



Office of
the Prime Minister

Immediate Release

March 21, 2023

**Press Statement from the Prime Minister Hon. Philip Edward Davis KC, MP
on The Bahamas Filing a Brief in US Appeals Court to Hold
US Gun Manufacturers Accountable**

The guns used in the commission of violent crimes in The Bahamas are not manufactured here, but instead, are manufactured abroad and illegally trafficked across our borders. A critical element of the government's effort to reduce violent crime in our country is cracking down on the proliferation of firearms, with particular focus on strengthening borders and entry points and on interrupting networks of illegal smugglers.

Today, as part of this broader effort to reduce the impact of gun violence in The Bahamas, our country joined an amicus curiae (friend of the court) brief in the United States Court of Appeal in the First Circuit, in support of Mexico, who is appealing their case to hold US gun manufacturers liable for the harm caused by their products.

The Commonwealth of The Bahamas was joined by Antigua & Barbuda, St. Vincent & the Grenadines, and Trinidad & Tobago, as well as the Latin American and Caribbean Network for Human Security (“SEHLAC”), a network of NGOs and affiliated professionals specializing in international humanitarian law and seeking disarmament in the Latin American and the Caribbean region.

The brief states, “Unlawful trafficking of American firearms must be curtailed at its source: the U.S. gun industry. The gun manufacturers and distributors from a single nation must not be permitted to hold hostage the law-abiding citizens of an entire region of the world”, and notes that the governments of the participating countries “have a solemn duty to protect the lives, health, and security of their citizens”.

The United Nations has shown that “firearms are key enablers of high homicide levels,” the brief states, and notes that despite comprising less than 1% of the world’s population, the Caribbean records 23% of all homicides.

The brief argues that US gun industry practices, including the bulk sales of guns to dealers who are known to engage in practices correlated with illegal weapons smuggling, have caused significant harm to the countries in the Latin American and Caribbean region.

The brief points to the increase in gun violence in The Bahamas, including collateral damage to unintended victims, including Bahamian children caught in the crossfire in recent years.

Another example of harm cited in the brief includes the use of firearms by Haitian gangs in violent crimes and kidnapping, which has led many Haitian migrants to flee their country.

The brief argues that the US district court could order the defendants, the US gun manufacturers, to reduce the violence committed abroad involving their products by adopting “reasonable retail and manufacturing practices”, including refraining from supplying the small number of dealers “whose misconduct precipitates the vast majority of illegal firearms trafficking”, committing to only work with dealers who take measures to ensure the guns are not sold to criminals, and making manufacturing changes that would reduce the harm caused by the guns.

The original complaint by Mexico, which centered on whether the Protection of Lawful Commerce in Arms Act (PLCAA), which protects gun manufacturers from civil liability if their products are used in the commission of a crime, extends to harms caused by the criminal use of weapons in Mexico.

The named defendants in the \$10 billion suit include seven major gun manufacturers and one gun wholesaler and distributor. In September 2022, the US District Court for the District of Massachusetts dismissed the case, finding that PLCAA bars such

lawsuits. In their appeal, the Mexican government maintains that the arms industry should be accountable for how their products are distributed and sold.

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