STATEMENT BY

H.E. MR. JOSEPH GODDARD
PERMANENT REPRESENTATIVE OF BARBADOS
TO THE UNITED NATIONS

ON BEHALF OF

THE CARIBBEAN COMMUNITY (CARICOM)

AT THE

THIRD SESSION OF THE PREPARATORY COMMITTEE
FOR THE UNITED NATIONS CONFERENCE ON THE
ARMS TRADE TREATY

JULY 11, 2011

United Nations Headquarters
New York please check against delivery
Mr. Chairman,

I have the honour to speak on behalf of the fourteen (14) Member States of the Caribbean Community ("CARICOM").

CARICOM has been advocating for the conclusion of a strong and legally binding treaty to regulate the trade in conventional weapons even before the convening of the first meeting of the Preparatory Committee (PREPCOM). For us, the conclusion of an Arms Trade Treaty ("ATT") is a matter of priority. Our region has witnessed the deleterious effects of the illicit trade in small arms and light weapons which is due to the diversion of these weapons from the legal market to the illicit market. Consequently, the development of a comprehensive legal regime to regulate the trade in conventional weapons, of which small arms and light weapons, are integral components, would assist in addressing the proliferation of the illicit trade in these armaments.

This Third Meeting of the PREPCOM affords us the opportunity to focus on critical areas which must form part of the ATT, which we expect to be adopted at the end of the United Nations Conference on the Arms Trade Treaty ("UNCATT") in 2012. We have examined your informal draft papers on "Implementation" and "Final Provisions" and found them to be reflective of the general thrust of the discussions of the issues at previous meetings.

Mr. Chairman,

International treaties or conventions are as strong as the measures adopted to implement their provisions. Without effective implementation the object and purpose of the ATT could be defeated. It is for this reason we welcome the inclusion in your paper of the need for future States Parties to enact the requisite national laws and regulations to give effect to the provisions of the treaty. Effective implementation at the national level is imperative if we are to succeed in regulating the trade in conventional weapons and to curb any illegal activity which could flow from ineffective action on the part of States Parties. Nevertheless, we also see the need for international cooperation among States Parties. Such cooperation would assist those with limited capacity to implement fully their obligations under the ATT.

Domestic implementing legislation should also provide for a national focal point based in the appropriate agency or Ministry. The purpose of this focal point or authority should be to, inter alia, maintain or coordinate with other relevant entities, a national control list of those items subject to the treaty, such as, a record of all arms transfers that transit their territory; matters relating to the import, export or transfer of all categories of conventional weapons; and, record keeping and reporting of all transactions to be conducted under the treaty.

While effective implementation of any treaty’s provisions is essential, there must also be effective mechanisms to address the occurrence of activities which are inconsistent with obligations under the ATT. CARICOM is also pleased that the informal papers provide for the inclusion of enforcement mechanisms to deal with activities incompatible with the ATT. We are of the view that national laws should not only regulate matters concerning the import, export, and transit of conventional weapons, as well as activities relating to brokering, but should also provide for the prosecution of individuals and juridical persons who violate the provisions of the treaty and the relevant domestic implementing legislation. Without the criminalization of offences under the ATT, those individuals who violate its provisions would be allowed to engage
in activities which have either led to armed conflict in some states or the fuelling of the illegal narcotics trade in others.

Mr. Chairman,

Questions relating to capacity building and the transfer of technology have been raised by CARICOM since the genesis of our deliberations on the ATT. While we recognize that the ratification of or accession to a treaty confers obligations on States Parties which they must carry out in good faith, in accordance with the principle of *pacta sunt servanda*, under the relevant provisions of the 1969 Vienna Convention on the Law of Treaties, some States Parties, such as those from developing countries may find it difficult in implementing their obligations. In an effort to deal with this issue, CARICOM has always called for the entrenchment in the ATT of an independent secretariat to assist States parties in the implementation of the instrument. We therefore salute the efforts of the chairman in including reference to an Implementation Support Unit in his informal paper. CARICOM supports the role contemplated for this unit as stated in Section E of the paper. In addition to those listed, we submit that the secretariat should carry out activities relating to the verification of national reports submitted by States Parties in order to verify their compliance with Treaty obligations. We, however, reiterate our preference for this Unit or Secretariat to be an independent entity supported by States Parties. Our position is based on the possible reluctance of non-States Parties to provide adequate resources to support an entity within the context of an existing UN agency.

Mr. Chairman,

CARICOM remains steadfast in its quest for the conclusion of a legally binding Arms Trade Treaty. We are confident that under your continued astute leadership of this process, Member States of the United Nations which are yet to be convinced of the utility of an international agreement governing the trade in conventional weapons would recognize its importance. If there is such recognition, the United Nations Conference on the Arms Trade Treaty scheduled for next year would be in a position to adopt the text of the ATT by consensus. You can count on CARICOM to assist you with this objective.

I thank you.