United Nations Arms Embargoes
Their Impact on Arms Flows and Target Behaviour

Case study: Darfur, Sudan, 2004–2006

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This is one of a series of case studies on United Nations arms embargoes. Drawing on the SIPRI Arms Transfers Database and other open sources, these case studies analyse arms flows before, during and after a UN arms embargo has been established. These case studies were researched and written by members of the SIPRI Arms Transfers Project to inform a report by SIPRI and the Uppsala University Special Program on the Implementation of Targeted Sanctions (SPITS), United Nations Arms Embargoes: Their Impact on Arms Flows and Target Behaviour (SIPRI: Stockholm, 2007). This report and the case studies are available at <http://books.sipri.org/product_info?c_product_id=356>.

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I. Introduction

In late 2002 a violent armed conflict developed in the Sudanese region of Darfur, as non-Arab Darfurians began an armed struggle for greater recognition from the predominantly Arab Sudanese Government. In mid-2003 fighting in the western region of Darfur intensified, with widespread human rights violations reported, an estimated 200,000 Darfurians killed and the displacement of over 2 million people. In response to the ongoing conflict and atrocities in the Darfur region, the United Nations Security Council (UNSC) passed Resolution 1556 on 30 July 2004, imposing an embargo on supplies of arms and military equipment to non-governmental entities and individuals operating in Darfur. The violence continued and the Sudanese Government’s perceived inactivity with regard to controlling its proxy forces in Darfur led to UNSC Resolution 1591 (2005) expanding the coverage of the arms embargo on Darfur, prohibiting the movement of military equipment to all belligerents in Darfur, including Sudanese Government forces based in Darfur.

Section II of this case study gives a brief overview of the conflict and arms transferred to armed groups in Darfur and also Sudan in the period before the arms embargo imposed by Resolution 1556. Section III discusses the impact of the arms embargo on arms transfers. The case study concludes with some general observations on the arms embargo’s impact on arms flows to Darfur.

II. Background

In early 2003, two Darfurian rebel groups, the Sudan Liberation Movement/Army (SLM/A) and the Justice and Equality Movement (JEM), conducted their first attacks against the police and military forces of the Sudanese Government. The Sudanese Government responded by sending troops to the Darfur region and called upon local Arab tribes to assist in the fighting against the rebels. The local Arab tribes’ lightly armed ‘militias’ became known as the Janjaweed—a generic term used to describe Arab militia acting under the authority, with the support, complicity or tolerance of Sudanese state authorities. The Janjaweed have been held responsible for major atrocities in Darfur, but received government immunity for their actions. There is ample evidence that the Sudanese Government finances, supplies, organizes and directs the Janjaweed. There have been many eyewitness accounts of joint attacks on civilians by government troops and Janjaweed. Despite the deployment of the African Union Mission in Sudan (AMIS) in 2004, the security situation in Darfur continued to deteriorate as attacks on civilians continued, the Sudanese Government remained unwilling to rein in the Janjaweed, rebel factions started to fight each other and tension between Sudan and Chad intensified.

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6 Clough (note 5); and United Nations (note 2), p. 34.
The European Union (EU) 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. The USA imposed sanctions on Sudan in 1997. In response to the conflict and atrocities in Darfur the UNSC passed Resolution 1556 on 30 July 2004, which imposed an arms embargo on all supplies of military equipment to non-governmental entities and individuals, including the Janjaweed, operating in the states of North Darfur, South Darfur and West Darfur.

Arms transfers before the arms embargo

Armed rebel groups and the Janjaweed relied primarily upon small arms and light weapons (SALW), such as grenade launchers and heavy machine guns mounted on light trucks, as they fought and massacred in Darfur. They acquired their arms from officials within neighbouring governments, stole military equipment from Sudanese government armed forces and procured small arms trafficked into Darfur from neighbouring countries. In contrast, the Sudanese Armed Forces are reported to have utilized most types of military equipment in their inventory—except for ships—including combat aircraft, combat helicopters, transport aircraft for dropping bombs, tanks, artillery and infantry weapons. However, the Sudanese Government has not been able to deploy its full military potential in Darfur, as it has also had to contend with military threats in Southern Sudan and also along its borders with Chad. Belarus, China, Iran and Russia were the main suppliers of arms and support for Sudan’s domestic arms industry in the period preceding the imposition of the UN arms embargo.

Arms transfers to Janjaweed

The Janjaweed received weapons and regular supplies of ammunition from Sudanese Army and senior civilian authorities at the local level. Numerous sources have reported that Sudanese Government aircraft have been used to supply the Janjaweed with arms.

Arms transfers to SLM/A and JEM

Both SLM/A and JEM began organizing themselves in the course of 2001 and 2002. It is not known exactly who supplied them with weapons, but it is assumed that much of their initial arsenal was based upon weapons already present in the Darfur region—in and around which armed conflict and banditry had been common long before 2001. The incidence of small arms in conflict prone Africa is high. Small arms had been flowing

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8 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.
9 UN Security Council Resolution 1556 (note 4).
11 Amnesty International (note 10).
12 United Nations (note 2), p. 34.
into the Darfur region from conflict-zones in neighbouring Chad and Southern Sudan for years. SLM/A and JEM also armed themselves with Sudanese Government weapons captured during attacks on Sudanese Government garrisons and police stations in early 2003. SLM/A and JEM have claimed that they have not received weapons from other countries. However, the Sudanese Government claims that the groups have received weapons from Eritrea.

**Table 1.** Summary of possible/suspected sources and secondary support for arms transfers to warring factions in Darfur before the arms embargo

<table>
<thead>
<tr>
<th>Recipient</th>
<th>Source of arms</th>
<th>Secondary support</th>
</tr>
</thead>
<tbody>
<tr>
<td>Janjaweed</td>
<td>Sudan</td>
<td>Sudan</td>
</tr>
<tr>
<td>SLM/A</td>
<td>Chad, Eritrea</td>
<td>Chad, Eritrea</td>
</tr>
<tr>
<td>Sudanese Government forces</td>
<td>. .</td>
<td>. .</td>
</tr>
</tbody>
</table>

**Arms transfers to Sudanese Government armed forces in Darfur**

The Sudanese Government has acquired weapons from a number of suppliers. Since the early 1990s, Sudan has received most of its major conventional weapons from Belarus, China and Russia. These arms supplies have consisted of relatively small batches of military equipment. The most significant deliveries in terms of military utility consisted of about 17 Mi-24 combat helicopters delivered in 2001–2002 and 12 MiG-29S combat aircraft delivered in 2003–2004. The Mi-24 helicopters have been mentioned regularly in reports of Sudanese Government attacks in Darfur. Since the 1990s, Chinese, Iranian and Russian companies have also supported the expansion of Sudan’s own capabilities to assemble and produce small arms, artillery and armoured vehicles. Available data suggest that China and Iran accounted for over 95 per cent of all small arms and related ammunition supplied to Sudan in the period 1992–2005. Sudan signed a military agreement with India in 2003, suggesting that India could also be a supplier of military equipment to Sudan.

EU member states and the USA have not delivered any major conventional weapons to Sudan since the introduction of arms embargoes in 1994 and 1997 respectively. However, statistical data submitted by EU member states to the United Nations Commodity Trade Statistics Database (COMTRADE) suggest that France and the UK may have supplied small amounts of military equipment or ammunition to Sudan in 2000 and 2001. The reliability of the COMTRADE data is however questionable and

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15 Amnesty International (note 10), p. 36.
17 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, <http://armstrade.sipri.org/>.
the UK has reported it has no records of weapons being delivered from the UK to Sudan in this period. However, there are at least two cases in which brokers based in the UK and Ireland were actively involved in negotiations to supply small arms from Brazil and transport aircraft, T-72 tanks, BM-21 multiple rocket launchers, BTR-80 armoured personnel carriers and artillery from Ukraine to the Sudanese Government.

III. The arms embargo

Resolution 1556 decided that:

All states shall take the necessary measures to prevent the sale or supply to all non-government entities and individuals, including Janjaweed, operating in the states of North Darfur, South Darfur and West Darfur . . . of arms and related materials of all types, including weapons and ammunition, military vehicles and equipment, paramilitary equipment, and spare parts for the aforementioned.

Resolution 1556 also prohibited ‘technical training or assistance related to the provision, manufacture, maintenance or use of the items (listed above)’, with exceptions for UN monitors, non-lethal military equipment for humanitarian, human rights monitoring or protective use. UNSC Resolution 1556 (2004) imposed a UN embargo only on transfers to non-governmental armed forces and individuals operating in Darfur, 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. EU member states and the USA were behind the threats of further sanctions against the Sudanese Government. The UNSC had excluded military supplies to the Sudanese Government from the arms embargo imposed by Resolution 1556 at the insistence of Russian and Chinese representatives. There were reports accusing the Sudanese Government of supplying weapons and military support to the Janjaweed in contravention of the arms embargo, suggesting that the threat contained in UNSC Resolution 1556 was regarded as weak. Despite evidence of direct government involvement, several UNSC member states continued to block effective international action.

Eight months later, on 29 March 2005, the UNSC took further action. UNSC Resolution 1591 expanded the scope of the UN arms embargo to cover all parties to the 2004 N’djamena Ceasefire Agreement—the Sudanese Government, SLM/A and JEM—and any other belligerents in Darfur, including Sudanese Government forces, that were active in the region. China and Russia abstained from the vote on UNSC Resolution

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24 United Nations (note 4).
26 United Nations (note 4).
28 Dyson (note 25).
29 Clough (note 5); United Nations (note 2), p. 34.
1591,\textsuperscript{31} thereby undermining the arms embargo without using their veto. The UNSC decided that it would consider requests from the Sudanese Government to transfer government military equipment into the Darfur region. The arms embargo did not apply to deliveries of weapons to the Sudanese Government that would not be used in Darfur.

A peace agreement was signed by the Sudanese Government and one faction of SLM/A in May of 2006.\textsuperscript{32} Two rebel movements, a faction of SLM/A referred to as SLM/A (AW) and the JEM, did not sign the agreement and fighting between government forces and these groups continued throughout 2006. Furthermore fighting erupted in June 2006 between SLM/A factions.\textsuperscript{33} Next to the multitude of more or less autonomously operating armed groups involved in the conflict, a complicating factor in assessing the effect of the arms embargoes related to this conflict is its relation with other conflicts in the region—in particular the armed conflict in Chad and the related tension between Chad and Sudan.

\textbf{Monitoring and enforcement mechanisms}

Resolution 1591 established a sanctions committee and Panel of Experts to monitor and investigate the implementation of the arms embargo respectively. The sanctions committee was also tasked with designating individuals ‘who impede the peace process, constitute a threat to stability in Darfur and the region, commit violations of international humanitarian or human rights law or other atrocities’, had violated prior embargoes, ‘or are responsible for offensive military overflights’. UN member states were called upon to freeze the funds, financial assets and economic resources of any identified individuals in their countries. The Panel of Experts reported in January 2006 that the Sudanese Government had transferred weapons into Darfur in contravention of Resolution 1591, because this had been carried out without the prior consent of the UNSC.\textsuperscript{34} They recommended that the entire territory of Sudan should be subject to the UN arms embargo.

\textbf{Arms transfers during the arms embargo}

Judging from the available data there does not seem to have been major changes in the supply or arms to the belligerents in the Darfur conflict.

\textit{Arms transfers to Janjaweed}

The Panels of Experts which investigated implementation of the arms embargo concluded that the Sudanese Government continued to supply the Janjaweed with weapons up until at least mid-2006. In mid-2006 the Janjaweed appeared to have upgraded their arsenal with heavier weapons; for example grenade launchers appeared to be more common. The fact that the Janjaweed coordinated their combat activities with Sudanese armed forces makes it very likely that they have continued to obtain

\textsuperscript{31} China had also abstained from the vote on UNSC Resolution 1556 (note 4). For UNSC voting records see the UN Bibliographic Information System (UNBISNET), <http://unbisnet.un.org>.


\textsuperscript{34} United Nations (note 14), p. 5.
weapons from the Sudanese Government. It is not known if the Sudanese Government supplies the Janjaweed with older weapons, replacing these weapons with newly purchased weapons from overseas suppliers, or if new weapons purchased abroad are supplied straight to the Janjaweed. The answer to this question is important, as it relates to the question of foreign suppliers involvement in violating the arms embargo on supplies to belligerent forces.

Table 2. Summary of possible/suspected sources and secondary support for arms transfers to warring factions in Darfur during the arms embargo

<table>
<thead>
<tr>
<th>Recipient</th>
<th>Source of arms</th>
<th>Secondary support</th>
<th>Non-state actors</th>
</tr>
</thead>
<tbody>
<tr>
<td>Janjaweed</td>
<td>Sudan</td>
<td>Sudan</td>
<td></td>
</tr>
<tr>
<td>SLM/A</td>
<td>Chad, Eritrea</td>
<td>Chad, Eritrea</td>
<td>Chadian rebel groups, SPLM/A</td>
</tr>
<tr>
<td>JEM</td>
<td>Chad, Eritrea, Libya</td>
<td>Chad, Eritrea, Libya</td>
<td>.</td>
</tr>
<tr>
<td>Sudanese</td>
<td>.</td>
<td>.</td>
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</table>

Arms transfers to SLM/A and JEM

Sudan has accused the Government of Chad of continuing to supply weapons to SLM/A and JEM in Darfur. These claims were supported by the findings of the Panel of Experts, which found that SLM/A and JEM had continued to receive weapons and equipment from Chad, Eritrea, Libya and unknown sources. However, the Panel was not able to determine whether the support originating from Chad and Libya was part of official government policy or independent actions undertaken by particular government officials. During 2005–2006, SLM/A obtained weapons from Chadian rebels who joined SLM/A. However, weapons captured from Sudanese Government forces have remained of significance for the military capability of the rebel forces. The Panel also obtained credible information that the Sudan People’s Liberation Movement/Army (SPLM/A)—the rebel group that fought the Sudanese Government in the southern Sudan—had trained and supplied weapons to SLM/A up until the peace negotiations between SPLM/A and the government in the summer of 2004.

Rebel forces showed a notable increase in their military capacity in 2006. There appeared to be an increase in the number of newer small arms in the possession of the rebel factions. There is no information on the exact origins of these weapons.

Arms transfers to Sudanese Government forces in Darfur

While several reports by the Panel of Experts concluded that the Sudanese Government has violated the UN arms embargo on Darfur, the Sudanese Government has repeatedly stated that it was its sovereign right to transfer weapons into Darfur without asking

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permission from the sanctions committee.\textsuperscript{41} As of the beginning of 2007, the Sudanese Government had never requested approval from the sanctions committee to transfer military equipment into Darfur, despite the fact that the transfers were taking place after the arms embargo had been introduced.\textsuperscript{42} For example, the Sudanese Government has indicated that it transferred weapons into Darfur around December 2005 in response to the developing conflict between Sudan and Chad.\textsuperscript{43} There were also reports that Chadian rebels supported the Sudanese armed forces in Darfur in return for military materiel.\textsuperscript{44}

The Panel of Experts noted that during their investigation it had seen—relative to the known holdings of the Sudanese Government—only a limited quantity of major conventional weapons in Darfur: a small number of tanks, armoured personnel carriers, artillery and combat helicopters. It was therefore considered likely that the arms embargo did have a tangible impact on the deployment of major conventional weapons.\textsuperscript{45} However, the Darfur area is less suitable for deployment of large armoured forces, and the Panel of Experts noted that a number of independent sources had indicated that aircraft, including combat helicopters, had been widely used in the conflict.

\textit{Arms transfers to the Sudanese Government}

The supply of weapons to the Sudanese Government is not prohibited by any of the UN embargoes related to Sudan. It can be argued that states supplying arms to Sudan have the responsibility to prevent such weapons from being used in Darfur, in contravention of the embargo on movement of weapons to Darfur. The Panel of Experts has suggested that states supplying arms to Sudan should (a) demand proper end-user declarations (b) make efforts to verify that the delivered weapons are not used in Darfur (c) report their arms supplies to Sudan to the UN.\textsuperscript{46} Delivery verification is notoriously difficult to achieve as it requires the acquiescence of the recipient state and there is no indication that the states supplying Sudan have actually made serious attempts to trace the whereabouts of the weapons supplied.

Furthermore it is close to impossible to determine with certainty whether the weapons and related ammunition used in Darfur were transferred to the region before Resolution 1591 entered into force. Reports of government attacks on rebels in Darfur describe the weapons used, such as Antonov transport aircraft and MiG combat aircraft reportedly used to bomb villages in Darfur,\textsuperscript{47} but do not indicate the exact type of Antonov nor the type of bombs used. Such information may help to determine whether these aircraft had been delivered before 29 March 2005.

Mi-24 combat helicopters were sighted in Darfur in the summer of 2006.\textsuperscript{48} It is known that Sudan received such helicopters before the embargo. Therefore, the suppliers of

\textsuperscript{41} United Nations (note 33), p. 25.
\textsuperscript{42} United Nations (note 33), p. 25–27.
\textsuperscript{43} United Nations (note 37), p. 16.
\textsuperscript{44} United Nations (note 33), p. 24.
\textsuperscript{45} United Nations (note 14).
\textsuperscript{46} United Nations (note 33), p. 29.
\textsuperscript{48} United Nations (note 33), p. 28.
these helicopters (Russia and Belarus) can claim that the responsibility for these helicopters being moved to Darfur lies solely with the Sudanese Government.

Despite the findings of the Panel of Experts, Belarus, China and Russia do not show any signs of restraint regarding deliveries to the Sudanese Government. From the available data it appears that there has been no significant change in export behaviour by the states supplying Sudan after the threat or the imposition of an embargo on the Sudanese Government forces in Darfur. There is no substantial information on other equipment, such as small arms, being delivered. However it is likely that more weapons have been supplied considering the fact that Sudan signed agreements on military cooperation in 2006—a term usually meaning agreements to supply arms and training—with Belarus, China, Russia and Turkey.49

There are several possible motives for the Russian and Chinese positions. First, Russia and China have opposed the imposition of UN arms embargoes on governments condemned by the other permanent members of the Security Council, most recently Burma, by citing the importance of the principle of non-interference in the internal affairs of sovereign states.50 Second, transfers strengthen ties between the Sudanese Government and the Russian and Chinese governments. They are therefore considered one of the ways in which China in particular has sought to gain access to Sudanese oil reserves and other economic opportunities. Access to the Sudanese oil industry is a significant element of China’s energy policy and China has made major investments in oil exploitation in Sudan.51 Third, an arms embargo would mean the loss of revenues from arms sales, although this is likely to be a minor consideration as arms transfers to Sudan represented only about 2 per cent of Chinese and Russian major conventional weapons transfers in the period 2003–2007.

The Sudanese Government is trying to obtain a certain level of independence from outside arms suppliers. Over the last decade it has significantly increased its capacity to produce ammunition and has also set up a certain production capacity for small arms, artillery and armoured vehicles.52 Considering the low level of industrialization in general in Sudan it is however likely that these production activities are still highly dependent on imported technology and components.

IV. Conclusions

The UN embargoes on the supply of military equipment to the region of Darfur appear to have had no measurable effect on the actual flow of weapons to the region. Rebel forces appeared to continue receiving arms from the same sources as before the first embargo via Resolution 1556 was introduced. The Sudanese Government has ignored UNSC demands, transferring soldiers and weapons to Darfur at will while continuing to support and arm the Janjaweed. The UNSC has thus far not responded to violations of

49 ‘Sudan, Belarus ink military cooperation agreement’, Sudan Tribune, 16 Jun. 2006; and ‘Sudan, Turkey ink military cooperation accord’, Sudan Tribune, 1 Aug. 2006.


the second embargo contained in Resolution 1591 and several states do not appear to consider the behaviour of the Sudanese Government merits further restrictions on arms transfers. The Sudanese Government therefore has the same access to weapons during the embargo that it enjoyed before Resolution 1591.

The long borders of Darfur, abutting other conflict-zones, pose a serious challenge to those determined to effectively enforce the arms embargo. However, the root problem for implementing the arms embargo is one of a lack of political will on the part of the permanent UNSC members Russia and China to encourage the Sudanese Government to comply with the demands of the UNSC.

Glossary

<table>
<thead>
<tr>
<th>Acronym</th>
<th>Definition</th>
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<tbody>
<tr>
<td>AMIS</td>
<td>African Union Mission in Sudan</td>
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<tr>
<td>COMTRADE</td>
<td>United Nations Commodity Trade Statistics Database</td>
</tr>
<tr>
<td>JEM</td>
<td>Justice and Equality Movement</td>
</tr>
<tr>
<td>SALW</td>
<td>small arms and light weapons</td>
</tr>
<tr>
<td>SLM/A</td>
<td>Sudan Liberation Movement/Army</td>
</tr>
<tr>
<td>SPLM/A</td>
<td>Sudan People’s Liberation Movement/Army</td>
</tr>
<tr>
<td>UNSC</td>
<td>United Nations Security Council</td>
</tr>
</tbody>
</table>