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Trump making bad policy worse by adding North Korea to terrorism list

Doug Bandow

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President Donald Trump demonstrated his contempt for the law in naming North Korea as a state sponsor of terrorism. But he only followed precedent. The designation is a matter of politics, not policy.

The Democratic People's Republic of Korea is an awful regime. But it has not engaged in terrorism for years.

Advocates of tagging the DPRK as a terrorist state cite a long list of misdeeds, including "duplicity in its negotiations with the United States" and defiance of "the international community." If duplicity and defiance justified a designation as a terrorist sponsor, every government, including Washington, would be in the dock.

There also was North Korea's 2014 hack of Sony Pictures, which was odious, but not terrorism. (Under that standard Washington's apparent use of computer viruses against the Iranian nuclear and North Korean missile programs would constitute ... terrorism.)

President Trump cited the murder of Supreme Leader Kim Jong-un's half-brother. It almost certainly was carried out on Kim's orders. But that was an individual assassination, for very practical political ends.

The president also pointed to the death of American college student Otto Warmbier. He deserved far better, but neither his doctors nor the coroner found evidence of torture, and even torture – employed by a number of America's allies, including Egypt and Turkey – is not terrorism.

Indeed, the terrorism designation long ago lost all meaning. Cuba was on the list until President Barack Obama removed it; Cuban-Americans were more likely to use terrorism against Havana than the Cuban government was to use terrorism against America.

Sudan is on the list even though its involvement in terrorism is decades old. Indeed, Washington officials admit that Khartoum has been helpful in fighting Islamic radicals and in January dropped other, longstanding economic sanctions.

Syria and Iran also are on the list. Both have been bad actors – along with plenty of other nations in the Middle East and elsewhere. But neither Damascus nor Tehran underwrites terrorism as commonly understood.

Washington even complains of Iran's support for Yemeni Houthis, involved in a civil war in which the U.S. has aided intervention by Saudi Arabia and UAE, which has killed thousands of

civilians. By this standard, Presidents Barack Obama and Donald Trump should be in the dock for their aid for Saudi “terrorism.”

The DPRK was delisted in 2008 by the Bush administration, which flipped its policy toward Pyongyang from isolation to engagement. The Kim dynasty’s last true terrorist attack was in 1987.

Nothing has changed over the last decade. Redesignating Pyongyang is a political act, a declaration that the DPRK is on Washington’s naughty list.

An unnamed State Department official admitted to CNN that the label was “part of the administration’s maximum pressure strategy.” No surprise. The Congressional Research Service earlier admitted: “historically, diplomatic and policy considerations appear to have played a prominent role in the State Department’s decisions about the DPRK’s place.”

Moreover, the designation is primarily symbolic, with little practical impact. The listing triggers a set of economic sanctions, but North Korea already is subject to a broad range of bilateral and multilateral sanctions. Admitted Secretary Tillerson: “we already have many of these actions in place.”

Unfortunately, the president’s action further discourages diplomatic contact with Pyongyang, which is ever more essential in the midst of rising tensions, and especially threats of war. The administration already has made talks almost impossible by demanding that the North agree to Washington’s terms before negotiations start. In announcing the terrorism designation, Argued Mintaro Oba, a former Korea desk officer at State, the terrorism designation “will be seen in Pyongyang as confirming the United States is not serious about negotiations.”

The president obviously could lift the designation if the U.S. and DPRK reached an agreement. Communication between Washington and Pyongyang has become less likely even as it has become more essential.

Closing the diplomatic door in this way may make China less willing to toughen its policy. Beijing is unhappy with its nominal ally and has steadily tightened sanctions, but always has insisted that the U.S. engage the DPRK and reduce the “hostile” environment which has encouraged the North to go nuclear.

Instead of making a mockery of the terrorism designation, the Trump administration should apply the law as written against North Korea and other nations. If Washington wants to impose additional sanctions, it should do so directly. There are no good solutions for the DPRK. Misusing the law certainly is not one.

Doug Bandow is a Senior Fellow at the Cato Institute. A former Special Assistant to President Ronald Reagan, he is author of Tripwire: Korea and U.S. Foreign Policy in a Changed World.