POLICY BRIEF

Reflections from the Arms Trade Treaty Negotiations: CARICOM Punching and Succeeding Above Its Weight

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INTRODUCTION

The global trade in most consumer goods is internationally regulated and carefully controlled. In contrast, the global trade in conventional arms and ammunition is not. This global trade business is valued at an estimated US$60 billion. Currently, there are no legally binding, universally applicable criteria governing the transfer of weapons across borders. In its absence, states have been largely free to decide what kind of weapons to sell and to whom. This is in spite of the fact that more than 2,000 people are killed every day through armed violence.

Hopes had been raised that an agreement could be reached on a historic Arms Trade Treaty¹ (ATT) that would include unambiguous legal obligations and clear guidance on the transfer of arms. An ATT would undoubtedly close major arms transfer loopholes which are exploited by unscrupulous violators of international humanitarian law and human rights law. A strong
treaty would rid the world of the appalling human cost of the poorly regulated international arms trade.

However, after four weeks of negotiations, negotiators at the United Nations (UN) failed to meet a Friday 27th July, 2012 deadline to complete a landmark ATT. Major weapons exporting nations, including the United States, followed by Russia, Cuba, The Democratic People’s Republic of Korea (DPRK), Russia, and Venezuela stated more time was needed to finalise an agreement even after several years of preparatory work and four weeks of negotiations. A consensus of UN Member States involved in the talks had been required to agree on the accord.

Despite the outcome of the ATT Diplomatic Conference, the process presented CARICOM states with a unique opportunity to make their mark and promote their interests in the international community in an issue such as ‘armed violence’; which is of paramount interest to the livelihood of every citizen in the region. Effective participation in the ATT Conference was the only way to ensure that national and regional priorities are factored into the global political agenda. But with limited resources at their disposal, conducting effective negotiations and advancing their strategic interests posed to be a unique challenge for the CARICOM Small Island Developing States. CARICOM States faced power asymmetries and resource constraints that circumscribe the space within which they were able to manoeuvre. The ATT process nonetheless proved that even with structural bargaining constraints due to ‘smallness’, there exists some room for small states to manoeuvre and exert decisive influence over the outcome of the ATT negotiations.

Despite the inherent challenges that confronted CARICOM member states, CARICOM was very active and was an influential player during the ATT negotiations. To a great extent ‘punching above its weight’ in constructing and shaping the discourse surrounding the ATT. Resultantly, influencing the agenda beyond its core viability and capacity despite its ‘smallness’. The Region succeeded in playing a significant role in the ATT process principally through strategic negotiation planning; acting as a cohesive collective regional bloc; advancing functional cooperation; optimising its limited diplomatic instruments and resources; forming bargaining alliances with The Economic Community Of West African States (ECOWAS), Mexico and other states; as well as networks with non-government organisations (NGOs). The ATT negotiations also reaffirmed the importance of a common regional
approach to address global issues and the effective participation of the Region in multilateral negotiations.

**WHY IS AN ATT IMPORTANT?**

Global rules govern the sale of everything from bananas to endangered species to weapons of mass destruction, but not conventional weapons. The absence of comprehensive, international legal obligations to prevent irresponsible transfers of arms has resulted in at least US$2.2bn worth of arms and ammunitions being imported by states under arms embargoes between 2000 and 2010 (Oxfam, 2012). At the end of 2010, an estimated 27.5 million people were internally displaced as a result of conflict, while millions more have sought refuge abroad (UNHCR, 2012). In many cases, armed violence that displaced individuals from their homes was fuelled by the widespread availability and misuse of weapons. In Africa it is estimated that armed violence costs US$18 billion dollars a year (Oxfam, 2012).

In 2009, a key milestone was reached when the UN General Assembly resolution 64/48, called "to elaborate a legally binding instrument on the highest possible common international standards for the transfer of conventional arms". In July 2012, after years of intensive preparations, the international community gathered in New York to negotiate the ATT under UN auspices.

The need for a global ATT is based on the assertion that many national, regional and multilateral systems do not give complete, global coverage and are often inconsistent with each other and remain inadequate because of corresponding loopholes, inconsistencies and gaps that have been exploited by illicit arms traffickers.

The assumption is that an ATT will oblige states that plan to authorise a transfer of conventional arms to another state to first undertake a rigorous risk assessment based on whether there is a substantial risk those arms will be used to facilitate serious violations of human rights or humanitarian law. This will help regulate the global arms market to prevent weapons reaching the hands of criminals, terrorists, insurgents and human rights abusers.

While the ATT is not a panacea for solving all gun issues, it represents an important component of global efforts to reduce the diversion of licit arms to the illicit market and to discourage unauthorised end use. The ATT would also promote cooperation,
transparency and responsibility of State Parties in the trade of conventional arms and contribute to international peace, security and stability among other goals.\textsuperscript{4}

**ARMED VIOLENCE IN CARICOM**

The stakes were high at the ATT negotiations. The profound negative impact and consequences of the illicit gun trade;\textsuperscript{5} constitutes a primary citizen security threat in CARICOM Member States. Although CARICOM Member States do not produce Small Arms and Light Weapons (SALW), nor are they large scale importers, the Region has been severely afflicted by the illicit arms trade. The rise of criminality in the Caribbean Region is inextricably linked to the increasing proliferation of SALW and associated ammunitions, resulting in higher mortality levels and increasing fear in the Community. The detrimental impact of these arms has propelled CARICOM States to the top of global homicide statistics whilst adversely impacting socio-economic development. More than seventy percent (70\%) of murders in the CARICOM occur through the use of small arms.\textsuperscript{6}

**SMALLNESS & RESOURCE CONSTRAINTS: THE ATT PROCESS**

‘Smallness’ contributes to a state’s diplomatic challenges and can impact negatively on their effectiveness in negotiations. This reinforces the conceptual framework of small states as peripheral in the international system. Many studies on small island states have identified a number of inherent and permanent features that are associated with negotiations hindrances due to vulnerability. These include fewer resources, weak institutional structures, less information, less specialised staff to serve different phases of the negotiations and power asymmetries among other limitations (Kappeler, 2007). It has also been generally established in literature that small states are reactive, not proactive. Collectively, these characteristics confer a high degree of vulnerability upon small states and serve to heighten the difficulties that they face in multilateral negotiations in pursuing their goals.

As Small Island Developing States (SIDS), CARICOM Member States face negotiation challenges which are common to all small states. The ATT Conference presented many barriers to participation for the CARICOM States due to the vulnerabilities highlighted above. The principal challenges confronted included
limited human and financial resources, inadequate capability and capacity, structural difficulties in terms of managerial time and leveraging limited bargaining power.

From the onset, CARICOM Member States faced financial resource constraints regarding sending negotiating teams abroad to participate in the negotiations. The average cost for one (1) delegate from CARICOM to spend a month at the negotiations was approximately US$12,000. This is higher than the per capita income for most CARICOM States.

Apart from the Trinidad and Tobago delegation, other delegates traveling from their respective capitals relied primarily on donor funding from the Australian Government. This raised the issue of state neutrality, donor pressure and independence in CARICOM Member States’ negotiation position. Fortunately, as a like minded state, Australia shared similar and coherent positions on the ATT with CARICOM.

The ATT negotiations included two (2) main committees which conducted parallel negotiations; informal meetings; discussions in the corridors and smaller working groups. CARICOM Member States, on their own, did not have the manpower to comprehensively cover the arduous, 18-hour day’s negotiations as a consequence of their “smallness” (See table 1 below). This was compounded by the fact that delegates needed to gather and analyse key information which was vital to the process. Apart from Trinidad and Tobago with a delegation of five (5) persons, most other CARICOM state had an average of one (1) delegate who was present throughout the entire month long Conference (See table 2 below). In comparison, other larger powers had an average of ten (10) delegates which included specialist in the myriad of ATT issues (See Tables 1 and Table 2 below).

The human resource constraints could have become a distinct disadvantage if CARICOM Member States did not engage in associative diplomacy. CARICOM States would undoubtedly be far stretched to effectively participate in all the parallel meetings.

Juxtapose this stark reality of diplomatic capacity and capability constraints and the multiple parallel but equally important meetings and one would quickly conclude that individual small states were unable to engage in robust multilateral negotiations. It would be almost impossible for a small state with resource limitations to follow the Conference proceedings, far less to provide credible and timely input to influence the discourse.
Table 1: Participation of CARICOM Member States at the UN Conference on the Arms Trade Treaty

<table>
<thead>
<tr>
<th>MEMBER STATES</th>
<th>Population</th>
<th>Average Number of Delegates</th>
<th>Total</th>
<th>Duration of Time Delegates from Capital Spent at the ATT</th>
</tr>
</thead>
<tbody>
<tr>
<td>Antigua &amp; Barbuda</td>
<td>68,000</td>
<td>1</td>
<td>---</td>
<td>1</td>
</tr>
<tr>
<td>The Bahamas</td>
<td>353,658</td>
<td>1</td>
<td>1</td>
<td>2 weeks (final)</td>
</tr>
<tr>
<td>Barbados</td>
<td>250,010</td>
<td>1</td>
<td>---</td>
<td>1</td>
</tr>
<tr>
<td>Belize</td>
<td>312,698</td>
<td>1</td>
<td>1</td>
<td>2 weeks (final)</td>
</tr>
<tr>
<td>Dominica</td>
<td>69,625</td>
<td>1</td>
<td>---</td>
<td>1</td>
</tr>
<tr>
<td>Grenada</td>
<td>104,890</td>
<td>---</td>
<td>2</td>
<td>2 weeks (final)</td>
</tr>
<tr>
<td>Guyana</td>
<td>778,099</td>
<td>1</td>
<td>---</td>
<td>1</td>
</tr>
<tr>
<td>Haiti</td>
<td>10,123,787</td>
<td>1</td>
<td>---</td>
<td>1</td>
</tr>
<tr>
<td>Jamaica</td>
<td>2,711,100</td>
<td>1</td>
<td>1</td>
<td>2 weeks (final)</td>
</tr>
<tr>
<td>Saint Kitts &amp; Nevis</td>
<td>53,051</td>
<td>---</td>
<td>---</td>
<td>---</td>
</tr>
<tr>
<td>Saint Lucia</td>
<td>173,720</td>
<td>1</td>
<td>---</td>
<td>1</td>
</tr>
<tr>
<td>Saint Vincent and the Grenadines</td>
<td>100,272</td>
<td>2</td>
<td>1</td>
<td>3</td>
</tr>
<tr>
<td>Suriname</td>
<td>---</td>
<td>1</td>
<td>1</td>
<td>2 weeks (final)</td>
</tr>
<tr>
<td>Trinidad &amp; Tobago</td>
<td>1,317,714</td>
<td>2</td>
<td>4</td>
<td>6</td>
</tr>
<tr>
<td>CARICOM</td>
<td>16,416,624</td>
<td>1</td>
<td>2</td>
<td>3</td>
</tr>
<tr>
<td>Total</td>
<td><strong>16,416,624</strong></td>
<td><strong>14</strong></td>
<td><strong>13</strong></td>
<td><strong>27</strong></td>
</tr>
</tbody>
</table>

Source: Developed by Author

Significantly, it is important to be perceived as a reliable player and to be present at all meetings as information is power in negotiations. Furthermore, other delegations may only work with states and form associative groups that they can rely on and which they know will be present at meetings (Kappeler, 2007). Otherwise states may be deemed to be unable to contribute constructively. Thus these small states run the risk of being marginalised and become non players.
Table 2: Participation of Selected UN Member States and NGOs at the UN Conference on the Arms Trade Treaty

<table>
<thead>
<tr>
<th>Selected States and NGOs</th>
<th>Size of Delegation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Australia</td>
<td>12</td>
</tr>
<tr>
<td>Cuba</td>
<td>2</td>
</tr>
<tr>
<td>France</td>
<td>9</td>
</tr>
<tr>
<td>Mexico</td>
<td>7</td>
</tr>
<tr>
<td>United Kingdom</td>
<td>12</td>
</tr>
<tr>
<td>United States</td>
<td>10</td>
</tr>
<tr>
<td>Amnesty International*</td>
<td>10</td>
</tr>
<tr>
<td>CDRAV*</td>
<td>3</td>
</tr>
<tr>
<td>IANSA*</td>
<td>20</td>
</tr>
</tbody>
</table>

Source: Developed by Author  *Denotes NGO

STRATEGISING TOWARDS THE DIPLOMATIC CONFERENCE

The best prospects for the diplomacy of any small state to play a constructive role occur within a regional context or through coalitions and groupings based around a need (Kappeler, 2007).

The epigraphed observation from the President of Diplo Foundation, Malta is an appropriate assessment of the reality of small states’ negotiation strategies in multilateral negotiations. The assessment vehemently espouses the importance of small states operating within a diplomatic framework of associative diplomacy to reduce their limitations due to their “smallness” and inherent vulnerabilities. Briguglio et al (2006) note that the success of small states to implement an outward-oriented approach is dependent on reform processes such as enhancing regional cooperation and in
building resilience mechanisms to counterbalance their vulnerabilities amongst others.

Given this stark reality, it was vital for CARICOM Member States to negotiate as a cohesive associative group and to proactively strategise in order to pursue a well-articulated negotiating strategy in order to mitigate their limitations due to their “smallness”. No CARICOM Member State on its own had adequate and complete negotiation instruments to influence the process, far less be taken seriously as an important player. It was imperative that member states of CARICOM express a coordinated and harmonised approach and bring their collective influence to bear on the ATT process. By speaking with one voice and acting in concert at the Conference, CARICOM Member States enhanced their bargaining capacity and strengthened their competitive advantage and negotiating leverage.

Significantly, more powerful states prefer to interact and engage in diplomacy with CARICOM as a whole rather than with the individual small states. Nevertheless, the Region’s negotiating positions were informed by the interests and concerns of the individual Member States.

At the regional level three (3) Preparatory Regional Workshops for the negotiation of the Arms Trade Treaty were held in July 5–6, 2010, January 31 - February 1, 2011 and 24-25 May 2012 respectively. The objectives of the regional meetings were to:

- Support the preparation process in the run-up to the ATT conference in July 2012;
- Provide delegates with the necessary background information to play an active role in the Preparatory Committee Meeting, in the UN Preparatory Meetings and in the ATT Negotiating Conference;
- Examine CARICOM’s interests pertaining to the ATT;
- Enable delegates to think critically about global arms trade and enhance their capacities to apply this knowledge for making informed decisions in the upcoming negotiation of the ATT;
- Develop common negotiation positions pertaining to the different parts of the treaty;
- Prepare delegates psychologically and institutionally; and
- Develop a negotiation strategy for the UN Conference on the ATT.
The three (3) regional preparatory workshops\(^8\) were vital to the process of CARICOM States deriving common positions and deciding on an irreducible position on certain issues prior to going to the Conference.

One of the most crucial but also the most challenging aspect in the development of an ATT is the need to determine the covered items of the Treaty. Which weapons would be regulated? CARICOM Member States have consistently advocated that the Region can only benefit from an ATT with a broadened category of weapons based at a minimum on the 7+1+1 formula. That is, the seven categories of the UN Register of Conventional Arms (UNROCA)\(^9\), with the addition of Small Arms and Light Weapons (SALW) and ammunition. This viewpoint was fundamental to CARICOM States position given the socio-developmental impact of armed violence in the Region and the prevalent use of SALW.

A minority but extremely powerful group of states including USA, Russia, China, Indonesia, Egypt, and Pakistan among others vociferously opposed the inclusion of ammunition.

Other key points which CARICOM supported were:

- The criteria to be applied in assessing transfers should be objective and transparent. The ATT should cover all activities involved in the transfer of conventional weapons, including, import, export, transfer and transshipment and brokering;
- An effective Implementation Support Unit which is independent and funded by States Parties;
- An ATT should ensure transparency through states’ annual reporting. The treaty should have effective mechanisms to monitor states compliance and provide mechanisms for dispute resolution;
- An effective ATT should provide for cooperation and assistance across a broad spectrum of issues and stakeholders including provisions for strengthening of operational and institutional capacity necessary for implementing the treaty;
- Entry into force with the minimum number of State Parties necessary to an effective and implementable Treaty set at 30 to 60 States is a preferred position for CARICOM States; and
- For a Treaty to be effective, operational and implementable; it should have appropriate and
independent dispute settlement mechanisms with regards to the interpretation and application of the provisions of the Treaty.

**POLITICAL WILL**

The ATT also enjoyed strong commitment by the political executive in the Region. In July 2011, the Heads of Government of CARICOM agreed to the CARICOM Declaration on Small Arms and Light Weapons. The declaration is a significant expression of commitment from CARICOM States to eradicate the illicit trade in SALW in the region while supporting the Region’s push for a legally binding ATT covering SALW. In the context of the Declaration, CARICOM Heads of Governments stated the importance of an Arms Trade Treaty in dealing with the small arms problem in the region and

...pledged their commitment to ensure the Region’s full and active participation in regional and international meetings related to the issue of small arms including in particular, the 2012 United Nations Conference on the Arms Trade Treaty, and all relevant preparatory meetings.

The active engagement of the political executive significantly strengthened the regional negotiating position. The presence of Guyana’s Home Affairs Minister, Clement Rohee and Trinidad and Tobago, Foreign Affairs Minister, Winston Dookeran at the opening of the conference further highlighted and demonstrated the political importance of the ATT to the Region.

During the negotiations, political processes outside of the UN were also utilised. Foreign Ministers in CARICOM Member States engaged other states through diplomatic missions in capital and made demarches to other capitals. Political leadership helped offset power asymmetries and provided the delegates with greater confidence. The Region’s policy makers used their contacts with world leaders and other policy makers to advance the Region’s position to ensure agreement was reached on the core issues of importance to CARICOM. This strategy also included interventions during multilateral and bilateral engagements in international fora to further underpin the Region’s positions and to foster public diplomacy.
CARICOM NEGOTIATING TEAM

Building an effective negotiation team was instrumental. Although the selection of delegates is the prerogative of individual states, efforts were made to ensure that the Region as a collective included delegates composed of officials with the requisite skills to participate meaningfully at the conference. Experts were drawn from the fields of diplomacy, security, customs, law, policy and technical experience, strategy and international law to tackle the myriad of issues to be found in the ATT. Most of the officials were mainly part of the process from inception. Delegates were also assigned clearly outlined roles and task before the negotiations.

“CARICOM - COHERESIVELY ACTING AS ONE”

A general state of readiness and optimism permeated the psychology within the CARICOM bloc. From the inception, delegates were all cognizant of CARICOM’s position, priorities and negotiation strategies. CARICOM delegates were also briefed and prepared mentally for the political environment in which the negotiations were taking place.

By States making consistent and coherent interventions on behalf of the fourteen (14) states of CARICOM, it provided individual states and the region with a "louder influential voice," further emphasising and projecting a single-mindedness of CARICOM.

Importantly, the delegates from CARICOM met regularly, at least three times a day, informally, to discuss proceedings and further synchronise their positions to the ever changing and dynamic negotiations. This was augmented by a weekly formal lunch time meeting. Additionally, the group had a coordinated process of supplying and disbursing information through emails.

CARICOM was proactive at the negotiations. From engaging other states bilaterally to influencing the details of the text by providing draft text language. It is important to note, by not advancing its own “treaty text language” CARICOM would be immediately at a disadvantage working with language drafted by other States with respective national interests.

Diplomatic qualities, tenacity and personal attributes play important roles in negotiations. Jones, Deere-Birkbeck and Woods (2010) in their study on small states negotiation strategy contend that “… charismatic, strategic individuals can increase the profile of
small states in negotiations, helping to ensure that their interests are reflected on the negotiating agenda.” In like manner Kappeler (2007) states that while some diplomatic influence is positional, this influence depends on the personality, quality and ambition of individual diplomats. Inherent in the regional effort was the high caliber of leadership, spirit of determination and positivity displayed by the chief negotiator, Ambassador Eden Charles, Deputy Permanent Representative, Permanent Mission of Trinidad and Tobago to the United Nations, New York. These qualities had a multiplier effect and transcended to the rest of the delegation.

The negotiation team also included Ambassador Noel Sinclair, Permanent Observer of CARICOM to the United Nations; Francis Forbes, Interim Executive Director CARICOM IMPACS; Michelle Walker, Head of Legal Unit of the Ministry of Foreign Affairs and Foreign Trade of the Government of Jamaica and Ambassador Gerald Thompson, Director Treaties, International Agreements and Legal Division of the Ministry of Foreign Affairs of the Government of the Republic of Trinidad and Tobago. Their experience and diplomatic skills proved to be immensely beneficial to CARICOM’s profile and enhancing the Region’s diplomatic influence.

The Implementation Agency for Crime and Security (IMPACS) also provided invaluable support and was a major source of technical advice and information. It highlighted the importance of a regional framework for (anti) crime and security initiatives in the Region. The Agency coordinated information and consulted with its main stakeholders, the CARICOM Standing Committees of Commissioners of Police and Military Chiefs as well as Chiefs of Immigration and Comptrollers of Customs which also provided invaluable feedback to the delegation.

WINNING OVER OTHERS?

Instrumental in CARICOM’s strategy to effectively confront the anti-ATT sentiments, was the creation of associative diplomacy with third parties. CARICOM sought to consolidate its relationship with “like-minded and similar circumstanced states” within the Latin American and Caribbean Group (GRULAC), and other progressive States from the Western European and Others Group (WEOG), the African Group and those from the Asia-Pacific Region. CARICOM also sought to take on the leadership of groups and coalitions as one way to exert greater influence during the negotiation.
Being small does not necessarily mean a state has natural alliances with other small states. Greaves (2002) suggests that small states are not a homogenous lot with common interests but their alliances shifts according to the issues in discussion. It is important to note that associative diplomacy was primarily based on issue coalitions rather than an alliance of small states at the Conference. CARICOM sought to win support from small and larger states alike. Thus, Mexico and Nigeria were key partners.

CARICOM also engaged other diplomatic representatives including USA, India, Russia, Venezuela, Egypt, Pacific States and Australia among others. Prior knowledge of states’ positions and challenges were vital during negotiations. Negotiations involved empathising with other states to be persuasive. This also contributed to mutually beneficial relations among the states.

THE NGO COMMUNITY

The NGO community was an interesting actor at the ATT and had variable degrees of influence. From the outset, most civil society groups had been instrumental in advocating for a strong ATT. A powerful minority however, opposed an ATT. The powerful National Rifle Association (NRA) in the U.S. portrayed the treaty as a surrender of gun ownership rights enshrined in the U.S. Constitution. These claims however, are unsubstantiated and without any merit given that the Treaty would only cover cross-border trade in arms, not in-country sales or ownership. Although the NRA did much lobbying within the UN framework, much of their lobbying against the ATT was done through public diplomacy and the US Congress.

NGO groups such as Oxfam, Control Arms and Amnesty had larger delegations than most states (See table 3). The Rules of Procedure allowed NGOs access to “the plenary meetings of the diplomatic conference and its main committee”. Their participation in the process and ability to provide technical support to the small delegations were seriously impacted as access for NGOs to “meetings of the other organs of the diplomatic conference such as sub-committees and working groups” where the informal but critical issues were discusses was largely closed to them.

In light of these rules of procedure, many NGOs members sought and were accredited as delegates of UN Member States. Interestingly, most of the NGOs were accredited by larger states such as Australia and the United Kingdom and not small states.
CARICOM had only two (2) delegates from the NGO community which were accredited to the Saint Vincent and the Grenadines and Trinidad and Tobago delegations respectively.

Despite the lack of total access to NGOs, they were an invaluable source of research, support and public diplomacy to many delegations – both those of weak and powerful states. In fact, the regional preparatory workshops were managed by an NGO; Caribbean Coalition for Development and Reduction of Armed Violence (CDRAV). To mitigate its resource constraints, the CARICOM negotiation team also harnessed the support of CDRAV which played a critical role in providing timely research and information to CARICOM.

FINAL OUTCOME

Unfortunately, by the end of the month long ATT negotiation, there was not an adoption of a final treaty text as consensus was not reached. The United States,$^{12}$ followed by Cuba, The Democratic People's Republic of Korea (DPRK), Russia, and Venezuela, declared that negotiations needed to be extended. The rule of consensus allowed the view of the minority to stall the process. The outcome of the ATT has been a Draft of the Arms Trade Treaty prepared and submitted by the president of the conference. CARICOM was willing to sign onto to the conference president’s draft treaty, as were many other countries. Ninety (90) countries delivered a joint statement expressing their disappointment. These countries, which included several of the major arms exporters such as Germany and France, indicated that the draft treaty developed by the conference had “the overwhelming support of the international community as a base for carrying forward our work”.

Yet, it is by no means the end of the road for an ATT altogether. On 7 November 2012 the UN General Assembly First Committee Member States passed resolution L.11 on the Arms Trade Treaty. The Committee decided to convene in New York from 18 - 28 March 2013 the Final United Nations Conference in order to finalize the elaboration of the Arms Trade Treaty.

CARICOM’S NEGOTIATION SUCCESS

Though a Treaty has not been finalised, CARICOM’s diplomatic success at the ATT is reflected by the extent that the Region’s positions are reflected in the draft text. Importantly, the draft text
contained CARICOM's irreducible minimum position. Significantly, SALW were included under the scope in the Treaty.

CARICOM was perceived as a key negotiator and a Region which could be relied upon by other states. Many powerful states sought CARICOM views and inputs in bilateral and multilateral negotiations. The President and the Chairs of the conference regularly invited CARICOM into its closed informal meetings with selected states including members of the UN Security Council permanent representatives. Additionally, CARICOM was one of the primary groups referenced by other States throughout the Conference and in literature presented during the conference by the international NGO community.

CONCLUSION

Diplomacy is the main vehicle that gives small states a voice in the global arena to ensure that common goals, issues, and problems are properly addressed (International Conference Report, 2007). Conversely, small states entering in negotiations may be at a disadvantage from the beginning due to inherent vulnerabilities and constraints of “smallness”. Even so, small states need not be disadvantaged. The ATT experience proved that small states can exert influence over the outcomes of negotiation if they adopt an astute negotiating strategy and use a wide array of tactics to augment their negotiating power. The main concern is what the SIDS of CARICOM should do in terms of negotiations, given those states realities. The ATT negotiation has undoubtedly proven that CARICOM’s approach and success reinforces the need for a regional approach to negotiations. No CARICOM Member State on its own had adequate and complete negotiation instruments to influence the process, far less be taken seriously as an important player.

NOTES ON CONTRIBUTOR

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NOTES

1. The proposed ATT had its genesis in July 2006 when Argentina, Australia, Costa Rica, Finland, Japan, Kenya, and the United Kingdom presented a draft resolution entitled, “Towards an arms trade treaty: establishing common international standards for the import, export, and transfer of conventional arms”. The resolution was adopted by the UN General Assembly (GA) in October, with only the United States casting a negative vote. The resolution established a Group of Governmental Experts (GGE) to examine the feasibility of an ATT as well as invited the views of member states on such a treaty to be submitted to the Secretary-General.


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5. Gun and “small arms and light weapons (SALW)” are used interchangeably.


7. This includes the US and EU which engage CARICOM as a unit through the Caribbean Basin Security Initiative (CBSI) and the European Development Fund (EDF) respectively.

8. The workshops which were primarily organized by a regional NGO; Coalition for Development and the Reduction of Armed Violence (CDRAV), with financial support from the Australian government and the host CARICOM state involved all relevant stakeholders in the ATT.

9. The original seven categories covered in the UNROCA include: tanks, military vehicles, artillery systems, military aircraft, military helicopters, naval vessels, missiles and missile systems (guided or unguided).

10. In early July 2012, the National Rifle Association (NRA) pledged to fight the proposed ATT if it were to threaten US Second Amendment sovereignty.

11. This was for only open meetings. A large proportion of the main committee meetings were closed: effectively, hampering NGO support to delegates.

12. Despite the political rhetoric it became clear that, in an election year, President Barack Obama was not willing to risk his re-election prospects on an ATT that
might prove unpopular with voters, given the contentious views on domestic gun control in US domestic politics.

REFERENCES


