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European Languages	زبانهای اروپائی

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15.07.2019

How Real is the Trump Administration's New Flexibility with North Korea?

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Although widely derided by the Washington Establishment as an empty photo opportunity, the recent meeting between President Trump and Chairman Kim Jong Un at Panmunjom produced an agreement to resume working-level talks in the near future. According to the North Korean news agency KCNA, the two leaders discussed stumbling blocks in improving relations and easing tensions, and agreed to work towards a

“breakthrough in the denuclearization of the Korean Peninsula and in the bilateral relations.”

The resumption of working-level talks comes as welcome relief after months of stalled progress since Trump pulled the plug on the Hanoi Summit due to North Korea’s failure to accede to the demand that it unilaterally disarm. At Hanoi, U.S. negotiators presented a plan that called for North Korea to denuclearize, while promising nothing in exchange. Nothing, that is, other than punishment in the form of “maximum pressure” sanctions. All that was on offer to the Democratic People’s Republic of Korea (DPRK, the official name for North Korea) was the vague mention of unspecified economic benefits after it had fully denuclearized.

In addition to denuclearization, the U.S. side widened the scope of talks at Hanoi by delivering a document to the North Koreans that demanded the dismantlement of chemical and biological warfare programs, as well as ballistic missiles and facilities. U.S. negotiators also wanted a detailed accounting of nuclear facilities, subject to intrusive U.S. inspections. For the North Koreans, to implement such a proposal would allow inspectors to map the bombing coordinates of its nuclear facilities, an obvious non-starter when the U.S. has yet to provide any semblance of a security guarantee.

In essence, what the U.S. offered at Hanoi was the Libya Model of denuclearization, in which obligations are loaded solely on its negotiating partner. That is not an approach that is going to work with North Korea, as among other reasons, its nuclear program is far more advanced than was the case with Libya’s. The DPRK has something substantial to trade, and it is not going to relinquish it for free.

The sanctions against the DPRK are designed to strangle its economy. The North Koreans regard sanctions relief as an essential element in the trade-off for denuclearization. The fate of small nations that the United States has attacked, such as Yugoslavia, Iraq, and Libya, did not go unnoticed in the DPRK. Those object lessons led the North Koreans to draw the logical conclusion that the only way for a small targeted nation to ensure its survival would be to develop a nuclear deterrent.

There has been much talk in the U.S. media about the Trump administration’s apparent intent to adopt a more flexible approach to negotiations. This has resulted in much hand-wringing among the Washington Establishment, panicked over a potential reduction in tensions, which it fears could have knock-on effects in sales of military hardware to

Asian allies like South Korea and Japan. New pretexts would need to be developed to explain the military buildup in the Asia-Pacific that is aimed at China.

How real is this new flexibility? In a widely misread report in the New York Times, it is suggested that Trump may "settle" for a nuclear freeze, leaving the DPRK as a nuclear power. A careful reading of the article indicates, however, that the Trump administration does not envision a nuclear freeze as an end state, but rather as a "foundation for a new round of negotiations." Talks "would begin with a significant – but limited – first step." From there, U.S. negotiators would seek to persuade Kim to expand the range of nuclear facilities that would be dismantled.

On Trump's return flight from South Korea, U.S. Special Representative for North Korea Stephen Biegun talked about U.S. plans for the next summit between Trump and Kim. Biegun said that the U.S. wanted a complete freeze on the DPRK's weapons of mass destruction (WMD) programs while negotiations are underway. This is not different than what was stated in the New York Times report, leaving aside the misleading use of the word "settle" and the fretful comments the Times quoted from Establishment analysts.

Biegun's choice of words is significant: 'WMD,' rather than 'nuclear.' John Bolton's insistence on including chemical and biological weapons programs in any negotiated settlement remains very much to the fore. North Korea denies having any such operations and U.S. belief in their existence is predicated primarily on supposition, backed by weak and inconclusive indications. If the DPRK does not have a chemical or biological weapons program, then it cannot freeze what it does not have, and it cannot provide details on programs that remain a fantasy in the minds of Washington. It requires little imagination to anticipate how hawks in the Trump administration would seize upon North Korean denials as a means of sabotaging negotiations.

Whether North Korea has chemical and biological programs or not, it is likely to have misgivings about the United States adding demands while at the same time offering no concessions. When Libya denuclearized, it too faced an ever-expanding array of conditions, including visits by John Bolton and other U.S. officials, telling it how to vote at the United Nations and ordering it to cut military ties with Syria, Iran, and North Korea.

It is notable that at no time has any U.S. official mentioned what kind of security guarantee it could offer to the DPRK. Given the record of U.S. militarism in recent decades, it is difficult to conceive of any assurance the U.S. would provide that could be

trusted. Whatever the U.S. may offer will need to be supplemented, and protection will have to come from elsewhere. Chinese President Xi Jinping alluded to the same during his recent visit to Pyongyang, when he stated, “China will take an active role in resolving North Korea’s security concerns.” In May, Russian Foreign Minister Sergey Lavrov announced that security guarantees are an “absolutely mandatory” component of any negotiated agreement with the DPRK. “Russia and China are prepared to work on such guarantees,” he added.

In his meeting with U.S. Secretary of State Mike Pompeo on May 14, Lavrov stressed the importance of providing security guarantees to the DPRK, but all Pompeo wanted to talk about was hitting North Korea as hard as possible with sanctions, without letup.

Much has been made of Stephen Biegun’s claim that the United States plans on a more flexible “simultaneous and parallel” approach to negotiations. When examined, there is less change than many suppose. Biegun is in line with the rest of the Trump administration, emphasizing that “in the abstract, we have no interest in sanctions relief before denuclearization.”

Since sanctions relief and security guarantees are off the negotiating table as far as U.S. officials are concerned, what are they ready to offer? According to Biegun, flexibility means the U.S. would consider agreeing to the two nations opening liaison offices in each other’s capitals, permitting some people-to-people talks, and humanitarian aid. That last point may mean that the United States would consider stopping its efforts to block humanitarian assistance. Or it could indicate a willingness by the U.S. to directly provide a token amount of aid while continuing to shut down independent aid operations in the DPRK.

To the North Koreans, this “flexibility” is a distinction without a difference. It remains the Libya Model. As such, it is a recipe for failure if the U.S. rigidly adheres to this strategy.

Complicating matters further is the rider the U.S. Senate attached to the National Defense Authorization Act for Fiscal Year 2020. If the rider makes it into the House version, then once the defense budget is signed into law, it would mandate secondary sanctions on any financial institution that does business with the DPRK. Current sanctions leave it to the discretion of the Treasury Department as to which firms to sanction. The Senate bill aims to cut off the North Korean economy from what little international trade it still has after

sanctions, so as to inflict further harm on the population. Certainly, this also signals the Senate's opposition to any negotiated settlement.

The North Koreans need two things in exchange for denuclearization: the lifting of sanctions and a security guarantee. What that security guarantee would look like is difficult to discern. A piece of paper is not going to do it. The DPRK needs a reliable means of assuring its security if it is going to denuclearize.

Across the entire U.S. Establishment, both within and outside the Trump administration, there is an unwavering belief that every action the DPRK takes towards denuclearization should be rewarded with "maximum pressure" sanctions.

It is a curious notion, this expectation that nothing need be offered to North Korea in exchange for meeting U.S. demands. Odder still is the conviction that the DPRK ought to be satisfied with being tormented by crippling sanctions for each concession it makes. But then, imperialism and arrogance go hand-in-hand. There is no reason, however, to expect the North Koreans to be servile. "North Korea wants actions, not words," observes Christopher Green of the International Crisis Group. "I'm not sure the U.S. is mentally ready for it, even now."

Whether or not North Korea denuclearizes depends entirely on the United States. If the Trump administration believes it can bully the DPRK into unilateral disarmament, then it is sadly mistaken. If on the other hand, it eventually comes to recognize that the only way to achieve its objective is to offer some measure of reciprocity, then denuclearization becomes an achievable goal. At this point, there is little indication that the U.S. is prepared to move beyond the former position.

JULY 12, 2019