



Prospects for a UN Arms Embargo on South Sudan: A Response to HSBA Issue Brief 24

The Small Arms Survey's mission is to provide authoritative, policy-relevant information and analysis to help inform policies and programmes. The Survey's Human Security Baseline Assessment (HSBA) project for Sudan and South Sudan benefits from a network of expert researchers and peer reviewers, and receives feedback from practitioners and others with valuable insights. In response to HSBA Issue Brief 24, [Broken Promises](#), we received a particularly lengthy and thoughtful analysis that we believe would be useful to disseminate to a larger audience. In consultation with the author, Luuk van de Vondervoort, a former member of the UN Panel of Experts on South Sudan, we agreed to share his remarks with the wider HSBA community.

-- HSBA Team, Small Arms Survey

By Luuk van de Vondervoort

The HSBA recently published a [detailed assessment](#) of the Darfur embargo regime, concluding that the UN's arms embargo has largely failed to prevent most types of weapons entering Darfur. It also discussed the potential challenges of enacting and implementing a proposed embargo on South Sudan based on the Darfur example. But there are signs that the UN Security Council may be ready to take this step in South Sudan, and there are important dissimilarities between Darfur and South Sudan that could make an embargo in South Sudan more impactful, with positive implications for the protection of civilians and the stabilization of the security situation.

The HSBA Issue Brief outlines many important concerns and limitations that have contributed to the failure of the Darfur regime. Among these there are two issues in particular that undermine the efficacy of the embargo: first, the embargo is applied only within Darfur and does not extend to Sudan. This has made prevention of the internal transport of weapons into Darfur all but impossible. This problem is worsened both by the relative indifference of some weapons exporters to the end use of weapons systems sold to Sudan, but also the UN's inability to restrict transfer from Sudan's own domestic weapons manufacturing industry. Second, there has been deep disagreement within the UN Security Council and regional states about the legitimacy of the embargo, which has contributed to the lack of incentive to follow through on its implementation—particularly in light of the fact that two of the three main arms suppliers to Sudan—Russia and China—are permanent Council members.

But, unlike Sudan, South Sudan is a relatively isolated country with very limited infrastructure, including roads or airports capable of accommodating aircraft with heavy-lift capacity. The country is heavily dependent on foreign aid, particularly since the near complete collapse of revenues in the wake of

falling oil production and global oil prices. The country has virtually no indigenous manufacturing capability and therefore currently imports all weapons and ammunition. Similarly, there is limited capacity to service or repair damaged equipment, as evidenced by the abandoned military hardware that litters many areas in the country. Instead of seeking spare parts to repair such hardware, South Sudan frequently looks to import entirely new equipment, also as this is more lucrative for those signing the contracts. All of these factors mean that, from a technical perspective, the implementation of an embargo is much more feasible in South Sudan than in Darfur. Active monitoring of the few main entry points into the country would make weapons importation much more difficult.

It is often pointed out that the country is already awash with weapons, which would limit the impact of an embargo. This is true, but it ignores the role of heavy weapons in the conflict. The recent fighting in the capital, Juba, saw the use of Mi-24 attack helicopters, tanks, armoured personnel carriers, and other heavy weapons. The continued availability of these weapons has significantly encouraged those who seek a military solution at the expense of political compromise. An embargo is likely to have its greatest impact on these heavy weapons systems—as it has in Darfur, and as the HSBA report noted—as they are the easiest to track and monitor, including by satellite, as has been already demonstrated by the UN Panel of Experts for South Sudan. An embargo would also inhibit South Sudan's efforts to establish its own internal weapons manufacturing capability, which the government has shown recent interest in advancing.

Given South Sudan's high dependence on donor support, there is a drive for transparency in the country's finances that would also support the efficacy of an embargo. Donors do not want their funds being diverted for the purchase of attack helicopters, so those member states supporting the humanitarian response in South Sudan have a strong incentive to report on violations of an embargo. The likely necessity of South Sudan receiving comprehensive international support to alleviate its acute financial crisis will mean stringent conditions and controls on expenditure. Contrary to the situation in Sudan, this international financial scrutiny would lower the additional resources and political capital required for monitoring and thus enforcement of the embargo.

With regard to regional support for an embargo and the dynamics of the Security Council, once again there are important differences between South Sudan and Sudan. The key suppliers of weapons to Sudan, the Russian Federation and China, as the HSBA report notes, have consistently rejected active policing of the embargo. But in South Sudan, China, Israel, and Ukraine, all previously important weapons suppliers, have all expressed significant reservations over the conflict in the country. There is evidence that some of these suppliers have begun to unilaterally withdraw—or at least limit—support for weapons sales to South Sudan. Ukraine, for example, has found itself in a difficult position: it requires the support of the United States

and the European Union in response to its conflict in eastern Ukraine, and seeks to align itself with EU policy, which includes the Union's own arms embargo on South Sudan. Ukraine is therefore both a significant weapons supplier, having provided the Mi24 helicopters, but now supports an arms embargo. Ukraine's shift in position is indicative of a broader change among Security Council member states on the embargo in recent months, illustrating a concern that the conflict is spiralling out of control and likely to lead to regional insecurity if left unaddressed.

The role of some regional states, specifically Uganda, is a concern. Uganda has been vocal in rejecting a weapons embargo, and has been a significant conduit for weapons during the conflict. However, there is reason to believe that Uganda's resistance to the embargo would be moderated if it was put into effect. The Ugandan government was not happy to be mentioned in the UN Panel of Experts' report to the Security Council and the international scrutiny that accompanied it. Furthermore, Uganda's strategic importance to key allies, such as the United States, has somewhat declined as it has sought to limit involvement in both the counter-Lord's Resistance Army operations and the African Union (AU) mission in Somalia. The recent AU meeting in Kigali showed Uganda to be largely out of step with most of the region on South Sudan. Ugandan President Museveni is seemingly reassessing his position, as evidenced by his call on South Sudanese President Kiir to accept a regional intervention force.

At the same time as Uganda has become more isolated over South Sudan, Sudan's relationship with the international community has been more cooperative than at any time in the past decade, and this may be affecting its role in providing arms to South Sudanese elements. While there is evidence that Sudan has supplied weapons to the Sudan People's Liberation Army-in Opposition (SPLA-IO), Khartoum appears to have resisted the rebels' requests for heavy weapons, which suggests that it is closely monitoring the situation and moderating its engagement accordingly.

Ultimately, it is a matter of degree to what extent an embargo will reduce the arms flow to South Sudan. But an embargo will have at least one foreseeable impact, which is that certain sellers who do not wish to be seen as contravening international law will withdraw from the market. This will not discourage individual arms smugglers and the countries that supply them. But the black market tends to deliver bad quality or inappropriate weapons at excessive prices, thereby increasing the cost of doing business in South Sudan, both literally and politically.

Apart from such technical aspects, an embargo serves an important political function that is mentioned in the HSBA report but easily underestimated. So far, the Intergovernmental Authority on Development, the AU, and the UN Security Council have only threatened an embargo. The Government of South Sudan appears increasingly immune to these threats and expects no action.



The embargo would signal, first of all, that there is resolve inside the Security Council to push through with new, previously untried measures—and that more may follow. This would signal that the government does not act on an equal standing with other sovereign nations that are allowed to freely purchase weapons on the international markets, because these countries do not use weapons to systematically kill their own citizens. Juba has been incredibly sensitive to any such signalling and understandably so: the implicit message is that the current crop of leaders is unworthy to be the representatives of its people. Delegitimizing the current leadership on the basis of its actions, particularly if the embargo is clearly tied in with language on human rights violations, can drastically change the tone of the debate and demonstrate that the international community is looking beyond the Kiir-Machar dichotomy.

Embargoes can outlive their use when they are not sufficiently tailored to support diplomatic efforts and political developments. In South Sudan, the Security Council should introduce the embargo while simultaneously outlining a pathway to its lifting by tying the embargo to milestones that the conflict parties need to achieve. Conditions for partial lifting could include a lasting cessation of hostilities and an integration of forces. Ultimately, the embargo could be fully lifted once a newly-elected government is in place that meets basic criteria of governance and protection of civilians. This requires more committed diplomacy that is based on active monitoring and a solid understanding of the power dynamics inside South Sudan and the region. But this would make the embargo a fully-fledged part of a political solution for South Sudan's future instead of an empty gesture setup to fail.

Luuk van de Vondervoort was the arms expert on the UN Panel of Experts on South Sudan until mid-2016.

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