

Fiji's Progress on ATT



Col Netani Rika
Member of Parliament

Content

- ❑ *Aim*
- ❑ *Fiji's Status*
- ❑ *Existing Laws*
- ❑ *Fiji's Customs Act 2010*
- ❑ *Authority under the Act*
- ❑ *Offences*
- ❑ *Prohibition*
- ❑ *Fiji's Boundary*
- ❑ *Fiji' Ports of entry*
- ❑ *National Control List*
- ❑ *Arms Brokering*
- ❑ *Risk Assessment*
- ❑ *Diversion*
- ❑ *Training*
- ❑ *Conclusion*

AIM

To provide an overview of Fiji's progress on the Arms Trade Treaty.

Fiji's Status on ATT

- ❑ Fiji had abstained in the last UNGA vote in 2013
- ❑ Currently in the process of acceding to the ATT through Cabinet and Parliamentary process

Existing Laws

Fiji had enacted the Arms and Ammunition Act in 2003. This is the principal legislation that exercises effective control of arms in the following areas:

- *Production; Export; Import; Transit; and Re-Transfer*

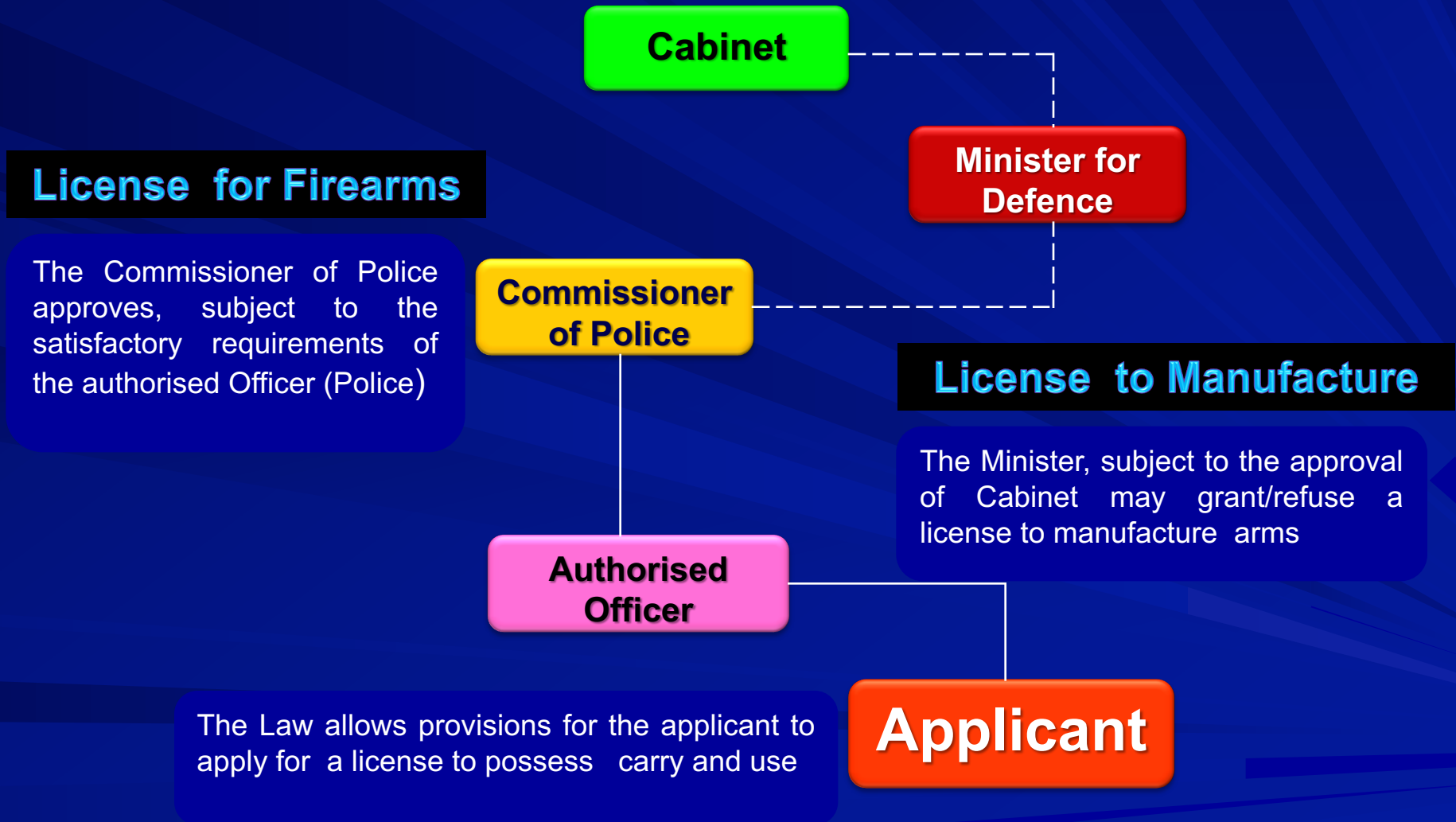
Other pertinent legislations support the ATT which includes:

- *Mutual Assistance in Criminal Matters, 1997;*
- *Proceeds of Crime Act, 1997;*
- *Arms and Ammunition Act, 2003;*
- *Extradition Act 2003;*
- *Customs Act 2010;*
- *Civil Aviation Act 2004;*
- *Crimes Act 2009*

Fiji Customs Act 2010

- ❖ **"tranship"** means to transfer, either directly or indirectly, any goods from an aircraft or ship arriving at a port in the Fiji Islands from outside the Fiji Islands to an aircraft or ship departing from the Fiji Islands;
- ❖ **"transit"** in respect of goods, means all manifested goods on board an aircraft or ship (other than the aircraft's or ship's stores and manifested cargo for landing in Fiji) arriving : any airport or seaport in Fiji from outside Fiji but without finally landing in Fiji; an finally being exported from Fiji on the same aircraft or ship

Authority under the Act



Offences

The following provisions supports the requirements of the ATT in as far as offences are concerned:

- ***Importing Arms/Ammunition without a license*** - \$100,000 or 10 years imprisonment
- ***Exportation or arms / ammunition without a license*** - \$100,000 or 10 years imprisonment
- ***Trafficking in arms*** - \$500, 000 or life imprisonment
- ***Use of ships or aircraft to import/export arms or ammunition contrary to Section 24*** - \$100,000 or 10 years imprisonment

FIJI'S BOUNDARY

Fiji's obligation is to monitor the following:

- ❖ 200 miles maritime boundary
- ❖ air space a total of 6 million square kilometers covering Kiribati, Tuvalu and other neighboring Pacific islands.
- ❖ Few uninhabited islands representing 20% of the total 300 islands

Ports of Entry

- Fiji has declared 6 main Ports of Entry within the 2 main islands and Rotuma. The inclusion of defacto ports of entry such as Marinas also could be the getaway for transit/import of arms.

National Control List

Fiji does not have a control list. The Customs Act 2010 and Arms & Ammunition Act 2003 have provisions for controlled arms including its regulation.

Arms Brokering

- Fiji is intending to amend the Arms and Ammunition Act 2003, to incorporate provisions for brokering. Fiji is currently procuring arms through an agent in Fiji.

Risk Assessment

- Currently there are no mechanism in place for risk assessment because we do not export arms.
- Once we accede to the treaty then we will include this in our national assessment to advice government.
- UN Security Resolution would assist government on risk assessment of any state committing crimes against humanity including Interpol.

Diversion

- We are in the process of acquiring a software on international marking and tracing including the establishment of Conventional Arm database at the MoD and registries for RFMF, Police and Correctional office.
- This will enable us to keep track of all arms in our official stock.
- This will mitigate any attempted diversion of weapons.

Commitment

- Submitted our Baseline Assessment Project (ATT-BAP)
- Procure funding from UNSCAR on related projects through PSAAG
- Liaise closely with PSAAG (Pacific Small Arms Action Group) to co-jointly organize workshops
- Review of Arms & Ammunition Act 2003 to incorporate Brokering provisions in order to regulate brokers acting on behalf of the State to procure conventional arms

Training – Border Agencies

We currently engaging with Pacific Small Arms Action Group (PSAAG) to conduct a sub regional workshop on transit, transshipment brokering not to mention parts and components for our border agencies.

Conclusion

- Fiji envisages to table the ATT in Cabinet and in Parliament, thereafter would deposit instruments of accession soon.