

II. Multilateral embargoes on arms and dual-use items

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Thirty-six multilateral arms embargoes were in force in 2018: 14 imposed by the United Nations, 21 by the European Union (EU) and 1 by the League of Arab States (see table 10.2).¹ Ten of the EU embargoes implemented existing UN arms embargoes directly, one was put in place before an equivalent UN embargo was imposed, two were similar to UN embargoes but differed in geographical scope or the types of weapon covered, and eight had no UN counterpart.² The single Arab League arms embargo, on Syria, had no UN counterpart.

One new multilateral arms embargo was imposed in 2018, by the UN on South Sudan. The UN arms embargo on Eritrea was lifted in 2018 and so was the EU arms embargo that implemented it.

Most of the multilateral embargoes only covered conventional arms and related goods and services. However, four embargoes also covered certain ‘dual-use items’—goods, software and technologies that can be used for civilian purposes and to produce, maintain or operate conventional, biological, chemical and nuclear weapons. The UN and EU embargoes on Iran and the Democratic People’s Republic of Korea (DPRK, or North Korea) apply to dual-use items on the control lists of the Nuclear Suppliers Group (NSG) and the Missile Technology Control Regime (MTCR). The EU embargo on the Russian Federation applies to transfers to military end users of all items on the EU’s dual-use list.

In 2018 the various investigations by groups appointed by the UN Security Council to monitor implementation of UN arms embargoes highlighted implementation challenges of varying degrees and significance. Unlike UN arms embargoes, there are no systematic mechanisms in place for monitoring compliance with EU and Arab League arms embargoes.

This section reviews the new UN arms embargo on South Sudan, the lifting of the UN arms embargo on Eritrea, the implementation of certain UN arms embargoes and developments with regard to the EU arms embargoes.

¹ In addition, 1 voluntary multilateral embargo was in force in which the Conference on Security and Co-operation in Europe (CSCE, now renamed the Organization for Security and Co-operation in Europe) requests that all participating states impose an embargo on arms deliveries to Armenian and Azerbaijani forces engaged in combat in the Nagorno-Karabakh area. Conference on Security and Co-operation in Europe, Committee of Senior Officials, Statement, annex 1 to Journal no. 2 of the Seventh Meeting of the Committee, Prague, 27–28 Feb. 1992.

² The 10 that implement UN embargoes are listed in table 10.2. The 1 that preceded the imposition of an equivalent UN embargo was on South Sudan. The 2 that differed from equivalent UN embargoes were those on Iran, which covered more weapon types than the UN embargo, and on Sudan, which covered the whole country whereas the UN embargo applied only to the Darfur region. The 8 with no UN counterpart were those on Belarus, China, Egypt, Myanmar, Russia, Syria, Venezuela and Zimbabwe.

Table 10.2. Multilateral arms embargoes in force during 2018

Target ^a	Date embargo first imposed	Key developments during 2018
<i>United Nations arms embargoes</i>		
Central African Republic (Partial)	5 Dec. 2013	Extended until 31 Jan. 2019
Democratic Republic of the Congo (Partial)	28 July 2003	Extended until 1 July 2019
Eritrea	23 Dec. 2009	Lifted 14 Nov. 2018
Iran (Partial)	23 Dec. 2006	
Iraq (NGF)	6 Aug. 1990	
ISIL (Da'esh), al-Qaeda and associated individuals and entities	16 Jan. 2002	
Korea, North	15 July 2006	
Lebanon (NGF)	11 Aug. 2006	
Libya (Partial)	26 Feb. 2011	
Somalia (Partial)	23 Jan. 1992	Extended until 15 Nov. 2019
South Sudan	13 July 2018	New embargo
Sudan (Darfur) (Partial)	30 July 2004	
Yemen (NGF)	14 Apr. 2015	Extended until 26 Feb. 2019
Taliban	16 Jan. 2002	
<i>European Union arms embargoes</i>		
Al-Qaeda, the Taliban and associated individuals and entities*	17 Dec. 1996	
Belarus	20 June 2011	Extended until 28 Feb. 2019
China ^b	27 June 1989	
Central African Republic (Partial)*	23 Dec. 2013	
Democratic Republic of the Congo (Partial)*	7 Apr. 1993	
Egypt ^b	21 Aug. 2013	
Eritrea*	1 Mar. 2010	Lifted 12 Dec. 2018
Iran	27 Feb. 2007	
Iraq (NGF)*	4 Aug. 1990	
Korea, North*	20 Nov. 2006	
Lebanon (NGF)*	15 Sep. 2006	
Libya (Partial)*	28 Feb. 2011	
Myanmar	29 July 1991 ^c	Extended until 26 Apr. 2019 and expanded in scope
Russia	31 July 2014	Extended until 31 Jan. 2019
Somalia (Partial)*	10 Dec. 2002	
South Sudan	18 July 2011	
Sudan	15 Mar. 1994	
Syria	9 May 2011	
Venezuela	13 Nov. 2017	
Yemen (NGF)*	8 June 2015	
Zimbabwe	18 Feb. 2002	Extended until 20 Feb. 2019
<i>League of Arab States arms embargoes</i>		
Syria	3 Dec. 2011	

* = European Union embargo directly implementing a UN embargo; ISIL = Islamic State in Iraq and the Levant; NGF = Embargo applies to non-governmental forces; Partial = Embargo allows transfers of arms to the government of the target state provided that certain conditions have been met. These conditions can include receiving specific permission from the relevant UN sanctions committee or the Security Council or notification of the relevant sanctions committee.

^aThe target may have changed since the first imposition of the embargo. The target stated here is as of the end of 2018.

^bThe EU embargoes on China and Egypt are political commitments whereas the rest are legally binding.

^cThe EU and its member states first imposed an arms embargo on Myanmar in 1990.

Sources: United Nations, Security Council, 'Sanctions'; and EU Sanctions Map. The SIPRI Arms Embargo Archive, provides a detailed overview of most multilateral arms embargoes that have been in force since 1950 along with the principle instruments establishing or amending the embargoes.

United Nations arms embargoes

South Sudan

In July 2018 the UN Security Council imposed an embargo on the supply of conventional arms and military equipment 'of all types' to the territory of South Sudan.³ This was the first new UN arms embargo since 2015 and, unless it is extended by a new Security Council resolution, it will remain in force until 31 May 2019.

The arms embargo was imposed in reaction to the conflict between the South Sudanese Transitional Government of National Unity (TGNU) and opposition forces, which began in 2013 and has resulted in significant loss of life, conflict-induced food insecurity and threat of famine, and the displacement of more than 4 million people.⁴ There have been repeated calls in the Security Council for an arms embargo on the belligerents in South Sudan since the conflict began. The EU imposed an arms embargo on South Sudan when it became independent in 2011. The Intergovernmental Authority on Development (IGAD), which has played a leading role in efforts to broker a peace deal, threatened to impose an arms embargo on South Sudan in 2014.⁵ The African Union (AU) called for a UN arms embargo in 2015.⁶ However, the only previous attempt to impose an arms embargo through a UN Security Council resolution failed in 2016.⁷

Prior to the imposition of the UN arms embargo, a panel of experts was appointed in 2015 to monitor the situation in South Sudan. The panel was

³ UN Security Council Resolution 2428, 13 July 2018.

⁴ On the conflict in South Sudan see chapter 2, section VI, in this volume.

⁵ Wezeman, P. D. and Kelly, N., 'Multilateral arms embargoes', *SIPRI Yearbook 2015*, p. 622. For a brief description and other details in IGAD see annex B, section II, in this volume.

⁶ Bromley, M., Kelly, N. and Wezeman, P. D., 'Multilateral embargoes on arms and dual-use goods', *SIPRI Yearbook 2016*, p. 750.

⁷ On developments prior to 2017 see Bromley, M., Kelly, N. and Wezeman, P. D., 'Multilateral embargoes on arms and dual-use goods', *SIPRI Yearbook 2017*, pp. 589–90.

also tasked with gathering information on the supply of arms to ‘individuals and entities undermining political processes to reach a final peace agreement or participating in violations of international human rights law or international humanitarian law’.⁸ Among its final conclusions in April 2018 was that weapons and ammunition were entering the country through various supply routes in East Africa. In addition, weapon procurement by the South Sudanese security services was continuing but through increasingly clandestine routes. However, opposition forces had little access to sources of arms and ammunition, which limited their combat capabilities.⁹

The Security Council resolution imposing the arms embargo was narrowly adopted by a vote of nine in favour—the minimum number required for it to pass—and six abstentions. As in 2016, China and Russia abstained rather than choosing to exercise their right of veto. The United States, which has strongly supported the imposition of an arms embargo since 2016, acted as the main sponsor of the resolution. It argued that, although peace negotiations were continuing and needed support, halting the violence required an end to the flow of weapons to South Sudan. In addition, the USA argued that an arms embargo would demonstrate the Security Council’s exasperation with delays in the peace process.¹⁰ The abstaining states noted that sanctions contradicted the position of the two regional organizations involved in the peace negotiations. Although IGAD and the AU had previously argued in favour of an arms embargo, in 2018 they signalled that they now considered sanctions unhelpful at a point when there was visible progress in the peace process in South Sudan.¹¹

Eritrea

All UN sanctions on Eritrea, including the arms embargo, were lifted in November 2018. The sanctions had been imposed in 2009 for two reasons. First was evidence collected by the UN monitoring group on Somalia and Eritrea that indicated that Eritrea had provided political, financial and logistical support to armed groups in Somalia, in particular al-Shabab. Second was Eritrea’s refusal to withdraw its forces from disputed territory on the border with Djibouti and engage in diplomatic dialogue on the issue.¹²

The lifting of the sanctions came in response to developments on both of these issues.¹³ First, the Security Council concluded that recent reports by the UN monitoring group had not found any conclusive evidence that Eritrea

⁸ UN Security Council Resolution 2206, 3 Mar. 2015.

⁹ United Nations, Security Council, Final report of the panel of experts on South Sudan, S/2018/292, 12 Apr. 2018, pp. 24–29. See also Conflict Armament Research (CAR), *Weapon Supplies into South Sudan’s Civil War* (CAR: London, Nov. 2018).

¹⁰ United Nations, Security Council, 8310th meeting, S/PV.8310, 13 July 2018, pp. 2–3.

¹¹ United Nations, S/PV.8310 (note 10).

¹² UN Security Council Resolution 1907, 23 Dec. 2009.

¹³ UN Security Council Resolution 2444, 14 Nov. 2018.

was supporting al-Shabab.¹⁴ Second, Eritrea had now engaged in a dialogue with Djibouti and a meeting between the presidents of both countries was held in September 2018.¹⁵ In addition, in 2018 Eritrea restored relations with Ethiopia and both countries agreed on a peace deal after 20 years of hostilities, which included a border war in 1998–2000.¹⁶

Implementation of United Nations arms embargoes

The UN panels and groups of experts that monitor embargo implementation highlighted three types of non-compliance with UN arms embargoes in 2018. First, there were cases where arms had been delivered in direct violation of an embargo. As in previous years, there were few cases of large-scale shipments of arms, but the smuggling of smaller batches of weapons was a common occurrence. Second, there were cases of states failing to submit arms transfer notifications or requests for approval. Several UN arms embargoes allow transfers to government forces provided the relevant UN sanctions committee or the Security Council has received notification or given its approval. However, compliance with these procedures is often weak and sometimes states do not comply at all. Third, there were reports of arms that had been delivered under notification or permission procedures being diverted to non-state armed groups. Several UN arms embargoes require or encourage states to put in place improved standards of stockpile management to help prevent such cases of diversion, but the impact of these efforts is often limited.

These problems are illustrated below with examples from the reports produced in 2018 by the UN panels or groups of experts appointed by the Security Council to monitor the implementation of the UN arms embargoes on the Central African Republic (CAR), Libya and Somalia.

The Central African Republic

The UN arms embargo on the CAR bans arms transfers to non-state armed groups but permits deliveries to the government's security forces, provided that they have been approved in advance by the relevant UN sanctions committee. The UN panel of experts on the CAR embargo provided detailed information on the procurement of weapons by two of the main non-state armed groups in the country—the Popular Front for the Renaissance of the CAR (Front populaire pour la renaissance de la Centrafrique, FPRC) and the Union for Peace in the CAR (Union pour la paix en Centrafrique,

¹⁴ UN Security Council Resolution 2444 (note 13).

¹⁵ UN Security Council Resolution 2444 (note 13).

¹⁶ Ethiopia and Eritrea declare “war has come to an end”, Al Jazeera, 9 July 2018. On the peace agreement between Eritrea and Ethiopia see chapter 2, section VI, in this volume.

UPC). The panel observed how members of the UPC and the FPRC were increasingly seen armed with pistols, assault rifles, grenade launchers and vehicle-mounted machine guns. Many of these arms appear to have been acquired in Sudan. Sudanese traffickers have taken advantage of the arms-collection campaign by the Government of the Sudan in Darfur to obtain weapons and ammunition from Sudanese fighters and sell them to factions in the CAR. For example, the panel described being informed about a case in April 2018 where the UPC had acquired 200 assault rifles, 6 machine guns and 25 000 rounds of ammunition from sources in Sudan.¹⁷

The panel reported that the approval mechanism is functioning well. Donations of weapons from Russia and France and vehicles and other non-lethal equipment from China, the USA, France and Belgium were approved in advance by the sanctions committee.¹⁸ The panel noted that supplies of weapons to the CAR security forces were at their highest level for five years, demonstrating that the restrictions were not preventing the government from acquiring arms.¹⁹ This also showed that the restrictions were needed, since they helped to ensure oversight of weapons entering the country and provided a mechanism for promoting improved national standards of stock-pile management and marking.

Nonetheless, the restrictions continue to be a source of irritation for the CAR Government and—as in previous years—officials argued that their total lifting was required in order to resolve the country’s security crisis. The Economic Community of West African States (ECOWAS) and the Economic Community of Central African States (ECCAS) also called for the lifting of the restrictions in 2018.²⁰

Libya

The UN arms embargo on Libya bans arms transfers to non-state armed groups but permits deliveries to the internationally recognized Government of National Accord (GNA), provided that they have been approved in advance by the relevant UN sanctions committee. As in previous years, the panel of experts on the Libyan embargo reported on cases where arms appeared to have been delivered without prior approval and where states had not responded to requests for information about events involving possible

¹⁷ United Nations, Security Council, Final report of the panel of experts on the Central African Republic extended pursuant to Security Council Resolution 2399 (2018), S/2018/1112, 14 Dec. 2018, p. 18–19. On the conflict in the CAR see also chapter 2, section VI, in this volume.

¹⁸ United Nations, S/2018/1112 (note 17), p. 41.

¹⁹ United Nations, S/2018/1112 (note 17), p. 42.

²⁰ United Nations, S/2018/1112 (note 17), p. 42. For brief descriptions and other details of ECOWAS and ECCAS see annex B, section II, in this volume.

violations of the arms embargo.²¹ For example, the United Arab Emirates (UAE) failed to respond to questions about a patrol vessel that had been supplied to the Libyan National Army (LNA) and which had previously been registered with a UAE-based company.²² In addition, Moldova did not provide conclusive answers about reports that Moldovan cargo aircraft were used to provide support for LNA-linked armed groups.²³

The panel also noted that dialogue between itself and the GNA had not led to an improvement in stockpile management of the weapons received under the approval mechanism. It noted that since the imposition of the arms embargo in 2011, the UN sanctions committee had granted exemption requests for over 65 000 assault rifles, 62 000 pistols, 15 000 submachine guns, 8000 grenade launchers, 4000 machine guns and more than 60 million rounds of ammunition in accordance with the approval procedure. While not all of these weapons were delivered, many of those that were are now unaccounted for. In addition, despite the significant volume of notifications, the GNA has claimed that it lacks sufficient arms. This led the panel to suggest that arms are either not reaching their intended recipients or are being diverted to other end users after their arrival in Libya.²⁴

Somalia

The UN arms embargo on Somalia bans arms transfers to non-state armed groups but permits deliveries to the government's security forces. However, the Somali Government is required to notify the relevant UN sanctions committee of any transfers prior to their arrival and submit a post-delivery report.²⁵ In addition, the Somali Government is requested to report to the UN sanctions committee every six months on its stockpile management standards and practices.

The monitoring group on Somalia and Eritrea documented several cases of illicit arms flows into Somalia in 2018. Puntland remains the primary entry point for these weapons, the majority of which arrive by sea from Yemen and are organized by smuggling networks connected to the Houthi administration there.²⁶ One shipment intercepted by the Puntland Maritime Police Force in September 2017 contained weapons that had been manufactured in China

²¹ United Nations, Security Council, 'Final report of the panel of experts established pursuant to Resolution 1973 (2011)', S/2018/812, 5 Sep. 2018. On the conflict in Libya, see also chapter 2, section V, in this volume.

²² United Nations, S/2018/812 (note 21), p. 18.

²³ United Nations, S/2018/812 (note 21), p. 33.

²⁴ United Nations, S/2018/812 (note 21), p. 36.

²⁵ UN Security Council Resolution 2142, 5 Mar. 2014. On the conflict in Somalia see also chapter 2, section VI, in this volume.

²⁶ United Nations, Security Council, Somalia: Report of the monitoring group on Somalia and Eritrea submitted in accordance with resolution 2385 (2017), S/2018/1002, 9 Nov. 2018, p. 20.

and Serbia, and which had been delivered to the UAE and Saudi Arabia in 2015 and 2016.²⁷

In 2017 and 2018 the Somali Government received weapons from a number of suppliers, such as China, Turkey, Saudi Arabia, Djibouti and the USA.²⁸ While either advance notifications or post-delivery reports were submitted for all of these transfers, none of the deliveries was conducted in full compliance with the notification procedure. The panel found that, although some advances had been made, stockpile management standards and practices remained deficient. In particular, it noted ‘inconsistent internal record-keeping of weapons and ammunition’ and ‘a lack of capacity to effectively store and manage . . . military equipment’.²⁹ The panel also found evidence that weapons delivered to the Somali Government as recently as 2017 had been diverted to arms dealers in the country. While it is likely that many of these arms were supplied in small quantities by individual members of the security forces, the panel found evidence that senior officials in the security forces were involved in the large-scale diversion of weapons.³⁰

European Union arms embargoes

Myanmar

The EU has maintained an arms embargo on Myanmar since 1991. It was part of a broader set of sanctions imposed in response to human rights abuses that was intended to exert pressure for democratization. In 2013 political reforms in Myanmar led to the lifting of EU sanctions, apart from the arms embargo.³¹

In 2017 violence between the Myanmar military and a militant Rohingya group in Rakhine state escalated into a brutal campaign by the Myanmar Army, which led to civilian deaths and displaced at least 700 000 people.³² In February 2018 the Council of the EU condemned the widespread, systematic and grave human rights violations committed by the Myanmar Army and security forces against Rohingya people and confirmed the relevance of the existing embargo.³³

In April 2018 the EU expanded its restrictive measures on Myanmar with (a) a prohibition on the export of dual-use goods for which the military or the Border Guard Police were end users; (b) restrictions on the export of

²⁷ United Nations, S/2018/1002 (note 26), p. 3.

²⁸ United Nations, S/2018/1002 (note 26), pp. 11–12.

²⁹ United Nations, S/2018/1002 (note 26), p. 13.

³⁰ United Nations, S/2018/1002 (note 26), p. 14–15.

³¹ Council Decision 2013/184/CFSP of 22 Apr. 2013 concerning restrictive measures against Myanmar/Burma, *Official Journal of the European Union*, L 111, 23 Apr. 2013.

³² On the conflict in Myanmar see chapter 2, section III, in this volume.

³³ Council of the European Union, ‘Outcome of the Council meeting: 3598th Council meeting’, 26 Feb. 2018, 6541/18, p. 8.

equipment for monitoring communications that might be used for internal repression; and (c) restrictions on military training and military cooperation.³⁴

Saudi Arabia

There have been many discussions since 2015 both within and between the EU member states and in the European Parliament about the possibility of imposing increased restrictions on arms supplies to Saudi Arabia. This debate has been mainly driven by concerns that the Saudi Arabia-led military operation in Yemen, which began in 2015, is exacerbating the growing humanitarian crisis in the country and accusations that Saudi Arabian military forces have been involved in violations of international humanitarian law in Yemen.³⁵ In response, the European Parliament passed resolutions calling for the imposition of an arms embargo on Saudi Arabia in February 2016 and October 2017.³⁶

In early October 2018 the European Parliament called on EU member states to refrain from selling arms to Saudi Arabia, the UAE and any other member of the international coalition currently intervening in Yemen, as well as to the Yemeni Government and other parties to the conflict.³⁷

At the end of October 2018 the parliament passed a resolution in reaction to the killing of Jamal Khashoggi, a Saudi Arabian journalist, in Turkey earlier that month. The resolution noted that it was considered likely that the murder had happened with the knowledge or control of the Saudi Arabian Crown Prince, Mohammad bin Salman. It therefore called on the Council of the EU to reach a common position in order to impose an EU-wide arms embargo on Saudi Arabia and an embargo on the export of surveillance systems and other dual-use items that could be used in Saudi Arabia for the purposes of repression.³⁸

However, no action was taken by the Council in 2018. Some EU member states responded unilaterally to the deteriorating situation in Yemen by

³⁴ Council Regulation (EU) 2018/647 of 26 April 2018 amending Regulation (EU) 401/2013 concerning restrictive measures in respect of Myanmar/Burma, *Official Journal of the European Union*, L 108, 27 Apr. 2018.

³⁵ On the conflict in Yemen see chapter 2, section IV, in this volume. The Saudi Arabia-led coalition consists of Bahrain, Egypt, Jordan, Kuwait, Morocco, Senegal, Sudan, the UAE and, until June 2017, Qatar. On allegations of violations of international humanitarian law during the conflict see Amnesty International, *Amnesty International Report, 2017/18: The State of the World's Human Rights* (Amnesty International: London, 2018); United Nations, Human Rights Council, 'Situation of human rights in Yemen, including violations and abuses since September 2014', Report of the United Nations High Commissioner for Human Rights, A/HRC/36/33, 13 Sep. 2017; and United Nations, Security Council, Committee established pursuant to resolution 2140 (2014), Reports of the panel of experts on Yemen.

³⁶ European Parliament, Resolution of 13 Sep. 2017 on arms exports: Implementation of Common Position 2008/944/CFSP, 2017/2029(INI); and European Parliament, Resolution of 30 Nov. 2017 on the situation in Yemen, 2017/2849(RSP).

³⁷ European Parliament, Resolution of 4 Oct. 2018 on the situation in Yemen, 2018/2853 (RSP).

³⁸ European Parliament, Resolution of 25 Oct. 2018 on the killing of journalist Jamal Khashoggi in the Saudi consulate in Istanbul, 2018/2885 (RSP).

blocking, suspending or halting certain arms exports to Saudi Arabia. For other EU member states Saudi Arabia continued to be an important arms export market for other EU member states (see section IV).³⁹

³⁹ On arms transfers to Saudi Arabia see chapter 5, sections II and III, in this volume.