STATEMENT

by

The Honourable Winston Dookeran
Minister of Foreign Affairs
of the Republic of Trinidad and Tobago

on behalf of the
Caribbean Community (CARICOM)

in the

High Level Segment of the
United Nations Diplomatic Conference on the
Arms Trade Treaty (ATT)

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United Nations Headquarters
Monday 2 July 2012
Mr. President,
Secretary- General
Excellencies
Ladies and Gentlemen

After a six-year long and exhaustive process, we find ourselves at a stage where States, whether big or small, importer or exporter, must bury their differences, and work towards the conclusion of a strong and legally binding Arms Trade Treaty ("ATT"). The international community will be abdicating its responsibility if it cannot reach agreement on a treaty, which will enhance the security of our region as well as other areas of the globe. The unregulated international trade in conventional weapons including small arms and light weapons must come to an end. Trinidad and Tobago and its CARICOM partners, on whose behalf I speak, have been strong advocates of a robust ATT and we will participate actively and in a spirit of cooperation and compromise to ensure that this diplomatic conference is a success.

Mr. President
CARICOM Governments are very concerned about the deleterious effects on our region of the illegal trade in conventional weapons due to an unregulated and permissive approach to the trade in these armaments, including small arms and light weapons and ammunition. Consequently, the conclusion of a legally binding and robust ATT to establish the highest possible common international standards for the export, import and transfer of conventional weapons is a major foreign policy objective of CARICOM. This in part lead to the adoption of a CARICOM Declaration on Small Arms and Light Weapons by the CARICOM Heads of Government which in part seeks to harmonise the region’s efforts towards combating the illicit trade in these weapons as well as their ammunition.

Members of CARICOM are not manufacturers or large importers of conventional weapons. However, due to our geographic location, we have through no fault of ours become places for the transit, transshipment or final destination for weapons diverted from the legal trade to fuel both national and transnational criminal activities.

We continue to witness high levels of gun violence and other crimes, such as the illicit trade in narcotics which are linked to the illegal trade in small arms and light weapons and their ammunition. Our economies are hampered by exogenic shocks. Nevertheless, we have had to divert scarce resources from programmes aimed at improving the quality of life of our people, especially in terms of poverty reduction and improvement of health care and education systems, in order to tackle the effects of the illegal trade in these weapons.

Mr. President
National regulation has proven a necessary but insufficient means to combat the illicit trade in arms. Despite various legal and regulatory provisions in our jurisdictions, there is evidence that illicit arms and ammunition continue to enter our territories through a number of channels including:
Containers and cargo vessels;
Undeclared items on board pleasure craft and fishing vessels; and
Shipments of household and personal effects and imported used vehicles.

This illegal trade is trans-boundary in character. The United Nations ("the UN") must be commended for seeking to develop an international agreement which would reduce, if not eliminate the incidence of this activity.

Mr. President
By concluding an effective ATT, the UN would be continuing the multilateral tradition of formulating binding international rules to address problems that affect every region of the globe. CARICOM is aware that treaty-making is a complex process and even more complicated when the time allocated for our deliberations is only one month and it involves the participation of 193 Member States, with different views on what provisions should be contained in the instrument.

We recognize that for the ATT to achieve its object and purpose, it must contain objective and non-discriminatory criteria governing the transfer of conventional weapons. In this regard, CARICOM is of the view that States Parties to the Treaty in assessing whether or not to transfer arms, should not permit such transfers if there is a risk that they would be in violation of international human rights law; international humanitarian law; the Charter of the UN; and international or regional treaties to which the State Party is bound. Transfers should also not be permitted if they are likely to be diverted to assist in fuelling transnational organized crime, armed conflict or armed violence. The ATT must also include clauses to prevent, combat and eradicate the illicit transfer, production, and brokering of conventional weapons.

Mr. President
The scope of any treaty is an essential part of the agreement. For us, the ATT scope must be comprehensive and include all conventional weapons, including their parts and components. At a minimum, however, the Treaty should regulate the seven categories of weapons in the United Nations Register of Conventional Arms in addition to small arms and light weapons as well as ammunition. CARICOM cannot contemplate an ATT that excludes small arms and light weapons and ammunition. These are the weapons of mass destruction in our region and the trade in them must be regulated.

Mr. President
CARICOM, like the Economic Community of West African States ("ECOWAS") affirms that the ATT, like any other treaty or convention must contain a strong implementation regime. Without States Parties being required to enact legislation to implement their obligations under the treaty at the national level, the object and purpose of the treaty could be defeated. At the same time, we reiterate our position that the treaty must also provide for some measure of scrutiny by an independent body founded in the agreement and funded by
States Parties. To this end, the ATT must establish an independent mechanism such as a Secretariat or an Implementation Support Unit tasked with the responsibility to receive and verify reports from States Parties on the implementation of their obligations which flow from the agreement. Such measures would provide for transparency and would also assist in confidence-building among States Parties.

I must emphasize that international cooperation and assistance is another vital area for CARICOM, provisions for which must find its way in the treaty. CARICOM has already witnessed different levels of cooperation with the Governments of Australia and New Zealand in our preparation for this Conference. Additionally, we join other States, such as Mexico, in indicating that the ATT must make provision for States to receive assistance for capacity building, upon request, in areas such as drafting legislation to give domestic legal effect to the ATT.

Conclusion

Mr. President

Over the years the UN has presided over the drafting of regulations for the conduct of various aspects of the international relations among States. The adoption of a treaty to regulate the trade in conventional arms would be consistent with the mandate of this assembly.

Our people wish to live in societies free from the scourge of gun violence. The toll is not only social and economic in nature but also human and psychological. While CARICOM does not view the ATT as the panacea to resolve all issues which lead to gun violence and associated crimes, we view it as an important tool to achieve this goal.

I am optimistic that this conference will achieve its objective and conclude a robust and legally binding ATT; anything less will be unsatisfactory. My optimism stems from the desire of an overwhelming majority of the members of the international community which do not want to see business as usual as far as the trade in conventional weapons is concerned. They want us as political leaders and others, to empower our negotiators with the mandate to act responsibly; make the necessary compromises; and negotiate in a spirit of good faith to ensure that international arms transfers are regulated. We must not ignore their pleas. Let us seize this opportunity to forge an agreement on a uniform set of rules to govern the trade of conventional weapons, including small arms and light weapons and ammunition.

I thank you.