

54

Burma and North Korea: Again? Still

(12:58 AEDT, 10 July 2013)

US concerns over Myanmar's shadowy relations with North Korea seemed to fade away after president Thein Sein gave Barack Obama his assurances that Naypyidaw would cut its military ties with Pyongyang. However, a scan of official US documents issued over the past year revealed that the issue remained a factor in the bilateral relationship, albeit not to the extent of prompting the reimposition of broad economic sanctions.

The US Treasury's 'designation' of Lieutenant General Thein Htay, Chief of Burma's Directorate of Defence Industries (DDI), for purchasing military goods from North Korea, surprised many.¹ After Barack Obama's visit to Burma in November 2012, when he was assured by President Thein Sein that such activities would cease, concerns about Naypyidaw's shadowy relationship with Pyongyang seemed to fade.

¹ US Department of the Treasury, 'Treasury Designates Burmese LT General Thein Htay, Chief of Directorate of Defence Industries', Press Center, Washington, DC, 2 July 2013, www.treasury.gov/press-center/press-releases/Pages/jl1998.aspx.

In March, some suspect dual-use materials from North Korea were seized by Japan, but nothing seemed to come of it.² And North Korea did not rate a mention in the official statements and learned commentary related to President Thein Sein's return visit to Washington in May.³ The State Department fact sheet issued after his visit was all good news.⁴

Yet US concerns about Burma's military links with North Korea have never gone away.

Before Obama's visit to Burma, Naypyidaw's relationship with Pyongyang was the subject of considerable concern. Washington tended to discount a clandestine nuclear weapons program but remained worried about the possible sale to Burma of ballistic missiles and/or missile production facilities.⁵ In April 2012, a senior State Department official told Congress that this was 'a top national security priority'.⁶

During the Obama visit, the Burmese Government announced that it would cut its military ties with North Korea. It stated that it had not and would not violate UNSC resolutions 1874 of 2009⁷ and 1718 of 2006,⁸ both of which banned arms sales from North Korea. Burma also reiterated its commitment to abide by the Nuclear Non-Proliferation Treaty—a claim that has since been accepted by Washington.⁹

2 Daniel Schearf, 'Burma's Military Relations with North Korea Under Scrutiny', *Voice of America*, 22 March 2013, www.voanews.com/content/burma-military-relations-with-north-korea-under-scrutiny/1626532.html [page discontinued] [now at www.voanews.com/east-asia/burmas-military-relations-north-korea-under-scrutiny].

3 Murray Heibert and Kathleen Rustici, 'After Half a Century, a Myanmar President Visits Washington', *Critical Questions* (Washington, DC: Center for Strategic and International Studies, 22 May 2013), csis.org/publication/after-half-century-myanmar-president-visits-washington.

4 'Visit of President U Thein Sein of the Republic of the Union of Myanmar/US Assistance', *Fact Sheet* (Washington, DC: US Department of State, 20 May 2013), www.state.gov/r/prs/ps/2013/05/209707.htm [page discontinued].

5 Senior State Department Official, 'Background Briefing on Secretary Clinton's Travel to Burma', Special Briefing, En Route Busan, South Korea, 29 November 2011, www.state.gov/p/eap/rls/rm/2011/11/177896.htm [page discontinued] [now at 2009-2017.state.gov/p/eap/rls/rm/2011/11/177896.htm].

6 'Oversight of US Policy Toward Burma', Hearing before the Subcommittee on Asia and the Pacific, Committee on Foreign Affairs, US House of Representatives, 112th Congress, Washington, DC, 25 April 2012, archives.republicans.foreignaffairs.house.gov/112/74001.pdf [page discontinued].

7 *United Nations Security Council, Resolution 1874 (2009)*, 12 June 2009, [www.un.org/ga/search/view_doc.asp?symbol=S/RES/1874\(2009\)](http://www.un.org/ga/search/view_doc.asp?symbol=S/RES/1874(2009)).

8 *United Nations Security Council, Resolution 1718 (2006)*, 14 October 2006, [www.un.org/ga/search/view_doc.asp?symbol=S/RES/1718\(2006\)](http://www.un.org/ga/search/view_doc.asp?symbol=S/RES/1718(2006)).

9 Bureau of Verification, Compliance and Implementation, *Adherence to and Compliance with Arms Control, Nonproliferation and Disarmament Agreements and Commitments* (Washington, DC: US Department of State, August 2012), www.state.gov/documents/organization/197295.pdf [page discontinued].

Following the Obama visit and assurances from several Burmese officials that links with North Korea had indeed been severed, the issue dropped from sight. There were warnings from a few critics of the US rapprochement with Burma, but it was almost as if the issue had been resolved. A survey of official US statements over the past year, however, suggests that Burma's relationship with North Korea has continued to weigh on Washington's mind.

- On 11 July 2012, President Obama issued an executive order stating that Burma's arms trade with North Korea constituted 'an unusual and extraordinary threat to the national security and foreign policy of the United States'.¹⁰ It authorised sanctions against Burmese individuals and institutions engaged in this practice.
- On the basis of this order, the US formally 'designated' Burma's DDI, which, according to the State Department, 'carries out missile research and development at its facilities in Burma, where North Korean experts are active'.¹¹
- In February 2013, the Special Representative and Policy Coordinator for Burma, W. Patrick Murphy, told the Tom Lantos Human Rights Commission that the US continued to target those who 'perpetuate military trade with North Korea'.¹²
- Speaking to the Senate Committee on Foreign Affairs' Subcommittee on East Asian and Pacific Affairs on 25 April 2013, a State Department official revealed that the US continued to ask the Burmese Government to demonstrate 'an end of military ties to North Korea'.¹³

10 Presidential Documents, 'Executive Order 13619 of 11 July 2012', *Federal Register*, Vol.77, No.135 (Washington, DC: The White House, 2012), www.gpo.gov/fdsys/pkg/FR-2012-07-13/pdf/2012-17264.pdf.

11 Press Center, *Joint Fact Sheet from US Treasury and State Departments: Administration Eases Financial and Investment Sanctions on Burma* (Washington, DC: US Department of the Treasury, 11 July 2012), www.state.gov/r/pa/prs/ps/2012/07/194868.htm [page discontinued] [now at www.treasury.gov/press-center/press-releases/Pages/tg1633.aspx].

12 W. Patrick Murphy, Special Representative and Policy Coordinator for Burma, 'Human Rights in Burma: Testimony', Remarks prepared for delivery to Tom Lantos Human Rights Commission, US Department of State, Washington, DC, 28 February 2013, www.state.gov/p/eap/rls/rm/2013/02/205487.htm [page discontinued] [now at 2009-2017.state.gov/p/eap/rls/rm/2013/02/205487.htm].

13 Joseph Yun, Acting Assistant Secretary, Bureau of East Asian and Pacific Affairs, 'Rebalance to Asia II: Security and Defense—Cooperation and Challenges: Testimony', Statement before the Subcommittee on East Asian and Pacific Affairs, Senate Committee on Foreign Affairs, US Senate, Washington, DC, 25 April 2013, www.state.gov/p/eap/rls/rm/2013/04/207981.htm [page discontinued] [now at 2009-2017.state.gov/p/eap/rls/rm/2013/04/207981.htm].

- On 2 May 2013, in a briefing about the relaxation of economic sanctions against Burma, State Department officials stated that ‘specific bad actors’ in Burma engaging in trade with North Korea would not be eligible to enter the US.¹⁴

Looking back over these statements, it would appear that the US has tried to keep up public pressure on Naypyidaw—as it has doubtless been doing in private—but it has not allowed its concerns over continuing Burmese links with North Korea to interrupt the development of bilateral relations. This represents a softening in the US position since Hillary Clinton’s December 2011 visit to Burma.¹⁵

This policy shift may account for the fact that sanctions have been imposed on a single department of Burma’s armed forces and an individual army officer. The recent Treasury document specifically states that it is not targeting the Burmese Government, which ‘has continued to take positive steps in severing its military ties with North Korea’. It also refers to Naypyidaw’s undertaking in 2012 to abide by the relevant UNSC resolutions.

That formulation may satisfy diplomatic etiquette, but it is difficult to see how Lieutenant General Thein Htay or the DDI could maintain links with a foreign power without the knowledge of the armed forces leadership, and probably the President. It is also likely that DDI’s acquisitions from North Korea were in formal breach of UNSC resolutions 1874 and 1718. If the transactions were benign, why the strong US response?

As *Network Myanmar’s* Derek Tonkin has pointed out, the Treasury statement did not say when the offences took place or what arms were involved.¹⁶ However, a US spokesman has revealed that the Treasury Department has had concerns about Thein Htay since last November, when he led a Burmese delegation to Beijing. There he met North Korean officials and signed an agreement to expand bilateral military ties.¹⁷

14 Senior State Department Officials, ‘Background Briefing on the Administration’s Policies Toward Burma Sanctions’, Special Briefing, Via Teleconference, US Department of State, Washington, DC, 2 May 2013, www.state.gov/r/pa/prs/ps/2013/05/208897.htm [page discontinued] [now at 2009-2017.state.gov/r/pa/prs/ps/2013/05/208897.htm].

15 Lindsay Murdoch, ‘Clinton Seeks a Nuclear Surety from Burma’, *Sydney Morning Herald*, 2 December 2011, www.smh.com.au/world/clinton-seeks-a-nuclear-surety-from-burma-20111201-1o98b.html.

16 Derek Tonkin [Comment], ‘US Treasury Department Sanctions Myanmar General’, *Network Myanmar*, www.networkmyanmar.org/.

17 Nan Tin Htwe, ‘Uncertainty Over Thein Htay Sanction’, *Myanmar Times*, [Yangon], 8 July 2013, www.mmtimes.com/index.php/national-news/7405-uncertainty-over-thein-htay-sanction.html.

Senator Richard Lugar is no longer around to voice his perennial concerns about secret deals between Pyongyang and Naypyidaw, but Congress has already sounded some warning bells. North Korea was not specifically mentioned, but in June both houses called for greater transparency from the Burmese about military budgets and operations, before the US seeks closer military engagement with their armed forces.¹⁸

The Burmese Government has expressed surprise at Treasury's recent announcement, and President Thein Sein's office has claimed not to know the evidence on which the latest US sanctions are based.¹⁹ Only last month, the Speaker of Burma's lower house of parliament reportedly told officials in Washington that Burma's arms trade with North Korea had ceased and that Naypyidaw was observing the relevant UNSC resolutions.

The latest developments in this saga raise a number of difficult questions. Is Lieutenant General Thein Htay a maverick, acting alone? Are Burma's armed forces beyond the President's control? Is Naypyidaw trying to squeeze in a few more arms sales and wrap up a secret missile program before cutting its ties with Pyongyang? Is Thein Sein hoping that the US's wish to preserve its good relations with Burma will persuade it to turn a blind eye?

Once again, observers are left bemoaning the lack of hard information, not only about Burma's shadowy relationship with North Korea, but also about what drives the decisions of policymakers in Naypyidaw and Pyongyang—and Washington.

18 Walter Lohman, 'Hill Concern Over US–Burma Military Engagement Grows', *The Daily Signal*, 27 June 2013, blog.heritage.org/2013/06/27/hill-concern-over-u-s-burma-military-engagement-grows/.

19 Hannah Hindstrom, 'Burma Denies Military Ties with North Korea', *Democratic Voice of Burma*, 4 July 2013, www.dvb.no/news/burma-denies-military-ties-with-north-korea/29199 [page discontinued].

This text is taken from *Interpreting Myanmar: A Decade of Analysis*,
by Andrew Selth, published 2020 by ANU Press, The Australian
National University, Canberra, Australia.