

# **CARICOM and the Arms Trade Treaty**

**Toward an effective convention**



**Kenneth Epps  
Project Ploughshares  
May 2012**



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## Acronyms and Abbreviations

ATT	Arms Trade Treaty
CARICOM	Caribbean Community
CICAD	Inter-American Drug Abuse Control Commission
CIFTA	Inter-American Convention Against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives, and Other Related Materials
FMS	Foreign Military Sales (U.S.)
IMPACS	Implementation Agency for Crime and Security
NISAT	Norwegian Initiative on Small Arms Transfers
OAS	Organization of American States
ODA	Office of Disarmament Affairs (UN)
OEC	Office of Export Control
PoA	United Nations Programme of Action on Small Arms
PrepCom	Preparatory Committee
SALW	Small arms and light weapons
SIPRI	Stockholm International Peace Research Institute
UN Comtrade	United Nations Commodity Trade Statistics Database
UNROCA	United Nations Register of Conventional Arms

# Introduction

The negotiation of an international Arms Trade Treaty (ATT) has become a UN process of “high importance” for the Caribbean Community (CARICOM). It is not difficult to see why. The Caribbean subregion is severely impacted by the irresponsible and illicit proliferation and transfer of small arms and light weapons (SALW) and associated ammunition. Per capita murder rates in the Caribbean are among the highest in the world and 70 per cent of murders in the region involve small arms. Hence,

CARICOM considers the development of a comprehensive legally and globally binding ATT regulating the international trade in conventional arms and based on the highest possible international standards, as an unavoidable priority.<sup>1</sup>

The interlinked problems of small arms proliferation, drug trafficking, and other criminal activity have been a longstanding and growing concern of the governments of the subregion. In 2002 the CARICOM Regional Taskforce on Crime and Security released an influential report that led to the creation of the Implementation Agency for Crime and Security (IMPACS) that, among other responsibilities, was appointed the contact point on small arms issues for the subregion. The report contains several recommendations with regard to the threats of illegal firearms, many of which are relevant to the provisions of an Arms Trade Treaty. (See Annex B.)

The Caribbean hosts no arms suppliers and imports relatively modest volumes of conventional weapons, yet it bears more than its share of the negative consequences of the arms trade. In response, CARICOM has called for collaborative international action, particularly by supplier states:

We believe that, while national responsibility is important in efforts to address the illicit trade, the fact that in the Caribbean the problem is largely externally imposed means that action at the international level and enhanced international cooperation and assistance are crucial. Those States that manufacture arms and engage in their large-scale trade are morally and ethically obliged to assume greater responsibility for the consequences of this trade and play a much larger role than they currently do.<sup>2</sup>

With the effects of small arms proliferation in the subregion growing daily, CARICOM statements have emphasized the urgency of improved regulation of international arms transfers based on common standards. As Ambassador Sealy of Trinidad and Tobago said to the UN in 2006:

Given the widespread death, destruction and political destabilization caused by small arms and light weapons, CARICOM Member States are of the firm opinion that there is an urgent need for strict transfer controls which would contribute to political stability and to peace and security in countries throughout the world.<sup>3</sup>

An Arms Trade Treaty is needed especially to reduce and prevent the persistent phenomenon of guns moving from legal into illegal avenues of trade. A CARICOM statement to the UN in 2010 noted:

We believed, and still do believe, in [an Arms Trade Treaty’s] potential value as an instrument that

would have the effect of closing the loopholes through which weapons slip from the legal trade into the illicit market and cause the ugly consequences in which we live on a daily basis.<sup>4</sup>

CARICOM is committed to treaty negotiations. The July 2011 *CARICOM Declaration on Small Arms and Light Weapons* includes a subregional commitment to intensify and sustain engagement in international efforts to negotiate a legally binding ATT.<sup>5</sup> Indeed, CARICOM has been consistently and actively engaged in the UN process “Towards an Arms Trade Treaty.” All CARICOM members voted in support of the December 2006 UN General Assembly resolution that set the process in motion. Since then CARICOM states have consistently participated in the many stages of the process—from submitting their views on the feasibility, scope, and parameters of a treaty in 2007, along with an unprecedented number of states, to regular interventions during the 2010 and 2011 meetings of the Preparatory Committee (PrepCom) for the treaty negotiation conference scheduled for 2012. At least one CARICOM member state has provided formal support to the Chairman of the ATT process by acting as a “facilitator” during PrepCom sessions.

This active engagement has included dedicated attention in sessions outside the formal UN process. CARICOM member states attended an informal “intersessional” meeting of states and experts at Boston College in the U.S. in September 2010. They also held two preparatory subregional workshops for ATT negotiations in Port of Spain, Trinidad and Tobago. These workshops, in July 2010 and January 2011, served to brief state officials and civil society representatives from the subregion on the treaty process and provided opportunities for CARICOM and its members to develop common positions on treaty negotiations.

In the period up to and including the ATT conference in mid-2012, CARICOM and its member states will need to press for robust treaty provisions if the treaty is to adequately respond to the dire security needs of the subregion. This briefing paper is intended to support the engaged and constructive CARICOM approach to Arms Trade Treaty negotiations.

The paper is composed of three parts. Part One explores the subregional context for an ATT, in particular legal imports of conventional weapons by the CARICOM member states. The open source data on these imports is incomplete. Significant reporting gaps and varying methodologies among sources mean that it is not possible to detail all arms transfers in the subregion. Nevertheless, by compiling the reported data on recent imports of conventional weapons by CARICOM member states, the opening section of the paper can provide a preliminary sketch of the trade that an ATT will assist states to better control. The public picture reinforces the prevalent view that SALW transfers are the most significant category of conventional weapons transfers in the Caribbean. This is not to say that CARICOM state imports are limited to small arms; ample evidence exists of shipments of conventional weapons outside this category.

The second part of the paper reviews provisions of existing multilateral agreements to which CARICOM members are party, which may help to shape the commitments and standards that CARICOM states would expect from an effective ATT. These multilateral agreements are legally or politically binding and regional or global in scope. The relevant provisions range from a call for adequate laws, regulations, and procedures to exercise control over weapons transfers, as defined in the global 2001 UN Programme of Action on small arms (PoA), to the legal requirements of the hemispheric Organization of American States (OAS) Firearms Convention (CIFTA), including a significant array of model legislation that could well assist in implementing an effective ATT. The point here is that many agreements to which CARICOM states are signatories are im-



portant potential sources of provisions for an ATT. At a minimum these should represent a baseline for the standards expected from a robust treaty.

The third section of the paper discusses aspects of an Arms Trade Treaty that are demonstrably relevant to the Caribbean. While not exhaustive, this discussion points to important elements/features that CARICOM members themselves have determined to be necessary to a treaty process. CARICOM statements have emphasized, for example, that the scope of an ATT must include SALW and their ammunition. To be effective, the treaty also must prevent the diversion of weapons to illicit markets, which is a persistent problem in the Caribbean. Among other important requirements treaty provisions should require adequate transparency measures.

The conclusion identifies ways to strengthen a CARICOM approach in the final stages of ATT negotiations. Because CARICOM states do not manufacture weapons and import relatively small volumes, they are minor players in the international trade. Moreover, the 14 member states of CARICOM represent only seven per cent of the membership of the United Nations. Nevertheless, motivated by the profound and tragic consequences of an irresponsible weapons trade, CARICOM members have so far wielded an influence in the ATT process that is significantly greater than their numbers would suggest. CARICOM should endeavour to maintain and expand this influence. Indeed, CARICOM and its member states could play an active and significant role in achieving a comprehensive and effective Arms Trade Treaty.



# PART ONE

## Arms transfers to the Caribbean

Sources of public information on the transfer of conventional weapons into, within, and from the Caribbean are limited. By using sources that provide open data—the United Nations Register of Conventional Arms (UNROCA), the Norwegian Initiative on Small Arms Transfers (NISAT), the Stockholm International Peace Research Institute (SIPRI), and national (and regional) reports of arms-exporting states—it is possible to assemble a picture of recent arms imports for the subregion. The completeness of the picture is uncertain, however. Additionally, variations in data among the sources illustrate the challenges of compiling and verifying accurate arms transfer data in the absence of harmonized reporting standards (see Figure 1).

It is important to note at the outset that the following discussion of conventional arms transfers is confined to the weapons *imported* by CARICOM member states. Public data on the export of conventional arms (mostly firearms) by CARICOM members is available, but the volume of these exports is small compared to the volume of imports of the same weapons. More significantly, because the Caribbean does not produce conventional weapons, arms exports by CARICOM states are typically transshipments of externally produced weapons from one CARICOM member to another. Consequently, exported data is captured as imported data from elsewhere in the subregion. For these reasons, and perhaps uniquely to the Caribbean, analysis of arms transfers may usefully focus on arms imports.

**Figure 1: Open sources of data on conventional weapons imports by CARICOM member states**

Source	Nature of reported data	Period
UNROCA	Numbers by small arms and light weapons subcategory (no values and no ammunition; no SALW data from U.S.)	2003-2009
NISAT	Values by UN Commodity Trade firearms subcategory (ammunition included)	2002-2009
SIPRI	Numbers and estimated values by major weapons category (includes categories beyond UNROCA major weapons)	2000-2009
Supplier reports	Values of exports (and licences) by weapons category (differences in categories among suppliers)	2004-2009

## UN Register of Conventional Arms

The database of the UNROCA is a rich source of detail on recent arms imports of CARICOM member states. The database is available from the UN's Office of Disarmament Affairs (ODA), which maintains an online summary of state submissions to the UNROCA. Since 1992 member states have voluntarily submitted annual reports on exports and imports of major conventional weapons systems to the UN Register. The reports indicate the number of weapons transferred in each of seven standard large-weapon categories.<sup>6</sup> The reports do not include ammunition or the values of weapons transfers. By documenting UN member states' reports on both import and export data, the Register affords the opportunity to compare export data reported by suppliers with import data reported by recipients.

In 2003 the UN General Assembly invited member states to submit as well background information on transfers of small arms and light weapons. Since 2006 member states have been encouraged to report SALW transfers in each of 13 standard subcategories.<sup>7</sup> In effect, the standard reporting form has created an eighth weapons category.

The UN Register has reported transfers of major conventional weapons systems to CARICOM states since 2000,<sup>8</sup> but such transfers have been few, seemingly because the major weapons categories of the Register do not reflect the security interests (and budgets) of small island states. Since the recommendation to include SALW as a voluntary eighth weapons category was accepted, the UNROCA has become more pertinent to the Caribbean context.<sup>9</sup>

The data reported to the UN Register is not comprehensive, regardless of the category. The Register has never enjoyed universal participation and the level of participation has declined in recent years. Moreover, because the SALW category is a recently recommended voluntary addition to the Register, many UN member states have yet to adjust their reporting procedures to include this data. Despite its deficiencies, however, the UNROCA is an important source of data on the importing of conventional weapons—and especially SALW—into the Caribbean.

Table 1 of Annex A is a compilation of small arms transfers to CARICOM states reported since 2003 to the UN Register as exports by supplier states or as imports by CARICOM members. The bulk of transfer data in the table is derived from small arms export submissions by supplier states since 2006. One supplier—the United Kingdom—began reporting small arms exports to the Register in 2003.

Ten of the 14 CARICOM member states included in Table 1 imported small arms and light weapons in the period 2003–2009, according to UNROCA data. The UN Register provides no data on recent SALW transfers for Belize, Dominica, St. Kitts and Nevis, and St. Lucia. (St. Lucia reported “nil” for the international transfer of small arms and light weapons in 2006, but has not submitted a report since. The other three states have not submitted SALW transfer data of any kind.) As suppliers, European Union members (Germany, Italy, the Netherlands, Poland, and the U.K.) and Turkey reported exports of small arms and light weapons to several CARICOM member states. The United States, the acknowledged largest supplier of small arms to the Caribbean, has not reported SALW exports to the UN Register. The U.S. data of the table was compiled from reports of SALW imports by the respective Caribbean states.

There is little correspondence between CARICOM member import data and supplier export data reported to

the UN Register. In fact, the table contains only two examples of corresponding data. Germany and Poland reported exports of sub-machine guns to Trinidad and Tobago and Jamaica respectively, and T&T and Jamaica made matching import reports. The correspondence was far from exact, however. Germany reported 985 weapons exported in 2007 and Trinidad and Tobago reported 200 received in 2006. While Poland reported the export of six weapons in 2007, Jamaica reported 1,146 imported weapons for 2006.

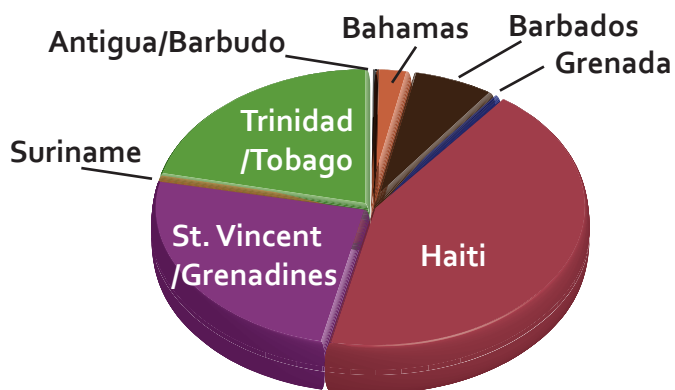
Recipient and supplier data diverge in other ways. CARICOM states reported imports from Austria, Israel, and Poland that were not reported as exports by the three supplier states. Antigua and Barbuda reported “nil” to the Register for the international transfer of SALW during 2009, although the U.K. reported the export of four sporting rifles to that state. Most CARICOM states have yet to report SALW import data, submitting to the Register only “nil” reports on the major weapons categories. In the case of the Bahamas, Barbados, Belize, Dominica, Grenada, Guyana, St. Kitts and Nevis, and Suriname all table entries are exports reported by supplier states. Sometimes CARICOM members have reported SALW import data in one year, but not for subsequent years in which suppliers have reported exports. For example, Haiti reported data in 2006 but not subsequently, despite reports by Turkey and Germany of later transfers to Haiti.

Perhaps the most striking observation to be drawn from the UNROCA data is that CARICOM member states predominantly import weapons from the small arms categories. Except for one light weapon (a heavy machine gun exported to Barbados), the remaining weapons in the table are small arms. These include significant numbers of weapons in each of the five small arms subcategories of the UNROCA: revolvers and self-loading pistols, rifles and carbines, sub-machine guns, assault rifles, and light machine guns. (Although not explicitly included in the small arms subcategories, components and weapon cleaning equipment are included in the small arms data reported by the U.K.)

The pie charts of Figure 2 illustrate the numbers of reported weapons transferred to CARICOM member states in each of the five small arms subcategories for the period 2003–2009. The largest group of SALW was sub-machine guns, followed by revolvers and pistols, and assault rifles. According to the data provided to the UN Register, Trinidad and Tobago received the largest number of small arms, including almost all light machine guns, over half of the sub-machine guns, and almost three-quarters of the assault rifles. Jamaica and Haiti were the next largest weapons recipients for the period.

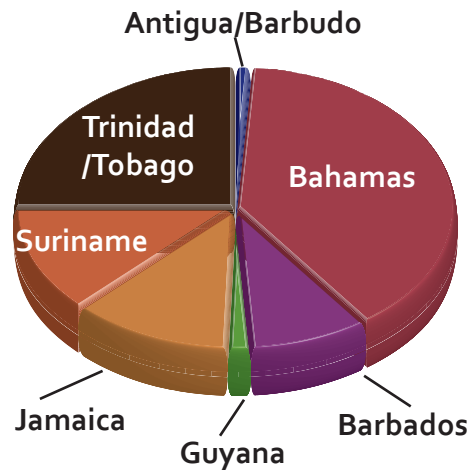
Figure 2: Small arms transfers to CARICOM states reported to the UN Register 2003-2009

### Revolvers/pistols



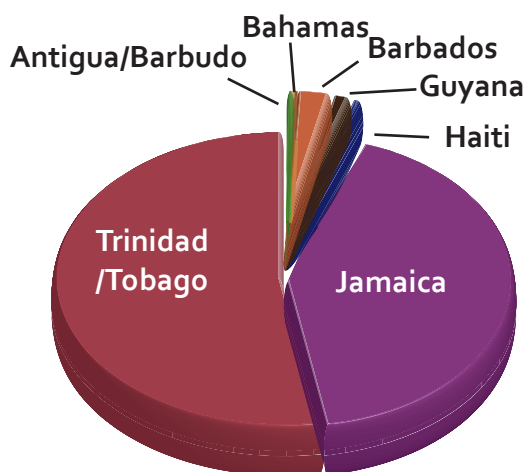
Total deliveries to CARICOM states of revolvers and pistols reported to UN Register (2009) **1593**

### Rifles/carbines



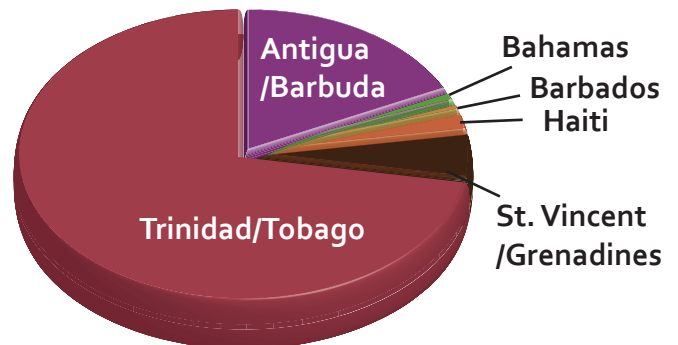
Total deliveries to CARICOM states of rifles and carbines reported to UN Register (2009) **323**

### Sub-machine guns



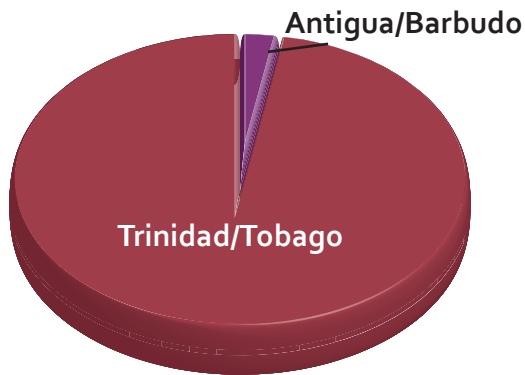
Total deliveries to CARICOM states of sub-machine guns reported to UN Register (2009) **2896**

### Assault rifles



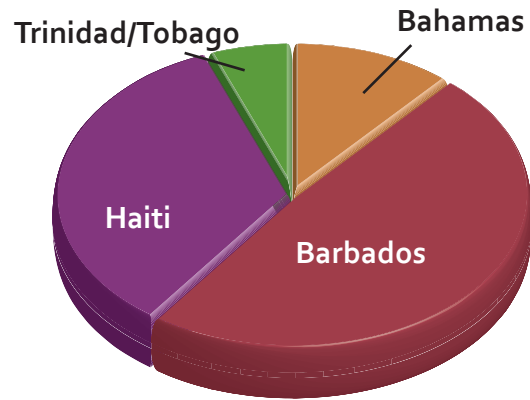
Total deliveries to CARICOM states of assault rifles reported to UN Register (2009) **835**

### Light machine guns



Total deliveries to CARICOM states of light machine guns reported to UN Register (2009) **206**

### Other (shotguns)



Total deliveries to CARICOM states of shotguns reported to UN Register (2009) **35**

Source: United Nations Register of Conventional Arms

### Norwegian Initiative on Small Arms Transfers

The NISAT database compiles small arms and light weapons trade data from several sources, most prominently the United Nations Commodity Trade Statistics Database (Comtrade) of international merchandise trade statistics. The NISAT database also contains data from national reports on the export of conventional weapons, many of which are released on an annual basis.

The group of tables collectively named Table 2 in Annex A summarizes the reports on imports of firearms and their parts and ammunition by all CARICOM member states during the period 2002–2009, as compiled by the NISAT database.<sup>10</sup> Adjusted for inflation, the tables illustrate the variation in the volume of firearms and ammunition imports within the CARICOM region for the eight-year period, from the smallest total of \$395,000 for Dominica to \$23.8-million for Trinidad and Tobago.

Each table in the group identifies the main suppliers of firearms and ammunition to the respective CARICOM state. From the data in the tables it is apparent that the United States was the dominant supplier to the region, with a total shipment value exceeding \$42.6-million—more than half the value of all firearms and ammunition imported by the region. The U.S. was the largest supplier to all but two of the 14 CARICOM mem-

ber states. Only in the cases of St. Kitts and Nevis (supplied by Bosnia-Herzegovina) and Trinidad and Tobago (supplied by the U.K. and Israel) did other states supply a greater value of firearms and ammunition during the study period.

Significant firearms were supplied to the region by European states, notably Italy, the U.K., and Austria, but also Poland, Germany, the Czech Republic, and Bosnia-Herzegovina. Other global suppliers included Israel, which shipped \$7.3-million in firearms to Trinidad and Tobago, and Brazil, which was a significant source for Haiti and Guyana, plus Turkey, Japan, Mexico, and the Philippines.

In Table 2 Barbados appears as a firearms supplier. Since Barbados does not manufacture firearms, this suggests that the country acted as a transit or transshipment state. Shipments passed through Barbados en route from supplier states to other CARICOM members, including Antigua and Barbuda, Dominica, Grenada, St. Kitts and Nevis, St. Lucia, and St. Vincent and the Grenadines. UN Comtrade export data for Caribbean states, available from the NISAT database, provides more detail on the shipment of firearms from one CARICOM member state to another. Although not analyzed here, it is apparent from this data that transshipment of firearms is a common practice in the Caribbean.

Figure 3 (p. 17) depicts the total annual values of firearms, parts, and ammunition imported by all CARICOM member states for the eight-year period 2002–2009. The top line of the figure tracks the total value of firearms and ammunition imports by the 14 CARICOM member states for each calendar year. This total includes all imported military and commercial firearms. With some fluctuation, the regional annual total rose significantly over the period, more than tripling from \$6.5-million in 2002 to \$20.3-million in 2009. Together CARICOM states imported \$82.1-million (in constant 2009 U.S. dollars) in firearms and ammunition during the period, with Trinidad and Tobago (\$23.8-million) and Jamaica (\$21.3-million) the leading importers. Trinidad and Tobago imported firearms and ammunition worth \$10.3-million in 2009 alone.

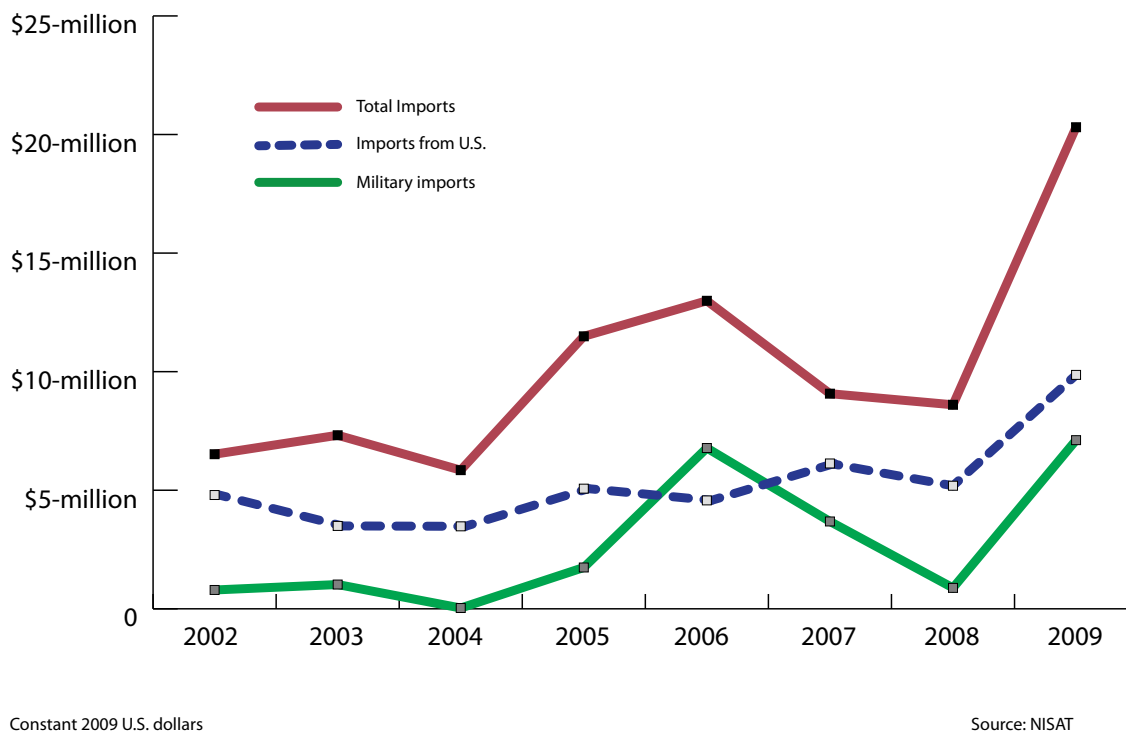
As noted above, the U.S. was the largest supplier of firearms and parts and ammunition to the region; the values of imports from the U.S. for 2002–2009 are illustrated by the middle line of the figure. As with the total imports, imports from the U.S. rose steadily, more than doubling from \$4.8-million in 2002 to \$9.8-million in 2009. At \$42.6-million, U.S. imports represented more than half of total imports by the region during the period.

The final line in the figure depicts the annual value of imports of military firearms by CARICOM member states. The line also suggests growth in military firearms imports across the period, though with considerably more fluctuation. Imports of military firearms rose from \$0.8-million in 2002 to \$7.1-million in 2009. The U.S. was the largest supplier of military firearms during the period, followed by the U.K., Israel, and Poland.

Totaling \$22.1-million for the eight-years, military firearms imports represented just over a quarter of the value of regional firearms, parts, and ammunition imports. This suggests that military firearms constituted a relatively minor part of firearms imports by CARICOM states. The large majority of imports consisted of the commercial firearms categories of UN Comtrade data: revolvers and pistols, shotguns, sports and hunting rifles, as well as their parts and ammunition.



**Figure 3: CARICOM firearms and ammunition imports 2002-2009**



### Comparing small arms transfer data

The NISAT database tabulates transfer data on firearms, their parts, and ammunition while the UN Register provides data on transfers of small arms and light weapons. The data categories of the two sources overlap but are not identical. Although the terms “firearms” and “small arms” are often used interchangeably, firearms may represent a larger class of weapons by including some light weapons in addition to the small arms categories.<sup>11</sup> NISAT firearms data also include firearms ammunition while the UN Register does not report SALW ammunition transfers. It is difficult, therefore, to undertake a comparative analysis of UNROCA and NISAT data. Nevertheless, some useful observations can be drawn from data provided by NISAT on recent transfers of small arms to CARICOM member states.

By comparing Tables 1 and 2 of Annex A it is possible to identify several arms supplier states reported by NISAT that did not report equivalent shipments to the UNROCA during the 2006–2009 period common to both datasets. For example, Brazil, Bosnia-Herzegovina, the Czech Republic, and Japan have never reported small arms and light weapons exports to any Caribbean state to the UNROCA, despite the significant small arms shipments documented by the NISAT database. In cases in which suppliers have reported small arms shipments to both agencies, the data may not agree. For example, Austria and St. Vincent and the Grenadines

both reported shipments of 400 Glock pistols from the former to the latter in 2008 to the UN Register. The NISAT database reports an equivalent shipment of small arms to St. Vincent—in the “revolvers and pistols” customs code categories—worth \$281,605 (in 2009 constant dollars) for the previous year, 2007. The reported NISAT value of shipments from Austria in 2008 was only \$218.

There are instances when data from the two sources appear to align. For example, in 2007 and 2008 Italy reported similar-sized shipments of rifles and carbines to the Bahamas to the UN register (27 and 34 respectively). The UN Comtrade data used by the NISAT database reveals similar-valued shipments of small arms to the Bahamas for the same two years (worth \$18,836 and \$20,944 respectively).<sup>12</sup> More significantly, in 2006 Poland reported to the UNROCA a shipment of 1,146 “MP9” sub-machine guns to Jamaica. Jamaica reported to the UNROCA the import of 1,146 “MP5” sub-machine guns the same year. This transfer was by far the largest small arms shipment from Poland to Jamaica reported by both parties to the UN Register. The NISAT database, meanwhile, reported that the value of Jamaican small arms imports from Poland in 2006 was \$3,451,292, surpassing the value of other small arms shipments to Jamaica during the period.

It is worth noting that the CARICOM region is not uniquely subject to the difficulties of comparing small arms transfer data from these two and other sources. In its 2009 report, the authoritative Small Arms Survey discusses the advantages and the hazards of comparing and supplementing UN Comtrade data with data from other sources.<sup>13</sup> The report notes that “the lack of compatibility between data sources is another significant barrier to fully understanding the firearms trade. Some sources, such as the EU Report, provide only the values of transfers, while others, including the UN Register, only indicate the number of units transferred. As a result, combining and reconciling these data sources is difficult.”<sup>14</sup>

The NISAT small arms imports data demonstrates that the number of SALW suppliers to the region is significantly greater than that revealed by reports to the UNROCA. Moreover, the shipment values reported by NISAT suggest that small arms transfers are significantly underreported to the Register. Quite apart from the many cases of no reporting, reports from supplier and recipient states to the UN Register may omit relevant data. These omissions may be due to differing interpretations of which firearms should be reported under UNROCA small arms categories. They may also stem from unfamiliarity with the relatively recent (voluntary) process of reporting SALW data to the UN Register. Both situations indicate the need to encourage and support states that require assistance to make use of the SALW reporting features of the UNROCA.

### **Transfers of major conventional weapons**

#### **—data from the Stockholm International Peace Research Institute**

The Stockholm International Peace Research Institute sponsors a publicly accessible Arms Transfer Database. It provides data on international transfers of seven categories of major conventional weapons systems and subsystems. With the exception of data on transfers of small arms and light weapons, the SIPRI database reports international transfers of the military equipment included in the UNROCA major system categories. The database also reports transfers of some military equipment that does not fall into the UNROCA categories, such as utility helicopters, maritime patrol aircraft, and small ocean-going naval vessels. Thus the SIPRI database reports recent transfers of military equipment to CARICOM states that neither the supplier nor recipient state has reported to the UN Register.

Table 3 of Annex A has been compiled from the SIPRI Arms Transfer Database. The table provides data on

major conventional weapons orders and deliveries to CARICOM member states during the decade 2000–2009. Despite an overlap in categories between the UN Register and the SIPRI database, Table 3 contains only three entries that correspond to information reported to the UNROCA. These are for eight OT-64C armoured personnel carriers supplied to Haiti in 2007 by the Czech Republic and an offshore patrol vessel transferred by the U.K. to each of Guyana and Trinidad and Tobago in 2001 (the ex-HMS Orwell and Orkney respectively). The bulk of the SIPRI data reports shipments of military equipment to CARICOM member states that are omitted from the major categories of the UN Register. The contrast in data between the UNROCA and SIPRI underlines the failure of the UN Register to capture most major military equipment supplied to CARICOM states.

Table 3 also reveals that most weapons systems tracked by the SIPRI database in the past decade were ordered by or delivered to CARICOM states during the final years of the decade. Only five of the 18 transfers took place before 2005. Light aircraft and helicopters and naval patrol craft made up the bulk of these transfers. The most prominent equipment suppliers were the U.S. and the U.K., followed by many of the European states identified by NISAT data as suppliers of small arms. India, Canada, and Costa Rica also were sources of military equipment during the period.

### **National and regional supplier reports**

The final significant public source of data on the cross-border conventional weapons trade is the collection of national reports of arms supplier states and the unique regional annual report provided under the European Union Code of Conduct on Arms Exports. Not all arms supplier states provide national reports, and the nature and details of the reported data vary among those that do. Nevertheless, supplier state reports represent a useful additional source of information that may be compared or contrasted against other sources.

Table 4 of Annex A lists recent selected exports of conventional arms to CARICOM member states reported by the suppliers. Supplier states may report the value of licences approved for arms transfers, the values of export shipments, or both. In the table, only the values of conventional weapons exports to CARICOM members are included, since licence approvals do not necessarily result in exports. The transfers have been selected for two reasons. First, an arms export is included if it does not appear to correspond to any export reported by other sources. Second, the reported export is added if the details contribute significant additional information to transfers reported by other sources. Examples of the first case are Austrian small arms transfers to Dominica, Guyana, Jamaica, St. Vincent, Suriname, and Trinidad and Tobago, which are included because these transfers have not been reported elsewhere. Examples of the second case are Czech Republic transfers of ground vehicles to Haiti in 2007 and 2008. These were reported by the European Union to be valued at more than 234,000 euros in total. Although these transfers were reported by both the UN Register and SIPRI,<sup>15</sup> neither source provided the transfer value that is included in Table 4.

Perhaps the most significant finding from Table 4 is the value of direct commercial sales and foreign military sales to CARICOM members reported by the United States. As the NISAT data has demonstrated, the U.S. is the largest supplier of small arms to the region. The data from U.S. national reports suggests that the U.S. is also the largest supplier of other conventional weapons to the region. Moreover, the reported value of all U.S. conventional weapons transfers (over \$27-million) significantly exceeds the total reported U.S. value of small arms transfers for the period (\$10-million).

### **What can be observed from arms import data reported by open sources?**

Despite the range of sources, the data on CARICOM member imports of conventional weapons is incomplete. We can be certain of incompleteness because important voluntary data sources, such as the UN Register of Conventional Arms and National Reports by exporting states, do not enjoy the full participation of all relevant states. Unfortunately, a growing number of exporting and importing states, including CARICOM member states, report little to no information about their weapons transfers.<sup>16</sup> Consequently, available data on conventional weapons imports by CARICOM member states can provide only a partial picture of the arms trade in the Caribbean. Substantial gaps in the data remain.

Data on small arms transfers is of particular significance to CARICOM member states. Yet, the Small Arms Survey has reported the difficulties of obtaining small arms trade data and has noted that the authorized trade in small arms and light weapons is almost certainly under-reported. Trade data for ammunition for small arms and light weapons is particularly difficult to assemble since many sources combine SALW ammunition with ammunition for larger calibre weapons systems for reporting purposes.<sup>17</sup>

As the Small Arms Survey and others have noted, available data on imported conventional weapons across all sources may be inconsistent and even contradictory. Existing public sources compile data using differing definitions and methodologies and they were not constructed to be complementary vehicles. As we have noted in the CARICOM data, even where there is overlapping information between sources, it may be difficult or inappropriate to compare data from one source with that of another. Thus, the incomplete picture of weapons transfers may also be blurred in places.

Given the incomplete and inconsistent nature of the data, is it possible to make useful observations about it? We could begin with the following:

- All CARICOM member states regularly import small arms and other military equipment. Small arms imports include the full range of military equipment within the small arms category, from pistols to assault rifles and sub-machine guns.
- At least one data source indicates that the value of small arms imported by the subregion has risen significantly in recent years. The majority of these imports appear to be commercial transfers.
- The U.S. is the dominant arms supplier to the subregion, not only of small arms but also significant volumes of military equipment such as light military aircraft and naval patrol vessels. The U.S. supplies weapons to CARICOM member states through both commercial sales and the Foreign Military Sales (FMS) program of the Pentagon.
- European Union states supply most of the remaining military equipment imported by the subregion. Thus, the majority of weapons imported by CARICOM states are subject to the relatively high export standards of the U.S. and EU.
- Additional states have recently shipped military goods to the region, however. These include Bosnia-Herzegovina, Brazil, Canada, India, Israel, Japan, Mexico, Turkey, and Uruguay. There is a wider range of export control standards among these suppliers.
- The existing instruments for reporting public data (UN Register, UN Comtrade, supplier National Reports) are individually and collectively insufficient to provide a comprehensive picture of conventional weapons transfers to the subregion. The incompleteness of the public data reinforces the need for improved transparency by all parties. A strong transparency provision in the proposed Arms

Trade Treaty could help to complete the picture of all conventional arms imported by CARICOM member states.



## PART TWO

### **Arms transfer commitments of CARICOM states: The multilateral framework for an ATT**

CARICOM member states are bound by provisions in existing multilateral instruments to regulate the international transfer of conventional weapons. These obligations are politically binding, like the commitments of the UN Programme of Action on Small Arms, or legally binding, like the measures required by Security Council arms embargoes. The instruments are global, such as the International Tracing Instrument, or regional, such as the Organization of American States' Firearms Convention (CIFTA). Although there is clear variation in reach, purpose, and obligations, all the instruments contain provisions that will be necessary to an effective Arms Trade Treaty.

The interests of CARICOM states are best served if the standards in current multilateral instruments become at least the minimum standards of an ATT. The construction of an Arms Trade Treaty is an opportunity to consolidate and improve upon the multilateral standards that have been established to regulate legal arms transfers. An ATT should not be the source of provisions that weaken already accepted multilateral standards.

It is instructive, therefore, to review relevant multilateral instruments for provisions and standards that would contribute to a robust and comprehensive Arms Trade Treaty. Although not an exhaustive survey, the following discussion identifies key ATT-relevant provisions of instruments to which CARICOM member states are signatories or states parties. Since an ATT will be implemented by nation states, the provisions and standards could provide important elements of model national legislation to standardize implementation of an ATT. We begin with a discussion of CIFTA, the important hemispheric firearms treaty, before discussing relevant global instruments.

#### **A. CIFTA**

All CARICOM member states have signed the 1997 "Inter-American Convention Against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives, and Other Related Materials" (CIFTA). All but two CARICOM states (Jamaica and St. Vincent and the Grenadines) have ratified the legally binding regional treaty. Many experts view the 2001 "Firearms Protocol of the UN Convention against Transnational Crime" as a global instrument that is equivalent to CIFTA. Six CARICOM member states have ratified the Firearms Protocol.

We will review the provisions of CIFTA that may assist CARICOM members during negotiations of the provisions of an Arms Trade Treaty. CIFTA is relevant because it arises out of a common regional (hemispheric) experience of, and response to, illicit firearms manufacturing and trafficking. It also enjoys greater participation by CARICOM member states than does the global Firearms Protocol. OAS agencies have developed useful model legislation and regulations for the implementation of CIFTA that may prove helpful in future implementation of an ATT.

The purpose of CIFTA, as defined in Article II, is to prevent illicit manufacture and trafficking in firearms

and ammunition and also “to promote and facilitate cooperation and exchange of information and experience among States Parties” to support the first purpose. It is worth noting that the scope of CIFTA, as defined by its title, includes not only firearms but firearms ammunition as well as explosives and “other related materials.” The convention also contains many provisions which, if adequately implemented by CIFTA States Parties, would ease implementation of an Arms Trade Treaty.

The convention calls for national systems to effectively control the international transfer of firearms and related goods. Thus,

Article IX (Export, Import, and Transit Licenses or Authorizations)

1. States Parties shall establish or maintain ***an effective system of export, import, and international transit licenses*** or authorizations for transfers of firearms, ammunition, explosives, and other related materials.

The effective system defined by CIFTA requires ***import licenses or authorizations*** that must be in place before States Parties release controlled equipment for transfer (Article IX: 2 and 3).

Other CIFTA provisions include:

- criminalization of illicit trafficking (Article IV:1)
- transparency provisions (Article XIII calls for an effective system for information exchange about firearms transfers)
- record keeping (Article XI)
- cooperation and assistance (Articles XIV, XVI, and XVII)
- strengthening controls at export points (Article X).

### **OAS model regulations and legislation related to CIFTA**

In an effort to assist national implementation of the provisions of CIFTA, the Inter-American Drug Abuse Control Commission (CICAD) and the Department of Public Security of the OAS have developed model regulations and legislation. The process began shortly after CIFTA entered into force in 1998, with CICAD developing model regulations for the control of commercial firearms transfers and later for firearms brokering. The process continues with a CIFTA-CICAD group of experts that have developed model legislation for implementation of several other CIFTA provisions.

The proposed regulations and legislation designed to advance CIFTA implementation, if put in place by OAS member states, would result in national legal frameworks that would also assist state implementation of an ATT. Indeed, if states establish laws and procedures designed to better control the commercial international transfer of firearms, ammunition, explosives, and other related materials, these same instruments have the potential to better control the international transfer of all conventional weapons. The model regulations and legislation contain terms and provisions that could constitute a base for equivalent ATT provisions. The model provisions are summarized below.

The initial “Model Regulations for the Control of the International Commercial Movement of Firearms, Components and Ammunition,” were prepared by CICAD and updated in 2003.<sup>18</sup> This first set of CIFTA model regulations contains separate provisions for firearms and their components and for ammunition, un-



derlining the fact that **ammunition production and transfers** are central to CIFTA. According to these regulations, **export and import certificates** must include information on authorization, exporter, importer, broker, and the source of the firearms or ammunition. An **export attachment** containing shipment information should accompany each shipment. In cases where shipments pass through interim states, the in-transit country may issue an **in-transit shipment authorization**.

The second model regulation produced by CICAD in 2003 dealt with brokering,<sup>19</sup> although it is not explicitly addressed in CIFTA. Significantly, the model regulation provides **definitions for broker and brokering activities**:

“Broker” or “Arms Broker” means any natural or legal person who, in return for a fee, commission or other consideration, acts on behalf of others to negotiate or arrange contracts, purchases, sales or other means of transfer of firearms, their parts or components or ammunition.

....

“Brokering activities” means acting as a broker and includes manufacturing, exporting, importing, financing, mediating, purchasing, selling, transferring, transporting, freight-forwarding, supplying, and delivering firearms, their parts or components or ammunition or any other act performed by a person, that lies outside the scope of this regular business activities and that directly facilitates the brokering activities.

This regulation also includes text on licensing brokers as well as the conditions under which brokering activities would be prohibited. The latter is repeated and enhanced by the subsequent model legislation for strengthening controls at export points (see below).

It is worth quoting in some detail the provisions of the 2007 “Model Legislation on the Marking and Tracing of Firearms” that pertain to recordkeeping:

#### Article 4: **Record Keeping**

(1) Information necessary to trace and identify manufactured, exported, imported, re-exported, in-transit, or marketed in the internal market and/or confiscated or forfeited firearms shall be kept and maintained by the corresponding competent national authority.

(2) ....

(e) Where available, information concerning each firearms import, export and in-transit transaction, including:

- i. The issuance and expiration dates of the import, export and in-transit licenses or authorizations;
- ii. Point of departure in the country of export;
- iii. Identification of the country of import;
- iv. Identification of the in-transit countries;
- v. Arrival point in the country of import;
- vi. Identification of the final recipient;
- vii. Identification of the end-user;
- viii. Date of delivery;
- ix. Classification, description and quantity of the shipment;
- x. Broker information; and

- xi. Information on the shippers.
- (3) Records maintained under this Article shall, in principle, be kept indefinitely, but in any case a State shall ensure the maintenance of:
  - (a) Manufacturing records for at least 30 years; and
  - (b) All other records, including records of import and export, for at least 20 years.<sup>20</sup>

This level of reporting detail, applied beyond firearms to all other items within the scope of an Arms Trade Treaty, would make a substantial contribution to transparency in Treaty compliance and to building confidence in Treaty implementation.

Provisions for security measures also are needed in an ATT to ensure the physical security and lawful management of conventional arms at all transfer points through the territory of States Parties. These should include, as necessary, improvements to national controls at border points, greater transborder cooperation and other appropriate measures.

The “Proposed Model Legislation and Commentaries for Strengthening Controls at Export Points for Firearms, Ammunition, Explosives and Other Related Materials” of 2008 were published with the conviction of OAS members that “promotion of strengthened controls at export points will assist in preventing [firearms, their parts and components, and ammunition] diversion to unlawful ends.”<sup>21</sup> The model legislation contains national security measures to strengthen implementation of CIFTA. These measures would also strengthen implementation of a future ATT and could inform the security provisions of the treaty. They include:

***Designated export points*** (Text 2.1 and 2.2)

The CIFTA-CICAD expert group commentary on the model legislation underlines the benefit, especially for smaller countries that do not produce firearms, of designated export points for firearms. It notes that “the exclusive designation of only one or a few export points through which the products to which the Convention applies can be exported will help to improve the application of the country’s export control measures.”<sup>22</sup> Specialized export points or “authorized customs locations” would facilitate the detection of anomalies in goods shipments or shipping routes that may indicate illicit trafficking. Efforts to detect trafficking would be strengthened by “a comprehensive list of approved or reviewed exporters, brokers and freight forwarders.”<sup>23</sup> In response to the inevitable attempts to circumvent the designated export points, the model legislation calls for appropriate penalties. (The commentary also acknowledges that safety and security considerations may necessitate separate export points for explosives.)

***Office of export controls*** (Text 3.1 to 3.6)

The commentary notes that criminal activity and corruption tend to flourish when government departmental mandates lack clarity, when laws do not lead to prosecution of those who break them, and when government agencies with shared oversight responsibilities are not well coordinated. It calls for a central supervisory authority—an Office of Export Control (OEC)—to be made responsible for the export of firearms, ammunition, and related materials. The OEC would have responsibility for approving and issuing export licences, and verifying the import or transit licences or authorizations of the states to—or through—which the goods will be sent.

The model legislation calls for additional mechanisms to enhance the efficacy of the OEC. They include:

- An interdepartmental coordination mechanism, chaired by the OEC, to foster information exchange and joint operations across departments;
- A manual that sets out the roles, responsibilities, and contact points for all relevant government departments;
- Sample copies of import, export, and transit licences for recipient states to determine the authenticity of documentation; and
- An electronic communications system for use by relevant officials, including those authorizing export licences and those responsible for designated export points.

#### ***Export licences*** (Text 4.1 to 5.6)

The CICAD model legislation to strengthen controls at export points details what is required for export licence applications and export licences. Applicants must provide standard information on exporters, importers, manufacturers, and the quantities and descriptions of the shipped goods. The application must include details on the final recipient, any brokers involved, end-use certificates, and import or in-transit authorizations. A valid export licence must contain the information provided in the application plus additional detail about the export, import, in-transit, and end-use authorizations, as well as shipment information, including details on shippers and routes. The model legislation also calls for a permanent database to be maintained by the export licensing authority, preferably in electronic form so that relevant data may be shared with customs officials at the point of export.

#### ***Export prohibitions*** (Text 9.1)

The model regulation to strengthen controls at export points includes text on prohibitions of firearms exports:

The official responsible for the Office of Export Controls shall, pursuant to a government directive, ***refuse to grant licenses for and prohibit the export of firearms*** or related materials, ammunition or explosives if he has reason to believe that the export of these products will, or seriously threaten[s] to:

- (a) result in acts of genocide or crimes against humanity;
- (b) violate human rights contrary to international law;
- (c) lead to the perpetration of war crimes contrary to international law;
- (d) violate a United Nations Security Council embargo or other multilateral sanctions to which the country adheres, or that it unilaterally applies;
- (e) support terrorist acts;
- (f) result in a diversion of firearms to illegal activities, in particular, those carried out by organized crime;
- (g) result in a breach of a bilateral or multilateral arms control or non-proliferation agreement;
- (h) prolong or aggravate an existing armed conflict;
- (i) endanger peace, create an excessive and destabilizing accumulation of weapons of otherwise contribute to regional instability; or
- (j) be used for the purpose of repression.

The proposed legislation explicitly calls for prohibition of firearms exports if there is reason to believe that

the export “will or seriously threaten[s] to” result in one or more of the listed breaches of international law or norms. The recommended wording does not call for officials to “take into account” such breaches, or the threat of such breaches, during the process of granting export licences. Rather, the proposed text states that the officials “shall refuse” licences under these circumstances.

### ***Criminal offenses and sanctions*** (Text 10.1)

Article IV (Legislative Measures) of CIFTA deals with criminal offences: “States Parties that have not yet done so shall adopt the necessary legislative or other measures to establish as criminal offences under their domestic law the illicit manufacturing of and trafficking in firearms, ammunition, explosives and other related materials.” The proposed model legislation for strengthening controls at export points provides text on the acts that require penalties including:

- Exportation without a valid export licence
- Submission of false information
- Violations of conditions in an export licence
- Exportation through an unauthorized export point
- Exportation in contravention of prohibitions
- An unauthorized direction to an export point official
- Any other violation of export control legislation.

The model legislation to establish criminal offences (2008) provides more detailed text<sup>24</sup> to address criminal penalties related to CIFTA provisions on jurisdiction, marking of firearms, confiscation or forfeiture, licensing or authorization, and extradition. Among other recommendations, the model legislation on criminal offences calls for penalties for government officials who fraudulently issue or use an authorization of an export, import, or transit of firearms and related materials. This echoes commentary that accompanies the model legislation for strengthening controls at export points, which explicitly calls for ***greater sanctions for guilty government officials***. It states that “penalties established for such offenses should be substantially increased when public officials are involved.”<sup>25</sup>

The final section of the model legislation on criminal offences notes that, while CIFTA does not address the subject of penalties, an Expert Group could explore existing national penalties for firearm-related offences and consider their appropriateness.

### ***End-use certification and monitoring*** (Text 11.1 to 11.3)

The CICAD commentary under examination also highlights the need for careful end-use monitoring of firearms transfers, based on “due diligence on the part of national export authorities and cooperation from the importing nation as well.” To reduce diversion risks, states should conduct not only pre-licence but, ideally, post-shipment checks. As the commentary notes, “a phone call, an interview with an importer/user, a brief visit to inspect a facility—can mean the difference between unwittingly approving and thwarting an illicit arms export.”<sup>26</sup>

Acknowledging that some countries pose higher-than-normal risks that exports of firearms, ammunition, or explosives will be diverted, the model legislation for strengthening controls at export points calls for the importing country to issue an end-use certificate. This certificate should provide information that includes, inter

alia, whether the end-user is a government or private end-user, whether the number and type of goods are appropriate, and warrants that the goods shall not be diverted, or re-exported without permission. The text also states that “the OEC may impose a requirement on the importing country that it require that the final consignee of the goods provide to the exporting country a ***delivery verification certificate***.”

### **Import controls**

Strengthening controls at export points and other export controls is crucial to reducing the global risks of diversion of firearms and related material from licit to illicit markets. But in the Caribbean subregion, where imports of firearms and other conventional weapons significantly exceed exports or re-exports, it is also important to ensure that adequate import controls are in place.

Some provisions of CIFTA—and some model regulations designed to assist CIFTA implementation—are indeed designed to strengthen import controls. As noted above, the model regulations for the control of the international movement of firearms identify the detailed information required for import certificates. Importing states are also responsible for issuing end-use certificates and arranging delivery verification certificates. Importing states can also consider other measures to advance implementation of an effective Arms Trade Treaty. These will be taken up in Part Three.

### **B. UN Security Council arms embargoes**

Security Council decisions to impose arms embargoes are taken under Chapter VII of the UN Charter and are legally binding on all members of the United Nations. States are bound not only to prevent the transfer of arms or arms-related material or support to the embargoed entity, but also to ensure that relevant national laws and procedures are operating effectively to uphold the embargo.

UN sanctions committees and other experts have studied the effectiveness of recent UN arms embargoes. Many of their recommendations are relevant to the development of a robust ATT,<sup>27</sup> including:

- A standard system of ***end-use certification and verification*** for all states to prevent diversion from licit to illicit channels;
- Effective ***control of the activities of arms brokers*** to ensure that they do not facilitate illicit trafficking or diversion of weapons;
- Adequate ***national legal and regulatory frameworks*** to provide the necessary control of conventional weapons production and transfer;
- ***International cooperation and assistance*** to build the necessary capacity of states; and
- Clarity and ***standardization in the scope of weapons*** subject to national regulation.

ATT negotiations would benefit from the lessons learned from studies of the effectiveness of UN arms embargoes. Significantly, with the exception of a standard weapons scope, these recommendations correspond to commitments to which CARICOM states are already subject under other multilateral instruments.

### C. UN Programme of Action on Small Arms and Light Weapons

The “United Nations Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects” is a political instrument of UN member states agreed by consensus in 2001 in response to the global threat of the illicit trade in small arms. The PoA commits all UN members to act at the national, regional, and global levels, with some commitments crossing all three levels. Although it omits important commitments, including requirements related to the civilian possession of firearms, the PoA addresses small arms production, use, stockpiling and transfer. It also gives attention to implementation, international cooperation, and assistance. With respect to small arms transfers, the PoA includes commitments that reflect the lessons of UN arms embargoes. It also contains provisions that are relevant to constructing an effective ATT, many under Section II, commitments “At the national level.”

The PoA emphasizes the importance of national regulatory frameworks for small arms transfer transactions; the need for all states to institute penalties for transgressing these frameworks; and the significance of other measures, including end-use certificates, which would strengthen the controls of interstate conventional weapons transfers. Section II of the PoA calls on states (in all cases emphasis is added):

2. To put in place, where they do not exist, **adequate laws, regulations and administrative procedures** to exercise control...over the export, import, transit or retransfer of [small arms and light] weapons, in order to prevent illegal manufacture of and illicit trafficking in small arms and light weapons, or their diversion to unauthorized recipients.

In the case of transfers (under II:12), the laws and procedures should extend to “the use of authenticated **end-user certificates** and effective legal and enforcement measures.” Transfer regulations should include (under II:11) a licensing procedure:

Likewise, to establish or maintain an effective national system of **export and import licensing** or authorization, as well as measures on international transit, for the transfer of all small arms and light weapons, with a view to combating the illicit trade in small arms and light weapons.

The PoA calls for penalties for arms traffickers. The states agree:

3. To adopt and implement, in the States that have not already done so, the necessary legislative or other measures to establish as **criminal offences** under their domestic law the illegal...trade of small arms and light weapons within their areas of jurisdiction, in order to ensure that those engaged in such activities can be prosecuted under appropriate national penal codes.

States also agree that transfer records must be kept:

9. To ensure that **comprehensive and accurate records** are kept for as long as possible on the...transfer of small arms and light weapons under their jurisdiction. These records should be organized and maintained in such a way as to ensure that accurate information can be promptly retrieved and collated by competent national authorities.”

The PoA requires states to regulate arms transfers consistent with international legal responsibilities, that is,

11. To assess applications for export authorizations according to strict national regulations and procedures that cover all small arms and light weapons and are consistent with the **existing responsibilities of States under relevant international law**, taking into account in particular the risk of diversion of these weapons into the illegal trade.

It contains specific commitments related to weapons brokering, calling on states

14. To develop adequate national legislation or administrative procedures regulating the activities of those who engage in small arms and light weapons **brokering**. This legislation of procedures should include measures such as registration of brokers, licensing or authorization of brokering transactions as well as the appropriate penalties for all illicit brokering activities performed within the State's jurisdiction and control.

The third section of the UN Programme of Action is devoted to "implementation, international cooperation and assistance." To support implementation of the PoA,

3. States and appropriate international and regional organizations in a position to do so should, upon request of the relevant authorities, seriously consider rendering assistance, including **technical and financial assistance** where needed....

Assistance should include

6. ...assisting interested States, upon request, in building capacities in areas including the **development of appropriate legislation and regulations**, law enforcement, tracing and marking, stockpile management and security, destruction of small arms and light weapons **and the collection and exchange of information**.

The PoA calls for, inter alia, an exchange of training and experience among officials; use of existing information on illicit trade from Interpol and other databases; cooperation on investigations and prosecutions of illicit activity; and assistance to combat illicit trade linked to drug trafficking, transnational organized crime, and terrorism. All these areas for cooperation and assistance would also be important to support effective implementation of an Arms Trade Treaty.





## PART THREE

### **An ATT for CARICOM and its member states**

An effective Arms Trade Treaty will establish high global standards for the regulation of licit transfers of conventional weapons. The Treaty must contain substantive provisions related to all relevant aspects of the international trade in arms. For example, transferred weapons must not be used to commit or facilitate serious violations of international human rights law or international humanitarian law, or to seriously impair poverty reduction or socio-economic development. To be effective from a Caribbean perspective, the Treaty must address the experiences, commitments, and concerns of states that participate in the arms trade mainly as importers, with limited capacity to enforce, monitor, and report weapons flows.

The continuous engagement of the Caribbean Community and its member states in the ATT process since the December 2006 UN General Assembly Resolution 61/89, “Towards an Arms Trade Treaty,” makes it possible to identify several elements in a treaty that will be of importance to the subregion. All CARICOM member states voted in favour of the original UN resolution. Since then, CARICOM and its members have become increasingly active in the UN treaty process. In 2007 the Bahamas submitted views to the UN Secretary-General on the feasibility, scope, and parameters of a treaty on behalf of CARICOM. CARICOM and its member states made detailed statements during the Open-Ended Working Group process on the ATT in 2009, as well as to the Preparatory Committee meetings held in 2010 and 2011 for the ATT Treaty Conference to be held in 2012. Beyond UN deliberations, CARICOM members have participated in two regional meetings held in Trinidad and Tobago in July 2010 and January 2011 to prepare for subsequent ATT Prep-Com meetings in New York.

A survey of the reported data of Part 1, the multilateral commitments of Part 2, and the ATT issues flagged by CARICOM suggests that the following features of an ATT are of particular significance to CARICOM:

- In the interest of transparency and accountability, the treaty requirements should include regular and systematic reporting of weapons transfers and of compliance with the treaty.
- The treaty should include transfer, especially import, provisions to prevent the diversion of weapons to illicit markets.
- The scope of the ATT must include small arms and light weapons and related ammunition, and all types of transfer transactions, also allowing for future arms developments.
- An effective treaty implementation regime should include monitoring, verification, and a dedicated Secretariat.
- Provisions for international cooperation and assistance are required to ensure implementation of the treaty.

While these five elements reflect CARICOM arms transfer experience and consistently appear in CARICOM and member treaty statements, they are not the only necessary ingredients of an effective treaty.<sup>28</sup> But because they appear to merit the particular interest and experience of CARICOM states, they are discussed in more detail below.

## Transparency and accountability

Effective implementation of an international arms trade treaty will depend on several factors, not the least of which will be a high degree of transparency by the states parties to the treaty. Transparency is needed not only to ensure the exchange of information necessary to monitor treaty compliance, but to bolster public and state confidence in treaty implementation. The ATT should include provisions that require and encourage placement in the public domain of the greatest practical amount of detail on the authorization and formal denial of international arms transfers. Indeed, according to CARICOM, “the highest standards of transparency and accountability should be applied to and incorporated in the ATT.”<sup>29</sup>

CARICOM members would benefit from more transparent reporting of imports of conventional weapons into the region. As demonstrated in Part I, it is not yet possible to assemble a comprehensive picture of the arms imports of CARICOM members, especially imports of small arms and light weapons. To promote greater confidence in national and regional controls on legal weapons transfers within the subregion, better common transparency and reporting standards are needed. These will reassure fellow CARICOM members and the public at large that national import controls are in place and effective.

Transparency requirements are common to many conventional arms control and disarmament agreements, including the UN PoA, which encourages regions “to develop, where appropriate and on a voluntary basis, measures to enhance transparency with a view to combating the illicit trade in small arms” (II:31). As noted in Part II, commitments of CIFTA call for national authorities to maintain detailed recordkeeping on the transfer of firearms.

CARICOM member states participate to varying degrees in the transparency exercise that is the UN Register of Conventional Arms. Yet, as demonstrated by the data limitations discussed in Part I, even with full regional participation the transparency standards of the UNROCA would be inadequate for an effective ATT. Quite apart from problems arising from the voluntary nature of the UN Register, the weapons categories are too restrictive and, with the exception of small arms and light weapons, generally irrelevant to the arms transfers that occur in the Caribbean.<sup>30</sup> This suggests that the scope of the Arms Trade Treaty—the categories of weapons and the kinds of transfer transactions that are covered by the treaty—must reach well beyond the “7+1” categories of the UN Register.

Detailed transparency requirements in an Arms Trade Treaty would facilitate implementation and monitoring of anti-corruption provisions of the treaty. The global trade in conventional weapons is notoriously corrupt. The negotiation of the ATT represents an important opportunity to reduce and eliminate such corruption. Advocates of a robust treaty have noted that most states are signatories to the “UN Convention against Corruption,” as well as to regional treaties.<sup>31</sup> The first international anti-corruption convention, the “Inter-American Convention Against Corruption” (1996), has been ratified or acceded to by all CARICOM member states except Barbados (a signatory).<sup>32</sup>

CARICOM member states have voiced support for government transparency, accountability, and action to prevent corrupt practices. In a speech in the U.K. in October 2010, for example, Prime Minister Kamla Persad-Bissessar of Trinidad and Tobago noted that “corruption is the denial of the right of the citizen to basic needs.” She stated that she intended “to lead a government that will build a country that places the highest value and integrity in public life through accountability and transparency.”<sup>33</sup>

It is in the interest of CARICOM member states, therefore, that the ATT call for high standards of transparency in reporting arms transfers and implementing treaty provisions. As arms importers, CARICOM members would gain if the activities of arms supplier states were more transparent. Among other benefits, more detail from arms suppliers would enhance the picture of the movement of conventional weapons, especially small arms and light weapons, to and through the Caribbean.

As importing (or transiting) states, CARICOM member states would advance ATT transparency standards by advocating treaty provisions that insure extensive and regular reporting of weapons imports. A harmonized approach to reporting import data would provide opportunities for joint research and policy development related to small arms flows in the subregion. And to the extent that additional capacity or technical assistance would be required to implement this harmonized approach, CARICOM states could work to ensure these needs were met in the provisions of the ATT for international cooperation and assistance.

In addition, states parties will need to systematically report on treaty compliance. On this matter CARICOM has been clear:

We expect that in the interest of transparency, the ATT will contain a requirement for regular and systematic reporting by States on their compliance with its terms, and there will also be a mechanism for monitoring and verifying such compliance, along with appropriate dispute settlement procedures.<sup>34</sup>

CARICOM also calls for provisions on reporting and information exchange, as long as the burden of such reporting for some states is taken into account:

CARICOM supports the need for the Treaty to contain provisions for the regular, periodic exchange of information between States, whether importers or exporters, and the United Nations through defined reporting obligations. However, these provisions should take into consideration the often times burdensome nature of such reporting requirements on developing States.<sup>35</sup>

In conclusion, ATT provisions that fully address transparency and the prevention of corruption serve the common interests of CARICOM member states. An Arms Trade Treaty containing high standards of transparency would assist with important state and public confidence-building. It would also reduce opportunities for corruption by contributing to a climate of openness and accountability.

### **Import provisions to prevent diversion**

The regionwide impacts of the proliferation and misuse of weapons calls for treaty provisions to address the diversion of weapons from licit to illicit markets. CARICOM member states support the prevention of diversion as a treaty goal:

CARICOM States welcome and are encouraged by the obvious consensus that has been expressed by all Member States during the past three days for the inclusion of the Goal of the 'Prevention of Diversion to the Illicit Market' as an element in an eventual legally binding treaty.<sup>36</sup>

Since states authorize arms transfers, the treaty should reinforce their responsibility to prevent diversion:

The ATT should also enshrine the principle of state responsibility for ensuring that arms transfers are not diverted from their intended destinations.<sup>37</sup>

Attention must be paid to the activities that contribute to diversion:

It is the view of the Government of St Vincent and the Grenadines that all efforts must be made to prevent diversion of international legal arms transfers through illicit brokering; illegal re-export; unlicensed production; unlicensed transactions; and improper storage or transportation.<sup>38</sup>

Consequently, an ATT should include appropriate provisions:

The treaty should seek to regulate the re-export and diversion of weapons; as such, the issues of storage, end use certification, brokering and the disposal of weapons should also be addressed.<sup>39</sup>

As primarily importing states, CARICOM members can ensure that ATT provisions are in place to minimize the diversion risks of weapons importation. Many such provisions are contained in the existing international instruments discussed in Part II. These include:

- A standard system of end-use certification (to strengthen UN arms embargoes, for example);
- National legislation to regulate brokering (as called for in the UN PoA); and
- Import licences or authorizations (required by CIFTA).

Importantly, the model legislation produced to date by the OAS for implementation of CIFTA is relatively weak on import regulations. CARICOM and other OAS member states would benefit from model regulations designed, for example, to strengthen controls at import points. Such regulations could even mirror recommended export controls, such as an Office of Import Controls (OIC) to mirror an Office of Export Controls.

A distinction between the interests of states that are primarily arms recipients and states that supply arms has begun to emerge in ATT Preparatory Committee debates. Further detail on the conditions needed to effectively regulate the legitimate import of conventional weapons could clarify the differences between exporting and importing needs and requirements. Such clarity could also serve to reduce the risks of diversion at points of import.

### **Small arms and treaty scope**

The CARICOM position on the range of conventional weapons that should be covered by the ATT has undergone some variation, as seen in statements since 2007. But CARICOM has been unwavering in its support for including small arms and light weapons—and their ammunition—within the scope of the treaty. In its opening statement to the first ATT PrepCom, CARICOM argued:

The rationale for the necessity of the inclusion of SALW and ammunition into a future ATT is overwhelming. In countries with high incidents of armed violence, resulting from the proliferation of gangs and the prevalence of transnational organized crime, the overwhelming majority of deaths result from the use of small arms.<sup>40</sup>

Consequently,

CARICOM will continue to work inter-sessionally to formulate its position so that a future Arms Trade Treaty includes within its scope, small arms and light weapons and their ammunition.<sup>41</sup>

It is not surprising that CARICOM supports the inclusion of small arms ammunition within the scope of an ATT. Concern over the movement of ammunition into and among CARICOM states equals or exceeds concern over the movement of small arms in the subregion. In addition, the scope of the legally binding CIFTA already includes “firearms, ammunition, explosives and other related materials.” The omission of firearms ammunition from the scope of an ATT could reduce the arms transfer standards of the region.

The Caribbean Community also has called for treaty provisions that foresee the development of future weapons:

The treaty should...include a provision allowing States to bring additional weapons within its ambit, as the need arises due to technological advancements, or, as States see fit.<sup>42</sup>

Beyond these two areas, the CARICOM position on the scope of equipment is less clear. The position has been expressed as the “7+1+1” formula cited by many UN member states during Open-Ended Working Group, PrepCom, and other ATT process sessions:

On the issue of scope, CARICOM has always advocated the 7+1+1 formula, i.e. the seven categories of the conventional arms register; small arms and light weapons and ammunition. From CARICOM’s perspective this is the only way to meet the goal of achieving a comprehensive and effective ATT.<sup>43</sup>

Yet CARICOM statements have also called for a broader interpretation of equipment scope, based on the recognition that the categories of the UN Register do not capture many conventional weapons that are commonly transferred among states:

We are confronting a wider range of weapons and of technology than is contained in the [United Nations] Register [of Conventional Arms]. The scope of an ATT clearly needs to go beyond UN-ROCA to cover all arms, arms production equipment and related technology.<sup>44</sup>

Significantly, CARICOM statements have also called for a more comprehensive interpretation of scope—one that recognizes not just the technical nature of conventional weapons, but also the potential use:

Conscious of the need to be comprehensive in scope, the treaty should make provision for all categories of weapons which are capable of being used in ways that can result in violations of the United Nations Charter, or, International Humanitarian Law.<sup>45</sup>

A wide interpretation of equipment scope is needed to encompass the Caribbean’s own experience with arms imports. As illustrated by Figure 3 in Part I above, CARICOM members have recently imported significant quantities of military equipment that is not covered by the UN Register or the category of small arms and

light weapons and their ammunition. If ATT jurisdiction is to extend to the equipment commonly used by CARICOM member security forces, let alone the security forces of other states, then CARICOM will need to adopt a broad view of equipment scope.

CARICOM has been reserved in making statements on transactions within the scope of an ATT. During the PrepCom meeting of February 28–March 4, 2011 CARICOM positively referenced the list of transactions compiled by the session Chair, Ambassador Moritán of Argentina:

With respect to the types of transactions to be covered in the proposed ATT, CARICOM is appreciative of the very comprehensive list outlined in Annex B of the Chairman's Papers.<sup>46</sup>

Particular member states of CARICOM have been more forthcoming about the transactions they want to see within the scope of a treaty. Jamaica and Trinidad, for example, participated with several Latin American states in a joint statement that called for the following transactions to be included in an ATT:

Type of activities/transactions:

- It is important to maintain control throughout the whole life cycle of the weapon, from its production until its destruction.
- Types of transactions—all types of transfers. This includes all transfers in the state-sanctioned and commercial trade, loans, military assistance, etc. It must also include all transactions involved in the transfer, including by dealers/brokers relating to the deal, e.g. transport, financing, security, etc. Internal transfers which effects might have an impact on other States should also be part of an ATT.

The activities to be regulated include, inter alia, the export, import, transfer, brokering, transit, trans-shipment, diversion, licensing, brokering, transportation, military assistance and financing.<sup>47</sup>

### **Implementation of the treaty**

CARICOM and member states have called for provisions in an Arms Trade Treaty to meet the needs of the subregion and to contribute to an effective treaty. They recognize that, regardless of the strength of its obligations, the treaty also must contain operative provisions to “make it work”:

An ATT should also provide guidelines for its effective and full implementation, and should have effective mechanisms to monitor implementation and assist states, upon their request, in the area of compliance.<sup>48</sup>

According to CARICOM statements, an effective implementation regime in a treaty would include provisions for monitoring, verification, penalties for noncompliance, and a dedicated secretariat to assist states parties. There should also be provisions related to information sharing:

A lack of information sharing among Member States can be a barrier to tackling the irresponsible and illicit proliferation of SALW and thereby to the effective implementation of an ATT. Enhanced sharing of information and intelligence among member states are therefore crucial in Treaty implementation.<sup>49</sup>

Trinidad and Tobago has expanded on the CARICOM statements and called for the following elements in an implementation regime:

- (a) The establishment of a dedicated secretariat to assist States Parties to implement the provisions of an ATT. We have seen the benefits of such arrangements under instruments like the Biological Weapons Convention.
- (b) Meetings of States Parties as well as a formal review mechanism. This would enable States Parties to examine future circumstances which should be brought into the ATT.
- (c) Effective compliance with the provisions of the treaty such as the construction of mechanisms for monitoring and verification.
- (d) A clause for the settlement of disputes and a sanctions regime for breaches of treaty obligations. Without an effective sanctions regime, grave breaches of the ATT would render the instrument ineffective.
- (e) The submission by States of an initial report and subsequently periodic reports on national implementation measures. This could assist developing countries with the issue of reporting fatigue.
- (f) There should be no provision for reservation to an ATT. Trinidad and Tobago is of the view that the proliferation of the illegal arms trade, especially as it concerns small arms and light weapons, has destabilised many societies and created such instability and disruption among ordinary citizens that a provision on reservation would be contrary to the object and purpose of the very instrument.<sup>50</sup>

Trinidad and Tobago emphasizes the inclusion of a dedicated secretariat as a means to organize international cooperation and assistance:

A dedicated secretariat, funded by States Parties, could be charged with the responsibility to receive from States Parties that are in a position to do so, scientific and technological information to be delivered upon request to other States Parties. It could also assist with the drafting of model legislation taking into consideration the peculiarities of different legal systems, thereby enabling all States Parties to have appropriate legislation to implement the ATT domestically.<sup>51</sup>

### **International cooperation and assistance**

Because the strength of an Arms Trade Treaty will ultimately rest on the capacity of UN member states to implement its provisions, and because capacity varies widely among states, CARICOM and member states have underlined the need for international cooperation and assistance among states parties to the treaty. To begin, CARICOM recognizes that an ATT will require a global collaborative regime based on exporting and importing states working together to better control international arms transfers:

CARICOM States expect that at the heart of the effort to regulate the trade in small arms will be a regime of cooperation, extending beyond the bilateral and regional levels to include multilateral efforts to deal with all stages and aspects of the movement of arms.<sup>52</sup>

Treaty provisions must ensure that all states parties have or develop the capacity to implement the treaty. The front line of treaty implementation will be national regulatory and reporting frameworks, so it will be crucial to provide support as necessary to promote adequate and universal national capacity. As noted by CARICOM:



The Treaty should contain provisions on international cooperation and assistance, particularly as it relates to capacity-building and the transfer of technology to strengthen the national capacities of developing States to effectively implement the treaty.<sup>53</sup>

CARICOM has identified particular areas where cooperation and assistance will be needed:

We believe that an effective ATT should provide for cooperation and assistance among the relevant stakeholders such as law enforcement, customs and border controls at the bilateral, regional and multilateral levels.... CARICOM is of the view that an ATT must include provisions whereby a state may be able to ask for and receive financial and technical assistance. Technical assistance may be provided to member states in the form of training of officials, stockpile management and the transfer of technology.<sup>54</sup>



# ANNEX A

**Table 1: SALW exports to CARICOM states reported to the UNROCA, 2003-2009**

## 1. Antigua and Barbuda

Year	Supplier State	Number	Item	Comment
2004	United Kingdom	2	Semi-automatic pistols	
		NA	Components for semi-automatic pistols	
		NA	Weapon cleaning equipment	
2006	United States	150	Assault rifles*	M16A4
		21	Sub-machine guns*	
		6	Light machine guns*	M240/249
2009	United Kingdom	4	Sporting rifles	

*(Antigua and Barbuda reported "Nil" on international transfers of SALW to UNROCA for 2007, 2008, and 2009. \*)*

## 2. Bahamas

Year	Supplier State	Number	Item	Comment
2003	United Kingdom	3	Shotguns	
2006	United Kingdom	32	Pistols	
		1	Semi-automatic pistol	
		6	Revolvers	
		4	Sub-machine guns	
		12	Assault rifles	
		1	Shotguns	
2007	Italy	27	Rifles and carbines	
2008	Italy	34	Rifles and carbines	
2009	Italy	65	Rifles and carbines	

*(Bahamas has not reported SALW data to UNROCA. Latest report, for 2006, reported "Nil" for major categories. \*)*

## 3. Barbados

Year	Supplier State	Number	Item	Comment
2003	United Kingdom	2	Revolvers	
		2	Rifles	
		12	Shotguns	
		2	Sniper rifles	
		2	Sub-machine guns	
2004	United Kingdom	1	Sporting rifles	
		5	Semi-automatic pistols	
		1	Revolvers	
		1	Machine pistols	
		1	Rifles	
		2	Sub-machine guns	
		NA	Components for sub-machine guns	
		1	Assault rifles	
		NA	Weapon cleaning kits, weapon sights,	
		NA	Components for machine pistols,	
			components for semi-automatic pistols	
2005	United Kingdom	1	Shotguns	
		5	Assault rifles	
		3	Rifles	
		2	Sub-machine guns	
		1	Heavy machine guns	
2006	United Kingdom	2	Pistols	
		35	Sub-machine guns	
		2	Assault rifles	
		2	Shotguns	

	Germany	35	Sub-machine guns
2008	Italy	9	Rifles and carbines
2009	Italy	92	Revolvers and self-loading pistols
		8	Rifles and carbines
	United Kingdom	3	Semi-automatic pistols
		2	Shotguns
		2	Sporting rifles

*(Barbados has not reported SALW data to UNROCA. Latest report, for 2003, reported “Nil” for major categories. \*)*

#### 4. Belize

*(Belize has not reported SALW data to UNROCA. Latest report, for 2010, reported “Nil” for major categories. \*)*

#### 5. Dominica

*(Dominica has not reported SALW data to UNROCA. Latest report, for 2001, reported “Nil” for major categories. \*)*

#### 6. Grenada

Year	Supplier State	Number	Item	Comment
2009	United Kingdom	1	Semi-automatic pistol	
		2	Revolvers	

*(Grenada reported its first SALW data to UNROCA in 2010. \*)*

#### 7. Guyana

Year	Supplier State	Number	Item	Comment
2004	United Kingdom	40	Sub-machine guns Weapon cleaning equipment Equipment for the use of sub-machine guns Components for sub-machine guns	
2009	Italy	6	Rifles and carbines	

*(Guyana has not reported SALW data to UNROCA. Latest report, for 2010, reported “Nil” for major categories. \*)*

#### 8. Haiti

Year	Supplier State	Number	Item	Comment
2005	Germany	18	Sub-machine guns	
	United Kingdom	30	Revolvers	
		6	Combat shotguns	
		7	Semi-automatic pistols	
			Small arms ammunition	
2006	United Kingdom	8	Pistols	
		15	Revolvers	
		6	Sub-machine guns	
		6	Shotguns	
	United States	565	Revolvers-38*	
2007	Turkey	25	Semi-automatic pistols	
2008	Philippines	50	Revolvers (cal .38Sp1)	
2009	Germany	18	Assault rifles	

*(Haiti reported SALW imports to the UNROCA in 2006 and has not reported since. \*)*

## 9. Jamaica

Year	Supplier State	Number	Item	Comment
2005	United Kingdom	1	Air gun	
		NA	Gun silencers	
		NA	Components for air guns	
		27	Sub-machine guns	
		NA	Components for sub-machine guns	
		NA	Technology for use of sub-machine guns	
		NA	Weapon cleaning equipment	
2006	Germany	27	Sub-machine guns	MP5**
	Poland	1146	Sub-machine guns*	
2007	Italy	37	Rifles and carbines	
	Poland	6	Sub-machine guns	
2009	Italy	1	Rifles and carbines	

*\*\*Reported by Poland to the UNROCA as 1146 revolvers and self-loading pistols- MP9 "for Ministry of National Security."*

*(Jamaica reported SALW imports to the UNROCA in 2006 and has not reported since. \*)*

## 10. St. Kitts and Nevis

*(St. Kitts has not reported SALW data to UNROCA. Latest report, for 2005, reported "Nil" for major categories. \*)*

## 11. St. Lucia

*(St. Lucia reported "Nil" report for international transfer of SALW in 2006 and has not reported since. \*)*

## 12. St. Vincent and the Grenadines

Year	Supplier State	Number	Item	Comment
2008	Austria	200	Revolvers and self-loading pistols*	Glock.40-22
		200	Revolvers and self-loading pistols*	Glock.40-23
	United States	35	Assault rifles*	Bush Master
				M16-A2 Rifle
				20"govt barrel
		10	Assault rifles*	Bush Master
				M16-A2 Rifle
				11.5" govt barrel

*(St. Vincent reported SALW data to UNROCA in 2008 [above] and "Nil" report for 2006. \*)*

## 13. Suriname

Year	Supplier State	Number	Item	Comment
2007	Italy	31	Rifles and carbines	
2009	Italy	10	Rifles and carbines	
	Netherlands	3	Revolvers and self-loading pistols	

*(Suriname has not reported SALW data to UNROCA. Latest report, for 2010, reported "Nil" for major categories. \*)*

## 14. Trinidad and Tobago

Year	Supplier State	Number	Item	Comment
2004	United Kingdom	50	Sub-machine guns	
		NA	Components for sub-machine guns	
		NA	Weapon sights	
		NA	Technology for use of sub-machine guns	
		NA	Sub-machine gun maintenance equipment	
		NA	Components for sub-machine guns	

		35	Assault rifles	
		NA	Components for assault rifles	
		NA	Technology for use of assault rifles	
		NA	Weapon cleaning equipment	
		NA	Weapon sight mounts	
		110	Semi-automatic pistols	
		NA	Components for semi-automatic pistols	
		NA	Technology for use of semi-automatic pistols	
2005	United Kingdom	25	Semi-automatic pistols	
		NA	Components for semi-automatic pistols	
		NA	Technology for use of semi-automatic pistols	
		75	Assault rifles	
		NA	Technology for use of assault rifles	
		NA	Weapon cleaning equipment	
		12	Air guns	
		16	Air guns	
		1	Air gun	
		1	Shotguns	
		40	Assault rifles	
		NA	Weapon sights, components for assault rifles	
		NA	Technology for use of assault rifles	
		NA	Weapon cleaning equipment	
2006	Germany	75	Revolvers and self-loading pistols*	H&K
		200	Sub-machine guns*	H&K
	Israel	200	Assault rifles*	Galil
	United Kingdom	1	Sniper rifle	
		90	Sub-machine guns	
		235	Assault rifles	
2007	Germany	985	Sub-machine guns	
		15	Assault rifles	
	Italy	17	Rifles and carbines	
	United Kingdom	75	Semi-automatic pistols	
2008	Italy	43	Rifles and carbines	
	United Kingdom	20	Semi-automatic pistols	
		1	Shotguns	
		200	General purpose machine guns	
2009	Germany	200	Sub-machine guns	
	Italy	4	Rifles and carbines	
	United Kingdom	35	Semi-automatic pistols	
		2	Rifles	
		13	Sniper rifles	
		2	Assault rifles	

(Trinidad and Tobago reported SALW data to UNROCA for 2006 and for 2010.)\*

\*Reported by CARICOM state to UNROCA as SALW imports. All other data reported by supplier states as exports.

**Table 2: Firearms and ammunition imports by CARICOM states reported to Comtrade, 2002-2009**

(in constant 2009 \$U.S.)

**Antigua and Barbuda**

Source: NISAT

Year	U.S.	U.S. military	Barbados	U.K.	Switzerland	Other	Total
2002	7,132		21,677	2,257		1,097	32,163
2003	21,217		28,929	2,706		2,119	54,971
2004	101,167	12,376	3,588			5,043	122,174
2005	112,842	60,296	1,790	3,014		2,556	180,498
2006	363,191	492,580	1,487			13,569	870,827
2007	70,625	35,722				7,013	113,360
2008	50,144	12,054	7,769				69,967
2009	31,744		2,100	27,611	34,747		96,202
<b>Total</b>	<b>758,062</b>	<b>613,028</b>	<b>67,340</b>	<b>35,588</b>	<b>34,747</b>	<b>31,397</b>	<b>1,540,162</b>

**Bahamas**

Year	U.S.	U.S. military	Italy	Japan	Turkey	Other	Total
2002	196,126	56,938	193,056		1,159	3,370	450,649
2003	274,172	44,270	1,005,884		2,465	38,934	1,365,725
2004	235,401	15,862	31,785		7,059		290,107
2005	203,529	4,053					207,582
2006	722,349	44,115	25,403	134,104		40	926,011
2007	478,716	25,304	18,836	253,158	25,885	6,298	808,197
2008	485,522	51,631	20,944		28,119	1,009	587,225
2009	2,448,906	7,220	39,041			2,918	2,498,085
<b>Total</b>	<b>5,044,721</b>	<b>249,393</b>	<b>1,334,949</b>	<b>387,262</b>	<b>64,687</b>	<b>52,569</b>	<b>7,133,581</b>

**Barbados**

Year	U.S.	U.S. military	U.K.	U.K. military	Italy	Austria	Other	Other military	Total
2002	388,186		61,672		44,341	65,288	27,766		587,253
2003	445,488	262,824	119,508		113,358	46,001	92,145		1,079,324
2004	266,190		114,211		79,999	58,293	15,740		534,433
2005	219,473	33,702	189,039		158,385	64,896	205,787	2,702	873,984
2006	388,797	79,684	81,606		76,363	63,092	247,387	98,366	1,035,295
2007	265,351		74,055		2,733	21,330	28,974	30,674	423,117
2008	235,346	6,050	37,582	48,215	157,918	23,801	54,559		563,471
2009	561,742		44,667		74,225	103,606	55,430		839,670
<b>Total</b>	<b>2,770,573</b>	<b>382,260</b>	<b>722,340</b>	<b>48,215</b>	<b>707,322</b>	<b>446,307</b>	<b>727,788</b>	<b>131,742</b>	<b>5,936,547</b>

**Belize**

Year	U.S.	U.S. military	Czech Rep.	U.K.	Mexico	Other	Total
2002	214,381	59,185		106,651		2,906	383,123
2003	194,339			23,830		8,367	226,536
2004	117,316			35,642	101	29,816	182,875
2005	220,533		129,817	28,686		77,551	456,587
2006	92,279		101,160			5,706	199,145
2007	70,552	45,209	88,466			104,569	308,796
2008	49,855	102,557	214,537		107,618	32,081	506,648
2009	64,802	528,249	88,720			11,864	693,635
<b>Total</b>	<b>1,024,057</b>	<b>735,200</b>	<b>622,700</b>	<b>194,809</b>	<b>107,719</b>	<b>272,860</b>	<b>2,957,345</b>

**Dominica**

Year	U.S.	Barbados	U.K.	Uruguay	Other	Other military	Total
2002	33,966	1,417			2,524		37,907
2003	33,369	1,680			143		35,192
2004	32,496	46		1,999	2,291	544	37,376
2005	14,289	5,302		4,466	64		24,121
2006	42,479	5,257		1,157	251		49,144
2007	69,361	570	15,701	1,133	366		87,131
2008	54,934	8,665	23,615	10,626			97,840
2009	6,817	19,500					26,317
<b>Total</b>	<b>287,711</b>	<b>42,437</b>	<b>39,316</b>	<b>19,381</b>	<b>5,639</b>	<b>544</b>	<b>395,028</b>

**Grenada**

Year	U.S.	Barbados	Austria	U.K.	Other	Total
2002	23,370			4,933	1,501	29,804
2003	55,820	1,280		22,190	551	79,841
2004	108,145	2,777	11,814	1,885	2,362	126,983
2005	23,500	23,808	24,514	2,981	13,588	88,391
2006	93,904	21,994	9,307	303	15,090	140,598
2007	24,715	2,539			17,448	44,702
2008	37,563	10,514	508	305	9,315	58,205
2009	38,828	5,100			1,339	45,267
<b>Total</b>	<b>405,845</b>	<b>68,012</b>	<b>46,143</b>	<b>32,597</b>	<b>61,194</b>	<b>613,791</b>

### Guyana

Year	U.S.	Brazil	Czech Rep.	Canada	U.K.	Other	Other military	Total
2002	424,955	116,099	44,706	12,502	31,140	40,159		669,561
2003	204,070	291,495	100,174	19,354	31,756	128,512		775,361
2004	187,868	241,230	12,396	20,334		48,815		510,643
2005	67,282	31,140		81	5,757	274		104,534
2006	38,511			40,683	13,685	216,437		309,316
2007	106,593	373,230		3,414		783		484,020
2008	284,783			2,495	6,246		241	293,765
2009	1,897,843	102,496			49	14,628	1,917	2,016,933
<b>Total</b>	<b>3,211,905</b>	<b>1,155,690</b>	<b>157,276</b>	<b>98,863</b>	<b>88,633</b>	<b>449,608</b>	<b>2,158</b>	<b>5,164,133</b>

### Haiti

Year	U.S.	U.S. military	Brazil	Austria	Philippines	Other	Total
2002	44,467						44,467
2003	15,601		184,792				200,393
2004	19,034					2,719	21,753
2005	1,786,953	223,968	117,256	1,093		96,421	2,225,691
2006	14,587				37,596	68,588	120,771
2007	151,763	3,443,540	110,729	76,212		21,651	3,803,895
2008	17,823				54,955		72,778
2009	82,358			88,849	700	3,723	175,630
<b>Total</b>	<b>2,132,586</b>	<b>3,667,508</b>	<b>412,777</b>	<b>166,154</b>	<b>93,251</b>	<b>193,102</b>	<b>6,665,378</b>

### Jamaica

Year	U.S.	U.S. military	Poland military	Italy	U.K.	Other	Other military	Total
2002	2,294,715	678,091		206,676	63,821	308,993		3,552,296
2003	819,452	716,491		110,731	92,972	491,873		2,231,519
2004	1,513,640	4,501		279,494	211,174	414,027		2,422,836
2005	1,137,963			535,737	228,724	732,759		2,635,183
2006	1,336,482	248,057	3,451,292	79,793	137,666	79,644	6,866	5,339,800
2007	637,022		17,881	81,643	23,336	327,692		1,087,574
2008	509,330	588,185		229	155,286	210,145		1,463,175
2009	1,684,369	33,571		100,424	60,766	285,997	449,930	2,615,057
<b>Total</b>	<b>9,932,973</b>	<b>2,268,896</b>	<b>3,469,173</b>	<b>1,394,727</b>	<b>973,745</b>	<b>2,851,130</b>	<b>456,796</b>	<b>21,347,440</b>

**St. Kitts and Nevis**

Year	U.S.	U.S. military	Bosnia-Herzegovina	Barbados	Trinidad & Tobago	Other	Total
2002	14,911				14,313	438	29,662
2003	7,683			404	2,181	982	11,250
2004	17,775			116	781	130	18,802
2005	3,701						3,701
2006	11,530		383,419	7,436	702	5,813	408,900
2007	12,454	65,463		1,359	980		80,256
2008	24,196	6,050		2,401		379	33,026
2009	57,536			21,272			78,808
<b>Total</b>	<b>149,786</b>	<b>71,513</b>	<b>383,419</b>	<b>32,988</b>	<b>18,957</b>	<b>7,742</b>	<b>664,405</b>

**St. Lucia**

Year	U.S.	U.S. military	Austria	Barbados	Australia	Other	Total
2002	73,872					209	74,081
2003	44,851		25,595	1,756	9,049	2,899	84,150
2004	29,557						29,557
2005	20,352		21,977	343			42,672
2006	54,277		26,052	673		504	81,506
2007	35,718		80,689	709		492	117,608
2008	123,045	6,050	57,036	681		3,688	190,499
2009	39,206		9,142	8,880			57,228
<b>Total</b>	<b>420,878</b>	<b>6,050</b>	<b>220,491</b>	<b>13,042</b>	<b>9,049</b>	<b>7,792</b>	<b>677,302</b>

**St. Vincent and the Grenadines**

Year	U.S.	U.S. military	Austria	Barbados	T&T	T&T military	Other	Total
2002	37,052			2,003	1,405		180	40,640
2003	12,891			5,832	645		260	19,628
2004	22,635			2,423	329		1,605	26,992
2005	21,363			21,235	766		927	44,291
2006	29,218				3,920		321	33,459
2007	15,990	19,239	281,605	609			849	318,292
2008	460,730	40,945	218	605		77	12,088	514,663
2009	154,976	51		13,905				168,932
<b>Total</b>	<b>754,855</b>	<b>60,235</b>	<b>281,823</b>	<b>46,612</b>	<b>7,065</b>	<b>77</b>	<b>16,230</b>	<b>1,166,897</b>



## Suriname

Year	U.S.	U.S. military	Austria	Italy	Brazil	Other	Total
2002	86,738		34,788			16,552	138,078
2003	64,804		46,842	110,678		10,259	232,583
2004	210,418		7,891	114,013		5,076	337,398
2005	242,431		1,105,943		110,024	16,307	1,474,705
2006	181,972		193	92,803		52,752	327,720
2007	203,173			171,769	159,530	39,209	573,681
2008	276,587					53,677	330,264
2009	277,388	213,984		140,814		81,907	714,093
<b>Total</b>	<b>1,543,511</b>	<b>213,984</b>	<b>1,195,657</b>	<b>630,077</b>	<b>269,554</b>	<b>275,739</b>	<b>4,128,522</b>

## Trinidad and Tobago

Year	U.S.	U.S. military	Israel	Israel military	U.K.	U.K. military	Germany	Other	Total
2002	164,091				65,435		86,856	132,753	449,135
2003	276,962		438,723		31,379		85,038	90,082	922,184
2004	583,127				58,125		284,878	258,704	1,184,834
2005	669,307	1,240	665,918	1,416,311	180,998		43,299	151,261	3,128,334
2006	337,088		163,776	2,359,278	76,149		30,215	179,388	3,145,894
2007	352,256		8,194		110,972		52,146	297,583	821,151
2008	1,745,672	19,671	858,019		548,074		202,897	446,933	3,821,266
2009	1,493,436	240,435	549,125	868,781	1,987,306	4,767,923	16,810	357,507	10,281,323
<b>Total</b>	<b>5,621,939</b>	<b>261,346</b>	<b>2,683,755</b>	<b>4,644,370</b>	<b>3,058,438</b>	<b>4,767,923</b>	<b>802,139</b>	<b>1,914,211</b>	<b>23,754,121</b>

Comtrade customs codes included in NISAT data:

930100	Military firearms (until 2002, after which replaced by 930119, 930120, and 930190)
930119	Large-calibre guns, howitzers, and mortars (none self-propelled)
930120	Light weapons, including rocket launchers, flame throwers, and grenade launchers
930190	Military firearms, including machineguns, assault rifles, and combat shotguns
930200	Revolvers and pistols (excluding shotguns and rifles)
930320	Shotguns—for sports, hunting, or target shooting (including combination rifles)
930330	Rifles—for sports, hunting, or target shooting
930510	Parts and accessories of revolvers or pistols
930521	Parts and accessories of shotguns/rifles—barrels
930529	Parts and accessories of shotguns/rifles—other not elsewhere specified
930621	Cartridges for shotguns
930629	Parts of cartridges for smooth-barreled shotguns; air gun pellets
930630	Other cartridges and parts not elsewhere specified

**Table 3: Transfers of major conventional weapons to CARICOM states, sorted by supplier  
(deliveries or orders made for year range 2000–2009)**

Note: The “No. delivered/produced” and the “Year(s) of deliveries” columns refer to all deliveries since the beginning of the contract. Deals in which the recipient was involved in the production of the weapon system are listed separately. The “Comments” column includes publicly reported information on the value of the deal. Information on the sources and methods used in the collection of the data and explanations of the conventions, abbreviations, and acronyms can be found on the SIPRI site. The SIPRI Arms Transfers Database is continuously updated as new information becomes available.

Supplier /recipient (R) or licensor (L)	No. ordered	Weapon designation	Weapon description	Year of order /licence	Year(s) of deliveries	No. delivered /produced	Comments
<b>Canada</b> R: Jamaica	2	DA-40	Light aircraft	2006	2006-2007	2	\$850,000 deal; DA-40-180FP version; for training
<b>Costa Rica</b> R: Guyana	1	Bell-206/OH-58	Light helicopter	(2007)	2008	1	Secondhand
<b>Czech Republic</b> R: Haiti	8	OT-64C	APC	(2006)	2007	8	Ex-Czech; possibly for UN forces in Haiti
<b>Denmark</b> R: Trinidad & Tobago	3	Terma-4100	Air search radar	2007			For 3 VT-90M OPV from U.K.
<b>Germany (FRG)</b> R: Trinidad & Tobago	6	MAN-280	Diesel engine (SH)	2007			For 3 VT-90M OPV from U.K.
<b>India</b> R: Suriname	3	Druhv/ALH	Helicopter	2009			\$15-million deal; delivery 2010
<b>Netherlands</b> R: Barbados	3	Stan Patrol-4207	Patrol craft	(2006)	2007-2009	3	\$18-million deal; Barbados designation Banfield
Jamaica	3	Stan Patrol-4207	Patrol craft	2004	2005-2007	3	Jamaican designation Cornwall; for coast guard
<b>U.K.</b> R: Belize	1	BN-2 Islander	Light transport ac	(1999)	2000	1	Supplier uncertain
Guyana	1	River	Minesweeper	(2001)	2001	1	Ex-U.K.; Guyanan designation Esse- quibo
Trinidad & Tobago	1	Island	OPV	2000	2000	1	Ex-U.K.; for coast guard; Trinidad designation Nelson
Trinidad & Tobago	3	VT-90M	OPV	2007			GBP150-million (\$290-million) deal; delivery probably from 2010
<b>U.S.</b> R: Bahamas	2	Europatrol-250	Patrol craft	1997	2000	2	Bahamas designation Bahamas Class
Bahamas	1	Cessna-208 Caravan	Light transport ac	2007	2009	1	
Jamaica	4	Bell-407	Light helicopter	(2006)	2007-2008	4	\$14-million deal
Trinidad & Tobago	2	PA-31 Navajo	Light transport ac	(2000)	2000-2001	(2)	Probably aid
Trinidad & Tobago	2	Gasper Grande	Patrol craft	2007	2007	2	Secondhand; former oil rig crew transport craft modified to patrol craft before delivery; for coast guard
Trinidad & Tobago	4	AW-139	Helicopter		2009		Delivery 2010-2011

Source: SIPRI Arms Transfers Database

Information generated: 17 September 2010

**Table 4: Additional conventional weapons exports to CARICOM states cited in recent national and EU reports on arms exports**

Compiled **August 2011**

Supplier	Recipient	Description	Value	Year	Source
Austria	Dominica	Small-calibre weapons	€4,032	2007	EU report
	Guyana	Small-calibre weapons	€7,483	2007	EU report
	Jamaica	Small-calibre weapons	€270,886	2007	EU report
	Jamaica	Small-calibre weapons	€264,330	2008	EU report
	St. Vincent	Small-calibre weapons	€3,130	2008	EU report
	Suriname	Small-calibre weapons	€136,374	2009	EU report
	Trinidad & Tobago	Small-calibre weapons	€37,735	2006	EU report
	Trinidad & Tobago	Small-calibre weapons	€27,991	2007	EU report
	Trinidad & Tobago	Small-calibre weapons	€16,797	2008	EU report
Canada	Trinidad & Tobago	Military electronics	\$4,650,000	2009	National report
Czech Republic	Haiti	Ground vehicles	€186,118	2007	EU report
	Haiti	Ground vehicles	€48,383	2008	EU report
		Military technology	€8,681	2008	EU report
	Trinidad & Tobago	Ammunition	€84,000	2005	EU report
France	Trinidad & Tobago	Small-calibre weapons	€4,930	2006	EU report
	Trinidad & Tobago	Category unreported	€280,440	2008	EU report
	Trinidad & Tobago	Military technology	€527,758	2009	EU report
Finland	Haiti	Armoured equipment	€15,722	2005	EU report
Netherlands	Suriname	Ground vehicles	€45,775	2005	EU report
	Suriname	Small-calibre weapons	€1,250	2009	EU report
Spain	Trinidad & Tobago	Bombs, torpedoes, missiles	€30,000	2006	EU report
	Trinidad & Tobago	Dual-use items	NA	2008	National report— for private company
U.S.	Antigua and Barbuda	Foreign military sales	\$2,545,000	2004-2008	National report
	Barbados	Direct commercial sales	\$1,215,000	2008	National report
	Belize	260 fully automatic firearms	\$433,842	2008	National report
		Foreign Military Sales	\$1,528,000	2004-2008	National report
	Dominica	Foreign Military Sales	\$772,000	2004-2008	National report
	Grenada	Foreign Military Sales	\$725,000	2004-2008	National report
	Guyana	Foreign Military Sales	\$484,000	2004-2008	National report
	Jamaica	Direct commercial sales	\$7,572,000	2008	National report
	St. Kitts and Nevis	Direct commercial sales	\$1,460,000	2008	National report
		Foreign military sales	\$894,000	2004-2008	National report
	St. Lucia	Direct commercial sales	\$201,000	2008	National report
		Foreign military sales	\$875,000	2004-2008	National report
	Trinidad & Tobago	Direct commercial sales	\$3,708,000	2008	National report

## Annex B

### Report of the CARICOM Regional Taskforce on Crime and Security (2002)

The 2002 report of the CARICOM Regional Taskforce on Crime and Security was mandated by the CARICOM Heads of Government to study and recommend responses to crime in the region. The Taskforce identified illegal firearms as one of eight principal threats to regional security. Of the 113 recommendations contained in the Report, 17 address the threat of illegal firearms. These are grouped into national, regional, and international initiatives, many of which could be met by appropriate ATT provisions.

The Taskforce report, for example, underlines the significance of small arms in criminal activity in the Caribbean. It notes that, while rifles have been used in the commission of crimes in Jamaica, Trinidad and Tobago, and Guyana, most of the problems are caused by handguns, revolvers, and semi-automatic pistols. Shotguns are also in evidence. The report thus points to the weapons that must be within the scope of an Arms Trade Treaty if it is to have practical value in the subregion.

Among other recommendations, the report calls for improvements in controlling the trade in firearms. These recommendations could help to shape a common position for CARICOM member states in ATT negotiations. Recommendations include that the international community

- Give support to marking firearms, improved regulation of firearms dealers, strengthening national recordkeeping requirements, and the application of more rigorous standards for arms brokers and other traders of small arms and light weapons; and
- Consider implementing measures to limit the production of arms to levels that meet the need for national defence and security, and inhibit civilian access to weapons manufactured for military use.

Regional-level recommendations include:

- Negotiating with source countries for stricter monitoring and recording of secondary sales, and domestic sales of ammunition; and
- Enhancing the Caribbean's capacity to monitor the arms and ammunition trade by bona fide manufacturers and dealers. For example, reciprocal arrangements (agreements) with Europe and North and South America regarding the sharing of information on the sale of arms and ammunition to the subregion or transiting through the subregion could be developed.

All member states should

- Adopt and operationalize by statute the "UN Protocol on the Illicit Trafficking in Firearms" and the "OAS Inter-American Convention Against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives and other Related Materials";
- Access appropriate training and equipment to enhance the capacity of Customs officers to identify

- and interdict illegal firearms at ports of entry; and
- Pursue cooperative arrangements with “source countries” to assist with the training and equipment needs to effectively tackle the inseparable drug and firearms trades, which seriously impact member states of all sizes.

The report also notes regional “challenges” around illicit firearms, including:

- Establishing the legal framework to facilitate international cooperation; and
- Strengthening legislation at national levels to control the inflow of weapons.

## Notes

<sup>1</sup> See CARICOM IMPACS, *Towards a Global Arms Trade Treaty*, January 2011. The paper was prepared for the Preparatory Regional Workshop for the Negotiation of the Arms Trade Treaty, Port of Spain, Trinidad and Tobago, January 31–February 1, 2011.

<sup>2</sup> UN General Assembly, *Towards an arms trade treaty: establishing common international standards for the import, export and transfer of conventional arms, Report of the Secretary-General—Addendum* (received after the submission of the main report), November 27, 2007, A/62/278/Add.3, II: Replies received from Member States, Bahamas (on behalf of the Caribbean Community).

<sup>3</sup> Statement by H.E. Ambassador Philip Sealy, Permanent Representative of the Republic of Trinidad and Tobago to the United Nations on behalf of CARICOM Member States in the General Debate on all Disarmament and International Security Agenda Items in the First Committee, October 5, 2006.

<sup>4</sup> Caribbean Community (CARICOM) Statement on the “Arms Trade Treaty,” delivered by Ambassador Noel Sinclair, CARICOM Permanent Observer to the United Nations, October 20, 2010.

<sup>5</sup> “CARICOM Declaration on Small Arms and Light Weapons, July 4, 2011.

<sup>6</sup> The UN Register requests submission of the number of weapons exported in each category. Some exporting states base their calculations on export licences, reporting a number that may be greater than the number of weapons actually exported. This adds to the Register’s transparency challenges. See Paul Holtom, *Transparency in Transfers of Small Arms and Light Weapons: Reports to the United Nations Register of Conventional Arms, 2003–2006*, SIPRI Policy Paper no. 22, July 2008, pp. 23–26.

<sup>7</sup> The small arms subcategories are revolvers and self-loading pistols, rifles and carbines, sub-machine guns, assault rifles, light machine-guns, and others. The light weapons subcategories are heavy machine guns, hand-held under-barrel and mounted grenade launchers, portable anti-tank guns, recoilless rifles, portable anti-tank missile launchers and rocket systems, mortars of calibres of less than 75 mm, and others.

<sup>8</sup> The sole instance of a weapons transfer outside the SALW category reported by a CARICOM member to the UN Register occurred in 2000 when Trinidad and Tobago cited the purchase of an offshore-patrol vessel (OPV) from the U.K. During the period 2000–2009 two supplier states reported to the UN Register exports of major conventional weapons to CARICOM states. The Czech Republic reported exports to Haiti of eight armoured personnel carriers in 2007 and two armoured personnel carriers in 2008. The latter were reported to be for the UN mission in Haiti. The United Kingdom reported the OPV vessel transfer to Trinidad and Tobago in 2001. The U.K. also reported one OPV transfer to Guyana in 2001.

<sup>9</sup> As early as 1994, Jamaica was challenging the relevance of the UN Register categories. It submitted information on small arms imports in 1992, 1993, and 1994 and explained that “The Permanent Mission of Jamaica

wishes to advise that categories listed for inclusion in the Register are not relevant to Jamaica. However, in an effort to make available all related information, the data on arms and ammunitions imported into Jamaica for the period January to December 1994 have been submitted.” Cited in Holtom, p. 14.

<sup>10</sup> The author would like to thank Nicholas Marsh of the Peace Research Institute of Oslo (PRIO) for providing the NISAT data set for recent small arms imports of CARICOM member states.

<sup>11</sup> See Small Arms Survey, *Small Arms Survey 2009, Shadows of War*, Cambridge University Press, Cambridge, 2009, p. 9 for a discussion of differences between firearms and small arms.

<sup>12</sup> The match is not exact, however. The NISAT data reports the shipments in firearms category 930320, defined as sporting, hunting, or target-shooting shotguns.

<sup>13</sup> See *Small Arms Survey 2009*, especially pp. 26-28.

<sup>14</sup> Ibid., p. 28.

<sup>15</sup> The UN Register reports eight vehicles transferred in 2007 and two in 2008. SIPRI reports eight vehicles delivered in 2007. Both sources note that the vehicles were for the UN mission in Haiti.

<sup>16</sup> See Kenneth Epps, “The limits to measuring the global arms trade,” *The Ploughshares Monitor*, Winter 2010, pp. 9-11.

<sup>17</sup> See *Small Arms Survey 2009*, pp. 8-11 and *Small Arms Survey 2010*, pp. 10-13.

<sup>18</sup> Organization of American States, “Model Regulations for the Control of the International Movement of Firearms, their Parts And Components and Ammunition – Updated,” CICAD/doc1281/03, November 13, 2003.

<sup>19</sup> OAS, “Amendments to the Model Regulation for the Control of the International movement of Firearms, their Parts and Components and Ammunition, proposed by the Group of Experts – Broker Regulations,” CICAD/doc1271/03, November 13, 2003.

<sup>20</sup> OAS, “Model Legislation on the Marking and Tracing of Firearms,” GE/CIFTA-CICAD/doc.3/06 rev.3, April 23, 2007.

<sup>21</sup> OAS, “Proposed Model Legislation and Commentaries for Strengthening Controls at Export Points for Firearms, Ammunition, Explosives and Other Related Materials,” GE/CIFTA-CICAD/doc.2/06 rev.4, May 9, 2008.

<sup>22</sup> Ibid, p. 3.

<sup>23</sup> Ibid., p. 4.



<sup>24</sup> OAS, “Draft Model Legislation and Commentaries on Legislative Measures to Establish Criminal Offenses in relation to the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives and Other Related Materials,” GE/CIFTA/doc.2/07 rev.3, May 9, 2008.

<sup>25</sup> OAS, “Proposed Model Legislation and Commentaries for Strengthening Controls at Export Points, p.18.

<sup>26</sup> Ibid., p. 19.

<sup>27</sup> For a more extensive discussion of the potential for the mutually reinforcing implementation of effective UN arms embargoes and a robust ATT, see Kenneth Epps, *UN Arms Embargoes and the Arms Trade Treaty*, Project Ploughshares Working Paper 10-2, June 2010.

<sup>28</sup> For example, see Caribbean Coalition for Development & Reduction of Armed Violence, “Report of the Second Regional Workshop on Negotiations for the United Nations Arms Trade Treaty,” January 31–February 1, 2011. The report on the meeting of state officials and civil society representatives includes discussion of ATT implementation issues faced by CARICOM states.

<sup>29</sup> “Statement to be delivered on behalf of CARICOM Community on the issue of principles for inclusion in the Arms Trade Treaty, United Nations Preparatory Committee Meeting for the Conference on the Arms Trade Treaty, United Nations Headquarters, Statement on behalf of CARICOM Member States by H.E. Henry MacDonald, Permanent Representative of Suriname to the United Nations at the First session of the Preparatory Committee of the United Nations Conference on the Arms Trade Treaty, New York, 12-23 July 2010” [undated].

<sup>30</sup> Only two CARICOM member states—Dominica and Haiti—have signed the regional “Inter-American Convention on Transparency in Conventional Weapons Acquisitions,” which entered into force in 2002. The OAS Convention obligates signatories to provide annual reports on transfers of the seven categories of major conventional weapons that are identical to those voluntarily reported to the UN Register. It also commits states parties to report acquisitions of these weapons within 90 days of acquisition by either import or domestic production. The OAS transparency convention does not, as yet, include a category for small arms and light weapons.

Although no CARICOM member states have ratified the Convention and consequently are not states parties, it would be prudent for them to consider ratification and implementation of the Convention. Benefits include access to the information provided by other OAS member states on exports, imports, and national holdings of the seven major conventional weapons categories. Apart from the confidence-building aspects of this shared information, the reported legal movements of conventional weapons in the hemisphere could provide insight into illicit transfers.

Perhaps more importantly, implementation of the “Inter-American Transparency Convention” by CARICOM members would facilitate the reporting methodologies and mechanisms that will be required for implementation of the Arms Trade Treaty. It is likely that in most years, CARICOM states would submit “Nil Reports” to the OAS transparency convention, since the major weapons categories of the convention do not typically represent the types of conventional weapons transferred to, within, or from the region. Nevertheless,

the reporting procedure would require consultations and the verification of weapons movements that would be equally suited to reporting required by an ATT. In other words, despite little or no data reported to the OAS convention, the reporting process could be an important precursor to an ATT reporting process.

<sup>31</sup> See Arms Trade Treaty Steering Committee, *Compilation of Global Principles for Arms Transfers*, 2006, pp. 33-34.

<sup>32</sup> In a press release following the Third Meeting of the Conference of States Parties on the Mechanism for Follow-Up on the Implementation of the Inter-American Convention against Corruption (MESICIC), Transparency International noted that the OAS had made progress in strengthening MESICIC. The release noted that the Conference “approved the implementation of country visits as part of the evaluation process and increased the countries signed up to the monitoring mechanism.” The newly signed-up countries were CARICOM member states Haiti, St. Kitts and Nevis, and Antigua and Barbuda. See Transparency International, “Inter American Anti-Corruption Convention strengthened by member states,” December 15, 2010.

<sup>33</sup> Cited in Trinidad and Tobago Transparency Institute, “Prime Minister speaks to Trinidad and Tobago Citizens in London,” October 14, 2010.

<sup>34</sup> “Statement by Mrs. Angella Hamilton Brown, Chargé d’Affaires, A.I., Permanent Mission of Jamaica to the United Nations on behalf of the Caribbean Community (CARICOM) at the Open-Ended Working Group Towards an Arms Trade Treaty: Establishing Common International Standards for the Import, Export and Transfer of Conventional Arms, New York, 15<sup>th</sup> July 2009.”

<sup>35</sup> “Statement on behalf of CARICOM Member States by H.E. Henry MacDonald, Permanent Representative of Suriname to the United Nations at the First session of the Preparatory Committee of the United Nations Conference on the Arms Trade Treaty, New York, 12-23 July 2010” [undated].

<sup>36</sup> See note 34.

<sup>37</sup> “Statement to be delivered on behalf of CARICOM Community on the issue of principles for inclusion in the Arms Trade Treaty, United Nations Preparatory Committee Meeting for the Conference on the Arms Trade Treaty, United Nations Headquarters, Statement on behalf of CARICOM Member States by H.E. Henry MacDonald, Permanent Representative of Suriname to the United Nations at the First session of the Preparatory Committee of the United Nations Conference on the Arms Trade Treaty, New York, 12-23 July 2010” [undated].

<sup>38</sup> “Statement delivered at the Open-ended Working Group towards an Arms Trade Treaty (Concluding Session – March 6, 2009).” Delivered by Mr. Lennox A. Daniel, Deputy Permanent Representative, Permanent Mission of St. Vincent and the Grenadines to the United Nations.

<sup>39</sup> See note 35.

<sup>40</sup> First CARICOM statement at the Second Meeting of the ATT Preparatory Committee, February 28–March 4, 2011, “Talking Points on Scope.”

<sup>41</sup> “Statement by Mr. Eden Charles, Counsellor, Permanent Mission of the Republic of Trinidad and Tobago to the United Nations on behalf of the Caribbean Community (CARICOM) on Cluster 3 Conventional Weapons in the First Committee of the 65<sup>th</sup> session of the United Nations General Assembly, New York, October 19, 2010.”

<sup>42</sup> See note 35.

<sup>43</sup> See note 40.

<sup>44</sup> See note 34.

<sup>45</sup> See note 35.

<sup>46</sup> See note 40.

<sup>47</sup> Argentina, Chile, Colombia, Guatemala, Jamaica, Mexico, Peru, Trinidad and Tobago, and Uruguay, Joint Statement on Elements for a Treaty, July 21, 2010.

<sup>48</sup> Third CARICOM statement at the Second Meeting of the ATT Preparatory Committee, February 28–March 4, 2011, “Talking Points on Scope.”

<sup>49</sup> Ibid.

<sup>50</sup> Presentation by Mr. Eden Charles, Chargé d’Affaires a. i. Permanent Mission of Trinidad and Tobago to the United Nations, at the Preparatory Meeting on an ATT, United Nations Headquarters, July 12-23, 2010.

<sup>51</sup> “Statement by Mr. Eden Charles, Counsellor, Permanent Mission of the Republic of Trinidad and Tobago to the United Nations at the Second Meeting of the Arms Trade Treaty Preparatory Committee on International Cooperation and Assistance, United Nations Headquarters, New York, March 2, 2011.”

<sup>52</sup> UN General Assembly, *Towards an arms trade treaty: establishing common international standards for the import, export and transfer of conventional arms*, Report of the Secretary-General — Addendum (received after the submission of the main report), November 27, 2007, A/62/278/Add.3, II: Replies received from Member States, Bahamas (on behalf of the Caribbean Community).

<sup>53</sup> See note 35.

<sup>54</sup> See note 48.