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US, China Head for Showdown Over N. Korea Sanctions

by Thalif Deen

UNITED NATIONS - The United States and China, two veto-wielding permanent members of the U.N. Security Council, may be heading for a political showdown over the implementation of a resolution aimed at imposing tough economic and military sanctions on North Korea.

The wide-ranging sanctions -- whose enforcement is mandatory on the part of the 192 member states -- have been imposed to punish Pyongyang for its nuclear test last week.

Although the resolution, adopted Saturday, authorizes all member states to inspect cargo going in and out of North Korea, primarily to detect the transfer of weapons of mass destruction, China has expressed reservations about implementing it.



A Chinese paramilitary border guard patrols a bridge leading to North Korea on 13 October 2006. The United States and China may be heading for a political showdown over the implementation of a resolution aimed at imposing tough economic and military sanctions on North Korea. (AFP/Peter Parks)

One of North Korea's longstanding political, economic and military allies in the region, China accounts for nearly 40 percent of all Pyongyang's imports and exports.

Chinese Ambassador Wang Guangya told reporters the proposed inspections -- aimed at preventing illicit trafficking in nuclear, biological and chemical weapons -- could create "conflict that could have serious implications for the region".

Just after the resolution was adopted, the Chinese envoy told delegates that "sanctions were not the end in themselves."

He said China did not approve of the practice of inspecting cargo to and from North Korea, and he had reservations about related provisions of the resolution.

But U.S. Secretary of State Condoleezza Rice insisted Sunday that China has an obligation to implement the resolution which it had supported.

She pointed out that China is part of "a Security Council resolution that demands very clear cooperation of member states to make certain that dangerous goods are not getting in and out of North Korea."

The resolution, the brainchild of the United States, had the unanimous support of all 15 members of the Security Council.

Phyllis Bennis, senior fellow at the Institute for Policy Studies and the author of several books on the United Nations, said the compromises in the resolution have already weakened implementation.

"The resolution calls on member states to prevent 'illicit trafficking in nuclear, chemical or biological weapons,' but only mentions inspecting cargo (implying the forcible inspection of North Korean ships) as one example of what should be done," Bennis told IPS.

But there is nothing that specifically requires any country to participate in such actions -- particularly because the resolution specifies that countries' actions should be consistent with international law and "in accordance with their national authorities and legislation".

So China is not obligated to take any specific action in that regard, said Bennis, author of [*Challenging Empire: How People, Governments and the U.N. Defy U.S. Power.*](#)

Asked if this was the first time a permanent member has openly expressed reservations on a resolution it has supported, Bennis said: "It is certainly not the first time that a divided Security Council has passed a resolution under U.S. or other pressure with some or even most Council members having no intention of insuring implementation."

She said that the recent resolution against Sudan -- primarily over charges of war crimes in Darfur -- is another example.

Although the Security Council created a new peacekeeping force for Dafur, the Sudanese government has said it will not permit the new force to enter its territory. And the United Nations says it cannot enter Sudan without the express permission of its government.

On Saturday, the United States succeeded in pushing through the resolution calling for punitive action against North Korea for its claimed nuclear test last week.

Still, Washington failed in its attempt to keep its options open to invoke Chapter VII of the U.N. charter to justify a possible future military attack on Pyongyang -- as it did in Iraq more than three years ago.

Chapter VII deals with "action with respect to threats to the peace, breaches of the peace, and acts of aggression".

Under the resolution, the Security Council Saturday specifically singled out article 41 in Chapter VII which says that "the Security Council may decide what measures NOT involving the use of armed force" should be employed to give effect to its decision.

The United States was forced to compromise on Chapter VII because of strong opposition -- both from Russia and China -- over the possible invocation of that chapter for a future military attack on Pyongyang.

When the U.S.-led coalition invaded Iraq more than three years ago, the administration of President George W. Bush legally justified it on the ground that the resolution adopted by the Security Council called for military action under Chapter VII of the U.N. charter.

Despite the fact that the resolution did not specifically call for military action against Iraq, Washington interpreted the existing resolution to justify its action. The crucial element in the resolution was the invocation of Chapter VII.

But that interpretation brought a strong negative response from Secretary-General Kofi Annan himself, who unequivocally ruled that the Iraq war was "illegal" because it did not have clear and unambiguous Security Council authorisation.

The argument was that there should have been a second resolution calling for military action: a resolution which the Bush administration knew would have been vetoed by either China or Russia, or both.

Meanwhile, Saturday's resolution demanded that North Korea not conduct any further nuclear test or launch of a ballistic missile.

The Council also demanded that Pyongyang immediately retract its announced withdrawal from the Treaty on the Non-Proliferation of Nuclear Weapons (NPT), return to that pact, and accept safeguards through the International Atomic Energy Agency (IAEA).

According to the binding resolution, North Korea should suspend all activities related to its ballistic missile programme and in this context reestablish its pre-existing commitments to a moratorium on missile launching.

Pyongyang should also abandon all nuclear weapons and existing nuclear programs in a complete, verifiable and irreversible manner.

According to the resolution, member states shall also prevent the import from or export to North Korea of any battle tanks, armored combat vehicles, large caliber artillery systems,

combat aircraft, attack helicopters, warships, missiles or missile systems as well as related materiel, including spare parts and other items determined by a new sanctions committee.

Other items to be set out in separate lists were also banned, including those which could contribute to North Korea's nuclear-related, ballistic missile-related or other weapons of mass destruction-related programmes.

Also prohibited from export to the DPRK are luxury goods. Additionally, the resolution banned the import from or export to the country of technical training, advice, services or assistance related to the provision, manufacture, maintenance or use of the banned military items.

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