

II. Multilateral arms embargoes

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Arms embargoes are restrictions on transfers of arms and related services and, in certain cases, dual-use items. This section discusses developments in multilateral arms embargoes, that is, those imposed by the United Nations, European Union (EU) and other multilateral bodies. The UN Security Council uses its powers under Chapter VII of the UN Charter to impose arms embargoes that are binding for all UN member states and which form part of what the UN generally refers to as ‘sanctions measures’.¹ During 2022, 14 UN arms embargoes were in force (see table 12.2, end of section). The EU imposes arms embargoes under its Common Foreign and Security Policy (CFSP) that are binding for EU member states and which form part of what the EU generally refers to as ‘restrictive measures’.² During 2022, 22 EU arms embargoes were in force, of which 11 matched the coverage of a UN arms embargo; 3 (Iran, South Sudan and Sudan) were broader in duration, geographical scope or the types of arms covered; while 8 had no UN counterpart. The Arab League had one arms embargo in place (on Syria) that also had no UN counterpart. In addition, one voluntary multilateral embargo imposed by the Conference on Security and Co-operation in Europe (CSCE, now renamed the Organization for Security and Co-operation in Europe, OSCE) was in force for arms deliveries to forces engaged in combat in the Nagorno-Karabakh area.³

One new multilateral arms embargo was imposed in 2022, a UN partial arms embargo on Haiti. This was the first new UN arms embargo since measures were imposed on South Sudan in 2018.

Multilateral arms embargoes vary in their terms. Most cover arms, military materiel and related services. Some UN and EU arms embargoes also cover certain exports or imports of dual-use items that can be used both for civilian purposes and to produce, maintain or operate conventional, biological, chemical or nuclear weapons.⁴ Certain EU arms embargoes also cover equipment that might be used for internal repression or certain types of communication surveillance equipment. Multilateral arms embargoes also

¹ United Nations, Security Council, ‘Sanctions’.

² European Council, ‘Sanctions: How and when the EU adopts restrictive measures’.

³ 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.

⁴ The UN and EU embargoes on Iran and 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 UN and EU embargoes on Somalia apply to certain dual-use items on the control lists of the Wassenaar Arrangement that can be used to produce, maintain and operate improvised explosive devices. The EU embargo on Russia applies to transfers to military end-users of all items on the EU’s dual-use list. For details of the NSG, MTCR and the Wassenaar Arrangement, see annex B, section III, in this volume.

vary in the types of restrictions imposed and recipients targeted. Some place a ban on all transfers to the state in question, while others ban transfers to a non-state actor or group of non-state actors. Some embargoes are ‘partial’, in that they allow transfers to the state in question provided the supplier or recipient state has received permission from, or notified, the relevant UN sanctions committee or the UN Security Council.

This section reviews significant developments and implementation issues in UN arms embargoes in 2022. In particular, the section highlights cases where new embargoes or amendments to embargoes were implemented or debated. It also gives examples of actual or alleged embargo violations as reported in UN investigations or discussed in the UN Security Council.⁵ Unlike the UN, neither the EU, the Arab League nor the OSCE has systematic mechanisms in place for monitoring compliance with their arms embargoes. There were no significant developments in Arab League and OSCE arms embargoes in 2022. The main development in EU arms embargoes was the significant expansion in the scope of its arms embargoes on Belarus and Russia in response to Russia’s invasion of Ukraine in February 2022. These measures—which were taken in coordination with the United States and a coalition of ten other like-minded states—are discussed in section III of this chapter.

United Nations arms embargoes: Developments and implementation issues

During 2022 the UN introduced one new arms embargo, but made few significant amendments to existing embargoes. This subsection provides a concise overview of the most notable developments in UN arms embargoes in 2022 in relation to the Central African Republic (CAR), Democratic Republic of Congo (DRC), Haiti, Iran, Libya, South Sudan and Sudan. It also highlights notable violations and alleged violations of UN arms embargoes in 2022, primarily based on reports by UN panels and groups of experts that monitor them.

Disagreement on UN sanctions that restrict arms supplies to governments

The UN arms embargoes on CAR, the DRC, Somalia, South Sudan and Sudan (Darfur) are all ‘partial’ in that they ban any arms transfers to non-state armed groups while maintaining systems of permission or notification for supplies of arms to the government forces of these states. In 2022 disagreement within the UN Security Council about these systems of permission or notification

⁵ See e.g. Varisco, A. E., Wezeman, P. D. and Kuimova, A., *Illicit Small Arms and Light Weapons in Sub-Saharan Africa: Using UN Reports on Arms Embargoes to Identify Sources, Challenges and Policy Measures* (SIPRI: Stockholm, Dec. 2022).

increased. A majority of Security Council members were in favour of keeping them in place in some form, while in each case several states argued for lifting them and abstained from the votes on resolutions calling for their extension.

The systems of permission or notification attached to the UN arms embargo on CAR have been gradually eased in recent years. From 2019 delivery of most types of small arms and light weapons (SALW) was allowed if the government provided advance notification to the relevant UN sanctions committee, while other arms could be supplied after advance approval from the sanctions committee. In 2020 and 2021 the UN further expanded the category of weapons for which only advance notification was required, but in 2022 fully dropped the requirement for advance approval, leaving only a requirement for advance notification of any arms supplies.⁶

In 2021 for the first time one of the five permanent members, China, abstained from the vote on extending the embargo on CAR.⁷ In 2022 five countries (China, Gabon, Ghana, Kenya and Russia) abstained from the vote for the resolution on amending and extending the embargo, stressing that the resolution did not include a full lifting of the restrictions on arms supplies to the government of CAR, as called for by the African Union, the Economic Community of Central African States and the International Conference on the Great Lakes Region.⁸ Russia argued that opposition to the views of Africans on the full lifting of sanctions had ‘become a trend’, pointing at similar discussions in the Security Council about lifting restrictions on arms supplies to South Sudan and the DRC, and claimed that Western states in particular have a desire to maintain ‘political influence’ by ‘using Security Council sanctions mechanisms . . . for their own opportunistic purposes’.⁹

The UN arms embargo on South Sudan allows arms supplies to government forces if they are approved in advance by the UN sanctions committee. When the embargo was imposed in 2018 and extended in 2019 and 2020, China, Russia and several elected member states abstained from the vote, arguing that the sanctions did not take into account progress in the South Sudan peace process. In 2021 China and Russia voted in favour of an extension, but remained sceptical about the restrictions and controls on arms supplies to the government.¹⁰ In 2022 China and Russia again abstained, together with Gabon, India and Kenya, in the vote to extend the restrictions by another year. All five states mentioned the positive developments towards peace in South Sudan and the need for its government to be able to acquire military equipment as key reasons for abstaining. Russia argued that the current

⁶ UN Security Council Resolution 2536, 28 July 2020; UN Security Council Resolution 2588, 29 July 2021; and UN Security Council Resolution 2648, 29 July 2022.

⁷ Bromley, M. and Wezeman, P. D., ‘Multilateral arms embargoes’, *SIPRI Yearbook 2022*, pp. 600–601.

⁸ United Nations, Security Council, 9105th meeting, S/PV.9105, 29 July 2022, pp. 4–8.

⁹ United Nations, Security Council, S/PV.9105 (note 8), 29 July 2022, p. 6.

¹⁰ Bromley and Wezeman (note 7), pp. 605–606.

UN sanctions no longer corresponded to the situation on the ground and hindered the government's state-building efforts and formation of security forces. China also argued that the sanctions restricted South Sudan from building up its security capacity. China, Gabon, Kenya and Russia each also referred to the call by the Intergovernmental Authority on Development and the African Union to lift the arms embargo as a reason for abstaining.¹¹

In 2022 China, Gabon, Ghana and Russia abstained from a vote on a resolution that included extending arms procurement notification requirements for the supply to the government of Somalia of certain weapons categories and advance approval requirements for others. In doing so, they cited similar reasons to those that underpinned their opposition to elements of the resolutions on CAR and South Sudan.¹² China, Gabon, Ghana, Kenya and Russia also abstained from a vote on a resolution that included extending arms procurement notification requirements for the government of the DRC.¹³

There was also disagreement in 2022 about the open-ended UN arms embargo on Sudan, under which military supplies by the government of Sudan into the Darfur region require prior approval from the UN sanctions committee. The Security Council stated its intention to agree by 31 August 2022 on a set of 'benchmarks to assess the measures on Darfur', which Sudan would need to achieve to have those measures adjusted.¹⁴ In this context China argued that the ability of Sudanese authorities to improve the capacities of its security forces in Darfur urgently needed strengthening, as they had been 'negatively impacted by the arms embargo'. Russia stated that the Sudanese sanctions regime no longer corresponded with the situation in Darfur, and that several Security Council members had prevented an agreement on benchmarks in 2021.¹⁵ However, ongoing disagreement between members meant the Security Council did not meet the 31 August deadline for setting the benchmarks.¹⁶

Haiti

In response to months of violence and lawlessness in Haiti that fuelled a major humanitarian crisis, in October 2022 the UN Security Council unanimously voted for a resolution that included an arms embargo, for an initial period of one year, on individuals and entities in Haiti designated by the sanctions committee.¹⁷ China had led calls for the adoption of an arms embargo in July, as part of a broader package of proposed measures that also included sending

¹¹ United Nations, Security Council, 9045th meeting, S/PV.9045, 26 May 2022, pp. 3–5.

¹² United Nations, Security Council, 9196th meeting, S/PV.9196, 17 Nov. 2022, pp. 2–4, 6.

¹³ United Nations, Security Council, 9084th meeting, S/PV.9084, 30 June 2022, p. 2.

¹⁴ UN Security Council Resolution 2620 (2022), 15 Feb. 2022, para. 5.

¹⁵ United Nations, Security Council, 8964th meeting, S/PV.8964, 15 Feb. 2022, pp. 2–3.

¹⁶ Security Council Report, 'Sudan: Briefing and consultations', What's in Blue Insight, 12 Sep. 2022.

¹⁷ UN Security Council Resolution 2653, 21 Oct. 2022.

a regional police force to Haiti.¹⁸ China stressed that it had ‘always called for caution in the use of UN sanctions, regardless of the circumstances’, but that considering the urgency of the situation in Haiti, it had been ‘the first in the Council to propose targeted sanctions against Haitian criminal gangs’.¹⁹ At that time, in July, other states were not convinced that an arms embargo on Haiti was either enforceable or meaningful.²⁰ By October other states had altered their position, and the USA and Mexico included the arms embargo in the draft resolution they tabled, which the Council adopted unanimously as Resolution 2653.²¹ However, the embargo remained very limited in scope as the list of sanctioned entities and individuals included in it contained only a single person, a leader of a major criminal gang in Haiti.²²

Iran

In accordance with the terms of the UN’s 2015 Joint Comprehensive Programme of Action (JCPOA), the transfer to and from Iran of missiles and uncrewed aerial vehicles (UAVs) with a range of 300 km or more, and of items and technology that could contribute to the development of nuclear weapon delivery systems, is only allowed after prior approval from the Security Council.²³ This embargo, as agreed in Resolution 2231, is scheduled to expire on 18 October 2023.

In September and October 2022 the scope of these UN restrictions was the subject of dispute between Ukraine, France, Germany, the UK and the USA on the one hand, and Russia and Iran on the other. The first group argued that the transfer of UAVs by Iran to Russia in 2022, without the required approval, was in violation of the restrictions, and called for the UN Secretariat team responsible for monitoring the implementation of Resolution 2231 to inspect the transfer of UAVs in the light of the prohibitions.²⁴ Russia and Iran argued that the UN Secretariat had no mandate for any such inspection.²⁵ In addition, Iran argued that Resolution 2231 only restricted a state’s transfer of goods and technology that the state determined could contribute to the development of nuclear weapon delivery systems, and that Iran, as the relevant state in the

¹⁸ Nichols, M., ‘China pushes for UN arms embargo on Haiti criminal gangs’, Reuters, 15 July 2023; and News Wires, ‘China pushes UN to ban small arms to Haiti amidst gang violence, diplomats’, France 24, 15 July 2022.

¹⁹ United Nations, Security Council, 9159th meeting, S/PV.9159, 21 Oct. 2022, p. 3. See also previous arms embargo sections in SIPRI Yearbooks on China’s position on UN sanctions.

²⁰ News Wires (note 18).

²¹ United Nations, Security Council, S/PV.9159 (note 19), p. 2; and UN Security Council Resolution 2653, 21 Oct. 2022.

²² UN Security Council Resolution 2653 (note 21), Annex.

²³ UN Security Council Resolution 2231, 20 July 2015, Annex B para. 4. On efforts to renew the JCPOA in 2022, see chapter 8, section IV, in this volume.

²⁴ United Nations, Security Council, ‘Implementation of Security Council Resolution 2231 (2015)’, 14th Report of the secretary-general, S/2022/912, 12 Dec. 2022, para. 19.

²⁵ United Nations, Security Council, ‘Fourteenth six-month report of the Facilitator on the implementation of Security Council Resolution 2231 (2015)’, S/2022/937, 12 Dec. 2022, paras 20–29.

context of the export of the UAVs, had never produced or supplied goods and technology that met this definition.²⁶ By the end of 2022 the UN Secretariat was still examining the issue.

The UN Secretariat also investigated other allegations of Iran violating the UN embargo on exports of missiles and long-range UAVs. It continued its investigations of the debris of ballistic missiles, cruise missiles and UAVs that had been used in attacks on Saudi Arabia and United Arab Emirates (UAE) territory and which were alleged to have been transferred by Iran to Houthi forces in Yemen in violation of the UN restrictions. The UN Secretariat investigated cruise missile parts that the British navy had seized in early 2022 from two ships in international waters south of Iran and that showed similarities with the missile debris found in Saudi Arabia and the UAE.²⁷ The investigations did not lead to any firm conclusions in 2022.

Libya

The UN arms embargo on Libya bans arms transfers and technical assistance related to military activities to non-state armed groups, but permits deliveries to the internationally recognized Government of National Accord—which was incorporated into the Government of National Unity (GNU) in 2021—provided that the transfers have been approved in advance by the UN sanctions committee for Libya. However, the panel of experts on Libya concluded in its May 2022 report that the arms embargo remained ineffective. It mentioned especially that Russia and the UAE were supplying arms to one party on the conflict in Libya (the Haftar Affiliated Forces) while Türkiye was supplying arms to another party (the GNU Affiliated Forces). However, the number of identified violations was much lower than during 2019 and 2020, and the number of suspicious flights into Libya was significantly lower.²⁸

Conclusions

In 2022 there were several major divisions between UN member states about UN arms embargoes (reversing the greater degree of consensus that had prevailed in 2021). Significant disagreement occurred within the UN Security Council about existing arms embargoes. Russia and the West disagreed on the scope of the remaining arms-related UN sanctions on Iran, especially about whether it allowed Iran to export UAVs. There was also increasing disagreement—with Russia, China and several African states on one side, and

²⁶ United Nations, Security Council, Letter dated 24 October 2022 from the permanent representative of the Islamic Republic of Iran to the United Nations addressed to the secretary-general and the president of the Security Council, S/2022/794, 24 Oct. 2022, p. 2.

²⁷ United Nations, Security Council, S/2022/912 (note 24), para. 19.

²⁸ United Nations, Security Council, Report of the panel of experts established pursuant to Resolution 1973 (2011) concerning Libya, S/2022/427, 27 May 2022, p. 2 and para. 87.

the other Security Council members on the other—over the use of restrictions and controls on arms procurement by government forces in CAR, the DRC, Somalia, South Sudan and Sudan.

Compliance with UN arms embargoes was mixed in 2021. As in previous years there were reports of significant violations of the UN arms embargo on Libya, including by Russia. The agreement to impose an arms embargo on Haiti was notable, given that China was its leading proponent, in contrast with China's previous careful approach to supporting such embargoes. However, the relevance of the embargo is limited as it is aimed solely at stopping arms transfers to criminal gangs, which states can in any case be expected to prevent. As such the embargo is arguably merely a formal statement with little actual effect.

Table 12.2. Multilateral arms embargoes in force during 2022

Target (entities or territory covered) ^a	Date embargo first imposed (duration type)	Materiel covered ^a	Key developments, 2022
<i>United Nations arms embargoes</i>			
Afghanistan (Taliban: NGF)	16 Jan. 2002 (OE)	Arms and related materiel and services	
Central African Republic (government: PT; NGF)	5 Dec. 2013 (TL)	Arms and military materiel (small arms exempted for government)	Extended until 31 July 2023
Democratic Republic of the Congo (government: PT; NGF)	28 July 2003 (TL)	Arms and military materiel	Extended until 1 July 2023; requirement to notify supplies of major arms to government lifted June 2022; requirement to notify supplies of other arms to government lifted Dec. 2022
Haiti (NGF)	21 Oct. 2022 (TL)	Arms and military materiel	
Iran (whole country: PT)	23 Dec. 2006 (TL)	Items related to nuclear weapon delivery systems; Items used in the nuclear fuel cycle	
Iraq (NGF)	6 Aug. 1990 (OE)	Arms and military materiel	
ISIL (Da'esh), al-Qaeda and associated individuals and entities (NGF)	16 Jan. 2002 (OE)	Arms and military materiel	
Korea, North (whole country)	15 July 2006 (OE)	Arms and military materiel; Items relevant to nuclear, ballistic missiles and other weapons of mass destruction related programmes	
Lebanon (NGF)	11 Aug. 2006 (OE)	Arms and military materiel	
Libya (government: PT; NGF)	26 Feb. 2011 (OE)	Arms and military materiel	
Somalia (government: PT; NGF)	23 Jan. 1992 (TL)	Arms and military materiel; Components for improvised explosive devices	Extended until 17 Nov. 2023

Target (entities or territory covered) ^a	Date embargo first imposed (duration type)	Materiel covered ^a	Key developments, 2022
South Sudan (government: PT; NGF)	13 July 2018 (TL)	Arms and military materiel	Extended until 31 May 2023
Sudan (Darfur: PT)	30 July 2004 (OE)	Arms and military materiel	
Yemen (NGF)	14 Apr. 2015 (OE)	Arms and military materiel	
<i>European Union arms embargoes without UN counterpart or with broader scope than UN embargoes on the same target</i>			
Belarus (whole country)	20 June 2011 (TL)	Arms and military materiel; Dual-use materiel; Communication surveillance equipment	Coverage expanded to include exports of all dual-use materiel to all end- users and end-uses; Extended until 28 Feb. 2023
China ^b (whole country)	27 June 1989 (OE)	Arms	
Egypt ^b (whole country)	21 Aug. 2013 (OE)	Equipment which might be used for internal repression	
Iran (whole country)	27 Feb. 2007 (TL)	Arms and military materiel; Equipment which might be used for internal repression; Communication surveillance equipment	Extended until 13 April 2023
Myanmar (whole country)	29 July 1991 (TL)	Arms and military materiel; Communication surveillance equipment	Extended until 30 April 2023
Russia (whole country)	31 July 2014 (TL)	Arms and military materiel; Dual-use materiel	Coverage expanded to include exports of all dual-use materiel to all end- users and end-uses; Extended until 31 Jan. 2023.
South Sudan (whole country)	18 July 2011 (OE)	Arms and military materiel	
Sudan (whole country)	15 Mar. 1994 (OE)	Arms and military materiel	
Syria (whole country)	9 May 2011 (OE)	Equipment which might be used for internal repression; Communication surveillance equipment	

Target (entities or territory covered) ^a	Date embargo first imposed (duration type)	Materiel covered ^a	Key developments, 2022
Venezuela (whole country)	13 Nov. 2017 (TL)	Arms and equipment which might be used for internal repression; Communication surveillance equipment	Extended until 14 Nov. 2023
Zimbabwe (whole country)	18 Feb. 2002 (TL)	Arms and military materiel	Extended until 20 Feb. 2023
<i>League of Arab States arms embargoes</i>			
Syria (whole country)	3 Dec. 2011 (OE)	Arms	

ISIL = Islamic State in Iraq and the Levant; NGF = non-governmental forces; OE = open-ended; PT = partial, i.e. embargo allows transfers to the state in question provided the supplier or recipient state has received permission from, or notified, the relevant United Nations sanctions committee or the UN Security Council; TL = time-limited.

^a The target, entities and territory, and materiel covered may have changed since the first imposition of the embargo. The target, entities and material stated in this table are as at the end of 2022.

^b The EU embargoes on China and Egypt are political declarations whereas the other embargoes are legal acts imposed by EU Council decisions and EU Council Regulations.

Sources: UN Security Council, 'Sanctions'; and Council of the EU, '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 principal instruments establishing or amending the embargoes.