



📞 202.464.1982 📍 1800 K Street NW

THE PENINSULA

The Obama Administration and North Korea in 2009 Part 2: Negotiating Multilateral Sanctions

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Author: [Stephan Haggard](#)

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With Joe Biden headed to the White House, North Korea watchers are speculating how the incoming administration will deal with this long-standing foreign policy irritant. One place to look for cues is to review the spate of Obama-era memoirs on his administration's first year with North Korea. [In a previous post](#), I detailed the early Clinton gambit on denuclearization and its swift rejection by the North Koreans in their satellite launch of April.

This is the second in a three part series

Timed to coincide with Barack Obama's Prague speech, North Korea's April 5 satellite launch had a sharp effect on the administration. Obama revised his Prague speech to include mention of the test and the need for a tough multilateral response. Today, I look at the effort to forge that response, some particularly interesting diplomatic gossip from

Susan Rice's 2019 *Tough Love: My Story of the Things Worth Fighting For* and the sideshow of the capture of Euna Lee and Laura Ling that ultimately took former President Bill Clinton to Pyongyang.

Getting to UNSC 1874

After the nuclear test, Clinton describes an intense diplomacy to get support for UN Security Council action. Reflecting the long-standing constraints on that process, Beijing was a particular focus. She reports that foreign minister Yang Jiechi shared her concern about a regional arms race and offered "an appropriate and measured" response. As Clinton notes, "I hoped that wasn't code for 'toothless.'" With U.S.-China relations now in a downward spiral and the sanctions regime leaking like a sieve, Biden faces an even larger challenge.

According to Rice, Russia was as much of a problem in New York as China, and she provides some color on how these negotiations work in an account that runs to half a dozen pages. China and Russia opposed sanctions on tactical grounds: that they would drive Pyongyang away from the Six Party Talks, despite the fact that they had effectively collapsed in late 2008, in part as a result of Kim Jong Il's incapacitation. Moscow and Beijing also hid behind the legalism that the test did not violate sanctions against the use of ballistic missile technologies because the test was of a "space launch vehicle," carrying a satellite and thus not an ICBM per se.

The compromise following the launch was for the UNSC to adopt a Presidential Statement rather than a resolution. The statement designated a handful of individuals and entities and affirmed the U.S. position that any use of ballistic missile technology was in fact a violation of the 2006 prohibition contained in UNSC 1718.

Although arguably a muted signal, the North Koreans responded to the Presidential Statement with the second nuclear test. Rice admits that she saw the subsequent negotiations as a challenge both for the administration and for her personally: how to get

significant sanctions out of Russia and China while “keeping our European and Asian allies on board, even as they chafed at largely being kept in the dark.” She continues: “I could feel them wondering—*Is this new Obama team up the job? Would Americans sell us short? Can we trust them?*” (italics in the original).

Although she describes Russian Ambassador Vitaly Churkin—in place since 2006—as “rational” about sanctions, their exchanges were not without heat. Churkin bristled at Rice bringing her son to UNSC meetings. This exchange is priceless, and a reminder that diplomacy is far from a bloodless sport:

“He repeatedly threatened to halt the meetings and insisted on Jake’s expulsion. We nearly came to blows one day after such a session, in Jake’s presence. Vitaly yelled at me, ‘Do you allow your son to watch pornography?’ ‘Of course not,’ I said. ‘Then why do you let him watch Security Council debates?’”

Given North Korea’s dependence on China, however, everyone knew that Zhang Yesui was the key player, and Rice credits him as a “measured, thoughtful man whom I found straightforward and true to his word.” She describes a complex negotiation, with rounds of bilateral meetings with the P5, Japan and Korea, as well as all six of the delegations. Nonetheless, the talks often came down to Rice and Zhang negotiating alone, even without notetakers. Rice describes how she would make proposals, Zhang would come back with incremental improvements in the Chinese offer after consultation with Beijing, and the dance would begin again. Rice is also revealing about her two trump cards, both risky: to “erupt in frustration” at the ambassador and threaten to take a U.S. draft resolution directly to the UNSC and dare a Chinese veto; or to involve the President by getting Obama to call Hu Jintao directly on the issue.

She describes one of the last multilateral meetings at a conference room at the temporary U.S. Mission, with the Chinese “hiding behind the Russians” and the others doing little to move things forward. To shake up the discussion, Rice “stood up suddenly, interrupting the conversation. I moved to my right and dramatically ripped a photograph off the wall.” It was of John Bolton, former U.S. ambassador to the UN and hardly a favorite of the assembled crowd. “We can either do this the nice way or the hard way. It’s up to you, but

Whether true or apocryphal, it again reminds us that diplomacy is a mix of emotion and bluff as well as ratiocination. Nonetheless, Clinton and Rice managed to get Resolution 1874 through the Security Council in mid-June. Jeff Bader admits in his memoir that there was little expectation that the sanctions would change North Korea's chosen course of action, and particularly given the preoccupation with the succession. Nonetheless, he argues the measures were important both for their economic effects—for example on the export of dual-use technologies and for constraints on financial transactions—and for the nature of the political signal they sent from China. A similar challenge awaits the Biden administration: will it be able to revive the cooperation with China that finally went after commercial trade over the course of 2018-9?

Euna Lee and Laura Ling

A brief word should be said about the sideshow of the two American journalists—Euna Lee and Laura Ling—who were seized in the middle of these events by North Korean soldiers. Lee and Ling claimed that they were taken on Chinese territory, but after they had partly crossed the Tumen and perhaps crossed into North Korea.

Sentenced to 12 years of hard labor, Clinton describes in her memoir the need for an embarrassing kowtow to Kim Jong Il in order to secure their release. She considered Gore, Carter and Albright for the job, but claims that the North Koreans wanted Bill Clinton. Clinton admits that there was opposition to President Clinton going, and not just on personal grounds but because of the signal it would send. In his memoir, Gates is unambiguous about the costs of “giving the North a chance to humiliate a former president or allowing Pyongyang to dictate terms to one.”

In the end, though, Clinton concluded that “our efforts on everything else with North Korea would be suspended because of their imprisonment.” Obama himself ultimately signed off on the mission, on which Bill Clinton met personally with Kim Jong Il. According to Hillary Clinton, the former president reached the conclusion on the trip that Kim Jong Il wanted to send a message to Obama and that “the insular regime would respond positively, at least on certain points, if we could find the right mix of incentives.”

Bader, by contrast, offers this acid assessment of the Lee-Ling episode:

"We all felt a sense of relief that the journalists, who had been mistreated, were safe and sound. We also felt considerable irritation at American innocents abroad who stumble into such situations as if they were in downtown LA and then expect to be saved, without regard to the damage they do to U.S. national security interests. The possibility of repeat performances by other gullible or misguided Americans, putting us in a similar box, worried us, and rightly so, although subsequent incidents did not involve as 'valuable' a prize as Ling and Lee were."

In the next installment: from the effort to restart the Six Party Talks to the sinking of the Cheonan.

Stephan Haggard is a Non-Resident Fellow at the Korea Economic Institute and the Lawrence and Sallye Krause Professor of Korea-Pacific Studies, Director of the Korea-Pacific Program and distinguished professor of political science at the School of Global Policy and Strategy University of California San Diego.

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Return to the Peninsula