



# UKRAINIAN ARMS SUPPLIES TO SUB-SAHARAN AFRICA

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## I. Introduction

SIPRI data indicates that Ukraine exported a significant volume of major conventional weapons to sub-Saharan Africa during 2005–2009, in particular Ukrainian surplus aircraft, artillery and armoured vehicles. Ukrainian enterprises and individuals have also provided maintenance, overhaul and modernization services for Soviet-designed equipment as well as transportation and brokering services for the armed forces of sub-Saharan African countries.

Ukraine was identified as the source of arms and ammunition that were diverted to armed forces and rebel groups subject to United Nations arms embargoes, and also conflict zones, in sub-Saharan Africa during the 1990s.<sup>1</sup> However, Ukraine has made some progress in controlling exports and improving transparency in recent years. Official Ukrainian reports on arms exports indicate that Chad and Kenya have become important recipients of Ukrainian arms. In both cases, concerns have been raised regarding risks of diversion, use in conflict or potentially destabilizing impacts in subregions.

Section II of this paper outlines the changing Ukrainian framework for arms exports. Section III discusses different types of transfer and arms-related activity undertaken by Ukrainian entities in sub-Saharan Africa. Section IV considers the use of Ukrainian-supplied arms in conflicts in the region. Section V looks at the questions that have been raised surrounding Ukrainian-supplied arms to Kenya during 2007–2009 and recent evidence to support the case that these items were destined for Southern Sudan. Section VI summarizes the paper's findings.

<sup>1</sup> The reports of the UN-appointed panels and groups of experts charged with monitoring and investigating UN arms embargo violations have described in detail the role played by Ukraine as a source of supply, and Ukrainians involved in the transfer of arms and military equipment to embargoed actors. See e.g. Fruchart, D. et al., *United Nations Arms Embargoes: Their Impact on Arms Flows and Target Behaviour* (SIPRI/Uppsala University: Stockholm, 2007) and accompanying background case studies available at <[http://books.sipri.org/product\\_info?c\\_product\\_id=356](http://books.sipri.org/product_info?c_product_id=356)>.

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## SUMMARY

● Ukraine has consistently been among the 10 largest arms exporters in the world during the past two decades. An estimated 18 per cent of Ukrainian arms exports during 2005–2009 were for recipients in sub-Saharan Africa, specifically to Kenya (or Southern Sudan), Chad, Nigeria, Equatorial Guinea, and the Democratic Republic of the Congo (DRC). Ukraine has supplied surplus aircraft, tanks, armoured vehicles, artillery, SALW and ammunition to armed forces in sub-Saharan Africa. Additionally, Ukrainian companies and individuals have supplied other services related to arms transfers and participated in combat missions for African armed forces.

Concerns have been raised in recent years regarding Ukrainian arms exports to Africa. Ukrainian-supplied arms have been used by government forces against armed groups in Chad, the DRC and Equatorial Guinea in recent years, with Ukraine continuing deliveries to Chad and the DRC. Ukrainian, Kenyan and Southern Sudanese officials deny that Ukrainian deliveries of tanks, artillery and ammunition to Kenya have been re-exported to Southern Sudan, despite evidence to the contrary.



## II. The Ukrainian framework for arms exports

Everyone understands perfectly well that we are not selling bananas, pineapples, or some kind of children's toys. We sell weapons. We sell them perfectly legally, adhering to all international treaties and the laws of Ukraine . . . apart from revenue to the treasury, it enables us to be identified in the world as a player country . . . Yes, we are also known in the world as arms dealers, but we must not be ashamed of it. A lot of people and businesses are involved in it.<sup>2</sup>

Serhiy Bondarchuk, head of Ukrspetsexport, 2005–10

The 2003 Ukrainian law 'On State Control over International Transfers of Military and Dual-Use Goods' provides the main legal framework for Ukrainian export controls, including a general set of principles to guide Ukrainian decision-making on arms exports.<sup>3</sup> The principles include (a) respect for international commitments on non-proliferation, (b) harmonization of Ukrainian procedures and practices to be in line with international norms and standards, and (c) cooperation with other states and international organizations to strengthen international security and stability. However, the principles also call for the 'primacy of the national interests of Ukraine' and the application of export controls 'only to the extent needed to ensure the achievement of stated goals'. The Ukrainian president is at the top of the decision-making structure for arms exports. Other important figures involved in setting and directing Ukrainian arms export policies include the defence minister, the foreign minister, the chairman of the Security Service of Ukraine, the heads of foreign and military intelligence and the head of Ukrspetsexport (the main state entity permitted to engage in international arms transfer activities).

During December 2010 Ukrainian president Viktor Yanukovich issued two presidential decrees to establish a state entity to be responsible for state enterprises involved in 'the development, manufacture, sale, repair, modernization and disposal of weapons, and special equipment and ammunition involved in the military-technical cooperation with foreign countries'.<sup>4</sup> Also in December the cabinet of ministers issued a resolution on the creation of Ukroboronprom. The resolution outlines the tasks to be carried out to create the state entity and the list of initial enterprises to be folded into its domain, which includes Ukrspetsexport and other Ukrainian state arms exporters.<sup>5</sup> On 4 January 2011 President Yanukovich appointed Dmitri Salamatina to

<sup>2</sup> Shevchenko, A., [Sergei Bondarchuk: Yes, we are also known around the world as arms dealers, but it is not necessary to be ashamed of this], *Levyi bereg* (Kyiv), 13 Aug. 2010, <[http://lb.ua/news/2010/08/13/60799\\_sergey\\_bondarchuk\\_mire.html](http://lb.ua/news/2010/08/13/60799_sergey_bondarchuk_mire.html)>.

<sup>3</sup> [On state control over international transfers of military and dual-use goods], 20 Feb. 2003, Section I, General Provisions, Article 4, <[http://www.dsecu.gov.ua/control/uk/publish/article?showHidden=1&art\\_id=35062&cat\\_id=35014&ctime=1145517832437](http://www.dsecu.gov.ua/control/uk/publish/article?showHidden=1&art_id=35062&cat_id=35014&ctime=1145517832437)>.

<sup>4</sup> The first presidential decree of 9 Dec. 2010 called for an agency called Ukroboronexport to be established, while the presidential decree of 28 Dec. 2010 called for the agency to be called Ukroboronprom. [Decree of the president of Ukraine number 1085/2010 to optimize the central authorities], approved by the president of Ukraine on 9 Dec. 2010, <<http://www.president.gov.ua/documents/12584.html>>; and [Decree of the president of Ukraine number 1245/2010 on measures to improve the effectiveness of the military-industrial complex of Ukraine], approved by the president of Ukraine on 28 Dec. 2010, <<http://www.president.gov.ua/ru/documents/12776.html>>.

<sup>5</sup> [Cabinet Ministers of Ukraine resolution of 29 December 2010 no. 1221 on the establishment of the State Concern Ukroboronprom], <<http://www.kmu.gov.ua/control/ru/cardnpd>>.



the position of general director of Ukroboronprom—six months after he had been appointed head of Ukrspetsexport.<sup>6</sup> The new state entity appears to be modelled on Russia's Rostekhnologii.

Mykhalo Chechetov, the first deputy head of the parliamentary faction of the pro-presidential Party of Regions and a deputy in the Ukrainian parliament, has suggested that the guiding principle for Ukraine's arms export policy in the current economic climate is 'this should bring us money'.<sup>7</sup> In his view, Ukraine should simply export arms and military equipment to any destination that can pay for them. Serhiy Bondarchuk, head of Ukrspetsexport from March 2005 to June 2010, shared a similar perspective, viewing any country as a legitimate recipient of Ukrainian arms exports as long as it was not subject to a UN arms embargo.<sup>8</sup> In light of the involvement of key foreign and security policy actors in arms export decision-making processes, Bondarchuk regarded arms export policy as not simply an 'economic activity', but also a part of Ukrainian 'diplomacy and intelligence—indeed, foreign policy'.<sup>9</sup> Ukrainian analysts have, however, questioned the extent to which Ukraine is able to utilize its arms exports for advancing its foreign policy aims.<sup>10</sup>

Shortly after becoming the head of Ukrspetsexport, Bondarchuk stated that 'Ukrainian President Viktor Yushchenko singled out enlarging export markets for the Ukrainian weaponry as one of the Ukrspetsexport's top priorities'.<sup>11</sup> In Bondarchuk's view, 'Ukraine has recently made a definite breakthrough in expanding the geography of supply', citing Chad and Kenya as two significant new markets for Ukrainian arms exports and hence indicating sub-Saharan Africa as a potentially important market.<sup>12</sup> The remainder of this paper assesses Ukrainian arms exports to sub-Saharan Africa and related activity during Bondarchuk's tenure as head of Ukrspetsexport.

***Chad and Kenya are two significant new markets for Ukrainian arms exports, indicating sub-Saharan Africa as a potentially important market***

### III. Ukrainian arms exports to and arms-related activity in sub-Saharan Africa

Armed forces in sub-Saharan Africa have been the recipients of a wide range of arms and arms-related goods and services as supplied by the Ukrainian Government, companies and individuals. SIPRI data has ranked Ukraine as one of the 10 largest exporters of major conventional weapons for most of the years since its independence in 1991. During the period 2005–2009 SIPRI estimates that Ukraine was the 11th largest exporter of major conventional

<sup>6</sup> Dmitri Salamatyn remains a member of the Ukrainian Parliament in the pro-presidential Party of Regions. [President names Dmitrii Salamatyn general director of State Concern Ukroboronprom], website of the President of Ukraine Viktor Yanukovych, 4 Jan. 2011, <<http://www.president.gov.ua/ru/news/19070.html>>.

<sup>7</sup> [Chechetov agrees with Yanukovych in quarrel with President of Azerbaijan], *Ukrainskaya Pravda*, 19 Nov. 2010.

<sup>8</sup> Ivzhenko, T., [Army clearance sale], *Nezavisimaya gazeta*, 10 Nov. 2008.

<sup>9</sup> Shevchenko (note 2).

<sup>10</sup> Zgurets, S., 'Apple of arms discord', *Zerkalo Nedeli* (Kyiv), no. 616 (30 Sep.–6 Oct. 2006), <<http://www.mw.ua/1000/1550/54654/>>.

<sup>11</sup> Bondarchuk, S., 'New horizons for UkrSpetsExport', *Defense Express*, 31 Oct. 2005, p. 12.

<sup>12</sup> Il'chenko, A., [Business in war: how we sell arms], *Segodnya* (Kyiv), 2 July 2009.



### **11 per cent of the volume of sub-Saharan African arms imports came from Ukraine**

weapons worldwide, accounting for around 2 per cent of the volume of international exports of major conventional weapons.<sup>13</sup> During this period SIPRI estimates that 18 per cent of the volume of Ukrainian arms exports went to sub-Saharan Africa and that 11 per cent of the volume of sub-Saharan African arms imports came from Ukraine.<sup>14</sup> During this period SIPRI data estimates that Kenya was the largest sub-Saharan African recipient, accounting for more than 5 per cent of the total volume of Ukrainian arms exports. However, as is discussed below, it appears that the final recipient of the arms is Southern Sudan.<sup>15</sup> Chad is estimated to have accounted for 4 per cent of the total volume of Ukrainian arms exports, followed by Nigeria (2.5 per cent), Equatorial Guinea (2 per cent), and the Democratic Republic of the Congo (DRC; 1 per cent).

Ukraine does not report on the total value of arms exports or provide a breakdown of the value of export licences issued or actual exports by recipient, and so the value of arms exports to sub-Saharan Africa is not known. However, an Ukrspetsexport source has reported that in 2010 it generated revenues of \$956.7 million, with Africa accounting for 18 per cent of its exports.<sup>16</sup>

### **Exports of newly produced major conventional weapons and components**

Despite reports of a particularly successful year in terms of the value of contracts signed with Ukrainian arms producers in 2009, Ukrainian analysts have stated that a lack of investment and procurement by the Ukrainian Government is a major obstacle to the future development of the Ukrainian arms industry.<sup>17</sup> It has been acknowledged that the industry, which is export-dependent, is struggling to market newly produced items that are not in service with the Ukrainian armed forces, and that, therefore, the Ukrainian arms industry is in decline.<sup>18</sup>

The demand from sub-Saharan Africa for newly produced Ukrainian major conventional weapon systems is limited. During the period 2005–2009 SIPRI recorded deliveries of newly produced BTR-3U infantry fighting vehicles to

<sup>13</sup> SIPRI Arms Transfers Programme, 'The suppliers and recipients of major conventional weapons, 2005–2009', *SIPRI Yearbook 2010: Armaments, Disarmament and International Security* (Oxford University Press: Oxford, 2010), table 7A.2.

<sup>14</sup> Eastern Europe and Central Asia (37%) and Asia (24.5%) accounted for more than 61% of Ukrainian arms exports during 2005–2009. SIPRI Arms Transfers Database, <<http://www.sipri.org/databases/armstransfers>>. These percentages are based on SIPRI data on arms transfers which refers to actual deliveries of major conventional weapons. SIPRI uses a trend-indicator value (TIV) to compare the data on deliveries of different weapons and to identify general trends. TIVs give an indication only of the volume of international arms transfers and not of the actual financial values of such transfers. For a description of the TIV and its calculation see SIPRI Arms Transfers Programme website at <<http://www.sipri.org/databases/armstransfers/background>>.

<sup>15</sup> The forthcoming annual update of the SIPRI Arms Transfers Database (15 Mar. 2011) will be amended to reflect deliveries to Southern Sudan from Ukraine via Kenya.

<sup>16</sup> 'Arms exports generate nearly \$1 billion for state', *Kyiv Post*, 20 Jan. 2011.

<sup>17</sup> Pechorina, N., [Successful year for Ukrainian defence industry], *Ekspert vooruzheniy*, vol. 14, no. 1 (Jan./Feb. 2010), pp. 4–5; and Sydorenko, S., 'Arms and the budget ax', *Transitions Online*, 22 Nov. 2010, <<http://www.tol.org/client/article/21970-arms-and-the-budget-ax.html>>.

<sup>18</sup> Badrak, V., (Country of dying technology), *Zerkalo nedeli* (Kyiv), 18 Dec. 2010, <<http://www.zn.ua/newspaper/articles/61695>>; and Sydorenko (note 17).



Chad and Nigeria and an An-32B military transport aircraft to Equatorial Guinea.<sup>19</sup> Ukrainian companies have provided components for completed systems exported by other suppliers to sub-Saharan Africa. For example, Ukraine's Motor-Sich supplies AI-25 engines for the Chinese-produced K-8 trainer aircraft, of which 12 were delivered to Sudan during 2006–2008 and 12 were supplied to Zimbabwe during 2005–2006. Ukrainian companies continue to provide components for Chinese arms that could be exported to sub-Saharan Africa in the future (e.g. Motor-Sich's AI-222-25F engines for L-15 trainer aircraft).<sup>20</sup>

### Exports of surplus arms and military equipment

After the collapse of the Soviet Union, Ukraine inherited an estimated 18 000 artillery pieces, 11 000 armoured vehicles, 9 000 tanks, 4 000 combat and transport aircraft, millions of small arms and light weapons (SALW) and tonnes of ammunition, with some estimates putting the value of the Ukrainian holdings and surplus at around \$90–100 billion.<sup>21</sup>

SIPRI estimates that 72 per cent of the volume of Ukrainian exports of major conventional weapons to sub-Saharan Africa during 2005–2009 came from surplus. During 2005–2009 Ukraine supplied second-hand combat aircraft and helicopters to Chad, the Republic of Congo, Equatorial Guinea and Uganda. Surplus armoured vehicles and artillery were supplied to Chad, the DRC, Kenya and Uganda. Known deliveries of surplus SALW are given in table 1.

Despite the Ukrainian Government's willingness to seek international support to destroy surplus SALW and ammunition, significant quantities continue to circulate in sub-Saharan Africa (see box 1).

In August 2008 the Ukrainian cabinet approved a list of surplus arms and military equipment.<sup>22</sup> The list contained items ranging from small arms ammunition to strategic bomber aircraft for disposal by sale within Ukraine or abroad, with a number of surplus items of potential interest to sub-Saharan African militaries. With plans for a further downsizing of the Ukrainian armed forces, more items could be deemed surplus in the near future.

*SIPRI estimates that 72 per cent of the volume of Ukrainian exports of major conventional weapons to sub-Saharan Africa during 2005–2009 came from surplus stocks*

### Maintenance, overhaul and modernization

A number of Ukrainian companies and entities located within the Ukrainian Ministry of Defence (MOD) are involved in the maintenance, overhaul and modernization of Soviet-designed arms and military equipment for several sub-Saharan African armed forces. This assistance is important for extending the lifespan of systems that could be expensive to replace and therefore represents an important contribution to military capabilities.

<sup>19</sup> SIPRI Arms Transfers Database (note 14).

<sup>20</sup> Minnick, W., 'China leaps into global aircraft market', *Defense News*, 23 Nov. 2009; and [Ukraine to begin deliveries of engines for new Chinese trainer aircraft L-15 in 2011], Interfax-Ukraine, 22 Nov. 2010.

<sup>21</sup> Il'chenko (note 12).

<sup>22</sup> [Cabinet of Ministers of Ukraine Order of 6 August 2008 N 1092-r, Kyiv, Approving the list of military property of the Armed Forces which can be disposed], website of the Ukrainian Parliament, <<http://zakon.rada.gov.ua/cgi-bin/laws/main.cgi?nreg=1092-2008-%FO>>.

**Table 1.** Ukrainian exports of small arms and light weapons (SALW) to sub-Saharan Africa, 2005–2009

Recipient	Type of SALW	Quantity	Years of delivery
Chad	Automatic rifles and sub-machine guns	31 000	2006–2009
	Light machine guns	150	2008
	Heavy machine guns	200	2009
Kenya	Grenade launchers	1 500	2008–2009
	Automatic rifles and sub-machine guns	42 500	2007 and 2009
	Light machine guns	100	2009
Uganda	Grenade launchers	655	2007–2009
	Rifles and carbines	1 000	2007

Notes: The table excludes information on reported exports of handguns. The table uses the nomenclature for SALW used by the Ukrainian reports.

Sources: Export Control Service of Ukraine, [Information on the international transfers of weapons by Ukraine], Reports for 2005–2009, <<http://www.dsecu.gov.ua/control/uk/index>>. Information for 2005 on 7 Dec. 2006; for 2006 on 27 Sep. 2007; for 2007 in late Aug. 2008; for 2008 on 31 Aug. 2009; and for 2009 on 31 Aug. 2010.

Guinean MiG-21 aircraft during 2005–2009; Aviacon overhauled an Mi-26 that was delivered to Equatorial Guinea in 2009; the MOD's Sevastopol Aircraft Plant conducted a major overhaul on Djibouti's only Mi-8T military transport helicopter in 2007; and Chuguev Aircraft Repair Plant has been involved in the overhaul of at least two, and possibly four, Ugandan L-39Z trainer aircraft during 2009–10.<sup>23</sup>

Ukrainian companies have also sought cooperative arrangements with South African companies to assist with the marketing of equipment and services in sub-Saharan Africa. For example, at the Farnborough Air Show in July 2010, the Ukrainian company Antonov signed a memorandum of understanding with South Africa's Pamodzi Investment Holdings and Denel Aviation to jointly promote Antonov aircraft in Africa and establish a centre for maintenance and overhaul.<sup>24</sup>

In late 2010 it was reported that Ukraine is to deliver 10 modernized S-125-2D surface-to-air missile systems to two African recipients in 2010–11.<sup>25</sup> Information on the intended recipients has not been made publicly available. Ukroboronservice, a subsidiary of Ukrspetsexport, signed an agreement with an African state in 2008 to deliver four S-125-2D air defence systems, with deliveries to begin in late 2010. A contract for the delivery of

A number of Ukrainian aircraft factories and repair plants are involved in the maintenance, overhaul and modernization of fixed-wing and rotary combat aircraft, military transport aircraft and trainer aircraft for sub-Saharan African states. For example, in recent years Odesaviaremservice has overhauled and modernized Angolan MiG-23 combat aircraft, providing Sapfir-23 radar produced by ZAO Phazotron-Ukraina (a subsidiary of the Russian-owned company Phazotron) and R-73 and R-77 missiles, and possibly Angolan and

<sup>23</sup> Cooper, T. et al., *African MiGs—Angola to Ivory Coast—MiGs and Sukhois in Service in Sub-Saharan Africa*, vol. 1 (Harpia Publishing: Houston, TX, 2010), pp. 23–24, 144; 'Sole operational Djibouti AF Mi-8 back in service', *AirForces Monthly*, no. 255 (June 2009), p. 19; and 'Ugandan L-39ZAs overhauled in Ukraine', *AirForces Monthly*, no. 272 (Nov. 2010), p. 21.

<sup>24</sup> Antonov, 'ANTONOV aircraft maintenance centre to be established in SAR', News, 20 July 2010, <[http://www.antonov.com/news/index.xml?news=antk-main/news\\_201007201.xml](http://www.antonov.com/news/index.xml?news=antk-main/news_201007201.xml)>.

<sup>25</sup> [Ukraine to deliver 10 missile systems to Africa by end of 2011], Interfax-Ukraine, 24 Nov. 2010. *Jane's Missiles and Rockets* has speculated that 4 systems will be delivered to Uganda and 6 systems will be delivered to Angola. Uganda is not known to have possessed S-125 systems. See Hewson, R., 'Delivery of first Aerotechnica S-125 upgrade is imminent', *Jane's Missiles and Rockets*, Dec. 2010, p. 8.

**Box 1. Ukrainian surplus small arms and light weapons and ammunition**

In 2002 the Ukrainian Government requested international assistance to dispose of 1.5 million units of small arms and light weapons (SALW) and 133 000 tonnes of conventional ammunition over 12 years.<sup>a</sup> The North Atlantic Treaty Organization (NATO), with the United States as the lead country, agreed to support four phases of SALW and ammunition destruction in Ukraine. An agreement was reached in November 2005 that the first phase would destroy 400 000 SALW units, 15 000 tonnes of conventional ammunition and 1000 man-portable air-defense systems (MANPADs) during January 2006–December 2008. Due to a number of political and technical problems, the first phase is running behind schedule with less than half of the SALW units and just over half of the ammunition destroyed by April 2010.<sup>b</sup> The first phase is now due to be completed in April 2011. Discussions are underway on the second phase of the project, with a proposal to destroy 366 000 SALW units, 76 000 tonnes of conventional ammunition and around 3 million PFM-1 anti-personnel mines. However, it is likely that Ukraine will have to include MANPADs in the destruction plans to secure funding from the USA.

As Ukraine has reported exporting several hundred thousand surplus SALW units in recent years, the delays in the implementation of the first phase probably relate to the fact that Ukraine could generate revenues by exporting surplus SALW and ammunition. Ukraine, like other states in Central and Eastern Europe, responded positively to discussions initiated by the USA and other NATO states on the destruction of surplus SALW and ammunition. However, subsequent requests from the USA to provide surplus SALW and ammunition for Afghan and Iraqi security forces have been undermined destruction efforts. As long as revenues can be earned from sales of surplus SALW and ammunition, it will prove difficult to persuade Ukraine and other states in Central and Eastern Europe to dispose of their surplus via destruction.<sup>c</sup>

Ukraine has provided information on exports of major conventional weapons to the United Nations Register of Conventional Arms (UNROCA) since 1992 and has reported on transfers of SALW involving the Organization for Security and Co-operation in Europe (OSCE) member states since 2008. In the report submitted to UNROCA in 2010, Ukraine included information on transfers of SALW to non-OSCE states, including those in sub-Saharan Africa. The Ukrainian State Service for Export Control has provided information on SALW exports to sub-Saharan Africa and other non-OSCE destinations in Ukrainian since 2006 in publicly available annual reports. These reports indicate that Ukraine has supplied SALW to three sub-Saharan African states during 2005–2009: Chad, Kenya and Uganda (see table 1). In 2010 it was reported that Ukraine was to deliver arms and ammunition to the DRC, which included 10 000 Kalashnikov rifles and related ammunition.<sup>d</sup> Although not stated in Ukrainian reports, it can be assumed that all SALW and ammunition exported to sub-Saharan Africa are Ukrainian surplus. It is unclear if all of the reported exports to other destinations are actually for end-users or if reported destinations are actually those of consignees, purchasers or brokers.

<sup>a</sup> Representative North Atlantic Treaty Organization (NATO) Maintenance and Supply Agency (NAMSA), Interview with the author, Kyiv, 16 Nov. 2010.

<sup>b</sup> Brown, S., 'NAMSA support to Ukraine: current and future', Presentation prepared for NATO defence attaches, Kyiv, 14 Oct. 2010. All 1000 MANPADs and 500 gripstocks were destroyed by Sep. 2006.

<sup>c</sup> Special Edition on inconspicuous disarmament, *Contemporary Security Policy*, vol. 29, no. 1 (Apr. 2008).

<sup>d</sup> 'Ukraine supplies tanks, weapons to DRC', Agence France-Presse, 17 Mar. 2010; and Samus, M., [Not really a scandal], *Defense Express* (Ukraine), 18 Mar. 2010.

six S-125-2D systems, also for an unidentified African state, was signed at the Africa Aerospace and Defence 2010 arms show in South Africa.

**Arms transportation, brokering and training**

Ukrainian companies and individuals also provide a range of services related to facilitating transfers of arms and military equipment to sub-Saharan Africa as well as instructing on their use and participating in combat missions.

Transportation providers connected with the Ukrainian MOD, such as Ukrainian Cargo Airways, and commercial air cargo carriers have transported arms and military equipment from Ukraine and other countries to



sub-Saharan Africa.<sup>26</sup> For example, on 17 June 2009 an An-12 transport aircraft operated by Poltava-based Meridian Airlines—reportedly transporting SALW, ammunition and mortar rounds from Croatia to Equatorial Guinea—was detained during a refuelling stop in Kano, Nigeria.<sup>27</sup> Initial reports indicated that Nigerian authorities had seized the cargo due to concerns that it was to be diverted to non-state armed groups in the Niger Delta.<sup>28</sup> Despite the fact that Ukraine was not the source of the cargo, Ukrainian officials lobbied Nigeria for the release of the aircraft, its crew and cargo and assured Nigeria that Equatorial Guinea was the intended end-user. At the beginning of August 2009 the aircraft, crew and cargo were released.<sup>29</sup>

Ukrainian citizens are also active in several sub-Saharan African states serving as technical assistants, trainers and, in a number of cases, pilots for aircraft in service with the armed forces.<sup>30</sup> Ukrainian citizens have also brokered arms shipments from Ukraine and other suppliers to sub-Saharan

Africa. These activities have not always been carried out in accordance with national legislation and UN arms embargoes.<sup>31</sup> For example, it was reported that in 2008 Ukrainian arms brokers using a ‘brass plate company’ registered in the United Kingdom were involved in arranging for a shipment of small arms components to be delivered to Rwanda without acquiring the necessary authorization from the British authorities.<sup>32</sup> The Ukrainian Counter-Intelligence Directorate, the External Intelligence Service and the Main Directorate of

Military Intelligence of the MOD have reported on several occasions to the State Service on Export Control regarding unscrupulous brokers who have been placed on blacklists and are no longer eligible to conduct negotiations involving Ukrainian arms and military equipment.<sup>33</sup>

***Ukrainian companies and individuals also provide a range of services related to facilitating transfers of arms and military equipment to sub-Saharan Africa***

<sup>26</sup> Griffiths, H. and Bromley, M., *Air Transport and Destabilizing Commodity Flows*, SIPRI Policy Paper no. 24 (SIPRI: Stockholm, May 2009), pp. 5, 14.

<sup>27</sup> ‘Ukrainian aircraft arrested in Nigeria to be freed soon, Foreign Intelligence Service says’, UKRINFORM, 23 June 2009. The Croatian national arms export report for 2009 contains information on three export licences issued in 2009 for \$21 000 (€15 086) worth of machine guns and pistols and \$355 000 (€255 022) worth of military ammunition for Equatorial Guinea. Croatia Ministry of Economy, Labour and Entrepreneurship, Annual report on export and import of military goods and non-military lethal goods for 2009, unpublished at the time of publication.

<sup>28</sup> ‘Nigeria holds Ukraine arms plane’, BBC News, 18 June 2009, <<http://news.bbc.co.uk/2/hi/8106348.stm>>.

<sup>29</sup> Oboh, M., ‘Nigeria releases arms-laden Ukrainian cargo plane’, Reuters, 5 Aug. 2009.

<sup>30</sup> Cooper (note 23).

<sup>31</sup> E.g. Valeri Naydo, a Ukrainian citizen, was subject to an asset freeze under UN sanctions on Liberia for his role in facilitating arms transfers to Liberia. United Nations, Security Council, ‘The assets freeze list: list of individuals pursuant to resolution 1521’, Security Council Committee established pursuant to resolution 1521 (2003) concerning Liberia, last updated 16 Dec. 2009, <[http://www.un.org/sc/committees/1521/1532\\_afl.htm](http://www.un.org/sc/committees/1521/1532_afl.htm)>.

<sup>32</sup> British House of Commons, Business, Innovation and Skills, Defence, Foreign Affairs and International Development Committees, *Scrutiny of Arms Export Controls (2010): UK Strategic Export Controls Annual Report 2008, Quarterly Reports for 2009, licensing policy and review of export control legislation*, ‘Oral evidence taken before the Committees on Arms Export Controls on Wednesday 16 December 2009: Oliver Sprague, Amnesty UK’, 1st joint report of session 2009–10 (The Stationery Office: London, 30 Mar. 2010). A brass plate company is one that has a registered business address in national records but which exists only on paper.

<sup>33</sup> [UK concerned at alleged sales of weapons by Britons from Ukraine], Unian, 23 Aug. 2009.





#### IV. The use of Ukrainian arms in sub-Saharan Africa

Ukrainian analysts have noted that Ukrainian surplus arms and ammunition might be of use in ‘low intensity conflicts’ and ongoing conflicts in the developing world, and thus potential markets for Ukrainian second-hand arms and military equipment remain.<sup>34</sup> This section considers the use of surplus Ukrainian major conventional weapons by government forces in Chad, the DRC and Equatorial Guinea against armed groups.

Although Chad was not one of Ukraine’s major recipients of arms in the period 2005–2009, Ukraine appears to have been Chad’s main arms supplier during this period.<sup>35</sup> According to the annual reports of the State Service on Export Control, Chad received a range of military items during this period, including 119 BMP-1 infantry fighting vehicles; 12 BTR-3U infantry fighting vehicles; at least 4 Su-25 ground attack aircraft (including 1 Su-25UB); 6 Mi-24 combat helicopters; 31 000 rifles and carbines; 350 light machine guns; 500 portable grenade launchers; 1000 portable anti-tank guns and an unknown quantity of ammunition.<sup>36</sup> It has been suggested that the Chadian unit operating Su-25 combat aircraft, and Mi-24 and Mi-17 helicopters ‘appears to be under the control of contracted Ukrainian personnel’.<sup>37</sup> It has also been suggested that Ukrainian pilots were involved in an attack involving Su-25 combat aircraft and an Mi-24 combat helicopter on Chadian insurgents on the border between Chad and the Darfur region of Sudan in May 2009.<sup>38</sup> At least one Su-25 was also used in an attack in December 2009 on insurgents that had attacked a Chadian Army unit.<sup>39</sup>

***Ukrainian surplus arms and ammunition might be of use for ‘low intensity conflicts’ and ongoing conflicts in the developing world***

In 2004 the DRC placed an order with Ukroboronservice for tanks, armoured vehicles and ammunition. On 26 July 2006 the cargo freighter *BBC Singapore* arrived at the DRC port of Matadi and unloaded 20 T-55 tanks, 20 BMP-1 armoured personnel carriers and related ammunition.<sup>40</sup> At least some of the Ukrainian-supplied T-55s and BMP-1s were used by the Congolese armed forces (FARDC, Forces armées de la République démocratique du Congo) against Laurent Nkunda’s rebel group, National Congress for the Defence of the People (CNDP, Congrès national pour la défense du peuple) in eastern DRC in autumn 2008.<sup>41</sup> Reports in early 2009 indicated that T-55s were used in the DRC’s Nord-Kivu province at the beginning of

<sup>34</sup> ‘UK concerned at alleged sales of weapons by Britons from Ukraine’ (note 33).

<sup>35</sup> Wezeman, P. D., ‘Arms flows to the conflict in Chad’, SIPRI Background Paper, Aug. 2009, <[http://books.sipri.org/product\\_info?c\\_product\\_id=389](http://books.sipri.org/product_info?c_product_id=389)>.

<sup>36</sup> This data has been compiled using reports of the State Export Control Service of Ukraine and ‘MP says Ukraine supplied arms to Georgia at expense of own defence’, *Segodnya* (Kyiv), 27 Sep. 2008. In response to speculation that ammunition from the Lozova ammunition storage facility in the Kharkov region of Ukraine was exported to Georgia, Serhiy Bondarchuk stated that ammunition stored at this facility was being exported to Chad. Il’chenko (note 12).

<sup>37</sup> Cooper (note 23), p. 98.

<sup>38</sup> ‘Chad Air Force expansion continues’, *AirForces Monthly*, no. 263 (Feb. 2010), p. 23; and Cooper (note 23), p. 104.

<sup>39</sup> Cooper (note 23), p. 104.

<sup>40</sup> United Nations, Security Council, Interim report of the Group of Experts on the Democratic Republic of the Congo, pursuant to Security Council resolution 1698 (2006), annex to S/2007/40, 31 Jan. 2007, p. 16. Ukraine reported these transfers to the UNROCA for 2006.

<sup>41</sup> Taylor, A., ‘The big picture—news stories in photographs: conflict in Congo, refugees on the move’, *Boston Globe*, 3 Nov. 2008.



the joint operation between the FARDC and the Rwandan Army against the Democratic Forces for the Liberation of Rwanda (FDLR, Forces démocratiques de libération du Rwanda).<sup>42</sup> Ukraine continues to supply the DRC with conventional weaponry. In March 2010 Ukraine reportedly delivered 20 T-72 tanks, 100 military trucks, 60 anti-aircraft guns, 10 000 Kalashnikov assault rifles and several hundred thousand rounds of ammunition.<sup>43</sup>

In February 2009 Equatorial Guinea's armed forces reportedly used at least one 'helicopter gunship'—although other aircraft may have been used—to repel an attack by a seaborne raiding party from the Niger Delta on the presidential palace in Malabo.<sup>44</sup> It is likely that the aircraft used were supplied by Ukraine, as it has supplied Mi-24 combat helicopters and Su-25 ground-attack combat aircraft to the Government of Equatorial Guinea.<sup>45</sup>

## V. The risk of diversion of Ukrainian arms exports in sub-Saharan Africa: the MV *Faina*

Ukraine has been named as the source of a number of deliveries of arms and ammunition that have been diverted in sub-Saharan Africa.<sup>46</sup> For example, in March 2010 the UN Monitoring Group on Somalia reported that 'Eritrea allegedly sent Ukrainian-made small arms and anti-tank weapons to Hizbul Islam in Somalia via the port of Kismaayo'.<sup>47</sup> However, it is the delivery of Ukrainian surplus arms to Kenya in 2007–2009 and reports of re-export to Southern Sudan that have attracted the most international attention.

On 25 September 2008 Somali pirates hijacked the MV *Faina* vessel, which was transporting 33 T-72 tanks, artillery, light weapons and ammunition from Ukraine to the Kenyan port of Mombassa. The hijacked vessel was closely monitored by the United States Navy's Fifth Fleet, which stated that its cargo was destined for Southern Sudan.<sup>48</sup> The BBC and Andrew Mwangura of the East Africa Seafarers Assistance Programme reported that the Kenyan Government had arranged the arms shipment on behalf of Southern Sudan's Government.<sup>49</sup> Officials from Kenya, Southern Sudan and Ukraine all refuted this, stating that Kenya was the end-user.<sup>50</sup> When the MV *Faina* finally arrived at the Kenyan port of Mombassa in February 2009, Alfred Mutua, the Kenyan Government's public communications secretary and spokesperson, stated:

<sup>42</sup> 'Rwandan, Congolese troops heading for Nkunda stronghold', Agence France-Presse, 22 Jan. 2009.

<sup>43</sup> For more information on the delivery made in 2010 see Bromley, M. and Holtom, P., 'Arms transfers to the Democratic Republic of Congo: assessing the system of arms transfer notification, 2008–10, SIPRI Background Paper, Oct. 2010, <[http://books.sipri.org/product\\_info?c\\_product\\_id=415](http://books.sipri.org/product_info?c_product_id=415)>, p. 7.

<sup>44</sup> 'Seaborne gunmen attack Equatorial Guinea capital', Reuters, 17 Feb. 2009.

<sup>45</sup> Cooper (note 23), p. 144.

<sup>46</sup> Fruchart et al. (note 1).

<sup>47</sup> United Nations, Security Council, Report of the Monitoring Group on Somalia pursuant to Security Council Resolution 1853 (2008), annex to S/2010/91, 10 Mar. 2010, para. 67.

<sup>48</sup> Kennedy, E. A., 'US Navy watches seized ship with Sudan-bound tanks', Associated Press, 29 Sep. 2008.

<sup>49</sup> Jopson, B., 'Hijacked ship linked to Sudan', *Financial Times*, 30 Sep. 2008; and 'Hijacked tanks "for South Sudan"', BBC News, 7 Oct. 2008, <<http://news.bbc.co.uk/2/hi/7656662.stm>>.

<sup>50</sup> Solomko, I. and Stroginov, K., [The authorities of Sudan: T-72 tanks are not for us, but for Kenya], *Segodnya* (Kyiv), 8 Oct. 2008, <<http://www.segodnya.ua/print/news/12076995.html>>.



There were many sceptics when the ship was hijacked as to the destination of the cargo. We want to reiterate that the Kenyan military has been purchasing and will continue purchasing weapons from friendly countries like Ukraine. The movement of the weapons and their use by our military will be open to media and others who might be interested. We have nothing to hide.<sup>51</sup>

On the day of the *Faina's* arrival in Kenya, Serhiy Bondarchuk stated that although it was not Ukraine's business, 'taking into account this deal's high profile, we will monitor it and make sure that it goes where it is supposed to go'.<sup>52</sup> Bondarchuk continued, stating that 'Kenya is the end-user. This is a stable and responsible country'. In an interview conducted in August 2010, Bondarchuk stated that he had accompanied officers of the Ukrainian special services to Kenya to inspect the items delivered by Ukraine, reflecting that 'any insinuations of illegal shipments have been withdrawn: there were none'.<sup>53</sup> Also in August 2010, the Ukrainian State Service on Export Control revealed that Ukraine had delivered 100 light machine guns and 100 grenade launchers to Kenya in 2009.<sup>54</sup>

However, the explanations given regarding Ukrainian transfers to Kenya did not assuage all concerns regarding potential post-shipment diversion to Southern Sudan. The arms aboard the MV *Faina* came after deliveries made in October 2007 and February 2008 that had been publicly documented by the Ukrainian State Service on Export Control and reported to the UN Register of Conventional Arms.<sup>55</sup> Other reports drawing on shipping documentation show that previous Ukrainian shipments to Kenya also included ammunition and ZU-23-2 23-mm and ZPU-4 14.5-mm anti-aircraft guns.<sup>56</sup> It is unclear from Bondarchuk's statements whether he was confirming only the delivery of the *Faina's* cargo or also that of earlier shipments. Members of the Kenyan parliamentary investigation into the *Faina* episode were shown 26 of the 110 T-72 tanks that Ukraine reported as having been delivered to Kenya between 2007 and 2009 and could receive no other information from witnesses due to Kenya's secrecy on matters relating to the armed forces.<sup>57</sup>

Eyewitness reports of T-72s near Juba in Southern Sudan in 2008 have been given as evidence of the re-export from Kenya, and other sources claim that satellite images show what could be recently delivered T-72 tanks in Southern

***Ukraine has been named as the source of a number of deliveries of arms and ammunition that have been diverted in sub-Saharan Africa***

<sup>51</sup> Kenyan Office of Public Communications, 'Arrival of MV *Faina*: piracy should be fought by all nations of the world', Press briefing by Alfred N. Mutua, Public Communications Secretary and Government Spokesperson, Mombasa, 12 Feb. 2009, <<http://comms.go.ke/media.asp?id=807>>.

<sup>52</sup> 'Ukraine to ensure arms from freed ship go to Kenya—export control source', ITAR-TASS, 12 Feb. 2009.

<sup>53</sup> Shevchenko (note 2).

<sup>54</sup> [Information on the volume of international transfers of certain arms by Ukraine in 2009], State Service for Export Control, 31 Aug. 2010, <[http://www.sipri.org/research/armaments/transfers/transparency/national\\_reports/national\\_reports\\_deafultNetherlands#ukraine](http://www.sipri.org/research/armaments/transfers/transparency/national_reports/national_reports_deafultNetherlands#ukraine)>.

<sup>55</sup> Andrew Mwangura has suggested that the MV *Faina* could have been the 4th shipment. Wabala, D., 'Who really owns the hijacked battle tanks?', *Daily Nation* (Nairobi), 2 Oct. 2008.

<sup>56</sup> Lewis, M., *Skirting the Law: Sudan's Post-CPA Arms Flows*, Human Security Baseline Assessment, Working Paper 18 (Small Arms Survey: Geneva, Sep. 2009), p. 40.

<sup>57</sup> Kenyan National Assembly, Departmental Committee on Defence and Foreign Relations, 'Report on the status and ownership of the military cargo aboard MV *Faina*', Tenth Parliament, Nov. 2009, pp. 11–12.



Sudan in May 2009.<sup>58</sup> Photographic evidence appeared in late 2010 showing a T-72 near the southern side of Sudan's de facto north–south border.<sup>59</sup> While recent reports appear to confirm that Kenya was re-exporting arms delivered from Ukraine to Southern Sudan, in consultation with the USA, it is unclear whether Ukraine was aware of this.<sup>60</sup> In December 2010 Bondarchuk stated that he attended meetings with US officials in November 2009 and February 2010 in which the USA claimed that a contract and satellite images showed that the T-72 tanks were delivered to Southern Sudan via Kenya.<sup>61</sup> He stated that the USA did not provide images of the tanks in Southern Sudan for the Ukrainians to study in detail. Bondarchuk reiterated that Ukraine provided the arms to the Kenyan Government, which confirmed delivery, and therefore Ukraine should not be held responsible for the actions of a third country. He also asked, if the USA is convinced that arms have been diverted to Southern Sudan by Kenya and Ukraine, then why has the USA not called for international sanctions to be enacted against either country.

## VI. Conclusions

Ukraine provides arms and technical assistance to maintain and modernize sub-Saharan African military holdings. Ukrainian enterprises and citizens also contribute to the military capabilities of sub-Saharan African security forces by transporting and facilitating arms transfers from other suppliers as well as actively participating in combat missions in sub-Saharan Africa. This paper gives examples of these different activities, and some of the concerns relating to Ukrainian-supplied arms in sub-Saharan Africa. The case of Chad demonstrates concerns with Ukrainian exports of arms and military equipment to a destination for which there are concerns with the impact of transfers on internal conflict and regional peace and security. The case of the MV *Faina* is of interest because Ukrainian Government officials and Ukrspetsexport have maintained the same position for more than two years—that they had a contract to deliver arms to Kenya and not Southern Sudan. Evidence to the contrary provided by international media, researchers and the US Government does not appear to have swayed them from this view. Although Ukrainian officials suggested that their responsibility for arms exports ends when they have received documentation from the consignee acknowledging receipt of the delivery, Ukrainian officials did undertake a post-shipment verification of the MV *Faina* delivery and concluded that Kenya was the final recipient.

Ukrainian officials appear to believe that they relinquish responsibility for arms and ammunition once they have received information of receipt by declared consignees. There are two key questions worth asking: first, what value does Ukraine place on assurances that recipients will not re-export

### **Concerns have been raised in recent years regarding Ukrainian arms exports to Africa**

<sup>58</sup> Lewis (note 56), p. 41; and Gelfand, L. and Puccioni, A., 'IMINT tracks T-72 tanks towards South Sudan', *Jane's Defence Weekly*, 8 July 2009, pp. 22–23.

<sup>59</sup> Boswell, A., 'Sudan rebels', McClatchy-Tribune collection via Getty Images, 27 Nov. 2010, <<http://www.gettyimages.se/detail/107635403/McClatchy-Tribune>>.

<sup>60</sup> Gettleman, J. and Gordon, M. R., 'Pirates' catch exposed route of arms in Sudan', *New York Times*, 8 Dec. 2010.

<sup>61</sup> Sidorenko, S. and Geda, E., [According to Ukraine the tanks were delivered], *Kommersant* (Kyiv), 9 Dec. 2010, <<http://www.kommersant.ua/doc.html?docId=1554271>>.



arms delivered without Ukrainian permission?, and second, what measures does Ukraine deem necessary to take if items are re-exported without permission?

## **ABBREVIATIONS**

CNDP	Congrès national pour la défense du peuple (National Congress for the Defence of the People)
DRC	Democratic Republic of the Congo
FARDC	Forces armées de la République démocratique du Congo
FDLR	Forces démocratiques de libération du Rwanda (Democratic Forces for the Liberation of Rwanda)
MANPAD	Man-portable air-defense system
MOD	Ministry of Defence
NATO	North Atlantic Treaty Organization
OSCE	Organization for Security and Co-operation in Europe
SALW	Small arms and light weapons
UN	United Nations
UNROCA	United Nations Register of Conventional Arms



## **THE SIPRI ARMS TRANSFERS DATABASE**

The data included in this fact sheet is taken from the SIPRI Arms Transfers Database. The database contains information on all transfers of major conventional weapons from 1950 to 2009.

SIPRI data on transfers of major weapons are based on actual deliveries of major conventional weapons defined by SIPRI as: aircraft, armoured vehicles, ships over 100 tonnes, guided weapons, larger radars and other sensors, artillery over 100-mm calibre, missile and gun air-defence systems, and engines and turrets for selected larger platforms.

The information in the database is collected from a wide variety of sources: newspapers and other periodicals; annual reference books; monographs; official national and international documents; information from industry; and blogs and other Internet publications. The common criterion for all these sources is that they are open, that is, published and available to the public.

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SIPRI BACKGROUND PAPER

# UKRAINIAN ARMS SUPPLIES TO SUB-SAHARAN AFRICA

PAUL HOLTOM

## CONTENTS

I. Introduction	1
II. The Ukrainian framework for arms exports	2
III. Ukrainian arms exports to and arms-related activity in sub-Saharan Africa	3
Exports of newly produced major conventional weapons and components	4
Exports of surplus arms and military equipment	5
Maintenance, overhaul and modernization	5
Arms transportation, brokering and training	7
IV. The use of Ukrainian arms in sub-Saharan Africa	9
V. The risk of diversion of Ukrainian arms exports in sub-Saharan Africa: the MV <i>Faina</i>	10
VI. Conclusions	12
Abbreviations	13
Box 1. Ukrainian surplus small arms and light weapons and ammunition	7
Table 1. Ukrainian exports of small arms and light weapons (SALW) to sub-Saharan Africa, 2005–2009	6

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