

## PRÉFACE

Since the day in 1997 when I joined seven of my fellow Nobel Peace Laureates – José Ramos-Horta, His Holiness the Dalai Lama, Susan Waltz of Amnesty International, Donald Gann of the American Friends Service Committee, Elie Wiesel, Betty Williams, and Gururaj Mutalik of the International Physicians for the Prevention of Nuclear War – to unveil our International Code of Conduct on Arms Transfers, seventeen years have passed. Seventeen years of reflection, negotiation, countless hours of work, and slow progress towards an International Arms Trade Treaty (ATT). Seventeen years often illuminated by hope and joy, as in September 2004, when Jack Straw, then the British Foreign Minister, made a surprise announcement that the United Kingdom would support the draft ATT, a courageous stand that would soon be followed by all Member States of the European Union and 38 States of the Commonwealth. Seventeen years sometimes clouded by disillusionment and discouragement, as when the United Nations Conference had to adjourn in July 2012.

During the passage of those years, while our idea was making its way to the world stage and we were spending late nights working out the details of the future Treaty, millions of civilians were killed by small arms and light weapons flowing unrestricted across borders, most of them into developing countries. Many thousands of child soldiers were armed. Families were torn apart. And those are only the direct victims of the unregulated arms trade: it is impossible to calculate the consequences of the diversion of funds to illegal or unnecessary weapons, that should have been spent on education, health care and human development.

That is why I am both proud and deeply relieved that as I write these words in October 2014, we have defied the odds. We have made history. The Arms Trade Treaty was adopted on 2nd April 2013 by a large majority of the UN General Assembly. Since then, more than 120 States have signed it; the fifty ratifications required for its entry into force were achieved in September 2014, just when the world was commemorating the hundredth anniversary of the start of World War I. As we looked back on our history of violence, we took a powerful step towards peace. For the first time in history, a legally binding instrument established a common regulatory framework for international transfers of conventional arms, and therefore set up universal

## LE TRAITÉ SUR LE COMMERCE DES ARMES

legal standards for the arms trade, one of the few areas of global commerce which had escaped any control until now. The Treaty has the power to reduce human suffering and contribute to international peace, security and stability. To be honest, it is an achievement I never expected to witness. I never thought that an idea that first took shape so many years ago would become a part of international law in my lifetime.

The task now before the world is to reconcile the ambition of the ATT and the constraints of its implementation; to maintain the balance between ideals and reality; to navigate the sometimes stormy waters between our hopes for peace and national interests. There is much left to do to ensure that the Treaty will be implemented strictly and fairly, that it will have the impact we seek and that it will be universally ratified. As Dr. Simonet points out in this book, which I am proud to introduce, the future of the Treaty now depends on the political will of participating States, but also on the vigilance of civil society. In other words, its successful implementation, so critical to the future of humankind, depends on all of us.

When the Code of Conduct was first drafted in the 1990s, the world had entered a period of geopolitical upheaval amidst the rubble of the Cold War. The first Gulf War and the growing anarchy in Afghanistan had demonstrated the dangers of weapon deliveries without safeguards; caused a kind of crisis of legitimacy for the conventional arms trade; and underlined the urgency of moving forward with regulations. At the time of this writing, the world is experiencing a new phase of transition marked by the questioning of historical borders (Ukraine), by striving for political change ("Arab Spring"), and by the radicalization of armed groups in Iraq, Syria and Libya, which can lead to anarchy. In this context, there is a growing risk that arms traffickers could destabilize States and entire regions. In Central America, we learned in a very painful way that the transfer of weapons to a developing country, or to a State weakened by crisis, is like a virus in a crowded room: it is uncontrollable and can spread unexpectedly. By learning from events that occurred in my region, I realized that the same story is repeated again and again, throughout the world.

When I presented the Code of Conduct at the State of the World Forum in San Francisco, on 5th October 1996, I urged my distinguished audience *"never to underestimate the importance of pressing on with your vision."* When I think of the progress that has been made since that Code of Conduct was first drafted, I recall the words of the great Spanish poet Antonio Machado, *"Caminante, no hay camino ... Traveler, there is no path. Your footprints are the path, and nothing else. A path is made by walking, and in looking back, you see the road you will never set foot on again."* In recent years, we sometimes indeed moved blindly in search of the best path

LE TRAITÉ SUR LE COMMERCE DES ARMES

between ambition and practical constraints, but we knew that our task was too urgent to delay, and that only by setting out on our journey would we one day reach our destination of peace and progress.

The Arms Trade Treaty will take effect on 24th December 2014, which is Dr. Simonet's birthday. May the Treaty be a tremendous gift, not only to him and to all those of us who worked so hard to make it a reality, but also to all of humanity. May it fulfill its potential to save lives and protect future generations from some of the violence of the past. May the book in your hands contribute to "*making the path*" by addressing one of humanity's greatest problems, and helping a broader audience to understand and implement this iconic document of the early 21st Century.

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October 2014