

North Korea's ICBM and ROK President Moon Jae-in's Confusing Response

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"It won't happen!" Trump had tweeted earlier this year in response to North Korea's warnings that it was poised to test-launch an intercontinental ballistic missile (ICBM). Yet, it happened.

In the early morning hours of July 4, North Korea test-launched the Hwaseong 14. Launched at a steep trajectory, the missile [reportedly](#) reached an apogee exceeding 2500 kilometers and flew for 37 minutes. Experts [say](#) if launched on a standard trajectory, the missile should technically be able to reach a distance of more than 6,000 kilometers, which would put the missile in the category of an ICBM.

Trump's policy of maximum pressure is apparently not working. Intensifying sanctions, it seems, has only emboldened North Korea to speed up its missile development. Perhaps it's time to try maximum engagement.

North Korea's ICBM test is a game-changer, not because Washington actually believes that the country will use the missile to attack the United States, as Gregory Elich and Stephen Gowans [point out](#). What makes Washington nervous is North Korea's ability to strike back at the heart of the U.S. Strategic Command in Hawaii if attacked. This changes the strategic balance in the region and hence forces the Pentagon to change its strategic calculus.

In response to North Korea's test, Donald Trump tweeted,

"Perhaps China will put a heavy move on North Korea and end this nonsense once and for all!"

But the nuclear standoff is essentially a problem between the United States and North Korea, thus the solution needs to be worked out between those two parties.

What Each Party Wants from the Standoff

The United States wants complete, verifiable and irreversible denuclearization, which North Korea has categorically rejected. North Korean leader Kim Jong-un—who presumably noted what happened to Iraq and Libya after they laid down their arms—declared after last week's ICBM test that unless the United States abandons its hostile policy and nuclear threat against his country, his nuclear weapons and ballistic missiles will never be on the table for negotiation.

Historian Bruce Cumings says U.S.' nuclear threats against North Korea date back to the Korean War when the U.S. Air Force flew B-29 bombers over Korea not long after it dropped atom bombs that annihilated approximately 200,000 people, mostly civilians, in Hiroshima and Nagasaki.

“North Korea is the only country in the world to have been systematically blackmailed by US nuclear weapons going back to the 1950s, when hundreds of nukes were installed in South Korea,” Cumings [wrote](#).

The United States has also imposed sanctions on North Korea for almost 70 years and conducts annual military exercises that routinely rehearse the collapse of the North Korean regime.

What North Korea wants is an end to the provocative U.S. military exercises, replacing the armistice—a temporary ceasefire signed at the end of the Korean War in 1953—with a permanent peace agreement, and the final withdrawal of U.S. troops from the Korean peninsula in accordance with the armistice. These are out of the question for the United States, which considers South Korea a strategic foothold for its presence in Asia.

Thus, the two countries are locked in a perpetual standoff, with North Korea continuously firing off missiles and the United States piling on sanctions—both sides trying to force the other to capitulate. North Korea has offered a solution to ease the current crisis. It said it will stop testing its nuclear weapons and missiles if the United States stops its military exercises. China and Russia, as well as the new South Korean President Moon Jae-in and a growing number of experts in Washington, including former Defense Secretary William Perry, have all echoed this proposal. What’s standing in the way is the U.S. military industrial complex, which needs perpetual war and a bogeyman to continue to sell weapons of mass destruction.

No Legal Basis for US Sanctions

The United States says North Korea’s tests are in violation of UN resolutions and urges the UN to pile on more sanctions as punishment. But there is no international law that prohibits countries from testing nuclear and ballistic missile tests. Therefore, there is no legal basis for the UN resolutions that condemn North Korea’s nuclear and missile tests. The UN Security Council, in particular the permanent five, which all have nuclear weapons, has no legal or moral authority to dictate who can and can’t have nuclear weapons.

Furthermore, North Korea legitimately withdrew from the Nuclear Non-Proliferation Treaty (NPT). Article X of the NPT says parties have the right to withdraw from the treaty if “extraordinary events have jeopardized their supreme interests.” In 1993, after the fall of the Soviet Union, the United States [announced](#) that it was retargeting some of its strategic nuclear weapons away from the former Soviet Union to North Korea. Then, it conducted military exercises near the North Korean border involving tens of thousands of U.S. soldiers as well as B1-B and B-52 bombers and naval vessels with cruise missiles. In 2002, George W. Bush [listed](#) North Korea among seven countries that are potential targets of U.S. preemptive nuclear attack. North Korea determined that these constitute “extraordinary events that jeopardize its supreme interests” and followed the proper procedure as outlined in the NPT to pull out of the treaty.

The United States, on the contrary, is in violation of the NPT, which says parties to the treaty that have nuclear weapons should reduce their arsenal toward complete elimination. The United States [spends](#) billions of dollars each year to modernize its nuclear arsenal.

Most importantly, North Korea has [declared](#) a “no first strike” policy, meaning it will not use its nuclear weapons in a preemptive attack and only use them defensively. The United States, notably, does not have this policy. U.S. war plans in Korea includes plans for a preemptive nuclear attack.

Moon’s Confusing North Korea Policy

New South Korean President Moon Jae-in was elected through mass protests that brought out millions week after week for five months in the dead of winter and ousted the previous president for corruption. His election was a mandate from the South Korean people, who demanded systemic change and a different course in North-South relations. For that reason, it was widely expected that when Moon meets with Trump, South Korea will finally stand up to the United States and reverse the alliance’s policy toward engagement with North Korea.

But that’s not what happened. At a meeting with U.S. senators ahead of his summit with Trump at the end of June, Moon assured them that he was committed to the US-ROK alliance and the THAAD deployment, then said,

“South Korea’s candlelight revolution represented the blossoming of the democracy that the US brought to South Korea.”

With that he negated the importance of the struggle and sacrifices of the millions of South Koreans, who fought for democracy for decades against U.S.-backed military dictatorships. It was a clear signal that his meeting with Trump would fall short of expectations.

The [joint statement](#) produced through the Moon-Trump summit was all about strengthening the U.S.-ROK alliance and appears no different from the alliance’s posture under the previous conservative administrations of Lee Myung-bak and Park Geun-hye. It said the allies “do not maintain a hostile policy toward the DPRK,” yet repeatedly denounced North Korea for “provocative, destabilizing actions and rhetoric” and its “accelerating threat” to international peace. It then said the allies are committed to “fully implement existing sanctions and impose new measures designed to apply maximum pressure on the DPRK.” Sanctions are aimed at cutting off trade, isolating the country and choking its economy. If that’s not hostile, what is?

The statement also said the two leaders agreed to cooperate on a “conditions-based transfer of wartime operational control,” but they also agreed to strengthen the trilateral cooperation among US, Japan and South Korea, which will inevitably subordinate South Korea as a junior partner in a U.S.-led regional alliance.

Following his summit with Trump, Moon attended the G20 summit in Berlin, where he [proposed](#) a vision for resumption of inter-Korean cooperation and reconciliation and called on the North to dismantle its nuclear program. He then proudly announced that both Trump and Chinese President Xi Jinping support his initiative to resume dialogue with the North.

This is problematic for several reasons. Moon is putting forward resolution of the nuclear crisis—essentially an issue between the United States and North Korea—as a condition for North-South dialogue. This is no different from the approach of his conservative predecessors. North-South relations need to be decoupled from US-North Korea relations, and inter-Korean cooperation and reconciliation should have no preconditions.

The June 15 Joint Declaration, signed in 2000 by Kim Jong-il and Kim Dae-jung, the two leaders of North and South Korea respectively, stated,

“The South and the North have agreed to resolve the question of reunification independently and through the joint efforts of the Korean people, who are the masters of the country”—i.e. without the intervention of foreign powers.

That is the very first clause of the joint statement. When the South Korean people elected Moon—former Chief of Staff for President Roh Moo-hyun, a proponent of unconditional North-South engagement in the spirit of the June 15 Joint Declaration—it was with the expectation that he would resume this spirit. The fact that South Korea turns to China and the United States—to Trump, of all people—for acknowledgment to resume dialogue with the North is in itself a violation of the June 15 spirit.

Moon can't have it both ways. He can't strengthen the US-ROK alliance and at the same time hope to improve North-South relations. The US-ROK alliance came about through the Mutual Defense Treaty in 1953 in violation of the armistice signed after the Korean War. Article IV(60) of the armistice stated that within three months of its signing, a political conference should be held “to settle through negotiation the questions of the withdrawal of all foreign forces from Korea and the peaceful settlement of the Korean question.” The armistice also mandated all sides to “cease the introduction into Korea of reinforcing combat aircraft, armored vehicles, weapons, and ammunition.”

The political conference recommended in the armistice never happened. Instead, the United States and South Korea signed the Mutual Defense Treaty (MDT), which became the basis for the United States to permanently station its troops and introduce weapons of mass destruction, including nuclear weapons, in South Korea. If war resumes in Korea, South Korea is bound by the MDT to fight alongside the United States. And the United States, which has wartime operational control, will command South Korean troops. The US-ROK alliance routinely [flies](#) nuclear bombers over the Korean peninsula and [trains](#) special operations teams to take out the North Korean leadership. The US-ROK alliance, by nature, is hostile to North Korea, and strengthening it counters the spirit of peaceful reunification.

True Force for Change

Hope for peace on the Korean peninsula lies in the mass movement that installed Moon Jae-in and continues to call for fundamental change.

Ahead of the Moon-Trump summit, thousands of people [surrounded](#) the U.S. embassy in Seoul to form a human chain and protest the U.S. deployment of the Terminal High Altitude Area Defense (THAAD) anti-missile system in South Korea. Marching through the center of Seoul, they held up signs that read ‘Koreans hate THAAD’ and ‘Yes to peace talks,’ as well as banners directed at Trump.

(Video Source: [Ruptly TV](#))

The following week, 57,000 low-wage precarious workers walked off their jobs and gathered in Seoul's Gwanghwamun Plaza to demand the abolition of precarious work and the right to unionize. The action followed a coordinated [walk-out](#) by 380,000 caregivers, teaching assistants and kitchen staff in schools across the nation.

The historic movement that ousted Park Geun-hye through people power, the true force for change in South Korea, will steer Moon to chart an independent path for peace and reunification. Calling on Trump to stand aside is a task for the rest of us outside Korea who also desire lasting peace on the peninsula.

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