

## Putting the Squeeze on North Korea

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Global Research, April 06, 2013

Global Research 4 February 2013

Region: [Asia](#)

Theme: [Military and WMD](#)

In-depth Report: [NORTH KOREA](#)

*Tensions are escalating since North Korea's launch of a satellite into orbit on December 12, 2012. Overwrought news reports termed the launch a "threat" and a "provocation," while U.S. National Security Council spokesman Tommy Vietor called it "irresponsible behavior." Punishment for North Korea was swift in coming.*

North Korea's Kwangmyongsong-3 was just one of 75 satellites that a variety of nations sent into space last year, but Pyongyang's launch, and a failed launch earlier in the year on April 12, were the only ones singled out for condemnation. [1] In Western eyes, there was something uniquely threatening about the Kwangmyongsong-3 earth observation satellite, unlike the apparently more benign five military and three spy satellites the United States launched last year.

We are told that the Democratic People's Republic of Korea (DPRK, the official name for North Korea) used the satellite launch to test ballistic missile technology. But the North Koreans could hardly have sent their satellite into orbit by slingshot. The Kwangmyongsong-3 was equipped with a camera intended to help assess the nation's natural resources and forest distribution and to collect crop estimates. The Western press was quick to scoff at the satellite as having no rational economic purpose. Although the satellite failed to become operable, a common enough experience for nations putting their first satellite into space, the intent was to support much-needed ecological recovery in North Korea and to aid agricultural planning.

Specialists argue that the DPRK's Unha-3 missile, used for the launch, is not a suitable candidate for delivering a nuclear warhead. According to analyst Markus Schiller of Schmucker Technologie in Germany, for North Korea to "become a player in the ICBM game, they would have to develop a different kind of missile, with higher performance. And if they do that seriously, we would have to see flight tests every other month, over several years." [2] The North Korean missile "was developed as a satellite launcher and not as a weapon," Schiller says. "The technology was suited only for satellite launch." Brian Weedan, a space expert at the Secure World Foundation, agrees, and points out that the missile took a sharp turn to avoid flying over Taiwan and the Philippines. "That is definitely something more associated with a space launch than with a ballistic missile launch. It's not what you would expect to see with a missile test." [3]

The Unha-3 is simply too small for the job of delivering a nuclear warhead, even assuming that the DPRK had miniaturized a nuclear bomb, an endeavor requiring significant time and effort. The North Koreans would also need to develop a long-range guidance system and a reentry vehicle capable of withstanding the heat of returning through the atmosphere. Experts consider the DPRK to be years away from achieving such steps. [4]

In regard to North Korea's satellite launches, Lewis Franklin and Nick Hansen of Stanford University's Center for International Security and Cooperation remark, "The oft-repeated phrase 'readily convertible to an ICBM' posed by non-technical policy experts is engineering-wise unsupportable." They explain that while other nations have utilized ICBMs for sending satellites into space, conversion of a light missile like the Uhha-3 into an ICBM "requires considerable redesign and testing, and no country has taken this route." [5]

The other aspect of the launch that the U.S found so provocative was its violation of UN Security Council Resolution 1874 of June 12, 2009, which enjoined the DPRK from conducting "any launch using ballistic missile technology." That resolution was prompted by a North Korean nuclear test. Yet, when Israel, Pakistan and India - all non-signatories to the Nuclear Non-Proliferation Treaty - not only performed testing, but proceeded to build substantial nuclear arsenals and missiles capable of delivering nuclear payloads, no action was forthcoming. This double standard has not gone unnoticed in the DPRK, which understands that the distinction between the North Korean case and that of Israel, Pakistan and India hinges on the latter three nations being U.S. allies, while for decades it has been the target of Western sanctions, threats and pressure.

Interestingly enough, India and Pakistan tested nuclear weapon-capable ballistic missiles at around the time of North Korea's failed satellite launch on April 12, 2012. [6] The Indian and Pakistani missiles did not carry satellites; these were purely military tests, a fact which did not perturb the Obama Administration. Criticism was reserved for North Korea alone, while in regard to India's test, U.S. State Department spokesman Mark Toner merely noted that the U.S. has a "very strong strategic and security partnership with India." [7] Following Pakistan's launch, U.S. State Department spokeswoman Victoria Nuland's only comment was, "What's most important is that they do seem to have taken steps to inform the Indians." [8] These mild remarks contrasted with the vociferous abuse poured upon North Korea for its non-nuclear capable missiles carrying satellites.

Since the April ballistic missile launches, India and Pakistan have continued their tests, including India's test of a nuclear-capable ballistic missile fired from underwater, part of its program to develop submarine-based nuclear missiles. [9] India conducted its underwater ballistic missile test on January 27, only a few days after the UN Security Council imposed sanctions on North Korea for putting a satellite into orbit.

When North Korea launched its satellite, India condemned the launch as "unwarranted," and termed it an action adversely impacting peace and stability. [10] That same day, India test fired its nuclear-capable Agni-I ballistic missile, again without complaint by the U.S. [11] And just days after passage of the UN Security Council resolution against the DPRK, Japan put two spy satellites into space, both aimed at North Korea. [12] Not surprisingly, these missile launches evoked no complaint from U.S. officials.

South Korea successfully placed its own satellite into orbit on January 30, 2013, with the complete support of the U.S., which only added to North Korea's growing sense of irritation over the blatant double standard. The hypocrisy is quite breathtaking. The U.S. sits atop the world's largest nuclear arsenal, possesses the largest military machine on earth, regularly invades or bombs other nations, threatens nations who refuse to bend to its will, turns a blind eye to tests of ballistic missiles by India, Pakistan and Israel, and it condemns the small nation of North Korea for engaging in "provocative" behavior by sending a peaceful satellite into space.

The DPRK bears the distinction of being the only nation to have a UN Security Council resolution in effect banning it from launching a satellite. Yet, the international outer space treaty affirms that outer space “shall be the province of all mankind,” and that “Outer space, including the moon and other celestial bodies, shall be free for exploration and use by all States without discrimination of any kind.” [13] Note the language used here: “without discrimination of any kind.” This is absolutely unambiguous. The treaty does not say “except when the powerful choose to deny this right to a small nation.”

Western analysts argue that when a UN Security Council resolution contradicts international law, it is the resolution that takes precedence. That view makes a mockery of international law, which ceases to have any meaning when it can be discarded at will by imperial dictate.

The UN Charter tasks the Security Council to deal with matters relating to “threats to the peace, breaches of the peace, or acts of aggression.” The DPRK Central Committee of the Workers Party of Korea explains that its satellite launches for peaceful purposes “bear no relationship with the issues of international peace and security.” Moreover, the Security Council has never seen fit to take issue with such nations as the United States and Japan “that are speeding up militarization by launching innumerable spy satellites.” [14]

Sensing that the DPRK’s impending satellite launch would present a welcome opportunity, the U.S. started lining up support for imposing further sanctions on the DPRK well before the launch took place. Already the most heavily sanctioned nation on earth, North Korea’s economy could only suffer more damage from new sanctions. That was precisely the Obama Administration’s aim.

In anticipation of North Korea’s missile launch, South Korea under the ever-hostile administration of Lee Myung-bak, worked with other nations to identify the few remaining international bank accounts held by North Korea which had not yet been closed due to U.S. pressure. The hope was that North Korea could be completely blocked from engaging in international trade. The Lee Administration, too, perceived the missile launch as an opportunity to inflict further economic damage on its neighbor to the north. [15]

The Chinese advocated resuming the six-party talks, which were last held in December 2008. “China really believes that we ought to re-engage with North Korea,” U.S. Ambassador to China Gary Locke remarked, but “we don’t believe that we should be rewarding their bad behavior by sitting down and talking with them.” U.S. diplomats adamantly ruled out talks. During negotiations in December 2012, U.S. Ambassador to the UN Susan Rice bluntly told a Chinese diplomat that his nation’s resistance to additional sanctions was “ridiculous.” Rice demanded that North Korea face “consequences” for its satellite launch. [16]

U.S. officials are fond of saying that they will not reward the DPRK for its “bad behavior” by talking with its officials, but one cannot help but wonder: just whose behavior is bad? North Korean officials, whose nation exercised its right under international law and put a peaceful satellite into orbit, a right granted to all nations, and who want dialogue, or U.S. officials, who petulantly refuse to engage in negotiations, and who only know how to bully and intimidate?

The first task was to get China onboard with the concept of imposing new sanctions on its neighbor. High-ranking U.S. and South Korean diplomats met with their Chinese counterparts in Beijing on December 17, 2012. The Chinese opposed sanctions, preferring a prudent response. “The Chinese side repeated its stance that it wants to keep peace and

stability on the Korean Peninsula,” a South Korean diplomatic source revealed. But the U.S. had “a strong willingness” to impose sanctions. “The U.S. is also sending a message to China that it will have no choice but to beef up its military readiness against North Korea’s threats unless a resolution is adopted at the U.N. Security Council.” [17]

The United States had already taken a number of steps to increasingly militarize its relations with South Korea in recent months, and it is probable that the threat to expand the U.S. military presence in the region finally persuaded the Chinese to back UN sanctions, despite their inevitable destabilizing effect. A U.S. military buildup in the region would serve a double purpose, aimed not only at North Korea but surely China as well. The Chinese were also keen to avoid straining relations with the U.S, an important trading partner.

Once the U.S. and South Korea won Chinese agreement for a UN Security Council resolution, the Obama Administration had a wish list of harsh measures that it wanted to implement via the resolution. U.S. State Department spokeswoman Victoria Nuland announced that the Obama Administration’s plan was “to continue to increase the pressure on the North Korean regime. And we’re looking at how best to do that, both bilaterally and with our partners going forward. Until they get the message, we’re going to have to continue to further isolate this regime.” Responding to a reporter who commented that North Korea “has long wanted direct talks with the U.S.,” and asked if the U.S. would consider that or stick to the six-party format, Nuland dismissively replied, “We and our partners are not in the business of rewarding them.” [18] There would be no talks of any kind.

U.S. negotiators insisted that the UN Security Council pass a resolution rather than a presidential statement, so that it would carry more force. Under pressure, the Chinese relented. The specific sanctions to be imposed were another matter. There the Chinese were more successful. The U.S. wanted to maximize the damage that would be inflicted on the North Korean people. Chinese Ambassador to the UN Li Baodong said, “The initial draft prepared by the UNSC contained a number of sanctions, but China believed that such measures would not be helpful in defusing the situation and would only cause harm to the North Korean economy and the lives of its people. As a result of more than a month of protracted negotiations, these provisions were removed from the final draft of the resolution.” [19]

UN Security Council resolution 2087 passed unanimously on January 22, 2013, ordering the DPRK to cease launching satellites, and that “any further such activities” would result in its “determination to take significant action.” A number of measures were imposed, including travel bans and asset freezes on specified individuals involved in the DPRK’s space program and banking officials assisting in its financial dealings. Asset freezes were also slapped on the North Korean Committee for Space Technology and North Korean banks and firms involved in the space program, essentially blocking those organizations from engaging in normal international financial transactions. [20]

The U.S. and South Korea immediately began planning further sanctions that they could impose on a bilateral basis. The U.S. had already stopped food aid to North Korea many months beforehand. Among the alternatives the U.S. and South Korea discussed were stepping up inspections of North Korean ships and ways to hamper North Korean ships from travelling near the Korean Peninsula. [21] The U.S. Treasury Department wasted little time in implementing its first set of bilateral sanctions, acting the day after passage of the UN Security Council resolution. It announced that all assets under U.S. control would be frozen held by two North Korean bankers and Hong Kong-based Leader International Trading

Limited. [22]

South Korea had already revised its Public Order in Open Ports Act so that it required entry clearance for container ships having visited a North Korean port during the prior 180 days; an increase from the earlier 60 day limit. A South Korean official said that Seoul intended to target shipments into and out of the DPRK. "We are considering sanctions in marine transport. Now that we have already set the legal grounds, we will start talks with other countries over additional sanctions." [23] The intention is to cut maritime supply routes to North Korea.

Pressure on North Korea is two-fold: economic sanctions and military presence. In the midst of UN Security Council deliberations, U.S. Secretary of Defense Leon Panetta called for the reorientation of NATO, to "broaden the scope of our alliance security discussions beyond European and regional issues." The U.S. has led the expansion of NATO military operations first in its bombing operations in the Balkans, then later in Iraq, Afghanistan and Libya. The aim is for NATO to support aggressive U.S. military operations, across all continents that adjoin Europe and the Mediterranean. "In particular," Panetta continued, "I strongly believe that Europe should join the United States in increasing and deepening defense engagement with the Asia-Pacific region...The bottom line is that Europe should not fear our rebalance to Asia; Europe should join it." [24]

However, there is one thing one can say about the North Koreans. They are never cowed by imperial bullying.

Shortly before passage of the UN Security Council resolution, the DPRK sent a message to the United States, calling for negotiations to settle security concerns. That message apparently went unanswered. [25]

As soon as the UN resolution passed, the Foreign Ministry of the DPRK issued its response, stating that it "flatly rejects the unjust acts of the UNSC aimed at wantonly violating the sovereignty of the DPRK and depriving it of the right to launch satellites for peaceful purposes. The hostile forces are seriously mistaken if they think they can bring down the DPRK with sanctions and pressure." The Foreign Ministry asserted that the "DPRK will continue to exercise its independent and legitimate right to launch satellites for peaceful purposes while abiding by the universally recognized international law on the use of space for peaceful purposes." Furthermore, "the DPRK will continuously launch satellites for peaceful purposes."

Noting that U.S. hostility remains unchanged, the DPRK Foreign Ministry concluded that "the prospect for denuclearization of the Korean Peninsula has become gloomier," and so "there may be talks for peace and stability...but no talks for the denuclearization of the peninsula." North Korea, it said, "will take steps for physical counteraction to bolster the military capabilities for self-defense, including nuclear deterrence...to cope with the evermore undisguised moves of the U.S. to apply sanctions and apply pressure against the DPRK." [26] First a peace settlement must be reached; only then can talks on denuclearization can proceed.

Events on the Korean Peninsula are heading in a potentially dangerous direction. New sanctions on the DPRK and the refusal of the Obama Administration to engage in dialogue have eliminated any exit strategy. North Korea, feeling threatened, may conduct another nuclear test to further develop the best defense it has against military aggression and to

assert its independence. However, South Korea promises “very grave consequences” if it follows that path. [27] The U.S. has made similarly threatening statements.

According to South Korean presidential national security advisor Chun Yung-woo, consequences must be imposed on the DPRK that it finds intolerable. North Korea must choose between nuclear weapons or its survival, he declared. “No other options must be allowed.” [28]

Ratcheting up pressure on the DPRK, the U.S. and South Korea kicked off joint naval military exercises in the East Sea on February 4, 2013, including the nuclear submarine USS San Francisco. “Through this joint military exercise, we will be able to deliver a message to North Korea that if they engage in a defiant act, it won’t be tolerated,” warned Jung Seung-jo, chairman of the South Korean Joint Chiefs of Staff. [29]

North Korea has always responded in kind. When approached diplomatically, it negotiates and when threatened, it resists. Neither the U.S. nor South Korea is open to dialogue at the present time. Both are bent on exacerbating tensions.

China is attempting to dissuade the DPRK from carrying out another nuclear test, aware of the dangers that U.S. and South Korean aggressive reaction could present. But even if North Korea refrains from conducting another nuclear test, it is clear that the U.S. is seeking a pretext – any pretext – to squeeze North Korea harder, and it may not take much to plunge the Korean Peninsula into a terrible crisis.

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<http://www.amazon.com/Strange-Liberators-Militarism-Mayhem-Pursuit/dp/1595265708>

## Notes

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