

FIJI'S BRIEF:

FIJI IS A LAND OF BLUE – GREEN LAGOONS, LUSH FORESTS, PINE FOREST, MOUNTAINS AND A 1,000 MILES OF WHITE, SANDY BEACHES.

THERE ARE 330 ISLANDS SCATTERED ACROSS 200,000 SQUARE MILES OF OCEAN.

FIJI'S POPULATION IS MORE THAN 800,000

WEATHER

TROPICAL CLIMATE – THE BEST MONTHS BEING MARCH, THROUGH TO NOVEMBER. MAX. TEMPRETURE RARELY MOVE OUT OF THE 31 DEGREE 'C' TO 26 DEGREE 'C'

IN FIJI WINTER IT IS ONLY A TERM, AND NOT A SEASON.

BRIEF ON THE ARM TRADE TREATY

BACKGROUND

FIJI, THROUGH CABINET IN 2013 HAD DECIDED TO ABSTAIN FROM VOTING IOT HAVE MORE TIME TO CONSULT NATIONALLY WITH STAKEHOLDERS. IN THE **67TH PLENARY MEETING OF THE UNITED NATION GENERAL ASSEMBLY** ON ATT HELD IN NEW YORK ON 2ND APRIL 2013, ALL MEMBER STATES HAD COME TO THE VOTE TO CONCLUDE THE WORK WHICH BEGUN IN 2009.

FIJI, ALONG WITH OTHER TWENTY THREE (23) UN MEMBER STATES HAD ABSTAINED WHILE ONE HUNDRED AND FIFTY THREE (153) STATES INCLUDING MOST OF THE PACIFIC ISLAND COUNTRIES HAD SUBSEQUENTLY BECOME SIGNATORY TO THE TREATY AND THREE NOTABLE COUNTRIES HAD VOTED AGAINST NAMELY SYRIA, NORTH KOREA AND IRAN.

THE **ATT** IS AN ENABLING FRAMEWORK THAT ESTABLISHES HIGH COMMON STANDARDS FOR INTERNATIONAL TRADE IN CONVENTIONAL ARMS AMONGST MEMBER STATES. THE GLOBAL INCREASE IN ILLICIT TRADE OF ARMS ACROSS BORDERS, ITS DIVERSION FROM OFFICIAL STOCK AND SUCH AS IRRESPONSIBLE CRIMINAL ELEMENTS INCLUDING TERRORISTS. THIS HAD NECESSITATED THE ESTABLISHMENT OF THIS MULTILATERAL AGREEMENT TO REGULATE TRADE IN CONVENTIONAL ARMS. ON THE OTHER HAND IT COMPLIMENTS AND SUPPORT DOMESTIC LAWS WITH THE VIEW TO STRENGTHEN EXPORT AND IMPORT CONTROL MECHANISM IN A MORE TRANSPARENT MANNER.

IMPLICATIONS

THE **ATT** IS ENVISAGED TO IMPROVE NATIONAL LAWS AND REGULATIONS ON ARMS TRANSFERS WITH THE VIEW TO STRENGTHEN AND REINFORCE BILATERAL AND MULTILATERAL COOPERATION AMONGST UN MEMBER STATES.

THE **ATT** DOES NOT UNDERMINE EXISTING OR FUTURE DEFENCE AGREEMENTS HENCE. IN THE PURSUIT OF PROCURING ASSISTANCE THROUGH SECURITY AND DEFENCE COOPERATION WITH OUR BILATERAL PARTNERS, SUCH TREATY WOULD GREATLY ASSIST AND FACILITATE A MORE TRANSPARENT AND ACCOUNTABLE SYSTEM IN THE TRANSFER OF CONVENTIONAL ARMS.

THE IMPLICATIONS AND THE POTENTIAL CONSEQUENCES OF A POORLY REGULATED FRAMEWORK WOULD FUEL THE ILLICIT TRADE IN ARMS WHERE THEY WOULD BE USED OR TO BE LIKELY USED TO VIOLATIONS OF INTERNATIONAL LAW, INCLUDING BREACHES OF THE UN CHARTER AND OF THE RULES OF CUSTOMARY LAW RELATING TO THE THREAT OR USE OF FORCE; GROSS VIOLATIONS OF INTERNATIONAL HUMANITARIAN LAW, INCLUDING THE GENEVA CONVENTIONS AND PROTOCOLS; AND AGAINST HUMANITY AND GENOCIDE.

FIJI REITERATES ITS FIRM BELIEF THAT THE PRINCIPLE OF GENDER EQUALITY REFLECTS THE GUIDING PRINCIPLES OF THE ATT AND IS CONSISTENT WITH UN SECURITY COUNCIL RESOLUTIONS ON WOMEN, PEACE AND SECURITY, GIVEN THE DIRECT LINK BETWEEN SEXUAL VIOLENCE IN SITUATIONS OF ARMED CONFLICT AND THE EASY ACCESS TO AN ILLICIT ARMS MARKET, THAT FACILITATES PATTERNS OF GENDER BASED VIOLENCE, INCLUDING SEXUAL VIOLENCE AS A TOOL AND CATALYST OF WAR.

NATIONAL DEFENCE AND SECURITY INTEREST

FIJI HAS A TRAIL OF HISTORY WAY BACK IN THE LATE 70'S FOR ITS PEACEKEEPING OPERATIONS UNDER THE MANDATE OF THE UN. PROCUREMENT OF LIGHT WEAPONS WAS NECESSARY FOR SUCH OPERATIONS. OTHER CRUCIAL FACTORS WHICH DETERMINES THE ACQUISITION OF ARMS FOR GENUINE PURPOSES ARE:

- THE RIGHT TO DEFEND OUR SOVEREIGNTY, I.E. NATIONAL DEFENCE, PEACEKEEPING, ARMS REPLACEMENT PROGRAM, TRAINING AND FAMILIARISATION OF NEW WEAPONS AND EQUIPMENT.

THESE ARE WELL GOVERNED AND REGULATED UNDER FIJI'S ARMS & AMMUNITIONS ACT 2003. HENCE, ATT IS AN INTERNATIONAL INSTRUMENT TO FACILITATING ARMS TRADE AMONGST MEMBER STATES WHILE THE DOMESTIC LAW ESTABLISHES THE NATIONAL FRAMEWORK FOR ITS REGULATORY COMPONENT.

GENERALLY, FIJI IS SUPPORTIVE OF THE OBJECTIVE OF THE **ATT** AS WE DO NOT CONDONE OR SUPPORT TERRORISM IN ALL ITS ASPECTS. FIJI REMAINS THE HUB OF THE PACIFIC BY ITS GEOGRAPHICAL LOCATION AND ACCORDING TO SHIPPING ROUTES IN THE REGION. THE INCREASED ACTIVITIES BY SEA AND AIR APTLY UNDERPINS THE IMPERATIVE NEED TO BECOME MEMBER STATES OF THE **ATT** AND BY PURSUING RATIFICATION PROCESS WOULD NO DOUBT ENABLES FIJI TO RECEIVE TECHNICAL ASSISTANCE UNDER THE UMBRELLA FOR COMPLIANCE MEASURES.

NATIONAL CONSULTATION ON ATT

THE MINISTRY OF DEFENCE COORDINATED A TWO (2) DAYS NATIONAL CONSULTATION WORKSHOP ON THE REVIEW OF FIJI'S POSITION ON **ATT** FROM **18 – 19 AUGUST 2015**. PARTICIPANTS TO THE WORKSHOP WERE KEY STAKEHOLDERS COMPRISING OF THE **RFMF, MINISTRY OF FOREIGN AFFAIRS, CUSTOMS, SOLICITOR GENERAL'S OFFICE AND THE POLICE FORCE**. IN ESSENCE, THE OUTCOME OF THE NATIONAL WORKSHOP RECOMMENDS TO GOVERNMENT AN IMPERATIVE NEED TO CHANGE FIJI'S POSITION FROM ABSTENTION IN THE LAST UNGA TO ACCEDING TO THE **ATT** INSTRUMENTS.

PROPOSED FIJI'S POSITION

THE NATIONAL CONSULTATION WITH RELEVANT STAKEHOLDERS CONSOLIDATES FIJI'S POSITION IN TERMS OF THE CONSISTENCY OF ROBUST LAWS AND MECHANISM IN PLACE IN COMPLIANCE TO THE OBJECTIVE OF THE **ATT**, FIJI GENERALLY SUPPORTS THE **ATT** AND ITS IMPLICATION ON FIJI'S LAW IS MINIMAL GIVEN THE COMPLIANCE OF OUR SYSTEM I.E. ROBUST CUSTOMS ENTRY SYSTEM ON EXPORTS, TRANSIT AND TRANSSHIPMENT CONSOLIDATES OPUR COMPLIANCE LEVEL TO INTERNATIONAL STANDARDS. A COMPERATIVE ANALYSIS WAS ALSO MADE ON FIJI LAWS ON **ARMS & AMMUNITION ACT 2003 AGAINST THE NZ ATT MODEL LAW UNIVERSALLY** ACCEPTED AND AMAZINGLY ENOUGH IT DOVETAILS THE GIST OF THE ATT EXCEPT FOR CERTAIN USAGE OF DIFFERENT TERMINOLOGIES BUT IT GENERALLY BEFITS THE SAME DEFINITIONS.

THE MINISTRY OF DEFENCE INTENDS TO PRESENT THIS POLICY DOCUMENT TO CABINET IN THE FIRST QUARTER OF 2016 AND SUBSEQUENTLY TO PARLIAMENT FOR SCRUTINIZATION AND ENDORSEMENT.

