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Save the Arms Embargo

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One of the first measures contemplated by the United Nations when confronting a new security crisis is to institute an arms embargo. Since the end of the Cold War – which liberated international action from the constraints of major power confrontation – there have been 27 such embargoes. In addition to these UN embargoes, there are also unilateral measures: The United States imposes its own arms sanctions on some countries (including Cuba), as does the European Union, sometimes directed at the same targets, notably Burma/Myanmar and Zimbabwe. Are they used at the right moment, and do they have the effects the UN would want? The list of failures is, indeed, long. The most striking is the arms embargo on Somalia, which has been in place since 1992 without any settlement in sight. Is it time to forget about this measure? Or is it time to save the embargo? If it is time to save the embargo, as this brief contends, what lessons can be drawn about the optimal use of embargoes, and under what conditions can they work?

The appeal of the arms embargo to the sender is obvious: It means that “we, the initiators,” are not supplying means of warfare and repression to regimes we think should not have them. Beyond such self-satisfying effects, does the embargo achieve the change it aims for? A timely report released in November 2007 by the sanctions study program of the Uppsala University Department of Peace and Conflict Research and the Stockholm International Peace Research Institute found that embargoes, once implemented, achieved significant change in a quarter of the cases, a success rate that increased to almost half under certain conditions. The report is part of a wider effort, supported by the Swedish Ministry for Foreign Affairs, to improve UN sanctions (Wallensteen and Staibano, 2005). As one of the co-authors, let me illuminate the report’s major findings and provide recommendations for saving arms embargoes.

Wait and assess: Save the embargo for the right opportunity

Although the frequency of arms embargoes may appear high, they are still not used automatically in any conflict. There were 122 armed conflicts between 1989 and 2006. During almost the same period (1990-2006), only 27 arms embargoes were imposed by the UN, 16 of which involved internal conflicts. That means embargoes were used in about one-fifth of all armed conflicts. Since the UN Security Council attends to about half of all armed conflicts, embargoes are used in almost every second conflict addressed by the Security Council. Clearly, they are a popular measure. The war between Ethiopia and Eritrea, the Yugoslav conflicts, and internal wars in Somalia, Angola, Rwanda, Sierra Leone, Congo, Sudan, and Côte d’Ivoire are some of the most notable cases. Embargoes have also been used in circumstances other than outright war, notably in response to challenges to global security, including the possible proliferation of

weapons of mass destruction (Iran, North Korea), terrorism (Al Qaeda, Afghanistan), and threats to governmental authority (Haiti, Liberia).

And arms embargoes are increasingly used. There were only 2 in 1990, 7 in 1996, and 11 by the end of 2006 (all still in effect at the end of 2007). This contrasts with the simultaneous – and to many, surprising – decline in armed conflicts. There were 50 ongoing conflicts in 1990, 42 in 1996, and 32 per year since 2002 (Harbom and Wallensteen 2007). The reasons for the increased use of embargoes are not analyzed in the report, but might relate to their increasing impact. For instance, the arms embargoes during the Balkan crises in the early 1990s seem to have been less effective than the one instituted on Liberia in 2003. An obvious conclusion is that the arms embargo should be saved for situations in which it is most likely to succeed. Assessing the likely effectiveness of an arms embargo is important before making a decision.

Although the success rate is low, the embargo can still be saved

The effectiveness of UN arms embargoes in reaching specified goals can be assessed in two ways that rely on quantitative and qualitative data. First, effectiveness

Arms embargoes are a potentially powerful instrument that should be used selectively, applied when the conditions are right, and combined with other measures.

may refer to the ability to halt arms flows; second, it may mean achieving compliance in target behavior. The two aspects are intricately related to one another. Although some reduction in arms flows may be important to demonstrate the effectiveness of an arms embargo, the mere threat of an embargo may also work. If the threat is credible, the targeted actor may comply without any UN action. Similarly, even if an embargo does not achieve a complete end to arms flows, actors may still prefer to comply, as the uncertainty about receiving punctual deliveries at reasonable costs increases.

The impact of embargoes can be evaluated at three different junctures: as threatened, as imposed, and at the time of their removal.

Improve the credibility of UN threats

Successful threats might actually be the cheapest way the UN could exert influence, but, unfortunately, the credibility of threatened embargoes is low. In 9 of 21 cases of a threatened arms embargo, at least one

permanent member of the UN Security Council – the very body imposing the embargo – provided military support to a target after the threat had been made. In 7 situations, one or several permanent members publicly expressed opposition to the possibility of an imposed arms embargo. Against this background, it is not surprising that only 5 threats could be judged as credible. In fact, 16 of the threatened embargoes were eventually imposed, suggesting that the Security Council itself recognized that its threats did not work.

North Korea (1993) and Eritrea and Ethiopia (2005) were the two successful cases in which the target significantly improved its behavior, and, as a consequence, no UN arms embargo was imposed. In the first case, North Korea agreed to allow inspectors from the International Atomic Energy Agency. In the second case, Eritrea and Ethiopia improved their cooperation with UN peacekeepers, but a year later tensions rose.

The cases of threatened embargoes suggest that (1) *threats can be effective, but the goals must be clear, and (2) there must be consensus, at least among the five permanent members of the UN Security Council.* Given that embargoes are so economical, the record needs to be improved.

Successful implementation requires supportive measures

Since threats are not likely to work, most threatened arms embargoes are brought to the next stage. They are implemented as mandatory UN measures, mostly under chapter VII. All UN member states have to carry them out by taking legislative action, strengthening border controls, and instructing government authorities to be alert for violations.

The embargo history is ripe with violations, but also with complications. In cases of an ongoing war in which an embargoed target has easy access to its own supply of arms, the target may have an advantage over its adversary. An example is the Federal Republic of Yugoslavia, which had sizeable arms production facilities and stockpiles. The same may not be true in other conflicts in which the actors are more dependent on continuous arms flows. In some situations, the targets may have an interest in a cease-fire, for instance, in order to be able to find new sources of arms deliveries and thus restart the war.

Measuring the changes in target behavior in relation to the demands set by the Security Council leads to some interesting observations. First, there is a correlation between the UN arms embargo and improved target behavior in only 25.2% of all observations. This is similar to what other studies have reported. Second, the compliance rate increases to 29% if one removes cases dealing with weapons of mass destruction and terrorism. In these instances, the secure access to arms deliveries may not be as significant as in other cases. Third, if one also takes into account the extent to which the UN made serious efforts to monitor the embargoes, the rate becomes 32%. Fourth, where efforts were made to control borders the corresponding number is 36.4%. Finally, the presence of UN peacekeepers improves the ratio to 47.1%.

While the statistical significance of these results can be debated, especially as the number of cases becomes smaller for each category, clearly much can be done to improve embargoes.

- The fate of UN arms embargoes is determined by the willingness of UN member states, especially neighbors of the target country, to implement and monitor mandatory UN arms embargoes. In a number of cases, neighboring states have clearly ignored their commitments to the UN. In only one did the Security Council impose sanctions. In 2001, Liberia was sanctioned for supplying arms to Sierra Leone. *The credible threat of such secondary sanctions may be a way to improve the record of sanctions implementation.*
- For the many states that do not have the means to control their own borders and effectively implement embargoes, *sanctions assistance may be necessary.* If the UN (and other donors) extended such support, states would honor their commitment to the UN while, at the same time, benefit from improving their own administrative capacity and, possibly, increasing revenues.
- *When sanctions violations are detected, they should be brought to trial before an appropriate authority.* The number of such cases is surprisingly limited, even though some violators are known by name (Farah and Braun 2007).
- Obviously, *the five permanent members of the UN Security Council have a particular responsibility.* One would expect these states to implement the sanctions properly, thus setting an example.

They would also be the best positioned to exert influence directly on the targeted actors and on neighboring states to ensure that the sanctions are properly implemented.

- *Embargo surveillance can be improved if the Security Council and its sanctions committees appoint highly qualified inspection teams (monitors, expert panels), listen to their reports and act on them.* A database of all reports would assist in this.
- Finally, *in situations where international peacekeepers are in place, they should be given the additional mandate and resources to monitor arms embargoes and intercept illegal deliveries.*

Terminate action quickly when improved behavior is sustained

By the end of 2006, 11 of the 27 UN arms embargoes had been terminated. The Security Council is likely to maintain arms embargoes until improved target behavior has been observed over a period of time and thus can be expected to be sustained. Regularly reviewing UN arms embargoes is a way out of the acrimonious debate about whether embargoes should be open-ended (without clear endings) or time-limited (expiring after a certain period of time, no matter what has transpired).

The case of Liberia has been interesting, where the economic sanctions have been gradually lifted in line with the democratically elected government's ability to control some key resources (diamonds, timber) that previously had fueled the internal war. The same approach has been applied to the arms embargo, which has been gradually lifted as there have been improvements in the formation of new police and armed forces under democratic control.

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The future of arms embargoes: fewer but smarter

Arms embargoes should be used with care. They are a potentially powerful instrument that needs to be applied when the conditions are right. In order to be more effective, they will need to be fewer in number and combined with other measures. That will also increase their utility as a threat.

Among the situations presently under sanctions, Iran and Sudan are particularly interesting. In the first case, the likelihood of success for an arms embargo is limited, as Iran may find other suppliers and may not be in need of such imports for its nuclear program. The recent revelation that Iran's nuclear weapons program was terminated in 2003 cannot be attributed to sanctions. The UN threat of sanctions only emerged in 2006 and was not credible, as some permanent members opposed them. Iran's policy change probably relates to the changing priorities of the regime at the time, led by President Mohammed Khatami. In the case of the Darfur region in Sudan, the arms embargo has considerable potential. It would need to be strengthened by adding embargo monitoring to the mandate of the peacekeepers and increasing the commitment of the neighboring countries to control their borders.

A smarter use of sanctions against Iran, Sudan, and other countries requires building a consensus, especially among the five permanent members of the Security Council, around clear goals. Smarter sanctions require mechanisms for monitoring and enforcement, including

the credible threat of secondary sanctions against countries that do not comply. They require sanctions assistance to neighboring countries that otherwise would not be able to enforce them. They require mandates for international peacekeepers to monitor and enforce embargoes and expert surveillance teams whose findings are acted upon. And they require regular review and gradual lifting of embargoes as a target country complies with UN demands. If these and other measures are taken, arms embargoes clearly will be worth saving.

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