

**Statement to the Senate by
Senator the Honourable Kamina Johnson Smith
Minister of Foreign Affairs and Foreign Trade
20th May 2016**

**Topics: UN General Assembly Special Session on the World Drug Problem;
High Level Signing of the Paris Climate Change Agreement and High Level Thematic
Debate on the Sustainable Development Goals, New York 19 – 22 April 2016-05-17;
ACP and ACP-EU Council Meetings, Dakar 25 – 29 April 2016;
Bilateral Exchanges with Trinidad and Tobago, April – May 2016**

Mr. President,

Honourable Members of the Senate,

I am pleased to report to this Honourable Senate on my first overseas engagements since my appointment as Minister of Foreign Affairs and Foreign Trade. Let me express my full appreciation to the staff of the Ministry of Foreign Affairs and Foreign Trade, including those at the Missions overseas, for the excellent support they provided, allowing me to represent our country well at the various meetings.

***UNGASS on World Drug Problem and Signing of Paris Climate Change Agreement,
New York***

It is significant that my first engagement was at the United Nations Headquarters in New York. Notwithstanding our small size, Jamaica continues to make an important contribution to global governance within the multilateral arena. Nowhere is this more evident than at the UN.

UN General Assembly Special Session on the World Drug Problem

With respect to the UN General Assembly Special Session on the World Drug Problem, held from 19th to 21st April, Jamaica joined the consensus, but found that the outcome document entitled '*Our Joint Commitment in effectively addressing and countering the World Drug Problem*', was not as far-reaching as we would have liked. References to the need for comprehensive and balanced strategies to address the world drug problem, alternatives to incarceration for minor drug offences, the importance of scientific evidence in the evaluation of drug policies, alternative development and demand reduction were, however, among a few advances reflected in the text.

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Jamaica voiced its disappointment that the document did not allow countries the requisite flexibility and policy space to design domestic policies in keeping with national circumstances - for example, the recognition of cannabis as a religious sacrament and the safeguarding of religious exemptions. We underscored that "one size does not fit all" and that the medical value of a substance must be determined essentially by scientific evidence-based analysis. Jamaica therefore called for the establishment of a follow up mechanism to review the global drug control architecture as well as make recommendations on how best to recalibrate the global response in a manner that reflects contemporary and evolving realities. Importantly, Jamaica conveyed its commitment to continued constructive dialogue on the issues.

I also participated in a Special Roundtable to consider new challenges, threats and realities in addressing the world drug problem. I made it clear that the traditional approach to the intractable war on drugs has been ineffective and that there is need for innovative approaches. I further took the opportunity to:

- i. underscore the need for evaluation of the current global framework, given the changing environment and expectations;
- ii. highlight changes in Jamaica's approach to the issue, including amendments to the Dangerous Drugs Act and the positive impacts to date; and
- iii. share the challenges experienced by Jamaica arising from the restrictive international framework . relating to the scheduling of cannabis and cannabis resin in schedules I and IV of the Single Convention.

High-level Thematic Debate on the Sustainable Development Goals

Mr. President,

I also participated in a High-level Thematic Debate on the Sustainable Development Goals (SDGs), organised by the President of the General Assembly and attended by over 100 countries. That Debate followed on the heels of the adoption of the 2030 Agenda for Sustainable Development by Heads of State and Government in New York last September.

The SDGs reflect the shared commitment of the international community to tackle a gamut of global challenges through global action. The Debate constituted a call to action, beyond the adoption of the text, and signalled an early step in the journey to 2030. Jamaica's statement, highlighted the following:

- i. the vulnerability of many SIDS, like Jamaica, to natural hazards, coupled with middle income country (MIC) designation which limits the availability of funding to address its myriad challenges;
- ii. the need to strengthen the statistical capacity of SIDS, in order to be able to accurately measure progress;

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- iii. The need for the development of partnerships, including with the private sector, academia, and international organisations, to secure a future of shared prosperity;
- iv. Importantly, the centrality of SDG17 (Means of Implementation), upon which the attainment of all the other goals depends.

High-level Signing Ceremony for Paris Agreement

Mr. President,

I was honoured to have been among the 175 world leaders and Foreign Ministers who signed the Paris Agreement on Climate Change on 22nd April, which was also observed globally as Earth Day

Following the Climate Change Conference in Paris in December 2015 , widely considered one of the most challenging and important for humanity, the historical signing of the Agreement by such a large number of countries on its opening for signature, signals the unquestioned commitment of the international community to reduce greenhouse gas emissions (GHGs) and help ensure the survival of our planet. Jamaica is hoping that this commitment will translate to a limit of less than 1.5°C. in the increase of global temperature.

The Agreement is especially important to Small Island Developing States, like Jamaica, which are particularly vulnerable to the impacts of climate change, including sea-level rise and coastal erosion. In addition to our national measures, support for ambitious global action remains central to Jamaica's efforts to achieve sustainable development.

It is also important to note that Jamaica was one of seven (7) small island developing countries elected to meet with the Secretary General of the UN, Ban Ki Moon where we had the opportunity at close quarters to raise our concerns regarding the complexity of modalities to gain access to funds to support adaptation of the matters related to implementation and reiterate our concerns regarding the implications of Middle Income Country designation.

ACP Council and ACP EU Council Meetings, Dakar

Mr. President,

Let me now turn to the 103rd meeting of the ACP Council and the 41st Meeting of the Joint ACP-EU Council that were held in Dakar, Senegal, between 25th and 29th April 2016, respectively.

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The African, Caribbean and Pacific (ACP) Group of States comprising 79 member countries seeks to promote the sustainable development and successful integration of its members into the global economy. It will be recalled that the ACP established a formal relationship with the European Union within the framework of four successive Lomé Conventions and the current Cotonou Partnership Agreement, covering trade, development cooperation and political dialogue.

It is by virtue of its membership of the ACP Group and as a signatory to the Cotonou Partnership Agreement that Jamaica benefits from development cooperation from the European Union. Over the years, we have received over €1.2 billion in assistance from the EU, representing the country's primary source of grant funding. It is therefore critical that Jamaica remains fully engaged in the discussions on the future of the ACP itself and the future of ACP-EU relations when the Cotonou Agreement expires in 2020.

The meetings in Dakar allowed both sides to informally exchange views on the future relationship, including a future framework agreement, given the changed global landscape as well as developments within both the EU and the ACP. Formal negotiations on a new ACP-EU partnership framework are expected to begin in 2018. Preparatory to that, however, both sides have already embarked on a process of internal reflections on the future of their relationship. A High Level Panel discussion was also held on 28th April under the theme, "*From Lomé to Cotonou, post-2020: a new perspective of ACP-EU relations*".

Mr. President,

The Meetings in Dakar considered a wide ranging Agenda, including updates on the Economic Partnership Agreements (EPAs), intra-ACP Programming under the 11th EDF, the trade in commodities, ACP-EU relations post 2020, private sector development as well as preparations for the forthcoming Summit of ACP Heads of State and Government. Jamaica actively participated in the discussions and provided updates on implementation of the CARIFORUM-EU Economic Partnership Agreement (EPA), *inter alia*.

With effect from January 2016, Jamaica assumed the role of EPA High Representative within the Caribbean Forum (CARIFORUM). In that context, I made a presentation to the Council Sessions on behalf of CARIFORUM, on the results of the first Five-year EPA Review initiated in 2014. The implementation challenges revealed in the Review were of particular significance. These included the impact of the global financial and economic crisis on the ability of CARIFORUM States to take advantage of the market access and other opportunities under the Agreement. In addition, the investment and trade in services provisions have not so far yielded the benefits originally envisaged.

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A highlight for the Caribbean was the decision taken by the ACP Council, on the initiative of Jamaica, for an urgent response to the outbreak of the Zika virus in Caribbean countries. Noting its potential economic and social impact, the Council gave instructions for an appropriate financial allocation to be urgently made from the Intra-ACP resources of the 11th European Development Fund to address this public health crisis. Our Embassy in Brussels is currently pursuing this with the ACP Secretariat which is based there.

With respect to Private Sector development, the discussions highlighted the critical role of that sector in the process of economic growth and development at the national and regional levels. Jamaica reaffirmed the importance of promoting youth entrepreneurship as part of initiatives to encourage a more robust, sustainable and dynamic ACP private sector to foster innovation and add value to the production of and trade in goods and services.

Two political issues are also noteworthy: the Belize-Guatemala border tensions and the Guyana-Venezuela territorial dispute. The ACP Council adopted a Resolution affirming the territorial integrity and sovereignty of Belize and a further Resolution urging Guyana and Venezuela to, inter alia, participate in good faith in the efforts of the UN Secretary General for the peaceful resolution of the border controversy. This was the first time that both issues were being brought before the ACP Council.

Mr. President,

Given the importance of sugar to many ACP countries, Ministers welcomed developments in bilateral talks with the EU, including assurances that the EU Safeguard Mechanism will not be applied automatically, and that the EU will not impose any mandatory Country of Origin Labelling (COOL) for sugar. ACP Ministers also insisted that no intervention be made to increase the supply of sugar within the EU which could undermine the fragile recovery of sugar prices in some ACP Member States.

With respect to Development Finance, Ministers discussed a proposed amendment to the Cotonou Partnership Agreement having regard, in particular, to the provision for financing for short-term fluctuations in export earnings of ACP countries, due to exogenous shocks such as natural disasters.

The Joint ACP-EU Council also had substantive discussions on the UN Framework Convention on Climate Change and the follow up to the Paris Agreement. In the discussions on Migration and Development, the ACP reiterated its concern regarding the EU's perceived emphasis on the impact of irregular migration from Africa to Europe. Jamaica intervened to highlight the work being undertaken at the country level, including the development of a National Policy on International Migration and Development. We underscored the importance of protecting the human rights of migrants regardless of their migratory status and acknowledged the significant contribution of migration to sustainable development, including through engagement of the Diaspora. On trade-related matters, we reviewed preparations for the 14th Ministerial Conference of UNCTAD, to be held in Nairobi in July.

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Regrettably, it was not possible to have the discussions on the ACP-EU relations post 2020 when the item arose within the Joint Council. The exchange was therefore delegated to the two Co-chairs and the ACP Secretary General and the EU Commissioner for Development. Notwithstanding the limited participation in those discussions, the two sides, through the Co-chairs, affirmed that a future relationship should be anchored in the 2030 Agenda for Sustainable Development of the United Nations.

8th Summit of the ACP

Central to ACP deliberations was the 8th Summit of ACP Heads of State and Government scheduled for the 30th May – 1st June 2016 in Papua New Guinea. The Summit is expected to provide the political mandate to guide the new orientation of the ACP as well as negotiations for future relations with the EU. Each ACP region is being requested to designate a Head of State or Government to speak at the Opening Ceremony.

ACP Ministers also received the report of the Eminent Persons Group (EPG) entitled "*A New Vision for our Future – A 21st century African, Caribbean and Pacific Group delivering for its Peoples,*" which will be presented to the 8th ACP Summit. Chaired by former President of Nigeria Chief Olusegun Obasanjo, the EPG undertook wide-ranging consultations over more than two years within all regions, including the Caribbean and made recommendations to reform the organization and reposition it as a more effective global player. Caribbean representation in the EPG included Mrs. Patricia Francis, former Head of JAMPRO and the International Trade Centre (ITC), and Mr. Bharrat Jagdeo, former President of Guyana.

Mr. President,

The meetings in Dakar also provided an opportunity for me to interact and share experiences with key players within the ACP-EU relationship. In this regard, I had an informal exchange with EU Commissioner for Development, Mr. Neven Mimica as well as brief bilateral meetings with high level officials from Sweden, Italy and The Netherlands. In addition, I had some very useful exchanges with many ACP colleagues, including the Foreign Ministers of Ghana and Kenya.

Treatment of Jamaican Nationals Travelling to Trinidad and Tobago

Mr. President,

Let me now address recent developments surrounding the treatment of Jamaican nationals travelling to Trinidad and Tobago within the framework of the CARICOM Single Market and Economy (CSME).

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We note that 326 Jamaicans were refused entry to Trinidad and Tobago during 2015. In the first quarter of this year (Jan – March 2016), 113 Jamaicans were denied entry to that country. Several of them complained, via public media, of mistreatment both at the Immigration point as well as during their stay overnight at the Piarco International Airport while awaiting a return flight to Jamaica on the following day.

Jamaica has sought to deal with the issue at both the bilateral and regional levels.

Bilateral level

Immediately following the recent round of complaints, I wrote and spoke with the Jamaican representative on the Board of Caribbean Airlines and asked that the matter be placed on the Agenda of COTED where it was referred to the Heads Meeting scheduled for later this year. I had very frank and open discussions on the issue with my Trinidadian counterpart, Senator the Honourable Dennis Moses, Minister of Foreign and CARICOM Affairs. I also had the opportunity to meet with Minister Moses on 22nd April at UN Headquarters in New York. The matter was also among the issues raised in bilateral discussions between my colleague, the Honourable Karl Samuda, Minister of Industry, Commerce, Agriculture and Fisheries and Senator, the Honourable Paula Gopee-Scoon, Minister of Trade and Industry of Trinidad and Tobago on 21st April, in the margins of the 42nd meeting of the CARICOM Council for Trade and Economic Development (COTED) in Guyana. Additionally, our High Commissioner in Port-of-Spain held bilateral meetings with the Trinidadian Ministers of Foreign Affairs and National Security respectively as well as the Chief Executive Officer of Caribbean Airlines Limited (CAL) to discuss the issue. On all occasions, Trinidad and Tobago assured Jamaica of its commitment to resolve the issue as expeditiously as possible.

At the request of the Cabinet, I addressed a letter to Minister Moses on 7th April 2016, expressing Jamaica's concerns about the CSME provisions for the free movement of CARICOM nationals, with special reference to the high rate of denial of entry of Jamaicans travelling to Trinidad and Tobago; the treatment meted out to Jamaicans by immigration officials and other personnel at the airport; and the lack of proper facilities to accommodate returnees detained overnight, pending return flights to Jamaica.

The letter identified those areas in which it was felt that considerable improvement could be made. I further emphasized the need to find concrete and practical solutions with specific timeframes within which to address the issues as a matter of priority to avoid recurrence. I underscored the fact that the solution should respect the rights and dignity of Jamaican nationals who are denied entry to Trinidad and Tobago.

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In a letter dated 27th April, Minister Moses advised me of certain steps to be taken by his Administration, by the latest July 2016, to improve the situation at the Piarco International Airport. These include:

- (i) the convening in June 2016 of a customer service training workshop for airport staff, including immigration officials and other frontline employees, such as security and other airport personnel who interact on a daily basis with passengers, including those who are denied entry and detained overnight while awaiting return; and
- (ii) retro-fitting of a dedicated facility at the airport where persons, including Jamaicans, can be appropriately accommodated overnight while awaiting return flights to their countries of origin.

Minister Moses also indicated that there are on-going improvements of the facilities at the Piarco International Airport for in-transit passengers in general.

The response by the Government of Trinidad and Tobago is viewed as an initial positive step towards dealing with the issue of free movement, which has dominated Jamaica's bilateral relations with that country over the last few years. Minister Moses has assured me of his continued personal involvement in addressing the issues and commitment to treat with any further problems that may arise.

Regional level

Mr. President,

At the regional level, Jamaica also requested that the item "*Treatment of CARICOM Nationals Travelling in the Region*" be returned to the agenda of the recent Session of the COTED, which has oversight for the implementation of the CARICOM Single Market and Economy (CSME). Under the item, Jamaica called for the full implementation of the decisions taken at the 39th Session of COTED held in November 2014. Those decisions identified steps to be taken by Member States and the CARICOM Secretariat to ensure that the CSME Free Movement Regime operates in the interest of all CARICOM nationals. The steps outlined include the submission of periodic assessments of the Free Movement Regime; the implementation of public education programmes on the Regime, including on the entry requirements for travel to other Member States; the submission by Member States of statistics on the free movement of CARICOM nationals and facilitation of travel; and undertaking analysis of the work done to date on the implementation of the ruling by the Caribbean Court of Justice (CCJ) on the Shanique Myrie case and challenges being encountered in that regard.

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Several other CARICOM countries also made statements under this agenda item, highlighting the difficulties that their own nationals face when travelling within the region.

The 42nd Session of COTED also decided, *inter alia*, that:

- Member States should comply with the decisions taken at the 39th Session of the COTED, in particular that the inherent dignity of all CARICOM nationals must be respected and the basic level of treatment, in keeping with international norms and standards, must be adhered to in the event of a denial of entry into CARICOM jurisdictions; and
- the CARICOM Committee of Ambassadors should develop a protocol that would outline the steps to be taken in those instances when CARICOM nationals are denied entry into another CARICOM Member State and the assistance that can be accessed immediately before being returned to their home country.

CARICOM States further proposed at COTED that issues relating to the Free Movement of Persons Regime be referred to the next meeting of the Conference of CARICOM Heads of Government scheduled to be held in July 2016.

It is noted that the issue of the *Treatment of CARICOM Nationals Travelling Within the Region* has also been included on the agenda of the 4th Meeting of the CARICOM Council of Ambassadors which will be held 23rd May via videoconference. Given the importance of the Free Movement of Persons Regime to the overall integration process, we consider it essential that the CARICOM Committee of Ambassadors completes its work on the protocol in good time for consideration at the Conference of CARICOM Heads of Government in July.

The Government of Jamaica remains committed to advancing the interests of Jamaica within the context of the CSME. We will continue to engage other CARICOM Member States on issues of interest and concern to us, through bilateral diplomatic channels, as well as within the context of the CARCIOM regional mechanisms.

I thank you, Mr. President.