

UNITED NATIONS ARMS EMBARGOES THEIR IMPACT ON ARMS FLOWS AND TARGET BEHAVIOUR

A report by the Stockholm International Peace Research Institute
and the Special Program on the Implementation of Targeted Sanctions
at the Department of Peace and Conflict Research, Uppsala University



This report is the first analysis of the 27 UN arms embargoes imposed since 1990. UN arms embargoes have been criticized as having a limited impact on reducing arms flows to their targets or improving target behaviour. This report reassesses UN embargoes and their effect on arms flows and target behaviour. In particular, it considers the effect of the Interlaken (1999–2001), Bonn–Berlin (2000–2001) and Stockholm (2001–2003) processes, which offered a range of proposals for developing the focus and implementation of UN arms embargoes,

This report proposes a typology of peace and security goals that arms embargoes might help to achieve. Recommendations for strengthening the implementation of arms embargoes are addressed to the UN Security Council in particular, but are of potential interest to all UN member states, UN agencies, regional organizations, non-governmental organizations, researchers and the concerned general public.

sipri

The **Stockholm International Peace Research Institute (SIPRI)** is an independent international institute for research into problems of peace and conflict, especially those of arms control and disarmament. It was established in 1966 to commemorate Sweden's 150 years of unbroken peace. The Institute is financed mainly by a grant proposed by the Swedish Government and subsequently approved by the Swedish Parliament. The staff and the Governing Board are international. The Institute also has an Advisory Committee as an international consultative body.



The **Special Program on the Implementation of Targeted Sanctions (SPITS)** is a project within the Uppsala University Department of Peace and Conflict Research. The program worked with the Swedish Ministry for Foreign Affairs organizing the Stockholm Process, resulting in the *Stockholm Report on Making Targeted Sanctions Effective*. The report was presented to the UN Security Council in 2003. Since then SPITS has studied implementation of a series of sanctions: Iraq, Burma/Myanmar (EU sanctions), Liberia and Côte d'Ivoire.

ISBN 978-91-85114-56-6



United Nations Arms Embargoes

Their Impact on Arms Flows and Target Behaviour

A report by

Damien Fruchart, Paul Holtom and Siemon T. Wezeman

SIPRI Arms Transfers Project

Stockholm International Peace Research Institute

sipri

and

Daniel Strandow and Peter Wallensteen

Special Program on the Implementation of Targeted Sanctions

Department of Peace and Conflict Research, Uppsala University



UPPSALA
UNIVERSITET



Stockholm International Peace Research Institute
Signalistgatan 9
SE-169 70 Solna, Sweden
Tel: +46 8 655 97 00
Fax: +46 8 655 97 33
email: sipri@sipri.org
<http://www.sipri.org>



UPPSALA
UNIVERSITET
Special Program on the Implementation of Targeted Sanctions
Department of Peace and Conflict Research
Uppsala University
PO Box 514
SE-751 20 Uppsala, Sweden
Tel: +46 18 471 00 00
Fax: +46 18 69 51 02
email: info@pcr.uu.se
<http://www.smartsanctions.se>

© SIPRI, Daniel Strandow and Peter Wallensteen, 2007

Cover design: Tom Gill, SIPRI
Cover image: Getty Images
Printed in Sweden by Elanders

ISBN 978-91-85114-56-6

Contents

<i>Preface</i>	v
<i>Foreword</i>	vii
<i>Executive summary</i>	viii
<i>Table A.1. UN arms embargoes, 1945–2006</i>	xiii
<i>Abbreviations and acronyms</i>	xv
1. Introduction	1
Reassessing the effectiveness of UN arms embargoes	4
Categorizing UN arms embargoes: a typology	6
UN arms embargoes categorized by end goals	9
Figure 1.1. The number of UN arms embargoes in force at the end of each year in the period 1990–2006	4
Table 1.1. UN arms embargo end goals and demands	6
Table 1.2. Mandatory UN arms embargoes, 1990–2006, by type of end goal	10
Box 1.1. Examples of demands framed in UN Security Council resolutions on arms embargoes	7
2. Assessing the impact of threats of a UN arms embargo	11
The impact on arms flows to targets	14
The impact on target behaviour	17
Conclusions	20
Table 2.1. Threatened UN arms embargoes, 1990–2006: credibility and subsequent imposition of UN embargoes	12
3. Assessing the implementation of UN arms embargoes	21
The impact on arms flows to targets	24
The impact on target behaviour	33
Conclusions	39
Table 3.1. Cases of UN arms embargoes in which other sanctions were also imposed, 1990–2006	22
Table 3.2. UN arms embargoes and UN monitoring mechanisms and peacekeepers, 1990–2006	36
Figure 3.1. Influences on the improvement of target behaviour during UN arms embargoes	34

4. Assessing the impact of ending a UN arms embargo	42
The impact on arms flows to targets	42
The impact on target behaviour	46
Conclusions	49
Table 4.1. UN arms embargoes that started and ended in the period 1990–2006	44
5. Recommendations for the UN Security Council	50
Ensure clarity of coverage, scope and demands in UN arms embargo resolutions	52
Conduct regular reviews to assess compliance with UN arms embargo demands	52
Increase the authority and expertise of UN sanctions committees, panels of experts and monitoring teams	53
Establish a ‘clearing house’ for UN sanctions committees, panels of experts and monitoring teams	53
Assess and strengthen the capacity of UN member states to implement arms embargoes	54
Target governmental and non-governmental actors that assist in the violation of a UN arms embargo	54
Promote the adoption of national legislation criminalizing UN arms embargo violations	55
Improve international harmonization of efforts to limit arms brokers’ violations of UN arms embargoes	56
Clearly define ‘conflict goods’ and measures for embargoing exports in combination with UN arms embargoes	56
About the authors	57

Preface

Arms embargoes have frequently been employed by the United Nations Security Council to carry out its primary responsibility under the UN Charter—to maintain international peace and security. However, the embargoes that have been introduced since 1990 have been assessed as having a limited impact on both arms flows to and the behaviour of embargoed targets. The Swiss, German and Swedish governments, respectively, launched the Interlaken (1999–2001), Bonn–Berlin (2000–2001) and Stockholm (2001–2003) processes to improve the targeting and implementation of UN sanctions, including arms embargoes. The present report is, to our knowledge, the first comprehensive assessment of UN arms embargoes implemented since the innovations deriving from these processes were introduced.

The Arms Transfers Project of the Stockholm International Peace Research Institute (SIPRI) and the Special Program on the Implementation of Targeted Sanctions (SPITS) at Uppsala University's Department of Peace and Conflict Research have pooled their expertise to provide a unique study of the changes in arms flows and target behaviour in 21 cases when UN arms embargoes were threatened, 27 mandatory UN arms embargoes and 11 post-embargo cases in the 17-year period 1990–2006. In an effort to further improve the effectiveness of the targeting of UN arms embargoes, this report offers a typology to be considered when designing and assessing UN arms embargoes. The typology distinguishes between the different international peace and security end goals of: (a) countering threats against *Global Security*; (b) strengthening legitimate *Government Authority*; and (c) achieving the peaceful political settlement of a violent armed conflict through *Conflict Management*. The results indicate that embargoes have different impacts on arms flows and target behaviour in these three types of situation. In reaching these conclusions, the researchers have also looked carefully at alternative explanations. The study puts forward a number of recommendations for the further improvement of UN arms embargo implementation. The primary intended audience for this report is the UN Security Council, but its potential readership is much broader, encompassing all the UN member states, UN agencies, regional organizations, non-governmental organizations, researchers and the concerned general public.

This report is the result of six months' research carried out by members of the SIPRI Arms Transfers Project and SPITS in 2007. The SPITS research team used the Uppsala Conflict Databases in their quantitative survey of target behaviour in periods of threatened and implemented arms embargoes and in post-embargo periods. A detailed discussion of the methodology employed to undertake this task is presented in a research paper entitled 'UN arms embargoes and target behaviour, 1990–2006', written by Daniel Strandow and available at <<http://www.smart-sanctions.se>>. The SIPRI Arms Transfers Project studied the impact on arms flows in these three situations and produced 11 background case studies of 17 UN arms

embargoes that discuss the impact of UN monitoring and implementation mechanisms on arms flows to embargoed targets. These case studies are available on SIPRI's website at <http://books.sipri.org/product_info?c_product_id=356>.

The SIPRI and SPITS research teams would like to thank the Swedish Ministry for Foreign Affairs for its generous financial support for this collaborate project. The authors are grateful for the comments received from reviewers at the Royal Institute of International Affairs (Alex Vines), SIPRI (Ian Anthony, Sibylle Bauer, Mark Bromley and Pieter D. Wezeman), SPITS (Mikael Eriksson), the Uppsala Conflict Data Program (Joakim Kreutz) and the UN Sanctions Branch (Ulrik Ahnfeldt-Mollerup, David Briggs, Loraine Rickard-Martin, Tilo Stolz and James Sutterlin). The authors wish to make special mention of the invaluable advice and support provided by the SIPRI editorial team, in particular Connie Wall; the SIPRI Library, under Nenne Bodell; and Åsa Blomström, SIPRI Arms Transfers Project Research Assistant.

The authors take full and sole responsibility for the analysis and recommendations of the report.

Daniel Nord
Deputy Director
SIPRI

Peter Wallensteen
Professor, Program Leader
SPITS, Uppsala University

Stockholm and Uppsala, Sweden
September 2007

Foreword

In the interest of maintaining international peace and security, the United Nations Security Council can use sanctions, an international response that is stronger than a diplomatic note but falls short of a declaration of war. The mandate for use of this instrument has been in the UN Charter since 1945, but the use of sanctions has increased dramatically since the end of the cold war.

The unintended consequences of sanctions, in particular those against Iraq in the 1990s, caused the international community to take a serious look at how they could be made more effective. The goal is to influence decision makers in the targeted country but also to avoid negative humanitarian effects. The key words are ‘targeted’ and ‘smart’ sanctions. The international community cooperates to achieve this with regard to financial sanctions, travel bans, arms embargoes and aviation-related sanctions.

Sweden takes a keen interest in improving all aspects of the sanctions regime, including the need to ensure respect for human rights and while making sanctions more effective. The focus of this study is UN arms embargoes. This is one of the most frequently used forms of sanction, yet it has been the topic of precious little academic analysis. This study, the first of its kind, takes a closer look at all the 27 arms embargoes adopted by the UN Security Council. It asks two important questions. How is the flow of weapons affected by an arms embargo? Does an arms embargo affect the behaviour of the targeted actors? The study goes on to suggest improvements that could be made in order for arms embargoes to have a more tangible effect.

The study was carried out jointly by the Stockholm International Peace Research Institute and the Special Program on the Implementation of Targeted Sanctions of the Department for Peace and Conflict Research at Uppsala University, combining the expertise on arms transfers at SIPRI with the research programme on sanctions at Uppsala University. The views and recommendations in the study are those of the authors and do not necessarily reflect Swedish Government policy. It is my hope that the study will be of value to the UN member states and the UN Secretariat in their efforts to enhance the effectiveness of UN arms embargoes.

Frank Belfrage
State Secretary for Foreign Affairs, Sweden

Stockholm, 2007

Executive summary

This report assesses the effectiveness of United Nations arms embargoes as a means for reaching desired end goals. The results are based on quantitative and qualitative data that were collected on the 27 mandatory UN arms embargoes imposed in the period 1990–2006 (see table A.1 for a list of all the mandatory and voluntary UN arms embargoes in this period). The UN has a range of sanctions at its disposal with which to coerce states and non-governmental actors to improve their behaviour in the interests of international peace and security. Arms embargoes have become one of the preferred forms of sanction since the end of the cold war. The embargoes have varied in terms of their demands, coverage, scope, implementation, effects and how they were ended.

The rationale for this report stems from two points. First, the effectiveness of the means (measures to halt arms flows) and the end goals (positive changes in target behaviour) of UN arms embargoes should be assessed separately, by addressing two specific research questions.

- Do UN arms embargoes limit the flow of arms to embargoed targets?
- Do UN arms embargoes compel targets to improve their behaviour in line with UN Security Council (UNSC) demands and end goals?

A number of factors were taken into account in the assessment of the impact of UN arms embargoes on arms flows: (a) the target's existing arms and ammunition stocks; (b) domestic arms-production capabilities; (c) access to the grey and black arms markets; (d) other sanctions that affect the target's ability to fund or arrange for arms acquisitions; and (e) the target's actual demand for conventional arms. When analysing results for the impact of UN arms embargoes on target behaviour, the influence of six other factors was also considered: (a) the duration of the crisis to be resolved; (b) the imposition of other UN sanctions; (c) the presence of UN peacekeepers; (d) changes in the target's leadership; (e) the duration of the arms embargo; and (f) victory in an armed conflict.

Second, analyses of UN arms embargoes need to consider whether the embargoes achieve their end goals. This report puts forward an embargo typology that categorizes the stated demands and end goals of the 27 UNSC resolutions that established (or significantly modified) a mandatory UN arms embargo. The goal is to assist efforts to tailor sanctions to better effect and assess the impact of UN arms embargoes on meeting stated demands and end goals. Three categories of end goal to be achieved through UN arms embargoes were developed: (a) addressing threats against *Global Security* (6 cases); (b) strengthening legitimate *Government Authority* (5 cases); and (c) achieving the peaceful political settlement of a violent armed conflict through *Conflict Management* (16 cases).

Assessing the impact of the threat of a UN arms embargo

A publicly stated threat of a UN arms embargo is defined here as a UNSC resolution that has been passed or a statement made to the media by one of the permanent five (P5) members of the UNSC (China, France, Russia, the UK and the USA) that threatens the imposition of a UN arms embargo. This approach identifies 21 cases of threatened UN arms embargoes in the period 1990–2006. The credibility of these public threats is assessed using two empirically observable measures: (a) arms supplies by P5 states to the target in the threat period; and (b) P5 public opposition to a UN arms embargo against the target. If either factor was found, the credibility of the threat was deemed low.

In 9 of the 21 cases of a threatened arms embargo, at least one P5 state provided military support to a target after the threat had been made. In 7 of the 21 cases at least one P5 member publicly expressed its opposition to the imposition of a UN arms embargo on a target. Only 5 threats of the imposition of a UN arms embargo were assessed as credible.

Three factors made it difficult to test the hypothesis that there would be a significant increase in the arms flow to a target in the period between the threat of a UN arms embargo and its imposition. First, in the Government Authority and Conflict Management categories, public threats were usually quickly followed by the actual imposition of a UN arms embargo, leaving little time for targets to acquire arms. Second, very little data was publicly available on transfers to non-governmental armed forces, especially concerning small arms and light weapons (SALW) and ammunition. Third, it was not possible to account for cases in which a potential target was alerted to the prospect of a UN arms embargo before a public threat had been made. Only in the cases of the embargoes on Eritrea and Ethiopia and on Sudan were significant increases in deliveries of major conventional arms recorded for the threat period. However, these weapon deliveries were scheduled in contracts that were agreed before any public threat of a UN arms embargo had been made.

In two cases a threat was assessed as successful because the target significantly improved its short-term behaviour and a UN arms embargo was not imposed: the threats regarding North Korea (1993) and Eritrea and Ethiopia (2005). The assessment of the cases that were examined for this report showed that both public threats to impose a UN arms embargo and voluntary UN arms embargoes rarely result in the improvement of a target's behaviour. Of the 21 cases of a threatened UN arms embargo, 16 resulted in the imposition of a mandatory UN arms embargo on the target within a year of a threat being issued.

Assessing the implementation of a UN arms embargo

The importance of separating the embargoes in the Global Security category from those in the Government Authority and Conflict Management categories for the purposes of studying the effectiveness of UN arms embargoes on arms flows was

demonstrated by the fact that targeted actors in the Global Security embargo category are not as interested in acquiring ammunition, SALW, artillery, armoured vehicles and aircraft as those—both states and non-governmental armed forces—in the Conflict Management and Government Authority categories (with the possible exceptions of Taliban-controlled Afghanistan and the Taliban). However, evidence suggests that targets of embargoes in the Global Security category, such as Libya, have violated other UN arms embargoes by supplying arms to other embargoed targets.

In all the cases in which an embargoed target had access to arms within the region or country in which it was based—from domestic production, from weapon stockpiles or from peacekeepers present there—the need to import arms in violation of a UN arms embargo was lessened. The embargoed Federal Republic of Yugoslavia (FRY) had domestic arms production capabilities and stockpiles of weapons that satisfied its own demands and also allowed it to supply weapons to other embargoed targets. In this case, not only did the UN arms embargo have a limited impact on the embargoed target's arms acquisitions but the target was also shown to be willing and able to transfer its own surplus arms and ammunition to other embargoed targets.

In the Conflict Management and Government Authority embargo categories, SALW and ammunition appear to have been the main military items that were transferred in violation of UN arms embargoes, often from surplus stockpiles in Europe via arms brokers and corrupt state officials using forged or manipulated documentation. While reported seizures of SALW and ammunition appear to correlate with improved short-term target behaviour in some embargoes on entities in West Africa, armed hostilities resumed following resupply.

Target behaviour in relation to the demands and end goals of resolutions was assessed using data from annual observations of different sets of indicators for each type of case: political statements and actions for embargoes in the Global Security category; political statements and the level of violence against civilians for Government Authority embargoes; and the implementation of peace agreements and the level of battle-related violence for Conflict Management embargoes. On the basis of these indicators, there appears to be a correlation between the imposition of a UN arms embargo and improved target behaviour in only a quarter of the annual observations made for the 27 mandatory UN arms embargoes studied. More than a third of the observations suggested that there is a correlation between positive behavioural change in targets and high levels of border-crossing restraint.

Of the 12 cases of sudden or forceful leadership change, there appears to be a strong correlation in 7 of the Conflict Management embargoes between change in leadership and improvement of target behaviour. UN peacekeepers were present in 17 of the 27 cases studied, and their presence appears to have had a positive impact on target behaviour in many of these cases. UN monitoring and enforcement mechanisms seem to have a greater impact in cases in which UN peacekeepers have a mandate to monitor and enforce a UN arms embargo.

The capacity and political will of five sets of actors are crucial for assessing the challenges to implementing effective UN arms embargoes: the P5 states, arms-supplying states, arms transit and transshipment states, states neighbouring embargoed targets and embargoed targets. Although all UN member states are obliged to implement and monitor mandatory UN arms embargoes, it is particularly important that there is political will and an interest in doing so on the part of the P5 states and states neighbouring embargoed targets. In a number of cases, states neighbouring targets of embargoes in the Conflict Management and Government Authority categories in Africa and the Middle East are considered to have ignored their commitments to a UN arms embargo when this conflicted with their regional interests. UNSC Resolution 1343 (2001), which imposed a UN arms embargo and other sanctions on Liberia for supplying arms to embargoed targets in Sierra Leone, establishes a precedent for the UNSC to sanction a state that violates a UN arms embargo and assists in the prolongation of conflict in a neighbouring state.

Assessing the impact of ending a UN arms embargo

By the end of 2006, 11 of the 27 UN arms embargoes considered in the report had ended: 8 were open-ended embargoes, 2 were regularly reviewed embargoes and 1 was a time-limited embargo. Six of these UN arms embargoes ended conclusively, while five were followed by a new UN arms embargo that differed in terms of its coverage, demands or end goals.

In the cases of the embargoes on Angola, Haiti, the FRY and Libya, no significant transfers of arms were recorded for the period from immediately after the embargo to the end of 2006. Domestic access to arms in the FRY arguably limited the need for imports in this case. Russia resumed deliveries of combat aircraft to Eritrea in 2001 and to Ethiopia in 2003. Of the 5 other cases, the ending of blanket arms embargoes on Iraq (1990–2004), Rwanda (1994–55) and Sierra Leone (1997–98) enabled the government forces in these states to equip themselves to fight embargoed non-governmental armed forces and insurgents. The UN arms embargo on Liberia that was imposed in 2003 was partially lifted in 2006, with limited arms imports for the government's forces for purposes of security sector reform.

Improvements in target behaviour in the period immediately preceding and after the ending of a UN arms embargo were observed in five of the six conclusively ended cases: Angola, Haiti, Libya, the former Yugoslavia and the FRY. There appears to be a positive correlation between improved target behaviour in the short term and the ending of a UN arms embargo in these cases. The exception to this rule is the time-limited UN arms embargo on Eritrea and Ethiopia: the ending of the embargo on these two targets was premature, as target behaviour is still a concern. There is no observable improved target behaviour in the cases in which new UN arms embargoes changed the coverage or demands on embargoed targets in Iraq, Rwanda or Sierra Leone. Target behaviour did not improve in Liberia following the lifting of the 1992 arms embargo in 2001, but positive changes were

observed in the period after the 2001 arms embargo ended in 2003. This report's results suggest that the UNSC is generally willing to maintain arms embargoes until positive behavioural improvements in the target can be observed. Regularly reviewed UN arms embargoes represent a useful hybrid of the open-ended and time-limited approaches because improved target behaviour can be more quickly rewarded than in an open-ended UN arms embargo case. It is also possible to amend UNSC demands and sanctions in the light of new evidence of poor behaviour without having to implement a new sanctions regime.

Recommendations for the UN Security Council

- Ensure clarity of coverage, scope and demands in UN arms embargo resolutions.
- Conduct regular reviews to assess compliance with UN arms embargo demands.
- Increase the authority and expertise of UN sanctions committees, panels of experts and monitoring teams.
- Establish a 'clearing house' for UN sanctions committees, panels of experts and monitoring teams.
- Assess and strengthen the capacity of member states to implement arms embargoes.
- Target governmental and non-governmental actors that assist in the violation of a UN arms embargo.
- Promote the adoption of national legislation criminalizing UN arms embargo violations.
- Improve international harmonization of efforts to limit arms brokers' violations of UN arms embargoes.
- Clearly define 'conflict goods' and measures for embargoing their export in combination with UN arms embargoes.

Table A.1. UN arms embargoes, 1945–2006

Target	UNSC resolution	Date passed	Date lifted
Mandatory, 1945–90			
Rhodesia	232 ^a	16 Dec. 1966	21 Dec. 1979
South Africa	418	4 Nov. 1977	26 May 1994
Mandatory, 1990–2006			
Iraq	661	6 Aug. 1990	8 June 2004
Iraq	687	3 Apr. 1991	No
Former Yugoslavia ^b	713	25 Sep. 1991	1 Oct. 1996
Somalia	733	23 Jan. 1992	No
Libya	748 ^c	31 Mar. 1992	12 Sep. 2003 ^d
Liberia	788	19 Nov. 1992	(7 Mar. 2001)
Junta in Haiti ^e	841	16 June 1993	29 Sep. 1994
NGAF in Angola	864	15 Sep. 1993	9 Dec. 2002
Rwanda	918	17 May 1994	(16 Aug. 1995)
NGAF in Rwanda	1011	9 June 1995	No
Sierra Leone	1132	8 Oct. 1997	(5 June 1998)
Federal Republic of Yugoslavia ^b	1169	31 Mar. 1998	10 Sep. 2001
NGAF in Sierra Leone	1171	5 June 1998	No
Eritrea and Ethiopia	1298	17 May 2000	15 May 2001
Taliban-controlled Afghanistan	1333 ^c	19 Dec. 2000	(16 Jan. 2002)
Liberia	1343	7 Mar. 2001	(22 Dec. 2003)
Al-Qaeda, Taliban and associated individuals and entities	1390	16 Jan. 2002	No
NGAF in Ituri, North and South Kivu, Democratic Republic of the Congo	1493	28 July 2003	(18 Apr. 2005)
Liberia	1521	22 Dec. 2003	No
NGAF in Iraq	1546	8 June 2004	No
NGAF in Darfur, Sudan	1556 ^c	30 July 2004	(29 Mar. 2005)
Côte d'Ivoire	1572	15 Nov. 2004	No
Darfur, Sudan	1591 ^{a,c}	29 Mar. 2005	No
NGAF in the Democratic Republic of the Congo	1596	18 Apr. 2005	No
NGAF in Lebanon	1701	11 Aug. 2006	No
North Korea	1718	14 Oct. 2006	No
Iran ^f	1737	23 Dec. 2006	No
Voluntary, 1990–2006^g			
Afghanistan	1076	22 Oct. 1996	^h
Eritrea and Ethiopia ⁱ	1227	12 Feb. 1999	(17 May 2000)

() = Different coverage or new demands were stipulated in a new resolution on or after this date; UNSC = UN Security Council; NGAF = non-governmental armed forces.

^a The Soviet Union or Russia abstained from the UN Security Council vote on this resolution. See UN Bibliographic Information System (UNBISNET), <<http://unbisnet.un.org>>.

^b The republics of Slovenia and Croatia declared their independence from the Socialist Federal Republic of Yugoslavia (the former Yugoslavia) in June 1991, followed by Macedonia in Sep. 1991 and by Bosnia and Herzegovina in Dec. 1991. Bosnia and Herzegovina, Croatia and Slovenia were admitted as members of the UN on 22 May 1992. The former Yugoslav Republic of Macedonia was admitted as a UN member on 8 Apr. 1993. The Federal Republic of Yugoslavia (FRY), consisting of the republics of Serbia and Montenegro, was constituted on 28 Apr. 1992. (Serbia continued the FRY's UN membership when Montenegro became independent and a UN member in 2006.) However, the UN Security Council did not recognize the FRY as the successor of the former Socialist Federal Republic of Yugoslavia, which it deemed to cease to exist as of 19 Sep. 1992. The FRY was invited to apply to become a member of the UN but did not do so until 27 Oct. 2000. All these former Yugoslav republics remained targets of the UN arms embargo until 1 Oct. 1996.

^c China abstained from the UN Security Council vote on this resolution. See UN Bibliographic Information System (UNBISNET), <<http://unbisnet.un.org>>.

^d UNSC Resolution 748 was suspended in 1999.

^e The arms embargo and other sanctions imposed by UNSC Resolution 841 were suspended by UNSC Resolution 861 on 27 Aug. 1993, following the Governor's Island Agreement of 3 July 1993. The arms embargo and other sanctions were reimposed by UNSC Resolution 873, 13 Oct. 1993.

^f UNSCR 1737 placed an arms embargo on the export of materials that could be used for an Iranian nuclear and ballistic missile programme, listing the items to be embargoed in: International Atomic Energy Agency, Communications received from certain member states regarding Guidelines for the Export of Nuclear Material, Equipment and Technology, INFCIRC/254/Rev.8/Part 1, 20 Mar. 2006; UN, Annex to Letter dated 13 October 2006 from the Permanent Representative of France to the United Nations addressed to the president of the Security Council, S/2006/814, 13 Oct. 2006; and UN, List of items, materials, equipment, goods and technology related to ballistic missile programmes, Annex to Letter dated 13 October 2006 from the Permanent Representative of France to the United Nations addressed to the president of the Security Council, S/2006/815, 13 Oct. 2006. Exceptions were also listed in paragraph 9 of UNSC Resolution 1737. This resolution did not place an embargo on transfers of conventional arms to or from Iran, but an arms embargo on exports of conventional arms was imposed on Iran by UNSC Resolution 1747, 24 Mar. 2007.

^g The dates on which voluntary arms embargoes end are difficult to pinpoint because the UNSC resolutions establishing them do not usually include a set time limit for expiration; so far, no resolution has explicitly lifted the voluntary arms embargoes listed in the table.

^h The voluntary UN arms embargo on Afghanistan has not been lifted by a UNSC resolution, but it is regarded as having ceased to have effect from Oct. 2001, when several countries began to openly supply the Northern Alliance.

ⁱ On 17 May 2000 UNSC Resolution 1298 implemented a mandatory UN arms embargo on Eritrea and Ethiopia (see above in the table).

Source: United Nations Security Council Sanctions Committees website, <<http://www.un.org/sc/committees/index.shtml>>.

Abbreviations and acronyms

AFRC	Armed Forces Revolutionary Council (Sierra Leone)
AU	African Union
DDR	Disarmament, demobilization and reintegration
DPRK	Democratic People's Republic of Korea (North Korea)
DRC	Democratic Republic of the Congo
EC	European Community
ECOMOG	Economic Community of West African States Monitoring Group
ECOWAS	Economic Community of West African States
EEC	European Economic Community
EU	European Union
EUC	End-user certificate
FRY	Federal Republic of Yugoslavia
GGE	Group of Governmental Experts
IAEA	International Atomic Energy Agency
MONUC	UN Mission in DR Congo
NATO	North Atlantic Treaty Organization
NGAF	Non-governmental armed forces
NPT	Treaty on the Non-Proliferation of Nuclear Weapons (Non-Proliferation Treaty)
NTGL	National Transitional Government of Liberia
OAS	Organization of American States
P5	Permanent five members of the UN Security Council
RUF	Revolutionary United Front (Sierra Leone)
SALW	Small arms and light weapons
SAM	Sanctions Assistance Mission
SSR	Security sector reform
UN	United Nations
UNIFIL	United Nations Interim Force in Lebanon
UNMEE	United Nations Mission in Ethiopia and Eritrea
UNMIL	United Nations Mission in Liberia
UNROCA	United Nations Register of Conventional Arms
UNSC	United Nations Security Council
WMD	Weapons of mass destruction

1. Introduction

The United Nations has a range of sanctions at its disposal with which to coerce states and non-governmental actors to improve their behaviour in the interests of international peace and security. These range from comprehensive economic and trade sanctions to sanctions that target political and military elites: arms embargoes, travel bans, financial restrictions such as asset freezing, and embargoes on the import of certain goods from embargoed actors, such as diamonds. These latter sanctions are classified as ‘smart’ or ‘targeted’ sanctions because they are considered to have an impact only on particular targets, thereby limiting the detrimental humanitarian impacts that have become associated with the use of comprehensive sanctions.¹ Although this report focuses primarily on the impact of arms embargoes, it recognizes that this form of sanction is used in conjunction with other targeted sanctions as well as a range of other diplomatic and political processes, including conflict-prevention, -mediation and -resolution initiatives.

UN arms embargoes are imposed by resolutions adopted under the authority of Chapter VII, Article 41, of the United Nations Charter by at least 9 of the 15 members of the United Nations Security Council (UNSC), including all five permanent members (P5).² There are two types of UNSC arms embargo: voluntary and mandatory. *Voluntary* UN arms embargoes are invoked when a UNSC resolution ‘calls upon all States’ to end the supply of arms, ammunition, military materiel and related services. They have come to be regarded as primarily symbolic because states are only requested to cease supplying to target states or groups. *Mandatory* UN arms embargoes are invoked when a UNSC resolution ‘decides that all States shall’ prohibit the sale or supply of arms, ammunition, military equipment and related services, implement a general and complete embargo on all deliveries of

¹ The key contributions to efforts to strengthen the targeting of sanctions are Brzoska, M. (ed.), *Design and Implementation of Arms Embargoes and Travel and Aviation Related Sanctions: Results of the ‘Bonn–Berlin Process’* (Bonn International Center for Conversion: Bonn, 2001); Lopez, G. and Cortright, D., ‘Finanzielle Sanktionen: der Schlüssel zu einer Strategie “Intelligenter” Sanktionen’ [Financial sanctions: the key to a ‘smart’ sanctions strategy], *Die Friedens-Warte*, vol. 22, no. 4 (1997), pp. 327–36; Wallensteen, P., Staibano, C. and Eriksson, M. (eds), *Making Targeted Sanctions Effective: Guidelines for the Implementation of UN Policy Options* (Elanders Gotab: Stockholm, 2003); and Brown University, Watson Institute for International Studies, *Targeted Financial Sanctions: A Manual for Design and Implementation. Contributions from the Interlaken Process* (Watson Institute for International Studies: Providence, R.I., 2001). For a list of relevant literature see the SPITS website, <<http://www.smartsanctions.se/>>. The targets of UN sanctions may be states, governments, non-state actors (e.g. non-governmental armed forces and terrorist organizations or movements) and individuals (e.g. members of political or military elites and their families, and leaders of or individuals linked to terrorist organizations or non-governmental armed forces).

² The principle of a majority of 9 UNSC members is regulated in Chapter V, Article 27.3, of the UN Charter: ‘Decisions of the Security Council on all matters [other than procedural] shall be made by an affirmative vote of nine members including the concurring votes of the permanent members’. The 5 permanent members of the UNSC are China, France, Russia, the UK and the USA. For the UN Charter see the UN website, <<http://www.un.org/aboutun/charter/>>.

2 UNITED NATIONS ARMS EMBARGOES

weapons and military equipment, or words to similar effect. Mandatory UN arms embargoes legally oblige UN members to enforce them, having pledged in Chapter I, Article 2.5, of the UN Charter to ‘refrain from giving assistance to any state against which the United Nations is taking preventive or enforcement action’. UN member states must implement mandatory embargoes and report on the steps taken to meet this obligation.³

Of the 27 mandatory UN arms embargoes that have been imposed since 1990, 25 have been administered by a UN sanctions committee (see table 3.2).⁴ These committees have been established by a UNSC resolution to oversee the implementation of the arms embargo and other sanctions.⁵ They regularly report to the UNSC on suspected and reported violations of the sanctions regime that have been reported to them by UN members, regional organizations, UN peacekeepers and, in a limited number of cases, specially tasked UN sanctions monitors located in the region in which sanctions are in force.⁶ In addition, independent panels and groups of experts have been established by resolutions to monitor sanctions, assess reports of alleged violations and present their findings and recommendations to UN sanctions committees. Although the first example of an independent group of experts followed UNSC Resolution 1013 (1995), which established the UN International Commission of Inquiry to investigate reports and allegations of violations of the UN arms embargo on Rwanda (1994),⁷ it is only since 1999 that they have become a more common feature of UN arms embargo and sanction regimes.⁸

Since the end of the cold war, UN arms embargoes have varied in terms of their demands, coverage, scope and the procedures for ending them. UN resolutions have demanded that targets seek peaceful resolution to conflict, restore or strengthen legitimate governments, abandon nuclear proliferation and programmes to acquire weapons of mass destruction (WMD), and cease support for international terrorist organizations.⁹ The coverage of a UN arms embargo has a significant impact on its implementation. Embargoes may be: (a) *blanket*, prohibiting

³ On UN arms embargo implementation see Anthony, I. et al., ‘Arms production and arms trade’, *SIPRI Yearbook 1994* (Oxford University Press: Oxford, 1994), pp. 493–502; and chapter 3 of this report.

⁴ The 2 exceptions to this rule are the UN arms embargoes on non-governmental armed forces in Lebanon (2006) and in Darfur, Sudan (2004). A sanctions committee for the UN arms embargo on Liberia (1992) was established by UNSC Resolution 985 on 13 Apr. 1995. The text of this and other Security Council resolutions cited in this report are available on the UN website at <<http://www.un.org/documents/scres.htm>>.

⁵ On UN sanctions committees see the UN Security Council Sanctions Committees website, <<http://www.un.org/sc/committees/index.shtml>>.

⁶ The UN arms embargoes that have specially tasked UN sanctions monitors are listed in table 3.2.

⁷ UNSC Resolution 1013, 7 Sep. 1995.

⁸ Vines, A., ‘Monitoring UN sanctions in Africa: the role of panels of experts’, ed. T. Findlay, *Verification Yearbook 2003* (Verification Research, Training and Information Centre: London, 2003), pp. 247–63.

⁹ UN, ‘Security Council sanctions most effective as part of holistic conflict resolution approach, Secretary-General says at New York symposium’, SG/SM10968, SC/9010, 30 Apr. 2007, <<http://www.un.org/News/Press/docs/2007/sgsm10968.doc.htm>>.

arms transfers to an entire country; (b) *selective*, prohibiting arms transfers to particular areas within a country or to non-governmental forces, such as explicitly named non-governmental armed forces; or (c) *global*, prohibiting arms transfers to individuals or terrorist movements wherever they may be located. The last two types have posed a range of challenges for the implementation and monitoring of the embargoes. The definition of the scope of the military goods and services targeted by a UN arms embargo varies, with recent efforts including the provision of lists of specific goods to be targeted.¹⁰ There are two procedures for ending UN arms embargoes: (a) by a UNSC resolution declaring the lifting of the embargo; and (b) by lapsing through the expiration of a time-limited arms embargo. Only one mandatory embargo has lapsed—Eritrea–Ethiopia (2000).¹¹

This report draws on 11 background case studies of arms flows during the periods of 17 UN arms embargoes and a quantitative analysis of target behaviour in 27 UN arms embargoes imposed since 1990.¹² It is the first study to analyse the 27 mandatory UN arms embargoes imposed since 1990. The rationale for the preparation of this report stems from two points. First, the effectiveness of the means (measures to halt arms flows) and the end goals (positive changes in target behaviour) of UN arms embargoes should be assessed separately. Second, UN arms embargo analyses should not only draw general conclusions and lessons but also consider the appropriateness of UN arms embargoes for achieving desired end goals. This report outlines a typology of post-cold war UN arms embargoes in order to assist efforts to tailor sanctions to better effect and assess the appropriateness of embargoes as tools for meeting stated demands and end goals. Three categories of end goal to be achieved through UN arms embargoes were developed: (a) countering threats against *Global Security*; (b) strengthening legitimate *Government Authority*; and (c) achieving the peaceful political settlement of a violent armed conflict through *Conflict Management*. They are discussed in greater detail below in this chapter.

Chapter 2 assesses the impact of the initial threat of a UN arms embargo on arms flows and on target behaviour. Chapter 3 explores challenges to the implementation and monitoring of UN arms embargoes and their impact on target behaviour. Chapter 4 examines patterns in arms flows and the behaviour of targets after a UN

¹⁰ The UN Security Council resolutions establishing UN arms embargoes on North Korea and Iran explicitly identify the equipment to be subject to the UN arms embargoes. UNSC Resolution 1718 (2006) on North Korea prohibits transfers of items listed in the UN Register of Conventional Arms and those listed in UNSC documents S/2006/814 and S/2006/815, 13 Oct. 2006. UNSC Resolution 1737 (2006) on Iran also prohibits transfers of items listed in listed in S/2006/814 and S/2006/815.

¹¹ The voluntary arms embargo on Afghanistan (1996) lapsed, although no specific time limit was set for its expiration.

¹² The 11 case studies—Eritrea–Ethiopia, Haiti, Liberia, Libya, Rwanda, Sierra Leone, Somalia, Sudan, the Taliban, the former Yugoslavia and the Federal Republic of Yugoslavia—are available on the SIPRI website at <http://books.sipri.org/product_info?c_product_id=356>. An accompanying research paper entitled ‘UN arms embargoes and target behaviour, 1990–2006’, by Daniel Strandow, is available on the SPITS website (note 1).

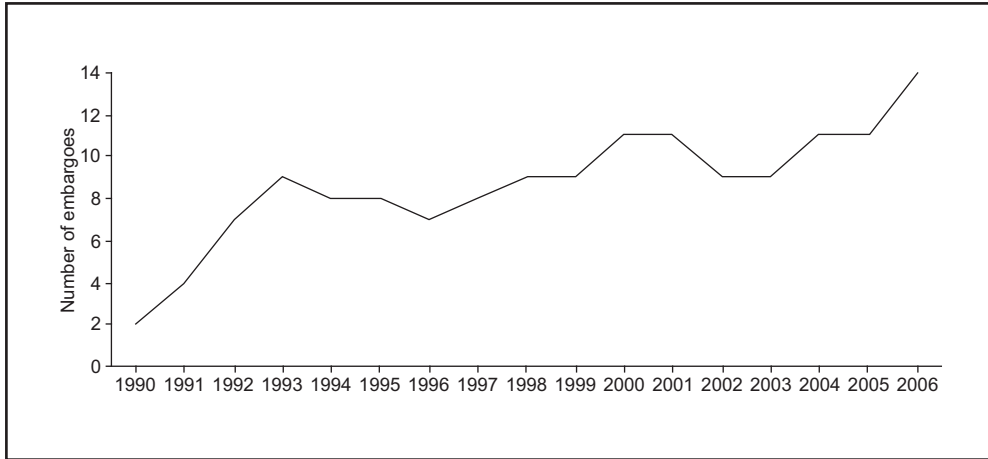


Figure 1.1. The number of UN arms embargoes in force at the end of each year in the period 1990–2006

Note: Data for 1990–93 include the mandatory arms embargo on South Africa.

arms embargo has ended. Each chapter also considers a range of other factors that influence arms flows and target behaviour. Of these three stages, little attention has previously been paid to the impact of a public threat of a UN arms embargo on arms flows and target behaviour. Chapter 2 therefore breaks new ground by discussing the impact of threatened UN arms embargoes on both arms flows and target behaviour. The report concludes with a number of recommendations for more effective UNSC arms embargoes.

Reassessing the effectiveness of UN arms embargoes

In the 45-year period 1945–89 only two mandatory UN arms embargoes were imposed: on Rhodesia in 1966–79 and on South Africa in 1977–94. In the 17-year period 1990–2006, 2 voluntary and 27 mandatory UN arms embargoes were imposed, targeting governments, juntas and non-governmental armed forces in 18 states and one transnational terrorist organization (see table A.1).

Three reasons have been given for the more frequent use of UN arms embargoes in the post-cold war era. First, the ideological opposition of the UNSC P5 states thawed after the end of the cold war, allowing them to more easily agree on the passing of embargo resolutions. Second, this led to more active efforts by the UN to play a global role, using arms embargoes, in maintaining international peace and security.¹³ Third, UN arms embargoes are perceived as ‘smarter’ than compre-

¹³ Bondi, L., ‘Arms embargoes: in name only?’, eds D. Cortright and G. A. Lopez, *Smart Sanctions: Targeting Economic Statecraft* (Roman and Littlefield: Lanham, Md., 2002), pp. 109–10; and Tierny, D., ‘Irrelevant or malevolent? UN arms embargoes in civil wars’, *Review of International Studies*, vol. 31, no. 4 (2005), pp. 647–48.

hensive economic and trade sanctions because they target the elites of states and non-governmental armed forces, limiting the humanitarian impacts.¹⁴

It has been claimed that the increased use and perceived failures of arms embargoes have blunted this UN instrument.¹⁵ Assessments of UN arms embargoes imposed in the 1990s have highlighted their failure to halt arms flows or significantly change the behaviour of the targets of embargoes. It has also been argued that UN arms embargoes are ineffective responses to international peace and security problems because they are usually imposed too late; tend to be primarily of symbolic rather than practical value; are unclear in their definitions of coverage or scope; lack effective UN monitoring and enforcement mechanisms; are dependent on the will and capacity of member states for their implementation; do not deter embargo busters, since transgressors are rarely punished; and reinforce or worsen asymmetric power distributions (in conflicts).¹⁶ As this report demonstrates, UN arms embargoes have also been undermined by a lack of unity and commitment on the part of the P5 states regarding the implementation and end goals of UN arms embargoes.

This report reassesses the effectiveness of the means and the achievement of the end goals of UN arms embargoes. Quantitative and qualitative data were collected on all the 27 mandatory UN arms embargoes imposed since 1990 with a view to answering two specific research questions. Do UN arms embargoes limit the flow of arms to embargoed targets? Do UN arms embargoes compel embargoed targets to improve their behaviour in line with UNSC demands and end goals?

The first question was addressed by exploring the changes in *who* supplies arms, *what* is supplied and *how much* is supplied to embargoed targets. A number of factors were taken into account, including the target's existing arms and ammunition stocks, domestic arms-production capabilities, access to the grey and black arms markets, other sanctions that affect the target's ability to fund or arrange for arms acquisitions and the target's actual demand for conventional arms. A number of challenges were met in determining the extent to which UN arms embargoes have had a significant impact on arms flows to embargoed targets in Africa and the

¹⁴ Brzoska, M., 'Putting more teeth in UN arms embargoes', eds Cortright and Lopez (note 13), p. 125; and Elliott, K. A., 'Trends in economic sanctions policy: challenges to conventional wisdom', and Staibano, C., 'Trends in UN sanctions: from ad hoc practice to institutional capacity building', eds P. Wallensteen and C. Staibano, *International Sanctions: Between Words and Wars in the Global System* (Frank Cass: London, 2005), pp. 3–14 and 31–54, respectively.

¹⁵ Cortright, D. and Lopez, G. A., *The Sanctions Decade: Assessing UN Strategies in the 1990s* (Lynne Rienner: Boulder, Colo., 2000).

¹⁶ Bondi (note 13), pp. 110–15; ed. Brzoska (note 1); Lamb, G., *Beyond 'Shadow Boxing' and 'Lip Service': The Enforcement of Arms Embargoes in Africa*, Institute for Security Studies (ISS) Paper 135 (ISS: Pretoria, Apr. 2007), <<http://www.issafrica.org>>, pp. 11–12; Tierny (note 13), pp. 652–53; Tostensen, A. and Bull, B., 'Are smart sanctions feasible?', *World Politics*, vol. 54, no. 3 (2002), p. 383; Oxfam International, Amnesty International and International Action Network on Small Arms, *UN Arms Embargoes: An Overview of the Last Ten Years*, Control Arms Briefing Note (Amnesty International: London, 16 Mar. 2006), <http://www.oxfam.org.uk/what_we_do/issues/conflict_disasters/bn_armsembargoes.htm>; and eds Wallensteen, Staibano and Eriksson (note 1).

Table 1.1. UN arms embargo end goals and demands

Global Security	Government Authority	Conflict Management
Do not conduct nuclear tests	Junta to relinquish power	Cease hostilities
Do not conduct missile tests	Restore democratically	Cease support for NGAF
Remain within	elected government	Agree and abide by ceasefires
non-proliferation regimes	End acts of violence	Implement peace agreement
Cease support for terrorism	Complete DDR	Immediate withdrawal of
Cease providing sanctuary	Complete SSR	troops
for terrorists	Progress in maintaining	
Hand over suspected	stability	
terrorists		

NGAF = non-governmental armed forces; DDR = disarmament, demobilization and reintegration; SSR = security sector reform.

Middle East. This is due to the paucity of reliable open-source data on suppliers, volumes and dates of delivery of small arms and light weapons (SALW), which are believed to have constituted the majority of transfers in contravention of embargoes in many of these cases.

The second question was addressed by assessing the extent to which UN arms embargoes influenced the target's short-term behaviour in complying with UNSC demands. The fact that an arms embargo is only one of the tools that the UN can use to bring about change in target behaviour was taken into account. Therefore, the influence of six other factors was considered when analysing results for the impact of UN arms embargoes on target behaviour: (a) the duration of the crisis to be resolved; (b) the imposition of other UN sanctions; (c) the presence of UN peacekeepers;¹⁷ (d) changes in the target's leadership; (e) the duration of the arms embargo; and (f) victory in an armed conflict.

Categorizing UN arms embargoes: a typology

Although embargo typologies have been developed centred on the goals of sanctions in general,¹⁸ this report contains the first that is specifically framed around the

¹⁷ The presence of peacekeepers in missions conducted by the African Union, the Economic Community of West African States and the former Organization of African Unity in cases of embargoes on African countries are not considered as a factor in this report.

¹⁸ A distinction between 'expressive' and 'instrumental' sanctions is presented in Wallenstein, P., 'Characteristics of economic sanctions', *Journal of Peace Research*, no. 3 (1968), pp. 248–67. Other categories are given in Baldwin, D. A., *Economic Statecraft* (Princeton University Press: Princeton, N.J., 1985); Doxey, M. P., *International Sanctions in Contemporary Perspective* (MacMillan: London, 1996), pp. 54–57; Hufbauer, G. C., Schott, J. J. and Elliott, K. A., *Economic Sanctions Reconsidered*, 2nd edn (Institute of International Economics: Washington, DC, 1990); and de Jonge Oudraat, C., 'Economic sanctions and international peace and security', Paper presented at the Annual Meeting

Box 1.1. Examples of demands framed in UN Security Council resolutions on arms embargoes

Relating to support for terrorists in UNSC Resolution 748 (1992) on Libya: ‘Decides that the Libyan Government must commit itself to cease all forms of terrorist action and all assistance to terrorist groups and that it must promptly, by concrete actions, demonstrate its renunciation of terrorism.’

Relating to WMD proliferation concerns in UNSC Resolution 1718 (2006) on North Korea: ‘Demands that the DPRK immediately retract its announcement of withdrawal from the Treaty on the Non-Proliferation of Nuclear Weapons.’

Relating to the end of military junta rule in UNSC Resolution 1132 (1997) on Sierra Leone: ‘Demands that the military junta take immediate steps to relinquish power in Sierra Leone and make way for the restoration of the democratically-elected Government and a return to constitutional order.’

Relating to peaceful resolutions to conflict in UNSC Resolution 733 (1992) on Somalia: ‘Strongly urges all parties to the conflict immediately to cease hostilities and agree to a cease-fire and to promote the process of reconciliation and of political settlement in Somalia.’

end goals of UN arms embargoes. The categories of embargo were developed specifically to help the UN Security Council create better arms embargoes by examining how UNSC demands and end goals have been designed and met in embargoes over the past 17 years. *End goals* are not always explicitly stated in the UNSC resolutions that impose them, but they can be inferred from the stated demands and the context in which they were drafted. *Demands* are regarded as steps to be taken towards the desired end goal; they consist of the explicit requirements set out in resolutions that decide, demand, determine and urge targets to perform, or desist from, particular actions. Demands are often used as criteria for considering whether or not to lift a UN arms embargo.

The framework of analysis was devised by making a content analysis of the stated demands in the 27 resolutions that established (or significantly modified) a mandatory UN arms embargo. Arms embargo cases were categorized according to the demands made in the UNSC resolutions that established them, as shown in table 1.1. Three categories of end goal form the classification framework: those intended to affect Global Security, Government Authority and Conflict Management. All the demands used to frame the typology were taken from UNSC resolutions that impose, or are related to the imposition of, an arms embargo. Several examples are given in box 1.1. In some cases, demands contained in previous resolutions are cited as justification for the imposition of an arms embargo, although

the exact demand is not repeated, as for example in UNSC resolutions 660 and 661 (1990) on Iraq.¹⁹

Global Security

In this category of end goals, six embargoes are considered. They target governments and transnational terrorist organizations. They include embargoes in which UNSC resolutions called for compliance with international non-proliferation treaties and cooperation with international agencies monitoring proliferation—the resolutions on Iran (2006), Iraq (1991) and North Korea (2006)—and an end to all assistance, sanctuary and provision of training facilities for terrorist groups and individuals—Libya (1992) and Taliban-controlled Afghanistan (2000). The UN arms embargo on al-Qaeda, the Taliban and associated individuals and entities (2002) is also included in this category.

It could be argued that UN arms embargoes relating to WMD proliferation and terrorism warrant separate categories, but two justifications can be made for including them in a single category. First, WMD proliferation and terrorist activity represent security threats that are potentially global in scope. Second, the UN arms embargoes in this category were enacted in response to instances in which a permanent member of the UNSC perceived the embargoed target to constitute a direct threat to its security.

Government Authority

Five cases are considered in this category. It includes UNSC resolutions on arms embargoes that called for juntas to relinquish power and for the reinstatement of legitimate governments—Haiti (1993) and Sierra Leone (1997)—or that sought to support the extension of government control over entire national territories following armed conflict but where armed non-state actors (non-governmental armed forces and insurgents) continued to pose a threat to legitimate government authority—Iraq (2004), Lebanon (2006) and Liberia (2003).

A number of the embargoes in the Conflict Management category target non-governmental armed groups in states with weak central authority: the main end goal here was therefore to establish or restore legitimate government authority, not to implement a peace agreement. The embargoes on Iraq, Liberia and Lebanon are interesting in this respect because they were introduced in post-conflict situations.

The arms embargo on Liberia (2003) set a precedent in which a Conflict Management-category arms embargo was lifted following the end of conflict, but a new arms embargo was imposed on the state with a Government Authority type of end goal in a post-conflict setting. The situation on the ground was recognized by

¹⁹ UNSC Resolution 661 ‘*Determines that Iraq so far has failed to comply with paragraph 2 of resolution 660 (1990) and has usurped the authority of the legitimate Government of Kuwait*’. UNSC Resolution 660 ‘*Demands that Iraq withdraw immediately and unconditionally all its forces to the positions in which they were located on 1 August 1990*’.

the UNSC and new demands and an end goal were explicitly stated in a new arms embargo rather than maintaining the terms of a Conflict Management arms embargo, as has happened in other cases, such as in neighbouring Sierra Leone (see below).

Conflict Management

Sixteen cases are considered in this category. It is not surprising that this is the largest category in the typology, as UN arms embargoes have come to be regarded as one of the most logical UNSC responses to an armed conflict—a means to stop transfers of arms, ammunition and other military equipment to warring parties, in particular to non-governmental armed forces.²⁰ The UN arms embargo resolutions in this category demanded the cessation of armed hostilities and an immediate ceasefire, the withdrawal of military personnel and equipment, and the initiation or resumption of a peace process.

An attempt was made to divide this category into embargoes on entities involved in interstate wars and those involved in intra-state conflicts.²¹ While a distinction between the two is theoretically sound, it was difficult to clearly identify several of the armed conflicts that were considered. For example, many of the seemingly intra-state conflicts in West Africa and the African Great Lakes region spread across borders and involved active combatants and interested parties in neighbouring states.

UN arms embargoes categorized by end goals

Table 1.2 lists the 27 mandatory arms embargoes according to their end goals. One of the problems encountered in using resolutions as guides for defining end goals is that, in a number of the embargoes established in the 1990s, significant changes in the situation on the ground and the desired demands and end goals of the UNSC were not always reflected in a new resolution. For example, in the case of Sierra Leone, ‘war’ was declared to be over in January 2002²² and the UN Sanctions Committee on Sierra Leone suggested that ‘the time might be ripe for the Security Council to revisit the legal basis of its measures concerning Sierra Leone’.²³ However, a UN arms embargo established to coerce non-governmental armed forces to seek peaceful resolution of the conflict remains in place in a post-conflict

²⁰ Bondi (note 13), p. 109; and Tierny (note 13), pp. 645–64.

²¹ Another attempt was made in Tierny (note 13), pp. 645–64.

²² United Nations Mission in Sierra Leone, ‘Sierra Leone war is over, declares president’, Press release, 18 Jan. 2002, <<http://www.un.org/Depts/dpko/unamsil/DB/180102.htm>>.

²³ UN, Report of the Security Council Committee established pursuant to Resolution 1132 (1997) concerning Sierra Leone, S/2005/44, 25 Jan. 2005, p. 4, reproduced in UN, Report of the Security Council Committee established pursuant to Resolution 1132 (1997) concerning Sierra Leone, S/2005/843, 30 Dec. 2005, p. 4.

Table 1.2. Mandatory UN arms embargoes, 1990–2006, by type of end goal

Global Security	Government Authority	Conflict Management
Iraq (1990)	Junta in Haiti (1993)	Iraq (1990)
Libya (1992)	Junta in Sierra Leone (1997)	Former Yugoslavia (1991)
Taliban-controlled Afghanistan (2000)	Liberia (2003)	Somalia (1992)
Al-Qaeda and Taliban (2002)	Iraq (2004)	Liberia (1992)
North Korea (2006)	Lebanon (2006)	NGAF in Angola (1993)
Iran (2006)		Rwanda (1994)
		NGAF in Rwanda (1995)
		FRY (1998)
		NGAF in Sierra Leone (1998)
		Eritrea–Ethiopia (2000)
		Liberia (2001)
		NGAF in Ituri, North and South Kivu, DRC (2003)
		NGAF in Darfur, Sudan (2004)
		Côte d’Ivoire (2004)
		Darfur, Sudan (2005)
		NGAF in the DRC (2005)

NGAF = non-governmental armed forces; FRY = Federal Republic of Yugoslavia; DRC = Democratic Republic of the Congo.

situation. The situation on the ground changed in comparison to circumstances in June 1998, when the demands to be met for lifting the arms embargo were stipulated in UNSC Resolution 1171 (1998). However, the arms embargo remains in place and a new UNSC resolution has not been introduced that explicitly sets out post-conflict demands and an end goal to be achieved before the embargo can be lifted.²⁴

²⁴ There could also be a UNSC resolution in which the demands required the target to reach more than 1 of the types of end goal in the present typology—e.g. both Government Authority and Conflict Management.

2. Assessing the impact of threats of a UN arms embargo

This chapter explores the impact of publicly stated threats of UN arms embargoes on both arms flows and target behaviour. Although the case for studying threatened sanctions in general has been made before,²⁵ assessment of the impact on target behaviour has not previously been tested. It has been argued that, in general, if sanctions are imposed following a threat, then the threat was unsuccessful in convincing the target that the cost incurred by being the subject of sanctions is worth avoiding. It is therefore not surprising to note that the sanctions that are subsequently imposed are considered to have a very limited chance of changing target behaviour.²⁶

A publicly stated threat of a UN arms embargo is defined here as a UNSC resolution that has been passed or a statement made by a P5 state's government or foreign ministry to the media that threatens the imposition of a UN arms embargo.²⁷ Threats that have been made by the UNSC or an individual P5 state in a private context are not analysed here. Twenty-one cases of threatened UN arms embargoes in the period 1990–2006 were identified using this approach (see table 2.1).²⁸

A number of subjective and objective factors determine whether a threat of an embargo will succeed in affecting a target's behaviour. The credibility of a threat is central to its success. Although credibility should ideally be assessed by knowing how the target understands and judges the credibility of a threat, this was not possible. Two empirically observable measures that take into account the centrality of the positions of the P5 states with regard to arms embargoes were therefore used to determine the credibility of a threatened UN arms embargo: (a) whether the target is or is not a significant recipient of arms supplied by a P5 state; and

²⁵ Drezner, D. W., 'The hidden hand of economic coercion', *International Organization*, vol. 57 (2003), pp. 643–59; Eaton, J. and Engers, M., 'Sanctions: some simple analytics', *American Economic Review*, vol. 89, no. 2 (1999), pp. 409–14; Hovi, J., Huseby, R. and Sprinz, D. F., 'When do (imposed) economic sanctions work?', *World Politics*, vol. 57, no. 4 (2005), pp. 479–99; and Lacy, D. and Emerson M. S., 'A theory of economic sanctions and issue linkage: the roles of preferences, information, and threats', *Journal of Politics*, vol. 66, no. 1 (2004), pp. 25–42. See also the TIES (Threat and Imposition of Economic Sanctions) dataset on threatened sanctions in the period 1971–2000, <<http://www.personal.psu.edu/~nab12/sanctionspage.htm>>.

²⁶ Hovi, Huseby and Sprinz (note 25).

²⁷ The search terms used to identify publicly stated threats found in the Reuters News Archive (1 Jan. 1990–1 Oct. 2006) appear in Strandow (note 12).

²⁸ If an arms embargo was threatened on more than 1 occasion in a calendar year, only the first instance is counted, giving a result of 21 cases of a threatened arms embargo.

Table 2.1. Threatened UN arms embargoes, 1990–2006: credibility and subsequent imposition of UN arms embargoes

Date of threat	Target	Credible	Mandatory UN arms embargo imposed
2 Aug. 1990	Iraq	No	6 Aug. 1990
23 Sep. 1991	Former Yugoslavia	Yes	25 Sep. 1991
21 Jan. 1992	Libya	No	31 Mar. 1992
11 May 1993	North Korea	No	No
15 July 1993	NGAF in Angola	No	15 Sep. 1993
3 May 1994	Rwanda	No	17 May 1994
29 Jan. 1996	Burundi	No	No
22 Oct. 1996	Afghanistan	No	No ^a
6 Aug. 1997	Sierra Leone	Yes	8 Oct. 1997
9 Mar. 1998	FRY	No	31 Mar. 1998
10 Feb. 1999	Eritrea and Ethiopia	No	No ^a
13 May 2000	Eritrea and Ethiopia	No	17 May 2000
7 June 2000	Taliban-controlled Afghanistan	Yes	19 Dec. 2000
26 Jan. 2001	Liberia	Yes	7 Mar. 2001
23 July 2004	NGAF in Darfur, Sudan	No	30 July 2004
6 Nov. 2004	Côte d'Ivoire	No	15 Nov. 2004
1 Feb. 2005	Darfur, Sudan	No	29 Mar. 2005
17 Apr. 2005	NGAF in the DRC	Yes	18 Apr. 2005
10 Dec. 2005	Eritrea and Ethiopia	Yes	No
15 July 2006	North Korea	No	14 Oct. 2006
3 Nov. 2006	Iran	No	23 Dec. 2006

NGAF = non-governmental armed forces; FRY = Federal Republic of Yugoslavia; DRC = Democratic Republic of the Congo.

^a A mandatory embargo was later imposed in UNSC Resolution 1333 (2000) only on Taliban-controlled Afghanistan and in UNSC Resolution 1298 (2000) on Eritrea and Ethiopia after the threat of 13 May 2000.

(b) whether a UN arms embargo against the target was or was not opposed in public statements by any P5 state.²⁹

The arms flow section of this chapter provides data on the first credibility factor. It also tests the hypothesis that there is a significant increase in the arms flow to a target in the period between the threat of a UN arms embargo and its imposition. This is based on the assumption that, if a target expects the cost of acquiring arms to increase, it will begin a rapid arms acquisition programme to ensure that it will not be severely impeded by the UN arms embargo. It takes into account the fact

²⁹ The Reuters News Archive was used to identify public statements by the P5 states on threatened UN arms embargoes. Data are from Uppsala University, Uppsala Conflict Data Program, Uppsala Conflict Database, <<http://www.pcr.uu.se/database/index.php>> and from the SIPRI case studies (note 12).

that the following three factors will also have a significant impact on arms flows and observations.

1. *Other arms embargoes.* The Economic Community of West African States (ECOWAS), the European Union (EU), the Organization of American States (OAS) and the UN Security Council P5 members have imposed arms embargoes before the UN did in eight cases.³⁰

2. *Short timeframe between the threat and imposition.* It is highly likely that there will not be any discernible increase in arms flows in these cases.

3. *Access to arms.* When the target is self-sufficient in terms of existing arms stocks or has domestic arms production facilities, there will be no discernible impact on arms flows to the target.

The second credibility factor is discussed below, in the target behaviour section of this chapter, which also explores instances in which a threat has been regarded as successful because the target significantly improved its short-term behaviour even though an embargo was not imposed. A number of other factors could be used to explain a positive change in the short-term behaviour of embargo targets during the threat period. The first four factors listed below are relevant for all cases, while the final factor does not apply to the Global Security cases.

1. *Duration of the crisis.* The longer a crisis has been present, the more intractable the situation and the less likely it is that the threat will change target behaviour.

2. *Other UN sanctions.* If other sanctions have already been imposed or are imposed in the period following the threatened arms embargo, the chances for a threatened UN arms embargo to succeed are diminished. Other UN sanctions were imposed before a UN arms embargo was introduced in 10 cases.³¹

3. *UN peacekeeping.* If UN peacekeepers are present in a state containing threatened UN arms embargo targets, and their behaviour improves, it is highly likely that this presence has positively influenced target behaviour.³²

4. *Leadership change.* When militant leaders of targeted entities are removed from power, including by death, and when more conciliatory leaders take their place, the targets may undergo positive behavioural changes.

³⁰ E.g. ECOWAS imposed an arms embargo on Liberia (20 Oct. 1992); the EEC, the EC or the EU imposed arms embargoes on Afghanistan (17 Dec. 1996), the DRC (7 Apr. 1993), Ethiopia and Eritrea (15 Mar. 1999), Libya (27 Jan. 1986), Sudan (15 Mar. 1994) and the former Yugoslavia (5 July 1991); and the OAS imposed an arms embargo on Haiti (3 Oct. 1991)—all before the UN imposed embargoes.

³¹ The UN imposed other sanctions, before an arms embargo, on Iraq (1990), the former Yugoslavia (1991), Libya (1992), Taliban-controlled Afghanistan (1999), Liberia (2001), North Korea (2006) and Iran (2006), and on non-governmental armed forces in Angola (1993), Sierra Leone (1997) and the DRC (2005).

³² The impact of military force compared to economic sanctions as a means for changing target behaviour is discussed in Pape, R. A., 'Why economic sanctions still do not work', *International Security*, vol. 23, no. 1 (summer 1998), pp. 66–77.

5. *Victory*. A conclusive politico-military victory may result in an improved situation in the short term by forcibly removing targets or forcing them to negotiate and accede to the victor's demands.³³

The impact on arms flows to targets

In 9 of the 21 cases of a threatened arms embargo listed in table 2.1, at least one P5 state provided conventional arms to a target after a threat had been made: Iraq (1990), North Korea (1993), Rwanda (1994), Afghanistan (1996), Burundi (1996), Eritrea and Ethiopia (1999 and 2000), Côte d'Ivoire (2004) and Sudan (2004). The credibility of these threats is therefore low.

Assessing the impact on arms flows of public threats of a UN arms embargo is difficult for three reasons. First, in the categories Government Authority and Conflict Management, public threats are usually quickly followed by the actual imposition of a UN arms embargo. There is therefore little time for targets to acquire arms in this threat period. Second, it is difficult to accurately account for arms transfers to non-governmental armed forces, especially transfers of SALW and ammunition. In addition to these two factors, a UN arms embargo may have been threatened 'in private', behind closed doors, or one of the UNSC members may even have alerted a potential target to the prospect of a UN arms embargo, thereby giving it a warning and time to acquire arms. These factors made it difficult to find conclusive data to demonstrate that a UN arms embargo threat results in an increase in arms acquisitions by a target. Only in the cases of Eritrea–Ethiopia and Sudan were significant increases in deliveries of major conventional arms noted in the threat period. Although contracts for these weapons were agreed before the public threat of an arms embargo was made, it is not known whether the threat had influenced the actual arms delivery schedule.

Global Security

The SIPRI Arms Transfers Database records only one delivery of conventional arms to North Korea by a P5 member state in the period 1993–2006.³⁴ Russia continued to deliver conventional arms to Iran following the threat of sanctions contained in UNSC Resolution 1696 (2006):³⁵ for example, six Su-25 aircraft were

³³ The notion that events that occur suddenly could increase the likelihood of peace has been explored by Pillar using the term 'critical military events'. Pillar, P. R., *Negotiating Peace: War Termination as a Bargaining Process* (Princeton University Press: Princeton, N.J., 1983), pp. 201–202.

³⁴ According to Russian submissions to the UN Register of Conventional Arms (UNROCA), 32 BTR-80As were delivered to North Korea from Russia in 2000–2001. It should also be noted that in the 1990s North Korea continued to produce military equipment under licences granted by China and the Soviet Union. Data are taken from the UNROCA; see the UN website <<http://disarmament.un.org/cab/register.html>>.

³⁵ 'Expresses its intention, in the event that Iran has not by that date complied with this resolution, then to adopt appropriate measures under Article 41 of Chapter VII of the Charter of the United Nations to persuade Iran to comply with this resolution and the requirements of the IAEA'. UNSC Resolution 1696, 31 July 2006.

reportedly delivered in the autumn of 2006 and the last of 29 Tor-M1 mobile surface-to-air missile systems, which had been ordered in 2005, were delivered just before the introduction of UNSC Resolution 1737 (2006).³⁶ It should be noted, however, that while North Korea is subject to an embargo on imports of conventional arms listed in the United Nations Register of Conventional Arms (UNROCA), as well as the WMD and ballistic missile parts listed in a series of Information Circulars of the International Atomic Energy Agency (IAEA),³⁷ UNSC Resolution 1737 (2006) only prohibited Iran from importing some of the items listed in the IAEA Information Circulars. UNSC Resolution 1747 (2007) prohibits the export of Iranian conventional weapons.³⁸

The European Economic Community (EEC) imposed an arms embargo on Libya on 27 January 1986.³⁹ France, the UK and the USA stepped up pressure for sanctions against Libya after its failure to assist with investigations into the downing of Pan Am flight 103 over Lockerbie, Scotland, in 1988 and of Union de transports aériens flight 772 over Niger in 1989. However, the Soviet Union continued to supply Libya with conventional weapons until 1990.⁴⁰ It was only after the dissolution of the Soviet Union that, on 21 January 1992, a UN arms embargo was threatened against Libya.⁴¹ The SIPRI Arms Transfers Database contains no record of deliveries to Libya during the period between this threat and the introduction of a UN arms embargo on 31 March 1992.⁴²

Government Authority

Sierra Leone is the only case of a threatened embargo in this category. It was difficult to trace any attempts to transfer arms to the Armed Forces Revolutionary Council (AFRC) junta following the threat of an ECOWAS arms embargo (June 1997) and the imposition of a UN arms embargo (October 1997) and even more difficult in the period between the UN threat (August 1997) and imposition of the embargo. There were rumours that the junta sought arms from Libya in the summer of 1997.⁴³

³⁶ Data are from the SIPRI Arms Transfers Database, <<http://armstrade.sipri.org>>.

³⁷ UNSC documents S/2006/814, 13 Oct. 2006; S/2006/815, 13 Oct. 2006; and S/2006/853, 7 Nov. 2006. IAEA INFCIRCs are available at <<http://www.iaea.org/Publications/Documents/>>.

³⁸ UNSC Resolution 1747, 24 Mar. 2007. Note that this resolution was passed in 2007 and is therefore outside the scope of this report.

³⁹ European Political Cooperation Presidency, 'Statement by the Ministers of Foreign Affairs of the Twelve on International Terrorism and the Crisis in the Mediterranean', The Hague, 14 Apr. 1986, from the SIPRI Export Controls Project website, <<http://www.sipri.org/contents/expcon/expcon.html>>.

⁴⁰ See the SIPRI Arms Transfers Database (note 36).

⁴¹ UNSC Resolution 731, 21 Jan. 1992.

⁴² UNSC Resolution 748, 31 Mar. 1992.

⁴³ 'Freetown denies request to Libya', *Financial Times*, 11 June 1997, p. 5. Alex Vines informed the authors of this report that AFRC sources and the British embassy in Conakry, Guinea, reported deliveries of arms during this period.

Conflict Management

The voluntary UN arms embargoes imposed by UNSC Resolution 1076 (1996) against the warring factions in Afghanistan and by UNSC Resolution 1227 (1999) against Eritrea and Ethiopia had little discernible impact on arms flows to the targets. China and Russia, both P5 states, as well as Bulgaria, India, Iran, Pakistan and Ukraine, continued to supply major conventional weapons, SALW and ammunition to the targets.⁴⁴ In these cases the credibility of the threat of a mandatory UN arms embargo was reduced.

A similar situation can be observed with regard to Sudan. The European Community (EC) imposed an arms embargo on Sudan in March 1994 in response to Sudanese human rights violations, which it strengthened in January 2004 after the violence in Darfur escalated.⁴⁵ The USA imposed sanctions on Sudan in 1997.⁴⁶ However, UNSC Resolution 1556 (2004) imposed a UN embargo only on transfers to non-governmental armed forces and individuals operating in Darfur,⁴⁷ but it threatened to consider ‘further actions . . . on the Government of Sudan’ if it did not comply with UNSC demands to disarm the Janjaweed militias and bring their leaders to justice.⁴⁸ Reports accused the Sudanese Government of supplying weapons and military support to the Janjaweed in contravention of the arms embargo,⁴⁹ suggesting that the threat contained in UNSC Resolution 1556 was regarded as weak. However, the credibility of the threat of an arms embargo against the Sudanese Government had already been weakened by Russian deliveries of MiG-29S combat aircraft in 2004 and military helicopters in 2005.⁵⁰ Even when the UNSC took further action in March 2005, UNSC Resolution 1591 only expanded the scope of the UN arms embargo to cover all parties to the 2004 Humanitarian Ceasefire Agreement—the Sudanese Government, the Sudan Liberation Movement/Army, and the Justice and Equality Movement—and any other

⁴⁴ SIPRI Arms Transfers Database (note 36); and the Eritrea–Ethiopia case study (note 12).

⁴⁵ European Council, Council Decision of 15 March 1994 on the Common Position defined on the basis of Article J.2 of the Treaty on European Union concerning the imposition of an embargo on arms, munitions and military equipment on Sudan, 94/165/CFSP, 15 Mar. 1994; and European Council, Council Common Position concerning the imposition of an arms embargo on arms, munitions and military equipment on Sudan, 2004/31/CFSP, 9 Jan. 2004, all available on the SIPRI Export Controls Project website, <<http://www.sipri.org/contents/expcon/expcon.html>>.

⁴⁶ The White House, Office of the Press Secretary, Executive Order 13067 on imposing sanctions on Sudan, 4 Nov. 1997. The suspension of military aid to Sudan in 1989 was apparently related to defaults on payments that led to the invocation of a provision in the Foreign Assistance Act of 1961.

⁴⁷ Dyson, J., ‘Two cases studies of abuse: Nepal and Sudan’, *Le Monde diplomatique*, June 2006, <<http://mondediplo.com/2006/06/13nepal>>.

⁴⁸ UNSC Resolution 1556, 30 July 2004.

⁴⁹ Clough, M., ‘Darfur: whose responsibility to protect?’, Jan. 2005, <<http://hrw.org/wr2k5/darfur/1.htm>>; and UN, Report of the International Commission of Inquiry on Darfur to the United Nations Secretary-General, pursuant to Security Council Resolution 1564 of 18 September 2004, 25 Jan. 2005, p. 34.

⁵⁰ In this period Sudan also acquired arms, including SALW and ammunition, from Belarus, Brazil, China, India, Iran, Malaysia and Ukraine. See SIPRI Arms Transfers Database (note 36); and the Sudan case study (note 12).

belligerents in Darfur, including Sudanese government forces, that were active in the region.⁵¹ China and Russia abstained from the vote on UNSC Resolution 1591,⁵² thereby undermining the arms embargo without using their veto.

A different set of problems emerged in assessing the impact of the threat of a UN arms embargo on arms flows to the former Yugoslavia in 1991. Before 1991, Yugoslavia had a significant arms industry and a well-equipped national army.⁵³ Although the Yugoslav National Army (YNA) held all the major conventional weapon systems of the country's arsenal, each republic of Yugoslavia also had large stocks of small arms that were controlled by the Territorial Defence Forces (TDF).⁵⁴ The initial conflict period was marked by intense efforts by each Yugoslav republic to secure stockpiles of arms and ammunition, as well as arms industry infrastructure.⁵⁵ Therefore, in July 1991, when the EC and the USA introduced arms embargoes on the former Yugoslavia, Serb forces were already well armed from domestic sources and reportedly supported the imposition of an arms embargo on Yugoslavia.⁵⁶ In contrast, the three Yugoslav republics that were seeking independence—Bosnia and Herzegovina, Croatia and Slovenia—and the various paramilitary factions in those republics had begun to acquire arms via clandestine black-market networks, often with the assistance or acquiescence of sections of supplier governments, before the imposition of the UN arms embargo in September 1991.⁵⁷ Increases in arms flows at this time were most likely influenced primarily by the situation on the ground.

The impact on target behaviour

In 7 of the 21 cases of a threatened UN arms embargo—Libya (1992), North Korea (1993), the FRY (1998), Liberia (2001),⁵⁸ Côte d'Ivoire (2004), Sudan (2005) and Iran (2006)—at least one P5 state publicly expressed its opposition to the actual

⁵¹ UNSC Resolution 1591, 29 Mar. 2005.

⁵² China had also abstained from the vote on UNSC Resolution 1556 (2004). For UNSC voting records see the UN Bibliographic Information System (UNBISNET), <<http://unbisnet.un.org>>.

⁵³ Wulf, H., 'Yugoslavia: arms production before the war', ed. H. Wulf, SIPRI, *Arms Industry Limited* (Oxford University Press: Oxford, 1993), pp. 388–91.

⁵⁴ The YNA and the TDF had a combined stockpile of 2.3 million rifles, according to Bonn International Center for Conversion (BICC), 'Armed and dangerous: the proliferation of small arms and light weapons in the Balkans', *BICC Conversion Survey 2002* (Nomos: Baden-Baden, 2002), pp. 126–45.

⁵⁵ Lukic, R. and Lynch, A., SIPRI, *Europe from the Balkans to the Urals: The Disintegration of Yugoslavia and the Soviet Union* (Oxford University Press: Oxford, 1996); and Woodward, S. L., *Balkan Tragedy: Chaos and Dissolution After the Cold War* (Brookings Institution: Washington, DC, 1995).

⁵⁶ See the case study of the former Yugoslavia (note 12).

⁵⁷ Gow, J., 'Arms sales and embargoes: the Yugoslav example', *Bulletin of Arms Control*, no. 3 (Aug. 1991), pp. 2–7.

⁵⁸ Although Liberia was already subject to the arms embargo imposed by UNSC Resolution 788 (1992), following the report of the Panel of Experts on Sierra Leone, an arms embargo with different demands and terms of reference was threatened. 'Several African nations criticize UN diamond probe', Reuters, 26 Jan. 2001.

imposition of an embargo. It should be noted that this study does not take into account opposition that was stated in private. The actual number of threatened arms embargoes to which a P5 state was opposed in the period 1990–2006 could therefore be higher. Nevertheless, the method employed in this study for demonstrating P5 opposition to arms embargoes provides a useful indicator and, alongside the data on arms transfers during the threat period, helps to show the ways in which P5 states have undermined the impact of threats of an embargo.

Global Security

The threat of a UN arms embargo against North Korea was made on 11 May 1993: UNSC Resolution 825 noted with regret that the IAEA Board of Governors had found North Korea to be in non-compliance with its safeguards agreement.⁵⁹ It called on North Korea to remain a signatory to the 1968 Treaty on the Non-Proliferation of Nuclear Weapons (Non-Proliferation Treaty, NPT) and to honour its obligations under this treaty. The embargo threat was not credible, judged according to the objective measures used for this report, because China and Russia openly stated that they would not vote in favour of sanctions against North Korea, including an arms embargo.⁶⁰ However, it is the only case of a threat in this category that was followed by positive behavioural change, as North Korea allowed weapon inspectors to remain in North Korea.⁶¹

The threats with the highest credibility overall are arguably those that targeted the Taliban, Osama bin Laden and al-Qaeda from 1998. It was after the bombing of the US embassies in Kenya and Tanzania in August 1998 that the USA began to threaten UN sanctions and military action against the Taliban if they did not extradite Bin Laden.⁶² In July 2000 the US Assistant Secretary of State for South Asian Affairs, Karl Inderfurth, informed the US Senate that the USA was ‘actively exploring those options which would include imposition of an arms embargo against the Taliban, which we have already put into effect ourselves’.⁶³ The willingness of the UN Security Council to sanction the Taliban had already been demonstrated in 1999 with the imposition of a limited aviation and financial

⁵⁹ UNSC Resolution 825, 11 May 1993. North Korea’s NPT safeguards agreement is contained in IAEA, INFCIRC/403, May 1992.

⁶⁰ ‘S.Korea backs sanctions, China, Russia say no’, Reuters, 16 June 1994.

⁶¹ ‘At impasse with North Korea, what does US do now?’, Reuters, 11 Nov. 1993; ‘Japan gets draft N.Korea sanctions from US–Kyodo’, Reuters, 15 June 1994; ‘N Korea stand welcomed, sanctions efforts go on’, Reuters, 16 June 1994; and ‘South Korea backing for sanctions on North’, Reuters, 16 June 1994.

⁶² Katzman, K., *Afghanistan: Post-War Governance, Security and US Policy*, Congressional Research Service (CRS) Report for Congress (CRS: Washington, DC, 28 Dec. 2004), p. 5. The Taliban, along with other warring factions in Afghanistan, had been subject to a voluntary UNSC arms embargo since 1996 under UNSC Resolution 1076, 22 Oct. 1996.

⁶³ ‘Statement of the Honorable Karl F. Inderfurth, Assistant Secretary of States for South Asian Affairs, Department of State, Washington, D.C., The Taliban: Engagement or Confrontation?’, Hearing before the Committee on Foreign Relations, US Senate, 106th Congress, 2nd session, Washington, DC, 20 July 2000, p. 6.

embargo.⁶⁴ The Taliban, Bin Laden and al-Qaeda are oddities in this category since they are not state actors. Overall, the threat of being labelled an ‘international pariah’, as a target of a UN arms embargo, does not necessarily lead to behavioural improvement.

Government Authority

The UN threat of an arms embargo against the military junta in Sierra Leone in August 1997 was credible, but it failed to force the target to step down from power and allow the restoration of the democratically elected government. ECOWAS intended for UN sanctions to be one part of a three-pronged approach—including dialogue, the introduction of sanctions and the use of force—to restoring Ahmed Kabbah’s elected government to power and removing the AFRC junta from power.⁶⁵ After talks with the junta broke down in July 1997, ECOWAS asked the UN to consider imposing sanctions, including an arms embargo. It was only after the UN arms embargo was imposed, in October 1997, that the junta agreed to a timetable for restoring the democratically elected government. However, the arms embargo did not compel the junta to step down and it was removed by armed force.

Conflict Management

Fifteen of the threatened UN arms embargoes considered in this chapter fall into the Conflict Management category, but only three of them were deemed credible. Of these three credible cases, only the Eritrea–Ethiopia (2005) embargo threat appears to be associated with positive behavioural changes. The presence of UN peacekeepers in this case is regarded as a key factor, but it is not known whether their presence reinforced the credibility of the threat of an embargo or was simply a factor that influenced the target’s positive behavioural change. Because of the limited number of cases, it is not possible to conclusively infer a positive relationship between a threat of a UN arms embargo and the presence of UN peacekeepers in influencing target behaviour. Furthermore, in the Eritrea–Ethiopia case the improved behaviour was short-lived, as tensions rose in 2006.⁶⁶

A particularly interesting case is the threat of imposing an embargo on Burundi in 1996: an embargo was not imposed, despite the fact that there were no signs of short-term positive behavioural improvements.⁶⁷ Although no evidence was found of P5 public opposition to the imposition of a UN arms embargo, it has been argued that the UNSC refrained from imposing sanctions and simply expressed its support for regional efforts, such as the comprehensive economic sanctions imposed by neighbouring states.⁶⁸

⁶⁴ UNSC Resolution 1267, 15 Oct. 1999.

⁶⁵ See the Sierra Leone case study (note 12).

⁶⁶ Uppsala Conflict Database (note 29).

⁶⁷ ‘Burundi ruler rejects UN arms embargo threat’, Reuters, 31 Aug. 1996.

⁶⁸ Wohlgenuth, L., ‘African sanctions: the case of Burundi’, eds Wallensteen and Staibano (note 14), pp. 126–43.

Conclusions

In 9 of the 21 cases, at least one P5 state provided military support to a target after a threat was made, and in 7 cases at least one P5 state publicly expressed its opposition to the imposition of an arms embargo on the target. In the embargoes on North Korea (1993) and Côte d'Ivoire (2004), both of these factors were present. Sixteen cases of a threatened embargo resulted in the imposition of a mandatory UN arms embargo on the target within a year of the threat (see table 2.1). Only 5 of the 21 threatened UN arms embargoes considered in this report were assessed as constituting credible threats: the former Yugoslavia (1991), Sierra Leone (junta, 1997), Taliban–al-Qaeda (2000), Eritrea–Ethiopia (2005) and non-governmental armed forces in the Democratic Republic of the Congo (DRC, 2005). It is difficult to draw general conclusions regarding the impact of credible threats on target behaviour from such a small sample of cases, but the credible threatened arms embargo in these cases did not result in improved target behaviour. The impact of the threats in these cases could, of course, have been lessened by the impact of threatened and imposed arms embargoes in other situations.

It is important to note that, when changes in arms flow patterns in the threat period are identified, it is difficult to discern if the changes are the result of a UN arms embargo threat, and associated increased costs, or because of 'conditions on the ground' or scheduled arms deliveries. Continued deliveries by P5 states during a threat period reduce the credibility of a UN arms embargo threat.

On the basis of the cases that were examined, this report concludes that public threats of a UN arms embargo rarely result in an improvement in the behaviour of the target. Overall, positive behavioural changes were observed in only 2 cases: North Korea (1993) and Eritrea–Ethiopia (2005). Only the latter is considered a credible threat on the basis of the fact that there were neither P5 arms deliveries during the threat period⁶⁹ nor public P5 opposition to the threat of sanctions. In the Eritrea–Ethiopia (2005) case, the presence of UN peacekeepers is believed to have played a key role in effecting behavioural changes. It can be concluded that, for a threatened UN arms embargo to have an impact on target behaviour, the demands to be met to avoid the imposition of an actual embargo should be clear and the resolve of the UNSC, in particular the P5 states, to effectively enforce and monitor a UN arms embargo should be clearly signalled. These two criteria are frequently missing from UN arms embargo threats.

⁶⁹ SIPRI Arms Transfers Database (note 36).

3. Assessing the implementation of UN arms embargoes

This chapter assesses the impact of the 27 mandatory UN arms embargoes both on arms flows to the embargoed targets and on target behaviour. The arms flows section investigates the effect of the embargoes on trends in arms transfers for each of the three categories in the typology. The chapter also highlights the wide range of challenges that were encountered in implementing UN arms embargoes.

The data show that there is a need to acknowledge the different sets of challenges posed by arms embargoes on non-governmental armed forces in comparison with embargoes on state forces. The fact that targets in the different categories have different needs for particular types and volumes of conventional arms is emphasized. General observations are made on the types of weapon that are most affected by UN arms embargoes. In addition, the impact of two factors on violations of UN arms embargo is taken into account: (a) the target's access to arms owing to its location in a region with well-established arms smuggling routes; and (b) the target's willingness to grant extraction rights for natural resources (e.g. diamonds) in exchange for arms supplied in contravention of the UN arms embargo. The impact of other UN sanctions is also explored, in particular cases where restrictions are implemented on the export of natural resources from an embargoed target or on its import of luxury goods.

The target behaviour section of this chapter traces target behaviour in relation to the demands and end goals of embargo resolutions. Different sets of indicators were used for observing and assessing target behaviour. In the *Global Security* category, political statements and actions demonstrating compliance with UNSC demands were the main indicators. In the category *Government Authority*, political statements and the level of violence against civilians were analysed. In embargoes aimed at affecting the end-goal category *Conflict Management*, the implementation of peace agreements and the level of battle-related violence were the indicators. This section also devotes particular attention to two issues that are considered crucial for increasing the likelihood of target compliance with the demands expressed in UNSC resolutions: (a) the establishment of specific UN arms embargo monitoring and enforcement mechanisms beyond sanctions committees, and (b) state capacity in the region in which targets are located.

Previous studies have noted a tendency for the practical and financial costs for arms acquisitions to increase when a UN arms embargo is accompanied by UN monitoring and enforcement mechanisms.⁷⁰ One would therefore expect there to be

⁷⁰ Strandow, D., *Sanctions and Civil War: Targeted Measures for Conflict Resolution* (Uppsala University, Department of Peace and Conflict Research: Uppsala, 2006), pp. 11–12, 23; and eds Wallenstein, Staibano and Eriksson (note 1).

Table 3.1. Cases of UN arms embargoes in which other sanctions were also imposed, 1990–2006

Arms embargo		Other sanctions, on			
		Oil or petrol	Finances	Aviation or travel	Conflict goods
Year	Target				
1990	Iraq	1990	1990	..	..
1991	Iraq	1990	1990	..	..
1991	Former Yugoslavia	1992	1992	1992 ^a	..
1992	Libya	1993	1993	1992	..
1993	Junta in Haiti	1993	1993	..	..
1993	NGAF in Angola	1993	..	1997	1998
1997	Sierra Leone	1997	..	1998 ^b	..
1998	NGAF in Sierra Leone	..	..	1998	2000
2000	Taliban-controlled Afghanistan	..	1999	1999 ^c	..
2001	Liberia	..	..	2001	2001
2002	Al-Qaeda, Taliban and associated individuals and entities	..	1999	2002	..
2003	Liberia	..	2004	2003	2003
2003	NGAF in Iraq	..	2003	..	..
2004	Côte d'Ivoire	..	2006 ^d	2006 ^d	2005
2005	Darfur, Sudan	..	2006 ^e	2006 ^e	..
2005	NGAF in the DRC	..	2005	2005	..
2006	North Korea	..	2006	2006	..
2006	Iran	..	2006	2006	..

NGAF = non-governmental armed forces; DRC = Democratic Republic of the Congo.

^a UNSC Resolution 757 (1992) imposed an aviation embargo on flights due to take off from or destined for the Federal Republic of Yugoslavia (Serbia and Montenegro). UNSC Resolution 942 (1994) called for a selective travel ban on Bosnian Serb authorities operating in areas under the control of Bosnian Serb NGAF. The Sanctions Committee did not establish a list of Bosnian Serb individuals to be subject to the travel ban.

^b UNSC Resolution 1132 (1997) called for a selective travel ban on NGAF. On 8 Jan. 1998 the Sanctions Committee on Sierra Leone adopted a list of leading members of the AFRC to be subject to a travel ban. UN, 'Security Council Committee on Sierra Leone issues list of junta members affected by sanctions', Press release SC/6464, 8 Jan. 1998, <<http://www.un.org/sc/committees/1132/pdf/6464e.html>>.

^c UNSC Resolution 1267 (1999) imposed an aviation embargo on flights due to take off from or destined for Taliban-controlled Afghanistan.

^d UNSC Resolution 1572 (2004) called for the imposition of travel restrictions and a freeze of the assets of designated individuals. However, it was not until 7 Feb. 2006 that the Sanctions Committee on Côte d'Ivoire approved the list of individuals to be subject to the financial and travel sanctions. UN, 'List of individuals subject to paragraphs 9 and 11 of Resolution 1572 (2004) and paragraph 4 of Resolution 1643 (2005)', <<http://www.un.org/sc/committees/1572/AFTBlist.shtml>>.

^e UNSC Resolution 1591 (2005) established a committee to designate individuals to be subject to an assets freeze and a travel ban. The individuals were listed in UNSC Resolution 1672, 25 Apr. 2006. UN, 'List of individuals subject to the measures imposed by paragraph 3 of Resolution 1591 (2005)', <<http://www.un.org/sc/committees/1591/index.shtml>>.

a positive correlation between target behaviour and the presence of UN panels of experts, monitoring teams and peacekeepers who are mandated to enforce the embargoes and to monitor and report on target behaviour.⁷¹

Table 3.1 lists the UN arms embargoes and targets of other sanctions that the UN introduced alongside the embargoes. Oil- and petrol-related sanctions were imposed on the military juntas in Haiti (1993) and Sierra Leone (1997) as well as on Iraq (1990), Libya (1993) and the former Yugoslavia (1992). These sanctions were comprehensive in nature, as they did not target solely political and military elites. In contrast, financial and travel sanctions have targeted individuals belonging to political or military elites and their families, leaders of non-governmental armed forces and other individuals linked to terrorist organizations, arms trafficking networks or non-governmental armed forces. The names of targeted individuals are listed, and the lists are updated regularly by sanctions committees.

The capacity and will of a target's neighbouring states to implement a UN arms embargo is regarded as important for restricting arms flows and for inducing the target to comply with the demands in the embargo resolution. If neighbouring states have little or no capacity for monitoring air, land and sea traffic, this will weaken the impact of the embargo. It should also be noted that if elements of the neighbouring state's political elite or border, customs and law enforcement agencies are regarded as corruptible or sympathizing with the embargoed targets, then the embargo will be ineffective. In an attempt to capture the impact of a target's neighbourhood on the ability of the target to circumvent UN arms embargoes, an independent variable called *border-crossing restraint* was used. This variable represents the number of land borders to which embargo targets have been granted access or use without the permission of national border authorities in each calendar year. It is assumed that the greater the number of borders to which a target has access, the greater its range of options for circumventing the UN arms embargo.

Other factors that can influence a target's behaviour, either in connection with or in the absence of a UN arms embargo, include the five external factors presented in chapter 2 on threatened UN arms embargoes threats (duration of the crisis, other UN sanctions, UN peacekeeping, leadership change and victory) as well as a sixth factor—embargo duration. This last factor suggests two hypotheses. First, if an arms embargo coerces the target to change its behaviour, this will occur very soon after the embargo is introduced.⁷² Second, long-standing UN arms embargoes are more likely to be circumvented following the emergence of new supply routes or

⁷¹ Vines (note 8), pp. 247–63.

⁷² Hovi, Huseby and Sprinz (note 25).

the establishment of domestic arms production facilities.⁷³ Chapter 2 posits that, if other sanctions have already been imposed, the chances for an arms embargo to succeed are diminished. When considering other UN sanctions during the period of an embargo, the opposite would be expected: the greater the range of sanctions imposed, the greater the likelihood that target behaviour will improve in line with UNSC demands.⁷⁴

The impact on arms flows to targets

The available data show that the arms and ammunition supplied to embargoed targets in violation of arms embargoes in the categories Government Authority and Conflict Management were predominantly manufactured in China, Europe, Russia or the Soviet Union, and the USA. However, in most of the publicly reported cases of embargo violations, the arms or ammunition reached the embargoed targets only after travelling circuitous routes from the armouries of states in which they were deemed surplus to requirements after the end of the cold war. The role of agents (brokers) acting on behalf of embargoed targets in exchange for financial rewards or rights to exploit or sell diamonds, timber or other conflict goods in such processes are discussed at length elsewhere.⁷⁵ These cases have highlighted a number of challenges for the border, customs, law enforcement and transfer control services of UN member states seeking to implement UN arms embargoes, including poor compliance culture, corruption, low numbers of staff, poor detection equipment, lack of knowledge and experience for detecting forged or out-of-date end-user certificates (EUCs),⁷⁶ and misinterpretation of the coverage and scope of embargo resolutions.

It is not only the capacity of UN member states that poses a challenge to the implementation of UN arms embargoes. Political will is also a crucial factor in ensuring that an arms embargo is implemented by all states. Although all UN members are obliged to implement and monitor mandatory arms embargoes, it is particularly important that there is political will and interest on the part of the P5 states and the states neighbouring embargoed targets. This report highlights the

⁷³ Note that it can also be argued that duration might have the opposite effect since implementation may be improved over a period of time.

⁷⁴ See e.g. Cortright, D. and Lopez, G. with Gerber, L., *Sanctions Sans Commitment: An Assessment of UN Arms Embargoes*, Project Ploughshares Working Paper 02-2 (Conrad Grebel University College, Institute of Peace and Conflict Studies, Project Ploughshares: Waterloo, Ontario, May 2002), p. 2.

⁷⁵ See e.g. Amnesty International (AI), *Dead on Time: Arms Transportation, Brokering and the Threat to Human Rights* (AI: London, 10 May 2006); and UN Institute for Disarmament Research (UNIDIR), *Developing a Mechanism to Prevent Illicit Brokering in Small Arms and Light Weapons: Scope and Limitations* (UNIDIR: Geneva, 2006).

⁷⁶ An EUC is a document produced and certified by a governmental agency in the exporting country that contains information on various aspects of an arms transfer, such as: who the intended end-user is, what the contents of the transfer are (product names and descriptions), the quantity of items ordered, order numbers, contract information, what the product will be used for (its end-use), and commitments to seek approval from the exporting government if the product is to be re-exported.

actions and intentions of five sets of states to be considered when assessing the challenges to implementing effective UN arms embargoes: (a) the UNSC's P5 members; (b) arms-supplying states; (c) transit and transshipment states; (d) states neighbouring embargoed targets; and (e) the embargoed targets. There are a number of cases in which embargoed targets have demonstrated their willingness to supply arms to other embargoed targets and remain outside the international community.

The final set of factors relate to the target's demand for conventional weapons, ammunition and military services. In the Global Security cases, targets may not be actively seeking to acquire conventional weapons, so the impact that a UN arms embargo will have on their international arms acquisition patterns may be limited. The same is true of cases in which the target has access to sufficient quantities of arms and ammunition within a domestic setting through arms production, the stockpiles and stores of national armed forces or police, and peacekeepers based in the region or state in which the target is located. In the latter two cases, arms may be supplied to the target willingly in exchange for money or goods or unwillingly by seizure or theft.

Global Security

The arms embargoes on North Korea (2006), Iran (2006) and Iraq (1991) are related mainly to the prevention of the acquisition of WMD-related arms and technologies rather than major conventional weapons. It is worth noting that North Korean ballistic missiles and technologies have been the cornerstone of the Iranian missile programme.⁷⁷ Deliveries are prohibited by the UN arms embargoes on North Korea and Iran, but if transfers continue to take place they would not be the first instance of two UN arms embargo targets engaging in arms transfers in contravention of such sanctions. For example, it is known that the embargoed former Yugoslavia violated the UN arms embargo on Iraq by delivering components for air defence systems and aircraft, modernizing various weapon systems and exchanging other military services.⁷⁸ The role of embargoed Libya in helping to arm non-governmental armed forces in West Africa that were subject to UN arms embargoes using arms brokers is also well known.⁷⁹ Libya's ability to maintain links with the nuclear trafficking network of the Pakistani scientist Abdul Qadeer Khan as it sought to develop a WMD programme highlights the difficulties of monitoring technology transfers in embargo cases in the Global Security category.⁸⁰

⁷⁷ Wezeman, S. T., 'Suppliers of ballistic missile technology', *SIPRI Yearbook 2004: Armaments, Disarmament and International Security* (Oxford University Press: Oxford, 2004), pp. 547–48.

⁷⁸ Data from the SIPRI Arms Transfers Database (note 36).

⁷⁹ For more information see the Liberia and Sierra Leone case studies (note 12).

⁸⁰ Hart, J. and Kile, S. N., 'Libya's renunciation of nuclear, biological and chemical weapons and ballistic missiles', *SIPRI Yearbook 2005: Armaments, Disarmament and International Security* (Oxford University Press: Oxford, 2005), pp. 629–48. A. Q. Khan has been dubbed 'the father of Pakistan's bomb'. In Oct. 2003 detailed information on Khan's activities, including the secret export

The UN arms embargo on the Taliban and al-Qaeda (2002) created a new UN arms embargo that was complex and difficult to implement and monitor. It should be noted that the UN monitors of this embargo advocate different approaches to implementing it. The fact that ‘the Taliban are bound to one geographic area and their procurement needs are, on the whole, for conventional military weapons systems’⁸¹ from stockpiles of weapons and illegal arms workshops located within the Afghan–Pakistani border region⁸² has led to recommendations that a UN arms embargo could have a greater impact on the Taliban ‘if all non-State actors in Afghanistan were prevented from buying weapons’.⁸³ In other words, a selective Government Authority-type UN arms embargo should be imposed on Afghanistan. This would not necessarily remove all the problems associated with halting arms supplies to the Taliban, but it would explicitly acknowledge that the embargoed targets and their arms acquisition needs are different, because al-Qaeda is regarded as a global movement believed to be seeking chemical, radiological, and nuclear goods and materials related to WMD. To date, there are no publicly available reliable data on conventional arms transfers to al-Qaeda during the period of the UN arms embargo. The lack of specific legal frameworks in UN member states for implementing the embargo against al-Qaeda is regarded by arms embargo monitors as an omission that ‘undermines the role, efficiency and objectives of the embargo and makes it easier for individuals and entities on the List [of embargoed targets] to continue to operate as they want’.⁸⁴ This UN arms embargo is more challenging than any other embargo that targets non-governmental actors.

Government Authority

There is a general consensus that there were no unauthorized arms transfers to Haiti during the period of the 1993 UN arms embargo,⁸⁵ although there have been

of centrifuge components to Iran, came to light. Kile, S. N., ‘Nuclear arms control and non-proliferation’, *SIPRI Yearbook 2005: Armaments, Disarmament and International Security* (Oxford University Press: Oxford, 2005), pp. 552–55.

⁸¹ UN, Third report of the analytical support and sanctions monitoring team appointed pursuant to Resolution 1526 (2004) concerning Al-Qaida and the Taliban and associated individuals and entities, S/2005/572, 9 Sep. 2005, p. 34.

⁸² McCarthy, R., ‘Pakistan’s generals aim to stamp out arms bazaar’, *Guardian Weekly*, Dec. 2000, p. 3; and UN, Second report of the analytical support and sanctions monitoring team appointed pursuant to Resolution 1526 (2004) concerning al-Qaida and the Taliban and associated individuals and entities, S/2005/83, 15 Feb. 2003, p. 32. Others have suggested that the Afghan–Pakistani border could be a conduit for arms brought from further afield. See Norell, M., *The Taliban and the Muttahida Majlis-e-Amal (MMA)*, FOI Memo 2021 (Swedish Defence Research Agency: Stockholm, Mar. 2007), p. 35.

⁸³ UN (note 81).

⁸⁴ UN, Sixth report of the analytical support and sanctions monitoring team appointed pursuant to Security Council resolutions 1526 (2004) and 1617 (2005) concerning Al-Qaida and the Taliban and associated individuals and entities, S/2007/132, 8 Mar. 2007.

⁸⁵ See Knight, W. A., *The United Nations and Arms Embargo Verification* (Edwin Mellen Press: Lewiston, New York, N.Y., 1998); Stephanides, J., ‘The experience of the United Nations in administering arms embargoes and travel sanctions’, Paper presented at the First Expert Seminar on Smart

allegations that US government agencies supplied small arms and ammunition to paramilitary groups.⁸⁶ In the case of the UN arms embargo on Sierra Leone (1997), considerable credence has been given to the suggestion that during the embargo the AFRC military junta used the same suppliers, brokers and transport routes that forces of the Revolutionary United Front (RUF) had been using since 1991,⁸⁷ allegedly receiving embargo-busting arms deliveries at the Magburaka airstrip in the autumn of 1997.⁸⁸

Most attention in this case has, however, focused on the delivery of a shipment of SALW and ammunition from Bulgaria in February 1998 for the Economic Community of West African States Monitoring Group (ECOMOG) and forces loyal to the democratically elected government of Ahmed Tejan Kabbah. The delivery was arranged by Sandline International, a private military company that was under the impression that it had the backing of the British Government.⁸⁹ The transfer was controversial because, although the UK's High Commissioner to Sierra Leone, Peter Penfold, supported Sandline's arms transfer, it actually went against the UK's interpretation of UNSC Resolution 1132 (1997), which it read as applying to all forces in Sierra Leone, including forces aligned with the elected government. However, ECOWAS and the democratically elected government of Sierra Leone were authorized by UNSC Resolution 1132 (1997) to 'ensure strict implementation' of the arms and petroleum embargo.⁹⁰ Therefore, the UN Assistant Secretary General (Legal Affairs) stated that the arms embargo did not implicitly apply to ECOMOG, while President Kabbah argued that it did not apply to the government-in-exile.⁹¹ The UK's investigations did little to settle the matter as neither Sandline International nor British officials were prosecuted for their part in the affair. It was therefore left to UNSC Resolution 1171 (1998) to clarify the

Sanctions, Bonn, 21–23 Nov. 1999, <<http://www.bicc.de/events/unsanc/1999/papers.php>>; and Mendiburu, M. and Meek, S., *Managing Arms in Peace Processes: Haiti* (UN Institute for Disarmament Research: Geneva, 1996), p. 32.

⁸⁶ Nairn, A., 'Haiti under the gun', *The Nation*, 15 Aug. 1996, pp. 11–15.

⁸⁷ The RUF had the same suppliers and supply routes as Charles Taylor's National Patriotic Front of Liberia. Libya arranged arms purchases from Eastern Europe that were shipped to Burkina Faso, Côte d'Ivoire and Liberia before reaching the RUF. Berman, E. G., *Re-armament in Sierra Leone: One Year After the Lome Peace Agreement*, Small Arms Survey (SAS) Occasional Paper 1 (SAS: Geneva, Dec. 2000), pp. 22–23; Keen, D., *Conflict and Collusion in Sierra Leone* (Palgrave: New York, N.Y., 2005), pp. 215–16; Truth and Reconciliation Commission, *The Final Report of the Truth & Reconciliation Commission of Sierra Leone*, vol. 3b (Truth and Reconciliation Commission: Sierra Leone, 2004), pp. 76–77; and UN, Third report of the Secretary General on the situation in Sierra Leone, S/1998/103, 5 Feb. 1998, p. 5. See also the Sierra Leone case study (note 12).

⁸⁸ UN (note 87).

⁸⁹ The British Parliament instigated a number of investigations into the extent to which the British Foreign and Commonwealth Office (FCO) had knowledge of the transfer. See Legg, T. and Ibbs, R., *Report of the Sierra Leone Arms Investigation* (return to an address of the honourable the House of Commons dated 27 July 1998); and British House of Commons, *Foreign Affairs: Second Report, Sierra Leone* (The Stationery Office: London, 3 Feb. 1999).

⁹⁰ UNSC Resolution 1132, 8 Oct. 1997.

⁹¹ Legg and Ibbs (note 89).

situation. The Sandline affair shows how poor targeting of a UN arms embargo can create room for ‘misinterpretation’, causing embargo violations to go unpunished.⁹²

Iran and Syria have been accused of violating the UN arms embargoes on non-governmental armed forces in Iraq (2004) and Lebanon (2006). In the Iraqi case, the USA has accused Iran’s Islamic Revolutionary Guards of supplying arms and ammunition to militia groups,⁹³ while Israel has reported that rockets, anti-tank and air defence systems have been transferred across the Lebanese–Syrian border in violation of the UN arms embargo on non-governmental armed forces in Lebanon.⁹⁴ UNSC Resolution 1701 (2006) concerning Lebanon mandated the UN Interim Force in Lebanon (UNIFIL) to assist the Lebanese Government in enforcing the UN arms embargo, but it did not establish a UN sanctions committee—making it the only UN arms embargo in force at the end of 2006 that lacked a UN sanctions committee.⁹⁵ UN teams of border police experts have carried out technical assessments of the Lebanese border capacities and found them lacking in terms of equipment and training.⁹⁶ More monitoring of the border capacity will continue, with the UNSC urging all states to ‘take all necessary measures to . . . enforce the arms embargo, and expresses its intention . . . to take further concrete steps to achieve the goals’ of UNSC Resolution 1701 (2006).⁹⁷ These cases highlight border capacity problems in post-conflict states and the challenges of definitively proving that neighbouring states are playing a role in facilitating arms transfers in violation of a mandatory UN arms embargo.

Conflict Management

The embargo cases in this category feature instances of all the challenges facing efforts, through a UN arms embargo, to limit the flow of arms to embargoed targets: problems relating to political will in the P5 states and countries neighbouring the target; capacity problems in arms-supplying, transit and neighbouring states; the willingness of ‘pariah regimes’ to supply arms to embargoed targets; the way in which brokers and other agents misuse EUCs, or use forged EUCs, to facilitate arms transfers to embargoed targets; the challenges of stemming arms flows to non-governmental armed forces and particular regions within a country; and the ways in which peacekeepers may intentionally or inadvertently be the source of arms and ammunition for embargoed targets. These tendencies can be

⁹² This case illustrates the problems of targeting, application and monitoring of sanctions in West Africa that were raised in UN, Report of the Secretary-General on cross border issues in West Africa, S/2007/143, 13 Mar. 2007, p. 6.

⁹³ ‘US warns Iran over arming Iraqis’, BBC News, 28 May 2007, <<http://news.bbc.co.uk/2/6696971.stm>>.

⁹⁴ UN, Report of the Secretary-General on the implementation of Security Council Resolution 1701 (2006), S/2007/147, 14 Mar. 2007, pp. 7–8.

⁹⁵ UNSC Resolution 1701, 11 Aug. 2006.

⁹⁶ UN (note 94).

⁹⁷ UN, Statement by the President of the Security Council, S/PRST/2007/12, 17 Apr. 2007.

found in the 13 cases of embargoes on African countries in this category. This section thus focuses on African embargoes.

One of the overall findings on the UN arms embargoes imposed in West Africa—Côte d'Ivoire (2004), Liberia (1992 and 2001) and Sierra Leone (1998)—is that they failed to increase the costs incurred to acquire SALW and ammunition to levels that compelled the embargoed targets to seek peaceful, long-term political settlements to their violent conflicts. This conclusion should be qualified on three points. First, it is possible to identify potential correlations between periods during the UN arms embargo on Liberia in the early 1990s when arms and ammunition shipments destined for Charles Taylor's National Patriotic Front of Liberia forces were seized and when they suffered significant military setbacks and changes in tactics.⁹⁸ A similar situation reportedly occurred in the summer of 2003, when the UN arms embargo was reportedly beginning to 'have a serious impact on President Taylor's war machine'.⁹⁹ For example, within days of arriving in the Liberian capital Monrovia in August 2003, Nigerian ECOWAS peacekeepers had seized a shipment of arms and ammunition reportedly destined for Taylor's forces.¹⁰⁰ Restrictions on the war-fighting capabilities of Taylor's forces, coupled with the fact that the Liberians United for Reconciliation and Democracy (LURD) forces were able to continue receiving supplies from its supporters at decisive moments during the battle for Monrovia,¹⁰¹ played a role in Taylor's decision to leave office in August 2003 and the end of the second Liberian civil war (1999–2003). Therefore, there were times during the first and second Liberian civil wars when the implementation of UN arms embargoes played a role in limiting the war-fighting capabilities of Taylor's forces and non-governmental armed forces. This is because these forces generally had limited ammunition stocks and thus relied on regular shipments to operate. During the first Liberian civil war (1989–96), the periods in which there were shortages of ammunition were accompanied by peace discussions between the warring factions. However, the willingness of arms brokers to help arrange arms transfers from Europe to Africa, and the impartiality

⁹⁸ E.g. it has been noted that following ECOMOG's spring 1993 offensive, in which it captured Liberian ports and airports, Taylor was forced to resume guerrilla warfare tactics. Adebajo, A., *Liberia's Civil War: Nigeria, ECOMOG, and Regional Security in West Africa* (Lynn Rienner: London, 2002), pp. 120–22. The fighting capabilities of the RUF were also weakened at this time; it resorted to guerrilla warfare and took advantage of the increasing indiscipline of the Sierra Leone armed forces. Truth and Reconciliation Commission (note 87), pp. 175–97; and the Liberia and Sierra Leone case studies (note 12).

⁹⁹ Aboagye, F. B. and Bah, A. M. S., *Liberia at the Crossroads: A Preliminary Look at the United Nations Mission in Liberia (UNMIL) and the Protection of Civilians*, Institute for Security Studies (ISS) Paper 95 (ISS: Pretoria, Nov. 2004), p. 2.

¹⁰⁰ Human Rights Watch declared that the shipment consisted of 22 tonnes of weapons, including 2 new mortars, mortar bombs, 11 tonnes of 7.62-mm ammunition and rocket-propelled grenades. A report by the UN Office for Humanitarian Affairs's Integrated Regional Information Networks (IRIN) stated that it contained 10 tonnes of SALW ammunition. Human Rights Watch (HRW), *Weapons Sanctions, Military Supplies, and Human Suffering: Illegal Arms Flows to Liberia and the June–July 2003 Shelling of Monrovia*, HRW Briefing Paper, 3 Nov. 2003; and IRIN, 'Nigerian peacekeepers intercept arms shipment for Taylor', IRIN News, 7 Aug. 2003, <<http://www.irinnews.org>>.

¹⁰¹ HRW (note 100).

of neighbours in enforcing these UN arms embargoes, continued to undermine such processes because when arms flows resumed, so did the fighting.

Second, although the overwhelming majority of recorded violations of embargoes on countries in West Africa involved transfers of SALW and ammunition,¹⁰² the fact that Sierra Leone was using Mi-24/Mi-35 helicopter gunships and Mi-8/17 military transport helicopters in the mid-1990s had an impact on the arms acquisitions of neighbouring states,¹⁰³ including the embargoed Taylor regime in Liberia.¹⁰⁴ Taylor attempted to acquire two Mi-24s from Kyrgyzstan in May 2000, using a Guinea-based arms brokering firm (Pecos), Guinean EUCs and a diversion to Slovakia for 'minor repairs', but one of the helicopters was detained in Slovakia in February 2001. The other Mi-24 reportedly left Slovakia in August 2000. Although Liberian officials stated that they did not possess any helicopter gunships, Guinean officials claimed to have shot one down in 2000.¹⁰⁵ The Guinean claim remains uncorroborated, but it is known that Moldovan security services foiled an attempt by Pecos to transfer two Mi-8s to Liberia in March 2001. These cases were intercepted thanks to national security services, not UN monitoring and enforcement mechanisms. However, through reports to the sanctions committee and the investigations undertaken by the UN panel of experts on Liberia, information has been revealed on the practices used in attempts to circumvent UN arms embargoes in the region, and violators have been identified. This work has helped to subsequently sharpen efforts to prevent UN arms embargo violations, particularly in relation to the third point.

¹⁰² See e.g. UN, Report of the Group of Experts submitted pursuant to paragraph 9 of Security Council Resolution 1643 (2005) concerning Côte d'Ivoire, S/2006/735, 5 Oct. 2006, p. 18; UN, Report of the Panel of Experts pursuant to paragraph 2 of Security Council Resolution 1549 (2004) concerning Liberia, S/2004/955, 6 Dec. 2004, p. 19; and UN, Report of the Panel of Experts appointed pursuant to Security Council Resolution 1306 (2000), paragraph 19, in relation to Sierra Leone, S/2000/1195, 20 Dec. 2000, p. 31.

¹⁰³ The Côte d'Ivoire Government actively sought and received the following helicopters for use in its conflict with non-governmental armed forces before the arms embargo was implemented: 2 Mi-24 combat helicopters from Belarus in 2002, 2 Mi-24 combat helicopters from Bulgaria in 2003, 4 SA-330 Puma military transport helicopters from Romania in 2003; 2 Mi-8 military transport helicopters leased from a Bulgarian-based company between 2002 and 2004; 1 Mi-8 military transport helicopter leased from Belarus; and 1 Mi-24 combat helicopter from an unknown source in 2002. SIPRI Arms Transfers Database (note 36); and UN, Report of the Group of Experts submitted pursuant to paragraph 7 of Security Council Resolution 1584 (2005) concerning Côte d'Ivoire, S/2005/699, 5 Oct. 2006, pp. 26–32.

¹⁰⁴ UN, Report of the Panel of Experts Pursuant to Resolution 1343 (2001), Paragraph 19, Concerning Liberia, S/2001/1015, 26 Oct. 2001, pp. 49–58. This case has also been investigated by Human Rights Watch, with the results of their investigation published in: Human Rights Watch, *Ripe for Reform: Stemming Slovakia's Arms Trade with Human Rights Abusers*, vol. 16, no. 2 (Feb. 2004), pp. 9–28, <<http://hrw.org/reports/2004/slovakia0204/slovakia0204.pdf>>.

¹⁰⁵ 'Liberia refutes Guinean claim of shooting down helicopter', PanAfrican News Agency (Dakar), 18 Oct. 2000, <<http://all.africa.com>>. Other sources have suggested that it could have been a case of mistaken identity. E.g. Liberia was known to be in possession of 2 Mi-2 helicopters that, had they been fitted with a multi-purpose machine gun, could have led some observers to regard them as helicopter gunships. Global Witness, *The Usual Suspects* (Global Witness: London, 31 Mar. 2003), p. 24.

Third, one of the main ways in which embargoed targets in not only West Africa but also the Great Lakes region of Africa have acquired arms and ammunition from various suppliers, sponsors and brokers has been through offering rights to exploit natural resources. A substantial body of evidence has been collected in which directors of logging and mining companies have played a brokerage role in assisting the acquisition of arms and ammunition for embargoed targets.¹⁰⁶ One of the main factors driving the various warring parties in these conflicts is a desire to control the territories in which natural resources are located.¹⁰⁷ This factor was taken into account when an embargo on the import of diamonds from Angola was included in the sanctions regime in 1998.¹⁰⁸ Embargoes on the import of diamonds from Côte d'Ivoire, Liberia and Sierra Leone were introduced following the recommendations of expert panels.¹⁰⁹ An expert panel on the DRC sanctions regime was tasked with investigating the possibilities for preventing illegal exploitation of natural resources to finance armed groups in 2006.¹¹⁰ Sanctions on imports of timber from Liberia were imposed in May 2003 and came into force in July 2003.¹¹¹ Following the introduction of diamonds sanctions on Angola, not only the revenues of the National Union for the Total Independence of Angola (UNITA) but also its fighting capabilities dropped significantly.¹¹² Targeted sanctions aimed at sources of revenue appear to have an impact on the ability of embargoed targets to purchase arms and maintain armed forces as well as on the incentives for suppliers, sponsors and facilitators or brokers to risk violating a UN arms embargo.

UN panels of experts and sanctions committees have 'named and shamed' a number of individuals, companies and states for their roles in facilitating the transfer of arms, ammunition and military equipment to embargoed targets. The extent to which such an approach deters brokers has not been fully explored, but it is known that only a limited number of the brokers that have played a role in vio-

¹⁰⁶ Cooper, N., 'State collapse as business: the role of conflict trade and the emerging control agenda', *Development and Change*, vol. 33, no. 5 (2002), pp. 935–56; Amnesty International (AI), *Dead on Time: Arms Transportation, Brokering and the Threat to Human Rights* (AI: London, 10 May 2006); Global Witness and International Transport Workers Federation, *Taylor-made: The Pivotal Role of Liberia's Forests and Flag of Convenience in Regional Conflict* (Global Witness and International Transport Workers Federation: London, Sep. 2001); and Global Witness (note 105).

¹⁰⁷ Cooper, N., 'Conflict goods: the challenges for peacekeeping and conflict prevention', *International Peacekeeping*, vol. 8, no. 3 (2001), pp. 21–38.

¹⁰⁸ UNSC Resolution 1173, 12 June 1998.

¹⁰⁹ An embargo on the import of diamonds from Liberia was imposed in UNSC Resolution 1343, 7 Mar. 2001, and UNSC Resolution 1521, 22 Dec. 2003. UNSC Resolution 1643, 15 Dec. 2005, and UNSC Resolution 1306, 5 July 2000, imposed sanctions on the import of diamonds from Côte d'Ivoire and Sierra Leone, respectively.

¹¹⁰ UNSC Resolution 1698, 31 July 2006.

¹¹¹ UNSC Resolution 1478, 6 May 2003. Other types of targeted sanction that can be used in conjunction with arms embargoes to hamper efforts to acquire arms include the freezing of assets and travel bans on targeted military and political leaders, which limit access to funds for arms acquisitions and the ability to arrange for arms deliveries in other countries. These have been established, admittedly with mixed results, in the following cases: Côte d'Ivoire (2004), Darfur, Sudan (2005), the DRC (2005), Liberia (2001 and 2003), Sierra Leone (1998) and Angola (1993).

¹¹² Cortright, D. and Lopez, G. A., *Sanctions and the Search for Security: Challenges to UN Action* (Lynne Rienner: London, 2002), p. 70.

lating UN arms embargoes have been successfully prosecuted. An exception to this rule took place in June 2005 when a Dutch court found Gus van Kouwenhoven, a director of the Oriental Timber Company (OTC) in Liberia, guilty of violating the UN arms embargo on Liberia.¹¹³ He was sentenced to eight years in prison for illegally importing weapons for use by Taylor's forces and OTC militias. The arms deliveries reportedly arrived at Buchanan and Harper ports in Liberia either from or via Bulgaria, China, France, Hong Kong, Libya and Nigeria.¹¹⁴

In 6 of the 13 African embargo cases, non-governmental armed forces were the only targets. Three of these cases were located in the Great Lakes region of Africa—the DRC (2003 and 2005) and Rwanda (1995). These selective UN arms embargoes on non-governmental armed forces exemplify the difficulties of implementing and monitoring effective UN arms embargoes on targets in regions with long and porous borders, unregulated airspace, border capacity problems and neighbours that support the embargoed non-governmental armed forces. UN groups of experts have reported that Rwanda and Uganda have repeatedly violated UNSC Resolution 1493 (2003) on the DRC by supplying non-governmental armed forces with arms and ammunition.¹¹⁵ International non-governmental organizations have called on the UNSC to respond to these violations by extending the sanctions on Rwanda and imposing sanctions on the Ugandan Government.¹¹⁶ Secondary sanctions—those imposed on third parties that have violated an embargo—have not been imposed on either state. However, there is one case in which secondary sanctions were imposed on a state for violating a UN arms embargo on non-governmental armed forces: UNSC Resolution 1343 (2001) imposed an arms embargo and other sanctions on Liberia for violating UNSC Resolution 1171 (1998) by supplying arms to the RUF in Sierra Leone. Although this could be regarded as a change in the terms of the arms embargo that had been in force against Liberia since 1992, it remains an example of the UN Security Council expressly sanctioning a state for violating an arms embargo. At the time of writing it remained the only such example.

Peacekeepers have also been known to wittingly and unwittingly play a role in providing embargoed targets with arms and ammunition. ECOWAS peacekeepers in Liberia and Sierra Leone were guilty of facilitating arms transfers to preferred embargoed targets in these cases.¹¹⁷ As well as being accused of impartiality towards certain embargoed targets, and of being used for the political interests of

¹¹³ 'Dutch national faces eight year prison sentence for arms trading in Liberia', IRIN News Online, 7 June 2006, <<http://www.irinnews.org>>.

¹¹⁴ Global Witness and International Transport Workers Federation (note 106), pp. 7–8; and Global Witness (note 105), pp. 26–27.

¹¹⁵ The Group of Experts on the DRC has on occasion referred to uncorroborated reports of violations by Rwanda and Uganda since its first report, in July 2004. See UN, Report of the Group of Experts submitted pursuant to Resolution 1533 (2004), S/2004/551, 15 July 2004.

¹¹⁶ Amnesty International (AI), *Democratic Republic of Congo: Arming the East* (AI: London, 5 July 2005, <<http://web.amnesty.org/library/index/engaf620062005>>).

¹¹⁷ Examples of this phenomenon with regard to ECOWAS peacekeepers are discussed in the Liberia and Sierra Leone case studies (note 12).

states that provide troops for peacekeeping missions, peacekeepers have been victims of arms thefts and, on occasion, violent seizures by non-governmental armed forces. Most recently, it has been alleged that Pakistani peacekeepers in the UN Mission in DR Congo (MONUC) traded gold for arms with non-governmental armed groups.¹¹⁸ Similar allegations of arms-for-goods have been made in other cases of African embargo targets. The reason why this case is particularly disconcerting is that MONUC has been mandated to monitor the UN arms embargo on the DRC and has been assessed positively.

The impact on target behaviour

This section presents data on target behaviour for the period in which targets were exposed to a UN arms embargo. This is a novel way of looking at the impact of UN arms embargoes and thus adds to the understanding of the impact of sanctions. By recording annual observations for each of the 27 cases of sanctions, more than 100 observations were made. Figure 3.1 shows aggregated data on: (a) improvements in target behaviour for each year in which the targets were under an arms embargo; (b) improvements in target behaviour for each year only for cases in which UN monitoring and enforcement mechanisms were in place; and (c) improvements in target behaviour for each year only for cases in which there was a high level of border-crossing restraint. The first set of columns represents the results for all cases, while the second set represents the results for the Government Authority and Conflict Management categories combined. Further disaggregation of the observations for each category was not made because the number of observations for annual behavioural improvements for each category would have been less than 100. By insisting on having a minimum of 100 observations, a more reliable quantitative analysis was produced. This section begins by presenting the general findings on the influence of two independent variables—UN monitoring and enforcement mechanisms and border-crossing restraint—on target behaviour for all cases based on annual observations.

Improvements in target behaviour were noted in 25.2 per cent of all observations,¹¹⁹ increasing to 29 per cent when only the cases in the Government Authority

¹¹⁸ Plaut, M., ‘UN troops “traded gold for guns”’, BBC News, 23 May 2007, <<http://news.bbc.co.uk/2/6681457.stm>>. These allegations were being investigated by the UN Office of Internal Oversight at the time of writing.

¹¹⁹ There were 127 valid and 12 missing observations for all cases. The missing cases are due to the lack of data covering the most recent observations. These rates of improved target behaviour compare favourably with those recorded in other studies. E.g. Elliott, K. A., ‘Trends in economic sanctions policy: challenges to conventional wisdom’, eds Wallensteen and Staibano (note 14), p. 8, records a success rate of 29% for all cases in the period 1970–99. Wallensteen, P., ‘Characteristics of economic sanctions’, *Journal of Peace Research*, vol. 3 (1968), p. 251, recorded a success rate of 20% for cases considered in the period 1932–67. The rates are fairly constant for varying times and populations. Definitions vary, but it is interesting to see the conditions under which target behaviour improves beyond these numbers.

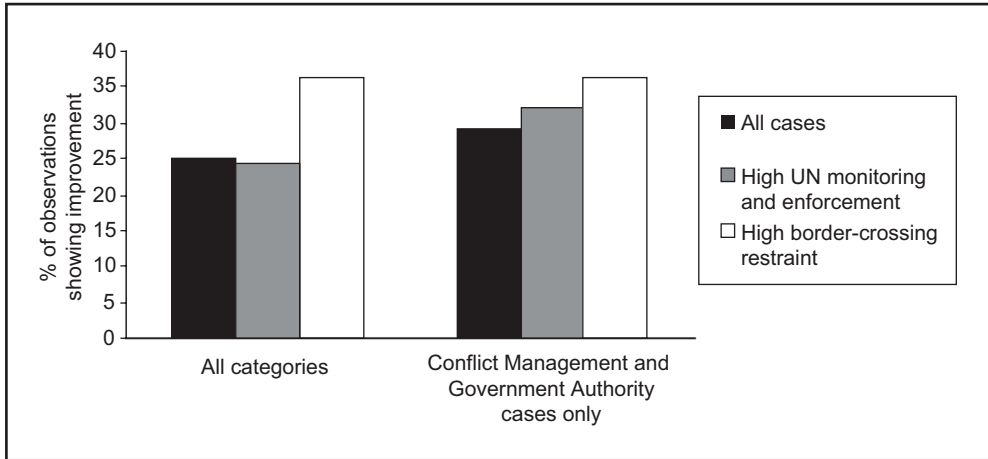


Figure 3.1. Influences on the improvement of target behaviour during UN arms embargoes

Note: The numbers of observations for *All categories* are: All cases, 127; UN monitoring and enforcement, 70; and High border-crossing restraint, 55. For *Conflict Management and Government Authority cases only*, the numbers are: All cases, 100; High UN monitoring and enforcement, 53; and High border-crossing restraint, 55.

and Conflict Management categories were observed.¹²⁰ The results for all observations in which UN monitoring and enforcement mechanisms were in place show a slight drop to 24.3 per cent of cases when compared to all the observations.¹²¹ In 32.1 per cent of the observations for only the Government Authority and Conflict Management cases, improved behaviour was noted.¹²² In 36.4 per cent of observations for the impact of border-crossing restraint, positive behavioural changes were noted.¹²³ These results suggest that there may be a positive correlation between the presence of UN monitoring and enforcement mechanisms and improved target behaviour, but also that border-crossing restrictions could have a more significant impact.¹²⁴

¹²⁰ The percentage is based on the 100 valid cases for the cases in the Conflict Management and Government Authority categories; 9 cases were missing.

¹²¹ There were 127 valid and 12 missing observations for all cases. The missing cases are due to the lack of data covering the most recent observations. One of the possible explanations for this drop to 24.3% is discussed in the section on Global Security in this chapter.

¹²² The percentage is based on the 100 valid cases for the Conflict Management and Government Authority categories; 9 cases were missing.

¹²³ There were 127 valid and 12 missing observations for all cases. The missing cases are due to the lack of data covering the most recent observations. There were 100 valid cases for the Conflict Management and Government Authority categories; 9 cases were missing. Results are statistically significant on the 95% level for all cases and 90% for only the Government Authority and Conflict Management categories.

¹²⁴ There are cases where the demands of the UNSC changed after the target began to comply (see chapter 4), thereby giving several years of compliance where there are no parties that have a need to

When other factors are taken into account, leadership change emerges as potentially one of the most significant influences on change in target behaviour. Of the 12 instances of sudden or forceful change of leadership observed for all cases, 7 were accompanied by positive target behaviour change: Liberia (2003 [in UNSC Resolutions 1343 and 1521] and 2004) and Sierra Leone (2001 and 2003), Angola (2002) and the FRY (2000).¹²⁵ The presence of UN peacekeepers in the Government Authority and Conflict Management cases also appears to have had a positive impact on target behaviour in 47.1 per cent of the observations for these two categories combined.¹²⁶ Observations of the Government Authority and Conflict Management cases in which a UN arms embargo was accompanied by other UN sanctions suggest that there is some correlation between these cases and positive target behaviour,¹²⁷ while the duration of the crisis and the UN arms embargo appears to have only a limited impact on target behaviour. The association between victory and compliance is negative, but there were too few observations to present this as a reliable result. However, the fact that eight UN arms embargoes were imposed in the three years 2004–2006 alone shows that a considerable number were imposed too recently to allow for time to observe significant behavioural improvements.

Global Security

One of the key characteristics of the cases in the Global Security category is that at least one P5 state, most often the USA, made it clear that it was not willing to tolerate embargo violations and committed significant resources to a range of measures both within and outside the UN to improve monitoring and enforcement capacities around the globe. However, an assessment of solely UN monitoring and enforcement mechanisms shows a poor UN track record. One explanation for this can be traced to the case of the embargo on Iraq (1991–2003), which was properly monitored. There were instances of compliance with UNSC demands¹²⁸ but no single year in which there were observations of satisfactory target behaviour.

oppose the arms embargo and that therefore do not seek access to more borders. Future research needs to control for this potential source of bias in order to reach more conclusive results.

¹²⁵ Of the observations of leadership change, 58.3% were associated with behaviour improvement. There were 127 valid and 12 missing observations for all cases. Results are statistically significant. The missing cases are due to a lack of data covering the most recent observations. When taking into account observations for the Government Authority and Conflict Management categories only, the percentage of positive behaviour observations increases to 63.6%. There were 100 valid cases for the Conflict Management and Government Authority categories; 9 were missing.

¹²⁶ There were 100 valid cases for the Conflict Management and Government categories; 9 were missing. Results are statistically significant at the 99% level.

¹²⁷ Of the observations where other sanctions were imposed, 35.3% were associated with behavioural improvement. There were 100 valid cases for the conflict and authority cases; 9 were missing. Results are not statistically significant. Note that how well the other sanctions are implemented is not taken into account.

¹²⁸ E.g. when Iraq disclosed a list of foreign arms suppliers following talks with the UN Special Commission on Iraq and the IAEA in Oct. 1993. 'Disarmament talks with UN–UN weapons inspec-

Table 3.2. UN arms embargoes and UN monitoring mechanisms and peacekeepers, 1990–2006

Target	UN sanctions committee established	UN expert panel convened	UN sanctions monitors	UN peacekeepers present
Iraq (1990)	1990	No	No	Yes (1991)
Iraq (1991)	1990	No	Yes (1991)	Yes (1991)
Former Yugoslavia (1991)	1991	No	No	Yes (1992)
Somalia (1992)	1992	Yes (2002)	Yes (2003)	Yes (1992)
Libya (1992)	1992	No	No	No
Liberia (1992)	1995	No	No	Yes (1993)
Junta in Haiti (1993)	1993	No	Yes (1993)	No ^a
NGAF in Angola (1993)	1993	Yes (1999)	Yes (2000)	Yes (1991)
Rwanda (1994)	1994	No	No	Yes (1993)
Rwandan NGAF (1995)	1994	No	No	Yes (1993)
Sierra Leone (1997)	1997	No	No	Yes (1998)
FRY (1998)	1998	No	No	Yes (1999)
NGAF in Sierra Leone (1998)	1997	Yes (2000)	No	Yes (1998)
Eritrea and Ethiopia (2000)	2000	No	No	Yes (2000)
Taliban-controlled Afghanistan (2000)	1999	Yes (2001)	Yes (2001)	Yes (2001) ^b
Liberia (2001)	2001	Yes (2001)	No	Yes (2003)
Al-Qaeda, Taliban and associated individuals and entities (2002)	1999	No	Yes (2002)	Yes (2001) ^b
NGAF in Ituri, North and South Kivu, DRC (2003)	2004	Yes (2004)	No	Yes (1999)
Liberia (2003)	2003	Yes (2003)	No	Yes (2003)
NGAF in Iraq (2004)	2003	No	No	No
NGAF in Darfur, Sudan (2004)	No	No	No	Yes (2004) ^c
Côte d'Ivoire (2004)	2004	Yes (2005)	Yes (2005)	Yes (2004)
Darfur, Sudan (2005)	2005	Yes (2005)	No	Yes (2004) ^c
NGAF in the DRC (2005)	2004	Yes (2005)	Yes (2005)	Yes (1999)
NGAF in Lebanon (2006)	No	No	Yes (2006)	Yes (1978)
North Korea (2006)	2006	No	No	No
Iran (2006)	2006	No	No	No

() = The year in which a UNSC resolution established the UN expert panel, sanctions monitors or peacekeeping mission; NGAF = non-governmental armed forces; FRY = Federal Republic of Yugoslavia; DRC = Democratic Republic of the Congo.

^a UNSC Resolution 867 (1993) established the United Nations Mission in Haiti, but it was not deployed.

tion talks on lifting of oil embargo', Keesings World News Archive, Oct. 1993, <<http://www.keesings.com>>, p. 39710.

^b UNSC Resolution 1386 (2001) authorized the establishment of an International Security Assistance Force (ISAF) to assist the Afghan Interim Authority in the maintenance of security in Kabul and surrounding areas. UNSC Resolution 1510 (2003) extended the mandate of ISAF to areas beyond Kabul and its environs.

^c The presence of the UN Advance Mission in Sudan (UNAMIS), established by UNSC Resolution 1547 on 11 June 2004 and transformed into the UN Mission in Sudan (UNMIS) by UNSC Resolution 1590 on 24 Mar. 2005, was taken into account in these cases.

In the case of the embargo on Libya, UN monitoring and enforcement mechanisms were regarded as insufficient¹²⁹ and the border-crossing restraint indicator was low for all years. In 1999 Libya began to comply with UNSC demands by handing over two suspects in the 1988 downing of Pan Am flight 103.¹³⁰ In this case, the combination of a wide range of sanctions and diplomatic pressure helped to influence the target's positive behavioural changes.¹³¹

It remains to be seen whether Iran and North Korea will prove to be susceptible to the costs incurred by being UN arms embargo targets.¹³² While the Libyan case suggests that this type of regime could reassess the situation in the medium term, the possibility of regime change by force cannot be ruled out, as witnessed in the cases of Iraq (1991) and Taliban-controlled Afghanistan (2000).

Government Authority

It is worth noting that the duration of the UN arms embargoes imposed on Haiti (1993) and Sierra Leone (1997) in response to the coups there is short in comparison with Conflict Management-type UN arms embargoes, and in both cases the military juntas were ousted by armed interventions by foreign forces when it became apparent that the juntas would not abide by timetables for restoring democratically elected governments.¹³³ Of the post-conflict cases, the UN arms

¹²⁹ This is not to say that the monitoring and enforcement of the sanctions regime on the part of individual P5 states was not well policed. E.g. the UN arms embargo was strengthened by a ban on non-UN mandated flights to and from Libya as a means of preventing transfers of arms by air. A US fleet and EU naval units patrolled the Mediterranean Sea, and the fact that Libya's neighbours Chad and Egypt were either anti-Libyan or strongly influenced by US policies limited access through these land borders. See Katzman, K., *US-Libyan Relations: An Analytical Compendium of US Policies, Laws and Regulations* (Atlantic Council: Washington, DC, 2003).

¹³⁰ 'FOCUS—Handover of Lockerbie suspects on in Tripoli', Reuters, 5 Apr. 1999.

¹³¹ SPITS website (note 1); Miller, J., 'From the shores of Tripoli', *National Interest*, no. 89 (2007), p. 28; and 'UPDATE 2—Libya hails UN sanctions vote as victory', Reuters, 12 Sep. 2003.

¹³² It has been noted that North Korea has agreed to comply with demands to relinquish its nuclear ambitions. International Crisis Group (ICG), *After the Nuclear Breakthrough: Compliance or Confrontation?*, Asia Policy Briefing 62 (ICG: Brussels, 30 Apr. 2007), <<http://www.crisisgroup.org/home/index.cfm?id=4795&l=1>>.

¹³³ The USA sent 20 000 troops to Haiti in Sep. 1994, 15 months after the imposition of the UN arms embargo. Nigerian peacekeepers based in Sierra Leone and the Sandline private military company drove the AFRC junta from power in Feb. 1998, less than 6 months after the UN had imposed an embargo on the junta, in Oct. 1997. These events are discussed in the Haiti and Sierra Leone case studies (note 12).

embargo on Lebanon (2006) is too recent to allow any final conclusions regarding its impact. The targets of UNSC Resolution 1546 (2004), non-governmental armed forces in Iraq, have proved to be too diffuse to be effectively observed using this report's methods, but it has thus far been possible to note that there has not been positive behavioural change in terms of the level of violence against civilians.

UNSC Resolution 1521 (2003) on Liberia was implemented at the beginning of a post-conflict period because there remained concerns that the peace process was fragile, the National Transitional Government of Liberia (NTGL) did not command complete authority over the territory of Liberia and Liberia continued to be regarded as a potential threat to peace and stability in the West African sub-region.¹³⁴ The first peacekeepers of the UN Mission in Liberia (UNMIL) were deployed in October 2003. Although the mission mandate did not explicitly include enforcing the UN arms embargo, they did report on arms trafficking and assisted with the rebuilding of Liberia's border guard capacity.¹³⁵ The UN arms embargo remained in place despite the fairly peaceful presidential election in 2005 and successful implementation of disarmament, demobilization and reintegration as well as security sector reform.¹³⁶ The presence of UN peacekeepers has helped Liberia meet the demands set out in UNSC Resolution 1521 (2003), and in recognition of this fact the arms embargo was partially lifted by UNSC Resolution 1683 (2006).¹³⁷

Conflict Management

Of the 16 UN arms embargoes considered in this category, 9 entailed blanket coverage—Iraq (1990), the former Yugoslavia (1991), Somalia (1992), Liberia (1992), Rwanda (1994), the FRY (1998), Eritrea–Ethiopia (2000), Liberia (2001) and Côte d'Ivoire (2004)—and 7 were selective—non-governmental armed forces in Angola (1993), Rwanda (1995), Sierra Leone (1998), Ituri, North and South Kivu in the DRC (2003), the DRC (2005) and Darfur, Sudan (2004 and 2005). Only 2 were applied in obvious cases of interstate war—Iraq (1990) and Eritrea–Ethiopia (2000). The high number of embargoes on entities in Africa is particularly significant for the border-crossing restraint variable since African capacities for monitoring and reporting on arms trafficking are not regarded as high. In general, states in conflict-prone regions tend to lack the political will to monitor such trafficking. In the instances where there were laws restricting arms trafficking, arms dealers exploited loopholes or circumvented legal restrictions by arranging shipments through third countries.¹³⁸

¹³⁴ UNSC Resolution 1521, 22 Dec. 2003.

¹³⁵ Information on the UNMIL mandate, mission and activities can be found at <<http://unmil.org/index.asp>>.

¹³⁶ UNSC Resolution 1647, 20 Dec. 2005.

¹³⁷ UNSC Resolution 1683, 13 June 2006.

¹³⁸ UN, Final report of the International Commission of Inquiry (Rwanda), S/1998/1096, 18 Nov. 1998, p. 18.

There appears to be a strong correlation in seven of the embargoes in the Conflict Management category between change in leadership and improvement in target behaviour. The most significant cases are: the removal of Yugoslav leader Slobodan Milosevic from power in October 2000; the death of Angola's UNITA leader, Jonas Savimbi, in February 2002; the May 2000 arrest of Sierra Leone's RUF leader, Foday Sankoh, and his death in July 2003; and the resignation of Charles Taylor as Liberian President in August 2003. In each case, target behaviour was subsequently positively assessed. In the cases of Angola (1993) and the FRY (1998), the UN arms embargoes were lifted shortly after their leaders had changed. It is therefore concluded that the sudden removal of a militant leader or leadership can act as a trigger for positive behavioural changes or simply help maintain positive behavioural change in cases where a UN arms embargo is well implemented.

The arms embargo imposed by UNSC Resolution 713 (1991) on the former Yugoslavia was robustly monitored by elaborate, and innovative, multinational monitoring systems,¹³⁹ but it is generally agreed that they did little to prevent arms from flowing to or from the embargoed targets.¹⁴⁰ This is arguably because several states, for ideological, political or economic reasons, sought to undermine the UN arms embargo by arranging or assisting the transfer of arms to 'level the playing field'. The blanket UN arms embargo was not seen as an impartial means of stopping the conflict because it implicitly favoured those with the best access to existing government stocks (Serb forces) and with the geographical conditions and the means to circumvent the arms embargo (Croatian forces). It therefore contributed to solidifying the pre-embargo balance of power. The Bosnian Muslim forces came to be seen as the only real 'loser'. The USA sought to address this issue by working through the UN Security Council to lift the arms embargo¹⁴¹ and by tacitly approving embargo-busting arms deliveries to Bosnian forces by Iran.¹⁴² Therefore, it has been argued that the arms embargo unfairly disadvantaged the Bosnian forces by impeding their ability to defend themselves and prolonged the conflict.¹⁴³ It represents a case that should be borne in mind when considering the imposition of other open-ended blanket Conflict Management-category UN arms embargoes.

¹³⁹ See the case study of the former Yugoslavia (note 12).

¹⁴⁰ See the Global Security part of the arms flows section of this chapter for references to violations of the UN arms embargo on Iraq (1991) by Yugoslavia.

¹⁴¹ Cortright and Lopez (note 15), p. 65.

¹⁴² US Senate, 'US action regarding Iranian and other arms transfers to the Bosnian Army, 1994 to 1995', *Report of the Select Committee on Intelligence* (Committee Print: Washington DC, Nov. 1996), <http://fas.org/irp/congress/1996_rpt/bosnia.htm>; and Watson, R., 'Opting out on the Adriatic', *Newsweek*, 21 Nov. 1994, pp. 28–29.

¹⁴³ Jackson, R., 'Armed humanitarianism', *International Journal*, vol. 48, no. 3 (1993), p. 600; Ramet, S., 'Bosnian war and diplomacy of accommodation', *Current History*, no. 80 (1994), p. 385; and Malcolm, N., *Bosnia: A Short History* (Macmillan: London, 1994), p. 245.

Conclusions

The importance of separating the UN arms embargoes in the Global Security category from those in the Government Authority and Conflict Management categories for the purpose of studying their impact on arms flows is demonstrated by the fact that targeted actors in the Global Security category do not demand the ammunition, SALW, artillery, armoured vehicles and aircraft sought by those—both states and non-governmental armed forces—in the Conflict Management and Government Authority categories (with the possible exception of the embargoes on Taliban-controlled Afghanistan and the Taliban). For example, the most recent additions to the Global Security category are embargoes focused primarily on WMD-related technologies. UN arms embargoes in the Global Security category therefore merit a different approach when considering their impact on arms flows. However, a number of targets in the Global Security category have played active roles in the supply of conventional arms to other embargoed targets. This appears to be due to the fact that a number of these targets have conventional arms-production facilities or stockpiles, and they appear to be both willing and able to supply arms to other embargoed targets.

The arms flows section of this chapter highlights some of the challenges encountered in using UN arms embargoes to limit arms flows to targets. This report does not address the extent to which the UN can resolve deficiencies in the border, customs, law enforcement and transfer control systems of supplier, transit and neighbouring states. Rather, it emphasizes the importance of the political will of the P5 states and states neighbouring targeted entities. The UN could more actively assist in efforts to effectively implement arms embargoes in the Conflict Management and Government Authority categories by combining them with embargoes on imports of natural resources from territories controlled by embargoed targets. Monitoring the export of such commodities from territories adjacent to these areas would also help. Such measures appear to increase the financial and practical costs of acquiring arms for embargoed targets. They could perhaps help to compel targets to comply with UN demands and end goals. It is also important to note that peacekeepers do not always constitute a benign presence. They are often exempted from the restrictions framed in UN arms embargo resolutions on territories in which they and targeted actors operate, and there are cases in which peacekeepers have wittingly or unwittingly acted as arms suppliers for embargoed targets.

There appears to be a correlation between the imposition of a UN arms embargo and improved target behaviour in only a quarter of the 100 observations made for the 27 arms embargoes studied. It should be noted that 8 of the 27 embargoes were imposed in the three years 2004–2006, too short a period for concluding that positive behavioural changes have taken place. More than a third of the observations in all the categories suggested that there is a correlation between a target's positive behavioural change and high levels of border-crossing restraint. The quantitative and qualitative findings of this study emphasize that the intentions and capacities of states neighbouring embargoed targets appear to play a significant

role in the impact of a UN arms embargo on target behaviour. A sufficient body of evidence appears to justify the introduction of secondary sanctions against the neighbours of embargoed targets in a number of Conflict Management and Government Authority cases. The UN arms embargo imposed against Liberia in 2001 set a precedent that has yet to be followed.

Aside from UN arms embargoes, the most important factors contributing to improved target behaviour are sudden leadership change and the presence of UN peacekeepers in the cases of embargoes in the Government Authority and Conflict Management categories. It appears that UN monitoring and enforcement mechanisms have a greater impact when UN peacekeepers have a mandate to monitor and enforce a UN arms embargo. It is unclear whether the presence of UN peacekeepers promotes improved target behaviour or whether peacekeepers tend to be present in situations in which targets are more willing to comply with UN demands. Therefore, UN peacekeeping is not necessarily a causal factor in helping to explain target behaviour in UN arms embargo cases.

4. Assessing the impact of ending a UN arms embargo

This chapter assesses the impact of ending a UN arms embargo on arms flows and on the target's behaviour in the period immediately after the embargo. The effectiveness in terms of achieving the stated end goals is also analysed. Two procedures are regarded as signifying the end of a UN arms embargo: lifting it in a UNSC resolution; and the lapsing of a voluntary arms embargo over time or of a time-limited embargo by expiration (see also chapter 1). Of the 27 UN arms embargoes considered in this report, six were ended and have not been replaced by another UN arms embargo with different demands or coverage.¹⁴⁴ Five other arms embargoes were lifted by resolutions in the period 1990–2006, but in each case a new UN arms embargo was imposed on the same state or targets in the same state that differed in terms of its coverage, demands or end goals (see table 4.1).

This chapter begins by exploring the hypothesis that the flow of arms to embargo targets would increase significantly following the ending of a UN arms embargo because of the target's need to replace, upgrade or modernize its military equipment. It also points out that such an increase in arms flows may be accounted for by the fact that targets do not regard the underlying cause of the conflict as having been resolved.

The target behaviour section analyses the correlation between the ending of arms embargoes and improved target behaviour. One would expect the UNSC to maintain an arms embargo until it is certain that positive developments in target behaviour are likely to continue into the medium or long term. The section addresses whether observations of target behaviour in the post-embargo period confirm this hypothesis.

The impact on arms flows to targets

Of the six UN arms embargoes that were ended conclusively, only for those on non-governmental armed forces in Angola (1993–2002), Haiti (1993–94) and Libya (1992–2003) was there no record of any significant transfers of arms in the immediate post-embargo period. The situations continued to be tense after the ending of the two UN arms embargoes on Yugoslavia and the one on Eritrea and Ethiopia, although the FRY's domestic access to arms in the period 1996–98 arguably limited its need to import arms. In all three of these embargoes, states in the former Soviet space supplied arms to the targets shortly after the UN arms embargoes ended.

¹⁴⁴ This figure does not include the UN arms embargo on South Africa, which was lifted in 1994.

Of the five other cases, the ending of the blanket arms embargoes on Iraq (in effect in 1990–2004), Rwanda (1994–95) and Sierra Leone (1997–98) enabled the government forces in these states to equip themselves to fight non-governmental armed forces and insurgents. While old supplier relationships were re-established in some cases, new relationships emerged following the ending of UN arms embargoes. The UNSC resolutions that lifted the 1992 and 2001 arms embargoes on Liberia also imposed new arms embargoes on the country. The 2003 UN arms embargo on Liberia has been partially lifted, because the UN sanctions committee has permitted limited arms imports for Liberian security sector reform.

Global Security

Libya (embargoed in 1992–2003) is the only case in the Global Security category in which a UN arms embargo had ended by the end of 2006. In the 1980s Libya imported a significant volume of conventional arms from a number of West European and Soviet bloc states, occupying seventh place in SIPRI's ranking of arms importers in the period 1980–91.¹⁴⁵ Since the lifting of the UN arms embargo, in 2003, Ukraine has supplied a number of transport aircraft to Libya and modernized Libyan MiG-21 combat aircraft. There are recent reports that Libya is seeking to import missiles and air defence systems from the UK.¹⁴⁶ Other reports claim that Libya intends to upgrade its 1970s-vintage Mirage F-1 combat aircraft and acquire new Rafale combat aircraft from France.¹⁴⁷ One report discussed a deal with Russia worth \$2.2 billion for air defence systems, combat aircraft, submarines and other ships,¹⁴⁸ but at the time of writing there were doubts about whether Russia would resume transfers of arms to Libya.¹⁴⁹

Government Authority

There is no record of any transfers of major conventional arms to Haiti after 1994, because one of President Jean-Bertrand Aristide's first acts on returning to power was to reduce the size and influence of the Haitian armed forces.¹⁵⁰ In contrast, following the restoration to power of the Sierra Leonean Government in February 1998, it received donations of SALW, ammunition and military equipment from China, the Netherlands, South Africa and the UK, and received a loan from the Bulgarian Government to purchase arms and ammunition with a value of

¹⁴⁵ SIPRI Arms Transfers Database (note 36).

¹⁴⁶ E.g. Dombey, D. and Boxell, J., 'Britain closer to arms deal with Libya', *Financial Times*, 30 May 2007.

¹⁴⁷ E.g. Lewis, J. A. C., 'France eyes Libyan market', *Jane's Defence Weekly*, 25 Oct. 2006, p. 17.

¹⁴⁸ 'Russia to supply over USD2.2bln weapons to Libya', *Kommersant*, 4 Mar. 2007, <http://www.kommersant.com/p763383/Libya_weapon_sales/>.

¹⁴⁹ Felgenhauer, P., 'The strange story of MiG-31s for Syria', *Asia Times Online*, 26 June 2007, <http://www.atimes.com/atimes/Middle_East/IF26Ak05.html>.

¹⁵⁰ SIPRI Arms Transfers Database (note 36).

Table 4.1. UN arms embargoes that started and ended in the period 1990–2006

Target	UNSC resolution	Date resolution passed	Date embargo lifted
Iraq	661	6 Aug. 1990	(8 June 2004)
Former Yugoslavia	713	25 Sep. 1991	1 Oct. 1996
Libya	748	31 Mar. 1992	12 Sep. 2003 ^a
Liberia	788	19 Nov. 1992	(7 Mar. 2001)
Junta in Haiti	841	16 June 1993	29 Sep. 1994
NGAF in Angola	864	15 Sep. 1993	9 Dec. 2002
Rwanda	918	17 May 1994	(16 Aug. 1995)
Sierra Leone	1132	8 Oct. 1997	(5 June 1998)
FRY	1169	31 Mar. 1998	10 Sep. 2001
Eritrea and Ethiopia	1298	17 May 2000	15 May 2001
Liberia	1343	7 Mar. 2001	(22 Dec. 2003)

() = The date on which the embargo was lifted, but a new UN arms embargo with different coverage or new demands was subsequently introduced; NGAF = non-governmental armed forces; FRY = Federal Republic of Yugoslavia.

^a The embargo was suspended in 1999.

\$3.75 million.¹⁵¹ This military equipment was intended for use against non-governmental armed forces that had been in conflict with Sierra Leonean governments since 1991.

The embargo on Liberia (2003) is an interesting example of ‘partial lifting’. Since 2005 the NTGL has been authorized to seek permission from the UN sanctions committee to import arms on a case-by-case basis.¹⁵² In recognition of ‘significant progress’, UNSC Resolution 1683 (2006) created a situation under which the UN arms embargo was partially lifted in a resolution.¹⁵³ In 2005 the sanctions committee granted the NTGL exemptions from the UN arms embargo to import military equipment for the Liberian armed forces from the USA and side arms for police officers from Nigeria.¹⁵⁴ Both requests were granted in support of the Liberian programme for security sector reform (SSR).¹⁵⁵ In 2006 Liberia imported arms and ammunition from both Romania and Serbia.

¹⁵¹ See the Sierra Leone case study (note 12).

¹⁵² UN, Report of the Security Council Committee pursuant to Resolution 1521 (2003) concerning Liberia, S/2006/464, 28 June 2006.

¹⁵³ UNSC Resolution 1683, 13 June 2006.

¹⁵⁴ UN (note 152).

¹⁵⁵ The Liberian SSR programme began in earnest with UN police training in 2004. At the beginning of 2005 it was announced that the USA had hired a private contractor to undertake the formation of a 4000-strong Liberian army; the number was revised to 2000 because of funding problems.

Conflict Management

States of the former Soviet Union supplied arms to three of the four former targets of UN arms embargoes in this category shortly after the embargoes had ended. The exception is UNITA, which disbanded its military wing in August 2002 and for which no subsequent arms transfers were recorded. Russia resumed deliveries of combat aircraft to Eritrea in 2001 and to Ethiopia in 2003.¹⁵⁶ Ukraine supplied air-to-air missiles to Eritrea in 2002. These orders were motivated by Eritrean and Ethiopian efforts to replace combat aircraft that were lost in the interstate conflict of 2000 and also signalled that tensions remained since the underlying cause of the conflict had not been satisfactorily resolved. It is known that Russia also delivered SALW and ammunition, including anti-tank systems and man-portable air defence systems, to both Eritrea and Ethiopia in the immediate post-embargo period.¹⁵⁷

After the lifting of the UN arms embargo on the former Yugoslavia (1991) in 1996, the independent states that emerged after the conflict sought fairly limited quantities of arms.¹⁵⁸ Perhaps due to the fact that the FRY retained the lion's share of the former Yugoslavia's arms industry, the SIPRI Arms Transfers Database contains records of the import of only two combat and two military transport helicopters from Ukraine in the immediate post-embargo period, along with the possibility of an air surveillance system from Russia.¹⁵⁹ Croatia and Slovenia appear to have primarily imported trainer aircraft from Switzerland, with Slovenia also importing mortars and artillery from Israel. The exception to the limited imports rule is Bosnia and Herzegovina, which received considerable donations of military equipment, including armoured vehicles, artillery pieces and helicopters, from Egypt, Qatar, the United Arab Emirates and the USA.

The UNSC resolutions that lifted the blanket arms embargoes on Iraq (1990) and Rwanda (1994) were followed by the imposition of selective UN arms embargoes on non-governmental armed forces in Iraq (2004) and on Rwandan non-governmental armed forces (1995), respectively. The change in demands in the UN arms embargo on Iraq means that this case was moved from the Conflict Management to the Government Authority category from 2004 (see table 1.2).

In the case of Rwanda, after the UN arms embargo on the Rwandan Government was lifted, the only publicly reported transfers of major conventional weapons consisted of a South African delivery of \$17 million worth of infantry weapons and mine-protected armoured vehicles in 1996–98 and five 122-mm RM-70 multiple rocket launchers from Slovakia in 1997.¹⁶⁰ France, the most significant supplier of military equipment to the pre-embargo Rwandan Government, is not recorded as having transferred conventional weapons to Rwanda in the post-embargo period,

¹⁵⁶ See the Eritrea–Ethiopia case study (note 12).

¹⁵⁷ Holtom, P., *Small Arms Production in Russia* (Saferworld: London, 2007), pp. 30–31.

¹⁵⁸ See the case study of the former Yugoslavia (note 12).

¹⁵⁹ SIPRI Arms Transfers Database (note 36).

¹⁶⁰ See the Rwanda case study (note 12).

while South Africa's enthusiasm also appeared to wane as the situation in the region deteriorated.

In contrast, Iraqi government forces have received donations of considerable volumes of SALW, ammunition and conventional weapons from Russia, the UK and the USA, which had supplied arms to Saddam Hussein's regime before the imposition of the UN arms embargo in August 1990.¹⁶¹ In addition, transfers of conventional arms have come from NATO member states and offers to modernize Iraqi equipment from countries in Central and Eastern Europe. Jordan and the United Arab Emirates have donated armoured vehicles and helicopters as aid, while Pakistan and South Africa have sold armoured vehicles to Iraq. Of concern for those interested in implementing the UN arms embargo on non-governmental armed forces in Iraq is the fact that some of the small arms transferred to the Iraqi security forces were not registered and may have fallen into the hands of civilians and militia forces.¹⁶² This illustrates the problem of permitting poorly controlled arms transfers to a government that was formerly an embargoed target as it struggles to extend its authority against non-governmental armed forces. This case shows that there is a danger in such cases that weapons will reach embargoed targets.

The impact on target behaviour

Improvements in target behaviour in the period immediately preceding and after a UN arms embargo were observed in five of the six conclusively ended embargoes: Haiti (embargoed in 1993–94), Libya (1992–2003), Angola (1993–2002), the former Yugoslavia (1991–96) and the FRY (1998–2001). This suggests that there is a positive correlation between improved target behaviour in the short term and the ending of a UN arms embargo.

The three cases in which a blanket UN arms embargo was replaced by a selective embargo—Iraq (selective embargo in 2004 replacing the blanket embargo of 1990), Rwanda (1995 replacing 1994) and Sierra Leone (1998 replacing 1997)—did not result in immediately observable improved target behaviour. Target behaviour did not improve in Liberia following the lifting of the 1992 arms embargo in 2001, but positive changes were observed in the period after the 2001 embargo ended, in 2003.

Of the six UN arms embargoes that ended without being replaced immediately by another arms embargo, four were open-ended, one was time-limited (Eritrea–Ethiopia, 2001) and one was a regularly reviewed embargo (Angola, 2002). It seems premature to state that improved target behaviour in cases of open-ended UN arms embargoes is more likely to lead to the lifting of an embargo than in

¹⁶¹ SIPRI Arms Transfers Database (note 36).

¹⁶² Office of the Special Inspector General for Iraq Reconstruction, *Iraqi Security Forces: Weapons Provided by the U.S. Department of Defense Using the Iraq Relief and Reconstruction Fund*, SIGIR-06-033 (Office of the Special Inspector General for Iraq Reconstruction (SIGIR): Arlington, Va., 28 Oct. 2006).

cases of time-limited or regularly reviewed embargoes, since the latter approaches are fairly recent innovations.

Global Security

Libya (1992) is the only case in the Global Security category in which a UN arms embargo has been lifted.¹⁶³ The conditions to be fulfilled were clear to Libya: it was to officially accept responsibility for acts of terrorism, pay compensation to the victims of particular terrorist attacks, surrender terrorist suspects and demonstrate through 'concrete action' that it renounced terrorism, for example through the closing of terrorist training camps. Although Libya had met most of the demands in UNSC Resolution 748 (1992) by April 1999, the UN arms embargo was only suspended at this time. It was not lifted until Libya openly renounced its WMD programme,¹⁶⁴ suggesting that demands that were not outlined in a resolution were being used to determine whether to lift the UN arms embargo on Libya. Although suspending an embargo and allowing for a period in which to monitor and assess continued positive behavioural change remains a useful option, it could also potentially undermine efforts to influence the target's compliance with clearly stated demands. If a parallel can be drawn between the calls for fair and clear procedures for the delisting of individuals targeted by asset freezes and travel bans¹⁶⁵ and the need for fair and clearly stated conditions for the lifting of a UN arms embargo, it is evident that, if certain demands are met, compliance must be verifiable and taken into account when considering amendments to the sanctions regime.

Government Authority

Of the two UN arms embargoes in this category that have ended, Haiti (1993) is the only case in which an embargo has been fully lifted. The embargo on Sierra Leone (1997) was changed from a blanket to a selective embargo in the Conflict Management category. Of the remaining cases, Liberia (2003) is an interesting example of the partial lifting of an embargo. The UN arms embargo is now selective and is still monitored by the UN, a situation that has reportedly been accepted by parliamentarians and civil society in Liberia.¹⁶⁶ This reaction to the maintenance of a UN arms embargo in the face of clearly observable positive target behaviour merits further study, as it appears to be a case in which an arms embargo is

¹⁶³ At the end of 2006 the mechanisms for monitoring for Iraqi WMD programmes remained in place. UNSC Resolution 1546 (2004) only lifted the conventional arms embargo on Iraqi government forces.

¹⁶⁴ Miller, J., 'From the shores of Tripoli', *National Interest*, no. 89 (2007), pp. 26–30.

¹⁶⁵ Biersteker, T. J. and Eckert, S. E., *Strengthening Targeted Sanctions through Fair and Clear Procedures* (Watson Institute for International Studies: Providence, R.I., 30 Mar. 2006); and Wallensteen, P., Eriksson, M. and Strandow, D., *Sanctions for Conflict Prevention and Peace Building: Lessons Learned from Côte d'Ivoire and Liberia* (Uppsala University, Department of Peace and Conflict Research: Uppsala, 2006), pp. 10, 28–29.

¹⁶⁶ Wallensteen, Eriksson and Strandow (note 165), pp. 18–19.

regarded as beneficial by the targeted state and supportive of its post-conflict peacebuilding efforts.

Conflict Management

Of the 16 UN arms embargoes in this category, 8 had ended by the end of 2006. However, only 4 of these embargoes had been fully lifted by the end of 2006.¹⁶⁷ This is because, although the Conflict Management embargoes imposed on Iraq (1990) and Liberia (1992 and 2001) have been lifted, targets in these states are still subject to UN arms embargoes. In addition, UNSC Resolution 1011 (1995) lifted the UN arms embargo on the Rwandan Government but also expanded the geographical coverage of its application to all Rwandan non-governmental armed forces.¹⁶⁸

The case of Eritrea–Ethiopia (embargoed in 2000–2001) is worth considering in detail because it shows that caution should be exercised in inferring short-term compliance with the demands set out in resolutions as progress towards longer-term end goals. The embargo on Eritrea–Ethiopia was lifted because the UNSC accepted the Algiers Agreement of 2000 as fulfilling the demands to withdraw forces from military action and ‘conclude a peaceful definitive settlement of the conflict’.¹⁶⁹ Following Eritrean and Ethiopian respect for a June 2000 ceasefire, UN peacekeepers were deployed to monitor the border between the two countries.¹⁷⁰ In October 2005 Eritrea officially protested against this UN presence, and the peacekeepers were subsequently only present on the Ethiopian side of the border.¹⁷¹ The following year Eritrean soldiers entered the Eritrea–Ethiopia buffer zone, heightening fears of renewed conflict.¹⁷² This case highlights the problem of using time-limited UN arms embargoes, in particular the fact that short-term behavioural improvements should not always be seen as signalling an irreversible resolution of the conflict.

¹⁶⁷ UNSC Resolution 1448 (2002) lifted the arms embargo imposed against non-governmental armed forces in Angola; the arms embargo imposed against Eritrea and Ethiopia under UNSC Resolution 1298 (2000) simply expired at the end of its 12-month duration; the 2 arms embargoes on the former Yugoslavia—imposed in UNSC resolutions 713 (1991) and 1160 (1998)—were lifted by UNSC resolutions 1021 (1995) and 1367 (2001), respectively.

¹⁶⁸ UNSC Resolution 1011, 16 Aug. 1995.

¹⁶⁹ UN, Statement by the President of the Security Council, S/PRST/2001/14, 15 May 2001; and UNSC Resolution 1298, 17 May 2000. The Agreement between the Government of the State of Eritrea and the Government of the Federal Democratic Republic of Ethiopia (Algiers Agreement) was signed on 12 Dec. 2000 and is reproduced in UN, Identical letters dated 12 December 2000 from the Permanent Representative of Algeria to the United Nations addressed to the Secretary-General and the President of the Security Council, S/2000/1183–A/55/686, 13 Dec. 2000.

¹⁷⁰ See the website of the UN Mission in Ethiopia and Eritrea (UNMEE), <<http://www.un.org/Depts/dpko/missions/unmee/>>.

¹⁷¹ ‘Ethiopia says will pull back troops from border’, Reuters, 10 Dec. 2005.

¹⁷² Uppsala Conflict Database (note 29); and International Crisis Group (ICG), *Ethiopia and Eritrea: Preventing War*, Africa Report 101 (ICG: Brussels, 22 Dec. 2005), p. i.

Conclusions

The arms flows section of this chapter illustrates embargo cases that either prove or disprove the hypothesis that the flow of arms to former embargoed targets will increase significantly after a UN arms embargo has ended. The available data for the Haitian, Iraqi, Libyan and Rwandan cases disprove the hypothesis. The Eritrea–Ethiopia case demonstrates that patterns of arms supply can resume shortly after the lifting of a UN arms embargo if the conflict has not been resolved.

By the end of 2006, 11 of the 27 UN arms embargoes examined in this study had ended: 8 were open-ended embargoes, 2 were regularly reviewed embargoes and 1 was a time-limited embargo. Continued improved behaviour in the short term was noted following the ending of UN arms embargoes in the embargoes on Eritrea–Ethiopia (2000–2001), Iraq (1990–2004), Libya (1992–2003), Rwanda (1994–95), Sierra Leone (1997–98), UNITA (1993–2002), the former Yugoslavia (1991–96) and the FRY (1998–2001). After the UN arms embargoes on Eritrea–Ethiopia and the former Yugoslavia were ended, target behaviour did not continue to improve in the longer term.

These results suggest that the UNSC appears willing to maintain arms embargoes until the target exhibits behavioural improvements, whether the embargoes are the open-ended, time-limited or regularly reviewed types. Embargoes that are reviewed regularly represent a useful hybrid of the open-ended and time-limited approaches. This is because regular reviews are in the interest of both the target and the UNSC. They enable the UNSC to respond more quickly to improvements in target behaviour than in an open-ended arms embargo. They also provide the UNSC with a means for amending sanctions regimes in the light of new evidence of deterioration in target behaviour without having to implement a new sanctions regime. Regularly reviewed arms embargoes allow the UNSC to avoid the problems associated with the open-ended arms embargoes on the former Yugoslavia, on the one hand, and with the time-limited arms embargo on Eritrea and Ethiopia, on the other.

5. Recommendations for the UN Security Council

This report calls for a more nuanced approach to the assessment of the growing number of UN arms embargoes that have been introduced since the end of the cold war. The embargo typology that is presented in this report is not only a first attempt to classify and assess UN arms embargoes by their end goals, but also a tool for investigating cases in which an embargo may or may not be an appropriate mechanism for compelling a target, whether government or non-state actor, to change its behaviour to comply with the demands set out in UNSC resolutions. The report supports the judicious use of UN arms embargoes as a means for helping to achieve positive behavioural changes by increasing the cost of acquiring arms. However, if UN arms embargoes are ill defined in terms of their demands and end goals, they tend to have a limited impact on the behaviour of the targets.

This assessment of the effectiveness of threatened UN arms embargoes does not show encouraging results. While the credibility of 16 of the 21 threatened UN arms embargoes was undermined by the action of certain UNSC P5 states, even the credible threats do not appear to have induced targets to change their behaviour within a given timeframe. Nevertheless, it remains to be seen whether threats of arms embargoes—when accompanied by clearly stated demands and clearly demonstrated UNSC intentions to effectively enforce and monitor UN arms embargoes—can have an impact on target behaviour. One of the most important aspects to be taken into account when considering the impact of threats is the target's subjective understanding. The target's judgement of the credibility of the threat and the potential impact on UN arms embargoes were not studied in detail but merit further consideration in both Security Council and academic settings.

Voluntary UN arms embargoes appear to have a negligible impact on curtailing arms flows and improving target behaviour. The voluntary UN arms embargoes imposed on Afghanistan (1996) and Eritrea–Ethiopia (1999) were found to be comparable to threatened UN arms embargoes that lacked credibility because in these instances at least one P5 state continued to support the target financially, militarily or politically. Voluntary UN arms embargoes send mixed signals to both targets and UN member states and are therefore not considered to be useful.

The UN arms embargoes that have been imposed since 1990 have not stopped the flow of SALW and ammunition to embargoed targets, the continuation and spread of conflicts, the undermining of government authority by non-governmental armed forces, the attempts of regimes to acquire WMD, or international terrorist acts.¹⁷³ However, the evidence suggests that the imposition of a UN arms embargo can entail costs for targets that affect their acquisitions and behaviour. Although

¹⁷³ Bondi (note 13); Brzoska (note 14); Cortright and Lopez (note 15); Lamb (note 16); and Tierny (note 13), pp. 645–64.

11 of the 27 UN arms embargoes investigated had ended by the end of 2006, only 6 embargoes had been lifted fully. This is not surprising in the light of the fact that in only a quarter of the observations made have there been positive correlations between an implemented UN arms embargo and improved target behaviour. Factors other than the embargo itself are also believed to have accounted for positive behavioural improvements in several cases. For example, sudden leadership changes influenced improved behaviour in seven instances. Positive behavioural changes were also noted in 24 of the 51 observations of embargoes in the Government Authority and Conflict Management categories where UN peacekeepers were present. There also appears to be a positive correlation between the presence of peacekeepers and limitations on arms flows.

The main finding of this report is that the effectiveness of UN arms embargoes depends primarily on the capacity and will of UN member states, particularly the UNSC P5 states, arms-supplying states, transit and transshipment states, and states neighbouring embargoed targets. With regard to improving the effectiveness of UN arms embargoes to limit arms flows to embargoed targets, the UN should support global efforts to improve arms export, transit and transshipment controls. These would include the establishment of a set of legally binding and globally applicable guidelines for arms transfers in the proposed arms trade treaty,¹⁷⁴ global controls on brokering,¹⁷⁵ and support for standardized EUCs. States neighbouring embargoed targets have posed particular problems for implementing UN arms embargoes. In a number of cases they have been found to ignore their commitments to an embargo if this conflicts with an opportunity to further their regional interests through financial, military or political support to embargoed targets. The cases of embargoes on countries in Africa and the Middle East in the Conflict Management and Government Authority categories serve as particularly useful illustrations of this problem.

A number of recommendations for the UN Security Council are outlined below, based on the findings of this report. Some of the recommendations support those made in other reports on targeted sanctions and arms embargoes,¹⁷⁶ while others are proposals for discussion and elaboration in other forums.

¹⁷⁴ See Holtom, P. and Wezeman, S. T., 'Towards an arms trade treaty?', *SIPRI Yearbook 2007: Armaments, Disarmament and International Security* (Oxford University Press: Oxford, 2007), pp. 431–39.

¹⁷⁵ The UNSC has issued a Presidential Statement in which 'states are encouraged to . . . control brokering activities', but this was only part of a general statement of support for the UN Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects. UN, Presidential Statement, S/PRST/2007/24, 29 June 2007, <<http://www.un.org/News/Press/docs/2007/sc9063.doc.htm>>.

¹⁷⁶ ed. Brzoska (note 1); eds Wallensteen, Staibano and Eriksson (note 1); and Brown University (note 1). For a list of relevant literature see the SPITS website (note 1).

Ensure clarity of coverage, scope and demands in UN arms embargo resolutions

A UN arms embargo should be imposed only when a number of steps towards achieving an end goal can be clearly elaborated. Three areas that require particular attention when considering the drafting and targeting of an embargo are highlighted in the present report.¹⁷⁷

Scope of items subject to the UN arms embargo. A document prepared by the al-Qaeda and Taliban Sanctions Committee is a good example of the elaboration of the scope of a UN arms embargo.¹⁷⁸ The types of transfers that UN member states should pay particular attention to in this case can help avoid misinterpretations.

Who and what is to be targeted. UN arms embargoes have been imposed on entire countries, regions within countries, non-governmental armed forces and non-state actors with no fixed location. Each brings different sets of problems in terms of the circumstances under which arms transfers are prohibited. Any exemptions to an apparently blanket UN arms embargo should be clearly stated. When imposing a selective UN arms embargo, the embargoed targets should be clearly identified.

Demands to be met by the target. The behavioural changes that the target should exhibit in order for the UN arms embargo to be lifted should be clearly stated and should be verifiable. If these two conditions are not met, this arguably removes the target's incentive to comply with UNSC demands and the UN arms embargo is unlikely to succeed in changing target behaviour.

Conduct regular reviews to assess compliance with UN arms embargo demands

This report finds that a particularly promising way of learning from best practice is the introduction of regular reviews of embargo compliance in which the findings of UN monitors, panels of experts and sanctions committees can be discussed. These mechanisms allow the sanctions regime to be amended, strengthened, continued or lifted in the light of assessments. There is of course a potential weakness in this approach's use of assessments of short-term behaviour, as evidenced by the Eritrea–Ethiopia (2000) case, in which a UN arms embargo that ended following short-term improvement of behaviour did not lead to achievement of the desired end goal. This approach should therefore be accompanied by a greater use of such measures as partial lifting and suspension of embargoes, which would demonstrate recognition of short-term improvement in the target's behaviour but not lift the embargo until the desired end goal had been achieved.

¹⁷⁷ There have been positive developments in these areas, including the adoption of some of the aspects of the Model Security Council Resolution on Arms Embargoes, reproduced in ed. Brzoska (note 1), pp. 40–45.

¹⁷⁸ UN, 'Explanation of terms: arms embargo', <<http://www.un.org/sc/committees/1267/pdf/ArmsEmbargo.ExplanationTermsEng.pdf>>.

Increase the authority and expertise of UN sanctions committees, panels of experts and monitoring teams

Promising ways of learning from best practice include recent UNSC arms embargo resolutions that have established sanctions committees and expert panels from the outset. Panels of experts are useful for assessing the implementation of UN arms embargoes and targets' progress towards meeting the demands and end goals set out in UNSC resolutions.¹⁷⁹ They have also provided useful recommendations for strengthening and improving UN arms embargoes, some of which have been implemented. However, in cases where the UN has mandated panels of experts or monitoring teams to investigate the implementation of arms embargoes, they have reported that they lack the authority and powers to explore the ways in which the embargoes were breached. Greater investigative powers for panels of experts and monitoring teams would help to reveal some of the unknown aspects of UN arms embargo violations. Although the number of expert panels that have been convened has grown, the quality of their reports remains mixed. Drawing up a list of experts with regional and technical expertise to undertake future investigative work should be considered, building upon existing best practices and experience. Mandating UN peacekeepers and observers to assist with the implementation of arms embargoes in conflict and post-conflict situations could also be an avenue worth exploring in order to stem the flow of arms to embargoed targets and provide information on arms seizures to sanctions committees, panels and monitors.

Establish a 'clearing house' for UN sanctions committees, panels of experts and monitoring teams

Although there is evidence that best practice is being used in the UN arms embargoes, there are nonetheless cases where it appears that too little consideration was given to the experiences learned from previous UN arms embargoes. Because of the increasing number of UN arms embargoes, their strengths and limitations in particular sets of circumstances are better known. The typology presented in this report can be useful in this regard, precisely because it draws on lessons learned from the experience of previous embargoes. A 'clearing house' or sanctions coordinator for UN arms embargoes to help maintain the UN's institutional memory with regard to best practice therefore seems appropriate.¹⁸⁰ The UN Sanctions Committees website contains a useful public database and could be strengthened by including sanctions committee and monitors' reports on all the UN arms embargoes that have been lifted. Its scope could also be expanded to include information on arms embargoes imposed by regional organizations, such as ECOWAS, the EU and the OAS, thereby providing a one-stop site on sanctions monitoring

¹⁷⁹ Vines (note 8), pp. 258–60.

¹⁸⁰ This idea, referring to all types of sanctions, was introduced in Cortright, D. and Lopez, G. A., 'A sanctions coordinator: options for enhanced compliance', eds Wallensteen and Staibano (note 14), pp. 65–74.

experience. This would require strengthening the Sanctions Branch of the UN Security Council, which seems advisable in the light of the rise in the number of embargoes to be monitored.

Assess and strengthen the capacity of UN member states to implement arms embargoes

This report shows that porous borders are an important way in which UN arms embargoes can be circumvented. Thus, there is an international interest in improving state capacity to control land borders and other access points (sea- and airports). It is therefore necessary to assess the capacity of states neighbouring embargoed targets before a UN arms embargo is imposed.¹⁸¹ On the basis of such analyses the UN Security Council could determine whether it is necessary to establish a monitoring group. A simple matrix of key state agencies involved in the monitoring and enforcement of UN arms embargoes could be devised: it should include international assessments of a state's air surveillance, border, customs, law enforcement and transfer control services as well as the embargoed target's known arms acquisition capabilities, supporters and sponsors. If the matrix reveals that neighbouring states have weak capacity, then the UNSC resolution establishing the arms embargo should also call for a monitoring group.¹⁸² Monitoring teams would subsequently be set up in each of the states neighbouring the embargoed target, with the task of supporting and offering best practice training to national state agencies. A monitoring group 'clearing house' for the various monitoring teams should also be established to report regularly on the monitors' findings and their recommendations for strengthening or lifting arms embargoes. These missions could draw upon the experience of the Organization for Security and Co-operation in Europe and EC Sanctions Assistance Missions (SAMs) deployed in the states neighbouring Yugoslavia during the UN arms embargo (1991), and the UN-appointed analytical support and sanctions monitoring team for the UN arms embargo on al-Qaeda, the Taliban, and associated individuals and entities. Despite a number of problems, the SAMs helped with the coordination of actions, the monitoring of sanctions and regular reports from the ground to the UNSC sanctions committee.¹⁸³

Target governmental and non-governmental actors that assist in the violation of a UN arms embargo

This report demonstrates that governmental and non-governmental actors in states neighbouring a targeted entity have played a key role in undermining UN arms

¹⁸¹ UN, Report of the Secretary-General on cross border issues in West Africa, S/2007/143, 13 Mar. 2007, p. 6.

¹⁸² Brzoska (note 1), p. 108.

¹⁸³ Cortright and Lopez (note 15), pp. 68–70.

embargoes and other sanctions by facilitating arms transfers and other forms of support to embargoed targets. Despite a significant body of evidence implicating such actors in UN arms embargo violations, little action has been undertaken at the global level to encourage or coerce actors to comply with their international obligations in these cases. This is despite the fact that UNSC Resolution 1343 (2001) on Liberia set a precedent for sanctions to be imposed on a government for supporting and facilitating arms transfers to an embargoed target—in this case the RUF in Sierra Leone. Although it could be argued that this is an instance where the continuation of an existing UN arms embargo was justified by changing the terms of reference, the demands were clearly related to coercing Liberia to end its support for an embargoed target.

There are a number of pitfalls in adopting this approach, not least of which is the risk of creating ‘international pariahs’ that feel no need to abide by international norms. Despite such pitfalls, the UN Security Council should at the very least consider also ‘naming and shaming’ the governmental and non-governmental actors that have been cited in the reports of sanctions committees and panels of experts as having violated an arms embargo by facilitating arms transfers to embargoed targets. At present, the ‘naming and shaming’ by UN panels of experts and sanctions committees appear to be the most immediate and powerful signals that UN-mandated authorities are willing to send out in this regard. UN Secretary-General Ban Ki-moon has advocated that sanctions should ‘include carrots along with sticks’,¹⁸⁴ an approach that takes into account the points made above with regard to clarity of demands and mechanisms for regularly reviewing target behaviour. With this approach, sanctions can become a viable option for compelling states to abide by their international obligations.

Promote the adoption of national legislation criminalizing UN arms embargo violations

Individuals and companies involved in the provision of military and transport services, in mining and logging corporations, and in the international arms trade have emerged as crucial assets for an embargoed target’s efforts to acquire arms. There are a few cases of prosecutions of arms brokers responsible for violating arms embargoes, but this practice has not yet become a strong deterrent. The UN Security Council has already ‘encouraged’ member states to criminalize arms embargo violations,¹⁸⁵ so every UN member state should ensure that arms embargoes are introduced into national law at an early stage, either automatically or through fast-track procedures. This legislation could be complemented by national controls on brokers, which would apply to citizens, residents or subjects of the

¹⁸⁴ UN (note 9).

¹⁸⁵ E.g. the UN Security Council encouraged states to make arms embargo violations a criminal offence in national legislation in UNSC Resolution 1196, 16 Sep. 1998.

jurisdiction of the UN member state enacting this legislation, wherever they are located.¹⁸⁶

Improve international harmonization of efforts to limit arms brokers' violations of UN arms embargoes

The UN has played a leading role in the difficult and controversial area of controlling arms brokers' activities.¹⁸⁷ Together with calls for standardized EUCs, this is an area in which global consensus should be achievable. Known arms embargo violators have evaded prosecution thanks to loopholes in national legislation (which could be addressed by the above recommendation) and a lack of cooperation between UN member states with regard to pursuing arms brokers suspected of illicit activities. UN member states should therefore cooperate when one member issues an arrest warrant or seeks to pursue criminal proceedings against an arms broker. Bilateral and multilateral mechanisms, such as Interpol, can help facilitate information exchanges in these circumstances.

Clearly define 'conflict goods' and measures for embargoing exports in combination with UN arms embargoes

The link between arms transfers in violation of UN arms embargoes and access to natural resources has been established in a number of embargoes in the Conflict Management and Government Authority categories.¹⁸⁸ This report shows that combining arms embargoes with sanctions on particular conflict goods can be effective in limiting arms flows to targets and in effecting target behaviour. The UN Security Council has demonstrated its interest in the impact of particular natural resources on conflict dynamics.¹⁸⁹ It should therefore play a leading role in establishing a definition of what constitutes a 'conflict good' and the circumstances in which an effective embargo on such goods, in combination with arms embargoes, can help restrict arms flows and improve target behaviour in cases in the Conflict Management and Government Authority categories.

¹⁸⁶ Extraterritoriality measures are included in a growing number of arms broker-related national laws. Anders, H. and Vines, A., 'Sanctions and enforcement', UNIDIR (note 75), pp. 101–37.

¹⁸⁷ UN, 'Report of the Group of Governmental Experts established pursuant to General Assembly Resolution 60/81 to consider further steps to enhance international cooperation in preventing, combating and eradicating illicit brokering in small arms and light weapons, A/62/163, 30 Aug. 2007.

¹⁸⁸ Cooper (note 106); Cooper (note 106); Le Billon, P. and Nicholls, E., *Natural Resources and Conflict Termination: Revenue Sharing, Economic Sanctions, and Military Interventions* (University of British Columbia, Liu Institute for Global Issues: Vancouver, 2007); 'Natural resources and armed conflict', *Human Security Bulletin*, vol. 5, no. 2 (June 2007), pp. 6–19; and Strandow (note 70).

¹⁸⁹ UN, 'Maintenance of international peace and security', S/PV.5705, 25 June 2007.

About the authors

Damien Fruchart (United Kingdom) is a researcher at Ethix Socially Responsible Investment (SRI) Advisors. He was a Research Assistant with the SIPRI Arms Transfers Project from October 2006 to May 2007. He has a BA in Chinese and Japanese Studies from the University of Leeds and a master's degree from Uppsala University. Previously, he held an internship with the European Commission's delegation in Beijing, China.

Dr Paul Holtom (United Kingdom) is a Researcher with the SIPRI Arms Transfers Project. He was the Lead Researcher on small arms and light weapons projects in north-eastern and south-eastern Europe for Saferworld. He is the author of several journal articles on the Baltic states, Kaliningrad and the Russian Federation, and of *Arms Transit Trade in the Baltic Sea Region* (Saferworld, 2003), *Turning the Page: Small Arms and Light Weapons in Albania* (Saferworld, 2005) and *Small Arms Production in Russia* (Saferworld, 2007).

Daniel Strandow (Sweden) is a PhD candidate at the Department of Peace and Conflict Research, Uppsala University. His previous experience includes working as a research assistant and associate within areas of conflict data, human security, conflict prevention and UN sanctions, and as a consultant for the private sector. He is the author of several reports on sanctions and conflict: *Sanctions and Civil War: Targeted Measures for Conflict Resolution* (Uppsala University, 2006) and *Sanctions for Conflict Prevention and Peace Building: Lessons Learned from Côte d'Ivoire and Liberia* (Uppsala University, co-authored with Peter Wallensteen, and Mikael Eriksson, 2006). His current research includes third party settlement efforts in internal conflicts through sanctions and aid.

Professor Peter Wallensteen (Sweden) has held the Dag Hammarskjöld Chair in Peace and Conflict Research at Uppsala University since 1985 and has been the Richard G. Starmann Sr Research Professor of Peace Studies at the University of Notre Dame since 2006. He directs the Uppsala Conflict Data Program and the Special Program on the Implementation of Targeted Sanctions. The second, updated edition of his book *Understanding Conflict Resolution: War, Peace and the Global System* (Sage) was published in 2007. He is co-editor of *International Sanctions: Between Words and Wars in the Global System* (Frank Cass, 2005).

Siemon T. Wezeman (Netherlands) has worked in the SIPRI Arms Transfers Project since 1992 and has led the project since mid-2006. Among his publications are several on international transparency in arms transfers. He is the author of *The Future of the United Nations Register of Conventional Arms*, SIPRI Policy Paper no. 4 (August 2003), and co-author of *Cluster Weapons: Necessity or Convenience?* (Pax Christi Netherlands, 2005).

