

ALERT

State Department Adds South Sudan to the ITAR's "Prohibited Countries" List

February 14, 2018

The U.S. Department of State today issued an amendment to the International Traffic in Arms Regulations (ITAR) to include South Sudan in its regulations on prohibited exports, imports, and sales to and from certain countries, and to update its defense trade policy toward South Sudan by applying a policy of denial on the export of defense articles and defense services to South Sudan. The action follows a February 2 press release from the State Department announcing this intended action, which noted the continuing violence in South Sudan and discussed the extent of the humanitarian crisis in the country.

South Sudan now joins countries including Afghanistan, Belarus, Burma, China, the Central African Republic, Cuba, Cyprus, the Democratic Republic of Congo, Eritrea, Haiti, Iran, Iraq, Lebanon, Libya, North Korea, Somalia, Syria, Venezuela and Zimbabwe, as well as the separate country of Sudan, on the ITAR's list of section 126.1 "prohibited countries."

There are certain exceptions to the State Department's policy of denial for export licenses to South Sudan. Licenses or other approvals may be issued, on a case-by-case basis, for:

- (1) Defense articles and defense services for certain monitoring, verification, or peacekeeping support operations;
- (2) Defense articles and defense services intended solely for the support of, or use by, African Union Regional Task Force (AU-RTF) or United Nations entities operating in South Sudan;

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(3) Defense articles and defense services intended solely for the support of or use by non-governmental organizations in furtherance of conventional weapons destruction or humanitarian demining activities;

(4) Non-lethal defense articles intended solely for humanitarian or protective use and related technical training and assistance;

(5) Personal protective equipment temporarily exported to South Sudan by certain United Nations personnel, human rights monitors, media representatives, and humanitarian and development workers, for personal use;
or

(6) Any defense articles and defense services provided in support of implementation of the Comprehensive Peace Agreement, the Agreement on the Resolution of the Conflict in the Republic of South Sudan, or any successor agreement.

For more information, please contact Dan or Laura.