

**CHINA'S ROLE IN UN SANCTIONS
AND THE IMPLICATIONS FOR THE INTERNATIONAL SYSTEM**

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ABSTRACT

The following study examines China's role in UN sanctions policy in the post-Cold War era and the implications for the international system. This study contributes to the literature by identifying the parameters of China's cooperation on UN sanctions policy, which is a key component of US strategy for addressing issues of high priority such as nuclear nonproliferation, the global fight against terrorism, democracy, and human rights. Observations in this study are derived from an overview of China's position on sanctions from 1990 to 2008 and then further examined in the following case studies: Sudan, North Korea, Iran, Myanmar, and Zimbabwe. The study concludes that China's general resistance to the use of UN sanctions can be explained by its historical association of sanctions with Western containment and imperialism, as well as its domestic and foreign policy interests within the context of its bilateral relations with target countries. The parameters of China's position on sanctions are as follows: 1) China supports sanctions when a crisis threatens regional or global stability, in particular as indicated by regional organizations or neighboring countries and 2) when China's stakes in cooperating with the US and other sanctions supporters in the Security Council are higher than its stakes in supporting the target country. 3) China opposes sanctions when it considers a given crisis strictly an internal affair of the target state, in particular as it relates to issues of democracy or human rights. Over time, China has become increasingly assertive in its positions on UN sanctions policy with a decreased used of abstentions and an increased ability to negotiate its desired terms. Subsequently, since 2006, China has become increasingly willing to support sanctions against countries with which it has strong bilateral relations, such as North Korea and Iran, while still being able to protect its interests. While China's national interest is broadening, its vision for the

world does not appear to be converging with that of the West. In the foreseeable future, the responsibility rests upon the US to continue to provide global leadership on democracy, human rights, and good governance.

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PREFACE

Perhaps it was the promise of inevitable moments of drama and excitement in what otherwise seemed like a litany of routine statements and formal exchanges saturated in protocol. Or perhaps it was the rush of inspiration that comes from the awareness and pride of knowing that one represents his/her country when speaking in a meeting. Or perhaps it was being able to have a front row seat to an issue of international debate hours before it appears in the headlines. From the first moment I walked into a series of consultations at the United Nations, I was immediately captivated by the ideals of what it promised to be, at the same time remaining aware of all too common skepticism over what it was capable of being. As a PhD student, it was only natural for me to gravitate towards the UN as an institution that in all relativity has been little researched, and that to me seemed like a fertile laboratory containing a small microcosm of the international community. What better place than the UN, I thought, to study how a country relates to the rest of the world?

As a Chinese-American born in Taipei, Taiwan and raised in Dallas, Texas, for most of my life I had integrated the two cultures into my own idiosyncratic awareness of Asian-Americanism. So it was at the UN where I had the chance to observe representatives from both China and the US interact that I realized there were stark contrasts in the thinking behind the policies purported by the two countries. For example, the Chinese on multiple occasions raised the issue of Pearl Harbor as a reason Americans should reconsider its close alliance with the Japanese. To this notion, the American representatives would ponder in puzzlement as to why the Chinese still considered relevant an event that occurred more than half a century ago. Therefore even when the

language barrier was absent, oftentimes understanding and interpretation still posed a challenge.

As China's influence in the international community rises, it is ever more important for the US to understand how to properly interpret and effectively respond to Chinese policies, in particular as they affect US interests. From my personal observations, the more understanding one has about the perspective of the other party, the greater the chances for successful communication, cooperation, and achievement of one's objectives. The goal of this study is to contribute to the understanding of one aspect of Chinese foreign policy, China's role in UN sanctions policy, and how it has an impact on the international system, as well as the implications for the United States.

In exploring the questions raised in the study, I found to be particularly challenging the tasks of identifying credible sources of raw data. I also wrestled with the process of working with politically sensitive material, much of which happens behind closed doors. To address the challenge, I have honored requests for confidentiality as well as agreed to requests to cite official sources in lieu of direct quotes from the interviewee.

I am grateful to those who generously contributed their perspectives to this study, with special thanks to UN Assistant Secretary General Robert Orr, former US Permanent Representatives to the UN Ambassador John Danforth, Ambassador John Bolton, and Ambassador Zalmay Khalilzad, whose input helped to bring the material to life. I would also like to thank former Chinese Foreign Minister Li Zhaoxing and Madam Li for their kind contribution to this project.

I would like to extend my deepest gratitude to my advisor, Professor David Lampton, for giving me the opportunity to pursue a PhD under his tutelage and mentorship. Additionally, I am grateful to the other esteemed members of my dissertation committee, Professors Francis Fukuyama, William Zartman, Peter Lewis, and Robert Sutter for their invaluable guidance and advice. I would also like to thank their assistants, with special thanks to Zhaojin Ji, Robin Washington, Isabelle Talpain-Long, and Imani Tolbert, for their instrumental help along the way. I also extend my appreciation to Professor Bruce Parrott, Director of the SAIS PhD Committee for his kind encouragement and input throughout my time at SAIS, members of the PhD Committee and the SAIS administration for the support they have provided along the way.

Finally, I am ever indebted to my family, in particular my parents, who have made the completion of my PhD as well as the entirety of my education possible. Their support in every way goes above and beyond what one can ask for from one's parents. I only wish I will be able to do the same for my own two beautiful children, Angelina and Christopher, who at the time of this writing is twenty months of age and four months, respectively. They have both kept me company during the many nights I stayed up to work on my dissertation, sleeping peacefully by my side.

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INTRODUCTION

The North Korean and Iranian nuclear crises, the Darfur conflict in Sudan, and international terrorism have reinvigorated the debate over the utility of United Nations Security Council sanctions in the pursuit of peace, justice, and international security. As a permanent member of the Security Council and rising economic power, China is a key player in determining the effectiveness of the international multilateral response to the abovementioned issues. The objective of my study will be to contribute to the understanding of China's role in UN sanctions policy in the post-Cold War era, as well as the broader implications of China's role in the international system.

The post-Cold War era has been characterized by an unprecedented rise in the use of sanctions by the Security Council, with only two countries sanctioned by the Security Council before 1990 and twelve in the 1990s alone, leading David Cortright and George Lopez to term the period the "Sanctions Decade."¹ In an era in which an expanding array of viable alternative markets and patrons limit the coercive impact of unilateral sanctions, multilateral sanctions have been utilized with marked frequency for addressing a broadening spectrum of conflicts throughout the world. In 2000, Kofi Annan observed that the "increased use of sanctions by the Security Council may be one of the defining characteristics of the post-Cold War decade."²

¹ David Cortright and George A. Lopez, *The Sanctions Decade: Assessing UN Strategies in the 1990s* (Boulder: Lynne Rienner Publishers, 2000).

² *Symposium on Security Council Sanctions*, International Peace Academy, Fourth Freedom Forum, and the Joan B Kroc Institute for International Peace Studies at the University of Notre Dame, New York, April 17, 2000.

The Security Council with its “worldwide legal reach”³ plays a vital role in international sanctions policy. The UN Charter requires all Member States to carry out the decisions of the Security Council, thereby providing a framework for international cooperation in the implementation of sanctions without requiring a separate treaty or multilateral agreement. In Article 24, Chapter V of the UN Charter, “Members confer on the Security Council primary responsibility for the maintenance of international peace and security, and agree that in carrying out its duties under this responsibility the Security Council acts on their behalf.”⁴ Article 48, Chapter VII of the UN Charter stipulates that the decisions of the Security Council are legally binding: “The action required to carry out the decisions of the Security Council for the maintenance of international peace and security shall be taken by all the Members of the United Nations or by some of them, as the Security Council may determine.”⁵ The extent to which Security Council decisions are legitimate has been the subject of wide debate, in particular due to its membership of a privileged few. Nevertheless, as the only international body that “can confer internationally recognized legality,”⁶ the Security Council maintains an important function in the management of world affairs.

As a permanent member of the Security Council and rising economic power, China is gaining increasing influence in determining the direction of UN sanctions

³*Symposium on Security Council Sanctions*, International Peace Academy, Fourth Freedom Forum, and the Joan B Kroc Institute for International Peace Studies at the University of Notre Dame, New York, April 17, 2000.

⁴ United Nations Charter. Article 24. Chapter V.

⁵ United Nations Charter. Article 48. Chapter VII. See also Article 25, Chapter V of the UN Charter.

⁶ *Symposium on Security Council Sanctions*, International Peace Academy, Fourth Freedom Forum, and the Joan B Kroc Institute for International Peace Studies at the University of Notre Dame, New York, April 17, 2000.

policy. The following study examines the question: What is China's role in UN sanctions policy from 1990-2008? The study looks at three subquestions: What explains China's position on sanctions? How has China's position on sanctions changed over time (1990-2008)? What are the implications for the international system?

By China's position on sanctions, I refer to two components: first, China's votes on Security Council sanctions resolutions; second, China's conditions for supporting sanctions or opposing them through veto or abstention.

My proposed contributions to the existing literature are as follows: First, there have been relatively few studies on China's role in the UN. Because multilateralism and in particular the United Nations have been named as a key strategic component of Chinese foreign policy since the late 1990s, China's role in the UN is deserving of more study. Second, there have been no studies on China's role in UN sanctions policy specifically. While there have been studies on China as a target of bilateral and multilateral sanctions in the past, there has not been a study of China as an imposer of sanctions. With China's pivotal role in determining sanctions policy in cases of key importance to the United States such as the Sudan, North Korea, and Iran, I have taken up the task of looking at this topic. Third, the study of China's participation in this one area of international policy allows for examination of the bigger question that has generated quite a bit of interest internationally, and that is what China's increasing global influence means for the rest of the world. So lastly, I will explore the question, what are the implications of China's role in UN sanctions for the international system?

Relevant Literature

A review of relevant literature draws from multiple areas of study to include the literature on sanctions, the United Nations Security Council and its Chapter VII powers, as well as studies on Chinese domestic and foreign policy.

The United Nations Security Council and Chapter VII Powers

Chapter VII of the UN Charter outlines the powers of the Security Council with regards to threats to international peace and security. According to Chapter VII, Article 39 of the UN Charter, the Security Council is charged with “determin[ing] the existence of any threat to the peace, breach of the peace, or act of aggression...to maintain or restore international peace and security.”⁷ Article 40 provides the Security Council with the means to impose provisional measures “to prevent an aggravation of [a] situation” without determining that a situation is a threat to international peace and security.⁸ Article 41 authorizes the Security Council to impose economic and/or political sanctions on a target country, “includ[ing] complete or partial interruption of economic relations and of rail, sea, air, postal, telegraphic, radio, and other means of communication, and the severance of diplomatic relations.”⁹ Article 42 under Chapter VII provides the Security Council with the power to authorize the use of force should sanctions be deemed inadequate. “Such action may include demonstrations, blockades, and other operations by air, sea, or land forces of Members of the United Nations.”¹⁰ The language used in

⁷United Nations Charter. Article 39. Chapter VII.

⁸ United Nations Charter. Article 40. Chapter VII.

⁹ United Nations Charter. Article 41. Chapter VII.

¹⁰ United Nations Charter. Article 42. Chapter VII.

Articles 39, 40, 41, and 42 allows for flexibility of interpretation which have led to substantial debate amongst Security Council members on issues including what constitutes “a threat to international peace and security”, as well as when sanctions become “inadequate” for addressing such a threat.¹¹

The post-Cold War period has ushered in a new era for the UN Security Council, with a dramatic increase in the willingness of Security Council members to use instruments as stipulated in Chapter VII of the UN Charter to safeguard international security. In *Council Unbound: The Growth of UN Decision Making on Conflict and Postconflict Issues after the Cold War*, Michael Matheson argues that the precedents established by the Council’s action in the post-Cold War era demonstrate the expanding “scope and importance of the Council’s legal authority,”¹² despite the mixed success of the Security Council in addressing crises during this period. The end of the Cold War gave rise to an expansion in the exercise of authority by the Security Council, as demonstrated by the increase in the number of resolutions and situations under which Chapter VII has been invoked, from less than ten resolutions targeting three countries prior to 1990 to over 250 resolutions targeting more than 20 countries between 1990 and 2004. This is in part due to the easing of Cold War political constraints, such as fundamental conflicts of interest amongst permanent members that immobilized the Council. Matheson argues that while such political conflicts have resurfaced, the

¹¹ United Nations Charter. Article 42. Chapter VII.

¹² Michael Matheson, *Council Unbound: The Growth of UN Decision Making on Conflict and Postconflict Issues after the Cold War* (Washington, DC: United States Institute of Peace, 2006) 7.

expansion of the Security Council's authority through the 1990s has at this point become well established.

Debate in the early 1990s about the appropriateness of Chapter VII intervention in internal conflicts eventually gave way to the establishment of new precedents for intervention. The purposes for which sanctions have been imposed have broadened to encompass the protection of human rights, the ending of wars, counterterrorism, the reversal of aggression, and the restoration of democratically-elected governments.¹³ As Matheson points out, this expansion of Security Council authority has broad-reaching implications, since there are very few internal conflicts in which a credible threat to the stability of neighboring countries does not exist. This new era of UN authority began with the Iraqi invasion of Kuwait, a crisis that led to important innovations in the application of economic sanctions and the authorization of military operations by the Security Council. Matheson reviews the decision-making process of the Security Council in a series of international crises during the post-Cold War era and discusses the development of new legal mechanisms and precedents by the Council during the post-Cold War era. He concludes,

In the end, legal norms and mechanisms can never be an adequate substitute for effective political decisions and (where necessary) the use of economic and military power in the right cause. Nonetheless, international legal norms and mechanisms can be important in authorizing, supporting, and constraining political, economic, and military action.¹⁴

¹³ Cortright, David, George Lopez, and Linda Gerber. "Refinement and Reform in UN Sanctions: The State of the Art." *Sanctions and the Political Economy of Crises*, International Peace Academy and the Center for International Studies and Research, Paris, November 22-23, 2001.

¹⁴ Matheson, Michael, *Council Unbound: The Growth of UN Decision Making on Conflict and Postconflict Issues after the Cold War* (Washington, DC: United States Institute of Peace, 2006) 8-9.

The expanded authority of the Security Council has come in conflict with the principle of non-intervention in the internal affairs of a sovereign state, a longstanding principle of international relations stipulated under Chapter 1, Article 2 of the UN Charter:

Nothing contained in the present Charter shall authorize the United Nations to intervene in matters which are essentially within the domestic jurisdiction of any state or shall require the Members to submit such matters to settlement under the present Charter.¹⁵

However, in a 1999 article, former UN Secretary General Kofi Annan makes a case for intervention “based on legitimate and universal principles.” He argues that traditional notions of sovereignty and national interests have been obstacles to “effective action in humanitarian crises.” Annan writes, “A new, broader definition of national interest is needed in the new century, which would induce states to find greater unity in the pursuit of common goals and values. In the context of many of the challenges facing humanity today, the collective interest *is* the national interest.”¹⁶

The UN Security Council Decision-Making Process

According to Matheson, the decision-making procedures of the Security Council have a decisive impact on the effectiveness of Security Council action. Article 27, Chapter V of the UN Charter provides that “decisions of the Security Council on procedural matters shall be made “by an affirmative vote of nine members,” and “decisions... on all other matters shall be made by an affirmative vote of nine members,

¹⁵ United Nations Charter. Article II. Chapter I.

¹⁶Kofi Annan, “Two concepts of sovereignty,” *Economist* 18 Sept. 1999.

including the concurring votes of the permanent members.”¹⁷ “All other matters” is a reference to substantive matters considered by the Security Council.

What are considered concurring votes of permanent members? In practice, the Security Council interprets abstentions, nonparticipation, and absences of permanent members as “concurring votes”.¹⁸ As early as 1946, abstentions were treated as “concurring votes.” Matheson states, “Although, in the abstract, this was an unusual interpretation of the phrase ‘concurring votes,’ it was nonetheless very useful, as a practical matter, since it permitted permanent members to register their objections clearly and conspicuously, but without having to assume the political onus of preventing a decision from being taken.”¹⁹ Sydney Bailey categorized Security Council abstentions into two types: obligatory and voluntary. Obligatory abstentions are those required under Chapter VI, Article 52 of the UN Charter, which requires that parties to a dispute being addressed by the Security Council abstain from voting. A voluntary abstention occurs when a Security Council member refrains from voting to register opposition to a resolution. Voluntary abstentions by permanent members allow them to oppose a resolution without blocking its passage with a veto. Abstentions have been referred to as “the hidden veto” or “the indirect veto,” since even without a single negative vote, it is possible to defeat a resolution if a sufficient majority (9 of the 15 members) do not support the resolution. A second category that is considered neither a positive nor a negative vote is nonparticipation in a vote, which can occur as a result of several

¹⁷United Nations Charter. Article 27. Chapter V.

¹⁸ Michael Matheson, *Council Unbound: The Growth of UN Decision Making on Conflict and Postconflict Issues after the Cold War* (Washington, DC: United States Institute of Peace, 2006) 21.

¹⁹ *Ibid* 22.

scenarios: when a delegation has not yet received instructions from capital, or when a member state objects to the proceedings at hand or the way in which business is conducted.²⁰ Lastly, absence of a permanent member from the vote is also considered a “concurring vote.”

Chinmaya Gharekhan, a former Permanent Representative to the UN for India and Under-Secretary-General of the United Nations, emphasized the political realities underpinning the inner workings of the Security Council in his book *The Horseshoe Table*:

The Security Council is unique in the sense that it combines in itself both legislative and executive functions. It decides whether or not a particular situation warrants its attention; whether it amounts to a threat to peace; what, if anything, it should do about it and then proceeds to do it. Since there are no definitions of terms such as threats or breaches of peace, it is left to the members of the Council to decide how they ought to react in a given situation. What this means in practice is that the permanent members decide everything.²¹

The Literature on Sanctions

In his study of US economic sanctions against China from 1949 to 1963, Shu Guang Zhang summarizes four functions of economic sanctions in international conflict resolution: coercion or compellence, punishment, signaling, and deterrence or prevention. Coercion involves an attempt to convince a target country to change a policy. Punishment refers to penalization of a government for a specific policy action. Signaling expresses

²⁰Sydney D. Bailey, *Voting in the Security Council* (Bloomington: Indiana University Press, 1969).

²¹Chinmaya R. Gharekhan, *The Horseshoe Table: An Inside View of the UN Security Council* (New York: Longman Publishers, 2006).

the sender countr(ies)' opposition to a target country's policy, and deterrence or prevention demonstrates the costs of a given policy action to other potential target countries.²² Shu affirms in his study that economic sanctions provide "an attractive substitute for military action or doing nothing." "For the United States in the 1950s and 1960s, the employment of its economic weapons against Beijing was preferable to war, to actions that might risk war, and to taking no action at all."²³

Much of the sanctions literature in the 1990s focused on the question: do sanctions work? One of the most comprehensive and widely cited studies of sanctions in the twentieth century, *Economic Sanctions Reconsidered* published by the Institute for International Economics (IIE), concluded that sanctions are reasonably effective with an overall 34% success rate, based on a statistical analysis of 116 cases from 1914 to 1990.²⁴ In *The Sanctions Decade: Assessing UN Strategies in the 1990s*, David Cortright and George Lopez used broader and more qualitative criteria for sanctions effectiveness and found a comparable 36% success rate for a total of 12 cases. Although compliance with Security Council demands was not full or complete, "in a number of cases [sanctions] resulted in partial compliance or generated effective diplomatic bargaining pressure."²⁵ A former US sanctions official pointed out, "At the very minimum, sanctions are a useful

²² Shu Guang Zhang, *Economic Cold War: America's Embargo against China and the Sino-Soviet Alliance, 1949-1963*, (Washington DC: Woodrow Wilson Center Press, 2001).

²³ *Ibid* 265.

²⁴ Gary Hufbauer, Jeffrey Schott, and Kimberly Ann Elliot, *Economic Sanctions Reconsidered: Supplemental Case Histories*. 2nd ed. (Washington, D.C.: Institute for International Economics, 1990).

²⁵ David Cortright and George A. Lopez, "Reforming Sanctions," in David Malone, ed., *The UN Security Council: From the Cold War to the 21st Century* (Boulder: Lynne Rienner Publishers, Inc., 2004) 167-179.

form of soft power, as they send a clear signal of disapproval from the international community.”²⁶

In *Economic Sanctions and American Diplomacy* (1998), Richard Haass pointed out that in an increasingly integrated global economy, multilateral cooperation is increasingly necessary for developing effective sanctions policy. Not only are unilateral sanctions “rarely effective,” but they actually result in greater costs on the sanctions imposer, rather than on the target, which can generally find alternative sources of supply and demand.²⁷ According to Lisa Martin’s study on the conditions under which states cooperate to impose sanctions, she points out that the challenge of multilateral sanctions is to gain the cooperation of key states, in particular the major trading partners of the target, in order to impose credible sanctions against the target country.²⁸

A key conclusion of the Cortright and Lopez study is that the limitations of sanctions are due more to weaknesses in the design, implementation, and enforcement of sanctions rather than to the inherent flaws of the instrument itself. Cortright and Lopez concluded, “the most important constant in the success of sanctions is not the type of measure applied but the degree to which sanctions are enforced. Compliance ultimately determines effectiveness.” A 2002 report by the International Peace Academy on the politics of sanctions in the Security Council states that the political context of the Security Council has an impact on the development of UN sanctions policy, including the

²⁶ Author interview with US State Department official. December 2, 2009.

²⁷ Richard N. Haass, ed., *Economic Sanctions and American Diplomacy* (New York: Council on Foreign Relations, 1998).

²⁸ Lisa Martin, *Coercive Cooperation: Explaining Multilateral Economic Sanctions* (Princeton: Princeton University Press, 1992).

design, implementation and timing of sanctions.²⁹ One of the reasons that the Libyan case was successful was that international compliance on the aviation ban was almost universal. Although enforcement of sanctions against Cambodia in the early 1990s was spotty, the diplomatic and political isolation of the Khmer Rouge was “virtually total” and therefore instrumental in its demise. On the other hand, sanctions against Haiti and Angola were undermined by a problematic lack of compliance and inconsistent policy that involved application, lifting, and reapplication of sanctions. UN sanctions had no impact on Somalia, Liberia, or Rwanda, due to the lack of multilateral efforts to enforce sanctions. Cortright and Lopez argue that no matter the type of sanctions, whether comprehensive or targeted, “political impact depends on effective implementation.”³⁰

Haass, along with Cortright and Lopez, concur that sanctions are limited tools that are most effective when combined with other policy instruments, such as bargaining, peacekeeping, and the credible threat or use of military force. UN sanctions do not necessarily prevent the international community from using military force, and in many cases sanctions had little influence on national and regional conflicts. For example, the international community resorted to the use of force in Iraq, Yugoslavia, and Haiti after imposing sanctions. In addition, sanctions were unsuccessful in stopping violence in African cases such as Angola, Liberia, Rwanda, and Sierra Leone. Only in Libya did sanctions achieve stated objectives without resorting to the use of force. Therefore, as a diplomatic tool, sanctions have not only functioned as an alternative but also as a

²⁹Simon Chesterman and Beatrice Pouligny, *The Politics of Sanctions* (International Peace Academy, May 2002).

³⁰ *Ibid.*

“prelude to war.”³¹ Haass suggests that the cases of sanctions imposed on Iraq, Yugoslavia, and Haiti illustrate the potential for sanctions to increase the pressure for military intervention in a crisis situation, when the target state fails to alter its behavior satisfactorily in response to sanctions.

American diplomats who have been at the front lines of Security Council negotiations are in general agreement with the above observations on sanctions from academic studies. According to former US Senator and Representative to the UN John Danforth, the biggest problem impeding the effectiveness of sanctions is circumvention. “Are [the sanctions] going to be honored by all Member States? Do countries really change policies in adherence to Security Council sanctions resolutions?” In addition, Danforth also believes that a multilateral approach to sanctions is more effective than unilateral sanctions. “The point of [Security Council sanctions resolutions] is to create a strong multinational statement directed at the target country.” In the case of unilateral sanctions, “If I am trying to influence your behavior and you don’t do as I say, I won’t sell you widgets. But the problem with that strategy is that someone else will.”³² With regards to the utility of sanctions, Danforth states that sanctions are often a necessary consideration given the limited tools available to deal with international crises.

Former US Representative to the UN John Bolton believes that sanctions are an important diplomatic tool for imposing political and economic pressure on a target country. “But you have to be realistic about what the sanctions can achieve.” He cites the

³¹ *Sanctions Decade: Assessing UN Strategies in the 1990s*, Carnegie Endowment for International Peace, April 18, 2000.

³² Author interview with John Danforth, former US Senator and US Permanent Representative to the UN (2004-2005). December 9, 2009.

example of Security Council sanctions imposed on Iraq in response to its invasion of Kuwait in 1990, where sanctions were not expected to convince the Iraqis to withdraw from Kuwait. Rather, “what we thought was that if we had sanctions in place, it would demonstrate the political point that Iraq was determined to hold onto Kuwait, thus making it easier for the Security Council to authorize the use of force to repel the invasion.” Sanctions, in this case, are what Bolton referred to as a “box-checking exercise,” one step to show a target country the increasing political will of imposing countries, which may in turn convince the target country to cooperate. “Depending on how you define their objectives, sanctions can be very important.” As far as the use of sanctions as a preventative measure, however, Bolton stated that there is little evidence of success in this regard. He added that the greatest hindrance to the effectiveness of sanctions is “the unwillingness of many countries to bear any economic pain themselves, let alone inflict it on somebody else.” In the context of sanctions used in nuclear proliferation cases, Bolton states, “I think the US has fully internalized the logic that we are better off in the long-term if we forego the short-term benefits of economic transactions with proliferating countries. We are better off because the longer-term objective of preventing proliferation is more important than a few sales in the moment. But a lot of other countries don’t see that. So until other countries agree, I think, one, you don’t get support for sanctions, and two, even if you get a sanctions resolution it’s likely to be watered down and not stringently enforced.”³³

According to former US Representative to the UN Zalmay Khalilzad, sanctions can have an impact under the right conditions. Khalilzad believes that in certain

³³ Author interview with John Bolton, US Permanent Representative to the UN (2005-2006), June 12, 2007.

situations, “there is a moral and/or political imperative” to take action. Sanctions “are an alternative to doing nothing and to the use of force.” He believes that to be effective, sanctions have to be sustained over a long period of time, be broadly enforced, and affect core areas of interest of the target country. Sanctions send a message to the target country, to the people of the target country, as well as to other countries that may pose a potential challenge in the future. Such action “demonstrates to a people that they are not alone,” he says, “It shows that we take your concerns seriously.”³⁴

In the post-Cold War era, the type of sanctions imposed have shifted from broad trade sanctions towards targeted, or “smart” sanctions that are narrower in scope and specify the parties on which they are to be imposed. Smart sanctions limit the adverse humanitarian impact of sanctions. They include financial sanctions, travel bans, arms embargoes, and commodity bans.³⁵ Theoretically, arms embargoes have been considered an optimal tool for applying political pressure and reducing the availability of weapons without causing damaging unintended humanitarian consequences for the general population. In practice, arms embargoes were in fact the most frequently imposed sanctions in the 1990s. However, they also had the poorest record of success. An arms embargo was the primary action with limited success in the following cases: Angola (1993), Sierra Leone (1997), Somalia (1992), Liberia (1992), and Rwanda (1994). Cortright and Lopez cite the unwillingness or inability of member states to enforce the

³⁴ Author interview with Zalmay Khalilzad, US Permanent Representative to the UN (2007-2008), May 27, 2010.

³⁵ David Cortright and George A. Lopez, “Reforming Sanctions,” in David Malone, ed., *The UN Security Council: From the Cold War to the 21st Century* (Boulder: Lynne Rienner Publishers, Inc., 2004) 169.

measures as the most important factor contributing to failure.³⁶ Reasons cited for lack of cooperation include the lure of economic profit from the sale of weapons, political and military ties between member states and parties in conflict, as well as the lack of inducements to encourage compliance.

During the 1990s, the UN Security Council introduced a number of innovations to improve the effectiveness of targeted sanctions. In the early 1990s, targets of financial sanctions in the cases of Iraq, Libya, and Yugoslavia were limited to government assets. During the mid-1990s, the UN Security Council moved beyond government assets to impose financial sanctions on individuals and non-governmental entities in cases such as Angola, Afghanistan, and Haiti. In addition, arms embargoes were broadened in scope to include military training and cooperation as well as the transport of arms. Compliance was strengthened through tighter export control regulations, and penalties for companies and individuals violating UN sanctions were also intensified. The Security Council also increased its utilization of commodity-specific sanctions, such as oil and diamond embargoes. Additionally, monitoring and implementation of sanctions were improved through the establishment of independent expert investigative panels.³⁷

China and the UN Security Council

China's status as a permanent member of the Security Council is a critical component of its great power status. According to former Chinese Foreign Minister Qian Qichen, in the aftermath of Tiananmen and the fall of communism, it was China's status

³⁶David Cortright and George A. Lopez, *The Sanctions Decade: Assessing UN Strategies in the 1990s* (Boulder: Lynne Rienner Publishers, Inc, 2000).

³⁷ David Cortright and George A. Lopez, "Reforming Sanctions," in David Malone, ed., *The UN Security Council: From the Cold War to the 21st Century* (Boulder: Lynne Rienner Publishers, Inc., 2004) 167-179.

as a permanent member of the Security Council that helped to secure it a significant position in the international community:

The historic changes in eastern Europe, plus the political turmoil in the Soviet Union, dramatically altered the strategic foundation for Sino-American cooperation. Believing that they no longer needed China's cooperation, some people in the US began to talk about how to 'restrain' China...When the US began to deal with the Gulf crisis it realized that it needed China's cooperation more than at any time before. The US needed China's support if it wanted to get authorization from the UNSC to use force to expel the Iraqi troops from Kuwait... The US had to reassess its relations with China, and it began to try to improve bilateral relations.³⁸

China's approach to the United Nations has undergone a dramatic transformation since the initiation of its membership in 1971. According to Samuel Kim, China has practiced since its early years at the UN what he calls "maxi/mini diplomacy" in the Security Council, through "nonparticipation in the vote" in the 1970s and abstention. Kim points out that "maxi/mini diplomacy" allows China to maximize the flexibility of its position in the Security Council while minimizing political and/or financial costs. In his 1979 comprehensive study *China, the United Nations, and World Order*, Kim examines China's impact on the United Nations system as well as patterns in the Chinese strategy and approach to global policy within the context of UN multilateral diplomacy. At the time, Kim noted that China showed no inclinations toward assuming leadership roles in the UN with the exception of its participation in the monthly rotation of the Security Council presidency.³⁹ Throughout the 1970s, Kim noted that China's participation in the

³⁸Qian Qichen, *Ten Episodes in China's Diplomacy* (New York: Harper Collins, 2006) 177.

³⁹Samuel Kim, *China, the United Nations, and World Order* (Princeton: Princeton University Press, 1978).

UN was “highly selective and symbolic”,⁴⁰ with its active engagement limited to issues affecting Chinese interests and principles. Between 1971 and 2008, China has constrained its use of the official veto to six occasions⁴¹ and has taken care to “mak[e] a distinction between opposition based on [its] ‘principled stand’ and obstruction of majority will.”⁴² Kim observed that in the post-Mao era, there has been an “acceleration and intensification of Sino-UN linkages and interactions.”⁴³ Chinese membership in UN agencies and participation has increased steadily, with a resultant impact not only on UN policies but also on the role of multilateral diplomacy in Chinese foreign policy as well.

In the post-Cold War era, China has increasingly taken the lead in advancing its foreign policy principles and interests as a member of various diplomatic blocks at the UN. According to Khalilzad, China’s affiliation with groups such as the G77 + China and the Non-Aligned Movement (NAM) “colored [its] rhetoric”⁴⁴ at the UN. China sees itself as a voice for the developing world, demonstrating solidarity in the face of perceived

⁴⁰ Elizabeth Economy and Michel Oksenberg, eds., *China Joins the World: Progress and Prospects* (New York: The Council on Foreign Relations Press, 1999) 45-46.

⁴¹ In 1972, China vetoed a resolution on the admission of Bangladesh into the UN and one regarding a situation in the Middle East. In 1997, China vetoed a resolution on Central America and in 1999 on the situation in Yugoslavia regarding the Republic of Macedonia. (Official Records of the 58th Session of the UN General Assembly. Supplement No. 47. A/58/47. New York, 2004.) The fifth veto occurred in January 2007 against draft resolution S/2007/14 calling upon the government of Myanmar to cease human rights violations against ethnic minorities. (Record of the 5619th meeting of the Security Council. S/PV.5619. January 12, 2007.) The sixth veto was against draft resolution S/2008/447 imposing sanctions on Zimbabwe.

⁴² Samuel Kim, *China, the United Nations, and World Order*, (Princeton: Princeton University Press, 1978) 209.

⁴³ Economy, Elizabeth and Michel Oksenberg, eds., *China Joins the World: Progress and Prospects* (New York: The Council on Foreign Relations Press, 1999) 79.

⁴⁴ Author interview with Zalmay Khalilzad, US Permanent Representative at the UN (2007-2008), 26 May 2010.

Western intrusiveness.⁴⁵ During the 1990s, the efforts of Western countries to condemn China for its human rights abuses in the Commission on Human Rights were thwarted ten consecutive times with substantial support from African countries. In the aftermath of Tiananmen, according to former Chinese Foreign Minister Qian Qichen, China “was grateful to the developing countries [that] took [their] side and gave [them] much-needed support.” Although “they could not make up for the economic losses caused by the sanctions,” developing countries in Africa, Asia, and Latin America were “as friendly as ever” and provided significant political support, particularly at the United Nations.⁴⁶ More recently, during a 2005 meeting between the President of the General Assembly and the Commission on Human Rights, China led a group called the Like-Minded Group including the Sudan, Iran, Myanmar, Zimbabwe, and Belarus⁴⁷ to advocate for the elimination of country-specific review of human rights violations and a shift in focus of the UN human rights body from “naming and blaming” to “national capacity building and technical assistance.”⁴⁸

Indeed, evidence points to a marked shift in Chinese foreign policy towards a greater appreciation for and engagement in multilateral diplomacy in the post-Cold War era. China has increased its multilateral participation not only on the global but also on

⁴⁵ Author interview with Zalmay Khalilzad, US Permanent Representative at the UN (2007-2008), 26 May 2010.

⁴⁶ Elizabeth Economy and Michel Oksenberg, eds., *China Joins the World: Progress and Prospects* (New York: The Council on Foreign Relations Press, 1999) 177.

⁴⁷ The Like-Minded Group of States consist of the following countries: Algeria, Bangladesh, Belarus, Bhutan, Cuba, Egypt, India, Indonesia, Malaysia, Myanmar, Nepal, Pakistan, the Philippines, Sri Lanka, Sudan, Syria, Vietnam, Zimbabwe, and China.

⁴⁸ Statement by H.E. Ambassador Sha Zukang, on behalf of the Like Minded Group, at the Meeting between the President of the General Assembly and the Commission on Human Rights. The Permanent Mission of the People’s Republic of China to the Genevese. November 25, 2005.

the regional level. Increased levels of engagement include a more proactive role in global nuclear nonproliferation efforts, as well as leadership roles in regional multilateral organizations such as the Shanghai Cooperative Organization of Central Asia (SCO) and the Association of Southeast Asian Nations (ASEAN). In *Rising to the Challenge: China's Grand Strategy and International Security*, Avery Goldstein argues that multilateralism is a key component of China's current grand strategy, a "strategy of transition" to last from "the end of the bipolar Cold War era to the end of the unipolar post-Cold War era," "tailored to fit the requirements of an emerging China."⁴⁹

The following study has been conducted under the premise that with its growing relative economic power in the international community, China's support and cooperation are becoming increasingly critical for the success of UN sanctions and the peaceful resolution of international conflicts. The study employs a systemic theoretical framework and a comparative case study approach to analyze China's role in UN sanctions policy from 1990 to 2008. The objective of this study is to further the understanding of China's role in UN sanctions, how it fits into the broader picture of China's domestic and foreign policy, and the implications for the international system. What this study is not is a treatise on the effectiveness of sanctions with regards to their implementation and enforcement, which requires a different set of data not covered in this study. Although the effectiveness of sanctions with respect to the cases will be discussed in general terms, I have left a thorough examination of the nuances of sanctions effectiveness to scholars who have done more substantive work on the topic. Moreover,

⁴⁹ Avery Goldstein, *Rising to the Challenge: China's Grand Strategy and International Security* (Stanford: Stanford University Press, 2005) 38.

this study focuses on China's role and position on the use of multilateral sanctions rather than its use of unilateral sanctions. Its experience as a target of unilateral sanctions is limited to its discussion as a factor explaining its position in multilateral sanctions.

Chapter 1 provides an overview of relevant theories and political doctrines, as well as data and research methods utilized in this study. Chapter 2 discusses China's position on sanctions within the context of its domestic and foreign policy, including China's historical experience with sanctions, domestic considerations such as development, the demand for resources, and leadership transition, as well as foreign policy considerations such as bilateral relations with other countries, Sino-US relations, the Chinese foreign policy decision-making process, and finally, Chinese concepts guiding domestic and foreign policy. Chapter 3 examines China's position on UN sanctions resolutions between 1990 and 2008 and identifies trends in the data, including conditions for China's support/opposition to sanctions. The second part of the chapter examines the impact of China's interests, as proxied by the strength of bilateral relations with target countries, on its positions on sanctions. Chapter 4, 5, 6, and 7 discuss the case studies of the Sudan, Iran, North Korea, Myanmar, and Zimbabwe and how they relate to observations made in previous chapters. Chapter 8 discusses concluding thoughts on the implications for China's role in the international system, as well as for US policy.

In compiling the data for this study, significant effort was invested to distinguish fact from common perception and assumptions. The events depicted in this study have been pieced together first by drawing from global media reports to construct a preliminary sketch of events, then by verification of the events and data with official sources from international organizations, foreign ministries, as well statements and

testimonies from the US Department of State. The study therefore draws from a range of primary documents, including official documents from relevant international organizations such as resolutions, meeting records, reports, statements, and press releases, as well as statements and press releases from relevant foreign ministries. To shed further light on the Chinese perspective, I drew from Chinese academic journals published by the following government-affiliated think tanks: the China Institute of Contemporary International Relations (which serves Foreign Affairs Leading Small Group and the topmost Chinese leadership) and the China Institute of International Studies (which serves the Chinese Foreign Ministry).⁵⁰ Interviews from former government officials who have served in one or more positions including representation of their respective countries at the United Nations have been incorporated.

The study concludes that China's general resistance to the use of UN sanctions can be explained by its historical association of sanctions with Western containment and imperialism, as well as its domestic and foreign policy interests within the context of its bilateral relations with the target countries. The parameters of China's position on sanctions are as follows: 1) China supports sanctions when a crisis threatens regional or global stability, in particular as indicated by regional organizations or neighboring countries, and 2) when China's stakes in cooperating with the US and other sanctions supporters in the Security Council are higher than its stakes in supporting the target country. 3) China opposes sanctions when it considers a given crisis strictly an internal affair of the target state, in particular as it relates to issues of democracy or human rights. Over time, China has become increasingly assertive in its positions on UN sanctions

⁵⁰ David Shambaugh, "China's International Relations Think Tanks: Evolving Structure and Process," *The China Quarterly* 171 (Sept 2002) 582.

policy with a decreased use of abstentions and an increased ability to negotiate its desired terms. Subsequently, since 2006, China has become increasingly willing to support sanctions against countries with which it has strong bilateral relations, such as North Korea and Iran, while still being able to protect its interests. While China's national interest is broadening, its vision for the world does not appear to be converging with that of the West. In the foreseeable future, the responsibility rests upon the US to continue to provide global leadership on democracy, human rights, and good governance.

CHAPTER 1: INTEGRATING THEORY WITH POLITICAL DOCTRINE

The concept and practice of coercive diplomacy are “as old as the arts of diplomacy and warfare themselves,” according to Paul Gordon Lauren.⁵¹ It has long been believed that the use of such tactics as the threat of punishment in the form of sanctions or war is less costly than the actual implementation of such measures. “For this reason, the history of international conflict has been characterized by the recurrence of bargaining accompanied by threats designed to induce fear sufficient to change behavior through coercive diplomacy.”⁵² In *The Art of War*, written more than twenty-three hundred years ago, Sun Tzu emphasized the practice of threatening punishment to influence an adversary and of implementing the punishment only as a last resort. Alexander George further points out that not only is coercive diplomacy a centuries-old practice, but that “the use of intimidation of one kind or another in order to get others to comply with one’s wishes is an everyday occurrence in human affairs.”⁵³

In an era of globalization and increasing interdependence amongst nations, opportunities as well as the need for multilateral cooperation have flourished, as indicated by the rise in the activity level of the UN Security Council since the end of the Cold War era. As discussed in the previous chapter, the utility of sanctions as a diplomatic tool has become increasingly dependent on the effectiveness of multilateral cooperation.

⁵¹Paul Gordon Lauren, “Coercive Diplomacy and Ultimata: Theory and Practice in History,” in Alexander L. George and William B. Simons, eds., *The Limits of Coercive Diplomacy* (Boulder: Westview Press, 1994).

⁵² *Ibid.*

⁵³ Alexander George and William B. Simons, eds., *The Limits of Coercive Diplomacy* (Boulder: Westview Press, 1994) 2.

The following study has been conducted under the premise that with its growing economic power in the international community, China's support and cooperation are becoming increasingly critical for the success of UN sanctions and the peaceful resolution of international conflicts.

Methodology

1. Question

The study employs a systemic theoretical framework and a comparative case study approach to answer the question: What is China's role in UN sanctions policy from 1990 to 2008? I examine China's role in sanctions by looking at the following subquestions: What factors explain China's position on sanctions? How has China's position on sanctions changed over time? What are the implications for the international system?

2. Methodology

To investigate possible factors that explain China's position on UN sanctions, I examine how China's foreign and domestic policy interests, leadership transitions, and the foreign policy decision-making process affect China's position on sanctions. I also examine the effect of China's relations with target countries from 1990-2008 in a quantitative analysis that measures the strength of bilateral relations. To answer the question of how China's position on sanctions has changed over time, I examine China's votes on UN sanctions resolutions from 1990 to 2008. I also look at the conditions under which China has supported and opposed sanctions from 1990 to 2008. I then looked at my observations in depth in a case study analysis of China's role in UN sanctions against

Sudan, North Korea, Iran, Myanmar, and Zimbabwe. I then utilize my observations to explore the broader question: What are the implications of China's role in UN sanctions policy for the international system?

3. Case Studies

I have chosen to focus on the cases of Sudan, Iran, North Korea, Myanmar, and Zimbabwe because the issues involved are of high priority to US national security and foreign policy interests. They are also the cases that best illustrate what makes the Chinese perspective distinct from that of the US. For the US, these are case studies related to issues of global and national security such as nuclear nonproliferation, the global fight against terrorism, as well as democracy and human rights. From the Chinese perspective, however, rather than being issues of concern in themselves, these are third-party issues that impact Sino-US relations. Yuan Peng, Director of the Institute of American Studies at the China Institute of Contemporary International Relations (CICIR), notes that China's views of countries deemed by the US as "rogue states" are vastly different. These countries have for decades been considered "friends of China." From the Chinese perspective, China's trade and cooperative relations with these countries are "normal international behavior." For China, they are also countries of geographic significance as well as strategic importance due to the fact that they are rich in natural resources.⁵⁴ How China handles these cases, from the US perspective, determines the extent to which China is a "responsible stakeholder" in the international community, as introduced in 2005 by former Deputy Secretary of State Robert Zoellick. The cases of Sudan, North Korea, Iran, Myanmar, and Zimbabwe present opportunities as

⁵⁴ Yuan Peng, "Properly Handling Third Party Issues in Sino-US Relations," *Contemporary International Relations (Xiandai Guoji Guanxi)* 5 (2007).

well as challenges for Chinese diplomacy, as China continues to develop and refine its role as a major player in the international system.

4. Sources of Data

Sources of data include the following: i) UN statements, resolutions, meeting records, press releases; ii) IAEA resolutions, meeting records; iii) Statements, press releases from foreign ministries of the permanent members of the Security Council; iv) Interviews with government and UN officials; v) Economic databases of international organizations such as the World Trade Organization (WTO) and the International Monetary Fund (IMF); vi) Memoirs of select diplomats; vii) Articles from Chinese academic journals published by government-affiliated think tanks.

Relevant Theories

Robert Keohane and Joseph Nye expand upon the relationship between power and dependence in their book *Power and Interdependence* (2001). Keohane and Nye define interdependence as “mutual dependence,” which reflects a mutual “state of being determined or significantly affected by external forces.”⁵⁵ Asymmetries in interdependence occur when mutual dependence is not equally balanced. A country with asymmetric advantage, or leverage in short, in a given situation is more able to influence the outcome of the situation.

China’s economic relations with states such as Iran, North Korea, Sudan, Myanmar, and Zimbabwe provide it with critical leverage in comparison to Western countries in influencing the respective states’ behavior. China therefore has key

⁵⁵ Robert O. Keohane and Joseph S. Nye, *Power and Interdependence*. 3rd ed. (Longman: New York, 2001) 7.

influence over the success of sanctions against these countries. Should China not support sanctions against these countries, the vulnerability of the states to sanctions demanded by Western nations decreases due to the existence of alternative options available to these target countries. Therefore, with regards to UN Security Council resolutions in such cases, China has key influence in determining whether a case constitutes a “threat to international peace and security,” whether Chapter VII powers should be invoked, whether sanctions or the threat of sanctions should be introduced, and ultimately, whether the threat or the actual use of military force should be introduced.

Keohane and Nye observe that in an increasingly interdependent world, sources of power and therefore the distribution of power capabilities have become more complex. Traditionally, states with the most military power dominated the international system. Although Keohane and Nye still rank military power as dominant over other sources of power, they note that states are able to increase their share of relative power capabilities through nonmilitary means. Moreover, Keohane and Nye distinguish between power derived from resources and power derived from influence over outcomes. States can increase their relative power capabilities in the international system not only by acquiring more resources in the traditional and absolute sense, but also by enhancing power through greater influence over outcomes. In particular, Keohane and Nye point to asymmetries in economic leverage as an increasingly important source of power and influence.⁵⁶

Political scientists have studied and characterized the integral relationship between military and economic power. Bertrand Russell noted that military and economic

⁵⁶ Robert O. Keohane and Joseph S. Nye, *Power and Interdependence*. 3rd ed. (Longman: New York, 2001).

power are “inextricably” intertwined. David Lampton describes economic power as “the most fungible form of power” and points out that it is this “fungibility of resources” that allows China to convert economic into military power.⁵⁷ Russell observed that the convertibility of economic and military power is bidirectional. While an increase in economic power leads to more resources to spend on military power, military power can also be used to expand economic power through arms trade and technology transfers. The Chinese have sought to gain asymmetric advantage in both military and economic fronts, in the words of PLA analysts, “to overcom[e] the superior with the inferior.”⁵⁸ By preventing the escalation of each situation from involving the use or the threat of military force, China preserves its leverage over the situation, thereby increasing its power to affect outcomes in comparison to more dominant military powers.

Last but not least, I examine the implications of China’s role in UN sanctions policy in the international system. By international system, I refer to Kenneth Waltz’s definition, a system that he describes as an anarchic order of like units, or states; a self-help system in which states at the minimum seek self-preservation and at the maximum seek global domination, thereby resulting in a balance of power. I would add to his definition the multilateral infrastructure, the gamut of institutions through which states interact in accordance to established rules of conduct. Waltz observes that a system of like units tends to foster competition and insecurity even when faced with the prospect of mutual cooperation, which leads to questions and concerns over the vulnerability of

⁵⁷ David Lampton, *The Three Faces of Chinese Power: Might, Money, and Minds* (Berkeley, CA: University of California Press, 2008).

⁵⁸ People’s Republic of China, Information Office of the State Council, *China’s National Defense in 2006* December 29, 2006.

dependence. These like units differ in terms of power capabilities. The greater the relative power capability, the less vulnerable a state relative to another state. The distribution of power capabilities amongst states determines the overall organization of the international system, ranging from unipolar to small-n multipolar to large-n multipolar orders.⁵⁹

There has been substantial debate about whether China is a status quo or a revisionist state.⁶⁰ Hans Morgenthau's definition of a status quo state is one that seeks to preserve the existing power distribution in the international system.⁶¹ A.F.K. Organski and Jacek Kugler define a revisionist state as one that is dissatisfied with its position in the global community and seeks to revise the rules of the international system.⁶² According to Robert Gilpin's power preponderance theory,⁶³ a leading state performs governance functions and thereby sets the rules for the international political system. As the economic power of other states increases and the dominant hegemon is bogged down by the burdens of the international system, challengers seek to alter the rules of governance to their advantage. The risk of the use of force increases on both sides, as the hegemon may attempt to use force to confront the emerging challenger, while the challenger may attempt to use force to push its case. Chinese analysts Liu Ming, Huang Renwei, and Gu

⁵⁹ Kenneth Waltz, *Theory of International Politics* (McGraw-Hill: Boston, 1979).

⁶⁰ See also Alistair Johnston, "Is China a Status Quo Power?" *International Security*, 27:4 (Spring 2003): 5-56.

⁶¹ Hans J. Morgenthau, *Politics among Nations: The Struggle for Power and Peace*. 5th ed. (New York: Alfred A. Knopf, 1978) 46, cited in Alistair Johnston, "Is China a Status Quo Power?" *International Security*, 27:4 (Spring 2003) 8.

⁶² A.F.K. Organski and Jacek Kugler, *The War Ledger* (Chicago: Chicago University Press, 1980) 19-20, 23, cited in Alistair Johnston, "Is China a Status Quo Power?" *International Security*, 27:4 (Spring 2003) 9.

⁶³ Robert Gilpin, *War and Change in World Politics* (Cambridge: Cambridge University Press, 1981).

Yongxing state that although China possesses characteristics of a traditional challenger as a socialist state in an international system dominated by Western values, China “is rising from within a milieu of international institutions far more developed than ever before, and it is enhancing its global power status by making active use of these institutions.”⁶⁴ Chinese analyst Huo Zhengde makes the distinction between the international system and international order. Huo states that while China upholds the international system as a member of over 100 international organizations and a signatory to over 300 international treaties, China seeks to establish a new economic and political international order that is “fair and rational.” According to Huo, what is fair and rational to the Chinese involves an order emphasizing multilateralism, the democratization of international relations, and respect for the right of each country to pursue its own course of development and sociopolitical system. Huo states that what China considers “unfair and irrational” is unilateralism, in particular, unilateralist decisions to act in the name of human rights over sovereignty.⁶⁵ China is a status quo power in its acceptance of the rules of engagement and the institutions that comprise the international system. However, its acceptance of the rules of engagement does not necessarily translate into its acceptance of the liberal world order from which emerged the current international system. Nevertheless, nor is China a revisionist power actively seeking to alter the current world order or to challenge the United States in a way that would be reminiscent of the polarized environment of the Cold War. Rather, China appears to be neither conforming to the liberal world order nor

⁶⁴ Liu Ming, Huang Renwei, and Gu Yongxing, “International System in Transition: Relationship between China and Major Powers,” *China International Studies (Guoji Wenti Yanjiu)* (Fall 2008).

⁶⁵ Huo Zhengde, “Rejuvenation of Chinese Civilization and China’s Peaceful Development,” *China International Studies (Guoji Wenti Yanjiu)* (Winter 2007).

posing a direct challenge to it. Instead, it advocates for a more multi-polar world order more accepting of a range of government types, including its own.

Darwinian evolutionary forces of natural selection can be said to be at play in the international system. In other words, through mutual accommodation supported by an international system that responds to increased relative power, multilateral decisions such as sanctions policy may reflect a greater emphasis on the Chinese position. To the extent that China maintains leverage in key international matters, China will have significant influence in defining the parameters of international duty through its role in the establishment of precedence for future Security Council cases.

Implications for the International System: China's Role in the Evolution of UN Policy

How does a permanent member of the Security Council contribute to shaping of the international system over time? Decisions made on individual cases considered by the Security Council have the potential to establish precedents for future cases. Therefore, how Chapter VII is invoked in one resolution can influence how the international community responds to similar cases in the future, thereby defining over time the roles and responsibilities of the international community in response to threats to international peace and security. The evolution of political doctrines of the international community provides an indication of how these roles and responsibilities are changing over time.

In 1997, Kofi Annan introduced the concept and dilemma of humanitarian intervention in the aftermath of ethnic cleansing in Bosnia and Rwanda. In a 1999 article, he wrote, "The genocide in Rwanda showed us how terrible the consequences of inaction can be in the face of mass murder. But [the] conflict in Kosovo raised equally important

questions about the consequences of action without international consensus and clear legal authority. [I]s it legitimate for a regional organization to use force without a UN mandate? On the other hand, is it permissible to let gross and systematic violations of human rights with grave humanitarian consequences continue unchecked?”⁶⁶

Humanitarian intervention has been defined as “the question of when, if ever, it is appropriate for states to take coercive—and in particular military—action, against another state for the purpose of protecting people at risk in that other state.”⁶⁷ Intervention includes “action taken against a state or its leaders, without its or their consent, for purposes which are claimed to be humanitarian or protective.”⁶⁸ This can include military action as well as alternative coercive measures such as sanctions and criminal proceedings, or the threat of any of the above. Annan also introduced the concept of “conditional sovereignty,” which challenges principles of respect for sovereignty and non-interference in internal affairs: “State frontiers should no longer be seen as a watertight protection for war criminals or mass murderers. The fact that a conflict is ‘internal’ does not give the parties any right to disregard the most basic rules of conduct.”⁶⁹

In a Security Council meeting on Kosovo, then Chinese Deputy Permanent Representative to the UN Shen Guofang stated, “Respect for sovereignty and non-interference in each other’s internal affairs are basic principles of the United Nations

⁶⁶Kofi Annan, “Two Concepts of Sovereignty,” *Economist* 18 Sept. 1999.

⁶⁷ *The Responsibility to Protect: Report of the International Commission on Intervention and State Sovereignty*, Dec. 2001.

⁶⁸ *Ibid* 24.

⁶⁹ Kofi Annan, “Two Concepts of Sovereignty,” *Economist* 18 Sept. 1999: 93.

Charter....In essence, the ‘human rights over sovereignty’ theory serves to infringe upon the sovereignty of other States and to promote hegemony under the pretext of human rights. This totally runs counter to the purposes and principles of the United Nations Charter.”⁷⁰

In 2000, the United Nations presented the concept of the “responsibility to protect,” first introduced in the report of the International Commission on Intervention and State Sovereignty, a commission established by Canadian Prime Minister Jean Chrétien and Canadian Foreign Minister Lloyd Axworthy in response to Annan’s questions on the appropriate parameters of humanitarian intervention. The Commission created the concept after determining that the idea of humanitarian intervention was inherently problematic, primarily due to strong protests from humanitarian organizations that opposed the “militarization of the word ‘humanitarian’”⁷¹ as well as difficulties reconciling the concept of sovereignty with a “right to intervene.” The fundamental premise of the “responsibility to protect” is the idea that “sovereign states have a responsibility to protect their own citizens from avoidable catastrophe—from mass murder and rape, from starvation—but that when they are unwilling or unable to do so, that responsibility must be borne by the broader community of states.”⁷² As defined by the Commission, the underlying principles of the responsibility to protect include: inherent responsibility to protect in the concept of sovereignty, the duty of the Security

⁷⁰ United Nations Security Council, Provisional meeting record of the 4011th meeting, 10 Jun. 1999, S/PV.4011.

⁷¹ *The Responsibility to Protect: Report of the International Commission on Intervention and State Sovereignty*, December 2001: 25.

⁷² *Ibid* 10.

Council to preserve international peace and security as outlined in Article 24 of the UN Charter,⁷³ legal obligations to protect human rights as stipulated in international treaties, covenants, declarations, humanitarian and national law, and “the developing practice of states, regional organizations, and the Security Council.”⁷⁴ Furthermore, the 2005 Report of the Secretary General *In Larger Freedom* stated that “economic and political freedoms are intimately bound up with each other”⁷⁵ and “that development, security, and human rights go hand in hand.”⁷⁶ As China utilizes its influence to shape the response of the United Nations to global crises, how does its adherence to the concept of non-interference in internal affairs affect the evolution and implementation of doctrines espoused by the liberal world order? As stated by Xue Hanqin,

By the notion of sovereignty, a state, internally, is accountable for the economic and social development of the country as well as the welfare of its citizens, and at the same time, externally, it must fulfill its international obligations to which it has committed itself under international law. This understanding has never given rise to any doubt. The challenge we face now is that if a state could not fulfill such responsibilities, or if the state concerned turned into a so-called "failed or failing state", what would be the responsive actions on the part of the international community, or on the part of other states, individually or collectively? ⁷⁷

⁷³ See Article 24, *United Nations Charter*.

⁷⁴ *The Responsibility to Protect: Report of the International Commission on Intervention and State Sovereignty*, December 2001: 13.

⁷⁵ James Traub, *The Best Intentions: Kofi Annan and the UN in the Era of American World Power* (New York: Farrar, Straus and Giroux, 2006) 317-318.

⁷⁶ United Nations, “In Larger Freedom: Towards Development, Security, and Human Rights for All,” Report of the Secretary-General, 2005.

⁷⁷ Xue Hanqin, “Chinese Observations on International Law,” Oxford University Press, 9 Feb. 2007: 7.

The Role of Strategic Culture

In enhancing one's understanding of Chinese policy, it is worth taking note of the distinct strategic perspectives from which the US and China view policy. In *Deterrence and Strategic Culture*, Shu Guang Zhang makes a culture-based proposition to explain strategic misinterpretations and miscalculations between the US and China from 1949-1958. According to Shu, "being 'culture-bound' is the inability to put aside one's cultural attitude and imaginative response to perceived challenges from the perspectives of the other. Each group neglected the possibility that cultural differences between the two countries might be reflected in very different styles of strategic thinking."⁷⁸ Shu points out distinctions between Chinese and US notions of national security, perception of external threats, communication styles, policy-making among other factors as sources of misunderstanding and mutual suspicion. For example, post-WWII, the national security interests of the United States included securing sea lines of communications, defending world peace, and containing communism, while Chinese security interests included safeguarding border security and national autonomy in the aftermath of a hundred years of foreign intervention.

Xue Hanqin, China's former Ambassador to the Netherlands and at the time of writing the Chinese Permanent Representative to the Organization for the Prohibition of Chemical Weapons, observed in a commentary that "from the viewpoint of developing countries, international law is based on a foreign legacy,"⁷⁹ that the existing international framework based on the Westphalian system has been in place for hundreds of years for

⁷⁸ Shu Guang Zhang, *Deterrence and Strategic Culture: Chinese-American Confrontations, 1949-1958* (Ithaca: Cornell University Press, 1992) 271-272.

⁷⁹ Xue Hanqin, "Chinese Observations on International Law," Oxford University Press, 9 Feb. 2007.

Western nations but only recently adopted in the last century by many Asian and African countries. He argued that developing countries accepted the international normative framework, such as those defined by the principles of the UN Charter, because it reflected values of sovereignty, equality, democracy, and self-determination. These values are of core significance to developing countries, such as those that emerged in the post-colonial era. Xue observed, “oftentimes China’s adherence to the principle of sovereignty is simply misinterpreted in the West as a disregard of the development of international law, or worse, still, considered an excuse to evade its international responsibility.”⁸⁰

⁸⁰ Xue Hanqin, “Chinese Observations on International Law,” Oxford University Press, 9 Feb. 2007: 2.

CHAPTER 2: SANCTIONS WITHIN THE CONTEXT OF CHINESE DOMESTIC AND FOREIGN POLICY

An examination of the Chinese perspective on sanctions demonstrates that its position is rooted in a history of being a target country of bilateral and multilateral sanctions itself, as well as a steady framework of objectives guiding foreign policy. The following chapter will examine possible explanatory factors for China's position on sanctions. It will look at sanctions within the context of the evolution of Chinese foreign policy, the core of which has been defined by the Five Principles of Peaceful Co-existence. In addition, the impact of domestic interests will be examined. Finally, the discussion will include a look at how the foreign policy decision-making process and leadership transition may play a role in China's policy on sanctions. While the Chinese have adjusted its foreign policy over time to its increasing relative power in the international system, the Five Principles, in particular non-interference in internal affairs and mutual respect for sovereignty, that define its foreign policy, as well as its position on sanctions, have largely remained in a longstanding history of tradition and pragmatism.

Historical experience with sanctions

The Chinese perspective on international sanctions extends back to the years immediately after the very establishment of the PRC in 1949. Sanctions within the context of the Chinese experience have largely been associated with interference in internal affairs, violation of sovereignty, and foreign imperialism or hegemony in its twenty-first century incarnation.

In the wake of the Tiananmen incident, the US led the imposition of sanctions by Western countries against China. Deng Xiaoping responded in an August 11, 1989 letter to President George Bush,

[T]he US has become deeply embroiled in China's internal affairs. It has taken the lead in imposing sanctions on China, and has greatly infringed upon China's interests and dignity.⁸¹

In his memoirs, former Chinese Foreign Minister Qian Qichen stated that in his decade of service as foreign minister, “the most difficult time for Chinese diplomacy was the late 1980s and the early 1990s,” when “the pressure of isolation was extremely great.”⁸² US sanctions on China included a suspension of export licensing for defense articles, defense services, satellites, as well as for goods and technology used in nuclear production. Under the waiver authority provisions of the legislation, the President is authorized to end sanctions under one of two conditions: One, if China makes progress in improving its human rights record or two, if the President decides that it is in US national interests to do so. Although US Presidents have since utilized the waiver on a case-by-case basis, many of the Tiananmen Square sanctions remain in place today.⁸³

The Tiananmen Square sanctions were not the first US-led sanctions imposed on the People's Republic of China under the rule of the Communist Party of China (CPC). Western countries first imposed sanctions on the PRC between 1949 and 1963. The China embargo was a part of Washington's Cold War strategy to contain communism

⁸¹ Deng Xiaoping, quoted in Qian Qichen, *Ten Episodes in China's Diplomacy* (New York: Harper Collins, 2006) 138.

⁸² *Ibid* 127.

⁸³ Dianne E. Rennack, “China: Economic Sanctions,” CRS Report for Congress, RL31910, updated 1 Feb. 2006.

through political and economic isolation and to drive a wedge in Sino-Soviet relations. The US- imposed sanctions in 1949 allowed cash trade with the exception of “materials of special strategic importance,”⁸⁴ similar to US embargoes on the Soviet Union and Eastern European communist countries at the time. When China intervened in the Korean War in 1950, Washington sought to impose additional sanctions on China through the United Nations. The State Department regarded multilateral sanctions as having a greater psychological impact on the target country than unilateral sanctions. According to a State Department memo, “The moral effect of sanctions upon Communist China will be produced in a maximum degree only if substantially all of the noncommunist members of the United Nations agree to announce their intention to apply them.”⁸⁵ UN Resolution 500 was passed on May 14, 1951, calling for an embargo of arms, ammunition, strategic materials, and oil against the PRC. The international embargo caused the PRC great difficulties, with losses in the millions of dollars of ordered goods that were seized as well as the cancellation of imports of raw materials.⁸⁶ Although the CPC utilized sanctions to tighten control over foreign trade and the economy, the country also became more dependent on the Soviet Union and Eastern European countries for their trade needs, which enhanced Moscow’s dominance in bilateral Sino-Soviet relations. Moreover, “CPC leaders viewed the US economic embargo as gravely detrimental to the core values that their regime was based on.” “International economic sanctions, because

⁸⁴ Clubb to Acheson, 11 June 1949, FRUS, 1949 8:379-81, cited in Shu Guang Zhang, *Economic Cold War: America’s Embargo against China and the Sino-Soviet Alliance, 1949-1963* (Washington: Woodrow Wilson Center Press, 2001) 28.

⁸⁵ Kennan to Acheson, 6 January 1950, FRUS, 1950, 1: 132-33, cited in Shu Guang Zhang, *Economic Cold War: America’s Embargo against China and the Sino-Soviet Alliance, 1949-1963* (Washington: Woodrow Wilson Center Press, 2001) 38.

⁸⁶ Shu Guang Zhang, *Economic Cold War: America’s Embargo against China and the Sino-Soviet Alliance, 1949-1963* (Washington: Woodrow Wilson Center Press, 2001) 92.

they were used as a tool to coerce the target state into particular avenues of response, presupposed ‘the sender country’s desire to ‘interfere in the internal affairs’ of the target government.’”⁸⁷ In addition, UN sanctions were viewed as an attempt to force the CPC to relinquish its ideology. “Seeing its regime as representing a new revolutionary line in international diplomacy that stressed respect for national independence, equality, and sovereignty...for the CPC, standing up to the ‘imperialist’ economic sanctions was a ‘life-and-death’ struggle, and thus the political and ideological importance of fending off Western pressure outweighed any economic consequences.”⁸⁸

The Five Principles of Peaceful Coexistence

To counter the US-led challenge, the PRC launched a global political campaign to shore up its international support. The Five Principles of Peaceful Coexistence were put forth by Premier Zhou Enlai at the 1954 Geneva Conference in an effort to challenge the US policy of containment. The Five Principles include mutual respect for sovereignty and territorial integrity, mutual non-aggression, non-interference in each other’s internal affairs, equality and mutual benefit, and peaceful coexistence. The Five Principles were part of the PRC’s diplomatic campaign to establish diplomatic and trade relations with countries under the objective of “peaceful coexistence,” thereby weakening US containment policy, including sanctions. “Continuing to ‘expose and criticize’ US imperialism, the CPC hoped to demonstrate that the new regime was capable of acting

⁸⁷ Shu Guang Zhang, *Economic Cold War: America’s Embargo against China and the Sino-Soviet Alliance, 1949-1963* (Washington: Woodrow Wilson Center Press, 2001) 273.

⁸⁸ *Ibid* 273.

responsibly, so long as it ‘preserved [ideological] principles.’”⁸⁹ Beijing promoted the principles of mutual respect for sovereignty and noninterference in the internal affairs of other countries as norms for “peaceful coexistence.” Although there has been some debate over whether China is gradually moving away from the Five Principles, they are still very much present in Chinese foreign policy today and continue to serve as the foundation upon which new concepts are built. The 2006 Chinese Defense White Paper stated, “China maintains military contacts with other countries on the basis of the Five Principles.”⁹⁰ In addition, the Five Principles of Peaceful Co-existence continue to define China’s approach to relations with other countries, such as in Sino-African relations. “China will, acting on the principles of equality and mutual trust, mutual respect, mutual benefit and common development, continue to strengthen its cooperation with Africa, and work together with the rest of the international community to promote peace and development in Africa.”⁹¹ Furthermore, as will be apparent in the sanctions cases to be discussed, China has continued to cite, in particular mutual respect for sovereignty and territorial integrity as well as non-interference in each other’s internal affairs as principles upon which Chinese foreign policy decisions are based. China continues to pursue an “independent foreign policy of peace,” the objectives of which are “to preserve China’s

⁸⁹ Zhou Enlai, Speech at the meeting of foreign ministry, 5 Jun. 1953, *Zhou Enlai Waijiao Wenxuan* [Selected Works on Diplomacy of Zhou Enlai] (Beijing: Central Archives and Manuscript Press, 1990) 61, cited in Shu Guang Zhang, *Economic Cold War: America’s Embargo against China and the Sino-Soviet Alliance, 1949-1963* (Washington: Woodrow Wilson Center Press, 2001) 142.

⁹⁰ People’s Republic of China, Information Office of the State Council, *China’s National Defense in 2006* 19 Dec. 2006.

⁹¹ People’s Republic of China, Permanent Mission of the People’s Republic of China to the UN, “Statement by Yang Jiechi, Minister of Foreign Affairs of the People’s Republic of China, at the High-Level Meeting on Africa of the UN Security Council,” 25 Sept. 2007.

independence, sovereignty, and territorial integrity,” and “to create a favorable international environment for China’s reforms, opening up, and modernization.”⁹²

Xue Hanqin writes,

In its international relations, China strongly upholds the principle of sovereignty, because it believes in diversity and mutual respect in international political life. This position rests both upon its historical past as well as its vision of the future world order. It is well known that ever since the founding of the People's Republic of China, China has adopted a foreign policy of independence and peace. Based upon the Five Principles of Peaceful Co-existence as proclaimed by China together with some other Asian countries in the 1950s, this position has never been changed in China's foreign relations. The Five Principles of Peaceful Co-existence, which by and large reiterate the fundamental principles of international law as provided in the Purposes and Principles of the UN Charter, always serve as the political and legal basis for China to establish diplomatic relations with other countries and to conduct its foreign affairs. Of the five principles, the essence is the principle of sovereignty.⁹³

Concepts such as the Five Principles of Peaceful Co-existence that define Chinese policy are to be distinguished from political communist ideology in the Maoist tradition. Peter Van Ness’s 1970 study *Revolution and Chinese Foreign Policy* demonstrated that even during the Mao regime, foreign policy was driven largely by practical national interests rather than political ideology, with the exception of the period of the Cultural Revolution. Van Ness’s study examined the theory and practice of Chinese support for wars of national liberation, prior to and during the Cultural Revolution (1966-1969). To put the study in historical context, Van Ness describes how as early as 1948, Mao regarded “imperialism headed by the United States’ as the “foremost world enemy in

⁹² People’s Republic of China, Ministry of Foreign Affairs of the People’s Republic of China, “China’s Independent Foreign Policy of Peace,” 18 Aug. 2003. <http://www.fmprc.gov.cn/eng/wjdt/wjzc/t24881.htm>.

⁹³ Xue Hanqin, “Chinese Observations on International Law,” Oxford University Press, 9 Feb. 2007: 3.

Beijing's view, and [that] the struggle of the people of Asia, Africa, and Latin America against imperialism and the US was the essence of the stage of development of world revolution."⁹⁴ In 1965, Chinese Defense Minister Lin Biao famously put forth a concept through which the Chinese viewed North America and Western Europe as "the cities of the world," and Asia, Africa, and Latin America as "'the rural areas of the world' which must ultimately encircle 'the cities' with world revolution."⁹⁵ Nevertheless, Van Ness pointed out that the Chinese were "surprisingly selective in their official endorsement of specific revolutions and revolutionary movements."⁹⁶ Contrary to arguments suggesting Chinese support for wars of national liberation in 1965 was driven by Maoist ideology, Van Ness proposed an alternate explanation that he called the State Policy Thesis. According to Van Ness, China's selection of countries as targets for revolution (TR) in 1965 was determined not by ideology, but rather by a government's foreign policy towards China. Countries in which China supported revolutionary efforts to overthrow the government in 1965 were generally those that were "officially hostile" to Beijing, while China preserved good relations with those countries that were "officially friendly." Van Ness concluded,

[T]he primary concern of Chinese foreign policy in the period prior to the Cultural Revolution, either in supporting wars of national liberation or establishing friendly official or semiofficial relations with other countries, was the desire to win adherents to the Chinese program for radical change in the international system. In this regard, the most important factor determining Chinese policy toward any individual country was not the objective class character of the society in question

⁹⁴ Peter Van Ness, *Revolution and Chinese Foreign Policy: Peking's Support for Wars of National Liberation* (Berkeley and Los Angeles: University of California Press, 1970) 29.

⁹⁵ *Ibid* 15-16.

⁹⁶ *Ibid* 82.

or the proclaimed ideology of the party in power, but the foreign policy being pursued by the country's government.⁹⁷

In contrast, during the Cultural Revolution, the spread of Maoist ideology became the highest priority for Chinese support of revolution abroad. Interestingly, however, Van Ness notes that after as well as prior to the Cultural Revolution, "TR endorsement was still determined principally on the basis of a Chinese assessment of a foreign government's official policy with respect to China and China's world objectives."⁹⁸

Sino-African Relations: A Defensive Strategy against Sanctions and Imperialism

The establishment of Sino-African relations became a core defense against what the PRC perceived as US-led imperialistic interference in its internal affairs and an attack on its political ideology. Beijing focused its diplomatic campaign on countries that shared the common experience of colonization by imperialist powers. Chinese Premier Zhou Enlai was the original architect behind Sino-African mutual cooperation. Zhou was a "firm supporter and great promoter of Africa's national liberation cause."⁹⁹ The establishment of diplomatic relations between China and African countries took place in three waves. The beginning of the first wave was marked by the 1955 Bandung Conference, before which China had no diplomatic relations with any country in Africa. Between 1955 and 1963, the PRC established diplomatic relations with 14 African states. The second wave lasted from 1963 to 1971 and was initiated by Zhou's visits to ten African countries. The third wave began in 1971 with the PRC entry into the United Nations. Between 1971 and 1979, more than 20 African countries established diplomatic

⁹⁷ *Ibid* 189.

⁹⁸ *Ibid* 245.

⁹⁹ Yin Chengde, "Premier Zhou Enlai and Sino-African Relations," *China International Studies (Guoji Wenti Yanjiu)* (Fall 2006).

relations with China. At the 26th session of the UN General Assembly in 1971, 26 of the 76 votes for PRC membership in the UN were provided by African countries.¹⁰⁰ Shu Guang Zhang writes, “As developing regions that had once suffered the oppression and exploitation of imperialism and colonialism, China and the African countries could easily understand each other’s pursuit of independence and freedom, and could have a natural feeling of intimacy.”¹⁰¹

Subsequent leaders of China have continued to strengthen and enhance Sino-African relations in Zhou’s footsteps. Under Jiang Zemin’s leadership, from October 10-12, 2000, the first ministerial conference of the Forum on China-Africa Cooperation was held from October 10-12, 2000 in Beijing. The forum was established to build long-term partnerships between China and African countries. Under the leadership of Hu Jintao, the building of relations continued. At the third ministerial conference in November 2006, a declaration was adopted to establish a “new type of strategic partnership” based on “political equality and mutual trust, economic win-win cooperation and cultural exchanges.” The event was the largest diplomatic event in history held between China and Africa up to that point in time. During the opening ceremony, Chinese President Hu Jintao announced an aid package of \$3 billion between 2006-2009 and as well as debt forgiveness to African countries. In addition, 14 agreements between Chinese corporations and African governments worth \$1.9 billion were signed for projects ranging from infrastructure, communications, technology, energy development, and finance and insurance. A three-year action plan for Sino-African cooperation in politics,

¹⁰⁰ *Ibid.*

¹⁰¹ Shu Guang Zhang, *Economic Cold War: America’s Embargo against China and the Sino-Soviet Alliance, 1949-1963* (Washington: Woodrow Wilson Center Press, 2001) 200.

economy, international affairs, and social development was also established.¹⁰²

Additionally, Hu announced eight policy measures to strength Sino-African cooperation and to support development in Africa. In 2007, to implement these measures, Chinese officials visited 13 African countries.¹⁰³ As of 2008, China had diplomatic relations with a total of 48 African countries.¹⁰⁴

He Wenping of the Chinese Academy for Social Sciences notes that while Western media and scholars tend to view China's Africa policy as primarily driven by a domestic demand for natural resources, China has been engaged in Africa long before it became a net importer of natural resources. He argues that China's Africa policy is more accurately viewed within the context of its broader diplomatic strategy and foreign policy to establish its role in the international community, promote a peaceful environment for domestic development, and to amass political support for issues such as Taiwan and the "One China" policy.¹⁰⁵ He also describes African countries as key advocates of a multipolar international order against unilateralism and imperialism. "Africa accounts for almost half of the non-aligned nations and a full third of United Nations member countries, all of which have demonstrated themselves as reliable supporters of China's position in opposing hegemonism and power politics."¹⁰⁶ African countries have also

¹⁰² Beijing Summit & Third Ministerial Conference of Forum on China-Africa Cooperation, "Beijing Summit adopts declaration, highlighting China-Africa strategic partnership," Xinhua News Agency, 5 Nov. 2006., http://english.focacsummit.org/2006-11/05/content_5166.htm. Accessed 16 Jan. 2010.

¹⁰³ People's Republic of China, Permanent Mission of the People's Republic of China to the UN, "Sino-African Cooperation Open and Transparent," 22 Feb. 2008.

¹⁰⁴ Wang Hongyi, "Sino-African Relations Enter a New Stage," *China International Studies (Guoji Wenti Yanjiu)* (Fall 2006).

¹⁰⁵ He Wenping, "The Balancing Act of China's Africa Policy," *China Security* 3:3 (Summer 2007): 23-40.

¹⁰⁶ *Ibid* 27.

cooperated with China in advocating for “fair and equitable” international trade in the World Trade Organization. In addition, Sino-African relations are crucial for solidifying “South-South” cooperation between developing countries, which involve relations between African, Latin American, and Asian countries. Of note in this regard is that “China is the largest developing country in the world, while Africa is the continent with the greatest number of developing countries.”¹⁰⁷

The above illustrates how China’s position on sanctions, Sino-African relations, and the Five Principles of Peaceful Coexistence have been historically linked since the early years of the PRC by Chinese opposition to imperialism, containment, interference in the internal affairs of other states and violation of sovereignty. The importance of non-interference in the internal affairs of other states and respect for sovereignty are still very relevant to Chinese interests due to the Taiwan issue as well as the threat of separatism in Xinjiang province. Opposition to imperialism remains a priority, its twenty-first century reincarnation being China’s campaign for a multipolar world against unilateralism and hegemony. The core objective behind adherence to these principles remains the preservation of peace and stability within China as well as abroad in order to create a peaceful environment for domestic and global development.

While there has been consistency and continuity in the abovementioned elements of Chinese foreign policy, as China’s interests have expanded globally along with its relative power in the international system, so have its policies. Xing Yue and Zhan Yijia make the following observations about China’s expanding global interests. Not only does China aspire for a peaceful international environment for domestic development, but it

¹⁰⁷ *Ibid* 27.

also possesses an interest in the stability of the global economic, financial, and trade systems. Additionally, China's growing economy has resulted in an increased demand for energy. Access to foreign energy resources and the stability of those resources have become key Chinese interests.¹⁰⁸ Furthermore, to develop trust and maintain positive relations with other countries, China must now concern itself with its international image. As Yuan Peng, Director of the Institute of American Studies at CICIR, states, "China strives to improve its image and expand its influence in the handling of international disputes and crises. In dealing with the Korean peninsula nuclear crisis, the Iran nuclear crisis, and the Darfur crisis, China served as a balancer, emphasizing communication and coordination, cooperation and consultation,...an active mediator."¹⁰⁹

The Evolution of Concepts in Chinese Foreign Policy

Just as subsequent leaders have built upon Zhao Enlai's vision for Sino-African relations, concepts of Chinese foreign policy have undergone an evolution to incorporate an expanded identity and role in the international system that would accommodate its broadening interests, while still remaining firmly based in the original concept of the Five Principles. The following section describes concepts that mark the expansion of Chinese foreign policy to include a more global vision.

The New Security Concept

In 1996, the New Security Concept (NSC) was introduced as a set of standards to promote a new international political and economic order, one focused on "mutual trust,

¹⁰⁹ Yuan Peng, "A Harmonious World and China's New Diplomacy," *Contemporary International Relations (Xiandai Guoji Guanxi)* 17:3 (2007).

mutual benefit, equality and coordination.”¹¹⁰ The NSC proposes to build state-to-state relations transcending differences in ideology and social systems, as well as disavowing “cold war and power politics.” The NSC also supports the employment of the UN Charter and “other widely recognized” international norms as guidelines for cooperation, with particular emphasis on “giving full play to the leading role of the United Nations.” In recent years, Chinese President Hu Jintao himself has emphasized the need for “the United Nations and the Security Council [to] play their roles in full.”¹¹¹ With its advancement of a vision for “a fair and rational new international political and economic order,” the New Security Concept signaled a shift in China’s global image from the “victim of a hundred years of humiliation” to a “great power.”¹¹²

China has come to recognize the benefits of greater integration and participation in the multilateral arena for several reasons. First, multilateral cooperation such as participation in the Shanghai Cooperation Organization (SCO) has provided China with enhanced economic ties in Central Asia and improved access to vital natural resources such as energy. Moreover, it promotes a peaceful and stable regional environment in which China can focus on its own domestic growth. Second, China sees participation in multilateral organizations as a way to counter the “China threat” theory and to reassure its neighbors and the world of its peaceful intentions. Third, in an era during which the United States qualifies as the world’s sole superpower, China views multilateral

¹¹⁰ People’s Republic of China, Permanent Mission of China to the United Nations, China’s Position Paper on the New Security Concept, <http://www.fmprc.gov.cn/ce/ceun/eng/xw/t27742.htm>, accessed 23 Sept. 2007.

¹¹¹ Hu Jintao, cited in Andrew Nathan, “The Succession and Sino-American Relations,” in Jonathan Pollack, *Strategic Surprise? US-China Relations in the Early Twenty-first Century* (Newport: Naval War College Press, 2003).

¹¹² *Ibid.*

diplomacy as a means through which unilateral behavior can be restrained.¹¹³ Hui-Ling Ho argues that in the post-Cold War era, the Chinese view the United Nations as a counterbalance to hegemonic tendencies by Western powers, a “balancer during the transition from a bipolar to a multipolar world.”¹¹⁴ A 2005 statement outlining a framework for Chinese diplomacy in the twenty-first century, presented by former Chinese Foreign Minister Li Zhaoxing, supports this view.¹¹⁵ In his speech, Li stated that the core components of Chinese diplomacy in the new millennium include the “vigorous conduct [of] multilateral diplomacy for closer international cooperation.” Furthermore, Li emphasized China’s commitment to “peace, development, and cooperation” and its opposition to “aggression, hegemony, and power politics.”

Harmonious World

Chinese President Hu Jintao first presented the concept of “Harmonious World” on April 22, 2005, at the Asia-Africa Summit, during which he proposed that Asian and African countries “promote friendly coexistence, equality-based dialogues, and common development and prosperity of different civilizations, in order to create a harmonious world.”¹¹⁶ According to Huang Zhaoyu and Zhao Jinfu, Sino-African relations promotes “a new model in international relations,” “spread[ing] China’s idea of harmonious culture and harmonious diplomacy, thus promoting world peace and development, and

¹¹³ David Lampton, “Outward Bound but Inward Directed,” *SAISPHERE* (2006).

¹¹⁴ Huo Hwei-ling, “Patterns of Behavior in China’s Foreign Policy: The Gulf Crisis and Beyond,” *Asian Survey* 32:3 (March 1992): 269.

¹¹⁵ Li Zhaoxing, “Peace, Development and Cooperation—Banner for China’s Diplomacy in the New Era,” August 22, 2005.

¹¹⁶ Hu Jintao, cited in Yuan Peng, “Harmonious World and China’s New Diplomacy,” *Contemporary International Relations (Xiandai Guoji Guanxi)* (2009).

contributing towards building a harmonious world.”¹¹⁷ In September 2005, Hu Jintao introduced “Harmonious World” diplomacy to the international community at the 2005 World Summit and 60th General Assembly of the United Nations. “Harmonious World” is based on ancient Chinese ideas of “harmony,” embodied in the idea of different nations coexisting together peacefully through friendly relations and cooperation, enjoying equality and common prosperity. Hu emphasized the importance of “uphold[ing] multilateralism to realize common security,” “mutually beneficial cooperation to achieve common prosperity,” and “the spirit of inclusiveness to build a harmonious world together.”¹¹⁸ He also reiterated the importance of “oppos[ing] acts of encroachment on other countries’ sovereignty, forceful interference in a country’s internal affairs, and willful use or threat of military force.”¹¹⁹ Hu reaffirmed that China continues to “pursue the independent foreign policy of peace and...to develop friendly relations and cooperation with all countries on the basis of the Five Principles of Peaceful Coexistence.”¹²⁰ He pointed out that while China takes “full advantage of the opportunities brought by world peace and development to pursue [its] own development,” China through its own successful development advances world peace and common development. Therefore, while China pursues its own national interests through its foreign policy, it is at the same time invested in the broader interests of the global community. “Harmonious World” is a natural extension of the underlying theme of

¹¹⁷ Huang Zhaoyu and Zhao Jinfu, “China’s Relations with Africa: Building a Harmonious World,” *Contemporary International Relations (Xiandai Guoji Guanxi)* (Jan/Feb 2009).

¹¹⁸ Hu Jintao, “Build Towards a Harmonious World of Lasting Peace and Common Prosperity,” Statement at the United Nations Summit, 15 Sept. 2005.

¹¹⁹ *Ibid* 5.

¹²⁰ *Ibid* 9.

harmony that has pervaded principles of foreign policy of the PRC, from an independent foreign policy of peace and the Five Principles of Peaceful Coexistence to peaceful development and the New Security Concept. According to Yu Xintian, a Senior Fellow of the CIIS and President of the Shanghai Institute of International Studies, “Harmonious World” establishes China’s goal and intentions in the changing international system. While the focus of previous sets of principles have been on mutual equality, respect, and non-interference in the internal affairs of other states, “Harmonious World” signals a more proactive China building consensus through cooperation in the international community. Yu also notes that “Harmonious World” is a response to the “China threat” theory, an answer to questions about how China intends to utilize its rising influence in the world. He also makes the distinction between harmony and peace. While peace involves the absence of the threat of or the use of force, harmony is a “higher goal” in that it calls upon all countries to work with and support each other through win-win cooperation in peaceful coexistence, to reach an “ideal state” of “harmony amongst humanity.”¹²¹ Wang Yizhou, Deputy Director of the Institute of World Economic and Political Studies at the Chinese Academy of Social Sciences, states that the concept of “Harmonious World” is

a solemn commitment to solving disputes through constructive dialogue and cooperation, an idea that conforms with Chinese ways of handling domestic tensions and contradictions.... International observers will find that China’s advocacy of ‘harmony in the surrounding environment, in the Asia-Pacific, big power relations and the broader world’ is not rhetoric. Indeed, it embodies, in essence, the demand of the Chinese society at its current development stage of development. It represents a philosophical worldview taking shape naturally in the course of

¹²¹ Yu Xintian, “Harmonious World and China’s Road of Peaceful Development,” *China International Studies(Guoji Wenti Yanjiu)* (Spring 2007).

the past 30 years and is deeply rooted in its centuries-old cultural tradition.”¹²²

Chinese Domestic Interests and Concepts of Domestic Policy

Chinese domestic interests and concepts of domestic policy are inextricably linked to those of Chinese foreign policy. With many factors contributing to social unrest today beyond economic considerations such as inflation and widening income disparities, to include environmental degradation, government corruption, and natural disasters such as the May 2008 earthquake in Sichuan province north of Chengdu, preserving social stability has remained a top priority of the national leadership.

Since the initiation of the open-door policy in 1978, China has experienced an unprecedented average annual growth rate of 9.4 % GDP and has become a major global economic force. China has attained remarkable economic achievements, including a dramatic increase in annual GDP and a significant reduction in the proportion of the population living in poverty. China’s economy in 2007 was 14 times its size in 1978.¹²³ However, despite a significant increase in the living standards of the overall population and a ten-time increase in per capita GDP from 1978 to 2007, with a population of 1.3 billion, China is still a low-income developing country facing many challenges for continued development and progress, including uneven development in urban vs. rural areas and underdeveloped rural areas, in particular in the western parts of the country.¹²⁴

¹²² Wang Yizhou, “China’s Diplomacy: Ten Features,” *Contemporary International Relations (Xiandai Guoji Guanxi)* 19:1 (2009).

¹²³ Wayne M. Morrison, “China’s Economic Conditions,” CRS Report RL33534, updated 13 May 2008.

¹²⁴ Wen Jiabao, Statement at the General Debate of the 63rd Session of the UN General Assembly, 24 Sept. 2008.

For the foreseeable future, i.e. the next few decades, China's priorities will remain first and foremost on domestic development. Based on its current strategies and planning for development, it will be 2050 before China can be considered a middle-income developed country.¹²⁵

China continues to face ongoing challenges in its development efforts. In 2005, Niu Wenyuan, the chief scientist of sustainable development strategy at the Chinese Academy of Sciences outlined six primary challenges to China's development in the 21st century. The first is population growth, with a predicted average of 10 million newborns per year in the next two decades. The second is inefficient and excessive consumption of natural resources, such as energy, raw materials, and water. In 2004, China consumed 30 percent of the world's coal, 27 percent of iron and steel, and 25 percent aluminum. China is currently the world's second largest consumer of energy and second largest consumer of oil after the United States.¹²⁶ China is the largest coal producer in the world and for the foreseeable future will rely on domestic production of coal for its primary source of energy.¹²⁷ The third is environmental deterioration, including air and water pollution, soil degradation, deforestation, and desertification. The fourth is increasing pressure of urbanization, with an annual average of 12 to 13 million people moving from rural to urban areas. The fifth is the challenge of regional and income disparities, and the sixth involve challenges of rural development, including modernization of the rural economy

¹²⁵ Zheng Bijian, "China's 'Peaceful Rise' to Great Power Status," *Foreign Affairs* 84:5 (Sept/Oct 2005).

¹²⁶ Wayne M Morrison, "China's Economic Conditions," CRS Report RL33534, updated 13 May 2008.

¹²⁷ Zhou Xinbao, "China's Energy Situation, its Energy Policy and International Energy Cooperation," *China International Studies (Guoji Wenti Yanjiu)* (Summer 2007).

and integration of rural and urban areas.^{128,129} Addressing these challenges is not only vital to continued progress in China's development but also to maintaining social stability and ultimately to preserve the legitimacy of the CPC, which since the 1978 open-door policy has defined its success by the economic advancement of its people and development as a nation.

Scientific Concept of Development

The "Scientific Concept of Development" is an effort led by Hu Jintao and the fourth generation of leaders to address imbalances that have occurred over the course of China's development. It was first introduced by Hu in 2003 during the SARS crisis at the Third Plenary Session of the 16th CPC National Congress. It is a fifteen-year plan with the objective of reaching a 4 trillion dollar GDP, or 3000 GDP per capita by the year 2020.¹³⁰ The "Scientific Concept" focuses on the need to shift from development that was overly dependent on cheap labor, funds, and natural resources to development based on skilled and educated workers and improved science and technology.¹³¹ It also addresses urban and rural disparities, regional disparities, as well as environmental issues.

¹²⁸ "China faces six challenges in the 21st century, expert says," *People's Daily Online*, 6 Sept. 2005. http://english.peopledaily.com.cn/200509/06/eng20050906_206896.html.

¹²⁹ "China's Agricultural and Rural Development in the New Era: Challenges, Opportunities, and Policy Recommendations," China Council for International Cooperation on Environment and Development, http://www.cciced.org/2008-02/03/content_9646024.htm.

¹³⁰ "China embraces new scientific concept: Hu," Xinhua News Agency, 24 Apr. 2006.

¹³¹ "Scientific concept of development," 17th National Party Congress of the Communist Party of China, <http://english.peopledaily.com.cn/90002/92169/92211/6274998.html>.

Harmonious Society

The “Scientific Concept of Development” is the basis for forming a “Harmonious Society,” the domestic complement to a “Harmonious World.” In February 2005, Hu Jintao called upon national leadership and Party cadres to place on the top of their agenda the notion of “building a harmonious society” in a speech at the Party School of the Communist Party of China (CPC) Central Committee.¹³² The concept of “Harmonious Society” is the vision of the current leadership for domestic development, broadening the priorities of development to include not only economic progress but also advancement in social welfare. “Harmonious Society” gravitates around the notion of “putting people first” as interpreted by the CPC. It is a vision of society in which people enjoy an environment characterized by political stability, a prosperous economy, social justice and equality, rule of law, peace, and comfort.¹³³ At the Sixth Plenum of the 16th CPC Central Committee, the CPC approved the “Resolutions of the CPC Central Committee on Major Issues Regarding the Building of Harmonious Socialist Society,” a landmark achievement in that it was the first time the CPC devoted a plenary meeting solely to social development issues. The resolutions formed a plan for establishing a “Harmonious Society” by 2020, identifying the following issues as key priorities: advancing rural development, increasing employment, improving and lowering the costs of education,

¹³² “Building harmonious society important task for CPC: President Hu,” *People’s Daily Online*, 21 Feb. 2005, http://english.people.com.cn/200502/20/eng20050220_174036.html.

¹³³ “Harmonious society,” The 17th National Congress of the Communist Party of China, <http://english.peopledaily.com.cn/90002/92169/92211/6274603.html>.

housing, and medical services, strengthening environmental protection, narrowing income disparities, securing social security, and fighting corruption.¹³⁴

Path of Peaceful Development

Also in 2005, the State Council Information Office of the PRC produced a white paper on China's "Path of Peaceful Development,"¹³⁵ a concept reiterated by the Chinese Foreign Ministry after the conclusion of the August 2008 Olympic Games.¹³⁶ China's "Path of Peaceful Development" emphasizes peace, cooperation, and win-win policies, as well as "unify[ing] domestic development with opening to the outside world." It also emphasizes the value China places on a peaceful international environment, in particular, a multipolar world characterized by the opportunities of economic globalization resulting from increased interdependence, cooperation, and coordination amongst nations.¹³⁷ Pursuing a "Path of Peaceful Development" highlights China's status as the largest developing country in the world and serves as a reminder that China's global power and influence is tempered by its domestic development challenges. China has not yet completed its objectives in development, nor has the broader world achieved its peace and development goals. The "Path of Peaceful Development" signals China's commitment to its own domestic development for the next few decades and its intentions to contribute to global peace and development. China's contributions to the global

¹³⁴ Xing Zhigang, "Plan unveiled to build harmonious society," *China Daily*, 12 Oct. 2006. http://www.chinadaily.cn/china/2006-10/12/content_706359.htm.

¹³⁵ People's Republic of China, State Council Information Office of China, *White Paper: China's Peaceful Development Road*, 22 Dec. 2005.

¹³⁶ "China to continue peaceful development after Olympics," Xinhua News Agency, 26 Aug. 2008. http://news.xinhuanet.com/english/2008-08/26/content_9717033.htm.

¹³⁷ Li Zhaoxing, Year-end Interview to People's Daily, 20 Dec. 2005, <http://www.china-embassy.ch/eng/xwss/t227889.htm>.

community include establishing friendly relations with other countries based on the Five Principles of Peaceful Coexistence, injecting momentum into the global economy with its own domestic economic growth, and serving as a leader and stabilizing force in the region in the face of crises such as the 1997 Asian Financial Crisis and the 2004 tsunami disaster, as well as engaging in multilateral economic cooperation, regional and global trade relations.

With the “Path of Peaceful Development,” domestic policy objectives therefore come full circle to become inseparable from those of Chinese foreign policy. At the General Debate of the 63rd General Assembly of the United Nations, Chinese Premier Wen Jiabao stated, “China will remain committed to the path of peaceful development, unswervingly pursue reform and opening-up, and continue to adhere to an independent foreign policy of peace.” He added, “Respect for sovereignty and non-interference in the internal affairs of other countries is the prerequisite for sound state-to-state relations.”¹³⁸

The foreign policy decision-making process of the PRC

Another factor that may influence China’s behavior in the UN sanctions policy as well as broader Chinese foreign policy is the foreign policy decision-making process: how foreign policy decisions are made in the PRC and how the decision-making process has changed over time.

Historically, ultimate decision-making authority in foreign affairs lies in the hands of the paramount leader, who may or may not be the Chinese President but most likely controls the military as Chairman of the Central Military Committee. The trend in the

¹³⁸ Wen Jiabao, Statement at the General Debate of the 63rd Session of the UN General Assembly, 24 Sept. 2008.

post-Mao era has been towards increasing decentralization, a shift in authority from the center to the localities. Since the 1990s, no longer did the paramount leader reign supreme as was the case during the eras of Mao and Deng Xiaoping- the decline of personalized authority has been a noticeable shift in the presidencies of subsequent leaders.

While unknowns remain, much light has been shed on the structure and process of policymaking in the PRC since A. Doak Barnett's breakthrough 1967 study *Cadres, Bureaucracy, and Political Power in Communist China*.¹³⁹ Barnett identified six major vertical functional sectors, or *xitong*, each of which contains the three major organs of government, the Communist Party, the State, and the Military. The six *xitong* are: party affairs, organization and personnel, propaganda and education, political and legal affairs, finance and economics, and military affairs. At the top of each *xitong* is a leading small group (LSG), which coordinates between the top politicians and bureaucrats. In addition to the LSGs heading each functional *xitong*, LSGs also exist for discrete issues of high priority for the top leadership, such as Taiwan affairs. The *xitong* are coordinated by vertical and horizontal lines of authority: *tiao*, the vertical lines of authority coordinated from the center to the localities, and *kuai*, the horizontal lines of authority representing the various administrative levels of government. The *tiao* extend from the Center (*zhongyang*), the provinces (*sheng*), the city (*shi*), the county (*xian*), to the township (*xiang*). The *kuai*, representing administrative levels, contain both party and state organs, with an additional party element included within the state organs. At the top of this structure is the core leadership consisting of 14-24 members, the Political Bureau

¹³⁹ A. Doak Barnett, *Cadres, Bureaucracy, and Political Power in Communist China* (New York: Columbia University Press, 1967).

(Politburo) of the Communist Party of China (CPC), with the Standing Committee of the Politburo (4-9 members) consisting of the topmost leaders of the country. The basic skeletal structure of the Chinese bureaucracy has largely endured up to the present day, characterized by what David Lampton and Kenneth Lieberthal have described as “fragmented authoritarianism,”¹⁴⁰ or the fragmentation of regime authority as a result of the complex interlace of horizontal and vertical lines of authority. During the Maoist era, ideology was a primary means through which the sprawling system was held together.

In *The Making of Chinese Foreign and Security Policy* (2001),¹⁴¹ David Lampton identifies four major shifts in the Chinese foreign policymaking process that have had an effect on the broader political system: professionalization, pluralization, decentralization, and globalization. The Chinese political system has become increasingly professionalized, characterized by higher levels of specialization amongst policymakers and increased integration of expertise in decision-making. The policy-making process has become more pluralized, with an increasing number of special interests such as businesses, organizations, as well as broader public opinion carrying greater weight in decision-making. Decentralization from the center to the localities has been apparent, in particular on economic issues, less so on issues of national security. Finally, increasing global interdependence and globalization has enhanced China’s likelihood for both bilateral and multilateral cooperation. Nevertheless, the top leadership of the CPC, the Politburo Standing Committee (PSC), maintains ultimate decision-making power. As

¹⁴⁰ Kenneth Lieberthal and David Lampton, eds., *Bureaucracy, Politics, and Decision Making in Post-Mao China* (Berkeley: University of California Press, 1992).

¹⁴¹ David Lampton, *The Making of Chinese Foreign and Security Policy in the Era of Reform, 1978-2000* (Stanford: Stanford University Press, 2001).

head of the PSC, Chinese President Hu Jintao is central to major policy decisions. Chinese Premier Wen Jiabao is also a key player in foreign policy decisions.¹⁴²

Linda Jacobson and Dean Knox of the Stockholm International Peace Institute (SIPRI) reported in September 2010 on the current foreign policy making process in China, based largely on interviews with Chinese officials and policy experts. According to the report, most foreign policy decisions are made in the Foreign Affairs Leading Small Group (FALSG), also known as the National Security LSG, for approval by the Politburo Standing Committee (PSC). The Taiwan Affairs LSG and the Financial and Economic Affairs LSG also discuss matters affecting foreign policy. Members of the FALSG include the State Councillor, the head of the CPC International Department, the Foreign Minister, the Minister of Commerce, the Minister of Defense, and the Minister of State Security. Because the PSC makes decisions by consensus, foreign policy decision-making can require substantial bargaining and may lead to deadlock and postponement of a decision when there is disagreement amongst PSC members. In recent years, the issue that generates the most controversy has been North Korea. Policy towards the United States, Japan, and Myanmar has been subject to debate as well. Decisions made tend to be risk-adverse, at least with respect to internal politics. According to Jacobson and Knox, "In writing memos and proposals, officials rely on vague language to facilitate compromise but also to avoid responsibility for a stance that could end up being regarded as contrary to the mainstream view."¹⁴³

¹⁴² Linda Jakobson and Dean Knox, *New Foreign Policy Actors in China*, Stockholm International Peace Research Institute Policy Paper no. 26, Sept 2010.

¹⁴³ Linda Jakobson and Dean Knox, *New Foreign Policy Actors in China*, Stockholm International Peace Research Institute Policy Paper no. 26, Sept 2010.

Within each of the three major organs of the Chinese political system—the party, the government, and the military—are bureaucratic institutions of ministerial/provincial/army rank that are involved in the foreign policy decision making process.¹⁴⁴ In the government, these include the Ministry of Foreign Affairs (MFA), the Ministry of Commerce (MOFCOM), the People’s Bank of China (PBC), the National Development and Reform Commission (NDRC), the Ministry of Finance, and the Ministry of State Security.¹⁴⁵ Since 1998, the MFA has declined in importance as the number of foreign policy actors have increased and the power base of the foreign minister has decreased. Nevertheless, the MFA still oversees implementation of foreign policy as well as decisions on matters of secondary priority. While the MFA is generally inclined towards international cooperation and boosting China’s international image, other bodies such as the NDRC, which influences foreign policy issues related to economic development, energy, and climate change, hold more entrenched views protective of domestic interests. The extent to which Chinese ambassadors influence or merely implement policy are largely dependent on individuals’ personal connections with those in the top leadership. MOFCOM focuses on all issues related to foreign trade, the PBC has authority over the renminbi exchange rate, and the NRDC influences matters related to China’s economic development, including energy and climate change issues. In the party system is the CPC Central Committee International Department, formerly the International Liaison Department, which now oversees relations with all foreign political

¹⁴⁴ Lu, Ning, “The Central Leadership, Supraministry Coordinating Bodies, State Council Ministries and Party Departments” in David Lampton, *The Making of Chinese Foreign and Security Policy in the Era of Reform, 1978-2000* (Stanford: Stanford University Press, 2001) 39-60.

¹⁴⁵ Linda Jakobson and Dean Knox, *New Foreign Policy Actors in China*, Stockholm International Peace Research Institute Policy Paper no. 26, Sept 2010.

parties. The International Department has played an important role in the PRC's policy on North Korea, as well as Iran and Myanmar. This is attributed to the relations between the International Department and the Korean Workers' Party, as well as the personal relations established between Dai Bingguo and North Korean officials during his tenure as head of the International Department from 1997-2003. The CPC Publicity Department, in coordination with the Xinhua News Agency and the People's Daily (*Renmin Ribao*), influences domestic media and public opinion on foreign policy matters. The CPC International Communications Department is tasked with managing China's international image, which has been established as a priority under Chinese President Hu Jintao.

In line with the trend towards greater professionalization and pluralization, David Shambaugh noted the increasing role and significance of Chinese international relations think tanks in the foreign policy making process. Since their establishment or re-building after the Cultural Revolution in the early 1980s, Chinese international relations think tanks have grown in number as well as improved in quality over the years. With a greater need for knowledge on international affairs as China becomes increasingly engaged with the rest of the world, government officials have become more reliant on policy research conducted by think tanks in their decision-making process. Additionally, think tank members serve as conduits of information to and from foreign specialists and officials. Generally, think tanks are not independent entities but rather are embedded in the vertical structures of China's bureaucracy under the military, party, or state, with a few exceptions retaining multiple lines of authority.

China Institute of Contemporary International Relations (CICIR) is the think tank subordinate to the Foreign Affairs Leading Small Group.¹⁴⁶ In this capacity, CICIR has served the top leadership in the CPC. As of 2002, it remained the largest and best-funded of the foreign policy research institutes. CICIR's strengths include its emphasis on intelligence gathering from multiple sources, a large staff, and its proximity to the top leadership. It publishes the journal *Contemporary International Relations (Xiandai Guoji Guanxi)*. China Institute of International Studies (CIIS) is the think tank of the Chinese Foreign Ministry. According to Shambaugh, its influence began to rise in the late 1990s as a result of proactive leadership and increased financial resources. The staff, reputed for its high level of education including many PhDs, also participates in assignments from the Foreign Ministry. It publishes the academic journal *China International Studies (Guoji Wenti Yanjiu)*. Publications released by the think tanks are therefore key indicators of internal bureaucratic debates. As Shambaugh states, "The think tanks should not be dismissed as purveyors of propaganda or disseminators of disinformation. They are serious professional research institutions, both for current intelligence and for scholarly purposes."¹⁴⁷

According to Chinese Rear Admiral Yang Yi, the PLA has undergone dramatic changes since 1970, with an expansion in its role from "resisting foreign aggression and safeguarding internal security and stability to maintaining world peace and promoting shared development." Although military development took a subordinate role to

¹⁴⁶ David Shambaugh, "China's International Relations Think Tanks: Evolving Structure and Process," *China Quarterly* 171 (Sept 2002): 575-596.

¹⁴⁷ David Shambaugh, "China's International Relations Think Tanks: Evolving Structure and Process," *China Quarterly* 171 (Sept 2002): 575-596.

economic development following the 1978 open-door policy, as China's economic power increased, national defense and military development once again grew in priority. With the PLA's return to prominence in China's national priorities, it has also taken an active role in promoting China's foreign policy of a harmonious world through increased contact with the outside world. These interactions include an increased number of military exchanges and joint military exercises, including counter-terrorism initiatives, with neighboring and developing countries as well as Western countries. China has become an active participant in UN peacekeeping missions. From 1990-2008, China contributed a total of 9,910 military personnel to UN peacekeeping missions, which are amongst a total of 12,443 troops, observers, staff, and police officers.¹⁴⁸ Additionally, since the 1990s, China has increased its engagement in the international arms control and disarmament regimes, including initiation of its own proposals on "No First-Use" of nuclear weapons and nuclear disarmament. The PLA now contributes to these issues as well as territorial disputes and national security, whereas before it had overall authority over these matters.

In addition to these official influences, corporation executives, university research institutes, as well as media entities also influence foreign policy, albeit to a more limited degree. The CPC Organization Department appoints the executives of the SOEs, many with ministerial or vice-ministerial rank. Others serve on the CPC Central Committee.¹⁴⁹

Because SOEs have a need to generate profits, its interests tend to be more narrowly

¹⁴⁸ People's Republic of China, Information Office of the State Council, "China's Participation in UN Peacekeeping Operations," *China's National Defense in 2008*, 20 Jan. 2009, <http://www.china-un.org/eng/gyzg/t534184.htm>, accessed 15 Sept. 2010.

¹⁴⁹ Linda Jakobson and Dean Knox, *New Foreign Policy Actors in China*, Stockholm International Peace Research Institute Policy Paper no. 26, Sept 2010.

focused. In countries where strategic economic interests dominate relations, SOEs therefore can have a significant influence in China's bilateral relations with these countries. Public opinion has also become an influence as government officials shape and monitor public reactions to foreign policy issues through the Internet and the media. Interest groups have also emerged as an influence on top leaders and their decisions on foreign policy.¹⁵⁰

Based on what can be gleaned from the above, it would appear that decisions involving North Korea, Myanmar, and Iran are discussed and made at the level of the top leadership and the Foreign Affairs Leading Small Group. Sudan and Zimbabwe are perhaps of lesser but still significant priority due to China's perception of the two countries as third party issues in Sino-US relations. The Ministry of Foreign Affairs is involved in all the cases due to its overall leadership in international negotiations, in particular at the UN. However, the MFA is perhaps more involved on an implementation level with regards to North Korea, Myanmar, and Iran, with the influence of individual Ambassadors such as the Chinese Permanent Representative to the UN based on *guanxi*, individual personal connections. Due to the dominance of oil trade in China's relations with Sudan, Iran, and Zimbabwe, the interests and objectives of the major SOEs such as the China National Petroleum Company (CNPC) likely play a key role in foreign policy decisions with respect to these countries.

In summary, the Chinese foreign-policy making process has become more participatory, in that the decision-making process has expanded from a model of supreme

¹⁵⁰ Linda Jakobson and Dean Knox, *New Foreign Policy Actors in China*, Stockholm International Peace Research Institute Policy Paper no. 26, Sept 2010.

leadership to one in which the viewpoints of multiple organizations, industries, and individual perspectives are incorporated. Although the top leadership retains ultimate decision-making power with regards to foreign policy, the amount of information and range of perspectives incorporated into the decision-making process have significantly increased. These interests are not always complementary and at times come into conflict with one another, which creates difficulty in achieving consensus and can delay China's official response in international negotiations and crises. Moreover, as a collective the top leadership leans towards risk-averse decisions consistent with the default policy positions to avoid the burden of responsibility for an unpopular decision.

A note on the interpretation of Chinese foreign policy: Shu Guang Zhang's study on strategic culture points out that although clear distinctions exist between the US and Chinese foreign policy decision-making processes, each side retains tendencies to assess the foreign policy of the other through the lens of its own foreign policy decision-making framework. As a result, the likelihood of misinterpretation increases. The Chinese have in the past mistaken public statements of American-elected officials, such as Senators and Congressmen, to be part of an administration's official policy. On the other hand, American officials tend to downplay public speeches by government officials as well as statements publicized in Chinese government-sponsored media as propaganda rather than bonafide messages of intent conveyed by the Chinese leadership.¹⁵¹

¹⁵¹ Shu Guang Zhang, *Deterrence and Strategic Culture: Chinese-America Confrontations, 1949-1958* (Ithaca: Cornell University Press, 1992).

Leadership succession and elite politics

Yet another factor may influence China's foreign policy and hence its positions on UN sanctions: leadership succession and elite politics in China. Cheng Li observes, "In the often-contradictory foreign analyses of China's 17th Party Congress, there was a surprising level of consensus that the composition of the Politburo of the Communist Party of China (CPC), especially its Standing Committee, is a crucial factor in determining the political trajectory of the country."¹⁵² At the 16th National Party Congress of the CPC in November 2002, Hu assumed the position of General Secretary of the CPC from Jiang. Also during the 16th Party Congress, all members of the seven-member Politburo Standing Committee, with the exception of Hu Jintao, stepped down due to their reaching, exceeding, or nearing the mandatory retirement age limit of 70. They were replaced by a nine-member committee of younger leaders. The trend towards a more technocratic leadership continued from the third to this fourth generation of leaders, with all fourth generation members of the Politburo Standing Committee having an engineering background. Moreover, the average education level was higher, with all members of the Politburo possessing a college education or above, and with fifteen out of sixteen of which were new members. Also of note was that all members of the Politburo Standing Committee obtained their education in China, in contrast to the previous generation where at least four members were educated abroad in the former Soviet

¹⁵² Cheng Li, "China's Leadership, Fifth Generation," *Caijing Magazine*, Dec. 2007.

Union.¹⁵³ Cheng Li observes a continuing trend towards increased collective leadership, away from the model of the paramount leader that was prominent during the Mao and Deng eras.¹⁵⁴ He also describes the emergence of factional politics, “one Party, two factions,” in the new generation of Chinese leadership: two informal coalitions of almost equal power within the CPC. One group comprises of what Cheng calls the “elitist coalition,” formerly led by Jiang Zemin and presently by Vice President Zeng Qinghong. Many of the individuals in this group are princelings (*taizidang*), connected to political power through family relations. Many come from and work in the coastal regions. This group is also characterized by specialized expertise in areas such as trade, finance, and foreign affairs. They represent the interests of business, the middle class, and the coastal provinces. The other coalition is the “populist coalition” led by Hu Jintao and Chinese Premier Wen Jiabao. They along with the other members of this group came from inland provinces. Hu’s alumni colleagues from the Chinese Communist Youth League, the *tuanpai*, are at the center of this group. These are leaders who have built their political careers on local and provincial administration as well as experience working in rural areas. They are experienced in the fields of Party organization, propaganda, and legal affairs. According to Cheng, the populist coalition focuses on addressing the interests of

¹⁵³ Lu, Ning, “The Central Leadership, Supraministry Coordinating Bodies, State Council Ministries and Party Departments” in David Lampton, *The Making of Chinese Foreign and Security Policy in the Era of Reform, 1978-2000* (Stanford: Stanford University Press, 2001) 39-60.

¹⁵⁴ Cheng Li, “China’s Leadership Succession and Its Implications: Trends and Paradoxes,” Testimony for a Hearing of the US-China Security Review Commission, Dirksen Senate Office Building, 23 Sept. 2002.

the masses, in particular the “vulnerable social groups” that include farmers, migrant workers, and the unemployed.¹⁵⁵

In March 2003 at the First Session of the 10th National People’s Congress, Hu succeeded Jiang as President of the PRC and finally as Chairman of the Central Military Committee (CMC) in September 2004.¹⁵⁶ Hu made concerted efforts to consolidate his power by distinguishing his approach to policy from his predecessors, while simultaneously preserving a thread of continuity to past foreign policy concepts. His focus on the populist platform was in contrast to Jiang’s emphasis on entrepreneurial interests and development of the coastal provinces. The timing of the emergence of new foreign policy and domestic policy concepts such as the “Scientific Concept of Development” (2003) as well as “Harmonious Society,” “Harmonious World,” and “Path of Peaceful Development” (2005) coincided with the leadership transition between Jiang and Hu. The fact that the concepts of “Harmonious Society” and “Harmonious World” are intended to serve as models for other nations and the international community indicate an expansion of China’s self-image under the Hu leadership, a greater willingness to exert assertiveness in the global arena.

As Hu approaches the end of his term limit in 2012, a new fifth generation of leaders is rising to power, along with a new succession model. At the 17th Party Congress in October 2007, for the first time two candidates, Xi Jinping and Li Keqiang as opposed to the traditional single candidate were named as potential successors to Hu Jintao. With

¹⁵⁵ Cheng Li, “One Party, Two Factions: Chinese Bipartisanship in the Making?” Paper Presented at the Conference on “Chinese Leadership, Politics, and Policy,” Carnegie Endowment for International Peace, 2 Nov. 2005.

¹⁵⁶ Zheng Yongnian and Lye Liang Fook, “Elite Politics and the Fourth Generation of Chinese Leadership,” *Journal of Chinese Political Science*, 8:1-2 (Fall 2003).

his promotion to Vice-Chairman of the Central Military Committee in October 2010, Xi Jinping has since emerged as the likely successor. Both individuals, along with an additional six new members of the Politburo and the Secretariat, are considered the “succession team” of fifth generation leaders. Half of this group are princelings or *taizidang*, while the other half emerged from the CCYL *tuanpai*. In contrast to the fourth generation, the fifth generation of leaders is not predominantly technocrat. Instead, collectively they possess a diverse range of educational backgrounds, from history and political science to economics and business administration.¹⁵⁷

In summary, periods of leadership transition and succession are opportunities for expansion of Chinese foreign and domestic policy through the introduction of new concepts. Future generations of leadership and transition periods still provide vast opportunity for internal debate and shifts towards change. With greater power and influence over decisions made in the international system, China has a key role to play in the response of the international community to global crises. The question remains as to how China will respond to this challenge.

¹⁵⁷ Cheng Li, “China’s Leadership, Fifth Generation,” *Caijing Magazine*, Dec. 2007.

CHAPTER 3: AN OVERVIEW OF CHINA'S POSITIONS ON UN SANCTIONS 1990-2008

The following chapter provides an overview and analysis of China's position on UN sanctions from 1990-2008 and identifies trends in the data, including changes over time. In addition, the chapter also examines whether China's political and economic interests have had an impact on its position on sanctions. An examination of the strength of bilateral relations with target countries demonstrates that China's political and economic interests with a target country are correlated with its position on sanctions.

As suggested in the previous chapter, China has historically maintained a consistent principled opposition against the use of sanctions. Nevertheless, from 1990-2008, China supported 26 sanctions resolutions against 16 target countries, in addition to abstaining from 17 sanctions resolutions against 5 target countries and vetoing 1 resolution against 1 target country. In cases where China did support sanctions, China was careful to make qualifying and explanatory statements on its position. An overview of all UN sanctions cases during this time period reveals the following:

1. China supports sanctions when a crisis threatens regional or global stability, in particular as indicated by regional organizations or neighboring countries, and
2. When China's stakes in cooperating with the US and other sanctions supporters in the Security Council are higher than its stakes in supporting the target country
3. China opposes sanctions when it considers a given crisis strictly an internal affair of the target state, in particular as it relates to issues of democracy or human rights

China's positions on UN Sanctions Resolutions (1990-2008)					
Support		Abstain		Veto	
Target Country	Resolution	Target Country	Resolution	Target Country	Resolution
Iraq	661 (1990) 670 (1990) 687 (1991)	Iraq	1284 (1999)	Myanmar	Draft S/2007/14*
Federal Republic of Yugoslavia (FRY)	713 (1991)	Libyan Arab Jamahiriya	748 (1992) 883 (1993)	Zimbabwe	Draft S/2008/447
Liberia	788 (1992) 1343 (2001)	FRY over Bosnia and Herzegovina	757 (1992) 787 (1992) 816 (1993) 820 (1993)		
Somalia	733 (1992)	FRY over Kosovo	1160 (1998) 1199 (1998) 1203 (1998) 1244 (1999)		
Angola	864 (1993) 1127 (1997) 1173 (1998)	Afghanistan	1333 (2000)		
Haiti	841 (1993) 873 (1993) 875 (1993) 917 (1994)	Sudan	1054 (1996) 1070 (1996) 1556 (2004) 1591 (2005) 1672 (2006)		
Rwanda	918 (1994)				
Sierra Leone	1132 (1997)				
Afghanistan	1267 (1999)				
Eritrea and Ethiopia	1298 (2000)				
Democratic Republic of the Congo	1493 (2003)				
Côte d'Ivoire	1572 (2004)				
Lebanon	1636 (2005)				
North Korea	1718 (2006)				
Iran	1737 (2006) 1747(2007) 1803 (2008) 1835 (2008)				

*Although the draft resolution on Myanmar was not technically a sanctions resolution, Myanmar has been included due to the fact that sanctions were considered during resolution negotiations.

Trends in Data

Sanctions resolutions supported by China (1990-2008)		
Reasons cited for support	Target Country	Resolutions
-For the purpose of early realization of peace -Encourage peaceful settlement through diplomatic means	Iraq	670 (1990)
	Iraq	687 (1991)
	Yugoslavia	713 (1991)
	Haiti	841 (1993)
	Haiti	873 (1993)
	Haiti	875 (1993)
	Haiti	917 (1994)
	Angola	864 (1993)
	Angola	1127 (1997)
	Sierra Leone	1132 (1997)
	Côte d'Ivoire	1572 (2004)
	North Korea	1718 (2006)
	Iran	1737 (2006)
Iran	1747 (2007)	
-Sanctions supported by neighboring countries/member countries of regional organization	Haiti	841 (1993)
	Haiti	873 (1993)
	Haiti	875 (1993)
	Haiti	917 (1994)
	Sierra Leone	1132 (1997)
	Côte d'Ivoire	1572 (2004)
-Resolution carried out in explicit agreement with Government of target country	Yugoslavia	713 (1991)
	Haiti	841 (1993)
	Haiti	873 (1993)
	Haiti	875 (1993)
	Haiti	917 (1994)
--Sanctions adopted are reversible, limited, targeted	Afghanistan	1267 (1999)
	North Korea	1718 (2006)
	Iran	1737 (2006)
	Iran	1747 (2007)
	Iran	1803 (2008)

From 1990-2008, China's most frequently cited reason for supporting sanctions was to facilitate an early peaceful settlement to the matter in consideration and/or to encourage the realization of a peaceful solution through diplomatic dialogue. In the case of Iraq, China supported resolutions 661 (1990) imposing broad sanctions against Iraq on the basis of the Five Principles of Peaceful Coexistence in response to Iraq's invasion of

Kuwait and refusal to withdraw troops pursuant to Security Council demands made in resolution 660 (1990). Then Chinese Foreign Minister Qian Qichen stated, “China always opposes armed invasion and annexation of one sovereign State by another and advocates that disputes between States should be resolved through peaceful dialogue and friendly consultation without resorting to force.”¹⁵⁸ After the restoration of sovereignty to Kuwait, the Security Council continued to impose sanctions on Iraq for lack of cooperation with international obligations, including submission to UN arms inspections and surrender of weapons of mass destruction (WMD). Although China disagreed with the “unnecessary restrictions on lifting of economic sanctions against Iraq” in resolution 687 (1991), China voted in favor of the resolution because it supported the formal cease-fire agreement ending the Gulf War established by the resolution.¹⁵⁹

During the deterioration of the Federal Republic of Yugoslavia (FRY) after the death of Tito and the fall of communism, as a result of conflict between the Serbs and Croats in Croatia, the Security Council imposed an arms embargo on the FRY. China supported resolution 713 (1991) “to help stop domestic armed conflict and restore peace at an early date” through “internal peaceful negotiations.” Although the Chinese qualified their position by stating that “the UN, including the Security Council, should refrain from involving itself in the internal affairs of any Member State,”¹⁶⁰ China supported sanctions

¹⁵⁸ United Nations Security Council, Provisional verbatim record of 2943rd meeting, 25 Sept. 1990, S/PV.2943.

¹⁵⁹ United Nations Security Council, Provisional verbatim record of the 2981st meeting, 3 Apr. 1991, S/PV.2981.

¹⁶⁰ United Nations Security Council, Provisional verbatim record of the 3009th meeting, 25 Sept. 1991, S/PV.2009.

in this case based on the explicit agreement given by the Yugoslav Government to the Security Council to impose measures in an effort to facilitate peace.

China took a similar position on Security Council sanctions resolutions addressing the situation in Haiti when Raoul Cédras, the commander of Haiti's military, overthrew democratically elected President Jean Bertrand Aristide in September 1991. Although China regarded the crisis as an "internal affair [that] should be dealt with by the people themselves," China voted in favor of resolution 841 (1993) imposing arms and oil sanctions against Haiti, following the request of the Permanent Representative of Haiti in a letter asking that the Security Council "make universal and mandatory the trade embargo on Haiti recommended [earlier] by the Organization of American States (OAS)."¹⁶¹ Then Chinese Permanent Representative to the UN Chen Jian emphasized that the adoption of the resolution [was] "warranted only as a result of the unique and exceptional situation in Haiti, and should not be regarded as constituting any precedent for the future."¹⁶² When the conditions continued to deteriorate, China also voted for subsequent resolutions 873 (1993) re-imposing sanctions, as well as 875 (1993) and 917 (1994) intensifying sanctions "at the formal request of President Jean-Bertrand Aristide supported by Latin American countries and the OAS."¹⁶³ At the vote on resolution 917 (1994), then Chinese Ambassador to the UN Chen Jian added the qualifying statement,

China, based on its consistent position, does not favor the use

¹⁶¹ United Nations Security Council, Resolution 841, S/RES/841 (1993).

¹⁶² United Nations Security Council, Provisional verbatim record of 3238th meeting, 16 Jun. 1993, S/PV.3238.

¹⁶³ United Nations Security Council, Provisional verbatim record of 3293rd meeting, 16 Oct. 1993, S/PV.3293.

of sanctions as a means of resolving conflict. The Chinese delegation wishes to place on record that the sanctions regime contained in this resolution is, in the absence of other effective measures, an exceptional step taken under the highly unique circumstances now prevailing in Haiti and one which should not constitute any precedent, and that our vote in favor does not presuppose any change in our position vis-à-vis the issue of sanctions in general.¹⁶⁴

China also supported sanctions in Sierra Leone and in Côte d'Ivoire in accordance with the wishes of regional organizations. Sierra Leone is rich in natural resources including diamonds, the control of which has been a source of much internal conflict. In May 1997, conflict erupted when democratically elected President Ahmad Tejan Kabbah was forced from power by a military coup led by a junior soldier Major Johnny Paul Koroma.¹⁶⁵ The Armed Forces Revolutionary Council (AFRC)/ Revolutionary United Front (RUF) junta was thus established. Under its brief eight-month regime, it executed widespread violence against civilian residents of the capital city of Freetown. In August 1997, the regional organization of the Economic Community of West African States (ECOWAS) imposed an arms embargo, oil embargo, and a travel ban on junta leaders in an effort to force the junta to abdicate its power. When these efforts proved to be futile, ECOWAS requested that the Security Council strengthen its regional sanctions with broader international action. On October 7, 1997, the Security Council adopted resolution 1132 which imposed the same sanctions against the military

¹⁶⁴ United Nations Security Council, Provisional verbatim record of 3376th meeting, May 6, 1994, S/PV.3376.

¹⁶⁵ Juergen Dedring, *The United Nations Security Council in the 1990s: Resurgence and Renewal* (Albany: State University of the New York Press, 2008) 69-89.

junta.¹⁶⁶ China voted in favor of resolution 1132 (1997) but expressed its general principled opposition against the customary use of sanctions. According to official meeting records, Qin Huasun, then Chinese Ambassador to the UN, stated,

China has always taken a cautious approach to sanctions. We hope that the measures contained in the draft resolution before us will be conducive to an early and peaceful settlement of the question of Sierra Leone...and acting out of respect for the African countries and their wish that an early settlement be found, China will vote in favor of the draft resolution.”¹⁶⁷

The situation in Côte d’Ivoire was sparked by a failed attempt at a coup d’etat on September 19, 2002 by rebel groups against the government of President Laurent Gbagbo. French military forces intervened in Bouaké to prevent the rebels from advancing on to the capital of Abidjan.¹⁶⁸ On November 6, 2004, in violation of a May 3, 2003 ceasefire agreement in Côte d’Ivoire, French forces were attacked in Bouaké, and in a separate incident, the national armed forces conducted fatal air strikes in the northern part of the country. The Security Council proceeded to impose an arms embargo, a travel ban, and an assets freeze on persons designated as threats to the peace and reconciliation process.¹⁶⁹ China voted in favor of resolution 1572 (2004), stating that Security Council action “should...encourage the various parties to comply with the ceasefire and to resume

¹⁶⁶ John Hirsch, “Sierra Leone,” in David Malone, ed, *The UN Security Council: From the Cold War to the 21st Century* (Boulder: Lynne Rienner Publishers, Inc., 2004) 521-535.

¹⁶⁷ United Nations Security Council, Provisional verbatim record of 3822nd meeting, 8 Oct. 1997, S/PV.3822.

¹⁶⁸ Walter H. Kansteiner, US Assistant Secretary for African Affairs, “Prospects for Peace in Côte d’Ivoire,” Testimony before the House Committee on International Relations, Washington, DC, 12 Feb. 2003.

¹⁶⁹ United Nations Security Council, Resolution 1572, 15 Nov. 2004, S/RES/1572.

the peace process” and that it “[ook] into account the views of the members of the African Union” in supporting the resolution.¹⁷⁰

In the case of Angola, China supported sanctions “for the early realization of peace” and to encourage negotiations between the parties in conflict. Rebel group faction leader Jonas Savimbi of the União Nacional para a Independência Total de Angola (UNITA) had lost the 1992 elections and re-engaged the country in civil war. In 1993, China supported resolution 864 imposing an arms and oil embargo on UNITA, the first sanctions imposed by the Security Council on non-state actors.¹⁷¹ Then Chinese Ambassador to the UN Li Zhaoxing stated,

We hold that current sanctions to be imposed by the Security Council on UNITA are measures taken in line with the special circumstances in Angola. The sanctions themselves are not the end, but rather only the means designed to urge UNITA to resume negotiations with the Angolan Government as soon as possible and bring the civil war to an end at an early date.¹⁷²

When the peace process faltered in 1997, China supported resolutions 1127 (1997) which imposed a travel ban on UNITA and also 1173 (1998) which banned the sale of diamonds by the rebel group upon its continuation of attacks and failure to fully implement its obligations under the 1994 Lusaka Protocol.

A number of the above discussed cases involved civil war in which China’s support would appear to contradict its principle of non-interference in the internal affairs

¹⁷⁰ United Nations Security Council, Provisional verbatim record of the 5078th meeting, 15 Nov. 2004, S/PV.5078.

¹⁷¹ David J.R. Angell, “The Angola Sanctions Committee,” in David Malone, ed, *The UN Security Council: From the Cold War to the 21st Century* (Boulder: Lynne Rienner Publishers, Inc., 2004).

¹⁷² United Nations Security Council, Provisional verbatim record of 3277th meeting, 15 Sept. 1993, S/PV.3277.

of other states. What rationale has China given for supporting sanctions in these cases? As mentioned in the cases of the former Republic of Yugoslavia, Haiti, Sierra Leone, and Cote d'Ivoire, the explicit agreement of the government of the target country and/or the support of neighboring countries and regional organizations were important elements of consideration in China's positions of support. Additionally, in the case of Angola, the conflict was viewed as a potential threat to neighboring countries and the region due to the outflow of displaced individuals across country borders.

The threat to regional peace and security was also the rationale for China's support of sanctions in Liberia and Rwanda. In the case of Liberia, China supported Security Council resolution 788 (1992) which imposed an arms embargo on Liberia when a cease-fire of the 1989 civil war instigated by Charles Taylor and the National Patriotic Front broke down. In a separate matter involving Liberia, China supported resolution 1343 (2001), which imposed sanctions on Liberia in reaction to multiple reports that Charles Taylor was secretly providing military support to the rebel group Revolutionary United Front (RUF) from Sierra Leone as well as providing illegal transport of diamonds through Liberia, thereby contributing to the conflict in Sierra Leone.¹⁷³ Resolution 1343 (2001) imposed an arms embargo, diamond embargo, travel ban against Liberia, in addition to freezing funds or assets from Liberia benefiting the RUF and entities controlling the RUF.¹⁷⁴

¹⁷³ John Hirsch, "Sierra Leone," in David Malone, ed, *The UN Security Council: From the Cold War to the 21st Century* (Boulder: Lynne Rienner Publishers, Inc., 2004) 521-535.

¹⁷⁴ United Nations Security Council, Resolution 1343, 7 Mar 2001, S/RES/1343.

In the case of Rwanda, China supported resolution 918 (1994) which imposed an arms embargo on the country as well as increased peacekeeping troops (UN Assistance Mission in Rwanda or UNAMIR) to 5500, after a significant reduction from 2278 to 270 pursuant to resolution 912 (1994) following the murder of ten Belgian UN peacekeepers by Hutus.¹⁷⁵ China supported the resolution, although it was “very vigorous in private conversation”¹⁷⁶ about opposing the use of the word “genocide” to describe the situation in Rwanda, which it considered human rights language that should remain outside the purview of the Security Council. In July 1994, fighting finally stopped as a result of the takeover of Kigali by the Tutsi Rwandan Patriotic Front (RPF), but not before the killing of over 800,000 Rwandan civilians.

Sanctions resolutions supported by China involving cases of internal conflict (1990-2008)		
Target Country	Resolution	Reasons cited for support
Federal Republic of Yugoslavia	713 (1991)	-Resolution carried out with explicit agreement of Yugoslav Government -Purpose to help stop conflict and restore peace at an early date -View that Security Council should refrain from interference in internal affairs of all countries remain unchanged
Liberia	788 (1992)	-Threatened peace and security of neighboring states and region -Hope international efforts will contribute to peaceful resolution
Somalia	733 (1992)	-No comments made at this meeting
Angola	864 (1993)	-Resolution measures taken under unique circumstances -Huge exodus of refugees into neighboring states -Affecting peace and security of the region -Sanctions not the end, but means to urge resumption of negotiations
Haiti	841 (1993)	-Matter falls within internal affairs of a country and should be handled by country itself -However, acquired new dimension with additional developments

¹⁷⁵ Ibrahim A. Gambari, “An African Perspective,” in David Malone, ed, *The UN Security Council: From the Cold War to the 21st Century* (Boulder: Lynne Rienner Publishers, Inc., 2004) 512-520.

¹⁷⁶ Colin Keating, “An Insider’s Account,” in David Malone, ed, *The UN Security Council: From the Cold War to the 21st Century* (Boulder: Lynne Rienner Publishers, Inc., 2004) 508.

		<ul style="list-style-type: none"> -Government of Haiti, regional organizations requested Security Council intervention -Measures warranted only under unique circumstances in Haiti, not to be regarded as a precedent for future actions -China does not support lightly resorting to use of sanctions
Rwanda	918 (1994)	<ul style="list-style-type: none"> -Worsening of situation created huge exodus of refugees into neighboring countries -Hope for restoration of peace and stability
Sierra Leone	1132 (1997)	<ul style="list-style-type: none"> -always taken a cautious approach to sanctions -hope measures will be conducive to an early and peaceful settlement of the matter -hope will not cause humanitarian difficulties for people of SL -acting out of respect for African countries and their wish for an early settlement of the matter
Democratic Republic of the Congo	1493 (2003)	No comments made at this meeting
Cote d'Ivoire	1572 (2004)	<ul style="list-style-type: none"> -In light of current serious situation, supports further Council action -believe objective should be to encourage the various parties to comply with the ceasefire and to resume the peace process -taking into account the views of member countries of the African Union

Although China supported broad sanctions against Iraq in the early 1990s, China began to emphasize its opposition to broad unlimited sanctions, in part as a result of protracted debate in the Security Council amongst the Security Council permanent members on the lifting of sanctions against Iraq throughout the 1990s. Towards the late 1990s, China began to emphasize its support of sanctions that are reversible, limited, and targeted. After the August 1998 bombings of US embassies in Kenya and Tanzania by Osama bin Laden and Al-Qaida, Security Council resolution 1267 (1999) demanded that the Taliban cease providing sanctuary to terrorists and surrender bin Laden to authorities in a country where he had been indicted. The resolution imposed an air embargo on the Taliban and froze its financial resources. Although China expressed reservations over the frequent use of sanctions, stating that “sanctions [should] be used only as a means of last

resort and [should] be well targeted,” China supported the resolution based on the acceptance of Chinese amendments to the resolution, including the limitation of the text to the “question of combating international terrorism,” the affirmation of commitment to the “sovereignty, independence, and territorial integrity” of Afghanistan, and the explicit statement in the resolution that the sanctions would be terminated upon the Taliban’s fulfillment of the demands of the resolution.

China’s support of sanctions in terrorist-related cases is also based on its firm opposition against all forms of terrorism. In the aftermath of the assassination of former Lebanese Prime Minister Rafiq Hariri and 22 other individuals, China supported resolution 1636 (2005), in which the Security Council acted under Chapter VII to impose a travel ban and a freezing of funds on all individuals suspected of being involved in the terrorist act. However, China maintained reservations on the imposition of sanctions due to the preliminary nature of the evidence. During the official meeting, the Chinese Foreign Minister at the time Li Zhaoxing made the following comment regarding the imposition or threat of sanctions:

China always maintains that no arbitrary use or threat of sanctions should be allowed in international relations. The use of sanctions can only be authorized by the Security Council with prudence and in the light of actual situations. The Mehlis report is still a preliminary report, and the Commission itself also believes that the investigation is yet to be completed and that there is no final conclusion.

In such circumstances, it is inappropriate for the Council to prejudge the outcome of the investigation or threaten to impose sanctions. That will not contribute to resolving this issue and will add new destabilizing factors to the already complex situation in the Middle East. This is a legitimate

and reasonable concern of China, Islamic countries and many other nations.¹⁷⁷

Despite the number of sanctions resolutions supported by China during 1990-2008, China continued to provide qualifying statements for its support of sanctions to emphasize that its support does not alter its general principled opposition to the use of sanctions. Such qualifiers include: China's general cautious approach to the use of sanctions, that sanctions should not be used as a means to punish but rather to promote constructive dialogue and a peaceful resolution to the matter in consideration, that certain cases are unique and should not be viewed as precedents for future cases, and that sanctions should not affect the normal trade, economic, and financial relations between a target country and other countries.

Qualifying Statements Made in Sanctions Cases Supported (1990-2008)		
Qualifiers	Target Country	Resolutions
<ul style="list-style-type: none"> -Always taken a prudent/cautious approach to sanctions -Does not approve of lightly resorting to sanctions -Does not approve of frequent use of sanctions -Sanctions can only be used as a means of last resort 	Haiti	841 (1993)
	Haiti	873 (1993)
	Haiti	875 (1993)
	Haiti	917 (1994)
	Angola	1127 (1997)
	Sierra Leone	1132 (1997)
	Afghanistan	1267 (1999)
	Lebanon	1636 (2005)
<ul style="list-style-type: none"> -Sanctions measures taken are under unique circumstances -Should not be regarded as a precedent for future actions 	Haiti	841 (1993)
	Haiti	873 (1993)
	Haiti	875 (1993)
	Haiti	917 (1994)
	Angola	864(1993)
	Angola	1127 (1997)
<ul style="list-style-type: none"> -Purpose not to punish 	Angola	864 (1993)
	North Korea	1718 (2006)
	Iran	1737 (2006)
	Iran	1747 (2007)
	Iran	1803 (2008)

¹⁷⁷ United Nations Security Council, Provisional verbatim record of the 5297th meeting, 31 Oct. 2005, S/PV.5297.

-Should not affect normal economic, trade, and financial exchanges between target country and other countries	Iran	1747 (2007)
	Iran	1803 (2008)

If China supports sanctions in cases such as the above, under what circumstances did China oppose sanctions either through abstention or veto?¹⁷⁸ The following sections will examine this question.

Sanctions Resolutions from which China Abstained (1990-2008)			
Reasons cited for abstention	Target Country	Resolutions	
-Sanctions complicate issue, worsen situation	FRY over Bosnia and Herzegovina	757 (1992)	
		787 (1992)	
		816 (1993)	
		820 (1993)	
	Libya	748 (1992)	
	Libya	883 (1993)	
	FRY over Kosovo	1160 (1998)	
		1199 (1998)	
	Afghanistan	1333 (2000)	
	Sudan	1054 (1996)	
	Sudan	1070 (1996)	
	Iraq	1284 (2000)	
	Sudan	1556 (2004)	
Sudan	1591 (2005)		
Sudan	1672 (2006)		
Against the authorization and/or use of military force	FRY over Bosnia and Herzegovina	787 (1992)	
		816 (1993)	
	FRY over Kosovo	1203 (1998)	
	FRY over Kosovo	1244 (1998)	
-Against repeated, extended, frequent use of sanctions -Against strengthening of sanctions	Iraq	1284 (1999)	
	Afghanistan	1333 (2000)	
	Sudan	1054 (1996)	
	Sudan	1070 (1996)	
	Reference to human rights not appropriate in Security Council resolution	FRY over Bosnia and Herzegovina	787 (1992)
		FRY over Kosovo	1160 (1998)

¹⁷⁸ Although abstentions are technically counted as concurring votes in the Security Council, in practice they allow a country to voice opposition without obstructing the majority vote.

-Concern over negative impact on economies of neighboring countries - Regional organizations express concern over sanctions	Libya FRY over Bosnia and Herzegovina Sudan Sudan	748 (1992) 787 (1992) 820 (1993) 1054 (1996) 1591 (2005)
-Provisions violate respect for sovereignty -Against interference in internal affairs -Government of target country bears primary responsibility for resolving conflict	FRY over Bosnia and Herzegovina FRY over Kosovo FRY over Kosovo Sudan	820 (1993) 1160 (1998) 1199 (1998) 1203 (1998) 1556 (2004)
Situation not a threat to international peace and security	FRY over Kosovo	1199 (1998)

China abstained from sanctions resolutions against five target countries from 1990-2008. China opposed the intensification/prolonging of sanctions in Iraq and Afghanistan, and abstained from all sanctions-related resolutions against the former Republic of Yugoslavia over Bosnia and Herzegovina, against the FRY over Kosovo, Libya, and the Sudan. In all cases in which China abstained, China believed that sanctions, or the intensification/prolonging of sanctions, would only worsen the situation. China's abstention on the cases of Iraq, FRY over Bosnia and Herzegovina, and FRY over Kosovo were linked to its opposition on the use of military force and intervention by third parties. Additionally, China expressed opposition to the violation of sovereignty and interference in the internal affairs of other states in the cases of FRY over Bosnia and Herzegovina, FRY over Kosovo, and the Sudan. China also cited opposition to the mention of human rights as inappropriate in Security Council resolutions, as well as inconclusive evidence on a target country's involvement in terrorism.

In the late 1990s, China, along with France and Russia, expressed opposition to the prolonging of broad sanctions against Iraq absent of specific provisions guaranteeing the lifting sanctions should Iraq cooperate with regards to WMD inspections. In the

aftermath of the Gulf War, while UN inspections were met with some success in identifying and destroying Iraqi chemical, biological, ballistic missile, and nuclear weapons programs, Iraq remained relatively uncooperative in submitting fully to inspections. As a result, UN sanctions remained in place for much longer than originally intended. In 1998, the US and the United Kingdom ordered air strikes against Baghdad, which halted weapons inspections and resulted in the banning of UN weapons inspectors by Iraq. In 1999, the Security Council re-evaluated its position with regards to the handling of Iraq and possible weapons of mass destruction (WMDs). At the request of Member States, a series of three panels were charged with creating recommendations on disarmament, humanitarian matters, as well as missing persons and stolen Kuwaiti property in the aftermath of the Gulf War. While the resulting recommendations of two of the three panels were relatively uncontroversial, the recommendations of the disarmament panel proved to be contentious. The panel concluded that the United Nations should shift its focus from disarming Iraq of its WMDs to preventing the rebuilding of its WMD capacity, and that Iraq's consent should be obtained prior to implementing any new monitoring system. This position was supported by three permanent members of the Security Council: Russia, France, and China, who blamed the air strikes for Iraq's resurgent refusal to cooperate with weapons inspections. Sergey Lavrov, then the Permanent Representative of Russia to the UN, stated that the blame for the deadlock of the Security Council "lies with the force used by the United States and Great Britain against Baghdad, circumventing the Security Council."¹⁷⁹ The US and the UK, however, insisted on maintaining original conditions for Iraq's disarmament and

¹⁷⁹ United Nations Security Council, Provisional verbatim record of the 4084th meeting, 17 Dec. 1999, S/PV.4084.

were not in favor of obtaining Iraq's approval for weapons inspections procedures. A comprehensive "omnibus" resolution drafted by the Netherlands and the United Kingdom was submitted in an effort to redefine the terms of engagement between Iraq and the Security Council. Due to the split amongst the permanent members of the Security Council, six months worth of efforts were made to reach consensus amongst the permanent five before putting the resolution to the entire Council for a vote.¹⁸⁰ China, along with France, Malaysia, and Russia, abstained from resolution 1284 (1999) against Iraq on which the Security Council was deadlocked on whether the easing or lifting of sanctions should be linked to positive efforts on the part of Iraq to cooperate with inspections. While China, Russia, and France all believed that they should be linked, the US and Britain believed that conditions for lifting sanction should include no less than compliance with all international obligations, including full cooperation on the oil and food program, accounting for missing persons and restoring stolen property from Kuwait, and permitting UN weapons inspectors to return to Iraq. Thus, the Security Council remained deadlocked in part due to a lack of consensus on the conditions for easing sanctions against Iraq. Ambassador Peter van Walsum of the Netherlands who headed the Iraq sanctions committee noted, "[T]he divide that ran through the permanent five, separating France, Russia, and China from the United States and the United Kingdom, became a permanent feature of the Security Council's business with Iraq."¹⁸¹

¹⁸⁰ Peter van Walsum, "The Iraq Sanctions Committee," in David Malone, ed, *The UN Security Council: From the Cold War to the 21st Century* (Boulder: Lynne Rienner Publishers, Inc., 2004).

¹⁸¹ Peter van Walsum, "The Iraq Sanctions Committee," in David Malone, ed, *The UN Security Council: From the Cold War to the 21st Century* (Boulder: Lynne Rienner Publishers, Inc., 2004) 187.

China abstained from resolution 1333 (2000) against Afghanistan after the country failed to turn over Osama bin Laden in the aftermath of the terrorist bombings in Nigeria and Tanzania. Resolution 1333 expanded sanctions to include an arms embargo and a ban on military technology transfer, the closing of Taliban offices in the territories of Member States, and the freezing of funds and assets of Osama bin Laden, Al-Qaida, as well as associated entities and persons. In his statement to the Security Council, the Chinese Vice-Minister of Foreign Affairs at the time Wang Yingfan stated,

In principle, China is not in favor of easily resorting to sanctions or of their repeated use. We have always maintained that sanctions should be adopted with great caution and prudence.... Sanctions should be adopted or strengthened only when circumstances make [them] absolutely necessary.... Furthermore, a unilateral arms embargo simply cannot achieve the objective of enhancing the peace process in Afghanistan.

China abstained from sanctions against the former Federal Republic of Yugoslavia (FRY) over Bosnia and Herzegovina as well as over Kosovo. Violence erupted in Bosnia and Herzegovina in late March 1992 between Croat and Serb paramilitary forces, intensifying in the wake of Bosnia's declaration of independence on April 5, 1992. China abstained from resolution 757 (1992) imposing broad sanctions on the former FRY, citing that "the situation in the former Yugoslavia is complicated and the cause of the conflict multi-faceted." China also abstained from subsequent resolutions 787 (1992), 816 (1993), 820 (1993) that strengthened sanctions against the former FRY over Bosnia and Herzegovina in response to continued deterioration of the situation, violations of sanctions, and ethnic cleansing. On resolution 787 (1992), China voiced opposition to the resolution's reference of a Special Rapporteur's report on human rights,

arguing that “it is not within the purview of the Security Council to handle the human rights issue.”¹⁸²

In fall of 1994 and 1995, the General Assembly passed resolutions condemning the repression of Albanian Kosovars and the violation of their human rights by Serbs. In 1998, the Bosnia Contact Group, which consisted of the US, the UK, Germany, France, Russia, and Italy requested that the Security Council consider another arms embargo against the FRY as a result of its continued repression of Kosovar civilians by Serbian police. In response, the Security Council passed resolution 1160 on March 31, 1998, imposing an arms embargo against the FRY. The situation continued to deteriorate as the Kosovo Liberation Army (KLA) reacted by attacking and killing Serbian police in return, eventually giving rise to a major offensive that led to its seizure of 40% of Kosovo, only to be repelled by the Yugoslav army and Serb paramilitary forces. Over 230,000 people were displaced. China abstained from resolution 1160 (1998) (and subsequent resolutions 1199 (1998) and 1203 (1998)), affirming that the “question of Kosovo is an internal matter of the Federal Republic” and that China “believe[s] the question of Kosovo should and can only be solved by the Yugoslav people themselves in their own way.” In addition, China did not see the situation in Kosovo as a “threat to international peace and security.”^{183,184} On October 1, 1998, the Bosnia Contact Group met in London, where the Russian Foreign Minister Igor Ivanov declared that any Security Council resolution

¹⁸² United Nations Security Council, Provisional verbatim record of the 3137th meeting, 16 Nov. 1992, S/PV.3137.

¹⁸³ United Nations Security Council, Provisional verbatim record of 3868th meeting, 31 Mar. 1998, S/PV.3868.

¹⁸⁴ United Nations Security Council, Provisional verbatim record of the 3930th meeting, 23 Sept. 1998, S/PV.3930.

proposing the use of force in Kosovo would be vetoed by Russia. The UN Security Council was subsequently bypassed by the NATO Council, which authorized air strikes against the FRY on October 13, 1998. China abstained from resolution 1244 (1998) which placed Kosovo under UN administration, replacing Belgrade's governance with the United Nations Interim Administration Mission in Kosovo (UNMIK). China "firmly opposed NATO military action against Yugoslavia" and advocated for the "peaceful settlement of the question of Kosovo on the basis of respect for sovereignty and territorial integrity of the FRY." Alluding to the concept of humanitarian intervention, the Chinese Deputy Permanent Representative Shen Guofang stated during a Security Council meeting that "the 'human rights over sovereignty' theory serves to infringe upon the sovereignty of other States and to promote hegemonism under the pretext of human rights."¹⁸⁵

Inconclusive evidence on a target country's involvement in and support of terrorist activities was another reason cited for China's opposition to sanctions in the cases of Libya and the first series of sanctions imposed on Sudan (to be discussed in chapter 4). When investigations implicated the Libyan government in the 1988 bombing of Pan Am flight 103 and the 1989 bombing of UTA (Union des Transports Aériens) flight 772, the United States, France, and the UK demanded that Libya comply with four requests: 1) surrender the two suspects in the bombing of Pan Am 103 for trial in the US or the UK 2) disclose its knowledge about the bombings of the two flights 3) cease supporting terrorists 4) provide compensation. Upon the lack of cooperation on the part of the Libyan government, the Security Council passed resolution 748 (1992), which

¹⁸⁵ United Nations Security Council, Provisional verbatim record of the 4011th meeting, 10 Jun. 1999, S/PV.4011.

imposed a travel ban on Libyan terrorist suspects, an arms embargo, and an air embargo. Although “the Chinese Government always resolutely opposes and strongly condemns all forms of terrorism...[China] also believes that the punishment of terrorism should be based on conclusive evidence and conform to international law and the relevant international conventions.”¹⁸⁶ The Chinese were not in favor of sanctions against Libya and stated that “sanctions...would complicate the issue further, aggravate regional tensions, and have serious economic consequences for the countries concerned in the region.”¹⁸⁷ China also abstained from resolution 883 (1993) which strengthened sanctions against Libya and froze funds of the government and associated entities and persons.

Sanctions Resolutions Vetoed by China (1990-2008)		
Reasons cited for veto	Target Country	Resolutions
Situation not a threat to international peace and security Situation is an internal affair of a sovereign State	Myanmar Zimbabwe	draft S/2007/14 draft S/2008/447
Neighboring countries, regional organization does not see situation as a threat to regional peace and security	Myanmar	draft S/2007/14
External interference may have negative impact on people and neighboring countries	Myanmar	draft S/2007/14

China used its power of the veto in the Security Council six times (up to 2008) since the PRC became a permanent member of the Security Council in 1972. Two of the six times occurred in 2007 and 2008 concerning draft resolutions on Myanmar and Zimbabwe, respectively. Although sanctions under Chapter VII were actually not included in the draft resolution on Myanmar, the possibility of sanctions had been a topic of discussion during negotiations.

¹⁸⁶ United Nations Security Council, Provisional verbatim record of the 3063rd meeting, 31 Mar. 1992, S/PV.3063.

¹⁸⁷ *Ibid.*

Both cases of Myanmar and Zimbabwe will be discussed in subsequent chapters. Here, it is of significance to note that the reasons cited for China's veto of the resolutions overlapped with those cited for China's abstention from sanctions resolutions as mentioned in the previous section. Non-interference in the internal affairs of other states, the fact that both situations are not regarded as threats to international peace and security, and the potential negative impact on neighboring countries were cited as reasons for veto by China in the two cases.

In summary, China opposed sanctions when it did not perceive a situation to be a threat to international peace and security, in particular when a situation appeared only to involve internal affairs of a sovereign state. When China did support sanctions in cases of internal affairs, it was with the explicit agreement of the target country and/or neighboring countries and regional organizations. Additionally, China supported sanctions when they are used to facilitate peaceful settlement or diplomatic dialogue and opposed sanctions when they are perceived to act counter to this end, are associated with an escalation to the threat or the use of military force, and worsen rather than improve the situation. China has also stated its principled opposition against the repeated or prolonged use of sanctions and favor reversible, limited, and targeted sanctions over broad sanctions. China has also taken note to point out that it did not endorse the setting of precedence in certain cases.

How do China's interests factor into the positions it has taken on sanctions? An overview of China's bilateral relations with target countries suggests that in addition to reasons cited above for its positions on sanctions, China's positions on sanctions are also correlated with its political and economic interests. Using a scoring system based on Van

Ness's original methodology for ranking "officially friendly" vs. "officially hostile" countries, I have scored the strength of bilateral relations between China and each target country using the following parameters: whether China has official relations with the target country (+1), has an explicit agreement for international cooperation with the target country (+1), the frequency of high-level visits by Chinese leaders ($\leq 10 = +1$, $> 10 = +2$), whether arms trade exists with the target country (+2), whether oil trade exists with the target country (+2), and the total trade balance. Trade data, including the indicators for arms and oil trade, were based on data from the year before the first sanctions resolution for each target country was passed. For example, although Angola is currently the largest supplier of oil to China in Africa, the trade data for Angola is for the year 1992, the year before the first sanctions resolution for Angola was passed and before bilateral oil trade was established. Trade balance is coded by the following: Trade balance $< 100 \rightarrow +0.5$, $100 \leq x < 1000 \rightarrow +1$, $x \geq 1000 \rightarrow +2$. The same point system is used when trade balance is negative, indicating that China is a net importer.

China is more likely to veto, threaten to veto, and abstain consistently from resolutions imposing sanctions on countries with which it has the strong relations (score ≥ 8), at least from 1990 to 2006. China has abstained consistently on sanctions resolutions against the Sudan, been resistant to the consideration of sanctions resolutions against Iran and North Korea up until 2006, and vetoed resolutions against Myanmar and Zimbabwe. The circumstances surrounding China's support of sanctions resolutions since 2006 against Iran and North Korea will be further examined in the case studies chapters. Additionally, China abstained from repeated and frequent use of sanctions against countries with which it has moderate relations ($6 \leq \text{score} < 8$). While China supported

initial sanctions resolutions against Iraq, Afghanistan, and the former Republic of Yugoslavia, it abstained from further resolutions intensifying and prolonging sanctions. Finally, China supported sanctions where relations ranged from fair (score ≤ 5).

China's Bilateral Relations (1990-2008)							
Target country	Official relations	International cooperation-explicit mutual agreement ¹⁸⁸	High-level visits by Chinese leaders 1990-2008 ¹⁸⁹	Arms Trade /Military Exchange, Cooperation * ^{190, 191}	Oil Trade /Exploration *	Trade Balance* ¹⁹² Unit: mil US\$	Bilateral Relations Score
Iran	Yes	Yes	>10		Yes	-3497.60	10
Myanmar	Yes	Yes	>10	Yes	Yes	954.565	9
Sudan	Yes	Yes	>10	Yes	Yes	-963.751	9
DPRK	Yes	Yes	>10	Yes	Yes (China to DPRK)	588.210	9
Zimbabwe	Yes	Yes	>10	Yes	Yes	55.177	8.5
Cote d'Ivoire	Yes	Yes	>10	Yes		191.463	6.5
Libyan Arab Jamahiriya	Yes	Yes	>10		Yes	19.502	6.5
Former FRY	Yes	Yes	>10	Yes		-17.805	6.5
Iraq	Yes	Yes	>10	Yes		-17.028	6.5

¹⁸⁸ Source: Ministry of Foreign Affairs of the People's Republic of China. <http://www.fmprc.gov.cn/eng/gjhdq/>.

¹⁸⁹ *Ibid.*

¹⁹⁰ Source: Stockholm International Peace Research Institute (SIPRI) Arms Transfers Database. See http://www.sipri.org/contents/armstrad/output_types_TIV.html.

¹⁹¹ Source: Ministry of Foreign Affairs of the People's Republic of China. <http://www.fmprc.gov.cn/eng/gjhdq/>.

¹⁹² Source: International Monetary Fund.

Afghanistan	Yes	Yes	>10	Yes		13.779	6.5
Ethiopia	Yes	Yes	≤10	Yes		52.677	5.5
Sierra Leone	Yes	Yes	≤10	Yes		6.401	5.5
DRC	Yes	Yes	≤10	Yes		6.512	5.5
Eritrea	Yes	Yes	≤10	Yes		0.724	5.5
Somalia	Yes	Yes	≤10	Yes		-0.156	5.5
Rwanda	Yes	Yes	≤10			3.077	3.5
Liberia	Yes (Suspended 1989-1993, 1997-2003)	Yes	≤10			2.897	3.5
Lebanon	Yes		≤10			474.211	3
Angola	Yes		≤10			-20.935	2.5
Haiti	No		n/a			0.583	0.5

* Data from year before the year of first sanctions resolution put to vote

Whether China has official relations with a country also serves as a proxy for a country's relations with Taiwan. China and Haiti do not have official diplomatic relations due to Haiti's recognition of the government of Taiwan. This did not appear to have an impact on China's handling of the situation in Haiti until after the lifting of sanctions. As a result of Aristide's support of Taiwan for UN membership in 1993 as well as his receipt of monetary aid from Taiwan, the PRC was reluctant to support the redeployment of the peacekeeping force, UN Mission in Haiti (UNMIH) in the aftermath of the conflict's resolution. As a result, UNMIH which originally consisted of 6000 troops and 800 police officers was reduced to 1200 troops and 300 police due to Chinese opposition to a larger peacekeeping force.

Additionally, China suspended diplomatic relations with Liberia two times due to its recognition of the Taiwanese government. The Chinese government suspended diplomatic relations when the Liberian government under Samuel K. Doe re-established diplomatic relations with Taiwan on October 9, 1989. Bilateral relations between the PRC and the Liberian government were restored on August 10, 1993 but were once again suspended when the Liberian government under Charles Taylor declared its recognition of “two Chinas” in September 1997.¹⁹³ China and Liberia resumed diplomatic relations in October 2003 under the Chairman of the Liberian Transitional Government, Gyude Bryant, who reaffirmed the “one China” policy.¹⁹⁴

China’s conditions for supporting/opposing sanctions are consistent with its political and economic interests. China supports sanctions when a given crisis is a threat to regional or global stability and when its stakes in cooperating with countries such as the US and other sanctions supporters in the Security Council are higher than its stakes in supporting the target country. China opposes sanctions when it perceives a given crisis to be strictly an internal affair of a sovereign state. In the late 1990s, China began to advocate for reversible, limited, and targeted sanctions over broad sanctions. Additionally, since 2006, China demonstrated an increased assertiveness in the international arena as its votes on sanctions shifted from abstentions to clear affirmative votes and vetoes. This increased assertiveness over time correlates with China’s broadening national interests over time, as indicated by the expansion of its foreign policy objectives discussed in Chapter 2. Nevertheless, China maintains a cautious

¹⁹³ China and Liberia. <http://www.mfa.gov.cn/eng/wjb/zzjg/xybfs/gjlb/2848/default.htm>.

¹⁹⁴ “Liberia reaffirms adherence to one-China policy,” Beijing Time, 10 Mar. 2004. http://english.peopledaily.com.cn/200403/10/eng20040310_137100.shtml.

position in establishing precedents on the use of sanctions, in particular on democracy and human rights, which could be used against its own interests. A detailed analysis of the cases of North Korea, Iran, Sudan, Myanmar, and Zimbabwe will further examine the observations from this chapter.

INTRODUCTION TO THE CASE STUDIES

The case studies presented in this study examine the positions taken by China on sanctions resolutions against five target countries: Sudan, North Korea, Iran, Myanmar, and Zimbabwe, as well as the events surrounding the resolutions. By examining in detail China's positions in these cases, I aim to further explore the observations derived thus far on China's position on sanctions and how they relate to the broader context of Chinese foreign policy as well as the implications for the international system. The cases represent a range of Chinese votes on sanctions from support for sanctions in the cases of North Korea and Iran, to abstention in the case of Sudan and vetoes in the cases of Myanmar and Zimbabwe. As discussed in earlier chapters, the cases are situations where China has leverage in comparison to the US and other members of the Security Council. In other words, China's cooperation in the situations are crucial as a result of China's closer economic and political ties. The contrast is such that what the US has considered "rogue states," China considers normal states with which it has normal economic and political relations. Thus, from the Chinese perspective, they are more issues in Sino-US relations than problems or crises in themselves. Moreover, these are states with which China has the strongest relations relative to all other target countries of UN sanctions between 1990 and 2008. Finally, these cases highlight the distinct strategic cultures and perspectives on sanctions between China and the US. One also sees a China transitioning to a more confident, assertive, and engaged participant in international relations, shaping international norms through its increased global influence.

CHAPTER 4 CASE STUDY: SUDAN

UN sanctions were imposed on the Sudan at two different time periods under two sets of circumstances. The first was in the aftermath of the June 26, 1995 assassination attempt on the life of Egyptian President Hosni Mubarak. The second was in reaction to the violence and violation of human rights in the Darfur region wrought by civil war between the Sudanese Government, government-supported militias, and rebel groups. In both situations, China maintained a “principled opposition” against sanctions and did not believe sanctions would facilitate a solution but rather would worsen the situation. In the first case, as in earlier cases involving Libya and Afghanistan, China expressed concern that insufficient evidence on terrorist charges against the Government of Sudan would set a bad precedent for future Security Council action. In the second case, China maintained that sanctions would not facilitate diplomatic efforts and may worsen the situation. China also expressed opposition to the mention of human rights, which it views as outside the purview of the Security Council. Additionally, China held the position that the Darfur conflict should ultimately be handled by the Sudanese government, although it fell short of stating that it was not a threat to international peace and security, since the conflict did result in an overflow of refugees into the neighboring country of Chad. From the Chinese perspective, the Darfur conflict needed to be addressed by encouraging dialogue amongst warring parties and providing development assistance. Ultimately, sanctions did not achieve the desired objectives in either time period. Sanctions imposed on the Sudan were at best symbolic and poorly enforced due to the lack of consensus in their support on the part of the international community.

1995-2000: Background Information

On June 26, 1995, an attempted assassination of Egyptian President Hosni Mubarak occurred in Addis Ababa, Ethiopia. Evidence gathered by the international community suggested that the Sudan had provided support for the act of terrorism and was harboring three suspects involved in the attack.

Ethiopia initially approached the Sudan bilaterally to call on the Sudan to extradite the three terrorists on the basis of the 1964 Extradition Treaty between the two countries.¹⁹⁵ When the approach did not yield any productive outcomes, Ethiopia then referred the matter to the Organization of African Unity (OAU). On September 11, 1995, the OAU called upon “the Government of Sudan to hand over to Ethiopia the three terrorists who are sheltering in the Sudan”¹⁹⁶ and “on all Governments...to desist from engaging in activities of assisting, supporting and facilitating terrorist activities and from giving shelter and sanctuaries to terrorist elements.”¹⁹⁷ Egypt believed that the Sudanese were hiding the suspects and only pretending not to be aware of their whereabouts.¹⁹⁸ Ethiopia accused Sudan of violating their bilateral extradition treaty by its refusal to give up the suspects. Sudan protested and stated that it “rejected all forms of terrorism” and accused Ethiopia and Egypt of falsely accusing its government. According to a statement by the Foreign Ministry of Sudan, the Sudanese government was not able to locate the

¹⁹⁵ “Submission by Ethiopia to the United Nations Security Council on the assassination attempt on President Hosni Mubarak on 26 June 1995 in Addis Ababa, Ethiopia.” Annex III, S/1996/10.

¹⁹⁶ “Statement issued on 11 September 1995 by the third extraordinary session of the OAU Mechanism for Conflict Prevention, Management and Resolution, at the ministerial level on the assassination attempt on H.E. Hosni Mubarak, President of Egypt.” Annex I, S/1996/10.

¹⁹⁷ *Ibid.*

¹⁹⁸ Sudan praises Chile and Indonesia for support at United Nations, Deutsche Presse-Agentur, 30 Mar. 1996.

suspects. A second statement was issued by the OAU on December 19, 1995, noting the lack of progress in the extradition of the three suspects by the Sudan.

Security Council Resolutions

Sanctions resolutions- Sudan (1995-2000)				
Resolution	Sanctions	Objective	China's vote	Reasons cited
1054 (1996)	-Reduce level of staff at Sudanese missions -Restrict travel of Sudanese Government members -Conference ban	-Call upon Sudan to extradite for prosecution three suspects sheltering in the Sudan -Desist from engaging in activities of assisting, supporting, facilitating terrorist activities	Abstain	-Against frequent recourse to sanctions under Chapter VII -Sanctions may exacerbate tension -Adverse effects on target and neighboring countries -Invoking Chapter VII paves way for strengthening sanctions -Imposing sanctions before conclusive evidence sets bad precedent
1070 (1996)	-Ban on aircraft permission for Sudan Airways and other Govt-owned aircraft	-Call upon Sudan to extradite for prosecution three suspects sheltering in the Sudan -Desist from engaging in activities of assisting, supporting, facilitating terrorist activities	Abstain	-Strengthening of sanctions may worsen problem -Chinese amendments not accepted

On January 9, 1995, Ethiopia referred the matter to the UN Security Council “in view of the lack of progress at the bilateral and regional levels.”¹⁹⁹ On January 31, 1996, the UN Security Council approved an Ethiopian-sponsored resolution 1044 “urging the international community to encourage the Government of Sudan to respond fully and effectively to the OAU (Organization of African Unity) requests.”²⁰⁰ The Security

¹⁹⁹ “Submission by Ethiopia to the United Nations Security Council on the assassination attempt on President Hosni Mubarak on 26 June 1995 in Addis Ababa, Ethiopia.” Annex III, S/1996/10.

²⁰⁰ United Nations Security Council, Resolution 1044, 31 Jan. 1996, S/RES/1044.

Council also requested that the Secretary-General work with the OAU to seek compliance from the Government of the Sudan and report to the Council in 60 days. China supported the resolution, although it had reservations on a paragraph that called upon the Government of the Sudan to “desist from engaging in activities of assisting, supporting and facilitating terrorist activities”²⁰¹ due to its questions about the fairness and objectivity of the action.²⁰²

In an effort to demonstrate cooperation with the Security Council, the Sudan asked the suspects to surrender themselves within a week’s time. However, Security Council members including the US, Britain, Egypt, and Ethiopia believed the efforts to be empty, due to evidence that the Sudanese government had a role in the attempted assassination. The US had evidence that the Sudanese provided financial support for the attack as well as a refuge for the three suspects.²⁰³ The Sudanese government at the time was headed (and still is) by Islamic fundamentalist Lt. Gen. Omar al-Bashir, who took over in a bloodless coup in 1989. Al-Bashir was believed to have strong relations with Hassan Turabi, an Islamic leader accused of being an extremist by Egypt as well as other Arab countries.²⁰⁴ Ethiopia believed the assassination attempt to be a “very sophisticated plot” and stated that its investigations “show[ed] conclusively that Sudanese security organs and the leadership in the Sudan were involved in assisting, facilitating and

²⁰¹ *Ibid.*

²⁰² United Nations Security Council, Provisional verbatim record of the 3627th meeting, 31 Jan. 1996, S/PV.3627.

²⁰³ “Security Council slaps mild sanctions on Sudan in Mubarak attempt,” Deutsche Presse-Agentur, 26 Apr. 1996.

²⁰⁴ Mohamed Osman, Associated Press Worldstream, 26 Jan. 1996.

supporting the assassination attempt on the life of the Egyptian President.”²⁰⁵ The investigations confirmed that the terrorists responsible for the attack were members of the Egyptian Islamic extremist group, Al-Gama’ a a-Islamia and that the main leadership carrying out the attack was based in Khartoum. In addition, Ethiopia also charged that a box of weapons and explosives were shipped from Khartoum to Addis Ababa via Sudanese Airways in boxes with markings of the Sudan’s General Security Bureau.²⁰⁶

The Secretary General sent Special Envoy Chinmaya Gharekan to the Sudan to meet with their officials as well as those of neighboring countries. Egyptian officials said that their sources had confirmed that the terrorists were in fact in Sudan and that “the Sudanese authorities had all the necessary information about them.” In their discussions with Gharekan, however, the Sudanese leadership maintained that they did not have information on the location of the suspects, and that they were continuing their efforts in cooperation with the OAU to locate them. Sudanese President al-Bashir denied that the Sudan was involved in supporting terrorist activities in neighboring countries and said these allegations were “totally unfair.” However, all of the neighboring countries visited by the Envoy, including Ethiopia, Eritrea, Egypt, and Uganda, stated that the Sudan was in fact “actively engaged in supporting terrorist elements that operate[d] from Sudanese territory [and] carr[ied] out destabilizing activities in their countries.”²⁰⁷ The Secretary General concluded that “the Sudan has not yet complied with the demand of the Security Council to extradite the three suspects to Ethiopia and that all the neighbors of the Sudan

²⁰⁵ “Submission by Ethiopia to the United Nations Security Council on the assassination attempt on President Hosni Mubarak on 26 June 1995 in Addis Ababa, Ethiopia.” Annex III, S/1996/10.

²⁰⁶ *Ibid.*

²⁰⁷ United Nations Security Council, Report of the Secretary General pursuant to Security Council resolution 1044 (1996), 11 Mar. 1996, S/1996/179.

visited by [the] Special Envoy have accused the Sudan of supporting terrorist activities within their territories.”²⁰⁸

On April 26, 1996, the UN Security Council, “deeply alarmed that the Government of Sudan has failed to comply with the requests set out in...resolution 1044 (1996)” and “determining that the non-compliance by the Government of Sudan...constitutes a threat to international peace and security,” passed a second resolution.²⁰⁹ Resolution 1054 (1996) invoked Chapter VII of the UN Charter “demand[ing] that the Government of Sudan comply without further delay” with resolution 1044 (1996) and imposed sanctions against Sudan until it complies. The resolution called for a significant reduction in the “number and the level of the staff at Sudanese diplomatic missions and restrict or control the movement within their territory of all such staff,” “restrict the entry into or transit through their territory” of members of the Government of Sudan and Sudanese armed forces, and “calls upon all international and regional organizations not to convene any conference in Sudan.” The resolution requested a report within 60 days of May 10, 1996, the date on which the sanctions were to take effect. China and Russia abstained from the vote, with the remaining 13 members voting in favor of the resolution. Then Chinese Permanent Representative to the UN Qin Huasun stated that China was “against the frequent recourse to sanctions under Chapter VII of the UN Charter. No matter how complex the question may be and how difficult it is to resolve it, we should always insist on a peaceful solution through dialogue, consultation and mediation. Facts have shown that sanctions are often in the way of a

²⁰⁸ United Nations Security Council, Report of the Secretary General pursuant to Security Council resolution 1044 (1996), 11 Mar. 1996, S/1996/179.

²⁰⁹ United Nations Security Council, Resolution 1054, 26 Apr. 1996, S/RES/1054.

settlement and worse still, they might even exacerbate tension....”²¹⁰ Qin further stated, “We are of the opinion that imposing sanctions on the Sudan before incontrovertible evidence is in hand will set a bad precedent for the future work of the Council.”²¹¹ Sergey Lavrov of the Russian Federation also stated that “really convincing evidence about the involvement of Khartoum in the assassination attempt and in the whereabouts of the suspects has not been given to the Security Council or to the Secretary General.” Russia’s view of the resolution was that it “was used not so much to speed up the search for the suspects as to isolate Sudan internationally.” Lavrov also raised concern about the “arbitrary application of sanctions” and the lack of “clearly formulated criteria and conditions governing their imposition and their lifting.”²¹²

In response, in a letter from the Sudanese permanent representative to the UN Ali M.O. Yassin to the President of the Security Council, Yassin stated that “Sudan has unequivocally expressed its full condemnation of terrorism...and that it does not condone terrorist activities under any pretext or justification.” He further added that Sudan was in full compliance with both resolutions 1044 (1996) and 1054 (1996) as well as the statements of the OAU. He mentioned in the letter that one terrorist suspect, Saudi national Osama Bin Ladin, who had been admitted to Sudan as a foreign investor, was asked to leave the country due to questions regarding his associations.²¹³ On June 24, 1996, a second letter was sent by Yassin to the Security Council which included a report

²¹⁰ United Nations Security Council, Provisional verbatim record of the 3660th meeting, 26 Apr. 1996, S/PV.3660.

²¹¹ *Ibid.*

²¹² *Ibid.*

²¹³ Letter dated 31 May 1996 from the Permanent Representative of the Sudan to the United Nations Addressed to the President of the Security Council, S/1996/402.

of Sudan's actions in compliance with resolution 1054 (1996). The report stated that there was no evidence of the presence of two of the three suspects in Sudan, and that the third suspect was unknown.²¹⁴ In August 1996, Security Council resolution 1070 (1996) called for additional sanctions against the Sudan, stating that "the non-compliance by the Government of Sudan with the requests set out in ... resolution 1044 (1996) and resolution 1054 (1996) constitutes a threat to international peace and security." The resolution invoked chapter VII of the UN Charter and imposed a ban on aircraft permissions for Sudanese government-owned aircraft, "decid[ing] that all States shall deny aircraft permission to take off from, land in, or overfly their territories if the aircraft is registered in Sudan, or owned, leased or operated by or on behalf of Sudan Airways or ...substantially owned or controlled by the Government or public authorities of Sudan."²¹⁵ Under the resolution, the Security Council would determine the effective date of the new sanctions 90 days after the adoption of the resolution should Sudan fail to comply with its demands. The Secretary-General was tasked with submitting a report on Sudan's compliance by November 15, 1996. China, along with the Russian Federation, abstained from the resolution. Russia's concern was that "the prevailing approach in the Security Council was aimed not so much at investigating those suspected of perpetrating a terrorist act as at isolating Sudan." Additionally, Russia "strongly objected to the unsound practice of imposing sanctions on the basis of vague...demands without clearly formulated criteria and conditions for their imposition and lifting."²¹⁶ Lavrov stated, "The

²¹⁴ Letter dated 24 June 1996 from the Permanent Representative of the Sudan to the United Nations Addressed to the President of the Security Council, June 24, 1996, S/1996/464.

²¹⁵ United Nations Security Council, Resolution 1070, 16 Aug. 1996, S/RES/1070.

²¹⁶ United Nations Security Council, Provisional record of the 3690th meeting, 16 Aug. 1996, S/PV.3690.

rash use of the sanctions instrument is not only destructive for the people of Sudan and the countries of the region, but creates a precedent which could do real damage to the Security Council's authority by giving the impression that the Council is not able to draw conclusions from past lessons."²¹⁷ According to Qin, China's

position of principle on sanctions is a consistent one. We do not consider sanctions a panacea because sanctions, or the tightening of sanctions, cannot solve a problem; they may, on the contrary, further aggravate the problem. Restrictions on Sudan Airways constitute an escalation in the sanctions regime on the Sudan.... We are concerned that tightening sanctions against the Sudan might further compound the problem. The Chinese delegation proposed some amendments to the draft resolution during consultations. These reasonable suggestions have regrettably not found acceptance. Therefore, we cannot but abstain in the vote on the draft resolution before us.²¹⁸

In October 1996, the Secretary-General sent Special Envoy Lakhdar Brahimi to the Sudan to assess Sudanese efforts in complying with Security Council resolution 1070 (1996). According to his consultations with Sudanese government officials from the Ministry of Foreign Affairs, the Minister of the Interior and Minister of Justice, the Sudan

maintained that the Sudan was innocent of the charges made against it with respect to three individuals suspected of involvement in the attempt to assassinate President Mubarak. The Government was not able to establish whether the three were present in the Sudan at the time the incident took place or at the time the Sudan was requested to hand them over. The Government knew that one of the suspects might have entered the country, but it had no further information. The authorities also stated that it had been proved that one of the three suspects was in Afghanistan and that there were indications

²¹⁷ *Ibid.*

²¹⁸ *Ibid.*

that another might have gone to Kenya and that the third might have been killed.²¹⁹

The Sudanese argued that the Security Council resolutions were unfair since they were based on the erroneous assumption that the three suspects were in the Sudan, for which there was no evidence. However, they also acknowledged that an open-door visa exemption policy established in 1990 “in the name of pan-Arabism might have enabled some terrorists to enter the country easily.” They have since reinstated an entry visa requirement, reviewed the status of foreigners who entered during the open-door period, and “request[ed] a number of Egyptians, Palestinians, and ‘Arab Afghans’ (including Osama bin Laden) to leave the country.”²²⁰ Brahimi’s November 1996 report concluded that the Sudanese were doing little to address the Security Council’s demands. “As reflected in the preceding paragraphs, the situation has not changed significantly since [the Secretary General’s] last report to the Council. While the Council demands compliance with its requests by the Government of the Sudan, the latter maintains that it cannot extradite suspects who are not in the country, that it firmly condemns all forms of terrorism, and that it is working to improve its relations with all its neighbors.”²²¹ From the Sudanese perspective, the United States, Egypt, and Ethiopia were attacking the Islamic orientation of its government and using sanctions in an attempt to overthrow its government. A statement by the Sudanese Embassy in London said that the objective of

²¹⁹ United Nations Security Council, Report of the Secretary-General pursuant to Security Council Resolution 1070 (1996), 14 Nov. 1996, S/1996/940.

²²⁰ *Ibid.*

²²¹ United Nations Security Council, Report of the Secretary-General pursuant to Security Council Resolution 1070 (1996), 14 Nov. 1996, S/1996/940.

the three countries was “either to change the policy of, or to abolish, the Sudanese regime.”²²²

On February 7, 1997, Turabi, who was the parliamentary speaker of the Sudan from 1996-1999, announced that the suspects had fled to Afghanistan, and in doing so also acknowledged for the first time that the suspects had in fact been hiding in the Sudan up until that time.²²³

On June 1, 2000, with the support of Arab²²⁴ and African²²⁵ countries as well as the Non-Aligned Movement (NAM),²²⁶ including Egypt and Ethiopia, the Sudan submitted a letter to the President of the Security Council requesting that sanctions imposed under resolutions 1054 and 1070 be lifted.²²⁷ The letter argued that the Sudanese Government had “made sincere and pragmatic efforts to comply with the relevant provisions.” The Sudan maintained that “no trace has been found of the three suspects in the Sudan” and that “the parties concerned, primarily Egypt and Ethiopia...had expressed satisfaction with the honest efforts made by the Sudan in this regard.” The Sudanese Government had also taken steps to “condemn and reject all forms of terrorism,” including acceding to all relevant international conventions and regional agreements, as

²²² “Sudan says sanctions amount to a plot,” United Press International, 27 Nov. 1997.

²²³ “Sudan’s Turabi says Mubarak’s would-be assassins in Afghanistan,” Associated Press Worldstream, 7 Feb. 1997.

²²⁴ Letter dated 1 June 2000 from the Permanent Representative of Algeria to the United Nations addressed to the President of the Security Council, 1 Jun. 2000, S/2000/517.

²²⁵ Letter dated 2 June 2000 from the Permanent Representative of Gabon to the United Nations addressed to the President of the Security Council, 5 Jun. 2000, S/2000/533.

²²⁶ Letter dated 1 June 2000 from the Permanent Representative of South Africa to the United Nations addressed to the President of the Security Council, 2 Jun. 2000, S/2000/521.

²²⁷ Letter dated 1 June 2000 from the Permanent Representative of the Sudan to the United Nations addressed to the President of the Security Council, 1 Jun. 2000, S/2000/513.

well as enact legislation for “the suppression of terrorist offences.”²²⁸ On September 28, 2001, resolution 1372 terminated sanctions against the Sudan imposed under resolutions 1054 (1996) and 1070 (1996). The resolution passed with a 14-0 vote and an abstention from the US.²²⁹ According to then Deputy US Permanent Representative to the UN, James Cunningham, although “[t]he United States government believe[d] that the government of Sudan ha[d] taken substantial steps to meet the specific demands of UN Security Council resolution 1054...the suspects wanted in connection with the 1995 assassination attempt on President Mubarak in Addis Ababa were not turned over to the appropriate authorities. However, we believe, as do the Governments of Egypt and Ethiopia, that they are no longer in Sudan. In this regard, we take very seriously the letters sent to the Council by the Governments of Egypt and Ethiopia — the victims of the incident that led to the Security Council actions on Sudan — calling for a lifting of Council sanctions anyway. We strongly urge the authorities of all States to continue the effort to bring these suspects to justice.”²³⁰ The US maintained its bilateral sanctions against Sudan, which remained on the US list of “states of concern,” formerly known as “rogue states,” or countries allegedly sponsoring terrorism.²³¹

²²⁸ Letter dated 1 June 2000 from the Permanent Representative of the Sudan to the United Nations addressed to the President of the Security Council, 1 Jun. 2000, S/2000/513.

²²⁹ United Nations Security Council, Provisional verbatim record of the 4384th meeting, 28 Sept. 2001, S/PV.4384.

²³⁰ United Nations Security Council, Provisional verbatim record of the 4384th meeting, 28 Sept. 2001, S/PV.4384.

²³¹ Mohamed Osman, “Sudanese foreign minister says terrorism issue is resolved,” Associated Press Worldstream, 26 Jun. 2000.

2003-2006: Background information

For most of its years of independence since 1956, the Sudan had been mired in civil war. One such war began in 1983 between the government of the Sudan and the Sudan People's Liberation Movement/Army when a breakdown of the 1972 Addis Ababa agreement occurred. On July 20, 2002, the first of six protocols in the peace process was signed at Machakos, Kenya. Two years later, agreements were reached on all six protocols, including protocols on security arrangements, wealth-sharing, and power-sharing in the areas of Nuba Mountains, Southern Blue Nile, and Abyei. The end of the war and the conclusion of the comprehensive peace process were finally drawing near. On June 5, 2004, the Declaration confirming agreement on the six protocols was signed in Nairobi, Kenya. In the meantime, however, war continued in parts of the country, including in Darfur.²³²

As peace talks between the north and south progressed, growing dissatisfaction erupted in the Darfur region in February 2003 when two African rebel groups (the Sudan Liberation Army and Justice and Equality Movement) fought to demand greater investment in the province and independence from the Arab Sudanese government. The war originated from ongoing tensions over resources such as water and farmland between nomadic Arab tribes and sedentary African Muslim agriculturalists, between whom tensions have long existed in part due to the government's favoritism towards the Arab tribes. The Africans consist primarily of three groups: the Fur, Zagawa, and Messalit.²³³

²³² United Nations Security Council, Report of the Secretary-General on the Sudan, 3 Jun. 2004, S/2004/453.

²³³ Charles R. Snyder, Principal Deputy Assistant Secretary for African Affairs, Sudan: Peace but at What Price?: Prepared Statement before the Senate Committee on Foreign Relations, Washington DC, 15 Jun. 2004.

To defeat the SLA and JEM, the government armed Arab-based Janjaweed militias, which have attacked and displaced civilians, burning villages, committing mass rapes, amputations, and killings. By July 2004, civil war in the Darfur region has resulted in the displacement of more than 30,000 deaths and 1 million displaced, including 200,000 who had fled to neighboring Chad.²³⁴

On July 3, 2004, the Secretary General signed a Joint Communiqué with the Government of Sudan. The Joint Communiqué “recognized the urgent need to stop Janjaweed and other outlawed armed groups from targeting civilians in Darfur. It committed the Government to deploy a strong and credible police force, ensure the absence of militia in areas surrounding internally displaced persons camps, start immediately to disarm Janjaweed and armed outlaw groups and help to rebuild the confidence of the vulnerable population and ensure the voluntary return of the displaced persons. It also provided for a Joint Implementation Mechanism to appraise implementation of the communiqué.”²³⁵

Security Council resolutions

Sanctions resolutions- Sudan (2003-2006)				
Resolution	Sanctions	Objective	China’s vote	Reasons cited
1556 (2004)	-Expresses intentions to consider further actions under Article 41 on Sudanese government in event	-Fulfill commitments of July 3 communique -Incl facilitating humanitarian relief -Advance investigation	Abstain	-Government of Sudan has primary responsibility for resolving situation -sanctions do not help ongoing diplomatic efforts

²³⁴ United Nations Security Council, Provisional verbatim record of the 5015th meeting, 30 Jul. 2004, S/PV.5015.

²³⁵ United Nations Security Council, Report of the Secretary-General on the Sudan pursuant to paragraphs 6, 13 and 16 of Security Council resolution 1556 (2004), paragraph 15 of Security Council resolution 1564 (2004) and paragraph 17 of Security Council resolution 1574 (2004), 4 Feb. 2005, S/2005/68.

	<p>of non-compliance</p> <ul style="list-style-type: none"> -Arms embargo on all non-governmental entities in Darfur -Prohibit technical training and assistance on provision, manufacture, maintenance, use of items 	<p>of human rights violations</p> <ul style="list-style-type: none"> -Resume talks with rebel groups on Darfur -Disarm Janjaweed militias and prosecute Janjaweed leaders who violated human rights laws 		<p>and may complicate them</p>
1564 (2004)	<ul style="list-style-type: none"> -In event of noncompliance shall consider taking additional measures under Article 41 incl those that affect oil sector and Govt of Sudan 	<ul style="list-style-type: none"> -Calls upon Government of Sudan and rebel groups to reach political solution in Abuja peace talks -Bring to justice those responsible for human rights violations and calls upon Government to stop all violence -Calls upon all parties to stop ceasefire violations -Demands submission to AU mission names of Janjaweed disarmed and those arrested for human rights violations -Demands cooperation of all parties with international humanitarian relief efforts 	Abstain	<ul style="list-style-type: none"> -Given progress made, international community should encourage cooperation from Government of Sudan -Further sanctions may complicate the issue
1591 (2005)	<ul style="list-style-type: none"> -Travel ban on designated persons -Freezing of funds and assets of designated persons -Expresses intentions to consider further measures under Article 41 	<ul style="list-style-type: none"> -Demands that the Sudanese Government cease offensive military flights in Darfur region -Demands all parties fulfill commitments of N'djamena Ceasefire Agreement and Abuja protocols, incl notification of force positions, facilitation of humanitarian assistance, cooperation with AU mission 	Abstain	<ul style="list-style-type: none"> -Maintaining pressure without regard for complexity of issue and specific circumstances can worsen the situation and have negative impact on peace process -AU clear position on the above and should be taken into consideration -UNSC in dealing with Darfur should have sense of urgency, constructive role, and support work of AU -Chinese amendments in

				this regard not accepted
1672 (2006)	-1591 sanctions to be applied to specified four individuals		Abstain	-Timing for resolution is not right -Any action should promote rather than interfere with Abuja peace talks one week before deadline

On July 22, 2004, the US introduced a draft Security Council resolution calling for sanctions against the Government of Sudan should it fail to fulfill its commitments as stipulated in the July 3 Communiqué. “Condemning all acts of violence and violations of human rights...in particular by the Janjaweed” and “determining that the situation in Sudan constitutes a threat to international peace and security and to stability in the region,” resolution 1556 (2004) called upon the Government of Sudan to fulfill its commitments, which include the facilitation of international humanitarian relief to areas and populations in need, the resumption of talks with rebel groups over Darfur, and cooperation with investigations on violations of international human rights laws. In addition, the resolution invoked Chapter VII of the UN Charter and called upon the Government of Sudan to disarm the Janjaweed militias, to “bring to justice” those responsible for human rights violations within 30 days. The resolution “expresses its intention” to impose sanctions under Article 41 of the UN Charter against the Sudanese government “in the event of non-compliance.” Moreover, it contained actions against non-governmental entities in Darfur, including an arms embargo as well as training and assistance “related to the provision, manufacture, maintenance, or use of” “arms and related materials.” China opposed the possibility of sanctions against the Sudanese Government, and in an effort to compromise, the US replaced the word “sanctions” in the

resolution with “measures as provided for in Article 41 of the UN Charter.” Nevertheless, the resolution still contained the threat of sanctions against the Government of Sudan, and for this reason China abstained from the resolution.²³⁶ It was China’s position that sanctions would not facilitate ongoing diplomatic efforts and may further complicate such efforts. Additionally, China’s perspective was that “the Government of the Sudan bears primary responsibility for resolving the Darfur situation and that the international community should make every effort to assist the Government of the Sudan.”²³⁷ Then Chinese Deputy Permanent Representative to the UN Zhang Yishan stated the following,

The draft resolution proposed by the United States and other countries, although some amendments have been made to it, still includes mandatory measures against the Sudanese Government. As all the parties are speeding up diplomatic efforts, such measures cannot be helpful in resolving the situation in Darfur and may even further complicate it. China had hoped that the sponsors of the draft resolution would have taken seriously into consideration China’s concerns and made the appropriate adjustments so as to arrive at a consensus in the Security Council. Regrettably, that proposal was not accommodated or responded to. We can therefore only abstain in the voting on this draft resolution in the Security Council.²³⁸

On August 5, 2004, the Darfur Plan of Action was agreed upon as the result of negotiations between the Government of Sudan, the UN Special Representative, and UN partners. The Plan of Action committed the Sudanese Government to taking three key steps by the end of August. These steps included: 1) identification of areas of Darfur that

²³⁶ Chen Wenxin, “Darfur and Sino-US Relations,” *Contemporary International Relations (Xiandai Guoji Guanxi)* 5 (2007).

²³⁷ United Nations Security Council, Provisional verbatim record of the 5015th meeting, 30 Jul. 2004, S/PV.5015.

²³⁸ United Nations Security Council, Provisional verbatim record of the 5015th meeting, 30 Jul. 2004, S/PV.5015.

could be secured and made safe within 30 days 2) immediate cessation of all military operations by Government forces in the identified areas 3) disarmament of militias over which the Government had influence. In the same month, the Secretary General submitted a report to the Security Council on the progress of Sudanese compliance with requirements, as assessed by the Secretary General's Special Representative to Sudan, Jan Pronk. According to the report, some progress had been made with respect to implementation of the joint communiqué and the Plan of Action, including security improvements in some areas for internally displaced persons (IDPs), initial moves towards disarmament, the lifting of restrictions for humanitarian relief access, the establishment of human rights monitoring and investigations, and a commitment to a policy of no forced returns. However, attacks against civilians continued and there was little progress on the disarmament of Janjaweed militias as well as the prosecution of militia leaders responsible for human rights atrocities. Reports of militia attacks on villages in all three States of Darfur continued, including in the Yassin area north-east of Nyala, where an estimated 50 individuals were killed. In Western Darfur, regular attacks occurred on civilians who travel outside the village of Masteri. Additionally, while the Sudanese Government has implemented its commitments with regards to its armed forces, reports of a clash between government and rebel forces between August 16 and August 28 raised concerns, as well as unconfirmed refugee accounts that the Sudanese Government was involved in some attacks in collaboration with militias. The report concluded that "After 18 months of conflict, the Government of the Sudan has not been able to resolve the crisis in Darfur, and has not met some of the core commitments it has made."²³⁹

²³⁹ United Nations Security Council, Report of the Secretary-General pursuant to paragraphs 6 and 13 to 16

Under the auspices of the African Union, peace talks began between the Sudanese Government and the rebel groups over the conflict in Darfur on August 23, 2004 in Abuja.²⁴⁰ Although the involved parties initially held a wide range of positions, they managed to agree on an agenda for the talks that included humanitarian issues, security, political questions, and socio-economic issues. The parties also reached an agreement on a protocol to address humanitarian issues, which the rebel movements declined to sign prior to an agreement on security issues. Additionally, the rebel groups refused to agree to the framework of the Joint Implementation Mechanism, which was established to implement the Joint Communiqué.²⁴¹ Further talks were postponed until October 2004.

Although the Secretary General's report as well as the commencement of the Abuja peace talks indicated some progress made, the US urged the Security Council to impose sanctions on the government for lack of full compliance with its commitments. A US-sponsored draft resolution called for an oil embargo and an increase in the number of African Union peacekeepers in Darfur. Resolution 1564 (2004) acted under Chapter VII of the UN Charter to "declare its grave concern that the Government of Sudan has not fully met its obligations noted in resolution 1556 (2004) and the July 3 Communiqué...to improve the security of the civilian population of Darfur." In addition to the demands set out in 1556 (2004), 1564 (2004) also demanded that the Government of Sudan turn over the names of Janjaweed militias that have been disarmed and those that have been

of Security Council resolution 1556 (2004), 30 Aug. 2004, S/2004/703.

²⁴⁰ United Nations Security Council, Report of the Secretary-General on the Sudan pursuant to paragraph 15 of Security Council resolution 1564 (2004) and paragraphs 6, 13 and 16 of Security Council resolution 1556 (2004), 2 Nov. 2004, S/2004/881.

²⁴¹ United Nations Security Council, Report of the Secretary General on the Sudan pursuant to paragraphs 6, 13 and 16 of Security Council resolution 1556 (2004), paragraph 15 of resolution 1564 (2004) and paragraph 17 of resolution 1574 (2004), 7 Jan. 2004, S/2005/10.

arrested for human rights violations. China, however, along with Russia and Pakistan, remained resistant to any resolution imposing sanctions against the Government of Sudan. As a result of their opposition, the resolution was reworded from imposing to threatening sanctions. Under the resolution the Security Council again “shall consider taking additional measures as contemplated in Article 41 of the UN Charter, such as actions to affect Sudan’s petroleum sector and the Government of Sudan or individual members of the Government of Sudan...”²⁴² In addition, the resolution requested that the Secretary General establish a commission to examine human rights violations including the question of whether acts of genocide were committed.²⁴³ Resolution 1564 (2004) passed with a 11-0 vote and four abstentions from China, Russia, Pakistan, and Algeria. From the Chinese perspective,

[t]he Sudanese Government has shown its sincerity in... adopting measures accordingly. Under those circumstances, the Security Council and the international community should focus on encouraging the Sudanese Government to continue to cooperate, rather than doing the opposite...It has been our consistent view that, instead of helping to solve complicated problems, sanctions may make them even more complicated.²⁴⁴

Violence continued to intensify and the security situation to deteriorate in Darfur through the month of October. Ceasefire agreements had been violated by both the Government and rebel groups. These included clashes between Sudanese Government forces supported by the Janjaweed and the SLA, as well as attacks on civilians and international humanitarian workers. An SLA camp was attacked in Northern Darfur by

²⁴² United Nations Security Council, Resolution 1564 (2004), 18 Sept. 2004, S/RES/1564.

²⁴³ *Ibid.*

²⁴⁴ United Nations Security Council, Provisional verbatim record of the 5040th meeting, 18 Sept. 2004, S/PV.5040.

Government forces and Janjaweed militia on October 2. From October 21 to 23, fighting between the Government and the SLA occurred in Alliet village in Northern Darfur affecting thousands of civilians. 14 civilians were killed in a marketplace in Southern Darfur on October 12, among other sporadic attacks on civilians in all three states. Moreover, attacks and lootings of both UN and international NGO vehicles occurred multiple incidences in Southern Darfur. Additionally, there were reports of a second emerging rebel movement in the region called the National Movement for Reformation and Development that was not a party to any ceasefire agreement. Although the Sudanese government claimed to have disarmed hundreds of Janjaweed and around 2600 militia in the region, the failure to provide convincing evidence to international monitors led the Secretary General's representative to conclude that Security Council demands had not been fulfilled. As of October 2004, an estimated 2 million had been affected by the conflict in Darfur, and the numbers continued to rise. The parties to the conflict reconvened in Abuja in October 2004 and began negotiations on a security protocol. However, little progress was made and the parties ultimately agreed only to a text that reaffirmed commitment to the N'Djamena ceasefire agreement as well as Security Council resolutions.²⁴⁵ As stated in the Secretary General's November 2004 report, "There was a reluctance at the negotiation table in Abuja, distrust, internal division, lack of capacity to negotiate and no sense of urgency."²⁴⁶ Furthermore, the rebel movements refused to sign the agreed upon protocols until a consensus could be reached on all

²⁴⁵ United Nations Security Council, Report of the Secretary General on the Sudan pursuant to paragraphs 6, 13 and 16 of Security Council resolution 1556 (2004), paragraph 15 of resolution 1564 (2004) and paragraph 17 of resolution 1574 (2004), 7 Jan. 2004, S/2005/10.

²⁴⁶ United Nations Security Council, Report of the Secretary-General on the Sudan pursuant to paragraph 15 of Security Council resolution 1564 (2004) and paragraphs 6, 13 and 16 of Security Council resolution 1556 (2004), 2 Nov. 2004, S/2004/881.

agenda items, which occurred on November 10, 2004 with additional talks scheduled for December.²⁴⁷

On November 18, 2004, the Security Council convened in Nairobi, Kenya to discuss the situation in the Sudan. It was the fourth time since 1952 that the Security Council had met outside of New York City, indicating the significance of the crisis to the Security Council and its commitment to achieving peace and security in the Sudan.²⁴⁸ The historic meeting was spearheaded by John Danforth, who had served during the Bush administration as US Special Envoy to the Sudan and at the time was US Ambassador to the UN. The objectives of the meeting were to inject momentum into the north-south peace talks and to encourage the conclusion a Comprehensive Peace Agreement,²⁴⁹ as well as bring attention to the need for solutions in other key conflicts in the Horn of Africa, such as the Darfur crisis. During the meeting, the Sudanese Government and the Sudan People's Liberation Movement/Army (SPLM) signed a Memorandum of Understanding, in which they agreed to conclude negotiations for and sign the Comprehensive Peace Agreement by December 31, 2004.²⁵⁰ The Security Council also passed resolution 1574 (2004), which affirmed its "strong support for the efforts of the Government of Sudan and the Sudan People's Liberation Movement/Army to reach a Comprehensive Peace Agreement" and urged bilateral and multilateral donors to be

²⁴⁷ United Nations Security Council, Report of the Secretary General on the Sudan pursuant to paragraphs 6, 13 and 16 of Security Council resolution 1556 (2004), paragraph 15 of resolution 1564 (2004) and paragraph 17 of resolution 1574 (2004), 7 Jan. 2004, S/2005/10.

²⁴⁸ United Nations Security Council, Provisional verbatim record of the 5080th meeting, 18 Nov. 2004, Nairobi, S/PV.5080.

²⁴⁹ Author interview with Ambassador John Danforth, US Special Envoy to the Sudan and US Ambassador to the UN (2004-2005), 9 Dec. 2009.

²⁵⁰ "Declaration on the Conclusion of IGAD Negotiations on Peace in the Sudan," 19 Nov. 2004, Gigiri Nairobi. Attached as Annex to Security Council Resolution 1574 (2004), S/RES/1574 (2004).

prepared to provide financial support for the country's reconstruction and economic development.²⁵¹ The resolution was passed with a unanimous vote of support. China emphasized its support not only for the provision of an economic assistance package to the Sudan but also the deployment of a UN peacekeeping mission to the Sudan upon implementation of the Comprehensive Peace Agreement.²⁵² On January 9, 2005, the North-South conflict spanning nearly four decades was officially brought to an end with the signing of the Comprehensive Peace Agreement in Nairobi.²⁵³

The Secretary General's Special Representative to the Sudan Jan Pronk noted that while the conclusion of the North-South peace talks would in the long term facilitate the resolution of the Darfur conflict, in the short term it could lead to an exacerbation of the violence in the Darfur region.²⁵⁴ (Danforth believed it was more the other way around—that the war in Darfur had impact on the North-South peace process, due to the consequent change in relations between the Sudan and the rest of the world. He thought that the North-South peace talks lost some of its steam as a result of the Darfur conflict.²⁵⁵) In December 2004, new problems had emerged as two internally displaced persons were killed within their camps and humanitarian workers became targets of violence and assault. In addition, violence had intensified as the Government had launched a series of "road clearings" in the Darfur region, which included not only the

²⁵¹ United Nations Security Council, Resolution 1574, S/Res/1574 (2004).

²⁵² United Nations Security Council, Provisional verbatim record of the 5080th meeting, 18 Nov. 2004, Nairobi, S/PV.5080.

²⁵³ United Nations Security Council, Press Statement on Sudan by Security Council President, 10 Jan. 2005, SC/8286-AFR 1093.

²⁵⁴ United Nations Security Council, "North-South Peace Agreement in Sudan should Further Solution to Conflict in Darfur, Security Council Told; But Possibility of Intensified Violence In Darfur Must Be Addressed, Says Special Representative," Press Release SC/8290, 11 Jan. 2005.

²⁵⁵ Author interview with John Danforth, former US Ambassador to the UN (2004-2005), 9 Dec. 2009.

clearing of roads but nearby ground as far as 20 km to each side and involved the burning of villages and looting. A second series of road clearings were initiated in mid-January.²⁵⁶ To execute the road clearings, the Sudanese Government had initiated a massive build-up of troops and armored vehicles, as well as unconfirmed reports of helicopter air attacks. Arms and forces were being amassed by both sides of the conflict including the rebel groups and Government allied militia.²⁵⁷ The arms build-up violated paragraph 7 of Security Council resolution 1556 (2004), which had imposed an arms embargo requiring “all States to take necessary measures to prevent the sale or supply of arms and related material to entities and individuals operating in Darfur.” Furthermore, there was no evidence of action taken by the Government to fulfill demands under Security Council resolution 1564 (2004) to apprehend and disarm Janjaweed militia.²⁵⁸ As a result of the road clearings and internal conflict within the rebel group Sudanese Liberation Movement/Army (SLM/A), political stalemate led to the postponement of the third round of Abuja talks from December to late January, which subsequently never took place.^{259,260}

²⁵⁶ United Nations Security Council, Report of the Secretary-General on the Sudan pursuant to paragraphs 6, 13 and 16 of Security Council resolution 1556 (2004), paragraph 15 of Security Council resolution 1564 (2004) and paragraph 17 of Security Council resolution 1574 (2004), 4 Feb. 2005, S/2005/68.

²⁵⁷ United Nations Security Council, Report of the Secretary General on the Sudan pursuant to paragraphs 6, 13 and 16 of Security Council resolution 1556 (2004), paragraph 15 of resolution 1564 (2004) and paragraph 17 of resolution 1574 (2004), 7 Jan. 2004, S/2005/10.

²⁵⁸ United Nations Security Council, Report of the Secretary General on the Sudan pursuant to paragraphs 6, 13 and 16 of Security Council resolution 1556 (2004), paragraph 15 of resolution 1564 (2004) and paragraph 17 of resolution 1574 (2004), 7 Jan. 2004, S/2005/10.

²⁵⁹ United Nations Security Council, Report of the Secretary-General on the Sudan pursuant to paragraphs 6, 13 and 16 of Security Council resolution 1556 (2004), paragraph 15 of Security Council resolution 1564 (2004) and paragraph 17 of Security Council resolution 1574 (2004), 4 Feb. 2005, S/2005/68.

²⁶⁰ United Nations Security Council, Report of the Secretary-General on the Sudan pursuant to paragraphs 6, 13 and 16 of Security Council resolution 1556 (2004), paragraph 15 of resolution 1564 (2004) and paragraph 17 of resolution 1574 (2004), 4 Mar. 2005, S/2005/140.

On March 29, 2005, the Security Council voted on resolution 1591 (2005) drafted by the US that proposed to impose a travel ban and freezing of funds of individuals “who impeded the peace process, constitute a threat to stability in Darfur and the region, commit violations of international humanitarian or human rights law,” and contributed to the violation of previous Security Council resolutions.²⁶¹ The resolution passed 12 in favor and 3 in abstention, which included Algeria, the Russian Federation, and China. China had “serious reservations” about the resolution, citing that “just maintaining pressure...could end up further complicating the situation.” Chinese Permanent Representative to the UN Wang Guangya stated, “[J]ust maintaining pressure without regard for the complexity of the issue and the specific circumstances of the Darfur crisis could end up further complicating the situation and making it even more difficult to resolve....China has repeatedly stressed that the Security Council should exercise the greatest caution with respect to ‘measures’ that could make negotiations more difficult and have a negative impact on the peace process.”²⁶²

Interestingly, two days later, both the United States and China were among those abstaining from UK-led resolution 1593 (2005), which referred the situation in Darfur to the International Criminal Court for violations of international humanitarian law and international human rights law.²⁶³ The resolution passed with 11 votes in favor and 4

²⁶¹ United Nations Security Council, Resolution 1591, 29 Mar. 2005, S/RES/1591.

²⁶² United Nations Security Council, Provisional verbatim record of the 5153rd meeting, 29 Mar. 2005, S/PV.5153.

²⁶³ United Nations Security Council, Resolution 1593, 31 Mar. 2005, S/RES/1593.

abstentions from China, the US, Algeria, and Brazil. Both China and the US had cited violation of national sovereignty as their reason for non-support of referrals to the ICC.²⁶⁴

The impact of resolutions 1591 (2005) and 1593 (2005) was an increase in tensions amongst those who perceived themselves to be targets of the resolutions. The tensions were manifest as protests in Khartoum as well as an increased risk of hostile activity towards the United Nations and the presence of other international elements in Darfur. In its monthly report on the situation in Darfur, the Secretary General called for support from the Government of Sudan for both resolutions to address the risk against the UN in the Sudan.^{265,266}

The Abuja talks resumed on June 10, 2005. Although there were some procedural difficulties and continued existing differences between and within the rebel groups, the parties were able to come to an agreement on a Declaration of Principles for the Resolution of the Sudanese Conflict in Darfur, an outline for negotiations on issues such as religion, security, power- and wealth-sharing, as well as land use and ownership.²⁶⁷

A year after the signing of the joint communiqué between the UN Secretary General and the Government of Sudan, the security situation appeared to have improved, facilitated by pressure from the international community and the presence of the AU Mission in the Sudan (AMIS). In the course of a year, there had been an overall decrease

²⁶⁴ United Nations Security Council, Provisional verbatim record of the 5158th meeting, 31 Mar. 2005, S/PV.5158.

²⁶⁵ United Nations Security Council, Monthly report of the Secretary-General on Darfur, 10 May 2005, S/2005/305.

²⁶⁶ United Nations Security Council, Provisional verbatim record of the 5176th meeting, 12 May 2005, S/PV.5176.

²⁶⁷ United Nations Security Council, Monthly report of the Secretary General on Darfur, 18 Jul. 2005, S/2005/467.

in the frequency of militia attacks as well as attacks on civilians. Attacks on villages had decreased, although this could have been a function of decreased targets. Humanitarian presence, assistance, and access increased dramatically as a result of the lifting of certain restrictions by the Sudanese Government as agreed upon in the communiqué. However, implementation was uneven and problems remained. Attacks on humanitarian workers as well as on internally displaced persons in camps persisted. Frequent changes to travel restrictions and access to camps for internally displaced persons posed another challenge to humanitarian workers. There was still little indication of serious effort by the Sudanese Government to disarm the Janjaweed militias and other groups. Although the Government had banned small weapons and proceeded with doing some collection, it had also announced a decision to postpone further disarmament until a political settlement is reached. Additionally, clashes occurred in June between the rebel movements themselves as a result of differences during the negotiations. Overall, the number of persons affected by conflict was rising cumulatively to close to 3 million despite the apparent decrease in attacks on civilians. As stated in a report by the Secretary General, only a political settlement between the Sudanese Government and rebel groups could dramatically improve security in the region.²⁶⁸

Meanwhile, progress appeared to continue with regards to the implementation of the Comprehensive Peace Agreement between the Sudanese Government and the rebel groups of the South. In accordance with the agreement, a new leadership was inaugurated on July 9, 2005 and included President al-Bashir, Dr. John Garang, the leader of the SPLM as the first vice president, and the former ruling party vice president Ali Osman

²⁶⁸ *Ibid.*

Taha as the new second vice president.²⁶⁹ Additionally, an interim Constitution and caretaker Government were established on the same day pending the inauguration of the National Government of Unity, the new power structure as agreed upon by the Government and rebel groups.²⁷⁰ Tragically, shortly after on July 30, 2005, Garang was killed in a helicopter crash near New Cush in southern Sudan.²⁷¹ His death resulted in a resurgence of violence and tensions in Khartoum and in southern Sudan. The SPLM/A quickly named Salva Kiir as its new leader, and he was in sworn in as the new First Vice-President on August 11, 2005 as Garang's replacement. On August 31, 2005, two chambers of the new legislature, the National Assembly and the Council of States, were inaugurated.²⁷² The Government of National Unity was finally inaugurated on September 20, 2005, after considerable dispute over the energy and mining ministerial portfolios. On the other hand, the Abuja peace talks experienced delays due to internal divisions in the political and military leadership of the Sudan's Liberation Movement/Army.²⁷³

Surrounding the inauguration of the Government of National Unity as well as the Abuja talks, the international community witnessed with alarm an overall surge of violence by all parties in Darfur. According to the Secretary General's report, "the frequency and intensity of the violence committed by the Sudanese Armed Forces and the Popular Defense Forces, Government aligned tribal militia and the armed movements—

²⁶⁹ United Nations Security Council, Provisional verbatim record of the 5231st meeting, 22 Jul. 2005, S/PV.5231.

²⁷⁰ United Nations Security Council, Report of the Secretary General on the Sudan, 12 Sept. 2005, S/2005/579.

²⁷¹ United Nations Security Council, Statement by the President of the Security Council, 2 Aug. 2005, S/PRST/2005/38.

²⁷² United Nations Security Council, Report of the Secretary General on the Sudan, 12 Sept. 2005, S/2005/579.

²⁷³ *Ibid.*

including in particular the Sudan Liberation Movement/Army (SLM/A) reached levels unseen since January 2005.” On September 19, SLM/A forces attacked Sudanese Armed Forces in the vicinity of the village of Shaeria.²⁷⁴ Furthermore, there were attacks by Janjaweed militias on camps for the internally displaced, as well as attacks on villages by the Sudanese Government. Additionally, there were incidents against international peacekeepers. On October 8, the SLM/A was responsible for killing four Nigerian peacekeepers and two civilian contractors of the African Union Mission in Sudan (AMIS) near Menawasha. On October 9, the Justice and Equality Movement (JEM) ambushed and detained an estimated 35 AMIS personnel in North Darfur.²⁷⁵

The regional Government of Southern Sudan was inaugurated on October 22 in accordance with the provisions of the Comprehensive Peace Agreement. The seventh round of talks in Abuja began November 29, although it continued to be plagued by internal strife within the leadership of the SLM/A.²⁷⁶

In March 2006, the African Union Peace and Security Council set a deadline of April 30, 2006 for the conclusion of the Abuja peace talks.²⁷⁷ Negotiations in Abuja had been inching along as the parties debated wealth/power-sharing issues and security arrangements, key areas of conflict that had led to the war in the first place.²⁷⁸ On April

²⁷⁴ United Nations Security Council, Monthly report of the Secretary-General on Darfur, 14 Oct. 2005, S/2005/650.

²⁷⁵ United Nations Security Council, Statement by the President of the Security Council, 13 Oct. 2005, S/PRST/2005/48.

²⁷⁶ United Nations Security Council, Report of the Secretary General on the Sudan, 21 Dec. 2005, S/2005/821.

²⁷⁷ United Nations Security Council, Statement by the President of the Security Council, 25 Apr. 2006, S/PRST/2006/17.

²⁷⁸ United Nations Security Council, Provisional verbatim record of the 5413rd meeting, 18 Apr. 2006, S/PV.5413.

18, 2006, the Special Envoy of the African Union for the Darfur Peace Talks and Chief Mediator Salim Ahmed Salim announced to the Security Council that the Abuja talks were in its concluding stages.²⁷⁹ A week later, the Security Council voted 12 in favor and 3 abstentions (China, Qatar, Russian Federation) of Security Council resolution 1672 (2006), which named four additional individuals representing all key parties in the Darfur conflict as subject to the travel and monetary sanctions as specified in resolution 1591 (2005).²⁸⁰ Chinese UN Ambassador Wang Guangya expressed concern over the timing of the resolution, with negotiations for the Abuja peace talks reaching a “crucial juncture.” “[T]he Security Council should send a constructive message and avoid actions that might give rise to misinterpretation or even affect the peace process as a whole.” Moreover, the Chinese deemed insufficient the evidence against those placed on a targeted sanctions list, pointing out that “the Chinese representative joined other colleagues in requesting clarification of criteria for the inclusion of individuals on the list of sanctions. Regrettably, the sponsors and panel of experts have yet to provide supplementary material.”^{281, 282} From the perspective of the US, rather than interfering with the peace process, the resolution demonstrates the seriousness of the Security Council with regards to peace and security in the region and therefore strengthens the talks. On May 5, 2006, the Darfur Peace Agreement was signed by the Sudanese Government and the largest

²⁷⁹ United Nations Security Council, Provisional verbatim record of the 5413rd meeting, 18 Apr. 2006, S/PV.5413.

²⁸⁰ United Nations Security Council, Resolution 1672, 25 Apr. 2006, S/RES/1672.

²⁸¹ People’s Republic of China, Permanent Mission of the People’s Republic of China to the UN, “Explanatory remarks by Ambassador Wang Guangya at UN Security Council on Resolution 1672,” 25 Apr. 2006.

²⁸² United Nations Security Council, Provisional verbatim record of the 5423rd meeting, 25 Apr. 2006, S/PV.5423.

faction of the Sudanese Liberation Movement/Army led by Minni Minawi.²⁸³ A second faction of the SLM/A, known as the SLA/M, led by Abdul Wahid al-Nur and Justice and Equality Movement led by Khalil Ibrahim failed to sign the agreement.

Since the signing of the agreement, the situation in Darfur had only deteriorated and violence worsened. Violent demonstrations against the agreement, continued militia attacks on civilians and AU peacekeepers, and intra-SLA fighting were reported in the aftermath.²⁸⁴ As of 2008, an estimated 300,000 people have died in the Darfur conflict and 2.5 million displaced.

A look at China's positions during the negotiations of the resolutions over time shows that China consistently abstained from sanctions resolutions against the Sudan. China's proposals for amendments were generally not accepted to the satisfaction of the Chinese. The accommodation of the replacement of the word "sanctions" with "measures from Article 41" in resolution 1556 (2004) and the change from actual imposition of sanctions to consideration of sanctions in resolution 1564 (2004) did not change the fact that sanctions were still being considered against the Sudanese government, which was opposed by the Chinese.

China's Positions during Resolutions Negotiations- Sudan				
Year	Resolution	China's position	Resultant compromise	China's vote
1996	1054	-Opposed imposition of sanctions	-None made	Abstain
1996	1070	-Opposed strengthening of sanctions	-None made- Chinese amendments not accepted	Abstain
2004	1556	-Opposed intentions of sanctions against Sudanese	-"Sanctions" replaced with "measures provided for in Article 41"	Abstain

²⁸³ United Nations Security Council, Provisional verbatim record of the 5434th meeting, 9 May 2006, S/PV.5434.

²⁸⁴ United Nations Security Council, Monthly report of the Secretary-General on Darfur, 21 Jun. 2006, S/2006/430.

		Government		
2004	1564	-Opposed imposition of sanctions on Sudanese Government	-Imposition of sanctions changed to consideration of sanctions	Abstain
2005	1591	-AU position that maintaining pressure without regard for complexity would worsen situation should be considered and supported in resolution -Resolution should support and work with AU	-Chinese amendments not accepted	Abstain
2006	1672	-Timing not right for additional sanctions resolution close to conclusion of Abuja peace talks -Evidence against targeted individuals insufficient	None made	Abstain

Chinese perspectives and interests

On February 2 and 3, 2007, Chinese President Hu Jintao made a landmark visit to the Sudan seeking a diplomatic resolution to the Darfur conflict. It was part of an eight-country tour of Africa to strengthen and develop Sino-African relations. It was also the first visit to the Sudan by a Chinese head of state since the establishment of diplomatic relations in 1959. China had been facing widespread criticism for its continued economic relations with Sudan as the situation in Darfur continued to deteriorate. Although China refused to publicly pressure Sudan or to support sanctions, Hu's visit according to some Chinese analysts was a turning point. Shi Yinhong of People's University in Beijing stated, "China has begun to follow a different pattern on this issue. When the world talks about China's rise, naturally that places demands and pressure on China to take more responsibility." However, others were more conservative in their analysis. He Wenping, director of African Studies at the Chinese Academy of Social Sciences, stated, "Hu's visit at least gives a clear signal that China thinks the Sudan issue is important and China wants to play a role. But China's strategy remains the same, and as always, it uses quiet

diplomacy to keep a constructive engagement, rather than waving a stick.” “Any solution would have to respect Sudan’s sovereignty,” the Chinese Foreign Ministry Spokesman Liu Jianchao has stated.²⁸⁵ China had consistently opposed sanctions against the Sudan and supported finding a solution through diplomatic dialogue. In a 2007 article in *Qiu Shi*, the primary academic journal of the Central Committee of the Chinese Communist Party, Chinese Assistant Foreign Minister Zhai Jun wrote,

The background of the Darfur issue is very complicated, involving many factors such as tribes, resources, and relations with neighboring states. This requires effort in many areas—politics, security, humanitarianism, social and economic development of the region. Hence the issue cannot be resolved unless talks and negotiations take place among all parties... only in this way can they set aside discord and work in the same direction. This is the most practical and effective way to resolve the issue.²⁸⁶

From the perspective of the Chinese, the Darfur conflict is not one of human rights as viewed by members of Congress, government officials, and advocacy groups in the US. On September 21, 2007, Chinese Assistant Foreign Minister Zhai Jun at the 2nd High Level Consultation on Darfur stated that “the situation on Darfur is ultimately about development, and only economic and social development in the region can bring about a fundamental solution to th[e] issue.”²⁸⁷ The Chinese position was that international efforts should be focused on providing humanitarian assistance to Darfur, facilitation of a

²⁸⁵ “China urges Sudan to heed international concerns on Darfur issue,” Associate Press Worldstream, 16 Jan. 2007.

²⁸⁶ Zhai Jun, “China is actively promoting the resolution of the Darfur Issue,” *Qiu Shi* 11 (2007) 63, quoted in Chen Wenxin, “Darfur and Sino-US Relations,” *Contemporary International Relations (Xiandai Guoji Guanxi)* 5 (2007).

²⁸⁷ People’s Republic of China, Permanent Mission of the People’s Republic of China to the United Nations, “Remarks by Chinese Assistant Foreign Minister Zhai Jun on Humanitarian Situation and Reconstruction for Development in Darfur at 2nd High-Level Consultation on Darfur,” 21 Sept. 2007.

ceasefire and the Darfur political process, and the provision of assistance for reconstruction and development of the local economy.

As a result of Chinese cooperation and investment, the Sudanese economy had jumpstarted from a near halt to an annual growth of over eight percent in recent years. The total bilateral trade volume rose from 103 million US dollars in 1990 to 8.2 billion US dollars in 2008. As of 2008, China was the Sudan's largest trade partner and the Sudan is China's third largest trade partner in Africa, after Angola and South Africa.²⁸⁸

Since Sudan's first export of oil in 1999, oil income has become a major source of growth for the Sudanese economy.²⁸⁹ In 2008, oil accounted for 74.2% of all Sudanese exports. China and the Sudan began its cooperation in the oil industry in 1996. In 2006, Sudan became China's fourth largest supplier of oil.²⁹⁰ Major oil projects include the Khartoum oil refinery, a joint 50/50 project constructed by China National Petroleum Corporation (CNPC) and the Sudanese Ministry of Energy and Mining. The project became operation on May 16, 2000, with an annual processing capacity of five million tons. In addition, CNPC had assisted in the construction of Khartoum Petrochemical Plant, as well as crude pipelines. Additionally, CNPC is involved in the development of several Sudanese oilfields.

In July 2007, the Minister of Energy and Mining of Sudan stated, "Thanks to the CNPC's strong assistance, Sudan has transformed itself from a crude oil importing

²⁸⁸ "Sudan ambassador: International society should help Darfur people as China has," Xinhuanet, 21 Mar. 2008, accessed February 12, 2010 on China Economic Net.

²⁸⁹ "Talking soft: Common language helps resolve Darfur issue," Xinhuanet, 2 Oct. 2007, accessed February 11, 2010 on China Economic Net.

²⁹⁰ Chen Wenxin, "Darfur and Sino-US Relations," *Contemporary International Relations (Xiandai Guoji Guanxi)* 5 (2007).

country into a crude oil exporting country and has established a complete industrial chain for the oil industry; led by the rapid development of the oil industry, Sudan's overall economy is developing vigorously and entering a phase of economic boom.”²⁹¹ In December 2007, Chinese Assistant Foreign Minister Zhai Jun met with a press delegation from north and south Sudan, when he noted “[that] the two countries [in] recent years have witnessed steadily growing bilateral ties, frequent high-level visits and fruitful trade cooperation. The China-Sudan cooperation in the oil sector [i]s a highlight in mutually beneficial cooperation.”²⁹² Cooperation in the oil sector has led to joint projects in other sectors, including irrigation works, power, telecommunication, and infrastructure construction.²⁹³

The Chinese believe that at the root of the Darfur conflict is a desperate need for development. The people of Darfur subsist on farming and animal husbandry, challenged by drought, water shortage, and inter-tribal conflicts. In 2007, China provided the Sudan with over 11 million dollars of humanitarian assistance for infrastructure, bridges, power plants, water supplies, schools, and hospitals. The Chinese also assisted the Sudanese in digging 46 wells to address water shortages and support agricultural activities, as well as in building 20 power plants.²⁹⁴ These projects include a power plant north of Khartoum, which generates one-third of the country’s electricity, as well as the construction of a

²⁹¹ “Sudanese minister commends energy cooperation with China,” Xinhua news agency, 15 Jul. 2007.

²⁹² People’s Republic of China, Ministry of Foreign Affairs, “Assistant Foreign Minister Zhai Jun Meets with Sudanese Press Delegation,” 3 Dec. 2007.

²⁹³ “Senior CPC Official hails China-Sudan relations,” Xinhua News Agency, 18 Nov. 2009. http://news.xinhuanet.com/english/2009-11/18/content_12485570.htm.

²⁹⁴ People’ Republic of China, Permanent Mission of the People’s Republic of China to the UN, “China makes unremitting efforts to solve crisis in Darfur,” 16 Feb. 2008.

major hydropower plant in Marawi, referred to by the local people as “Sudan’s Three Gorges Project.”²⁹⁵,²⁹⁶ On February 28, 2008, China pledged another 90 million US dollars in soft loans for building water supply facilities in northern Darfur.²⁹⁷

CNPC alone has been responsible for contributing over \$45 million US dollars for the construction of roads, bridges, schools, and hospitals. The company has also built the world’s largest oilfield wastewater treatment system in Block 1/2/4. It has also assisted in the digging of water wells and construction of pipelines for water purification systems. Additionally, it has provided funding and assisted in the construction of bridges, including half of the financing for the Merowe Bridge of the Chinese-Sudanese Friendship over the Nile River, completed in January 2008. CNPC has also donated an equal amount of \$10 million US dollars to the Sudanese government for the construction of the Malual bridge.^{298,299} Successful development of oil refineries, petrochemical plants, and trading systems have created over 100,000 jobs for locals. CNPC has provided

²⁹⁵ “Talking soft: Common language helps resolve Darfur issue,” Xinhuanet, 2 Oct. 2007, accessed 11 Feb. 2010 on China Economic Net.

²⁹⁶ “China builds Sudan’s largest power-transmission project,” Xinhuanet, 11 Apr. 2005, accessed 13 Feb. 2010 on China Economic Net.
http://en.ce.cn/Business/Macroeconomic/200504/11/t20050411_3570332.shtml.

²⁹⁷ People’s Republic of China, Permanent Mission of the People’s Republic of China to the UN, “Chinese envoy: China to provide more humanitarian aid to Darfur,” 25 Feb. 2008.

²⁹⁸ “Sudanese-Chinese friendship bridge spans over Nile River,” Xinhuanet, 18 Jan. 2008, accessed 12 Feb. 2010 on China Economic Net.

²⁹⁹ “CNPC in Sudan,” accessed 14 Feb. 2010. http://www.cnpc.com.cn/NR/exeres/5A53BDC2-D493-4BE7-BE278693BA6213AA.htm?NRMODE=Unpublished&wbc_purpose=Basic&WBCMODE=PresentationUnpublished#.

training in the petroleum industry to the local people and has hired over 4000 Sudanese and 7000 local day workers.³⁰⁰

China's oil interests in Sudan are at odds with its interests in improving China's international image, in particular in the years surrounding 2008 when there was a concerted effort to promote the Beijing Olympics. On February 13, 2008, Steven Spielberg withdrew from his role as an artistic advisor the Beijing Olympics to protest China's support of the Sudanese regime. In response to accusations, the Chinese government appointed Liu Guijin as Special Envoy on the Darfur issue, because, as stated by Liu, "the Darfur issue draws worldwide attention and the international community hopes China plays a bigger role."³⁰¹ On February 21, 2008, in a press conference in London, Chinese Special Envoy Liu defended China's activities and relations with Sudan, stating that the "Chinese government has done a great deal in order to solve the Darfur issue." Liu noted that the Chinese government was instrumental in bringing the Sudanese government, the AU, and the UN to a consensus on Security Council resolution 1769 (2007), which deployed hybrid UN/AU peacekeeping forces in Darfur. Chinese contributions to the efforts included a pledge of a 315-member engineering unit to the Darfur region to build camps, wells, and roads on behalf of the peacekeeping mission. The Chinese "was the first nation outside Africa to send peacekeepers to Darfur and the first and biggest development aid provider to the

³⁰⁰ *Ibid.*

³⁰¹ People's Republic of China, Ministry of Foreign Affairs, "The Chinese Government's Special Representative on the Darfur issue Holds a Briefing to Chinese and Foreign Journalists," 7 Mar. 2008.

region.”³⁰² Additionally, in March 2008, China donated US\$500,000 to the Trust Fund for the AU-UN Joint Mediation Support Team (JMST) for Darfur, a fund established by Secretary-General Ban Ki Moon in September 2007 to support the work of the special envoys involved in mediating the Darfur situation.³⁰³

According to Liu, China desires a practical solution to the Darfur issue.³⁰⁴ He maintained the Chinese position that pressure and sanctions cannot solve the Darfur problem.³⁰⁵ In a visit to Sudan, Liu stated, “What China is pursuing is to realize peace as soon as possible, and to help Sudan achieve stability and development as soon as possible.”³⁰⁶ Furthermore, Liu pointed out that while “China played some special roles in the Darfur issue,” [its] “influence should not be overestimated.”³⁰⁷

Discussion and Analysis

China maintained a consistent position on sanctions against the Sudan throughout the two time periods examined. China believed sanctions may not only fail to solve the problem but worsen the situation. In the case of Darfur, China advocated for dialogue and consultations to arrive at a peaceful solution rather than resorting to coercive instruments

³⁰² People’s Republic of China, Permanent Mission of the People’s Republic of China to the United Nations, “China has done a ‘great deal’ for solving Darfur issue: Chinese envoy,” 21 Feb. 2008.

³⁰³ People’s Republic of China, Permanent Mission of the People’s Republic of China to the United Nations, “China makes a contribution to support the peace process in Darfur,” 28 Mar. 2008.

³⁰⁴ “China Says Doing Its Best to Bring Peace to Sudan,” Voice of America News, 29 Feb. 2008.

³⁰⁵ People’s Republic of China, Permanent Mission of the People’s Republic of China to the United Nations, “Pressure, sanctions not helpful for resolving the Darfur issue,” 21 Feb. 2008.

³⁰⁶ People’s Republic of China, Permanent Mission of the People’s Republic of China to the UN, “Envoy: China not seeking expediency from Darfur issue,” 24 Feb. 2008.

³⁰⁷ People’s Republic of China, Embassy of the People’s Republic of China in the United States of America, “Envoy: China’s influence on Darfur issue should not be overestimated,” 7 Mar. 2008.

to compel desired behavior from the Sudanese Government and the rebel groups.

Furthermore, China upheld its position that human rights violations did not fall within the authority of the Security Council. China also maintained the position that the matter was an affair of the Sudanese Government and all efforts should therefore be supportive of the Government out of respect for the sovereignty of the state.

In general, sanctions did not seem to affect the overall situation in either case. In the first instance, the Sudanese Government resisted Security Council pressure, maintaining its position that the suspects' locations were unknown and that they had left the country. In the second instance, the sanctions passed were largely symbolic and unable to deter the violence.³⁰⁸ Ultimately, the sanctions resolutions failed to compel the Government and the rebel groups to meaningful action, such as the disarmament of the militias and end to the violence and mass human rights violations. Arms continued to be supplied into the region, and the Sudanese Government continued to be able to fund its endeavors through its external trade relations. For the involved parties, the threat of sanctions did not outweigh the threat of the opposition on the ground.

In contrast, the successful negotiations of North-South ending a 21-year civil war did not involve any multilateral sanctions initiatives. Nevertheless, the path towards peace continued to be plagued with surges of violence and unrest since the conclusion of the Comprehensive Peace Agreement.

According to Danforth, the North-South peace talks benefited from a highly motivated leader, John Garang, as well as involving only two parties at the negotiation table, the Sudanese Government and the Sudan People's Liberation Movement/Army (SPLM/A). The Security Council meeting in Nairobi lent an impressive multilateral

³⁰⁸ Author interview with State Department official, 2 Dec. 2009.

presence that helped to bring the two sides together and arrive at a final conclusion. “When there is will and recognition from both parties, there is more likelihood for success,” stated Danforth. On the other hand, the Abuja peace talks were more challenging due to the involvement of multiple rebel groups, convincing all parties to come to the negotiation table, as well as internal conflicts between and within the groups themselves.³⁰⁹ In the case of the Darfur conflict in the Sudan, rather than improve the situation, sanctions increased tensions and instigated riots amongst those who believed they were the targets of the sanctions.

³⁰⁹ Author interview with John Danforth, US Special Envoy to the Sudan and US Ambassador to the UN (2005-2006), December 9, 2009.

CHAPTER 5 CASE STUDY: NORTH KOREA

From 1990-2008, there have been two periods of crises concerning North Korea's nuclear activities: 1993-1994 during the Clinton administration and 2002-2008 during the Bush administration. Until 2006, China consistently opposed the consideration of the matter in the Security Council, abstaining from resolution 825 in 1993 and blocking further action by the Security Council on North Korea until July 2006, when North Korea conducted a series of missile tests. Even then, China was against the imposition of sanctions on North Korea, opposing any action that may increase tensions and worsen the situation on the Korean peninsula. It was not until October 2006 when despite all diplomatic efforts North Korea conducted its first nuclear test that China supported a Security Council sanctions resolution 1718 (2006) imposing sanctions on its long-time ally. However, as Chinese officials emphasized at the time, this apparent shift in China's position was not to be viewed as a change in China's policy towards North Korea nor sanctions. China maintained its commitment to a peaceful resolution of the North Korean nuclear crisis through the Six-Party Talks, supported sanctions only as a means to compel North Korea to resume diplomatic talks, and remained firmly opposed to the use of force as well as regime change. Also, China supported only limited, targeted, and reversible sanctions. Sanctions in this case were utilized as a means of last resort, when diplomatic efforts up to that point had been exhausted. From the Chinese perspective, the sanctions resolution was a necessary escalation of action on the part of the international community to convey a stern message to the North Koreans that by conducting the nuclear test, they had gone too far.

1993-1994: Background information

On March 12, 1993, Kim Yong Nam, the Minister for Foreign Affairs of the Democratic People's Republic of Korea announced in a letter to the President of the Security Council the DPRK's decision to withdraw from the Treaty on the Non-Proliferation of Nuclear Weapons, citing as the basis for withdrawal "the extraordinary situation prevailing in the DPRK which jeopardizes its supreme interests." The situation as described in the letter was the resumption by the United States and South Korea of "Team Spirit" joint military exercises, perceived by the DPRK to be a "nuclear war rehearsal" and a threat to its nation. Furthermore, the DPRK was protesting a resolution adopted by the IAEA Board of Governors on February 23, 1993, that demanded the DPRK to open select military sites for inspection for suspected nuclear materials. The DPRK asserted that the sites were not related to nuclear activities.³¹⁰

The DPRK acceded to the NPT in 1985. As part of the treaty, each non-nuclear state agrees to accept safeguards as agreed upon with the International Atomic Energy Agency (IAEA) to ensure fulfillment of its obligations. The agreement between the DPRK and IAEA for the Application of Safeguards in Connection with the NPT became effective on April 10, 1992. The DPRK was required to submit an initial report declaring nuclear materials subject to the agreement. Ad hoc inspections conducted by the IAEA as part of the agreement revealed that there were inconsistencies between the characteristics of the declared plutonium and the inspected plutonium. The IAEA had reason to believe that the DPRK was secretly storing plutonium that could be used to make nuclear bombs

³¹⁰ Letter dated 12 March 1993 from the Minister for Foreign Affairs of the Democratic People's Republic of Korea addressed to the President of the Security Council, 12 Mar. 1993, S/25405.

at selected sites and requested access to those sites.³¹¹ When the DPRK failed to comply, the IAEA board of governors referred North Korea to the Security Council on the basis that “the DPRK is in non-compliance with its obligations under the Safeguards Agreement with the Agency” and “that the Agency is not able to verify that there has been no diversion of nuclear material...to nuclear weapons or other nuclear explosive devices.”³¹²

Security Council resolutions

At the time there was no existing precedent for dealing with the issue of nuclear proliferation in the Security Council. However, there had indeed been general agreement that the issue of nuclear proliferation fell within the purview of the Security Council. This consensus was codified in a historic meeting on January 31, 1992, during which the Security Council convened at the level of Heads of State for the first time to discuss “The Responsibility of the Security Council in the Maintenance of International Peace and Security” in the aftermath of the Cold War. Resulting from the meeting was a presidential statement in which the Security Council stated, “The proliferation of all weapons of mass destruction constitutes a threat to international peace and security” and with regards to nuclear proliferation, “the members of the Council will take appropriate measures in the case of any violations [of the NPT] notified to them by the IAEA.”³¹³ In a meeting on May 11, 1993, the Security Council voted on resolution 825 (1993), which calls upon the DPRK to reconsider its decision to withdrawal from the NPT and also to comply with the

³¹¹ United Nations Security Council, Report by the Director General of the IAEA on behalf of the Board of Governors to the Security Council and the General Assembly of the United Nations on the Non-Compliance of the DPRK with the Agreement between the IAEA and the DPRK, 12 Apr. 1993, S/25556.

³¹² IAEA, Resolution Adopted by the Board on 1 April 1993, Annex I of S/25556.

³¹³ United Nations Security Council, Provisional verbatim record of the 3046th meeting, 31 Jan. 1992, S/PV.3046.

IAEA's request to inspect the sites.³¹⁴ During the meeting, the Permanent Representative of the DPRK to the UN, Pak Gil Yon, who was invited to be a participant without vote, explained that the DPRK's decision to withdraw from the NPT was a self-defense measure. Pak stated his country acceded to the NPT "to remove the nuclear threat against [his] country and to turn the Korean peninsula into a nuclear-free zone." The DPRK had held off on concluding the safeguards agreement until the US and South Korea agreed to withdraw any nuclear weapons, declare the absence of nuclear weapons on the Korean peninsula, and suspend Team Spirit military exercises. "The resumption of this exercise," stated Pak, "posed a new threat to the security of our country and the nation."³¹⁵ Resolution 825 (1993) passed 13 votes in favor with 2 abstentions from China and Pakistan. Li Zhaoxing, who at the time was the Chinese Ambassador to the UN, stated that while China supported denuclearization of the Korean peninsula, China believed the issue at hand was one that should be addressed through dialogue and consultation between the involved parties, i.e. the DPRK, the IAEA, the US, and South Korea. Li said, "China has indicated from the very beginning that it is not in favor of having this issue handled by the Security Council, let alone having a resolution adopted on the issue by the Council. This is because the Council's involvement will not contribute to the appropriate settlement of the issue; on the contrary, it might easily complicate the matter and lead to the intensification and escalation of the contradictions."³¹⁶

³¹⁴ United Nations Security Council, Resolution 825, 11 May 1993, S/RES/825.

³¹⁵ United Nations Security Council, Provisional verbatim record of the 3212th meeting, 11 May 1993, S/PV.3212.

³¹⁶ *Ibid.*

On June 11, 1993, the day before the North Korean withdrawal from the NPT was to be effective, the US and the DPRK concluded ten days of bilateral talks in New York with a Joint Statement, in which the DPRK agreed to suspend the “effectuation” of its withdrawal from the NPT and the two sides agreed to continue dialogue. The two parties agreed on a set of principles, including “Assurances against the threat and use of force, including nuclear weapons,” “the peaceful reunification of Korea,” and “peace and security in a nuclear-free Korean peninsula.”³¹⁷

In December 1993, the DPRK agreed to inspections of its seven declared nuclear sites following bilateral negotiations with the US. The following month, the DPRK began negotiating with the IAEA to reach an agreed upon framework for the inspections. On February 15, 1994, the DPRK and the IAEA agreed on a list of inspection activities to be conducted at the seven facilities. Of note was that these did not include the two suspected sites mentioned in the February 1993 IAEA resolution. It included only the seven sites that the DPRK had originally declared.³¹⁸ When IAEA officials went to the DPRK to conduct the inspections from March 3 to March 14, 1993, restrictions were imposed on the inspection activities. The IAEA was therefore unable to fully carry out the February agreement and “accordingly, the Agency [was] unable to draw conclusions as to whether there had been either diversion of nuclear material or reprocessing or other operations at

³¹⁷ Joint Statement of the Democratic People’s Republic of Korea and the United States of America, 11 Jun. 1993.

³¹⁸ United Nations Security Council, Addendum dated 1 March 1994 to the report by the Director General of the IAEA to the Security Council on the Implementation of the Agreement between the Government of the DPRK and the IAEA for the application of safeguards in connection with the Treaty on the Non-Proliferation of Nuclear Weapons, 4 Mar. 1994, S/1994/254.

the radiochemical laboratory since February 1993.”³¹⁹ The DPRK argued that due to its unique status as defined by its “temporary suspension of its declared withdrawal from the Nuclear Non-Proliferation Treaty,” it was not subject to inspections under the safeguards agreement as required of a full member. Rather, it was justifiable for it to permit restricted inspections for the purpose of “maintaining the continuity of safeguards.”³²⁰ On March 31, 1993, the Security Council issued a presidential statement calling for the DPRK to allow the IAEA to fully complete its inspections as agreed upon on February 15.³²¹ After additional rounds of discussions with the IAEA, the DPRK agreed to allow inspectors to return in May to complete the inspection activities.³²²

In the meantime, however, a new development gave cause for additional alarm. On April 19, the DPRK conveyed to the IAEA its intention to refuel a 5MWe experimental nuclear power reactor located at its nuclear facility in Yongbyon. In order to verify that spent fuel has not been diverted to a nuclear weapons program, the IAEA needed to perform certain safeguard activities during fuel discharge. The DPRK refused the inspections of the fuel rods on the premise that its unique status does not obligate it to fulfill the inspection requirements as stipulated under the safeguards agreement. It proceeded to discharge the fuel without the safeguard measures. On May 12, the DPRK indicated it would be willing to allow the fuel rod inspections should the US allow

³¹⁹ United Nations Security Council, Implementation of the Agreement between the Agency [IAEA] and the DPRK for the Application of Safeguards in connection with the Treaty on the Non-Proliferation of Nuclear Weapons, 22 Mar. 1994, S/1994/322.

³²⁰ United Nations Security Council, Statement dated 18 March 1994 by the Spokesman for the General Department of Atomic Energy of the Democratic People’s Republic of Korea, 21 Mar. 1994, S/1994/319.

³²¹ United Nations Security Council, Statement by the President of the Security Council, 31 Mar. 1994, S/PRST/1994/13.

³²² United Nations Security Council, Letter dated 19 May 1994 from the Director General of the IAEA addressed to the Secretary-General, 20 May 1994, S/1994/601.

bilateral talks to proceed.³²³ On May 30, the Security Council issued a presidential statement “strongly urging” the DPRK to proceed with refueling only if the safeguard requirements are met.³²⁴

On June 2, in a news conference in Rome, Italy, President William J. Clinton announced that should the IAEA certify that it is no longer possible to determine whether discharged fuel was diverted in 1989, “the question of sanctions has to be at least taken up by the UN Security Council and discussed.” On the same day, Russia had stated that it would support UN sanctions should negotiations with the DPRK fail. While refraining from saying they would veto a sanctions resolution, the Chinese continued to maintain the position that dialogue was the best approach to the matter and that they were making efforts to persuade the DPRK to cooperate with the IAEA.³²⁵ On June 15, then US Ambassador to the UN Madeleine Albright initiated consultations on a draft resolution at the UN to impose phased sanctions on the DPRK in response to its intransigent behavior with regards to IAEA inspections and to deter future uncooperative action. In the meantime, former President Jimmy Carter was on his way to the DPRK at the longstanding invitation of Kim Il-Song to convey the US position and also to gain a better understanding of where the North Koreans stood on the issue.³²⁶ The next day, on June 16, 1994, there was word that through the discussions with President Carter the

³²³ *Ibid.*

³²⁴ United Nations Security Council, Statement by the President of the Security Council, 30 May 1994, S/PRST/1994/28.

³²⁵ President William J. Clinton, The President’s News Conference with Prime Minister Silvio Berlusconi of Italy in Rome, The White House, 2 Jun. 1994.

³²⁶ President William J. Clinton, Remarks on North Korea and an Exchange with Reporters, The White House, 15 Jun. 1994.

North Koreans expressed a possible willingness to replace their nuclear program with light water technology that would be less prone to nuclear proliferation.³²⁷ On June 22, 1994, the US received official confirmation from the North Koreans that they would freeze the key components of its nuclear program, including its five-megawatt reactor, in exchange for the resumption of bilateral talks with the US. The US also agreed to drop its push for sanctions at the UN for the duration of the negotiations.³²⁸

The result of subsequent bilateral discussions was the Agreed Framework between the US and the DPRK, signed on October 21, 1994. The provisions included the following: 1) The US agreed to replace the DPRK's graphite-moderated reactors with light water reactors and to provide an interim energy alternative in exchange for the DPRK's agreement to freeze and dismantle its old reactors; 2) The two sides will move towards the normalization of political and economic relations; 3) Both sides will work towards peace and security on a nuclear-free Korean peninsula; 4) Both sides will support the international nuclear non-proliferation regime, which meant the DPRK would become once again a full-fledged member of the NPT subject to safeguard requirements.³²⁹

2002-2008: Background information

In October 2002, an interagency US team led by Assistant Secretary for East Asian and Pacific Affairs James A. Kelly traveled to the DPRK to inform them that the US had knowledge of their secret nuclear arms program and to persuade the DPRK to

³²⁷ President William J. Clinton, Remarks on North Korea and an Exchange with Reporters, The White House, 16 Jun. 1994.

³²⁸ President William J. Clinton, Remarks on North Korea and an Exchange with Reporters, The White House, 22 Jun. 1994.

³²⁹ Agreed Framework between the United States of America and the Democratic People's Republic of Korea, Geneva, 21 Oct. 1994.

shut down the program. During the meeting, the DPRK openly acknowledged its uranium enrichment program for the development of nuclear weapons and expressed willingness to negotiate for additional benefits in exchange for an eventual resolution of their nuclear program.³³⁰ The international community was quick to react to the DPRK's violation of the 1994 Agreed Framework with the United States.³³¹ Immediately upon the release of the information by the US, the IAEA Director General made efforts to first confirm the information about the nuclear program and second, to promote dialogue with the North Koreans. On November 29, 2002, the IAEA Board of Governors adopted a resolution condemning the DPRK's public statements asserting its entitlement to nuclear weapons possession, and calling for the DPRK to comply with its safeguards agreement in full cooperation with the IAEA and to give up any nuclear weapons program it may have.³³² In December 2002, the United States suspended its supply of heavy oil to the DPRK, which it had agreed to provide as an interim energy alternative until the DPRK received the light water reactors as agreed upon in the 1994 pact. In reaction, the DPRK restarted its nuclear reactor at Yongbyon to make up for the lost energy supply. In addition, it removed containment and surveillance equipment at its nuclear facilities and expelled IAEA nuclear inspectors.³³³ On January 6, 2003, after "noting that there has been no positive response by the DPRK" to the November 29 resolution, the IAEA Board of

³³⁰ James A. Kelly, US Assistant Secretary of State for East Asian and Pacific Affairs, "Ensuring a Korean Peninsula Free of Nuclear Weapons," Remarks to The Research Conference-North Korea: Towards a New International Engagement Framework, Washington, DC, 13 Feb. 2004.

³³¹ IAEA, IAEA Concerned about Possible DPRK Uranium Enrichment Programme: Seeking Clarification from DPRK and USA, IAEA Press Release, 17 Oct. 2002.

³³² IAEA, Resolution of the Board of Governors, 29 Nov. 2002, GOV/2002/60.

³³³ United Nations Security Council, Detailed report of the Korean Central News Agency dated 21 January 2003 on the circumstances of the withdrawal of the Democratic People's Republic of Korea from the Treaty on the Non-Proliferation of Nuclear Weapons, Annex III, 27 Jan. 2003, S/2003/91.

Governors passed another resolution condemning its removal of the inspectors and equipment and calling for the DPRK to fully cooperate with the agency.³³⁴ According to the North Koreans, the IAEA Director General also threatened to refer the matter to the Security Council to apply sanctions should the DPRK fail to comply within a matter of weeks.³³⁵ Through North Korea's official radio broadcast network, Korean Central News Agency, Pyongyang announced that it would view economic sanctions as a declaration of war. On January 10, 2003, through a letter from Paek Nam Sun, DPRK's Minister for Foreign Affairs, delivered by North Korea's UN Ambassador Pak Gil Yon to the Security Council, North Korea announced its decision to effectuate North Korea's withdrawal from the nuclear Non-Proliferation Treaty, effective January 11, 2003.³³⁶ It cited as its reasons the failure of the US to deliver on the commitments made in the Agreed Framework, including the December 2002 decision to stop supplying heavy oil to the DPRK and also the unfulfilled commitment of the US to provide light water reactors to the DPRK. Additionally, the DPRK alleged that the US had failed to maintain its assurances against the use or threat of nuclear weapons by creating a hostile policy against the DPRK, citing such incidences as the Bush administration's dubbing of the

³³⁴ IAEA, Resolution of the Board of Governors, 6 Jan. 2003, GOV/2003/3.

³³⁵ United Nations Security Council, Statement of the Government of the Democratic People's Republic of Korea dated 10 January 2003, Annex II, 27 Jan. 2003, S/2003/91.

³³⁶ United Nations Security Council, Letter dated 10 January 2003 from the Minister for Foreign Affairs of the Democratic People's Republic of Korea addressed to the President of the Security Council, 27 Jan. 2003, S/2003/91.

DPRK as part of the “axis of evil” in the President’s January 30, 2002 State of the Union address to Congress.³³⁷

The US stressed that nuclear proliferation on the Korean peninsula was not solely a bilateral issue but one of regional and global interest. Although the US was willing to talk with the North Koreans, it demanded that it agree to abandon its nuclear weapons program, freeze its nuclear activities, and comply fully with the NPT in cooperation with the IAEA. As stated by then Deputy Secretary of State Richard Armitage, “The United States will not dole out any ‘rewards’ to convince North Korea to live up to its existing obligations. But we do remain prepared to transform our relations with that country, once it complies with its international obligations and commitments.”³³⁸ Contrary to North Korea’s claims that its nuclear activities were limited to “peaceful purposes,” the US believed that North Korea not only had sufficient plutonium to produce several nuclear weapons but also that it had commenced construction in the summer of 2002 on an uranium enrichment plant that could produce two nuclear weapons a year when fully operational.³³⁹

Upon the DPRK’s refusal to cooperate with the IAEA and its rejection of the November and January resolutions, on February 12, 2003 the 35-nation board of governors of the IAEA, which included the five permanent members of the Security

³³⁷ United Nations Security Council, Detailed report of the Korean Central News Agency dated 21 January 2003 on the circumstances of the withdrawal of the DPRK from the Treaty on the Non-Proliferation of Nuclear Weapons, Annex III, 27 Jan. 2003, S/2003/91.

³³⁸ Richard L. Armitage, US Deputy Secretary of State, “Weapons of Mass Destruction Developments on the Korean Peninsula,” Testimony before the Senate Foreign Relations Committee, Washington DC, 4 Feb. 2003.

³³⁹ James A. Kelly, US Assistant Secretary of State for East Asian and Pacific Affairs, “A Peaceful Resolution of the North Korean Nuclear Issue,” Remarks to the House Foreign Relations Committee, Washington, DC, 13 Feb. 2003.

Council, met in Vienna and passed another resolution. This time, the Board of Governors reported the DPRK to the Security Council and the General Assembly on the basis of its “non-compliance” with the safeguards agreement and “the Agency’s inability to verify non-diversion of nuclear materials subject to safeguards.”³⁴⁰ The resolution passed with 33 votes in favor and two abstentions. Strong opposition from permanent members Russia and China reportedly kept the Security Council from any action. According to Russian Foreign Ministry Spokesperson Alexander Yakovenko, it was Russia’s position that a referral would be “counterproductive” and efforts to promote diplomatic dialogue would be more advisable. China was against any Security Council action on the matter and supported a peaceful resolution to the nuclear standoff.³⁴¹

In early 2003, the US proposed multilateral talks to address the North Korean nuclear issue. With a goal of achieving “complete, verifiable, and irreversible dismantlement of all of North Korea’s nuclear programs,” the US strongly supported a multilateral framework for several reasons. The first was that the DPRK’s nuclear weapons program was not only a bilateral US-DPRK issue but “a serious threat to regional peace and security and a challenge to the global non-proliferation regime.” A second reason was that the Bush administration perceived the previous administration’s bilateral approach as less than successful. The third was that a multilateral approach brought in the added benefit of other countries’ influence, resources, and perspectives on conditions necessary for peace and security on the peninsula, as well as the collective

³⁴⁰ IAEA, Resolution of the Board of Governors, 12 Feb. 2003.

³⁴¹ Edith M. Lederer, “US launches new effort to get Security Council to say North Korea violating nuclear obligations,” Associated Press, 18 Jun. 2003.

solidarity of working towards a common goal.³⁴² When the Chinese proposed multilateral talks to the DPRK in March 2003, after initial resistance and rejection of the idea of five-party talks, the DPRK agreed to trilateral talks with the US and China. On April 23, 2003, China hosted three-way talks between the US, North Korea, and China in Beijing. Two rounds of talks were held during which each party expressed their viewpoints on the North Korean nuclear issue and exchanged ideas for a peaceful settlement. Small group sessions allowed for in-depth discussion on topics of concern to each party. During the meetings, the North Koreans pulled the US representative aside to inform him that they had nuclear weapons and were considering transferring or demonstrating them.³⁴³ Foreign Minister Li Zhaoxing met with the US and North Korean delegations on the third day of talks.³⁴⁴ China maintained its position that the North Korean peninsula should be nuclear-free and its objective to work towards peace and stability on the Korean Peninsula. Chinese Foreign Ministry spokesman Liu Jianchao stated that China supported denuclearization of the Korean peninsula but also wanted North Korea's security concerns addressed.

Keeping a promise to its allies, the US insisted that Japan and South Korea be included in the next round of talks. Russia was included as well. After more persuading, the Chinese managed to convince the North Koreans to participate in Six-Party Talks. On

³⁴² James A. Kelly, US Assistant Secretary of State for East Asian and Pacific Affairs, "Ensuring a Korean Peninsula Free of Nuclear Weapons," Remarks to The Research Conference- North Korea: Towards a New International Engagement Framework, Washington, DC, 13 Feb. 2004.

³⁴³ James A. Kelly, US Assistant Secretary for East Asian and Pacific Affairs, "Dealing with North Korea's Nuclear Programs," Statement to the Senate Foreign Relations Committee, Washington, DC, 15 Jul. 2004.

³⁴⁴ People's Republic of China, Ministry of Foreign Affairs, "Foreign Ministry Spokesman Liu Jianchao on the Beijing Talks Between China, DPRK, and the United States," 25 Apr. 2003.

August 27, 2003, the Heads of Delegation of the Six-Party Talks met in Beijing.³⁴⁵ Chinese Vice Foreign Minister Wang Yi in his opening speech stated that “the Six-Party Talks were not only the continuation and expansion of the trilateral talks held last April in Beijing, but also a new start.”³⁴⁶ They expressed their respective positions and exchanged ideas towards the common goal of denuclearization of the Korean Peninsula.^{347,348} Progress was made although differences remained and tensions were present. “The other five parties all told North Korea very clearly in plenary session that they will not accept North Korea’s possessing nuclear arms. In response, the North Koreans threatened that they would demonstrate nuclear weapons.”³⁴⁹ According to Wang Yi, the US and the DPRK communicated “constructive messages.” “On the US side, it stressed that it was possible to solve the nuclear issue through peaceful means, the US did not intend to threaten, invade, attack, or seek a regime change in the DPRK, and the US hoped to address issues of mutual concern with the DPRK through negotiations and to move towards establishment of diplomatic ties in a gradual manner. On the DPRK side, it indicated that the DPRK longed for peace and was ready to establish friendship with all countries. A nuclear-free Korean peninsula was the objective of the DPRK, and it

³⁴⁵ People’s Republic of China, Ministry of Foreign Affairs, “Foreign Minister Li Zhaoxing Meets Heads of Delegations to the Six-Party Talks,” 27 Aug. 2003.

³⁴⁶ People’s Republic of China, Ministry of Foreign Affairs, “The Six-Party Talks Kicked off,” 27 Aug. 2003.

³⁴⁷ People’s Republic of China, Ministry of Foreign Affairs, “The Beijing Six-Party Talks on the Korean Nuclear Issue Entered Their Second Day,” 28 Aug. 2003.

³⁴⁸ James A. Kelly, US Assistant Secretary of State for East Asian and Pacific Affairs, “Remarks on Day One of the Second Round of Six-Party Talks,” Beijing, China, 25 Feb. 2004.

³⁴⁹ James A. Kelly, US Assistant Secretary for East Asian and Pacific Affairs, “Dealing with North Korea’s Nuclear Programs,” Statement to the Senate Foreign Relations Committee, Washington, DC, 15 Jul. 2004.

was not the DPRK's aim to own nuclear weapons."³⁵⁰ The US acknowledged China's critical role in convincing the DPRK to join the Six-Party Talks and in hosting the talks. Additionally, the US credited the Chinese with conveying to the DPRK that nuclear proliferation on the Korean peninsula was not just a bilateral issue but "a matter of great concern to its neighbors in the region."³⁵¹ "All the parties expressed their gratitude to the Chinese hosts for their important efforts and considerate accommodations facilitating the talks. All the parties said that the Beijing talks have provided an important opportunity for solving the Korean nuclear issue and laying a basis for further talks. The parties said that they will earnestly review the proposals and propositions raised by various parties during the meeting."³⁵²

In October 2003, the DPRK announced that it had completed the reprocessing of over 8000 spent fuel rods, producing enough fissile material to create five to six nuclear weapons.³⁵³

On February 25, 2004, China hosted a second round of Six-Party Talks in Beijing to identify first phase solutions to the nuclear issue.³⁵⁴ In the second round, the six parties established a format and process for further discussions. "The parties agreed to regularize the talks and to establish a working group to set up issues for resolution at the plenary

³⁵⁰ People's Republic of China, Ministry of Foreign Affairs, "Vice FM Wang Yi, Head of Chinese Delegation to the Six-party Talks Gives a Press Conference," 30 Aug. 2003.

³⁵¹ James A. Kelly, US Assistant Secretary for East Asian and Pacific Affairs, "Testimony before the Senate Foreign Relations Committee," Washington, DC, 11 Sept. 2003.

³⁵² People's Republic of China, Ministry of Foreign Affairs, "The Six Party Talks Ended," 29 Aug. 2003.

³⁵³ James A. Kelly, US Assistant Secretary of State for East Asian and Pacific Affairs, "Ensuring a Korean Peninsula Free of Nuclear Weapons," Remarks to The Research Conference-North Korea: Towards a New International Engagement Framework, Washington, DC, 13 Feb. 2004.

³⁵⁴ People's Republic of China, Ministry of Foreign Affairs, "Opening Remarks by H.E. Wang Yi, Vice Minister of Foreign Affairs of the People's Republic of China at Second Round of Beijing Six-Party Talks," 25 Feb. 2004.

meetings.” In addition, South Korea offered the DPRK fuel aid in exchange for its agreement and initiation of a complete, verifiable, irreversible dismantlement (CVID).^{355,356}

The third round of talks took place beginning June 21, 2004. The US met one-on-one with all parties including the DPRK. During the one-on-one talks, the North Koreans conveyed that there were some in the DPRK who were considering a nuclear weapon test should the talks fail to progress. The US and South Korea both put forth proposals on the denuclearization of the Korean peninsula. The North Koreans proposed to freeze its nuclear programs in exchange for benefits from the other parties. The Japanese offered to provide fuel aid to the DPRK upon its agreement to and initiation of the process of denuclearization. The Chinese were proactive in seeking agreement on basic principles for an agreement on denuclearization. The Russians also sought consensus amongst the parties.³⁵⁷

The North Koreans postponed the fourth round of Six-Party Talks that were to be held in September 2004, although at the time the DPRK expressed that it remained committed to the Six-Party Talks.³⁵⁸

³⁵⁵ James A. Kelly, US Assistant Secretary for East Asian and Pacific Affairs, “Dealing with North Korea’s Nuclear Programs,” Statement to the Senate Foreign Relations Committee, Washington, DC, 15 Jul. 2004.

³⁵⁶ Colin L. Powell, US Secretary of State, “Remarks with South Korean Minister of Foreign Affairs and Trade Ban Ki-Moon After Their Meeting,” Washington, DC, 4 Mar. 2004.

³⁵⁷ James A. Kelly, US Assistant Secretary for East Asian and Pacific Affairs, “Dealing with North Korea’s Nuclear Programs,” Statement to the Senate Foreign Relations Committee, Washington, DC, 15 Jul. 2004.

³⁵⁸ Colin L. Powell, US Secretary of State, “Remarks with Chinese Foreign Minister Li Zhaoxing after Their Meeting,” Washington, DC, 30 Sept. 2004.

On February 10, 2005, the DPRK announced that it had produced nuclear weapons.³⁵⁹ Unless the US disavowed its hostile policy against the DPRK, the North Koreans would suspend their participation in the Six-Party Talks indefinitely.³⁶⁰

The fourth round of Six-Party Talks resumed and took place from July 26-August 7 and from September 13-September 19, 2005. China submitted a draft Joint Statement and mediated negotiations on the draft, revising it a total of five times.³⁶¹ On September 19, the parties adopted the Joint Statement, in which the DPRK agreed to “abandon all nuclear weapons and existing nuclear programs and return to the NPT and IAEA Safeguards.” The US provided security assurances, affirming that it had “no nuclear weapons on the Korean peninsula and no intention to attack or invade the DPRK with nuclear or conventional weapons. The five parties agreed to promote economic cooperation and energy assistance to the DPRK.”³⁶² In the same month, however, the Department of Treasury designated a bank in Macau, Banco Delta Asia, as a “primary money laundering concern” and froze its funds. The bank was suspected of aiding North Korean entities in illicit activities, including drug trafficking, smuggling counterfeit tobacco products, and laundering money and disseminating counterfeit \$US bills made by

³⁵⁹ IAEA, Board of Governors, “Nuclear Verification: Report by the Director General on the implementation of safeguards in the DPRK,” 3 Mar. 2005.

³⁶⁰ Sun Ru, “Sino-US Cooperation in North Korean Nuclear Issue,” *Contemporary International Relations (Xiandai Guoji Guanxi)* 5 (2007).

³⁶¹ Zhu Feng, “North Korean Nuclear Issue after the Fourth Round of Six-Party Talks: New Prospects and Old Problems,” *Contemporary International Relations (Xiandai Guoji Guanxi)* 10(2005), cited in Sun Ru, “Sino-US Cooperation in North Korean Nuclear Issue,” *Contemporary International Relations (Xiandai Guoji Guanxi)* 5(2007).

³⁶² Joint Statement of the Fourth Round of Six-Party Talks, Beijing, 19 Sept. 2005.

the North Korean government. Shortly after, the Six-Party Talks collapsed, with North Korea refusing to return to the talks until the US lifted its sanctions against the bank.³⁶³

Security Council resolutions

Sanctions resolutions- North Korea				
Resolution	Sanctions	Objective	China's vote	Reasons cited
1718 (2006)	-Ban on sale and procurement of conventional arms, as well as equipment, technology, and supplies related to WMDs -Sale and supply of luxury goods -Ban on transfer of technical training or assistance related to WMDs or conventional arms -Freezing of funds of individuals contributing to nuclear program -Inspection of cargo to and from the DPRK for sanctioned items	-Demands that DPRK does not conduct further nuclear tests or ballistic missile launches -Retract withdrawal from the NPT -Return to IAEA safeguards -Suspend ballistic missile program -Abandon all nuclear weapons and existing nuclear programs in a "complete, verifiable, irreversible manner"	Support	-Firmly oppose the use of force -Satisfied with the emphasis on diplomatic efforts -Understanding that compliance with resolution will lead to lifting of sanctions -Reservations on provisions involving cargo inspections

On July 5, 2006, North Korea launched a series of seven missile tests, most of which landed in the Sea of Japan and a failed launch of a long-range Taepodong-2 which

³⁶³ Christopher R. Hill, US Assistant Secretary for East Asian and Pacific Affairs, "Recent Developments in US-Democratic People's Republic of Korea Relations," Statement before the House International Affairs Committee, Subcommittee on Asia and the Pacific, Washington, DC, 29 Jun. 2006.

hypothetically is capable of hitting Alaska.³⁶⁴ In determining a response from the Security Council, Japan submitted a strongly worded draft resolution to the Security Council imposing sanctions on missile-related technology and financial transactions. The draft resolution was co-sponsored by Britain, France, and the United States and included mention of Chapter VII of the UN Charter as well as imposition of sanctions in response to the missile tests. According to the Chinese Foreign Ministry, China's position was that the draft resolution as submitted by Japan was an "overreaction" that would "increase tensions."³⁶⁵ China moved from several different positions, initially proposed only the release of a press statement, in response to which the US and Japan insisted upon a resolution. China then countered with a draft presidential statement, that condemned the missile tests and called upon the resumption of Six-Party Talks and implementation of the September 19, 2005 statement,³⁶⁶ to which again the US and Japan insisted upon a resolution.³⁶⁷ Finally, China, with Russia's support, submitted an alternate draft resolution that did not mention Chapter VII or sanctions..^{368,369,370} The draft was by some parties

³⁶⁴ Tony Snow, White House Press Secretary and Steve Hadley, US National Security Advisor, "Press Briefing on North Korea Missile Launch," Washington, DC, 4 Jul. 2006.

³⁶⁵ "China labels draft UN resolution on DPRK missile launch overreaction," Xinhuanet, 12 Jul. 2006, accessed February 15, 2010 on China Economic Net. http://en.ce.cn/World/Asia-Pacific/200607/12/t20060712_7703797.shtml.

³⁶⁶ "China circulates draft presidential statement on DPRK missile," Xinhuanet, 11 Jul. 2006, accessed February 15, 2010 on China Economic Net. http://en.ce.cn/National/Politics/200607/11/t20060711_7692931.shtml.

³⁶⁷ Author interview with John R. Bolton, US Permanent Representative to the United Nations (2005-2006), 12 Jun. 2007.

³⁶⁸ John R. Bolton, US Permanent Representative to the United Nations, "Remarks on Iran, North Korea, and the Middle East," Remarks at a Security Council Stakeout, New York City, 12 Jul. 2006.

³⁶⁹ John R. Bolton, US Permanent Representative to the United Nations, "Remarks on the Draft Resolution on North Korea," Remarks at a Security Council Stakeout, New York City, 14 Jul. 2006.

“considered weak in the message and measure it proposed and insufficient to deal adequately with the issue of peace, security, and stability at hand.” The Security Council members worked to resolve the differences reflected in the two draft resolutions, with Japan submitting a second revised resolution in an attempt to resolve differences with China. However, China still threatened to veto the revised draft. There was a lot of contention surrounding the mention of Chapter VII, whether the resolution would “invoke Chapter VII”, “act under Chapter VII.” The Chinese and Russians expressed concern over the mention of Chapter VII because they perceived it as a prior authorization for the use of military force. According to former US Representative to the UN John Bolton, this stemmed from a misunderstanding from the use of sanctions in 1990 against Iraq, when “checking off the sanctions box” allowed the US and the UK to gather support for the use of force to repel the Iraqi invasion of Kuwait.³⁷¹ A compromise was reached when Britain and France proposed alternative language to replace mention of Chapter VII, acting instead under the Security Council’s “special responsibility for the maintenance of international peace and security.”³⁷² Resolution 1695 passed unanimously without mention of Chapter VII. It condemned the multiple ballistic missile launches, to demand that the DPRK suspend its ballistic missile program, and to urge the DPRK to return to six-party talks without preconditions. Additionally, the resolution required all Member States “in accordance with their national law authorities and international law”

³⁷⁰ “Chinese, Russian FMs talk over phone on UN response to DPRK missile tests,” Xinhuanet, 9 Jul. 2006, accessed February 15, 2010 on China Economic Net. http://en.ce.cn/National/Politics/200607/09/t20060709_7660690.shtml.

³⁷¹ Author interview with John R. Bolton, US Permanent Representative to the United Nations (2005-2006), 12 Jun. 2007.

³⁷² “UN may be close to deal on N. Korea resolution,” Reuters, 15 Jul. 2006, accessed 15 Feb. 2010 on China Economic Net. http://en.ce.cn/World/Asia-Pacific/200607/15/t20060715_7745460.shtml.

to “exercise vigilance and prevent the transfer and procurement of missile and missile-related items and technology... as well as financial resources to the DPRK’s missile or WMD programs.”³⁷³ Therefore, although the resolution mentioned sanctions against missile-related items, they were not invoked under Chapter VII and were not legally binding. Then Chinese Permanent Representative to the UN Wang Guangya stated, “China has adopted a responsible attitude and is firmly opposed to forcing through a vote on a draft resolution that is not conducive to unity and that would further complicate and aggravate the situation...and create enormous obstacles for the Six-Party Talks and other important diplomatic endeavors.” They “made constructive and vigorous efforts to seek consensus on this issue among Security Council members.” China remained “opposed to any acts leading to further tension on the Korean peninsula.”³⁷⁴

On October 3, 2006, the Foreign Ministry of the DPRK issued a statement announcing the country’s intention to conduct a nuclear test. On October 6, 2006, at an emergency meeting, the Security Council issued a presidential statement urging the DPRK not to carry out the test and “stress[ing] that a nuclear test...would represent a clear threat to international peace and security.”³⁷⁵ October 9, 2006, North Korea conducted an underground nuclear test in reaction to what it referred to as the “nuclear threat, sanctions, and pressure” of the US.³⁷⁶ The US again urged for UN sanctions under

³⁷³ United Nations Security Council, Resolution 1695, 15 Jul. 2006, S/RES/1695.

³⁷⁴ United Nations Security Council, Provisional verbatim record of the 5490th meeting, 15 Jul. 2006, S/PV.5490.

³⁷⁵ United Nations Security Council, Statement by the President of the Security Council, 6 Oct. 2006, S/PRST/2006/41.

³⁷⁶ United Nations Security Council, Statement of the Spokesman of the Ministry of Foreign Affairs of the Democratic People’s Republic of Korea, Annex to the letter dated 11 October 2006 from the Permanent

Chapter VII against North Korea, supported by Britain, France, and Japan, which held the presidency of the Security Council that month. Initially, although China and Russia strongly condemned the North Korean nuclear test, they withheld their position on sanctions.³⁷⁷ The Chinese Foreign Ministry spokesperson Liu Jianchao expressed China's resolute opposition to the nuclear test and stated that the test had a negative impact on its bilateral relations with the DPRK. Nevertheless, China would continue its policy of "good neighborly and friendly cooperation" with the DPRK.³⁷⁸

On October 11, 2006, the US introduced a draft resolution that proposed sanctions on materials related to North Korea's weapons of mass destruction, including nuclear, chemical, and biological weapons, as well as addressed illicit activities such as counterfeiting and drug trafficking.³⁷⁹ The draft resolution referenced Chapter VII of the UN Charter, as well as the option of using military force if necessary. It also included language calling upon Member States to interdict cargo to and from North Korea suspected of transporting weapons of mass destruction and related materials, as similarly outlined in the Statement of Interdiction Principles under the Proliferation Security Initiative.³⁸⁰ China opposed the mention of Chapter VII, as well as language involving

Representative of the DPRK to the UN addressed to the President of the Security Council, 11 Oct. 2006, S/2006/801.

³⁷⁷ John R. Bolton, US Permanent Representative to the United Nations, Remarks on the Security Council's Consultations on the Nuclear Test by North Korea, Remarks at the UNSC Stakeout, New York City, 9 Oct. 2006, USUN Press Release #265.

³⁷⁸ "China's policy on developing friendly ties with DPRK 'unchanged,'" Xinhuanet, 11 Oct. 2006, accessed 15 Feb. 2010 on China Economic Net, http://en.ce.cn/National/Government/200610/11/t20061011_8911425.shtml.

³⁷⁹ John R. Bolton, US Representative to the United Nations, Remarks on North Korea at the Security Council stakeout, 10 Oct. 2006, US Mission to the UN, USUN Press Release #271(06).

³⁸⁰ John R. Bolton, US Representative to the United Nations, Remarks on North Korea at the Security Council stakeout, 12 Oct. 2006, US Mission to the UN, USUN Press Release #276(06).

interdiction and the option of using military force.³⁸¹ The US emphasized that allowing for the option of using military force did not automatically permit its use, and that a separate resolution would be required to authorize the actual use of force. China and Russia also supported keeping sanctions focused on the DPRK's nuclear and weapons programs. In a second draft, language on interdiction calling on all states to inspect cargo to and from North Korea to monitor compliance with sanctions was replaced with language that would allow states to inspect cargo "as necessary."³⁸² China still expressed concerns, citing the possibility of North Korea using inspections as an excuse for provocation.³⁸³ On October 12, 2006, although China and Russia both supported having more time to negotiate a moderate resolution, the US pushed to have a swift vote and decision on the resolution by the next day. The evening of October 12, the permanent members of the Security Council plus Japan came to a tentative agreement on a revised draft resolution. Among the compromises was the replacement of a US proposal for a broad arms embargo with a more targeted embargo on the "most lethal weapons."³⁸⁴ On October 13, 2006, South Korean President Roh Moo Hyun met with Chinese President Hu Jintao in Beijing to discuss options in responding to North Korea. The active support for sanctions of the two countries, as the primary partners of trade and assistance to the North, was crucial for the credibility of any sanctions resolution passed. Hu stated,

³⁸¹ "Russia, China opposes North Korea sanctions," Xinhuanet, 13 Oct. 2006, accessed 13 Feb. 2010, on China Economic Net. http://en.ce.cn/World/Asia-Pacific/200610/13/t20061013_8948684.shtml.

³⁸² *Ibid.*

³⁸³ John R. Bolton, US Permanent Representative to the United Nations, Remarks on North Korea at the Security Council stakeout, 12 Oct. 2006, US Mission to the UN, USUN Press Release #278(06).

³⁸⁴ John R. Bolton, US Permanent Representative to the United Nations, Remarks on the draft resolution on North Korea at the Security Council stakeout, 13 Oct. 2006, US Mission to the UN, USUN Press Release #280(06).

“China will unswervingly stick to the objective of the denuclearization of the Korean peninsula, opposes nuclear proliferation, [and] insists on the general direction of resolving the issue through peaceful dialogue and negotiation.”³⁸⁵ China emphasized its position that diplomatic dialogue, specifically through the Six-Party Talks, was the means through which the dispute should be resolved.

On October 14, 2006, following a final round of consultations, the Security Council passed resolution 1718 imposing sanctions on North Korea in response to its nuclear test.³⁸⁶ The vote was unanimous in favor of the resolution after a compromise resolution was reached to balance the positions of the US on one hand, Russia and China on the other. The text ultimately did not include reference to military action, although it did impose sanctions under Chapter VII of the UN Charter. The sanctions included the banning of the “supply, sale or transfer to the DPRK” of conventional arms and related materials, as well as equipment, technology, and supplies related to weapons of mass destruction. The resolution also banned the sale and supply of luxury goods to the DPRK, a “creative measure aimed at depriving those central to a crisis of things that really matter to them.”³⁸⁷ Additionally, Member States were prohibited from transferring “technical training...or assistance related to the provision, manufacture, maintenance, or use” of conventional weapons and weapons of mass destruction. The funds of individuals or entities that contributed to the DPRK’s nuclear programs were to be frozen. Additionally, Member States were to “take the necessary steps to prevent the entry into or transit

³⁸⁵ “China Sticks to Peaceful Settlement,” 14 Oct. 2006, Xinhuanet, accessed 13 Feb. 2010 on China Economic Net. http://en.ce.cn/National/Politics/200610/14/t20061014_8960344.shtml.

³⁸⁶ John R. Bolton, US Permanent Representative to the United Nations, Remarks on the draft resolution on North Korea, at the Security Council stakeout, 14 Oct. 2006, US Mission to the UN, USUN Press Release #287(06).

³⁸⁷ Author interview with US Department of State official, 2 Dec. 2009.

through their territories of the persons designated by the Committee or by the Security Council as being responsible for...DPRK policies in relation to the DPRK's nuclear-related, ballistic missile-related and other weapons of mass destruction-related programs....” Finally, Member States were “called upon to take...cooperative action including through inspection of cargo to and from the DPRK, as necessary” to prevent the illegal trafficking of sanctioned items.³⁸⁸

Resolution 1718 (2006) was the first sanctions resolution under Chapter VII successfully passed against North Korea, due in large part to China's support. Chinese UN Ambassador Wang stated, “We believe that the action of the Security Council should both indicate the firm position of the international community and help create enabling conditions for the final peaceful solution to the DPRK nuclear issue through dialogue. As the resolution basically reflects the aforementioned spirit, the Chinese delegation voted in favor of it.”³⁸⁹ Wang further pointed out in his statement, “Although the negative development of the DPRK nuclear test has emerged, our policies as just outlined remain unchanged. We still believe that the Six-Party Talks are the realistic way to handle the relevant issues. We also firmly oppose the use of force. China has noted with satisfaction that in condemning the nuclear test of the DPRK, the parties concerned have all indicated the importance of adhering to diplomatic efforts.” Furthermore, Wang stated that China did not support indefinite sanctions against North Korea. “China would like to reiterate that sanctions in themselves are not the end. If the Democratic People's Republic of Korea complies with the resolution, sanctions will be lifted,” stated Wang. Wang also

³⁸⁸ United Nations Security Council, Resolution 1718, 14 Oct. 2006, S/RES/1718.

³⁸⁹ United Nations Security Council, Provisional verbatim record of the 5551st meeting, 14 Oct. 2006, S/PV.5551.

pointed out that China did not approve of the inspection of shipments going to and from the DPRK and that China held “reservations about the relevant provisions of the resolution.”³⁹⁰ North Korea’s UN Ambassador Pak Gil Yon stated that his country rejected the resolution in its entirety and walked out of the Security Council meeting in protest.

Since 1993, China’s position on Security Council resolutions on North Korea had come a long way, from opposition to consider any action by the Security Council against North Korea to supporting sanctions against North Korea beginning in 2006. China’s positions on resolution 1695 (2006) demonstrate that even after North Korea’s ballistic missile tests in July 2006, China was still resistant to consider a resolution against North Korea but shifted its position as the US, France, and UK persisted in their push for a resolution. Once China agreed to a resolution, China was able to successfully negotiate for the elimination of the mention of Chapter VII in resolution 1695 (2006). The shift of China’s position from a press statement to a resolution in July 2006 indicates possible existing divergent views amongst the Chinese top leadership that made the shift possible in the context of Western insistence on a resolution. China’s opposition to the mention of Chapter VII due to its concerns over the implications for the use of military force was accommodated in the resolution by replacement of Chapter VII with the phrase “special responsibility for the maintenance of international peace and security.” In addition, the imposition of mandatory sanctions was excluded from the resolution. Resolution 1695 (2006) encouraged Member States to “exercise vigilance” with regards to the transfer of missile and missile-related technology to the DPRK, however these were

³⁹⁰ *Ibid.*

recommendations and were not legally binding. In October 2006 in the aftermath of North Korea's nuclear test, after initial resistance China was agreeable to sanctions as an appropriately proportional response to the North Korean action and was successful in negotiating for more targeted sanctions against the "most lethal weapons" in lieu of a broad arms embargo. Additionally it was somewhat successful at moderating the language on interdiction. Since 2006, China therefore appears to be more successful in negotiating for its positions during resolution negotiations with North Korea, when compared to the degree of its success in the resolutions on the Sudan. This is in part due to China's shift towards a willingness to consider sanctions, in contrast to its refusal to accept even the mention of sanctions in the resolutions on the Sudan.

China's Positions during Resolutions Negotiations- North Korea				
Year	Resolution	China's position	Resultant Compromise	China's vote
1993	825	-Opposes any action by the Security Council	-None made	Abstain
2006	1695	1) Press statement 2) Presidential statement 3) Resolution that does not mention Chapter VII or sanctions	1) None made- US, France, UK insisted on a resolution 2) None made- US, France, UK insisted on a resolution 3) Sanctions included, Chapter VII replaced with "special responsibility for the maintenance of international peace and security"	Support
2006	1718	-Opposed mention of Chapter VII, option of using military force -Opposed language involving interdiction -Supported focusing sanctions only on nuclear and weapons programs	-Chapter VII remained in text, reference to military force removed -Interdiction language replaced with language allowing states to "inspect cargo as necessary" -Replacement of broad arms embargo with embargo on most lethal weapons	Support

On October 31, 2006, China hosted a trilateral meeting between the US, China, and North Korea in Beijing, during which an agreement was reached for the North

Koreans to return to the Six-Party Talks.³⁹¹ The US in exchange, had agreed to discuss the issue of the DPRK's frozen assets in Macao, a key pressure point in returning the DPRK back to the negotiation table.³⁹² The objective of the next round of Six-Party Talks was to implement the September 2005 Joint Statement.

On December 18, 2006, the fifth round of Six-Party Talks resumed in Beijing. In a separate bilateral mechanism, the US also agreed to unfreeze North Korea's funds held at the Banco Delta Asia.^{393, 394} This led to a breakthrough in negotiations in February 2007.³⁹⁵ On February 13, 2007, the chief negotiators of the six parties came to an agreement on the Initial Actions for the Implementation of the Joint Statement. The DPRK agreed to shut down and seal the Yongbyon nuclear facility, allow IAEA inspectors to conduct verifications, and disclose all of its nuclear programs in the process towards complete denuclearization. The other parties would provide energy assistance in the form of Heavy Fuel Oil (HFO), or its equivalent in alternative economic, energy, and humanitarian aid in the process towards denuclearization.³⁹⁶ As part of the agreement, the US agreed to begin the process of removing the DPRK from its list of state sponsors of

³⁹¹ R. Nicholas Burns, US Under Secretary for Political Affairs, "US Policy Toward North Korea," Testimony to the House International Relations Committee, Washington, DC, 16 Nov. 2006.

³⁹² Author interview with US Department of State official, 2 Dec. 2009.

³⁹³ People's Republic of China, Ministry of Foreign Affairs, "The Fifth Round of Beijing Six-Party Talks Wraps Up Adopting a Document on the Initial Step to Implement the Joint Statement," 13 Feb. 2007.

³⁹⁴ Christopher R. Hill, US Assistant Secretary for East Asian and Pacific Affairs, "North Korea and the Current Status of Six-Party Agreement," Statement Before the House Foreign Affairs Committee, Washington, DC, 28 Feb. 2007.

³⁹⁵ Sun Ru, "Sino-US Cooperation in North Korean Nuclear Issue," *Contemporary International Relations (Xiandai Guoji Guanxi)* 5 (2007).

³⁹⁶ Christopher R. Hill, US Assistant Secretary for East Asian and Pacific Affairs, *The Six Party Process: Progress and Perils in North Korea's Denuclearization*, Testimony before House Committee on Foreign Affairs Subcommittee on Asia, the Pacific and the Global Environment and Subcommittee on Terrorism, Nonproliferation, and Trade, Washington, DC, 25 Oct. 2007.

terrorism and of terminating the application of the Trading with the Enemy Act to the DPRK.³⁹⁷

On February 23, 2007, the DPRK invited the Director General of the IAEA for a visit and to discuss the re-establishment of relations between the country and the agency. From June 26-29, 2007, a team from the IAEA visited the DPRK to discuss an ad-hoc arrangement for the monitoring and verification of the shutdown of the Yongbyon facility as outlined in the February 13 Initial Actions for the Implementation of the Six-Party Joint Statement. The agreement was approved by a special meeting of the IAEA Board of Governors on July 9, 2007. On July 14, 2007, an IAEA team arrived in Yongbyon to implement the ad hoc arrangement, reporting a few days later on July 17 that on initial verification the Yongbyon nuclear facility had been shut down.³⁹⁸ On the same day, the Six-Party Talks resumed in Beijing to begin negotiations on the second phase of implementation of the September 2005 Joint Agreement.

On October 3, 2007, the Six-Party Talks reached an agreement on “Second Phase Actions for the Implementation of the Joint Statement.” Under the second phase, the DPRK agreed to declare all of its nuclear programs including nuclear facilities and materials by the end of 2007. The DPRK also agreed to disable all existing nuclear facilities, beginning with the disablement of its nuclear facilities at Yongbyon by the end of the year. The implementation of these measures would in effect terminate its ability to

³⁹⁷ Christopher R. Hill, US Assistant Secretary for East Asian and Pacific Affairs, Press Availability in Japan, Hakone, Japan, 14 Jul. 2007.

³⁹⁸ IAEA, Board of Governors, Application of Safeguards in the DPRK, General Conference, 17 Aug. 2007, GOV/2007/45-GC(51)/19.

produce plutonium.³⁹⁹ In return, the other parties to the talks would continue to provide HFO to the DPRK, up to an agreed upon total of one million tons of HFO or its equivalent for the implementation of the First and Second Phases of the Joint Statement. In addition, the US reaffirmed its commitment to remove the DPRK from the list of state sponsors of terrorism and to terminate the application of the Trading with the Enemy Act upon North Korea's fulfillment of the Second Phase of the Joint Statement.⁴⁰⁰

On November 1, 2007, the first team of US experts tasked with overseeing the disablement of the three core nuclear facilities at Yongbyon arrived in the DPRK. These facilities included the 5-MW(e) nuclear reactor, the reprocessing plant, and the fuel rod fabrication facility. All agreed upon disablement tasks at the reprocessing plant and the fuel rod fabrication facility were completed by December 31, 2007, with the exception of the discharge of spent fuel at the 5 MW(e) reactor, which was understood by the parties that it was to continue into 2008 due to health/safety and verification issues. On the other hand, the DPRK did not meet the December 31, 2007 deadline to provide a "complete and correct" declaration of all of its nuclear programs, including all weapons, materials, facilities, and proliferation activities. By February 2008, the other parties of the Six-Party Talks had provided a combined total of 200,000 tons of HFO to the DPRK, with the exception of Japan, which did not participate in the provision of energy assistance due to unresolved issues with regards to Japanese abductees. Half of the promised energy

³⁹⁹ Christopher R. Hill, US Assistant Secretary for Bureau of East Asian and Pacific Affairs, "The Six Party Process: Progress and Perils in North Korea's Denuclearization," Testimony before House Committee on Foreign Affairs Subcommittee on Asia, the Pacific and the Global Environment and Subcommittee on Terrorism, Nonproliferation, and Trade, Washington, DC, 25 Oct. 2007.

⁴⁰⁰ Christopher R. Hill, US Assistant Secretary for Bureau of East Asian and Pacific Affairs, "The Six Party Process: Progress and Perils in North Korea's Denuclearization," Testimony before House Committee on Foreign Affairs Subcommittee on Asia, the Pacific and the Global Environment and Subcommittee on Terrorism, Nonproliferation, and Trade, Washington, DC, 25 Oct. 2007.

assistance was to be provided in HFO, while the other half was to be provided in equivalent materials and equipment to be used for refurbishing coal mines, thermal and hydro power plants.⁴⁰¹

On April 28, 2008, Chinese Foreign Minister Yang Jiechi met with DPRK Foreign Minister Pak Ui Chin in Beijing. Yang urged the DPRK to cooperate in the implementation of the second phase measures towards the DPRK's denuclearization. China offered to "increase communication and coordination with the DPRK to make progress in this regard." Yang stated, "it was also the expectation of the international community." Pak replied that "it was the constant position of the DPRK to de-nuclearize the Korean Peninsula and that the DPRK would like to work with all relevant parties to fulfill obligations."⁴⁰²

From June 17-19, 2008, Chinese Vice-President Xi Jinping made an official goodwill visit to the DPRK, where he met with Kim Jong Il among other senior DPRK officials. Xi emphasized the traditional bilateral friendship between the two countries and also expressed China's readiness to further develop relations through the maintenance of high-level contact and increased trade and economic cooperation.⁴⁰³ On June 26, 2008, the DPRK provided a declaration of its nuclear programs to the Chinese Chair of the Six-Party Talks. On the same day, President Bush announced the termination of the

⁴⁰¹ Christopher R. Hill, US Assistant Secretary for East Asian and Pacific Affairs, "Status of the Six-Party Talks for the Denuclearization of the Korean Peninsula," Statement Before the Senate Foreign Relations Committee, Washington, DC, 6 Feb. 2008.

⁴⁰² People's Republic of China, Ministry of Foreign Affairs, "Yang Jiechi Holds Talks with DPRK Foreign Minister Pak Ui Chun," 28 Apr. 2008.

⁴⁰³ "Kim Jong Il meets Chinese Vice-President," Xinhuanet, 19 Jun. 2008, accessed 15 Feb. 2010 on China Economic Net, http://en.ce.cn/National/Politics/200806/19/t20080619_15880702.shtml.

application of the Trading with the Enemy Act (TWEA) to the DPRK, and also notified Congress of his intent to remove the designation of the DPRK as a State Sponsor of Terrorism in accordance with the law that requires a 45-day Congressional notification period. The 45-day period would be used to continue to assess North Korea's cooperation, including the reaching of an agreement on a verification protocol to review the correctness and completeness of the DPRK's declaration. By this time, the DPRK has received up to 420,000 tons of HFO. Although the DPRK's declaration of nuclear programs addressed its plutonium nuclear program, questions remained on its uranium enrichment program and activities.⁴⁰⁴

On July 23, 2008, the foreign ministers of the six parties gathered for the first time in Beijing for an informal meeting of the Six-Party Talks. Chinese Foreign Minister Yang Jiechi made remarks about the progress made the six parties, including the successful implementation of the Joint Statement and efforts made to implement the second phase measures. In the recent past, the Heads of Delegations had met in Beijing and determined verification and monitoring mechanisms, finalized the guiding principles for peace and security, and established a timetable for completing the second phase. Yang noted that the Six-Party Talks were nearing the point at which the talks can move into a third and final phase towards the complete denuclearization of the Korean peninsula. The objectives of the third phase included the abandonment by the DPRK of its nuclear weapons and programs, the dismantlement of all of its nuclear facilities, removal of

⁴⁰⁴ Christopher R. Hill, US Assistant Secretary for East Asian and Pacific Affairs, "North Korean Six-Party Talk and Implementation Activities," Statement before the Senate Committee on Armed Services, Washington, DC, 31 Jul. 2008.

fissile material, and a final verification of the DPRK's denuclearization.⁴⁰⁵ At the meeting, the six parties reached consensus on six points. First, that the initial phase of the Six-Party Talks had been successful. Second, the six parties reaffirmed their commitment to fulfilling the joint statement and related documents. Third, that the Six-Party Talks serve as an important forum for dialogue to address the nuclear issue on the Korean Peninsula, on normalization of relations between involved parties, and on a new framework for peace and security in Northeast Asia. Fourth, efforts should continue towards the completion of the second phase measures, including agreement on a verification protocol. Fifth, that the six parties should continue to advance talks towards resolution of the issues at hand, and sixth, that a formal meeting of the foreign ministers should be held in the future, to be determined through follow-up consultations.⁴⁰⁶

From December 8-11, 2008, the Heads of Delegations of the six parties met in Beijing. The parties discussed three agenda items: 1) full implementation of the second phase agreements 2) negotiations for a verification protocol for the denuclearization of the Korean Peninsula and 3) principles for peace and security in Northeast Asia. The parties noted progress and efforts made to implement the September 2005 Joint Statement and reaffirmed the actions to be taken under the October 2007 Second Phase Agreement. The Russians presented a draft of principles for peace and security in Northeast Asia. The parties also noted and encouraged the efforts made to normalize bilateral relations

⁴⁰⁵ *Ibid.*

⁴⁰⁶ People's Republic of China, Ministry of Foreign Affairs, "Six-Point Consensus Reached at the Informal Meeting of Foreign Ministers of the Six Parties on the Korean Peninsula Nuclear Issue," 24 Jul. 2008.

between the US and the DPRK, as well as Japan and the DPRK.⁴⁰⁷ At the conclusion of the meeting, agreement on a verification protocol was not successfully reached.⁴⁰⁸

Chinese perspective and interests

China's constructive role and leadership in the Six-Party Talks have helped to strengthen Sino-US cooperation on an issue of international security important to both nations. Both China and the US share the common interest of a denuclearized Korean Peninsula. Chinese analysts view Sino-US collaboration on the DPRK nuclear issue as a success story in strengthening and stabilizing bilateral Sino-US relations.^{409,410}

Nevertheless, the Chinese tend to view the DPRK nuclear crisis as a matter between the DPRK and the US, and differences in perspective and approach towards the crisis remain. First, China's foremost interest is the maintenance of peace and security on the Korean peninsula. Although China acknowledges the importance of denuclearization, it prefers to refrain from the escalation of tensions in pursuit of denuclearization. It is firmly opposed to the use of force in the interest of denuclearization. For the US, on the other hand, the complete dismantlement of North Korea's nuclear program is the primary objective. Additionally, China views its role in the crisis as that of a mediator rather than as a major party to the dispute. Furthermore, China and the US have different perspectives on the root cause of the crisis. From the Chinese perspective, the crisis is a manifestation of

⁴⁰⁷ People's Republic of China, Ministry of Foreign Affairs, "Chairman's Statement of the Six-Party Talks," 12 Dec. 2008.

⁴⁰⁸ Christopher R. Hill, US Assistant Secretary for East Asian and Pacific Affairs, "Departure Walkthrough from the Six-Party Talks," Beijing, China, 11 Dec. 2008.

⁴⁰⁹ Sun Ru, "Sino-US Cooperation in North Korean Nuclear Issue," *Contemporary International Relations (Xiandai Guoji Guanxi)* 5 (2007).

⁴¹⁰ Hua Liming, "The Iran Nuclear Issue and China's Diplomatic Choices," *China International Studies (Guoji Wenti Yanjiu)* (Winter 2006).

North Korea's sense of insecurity and deep lack of trust stemming from its lack of normalized relations with its former enemies, the US and Japan, from the Cold War era. The US, however, believes that the North Korean regime is responsible for the crisis, with some in the US favoring regime change. The Chinese are completely opposed to the idea of regime change in North Korea.^{411, 412} Finally, there are those in the US who believe that China could play an even more active role in the case of North Korea. For instance, Ambassador John Bolton pointed out that "China has not imposed the kind of pressure on North Korea that it could, such as cutting off energy supplies, food aid, amongst other types of assistance and cooperation."⁴¹³

As a neighbor to North Korea, China is invested in preventing the country's collapse and therefore potential regional instability that may disrupt its own domestic equilibrium. For this reason, China has maintained close ties with North Korea and remains its primary source of crude oil and food aid. Additionally, North Korea has traditionally served as a strategic buffer between China and the democratic South Korea. Since the establishment of diplomatic relations on October 6, 1949, China and North Korea have maintained close collaboration in a diverse range of fields, from military and technological industries to education, culture, and athletics. In addition, throughout the years there has been frequent contact amongst high-level officials of the two countries. Furthermore, China has been and remains North Korea's largest trade partner. In 2003, the year after the DPRK adopted market-oriented reform policies, total trade volume

⁴¹¹ Sun Ru, "Sino-US Cooperation in North Korean Nuclear Issue," *Contemporary International Relations (Xiandai Guoji Guanxi)* 5 (2007).

⁴¹² Cui Liru, "Security and the Korean Peninsula: China's Role," *Contemporary International Relations (Xiandai Guoji Guanxi)* 9 (2006).

⁴¹³ Author interview with John R. Bolton, US Permanent Representative to the UN (2005-2006), 12 Jun. 2007.

exceeded \$1 billion US dollars, an increase of 38.7% from 2002.⁴¹⁴ China's main trade exports to North Korea (as of 2003) are crude oil, machinery, electronic products, and consumer goods. North Korea is rich in natural resources needed by the Chinese, including coal, iron ore, and bronze. Its main imports from North Korea are steel, timber, mineral and aquatic products.⁴¹⁵ Available trade and humanitarian assistance statistics are at best a sample of the actual assistance and economic exchange that takes place between the two countries, much of which remains undisclosed by the Chinese government.⁴¹⁶

Discussion and Analysis

In the case of North Korea, only one UN sanctions resolution between the years 1990-2008 was passed. Efforts to push for sanctions against North Korea had been made as early as 1993, when the first UN resolution on the North Korean nuclear crisis was passed. Until 2006, China resisted the consideration of sanctions against North Korea, opposing any action that would further increase tension in the situation and destabilize the peninsula. China's support of sanctions came after multiple attempts to block Security Council action on North Korea in favor of alternative more peaceful options, in particular the emphasis on finding a solution through the Six-Party Talks.

Even in July 2006 in the aftermath of North Korea's ballistic missile tests, China was initially reluctant to consider a Security Council resolution. Resolution 1695 (2006) did not mention Chapter VII, which China believed would only create obstacles for further talks and worsen the situation. China resisted the possibility of sanctions under

⁴¹⁴“DPRK biz opportunities luring entrepreneurs,” *China Daily*, 29 Aug. 2004, accessed 15 Feb. 2010 on China Economic Net, http://en.ce.cn/Business/Macro-economic/200408/29/t20040829_1625124.shtml.

⁴¹⁵ “Chinese investors feel pinch in DPRK,” *China Daily*, 20 Oct. 2006, accessed 15 Feb. 2010 on China Economic Net, http://en.ce.cn/Business/Macro-economic/200610/20/t20061020_9052512_1.shtml.

⁴¹⁶ See Scott Snyder, “China's Evolving Relations with North Korea,” *China's Rise and the Two Koreas: Politics, Economics, and Security* (Boulder: Lynne Reiner Publishers, 2009).

Chapter VII against North Korea until October 2006, when North Korea crossed the line by conducting its first underground nuclear test. After initial resistance, China joined a unanimous Security Council in supporting resolution 1718 (2006), which imposed targeted sanctions on the DPRK. China and Russia were instrumental in narrowing the focus of the resolution by opposing broad sanctions as well as the option of the use of military force. China's support of sanctions in this case was an extraordinary step to match the escalation of the North Korea nuclear situation beyond even the limits of tolerance of its closest ally. The subsequent re-initiation of the Six-Party Talks and progress in denuclearization talks, as evidenced by the disablement of three nuclear facilities in Yongbyun and the submission of North Korea's declaration of nuclear facilities in June 2008, seemed to hold promise, if only temporarily.

CHAPTER 6 CASE STUDY: IRAN

The case of Iran, like North Korea, involves nuclear proliferation. However, unlike in the case of North Korea, Iran has claimed that it is pursuing nuclear development solely for peaceful purposes, and while certain aspects of its nuclear program raise questions, there is no evidence that Iran has yet produced a nuclear weapon. Under the Nuclear Non-Proliferation Treaty, signatories have the right to pursue nuclear technology for civil uses such as energy. As a country that possesses normal political and economic relations with Iran, China, along with Russia, have defended Iran's right to nuclear technology for peaceful purposes. Additionally, China has argued that the situation involving Iran is one that should be addressed within the authority of the IAEA rather than the Security Council. China, along with Russia, has blocked multiple attempts to impose sanctions on Iran in the Security Council. In June 2006, a turning point was reached when the permanent members of the Security Council plus Germany (P5 + 1) came to a consensus on a dual-track approach to dealing with Iran, giving Iran the choice of two paths: one with economic and political incentives should Iran suspend its nuclear program, the other a path of punitive sanctions. Given this consensus as a backdrop, China and Russia, although with some reluctance, began to support sanctions resolutions. China emphasized that the sanctions imposed should only be a means to convince Iran to come to the negotiation table, that they should be limited, targeted, and reversible, and that they should not disrupt normal economic relations. In this case, China supported sanctions as a means to compel Iran to engage in diplomatic dialogue in the context of the consensus strategy developed by the P5 + 1. However, like the case of North Korea, this did not represent a change in China's policy on sanctions. After

supporting three sanctions resolutions between 2006 and 2008 (resolutions 1737, 1747, and 1803), with little sign of cooperation from Iran, China and Russia balked at the imposition of further sanctions. China argued that additional sanctions would not solve the problem, while continuing to emphasize dialogue and negotiations as the way forward.

Background Information

In August 2002, the construction of a uranium enrichment plant in Natanz and a heavy water research reactor and production plant in Arak was reported in the media based on information provided by Iranian exiles. The plants in both sites could potentially be used to produce fissile material for nuclear weapons through two different methods: one involving plutonium and the other uranium enrichment.⁴¹⁷ Although Iran claimed that its nuclear program was used for peaceful civilian purposes, the US believes that Iran has been pursuing a clandestine nuclear weapons program for more than two decades. Although at the time there was no evidence that Iran had successfully manufactured a nuclear weapon, it had the ballistic missile capability with which to launch them.⁴¹⁸ At the September 2002 IAEA General Conference, IAEA Director General Mohamed ElBaradei asked Iranian Vice President R. Aghazadeh to confirm the construction of the facilities at Natanz and Arak. In February 2003, ElBaradei along with IAEA safeguards experts traveled to Iran to visit the sites and to discuss the country's nuclear development plans with Iranian officials. In his June 2003 report, the Director General concluded that Iran

⁴¹⁷ Robert G. Joseph, US Under Secretary for Arms Control and International Security, "Countering the Iranian Nuclear Threat," Remarks at the Annual Dinner of the Greater Washington Area Council for the American-Israel Public Affairs Committee, Washington, DC, 1 Feb. 2006.

⁴¹⁸ John D. Negroponte, US Director of National Intelligence, "Threats, Challenges, and Opportunities for the US," Annual Threat Assessment to the Senate Select Committee on Intelligence, Washington, DC, 2 Feb. 2006.

had failed to meet its obligations under its IAEA Safeguards Agreement. These violations included the failure to declare natural uranium imported in 1991, failure to declare activities associated with the processing and use of the imported uranium, and failure to declare the facilities at which these activities took place. Although Iran subsequently made the effort to correct for these transgressions, questions remained as to the “correctness and completeness of the Iranian declarations.”⁴¹⁹ In August 2003, the IAEA found that although Iran had stated that no enrichment activity had occurred at the Natanz plant prior to the sampling in June, samples taken in June 2003 revealed the presence of highly enriched uranium. The results were at the time inconclusive as the presence of enriched uranium could have been the result of contamination from imported components.⁴²⁰ In September 2003, the IAEA Board of Governors passed a resolution “expressing grave concern” over Iran’s undeclared nuclear activities and called on Iran to “provide accelerated cooperation and full transparency to allow the Agency to provide at an early date the assurances required by Member States” and to “suspend all further uranium enrichment-related activities.”⁴²¹ In October 2003, Iran met with Britain, France, and Germany and agreed to suspend its uranium enrichment activities, as well as to sign an additional protocol to the Nuclear Non-proliferation Treaty to allow for more thorough inspections by the IAEA. However, there was no evidence that Iran suspended its uranium enrichment activities after this agreement. In September 2004, the IAEA Board of Governors again passed a resolution to call upon Iran to freeze its uranium enrichment

⁴¹⁹ IAEA, Board of Governors, Implementation of the NPT safeguards agreement in the Islamic Republic of Iran: Report by the Director General, 6 Jun. 2003, GOV/2003/40.

⁴²⁰ IAEA, Board of Governors, Implementation of the NPT Safeguards Agreement in the Islamic Republic of Iran: Report by the Director General, 26 Aug. 2003, GOV/2003/63.

⁴²¹ IAEA, Resolution of the Board of Governors, 12 Sept. 2003, GOV/2003/69.

activities by a deadline of November 25. China maintained its position that the Iranian nuclear issue was one that could be resolved within the framework of the IAEA and opposed referring Iran to the UN Security Council, as demanded by the US.⁴²² On November 7, Iran again agreed to suspend uranium enrichment in meetings with the three EU members, which in exchange engaged in dialogue on trade and economic issues with Iran.⁴²³

In August 2005, Mahmoud Ahmadinejad became president of Iran. On August 1, Iran notified the IAEA that it had decided to restart its uranium conversion activities at its Uranium Conversion Facility in Esfahan. On August 11, the IAEA passed a resolution “expressing serious concern” over the developments in Esfahan and urged Iran “to re-establish full suspension of all enrichment-related activities.”⁴²⁴ The EU proceeded to suspend its economic trade negotiations with Tehran. In September 2005, the IAEA passed a resolution reserving the right to refer Iran to the Security Council as a result of its alleged violations of the NPT. The resolution cited Iran’s numerous failures to comply with its obligations under the NPT Safeguards Agreement. It “finds...that the history of concealment of Iran’s nuclear activities referred to in the Director General’s report[s]...and the resulting absence of confidence that Iran’s nuclear program is exclusively for peaceful purposes have given rise to questions that are within the

⁴²² “China calls for resolving Iranian nuclear issue within IAEA,” Xinhuanet, 19 Sept. 2004, accessed 14 Feb. 2010 on China Economic Net, http://en.ce.cn/World/Middleeast/200409/19/t20040919_1801028.shtml.

⁴²³ “Iran nuclear standoff, IAEA meets to discuss latest report,” Agence France Presse, 22 Nov. 2007.

⁴²⁴ IAEA, Resolution of the Board of Governors, 11 Aug. 2005, GOV/2005/59.

competence of the Security Council....”⁴²⁵ Nevertheless, China and Russia blocked attempts to refer Iran to the Security Council.⁴²⁶

On January 3, 2006, Iran informed the IAEA that it had decided to resume the uranium enrichment process at its Natanz plant, or what it referred to as “those R&D on the peaceful nuclear energy program.” Iran claimed that it was enriching uranium for use in civilian power plants. However, the same process could also produce high-enriched uranium for use in nuclear weapons. On January 7, 2006, Iran requested that the IAEA remove seals that had been applied at the Natanz plant to monitor the suspension of enrichment-related activities. On January 10 and 11, 2006, Iran removed the seals as witnessed by IAEA inspectors from the sidelines. On January 12, 2006, the foreign ministers of the United Kingdom, France, and Germany along with the EU Council Secretariat President Javier Solana agreed to request an emergency meeting of the IAEA Board of Governors in early February 2006. The purpose of the meeting was to refer the Iran to the UN Security Council.⁴²⁷ On January 30, 2006 at a meeting in London, the foreign ministers of the permanent members of the Security Council plus Germany arrived at a consensus that Iran should suspend its uranium-enrichment activities. However, both Russia and China were again resistant to imposing Security Council sanctions. A compromise delay to appease Russia and China was agreed upon in which discussion of Iran in the Security Council would be delayed until March, after the IAEA Director General has released its report on the implementation of the February 2006

⁴²⁵ IAEA, Board of Governors, Implementation of the NPT Safeguards Agreement in the Islamic Republic of Iran, 24 Sept. 2005, GOV/2005/77.

⁴²⁶ “Iran nuclear standoff, IAEA meets to discuss latest report,” Agence France Presse, 22 Nov. 2007.

⁴²⁷ Condoleezza Rice, US Secretary of State, “On-the-Record Briefing by Secretary of State Condoleezza Rice,” Washington, DC, 12 Jan. 2006.

resolution.⁴²⁸ The next day on January 31, 2006, IAEA inspectors reported that Iran possessed designs for producing nuclear weapon components.⁴²⁹

On February 4, 2006, the IAEA referred Iran to the Security Council in a resolution that “expresses serious concern that the Agency is not yet in a position to clarify some important issues relating to Iran’s nuclear program,” and “deeply regrets that despite repeated calls...Iran resumed uranium conversion activities in Esfahan and took steps to resume uranium enrichment activities on January 10, 2006.” The IAEA called upon Iran to suspend its uranium enrichment activities, to reconsider its decision to construct a heavy water research reactor in Arak, and to implement additional transparency measures as specified by the Director General.⁴³⁰ The same month, Iran proceeded to resume the uranium enrichment process at its plant in Natanz.

Security Council resolutions

Sanctions resolutions- Iran				
Resolution	Sanctions	Objective	China’s vote	Reasons cited
1737 (2006)	-Ban on sale, transfer, and supply of materials and technology related to enrichment/reprocessing activities, heavy water-related projects, and development of nuclear weapons delivery systems -Ban on technical	-Requires Iran to suspend proliferation-related nuclear activities, including enrichment and reprocessing activities, research and development, as well as all heavy water-related projects such as the construction of a	Support	-Resolution reinforces IAEA authority and role -promote diplomatic efforts to seek peaceful solutions to Iran’s nuclear issue -sanctions measures are limited and reversible -measures target proliferation-sensitive nuclear activities

⁴²⁸ “Statement on Iran’s Nuclear Program,” Text released by the United Kingdom Foreign and Commonwealth Office, 30 Jan. 2006.

⁴²⁹ Developments in the Implementation of the NPT Safeguards Agreement in the Islamic Republic of Iran and Agency Verification of Iran’s Suspension of Enrichment-related and Reprocessing Activities: Update Brief by the Deputy Director General for Safeguards, 31 Jan. 2006.

⁴³⁰ IAEA, Resolution of the Board of Governors, 4 Feb. 2006, GOV/2006/14.

	training, financial assistance related to the above activities -Freezing of funds of persons or entities associated with proliferation activities or development of nuclear weapons delivery systems	heavy water research reactor		
1747 (2007)	-Prohibits Iranian arms exports -Ban on new grants, financial assistance, concessional loans to Government of Iran --Expanded list of individuals and entities under financial restrictions	-Comply with resolution 1737	Support	-Disappointed that Iran has failed to respond positively to IAEA and Security Council --Support taking further actions aimed at urging Iran to suspend enrichment activities -Purpose not to punish but to urge resumption of negotiations -Measures should not affect normal economic trade
1803 (2008)	-Travel ban on individuals associated with nuclear proliferation activities or development of nuclear weapons delivery systems -Expanded list of individuals and entities under financial restrictions --Broadened sanctions beyond nuclear and missile-related goods to dual-use equipment, materials, software and related technology	-Comply with resolution 1737	-Support	-Like previous resolutions, measures not meant to punish but to encourage resumption of diplomatic negotiations -Not targeted at Iranian people -Will not affect normal economic and financial activities with other countries -Sanctions are reversible

On March 29, 2006, after extensive negotiations, a Security Council presidential statement was issued that condemned Iran's nuclear program, called upon Iran to comply

with the demands set by the IAEA Board of Governors in the February 2006 resolution, including the suspension of all uranium activities, and set a deadline of 30 days for the IAEA to submit a report on the status of Iran's compliance.⁴³¹ The Security Council would then decide on the next course of action based on the report. According to US Secretary of State Condoleezza Rice, the "presidential statement had one purpose and one purpose only: It was to restate what had been in the IAEA Board of Governors resolution and to put the weight of the Security Council behind that resolution."⁴³² During subsequent negotiations amongst the foreign ministers of the P5 plus Germany, Russian Foreign Minister Sergey Lavrov emphasized that "Russia d[id] not believe sanctions could achieve settlement of the various issues" and that "the key to [a solution] is the work of the IAEA." Then Chinese Vice Foreign Minister Dai Bingguo also emphasized the "important role of the IAEA in the resolution of the [Iranian] nuclear issue."⁴³³

On April 11, 2006, Iranian President Mahmoud Ahmadinejad announced that Iran had enriched its first cycle of uranium.⁴³⁴ The P5 plus Germany met in Moscow for another round of talks, where all the countries agreed that additional action needed to be taken. Although there was no agreement on how to move forward in the Security Council, some countries including the EU were already considering sanctions. The

⁴³¹ United Nations Security Council, Statement by the President of the Security Council, 26 Mar. 2006, S/PRST/2006/15.

⁴³² Condoleezza Rice, US Secretary of State, "Remarks En Route to Berlin, Germany," En Route Berlin, Germany, 29 Mar. 2006.

⁴³³ Condoleezza Rice, US Secretary of State, "Press Availability after the P5+1 Meeting," Berlin, Germany, 30 Mar. 2006.

⁴³⁴ Stephen G. Rademaker, US Acting Assistant Secretary on International Security and Nonproliferation, "Press Conference on the G-8 and Nonproliferation Issues," Moscow, Russia, 12 Apr. 2006.

United States has had bilateral sanctions in place for over 25 years.⁴³⁵ In May 2006, Britain and France had drafted a resolution supported by the US demanding that Iran suspend its nuclear activities, invoking Chapter VII of the UN Charter as well as the threat of sanctions. China and Russia maintained their opposition to the mention of Chapter VII and the imposition of UN sanctions against Iran.⁴³⁶

The permanent members of the Security Council plus Germany met in Vienna on June 1, 2006 to further hold discussions and agree upon a response to Iran.⁴³⁷ They arrived at a breakthrough consensus proposal offering a long-term comprehensive package to develop relations and enhance cooperation with Iran, thereby uniting the P5 +1 on a dual-track approach in dealing with Iran, involving incentives on the one hand and sanctions on the other.⁴³⁸ The incentives included in the package included the reaffirmation of Iran's right to nuclear energy for peaceful purposes, the establishment of a nuclear cooperation agreement with the European nuclear agency EURATOM, support for building light water power reactors, and offers to supply fuel for future nuclear power reactors. The package also included broader offers for dialogue and cooperation on regional security, access to the international economy, and cooperation on civil aviation and telecommunications. Negotiations on the package were premised upon Iran's

⁴³⁵ R. Nicholas Burns, US Under Secretary of State for Political Affairs and Robert Joseph, US Under Secretary for Arms Control and International Security, "Briefing on the Iran Nuclear Issue," Washington, DC, 21 Apr. 2006.

⁴³⁶ John R. Bolton, US Permanent Representative to the United Nations, "Remarks on Iran after Security Council Consultations," 3 May 2006.

⁴³⁷ R. Nicholas Burns, US Under Secretary for Political Affairs, "Remarks in Vienna, Austria," Vienna, Austria, 1 Jun. 2006.

⁴³⁸ United Nations Security Council, "Elements of a long term agreement," S/2006/521.

agreement to suspend uranium enrichment and related nuclear activities.⁴³⁹ Should Iran refuse, the Security Council would respond with a resolution and move towards the imposition of sanctions if needed.⁴⁴⁰ On July 12, 2006, after Iran's failure to favorably respond to the proposal of the P5+1, the Security Council began negotiations on another resolution. On July 31, 2006, the Security Council passed resolution 1696, which "acted under Article 40 of Chapter VII of the Charter of the United Nations in order to make mandatory the suspension required by the IAEA." Resolution 1696 (2006) set a deadline of August 31, 2006 for Iran to accept the comprehensive package of incentives offered by the P5+1 in exchange for suspension of its uranium enrichment program. Should Iran reject the package, the Security Council would then be prepared to move forward with UN sanctions under Article 41 of the UN Charter.⁴⁴¹ The resolution passed with 14 votes in favor and 1 vote against from Qatar. China's representative cited the following reasons for supporting the resolution, "This resolution stresses in many of its paragraphs the importance of finding a negotiated solution through political and diplomatic efforts. It underlines the irreplaceable key role of the IAEA in handling this issue. It endorses the package of proposals put forward by China, France, Germany, Russia, the United Kingdom and the United States in early June. It also emphasizes that these proposals constitute an important effort for a comprehensive arrangement which would allow for the development of bilateral relations and cooperation based on mutual respect and the establishment of international confidence in the exclusively peaceful nature of Iran's

⁴³⁹ Gregory L. Schulte, US Permanent Representative to the United Nations, Vienna, "Iran's Nuclear Ambitions: Two Paths to the Bomb, Another Path to Peace," Remarks at Emirates Center for Strategic Studies and Research, Abu Dhabi, United Arab Emirates, 13 Nov. 2006.

⁴⁴⁰ US-EU Summit Declaration: Promoting Peace, Human Rights and Democracy Worldwide, Vienna, Austria, 21 Jun. 2006.

⁴⁴¹ United Nations Security Council, Resolution 1696, 31 Jul. 2006, S/RES/1696.

nuclear program.”⁴⁴² August 31 came and went, with Iran missing the deadline to respond. An August 31, 2006 IAEA report stated that Iran was continuing its uranium enrichment activities, feeding uranium hexafluoride into a 164-centrifuge cascade, with a second cascade in the process of being installed. The IAEA report concluded, “Iran has not addressed the long outstanding verification issues or provided the necessary transparency to remove uncertainties associated with some of its activities; Iran has not suspended its enrichment activities...the Agency remains unable to make further progress in its efforts to...confirm the peaceful nature of Iran’s nuclear program.”⁴⁴³

In September 2006, Chinese Prime Minister Wen Jiabao maintained that China at that point was opposed to possible UN sanctions against Iran. At a September 7, 2006 press conference, Wen stated, “Our goal is bring about the peaceful resolution to these issues. But imposing sanctions will not necessarily get us there, and may even prove counterproductive.”⁴⁴⁴ China believed that imposing sanctions against Iran would not resolve the issue but rather make the situation worse. From September 9-10 and on September 28, 2006, the EU High Representative for Foreign Affairs and Security Policy, Javier Solana, met with Ali Larijani, Secretary of the Iranian Supreme National Security

⁴⁴² United Nations Security Council, Provisional verbatim record of the 5500th meeting, United Nations Security Council, 31 Jul. 2006, S/PV.5500.

⁴⁴³ IAEA, Board of Governors, Implementation of the NPT Safeguards Agreement in the Islamic Republic of Iran, 31 Aug. 2006, GOV/2006/53.

⁴⁴⁴ “Committed diplomatic efforts needed to solve nuclear issues: Chinese premier,” Xinhua News Agency, 7 Sept. 2006.

Council in Vienna in an attempt to restart negotiations. The talks were broken off with Solana reporting a “lack of openness with regard to suspension of enrichment.”⁴⁴⁵

On October 6, 2006, upon receiving Solana’s report, the foreign ministers of the P5 + 1 agreed in a London meeting to proceed with consultations to adopt sanctions measures against Iran under Article 41 of the UN charter, pursuant to the terms adopted in resolution 1696 (2006).⁴⁴⁶ However, during initial negotiations, the P5 + 1 were unable to come to a consensus on the extent to which Iran should be penalized. The US had passed unilateral sanctions against Iran on October 1, affecting individual companies and organizations involved in any aspect of nuclear cooperation with Iran as well as those that supply arms to Iran. The Russians perceived this act to be an attempt to “set a standard for discussion” for the six countries and did not believe the sanctions to be proportionate to the level of threat posed by Iran to the international nonproliferation regime. They were therefore resistant to the possibility of similar sanctions at the multilateral level and also took the position that any sanctions should induce Iranian cooperation with the IAEA rather than provoke it. Russian Foreign Minister Sergey Lavrov stated, “the ‘unilateral surprise’ of the United States does not at all help the elaboration of a collective position in this matter.” The Russians favored more targeted sanctions such as sanctions against dual-purpose technologies.⁴⁴⁷ Later during the same month, Iran announced that

⁴⁴⁵ French Ministry of Foreign and European Affairs, “Chronology/Iranian nuclear question,” accessed 12 Jan. 2010, http://www.diplomatie.gouv.fr/en/country-files_156/iran_301/the-iranian-nuclear-issue_2724/chronology-iranian-nuclear-question_9205.html.

⁴⁴⁶ French Ministry of Foreign and European Affairs, “Chronology/Iranian nuclear question,” accessed 12 Jan. 2010, http://www.diplomatie.gouv.fr/en/country-files_156/iran_301/the-iranian-nuclear-issue_2724/chronology-iranian-nuclear-question_9205.html.

⁴⁴⁷ Sergey Lavrov, Minister of Foreign Affairs of the Russian Federation, Transcript of Replies to Media Questions before the Start of the 5+1 Ministerial Meeting on Iran in London, 6 Oct. 2006, Unofficial translation from Russian.

it had expanded its nuclear program in defiance of the pending UN sanctions resolution. Iran had injected gas into a second cascade of centrifuges to produce enriched uranium at a pilot plant in Natanz. Iran announced that it had plans to install 3000 centrifuges by the end of 2006. Although Iran claimed that the enriched uranium was necessary to fuel nuclear power reactors, there was no evidence that Iran possessed such nuclear power reactors. Although there was a light water power reactor under construction in Bushehr, Russia had agreed to provide the requisite fuel for at least the first ten years of its operation. Moreover, Iran was determined to continue the construction of a 40-megawatt heavy water reactor in Arak. It was estimated that 3,000 centrifuges in Natanz could produce enough enriched uranium for one nuclear weapon within less than a year's time. A heavy water reactor could produce enough plutonium for two nuclear weapons a year.⁴⁴⁸

On November 7, 2006, the EU-3 (France, Britain, Germany) introduced a draft resolution proposing sanctions against Iran. The Russians had previously introduced a draft resolution, which the US did not view as consistent with what had been previously agreed upon by the foreign ministers of the P5 + 1.⁴⁴⁹ The Russians acquiesced to working from the EU-led draft. The EU draft included sanctions on nuclear- and missile-related technology to Iran and the cessation of assistance from the IAEA for its nuclear programs. The US proposed an amendment stating that the Iranian nuclear program

⁴⁴⁸ Gregory L. Schulte, US Permanent Representative to the United Nations, Vienna, "Iran's Nuclear Ambitions: Two Paths to the Bomb, Another Path to Peace," Remarks at Emirates Center for Strategic Studies and Research, Abu Dhabi, United Arab Emirates, 13 Nov. 2006.

⁴⁴⁹ John R. Bolton, US Permanent Representative to the United Nations, Remarks on the appointment of the new executive director of the World Food Program, the Security Council election for the Latin American seat, Iran and other matters at the Security Council stakeout, 7 Nov. 2006, US Mission to the UN, USUN Press Release #317(06).

constituted a threat to international peace and security, with which the Russians disagreed. Russian UN Ambassador Vitaly Churkin stated that while there was an understanding that the resolution was to invoke Article 41, he drew the distinction between an Article 41 resolution and one that explicitly labeled the situation at hand a threat to international peace and security. The Russians did not believe the Iranian nuclear program was a threat to that extent yet and favored utilizing the “entire diplomatic toolkit” rather than focus solely on sanctions and punitive measures.⁴⁵⁰

By the beginning of December 2006, the Security Council had yet to reach an agreement on the resolution, although progress had been made. Remaining outstanding issues included the type of sanctions to impose on Iran. On the table for discussion included a travel ban and freezing of assets of Iranians associated with the nuclear program, as well as sanctions on nuclear- and missile-related technology to Iran.⁴⁵¹ During the consultations, the Russians also made effort to ensure that the resolution reflected “basic international legal principle,” that “what is not prohibited is permitted,” that the resolution is very clear on limiting the activities conducted by Iran that were of concern for the international community, while allowing all other areas of cooperation unrelated to proliferation to proceed freely.⁴⁵² Differences were resolved towards the end of the month, and on December 23, 2006, the Security Council unanimously passed resolution 1737 (2006), which acts under Chapter VII Article 41 of the UN Charter to

⁴⁵⁰ Vitaly Churkin, Permanent Representative of the Russian Federation to the United Nations, Media Stakeout: Informal comments to the Media on non-proliferation and other matters, 7 Nov. 2006, webcast: archived video.

⁴⁵¹ “Iran’s nuclear chief warns of consequences of UN sanctions,” Deutsche Presse-Agentur, 21 Dec. 2006.

⁴⁵² Vitaly Churkin, Permanent Representative of the Russian Federation to the United Nations, Media Stakeout: Informal comments to the Media on non-proliferation, 23 Dec. 2006, webcast: archived video.

demand that Iran suspend its nuclear activities. Sanctions imposed included the ban of the sale, transfer, or procurement of goods and technology that could contribute to enrichment-related activities or the development of nuclear weapons delivery systems. In addition, a freezing of funds controlled by persons or entities involved in Iran's nuclear and missile programs was implemented. Amongst the provisions are sanctions on dual-use technology and training which can potentially be used for civilian purposes or the development of weaponry. The resolution also included an annex specifying the individuals and organizations subject to freezing of funds,⁴⁵³ notably excluding projects such as the Bushehr light water reactor being built with Russian assistance and the Aerospace Industries Organization, also at the request of the Russians.⁴⁵⁴ The Security Council gave Iran 60 days to respond to the resolution.⁴⁵⁵ Should Iran continue to defy Security Council demands, further action would be considered under Article 41 of Chapter VII of the UN Charter. The specification of Article 41, which calls for measures not involving the use of force, was of significance to both Russia and China, both of which advocated for a peaceful resolution of the matter without resorting to the use of military force.⁴⁵⁶ The resolution passed with unanimous support. Chinese Ambassador Wang Guangya stated,

China wishes to emphasize that sanctions are not the end,
but are a means to urge Iran to resume negotiations. The
sanction measures adopted by the Security Council this

⁴⁵³ United Nations Security Council, Resolution 1737, 27 Dec. 2006, S/RES/1737.

⁴⁵⁴ Vitaly Churkin, Permanent Representative of the Russian Federation to the United Nations, Media Stakeout: Informal comments to the Media on non-proliferation, 23 Dec. 2006, webcast: archived video.

⁴⁵⁵ United Nations Security Council, Resolution 1737, 27 Dec. 2006, S/RES/1737.

⁴⁵⁶ Vitaly Churkin, Permanent Representative of the Russian Federation to the United Nations, Media Stakeout: Informal comments to the Media on non-proliferation, 23 Dec. 2006, webcast: archived video.

time are limited and reversible, and they target proliferation sensitive nuclear activities and the development of nuclear-weapon delivery systems. There are also explicit provisions indicating that if Iran suspends its enrichment-related and reprocessing activities, complies with the relevant resolutions of the Security Council and meets the requirements of the IAEA, the Security Council would suspend and even terminate the sanction measures.

Additionally, Wang emphasized that China voted in favor of the resolution because it “aim[ed] at safeguarding the international nuclear nonproliferation mechanism, reinforce[ed] the IAEA’s authority and role, and promot[ed] diplomatic efforts to seek peaceful solutions to Iran’s nuclear issue.”⁴⁵⁷

On December 26, 2006, Iran responded to the newly imposed sanctions by announcing its intention to enrich uranium on an industrial scale and to consider reducing the scope of its cooperation with the IAEA.⁴⁵⁸ On January 17, 2007, Iran informed the IAEA that it was unable to approve the replacement of ten inspectors who had left the Agency, as well as the designation of an additional 38 inspectors.⁴⁵⁹ On February 15, 2007, the IAEA in a letter to Iran inquired whether Iran was prepared to resolve its outstanding issues with the agency, suspend uranium enrichment activities in accordance with Security Council resolution 1737 (2006). On February 19, 2007, Iran responded that it was “fully ready and willing to negotiate for the resolution of the outstanding issues with the IAEA...without the interference of the United Nations Security Council.” On

⁴⁵⁷ United Nations Security Council, Provisional verbatim record of the 5612th meeting, 23 Dec. 2006, S/PV. 5612.

⁴⁵⁸ Farhad Pouladi, “Defiant Iran heading to industrial enrichment,” Agence France Presse, 26 Dec. 2006.

⁴⁵⁹ IAEA, Board of Governors, Implementation of the NPT Safeguards Agreement and Relevant Provisions of Security Council Resolution 1737 (2006) in the Islamic Republic of Iran: Report of the Director General, 22 Feb. 2007, GOV/2007/8.

February 22, 2007, the IAEA released a report stating that although Iran continued to allow access to declared nuclear material and facilities, Iran continued to proceed with its uranium enrichment activities and the Agency remained unable to verify the absence of undeclared nuclear material and facilities.⁴⁶⁰

During the first week of March 2007, the political directors of the P5 + 1 met in London for a series of discussions on a second Security Council sanctions resolution against Iran.⁴⁶¹ On March 5-6, 2007 at the IAEA Board of Governors meeting in Vienna, the Board of Governors confirmed that 22 of 55 technical assistance projects in Iran had been suspended, as stipulated by the requirements of resolution 1737 (2006).⁴⁶² On March 24, 2007, resolution 1747 (2007) was passed unanimously. The resolution expanded the list of individuals and organizations subject to financial sanctions in 1737 (2006), prohibited the supply, sale, transfer of arms by Iran, banned new commitments on grants and loans with the exception of those used for humanitarian and development purposes.⁴⁶³ Ambassador Wang stated, “China respects and recognizes Iran’s right to the peaceful use of nuclear energy. However, we are also disappointed that the Iranian side has failed to respond positively to the requests of the IAEA and the Security Council. Under these circumstances, we support the Security Council’s taking of further, appropriate actions aimed at urging the Iranian side to suspend enrichment related

⁴⁶⁰ IAEA, Board of Governors, Implementation of the NPT Safeguards Agreement and Relevant Provisions of Security Council Resolution 1737 (2006) in the Islamic Republic of Iran: Report of the Director General, 22 Feb. 2007, GOV/2007/8.

⁴⁶¹ R. Nicholas Burns, US Under Secretary for Political Affairs, “United States Policy Toward Iran,” Testimony Before the House Committee on Foreign Affairs, Washington, DC, 6 Mar. 2007.

⁴⁶² French Ministry of Foreign and European Affairs, “Chronology/Iranian nuclear question,” accessed 12 Jan. 2010, http://www.diplomatie.gouv.fr/en/country-files_156/iran_301/the-iranian-nuclear-issue_2724/chronology-iranian-nuclear-question_9205.html.

⁴⁶³ United Nations Security Council, Resolution 1747, 24 Mar. 2007, S/RES/1747.

activities in order to bring the process back on the negotiation track.”⁴⁶⁴ China also emphasized that “the purpose of the new resolution is not to punish Iran but to urge it to return to negotiations and reactivate diplomatic efforts. The relevant sanctions measures should neither harm the Iranian people nor affect normal economic, trade, and financial exchanges between Iran and other countries.”⁴⁶⁵

On March 29, 2007, Iran informed the IAEA that it had suspended its 2003 agreement with the IAEA to a modified Code 3.1 of the safeguards agreement, which would require it to declare new facilities upon making the decision to build them. Instead, it would revert back to the original Code 3.1, which required it to declare a new facility “not later than 180 days before...receiv[ing] nuclear material for the first time.” Iran argued that under the original Code 3.1, it was not obligated to provide design information on the IR-40 heavy water reactor under construction in Arak.⁴⁶⁶ Moreover, on April 9, 2007, Iranian President Mahmoud Ahmadinejad declared that Iran was capable of enriching uranium at the “industrial-level.”⁴⁶⁷ As of May 13, 2007, eight 164-machine cascades were in operation, with two being tested and three additional under construction. A May 23, 2007 IAEA report confirmed that Iran was in the process of expanding its nuclear capabilities. At the June 11, 2007 IAEA Board of Governors’ meeting, the US official stated, “The Director General’s report and his opening statement

⁴⁶⁴ United Nations Security Council, Provisional verbatim record of the 5647th meeting, 24 Mar. 2007, S/PV.5647.

⁴⁶⁵ *Ibid.*

⁴⁶⁶ IAEA, Board of Governors, Implementation of the NPT Safeguards Agreement and Relevant Provisions of Security Council Resolutions in the Islamic Republic of Iran, 23 May 2007, GOV/2007/22.

⁴⁶⁷ French Ministry of Foreign and European Affairs, “Chronology/Iranian nuclear question,” accessed 12 Jan. 2010, http://www.diplomatie.gouv.fr/en/country-files_156/iran_301/the-iranian-nuclear-issue_2724/chronology-iranian-nuclear-question_9205.html.

confirm that Iran has failed to comply with multiple resolutions of the IAEA Board and the UN Security Council.” “First, Iran's continued pursuit of capabilities to enrich uranium and produce plutonium in direct violation of UN Security Council Resolutions 1696 (2006), 1737 (2006), and 1747 (2007); and second, Iran's progressive withdrawal of cooperation with the IAEA, causing a troubling deterioration in the Agency's knowledge of Iran's nuclear activities.”⁴⁶⁸

During the summer of 2007, there were encouraging signs of renewed cooperation between the IAEA and Iran. On June 22, 2007, Ali Larijani, Secretary of Iran’s Supreme National Security Council, and IAEA chief Mohamed ElBaradei announced an agreement to draft a plan of action to address the outstanding issues of Iran’s nuclear program. The agreement was part of a broader understanding reached between Larijani and EU foreign policy chief Javier Solana.⁴⁶⁹ In early July, the IAEA reported Iran had taken steps to slow down its uranium enrichment activities.⁴⁷⁰ From July 11-12, 2007, an IAEA delegation headed by Deputy Director-General Olli Heinonen visited Iran to seek resolution on outstanding issues. Preliminary agreements were reached on an IAEA inspection of the Heavy Water Research Reactor in Arak by the end of July 2007, as well as final agreement on a safeguards protocol for the Fuel Enrichment Plant in Nantanz by early August. To be discussed at a later date were remaining open issues on the scope and

⁴⁶⁸ “US Statement on Agenda Item 6(E) at IAEA Board of Governors Meeting,” State News Service, 11 Jun. 2007.

⁴⁶⁹ IAEA, “IAEA and Iran Agree to Draft “Work Plan” to Address Nuclear Stand-off: IAEA Chief Expects the Plan to Take Two Months to Draft,” Staff Report, 22 Jun. 2007.

⁴⁷⁰ IAEA, “Director General Briefs Press on North Korea, Iran & Budget Increase,” Staff Report, 9 Jul. 2007.

content of Iran's uranium enrichment program.⁴⁷¹ During its visit to Arak on July 30, 2007, the IAEA team observed that construction of the plant was ongoing.⁴⁷² On August 21, 2007, a workplan was reached between Iran and the IAEA on the resolution of outstanding issues regarding Iran's nuclear program. The workplan consisted of a timeline for Iran to provide information on outstanding issues with regards to components of its nuclear program as specified by the IAEA. These issues included remaining IAEA questions with regards to plutonium experiments, sources of contamination involving evidence of highly enriched uranium at specific sites, as well as alleged studies on high explosive testing and missile re-entry vehicles.⁴⁷³ While progress was made, the August 30, 2007 IAEA report noted that Iran had not suspended enrichment activities and have continued with the construction of various uranium enrichment and plutonium production plants.⁴⁷⁴

On September 28, 2007, the foreign ministers of the P5 + 1 met in New York and agreed to postpone consideration of a third Security Council sanctions resolution against Iran until November 2007. In the meantime, the EU High Representative Javier Solana was encouraged to continue dialogue with Iran on meeting the demands of the Council. The Security Council would await reports from both Solana and El Baradei in November on Iran's compliance prior to making a decision. Should Iran continue to remain

⁴⁷¹ IAEA, "IAEA Team Returns from Tehran Meetings on Iran's Nuclear Program," Staff Report, 13 Jul. 2007.

⁴⁷² IAEA, Board of Governors, "Implementation of the NPT Safeguards Agreement in the Islamic Republic of Iran: Report by the Director General," 30 Aug. 2007, GOV/2007/48.

⁴⁷³ IAEA, "Understandings of the Islamic Republic of Iran and the IAEA on the Modalities of Resolution of the Outstanding Issues," Tehran, 21 Aug. 2007, Information Circular, 27 Aug. 2007, INFCIRC/711.

⁴⁷⁴ IAEA, Board of Governors, "Implementation of the NPT Safeguards Agreement in the Islamic Republic of Iran: Report by the Director General," 30 Aug. 2007, GOV/2007/48.

uncooperative with regards to the demands of the Security Council, additional sanctions would be imposed.⁴⁷⁵

In October 2007, internal politics in Iran led to the resignation of Iran's chief nuclear negotiator and head of Iran's Supreme National Security Council. Larijani pushed for middle ground and compromise in his negotiations with the IAEA to prevent another UN sanctions resolution from being passed, while hardliners including Ahmadinejad insisted that resolutions "were useless pieces of paper and had no credibility." Ahmadinejad maintained a defiant and uncompromising stance publicly, increasingly becoming more explicit in his opposition to Larijani's efforts. "[D]uring his speech on Qods day [he] seriously criticized those tenacious individuals who act on their own to negotiate Iran's nuclear case. Most recently after Putin's visit to Tehran, Larijani revealed that the Russians have made a new proposal to deal with Iran's nuclear case, a day later Ahmadinejad rejected any such proposal has ever been made."⁴⁷⁶ Within two days, Larijani resigned from his post and was replaced by Sa'id Jalili. In the last week of October, Tehran rejected an offer to negotiate from Solana and stated that it was choosing sanctions.⁴⁷⁷

On November 2, 2007, officials from the P5+1 met in London to discuss possible next steps should Iran refuse to comply with the first two sanctions resolutions

⁴⁷⁵ France-Diplomatie, "France's reaction to the IAEA Director General's report," 16 Nov. 2007, accessed 7 Mar. 2010. http://www.diplomatie.gouv.fr/en/country-files_156/iran_301/the-iranian-nuclear-issue_2724/france-reaction-to-the-iaea-director-general-report-16.11.2007_10250.html.

⁴⁷⁶ "Iran commentator says nuclear negotiator had no choice but to quit," BBC Worldwide Monitoring, 25 Oct. 2007.

⁴⁷⁷ Veronika Oleksyn, "US official warns Iran it faces isolation, more sanctions if defiance continues," Associated Press Worldstream, 1 Nov. 2007.

1737 and 1747 to suspend uranium enrichment. Britain and France supported the US's call to pass sanctions as soon as possible, while Russia and China remained hesitant to impose additional sanctions. Germany offered qualified support for sanctions, stating that it would support passing additional sanctions should Iran fail to meet a December 2007 deadline to fully disclose the details of its nuclear program.⁴⁷⁸

On November 3, 2007, Javad Vaeedi, the deputy head of Iran's Supreme National Security Council, stated that Iran would continue to reject any calls to suspend its enrichment of uranium, even if a Middle East consortium were established. Vaeedi called the passing of a third UN resolution "pointless" since Iran was cooperating with the IAEA.⁴⁷⁹ On the same day, the Chinese Premier Wen Jiabao met in Tashkent with Iran's First Vice President Parviz Davoodi. Davoodi emphasized Iran's peaceful intentions in developing nuclear technology, as well as Iran's commitment to continue cooperating with the IAEA. Wen conveyed China's respect of Iran's rights to develop nuclear power for peaceful purposes and urged Iran to continue its cooperation with the IAEA as well as respond constructively to the concerns of the international community.⁴⁸⁰ The IAEA report released in November indicated that while Iran had made progress in disclosing the details of its nuclear program, it could do more to comply with the two UN sanctions resolutions against Iran. According to the report, while Iran made an earnest effort to answer longstanding questions about the history of its nuclear program, questions still remained regarding the extent to which its nuclear

⁴⁷⁸ David Stringer, "US pushes UN Security Council for tougher sanctions on Iran over nuclear program," Associated Press, 2 Nov. 2007.

⁴⁷⁹ "Iran not to suspend uranium enrichment: Vaeedi," Xinhua General News Service, 3 Nov. 2007.

⁴⁸⁰ People's Republic of China, Ministry of Foreign Affairs, "Wen Jiabao Meets with Iran's First Vice President Davoodi," 3 Nov. 2007.

program was developed as well as ambiguities about possible military applications of its nuclear activities. Finally, Iran continued to engage in uranium enrichment activities as well as the construction of the heavy water reactor in Arak.⁴⁸¹ In response, then US Ambassador to the UN Zalmay Khalilzad called for a third round of sanctions against Iran.⁴⁸²

Towards the end of November, the P5 + 1 met on the level of political directors and agreed to give the Security Council the go-ahead to work on another Security Council resolution. In early December 2007, a National Intelligence Estimate on Iran's Nuclear Intentions and Capabilities was released by the US Office of the Director of National Intelligence. The report indicated that while maintaining the option and capacity to produce nuclear weapons, Iran had suspended its nuclear weapons program as of fall 2003 due to international pressure.⁴⁸³ The reports increased the resistance of countries such as Russia and China from supporting further sanctions against Iran. However, the US maintained that the NIE did not change the US position on imposing additional sanctions in response to Iran's violations against the previous two UN resolutions that demanded the suspension of uranium enrichment activities.⁴⁸⁴ Consultations amongst the P5 + 1 continued through December and into January.

⁴⁸¹ IAEA, Board of Governors, Implementation of the NPT Safeguards Agreement and relevant provisions of Security Council resolutions 1737 (2006) and 1747 (2007) in the Islamic Republic of Iran: Report by the Director General, 15 Nov. 2007, GOV/2007/58.

⁴⁸² Zalmay Khalilzad, US Permanent Representative to the United Nations, "Remarks on Iran at the Security Council Stakeout," 15 Nov. 2007, USUN Press Release #307(07).

⁴⁸³ US National Intelligence Council, "Iran: Nuclear Intentions and Capabilities," National Intelligence Estimate, Nov. 2007.

⁴⁸⁴ Zalmay Khalilzad, US Permanent Representative to the United Nations, "Remarks on the NIE report, at the Security Council Stakeout," 4 Dec. 2007, USUN Press Release 352(07).

On January 22, 2008, the foreign ministers of the P5 + 1 held a meeting in Berlin. They discussed a UN Security Council draft resolution on the Iranian nuclear issue.⁴⁸⁵ The six nations agreed upon a third round of UN sanctions against Iran which would include an increase in sanctions with regards to restrictions on exports, an expansion of travel bans on nuclear scientists and other key individuals, and the freezing of assets of individuals and organizations linked to nuclear proliferation. The basis for the resolution was negotiated in Berlin amongst the six countries, primarily between US Secretary of State Condoleeza Rice and Russian Foreign Minister Sergei Lavrov. Initial proposals by Britain and France proposed harsher sanctions against Iran if it continued to refuse to suspend uranium enrichment, a process that could have potential dual use for weapons and civilian purposes.⁴⁸⁶ These proposals were rejected by both China and Russia. Russia's position was that rather than be punitive, UN Security Council measures should firstly support the IAEA's efforts to achieve a clear understanding of the status of Iran's nuclear programs, both past and present.⁴⁸⁷ The draft resolution was to be debated amongst the 15 members of the Security Council, with a final decision to be postponed until mid-February, when Iran had another deadline to submit a report to the IAEA regarding remaining questions about its nuclear activities.⁴⁸⁸ On January 27, 2008, Javad Vaeedi, the deputy of Iran's Supreme National Security Council, announced in a meeting to Revolutionary Guards that Iran's

⁴⁸⁵ People's Republic of China, Ministry of Foreign Affairs, "Foreign Minister Yang Jiechi Attends the Six-Nation Foreign Minister's Meeting on the Iranian Nuclear Issue," 23 Jan. 2008.

⁴⁸⁶ John Heilprin, "UN resolution would increase sanctions against Iran, including export restrictions," Associated Press Worldstream, 25 Jan. 2008.

⁴⁸⁷ "Draft resolution on Iran meets Russia's criteria- Lavrov," TASS, 25 Jan. 2008.

⁴⁸⁸ John Heilprin, "Export credits, scientist travel debate among new Iran sanctions mulled by UN Security Council," Associated Press Worldstream, 24 Jan. 2008.

plant in Isfahan had produced more than 300 tons of uranium hexafluoride, a gas necessary for uranium enrichment. The gas is subsequently transported to Natanz, where it undergoes enrichment. Enrichment at low levels produces nuclear fuel that can be used for electricity. Higher levels of enrichment produce nuclear fuel that can potentially be used to develop nuclear weapons.⁴⁸⁹

The release of the IAEA report was delayed in February, according to some reports due to internal debate amongst IAEA officials. The core of the debate appeared to be centered on whether the term “resolved” should be used when referring to Iran’s nuclear case. As a result, the decision by the Security Council to impose sanctions was delayed as well. The February 2008 IAEA report stated that while Iran answered some questions, it failed to suspend uranium enrichment and rather had expanded its activities to this end. Evidence of weapons programs development also surfaced and were mentioned in the report, including information on its tests of missile trajectories and diagrams of how to mold uranium into the shape of a warhead. The IAEA also reported the development of a new generation of centrifuges for uranium enrichment.⁴⁹⁰ Iran responded that such information as provided by the US and allegations that they are linked to a possible weapons program are false.⁴⁹¹

⁴⁸⁹ Nasser Karimi, “Iran produces more than 300 tons of uranium hexafluoride gas,” Associated Press Worldstream, 27 Jan. 2008.

⁴⁹⁰ IAEA, Board of Governors, Implementation of the NPT Safeguards Agreement and relevant provisions of Security Council resolutions 1737 (2006) and 1747 (2007) in the Islamic Republic of Iran: Report by the Director General, 22 Feb. 2008, GOV/2008/4.

⁴⁹¹ Anne Gearan, “US says new watchdog report strengthens case for Iran sanctions,” Associated Press Worldstream, 22 Feb. 2008.

On February 27, 2008, Chinese Foreign Minister Yang Jiechi spoke on the phone with Saeed Jalili, who said that Iran would continue cooperating with the IAEA. Yang said China would continue to play “a constructive role in solving Iran’s nuclear issue properly through diplomatic efforts.”⁴⁹²

With no significant results up to this point, the debate in the Security Council focused on the question of what should be done next. Should more time be given or should pressure be increased? Some believed that more time should be given. Others emphasized the importance of a peaceful resolution that would rule out the possibility of resorting to the use of force. The US position was that more pressure needed to be applied to increase the costs of noncompliance to Iran.⁴⁹³ On March 3, the third round of sanctions under resolution 1803 (2008) was adopted by the Security Council against Iran, to be accompanied by a statement by the P5 + 1 reaffirming the commitment to a diplomatic and political solution and calling for the resumption of talks between the EU’s foreign policy chief Javier Solana and Iran’s chief nuclear negotiator Saeed Jalili. The six countries also committed to expanding trade and economic incentives in exchange for Iran’s suspension of enrichment activities. Resolution 1803 (2008) imposes a travel ban on persons determined to be associated with Iran’s nuclear activities or development of nuclear weapons delivery systems. The resolution broadened sanctions on trade of goods beyond nuclear and missile-related goods to include those for both military and civilian purposes. It also “called upon” states to

⁴⁹² People’s Republic of China, Ministry of Foreign Affairs, “Yang Jiechi Holds Telephone Conversation with Secretary of Iran’s Supreme Council of National Security Jalili,” 27 Feb. 2008.

⁴⁹³ Author interview with Zalmay Khalilzad, US Permanent Representative to the United Nations (2007-2008), 27 May 2010.

inspect shipments to and from Iran should they be suspected of carrying embargoed items. The resolution did not contain mention of the possible use of force against Iran.⁴⁹⁴ The resolution passed with 14 votes in favor and one abstention from Indonesia. China supported the resolution with the view that rather than being punitive the resolution was a means to compel Iran to return to the negotiation table. Chinese Ambassador Wang stated, “Like the previous three resolutions, it is not aimed at punishing Iran, but is aimed at urging Iran’s return to the negotiating table and thus reactivating a new round of diplomatic efforts....China wishes to reiterate that sanctions can never fundamentally resolve the issue. They can only serve as a means to promote reconciliation and negotiations.”⁴⁹⁵ The resolution provided a three-month deadline for Iran to comply before further action is considered.

Iran’s Representative to the UN Mohammed Khazaei stated in response to the resolution that the Security Council was “a mere tool of the national foreign policy of just a few countries.” He continued to maintain that Iran’s nuclear program was peaceful and not in violation of the NPT or the Additional Protocol signed by his country.⁴⁹⁶ The following day, Ahmadinejad announced that Iran would no longer discuss its nuclear program outside the framework of the IAEA.⁴⁹⁷

⁴⁹⁴ United Nations Security Council, Resolution 1803, 3 Mar. 2008, S/RES/1803.

⁴⁹⁵ United Nations Security Council, Provisional verbatim record of the 5848th meeting, 3 Mar. 2008, S/PV. 5848.

⁴⁹⁶ “Security Council tool of national foreign policy of a few countries,” IRNA, 4 Mar. 2008.

⁴⁹⁷ “Update: Iran not to talk about nuclear issue outside IAEA: president,” Xinhua General News Service, 5 Mar. 2008.

Chinese Assistant Foreign Minister Zhai Jun visited Iran from April 8 to April 9, 2008. He met with Iranian Foreign Minister Manouchehr Mottaki, Deputy Foreign Minister Mehdi Safari, and Acting Deputy Minister for Asian & Pacific Affairs Seyed Mohammad Ali Hosseini. During the meetings, the two sides “expressed satisfaction with the fruitful friendly cooperation between the two countries. The two countries agreed to continue deepening friendship, expanding cooperation and pushing for bilateral ties to a new level.” They also discussed the Iranian nuclear issue among other international and regional issues.⁴⁹⁸ On May 23, 2008, Iran announced that it had China’s support with regards to a series of proposals it had submitted to both China and Russia on nuclear non-proliferation among other security issues. Iran had also submitted the proposals to Javier Solana and UN Secretary General Ban Ki Moon.⁴⁹⁹ On May 26, 2008, the IAEA issued a report pursuant to UN resolution 1803 (2008) on Iran’s implementation of provisions as specified in Security Council resolutions 1737 (2006), 1747 (2007), and 1803 (2008). The report concluded that while Iran has cooperated in providing information on outstanding issues, it has not provided complete information, nor access to documents and individuals needed to resolve questions on the military dimensions of Iran’s nuclear program. Additionally, Iran’s enrichment activities and construction of related plates remained in progress.⁵⁰⁰

⁴⁹⁸ People’s Republic of China, Ministry of Foreign Affairs, “Assistant Foreign Minister Zhai Jun Pays Successful Visit to Iran,” 9 Apr. 2008.

⁴⁹⁹ “Iran says it has China’s backing on nuclear proposals,” RIA Novosti, 23 May 2008.

⁵⁰⁰ IAEA, Board of Governors, Implementation of the NPT Safeguards Agreement and relevant provisions of Security Council resolutions 1737 (2006), 1747 (2007) and 1803(2008) in the Islamic Republic of Iran: Report by the Director General, 26 May 2008, GOV/2008/15.

On June 14, 2008, Javier Solana and the foreign ministers from the P5 plus Germany sent a letter to the Iranian Foreign Minister Manouchehr Mottaki, along with a proposal to restart the six-nation talks in Tehran. The proposal consisted of a “double freeze,” in which during a preliminary negotiation phase, Iran would agree not to add to its number of centrifuges and the Security Council would agree not to impose additional new sanctions. In the formal negotiations phase, the Security Council would then suspend sanctions in exchange for Iran’s suspension of its nuclear activities. On June 16, 2008, Iran responded with a counterproposal for the resumption of negotiations with the P5 plus Germany.⁵⁰¹ On July 19, 2008 Javier Solana met with Saeed Jalili along with the political directors from the P5 + 1 in Geneva. The six countries gave Iran 15 days to respond to the “double freeze” proposal. They also reaffirmed their intentions to resolve the Iranian matter through diplomatic means.⁵⁰² On August 5, 2008, Iran presented a response letter to Solana, which the US deemed as “nonresponsive” and “disappointing”.⁵⁰³

On September 6, 2008, Chinese President Hu Jintao met with Iranian President Mahmoud Ahmadinejad, who was in Beijing to attend the opening ceremony of the Para Olympics. Hu “urged both sides to tap economic potential, deepen mutually-beneficial cooperation, maintain the sound momentum of bilateral trade development

⁵⁰¹ IAEA, “Islamic Republic of Iran’s proposed package for constructive negotiation,” Information Circular, 18 Jun. 2008, INFCIRC/729.

⁵⁰² France-Diplomatie, “Meeting of Javier Solana, EU High Representative for the CFSP, with the Iranian negotiator Saeed Jalili,” Geneva, 19 Jul. 2008, http://www.diplomatie.gouv.fr/en/country-files_156/iran_301/the-iranian-nuclear-issue_2724/meeting-of-mr-solana-with-the-iranian-negotiator-saeed-jalili-19.07.08_11676.html.

⁵⁰³ Alejandro Wolff, US Deputy Permanent Representative to the United Nations, “Remarks on Iraq, Sudan, Iran, and Mauritania, at the Security Council Stakeout,” 6 Aug. 2008, USUN Press Release 212(08).

and cultivate new growth points in cooperation. Both sides should also strengthen international cooperation and work together to maintain regional and global peace and stability.” “On the Iranian nuclear issue, the Chinese president pointed out that the Chinese side respects Iran’s right to the peaceful use of nuclear energy, supports safeguarding the international non-proliferation regime, and adheres to the peaceful settlement of the Iranian nuclear issue through dialogues and negotiations.” Hu urged the Iranian president to consider resuming the six-nation talks. Ahmadinejad “responded that relevant parties have put forth two proposals regarding the settlement of the Iranian nuclear issue, and it is hoped that a solution acceptable to all parties could be found. The Iranian side is willing to keep contacts and consultations with the Chinese side.”⁵⁰⁴

On September 15, 2008, the IAEA released another report criticizing Iran for blocking its inspection of its nuclear program.⁵⁰⁵ Talk of another round of sanctions was not supported by China, which did not believe another round of sanctions would solve the problem and supported further dialogue and negotiation.⁵⁰⁶ Russia was also opposed to additional measures by the Security Council.⁵⁰⁷ The resultant draft resolution considered by the Security Council did not contain new sanctions. Resolution 1835 (2008) was

⁵⁰⁴ People’s Republic of China, Ministry of Foreign Affairs, “Chinese President Hu Jintao Meets with His Iranian Counterpart Mahmoud Ahmadinejad,” 6 Sept. 2008.

⁵⁰⁵ IAEA, Board of Governors, Implementation of the NPT Safeguards Agreement and relevant provisions of Security Council resolution 1737 (2006), 1747 (2007) and 1803 (2008) in the Islamic Republic of Iran, 15 Sept. 2008, GOV/2008/38.

⁵⁰⁶ Jamey Keaten, “France pushing for more sanctions against Iran,” Associated Press Online, 16 Sept. 2008.

⁵⁰⁷ Pierre Celerier, “Iran president to denounce Security Council at UN assembly,” Agence France Presse, 22 Sept. 2008.

adopted unanimously with little commentary, reaffirming previous sanctions resolutions and repeated a call for Iran to comply with its obligations under the resolutions and the NPT.^{508,509}

According to former US Representative to the UN Zalmay Khalilzad, based on the interactions within the Security Council, the Chinese did not appear to have as much fear or alarm about the Iranian nuclear program than the Western countries. At least in the way the various permanent members projected themselves, the US, the UK, and France appeared to be most concerned, followed by Russia, and then China. It was easier to obtain Russia's support for sanctions in the case of Iran than the Chinese. The Chinese did not want to pay a high price, ultimately willing to support sanctions but defined in a way that their economic interests would not be affected.⁵¹⁰

China moved from resistance to imposing sanctions to willingness to consider sanctions after the June 2006 P5 + 1 agreement, in which the permanent members of the Security Council plus Germany offered Iran a choice of two tracks, one involving suspension of uranium enrichment activities in exchange for a package of economic and political incentives, the other a path of sanctions and punitive consequences. With agreement on sanctions as a basis for negotiation, China was successful in protecting its economic interests with Iran regardless of sanctions, as well as precluding the possibility of a military option in the resolutions. Nevertheless, China's general resistance use

⁵⁰⁸ United Nations Security Council, Resolution 1835, 27 Sept. 2008, S/RES/1835.

⁵⁰⁹ United Nations Security Council, Provisional meeting record of the 5984th meeting, 27 Sept. 2008, S/PV. 5984.

⁵¹⁰ Author interview with Zalmay Khalilzad, US Permanent Representative to the United Nations (2007-2008), 26 May 2010.

sanctions underlied its cooperation, as demonstrated in resolution 1835 (2008) when China opposed the imposition of additional sanctions.

China's Positions during Resolutions Negotiations: Iran				
Year	Resolution	China's position	Compromise	China's vote
2006	1737	<ul style="list-style-type: none"> -Opposed mention of Chapter VII -Sanctions limited and reversible -Sanctions targeted at nuclear technology and weapons delivery systems -Trade relations outside of nuclear-related activities unaffected -Emphasized reinforcement and support of role of IAEA 	<ul style="list-style-type: none"> -Specification of Article 41 of UN Charter to exclude option of use of force -Included conditions for lifting of sanctions -Sanctions included freezing of funds on individuals involved in nuclear proliferation, sanctions on dual-use technology, and on nuclear technology and weapons delivery systems -Trade relations outside of nuclear-related activities unaffected -IAEA role emphasized and supported 	Support
2007	1747	<ul style="list-style-type: none"> -Opposed option of using military force -Purpose of sanctions not to punish -Trade relations outside of nuclear-related activities unaffected -Emphasized reinforcement and support of role of IAEA 	<ul style="list-style-type: none"> -Specification of Article 41 of UN Charter to exclude option of use of force -Trade relations outside of nuclear-related activities unaffected -IAEA role emphasized and supported 	Support
2008	1803	<ul style="list-style-type: none"> -Resistant to additional strengthening of sanctions -Emphasized reinforcement and support of role of IAEA -Purpose of sanctions not to punish --Trade relations outside of nuclear-related activities unaffected 	<ul style="list-style-type: none"> -Consideration of sanctions postponed for another month --Emphasized reinforcement and support of role of IAEA -Emphasized role of sanctions to encourage resumption of dialogue -Targeted sanctions exclude interference in trade and economic activities outside of nuclear-related activities 	Support
2008	1835	<ul style="list-style-type: none"> -Opposed additional sanctions 	<ul style="list-style-type: none"> -Resolution reinforced existing sanctions resolutions 	Support

Chinese perspective and interests

Although China and the US both support the non-proliferation regime as well as the termination of Iran's nuclear program, differences continue to exist between the perspectives of the two countries on the use of sanctions and military attacks. For China, its relations with Iran have been a negative factor in Sino-US relations, and the Iranian nuclear issue presents a diplomatic dilemma in which China has to balance two key

relations. First, as opposed to a “rogue” state and possible state supporter of terrorist groups, China views Iran as a normal state and maintains good relations with Iran. In addition, China maintains normal trade relations with Iran, including the trade of oil and arms, which has been a focus of criticism from the US. China also is strongly opposed to the use of force against Iran, a possibility that had been raised during the Bush administration. China continues to support dialogue and cooperation in the Iranian nuclear crisis, in line with the concept of “Harmonious World” currently being advanced by Chinese diplomacy.

According to Wang Jin and Wang Honggang, China’s strategic interests in Iran are related to its oil interests. As an oil and gas-rich country, Iran helps China to meet its growing demand for energy. Of oil exporters to China, Iran ranks the third largest after Angola and Saudi Arabia. Additionally, Iran controls the Hormoz Strait and therefore is strategically positioned to control the flow of oil shipments from the Persian Gulf. Finally, Iran can help enhance China’s influence amongst oil-producing countries in the Gulf. Wang Jin and Wang Honggang state that additional UN sanctions could negatively impact Sino-US relations if sanctions affect trade between China and Iran. Military action would affect the stability of the region and have a negative impact on China’s interests in Iran.⁵¹¹

Although China and Iran did not establish official relations until August 16, 1971, trade relations began many years prior in 1950. In 2008, China was Iran’s third largest

⁵¹¹ Wang Jin and Wang Honggang, “The Iran Nuclear Issue in Sino-US Relations,” *Contemporary International Relations (Xiandai Guoji Guanxi)* 5 (2007).

trade partner.⁵¹² The major trade exports from China to Iran include mechanical and electrical equipment, as well as chemical products. China's primary import from Iran is crude oil. In April 1985, China and Iran established the Joint Committee on Cooperation of Economy, Trade, Science, and Technology, leading to joint project in energy, transportation, machinery, among other areas. Projects that resulted from bilateral cooperation include a subway system in Tehran, an oil tanker, a cement plant, 4*32.5 thousand KW thermal electrical machinery units in Arak, as well as hydroelectric generation equipment.⁵¹³

It is China's position that all states party to the NPT have the right to develop nuclear energy technology for peaceful purposes, as long as it is not diverted to military use.⁵¹⁴ Teng Jianqun observes that double standards adopted for allowing certain countries to develop nuclear weapons while others are pressured to abandon all nuclear programs contributes to the problem of balancing the nuclear nonproliferation regime with the peaceful use of nuclear technology by non-nuclear weapons states. The non-nuclear weapons states become suspicious of those that support different standards of nuclear technology development for different countries.⁵¹⁵ According to Shen Dingli, the North Korean and Iranian crises are situations where the development of nuclear weapons and/or technology was the result of insecurity stemming from a perceived

⁵¹² "Tehran hosts conference on Iran-China economic co-op," Xinhuanet, 11 May 2009, accessed 14 Feb. 2010 on China Economic Net. http://en.ce.cn/National/Politics/200905/11/t20090511_19039551.shtml.

⁵¹³ People's Republic of China, Ministry of Foreign Affairs, "Iran: Bilateral relations," <http://www.fmprc.gov.cn/eng/wjb/zzjg/xybfs/gjlb/2818/>, last updated 25 Aug. 2003.

⁵¹⁴ Teng Jianqun, "Peaceful Use of Nuclear Energy and Nuclear Non-proliferation," *China International Studies (Guoji Wenti Yanjiu)* (Spring 2007).

⁵¹⁵ Teng Jianqun, "Peaceful Use of Nuclear Energy and Nuclear Non-proliferation," *China International Studies (Guoji Wenti Yanjiu)* (Spring 2007).

threat from the United States. With China's support of UN Security Council sanctions resolutions against both countries in 2006, Shen noted that the cooperation and consensus between the United States and China were increasing. However, Shen also predicted that if little progress continued to be made on the North Korean and Iranian issue, the differences between the US and Chinese perspectives on nonproliferation would only sharpen and cooperation become more difficult.⁵¹⁶ .

Discussion and Analysis

Imposing sanctions on Iran was more of a challenge than on North Korea, since Iran was just a potential nuclear threat while North Korea had launched missiles and conducted a nuclear test.⁵¹⁷ Like the case of North Korea, due to its bilateral relations with the target country, China resisted sanctions against Iran until 2006. In both cases, China emphasized diplomatic dialogue and negotiations over punitive measures, and supported sanctions only as a means to compel the two countries to resume dialogue. Even so, China was not a particularly willing supporter of sanctions throughout the negotiations of the resolutions. In addition, the invocation of Chapter VII continued to be problematic in both cases due to China's strong opposition against the use of force.⁵¹⁸ In the case of North Korea, China emphasized the Six-Party Talks as the primary mechanism for resolving the nuclear issue, whereas in the case of Iran, China emphasized the IAEA framework as well as the consensus proposal developed by the P5 + 1.

⁵¹⁶ Shen Dingli, "Nonproliferation and Sino-American Relations," *China International Studies (Guoji Wenti Yanjiu)* (Spring 2007).

⁵¹⁷ Author interview with John R Bolton, US Permanent Representative to the United Nations (2005-2006), 12 Jun. 2007.

⁵¹⁸ *Ibid.*

What appears to have shifted from earlier cases of sanctions is that China supported sanctions against two target countries with which it has strong relations, as measured by the bilateral relations scale in Chapter 3. As discussed, the circumstances surrounding China's support are unique to each case- one the deliberate escalation of the situation by the target country, the other the arrival at a consensual strategic approach amongst key players. In each case, however, China's relations and pragmatic interests appear to be unaffected. Despite its disapproval of North Korea's nuclear test and the consequent imposition of sanctions, China maintained its friendly relations with North Korea and continued to provide energy and food aid. Also, as emphasized in its statements, China's normal trade relations with Iran were not affected by the sanctions imposed on activities related to nuclear proliferation. The more recent cases of North Korea and Iran therefore, in contrast to the case of Sudan, demonstrate a China that is more willing to consider sanctions against countries with which it has strong bilateral relations, as well as one that has more success in negotiating for its positions on the resolutions. This may be an indication of an increasingly confident and assertive China that is more adept at remaining engaged in the multilateral arena while preserving its bilateral interests.

CHAPTER 7 CASE STUDIES: MYANMAR AND ZIMBABWE

The cases of Myanmar and Zimbabwe involve democratic elections gone awry in the hands of oppressive leadership. To the Western world, the cases of Myanmar and Zimbabwe involve issues such as human rights, democracy and political freedom. To China, the issue is not so much whether China supports democracy or human rights as it is the importance of respecting a sovereign state's government in its decisions concerning these issues as well as all other issues of internal affairs. China vetoed draft resolutions in both cases, demonstrating the importance and relevance of its longstanding principles to its policy today. China opposed sanctions in these situations, citing interference in internal affairs and the lack of support of neighboring countries and regional organizations for sanctions, demonstrating the consistency of its conditions for opposing sanctions as outlined in Chapter 3. The decision to veto the resolutions demonstrates a China that is willing to take stronger positions than it has in the past in similar situations. Although the actual draft resolution on Myanmar did not ultimately contain mention of sanctions, the case of Myanmar is included due to the discussion of possible sanctions during negotiations.

Myanmar: Background Information

In 1988, a military junta currently called the State Peace and Development Council (SPDC) in Myanmar seized control of the government. When Aung Sang Suu Kyi and the National League for Democracy party won an overwhelming landslide victory in the 1990 general elections, the junta refused to give up its power.

On May 30, 2003, Suu Kyi and her supporters were ambushed and captured by a pro-government group during a political tour of northern Myanmar and placed under

house arrest for the third time since 1989.⁵¹⁹ The ruling junta denied having any role in the attack and had since refused to conduct investigations over the incident. In the aftermath, the Government proceeded to ban all NLD political activities, close an estimated 100 NLD offices, and detain the nine members of the NLD Central Executive Committee.⁵²⁰ In 2003, the international community put pressure on Myanmar to call for the immediate release of Aung San Suu Kyi from house imprisonment.⁵²¹ The UN Secretary General at the time, Kofi Annan, was asked to consider referring the issue to the Security Council should Myanmar resist international pressure on the issue. In July 2003, European diplomats maneuvered to put the issue of Aung San Suu Kyi on the agenda of the Asia Europe Meeting (ASEM), a meeting between the foreign ministers of the two continents, which was to take place beginning July 23, 2003 in Bali. The United States and the EU had tightened bilateral sanctions. ASEAN had issued a statement in June 2003 “urg[ing] Myanmar to resume its efforts of national reconciliation” and “looked forward to the early lifting of restrictions placed on Daw Aung San Suu Kyi and the NLD members.”⁵²²

⁵¹⁹ Matthew P. Daley, US Deputy Assistant Secretary, Bureau of East Asian and Pacific Affairs, “Testimony before the House International Relations Committee, Subcommittee on Asia and the Pacific and Subcommittee on International Terrorism, Nonproliferation and Human Rights,” Washington, DC, 25 Mar. 2004.

⁵²⁰ Lorne W. Craner, US Assistant Secretary for Democracy, Human Rights, and Labor, “Testimony on Human Rights Problems in Burma,” Statement before the House International Relations Committee Subcommittee on Asia and the Pacific and the Subcommittee on International Terrorism, Nonproliferation and Human Rights at a hearing entitled “Developments in Burma,” Washington, DC, 25 Mar. 2004.

⁵²¹ Matthew P. Daley, US Deputy Assistant Secretary, Bureau of East Asian and Pacific Affairs, “Testimony before the House International Relations Committee, Subcommittee on Asia and the Pacific and Subcommittee on International Terrorism, Nonproliferation and Human Rights,” Washington, DC, 25 Mar. 2004.

⁵²² Chairman’s Statement, Tenth Meeting of ASEAN Regional Forum, Phnom Penh, 18 Jun. 2003.

Security Council draft resolution

Draft resolution- Myanmar				
Resolution	Sanctions	Objective	China's vote	Reasons cited
S/2007/14	-No sanctions included in text	-Call upon Government to cease military attacks upon civilian ethnic minority regions -Permit international humanitarian organizations to operate without restrictions -Call upon Government to begin substantive political dialogue, to allow full freedom of expression -Call upon Government to release Aung San Suu Kyi and all political prisoners, allow National League of Democracy and other political parties to operate freely	Veto	-Does not constitute a threat to international peace and security -all neighbors, ASEAN countries, most Asia-Pacific countries do not see as threat to international peace and security -internal affair should be handled by Myanmar Government and people themselves

In September 2005, Nobel Peace Prize recipients Vacláv Havel, former President of the Czech Republic, and Desmond Tutu called on the UN Security Council to intervene and address the threat to peace posed by certain factors in Myanmar, including the expulsion of the democratically elected government, conflict between the government, and insurgent groups, mass human rights violations against ethnic minorities and pro-democracy groups, and an outpour of refugees. The report called for the release of Suu Kyi and all political prisoners, as well as the granting of access for humanitarian groups to move freely throughout the country. Additionally, it called upon the United Nations Security Council to adopt a resolution under Chapter VII of the UN Charter.⁵²³

⁵²³ “Threat to the Peace: A Call for the UN Security Council to act in Burma,” Report Commissioned by The Honorable Vaclav Havel, Former President of the Czech Republic, Bishop Desmond M. Tutu,

In June 2005, attempts by the US to put Myanmar on the Security Council agenda had been blocked by China and Russia, which argued that the situation in Myanmar did not constitute a threat to international peace and security.⁵²⁴ In October 2005, the US again called for placing Myanmar on the Security Council's agenda, citing its human rights violations. China and Russia continued to strongly oppose the move.⁵²⁵

In November 2005, within days after the military junta extended Suu Kyi's house arrest for another six months, the US again raised the matter of putting Myanmar on the Security Council agenda in a letter to the Security Council president. The Security Council president at the time, Russian Ambassador Andrey Denisov, rejected the proposal, stating that the situation in Myanmar had not proven to be a threat to international peace and deferred assessment of the situation to ASEAN.⁵²⁶ Towards the end of the month, the US requested that a briefing be held on the situation in Myanmar. China was initially opposed to the request, but after further consultations decided to join the consensus on holding a closed briefing.⁵²⁷ On December 16, 2005, the Security Council met for the first time on the situation in Burma to receive a briefing from Undersecretary General for Political Affairs Ibrahim Gambari. The briefing covered the human rights situation, the detention of Aung San Suu Kyi and other political figures, as

Archbishop Emeritus of Cape Town and Nobel Peace Prize Laureate (1984), prepared by DLA Piper Rudnick Gray Carey, 20 Sept. 2005.

⁵²⁴ "Havel, Tutu for Security Council intervention in Myanmar," Indo-Asian News Service, 20 Sept. 2005.

⁵²⁵ Nick Wadhams, "US pushes again to get Myanmar on Security Council agenda despite opposition from Russia, China," Associated Press Worldstream, 13 Oct. 2005.

⁵²⁶ "UN Security Council rebuffs US on Myanmar," Deutsche Presse-Agentur, 30 Nov. 2005.

⁵²⁷ John R. Bolton, US Permanent Representative to the United Nations, "Remarks on Burma, the Mehlis Commission and the UN Budget Process, at the Security Council Stakeout," 2 Dec. 2005, USUN Press Release #233(05).

well as the difficulty and frustrations experienced by the Secretary General's Special Representative in attempts to gain access to the country.⁵²⁸ Gambari referred to the situation in Myanmar as "a humanitarian emergency," and UN Secretary General Kofi Annan referred to the situation as a "threat to human security."⁵²⁹

In May 2006, Undersecretary General Ibrahim Gambari, the UN envoy to Myanmar at the time, was permitted entry into Myanmar as well as a visit with Aung San Suu Kyi. The US made another request for a Security Council briefing on his visit.⁵³⁰

On September 15, 2006, the US-led efforts forced a procedural vote on putting Myanmar on the Security Council agenda. China had been firmly opposed to putting Myanmar on the agenda, arguing that the situation was not a threat to international peace and security. It was a close vote with a lot of uncertainty up to the end,⁵³¹ with 10 votes for, 4 votes against, and one abstention. China, Russia, Qatar, and Congo were the four opposing the decision, while Tanzania abstained from the decision. Since the decision was a procedural rather than a substantive matter, the right of veto did not pertain in this instance. The US, which led the efforts, pointed out that drug trafficking, the growing number of refugees, human rights violations and a rising incidence in HIV/AIDS were

⁵²⁸ John R. Bolton, US Permanent Representative to the United Nations, "Remarks to the Press on the Situation in Burma," Remarks at the Security Council Stakeout, Washington, DC, 16 Dec. 2005.

⁵²⁹ Christopher R. Hill, US Assistant Secretary for East Asian and Pacific Affairs, "Statement before the House International Relations Committee," Washington, DC, 7 Feb. 2006.

⁵³⁰ John R. Bolton, US Permanent Representative to the United Nations, "Remarks on Burma, Ethiopia/Eritrea, the Secretary General Selection Process and Other Matters, at the Security Council Stakeout," 22 May 2006, USUN Press Release #123(06).

⁵³¹ Author interview with John R. Bolton, US Permanent Representative to the United Nations (2005-2006), 12 Jun. 2007.

factors that threatened international peace and security.⁵³² Myanmar's possible interest in developing nuclear capability had also been explored as a potential threat, although there was insufficient evidence to make this argument.⁵³³ The US also expressed the intention to introduce a draft resolution on Myanmar in the near future.⁵³⁴ Chinese Ambassador Wang stated, "If the existence in Myanmar of such issues—including human rights questions, refugees, drugs and HIV/AIDS—means that they are likely to endanger international peace and security...then it follows that any country facing similar issues should likewise be inscribed on the Council's agenda. That is preposterous." He also stated that "neither the direct neighbors of Myanmar nor the overwhelming majority of Asian countries recognizes the situation in Myanmar as any threat to regional peace and security." China's position was that "the international community should continue to encourage Myanmar and to create a favorable environment for the country" and that "communication and cooperation between Myanmar and the international community" should be further promoted.⁵³⁵ Japan, which had previously sided with Russia and China in opposing action against Myanmar, supported the decision. On September 29, 2006, the Security Council held its first closed consultations on Myanmar, with a report presented

⁵³² United Nations Security Council, Provisional meeting record of the 5526th meeting, 15 Sept. 2006, S/PV.5526.

⁵³³ Author interview with John R. Bolton, US Permanent Representative to the United Nations (2005-2006), 12 Jun. 2007.

⁵³⁴ John R. Bolton, US Permanent Representative to the United Nations, "Remarks on Burma and other matters, at the Security Council stakeout," 29, Sept. 2006, USUN Press Release #248(06).

⁵³⁵ United Nations Security Council, Provisional meeting record of the 5526th meeting, 15 Sept. 2006, S/PV.5526.

by Gambari. Since his May 31 report to the Security Council, the military regime had not taken any action in response to his requests for reform.^{536,537}

In January 2007, China and Russia expressed opposition to the US-led draft resolution condemning Myanmar, which was formally introduced on January 10, 2007. The draft resolution called upon “the Government of Myanmar to cease military attacks against civilians in ethnic minority regions and...to put an end to the associated human rights and humanitarian law violations,” “to begin without delay a substantive political dialogue which would lead to genuine democratic transition,” as well as to “releas[e] Daw Aung San Suu Kyi and all political prisoners, lifting all constraints on all political leaders and citizens.”⁵³⁸ The draft did not pass, with 9 votes for, 3 abstaining (Indonesia, Qatar, Congo), and 3 against including 2 vetoes from China and Russia (and 1 vote against from South Africa). China “is firmly opposed to the adoption by the Security Council of the draft resolution on Myanmar.” The Chinese position was that the issue was “mainly the internal affair of a sovereign State” and “does not constitute a threat to international or regional peace and security.” Chinese UN Ambassador Wang further stated, “It is our consistent position that the internal affairs of Myanmar should be handled mainly and independently by the Myanmar Government and people themselves through consultation....Based on the above principled position, China strongly opposes

⁵³⁶ United Nations Security Council, Official communiqué of the 5526th meeting of the Security Council (closed), 29 Sept. 2006, S/PV.5526.

⁵³⁷ John R. Bolton, US Permanent Representative to the United Nations, “Statement on the Situation in Burma,” Remarks to the Security Council, 29 Sept. 2006.

⁵³⁸ United Nations Security Council, United Kingdom of Great Britain and Northern Ireland and United States of America: draft resolution, 12 Jan. 2007, S/2007/14.

the inclusion of Myanmar on the agenda of the Council, and is firmly against adopting any Security Council resolution on Myanmar.”⁵³⁹

On August 19, 2007, protests erupted in Myanmar on the same day the Government significantly increased gas prices. As a result of the military junta’s crackdown on civil protests, in a letter to the President of the Security Council, then US Ambassador to the UN Zalmay Khalilzad called for an urgent meeting of the Security Council to consider the situation in Myanmar.⁵⁴⁰ According to Khalilzad, the matter was significant in particular with regard to the “responsibility to protect.” “We thought the domestic situation there was a threat to the region, and that we had a responsibility to respond to that threat.” The Government of Myanmar had the responsibility to protect its own people, and it was failing in that responsibility not only by lack of action but by direct contribution to the suffering and demise of its own people by blocking the access of international humanitarian organizations.⁵⁴¹ On September 29, 2007, in a telephone conversation with British Prime Minister Gordon Brown, Chinese Premier Wen Jiabao expressed China’s position that “all parties concerned in Myanmar show restraint, resume stability through peaceful means as soon as possible, promote domestic reconciliation and achieve democracy and development.” He also stated that the international community

⁵³⁹ United Nations Security Council, Provisional meeting record of the 5619th meeting, 12 Jan. 2007, S/PV.5619.

⁵⁴⁰ United Nations Security Council, Letter dated 3 October 2007 from the Permanent Representative of the United States of America to the United Nations addressed to the President of the Security Council, 4 Oct. 2007, S/2007/590.

⁵⁴¹ Author interview with Zalmay Khalilzad, US Permanent Representative to the UN (2007-2008), 27 May 2010.

needed to work constructively to help resolve the situation in Myanmar.⁵⁴² On October 5, 2007, the Security Council met to discuss the situation after the military junta fired upon protesters. During the meeting, the Secretary General's Special Adviser Ibrahim Gambari briefed the Council on his recent trip to Myanmar which was productive and constructive in that he was able to convey the international perception and impact of the situation in Myanmar as well as achieve some initial successes with the Government, including the release of national UN staff members that had been detained in Yangon.⁵⁴³ Chinese UN Ambassador Wang stated following the briefing that the situation in Myanmar did not pose a threat to international peace and security."⁵⁴⁴ Within the Security Council, China opposed the consideration of any resolutions including sanctions. Chinese Foreign Ministry spokesperson Liu Jianchao stated that China "resolutely opposed" sanctions against Myanmar due to the fact that they would not help to resolve the problem. Liu stated, "Any move by the United Nations Security Council should be prudent and responsible and be conducive to the mediation efforts of the UN secretary-general, and conducive to achieving stability, reconciliation, democracy and the development of Myanmar."⁵⁴⁵ The Chinese believed that the situation did not warrant Security Council interference and felt that its consideration by other bodies of the UN was sufficient. They did agree to a brief statement expressing concern of Security Council members over the

⁵⁴² "Chinese, British PMs hold telephone talks on situation in Myanmar," Xinhuanet, 29 Sept. 2007, accessed 14 Feb. 2010 on China Economic Net, http://en.ce.cn/National/Politics/200709/29/t20070929_13089199.shtml.

⁵⁴³ United Nations Security Council, Provisional meeting record of 5753rd meeting, 5 Oct. 2007, S/PV.5753.

⁵⁴⁴ "China: Situation in Myanmar poses no threat to peace, security," Xinhuanet, 6 Oct. 2007, accessed 14 Feb. 2010 on China Economic Net, http://en.ce.cn/National/Politics/200710/06/t20071006_13139630.shtml.

⁵⁴⁵ "China opposes sanctions against Myanmar," Xinhuanet, 10 Oct. 2007, accessed 14 Feb. 2010, on China Economic Net, http://en.ce.cn/National/Politics/200710/10/t20071010_13180084.shtml.

situation, a “very positive development,” according to Khalilzad. In October 2007, the US, Britain, and France circulated a draft of a presidential statement supporting Gambari’s efforts and condemning the junta’s violent repression of the protests. China proposed a number of alternative proposals that would soften the language and decrease the perceived pressure imposed on Myanmar. On October 11, the Security Council reached a consensus and released the statement.⁵⁴⁶ On October 13, 2007, the Chinese Foreign Ministry issued a response to the statement by expressing its position that “the Myanmar issue should be fundamentally and properly resolved with the efforts of Myanmar’s government and people....” Chinese Foreign Ministry spokesperson Liu Jianchao stated that the intent of the presidential statement by the UN Security Council was to support the UN Secretary-General Ban Ki-Moon and his Special Envoy Ibrahim Gambari in their mediation efforts.⁵⁴⁷ The Chinese played a significant role in supporting the Office of the Secretary General and facilitating Gambari’s work.

On Friday, May 2, 2008, the Security Council issued another statement in anticipation of Myanmar’s referendum on a new constitution, calling for the protection of “fundamental political freedoms” and “the full participation of all political actors.” It also reaffirmed its support for the work of the Secretary General’s Special Adviser, Ibrahim Gambari, and affirmed “its commitment to the sovereignty and territorial integrity of Myanmar.”⁵⁴⁸ China had objected to initial drafts of the statement that referenced Suu

⁵⁴⁶ United Nations Security Council, Statement by the President of the Security Council, 11 Oct. 2007, S/PRST/2007/37.

⁵⁴⁷ “Myanmar issue should be resolved by itself,” Xinhuanet, 13 Oct. 2007, accessed 14 Feb. 2010 on China Economic Net, http://en.ce.cn/National/Politics/200710/13/t20071013_13225992.shtml.

⁵⁴⁸ United Nations Security Council, Statement by the President of the Security Council, 2 May 2008, S/PRST/2008/13.

Kyi. Additional language that was deleted from the final draft include language calling for Myanmar to “guarantee free expression, association and assembly ‘in the political process leading to the referendum.’”⁵⁴⁹ The new constitution granted the military broad powers to intervene in government and also forbade Suu Kyi from running for office in the upcoming 2010 elections.⁵⁵⁰

Chinese perspective and interests

Myanmar holds a strategically important geographic position as the only land bridge linking Southeast and South Asia. It also oversees the Strait of Malacca, which serves as a strategic link between the Indian and Asia Pacific Oceans. Additionally, it is a country that is rich in natural resources, including minerals, timber, oil, and gas.⁵⁵¹

China is among one of four neighboring countries to Myanmar, the other three being India, Thailand, and Bangladesh. China is Myanmar’s second largest trading partner, preceded by Thailand and followed by Singapore and India.⁵⁵² In recent years, bilateral economic relations have strengthened between the two countries, with five key areas of cooperation: “comprehensive agricultural development, natural resources

⁵⁴⁹ Edith M. Lederer, “Security Council calls for Myanmar referendum to respect ‘fundamental political freedoms,’” Associated Press Worldstream, 2 May 2008.

⁵⁵⁰ “Indonesian FM says UN under pressure over Myanmar,” Agence France Presse, 20 Aug. 2008.

⁵⁵¹ Ni Xiayun, “The Burma Issue in Sino-US Relations,” *Contemporary International Relations (Xiandai Guoji Guanxi)* 5 (2007).

⁵⁵² “Myanmar to boost border trade with neighboring countries,” Xinhuanet, 2 Aug. 2006, accessed 13 Feb. 2010 on China Economic Net, http://en.ce.cn/World/Asia-Pacific/200608/02/t20060802_7984461.shtml.

exploitation, infrastructural construction, value-added assembling, and human resources cooperation.”⁵⁵³

In 2003, the total volume of bilateral trade exceeded 1 billion US dollars, with Myanmar’s exports to China totaling 170 million US dollars and its imports totaling 900 million US dollars. In March 2004, China and Myanmar signed a series of 21 agreements to strengthen economic and trade cooperation. Key amongst these documents were a bilateral agreement on economic and technical cooperation, a framework for the provision of concessional loans, and a memorandum of understanding to promote trade, economic, and investment cooperation. Additionally, contracts were signed on joint projects from communications and power plants to agricultural technology, mineral exploration, fertilizer and railways.⁵⁵⁴ China’s primary exports to Myanmar consisted of value-added products, including textile, steel, and oil-refined products. Its primary exports consisted of natural resources such as raw wood, sawn timber, natural rubber, and cane products.⁵⁵⁵ In 2008, total bilateral trade volume was 2.626 billion US dollars, an increase of 26.4% from 2007, with 1.978 US billion dollars being Chinese exports to Myanmar.

Myanmar opened its doors for foreign investment in late 1988. Between 1992 to October 2007, cumulative Chinese investment in the country came to \$638 million US

⁵⁵³ “China-Myanmar economic ties make new progress,” Xinhuanet, 9 Dec. 2007, accessed 13 Feb. 2010 on China Economic Net, http://en.ce.cn/National/Politics/200712/09/t20071209_13855513.shtml.

⁵⁵⁴ “China, Myanmar sign package of cooperation agreements,” Xinhuanet, 25 Mar. 2004, accessed 14 Feb. 2010 on China Economic Net, http://en.ce.cn/Business/Macro-economic/200403/25/t20040325_545609.shtml.

⁵⁵⁵ “China-Myanmar economic ties make new progress,” Xinhuanet, 9 Dec. 2007, accessed 13 Feb. 2010 on China Economic Net, http://en.ce.cn/National/Politics/200712/09/t20071209_13855513.shtml.

dollars, primarily in the following sectors: hydropower, oil and gas, manufacturing, and mining.⁵⁵⁶ In recent years, China has risen quickly in the ranks of foreign investors in Myanmar. In 2004, China was the ranked 15th amongst foreign investors in Myanmar.⁵⁵⁷ By 2008, China had become the 4th largest investor in Myanmar, with a total investment of 1.331 billion US dollars primarily in the mining, electric power, and oil and gas sectors.⁵⁵⁸

Myanmar is rich in natural gas resources, estimated to be 510 billion cubic meters of recoverable gas from both offshore and onshore sources. It also possesses an estimated reserve of 3.2 billion barrels of recoverable crude oil. It has three major offshore oil and gas fields and 19 fields onshore. All three of China's largest oil enterprises, CNPC, Sinopec, and CNOOC have been involved in projects in Myanmar. Sino-Burmese oil pipelines as well as a natural gas pipeline project involving Iran, Pakistan, India, China, and Myanmar have been under construction. These oil and gas pipelines would significantly reduce the costs to China of importing oil through the Strait of Malacca. CNPC has been operating in Myanmar since 2001, when it acquired two major oilfield development projects, the Bagan Project (acquired from Canadian-based TG World Energy Corporation) and Block IOR-4. CNPC holds 100% of the shares for these two projects. On January 15, 2007, CNPC signed a contract with the Myanmar Oil and Gas Enterprise (MOGE) to perform crude oil and natural gas exploration at three deep-water

⁵⁵⁶ "China-Myanmar economic ties make new progress," Xinhuanet, 9 Dec. 2007, accessed 13 Feb. 2010 on China Economic Net, http://en.ce.cn/National/Politics/200712/09/t20071209_13855513.shtml.

⁵⁵⁷ "Myanmar PM leaves for China-ASEAN summit," Xinhuanet, 29 Oct. 2006, accessed 13 Feb. 2010 on China Economic Net, http://en.ce.cn/World/Asia-Pacific/200610/29/t20061029_9179400.shtml.

⁵⁵⁸ "Myanmar's second top leader's China visit brings about new success in bilateral relations," Xinhuanet, 22 Jun. 2009, accessed 14 Feb. 2010 on China Economic Net, http://en.ce.cn/National/Politics/200906/22/t20090622_19371844.shtml.

blocks located in offshore Rakhine.⁵⁵⁹ In addition, a consortium of two Chinese companies and one Singaporean company signed a series of contracts for energy exploration in Myanmar between October 2004 and January 2005. The two Chinese companies were China National Offshore Oil Company (CNOOC) and China Huanqiu Contracting and Engineering Corporation. The Singaporean company was Golden Aaron Pte. Ltd. State-run Myanmar Oil and Gas Enterprise represented Myanmar in the consortium.⁵⁶⁰

On November 20, 2007, on the sidelines of an ASEAN meeting held in Singapore, Chinese Premier Wen Jiabao met with Myanmar Prime Minister Thein Sein to discuss bilateral relations and the protests in Myanmar that erupted in August 2007. Wen expressed China's concern over the situation in Myanmar "because Myanmar is [a] close neighbor." Wen emphasized China's steadfast policy to develop "good-neighborly friendship" between the two countries based on the Five Principles of Peaceful Coexistence. He also expressed China's willingness to continue to strengthen economic relations and cooperation.⁵⁶¹ Shortly following his visit a series of cooperative agreements ensued between the two countries. The China Association for Science and Technology (CAST) and the Myanmar Ministry of Science and Technology signed a memorandum of understanding to enhance bilateral cooperation, specifically to strengthen academic and

⁵⁵⁹ "CNPC in Myanmar," accessed 15 Feb. 2010, <http://www.cnpc.com.cn/en/cnpcworldwide/myanmar/#>.

⁵⁶⁰ "Chinese company to explore oil, gas in three Myanmar offshore areas," Xinhuanet, 16 Jan. 2007, accessed 13 Feb. 2010 on China Economic Net, http://en.ce.cn/Business/Enterprise/200701/16/t20070116_10109932.shtml.

⁵⁶¹ "Chinese Premier meets Myanmar PM," Xinhuanet, 20 Nov. 2007, accessed 14 Feb. 2010 on China Economic Net, http://en.ce.cn/National/Politics/200711/20/t20071120_13654374.shtml.

personnel exchange.⁵⁶² Additionally, China and Myanmar signed a joint action plan on opium poppy crop substitution and alternative development to combat the trafficking and abuse of narcotics.⁵⁶³

Zimbabwe: Background Information

On March 29, 2008, Zimbabwe held presidential elections in which challenger Morgan Tsvangirai was estimated to have garnered slightly more votes than the incumbent president, Robert Mugabe, a member of the Zimbabwe African National Union-Patriotic Front (ZANU-PF). Official election results were released 21 days after the election and a run-off election was called on June 27 to determine the final winner. What ensued was a campaign of terror and intimidation against members of the challenger's party, the Movement for Democratic Change (MDC), including beatings, killings, and the burning of entire villages, so that US Ambassador to Zimbabwe James McGee stated that the situation had turned from an election crisis into a human rights and humanitarian crisis.⁵⁶⁴ Since the election, key members of the MDC party had been detained, including Tendai Biti, the Secretary General of the MDC, as well as the challenger Tsvangirai himself.

⁵⁶² "China, Myanmar sign MoU on science, technology co-op," Xinhuanet, 30 Nov. 2007, accessed 13 Feb. 2010 on China Economic Net, http://en.ce.cn/National/Politics/200711/30/t20071130_13773806.shtml.

⁵⁶³ "China, Myanmar sign action plan for anti-drug co-op," Xinhuanet, 21 Nov. 2007, accessed 13 Feb. 2010 on China Economic Net, http://en.ce.cn/National/Politics/200711/21/t20071121_13668176.shtml.

⁵⁶⁴ Jendayi E. Frazer, US Assistant Secretary of State for African Affairs, Ambassador to South Africa Eric Bost, Ambassador to Zimbabwe James McGee, "Press Roundtable in Pretoria", Sheraton Hotel, Pretoria, South Africa, 24 Apr. 2008.

Security Council draft resolution

Draft resolution- Zimbabwe				
Resolution	Sanctions	Objective	China's vote	Reasons cited
S/2008/447	-Member States will prevent supply, sale, or transfer of arms and related materials -Prevent provision of technical assistance, training, financial assistance, investment, brokering related to arms -Travel ban and freezing of assets of individuals involved in subversion of democratic processes, including involvement in politically motivated violence	-Cease attacks and intimidation of opposition members and supporters -Begin substantive political dialogue to arrive at peaceful solution -Give AU, SADC, and UNSG full access to country -Cooperate fully with investigations of political violence -End all restrictions on international humanitarian assistance	Veto	-Several African leaders stated opposition to imposing sanctions at this stage -Need for more time for AU and SADC mediation efforts -Threatening/using sanctions cannot solve problem, could worsen situation -Does not constitute a threat to international peace and security -Matter of internal affairs

On June 5, 2008, US and UK diplomatic personnel were held at gunpoint and detained by Zimbabwean police, eliciting the outrage of the two governments. The US requested consultations in the Security Council on the matter.⁵⁶⁵ On June 6, 2008, the Ministry of Social Welfare suspended all NGO operations, cutting citizen access to

⁵⁶⁵ Zalmay Khalilzad, US Permanent Representative to the United Nations, Remarks on Sudan and the Prosecutor of the International Criminal Court, and Zimbabwe, at the Security Council stakeout, 5 Jun. 2008, USUN Press Release #137(08).

significant sources of food assistance.⁵⁶⁶ Food was being used as a political weapon and being denied to supporters of the opposition, including their young children. Shortly before the June 27 runoff elections on June 22, Tsvangirai withdrew from the contest, citing violence against members of the MDC and his supporters.⁵⁶⁷ In a briefing to the Security Council, Lynn Pascoe, Under Secretary General for Political Affairs, stated, “In the Secretary-General’s view, the situation in Zimbabwe constitute a major challenge to regional stability in Southern Africa, not only because of its likely direct impact on the region’s political and economic security and the possible displacements, but also because it created a dangerous precedent for the political future of the continent.” Assistant Secretary-General for Political Affairs Haile Menkerios had been tasked with visiting the country to discuss ways to improve the circumstances prior to the run-off election. He concluded that “conditions did not exist for free and fair elections in Zimbabwe and that no outcome of an election run under these conditions could be considered credible.” Supporters of the ZANU-PF party had killed an estimated 80 or more supporters of the MDC party. Thousands were displaced. Evidence showed those involved in the violence included officers of the army, police, and intelligence. The MDC candidate was not permitted to campaign freely; his access to the media was blocked and campaign buses and vehicles were seized by the State.⁵⁶⁸ The same day, a presidential statement was issued by the Security Council to address the crisis in Zimbabwe, “condemn[ing] the campaign of violence against the political opposition...that have made it impossible for a

⁵⁶⁶ James McGee, US Ambassador to Zimbabwe, “Recent Events in Zimbabwe,” Washington, DC, 13 Jun. 2008.

⁵⁶⁷ Condoleeza Rice, US Secretary of State, “Crisis in Zimbabwe,” Washington, DC, 23 Jun. 2008.

⁵⁶⁸ United Nations Security Council, Provisional meeting record of the 5919th meeting, 23 Jun. 2008, S/PV.5919.

free and fair election to take place on June 27” and “call[ing] upon the Government of Zimbabwe to immediately allow humanitarian organizations to resume their services.”⁵⁶⁹ From the US perspective, the crisis had two components: one, a political component, the need for fair and free elections in order to create a legitimate government; two, a humanitarian component, the mismanagement of the economy by the government creating a crisis worsened by the blocking of international humanitarian aid.⁵⁷⁰ Khalilzad stated, “We thought the policies of the government created a situation beyond that of internal political oppression and were a threat to international peace and security due to the consequent exodus of people leaving the country.”⁵⁷¹ Mugabe went ahead with the run-off election despite the presidential statement and a call by the Secretary-General to postpone the run-off until freer and fairer conditions were attained. In response, the US initiated consultations to introduce a resolution to impose targeted sanctions on Zimbabwe on June 30.⁵⁷² On July 3, the US introduced the draft, calling for an arms embargo as well as an assets freeze and travel ban on Mugabe and 13 senior officials, or those the US believed to be responsible for the political crisis.⁵⁷³ The US and the UK took the lead in the negotiations. The resolution demanded that the Government of Zimbabwe “cease attacks against and intimidation of opposition members and supporters and...end

⁵⁶⁹ United Nations Security Council, Statement by the President of the Security Council, 23 Jun. 2008, S/PRST/2008/23.

⁵⁷⁰ Zalmay Khalilzad, US Permanent Representative to the United Nations, “Remarks on Zimbabwe at the Security Council Stakeout,” 23 Jun. 2008, USUN Press Release #161(08).

⁵⁷¹ Author interview with Zalmay Khalilzad, US Permanent Representative to the United Nations (2007-2008), 27 May 2010.

⁵⁷² Zalmay Khalilzad, US Permanent Representative to the United Nations, “Remarks on the Security Council’s activities during the month of June, the situation in Zimbabwe, and other matters, at the Security Council Stakeout,” 30 Jun. 2008, USUN Press Release #171(08).

⁵⁷³ Zalmay Khalilzad, US Permanent Representative to the United Nations, “Remarks on Zimbabwe at the Security Council Stakeout,” 3 Jul. 2008, USUN Press Release #176(08).

the abuse of human rights, including widespread beatings, torture, killings, sexual violence and displacement, and release all political prisoners....as well as “end immediately all restrictions on international humanitarian assistance.”⁵⁷⁴ The sponsors of the resolution believed that it had the requisite number of votes, 9 of 15 to pass, absent a veto. The Council, however, remained divided as Russians and Chinese opposed the measure, citing interference in the internal affairs of another state. Russian Ambassador to the UN Vitaly Churkin questioned the role of the Security Council in mediating elections and stated that the situation did not pose a clear threat to international peace and security. South African Ambassador to the UN Dumisani Kumalo and Vietnamese Ambassador Le Luong Minh also expressed opposition, stating that sanctions would not help the situation.⁵⁷⁵ There were “sharp exchanges,” during the negotiations, including with South Africa. The South African position was that the situation was best handled through engagement and promotion of reconciliation. The US and the UK, on the other hand, believed a combination of pressure and engagement would be more effective. Khalilzad observed that it was paradoxical for the post-apartheid South African government, which was in part the result of sanctions and international pressure, to oppose sanctions in this case as an instrument for bringing about domestic change.⁵⁷⁶ On July 11, the resolution was put to a vote and was vetoed by China and Russia, with a vote of 9 in favor, 5 opposed including Russia and China, and 1 abstaining. China had

⁵⁷⁴ United Nations Security Council, Draft resolution sponsored by Australia, Belgium, Canada, Croatia, France, Italy, Liberia, Netherlands, New Zealand, Sierra Leone, United Kingdom of Great Britain and Northern Ireland and United States of America, 11 Jul. 2008, S/2008/447.

⁵⁷⁵ “UNSC remains divided on Zimbabwe,” Xinhua News Agency, 9 Jul. 2008, accessed 8 Mar. 2010 on China Economic Net, http://en.ce.cn/World/Africa/200807/09/t20080709_16094001.shtml.

⁵⁷⁶ Author interview with Zalmay Khalilzad, US Permanent Representative to the UN (2007-2008), 27 May 2010.

“insurmountable difficulties” with the draft resolution and had “repeatedly called upon the Council to respect the position” expressed by African countries at the G8 Summit, which was to allow more time for the mediation efforts of the African Union and the Southern African Development Community (SADC). China and Russia both took the position that the situation in Zimbabwe did not constitute a threat to international peace and security. As stated by Chinese Ambassador Wang, “China has always believed that negotiations and dialogue are the best approach to solving problems on the international level. Lightly using or threatening to use sanctions is not conducive to solving problems.” He added, “More important, the development of the situation in Zimbabwe to date has not gone beyond the realm of internal affairs.”⁵⁷⁷ According to Khalilzad, those countries that supported sanctions put the burden on those blocking them to be responsible for an alternative way to deal with Zimbabwe and to produce results.⁵⁷⁸

With the help of the United Nations and the Office of the Secretary General, a power-sharing agreement between the two rival political parties was reached. In June 2009, outgoing Chinese Ambassador to Zimbabwe Yuan Nansheng claimed that China’s veto of UN sanctions as proposed by the US and the UK has been justified by the successful formation of an inclusive government in Zimbabwe. Yuan reiterated that

⁵⁷⁷ United Nations Security Council, Provisional meeting record of the 5933rd meeting, 11 Jul. 2008, S/PV.5933.

⁵⁷⁸ Author interview with Zalmay Khalilzad, US Permanent Representative to the United Nations (2007-2008), 27 May 2010.

China's position was in line with that of the Africa Union, SADC, and most African countries including Zimbabwe's neighbors.⁵⁷⁹

Chinese perspective and interests

Li Xuefei of CICIR states that while China and the US may disagree over the handling of the Zimbabwe issue, it is not a matter that would have a major impact on Sino-US relations. According to Li, the sources of conflict lie in the differences between Chinese and US strategies in Africa as well as the concepts of democracy and human rights. While US objectives include supporting democracy and promoting human rights, China insists on non-interference in the internal affairs of other states.

Additionally for the Chinese, Zimbabwe has become one of the most important trade partners in Africa. China is also a significant source of humanitarian assistance and foreign investment to Zimbabwe.⁵⁸⁰ In 2007, bilateral economic relations between China and Zimbabwe entered a new stage of cooperation. For China, such strengthening of relations is part of its enhanced Sino-African policy as ritualized by the 2006 Beijing Summit of the China-Africa Cooperation Forum. As of 2007, China was Zimbabwe's second largest trading partner after South Africa. China's primary exports to Zimbabwe include electronic and high-tech products, fertilizers and pesticides, while its primary imports are oil, chrome, copper, platinum, cotton, and tobacco.⁵⁸¹ Zimbabwe has also

⁵⁷⁹ "China justifies veto of Zimbabwe sanctions," Xinhua News Agency, 24 Jun. 2009, accessed 8 Mar. 2010 on China Economic Net, http://en.ce.cn/National/Politics/200906/24/t20090624_19390188.shtml.

⁵⁸⁰ Li Xuefei, "The Zimbabwe Issue in Sino-US Ties," *Contemporary International Relations (Xiandai Guoji Guanxi)* 5 (2007).

⁵⁸¹ Li Xuefei, "The Zimbabwe Issue in Sino-US Ties," *Contemporary International Relations (Xiandai Guoji Guanxi)* 5 (2007).

imported 424 tractors at a cost of over 25 million dollars utilizing a loan from the Chinese government.

China has also become one of Zimbabwe's most rapidly growing foreign investors. In 2007, Chinese banks have provided \$200 million US dollars of buyer's credit loan to the country. Additionally, China has invested \$20 million US dollars in telecommunications facilities as part of a \$300 million agreement from a few years back. Bilateral joint efforts include the Sino-Zimbabwe Cement Company, now one of the largest cement producers in the country. Jingniu Group, a major Chinese glass producer, has invested in \$400 million US dollars in the construction of a glass factory. China has committed to assisting Zimbabwe in further developing its agricultural and mining industries. Additionally, it has also provided assistance in the building of infrastructure.⁵⁸² China has contributed to the construction of Zimbabwe's Harare sports stadium, hospitals, dams, school dormitories, wells, and clothing factories. China also aided in the reconstruction of a blast furnace, a joint project between China Capital Iron and Steel Corporation and Zimbabwean Iron and Steel Corporation that was completed in June 1999.⁵⁸³

Discussion and Analysis

The reasons cited for China's vetoes in the above two cases, that the situations are not threats to international peace and security and that neighboring countries and regional organizations hold the same view, are the same reasons that have been cited in sanctions

⁵⁸² "Sino-Zimbabwe cooperation enters a brand-new stage," Xinhua News Agency, 20 Apr. 2007, accessed 8 Mar. 2010 on China Economic Net, http://en.ce.cn/World/Africa/200704/20/t20070420_11106308.shtml.

⁵⁸³ People's Republic of China, Ministry of Foreign Affairs, "Bilateral Relations between China and Zimbabwe," accessed 8 Mar. 2010, <http://www.fmprc.gov.cn/eng/wjb/zzjg/fzs/gjlb/3119/>.

resolutions from which China abstained in the past. What seems to have changed is China's increasing assertiveness in shifting its vote from the characteristic abstention and threat of veto to a definitive veto. More significantly in the broader picture, the cases of Myanmar and Zimbabwe demonstrate that China still adheres to its longstanding foreign policy guidelines, such as mutual respect for sovereignty and non-interference in internal affairs. China's strong position on these cases demonstrate that the Five Principles of Peaceful Coexistence are still of vital importance to China, as it still has yet to resolve its longstanding conflicts with regards to Taiwan, Tibet, and separatist tensions in Xinjiang province, amidst pressures from the international community for its democratization.

CHAPTER 8 CONCLUSION

China's general resistance to the use of UN sanctions can be explained by its historical association of sanctions with Western containment and unilateralism, the modern equivalent of imperialism. Its position on sanctions is also correlated with its domestic and foreign policy interests, including its bilateral economic and political relations with target countries. In summary, the parameters for China's position on sanctions are as follows:

1. China supports sanctions when a crisis threatens regional or global stability, in particular as indicated by regional organizations or neighboring countries, and
2. When China's stakes in cooperating with the US and other sanctions supporters in the Security Council are higher than its stakes in supporting the target country
3. China opposes sanctions when it considers a given crisis strictly an internal affair of the target state, in particular as it relates to issues of democracy or human rights

China's position on sanctions has changed in the following ways. First, China's pattern of votes on UN sanctions resolutions show a decrease in the use of abstentions over time and a move towards clear votes in the affirmative or negative. For instance, China did not hesitate to veto UN Security Council resolutions against Myanmar and Zimbabwe, both of which involved crises perceived as China to be strictly internal affairs of a sovereign state. Specifically, China does not view issues of democracy or violations of human rights to be threats against international peace and security. This increasingly assertive behavior is indicative of a more confident China, as well as a China more willing to take a stronger stance to oppose the use of sanctions. Second, since 2006, China has shown an increasing willingness to support sanctions against countries with which it has strong bilateral relations, such as North Korea and Iran. This is due to several reasons. First, one must look at the context within which sanctions were supported. In the situation of North

Korea, the severity of the crisis was critical in determining China's response. China supported sanctions in the aftermath of the October 2006 nuclear test because it perceived them to be an appropriate proportional response to the tests. Within the context of the Iranian situation, China albeit reluctantly at first began to support sanctions after the arrival of the June 2006 consensus agreement between the P5 + Germany to use a dual-track approach with Iran. Second, with its growing relative economic power and leverage in the cases discussed in this study, China has more influence in negotiating the terms of sanctions resolutions. Compared to the early series of resolutions concerning the Sudan, Chinese amendments on details such as the type of sanctions imposed as well as the conditions for imposing and lifting sanctions in the resolutions against Iran and North Korea were more frequently accepted. Finally, China's management of its international image as a priority established under the Hu leadership means that it takes into consideration the costs and benefits of cooperation with the international community. However, it must be emphasized that this is but one consideration of many that are taken into China's foreign policy-decision making process. A growing pluralism of various bodies of the government, military, and party complicates the consensus-based foreign-policy decision-making process of the top collective leadership. Furthermore, an increasing number of entities at the margins of the process including SOEs, think tanks, and the media also have influence in the process, both formally through established institutional processes and informally through personal connections.

What does this mean for China's role as a "responsible stakeholder" in the global community? The "responsibility" theory came into being when in 2005 Robert Zoellick called upon China to be a "responsible stakeholder" in the world, referring specifically to

the Darfur conflict. The debate begs the question, how does one define “responsible stakeholder”? The answer depends on perspective: whether one is defining responsibility from the framework of the liberal world order or from the alternative framework advocated by the Chinese. Western notions of responsibility involve the notions of individual freedoms, democracy, and human rights. China’s notion of international responsibility is defined by its adherence to the Five Principles of Peaceful Coexistence, the path of peaceful development, the pursuit of a fair and rational international order as currently epitomized by the harmonious world. In other words, as described by Shu Guang Zhang, each country has its own distinct “style of strategic thinking” or “strategic culture” that leads to distinct perceptions and interpretation. Thus, a veritable gap exists in the perception of what is “responsible behavior” between Chinese and Western policymakers. At least for the time being there does not appear to be any foreseeable convergence in its strategic culture with that of Western powers by virtue of its rising prominence as a major power in the international system. China continues to pursue its unique path of peaceful development, its “independent foreign policy of peace.”

The writings of Chinese experts appear to support this notion. In his piece on the “Responsibility Theory,” Ambassador Ma Zhengang, President of the China Institute of International Studies, the Chinese Foreign Ministry’s think tank, stated that “China has demonstrated to the world with concrete facts that it has always been a highly responsible country in the world.” He points out that while there are overlaps in the Chinese understanding of global responsibility versus the Western concept of what it means to be “responsible stakeholder,” the two are fundamentally different concepts. Ma perceives the intentions behind the China “responsibility” theory as being 1) to convince China to

support and strengthen the current international system, 2) to take on responsibilities for maintaining it and in the process regulate Chinese policy and behavior. Ma argues that while China should support the positive aspects of the international system, it should continue to work towards improving upon its “unjust and unreasonable” aspects towards a harmonious world of peace and common prosperity.⁵⁸⁴

Recent events that point to China’s growing assertiveness in the Asia-Pacific region have had policymakers and academics questioning the continuation of China’s peaceful intentions. The questions emerge not only from outside of China but are prevalent within China as well, not in the least amongst the various entities involved in the policy decision-making process. China is not only a country of dual identities—a global player and a developing country-- to the outside world but also to its own people, and at times contradictory views and resultant policy decisions are reflective of these disparate voices.

What are the implications for the international system? With regards to the cases examined in this study, China has leverage due to its close political and economic ties with the target countries, as compared to the US and other Western countries that have cut off these ties through unilateral sanctions. Since these countries form the key sanctions cases in recent years, it follows that China has had greater influence over international sanctions policy. The questions then become: What is China’s influence on international sanctions policy? And are we seeing in international sanctions policy any indication of a shift in the international norms purported by the Western-dominated international system?

⁵⁸⁴ Ma Zhengang, “China’s Responsibility and the ‘China Responsibility’ Theory,” *China International Studies (Guoji Wenti Yanjiu)* (Summer 2007).

Based on the data, as a result of China's influence on sanctions policy:

1. There has been a shift from broad to targeted, limited, and reversible sanctions. The last broad sanctions that had been imposed by the Security Council were against Iraq in 1990 and the former Federal Republic of Yugoslavia over Bosnia and Herzegovina in 1992. Due to the significant harmful humanitarian impact of broad sanctions, they have since been phased out in favor of more targeted sanctions. Although this is not strictly a result of China's influence per se, China has been a major proponent of sanctions that are targeted, limited, and reversible.
2. In recent years, there has been a trend towards sanctions as a means for encouraging diplomatic dialogue and a peaceful resolution of international conflict. This has been the case with sanctions against North Korea and Iran, with the objective of a resumption of the Six-Party Talks in the former and convincing Iran to accept the P5+1 package proposal of incentives in the latter. China has been a leading proponent of diplomatic dialogue and peaceful solutions over punitive actions and emphasizing the role of sanctions in supporting diplomatic dialogue.
3. As a result of China's conditional support for sanctions based on non-interference in internal affairs of sovereign states, greater weight in sanctions policy is being shifted towards this principle and away from Western values such as human rights and democracy. The vetoes of the draft resolutions on Myanmar and Zimbabwe are cases in point. China's hardline position with

regards to non-interference in the internal affairs of other states has a direct impact on international doctrines such as responsibility to protect.

It is of note that these trends in sanctions policy are becoming more apparent in recent cases, as China becomes more assertive in upholding its position. The first trend towards more targeted, limited, and reversible sanctions while not specific to the Chinese is mentioned here with the point being that the Chinese have actively supported this trend. The second and third trends do reflect elements more characteristic of Chinese foreign policy. The second shift towards sanctions that play a role in encouraging diplomatic dialogue and peaceful solutions has largely been the result of resistance from China against the broader application of sanctions in recent years. This is consistent with China's emphasis on peaceful coexistence, independent foreign policy of peace, and opposition to the use of military force. While Russia has also held a similar position and the two countries often "hide" behind the position of the other, interviewees have confirmed that China has been more active in leading the opposition. The third places greater emphasis on non-interference in internal affairs and mutual respect for sovereignty, two components of the Five Principles of Peaceful Coexistence. Rather than providing a carte blanc to Member States to execute the "responsibility to protect," international policy defined as a result of China's input frames such international duties within the parameters of non-interference in internal affairs.

What does this mean for the utility and effectiveness of UN sanctions policy as a tool for addressing international crises? While the case of Zimbabwe was resolved in a relatively peaceful and positive manner without sanctions, with the parties coming to a mutually agreeable power-sharing arrangement and Aung Sang Suu Kyi has been

released albeit under the continued rule of a repressive regime, North Korea and Iran have not relinquished their proliferation activities, and conflict continues in the Darfur region. In 2006, sanctions played a role in restarting the Six-Party Talks, which led to a series of incremental progress towards eventual denuclearization of the Korean peninsula. However, the momentum seemed to have stalled in early 2009, leading eventually to yet another setback in 2009 as the DPRK launched another nuclear test resulting in a second round of sanctions. Sanctions against Iran have thus far not been particularly successful at convincing the Iranian government to abandon its enrichment activities nor to return to the negotiation table. As for Darfur, sanctions were at best symbolic and not successful in bringing peace to the region or in improving stability. It is of note that in the case of North Korea, as China weighed in its support for sanctions against its longtime ally, the Six-Party Talks resumed after a lengthy hiatus. On the other hand, the normal economic relations between Sudan, Iran, and their key trade partners were not threatened by the targeted sanctions imposed against them. This confirms the conclusions made in previous studies on sanctions that for sanctions to have teeth, they must be backed by the key trade partners of the target country. Also, they must exact a cost upon the target country that is greater than the cost of giving up the alleged activities eliciting a sanctions response in the first place. Moreover, the derived benefit to the imposer countries must be greater than the cost of sanctions to these countries. To date, the ultimate objectives of international efforts, denuclearization in the cases of North Korea and Iran, and the end of human rights violations as well as civil war in Sudan, have not been realized despite the imposition of multiple rounds of sanctions. Would the threat of tougher sanctions accomplish the desired goal, for example, oil sanctions against Iran and Sudan? What

would it take to obtain the willingness of key trade partners to support such sanctions? Would tougher sanctions against the warring parties in Sudan pressure them to achieve peace, or is there a more compelling solution to the end of conflict in Sudan? A re-assessment of international policy is in order. The types of sanctions to be imposed need to be carefully considered within the context of each case. For example, sanctions on nuclear-related technologies and materials, even if necessary in the cases of North Korea and Iran, may not be sufficient if the country in question already possesses the requisite technologies and know-how to produce needed materials. Travel sanctions may be symbolic at best if the link between the ban and its intended objectives is not clear. Consensus amongst key players, in particular the permanent members of the Security Council, needs to be improved with regards to the objectives of sanctions so that the imposition and lifting of sanctions do not become entangled in long drawn-out debates that blunt the impact of the instrument. Setting incremental objectives and proportionate commitments to lifting sanctions can provide more incentive for cooperation as opposed to imposing broad ultimatums and overarching demands. Also, the use of sanctions strictly in the symbolic sense, in other words, sanctions imposed with awareness that they will have little impact, should be reassessed, as ineffective sanctions may ultimately be counterproductive by decreasing the credibility of future sanctions imposed. The international community needs to place greater priority on efforts to preserve and enhance the effectiveness of sanctions. While concerted efforts to engage and communicate are necessary for peaceful progress in any political conflict, sometimes it is simply not sufficient on its own. Sanctions remain perhaps the only instrument short of war that can convey a seriousness of intent aside from mere dialogue. As a leading

proponent of the use of sanctions to address international crises, the US needs to lead the reassessment of multilateral sanctions as a diplomatic tool and determine what needs to be done to improve upon them.

What are the implications for US policy? A reassessment of US policy on UN sanctions is in order to determine how US objectives can be better achieved through sanctions. First, the US should evaluate each individual situation to assess the likelihood that its desired objectives can be achieved. Are Iran and North Korea determined to become nuclear states at all costs, or is there room for negotiation? What would it take to reverse their respective courses of action? Can the situations be resolved in a peaceful rather than adversarial manner and still allow the two states to meet their respective energy and security needs? If either of the two states is determined to become nuclear, then a resolution via diplomatic dialogue may not be possible and strengthening punitive measures may be the only avenue to be taken to deter, delay, and disrupt their chosen course as much as possible. It would then be upon the US to convince other states to apply requisite pressures. However, if either of the two states is open to relinquishing their nuclear ambitions and allowing the international community to help address their needs in other manners, then a diplomatic solution that includes the lifting of existing sanctions may still be negotiable.

Second, the US needs to evaluate whether sanctions, both bilateral and multilateral, are appropriate responses to the case in question. In the case of Sudan, despite multiple efforts, the US has been unable to obtain the full support of the Security Council for sanctions. Nor have the largely symbolic sanctions been particularly effective in alleviating violence in the region. Even without sanctions, however, the international

community had been successful in facilitating the 2005 Comprehensive Peace Agreement between the North and South, with the physical presence of the Security Council in Nairobi spearheaded by Ambassador John Danforth playing a positive and significant role in the process. It is such support from the international community that is necessary now as the provisions of the peace agreement continue to be implemented, with the current peace tenuous at best as periodic violence continues to occur. In the meantime, conflict continues in Darfur with in-fighting amongst factions of the rebel groups and ongoing violence between the warring parties. With an arms embargo already in place, further sanctions to force a peaceable outcome seem questionable. The focus needs to be on how the international community can help resolve residual north-south conflicts as well as the conflict in Darfur peacefully, with continued persistence to bring human rights violators to justice. Active dialogue and facilitation of negotiations between the Sudanese government and rebel groups, as well as the insistence and vigilance of the international community that all groups uphold agreed upon provisions of the 2005 Peace Agreement are required.

Third, taking into consideration the parameters of key players like China in UN sanctions, based on information such as that presented in this work, the US needs to reassess the coordination of bilateral and multilateral sanctions to achieve its goals. With regards to supporting democracies throughout the world, such as in the cases of Myanmar and Zimbabwe, for the time being, efforts within the Security Council may continue to be thwarted. In prior cases, election crises have only been considered threats to international peace and security if they became threats to surrounding neighboring countries and region (as was the case in Haiti). While Security Council sanctions may not be

immediately available as a possible course of action, the US can still channel efforts through other UN mechanisms to support fair and transparent elections worldwide. These include the Office of the UN Secretary General as well as UN missions to monitor elections, which have been done on several accounts including the 2008 election in Zimbabwe.

Finally, the overall impact of current sanctions in place, both bilateral and multilateral, needs to be assessed. According to one observer of circumstances in Iran, as a result of being cut off from the West, Iran has begun to “look to the East.” Chinese influence in Tehran has become strikingly apparent. Government officials have begun to declare that they shall “follow the Chinese model.” Chinese has become one of the fastest growing languages learned in institutions of higher education.⁵⁸⁵ The US needs to consider how asymmetric interdependencies that put the US at a disadvantage may be addressed without overreliance on other nations. Specifically, the US needs to identify its own leverage, however targeted, that tilt the balance back in its favor. For example, although the US is not an economic trading partner of North Korea, the US freeze on Banco Delta Asia in the case of North Korea provided the US with a key pressure point to induce North Korean cooperation.

In all of the above cases, US needs to continue to exert leadership in attaining stated objectives, whether it be working towards the denuclearization of the Korean peninsula, persuading Iran to suspend its uranium enrichment activities and opt for a path of peace and cooperation with Western countries, or supporting democracies and peaceful

⁵⁸⁵ Author interview with Terence Ward, author of *Searching for Hassan: A Journey to the Heart of Iran*, 6 Oct. 2010.

transitions throughout the world. While a need to reevaluate strategy with respect to the use of sanctions exists, the US can continue to demonstrate strength of leadership through peaceful means. The US must be persistent in its actions, take an active role in finding creative approaches, whether directly or indirectly, bilaterally or multilaterally, to engage target countries and discourage undesirable behavior. According to Robert Orr, the Assistant Secretary General for Policy Coordination and Strategic Planning at the UN, the United States “has always been held to a different standard” at the United Nations, which has been a challenge for American diplomacy. However, he points out that “there is no structural bias” against the US. “While multilateralism seldom leads to perfect solutions and tends to end up less than perfect for any given country due to the necessity to compromise through the negotiation process, agreements arrived at multilaterally tends to withstand the tests of time, while bilateral agreements tend to be subject more to the pressures of changing circumstances.”⁵⁸⁶

While China has been emerging as a leading advocate for like-minded developing countries in the Security Council, the world still looks to the US for leadership as a beacon of human rights, democracy, rule of law, and good governance. For the foreseeable future, it is going to be up to the US to continue to uphold these ideals in the spirit of the free world. As stated by Orr, “It is a matter of exercising force of leadership, rather than exercising force.”⁵⁸⁷

⁵⁸⁶ Author interview with Robert Orr, UN Assistant Secretary General for Policy Planning and Strategic Coordination, 19 Jul. 2006.

⁵⁸⁷ *Ibid.*

In today's interdependent global community, cooperation and collaboration between major powers such as the US and China are not only desirable but essential. For policymakers in both countries, awareness and recognition of the distinctions between Chinese and US strategic cultures allow for more effective communication and collaboration in global crises that call for a collective response. Although for the foreseeable future points of contention will remain and adversarial-minded factions on both sides persist, the overriding wisdom of a moderate policy in dealing with the other has dominated US-China relations since *détente* in the early 1970s. It is in good faith that I believe such wisdom will continue to prevail on both sides.

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EDUCATION

- Johns Hopkins University School of Advanced International Studies, Washington, DC
Doctor of Philosophy, China Studies, December 2010
Dissertation: *China's Role in UN Sanctions and the Implications for the International System*
- Columbia University Mailman School of Public Health, New York, NY
Master of Public Health, Health Policy, October 2005
- Stanford University, Stanford, CA
Bachelor of Arts, Human Biology, Phi Beta Kappa, June 1999

WORK EXPERIENCE

- 12/07 **Rapporteur for Second China-US-Vietnam Trilateral Meeting in Sanya, Hainan, PRC**
The Asia Foundation, Washington DC
- Prepared a report based on proceedings of the December 12-14 trilateral dialogue, covering issues ranging from traditional security threats such as nuclear proliferation on the Korean peninsula, the trilateral US-China-Vietnam relationship, and nontraditional security issues such as maritime security, environmental protection, and human trafficking
- 9/05- **Project Assistant for Professor David Lampton,**
8/06 **Director of China Studies and Dean of Faculty**
Johns Hopkins University School of Advanced International Studies, Washington, DC
- Assisted with editing and research for Professor Lampton's book, *The Three Faces of Chinese Power: Might, Money, and Minds (2008)*
- 5/05- **Acting Special Assistant for US Ambassador**
8/05 *United States Mission to the United Nations, New York, NY*
- Attended ambassadorial-level bilateral meetings on UN reform and wrote summary reports for then Acting US Permanent Representative to the UN and Senior Adviser on UN Reform
- 2/05- **Program Consultant**
4/05 *Association François-Xavier Bagnoud (FXB), New York, NY*
- Represented the organization at the 2005 Global Kids Forum on Health
 - Oversaw research project on HIV/AIDS and global security
- 10/03- **Graduate Intern Assistant to the Senior External Relations Officer**
03/04 *World Health Organization Office at the United Nations, New York, NY*
- Reported on the progress of health-related resolution negotiations of the 58th General Assembly, including resolutions on access to medication, implementation of the Declaration of Commitment on HIV/AIDS, and elimination of all forms of violence against women
 - Prepared analysis on the political implications of the WHO 3X5 Initiative, a commitment to facilitate the provision of antiretroviral therapy to 3 million people infected with HIV/AIDS by 2005

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(page 2 of 2)

- 9/02- **Policy Intern**
12/02 *Office of US Senator Hillary Rodham Clinton, New York, NY*
- Produced analyses on health-related legislative proposals
 - Mediated correspondence between constituents and government agencies
 - Prepared a comprehensive report and analysis on Medicare issues, with a focus on constituent concerns and priorities
- 8/99 - **Community Health Assistant**
9/99 *New York State Department of Health, New York, NY*
- Performed groundwork for community health campaign to increase awareness of risks of consuming PCB-contaminated fish to pregnant mothers and children
 - Surveyed community residents to determine resident fishing and fish consumption practices

LEADERSHIP AND TEACHING POSITIONS

- 7/07 – 6/08 **PhD Student Government Representative, Johns Hopkins SAIS**
- 2/07 **Guest Lecturer, Domestic Challenges of China's Development, Johns Hopkins SAIS**
- 10/06 **Student Moderator** at PhD Alumni Reunion, *Johns Hopkins SAIS*
- 9/06 **Student Presenter** at first-year PhD Orientation, *Johns Hopkins SAIS*
- 9/98 - 6/99 **President, Stanford Music Society, Stanford University**
- 9/98-6/99 **Student Staff Assistant, Schiff House, Stanford University**
- 9/97-6/98 **Student Educator, Volunteer Health Corps, Stanford University**

PUBLICATIONS

- Hsieh, Janie. "China Battles Global Health Threats." *SAISPHERE* 2006.

FOREIGN LANGUAGES: Spanish and Mandarin

HONORS AND AWARDS

- 2007 SAIS delegate to the International Achievement Summit, the Academy of Achievement
- 2005-2009 Johns Hopkins University SAIS PhD Fellowship Award
- 1999 Phi Beta Kappa
- 1998 Craig Heller Award for Best Independent Project
- 1997 Presentation of Independent Study at International APSS Conference
- 1995 Studie Duncan Citizenship Award for distinguished school service
- 1995 Dallas Music Teachers Association Musician of the Year Award

DATE AND LOCATION OF BIRTH: November 8, 1977, Taipei, Taiwan

NATIONALITY: United States of America