

國立政治大學外交研究所
碩士論文

Department of Diplomacy
National Cheng Chi University
Master Thesis



**Sanctions against North Korea and Burma:
Chinese Preconditions and American Dispositions**

研究生：江士培

Student: Spencer Robert Jemelka

指導教授：李瓊莉博士

Advisor: Chyungly Lee, Ph.D

中華民國 101 年 1 月

January, 2011

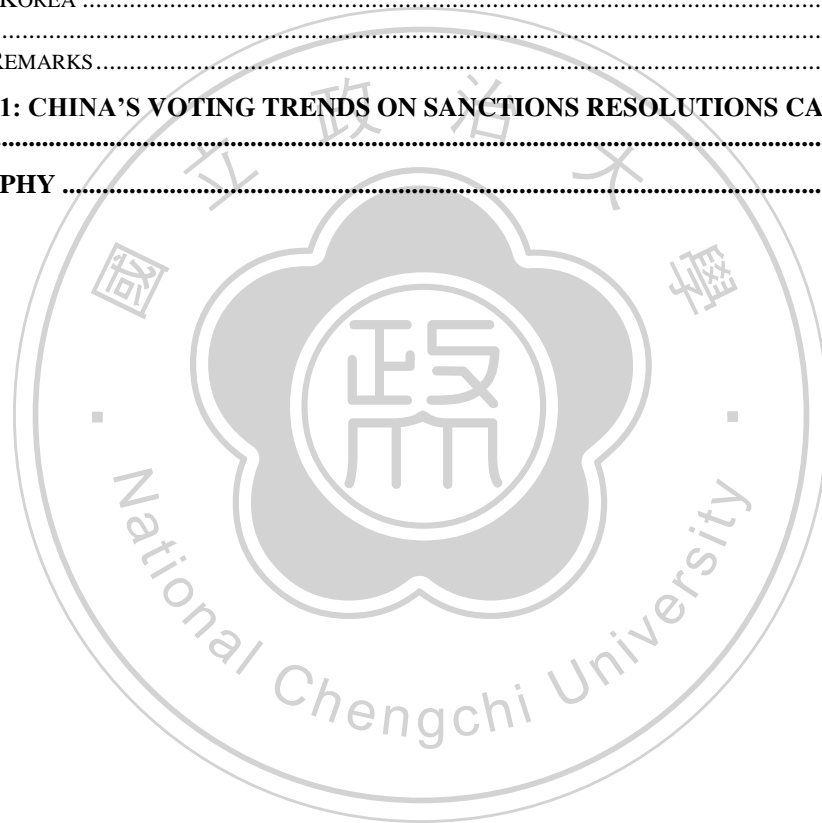
Abstract

This study examines China and the United States' sanctions vis-à-vis the Democratic People's Republic of North Korea and Burma. The central research question is: What are the parameters of Chinese support for sanctions regimes? Given China's historical stance on sanctions, is it possible to encourage China to further support the sanctions regimes against North Korea and Burma? If so, how? And if not, in light of China's unwillingness to support it, should the sanctions regime be modified by the sender states in order to achieve the original goals of the sanctions? Using all UNSC cases from 1997 to the present, this study explores the history of China's involvement in sanctions to identify what factors make Chinese involvement in sanctions more likely, referred to in this study as *China's sanctions parameters*. After applying China's sanctions parameters to the cases of North Korea and Burma, it is found that in North Korea China could more rigorously uphold the spirit of the UNSC sanctions. Specifically, it is recommended that China tighten its restrictions on the export of luxury goods and further restrict and inspect DPRK flights over Chinese airspace that could potentially be carrying weapons material. Furthermore, this thesis suggests that the US encourage China to change its behavior in these two areas and similarly adjust its own behavior to apply more consistent sanctions rhetoric towards the DPRK. These recommendations are feasible, as they do not overly stretch China's sanctions parameters or overtax US capabilities. In the case of Burma, it is found that US sanctions vastly overstretch China's sanctions parameters, making it highly unlikely that China will participate in the sanctions regime. Thus, it is recommended the US modify its sanctions regime to achieve the goal of liberalization in Burma and move towards possible cooperation with China.

TABLE OF CONTENTS

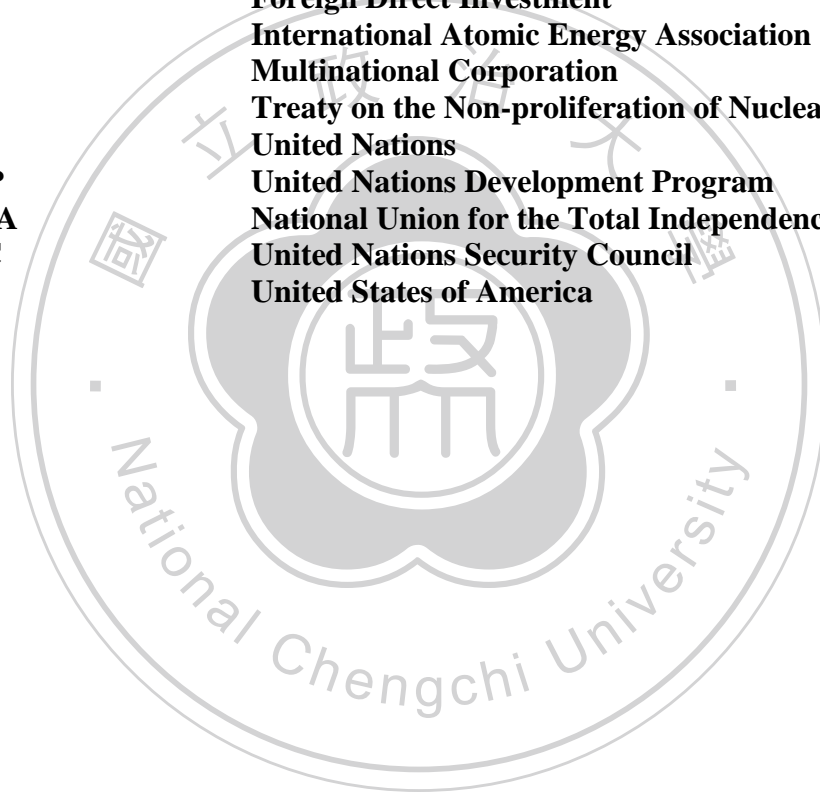
ABSTRACT	II
LIST OF ACRONYMS.....	V
CHAPTER 1: INTRODUCTION	1
1.1 THESIS INTRODUCTION:	1
1.2 CHINESE SANCTIONS POLICY.....	2
1.3 CASE DISCUSSION.....	3
1.4 RESEARCH DESIGN	10
1.5 CHAPTER ARRANGEMENT.....	11
CHAPTER 2: CHINA’S SANCTIONS PARAMETERS AND CASE STUDIES	13
2.1 CHINA’S SANCTIONS POLICY STATEMENT.....	13
2.2 UNSC SANCTIONS CASE STUDIES	16
2.2.1 Angola:.....	16
2.2.2 Afghanistan:.....	18
2.2.3 Côte d’Ivoire.....	20
2.2.4 Sudan:.....	22
2.2.5 Sierra Leone:.....	24
2.2.6 Liberia:.....	25
2.2.7 Iran:.....	26
2.2.8 Eritrea and Ethiopia:.....	30
2.2.9 Eritrea and Somalia:.....	31
2.2.10 Libya:.....	32
2.2.11 Democratic Republic of the Congo (DRC).....	33
2.2.12 Rwanda:.....	34
2.2.13 Kosovo (Federal Republic of Yugoslavia):.....	35
2.2.14 Lebanon:.....	38
2.3 ANALYSIS OF CHINA’S VOTING RECORD OVER TIME:	39
2.4 CONCLUSION FOR CHINESE SANCTIONS CASE STUDIES.....	41
2.4.1 Preconditions of Chinese Sanction Support.....	42
2.4.2 Scope of Chinese Sanctions Support.....	45
CHAPTER 3: NORTH KOREA.....	53
3.1 NORTH KOREA’S ECONOMY IN BRIEF AND CHINA’S ROLE:.....	54
3.2 OVERVIEW OF SANCTIONS AGAINST NORTH KOREA:	55
3.2.1 UNSC Resolution 1718:.....	55
3.2.2 UNSC Resolution 1874:.....	56
3.2.3 UNSC Resolution 1928:.....	57
3.2.4 US Sanctions:.....	57
3.3 CHINA’S OFFICIAL STATEMENTS	57
3.4 CHINA AND NORTH KOREAN SANCTIONS: A TWO-FACED APPROACH	61
3.4.1 Chinese Investment in the DPRK.....	62
3.4.2 Chinese-DPRK Trade in Luxury Goods.....	64
3.4.3 Restricting Transfer of Weapons Materials	67
3.5 APPLYING CHINA’S SANCTIONS PARAMETERS	69
3.6 THE UNITED STATES AND ENCOURAGING CHINESE PARTICIPATION	71
CHAPTER 4: SANCTIONING BURMA.....	74
4.1 BURMA’S ECONOMY IN BRIEF AND CHINA’S ROLE:	74
4.2 SANCTIONS AGAINST BURMA: CHINA’S OFFICIAL STATEMENTS	77

4.3 US SANCTIONS AGAINST BURMA	81
4.4 BURMESE CASE CONCLUSIONS	85
CHAPTER 5: POLICY IMPLICATIONS.....	87
5.1 THE NORTH KOREA CASE:	87
5.1.1 <i>Policy Implications of Chinese Support for Sanctions</i>	88
5.1.2 <i>Policy Commitment and Consistency</i>	90
5.2 THE BURMA CASE:.....	93
5.2.1 <i>Policy Implications of US Sanctions Amendment</i>	93
5.2.2 <i>Sanctions Preventing Democratization</i>	96
5.2.3 <i>The Politics of US Sanctions</i>	99
5.2.4 <i>The Moral versus the Realistic</i>	101
CHAPTER 6: CONCLUSIONS.....	104
6.1 NORTH KOREA	108
6.2 BURMA	110
6.3 FINAL REMARKS.....	112
APPENDIX 1: CHINA’S VOTING TRENDS ON SANCTIONS RESOLUTIONS CASE BY CASE: 1997-2011*	114
BIBLIOGRAPHY	117



List of Acronyms

CRS	Congressional Research Service
DPRK	Democratic People’s Republic of Korea
DRC	Democratic Republic of the Congo
FDI	Foreign Direct Investment
IAEA	International Atomic Energy Association
MNC	Multinational Corporation
NPT	Treaty on the Non-proliferation of Nuclear Weapons
UN	United Nations
UNDP	United Nations Development Program
UNITA	National Union for the Total Independence of Angola
UNSC	United Nations Security Council
US	United States of America



Chapter 1: Introduction

1.1 Thesis Introduction:

Currently there are two sanctioned, pariah states in the Asian political landscape: The Democratic Republic of North Korea (DPRK) and Burma.¹ In attempts to rein in these two countries, the United States of America (US) and the People's Republic of China (hereafter referred to as China) have taken radically different approaches. Since 1997, the United States has pursued a tough policy of economic sanctions mixed with political pressure to promote change. China, on the other hand, has preferred to engage these two states, investing in their economies and providing a degree of political protection while urging them more subtly to modify their behavior. While the US continues to try a myriad of sanctions to change the belligerent behavior of North Korea and the human rights abuses of Burma, there has been little change in the status quo. Rather, researchers and scholars tend to agree that China, not the US, is the lynchpin within sanctions regimes against these two countries. Thus China is a primary actor and the main power that could successfully pressure Burma and North Korea to modify their behavior. In light of these facts the purpose of this research is to answer the following research question: What are the parameters of Chinese support for sanctions regimes? Given China's historical stance on sanctions, is it possible to encourage China to further support the sanctions regimes against North Korea and Burma? If so, how? And if not, in light of China's unwillingness to support it, should the sanctions regime be modified by the sender states in order to achieve the original goals of the sanctions?

¹ This study uses the country name "Burma" instead of the nomenclature "Myanmar" preferred by the Burmese military junta.

In order to answer these questions and make worthwhile conclusions under the framework of these two cases, one must have a clear understanding of China's sanctions policy and parameters of support. In the absence of an officially released policy on sanctions, this study reviews China's past statements and voting patterns regarding sanctions in the United Nations Security Council (UNSC) in order to identify recurring conditions for Chinese participation. These conditions, referred to in this study as *China's sanctions parameters* can help to predict the possibility of China's support towards a sanctions regime in future cases. Summarily, the objectives of this research are to determine the factors that contribute to Chinese support for sanctions; apply these sanctions parameters to the cases of Burma and North Korea in order to assess the feasibility of further inviting China into the sanctions regime; and make policy recommendations for both the US and China reflecting the possibility of Chinese participation.

1.2 Chinese Sanctions Policy

China's position on sanctions has never been expressed in an official policy statement. In the absence of such a statement, there first must be a systematic analysis of China's historical stance on sanctions to answer the portion of the research question regarding China's behavior toward North Korea and Burma. Thus, the second chapter of this study is dedicated to looking at China's official statements in the UNSC regarding sanctions cases since 1997. This year is chosen because it is the first year western countries enacted sanctions against Burma. By looking at these cases and statements, this study can determine under what circumstances China has been willing to apply sanctions. In this way, this study will provide a way to predict China's likely response to future

sanctions by referring to their historical stances on previous sanctions cases. This historical review allows this research to make policy proposals in the cases of Burma and North Korea that take into account China's historical policies regarding sanctions. Thus, if a case falls within the boundaries of China's historical parameters when applying sanctions, yet China still refuses to support the sanctions, then there is reason to criticize China's actions. Conversely, if China does not support a sanctions regime that falls outside of China's historical precedence for enacting sanctions, then the argument insisting on China's involvement is weakened.

1.3 Case Discussion

The North Korean and Burmese cases are unique in that these are the only sanctioned countries that are directly within China's sphere of strategic and commercial interest. The only sanctioned states in Asia, they both share a border with China. These two cases also share a host of other similarities that make the following a worthwhile comparative case study. Firstly, both Burma and North Korea occupy positions of strategic importance given their geographical proximity to China. Furthermore, both states are run by autocratic governments intent on continuing their hold on power and their control over the population. Both states have come under intense scrutiny by the international community for their violation of international norms, including gross human rights abuses. Despite these important similarities, however, these cases differ in the approach the US and China have taken in order to rein in their unacceptable activities. The application and enforcement of economic sanctions have been different between these two cases. China has superficially supported the UNSC-sponsored sanctions against North Korea, but has been staunchly unwilling to support any sanctions against Burma.

This distinction is important, as it provides a starting point to compare and contrast economic sanctions vis-à-vis North Korea and Burma.

In the case of North Korea, due to its flagrant disregard of international non-proliferation norms, the DPRK has been the target of three United Nations Security Council sanctions resolutions aimed at stemming North Korea's pursuit of nuclear weapons. These sanctions have caused intense concern in the international community and North Korea has faced condemnation many times for its belligerent behavior.

The sanctions enacted against Burma have not received the same international support as those against North Korea. Rather, only the United States and a few Western allies, including the European Union, have enacted sanctions against Burma. The reasons for these sanctions include the illegal rejection of the assumption of power by the National League for Democracy headed by Aung San Suu-Kyi's in the ill-fated 1990 elections; furthermore, Burma has an appalling human rights record, including forced labor, detention and torture of political prisoners, and attacks on civilians protesting against the military junta.² The goals of US sanctions, according to a report by the US State Department, are as follows:

Our goal in applying these sanctions is to encourage a transition to democratic rule and greater respect for human rights. Should there be significant progress towards those goals as a result of dialogue between Aung San Suu Kyi and the military government, then the United States would look seriously at measures to support this process of constructive change. Continued absence of positive change would force the U.S. to look at the possibility of increased sanctions in conjunction with the international community.³

² Amnesty International, "Myanmar: Human rights by topic," *Amnesty International*, 2011, <http://www.amnesty.org/en/human-rights/human-rights-by-topic>.

³ Peterson Institute for International Economics, "Case Studies in Sanctions and Terrorism: Burma (Myanmar)," *Peterson Institute for International Economics*, 2011, <http://www.iie.com/research/topics/sanctions/myanmar2.cfm#goals>.

Unfortunately, however, sanctions in either case have not appeared to attain the intended goals. North Korea, for one, continues with its belligerent behavior. For example, original sanctions were applied in 2006 when the DPRK tested a nuclear weapon, spurring the UNSC to pass Resolution 1718. Yet, just three years after the passing of Resolution 1718, North Korea once again tested a nuclear bomb, sending shockwaves of reproach throughout the international community. To date, North Korea has not been willing to relinquish its nuclear weapons or abolish its nuclear weapon program as requested by the UNSC.

Furthermore, North Korea continues to engage in belligerent and destabilizing behavior, as evidenced by the sinking of a South Korean naval vessel in March 2010.⁴ A further example of North Korea's continued aggressive behavior was the artillery strike ordered against South Korea's Yeongyeong Island in November of the same year.⁵ In the face of these examples of continued aggressive behavior it stands to reason that the sanctions enacted by the UNSC have not brought about desired behavioral change from North Korea's leadership.

Burma has not seemed to see progress as a result of sanctions, either. Much of the literature on sanctions against Burma concludes that the sanctions are ineffective and advocates for change in the sanctions regime. For example, Leon T. Hadar of the Cato Institute wrote a piece entitled, "U.S. Sanctions against Burma: A Failure on All Fronts," in which he writes,

⁴ Mark Hosenball, "Why Did North Korea Sink the South Korean Ship?," *Newsweek*, May 21, 2010, <http://www.newsweek.com/blogs/declassified/2010/05/21/why-did-north-korea-sink-the-south-korean-ship-.html>.

⁵ Jack Kim and Lee Jae-won, "North Korea shells South in fiercest attack in decades," *Reuters*, November 23, 2010, <http://www.reuters.com/article/2010/11/23/us-korea-north-artillery-idUSTRE6AM0YS20101123>.

The U.S. policy of imposing unilateral trade and investment sanctions against Burma has proven to be a failure on all fronts. By forcing U.S. firms to disengage from Burma, that policy has harmed American economic interests and done nothing to improve the living conditions or human rights of the people of Burma.⁶

Furthermore, Jeffrey Sachs wrote a piece entitled “Myanmar: Sanctions Won't Work” in which he wrote “America's misguided sanctions against Myanmar, for example, have done nothing in the past year to resolve the country's political and economic crisis. A smarter policy toward Myanmar is needed... [sanctions] have systematically weakened the economy by limiting trade, investment and foreign aid.”⁷ And yet another scholar, Ian Holliday, states that, “The U.S. has an ineffective Myanmar policy. To compound the problem, the policy enables the U.S. to claim the moral high ground while actually making little or no contribution to resolving the deep-seated difficulties that face the country.”⁸ From the evidence above, it is clear that many policy makers and academics agree that the current sanctions regime is ineffective in achieving the original goals of US sanctions.

While it has been established that sanctions have largely failed to change these two countries, the question of *why* sanctions have failed must also be asked. In fact, there is a wide range of studies that discuss the factors that may contribute to sanctions’ failure to bring about regime and behavioral change in Burma and North Korea. Given the popularity of the North Korean topic there have been a host of academic papers and studies done on North Korea and sanctions. A major conclusion in nearly all the studies is

⁶ Leon T. Hadar, “U.S. Sanctions against Burma: A Failure on All Fronts,” *CATO Institute* (March 26, 1998), http://www.cato.org/pub_display.php?pub_id=3656.

⁷ Jeffrey Sachs, “Myanmar: Sanctions Won't Work,” *YaleGlobal Online*, June 27, 2004, <http://yaleglobal.yale.edu/content/myanmar-sanctions-wont-work>.

⁸ Ian Holliday, “Rethinking the United States’s Myanmar Policy,” *Asian Survey* 45, no. 4 (August 2005): 620.

that China is the main force upholding the failing North Korean regime. In their work “Sanctioning North Korea: The Political Economy of Denuclearization and Proliferation” Stephan Haggard and Marcus Noland write, “...China has become even more central to any effective sanctions effort. Cutting off critical Chinese oil shipments, much less a complete trade embargo, would lead to a severe disruption of the North Korean economy.”⁹ The conclusion made by Haggard and Noland is echoed by other scholars dealing with the issue. As Peter M. Beck postulates:

China also provides North Korea with a crucial economic lifeline. Trade and investment between the two countries, once famously referred to by Mao Zedong as ‘lips and teeth,’ have tripled over the past decade. Official trade alone broke the \$3 billion mark in 2010, accounting for over half of North Korea’s total trade. The North’s economy would virtually grind to a halt if Beijing were to halt fuel shipments.¹⁰

The statements above are not isolated to these two articles. Rather, it is a common conclusion that China’s trade with the DPRK is North Korea’s lifeline.

Another prolific researcher that has done much work on the North Korean case is Victor Cha. His works include: *Pyongyang Blues*; *America must show resolve over North Korea*; *The Debate over North Korea*; and *Abandonment, Entrapment, and Neoclassical Realism in Asia*. He concurs that China’s support for North Korea is key for the regime to maintain stability and control. While Dr. Cha’s analyses are often insightful and accurate as he has access to the highest echelons of American politicians, his realist and hawkish stance on the North Korean issue has overlooked important, nuanced variables. Even so, Cha’s work has done much to enlarge the general understanding of the North Korean

⁹ Stephen Haggard and Marcus Noland, “Sanctioning North Korea: The Political Economy of Denuclearization and Proliferation,” *Asian Survey* 50, no. 3 (May 2010): 566.

¹⁰ Peter M. Beck, “North Korea in 2010: Provocations and Succession,” *Asian Survey* 51, no. 1 (February 2011): 36.

issue and, as one of the leading academics in the United States regarding North Korea, he is an important scholar to consider.

An official report submitted to the United States Congress entitled “Implementation of U.N. Security Council Resolution 1874” authored by Mary Beth Nikitin et al. provides a view of China’s role in North Korea from the point of view of the United States. The memo was prepared at the request of the Honorable Richard G. Lugar to assess the effectiveness of US sanctions against North Korea. This report “... did extensive interviews with officials from the U.S. government, other governments, and the United Nations.”¹¹ The report supports the conclusion that China is a main variable in propping up the North Korean regime and attempts to systematically address why China is unwilling to cooperate with UNSC resolutions. Furthermore, the report details how US officials sometimes waver in their firmness against North Korea.

Scholars writing about Burmese sanctions have also concluded that China’s support for the Burmese regime is a major reason why the sanctions are ineffective. As Holliday writes, “Beijing has been especially significant since 1988, when it launched a major economic offensive, quickly supplemented by extensive support for the junta. Moving into the policy vacuum created by the international isolation of Burma ... [China] rapidly became the regime’s key external support.”¹² Holliday is not alone in his assessment. For example, as Donald M. Seekins writes in his article “Burma and U.S. Sanctions: Punishing an Authoritarian Regime”:

...since 1988 China, among the world’s nations, has exercised the greatest economic and strategic influence in Burma. Steady Chinese economic

¹¹ Mary Beth Nikitin et al., *Implementation of U.N. Security Council Resolution 1874*, Memorandum (Congressional Research Service, October 8, 2010), 1, <http://lugar.senate.gov/issues/foreign/reports/NKoreaCRSReport.pdf>.

¹² Ibid.

support to the SPDC gives the junta the confidence to crush the opposition, knowing that it can thumb its nose at foreign criticism and sanctions.¹³

These two scholars are joined by many others identifying China as the main support structure for the Burmese regime.

However, there is a missing variable that these studies have not addressed. While these studies are comprehensive in discussing the current *status quo*, there are several aspects of Chinese behavior that they have not taken into account. Firstly, the studies completed by the above-discussed researchers fail to sufficiently account for China's behavior in the cases of North Korea and Burma with a view towards China's historical stance on sanctions. There has been no systematic review of China's historical position on sanctions; without this background information it is difficult to make a comprehensive conclusion about the possibility of China becoming a strong member of UNSC sanctions regimes. In the work of Nitikin et. al., for example, the researchers tend to approach North Korea as an isolated case, and address it separately from China's historical posture on sanctions. A thorough review of the literature concerning Burma also makes it clear that there has not been a concerted effort to look at the possibility of Chinese cooperation in the Burmese sanctions using a historical outlook. This is a major hole in the literature that this thesis seeks to fill.

There is significant worth in taking a longer, historical approach to the current situations. Given that China is the main variable in making the sanctions ineffective, China's behavior should be analyzed wholly, including from a historical perspective, in order to make fully rounded conclusions about the possibility of further Chinese action in North Korea and Burma. The purpose of this thesis is to add on to the research done

¹³ Donald M. Seekins, "Burma and U.S. Sanctions: Punishing an Authoritarian Regime," *Asian Survey* 45, no. 3 (June 2005): 448.

already by first analyzing China's traditional posture and actions in the UNSC in regards to sanctions to determine China's sanctions parameters. Given China's unique position as the main variable supporting both North Korea and Burma, it is essential to understand China's historical posture in order to make relevant policy proposals for the United States and other actors. In order to make up for this missing part of the research, this study uses the conclusions from the following chapters to expand on the original arguments made by researchers like Nikitin et. al. After assessing their validity under the framework of China's historical stance on sanctions, this study reapplies and expands upon these conclusions. After the evidence is laid out in the following chapters, this study then offers policy proposals for both the United States and China on the possibility of further Chinese action in North Korea and Burma.

1.4 Research Design

This research begins with a review of all sanctions cases that have been voted on in the UNSC since 1997. As China has never provided an official policy stance on sanctions, this study uses three elements to identify China's sanctions parameters. The three elements used in this study to further determine China's sanctions parameters are: China's statements during UNSC meetings; the reasons for sanctions being enacted in each supported case (i.e. humanitarian crisis, conflict, etc.); and the type of sanctions China has supported in the past. The conclusions drawn from these case studies are then used to define *China's sanctions parameters*. The findings show that China's sanctions parameters consist of two sets of considerations that make it more likely China will support sanctions: 1.) *Preconditions*: situations that have moved China to allow sanctions in the past, and 2.) *Scope*: the type of sanctions enacted and other considerations such as

what industries are targeted, the timing of the sanctions, etc. The exact content of preconditions and scope are elaborated upon in Chapter 2. After these parameters have been more fully defined this study uses them to analyze China's role in North Korean sanctions and assess the likelihood of China supporting a sanctions regime in Burma.

Following the discussions above, the current study operates on the premise that the sanctions regimes have not been effective in achieving their original goals in either Burma or North Korea. In North Korea, the ruling elite are still pursuing a dangerous nuclear weapons program and the DPRK has continued to pursue belligerent acts, including developing its nuclear arsenal against the express wishes of the UNSC. In Burma, there continues to be appalling human rights violations and the state is still run by a *de facto* military junta. Furthermore, this study proceeds based on the conclusion that the central reason for the ineffectiveness of the sanctions is China's role in supporting these two regimes; or, to put the situation in different terms, without China's support both Burma and North Korea would likely collapse.

1.5 Chapter Arrangement

In order to answer the central research question about China's historical stance on sanctions and the possibility of inviting China further into the sanctions regime against North Korea and Burma, this thesis is divided into six chapters. The following chapter lays the foundation for this study's key arguments by analyzing China's sanctions parameters. This chapter looks at what type of sanctions China has supported in the past, what the reasons for the sanctions were, and examines official statements made by Chinese delegates in the UNSC to ascertain the key aspects of that define China's sanctions parameters.

The third chapter looks at the case of North Korea using the findings about China's sanctions parameters made in Chapter 2. These findings allow a conclusion to be made about whether it is justified to urge China to modify its behavior towards North Korea in light of historical precedents. Chapter 4 uses a similar framework as Chapter 3, but the subject of analysis is Burma. Using the same conclusions on China's sanctions parameters and historical stance from Chapter 2, the research question will be reapplied to Burma concerning the likelihood of China's support for sanctions.

Chapter 5 will then take the conclusions about China's sanctions parameters and make policy proposals for both China and the United States given the previous analysis of China's historical behavior. These policy proposals take into consideration China's traditional willingness to engage in sanctions in these situations and the previously identified sanctions parameters. For example, if one of the cases falls within China's historical preconditions but China does not support the sanctions regime, then it becomes the responsibility of the US and others to encourage China's involvement. Alternatively, if a case shows there is not historical precedence for China's support then it is unreasonable to demand that China enact sanctions. In such a case when Chinese support is improbable, it falls to the US to reexamine its own policies and make changes if it wishes to engage China.

Lastly, the final chapter summarizes the arguments made throughout the thesis and restates the value of this study's conclusion, including recommendations for further research to bolster these findings.

Chapter 2: China's Sanctions Parameters and Case Studies

2.1 China's Sanctions Policy Statement

China made a short, over-arching policy statement regarding sanctions in 2001. During a UNSC meeting specifically discussing sanctions, Mr. Shen Guofang of the Chinese delegation stated: "Sanctions are a mandatory tool bestowed by the Charter on the Council to fulfil its duty of maintaining international peace and security."¹⁴ From this statement there are two elements that shed light on China's sanctions parameters and establish a research framework for this study. First, China states that sanctions are a "mandatory tool" of the UNSC. In declaring that sanctions are an accepted and necessary tool of the UNSC, China is exhibiting a willingness to use sanctions. Indeed, the usage of the word 'mandatory' implies that China believes that sanctions are a tool that *must* be used by the UNSC to maintain international peace and security. What this proves is that China is not summarily against using sanctions, but instead sees sanctions as a necessary tool. However, this statement in support of the usage of sanctions fails to elucidate under *what* conditions China is willing to use sanctions and whether there are certain variables that may exclude Chinese participation. Therefore, this study uses a comparative case study method to first identify variables that make Chinese participation more likely. Secondly, this statement does not qualify what type of tool sanctions should be, even as it states that they are a mandatory one. The two policy statements seen here, that China believes sanctions are a necessary tool and that they should be used to maintain international peace and stability, fail to clearly define either

¹⁴ United Nations Security Council, *4394th Meeting*, S/PV.4394, October 25, 2001, New York: United Nations, 10.

the conditions under which China is willing to apply sanctions or how wide a scope China would find acceptable. Therefore, in the absence of a complete statement on its sanctions policies, further analysis is required to define what Chinese sanctions parameters are and to identify the variables that increase the probability of Chinese participation in sanctions regimes.

2.1.1 Research Framework

The dataset under analysis begins in 1997 using every case concerning sanctions that has passed through the UNSC and then compares and contrasts these cases to identify similar variables throughout the data set. The statements and resolutions that comprise the dataset all originate from the UNSC Sanctions Committee homepage that lists all relevant resolutions for each sanctioned country. As such, the n group for this study includes all cases of UNSC sanctions from 1997 to the present. In pursuing this study the primary research methodology is qualitative but does include some quantitative methods when looking at China's voting records over time.

Under this research framework there are three elements this chapter analyzes in order to define more completely Chinese parameters on sanctions. Firstly, using the following case studies, this research categorizes what type of tool sanctions appear to be for China. This element is based on the substance of the sanctions that has China supported in the UNSC. The details of each case study are organized and classified to define the "scope" of those particular sanctions, i.e. travel bans, asset freezes, arms embargo, etc., as well as the targets of the sanctions. In this way the research seeks to define what type of sanctions China has consistently been willing to support in the past.

Secondly, this chapter seeks to identify what variables, referred to in this study as *preconditions*, China believes constitute enough of a threat to international peace and security to necessitate the enacting of sanctions. This is achieved by looking at all sanctions cases in the UNSC within the scope of the research and examining the circumstances that spurred UNSC action. Each case is compared to other cases to find similarities in why the sanctions were enacted by the UNSC, i.e. stopping a civil war, putting pressure on human rights violators, etc., and China's position, if available, in each of the sanctions cases. If China did not make a policy statement for a particular case yet voted in favor of the relevant resolution, then wording from the resolution and the situation in the sanctioned country is used to extrapolate China's official position. While this method is not ideal, it does hint at China's official position if China voted in favor of the quoted resolution without comment or reservation. By comparing all cases since 1997, this study identifies situations in which China is more willing to allow and support sanctions.

Thirdly, this chapter seeks to clarify the boundaries of China's sanctions parameters through its statements in the UNSC. In order to identify China's sanctions parameters, China's statement "Sanctions are a mandatory tool bestowed by the Charter on the Council to fulfil its duty of maintaining international peace and security" is used as a foundation and additional relevant statements are analyzed to create a more complete definition of its sanctions parameters. The statements analyzed include reservations China may have against the sanctions in a particular case or a statement that hints at long-term sanctions policy. An example could include Chinese concerns about violation of sovereignty, potential harm to civilians or statements such as "*China has always*

maintained...” In doing so, this research aims to more fully define China’s sanctions policies.

Chart 2.1:
Three Factors that Constitute China’s Sanctions Parameters

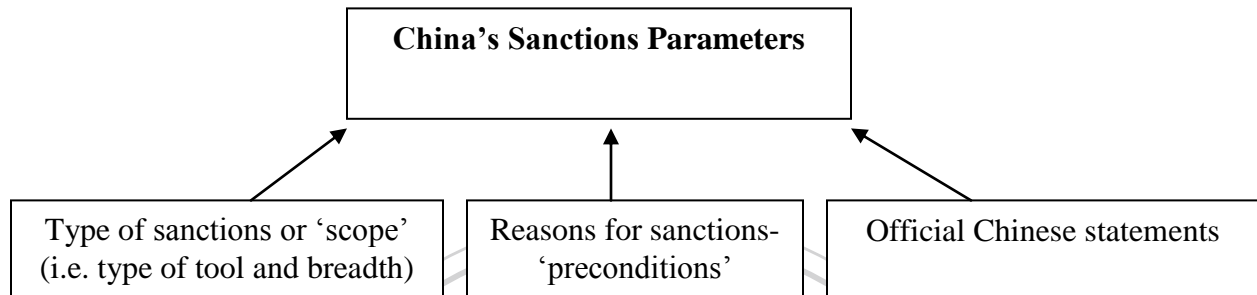


Chart 2.1 made by the author

Summarily, in order to more completely define China’s sanctions parameters, this chapter seeks to identify what type and scope of sanctions China has allowed in the past; identify the situations, or preconditions, that constituted a threat to international peace and security according to China; and analyze China’s policy statements in the UNSC. In each one of the cases under scrutiny there is a brief background of the sanctions case, the reasons for UNSC sanctions and the substance of the sanctions. Then, if available, the analysis will include what elements China identified as posing a threat to international peace and security through official statements made in the UNSC as well as wording from resolutions supported by China. In this way, this study can more fully define China’s sanctions parameters.

2.2 UNSC Sanctions Case Studies

2.2.1 Angola:

Angola was ripped apart by a civil war involving the National Union for the Total Independence of Angola (UNITA) and the Angolan government. As UNITA violated

various peace accords and continued to wage a civil war after a peace agreement was reached, the Angolan government requested that the UNSC provide assistance. The UNSC, in order to stop the violence and stem UNITA's foreign currency reserves, enacted sanctions against the UNITA organization. The sanctions passed against UNITA included a travel ban, asset freeze against UNITA's leaders, an oil embargo and an embargo on diamonds coming from regions controlled by UNITA.

During the UNSC hearing on the Angolan issues the Chinese delegation posited: "The Chinese delegation strongly appeals to all countries strictly to abide by relevant resolutions of the Security Council, to stop supplying UNITA with weapons or supporting it in any other way and to adopt effective measures to prevent their own citizens from violating the sanctions."¹⁵ From this statement it can be argued that China was supportive, even proactive, in regards to Angolan sanctions.

Furthermore, the Chinese delegation called for more international pressure on UNITA. The Chinese delegation is quoted as saying: "As far as the Security Council is concerned, we must redouble our efforts to promote the peace process. Only thus can the humanitarian situation in the country be alleviated... It is necessary for the international community to exert pressure on UNITA."¹⁶ This statement shows that China considered it the responsibility of the UNSC to take a proactive role in supporting the Angolan government against UNITA and instituting sanctions. Additionally, China stated that the UNSC believed "...the existence of continued challenges to the stability of Angola and determining that ensuring the stability of Angola is necessary for the maintenance of

¹⁵ United Nations Security Council, *4129th Meeting*, S/PV.4129, April 18, 2000, New York: United Nations, 10.

¹⁶ United Nations Security Council, *4472nd Meeting*, S/PV.4472, February 13, 2002, New York: United Nations, 14-15.

peace and security in the region.”¹⁷ Therefore, China agreed with the UNSC that the Angolan situation was a situation that threatened regional peace and stability and required UNSC sanctions.

In this case study, China was willing to sanction a particular group, UNITA, at the behest of the Angolan government. Additionally, China was publicly concerned with the humanitarian crisis that resulted from the civil war and called for increased action from the international community. Thus, it could be argued that in the Angolan case China recognized a “humanitarian crisis” and was willing to use UNSC sanctions as a tool to pressure UNITA, especially as the recognized government of the country also supported the sanctions. As such, the Angola case suggests that China is willing to vote for sanctions against an organization within a country due to a humanitarian crisis caused by internal conflict.

2.2.2 Afghanistan:

The sanctions applied against Afghanistan in Security Council Resolution 1267 in 1999 were a set of sanctions aimed at stemming terrorism by restricting travel by Taliban agents. The sanctions included a travel ban, asset freeze, and arms embargo against individuals associated with the Taliban.

During the UNSC discussions the Chinese delegation was hesitant to target the Afghan people. For example, during a meeting in 1999 discussing the Taliban sanctions, Chinese delegate Mr. Shen Guofang stated, “China is against all forms of terrorism. It was on the basis of this principled position that we participated in the consultations on the resolution that has just been adopted, during which we requested that the text be limited

¹⁷ United Nations Security Council, *Resolution 1439 (2002)*, S/RES/1439 (2002), November 15, 2004, New York: United Nations, 1.

to the question of combating international terrorism...”¹⁸ Thus, China makes a strong statement that it is against all forms of terrorism and is moved to enact sanctions specifically against international terrorist groups, but not at the expense of civilians. As a reservation, China states that, “...sanctions can be used only as a means of last resort and must be well targeted.”¹⁹ Mr. Shen Guofan continued by stating that while China is against all forms of terrorism, it was crucial that the resolution addressed the “...commitment to the sovereignty, independence and territorial integrity of Afghanistan, as well as respect for its cultural and historical traditions.”²⁰ Therefore, China believes that sanctions are an effective tool against terrorism, but must be limited in scope.

In 2000, China abstained on one of the sanctions resolutions regarding Afghanistan. China stated that the current sanctions regime was complicating the situation and that, “A new round of sanctions at this time will naturally have a negative impact on the Afghan peace process.”²¹ Therefore, China argued that the timing of the sanctions was harmful.

In this case it can be argued that a variable making China’s acceptance of sanctions more likely was that the scope was not too broad and they were well targeted. However, when the sanctions began to violate the target state’s sovereignty or complicate a situation through bad timing, China was unwilling to support them. As such, during this period China showed a willingness to apply sanctions, but only when the resolutions were proper in scope and were a last resort. Conclusively, in the case of Afghanistan, China

¹⁸ United Nations Security Council, *4051st Meeting*, S/PV.4051, October 15, 1999, New York: United Nations, 5.

¹⁹ Ibid.

²⁰ Ibid.

²¹ United Nations Security Council, *4251st Meeting*, S/PV.4251, December 19 2000, New York: United Nations, 8-9.

was willing to apply sanctions due to the target state's support for terrorism, but reiterated the importance of proper and limited scope.

2.2.3 Côte d'Ivoire

Côte d'Ivoire was embroiled in a violent civil war from 2002 to 2007, followed by other human rights abuses committed even after the civil war. In reaction to the violence and abuses the UNSC stated it was "deeply concerned by the humanitarian situation in Côte d'Ivoire."²² The UNSC, in an effort to halt the violence, enacted sanctions against the warring parties and restricted the trading of conflict diamonds funding the civil war.²³ The substance of the UNSC sanctions included an arms embargo, travel ban, an assets freeze for certain individuals, and restrictions on the sales of diamonds.²⁴ According to the UNSC, the reasons for the sanctions were "...the serious abuses and violations of international law in Côte d'Ivoire, including humanitarian, human rights and refugee law..."²⁵

In this case, the Chinese delegation asserted that regional stability was a core issue. Mr. Wang Guangya stated,

On the basis of [peaceful resolution], and taking into account the views of the countries members [sic] of the African Union, we voted in favour of the resolution. The early achievement of peace and reconciliation will advance the fundamental interests of the people of Côte d'Ivoire and will help to stabilize the region.²⁶

²² United Nations Security Council, *Resolution 1572 (2004)*, S/RES/1572, (2004), November 15, 2004, New York: United Nations, 1.

²³ Global Witness, "Cote d'Ivoire," *Global Witness*, 2010, <http://www.globalwitness.org/campaigns/conflict/conflict-diamonds/cote-divoire>.

²⁴ United Nations Web Services Section, "Security Council Committee established pursuant to resolution 1572 (2004) concerning Côte d'Ivoire", 2011, <http://www.un.org/sc/committees/1572/>.

²⁵ United Nations Department of Public Information, "Security Council Demands End to Violence In Cote D'Ivoire, Imposing Sanctions Against Former President And Urging Him to 'Step Aside' in Resolution 1975," March 30, 2011, <http://www.un.org/News/Press/docs/2011/sc10215.doc.htm>

²⁶ United Nations Security Council, *5078th Meeting*, S/PV.5078, November 15, 2004, New York: United Nations, 2-3.

Thus, it can be argued that China believed in this case that the sanctions resolutions played an important part in building peace and stability and that the views of a regional organization were important and should be considered when enacting sanctions.

Furthermore, China believed that the UNSC should be more active in the Côte d'Ivoire case. During a UNSC meeting in 2004, Mr. Wang Guangya of the Chinese delegation remarked: "In the light of the current serious situation in Côte d'Ivoire, China, like other members of the Security Council, favours further Council action."²⁷ As such, China was put in the position of being an advocate for greater involvement of the UNSC. Lastly, the Chinese delegation made the official statement that the involvement of the international community, and the cooperation of the affected parties with the UNSC, would help bring about a peaceful resolution. In his concluding sentence, the Chinese delegated added that, "We hope that the resolution adopted by the Security Council today will assist in the attainment of those objectives."²⁸ Thus, it could be argued that the international community favored economic pressures to stem the conflict in Côte d'Ivoire and the Chinese delegation allowed sanctions to do so.

The case of Côte d'Ivoire is a good example of the Chinese delegation allowing sanctions to pressure parties to end a destabilizing conflict. Also, China emphasized that sanctions are a tool to support regional stability and that the support of regional bodies is important in achieving stability. In the case of Côte d'Ivoire, China was willing to pass sanctions due to two goals: to achieve regional stability and to end a humanitarian crisis precipitated by civil war.

²⁷ United Nations Security Council, S/PV.5078, 2-3.

²⁸ Ibid.

2.2.4 Sudan:

The civil war in the Darfur region of Sudan began in 2003 and created a large-scale humanitarian crisis. In Sudan, China recognized, “The humanitarian situation in Darfur, in the Sudan, has recently been a source of concern for the international community.”²⁹ In response to the crisis the UNSC passed sanctions that included a travel ban on individuals, an asset freeze, and an arms embargo. However, China did not vote in favor of these sanctions, claiming that sanctions would further complicate the crisis, pointing out that some states in the African Union had reservations about the sanctions, and arguing that it was an inopportune time for sanctions as they would inhibit the peace negotiations.

During the discussions on Sudan, China had three key points for resolving the Sudan crisis. “It has been our consistent view that in dealing with the issue of Darfur, the Security Council should first and foremost have a sense of urgency. Secondly, it should play a constructive role. And thirdly, it should support and work with the African Union.”³⁰ The last point, working with the African Union and regional bodies, was a recurring theme throughout the statements made on the Sudan and sanctions. Along these lines, China stated that:

...since a key element of the Council’s work at present is support for the African Union in extending its deployment in Darfur — reflecting the wishes of the African Union and of the Secretary -General, as well as the broad consensus view — the Chinese delegation refrained from blocking the adoption of the draft resolution.³¹

²⁹ United Nations Security Council, *5015th Meeting*, S/PV.5015, July 30, 2004, New York: United Nations, 1.

³⁰ United Nations Security Council, *5153rd Meeting*, S/PV.5153, March 29, 2005, New York: United Nations, 5.

³¹ United Nations Security Council, *5040th Meeting*, S/PV.5040, September 18, 2004, New York: United Nations, 4.

Following this point, China spoke further about the importance of international bodies emphasizing that, “The Security Council should listen attentively to the voice of the African Union, and its actions should be conducive to securing the cooperation of the Sudanese Government, facilitating the resolution of the problem and contributing to the security and stability of the Sudan.”³² China’s main reservations were that neighboring African states had concerns about sanctions that needed to be heeded and that sanctions would inhibit the peace process. As such, China was unwilling to vote in favor of the resolution. “...China believes that the timing for adopting such a resolution is not right. During the course of consultations, many Council members, including African members, repeatedly expressed such concern about the timing.”³³

While China recognized that the situation was a threat to international peace and stability, in this case China argued that enacting a sanctions regime would further complicate the Sudan crisis and create a larger problem. The Chinese delegation stated that, “I wish to reiterate the fact that China’s position against sanctions remains unchanged. It has been our consistent view that, instead of helping to solve complicated problems, sanctions may make them even more complicated.”³⁴ Because of the issue of *timing* as well as the reservations of African states, China was unconvinced that sanctions would be a beneficial action by the UNSC:

China has always been very careful about adoption of sanctions by the Security Council. Past practices and experiences reveal that, more often than not, sanctions cannot reach expected results. On the contrary, sanctions victimize civilian populations. Therefore, China abstained in the voting on resolutions 1556 (2004), 1564 (2004) and 1591 (2005). Just now,

³² United Nations Security Council, S/PV.5015, 3.

³³ United Nations Security Council, 5423rd Meeting, S/PV.5423, April 25, 2006, New York: United Nations, 3.

³⁴ United Nations Security Council, S/PV.5040, 5.

China abstained in the voting on resolution 1672 (2006)... Sanctions should be applied as an extremely careful step.³⁵

Thus the Sudan case offers an example of a situation in which China was unwilling to sanction a state that was a threat to international peace and security due to an ongoing humanitarian crisis because it believed that the timing of sanctions would have damaged the ongoing diplomatic negotiations and peace process. Furthermore, China argued that countries in the region had reservations about the sanctions and that regional bodies with the international community's support should be the most active entities in the peace process.

2.2.5 Sierra Leone:

The bloody conflict in Sierra Leone started as a civil war that the UNSC, including China, constituted as a threat to international peace and security in the region.³⁶ In response to the deepening conflict the UNSC enacted sanctions in order to prevent the situation from spiraling into a regional crisis. The sanctions enacted by the UNSC included a travel ban on individuals and an arms embargo on the entire country. In a more drastic step, the UNSC also forbid oil to be imported into the country.

In the year 2000, China displayed no negative reactions towards UNSC sanctions imposed on the diamond trade in Sierra Leone. Rather, during the UNSC meeting China stated that:

The Chinese delegation is deeply concerned about the negative role played by the illicit diamond trade in the civil war in Sierra Leone. We believe that the international community must take strong measures to stop the illicit exploitation of and trade in diamonds, to put an end to the

³⁵ United Nations Security Council, S/PV.5423, 3.

³⁶ United Nations Sanctions Secretariat, Department of Political Affairs, *Smart Sanctions, The Next Step: Arms Embargoes and Travel Sanctions*, Second Expert Seminar (Berlin: United Nations Sanctions Secretariat, Department of Political Affairs, December 3, 2000), 18, <http://www.un.org/Docs/sc/committees/sanctions/overview.pdf>.

rebellion of the Revolutionary United Front and to protect the legitimate Government elected by the people of that country. Only in this way will we find a lasting solution to the problems of Sierra Leone, which is the unshirkable responsibility of the Security Council.³⁷

The Chinese representative further elaborated that the government of Sierra Leone itself had accepted the terms of the sanctions, thereby validating concerns over violation of sovereignty. “We note that, in its letter addressed to the Council, the Government of Sierra Leone indicates its acceptance of the sanctions imposed on it. We hope that, through this measure, the international community can help to restore peace in Sierra Leone as soon as possible.”³⁸ The delegate at the time, Mr. Shen Guofang, elaborated the importance of not having “indefinite” sanctions.³⁹

The Sierra Leone case sees China acting consistently with what it is expressed in other cases as important. China reiterated its belief in the necessity of intervening to address a threat to international peace and security, and expressed increased comfort with the sanctions due to the acceptance of the host state government; China was more willing to enact sanctions since the target state had agreed to their use and thus the action did not violate sovereignty. In this case, China also expressed a readiness to utilize sanctions to protect a government from the threats inherent in civil war.

2.2.6 Liberia:

A civil war raged in Liberia from 1989 until 2003. The UNSC enacted sanctions against Liberia in order to reduce the warring parties’ resources because of the “serious

³⁷ United Nations Security Council, *4168th Meeting*, S/PV.4168, July 5, 2000, New York: United Nations, 7.

³⁸ Ibid.

³⁹ Ibid.

deterioration of the internal situation in the country.”⁴⁰ The UNSC considered the violence to be a “...threat to international peace and security in the region.”⁴¹ By the end of the sanctioning process, the UNSC had restricted the movement of certain individuals, frozen assets, disallowed armaments to be sold to Liberia, and, most importantly, had sanctioned Liberia’s trade in timber and diamonds without the Liberian government’s consent.

During the entirety of the Liberian case from 2003 to 2010 China did not make any official statements in the UNSC. However, China did vote for all resolutions on sanctioning Liberia and China even voted for a resolution that mandated an “...improvement of existing sanctions...” in 2001.⁴² Although no official statements could be found, the case of Liberia still offers some insight on the limits of Chinese preconditions. Liberia was a civil conflict that threatened regional stability and China was willing to sanction Liberia even though the ruling government did not accept the sanctions. Thus, it would appear that it is not outside of China’s sanctions parameters to enact sanctions against a failing state even without the consent of the target state’s leadership when such a step is deemed necessary to protect regional peace and stability.

2.2.7 Iran:

The Islamic Republic of Iran began pursuing a nuclear weapons program that violated non-proliferation norms in 2006. Due to this flagrant disregard of non-proliferation norms, the UNSC, under the recommendation of the International Atomic

⁴⁰ United Nations Sanctions Secretariat, Department of Political Affairs, *Smart Sanctions, The Next Step: Arms Embargoes and Travel Sanctions*, 16.

⁴¹ United Nations Security Council, *Resolution 1689 (2006)*, S/RES/1689 (2006), June 20, 2006, New York: United Nations, 2.

⁴² United Nations Security Council, *4405th Meeting*, S/PV.4405, November 5, 2001, New York: United Nations, 15.

Energy Association (IAEA), passed sanctions against Iran. In sanctioning Iran, China was vocal in supporting non-proliferation norms, as it stated, “China has all along indicated that purpose of the Security Council reviewing this issue [Iran] is to safeguard the international nuclear non-proliferation mechanism...”⁴³ As Iran challenged non-proliferation norms, China and the UNSC reacted with sanctions. Indeed, though China’s economic ties to Iran have been historically strong, China still allowed UNSC sanctions.⁴⁴ These sanctions included individual travel bans, asset freezes, a territorial arms embargo with some exceptions, restrictions on Iran’s arms exports, and restrictions on the importation of materials that could be used in making nuclear weapons.

During a UNSC meeting in 2006, the Chinese representative stated: “All along, China has supported safeguarding the international nuclear non-proliferation mechanism and opposed the proliferation of nuclear weapons. We do not wish to see new turbulence in the Middle East. We are in favour of a peaceful solution to Iran’s nuclear issue through political and diplomatic efforts and negotiations.”⁴⁵ Here, China clearly stated its concern for regional stability in the face of nuclear weapons proliferation, and also exhibited its condemnation for Iran’s violation of non-proliferation. Yet China remains as of this writing unwilling to end diplomatic engagement with Iran. The Chinese delegate described China’s view of sanctions as a diplomatic tool:

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 time are limited and reversible, and they target proliferation-sensitive nuclear activities and the development of nuclear-

⁴³ United Nations Security Council, *5500th Meeting*, S/PV.5500, July 31 5, 2006, New York: United Nations, 5.

⁴⁴ Erica Downs and Suzanne Maloney, “Getting China to Sanction Iran: The Chinese-Iranian Oil Connection,” *Foreign Affairs* 90, no. 2 (March 2011), http://www.brookings.edu/articles/2011/03_china_iran_downs_maloney.aspx.

⁴⁵ United Nations Security Council, *5612th Meeting*, S/PV.5612, December 23, 2006, New York: United Nations, 7.

weapon delivery systems... [When Iran] 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.⁴⁶

The strength of China's statements in this case suggests that respect for the norms of non-proliferation is a decidedly important factor in China's sanctions parameters, indicating that this factor may in fact be one of the preconditions for Chinese support of sanctions. Furthermore, some of China's possible sub-conditions appear to be expanded on in this quotation. First, it states that sanctions are another tool in the diplomatic box, and as such need to be used in conjunction with diplomatic engagement. Second, it shows that Chinese sanctions policy places emphasis on the importance of the reversibility of sanctions.

In 2007, a year later, the UNSC introduced another round of harsh sanctions.

During these hearings, Mr. Wang Guangya of the Chinese delegation stated:

...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.⁴⁷

Such a statement reveals China's stance that sanctions should not be used as an economic weapon to punish target economies. The delegate once again reemphasized the role of diplomacy in sanctions policy as he stated: "It is impossible to resolve the issue fundamentally by imposing sanctions and pressure only. Diplomatic talks remain the best option."⁴⁸

⁴⁶ Ibid.

⁴⁷ United Nations Security Council, *5647th Meeting*, S/PV.5647, March 24, 2007, New York: United Nations, 11-12.

⁴⁸ Ibid.

Iranian sanctions came to a head again in 2010. During these Security Council meetings China's stance remained in line with its past positions. The Chinese representative said, "...the Security Council's actions should be conducive to peace and stability in the Middle East, especially the Gulf region... it should help to promote the current momentum towards global economic recovery and not affect the day-to-day lives of the Iranian people or normal international trade and transactions."⁴⁹ This statement is another example of Chinese unwillingness to sanction the economies of the offender states, and highlights the stress placed on maintaining regional stability. Also, the Iranian case shows that China will only consent to use specific sanctions, rather than sanctions that affect the country as a whole.

The 2010 sanctions also led to a reiteration of the Chinese position on sanctions and the role of diplomacy, saying again that the two are not mutually exclusive, but instead must be used in concert:

We are the view that sanctions can never fundamentally resolve the Iranian nuclear issue. To bring about a comprehensive and appropriate settlement of the issue, it is imperative to return to the track of dialogue and negotiation. The Security Council's adoption of this new resolution does not mean that the door to diplomatic efforts is closed. The new resolution is aimed at bringing Iran back to the negotiating table and at activating a new round of diplomatic efforts. To that end, the sanctions mentioned in the new resolution are reversible.⁵⁰

China's stance on Iran can be summed up in one quote: "China will, as always, continue its efforts to help to maintain world and regional peace and stability, safeguard and strengthen the international non-proliferation mechanism and enhance political and

⁴⁹ United Nations Security Council, *6335th Meeting*, S/PV.6335, June 9, 2010, New York: United Nations, 11.

⁵⁰ *Ibid.*

diplomatic efforts for the solution of the Iran nuclear issue.”⁵¹ In the Iranian case, China continues to take a clear position against sanctioning the entire economy of Iran and restates Iran’s sovereign right to peaceful nuclear energy. Furthermore, China reiterated that the reversibility of the sanctions are paramount and that sanctions are not an end unto themselves. The variable that caused China to enact sanctions in this case was the proliferation of nuclear weapons and the threat to regional stability. Furthermore, China restated its desired respect for sovereignty, the importance of the involvement of regional and international organizations, and the significance of easily repealed sanctions and limited types of sanctions.

2.2.8 Eritrea and Ethiopia:

The sanctions enacted against Eritrea and Ethiopia in 1999 and 2000 were due to both countries’ belligerent behavior. The substance of the sanctions included an all-inclusive arms embargo against Eritrea and Ethiopia. According to the UNSC, the reasons for the sanctions were the continuation of fighting, the terrible loss of human life due to the conflict, and the need for a peaceful resolution to the conflict. Passed in 2000, Resolution 1298 stated that, “the situation between Eritrea and Ethiopia constitutes a threat to regional peace and security...”⁵²

In the case of Eritrea and Ethiopia there were no official statements made by the Chinese delegation in the UNSC. However, as China voted in favor of the resolution and since the UNSC stated that the conflict was creating a humanitarian crisis and was a threat to regional stability, it follows that China agreed with the UNSC’s assessment of the situation. Using this reasoning it could be argued that China agreed with the enacting

⁵¹ United Nations Security Council, S/PV.5500, 6.

⁵² United Nations Security Council, *Resolution 1289 (2000)*, S/RES/1298 (2000), May 17, 2000, New York: United Nations, 2.

of sanctions in the case of an international conflict that affected regional stability. In this case China was also again willing to enact sanctions without the approval of the sanctioned states, but with strong support from an important regional organization involved in the conflict, the Organization of African Unity (OAU).⁵³

2.2.9 Eritrea and Somalia:

Following the conflict with Ethiopia, Eritrea began actively supporting al-Qaeda elements in Somalia in violation of the 1992 UNSC arms embargo. Furthermore, Eritrea attempted a forceful occupation of a disputed territory with Djibouti.⁵⁴ Due to these infractions against international law and the threat Eritrea constituted to the stability of the region, the UNSC enacted sanctions. These UNSC sanctions included an arms embargo, a freezing of assets, and a travel ban.⁵⁵

While China abstained from voting in favor of the sanctions, it stated in a 2009 UNSC meeting: “China always maintains that the Security Council should act prudently in imposing sanctions. The adoption of the resolution on sanctions against Eritrea by the Security Council shall not replace diplomatic efforts to resolve disputes through dialogue and negotiations.”⁵⁶ The representative at the time also emphasized the importance of regional stability: “We hope countries in the region, including Eritrea, will bear in mind the long-term interests of their people and the region, and make concerted and more

⁵³ Ibid.

⁵⁴ James Bone, “UN imposes sanctions on Eritrea over support for rebels in Somalia,” *Times Online* (New York, December 23, 2009), <http://www.timesonline.co.uk/tol/news/world/africa/article6966873.ece>.

⁵⁵ BBC, “UN imposes sanctions on Eritrea,” *BBC*, December 23, 2009, sec. Africa, <http://news.bbc.co.uk/2/hi/8428881.stm>.

⁵⁶ United Nations Security Council, *6254th Meeting*, S/PV.6254, December 23, 2009, New York: United Nations, 4.

constructive efforts to create a harmonious regional environment favorable for win-win cooperation.”⁵⁷

The aggressive behavior exhibited by Eritrea was met with UNSC sanctions due to its support for terrorism and threat to regional stability. While China did not vote in favor of UNSC Resolution 1907 in 2009, it did support all previous sanctions and then the later UNSC Resolution 1916 in 2010. Thus, in this case a state supporting terrorism and constituting a threat to regional stability was answered with Chinese support for sanctions.

2.2.10 Libya:

The most recent set of sanctions passed by the UNSC targeted the Libyan Arab Jamahiriya due to its egregious human rights violations and deliberate slaughter of civilians. The UNSC defined the violence in UNSC Resolution 1970 as “serious violations of human rights and international humanitarian law that are being committed in the Libyan Arab Jamahiriya.”⁵⁸ The sanctions passed against Libya included a flight ban of all Libyan airlines, freezing individual’s assets, and a territorial arms embargo.

In response to the violence the Chinese delegation called for a cessation of violence. Mr. Li Baodong of the Chinese delegation vaguely stated,

It is our view, it is of the greatest urgency to secure the immediate cessation of violence, avoid further bloodshed and civilian casualties, restore stability and normal order as soon as possible, and resolve the current crisis through peaceful means, such as dialogue.⁵⁹

However, China did abstain on Resolution 1973 as it stated:

⁵⁷ Abdihakim, “Security Council should act prudently in imposing sanctions,” *Alshahid News and Analysis*, December 24, 2009, <http://english.alshahid.net/archives/3302>.

⁵⁸ United Nations Security Council, *Resolution 1970 (2011)*, S/RES/1970 (2011), February 26, 2011, New York: United Nations, 1.

⁵⁹ United Nations Security Council, *6491st Meeting*, S/PV.6491, February 26, 2011, New York: United Nations, 4.

China is gravely concerned by the continuing deterioration of the situation in Libya. We support the Security Council's adoption of appropriate and necessary action to stabilize the situation in Libya as soon as possible and to halt acts of violence against civilians. China has always emphasized that, in its relevant actions, the Security Council should follow the United Nations Charter and the norms governing international law, respect the sovereignty, independence, unity and territorial integrity of Libya and resolve the current crisis in Libya through peaceful means.⁶⁰

In this case China reiterates many of the arguments it has made in previous sanctions cases. However, this resolution was different from other cases, as Resolution 1973 also called for military intervention along with sanctions in Libya. China's reservations concerned the military aspects but did not mention reservations about the sanctions themselves, which it did vote in favor for in Resolution 1970. Therefore, this is a unique resolution and outside the scope of the research as it calls for sanctions *and* military intervention within the same resolution.

China identifies the large-scale loss of life as a viable reason for its support of UNSC action and sanctions in Libya. The case of Libya indicates that when a government threatens regional stability by attacking its own civilians and driving the state into civil war, China is willing to support UNSC sanctions, even if not military action.

2.2.11 Democratic Republic of the Congo (DRC)

The UNSC sanctions against the DRC were first passed in 2003 because of a continuing conflict in some of its eastern territories. As Resolution 1493, passed in 2003, stated, the UNSC was “deeply concerned by the continuation of hostilities in the eastern part of the Democratic Republic of the Congo, particularly in North and South Kivu and in Ituri, and by the grave violations of human rights and of international humanitarian

⁶⁰ United Nations Security Council, *6498th Meeting*, S/PV.6498, March 17, 2011, New York: United Nations, 10.

law that accompany them.”⁶¹ The sanctions consisted of a travel ban on individuals, individual asset freezes, and a territorial arms embargo with some exceptions.

In one of the few statements available, China stated that it was willing to play a supporting role with continuous diplomacy by saying, “China will also continue to provide the necessary assistance to the Democratic Republic of the Congo so as to play its part in the peaceful reconstruction of the country.”⁶² Given the lack of direct comment regarding its stance on preconditions for support, extrapolations must be made from the content of the resolutions that China voted in favor for. For example, in Resolution 1493 the UNSC stated, “...the situation in the Democratic Republic of the Congo continues to constitute a threat to international peace and security in the region.”⁶³

In this case, the main reason for sanctions action was a civil war that created a humanitarian crisis and threatened regional stability. China was again willing to sanction a state undergoing a humanitarian crisis due to a civil war, but also continued to assist the target state’s economy and put emphasis on the importance of diplomacy.

2.2.12 Rwanda:

The genocide in Rwanda caused a backlash of condemnation from the international community. While the Rwandan case began before the scope of the research in 1994, further resolutions were passed in years that do fall within the scope of the research; therefore, the Rwanda case is added into this research. The situation in Rwanda, as described by the UNSC, was one of “...continuing violence...including the massacre of civilians, including refugees...and similar acts of violence observed in the Great Lakes

⁶¹ United Nations Security Council, *Resolution 1493 (2003)*, S/RES/1493 (2003), July 28, 2003, New York: United Nations, 1.

⁶² United Nations Security Council, *5616th Meeting*, S/PV.5616, January 9, 2007, New York: United Nations, 12.

⁶³ United Nations Security Council, S/RES/1493 (2003), 2.

region, including in Burundi.”⁶⁴ In reaction to these crimes the UNSC enacted a territorial arms embargo.

Although official statements from the UNSC meetings are difficult to find due to the time period under investigation, there are some examples of China’s stance on the situation in Rwanda. In 1998 Mr. Shen Guofang of the Chinese delegation stated that, “The illegal flow of arms has already seriously undermined the security and stability of Rwanda and the whole Great Lakes region, and also created a tragedy in which many people were killed. The international community should adopt precise measures to curb this flow.”⁶⁵ In this short statement China indicates that due to the threat to the “security and stability” of both Rwanda and the entire region, China was willing to enforce an arms embargo. Thus, the Rwandan case is an example where China was willing to enact sanctions due to a conflict and humanitarian crisis that was precipitated by a genocide and threatened regional stability.

2.2.13 Kosovo (Federal Republic of Yugoslavia):

Civil and ethnic unrest spurred a civil war between the army and police of the Federal Republic of Yugoslavia and the Kosovo Liberation Army in 1998. The conflict spiraled out of control, forcing the UNSC to enact sanctions to limit the material resources of the fighting parties and terrorists.⁶⁶ This included an extensive arms embargo on all of the Yugoslavian territories, a territorial flight ban, and frozen assets for select individuals.

⁶⁴ United Nations Security Council, *Resolution 1161 (1998)*, S/RES/1161 (1998), April 9, 1998, New York: United Nations, 1.

⁶⁵ United Nations Security Council, *3870th Meeting*, S/PV.3870, April 9, 1998, New York: United Nations, 7.

⁶⁶ United Nations Security Council, *Resolution 1160 (1998)*, S/RES/1160 (1998), March 31, 1998, New York: United Nations, 2.

There were two important themes that ran throughout China's official statements on the Kosovo situation in Yugoslavia. Firstly, China placed emphasis on respecting Yugoslavia's sovereignty and territorial integrity. Secondly, and perhaps most importantly, the Chinese did not deem the nature of the conflict to threaten international peace or regional stability. In 1998, during the discussion on an arms embargo, China clarified its stance by saying, "The question of Kosovo is, in its essence, an internal matter of the Federal Republic."⁶⁷ The delegates then went further in stating, "We do not think that the situation in Kosovo endangers regional and international peace and security."⁶⁸ This statement implies not only that China's rationale for not voting in favor of the sanctions was that it did not believe that it was a threat to regional or international security, but also that it would have been likely to vote in favor if it had believed that the situation did constitute a regional or international threat.

In 1999, China reiterated its stance on sovereignty, stating in the UNSC, "We stand for peaceful settlement of the question of Kosovo on the basis of respect for the sovereignty and territorial integrity of the Federal Republic of Yugoslavia and guarantees of the legitimate rights and interests of all ethnic groups in the Kosovo region."⁶⁹ China further argued that:

Fundamentally speaking, ethnic problems within a State should be settled in a proper manner by its own Government and people, through the adoption of sound policies. They must not be used as an excuse for external intervention, much less used by foreign States as an excuse for the use of force. Otherwise, there will be no genuine security for States and no normal order for the world.⁷⁰

⁶⁷ United Nations Security Council, *3868th Meeting*, S/PV.3868, March 31, 1998, New York: United Nations, 11.

⁶⁸ *Ibid.*

⁶⁹ United Nations Security Council, *4011th Meeting*, S/PV.4011, June 10, 1999, New York: United Nations, 8.

⁷⁰ *Ibid.*, 8-9.

In another UNSC meeting China repeated their position that, “The Kosovo issue should be settled on the basis of respect for the sovereignty and territorial integrity of the Federal Republic of Yugoslavia.”⁷¹ And, lastly, China made a blistering attack on NATO’s involvement in Kosovo:

Respect for sovereignty and non-interference in each other’s internal affairs are basic principles of the United Nations Charter. Since the end of the cold war, the international situation has undergone major changes, but those principles are by no means outdated. On the contrary, they have acquired even greater relevance. At the threshold of the new century, it is even more imperative for us to reaffirm those principles. In essence, 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. This totally runs counter to the purposes and principles of the United Nations Charter. The international community should maintain vigilance against it.⁷²

The case of Kosovo and Yugoslavia is an example that highlights several of China’s policies on sanctions. First, this case strongly suggests that China is more likely to enact sanctions in cases where regional peace and security are threatened. Second, China stressed its belief that sovereignty is the most basic right of any country and should not be violated by UNSC sanctions in the absence of a clear threat to regional or international peace and stability.

The case of Kosovo proves a good case to contrast with previous cases. Because China believed there was a *not* a threat to regional stability it did not vote in favor of the resolutions and was vocal about its disapproval. However, China abstained rather than using its veto and still allowed the sanctions to pass. While there are other examples of China’s abstention on sanctions resolutions, it seems that it did not deem the UNSC

⁷¹ United Nations Security Council, 3989th Meeting, S/PV.3989, March 26, 1999, New York: United Nations, 9.

⁷² United Nations Security Council, S/PV.4011, 9.

sanctions to be so extreme a violation of sovereignty as to require a veto. In this case, it can be extrapolated that if China refuses to recognize a case as a threat to international or regional peace and stability it is unlikely to support UNSC sanctions, yet is still willing to allow the international community to enact them.

2.2.14 Lebanon:

The sanctions enacted against Lebanon in 2005 and strengthened in 2006 were due to a terrorist attack in February of 2005. The attack killed the Lebanese Prime Minister and twenty-two others, prompting a harsh reaction from the international community. The first UNSC Resolution in 2005 stated its “...unequivocal condemnation of the 14 February 2005 terrorist bombing in Beirut, Lebanon, that killed former Lebanese Prime Minister Rafiq Hariri and others, and caused injury to dozens of people...” The sanctions enacted against Lebanon included travel bans, asset freezes, and a territorial arms embargo. In endorsing sanctions against Lebanon, the UNSC stated that the terrorist attacks were a threat to international peace and security. In UNSC Resolution 1636, the UNSC decided that, “... this terrorist act and its implications constitute a threat to international peace and security emphasizing the importance of peace and stability in the region, and the need for peaceful solution.”⁷⁴

There were no official statements made by the Chinese delegation regarding the Lebanon case that pertained to the scope of this study. But, judging by the voting records, China supported all the sanctions resolutions presented before the UNSC. As such, statements from the resolutions passed against Lebanon can be used in lieu of China’s official statements. This is the only feasible alternative in the absence of Chinese statement and

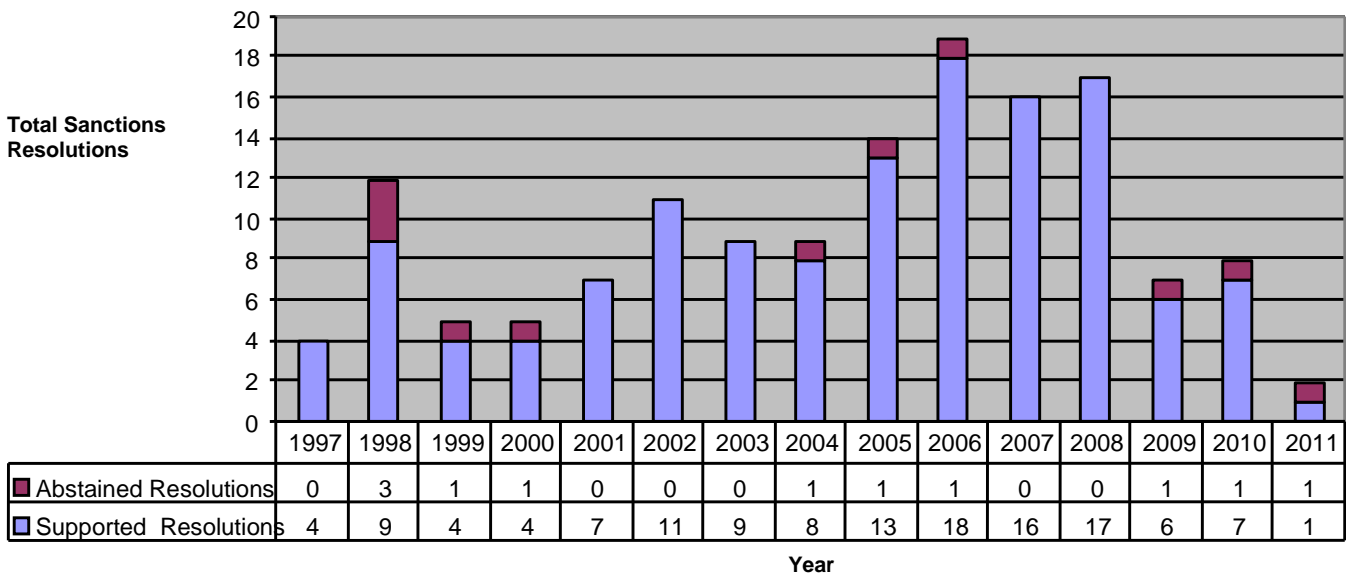
⁷⁴ United Nations Security Council, *Resolution 1636 (2005)*, S/RES/1636 (2005), October 31, 2005, New York: United Nations, 2.

as China voted in favor of the resolution. Again, this is not an ideal way to gauge China’s official stance, but it sheds some light on why the sanctions were passed. In this case, the UNSC was faced with an act of terrorism that threatened regional stability. Resolution 1636 enacted a set of sanctions against Lebanon and referenced regional stability, “*Emphasizing* the importance of peace and stability in the region, and the need for peaceful solutions.”⁷⁵ Therefore, it can be deduced that regional stability was a key reason for the sanctions. Also, the Resolution stated that, “...terrorism in all its forms and manifestations constitutes one of the most serious threats to peace and security...”⁷⁶ Chinese support of sanctions then in this case could be seen as an endorsement of sanctions in situations that threaten regional stability and involve acts of terrorism.

2.3 Analysis of China’s Voting Record over Time:

Chart 2.2*

China's UNSC Voting Records 1997-2011: Total Sanctions Versus Number of Abstentions



*Chart 2.2 made by the author. The cases depicted in the graph include Chinese votes for resolutions related to sanctions activities, including the creation of committees for fact finding concerning sanctions, sanctions effects, results and feasibility. As China has not vetoed a sanctions resolution, abstaining is the highest sign of disapproval by China to date. All cases are from the official UNSC Sanctions Committee’s Homepage (<http://www.un.org/sc/committees/>)

Chart 2.2 “China’s UNSC Voting Records 1997-2011” depicted above reveals a number of aspects of China’s UNSC voting trends over time. The graph is a year-to-year visual representation indicating the number of sanctions cases China supported, with the top discolored portion being those resolutions in which China abstained. Those resolutions in which China abstained are an important indicator of China’s stance on certain sanctions resolutions. Analyzing China’s voting history will be helpful when defining China’s sanctions parameters and postulating about China’s support for future sanctions regimes.

First, there is no significant difference in the number of abstentions on a year-to-year basis, although in the years 2006-2008 there was a peak in the number of sanctions resolutions China voted in favor of. 1998 is also an outlier in that China reached a peak in its abstention rates. It is important to note, however, that these abstentions were all during the conflict in Kosovo, where China had strong objections regarding violation of sovereignty and did not believe that the situation presented a threat to international or regional peace and security.

The most telling aspect about Chart 2.2 is the lack of a trend over time. China’s rate of abstention did not radically change over the past seventeen years of sanctions resolutions coming before the UNSC. The importance of this information is that it points towards a fairly consistent policy over time. China’s single increase in its abstention rate occurred during the conflict in Kosovo, which has been acknowledged as an outlier in this study. Additionally, China has not shown any marked change in its likelihood of abstaining over time, suggesting that it has neither adjusted its policy to be more

conservative, nor become more liberal in its understanding of the place and form that sanctions should take. This fact supports the accuracy of the conclusions drawn by this study, as it gives us strong reason to believe that China's parameters are controlled by a policy that has remained relatively consistent. A summary conclusion, based on the information and graph above, could be that China has not radically changed the possibility of sanctioning a target state *as long as* the sanctions remain within the bounds of its sanctions parameters.

2.4 Conclusion for Chinese Sanctions Case Studies

The purpose of the preceding case studies is to examine China's past behavior and expressed opinions when it comes to sanctions in order to establish China's sanctions parameters. In determining these sanctions parameters, two aspects of China's past behavior must be qualified. First, these case studies help to determine in what situations or under what conditions China will be willing to support the use of sanctions. In this study, we have referred to this aspect of China's sanctions parameters as the *preconditions* for sanctions use. It is also possible to gauge what this thesis has referred to as the *scope* of China's sanctions parameters by drawing conclusions from the case studies above. Scope can be determined by examining not just the specific type of sanction enacted in the preceding case studies, but also the breadth of those sanctions. The history of Chinese support for past sanctions shines light on what they consider to be appropriate and reasonable actions for future cases, thereby delineating Chinese sanctions parameters.

2.4.1 Preconditions of Chinese Sanction Support

From the evidence and case studies above, there are some trends exhibited by the Chinese delegation that can be used in formulating a more complete definition of Chinese preconditions for sanctions. Firstly, over time the Chinese delegation has proven to be willing to vote in favor of sanctions under the right conditions. A key finding that can be drawn from the case studies above is that there are *four* major preconditions for Chinese involvement in sanctions. These preconditions are key, because if a case meets one of these preconditions then China is more likely to support a sanctions regime. These preconditions do not exclude one another. In fact, some are overlapping. Furthermore, the existence of just one of the preconditions is sufficient for China to allow sanctions. All of the sanctions cases that China has voted in favor of since 1997 fit into one of these four preconditions, and each one was proven to present a threat to international peace and security according to China, besides the Yugoslavia case which is used as a negative case.

The first condition that can be extrapolated from the evidence above is the existence of a destabilizing conflict, either internal or international, that threatens international peace and stability. Many of the cases where China has supported sanctions fall into this category, including Angola, Côte d'Ivoire, Ethiopia, and Eritrea, Liberia, Sierra Leone, and others.⁷⁷ As the case studies showed, in all of these cases China either voted in favor of the resolutions sanctioning these countries or made explicit statements about the destabilizing natures of the conflict. The caveat for this precondition, and in fact for all four of the preconditions identified in this study, is that the conflict in question must be deemed to be a threat to international or regional peace and security. For example, because China did not believe the Kosovo conflict presented a threat to

⁷⁷ See chart 2.3 for complete list of cases

international peace and stability, it did not vote in favor of the resolution despite it being a serious internal conflict.⁷⁸ Yet in all other situations of destabilizing conflict deemed to be a threat to peace and security, China has been in support of enacting sanctions.

The second precondition is if a government or conflict creates a humanitarian crisis that threatens international peace and stability. If there is a situation in which civilians and neighboring states are suffering due to armed conflict then China is willing to support sanctions. For example, the conflict in Rwanda created a massive humanitarian crisis that threatened regional stability and China voted in favor of UNSC sanctions. It also showed support for sanctions where there was a humanitarian emergency in Angola, the DRC, and Libya. In the Sudan case, China recognized a humanitarian crisis but believed in this case that sanctions would do more harm than good, as the timing of the sanctions was not ideal. However, it expressed a willingness to support sanctions at a more appropriate time to address the humanitarian crisis in the Sudan.

The third precondition under which China has been willing to support sanctions is when a state supports or harbors terrorists. In Lebanon and the Eritrea/Somalia cases China voted in favor of sanctions because of terrorism, which China has always maintained threatens international peace and security.

The fourth and final precondition for sanctions is when a state pursues a nuclear weapons program. In the cases of Iran and the DPRK, both states attempted to violate non-proliferation norms and were subsequently sanctioned by the UNSC with China's support. China has long maintained that non-proliferation protects international peace and stability.

⁷⁸ China's action on the Kosovo case has been noted as a negative example in this study.

All these preconditions are threats to “maintaining international peace and security” according to China’s statements and actions in the UNSC. Thus, China’s official policy parameters include situations where it becomes the role of the UNSC for “maintaining international peace and security,” specifically: a destabilizing conflict; a humanitarian crisis; terrorism; and pursuing nuclear weapons.

For a visual gauge of these preconditions, the preconditions and corresponding case studies are all included in Chart 2.3.

Chart 2.3 Preconditions for Chinese Sanctions

Preconditions for Chinese Sanctions*	Reasons for Sanctions	Cases
1. Destabilizing conflict	International or internal conflict that threatens regional peace and security	Yugoslavia (Kosovo)**, Angola, Sudan***, Sierra Leone, Côte d'Ivoire, DRC, Libya, Liberia, Eritrea and Ethiopia, Rwanda
2. Humanitarian crisis	Violation of humanitarian law, a humanitarian crisis that threatens peace and security	Angola, Côte d'Ivoire, Sudan***, Libya, DRC, Rwanda, Yugoslavia (Kosovo)**
3. Terrorism	Supporting or harboring terrorists	Libya, Afghanistan***, Lebanon, Eritrea and Somalia
4. Nuclear Weapons Proliferation	Seeking nuclear weapons	DPRK, Iran

Chart 2.3 made by the author.

*Important sub-conditions, or *scope*, of sanctions include: type of sanctions, limited violation of sovereignty; timing of the sanctions; consent and involvement of regional organizations; continued engagement and diplomacy with plans for quickly repealing the sanctions once the target state has complied.

**Yugoslavia (Kosovo) is a unique case, as China did not recognize Kosovo as a conflict that threatened regional peace and stability. Therefore, this is a negative case where China argues against sanctions.

***In the Sudan and Afghanistan cases China believed that sanctions would “complicate” and worsen the situation due to internal factors and thus did not support all sanctions resolutions. Thus, the Sudan and Afghanistan cases overextended scope because of “timing.”

2.4.2 Scope of Chinese Sanctions Support

Unlike the identified preconditions for Chinese support of sanctions, the scope of China's sanctions parameters is far more complicated. While China has been shown to consistently support sanctions where one of the four above-named preconditions is met, this research finds that meeting a precondition is but the first step in determining if China is willing to vote for a particular sanctions resolution. As in the case of the Sudan, China accepted that the circumstances supported the use of sanctions, but argued that the timing of the sanctions would be detrimental to the peace process. Thus, the scope of China's sanctions parameters can be defined as the type and breadth of the sanctions that it finds acceptable in light of the situation on the ground. By examining the type and breadth of past sanctions regimes that have been supported by China, it is possible to determine the scope of China's sanctions parameters. Chart 2.4 below gives a brief overview of the type of sanctions employed by the UNSC on a state-by-state basis, noting which cases China did not vote in favor for. There are several trends in past Chinese sanctions that hint at what it finds to be an acceptable scope for UNSC sanctions, which are discussed below.

Chart 2.4: Type of UNSC Sanctions

Country	Travel Ban	Asset Freeze	Arms Embargo	WMD Embargo	Economic
*Al-Qaida and Taliban	Individuals	Individuals	Individuals	-	-
Angola	UNITA	UNITA	-	-	Oil (UNITA) / diamonds (Regional)
Côte d'Ivoire	Individuals	Individuals	Territorial	-	All Diamond exports
Democratic People's Republic of Korea	Individuals	Individuals	Territorial (some exceptions)	Territorial	Importing luxury goods, arms exports
DR of the Congo	Individuals	Individuals	Territorial	-	-
Eritrea and Ethiopia	-	-	Territorial (both states)	-	-
*Eritrea and Somalia	Individuals	Individuals	Territorial and individual	-	-
Iraq (Kuwait)	-	Individuals	Territorial	-	-
Iran	Individuals	Individuals	Territorial (some exceptions)	Territorial	Arms Exports
Lebanon	Individuals	Individuals	Territorial	-	-
Liberia	Individuals	Individuals	Non-government ban	-	-
*Libya	Flight ban	Individuals	Territorial	-	-
Sierra Leone	Individuals	-	Territorial	-	Oil imports
*Sudan	Individuals	Individuals	Regional ban	-	-
*Yugoslavia (Kosovo)	Flight Ban	Individual	Territorial, Humanitarian exception	-	-

Chart 2.4 made by the author. All data on sanctions were collected from the UNSC Sanctions Committee's Homepage (<http://www.un.org/sc/committees/>)

*Cases in which the chart itself, there is no difference between Individual, Regional and Territorial sanctions. For example, in cases where sanctions target "Individuals," these persons tended to be elite leaders that were instigating violence or breaking international norms. In some cases, such as the Sudan, these were individuals who were fighting government forces. In other cases, like Libya, it was the recognized governmental leadership that was committing violence against its own citizens.

In cases that have been labeled "Regional," this implies that only a specific region in a country is under sanctions. An example of this is Angola, where government-held diamonds were unsanctioned, but UNITA-held regions that produced diamonds were on the restrictions list. Another example of "Regional" is Sudan's arms embargo whereby it was illegal to sell arms to militant groups not controlled by the Sudanese government.

Lastly, a “Territorial” ban includes all nationals of that specific country. A prime example of a territorial ban is Sierra Leone’s arms embargo in which no arms of any kind could be sold to a Sierra Leone national. In the confusing muddle of sanctions, however, there are exceptions written into the UNSC resolution. The sanctions regime on North Korea bans the sale of arms to North Korea but the sanctions exclude small arms. So while it is illegal to sell missiles and missile materials to North Korea, it is acceptable for small arms to be imported. However, states are instructed to “exercise vigilance” in their arms sales and are required to notify the UNSC Sanctions Committee of any light arms sales at least five days prior to the transaction.⁷⁹

Another important note about the structure of the chart above is that the classifications of the sanctions are the *harshest* applied at any given moment in each case. There are multiple examples of sanctions being relaxed after a state has made positive progress. Sometimes new sanctions are added to strengthen an existing sanctions regime or to sanction a new part of the economy. As such, the above chart is the aggregate sanctions over time with the strongest indicated in each chart box. This does not mean that the sanctions on each state were active concurrently.

An important theme indicated by the above chart is the type of sanctions used by the UNSC. As seen in Chart 2.4, the most common types of sanctions enacted by the UNSC are asset freezes, arms embargos, and travel bans. Economic sanctions and WMD sanctions have been enacted as well, but are not nearly as common. Additionally, there are far more instances of the UNSC sanctioning individuals than there are of regional or territorial sanctions; at the same time however, territorial sanctioning by the UNSC is not

⁷⁹ Peter Crail, “UN Tightens North Korea Sanctions,” *Arms Control Association*, July 2009, <http://www.armscontrol.org/print/3730>.

uncommon. What is notable is the relatively limited use of economic sanctions by the UNSC, and the complete absence of those that target a whole economy. This is a striking difference when compared to more encompassing embargoes like those which the United States has in place against North Korea, Cuba, and Burma. This is an indicator of China's unwillingness to sanction whole economies. Even in the few cases where there are economic sanctions, they are targeted at exact products or industries. For example, in the case of Côte d'Ivoire, diamonds were specifically targeted. In North Korea, there is a ban on importing "luxury goods" and in Sierra Leone's case on the importation of oil. Conclusively, the types of sanctions coming from the UNSC are limited to travel bans, asset freezes, arms embargoes, embargoes on WMD materials, and sanctions on limited, specific industries. As the only sanctions supported by China to date, these elements make up the first part of China's sanctions "scope" by identifying what types of sanctions lie within China's sanctions parameters.

Another observable trend is that the breadth of UNSC sanctions tends to be limited compared to sanctions enacted outside the UN by individual states or regional organizations. In comparison, UNSC sanctions often seem relatively weak. For example, there were large-scale economic sanctions against Yugoslavia that included NATO states and the EU, while the sanctions employed by the UNSC only restricted arms sales.⁸⁰ Referring to Chart 2.4 it is clear that UNSC sanctions mostly target individuals or groups rather than specific industries. In cases of conflict the UNSC also tends to lean towards applying arms and WMD material embargos rather than economic sanctions. In only a handful of cases did UNSC sanctions actually target whole industries like diamonds,

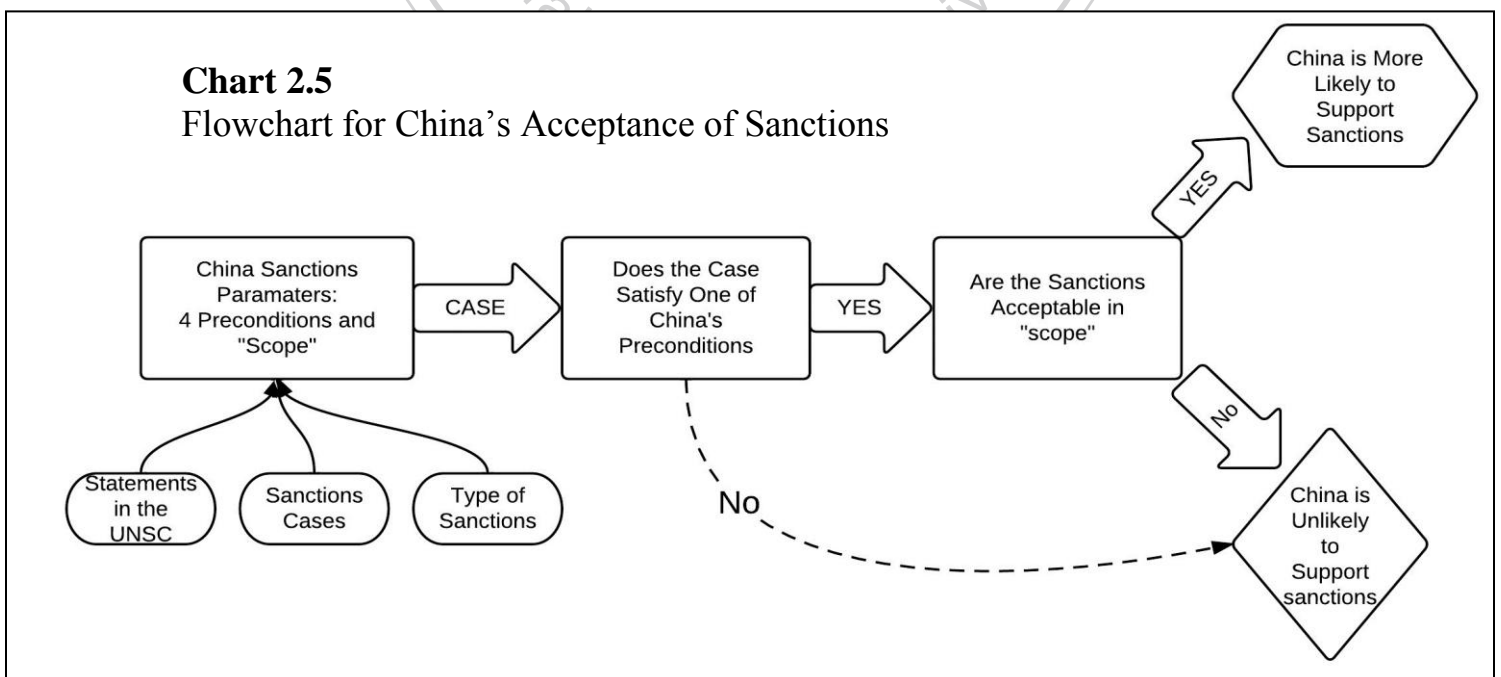
⁸⁰ International Crisis Group, *Balkans Briefing: Sanctions Against the Federal Republic of Yugoslavia (As of 10 October 2000)* (Washington/Brussels: International Crisis Group, October 10, 2000), 2-4.

exports, or oil. Judging by the cases referenced in the data set and the voting record, there is a reticence by China to support resolutions that are aimed at the target state's economy, and this is reflected in the UNSC's sanctions history. This assumption is supported by the fact that China has never enacted sanctions outside of its function as a member of the Security Council. Thus, sanctions within China's parameters tend to be limited in regard to the target of the sanctions; while it approves of sanctioning individuals through asset freezes, travel bans, and arms embargos, it is only willing to target a whole country in very limited ways, as in restrictions on sensitive WMD material, or through limited industry sanctions.

The breadth of China's accepted scope is also narrowed by several other factors. In addition to limiting the type and target of the sanctions, there are certain recurring statements that indicate China's stance on how broad sanctions should be. Firstly, and not surprisingly, China has always emphasized that the target state's sovereignty should not be violated by UNSC sanctions. As such, in many cases China has asked that the sanctions not affect the target state's development or state-to-state trade, and has expressed greater willingness to enact sanctions in the face of target state support, as in Angola and Sierra Leone. The second guideline China calls for is a clear "exit strategy." In other words, once the target state complies with the demands of the Security Council then the sanctions should immediately be removed. This expressed consideration can help explain the limited type of sanction that China finds to be acceptable. Thirdly, China believes that sanctions are a means to an end and as such should not be used without engagement. Therefore it believes that UNSC should use sanctions in conjunction with diplomatic pressure, instead of relying on sanctions as the sole means of inducing

behavioral change. Its beliefs in this aspect of sanctions are most notably showcased in its continued diplomatic ties to Iran, which has been diplomatically abandoned by other major players such as the United States. Fourthly, after analysis of cases in which China has advocated for the use of sanctions, they consistently argue for the involvement of regional bodies. This is evidenced by China's repeated reference to the decisions and political position of regional bodies when voting on sanctions resolutions. Lastly, as was evidenced in the Sudan and Afghanistan cases, timing is also a consideration. If China believes that the sanctions would inhibit a peace process or stall diplomatic negotiations then it is not likely to vote in favor of them.

Thus, the conclusion that can be drawn from this chapter is that China is more willing to support UNSC sanctions regimes *if* one or more of the aforementioned four preconditions is satisfied *and* the scope of the sanctions regime is not too broad. As the cases in the Sudan and Afghanistan show, however, meeting one of the preconditions for sanctions is a necessary but not sufficient qualifier for Chinese support. The following flowchart helps to illustrate this analysis of China's sanctions parameters.



FOUR PRECONDITIONS:

1. Destabilizing conflict
2. Humanitarian Crisis
3. Terrorism
4. Nuclear Weapons Proliferation

ELEMENTS OF SCOPE:

1. Type of Sanctions
2. Timing
3. Consent of Regional Organizations
4. Continued Diplomacy
5. Limited Violation of Sovereignty
6. Quickly Repeal Sanctions Once Goals are Met

The flowchart depicted in Chart 2.5 is a visual representation of China's sanctions parameters and the conclusions made in this chapter. However, Chart 2.5 includes the specific variables that comprise preconditions and scope. In this diagram, "Chinese sanctions parameters" is determined by three elements: China's statements in the UNSC; the situation in each one of the UNSC sanctions cases; and the types of sanctions passed.

These parameters can be applied to any sanctions case before the UNSC to gain insight into China's likely reactions. The first question is: does the situation of the case threaten international or regional peace and security in one of the following four ways: a destabilizing conflict, a humanitarian crisis, terrorism, or nuclear weapons proliferation? If the case *does not* satisfy one of these conditions then, judging from China's past actions, it is unlikely China will support the sanctions. Alternatively, if it *does* satisfy one of the preconditions then the next question is asked: does the sanctions regime fit into China's accepted "scope?" Scope consists of two sub categories. First, scope consists of the type of sanctions China has supported in the past, i.e. a travel ban, arms embargo, asset freeze or minimal trade restrictions. The second part of the scope is reservations China has expressed when passing sanctions, namely: limited violation of sovereignty; timing of the sanctions; consent and involvement of regional organizations; continued

engagement and diplomacy; and plans for quickly repealing the sanctions once the target state has complied. If the sanctions are too wide in scope, or overextend one part of the scope, then China is unlikely to support the sanctions. On the other hand, if both the preconditions are met and the scope falls within China's sanctions parameters, then China is more likely to enact and support the sanctions.

Through the analysis of China's official statements it is clear that China is not a state that is against using sanctions as a "mandatory" tool. In the past fifteen years China has advocated for the use of economic sanctions in multiple cases ranging from states in Africa, the Middle East and even in the Central-Asian region, at its own backdoor. When advocating for sanctions, however, China has shown that even in cases where there is a conflict that threatens peace and stability, a humanitarian crisis caused by conflict, terrorism, or nuclear weapons proliferation, there are also elements of the "scope" of the sanctions that are of concern to China and must be considered.

In the next chapters the parameters of Chinese support for sanctions regimes that have been established above are applied to the special cases of North Korea and Burma. Within this paradigm, we can assume that if the case satisfies one of the recognized preconditions and the scope of the sanctions regime is not too wide, then China's cooperation and support of the sanctions should be expected and encouraged.

Alternatively, if none of the preconditions are met or the scope of the sanctions is deemed to be too broad, then it is unproductive to seek Chinese cooperation without modification of the sanctions regime.

Chapter 3: North Korea

Utilizing the Chinese sanctions parameters defined in Chapter 2 as a guideline, this chapter analyzes China's role in the sanctions against the DPRK and determines what a pragmatic US policy response would be given the findings in this chapter. To do so, background information about China's involvement in North Korea's economy and the substance of UNSC and US sanctions are introduced. Then, China's statements in the UNSC regarding the resolutions are compared to the sanctions parameters defined in Chapter 2. After assessing China's role in the DPRK's economy and its stance on the UNSC resolutions, this chapter investigates the extent to which China has abided by the UNSC resolutions. Thus, if it is found that China is not upholding the UNSC sanctions, this study examines the correlation between the area of non-compliance and its sanctions parameters. If the evidence shows that certain stipulations of the UNSC sanctions overstretch the historical purview of China's sanctions parameters, then there is a limited possibility of encouraging China to strengthen these aspects of the sanctions regime. For example, in a case where China is upholding a travel ban but refuses to support an all-encompassing trade embargo, China is acting within its sanctions parameters and would be unlikely to change its behavior. Alternatively, if China is not complying with the UNSC sanctions but the sanctions stipulations are within the bounds of China's sanctions parameters, then there is a greater likelihood of success in encouraging China to address the areas of non-compliance. Lastly, after determining the level of Chinese compliance with UNSC sanctions against the DPRK and the possibility of further Chinese

participation in the sanctions regime, this chapter assesses the feasibility of the US encouraging China to participate more meaningfully in the sanctions regime.

3.1 North Korea's Economy in Brief and China's Role:

The North's fragile economy is almost fully dependent on China. China accounts for 61% of its imports and makes up for 40% of its exports.⁸¹ Peter Beck asserts that, "Official trade alone broke the \$3 billion mark in 2010, accounting for over half of North Korea's total trade. The North's economy would virtually grind to a halt if Beijing were to halt fuel shipments."⁸² North Korea's industrial and agricultural sector remains woefully maintained and underdeveloped. The North Korean state cannot even provide enough foodstuffs for its people: "North Korea's industrial infrastructure cannot be repaired without hundreds of billions of dollars in aid. Every year sees a shortfall of about one million tons of food, partly made up by foreign food donations; for the rest, the people go hungry."⁸³ Under the current conditions it is estimated that one in five Koreans will live in hunger in the year 2011.⁸⁴

North Korea's inability to sustain itself forces the DPRK to depend on China to make up for its lack of production capabilities. Researchers conclude, "We infer that a great enough net national deficiency, if not fulfilled, imperils the very survival of North Korea. Presumably it is China that makes up these deficiencies."⁸⁵ North Korea's

⁸¹ Central Intelligence Agency, "North Korea," *The World Factbook*, March 16, 2011, <https://www.cia.gov/library/publications/the-world-factbook/geos/kn.html>.

⁸² Beck, "North Korea in 2010: Provocations and Succession," 36.

⁸³ Kongdan Oh and Ralph Hassig, "North Korea in 2009: The Song Remains the Same," *Asian Survey* 50, no. 1 (Jan): 90.

⁸⁴ Beck, "North Korea in 2010: Provocations and Succession," 38.

⁸⁵ Jaewoo Choo, "Mirroring North Korea's Growing Economic Dependence on China: Political Ramifications," *Asian Survey* 48, no. 2 (April 2008): 345.

economy is thus highly dependent on China to function as a state. In this way, China plays a major role in maintaining the stability and economic viability of North Korea.

3.2 Overview of Sanctions against North Korea:

3.2.1 UNSC Resolution 1718:

Currently there are three UNSC resolutions that apply sanctions against North Korea. The first resolution is Resolution 1718, passed in 2006. Resolution 1718 was enacted in response to North Korea's challenge to the non-proliferation regime by testing a nuclear weapon in October of 2006. According to Resolution 1718, the DPRK's actions were a threat "to the Treaty on the Non-Proliferation of Nuclear Weapons [NPT] and to international efforts aimed at strengthening the global regime of non-proliferation of nuclear weapons..."⁸⁶ The resolution went on to deplore the DPRK's withdrawal from the NPT and its generally aggressive stance. The UNSC declared that the DPRK "...has generated increased tension in the region and beyond, and ... is a clear threat to international peace and security."⁸⁷

Among the rebukes from the international community there are three goods that were sanctioned in paragraph 8 of the resolution. The first is a restriction of sales on certain arms. The resolution called on all member states to prevent the direct or indirect supply of: "Any battle tanks, armoured combat vehicles, large calibre artillery systems, combat aircraft, attack helicopters, warships, missiles or missile systems as defined for the purpose of the United Nations Register on Conventional Arms, or related materiel including spare parts..."⁸⁸ Secondly, the resolution restricted the transfer of "All items,

⁸⁶ United Nations Security Council, *Resolution 1718 (2006)*, S/RES/1718 (2006), October 14, 2006, New York: United Nations, 1.

⁸⁷ Ibid.

⁸⁸ Ibid., 2.

materials, equipment, goods ...which could contribute to DPRK's nuclear-related, ballistic missile-related or other weapons of mass destruction related programmes.”⁸⁹ Lastly, the resolution officially restricted the sale of “luxury goods” to North Korea, although it did not identify what constituted a luxury good. Furthermore, a second article in paragraph 8 (b) states that North Korea is not allowed to export any of the aforementioned weapons materials. Resolution 1718 restricts the finances, assets, and travel rights of certain North Korean individuals and entities related to North Korea's weapons programs. China voted in favor of this resolution and it passed unanimously.

3.2.2 UNSC Resolution 1874:

The second resolution passed by the UNSC in 2009 served as a bulwark to Resolution 1718 in that it strengthened certain elements of the sanctions regime. Resolution 1874 widened the scope of sanctioned armaments including technical and financial assistance related to arms manufacturing. Furthermore, the resolution called for all states to inspect any boat suspected of carrying sanctioned arms to or from North Korea. The intervening state may then “inspect vessels, with the consent of the flag State, on the high seas, if they have information that provides reasonable grounds to believe that the cargo of such vessels contains items the supply, sale, transfer, or export of which is prohibited...”⁹⁰ Under this legal privilege all states are called upon to enforce Resolution 1874 in order to halt North Korea's weapons programs. The resolution passed unanimously through the UNSC, including China's vote in favor.

⁸⁹ Ibid., 2-3.

⁹⁰ United Nations Security Council, *Resolution 1874 (2009)*, S/RES/1874 (2009), June 12, 2009, New York: United Nations, 3.

3.2.3 UNSC Resolution 1928:

Resolution 1928 was passed unanimously by the UNSC in 2010. The resolution did not enhance or strengthen the sanctions against the DPRK but it lengthened the time for the official panel of experts to continue working. It also reminded states to remain seized of the North Korean issue and to continue to abide by the previous two resolutions.

3.2.4 US Sanctions:

According to the US Treasury Department there is a vast array of US restrictions on certain transactions, the export of certain goods, the purchasing of certain goods originating from North Korea, and the selling of goods under restrictions. There are also property and asset blocks, and in April of 2011 President Obama extended financial restrictions, which “prohibits the direct or indirect importation of any goods, services or technology from North Korea unless they are specifically exempted.”⁹¹ A report in 2006 summarized the list of sanctions on North Korea and their rationale. The last contained over forty-one different sanctions, with reasons for the sanctions including communism, sponsoring terrorism, human rights, money laundering, proliferation, etc.⁹² The US sanctions regime applied against North Korea is more all-encompassing than any of the UNSC sanctions against North Korea. In addition to its own sanctions, the US has also enacted and applied the UNSC resolutions mentioned above. China, however has not enacted or supported any sanctions on North Korea other than those done through the UNSC.

3.3 China’s Official Statements

⁹¹ Voice of America, “US Reinforces Tough Sanctions on North Korea,” *GlobalSecurity.Org*, April 19, 2011, <http://www.globalsecurity.org/wmd/library/news/dprk/2011/dprk-110419-voa01.htm>.

⁹² Dianne E. Rennack, *North Korea: Economic Sanctions*, CRS Report for Congress (Congressional Research Service, October 17, 2006), 22-29, <http://www.fas.org/sgp/crs/row/R41438.pdf>.

China made multiple statements reaffirming its support for the resolutions against the DPRK. In its 2006 report to the UNSC sanctions committee, China wrote, “China supports Security Council resolution 1718 (2006)... As a permanent member of the Security Council, China has always taken a serious attitude towards the implementation of Security Council resolutions and has developed mechanisms and procedures for their effective implementation.”⁹³ China made nearly the exact same statement three years later in regards to Resolution 1874 when it reported, “China supports the adoption of resolution 1874 (2009) by the Security Council... China is a permanent member of the Security Council. It always takes a responsible attitude towards the implementation of that body’s resolutions, and has developed a set of effective operational mechanisms and practices in that regard.”⁹⁴

China articulated its stance opposing the DPRK’s nuclear program in a speech made to the UNSC. In 2006 the DPRK took two belligerent actions that deeply troubled the international community, first by test firing ballistic missiles and subsequently testing a nuclear weapon. The UNSC reacted by enacting sanctions punishing the DPRK. China supported these sanctions by stating:

Proceeding from the overall interests of bringing about denuclearization of the Korean peninsula... China supports the Security Council in making firm and appropriate response. 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 Democratic People’s Republic of Korea nuclear issue through dialogue. As the resolution basically reflects the aforementioned spirit, the Chinese delegation voted in favour of it. China would like to reiterate here that sanctions in themselves are not the end. As stipulated by the relevant provisions of the resolution, if the Democratic People’s Republic of Korea complies with the relevant requests of the resolution,

⁹³ United Nations Security Council, *Security Council Committee established pursuant to resolution 1718 (2006)*, S/AC.49/2006/21, January 30, 2008, New York: United Nations, 2.

⁹⁴ *Ibid.*

the Security Council will suspend or lift sanctions against the Democratic People's Republic of Korea.⁹⁵

This statement, when compared to previous statements, agrees with what this study has suggested is the scope of China's sanctions parameters by stating that it is in favor of the resolutions and supports a firm response from the international community. Furthermore, China reiterates that sanctions are not a final goal; rather, it believes that continued diplomatic engagement is still a necessary element in denuclearizing the Korean Peninsula.

After a slight warming in relations in 2007, the DPRK returned to a path of belligerency culminating in a second nuclear test in 2009. This prompted the UNSC to deliver yet another round of sanctions. China's official stance was summarized in the statement made by Mr. Zhang Yesui of the Chinese delegation to the UNSC:

The resolution not only demonstrates the international community's firm opposition to the Democratic People's Republic of Korea's nuclear test, but also sends a positive signal to that country. It reflects the firm determination of the Security Council to resolve the Democratic People's Republic of Korea nuclear issue peacefully through dialogue and negotiation.⁹⁶

Thus, China restated its support for UNSC sanctions as a firm signal to the DPRK leadership but also reaffirmed its commitment to continuing diplomatic contact. This has already been seen to be a common feature within China's sanctions parameters and part of the previously identified 'scope' of accepted sanctions.

⁹⁵ United Nations Security Council, *5551st Meeting*, S/PV.5551, October 14, 2006, New York: United Nations, 4.

⁹⁶ United Nations Security Council, *6141st Meeting*, S/PV.6141, June 12, 2009, New York: United Nations, 3.

China also stated that the DPRK still had basic, inalienable rights as a sovereign state. This is not unusual as the scope of China's sanctions parameters emphasizes limited violation of state sovereignty and the economic viability of the target state:

It should be stressed that the sovereignty, territorial integrity and legitimate security concerns and development interests of the Democratic People's Republic of Korea must be respected. Once it returns to the Treaty on the Non-Proliferation of Nuclear Weapons, the Democratic People's Republic of Korea, as a State party, will enjoy the right to enjoy the peaceful uses of nuclear energy. The Security Council's actions should not adversely impact the economic viability or the development of the Democratic People's Republic of Korea or the delivery of humanitarian assistance to the country.⁹⁷

China reaffirmed its longstanding and consistent stance that diplomatic means should always be used in conjunctions with sanctions: "At present, despite the second nuclear test undertaken by the Democratic People's Republic of Korea — which represents a negative development — we remain of the view that Security Council actions are not all about sanctions and that political and diplomatic means are the only way to resolve the relevant issues, achieve the denuclearization of the Korean peninsula and safeguard peace and stability in North-East Asia."⁹⁸

Thus, in looking at China's statements it appears that China is supportive of the sanctions against the DPRK, as they fulfill the precondition of violating non-proliferation norms and the sanctions are acceptable in scope. Furthermore, China has made no unusual reservations about the sanctions and each statement reflects the main considerations of China's sanctions policies identified in Chapter 2. Namely, China emphasizes that sanctions should not violate the sovereignty of the DPRK; that sanctions should be quickly repealed when UNSC goals are met; that sanctions should not target

⁹⁷ Ibid.

⁹⁸ Ibid., 3-4.

the economic viability of the state; and that the UNSC should continue diplomacy in conjunction with sanctions. From these statements it is clear that China has made no unusual reservations about the sanctions against the DPRK or the stipulations of the sanctions regime and has made statements that fall squarely within the sanctions parameters defined in Chapter 2.

3.4 China and North Korean Sanctions: A Two-Faced Approach

China is an official supporter of the sanctions regime against Pyongyang yet the sanctions have not produced the desired effect of denuclearization. Given that China is the main variable in creating an effective sanctions regime in North Korea and provides a requisite support structure for the North Korean government, why are the sanctions not as effective as previously hoped? This chapter argues that one of the major reasons for the sanctions' ineffectiveness is China's limited actions as the key actor in the DPRK sanctions regime, and as such China needs to do more; in other words, "China holds the key to implementing sanctions on the DPRK, and it arguably could devote more resources to detecting and stopping North Korean violations of U.N. Security Council Resolution."⁹⁹

China's involvement and enforcement of the sanctions against the DPRK have not been ideal. According to conclusions made by a Congressional Research Service (CRS) report to Congress, "the findings include a stark reminder that U.S. and China interests regarding North Korea are largely incongruent. While the United States presses for elimination of North Korea's nuclear weapons program, China's primary focus is on

⁹⁹ Nikitin et al., *Implementation of U.N. Security Council Resolution 1874*, 3.

preserving regional stability.”¹⁰⁰ Thus, China has taken a minor role in the implementation of the UNSC resolutions in favor of encouraging cooperation and stability with the North Korean leadership. The evidence below shows that China has not fully supported the spirit of the UNSC resolutions in three areas: investment, trade in luxury goods, and the restrictions on airplanes carrying weapons materials flying to the DPRK.

3.4.1 Chinese Investment in the DPRK

An example of the close ties between China and the DPRK is their investment arrangements. In October of 2009 Wen Jiabao visited Pyongyang where a series of cooperative trade agreements were made between China and the DPRK. According to the Xinhua news agency, the two leaders “signed a series of agreements on cooperation and announced that a new highway bridge over the Yalu River will be built.”¹⁰¹ South Korean sources were less vague about the comprehensive agreements and reported that China would be handing out grants of at least \$200 million to the DPRK.¹⁰²

These actions are arguably against the spirit of UNSC Resolution 1874.

According to paragraph 19, the resolution:

Calls upon all Member States and international financial and credit institutions not to enter into new commitments for grants, financial assistance, or concessional loans to the DPRK, except for humanitarian and developmental purposes directly addressing the needs of the civilian population, or the promotion of denuclearization, and also calls upon

¹⁰⁰ Scott Snyder, “UN Sanctions and their Impact on North Korea,” *In Asia*, October 27, 2010, <http://asiafoundation.org/in-asia/2010/10/27/un-sanctions-and-their-impact-on-north-korea/>.

¹⁰¹ Gordon G. Chang, “Beijing Is Violating North Korean Sanctions,” *Wall Street Journal*, October 15, 2009, sec. Opinion Asia, <http://online.wsj.com/article/SB10001424052748704107204574474424116638040.html>.

¹⁰² *Ibid.*

States to exercise enhanced vigilance with a view to reducing current commitments.¹⁰³

Furthermore, paragraph 20 of the resolution states:

[The UNSC] Calls upon all Member States not to provide public financial support for trade with the DPRK (including the granting of export credits, guarantees or insurance to their nationals or entities involved in such trade) where such financial support could contribute to the DPRK's nuclear-related or ballistic missile-related or other WMD-related programmes or activities.¹⁰⁴

According to some, these trade agreements indicate a breach in the UNSC mandated sanctions. In fact, China has continued to support the DPRK regime and has increasingly become a financial crutch for the failing state, as “North Korea’s dependence on China has grown dramatically in both absolute and relative terms.”¹⁰⁵ Arguably, by handing out such large loans Chinese funds *may* be utilized to fund military or missile programs. However, the evidence thus far is inconclusive.

As defined in China’s overarching sanctions parameters in the previous chapter, China has been unwilling to sanction entire economies, preferring targeted sanctions with limited spillover effects. China is usually only willing to target key leaders, arms and specific industries. The sanctioning of conflict diamonds, arms embargoes, travel bans, and asset freezes are common elements of China’s supported sanctions. However, an all-encompassing sanctions regime is an unlikely request that falls outside of China’s traditional sanctions parameters. Nikitin et al. points out that, “while China officially has supported UNSCR 1874, it appears to be concerned primarily with the sanctions related to the North's nuclear and ballistic missile programs but not the economic and financial

¹⁰³ United Nations Security Council, *6141st Meeting*, SC/9679, June 12, 2009, New York: United Nations.

¹⁰⁴ *Ibid.*

¹⁰⁵ Haggard and Noland, “Sanctioning North Korea: The Political Economy of Denuclearization and Proliferation,” 541.

sanctions targeted at the higher echelons of North Korean society.”¹⁰⁶ Thus, it could be argued that China is maintaining consistency within its sanctions parameters by funding these projects and handing out grants to the DPRK rather than cutting off investment. China has always staunchly rejected sanctions that target a country’s economy as a whole. In the UNSC, China made this reservation: “The Security Council’s actions should not adversely impact the economic viability or the development of the Democratic People’s Republic of Korea or the delivery of humanitarian assistance to the country.” This is a common reservation when examining China’s previous sanctions statements. Therefore it is unlikely that China will reduce funding for investment projects that strengthen the DPRK’s economic viability or infrastructure, as such a request would be too wide in scope and fall outside of China’s parameters as defined in Chapter 2. As such, it would most likely be unproductive to suggest that China restrict these investment projects.

3.4.2 Chinese-DPRK Trade in Luxury Goods

In respect to trade between China and the DPRK, there has been a noticeable increase in exports leaving China and entering the DPRK. “North Korea’s trade with China is setting new records. It rose 41 percent last year [2008], while China’s share of the North’s overseas trade mushroomed to 73 percent.”¹⁰⁷ China has cultivated this increased trade and investment, hoping it might bring positive developments in the Chinese-North Korean relationship. “In order to spur North Korea’s reform and openness,

¹⁰⁶ Nikitin et al., *Implementation of U.N. Security Council Resolution 1874*.

¹⁰⁷ Blaine Harden, “China Trade Helps Shield N. Korea Cash Aids Military, May Offset Sanctions,” *The Washington Post*, June 27, 2009, sec. Asia/Pacific, <http://www.washingtonpost.com/wp-dyn/content/article/2009/06/26/AR2009062604238.html>.

China has been increasing its investment in the North, expecting significant spillover effects from it.”¹⁰⁸

But it seems a detailed inspection of what exactly China is trading is at odds with the UNSC resolutions. Luxury goods comprise a significant amount of trade exports going from China into North Korea. This shows that China has little commitment to the resolution restrictions on limiting trade in luxury goods. David Bosco asserts that, “...China has almost zero interest in enforcing... measures directed at stopping the flow of luxury goods into North Korea, a measure designed to inflict pain on the regime's ruling elite.”¹⁰⁹ According to trade figures, “a close analysis of Chinese customs data... [shows that] China’s exports of \$212.2 million in luxury goods to North Korea in 2009 constituted almost two-thirds of reported trade in luxury goods based on U.S. and U.K. definitions of luxury goods.”¹¹⁰ Thus, China has been the primary force providing luxury goods to the ailing DPRK regime. This is troubling, as UN Resolution 1874 specifically sanctions luxury goods.¹¹¹ Moreover, without Chinese support for the ban on luxury goods, it is more difficult to target the North Korean leadership’s political viability. This is no small matter, as Marcus Noland points out: “China—North Korea's largest trade partner—declined to even publish a list of embargoed goods, and it appears that Chinese luxury exports to the North actually increased. Such goodies matter greatly to Kim [Jong

¹⁰⁸ Jae-Woo Choo, “North Korea’s Collapse and China’s Strategic Options,” *Korea Focus*, October 2008, http://www.koreafocus.or.kr/design2/layout/content_print.asp?group_id=102201.

¹⁰⁹ David Bosco, “Tracking North Korea sanctions,” *Foreign Policy*, November 2, 2010, http://bosco.foreignpolicy.com/posts/2010/11/02/tracking_north_korea_sanctions.

¹¹⁰ Snyder, “UN Sanctions and their Impact on North Korea.”

¹¹¹ United Nations Security Council, S/RES/1874 (2009), 4.

II], who uses handouts, ranging from Mercedes sedans to Hennessy cognac, to buy political loyalty.”¹¹²

In this case, though, the point is complicated by a lack of clarity when it comes to luxury goods, as Nikitin et al. point out: “There is, however, no broad agreement about the definition of luxury goods which are banned under the resolution; China is clearly not enforcing sanctions [on] luxury goods.”¹¹³ From a legal perspective, China’s actions are borderline violations of Resolution 1718. But the resolution makes vague assertions about what constitutes “luxury goods” and fails to define them specifically.¹¹⁴ Therefore, the undefined nature of a “luxury good” according to the resolution leaves China a lot of leeway in defining for itself what exactly a “luxury good” is.

When examined under the framework of China’s parameters defined in Chapter 2, China’s resistance to sanctioning luxury goods is questionable. While not a common feature of Chinese sanctions, there is still some precedence for an industry-wide restriction on certain imports. For example, China voted in favor of restricting Sierra Leone from importing oil and in Côte d’Ivoire diamond exports were restricted. Furthermore, in the UNSC China did not express any reservations about restricting trade in luxury goods. Therefore, as China has supported industry-wide sanctions in the past, it is feasible that China could change its behavior if pressured by other major actors. Such a request would not violate the scope of sanctions described in the parameters introduced in Chapter 2 and thus there is a possibility of China modifying its behavior.

¹¹² Marcus Noland, “How to Make Sanctions on North Korea Stick,” Newsweek, February 14, 2009, <http://www.newsweek.com/2009/02/13/take-away-their-mercedes.html>.

¹¹³ Nikitin et al., *Implementation of U.N. Security Council Resolution 1874*, 2.

¹¹⁴ United Nations Security Council, *5551st Meeting*, SC/8853, October 14, 2006, New York: United Nations.

3.4.3 Restricting Transfer of Weapons Materials

In terms of stemming weapon proliferation, China has provided some valuable assistance in restricting arms materials from entering North Korea; however, it could still do more. For example, in 2009 China confiscated 70 kg of vanadium, a strategic material used in missile fabrication.¹¹⁶ Nevertheless, China has done little in terms of restricting its airspace to limit North Korea's arms trade. A chilling example is when officials stopped an airplane carrying weapons material in Bangkok in 2009. The plane had flown over Chinese airspace but had not refueled in China, most likely due to warnings from China not to implicate them in the sales.¹¹⁷ As such, China could do more in limiting North Korean use of its airspace. But, as the North Korean specialist Victor Cha states, "it is too big a step for them [to inspect planes]." Rather, it is China's objective "to balance just enough pressure to bring the North back to [nuclear] talks but not so much as to collapse them."¹¹⁸ But, according to Cha, China's assistance in cutting off Chinese airspace from North Korean planes would "...make a huge difference in counterproliferation efforts."¹¹⁹ So there are examples of Chinese compliance with the UNSC Resolution, but there are also gaps when it comes to limiting sales of weapons materials.

As to the legality of China's lack of interdiction, it is debatable whether China is negligent in its duties of interdicting the export of DPRK arms. The actual text of the resolution requires states to inspect "...all cargo to and from the DPRK, in their territory,

¹¹⁶ Louis Charbonneau and Xavier Briand, "China committed to enforcing North Korea sanctions: U.S.," *Reuters*, July 30, 2009, <http://www.reuters.com/article/2009/07/30/us-korea-north-un-idUSTRE56T5WV20090730>.

¹¹⁷ Washington Times, "China fails to stop illegal North Korean arms shipments," *Washington Times*, December 17, 2009, sec. World, http://www.washingtontimes.com/news/2009/dec/17/illegal-n-korean-arms-fly-in-chinese-airspace/?page=1&feat=home_headlines.

¹¹⁸ *Ibid.*

¹¹⁹ *Ibid.*

including seaports and airports, if the State concerned has information that provides reasonable grounds to believe the cargo contains items the supply, sale, transfer, or export of [missiles, arms, etc.].”¹²⁰ From the text it seems that China should only inspect an airplane at an airport within its territory but is not required to disallow the airplane from flying through its airspace. The resolution only asks for member states to interdict vessels on the high seas and, if the ship refuses to be inspected, gives the interdicting state the authority to direct the vessel to a port where it can be inspected.¹²¹ This gives immunity to airplanes flying over China’s airspace. Because of this loophole in the resolution, the DPRK has primarily used airplanes to facilitate its proliferation exports.¹²²

From the evidence provided, China has assumed a two-faced stance on restricting the proliferation of North Korean arms. Ambassador Cheng Yonghua was quoted in 2010 saying:

China maintains normal economic cooperation with North Korea as the neighboring countries have traditionally had friendly relations. But this should not be seen as mixed with the contents of the U.N. resolution (on Pyongyang). China, as a standing member of the U.N. Security Council, has a heavy responsibility for the implementation of the U.N. resolution.¹²³

This is true, but China has taken minimal responsibility within the letter of the law to enforce the resolution. Indeed, China could do more in inhibiting the DPRK from obtaining weapons materials. China has been asked by the international community to be vigilant concerning the DPRK’s proliferation of nuclear weapons and China has stated that it takes such a commitment seriously. Both after the passing of Resolution 1718 and

¹²⁰ United Nations Security Council, SC/9679.

¹²¹ Ibid.

¹²² Washington Times, “China fails to stop illegal North Korean arms shipments.”

¹²³ Lee Chi-dong, “China committed to enforcing U.N. sanctions on North Korea: envoy,” *Yonhap News Agency*, December 15, 2010, sec. Politics/Diplomacy, <http://english.yonhapnews.co.kr/national/2009/12/15/11/0301000000AEN20091215004700315F.HTML>.

of Resolution 1874 China reiterated that it has proper mechanisms in place to uphold these resolutions; but there is still more China can do to stem the proliferation of weapons material.

Regarding China's sanctions parameters introduced in Chapter 2, China has never before been asked by the UNSC to play a pivotal role in searching land, sea, and air vessels to stop weapons materials from entering or exiting a country. In this respect the North Korean case is unique when compared to other cases. However, China did not make any reservations about these new duties in the UNSC. After examination of the UNSC statements, it can be found that China has not once voiced a reservation about assuming a major role in stemming the import and export of weapons materials. Furthermore, China has supported previous weapons materials sanctions against Iran and territorial arms embargoes against a host of sanctioned states. Therefore, judging by China's sanctions history, it would not be unreasonable for international actors to ask China to tighten its restrictions on airplanes possibly carrying weapons materials to or from the DPRK. According to the sanctions parameters elucidated in Chapter 2, such a request would not seem to overstretch China's accepted sanctions scope.

3.5 Applying China's Sanctions Parameters

The DPRK case satisfies the preconditions identified within China's sanctions parameters as it involves a country pursuing nuclear weapons. Furthermore, except for restrictions on investment, the sanctions resolutions do not overextend China's historical comfort zone for sanctions. Therefore, it would be plausible to conclude that China would be in favor of supporting this sanctions regime. Judging by the evidence, China has supported the regime but it could do more in terms of making the sanctions more

effective. Indeed, the sanctions themselves propel China into a more active role when compared to previous sanctions cases. Only the limits on investment projects could be judged to overstretch China's sanctions parameters as stated in Chapter 2. Therefore international actors should encourage China to be more active in supporting the resolutions in two ways: by restricting the export of luxury goods and by tightening restriction on airplanes carrying weapons materials through China's airspace.

Firstly, China could do more in restricting trade in luxury goods. While this restriction is unique as China has never before targeted "luxury goods" as an industry, it has targeted specific industries in the past, such as oil and arms. Thus, the restriction on luxury goods is a reasonable request from the UNSC as there is precedence in China's former actions. It would be a reasonable request by the US or other actors to call for China to abide by this stipulation of the resolution.

Secondly, China could do more in limiting weapons materials from being exported to the DPRK. In the past, China has been in favor of limiting arms and weapons material and has created internal mechanisms to support similar arms embargoes. However, in this case China is being asked to be a more active player than in previous cases. From a policy perspective it is not unreasonable to ask China to actively pursue such a role, and such a role does not extend beyond the sanctions parameters established in Chapter 2.

Lastly, however, encouraging China to restrict investment and grants to the DPRK is an unreasonable request when examined in light of China's sanctions parameters. China has never been willing to use sanctions as "a means to an end," nor has it been willing to target the entire economy of a state. Thus, from a policy viewpoint, it

would be unproductive to ask China to rein in these investment activities as they violate its sanctions parameters.

From a legal perspective China could not be charged with violating the resolutions and pursuing a double track policy. China has been investing in the DPRK in agreements that are borderline violations of the resolutions, but it could easily argue that they are for peaceful and humanitarian projects. There remains a booming trade in luxury goods that were supposedly banned by Resolution 1718, but the undefined nature of “luxury goods” gives China leeway in interpretation and upholding the spirit of the resolution is highly dependent on an individual state’s interpretation and interest. China has lived up to the minimal obligations by restricting weapons materials from entering the DPRK but it could do more by restricting air passage of DPRK cargo planes suspected of transporting weapons materials.

From these conclusions this chapter finds that China is borderline “cheating” on some aspects of the UN resolutions that lie within its sanctions parameters. China has taken steps forward in supporting UN Resolutions 1718 and 1874 but it has not fully abided by spirit of the resolutions. Therefore, it falls on other international actors, namely the US, to encourage and pressure China to abide by all of the resolutions’ aspects that do not violate China’s sanctions parameters.

3.6 The United States and Encouraging Chinese Participation

In the previous section it was shown that China is committing borderline infractions of the UNSC resolutions in three ways: investing in the DPRK regime; allowing a flourishing trade in luxury goods; and allowing the transport of weapons materials through its airspace. If China tightened its restrictions in these three areas it is

possible, and indeed probable, that the UNSC sanctions would be more effective in achieving the UNSC goals of productive diplomacy and eventual denuclearization. However, judging by the wording of the resolutions it is difficult to prove that China is overtly violating the letter of the resolution. Rather, it could be argued that China is violating the *spirit* of the resolutions. Thus, as these issues cannot be solved in a formal or legal forum, it would be more effective to address them using soft power and diplomatic pressure from other major actors in the sanctions regime, particularly the United States.

Unfortunately, US policy within the DPRK-China-US trilateral relationship has proven to be confusing and inconsistent. According to government insiders there is a disturbing phenomenon among US decision makers. According to these insiders, as soon as diplomatic progress is made in the Korean Peninsula the US backs down regarding the importance of sanctions. Alternatively, when there is little diplomatic progress the US returns to the table touting a stiffer sanctions regime. In other words, “The [US] administration downplays sanctions when there's diplomatic progress, but when these avenues appear blocked, the United States beats the drum about sanctions implementation.”¹²⁴ This cycle has produced a dizzying array of US sanctions. For example, according to a Congressional Research Service report in 2010, the United States currently has thirty-one different economic sanctions on North Korea, predominately targeted at arms materials and the financial sector.¹²⁵ This range of sanctions is far wider in scope than UNSC sanctions or any set of sanctions China has supported.

¹²⁴ Bosco, “Tracking North Korea sanctions.”

¹²⁵ Dianne E. Rennack, *North Korea: Legislative Basis for U.S. Economic Sanctions* (Congressional Research Service, September 29, 2010), 15-19, <http://digital.library.unt.edu/ark:/67531/metadc29611/>.

While the US has imposed a large-scale sanctions regime on the DPRK, its inconsistent pressure on the DPRK and China is a failing. This inconsistency needs to be remedied in order to adequately apply pressure on China to abide by the spirit of the UNSC sanctions; otherwise, China will continue to be a weak point in the sanctions regime and a crutch for the DPRK. As the US cannot legally charge China with not abiding by the resolutions, it would be more productive to apply consistent pressure on China to act consistently with its own policies by restricting exports of luxury goods to the DPRK and restricting planes carrying weapons materials from flying through its airspace. These arguments are expanded upon in a more detailed policy proposal for China and the US in Chapter 5.



Chapter 4: Sanctioning Burma

This chapter assesses the feasibility of inviting China into the US' sanctions regime against Burma. First, this chapter looks at China's role in supporting the Burmese economy and ruling junta. Then, China's statements in the UNSC are examined to determine China's stance on enacting sanctions in this case and establish if this stance is aligned with China's sanctions parameters introduced in Chapter 2. Following this assessment, background on the Burmese sanctions is provided by describing US sanctions against Burma and the scope of these sanctions is assessed in relation to China's sanctions parameters. Afterward, this chapter examines the plausibility of China joining the sanctions regimes based on what has been previously established as China's sanctions parameters. If it is found that the Burmese sanctions fall within China's sanctions parameters then it is recommended that the US encourage China to participate in the US' sanctions against Burma. Alternatively, if the evidence shows that the sanctions regime currently employed by the US is outside China's sanctions parameters, then this chapter recommends modifying the sanctions, as they are unlikely to be successful without China's support.

4.1 Burma's Economy in Brief and China's Role:

The Burmese economy is a depressing case of fiscal mismanagement, government corruption, and continual harvest of natural resources at the expense of the Burmese people. In the *Human Development Report* the United Nations Development Program (UNDP) estimated Burma's 2002 per capita GDP to be \$1027, the lowest in East Asia.¹²⁶ Burma's economy has been bottlenecked by a government more intent on keeping power

¹²⁶ United Nations Development Program (UNDP), *Human Development Report 2004*, 2004, http://hdr.undp.org/en/media/hdr04_complete.pdf.

than fostering growth. Furthermore, the ruling elite has relentlessly taken major portions of all private earnings. A foreign diplomat once remarked, “You name it and they [the military] have figured out a way to flip it and make money out of it. If a businessman wants to do something ... he hooks up with an army officer who can influence the decision.”¹²⁷ This rampant corruption and stifling of the private sector has been a seven decade long debacle. As one scholar put it, “Economically, the country has experienced catastrophic failure since the 1940s.”¹²⁸ Indeed, Burma’s government has not been a paragon state of smart fiscal policies: “Bad governance, corruption, fiscal irresponsibility, conflict over natural resources—all these recognizable symptoms of a resources curse in fact pre-date the discovery of commercial quantities of gas in Burma.”¹²⁹ Due to these regulation failures Burma’s economy is a world made of two spheres: the legal and the black market. “Crowded out by the demands of the state, private-sector capital accumulation is also greatly inhibited by a largely inoperative financial system.”¹³⁰ These government failings have put Burma in a vulnerable position where its very survival relies on exports of natural resources to neighboring states.

The scramble for energy in the region has left Burma in a profitable position, and for the first time in decades Burma has the potential to accumulate a large amount of foreign capital by selling its natural gas.¹³¹ By exporting natural gas to its South East Asian neighbors, Burma has become a crucial supplier of energy to the region.¹³² In this

¹²⁷ Anonymous, *Myanmar (Burma): UPDATED Economic Policy Analysis* (The McKeever Institute of Economic Policy Analysis, November 11, 2008), <http://www.mkeever.com/myanmar.html>.

¹²⁸ Ian Holliday, “Doing Business with Rights Violating Regimes Corporate Social Responsibility and Myanmar’s Military Junta,” *Journal of Business Ethics* 61, no. 4 (November 2005): 330.

¹²⁹ Sean Turnell, “Burma’s Insatiable State,” *Asian Survey* 48, no. 6 (December 2008): 975.

¹³⁰ *Ibid.*, 975.

¹³¹ *Ibid.*, 958.

¹³² Anonymous, “Rape of Burma by generals,” *The Korea Herald*, May 8, 2008, <http://www.lexisnexis.com.ezproxy.lib.nccu.edu.tw:8090/us/lnacademic/frame.do?reloadEntirePage=true&>

respect Burma's exports are a one-trick pony, as Burma's trade has been mainly directed to its Asian trading partners¹³³ in a limited number of goods. In 2005-2006, with the total volume of trade being US\$5,542 million, as much as US\$4,985 million was with ASEAN+3. This accounts for approximately 90 per cent of all foreign trade¹³⁴ and a major portion of this trade goes to China.

Among Burma's trading partners, China has played the most critical role in propping up Burma's economy. In 2011 it was reported by a Burmese economist that, "China was Myanmar's largest trade partner this year, accounting for about \$4.7 billion, or about 36 percent of all trade. China imported nearly 4000 tonnes of jade this year and also accounted for at least 80 percent of all border trade."¹³⁵ Detailing the dependence Burma has on China, it was reported that, "between 1996 and 2005, the Myanmar-Yunnan [a Chinese province] border trade accounted for about 55 per cent of Myanmar's total trade value."¹³⁶ It has been China's willingness to engage Burma economically and its proximity that accounts for such a large portion of Burmese exports.

The Burmese elite have been able sustain themselves due to regional neighbors and support structures, namely China. China has become an economic boon for the Burmese and the relationship between them has created the two things both are craving: stability and predictability.¹³⁷ The relationship is mutually beneficial, as "Beijing's

rand=1272374673406&returnToKey=20_T9199507121&parent=docview&target=results_listview_results Nav&tokenKey=rsh-20.879056.9389768417.

¹³³ Mya Than and Myat Thein, "Transitional Economy of Myanmar: Present Status, Developmental Divide, and Future Prospects," *ASEAN Economic Bulletin* 24, no. 1 (April 2007): 98.

¹³⁴ Ibid.

¹³⁵ Aye Thidar Kyaw, "Trade volume to jump 12 percent," *The Myanmar Times*, April 3, 2011, <http://www.mmTimes.com/2011/business/568/biz56803.html>.

¹³⁶ Billy Tea, *China and Myanmar: Strategic Interests, Strategies and the Road Ahead* (New Delhi, India: Institute of Peace and Conflict Studies, September 2010), 6.

¹³⁷ Donald M. Seekins, "Myanmar in 2009: A New Political Era?," *Asian Survey* 50, no. 1 (January 2010): 198.

economic support and no-questions-asked attitude concerning its neighbor's human rights and political problems, and Myanmar's role as a reliable source of natural resources (teak, gemstones, natural gas) fueling China's development" serves both sides.¹³⁸ With China's consistent support in return for natural gas and primary resources, the Burmese elite have retained their influence regardless of Western sanctions. In this respect, Burma is a sickly economy at the domestic level and would be helpless without the staunch support of foreign investors, namely China. This poses a serious obstacle for US sanctions, as Burma is able to turn to China to make up for lost trade and investment opportunities.

4.2 Sanctions against Burma: China's Official Statements

China has staunchly protected Burma from international pressure and sanctions regimes. When the possibility of joint international sanctions was broached in 2003, the Chinese diplomat Tang Jiaxuan stated, "The current domestic situation in Myanmar is the country's internal affairs, and China does not agree with foreign interference or sanctions."¹³⁹ Thus China does not approve of the current sanctions, and according to one scholar, China is not likely to allow for sanctions in the future: "The UN Security Council has not passed [sanctions] resolutions with regard to Myanmar yet. Thus, members will not be able to invoke this exception to justify trade sanctions against Myanmar... China is likely to veto any such resolution."¹⁴⁰

Judging by China's statements in the UNSC, China strongly opposes political pressure against Burma. In 2007, China faced intense international criticism when it defended Burma from a UN draft resolution calling for political reform. When China

¹³⁸ Ibid.

¹³⁹ Larry Jagan, "China Supports Burma, But Urges Change," *The Irrawaddy* (Bangkok, August 27, 2003), sec. Burma, http://www.irrawaddy.cc/article.php?art_id=53.

¹⁴⁰ Michael Ewing-Chow, "First Do No Harm: Myanmar Trade Sanctions and Human Rights," *Northwestern University Journal of International Human Rights* 5, no. 2 (Spring 2007): 170.

could not delay the resolution they were forced to use their UNSC veto, the first such veto used in a case not concerning Taiwan since 1973.¹⁴¹ In the same year, when the US brought the case of sanctions to the UNSC, China made it clear that it would not support any sanctions against Burma. As a Chinese representative stated, “Sanctions are not helpful in the situation there.”¹⁴² These statements seem to stem primarily from China’s belief that, just as in Yugoslavia, Burma did not present a threat to international and regional peace and security: “As far as China sees it ... there are some problems, but these problems at the moment do not constitute a threat to international and regional peace and security.”¹⁴³ The issue China is expressing in this statement is it that the Burma case does not fulfill a single one of China’s major preconditions because it is not a situation that threatens international or regional peace and security.

China has also expressed disapproval over the scope of the sanctions proposed against Burma. Using language very similar to the Sudan case, China stated in the UNSC, “Sanctions will not help resolve the issue, but rather further complicate the situation. Sanctions will even undermine the dialogue and the reconciliation process that is starting and interrupt the existing contacts on cooperation between Myanmar and the United Nations.”¹⁴⁴ From this statement it can be argued that sanctions against Burma violate Chinese sanctions parameters because of *timing*, a key consideration in the scope of

¹⁴¹ International Crisis Group, *China’s Myanmar Dilemma*, Asia Report (International Crisis Group, September 14, 2009), 5, <http://www.crisisgroup.org/en/regions/asia/north-east-asia/china/177-chinas-myanmar-dilemma.aspx>.

¹⁴² Julian Borger, Ian MacKinnon, and Ian Black, “As Burmese troops open fire at monks, China and Russia block global sanctions,” *The Guardian* (New York and Bangkok, September 27, 2007), sec. World News, <http://www.guardian.co.uk/world/2007/sep/27/burma.unitednations>.

¹⁴³ Borger, MacKinnon, and Black, “As Burmese troops open fire at monks, China and Russia block global sanctions.”

¹⁴⁴ United Nations Security Council, *5777th Meeting*, S/PV.5777, November 13, 2007, New York: United Nations, 10.

China's sanctions parameters. China goes on to further articulate its opposition to the scope of UNSC sanctions by stating,

In fact, neither the direct neighbours of Myanmar nor the overwhelming majority of Asian countries recognizes the situation in Myanmar as any threat to regional peace and security. Without seeking the consent of the country in question, and without a request from a country in the region, some countries as far away as across the ocean are, however, of the belief that the situation in Myanmar is indeed a threat to international peace and security.¹⁴⁵

In this harsh criticism against sanctions China names three major issues that have been previously identified as making up the scope of China's sanctions parameters: an absence of a threat to international or regional peace and security; unnecessary violation of sovereignty; and lack of regional bodies supporting the sanctions. This last aspect seems to hold weight for China, as it clearly believes that if countries in the region do not approve of sanctions, then the sanctions are unjustified. This stance on the part of the Chinese should not be especially surprising, as in past cases China has shown far more enthusiasm for sanctions when they were encouraged by regional bodies or neighboring countries affected by the conflict.

But not only does China reject the premise that Burma is a threat to regional peace and security; it also contends that any UNSC action would be a direct violation of Burma's sovereignty, an important consideration when it comes to scope of sanctions for Chinese support. To reiterate their reservations about sovereignty China declared, "To request that the Security Council discuss an issue that by nature pertains to the internal affairs of a country not only exceeds the mandate given by the Charter to the Council, but

¹⁴⁵ United Nations Security Council, *5526th Meeting*, S/PV.5526, September 15, 2006, New York: United Nations, 3.

will also undermine the Council's authority and legality."¹⁴⁶ China continued by saying, "We are of the view that events in Myanmar certainly relate to that country's internal affairs, and that it should therefore be left to the Government and the people of Myanmar to find a solution..."¹⁴⁷ Then, as a summary remark, China concluded, "So long as the situation in Myanmar does not pose a threat to international or regional peace and security, China will be unequivocally against including the question of Myanmar on the agenda of the Security Council. China's position on this matter will remain unchanged."¹⁴⁸ In this situation, China has made it clear to the international community that sanctions are not acceptable and that China will not support any such resolution. Furthermore, as the statements show, the Burmese case does not fall within the accepted purview of China's sanctions parameters, as none of the preconditions are met in addition to the sanctions being too wide in scope due to inopportune timing, lack of support from regional bodies, and a perceived violation of Burmese sovereignty.

Instead of sanctioning the economy in Burma, China has argued for a different track of international engagement. China has stated that,

The international community should continue to encourage Myanmar and to create a favourable environment for the country. Only in that manner can real momentum be injected to accelerate the early completion of the *democratic* [italics added] process so that Myanmar will participate in regional peace and development.¹⁴⁹

As evidenced in this statement, it appears that China is in favor of democratic progress in Burma. In another UNSC meeting China restated this point: "...it [Burma] needs to consider how it can expand political participation and promote democracy and

¹⁴⁶ Ibid.

¹⁴⁷ Ibid.

¹⁴⁸ Ibid.

¹⁴⁹ Ibid.

the rule of law.”¹⁵⁰ China further emphasized this idea by declaring that, “As a permanent member of the Security Council representing the Asia-Pacific region, and as an immediate neighbour of Myanmar, China wishes, more than any other country in the world, to see political stability, economic development and national unity in Myanmar.”¹⁵¹ Thus, China maintains that continued diplomatic engagement and commercial transactions will foster a hospitable environment for the “democratic process” and “promotion of democracy,” rather than enacting sanctions.

This section proves that China is resolutely unwilling to sanction Burma for many reasons, and it is highly unlikely that China can be invited successfully into the US’ sanctions regime. It has argued forcefully against such a regime and has even gone so far as to utilize its veto power in the UNSC when faced with sanctions resolutions concerning Burma. Judging by China’s sanctions parameters and historical behavior, this is not a wholly unexpected position for China to take. Burma’s situation does not meet any of the major preconditions set forth in its sanctions parameters defined in Chapter 2, and it has also deemed the US’ sanction to be far too wide in scope.

4.3 US Sanctions against Burma

Burma has been hit with round after round of US sanctions in the past two decades. The first wave of sanctions was enacted in 1997 in response to “large-scale repression of the democratic opposition in Burma” and it prohibited investment in Burma by any US citizen.¹⁵² Six years later, in 2003, the United States enacted the Burmese Freedom and Democracy Act, which restricted the financial resources of the ruling junta.

¹⁵⁰ United Nations Security Council, S/PV.5777, 10-11.

¹⁵¹ United Nations Security Council, S/PV.5526, 3.

¹⁵² U.S. Department of the Treasury, “What You Need to Know About U.S. Sanctions Against Burma” (U.S. Department of the Treasury, December 5, 2008), <http://www.ustreas.gov/offices/enforcement/ofac/programs/burma/burma.pdf>. 1-2.

The original sanctions of 1997 were then further strengthened in 2007 and 2008 to expand the scope to individuals that fell into an Annex determined by the Secretary of the Treasury. Finally, in July of 2009, the Tom Lantos Block Burmese JADE Act prohibited the import of rubies, gems and jadeite.¹⁵³ The sanctions imposed on Burma have restricted the flow of capital into the country from the United States, the use of liquid assets by the military regime and sales of precious stones.

US sanctions attempt a shotgun effect by applying sanctions on many different facets of the Burmese economy. Currently the sanctions disallow any Burmese good to be imported into the US aside from a small number of exceptions. No US citizen is allowed to invest in any new project in Burma, nor can a US citizen give financial services or facilitate them to a Burmese business. Furthermore, a US citizen cannot invest in a company whose primary earnings are derived from Burma. Thus, the list of sanctioned sectors of the Burmese economy is relatively all encompassing.¹⁵⁴

The expectations of change as a result of sanctions employed by the United States in Burma have been unreasonably high. As evidenced by the series of sanctions listed above, the United State has put considerable stock in pressuring the authoritarian Burmese state through economic means. As US Deputy Assistant Secretary of State Matthew Daley stated in 2004 during a Joint Hearing on International Relations before the US House of Representatives:

The sanctions, Mr. Chairman, I think, represent a clear and powerful expression of American dismay at developments in Burma over the past year. Sanctions are a key component in our policy of bringing democracy

¹⁵³ Ibid. 2.

¹⁵⁴ Ibid., 1-2.

to Burma and have been a key source of support for the morale of many democracy activists.¹⁵⁵

It is evident that the United States government continues to believe that sanctions will be successful, as the US delivered yet another round of sanctions in 2008. While there has been some small shift in policy towards Burma with the election of President Obama, the US government still chose to reissue sanctions in 2009. However, during a policy review they allowed that,

What we said, what we concluded in terms of approach, was that we were going to maintain our existing sanctions, even though sanctions by themselves had not worked sufficiently - they were still a valid tool of our policy, so we're maintaining the existing sanctions pending progress...¹⁵⁶

In this respect, the Obama administration has realized that sanctions by themselves have not been entirely effective. The Obama administration has thus decided to continue sanctions while engaging more with the Burma junta. As U.S. Secretary of State Hillary Clinton said, "Any debate that pits sanctions against engagement creates a false choice. Going forward, we'll need to employ both of these tools."¹⁵⁷ Secretary Clinton has followed this statement with action, and in November 2011 became the first high-level US official to visit the country since 1955.¹⁵⁸ Given the increasing breadth of American diplomacy it is evident that the US initially relied on sanctions as a core policy but over time has changed their policy to include engagement and reductions of sanctions based

¹⁵⁵ US House of Representatives, *Development in Burma: Hearing for House of Representatives, Subcommittee on Asia and The Pacific, and Subcommittee on International Terrorism, Nonproliferation and Human Rights, Committee on International Relations* (Washington D.C.: U.S. Government Printing Office, 2004), 16, <http://www.foreignaffairs.house.gov/archives/108/92745.pdf>.

¹⁵⁶ Scot Marciel, *Burma: Policy Review* (Bangkok, Thailand: U.S. Department of State, 2009), <http://www.state.gov/p/eap/rls/rm/2009/11/131536.htm>.

¹⁵⁷ Arshad Mohammed, "U.S. keeps Myanmar sanctions, plans more talks," *Reuters*, September 23, 2009, sec. Americas, <http://www.alertnet.org/thenews/newsdesk/N23424614.htm>.

¹⁵⁸ Kim Ghattas, "Hilary Clinton in Burma: Turning Point in Relations?" *BBC*, November 30, 2011, sec. Asia, <http://www.bbc.co.uk/news/world-asia-15968610>.

on progress. In this way, the US still views sanctions as a valuable policy tool but has become less optimistic about regime change without engagement.

Of the myriad of sanctions imposed by the US, the only set to have somewhat effectively harmed the junta is the Tom Lantos JADE Act. It is thought that due to US sanctions the number of gems exported dropped almost ten percent in a single quarter during 2007. Furthermore, investors are no longer sure that Burmese gems have a place in the market and are increasingly unwilling to invest in new equipment. “Work at many gem sites has slowed down because it is becoming more difficult to export the gems now that they are on the sanctions list.”¹⁵⁹ Factors of production like mines have begun to shut their doors, as even black market buyers are becoming harder to find. Yet Burma has been able to rely on natural gas exports instead, so the small success in the gem market does not make up for the ineffectiveness of the sanctions regime as a whole.

The US sanctions have also been ineffective in inducing the Burmese junta to modify their behavior, as they have been protected by Chinese and regional trading partners. However, the sanctions have impacted other sectors of the Burmese economy, particularly the trading middle class. As one scholar wrote, “U.S. dollars are its [Burma’s] lifeblood, at least in urban areas, and the measure of prohibiting dealings between Burmese and American financial institutions caused considerable hardship to traders and business people.”¹⁶⁰ In particular, the sanctions have done a disproportionate amount of damage to the working people of Burma, rather than the military junta itself. As Michael Ewing-Chow points out, “The people in Myanmar have grown steadily poorer due to [US] sanctions. The US State Department estimates a loss of 60,000 jobs in the textile sector

¹⁵⁹ Wai Moe, “US Sanctions Taking Toll on Burmese Gems Industry,” *The Irrawaddy*, February 19, 2009, http://www.irrawaddy.org/article.php?art_id=15150.

¹⁶⁰ Seekins, “Myanmar in 2009,” 198.

alone.”¹⁶¹ Furthermore, “sanctions have also helped crush an incipient manufacturing export sector with resulting significant job losses.”¹⁶² It is unsettling that the main victims of the US sanctions have been young, working people employed by the textile and manufacturing industries. “In short, the Burmese Freedom and Democracy Act has exerted consequences quite opposite from what [was] predicted: *sanctions disproportionately impact the people of Burma, not its military.*”¹⁶³ Because China invests mainly in large-scale government-owned projects, there has been little flow of capital to the Burmese middle class. The result of this combination of tactics from China and the US has been a reduced middle class and little change in the oppressive, undemocratic nature of life within Burma.

4.4 Burmese Case Conclusions

The evidence above shows that US sanctions as they stand are ineffective and will continue to be so in the future as long as China remains uninvolved. Furthermore, the sanctions are doing disproportionate harm to the Burmese middle class and working people. Without Chinese participation in the sanctions the Burmese junta will remain politically isolated from US pressure, and without change in the type of sanctions imposed there is unlikely to be spontaneous transformation in Burma’s political process. Thus, two possibilities present themselves: either China has to be induced to join in the US sanctions regime, or the regime itself has to be changed in order to reduce pressure on the Burmese working class and find common ground with China. From a policy standpoint it is difficult to support the continuance of US sanctions in light of Chinese

¹⁶¹ Ewing-Chow, “First Do No Harm: Myanmar Trade Sanctions and Human Rights,” 158.

¹⁶² Sachs, “Myanmar: Sanctions Won’t Work.”

¹⁶³ Seekins, “Burma and U.S. Sanctions,” 444.

intervention in the Burmese economy and its support for the ruling elite. It also appears to be nearly impossible to invite China into the sanctions regime given that the Burmese case does not satisfy China's primary preconditions of enacting sanctions, and, as evidenced above, the far-reaching scope of the sanctions is drastically wider than any sanctions regime supported by China in the past. Thus, in order to achieve the goals of a more liberalized Burma the US sanctions regime itself must be changed. A more detailed examination of possible changes to the sanctions regime is delineated in the next chapter.



Chapter 5: Policy Implications

This chapter discusses policy suggestions for the US and China after applying China's sanctions parameters to the North Korea and Burma cases. As discussed in Chapter 3, in the case of North Korea China could do more to support UN sanctions, as it is "semi-cheating" on the sanctions regime. China has held to the *letter* yet not the *spirit* of UN resolutions by only loosely restricting North Korea's arms trade and by supplying luxury goods and brokering investment deals with the government. As such, this section finds that the United States could seek to tighten the sanctions regime by encouraging China to act in accordance with its own sanctions policy. As was explored in Chapter 4 in the case of Burma, without Chinese acceptance of the sanctions regime the sanctions are likely to fail in bringing about liberalization. In contrast to the North Korean case, in Burma, China is unlikely to join the sanctions regime because key preconditions for sanctions have not been met, and the scope of US sanctions is too wide for Chinese acceptance. Given China's lack of support for the sanctions, this section recommends that the US modify its sanctions in order to achieve the mutual objectives of Burmese liberalization and respect for human rights.

5.1 The North Korea Case:

The DPRK case satisfies one of China's preconditions as identified in Chapter 2: North Korea is pursuing a nuclear weapons program and thus threatens regional stability. Additionally, the sanctions regime put in place by the UNSC does not appear to violate what this study determined to be acceptable scope for a Chinese-supported set of sanctions; sanctions on North Korea have satisfied China's requirements of acceptable type, appropriate timing, limited violation of sovereignty, continued engagement with the

sanctioned state, and regional body approval. However, analysis of the North Korea case has revealed that although China voted in favor of the UNSC sanctions against the DPRK, there are some aspects of the intent of the sanctions regime that China does not appear to be fully supporting even though these aspects fall within its sanctions parameters. China continues to trade in luxury goods despite the sanctions, and is not restricting DPRK airplanes that could potentially be carrying weapons material. In light of these findings, this study recommends two policy changes that could both induce China to engage more completely in the sanctions regime against the DPRK as well as increase the overall effectiveness of the regime. First, it is recommended that the United States pressure China to abide by the spirit as well as the letter of the UNSC sanctions resolutions. Based on historical precedent there is a possibility that China would be willing to modify its behavior in these two areas if pressured by international actors, namely the US. Second, it is recommended that the US attend to its own inconsistent behavior towards North Korea to further increase the effectiveness of the sanctions and show a willingness to amend its own behavior as it asks China to also change.

5.1.1 Policy Implications of Chinese Support for Sanctions

Based on historical precedent, there is a good chance of success if the US and other actors were to encourage China to restrict the export of luxury goods and further restrict DPRK access to China's airspace. This suggestion that the US pressure China stems from the conclusions made by Nikitin et al. In their study, these scholars recommended that, "One option for focusing U.S. policy is to influence, or at least closely monitor, other states' national measures to implement the sanctions under UNSCR 1874. This could be accomplished by focusing attention on North Korea's main

intermediaries, including China...¹⁶⁴ Thus, using the findings from this study, the US can focus its efforts on particular aspects of the sanctions where China is more likely to modify its behavior and apply pressure accordingly.

A request of this kind from the US and other actors would not push China to act beyond its sanctions parameters. China has limited the export of certain products in the past, and so does not appear to have any ideological objections to taking such a step. In restricting weapons materials, China has previously enacted internal mechanisms to assure sensitive materials or weapons were not exported to targeted states, namely Iran. These past actions indicate a *possibility* for China to modify its behavior given case precedent. Thus, this recommendation does not overstretch China's already-established sanctions parameters. These new findings concerning China's sanctions parameters show that it would be worthwhile for the US and other actors to use the information of China's past actions as leverage when pressuring China to rein in its luxury good exports and refuse passage to North Korean airplanes potentially transporting weapons material, for, "while the US and China may diverge on many things, they both agree on the need to avoid further North Korean belligerence on the peninsula. Beijing has performed poorly thus far..."¹⁶⁵ In this respect, China could do more to act in accordance with the intent of the sanctions resolutions against North Korea that work to address what most countries, including China itself, consider to be a threat to international and regional peace and security. The missing variable in urging China to modify its behavior is consistency and pressure from the US.

¹⁶⁴ Nikitin et al., *Implementation of U.N. Security Council Resolution 1874*, 17.

¹⁶⁵ Victor Cha, "America must show resolve over North Korea," *FT.com* (May 20, 2010), <http://www.ft.com/cms/s/0/51cc0ef4-6444-11df-8618-00144feab49a.html#axzz1SFZznlD6>.

5.1.2 Policy Commitment and Consistency

In order to increase the likeliness of China responding positively to a request for greater involvement, it is also necessary that the United States amend its own behavior within the DPRK sanctions regime. During the DPRK's "charm offensive" in 2009 and 2010 the Obama Administration noticeably backed off its public push for resolution implementation.¹⁶⁶ "A number of Administration officials also agreed... that the intensity with which they push for tough implementation of sanctions, at least in public, has been and likely will continue to be calibrated depending on whether there are positive developments or setbacks in diplomacy with North Korea."¹⁶⁷ Such an inconsistent policy gives North Korea unclear signals and allows China leeway in half-heartedly pursuing sanctions. This study also recommends that only after concrete results are met should the US ease its stance on sanctions.

Empirical evidence augments this conclusion, as research indicates that a lack of commitment to sanctions entails a higher possibility of sanctions failure. Thus, the less commitment shown by China or the US for sanctions the higher the possibility that sanctions will fail.¹⁶⁸ In light of this fact, it is important not only that China do more to support the *spirit* of the resolutions and that the United States continuously remind China of its obligations according to the UNSC resolutions, but also that the US itself adhere to its own policies consistently rather than relaxing pressure on North Korea because of small concessions or improvements. Further empirical studies support this recommendation. In Peksen and Ang's "When Do Economic Sanctions Work?

¹⁶⁶ Nikitin et al., *Implementation of U.N. Security Council Resolution 1874*, 7.

¹⁶⁷ Ibid.

¹⁶⁸ Adrian U-Jin Ang and Dursun Peksen, "When Do Economic Sanctions Work? Asymmetric Perceptions, Issue Salience, and Outcomes," *Political Research Quarterly* 60, no. 1 (March 2007): 143.

Asymmetric Perception, Issue Salience and Outcomes,” there was found to be a direct link between continuous pressure on the target state and sanctions effectiveness:

If the issue under dispute is a highly salient issue for senders, they should be more committed to conveying their willingness to impose sanctions in response to noncompliance by the target... If a target faces a resolute and credible sender, then compliance should be more likely since the expected costs of sanctions will be higher for target states.¹⁶⁹

Therefore, if China lacks commitment and serious application of the UNSC sanctions, North Korea is unlikely to change its behavior. Furthermore, if the US reduces its pressure when small gains are made, this signals to North Korea that the issues have lost salience. These perceptions may become cyclical and threaten the ultimate success of the sanctions if North Korea believes the sender states are not fully committed to the sanctions.

From the point of view of the United States, it seems counterproductive to selectively punish the North Korean regime and yet fail to pressure China to abide by the UNSC Resolutions or act consistently itself. According to an internal CRS report, the United States has only applied pressure to North Korea when the US feels there is no other way to make progress. This approach includes a dangerous relaxation of policy. However, within the United States sanctions tend to be debated in a way that precludes diplomatic engagement and pressure:

The debate over the utility of sanctions in foreign policy is usually depicted in binary fashion, i.e. whether the U.S. should use pressure or engagement. The reality, of course, is that sanctions and engagement—along with economic assistance, military deterrence, alliances, and public diplomacy—are all diplomatic tools to influence the negotiating behavior of the other side.¹⁷⁰

¹⁶⁹ Ang and Peksen, “When Do Economic Sanctions Work?,” 143.

¹⁷⁰ Bruce Klinger, “Sanctions: An Important Component of U.S. North Korea Policy,” *38 North: Informed Analysis of North Korea*, May 2, 2010, <http://38north.org/2010/05/sanctions-an-important-component-of-u-s-north-korea-policy/>.

The unfortunate result from the US using sanctions as a means of forcing states into compliance is that politicians believe they can enact them and wait for the regime to fall. Yet sanctions need to be used in conjunction with diplomatic pressure. As such, this research suggests the US apply consistent pressure both on China and on the DPRK in order to promote sanctions effectiveness.

In order to strengthen the UNSC sanctions regime this study recommends the US and China revise its DPRK sanctions policies. First, the impact of the sanctions will be stronger if the United States consistently applies pressure and enforcement of the UN sanctions. In the wake of leader Kim Jong-II's death, it will become increasingly important that North Korea is dealt with in a consistent manner. Inconsistency indicates a weakness of resolve from the sender state and reduces the effectiveness of the sanctions. Along these lines it is suggested that the US only reduce the enforcement of sanctions after North Korea has complied with stated US objectives. Second, this study recommends that the United States pressure China to uphold its international agreements, not just in the letter but also in the spirit of the resolution. Indeed, "commitment on the part of state actors affects both the efficiency and the outcome of the strategic interaction process of coercive diplomacy."¹⁷¹ Without commitment from all parties the sanctions are more likely to fail to induce behavioral change in North Korea, as has been seen in recent years. In this especially unstable time for North Korea as power is passed down to Kim Jong-II's son, it is essential that all parties show a committed front and seek to make sanctions as effective as possible. As such, it is suggested that the US encourage China to regulate its trade in luxury goods and restrict planes carrying weapons material from

¹⁷¹ Ang and Peksen, "When Do Economic Sanctions Work?," 143.

flying through Chinese airspace. These measures would do much to enhance the effectiveness of the sanctions and pressure North Korea to abide by the UNSC's stipulations. These two actions do not overextend China's sanctions parameters and therefore there is a greater likelihood that China would respond favorably to these recommendations.

5.2 The Burma case:

The US sanctions on Burma have been a failure for the past decade. The sanctions have not induced behavioral change from the ruling junta, as they still flagrantly commit human rights abuses and stubbornly resist democratic reform. Instead of inducing reform, the sanctions have strengthened Burma's reliance on China while stunting the growth of a middle class and therefore inhibiting liberalization. Under the current arrangement with China the junta remains aloof from US sanctions as,

The [Burmese] regime depends on foreign investment and foreign trade for a substantial part of its income. It is essential to cut those lifelines in order to force the regime to the negotiating table. As long as the regime and its associates are financially secure [due to China's support] they have no incentive to reform.¹⁷²

Because of China's staunch support for Burma and unwillingness to participate in the sanctions regime, this study suggests that the US modify its sanctions. By calibrating the sanctions to target the military junta, there is a greater likelihood of achieving US goals of liberalization in Burma and possibly finding common ground with China.

5.2.1 Policy Implications of US Sanctions Amendment

Changing the US sanctions regime would create a greater likelihood of achieving the US' goal of Burmese liberalization. As this section argues, such a development would

¹⁷² Anonymous, "The Case For Sanctions," *The Burma Campaign UK*, 2011, http://www.burmacampaign.org.uk/case_for_sanctions.html.

be a positive change for Burma and the region. According to a World Bank Economic Social Assessment Summary, the conclusions offered by the Bank indicated that Burma was in desperate need of modernization and liberalization to overcome market inefficiencies, combat poverty, and raise the standard of living for the Burmese people.¹⁷³ Furthermore, there are the arguments that more liberal and democratic environments foster human rights and political inclusiveness:

The values of freedom, respect for human rights and the principle of holding periodic and genuine elections by universal suffrage are essential elements of democracy. In turn, democracy provides the natural environment for the protection and effective realization of human rights.¹⁷⁴

But, when arguing that a stable democracy is a positive development for Burma, it should also be shown that democratic progress will not create regional instability.

In the work “Democratization and War” by Edward Mansfield and Jack Snyder, the authors use quantitative techniques to show that transitional democracies have a higher chance to engage in hostilities, namely war, than do states in a non-transition phase. However, there are certain variables that make instability less likely. For example, a country with strong internal institutions is usually able to control the destabilizing processes of democratization.¹⁷⁵

...other factors may override the relative bellicosity of democratizing states. These might include the power of the democratizing state, the strength of the potential deterrent coalition of states constraining it, the attractiveness of more peaceful options available to the democratizing state, and the nature of the groups making up its ruling coalition.¹⁷⁶

¹⁷³ David I. Steinberg, *Burma: The State of Myanmar* (Washington D.C.: Georgetown University Press, 2001), 166-176.

¹⁷⁴ Office of the High Commissioner for Human Rights, *Democracy and Human Rights* (New York: United Nations, 2008), 1, http://www.unis.unvienna.org/pdf/Democracy_Human_Rights_2008.pdf.

¹⁷⁵ Jennifer M. Lind, *Democratization and Stability in East Asia* (University of California Irvine: Department of Political Science, UC Irvine, February 2009), 40.

¹⁷⁶ Edward D. Mansfield and Jack Snyder, “Democratization and War,” *Foreign Affairs* 74, no. 3 (May 1995): 86.

In the case of Burma, after a democratic transition its neighboring countries, namely ASEAN and its powerful bordering states of Thailand, India, and China, would likely deter any potential warfare. Furthermore, in the case of a democratic transition, the leader most likely to be elected is Aung San Suu Kyi, a leader who would be unlikely to stoke latent nationalism. As such, the country's leadership would most likely not be outwardly hostile.

Additional literature also asserts that economic liberalization and interdependence would decrease the likelihood of a destabilizing conflict. As Jennifer M. Lind wrote in her study "Democratization and Stability in East Asia," in cases of strong economic interdependence states tend not to be openly hostile. She discovered that in these cases "Business leaders saw no advantages in bellicosity; rather, they feared the costs of disruption ... international instability was a scenario to be avoided at all costs. In other words, instead of logrolling for war, we see logrolling for peace."¹⁷⁷ In the case of Burma, the high level of economic dependence on China and the ASEAN members indicates that it is even less likely for Burma to become bellicose if liberalized. Thus, without the negative possibility of regional instability due to democratic transition, it stands that much is to be gained in terms of political freedom and economic benefits through greater liberalization in Burma.

China has also made official statements supporting Burmese liberalization and democratic progress. As China stated in the UNSC, "The international community should continue to encourage Myanmar and to create a favourable environment for the country... to accelerate the early completion of the *democratic* [italics added] process so

¹⁷⁷ Lind, *Democratization and Stability in East Asia*, 40.

that Myanmar will participate in regional peace and development.”¹⁷⁸ In another statement in the UNSC China made a similar statement, declaring that, “We sincerely hope to see a Myanmar with political stability, economic prosperity, social harmony and democratic progress.”¹⁷⁹ From an unofficial point of view, China may be willing to encourage, and in fact may be actively encouraging, more democratic progress.

According to a report from a Wikileaks cable:

We [a US Ambassador meeting with a Chinese Ambassador] discussed the lack of political dialogue and the need for all countries to speak with one voice to persuade the generals to start talking and quit dragging their feet. The Chinese Ambassador no longer tried to defend the regime, and acknowledged that the generals had made a bad situation worse. The Chinese have used their access to the generals to push for change, without much observable result, but remain interested in working with us to promote change. The Ambassador indicated that fear of losing power and economic interests may be the key obstacles keeping the generals away from the negotiating table.¹⁸⁰

Clearly, more democratic change to the Burmese regime is a possibility and perhaps even a mutual goal of both China and the US. Indeed, a more liberalized Burma would be a peaceful, positive development for the region and appears to be a point of agreement for both the US and China. But, given China’s involvement in the Burmese economy, the first step in achieving this goal would be modifying the US sanctions regime.

5.2.2 Sanctions Preventing Democratization

Many studies have concluded that US sanctions may be harming Burmese democratic progress, as they have slowed the growth of a trading middle class while not influencing the ruling junta. Some studies have shown that without a middle class

¹⁷⁸ United Nations Security Council, S/PV.5526, 3.

¹⁷⁹ United Nations Security Council, 5753rd Meeting, S/PV.5753, October 5, 2007, New York: United Nations, 8.

¹⁸⁰ The Guardian, “US embassy cables: China losing patience with Burma”, December 9, 2010, <http://www.guardian.co.uk/world/us-embassy-cables-documents/137835>.

democratic transition from an authoritarian government is difficult and unlikely. As one scholar wrote, “transitions from autocratic rule in countries with established markets and private property are usually seen to stem from endogenous forces in which the ascendant middle class or bourgeoisie plays an important contributory role.”¹⁸¹ Or, simply put: “No bourgeois, no democracy.”¹⁸² In this respect, to attain the goal of liberalization the country must first foster a bourgeoisie, or middle class. Under the current sanctions, the middle class in Burma has been adversely affected by US sanctions while China has invested heavily in the upper echelons of the corrupt Burmese regime. In this way, the sanctions have done more to harm democratic transition than to pressure the junta into modifying its behavior.

In an accurate summation of the argument that lifting the sanctions on Burma would spur internal progress, one scholar writes:

While the government and its closely-affiliated private cronies constitute the major employers in the country, lifting of sanctions has the potential to allow for people to advocate for reform without immediately being concerned about their source of income. However, so long as the United States is basing its stance on political reasons, the likelihood that the country will lift its sanctions is slim. ASEAN and China, however, even prior to the 2010 elections, have demonstrated that they are willing to engage with the Naypyidaw regime regardless.¹⁸³

Even the Burmese people are hopeful for the possibility of increased business opportunities. “The Burmese middle classes are concerned about economic development—the economy is in a bad state. Their main concern is the new government’s economic policy, and they are hoping for change to unify exchange rates

¹⁸¹ Ewing-Chow, “First Do No Harm: Myanmar Trade Sanctions and Human Rights,” 177.

¹⁸² Ibid.

¹⁸³ Jane Ferguson, “Burmese sanctions likely to stay, despite ASEAN call,” *East Asia Forum*, February 18, 2011, <http://www.eastasiaforum.org/2011/02/18/burmese-sanctions-likely-to-stay-despite-asean-call/>.

and in the rules governing, for example, the imports of cars and other goods.”¹⁸⁴ The US sanctions as they stand will continue to harm the local economy and bourgeoisie. As one scholar wrote, “U.S. dollars are its [Burma’s] lifeblood, at least in urban areas, and the measure of prohibiting dealings between Burmese and American financial institutions caused considerable hardship to traders and business people.”¹⁸⁵ Indeed, the sanctions have done a disproportionate amount of damage to the working people of Burma rather than the military junta.¹⁸⁶ Furthermore, “sanctions have also helped crush an incipient manufacturing export sector with resulting significant job losses.”¹⁸⁷ It is concerning that the main victims of the US sanctions have been young, working people and the middle class, particularly because these social actors tend to be the catalysts for democratic change; this fact has been dramatically showcased recently in the on-going Arab Spring, where students and other young people have been major players in movements for democratic change in such countries as Tunisia and Egypt. “In short ... sanctions disproportionately impact the people of Burma, not its military,”¹⁸⁸ and this stunts the possibility for meaningful change.

The sanctions have also stifled foreign direct investment (FDI) from American Multinational Corporations (MNCs). This lack of new investments in the private sector has caused significant harm to the democratic opposition movement as China has moved its investments into government-owned operations. Without the infusion of funds into the private sector, actors independent from the state have failed to emerge. “Trade sanctions

¹⁸⁴ The Diplomat, “Time to Drop Burma Sanctions,” *The Diplomat*, March 3, 2011, <http://thediplomat.com/2011/03/03/%E2%80%98time-to-drop-burma-sanctions%E2%80%99/>.

¹⁸⁵ Seekins, “Myanmar in 2009,” 198.

¹⁸⁶ Ewing-Chow, “First Do No Harm: Myanmar Trade Sanctions and Human Rights,” 158.

¹⁸⁷ Sachs, “Myanmar: Sanctions Won’t Work.”

¹⁸⁸ Seekins, “Burma and U.S. Sanctions,” 444.

imposed by the United States have likely arrested the rise of an independent trading class, further weakening the material bases for sustained opposition to the regime.”¹⁸⁹ Without these private actors there is no well-funded opposition to the government from within the country itself. “Concentration of commercial influence in conjunction with Western trade sanctions has curtailed the potential spread of an independent trading class.”¹⁹⁰ As such, trade under a China-dominated system has further entrenched the military junta.

5.2.3 The Politics of US Sanctions

Another major stumbling block for western sanctions is that Burma was never a close trading partner to the United States. Without this leverage the US has little influence on the Burmese elite. From a theoretical point of view, this point is a major failing according to Hufbauer’s sanctions commandments, which state that sanctions are most likely to be effective towards close trading partners.¹⁹¹ Indeed, the United States has never been a major market for Burmese goods. In 1995, before the first bout of sanctions, the United States was only the fifth largest investor in Burma and only took in approximately 7% of the country’s exports.¹⁹² Over ninety percent of Burmese trade when the US was still trading with Burma went to regional trading partners.¹⁹³ In this way, although the United States has spent considerable time and pressure on the junta, the actual leverage of the United States is negligible. For the sanctions to be effective the United States would have to have been a major trading partner in the first place- a

¹⁸⁹ Jalal Alamgir, “Myanmar’s Foreign Trade and its Political Consequences,” *Asian Survey* 48, no. 6 (November 2008): 979.

¹⁹⁰ *Ibid.*, 977.

¹⁹¹ Gary Clyde Hufbauer and Jeffrey J. Schott, “Economic Sanctions and U. S. Foreign Policy,” *American Political Science Association* 18, no. 4 (Autumn 1985): 730.

¹⁹² Hadar, “U.S. Sanctions against Burma: A Failure on All Fronts.”

¹⁹³ *Ibid.*

position enjoyed by China. This is yet another reason why US sanctions as they stand will continue to be ineffective without China's participation.

In addition, the US has become a scapegoat for the junta's failed economic policies. "Sanctions strengthen the hand of the ruling authorities by creating a scapegoat for their own internal policy failures and narrowing the opportunity of private individuals in Burma to expand their economic, social, and cultural contacts with the citizens of the West."¹⁹⁴ This finding is deeply critical and damaging to US sanctions:

Weakening a country's economy does not necessarily weaken a regime relative to its political opposition. Often, the impasse is merely deepened. Civil society and the political opposition suffer... while the regime is able to blame foreign meddling for policy mistakes.¹⁹⁵

Thus, the US sanctions have done more harm than good when it comes to achieving US objectives.

Unfortunately, it seems the United States' sanctions are more politically driven than economically effective. Jeffery Sachs states, "Sanctions are mainly a symbolic stand for justice. But they are not symbolic in their effects. They are economically destructive and only occasionally politically productive."¹⁹⁶ Drawing a broader conclusion from the series of sanctions employed by the US, policy makers could have been "smarter" when drawing up sanctions. Sanctions should be "...specifically tailored to maximize the target's regime cost of non-compliance while minimizing the suffering of the target's population."¹⁹⁷ Judging from the evidence it is clear that the US has been quick to apply sanctions in an ideological backlash against the Burmese government without adequately assessing economic impact on the trading class:

¹⁹⁴ Ibid.

¹⁹⁵ Sachs, "Myanmar: Sanctions Won't Work."

¹⁹⁶ Ibid.

¹⁹⁷ Ewing-Chow, "First Do No Harm: Myanmar Trade Sanctions and Human Rights," 178.

Trade sanctions have not been successful in causing regime change absent the appropriate endogenous situation. Despite this, the US, in particular, continues to use heavy handed trade sanctions ostensibly to cause regime change. This suggests either simplistic thinking among the policy makers or a pandering to ill informed voices for domestic political gain.¹⁹⁸

While the Obama administration is making strides to smarten up the US approach to Burma, the sanctions were not originally well planned or implemented. Furthermore, the sanctions have reduced the likelihood of a strong trading class. Without this trading class the Burmese junta has remained insulated from domestic political pressure while relying on China to account for trade deficits induced by US sanctions. Thus, the sanctions have been a near total failure and must be modified to reflect reality. The fact remains that without realistic buy-in and support from China, there is little hope for the current sanctions regime to achieve its desired reforms.

5.2.4 The Moral versus the Realistic

There is a school of thought that argues that the moral message of the sanctions is equally as important as their effectiveness. Indeed, it is difficult to take up the argument against Aung San Suu Kyi who, as leader of the opposition party, asked for continued sanctions against the Burmese state until human rights violations are resolved. But, given the evidence available this stance is untenable. The dissolving middle class has left a major power vacuum in domestic politics. From an international perspective, China has swooped into the vacuum and Burma has become increasingly dependent on its giant neighbor. Investment projects have been done with the ruling elite, enriching the rich while the impoverished stay poor. The *status quo* is unlikely to produce significant democratic developments without a more powerful middle class.

¹⁹⁸ Ibid.

Some scholars have argued that sanctioning countries produces “identitarian justification.” The premise “identitarian justification” is that by sanctioning “evil” states, the sanctioning state willingly avoids or refuses to interact with an “evil” country in order to prove its identity apart from that “evil.”¹⁹⁹ This argument, while compelling, does not overcome the instrumental arguments concerning objectives. The international community should condemn the individuals committing human rights abuses through travel bans, asset freezes, and arms embargoes, but targeting a whole economy does disproportionate damage to civilians, and worse, to those who may be able to further democratic progress.

In addition to the position against “moral arguments,” research published in *Peace Research* has found that “...sanctions fail to attenuate the coercive capacity of the target elites and create more economic difficulties and political violence among ordinary citizens, [so] the government will likely commit more human rights violations.”²⁰⁰ This finding is a powerful condemnation against US sanctions, which have obviously lacked the ability to coerce or alter the behavior of Burma’s ruling elite. Indeed, given China’s role in supporting the Burmese regime, the sanctions have had little positive effect. There is further empirical evidence that argues that US sanctions, while hoping to change the regime, may actually be causing more instability and human rights abuses:

The findings suggest that economic sanctions worsen government respect for physical integrity rights, including freedom from disappearances, extra-judicial killings, torture, and political imprisonment. The results also show that extensive sanctions are more detrimental to human rights than partial/selective sanctions.²⁰¹

¹⁹⁹ Dursun Peksen, “Better or Worse? The Effect of Economic Sanctions on Human Rights,” *Journal of Peace Research* 46, no. 1 (2009): 578.

²⁰⁰ *Ibid.*, 59.

²⁰¹ *Ibid.*

In this way, the broad overarching sanctions applied by the United States may be harming the possibility of democratic progress as well as contributing to further human rights abuses.

Given the evidence, it is clear that there needs to be a change in the US' sanctions towards Burma. The sanctions against Burma should be "smarter" and the scope narrowed. The sanctions on investment in certain sectors need to be modified to allow for more FDI and to allow Burmese goods into American markets. An increase in investment from abroad, including the West and the United States, could ultimately undermine the ruling party by allowing the emergence of an active trading class with strong business interests. Furthermore, the US could remain politically opposed to the junta by continuing sanctions against individuals in power positions in the form of travel bans and asset freezes, yet still cite the small move towards a more democratic government as a positive development worthy of removing some of the sanctions. By modifying the regime the US could take steps forward in fueling Burmese democratic progress and hopefully support the rise of a middle class with autonomy outside the governmental system. This pragmatic policy approach would do much for democratic progress while accepting the reality of a China unwilling to join the sanctions regime.

Chapter 6: Conclusions

This study assessed China's parameters for sanctions through case studies and applied those parameters to the contemporary cases of North Korea and Burma. Then, given the conclusions from these cases, this study suggested pragmatic policy recommendations to increase the effectiveness of those regimes. The first part of the research was dedicated to parsing China's parameters on sanctions. This section determined under what circumstances China was willing to support sanctions and to what extent. What was discovered was there are specific, necessary preconditions that must be met before China is willing to enact a sanctions regime. One of these four preconditions must be met, and be deemed a threat to international or regional peace and security, to have support from China. The four preconditions are: a destabilizing conflict; a humanitarian crisis; terrorism; and nuclear weapons proliferation. Furthermore, China is also more willing to apply sanctions that are limited in scope such as: travel bans, asset freezes, arms embargoes and limited economic sanctions. The scope of China's sanctions parameters also includes certain criteria: namely, limited interference in sovereignty, timing, consent from regional and international organizations operating in the region, and continued diplomacy with promise of alacrity in terminating the sanctions regime once the target has modified its behavior.

The second part of this study was split into two case studies, North Korea and Burma. In these case studies the extent of China's participation in the sanctions regime was analyzed. During the course of the analysis, the research question was, "Is it possible to encourage China to support the sanctions regime more? If so, how? And if not, should the sanctions regime be modified in order to achieve the original goals of the

sanctions?” After applying China’s sanctions parameters in the North Korean case it was shown that the preconditions of China’s involvement were met, the sanctions scope was not too wide, and Beijing could do more to uphold the spirit of the resolutions in two specific areas. In light of these findings, it was recommended that the US should use its clout to pressure China to abide by its obligations as there is a possibility that China will be willing to modify its behavior. It was also suggested that the US strive to make its own behavior towards the DPRK more consistent in order to increase the effectiveness of the sanctions.

In the case of Burma, this research has found that China is unlikely to be willing to engage in the sanctions regime as its preconditions have not been met and the scope of the sanctions is far too wide. If the US modifies its sanctions regime to have a narrower scope and to not target the middle class, then it would likely reinvigorate the Burmese bourgeoisie and create an influential social sphere outside the government. As an influential middle class is an important variable in democratic transition, the US would be furthering its goals of Burmese liberalization by modifying its sanctions. This would be the first step in moving toward US-China cooperation regarding Burma.

Chart 6.1 represents the logical flow of the arguments made in this study. This chart shows the likelihood of Chinese participation for past and future sanctions cases. As the chart indicates, in cases that satisfy *both* precondition *and* scope China is more likely to support the sanctions regime in question. Alternatively, if the case fulfills one of the preconditions but is not acceptable in scope then there is a wide array of possibilities for Chinese participation, ranging from no support at all to supporting only those aspects of the sanctions within its sanctions parameters. For example, in the case of North Korea,

China supported the sanctions regime but is not fully supporting some aspects of the sanctions, even though they fall within its parameters. Therefore, in the North Korea case it is recommended that the international community encourage China to modify its behavior to supports aspects within its ‘parameters’ and ‘scope.’ In this way, Chart 6.1 can be utilized by policy makers in the future to assess the possibility of China supporting a sanctions regime. It can also be used to encourage China to align itself with its own sanctions precedents.



Chart 6.1
China's Sanctions Parameters Flowchart

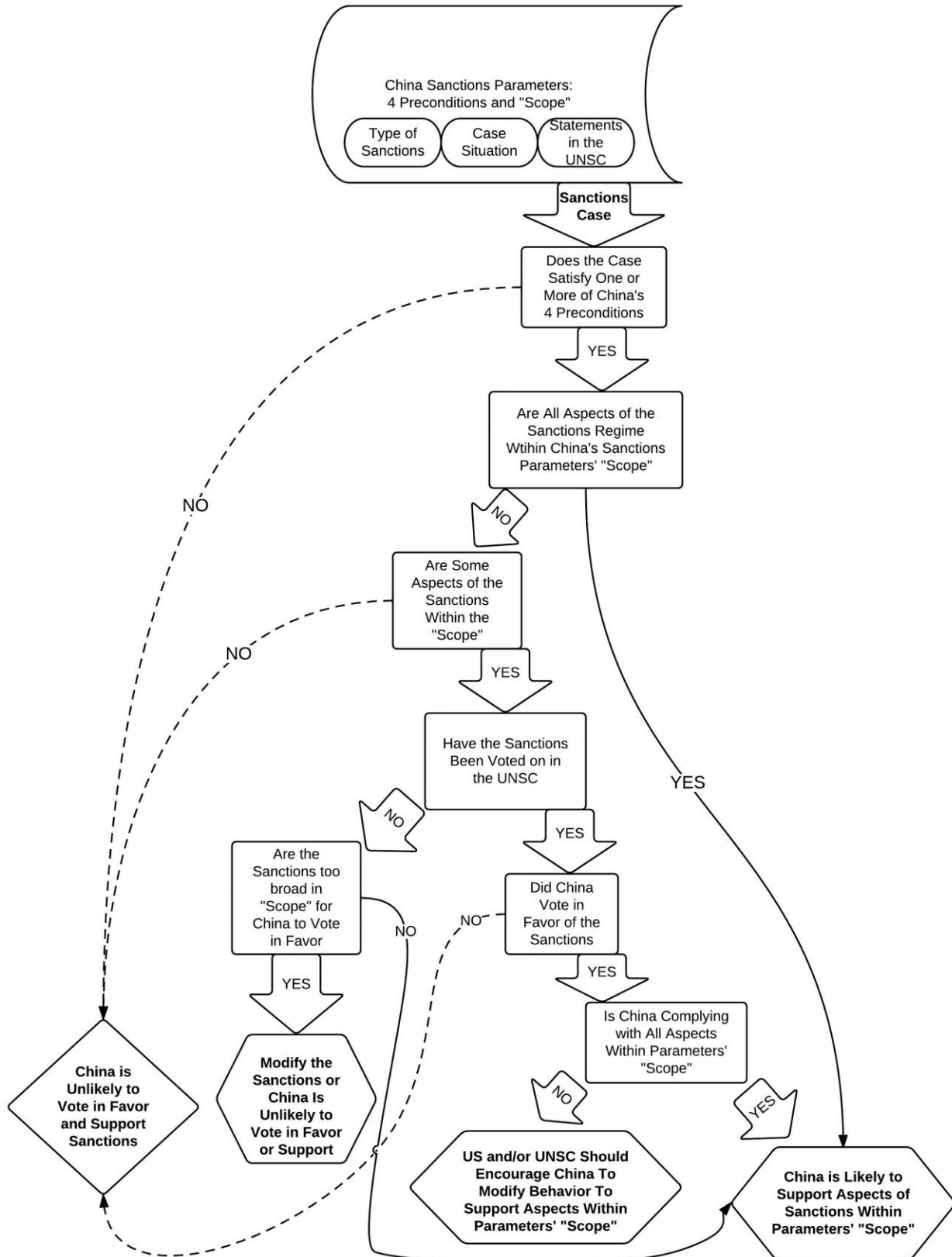


Chart 6.1 made by the author.

6.1 North Korea

In the North Korea case this study shows that China might be willing to strengthen UN sanctions against the DPRK given that most aspects of the resolutions fall within China's sanctions parameters. The scope of the sanctions against the DPRK is similar enough to other sanctions regimes in which China has participated fully.

In terms of international involvement the United States has shown degrees of relaxation towards its sanctions when the DPRK has been on its best behavior. This political showmanship, whereby politicians raise the issue of sanctions only when the DPRK acts belligerently, shows an inconsistent attitude that only encourages the DPRK to pursue brinkmanship behavior. Indeed, some scholars believe that the DPRK lashes out to gain attention from the international community. Instead of encouraging this behavior, the United States should continuously and unrelentingly remind the DPRK that the sanctions regime will not change until there is a return to talks and a significant dismantling of its nuclear programs. A united, unrelenting UNSC- bolstered by more active Chinese involvement- could finally send a strong message that the DPRK's behavior is unacceptable to the international community.

This study recommends policy changes to make the UNSC sanctions against the DPRK more effective. Firstly, it would be constructive for the US and the international community to pressure China to stem the tide of luxury goods flowing over the Korea-China border. Based on official statistics, there is still a growth in the trade in goods that the North Korean elite utilize to maintain its hold on power. China made an international commitment through the UNSC to cut off these luxury goods from the ruling elite and

should abide by the commitment. Furthermore, this policy recommendation is not outside China's sanctions parameters and thus there is a greater likelihood of China being willing to modify its behavior.

Secondly, this research suggests the US encourage China to further restrict the DPRK's avenues for trading missile materials. It is likely that China would heed this request and proactively disallow the transfer of weapons materials through its airspace. It is China's responsibility to inhibit the flow of missile technology and materials to and from the DPRK. Along the same lines, it is the responsibility of the US to remind China of its non-proliferation duties. This policy recommendation is arguably within China's scope and thus there is a higher possibility of China abiding by this recommendation.

Lastly, the Obama administration has not done enough to apply continuous, consistent pressure on the DPRK and China. A firm, determined and resolute United States is important when it comes to pressuring China and reining in the DPRK's proliferation activities. The sanctions are more likely to succeed if the US' rhetoric and posture do not change until UNSC objectives are realized. This completes the "carrot and stick" approach, whereby the stick remains a threat until the behavior changes. Thus, this study recommends that the United States not relax its rhetoric regarding sanctions until firm objectives are met. Otherwise, this signifies to the international community, China, and the DPRK that there is inconsistency between the US' policies and practice. In addition to contributing to a more effective sanctions regime, this stance by the US will prove to China that it has a strong and determined partner in the United States, further increasing the likelihood that it will respond positively to encouragement to hold more closely to the resolutions. The recommendations above are pragmatic steps that do not

violate China's sanctions parameters or overtax US capabilities. By firming up these aspects of the sanctions regime, they will likely be more effective in achieving UNSC goals and signaling a united stance against North Korea's nuclear weapons program.

6.2 Burma

In terms of completing the objective of liberalization in Burma, sanctions do not appear to be the best method given exogenous factors. The first part of this study explored previous case studies in which China supported sanctions. In the Burma case, not a single precondition from China's sanctions parameters is met. Furthermore, the sanction elements of US sanctions are far outside China's sanctions scope. This spells little chance for China supporting sanctions against Burma. So, while the United States and Western countries have joined to sanction the Burmese regime, they lack a major player that could make the regime truly effective- China.

This study argues that without China's participation in the sanctions regime in Burma the sanctions are doomed to fail and will continue to hinder the possibility of democratic progress. Indeed, "sanctions, which have overwhelmingly affected ordinary people and have made no difference to the ruling generals, need to come to an end."²⁰² Already, the EU has relaxed its stance on sanctions, which makes the United States' sanctions regime even more untenable as it loses the multilateral nature of the current sanctions regime. For too long US policy makers relied solely on the sanctions regime to bring down the Burmese junta, ignoring the importance of engagement and the damage that sanctions can do to the growth of a middle class. In this respect, the policy proposals

²⁰² The Diplomat, "Time to Drop Burma Sanctions."

recommended in this study call for the US to refine the sanctions regime to allow for more middle class growth while still applying pressure on the junta.

The two major arguments in favor of sanctions, namely, that opposition leader Aung San Suu Kyi has requested the continued use of sanctions until Burma's human rights improve, and that there is moral strength in the sanctions, are not sufficient given the high cost to Burma's middle class. Aung San Suu Kyi herself stated that, "We need investments in technology and infrastructure. We need to counter, and eventually eradicate, widespread poverty by offering opportunities that will allow the entrepreneurial spirit of our people to be again fully harnessed..."²⁰³ By dropping US sanctions against the middle class the US could give Burma this needed investment and enhanced opportunities for those outside of the ruling class. Given these findings it is recommended that the US consider amending the sanctions regime to allow for the growth of a stronger trading class. Already China has invested heavily in industries that focus on the extraction of raw natural resources. So far, the extent of these contracts has benefited the ruling elite, as they are the largest shareholders of the corporations that profit from these investment projects. However, using the textile industry as an example prior to US sanctions, there is room for industries to grow and prosper outside of the ruling party. In this way, the US should modify its sanctions regime to allow for more foreign investment in target industries that can be grown outside the complete control of the military junta. Some industries should still be sanctioned and certain exports, rubies for example, still restricted. Furthermore, certain aspects like travel bans and asset freezes on individuals in the ruling junta should not be removed. Indeed, "financial sanctions

²⁰³ Tim Johnston, "Suu Kyi warned over sanctions support," *Financial Times* (Bangkok, February 14, 2011), sec. Asia-Pacific, <http://www.ft.com/intl/cms/s/0/f63699d8-3823-11e0-8257-00144feabdc0.html#axzz1Se6dmROI>.

against regime members were more effective than blanket trade bans.”²⁰⁴ While these may not target the economy of Burma, it satisfies those politicians that argue that the US would be losing moral ground by removing sanctions and restricts the profit of the ruling members of the junta.

In contrast to the United States, China’s hold in Burma has become increasingly tight. China does not care about Burma’s human rights abuses when put in the context of regional security and access to international resources. As such, US sanctions are a weak message fueled by political heavy-handedness. It is suggested that the US reexamine its sanctions regime to allow for more growth of a middle class, while still showing its disapproval of the ruling junta through smarter, better targeted sanctions.

6.3 Final Remarks

This study does not seek to answer all the questions raised about China and sanctions. Indeed, there are a host of available avenues that require more research. While this study has provided a general outline of China’s actions in regards to sanctions, a more quantitative approach would be useful. For example, it would be enlightening to explore how close the economies of a target state and China’s are before and after the sanctions regime, as this would hint at other factors guiding China’s sanctions decisions. Also, the degree of Chinese commitment to the sanctions that they have supported in the past would be helpful in further defining China’s sanctions parameters. Furthermore, such research would be useful in determining the degree to which China has abided by sanctions over time. Another important avenue of possible research could look

²⁰⁴ Simon Montlake, “Why Aung San Suu Kyi wants to keep sanctions on Burma,” *Christian Science Monitor* (Bangkok, February 22, 2011), sec. World, [http://www.csmonitor.com/World/Asia-Pacific/2011/0222/Why-Aung-San-Suu-Kyi-wants-to-keep-sanctions-on-Burma/\(page\)/2](http://www.csmonitor.com/World/Asia-Pacific/2011/0222/Why-Aung-San-Suu-Kyi-wants-to-keep-sanctions-on-Burma/(page)/2).

specifically at cases of internal conflict to determine what factors seem to play into China's evaluation of whether or not a conflict qualifies as a threat to international or regional peace and security; this would be helpful in identifying which internal situations would be likely to fulfill the first precondition of China's sanctions parameters identified in this study. From a policy perspective, more research identifying particular industries in Burma that could grow outside complete government control would be helpful in making more specific and detailed policy suggestions. Such research could also provide valuable guidance to US companies hoping to reenter the Burmese market once sanctions are rescinded.

Sanctions are an oft-used tool in modern diplomacy, yet too often they are applied in haste and for political expediency. The findings and policy implications from this study will shed light on the possibility of inviting China into future sanctions regimes using the sanctions parameters identified in this study as a guideline. Additionally, the policy implications from this research will hopefully be useful to the US and China in modifying their respective policies in order to achieve the mutual goals of a denuclearized North Korea and liberalized Burma.

Appendix 1: China's Voting Trends on Sanctions Resolutions Case by Case: 1997-2011*

Somalia and Eritrea	For	Abstain
S/RES/1916 (2010)	X	
S/RES/1907 (2009)		X
S/RES/1853 (2008)	X	
S/RES/1851 (2008)	X	
S/RES/1846 (2008)	X	
S/RES/1844 (2008)	X	
S/RES/1811 (2008)	X	
S/RES/1772 (2007)	X	
S/RES/1766 (2007)	X	
S/RES/1744 (2007)	X	

Afghanistan	For	Abstain
S/RES/1904 (2009)	X	
S/RES/1822 (2008)	X	
S/RES/1735 (2006)	X	
S/RES/1732 (2006)	X	
S/RES/1730 (2006)	X	
S/RES/1699 (2006)	X	
S/RES/1617 (2005)	X	
S/RES/1526 (2004)	X	
S/RES/1456 (2003)	X	
S/RES/1455 (2003)	X	
S/RES/1452 (2002)	X	
S/RES/1390 (2002)	X	
S/RES/1388 (2002)	X	
S/RES/1363 (2001)	X	
S/RES/1333 (2000)		X
S/RES/1267 (1999)	X	

Liberia	For	Abstain
S/RES/1961 (2010)	X	
S/RES/1903 (2009)	X	
S/RES/1854 (2008)	X	
S/RES/1819 (2008)	X	
S/RES/1792 (2007)	X	
S/RES/1760 (2007)	X	
S/RES/1753 (2007)	X	
S/RES/1731 (2006)	X	
S/RES/1689 (2006)	X	
S/RES/1688 (2006)	X	
S/RES/1683 (2006)	X	
S/RES/1647 (2005)	X	
S/RES/1607 (2005)	X	
S/RES/1579 (2004)	X	
S/RES/1549 (2004)	X	
S/RES/1532 (2004)	X	
S/RES/1521 (2003)	X	
S/RES/1521 (2003)	X	
S/RES/1478 (2003)	X	
S/RES/1458 (2003)	X	
S/RES/1408 (2002)	X	
S/RES/1395 (2002)	X	
S/RES/1343 (2001)	X	

Democratic People's Republic of Korea	For	Abstain
S/RES/1928 (2010)	X	
S/RES/1874 (2009)	X	
S/RES/1718 (2006)	X	

*The scope of this chart includes all UNSC resolutions indicated by the UNSC Sanctions Committee as a basis used by the UNSC Sanctions Committee to investigate and enforce UN sanctions.²⁰⁵

²⁰⁵ These tables have been created by the author. The data were gathered from the United Nations Sanctions Committee homepage: United Nations, "United Nations Security Council Sanctions Committees", 2011, <http://www.un.org/sc/committees/>.

Iraq and Kuwait.	For	Abstain
S/RES/1546 (2004)	X	
S/RES/1518 (2003)	X	
S/RES/1483 (2003)	X	

Côte d'Ivoire	For	Abstain
S/RES/1946 (2010)	X	
S/RES/1893 (2009)	X	
S/RES/1842 (2008)	X	
S/RES/1782 (2007)	X	
S/RES/1761 (2007)	X	
S/RES/1727 (2006)	X	
S/RES/1643 (2005)	X	
S/RES/1632 (2005)	X	
S/RES/1584 (2005)	X	
S/RES/1572 (2004)	X	

The Sudan	For	Abstain
S/RES/1945 (2010)		X
S/RES/1891 (2009)	X	
S/RES/1841 (2008)	X	
S/RES/1779 (2007)	X	
S/RES/1713 (2006)	X	
S/RES/1679 (2006)	X	
S/RES/1672 (2006)		X
S/RES/1665 (2006)	X	
S/RES/1651 (2005)	X	
S/RES/1591 (2005)		X
S/RES/1556 (2004)		X

Iran	For	Abstain
S/RES/1929 (2010)	X	
S/RES/1803 (2008)	X	
S/RES/1747 (2007)	X	
S/RES/1737 (2006)	X	
S/RES/1696 (2006)	X	

The Democratic Republic of the Congo	For	Abstain
S/RES/1952 (2010)	X	
S/RES/1896 (2009)	X	
S/RES/1857 (2008)	X	
S/RES/1807 (2008)	X	
S/RES/1804 (2008)	X	
S/RES/1799 (2008)	X	
S/RES/1771 (2007)	X	
S/RES/1768 (2007)	X	
S/RES/1698 (2006)	X	
S/RES/1654 (2006)	X	
S/RES/1649 (2005)	X	
S/RES/1616 (2005)	X	
S/RES/1596 (2005)	X	
S/RES/1552 (2004)	X	
S/RES/1533 (2004)	X	
S/RES/1493 (2003)	X	

Lebanon	For	Abstain
S/RES/1748 (2007)	X	
S/RES/1686 (2006)	X	
S/RES/1644 (2005)	X	
S/RES/1636 (2005)	X	
S/RES/1595 (2005)	X	

Rwanda	For	Abstain
S/RES/1823 (2008)	X	
S/RES/1749 (2007)	X	
S/RES/1161 (1998)	X	

Libya	For	Abstain
S/RES/1970 (2011)	X	
S/RES/1973 (2011)		X

Eritrea and Ethiopia	For	Abstain
S/RES/1298 (2000)	X	

Sierra Leone	For	Abstain
S/RES/1940 (2010)	X	
S/RES/1793 (2007)	X	
S/RES/1446 (2002)	X	
S/RES/1385 (2001)	X	
S/RES/1306 (2000)	X	
S/RES/1171 (1998)	X	
S/RES/1156 (1998)	X	
S/RES/1132 (1997)	X	

Angola	For	Abstain
S/RES/1448 (2002)	X	
S/RES/1439 (2002)	X	
S/RES/1432 (2002)	X	
S/RES/1412 (2002)	X	
S/RES/1404 (2002)	X	
S/RES/1374 (2001)	X	
S/RES/1348 (2001)	X	
S/RES/1336 (2001)	X	
S/RES/1295 (2000)	X	
S/RES/1237 (1999)	X	
S/RES/1221 (1999)	X	
S/RES/1176 (1998)	X	
S/RES/1173 (1998)	X	
S/RES/1135 (1997)	X	
S/RES/1130 (1997)	X	
S/RES/1127 (1997)	X	

Yugoslavia	For	Abstain
S/RES/1367 (2001)	X	
S/RES/1244 (1999)		X
S/RES/1203 (1998)		X
S/RES/1199 (1998)		X
S/RES/1160 (1998)		X

BIBLIOGRAPHY

- Abdihakim. "Security Council should act prudently in imposing sanctions." *Alshahid News and Analysis*, December 24, 2009. <http://english.alshahid.net/archives/3302>.
- Alamgir, Jalal. "Myanmar's Foreign Trade and its Political Consequences." *Asian Survey* 48, no. 6 (November 2008): 977-996.
- Amnesty International. "Myanmar: Human rights by topic." *Amnesty International*, 2011. <http://www.amnesty.org/en/human-rights/human-rights-by-topic>.
- Ang, Adrian U-Jin, and Dursun Peksen. "When Do Economic Sanctions Work? Asymmetric Perceptions, Issue Salience, and Outcomes." *Political Research Quarterly* 60, no. 1 (March 2007): 135-145.
- Anonymous. *Myanmar (Burma): UPDATED Economic Policy Analysis*. The McKeever Institute of Economic Policy Analysis, November 11, 2008. <http://www.mkeever.com/myanmar.html>.
- Anonymous. "The Case For Sanctions." *The Burma Campaign UK*, 2011. http://www.burmacampaign.org.uk/case_for_sanctions.html.
- Anonymous. "Rape of Burma by generals." *The Korea Herald*, May 8, 2008. http://www.lexisnexis.com.ezproxy.lib.nccu.edu.tw:8090/us/lnacademic/frame.do?reloadEntirePage=true&rand=1272374673406&returnToKey=20_T9199507121&parent=docview&target=results_listview_resultsNav&tokenKey=rsh-20.879056.9389768417.
- BBC. "UN imposes sanctions on Eritrea." *BBC*, December 23, 2009, sec. Africa. <http://news.bbc.co.uk/2/hi/8428881.stm>.
- Beck, Peter M. "North Korea in 2010: Provocations and Succession." *Asian Survey* 51, no. 1 (February 2011): 33-40.
- Bone, James. "UN imposes sanctions on Eritrea over support for rebels in Somalia." *Times Online*. New York, December 23, 2009. <http://www.timesonline.co.uk/tol/news/world/africa/article6966873.ece>.
- Borger, Julian, Ian MacKinnon, and Ian Black. "As Burmese troops open fire at monks, China and Russia block global sanctions." *The Guardian*. New York and Bangkok, September 27, 2007, sec. World News. <http://www.guardian.co.uk/world/2007/sep/27/burma.unitednations>.
- Bosco, David. "Tracking North Korea sanctions." *Foreign Policy*, November 2, 2010. http://bosco.foreignpolicy.com/posts/2010/11/02/tracking_north_korea_sanctions.

Chang, Gordon G. "Beijing Is Violating North Korean Sanctions." *Wall Street Journal*, October 15, 2009, sec. Opinion Asia.
<http://online.wsj.com/article/SB10001424052748704107204574474424116638040.html>.

Central Intelligence Agency. "North Korea." *The World Factbook*, March 16, 2011.
<https://www.cia.gov/library/publications/the-world-factbook/geos/kn.html>.

Cha, Victor. "America must show resolve over North Korea." *FT.com* (May 20, 2010).
<http://www.ft.com/cms/s/0/51cc0ef4-6444-11df-8618-00144feab49a.html#axzz1SFZznID6>

Charbonneau, Louis, and Xavier Briand. "China committed to enforcing North Korea sanctions: U.S." *Reuters*, July 30, 2009.
<http://www.reuters.com/article/2009/07/30/us-korea-north-un-idUSTRE56T5WV20090730>.

Chi-dong, Lee. "China committed to enforcing U.N. sanctions on North Korea: envoy." *Yonhap News Agency*, December 15, 2010, sec. Politics/Diplomacy.
<http://english.yonhapnews.co.kr/national/2009/12/15/11/0301000000AEN20091215004700315F.HTML>.

Choo, Jaewoo. "Mirroring North Korea's Growing Economic Dependence on China: Political Ramifications." *Asian Survey* 48, no. 2 (April 2008): 343-372.

Choo, Jae-Woo. "North Korea's Collapse and China's Strategic Options." *Korea Focus*, October 2008.
http://www.koreafocus.or.kr/design2/layout/content_print.asp?group_id=102201.

Crail, Peter. "UN Tightens North Korea Sanctions." *Arms Control Association*, July 2009.
<http://www.armscontrol.org/print/3730>.

Downs, Erica, and Suzanne Maloney. "Getting China to Sanction Iran: The Chinese-Iranian Oil Connection." *Foreign Affairs* 90, no. 2 (March 2011).
http://www.brookings.edu/articles/2011/03_china_iran_downs_maloney.aspx.

Ewing-Chow, Michael. "First Do No Harm: Myanmar Trade Sanctions and Human Rights." *Northwestern University Journal of International Human Rights* 5, no. 2 (Spring 2007): 153-180.

Ferguson, Jane. "Burmese sanctions likely to stay, despite ASEAN call." *East Asia Forum*, February 18, 2011. <http://www.eastasiaforum.org/2011/02/18/burmese-sanctions-likely-to-stay-despite-asean-call/>.

- Ghattas, Kim. "Hillary Clinton in Burma: Turning Point in Relations?" *BBC*, November 30, 2011, sec. Asia. <http://www.bbc.co.uk/news/world-asia-15968610>.
- Global Witness. "Cote d'Ivoire." *Global Witness*, 2010. <http://www.globalwitness.org/campaigns/conflict/conflict-diamonds/cote-divoire>.
- Hadar, Leon T. "U.S. Sanctions against Burma: A Failure on All Fronts." *CATO Institute* (March 26, 1998). http://www.cato.org/pub_display.php?pub_id=3656.
- Haggard, Stephen, and Marcus Noland. "Sanctioning North Korea: The Political Economy of Denuclearization and Proliferation." *Asian Survey* 50, no. 3 (May 2010): 539-568.
- Harden, Blaine. "China Trade Helps Shield N. Korea Cash Aids Military, May Offset Sanctions." *The Washington Post*, June 27, 2009, sec. Asia/Pacific. <http://www.washingtonpost.com/wp-dyn/content/article/2009/06/26/AR2009062604238.html>.
- Holliday, Ian. "Doing Business with Rights Violating Regimes Corporate Social Responsibility and Myanmar's Military Junta." *Journal of Business Ethics* 61, no. 4 (November 2005): 329-342.
- Holliday, Ian. "Rethinking the United States's Myanmar Policy." *Asian Survey* 45, no. 4 (August 2005): 603-621.
- Hosenball, Mark. "Why Did North Korea Sink the South Korean Ship?" *Newsweek*, May 21, 2010. <http://www.newsweek.com/blogs/declassified/2010/05/21/why-did-north-korea-sink-the-south-korean-ship-.html>.
- Hufbauer, Gary Clyde, and Jeffrey J. Schott. "Economic Sanctions and U. S. Foreign Policy." *American Political Science Association* 18, no. 4 (Autumn 1985): 727-735.
- International Crisis Group. *Balkans Briefing: Sanctions Against the Federal Republic of Yugoslavia (As of 10 October 2000)*. Washington/Brussels: International Crisis Group, October 10, 2000.
- International Crisis Group. *China's Myanmar Dilemma*. Asia Report. International Crisis Group, September 14, 2009. <http://www.crisisgroup.org/en/regions/asia/north-east-asia/china/177-chinas-myanmar-dilemma.aspx>.
- Jagan, Larry. "China Supports Burma, But Urges Change." *The Irrawaddy*. Bangkok, August 27, 2003, sec. Burma. http://www.irrawaddy.cc/article.php?art_id=53.

- Johnston, Tim. "Suu Kyi warned over sanctions support." *Financial Times*. Bangkok, February 14, 2011, sec. Asia-Pacific. <http://www.ft.com/intl/cms/s/0/f63699d8-3823-11e0-8257-00144feabdc0.html#axzz1Se6dmROI>.
- Kim, Jack, and Lee Jae-won. "North Korea shells South in fiercest attack in decades." *Reuters*, November 23, 2010. <http://www.reuters.com/article/2010/11/23/us-korea-north-artillery-idUSTRE6AM0YS20101123>.
- Klinger, Bruce. "Sanctions: An Important Component of U.S. North Korea Policy." 38 *North: Informed Analysis of North Korea*, May 2, 2010. <http://38north.org/2010/05/sanctions-an-important-component-of-u-s-north-korea-policy/>.
- Kyaw, Aye Thidar. "Trade volume to jump 12 percent." *The Myanmar Times*, April 3, 2011. <http://www.mmtimes.com/2011/business/568/biz56803.html>.
- Lind, Jennifer M. *Democratization and Stability in East Asia*. University of California Irvine: Department of Political Science, UC Irvine, February 2009.
- Mansfield, Edward D., and Jack Snyder. "Democratization and War." *Foreign Affairs* 74, no. 3 (May 1995): 79-86.
- Marciel, Scot. *Burma: Policy Review*. Bangkok, Thailand: U.S. Department of State, 2009. <http://www.state.gov/p/eap/rls/rm/2009/11/131536.htm>.
- Moe, Wai. "US Sanctions Taking Toll on Burmese Gems Industry." *The Irrawaddy*, February 19, 2009. http://www.irrawaddy.org/article.php?art_id=15150.
- Mohammed, Arshad. "U.S. keeps Myanmar sanctions, plans more talks." *Reuters*, September 23, 2009, sec. Americas. <http://www.alertnet.org/thenews/newsdesk/N23424614.htm>.
- Montlake, Simon. "Why Aung San Suu Kyi wants to keep sanctions on Burma." *Christian Science Monitor*. Bangkok, February 22, 2011, sec. World. [http://www.csmonitor.com/World/Asia-Pacific/2011/0222/Why-Aung-San-Suu-Kyi-wants-to-keep-sanctions-on-Burma/\(page\)/2](http://www.csmonitor.com/World/Asia-Pacific/2011/0222/Why-Aung-San-Suu-Kyi-wants-to-keep-sanctions-on-Burma/(page)/2).
- Nikitin, Mary Beth, Emma Chanlett-Avery, Mark Manyin, Nanto K. Dick, Dianne Rennack, and MiAe Taylor. *Implementation of U.N. Security Council Resolution 1874*. Memorandum. Congressional Research Service, October 8, 2010. <http://lugar.senate.gov/issues/foreign/reports/NKoreaCRSReport.pdf>.
- Noland, Marcus. "How to Make Sanctions on North Korea Stick." *Newsweek*, February 14, 2009. <http://www.newsweek.com/2009/02/13/take-away-their-mercedes.html>.

- Office of the High Commissioner for Human Rights. *Democracy and Human Rights*. New York: United Nations, 2008.
http://www.unis.unvienna.org/pdf/Democracy_Human_Rights_2008.pdf.
- Oh, Kongdan, and Ralph Hassig. "North Korea in 2009: The Song Remains the Same." *Asian Survey* 50, no. 1 (Jan): 89-96.
- Peksen, Dursun. "Better or Worse? The Effect of Economic Sanctions on Human Rights." *Journal of Peace Research* 46, no. 1 (2009): 59-77.
- Peterson Institute for International Economics. "Case Studies in Sanctions and Terrorism: Burma (Myanmar)." *Peterson Institute for International Economics*, 2011.
<http://www.iie.com/research/topics/sanctions/myanmar2.cfm#goals>.
- Rennack, Dianne E. *North Korea: Economic Sanctions*. CRS Report for Congress. Congressional Research Service, October 17, 2006.
<http://www.fas.org/sgp/crs/row/R41438.pdf>.
- Rennack, Dianne E. *North Korea: Legislative Basis for U.S. Economic Sanctions*. Congressional Research Service, September 29, 2010.
<http://digital.library.unt.edu/ark:/67531/metadc29611/>.
- Sachs, Jeffrey. "Myanmar: Sanctions Won't Work." *YaleGlobal Online*, June 27, 2004.
<http://yaleglobal.yale.edu/content/myanmar-sanctions-wont-work>.
- Seekins, Donald M. "Burma and U.S. Sanctions: Punishing an Authoritarian Regime." *Asian Survey* 45, no. 3 (June 2005): 437-452.
- Seekins, Donald M. "Myanmar in 2009: A New Political Era?" *Asian Survey* 50, no. 1 (Jan): 195-202.
- Snyder, Scott. "UN Sanctions and their Impact on North Korea." *In Asia*, October 27, 2010. <http://asiafoundation.org/in-asia/2010/10/27/un-sanctions-and-their-impact-on-north-korea/>.
- Steinberg, David I. *Burma: The State of Myanmar*. Washington D.C.: Georgetown University Press, 2001.
- Tea, Billy. *China and Myanmar: Strategic Interests, Strategies and the Road Ahead*. New Delhi, India: Institute of Peace and Conflict Studies, September 2010.
- Than, Mya, and Myat Thein. "Transitional Economy of Myanmar: Present Status, Developmental Divide, and Future Prospects." *ASEAN Economic Bulletin* 24, no. 1 (April 2007): 98-108.

- The Diplomat. "Time to Drop Burma Sanctions." *The Diplomat*, March 3, 2011.
<http://the-diplomat.com/2011/03/03/%E2%80%98time-to-drop-burma-sanctions%E2%80%99/>.
- The Guardian. "US embassy cables: China losing patience with Burma", December 9, 2010. <http://www.guardian.co.uk/world/us-embassy-cables-documents/137835>.
- Turnell, Sean. "Burma's Insatiable State." *Asian Survey* 48, no. 6 (December 2008): 958-976.
- United Nations. "United Nations Security Council Sanctions Committees", 2011.
<http://www.un.org/sc/committees/>.
- United Nations Department of Public Information, "Security Council Demands End to Violence In Cote D'Ivoire, Imposing Sanctions Against Former President And Urging Him to 'Step Aside' in Resolution 1975," March 30, 2011,
<http://www.un.org/News/Press/docs/2011/sc10215.doc.htm>
- United Nations Development Program (UNDP). *Human Development Report 2004*, 2004.
http://hdr.undp.org/en/media/hdr04_complete.pdf.
- United Nations Sanctions Secretariat, Department of Political Affairs. *Smart Sanctions, The Next Step: Arms Embargoes and Travel Sanctions*. Second Expert Seminar. Berlin: United Nations Sanctions Secretariat, Department of Political Affairs, December 3, 2000.
<http://www.un.org/Docs/sc/committees/sanctions/overview.pdf>.
- United Nations Security Council. *3868th Meeting*. S/PV.3868. March 31, 1998. New York: United Nations.
- United Nations Security Council. *3870th Meeting*. S/PV.3870. April 9, 1998. New York: United Nations.
- United Nations Security Council. *3989th Meeting*. S/PV.3989. March 26, 1999. New York: United Nations.
- United Nations Security Council. *4011th Meeting*. S/PV.4011 June 10, 1999. New York: United Nations.
- United Nations Security Council. *4051st Meeting*. S/PV.4051. October 15, 1999. New York: United Nations.
- United Nations Security Council. *4129th Meeting*. S/PV.4129. April 18, 2000. New York: United Nations.

United Nations Security Council. *4251st Meeting*. S/PV.4251. December 19, 2000. New York: United Nations.

United Nations Security Council. *4394th Meeting*. S/PV.4394. October 25, 2001. New York: United Nations.

United Nations Security Council. *4405th Meeting*. S/PV.4405. November 5, 2001. New York: United Nations.

United Nations Security Council. *4472nd Meeting*. S/PV.4472. February 13, 2002. New York: United Nations.

United Nations Security Council. *5015th Meeting*. S/PV.5015. July 30, 2004. New York: United Nations.

United Nations Security Council. *5040th Meeting*. S/PV.5040. September 18, 2004. New York: United Nations.

United Nations Security Council. *5078th Meeting*. S/PV.5078. November 15, 2004. New York: United Nations.

United Nations Security Council. *5153rd Meeting*. S/PV.5153. March 29, 2005. New York: United Nations.

United Nations Security Council. *5423rd Meeting*. S/PV.5423. April 25, 2006. New York: United Nations.

United Nations Security Council. *5500th Meeting*. S/PV.5500. July 31, 2006. New York: United Nations.

United Nations Security Council. *5551st Meeting*. S/PV.5551. October 14, 2006. New York: United Nations.

United Nations Security Council. *5551st Meeting*. SC/8853. October 14, 2006. New York: United Nations.

United Nations Security Council. *5612th Meeting*. S/PV.5612. December 23, 2006. New York: United Nations.

United Nations Security Council. *5616th Meeting*. S/PV.5616. January 9, 2007. New York: United Nations.

United Nations Security Council. *5647th Meeting*. S/PV.5647. March 24, 2007. New York: United Nations.

United Nations Security Council. *5753rd Meeting*. S/PV.5753. October 5, 2007. New York: United Nations.

United Nations Security Council. *5777th Meeting*. S/PV.5777. November 13, 2007. New York: United Nations.

United Nations Security Council. *6141st Meeting*. S/PV.6141. June 12, 2009. New York: United Nations.

United Nations Security Council. *6141st Meeting*. SC/9679. June 12, 2009. New York: United Nations.

United Nations Security Council. *6254th Meeting*. S/PV.6254. December 23, 2009. New York: United Nations.

United Nations Security Council. *6335th Meeting*. S/PV.6335. June 9, 2010. New York: United Nations.

United Nations Security Council. *6491st Meeting*. S/PV.6491. February 26, 2011. New York: United Nations.

United Nations Security Council. *6498th Meeting*. S/PV.6498. March 17, 2011. New York: United Nations.

United Nations Security Council. *Resolution 1160 (1998)*. S/RES/1160 (1998). March 31, 1998. New York: United Nations.

United Nations Security Council. *Resolution 1161 (1998)*. S/RES/1161 (1998). April 9, 1998. New York: United Nations.

United Nations Security Council. *Resolution 1289 (2000)*. S/RES/1298 (2000). May 17, 2000. New York: United Nations.

United Nations Security Council. *Resolution 1493 (2003)*. S/RES/1493 (2003). July 28, 2003. New York: United Nations.

United Nations Security Council. *Resolution 1572 (2004)*. S/RES/1572 (2004). November 15, 2004. New York: United Nations.

United Nations Security Council. *Resolution 1636 (2005)*. S/RES/1636 (2005). October 31, 2005. New York: United Nations.

United Nations Security Council. *Resolution 1689 (2006)*. S/RES/1689 (2006) June 20, 2006. New York: United Nations.

- United Nations Security Council. *Resolution 1718 (2006)*. S/RES/1718 (2006). October 14, 2006. New York: United Nations.
- United Nations Security Council. *Resolution 1874 (2009)*. S/RES/1874 (2009). June 12, 2009. New York: United Nations.
- United Nations Security Council. *Resolution 1970 (2011)*. S/RES/1970 (2011). February 26, 2011. New York: United Nations.
- United Nations Security Council. *Security Council Committee established pursuant to resolution 1718 (2006)*. S/AC.49/2006/21. January 30, 2008. New York: United Nations.
- United Nations Web Services Section. “Security Council Committee established pursuant to resolution 1572 (2004) concerning Côte d’Ivoire”, 2011.
<http://www.un.org/sc/committees/1572/>.
- US House of Representatives. *Development in Burma: Hearing for House of Representatives, Subcommittee on Asia and The Pacific, and Subcommittee on International Terrorism, Nonproliferation and Human Rights, Committee on International Relations*. Washington D.C.: U.S. Government Printing Office, 2004. <http://www.foreignaffairs.house.gov/archives/108/92745.pdf>.
- U.S. Department of the Treasury. “What You Need to Know About U.S. Sanctions Against Burma”. U.S. Department of the Treasury, December 5, 2008.
<http://www.ustreas.gov/offices/enforcement/ofac/programs/burma/burma.pdf>.
- Voice of America. “US Reinforces Tough Sanctions on North Korea.” *GlobalSecurity.Org*, April 19, 2011.
<http://www.globalsecurity.org/wmd/library/news/dprk/2011/dprk-110419-voa01.htm>
- Washington Times. “China fails to stop illegal North Korean arms shipments.” *Washington Times*, December 17, 2009, sec. World.
http://www.washingtontimes.com/news/2009/dec/17/illegal-n-korean-arms-fly-in-chinese-airpace/?page=1&feat=home_headlines.