscores the importance of addressing gender-specific barriers to entry and providing supportive mechanisms such as training, access to resources, and mentorship programs tailored to women in order to facilitate their successful integration into the trade. Conversely, the representation of women with over 11 years of experience (17.1% (52)) highlights the presence of seasoned professionals who have been actively engaged in the counterfeit trade for an extended period. These women likely possess valuable expertise and networks accumulated over years of participation, serving as mentors and leaders within the community of female traders. Harnessing their knowledge and leadership can contribute to the empowerment and advancement of other women in the trade, while also promoting sustainable practices and ethical standards.

The balanced distribution across these experience categories underscores the diverse and dynamic nature of women's participation in the inter-territorial counterfeit trade at the Busia and Malaba border points. It emphasizes the need for gender-responsive policies and interventions that recognize and support women's contributions, address their unique challenges, and create an enabling environment for their meaningful participation and economic empowerment. By leveraging the collective expertise and experiences of women across different stages of their trading careers, stakeholders can work towards building a more inclusive, equitable, and sustainable trade ecosystem along the Kenya-Uganda border.

4.1.4 Highest Level of Education of the Respondents

The highest level of education attained by respondents provides insights into their access to educational opportunities. The results, as shown in Figure 4.4, reveals a diverse educational background among respondents, with the highest percentage holding an undergraduate degree (32.9% (100)), followed closely by those with a diploma (23.7% (73)) and certificate (21.1% (64)). Secondary education and primary education constitute smaller portions, indicating a predominantly higher-educated cohort involved in the surveyed context.

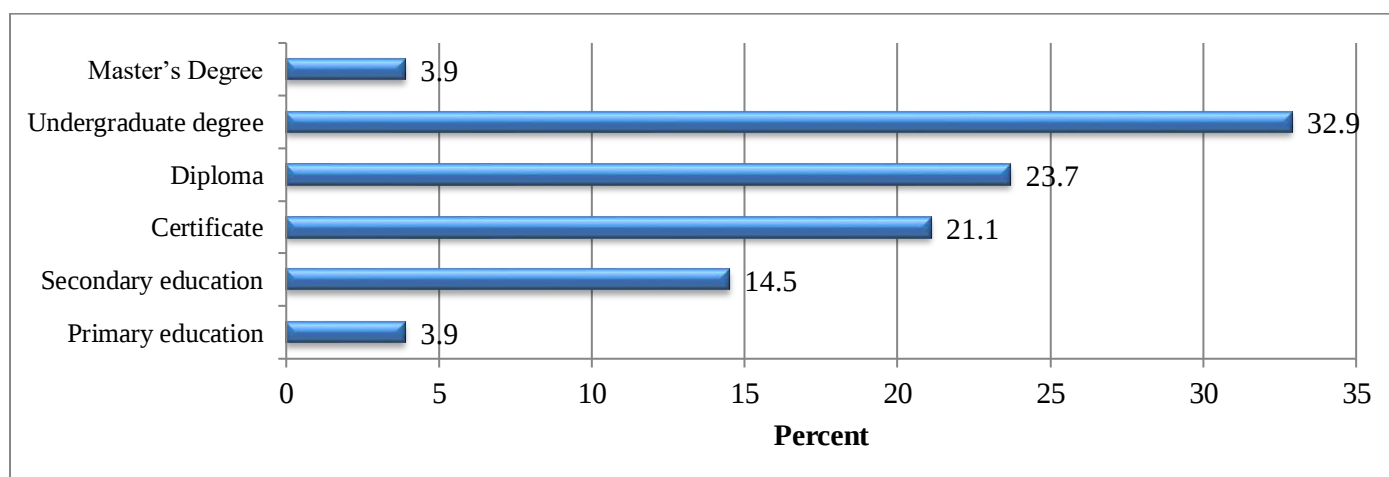


Figure 4
Highest Level of Education of the Respondents

The findings regarding the highest level of education of women participating in counterfeit trade between Kenya and Uganda provide valuable insights into the socio-economic backgrounds and potential vulnerabilities of these women, as well as opportunities for intervention. The results indicate that a significant proportion of women involved in counterfeit trade have attained educational qualifications below the undergraduate level. Specifically, 3.9% (12) have primary education, 14.5% (44) have secondary education, and 21.1% (64) have certificates. This suggests that a considerable portion of women engaged in counterfeit trade may have limited formal education, which could contribute to their vulnerability to exploitation and manipulation by counterfeit trade networks.

A notable percentage of respondents (23.7% (73)) reported having obtained a diploma, indicating that vocational training may be prevalent among women involved in counterfeit trade. Vocational education equips individuals with practical skills and competencies relevant to specific trades, which could enhance their employment

opportunities but may also inadvertently; facilitate involvement in activities such as counterfeit trade. Interestingly, a substantial proportion of respondents (32.9% (100)) reported having attained undergraduate degrees. This suggests that a significant number of women engaged in counterfeit trade have completed tertiary education. While higher education can provide individuals with enhanced job prospects and critical thinking skills, it is surprising to find a relatively high percentage of women with undergraduate degrees participating in illicit trade activities. This underscores the complex socio-economic factors driving women's involvement in counterfeit trade, which may include factors beyond educational attainment, such as economic necessity, lack of formal employment opportunities, and systemic inequalities

4.2 Nature of women participation in counterfeit trade between Kenya and Uganda.

Counterfeit goods are items that are made to look like genuine products, often of popular brands, but are actually produced without authorization and typically of lower quality. Table 1 show the ranking of items involved in counterfeit trade between Kenya and Uganda.

Table 1
Ranking of Counterfeit Goods in the Kenya and Uganda Border

	N	Mean Σ	Σ Rank	Std. Deviation	Rank StD
Alcohol	304	1.328	1	.471	5
Tobacco	304	1.263	2	.441	4
Electricals and electronics	304	1.236	3	.426	3
Food items	304	1.223	4	.417	2
Motor vehicle products	304	1.211	5	.408	1

The results in table on shows that alcohol tops the list with the highest mean score of 1.328, indicating it as the most prevalent counterfeit product encountered at these border points, closely followed by tobacco with a mean score of 1.263. Electricals and electronics rank third (mean score 1.236), followed by food items (mean score 1.223) and motor vehicle products (mean score 1.211). This ranking shows the significant presence of counterfeit goods in these categories, highlighting alcohol and tobacco as particularly prominent issues in counterfeit trade between Kenya and Uganda.

4.2 Magnitude of Counterfeit Trade between Kenya and Uganda

The magnitude of counterfeit trade between Kenya and Uganda refers to the scale and extent of the illegal trafficking of counterfeit goods across borders between different territories or countries.

4.2.1 Volume of counterfeit goods

Table 2 shows that approximately 21,296.05 liters of alcohol, 2,002.63 kilograms of tobacco, 28,903.29 units of electrical and electronics, 98,144.74 liters or kilograms of food items and 4,771.05 liters of motor vehicle products are moved across the Kenya-Uganda border, based on the given data.

Table 2
Volume of Counterfeit trade between Kenya and Uganda

	N	Minimum	Maximum	Mean	Std. Dev.
Alcohol (liters)	304	14780	30000	21296.05	4608.341
Tobacco (Kg)	304	1350	2800	2002.63	426.351
Electricals and electronics (number)	304	20000	35000	28903.29	4253.725
Food items (specify) in liters of Kgs	304	78000	123000	98144.74	14030.334
Motor vehicle products (oil in litres)	304	3900	6000	4771.05	668.739

The movement of counterfeit alcohol across the Kenya-Uganda border is significant, with an average of 21,296.05 liters being traded. This indicates a substantial demand for counterfeit alcohol in both countries, likely driven by factors such as affordability, availability, and consumer preferences. The trade in counterfeit tobacco involves an average of 2,002.63 kilograms crossing the border, indicating a considerable volume of the product being trafficked. Jjingo (2022) observed that counterfeit alcohol takes 64.5 per cent of the alcohol market share, leaving the remaining smaller percentage to genuine dealers. The trade in counterfeit tobacco involves an average of 2,002.63 kilograms crossing the border, indicating a considerable volume of the product being trafficked. According to Waddell (2019), counterfeit trade in tobacco represented 10% to 12% of global tobacco consumption. In the context of this study, one of the key informants indicated:

“The estimated amount of tobacco involved in counterfeit trade between Kenya and Uganda stands at approximately 3000 kilograms. This substantial volume underscores the magnitude of counterfeit trade in the region” (KIII with Uganda Revenue Authority official, 23 November 2023, Malaba).

The movement of counterfeit electrical and electronics products is substantial, with an average of 28,903.29 units being traded across the border. This category includes a wide range of items such as smartphones, tablets, laptops, and accessories, which are popular targets for counterfeiters due to high demand and profit margins.

According to an Anti-Counterfeit Authority official:

“In the year 2023 Kenyan authorities seized over 50,000 electronic devices suspected to be counterfeits in a recent crackdown on counterfeit trade along the Kenya-Uganda border. This significant haul disrupts counterfeit related activities and protects consumers from potentially unsafe or substandard goods” (Anti-Counterfeit Authority Official, 22 November 2023, Busia).

4.2.2 Value and Type of Counterfeit Goods

Table 3

Value and Type of counterfeit goods

Year	Amount of counterfeit goods Ksh	Types of counterfeit goods	No. of women arrested with counterfeit goods
2018	155,000,000	Alcohol, food items, Clothing, Electronics, Pharmaceuticals, cosmetics, tobacco, motor vehicle parts, electronics	15
2019	182,500,000		20
2020	166,000,000		18
2021	188,000,000		25
2022	160,500,000		12

Table 3 shows the value and types of counterfeit goods seized over a five-year period (2018-2022) and the number of women arrested in association with these goods. The total value of counterfeit goods, represented in Kenyan Shillings (Ksh), fluctuates over the years, ranging from 155,000,000 Ksh in 2018 to 188,000,000 Ksh in 2021. The types of counterfeit goods seized remain consistent across the years, including alcohol, food items, and clothing, electronics, pharmaceuticals, cosmetics, tobacco, and motor vehicle parts. Notably, the number of women arrested varies annually, with the highest number recorded in 2021 (25 arrests) and the lowest in 2022 (12 arrests). These findings suggest a persistent presence of diverse counterfeit goods in the market, prompting ongoing enforcement efforts to combat counterfeit trade, with fluctuations in the involvement of women over

4.3 Channels of Counterfeit Trade between Kenya and Uganda

Table 4 indicates the majority of counterfeit goods are transported using motor vehicles, with lorries being the most common method (71.1% (216)), followed by private cars (78.9% (240)), indicating a reliance on motorized transportation. Additionally, boda bodas (motorcycles) are also frequently utilized (89.5% (272)), suggesting the adaptability of smaller vehicles for counterfeit trade. Conversely, bicycles and human carriers are less prevalent methods, comprising 67.1% (204) and 59.2% (180) respectively, highlighting a range of transportation modes employed in inter-territorial counterfeit trade.

Table 4

Channels of Counterfeit Trade between Kenya and Uganda

	Frequency		Percent	
	Yes	No	Yes	No
Using motor vehicles (Lorries)	216	88	71.1	28.9
Using motor vehicles (private cars)	240	64	78.9	21.1
Using boda boda (motorcycles)	272	32	89.5	10.5
Using bicycles	204	100	67.1	32.9
Carried by people	180	124	59.2	40.8

The prevalence of Lorries, reported by 71.1% (216) of respondents, indicates the significant role of large-scale transportation in counterfeit trade between Kenya and Uganda. Lorries offer ample cargo space and are capable of carrying large quantities of counterfeit goods, making them an attractive choice for organized criminal networks involved in trafficking. These findings agree with Nwannennaya and Abiodun (2017) findings that trucks were used in transporting counterfeit goods along porous borders in Nigeria.



4.4 Distribution of Counterfeit Goods between Kenya and Uganda

The distribution of counterfeit goods typically occurs through various channels in counterfeit trade between Kenya and Uganda. The respondents indicated that counterfeit goods are often distributed through local markets and small shops, where they are sold alongside genuine products. This distribution strategy capitalizes on the trust that consumers have in these places, leading them to believe that the products being sold are authentic.

According to a key informant interview:

“Counterfeit goods are often sold in local markets and small shops. People trust these places, so they don't suspect the products could be fake. They are also distributed through a network of small traders who operate in border towns and rural areas. They sell them alongside genuine products, making it hard for consumers to distinguish” (Uganda National Bureau of Standards Official, 29 November 2023, Malaba).

The key informants highlight how the rise of e-commerce platforms has provided counterfeiters with new opportunities to expand their operations, leveraging the convenience and accessibility these platforms offer. The findings align with Kinyanjui (2023) emphasizes that e-commerce's growth facilitates the proliferation of counterfeit products by enabling sellers to exploit the blurred lines between genuine and counterfeit goods, thereby complicating efforts for effective regulation and consumer protection.

V. CONCLUSION & RECOMMENDATIONS

5.1 Conclusion

The study indicates that counterfeit trade is diverse in product range and significant in scale. Commonly traded counterfeit goods include alcohol, tobacco, electrical and electronic products, food items, motor vehicle products, pharmaceuticals, cosmetics, clothing, and footwear. The volumes trafficked across the border are substantial, indicating that counterfeit trade is not informal or incidental but operates at a commercial scale. Production methods include counterfeit manufacturing, reverse engineering, unauthorized replication, and smuggling. Transportation channels are equally structured, involving lorries, private vehicles, motorcycles (boda bodas), bicycles, and human carriers, demonstrating adaptive and multi-layered distribution systems.

By integrating Liberalism Theory and Transnationalism Theory, this study contributes to understanding how institutional environments and transnational social networks jointly influence women's participation in counterfeit trade. The findings provide new empirical evidence from East Africa that advances scholarship on organized crime, gender, border governance, and illicit cross-border trade while offering practical guidance for policymakers and enforcement agencies.

5.2 Recommendations

The study recommends the implementation of public awareness campaigns to educate consumers about the dangers of counterfeit products, including health risks and economic implications, can help reduce demand for counterfeit goods. Additionally, promoting consumer awareness of how to identify genuine products and verify their authenticity through labeling, packaging, and certification marks can empower consumers to make informed purchasing decisions and avoid counterfeit goods. In addition, the provision of specialized training on counterfeit detection techniques, investigative procedures, and legal frameworks will enhance the skills and expertise of personnel involved in enforcement efforts.

Declaration of Interest

The authors declare that they do not have any known competing financial interests or personal relationships that could have appeared to influence the work reported in this paper.

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