

GOVERNMENT OF JAMAICA

**BRIEF**

on

**The United Nations Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects (PoA)**

**BACKGROUND**

Jamaica is a Small Island Developing State located in the north central Caribbean. It is the largest Anglophone state in the Caribbean, the third largest in the Americas, with a population of approximately 3 million. Jamaica has a unitary parliamentary constitutional monarchy system of government, and declared political independence in 1962.

Jamaica's location, coupled with significant uncontrolled coastlines, makes the country particularly susceptible to contraband trafficking. The illicit trade in firearms and ammunition in and through Jamaica has contributed to relatively high levels of violent crime over the past two decades, with approximately eight out of every ten homicides reported over the past few years involving the use of a firearm.

**KEY INTERNATIONAL ARMS CONTROL COMMITMENTS**

In recognition of its domestic challenges with violent crime, particularly gun crimes, as well as the need to support regional and global efforts to counter the illicit trafficking of conventional arms, the Government of Jamaica committed to several related international instruments. These include:

1. **Inter-American Convention against the Illicit Manufacturing of and Trafficking in Firearms, Explosives, Ammunition and Other Related Materials (CIFTA)**, which Jamaica signed on 14 November 1997. However, accession to this Convention relies on amendments to Jamaica's legislation on explosives, the work for which is at an early stage.
2. The United Nations Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition, supplementing the United Nations Convention against Transnational Organized Crime [TOC], 2001 (**'Firearms Protocol'** or 'FP'), which is a legally binding instrument. Jamaica signed and ratified the TOC on 13 November 2001 and the FP on 29 September 2003. The Firearm Protocol is supported by following instruments:
  - (i) The United Nations **Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, 2001 (PoA)**; and
  - (ii) The **International Instrument to Enable States to Identify and Trace, in a Timely and Reliable Manner, Illicit Small Arms and Light Weapons, 2005 (ITI)**.
3. The **Arms Trade Treaty (ATT)**, a legally binding instrument which Jamaica signed on 3 June 2013 and ratified and 3 June, 2014. The ATT seeks to establish common standards for the international transfer of conventional weapons.

The Government of Jamaica, in recognition of and in response to various vulnerabilities to the illicit trafficking of firearms and ammunition through and within the country, continues to engage in implementing a range of measures in keeping with commitments under these regional and international arms control instruments.

## **UN PoA IMPLEMENTATION AND REPORTING**

Jamaica remains compliant in the submission of its biennial national reports, having last submitted a report for 2020<sup>1</sup>. The preparation of the 2022 National Report is underway.

### **1. Legislation**

There have been significant advances in the area of legislation, notably the promulgation of the Firearms (Prohibition, Restriction and Registration) Act, 2022, which was passed in the Parliament on 27 September 2022. The new legislation seeks to, among other things, introduce more stringent controls in the regulation of small arms and light weapons (SALWs). For instance, the law provides for the following:

- (a) The national licensing authority has the mandate to ensure systems are in place for the proper handling and storage of firearms and ammunition;
- (b) New provisions to introduce the offence of '*illicit trafficking*' into the domestic law.
- (c) New provisions to prevent the '*diversion*' of arms from the licit to illicit market and from licit to illicit users;
- (d) New measures to regulate '*brokers*' and '*brokering activities*', including a new licence and the registration of all brokers.
- (e) The mandatory marking of firearms, both as a requirement for importation, as well as to ensure that weapons having a mark unique to Jamaica;
- (f) A National Firearms Register will be introduced, which will serve as a central database for all firearms and ammunition information in Jamaica, and will strengthen record management.

### **2. Physical Security and Stockpile Management (PSSM)**

There is ongoing work in the area of PSSM to ensure adequate measures for the security and management of state-owned and civilian stockpiles of firearms and ammunition. Focus continues to be placed on critical areas such as storage; inventory management systems; routine security audits and inspections, including those undertaken at state armouries by a Special Task Force; destruction exercises (including of surplus stores and of and weapons seized/recovered from trafficking incidents. For example, some 1870 surplus or seized weapons were destroyed in calendar year 2019.

### **3. Group of Governmental Experts (GGE) on the Continuing operation of the United Nations Register of Conventional Arms (UNROCA) Participation**

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<sup>1</sup> Jamaica's National Report for 2020 is available on the UN PoA website here <https://unoda-poa.s3.amazonaws.com/reports/JAM-English-1152-SUBMITTED.pdf>

Jamaica has been integrally involved in the work of this GGE that was established in 2019. The GGE comprises experts from several countries and Jamaica is the only regional representative in the Group. The current GGE was tasked to assess measures to improve ammunition controls. Among the recommendations made by the Group in its 2022 Report<sup>2</sup> is the inclusion of reporting on international transfers of SALWs, as a step toward building consensus for the elevation of Small Arms and Light Weapons as a full category to be included in the Register, and toward reinforcing the PoA.

#### **4. Need Areas for Future International Assistance**

With support of international partners, Jamaica would most benefit from assistance in the following areas:

- (a) strengthening of the regulatory framework and administrative controls governing trade of SALWs;
- (b) implementation of the regulatory regime to govern SALW brokering;
- (c) Support in development of simplified standard operating procedure (SOPs) for international small arms control standards, derived from the Modular Small-Arms-Control Implementation Compendium (MOSAIC);
- (d) Acquisition and maintenance of Hydraulic Shears used for destruction of weapons and a Small Arms Ammunition Burning Tank (SAABT).

The initiatives above primarily seek to enhance capacity in PSSM, which cannot be overemphasized in light of Jamaica's need prevent diversion, and by extension, reduce the potential for firearm-related crimes.

## **CONCLUSION**

Sustainable approaches to address issues of armed violence and conflict must therefore focus on both the demand and supply of arms and their delivery systems; information sharing and cooperation between state agencies; and working with overseas partners, as only a few countries across the world produce conventional weapons. The PoA remains an important commitment and tool for Jamaica's development.

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<sup>2</sup> June 2022 Report of the UN Group of Governmental Experts on the Continuing operation of the United Nations Register of Conventional Arms is available at <https://daccess-ods.un.org/access.nsf/Get?OpenAgent&DS=A/77/126&Lang=E>