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## Do UN arms embargoes 'work'? It depends on how you define success.

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Recently, a multi-stakeholder attempt to support the imposition of a UN arms embargo on South Sudan, where conflict is ongoing, once again brought targeted sanctions to the forefront of discussions around how to protect conflict-affected populations and avoid humanitarian disasters. On 23 December 2016, however, the Security Council fell one vote short of imposing an embargo.

Arms embargoes are one tool among others that the international community applies in contexts where illicit arms flows fuel or exacerbate conflict or where arms in-flows can destabilize a country or increase the risk of conflict. Currently, 13 mandatory UN (conventional) arms embargoes are in place, typically—but not always—covering specific conflict parties.

Embargoes require the cooperation and compliance of target states and individuals (the embargoed parties), neighbouring states in the region, and all UN member states. Arms embargoes are almost always applied together with a wider set of sanctions, including asset freezes and travel restrictions. The implementation of and compliance with embargoes are monitored by teams of independent investigators called panels of experts. Panel members are hired by the UN Security Council and report to the relevant sanctions committees.

A healthy debate is in progress both within and outside the UN system as to how targeted sanctions should be designed and implemented, and how to measure their success. In 2015, the High Level Review of UN Sanctions took up some of these questions and made a series of recommendations for improving the UN's sanctions-monitoring architecture.

So, do UN arms embargoes 'work'? It really depends on how you define success.

If success is defined as the elimination of any new illicit flows of arms and ammunition to targeted states and individuals, arms embargoes are bound to be judged failures. Compliance and monitoring mechanisms are frequently not robust enough, and political will not committed enough, to prevent all new arms in-flows. In fact, panels frequently document new embargo violations. But even without punitive action from the Security Council for violations, conflict parties know that violations are documented at the highest levels, and this can and does affect their behaviour. In some contexts it clearly raises the costs for embargoed parties to access certain types of weapons; for example, larger conventional weapons systems.

Recently, the Small Arms Survey systematically interviewed sitting and former members of panels of experts on their experiences in monitoring UN arms embargoes (access the report <u>here</u>). The intention was to better understand the challenges that these panels face and how their work could be better supported. In the course of the interviews, the experts noted many cases of changes in the behaviour of individuals, companies, and other targeted entities following their identification in panel reports as embargo violators. Tangible outcomes included the revocation of transport companies' licences to operate, the listing of new embargoed items, improvements in weapons and ammunition marking and record-keeping practices, and a reduction in the support that elements in neighbouring countries give to sanctioned groups.

At the same time, panel members insisted that expectations for embargo monitoring need to be both calibrated and modest. As one panel member said: 'Reductions in flows of weapons cannot be the only criterion for judging [monitoring] impacts—impacts are much broader, and relate to the increase of peace and stability. You have to see the big picture, to create a better political environment to encourage peace.' These insights and others like them from key actors in the area of embargo monitoring are useful points of reference when thinking about whether arms embargoes 'work'.

Related report: <u>Monitoring UN Arms Embargoes: Observations from Panels of Experts</u>. Small Arms Survey Occasional Paper No. 33.

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The Global Partnership on Small Arms was a platform where stakeholders engaged in reducing or preventing illicit arms trafficking were able to interact; exchange information, experience, and knowledge; and give feedback to further their shared goals.

The Global Partnership was intended to build on the mutually reinforcing implementation of existing international instruments dealing with countering illicit arms trafficking (for example, the UN Programme of Action on small arms and light weapons), promoting the regulation of the legal trade through the Arms Trade Treaty, and advancing gender equality through the Women, Peace, and Security agenda.