

The Qualities and Impacts of the U.S. Policy Shift on Myanmar

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Over the past 50 years, the United States and Myanmar have been locked in a state of perpetual tension. After taking office in 2009, the Obama administration changed the old policy and actively engaged the Myanmar government, causing bilateral relations to show some signs of relaxation. As part of its “return to Asia” strategy, the U.S.’s adjustment of its Myanmar policy carries implications transcending the two nations’ bilateral relations.

I. The Obama Administration’s New Deal on Myanmar

Soon after the Myanmar military government came to power in 1988, the United States started to isolate and exert pressure on Myanmar through sanctions, suspension of aid and loans, and bans on trade and investment on the grounds of human rights violations, democratic malpractices, and drug problems. In 2003, with the May 30 Incident in Myanmar, the U.S. Bush administration intensified its sanctions against Myanmar

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through the signing into law of the Burmese Freedom and Democracy Act. In January 2005, the U.S. government labeled Myanmar an “outpost of tyranny.” In 2007, the United States forced a vote at the United Nations Security Council on the draft resolution on the Myanmar question, which was vetoed by China and Russia. In September 2007, the Myanmar government suppressed Buddhist monk demonstrations. Subsequently, the Bush administration further increased economic sanctions against the country and approved the Tom Lantos Block Burmese JADE Act. As a result of the U.S. policies of isolation and sanctions, there has been little political contact and virtually no bilateral trade between the two countries.

After taking office, the Obama administration began to adjust its policy towards Myanmar, changing from isolation and the exertion of pressure to pragmatic engagement. In February 2009, the U.S. Department of State launched a review of its Myanmar policy. On September 28, the U.S. East Asian and Pacific Affairs Assistant Secretary Kurt Campbell released the outcome of this review. He indicated that the United States had “the fundamental goal in Myanmar of supporting a unified, peaceful, prosperous, and democratic [Myanmar] that respects the human rights of its citizens,” and the United States would begin a sustained process of interaction with Myanmar now that the country has showed its interest in engaging the United States. Thereafter, the United States enhanced its engagement with Myanmar in political, economic, and cultural areas, and bilateral relations have begun to thaw and warm up.

1. The United States has substantially increased political engagement with Myanmar.

Enhancing political interaction is the major means for the United States to improve its engagement with Myanmar. The U.S. government’s engagement with Myanmar since 2009 falls into three categories. First, President Obama and other senior

officials have manifested the position of the United States toward Myanmar through various statements. When attending the meeting of the Group of Friends of the UN Secretary-General on Myanmar, U.S. Secretary of State Hillary Clinton indicated that the United States would adopt a policy of sanctions plus direct contact with high-level officials in Myanmar. Around Myanmar's general election, the United States intensified its pressure on the country. In August 2010, President Obama and Secretary of State Clinton respectively condemned the Myanmar government for its sentencing of Aung San Suu Kyi, the leader of the opposition party, National League for Democracy (NLD). The United States refused to acknowledge the results of the general election held in November 2010 which was categorized by Obama as "anything but free and fair." However, the position of the Obama administration toward the Myanmar government has been changing along with the strides of reform in Myanmar. In his statement on Myanmar delivered on November 18, 2011, Obama recognized "flickers of progress" in the country, indicating that the progress of the bilateral relations depended on the Myanmar government "taking more concrete actions." In his words, "if Burma fails to move down the path of reform, it will continue to face sanctions and isolation [and] if Burma continues to travel down the road of democratic reform, it can forge a new relationship with the United States of America" and "begin a new chapter" between the two countries. On January 14, 2012, Obama and Clinton respectively released statements to welcome actions from the Myanmar government in releasing political prisoners and signing a cease-fire agreement with the Karen National Union (KNU). These actions announced the beginning of the process of exchanging ambassadors with Myanmar as a response to the latter's action.

Second, U.S. Department of State officials now visit Myanmar frequently. Since March 2009 when the director for Indo-China

affairs of the U.S. Department of State visited Myanmar, the levels of the U.S. officials visiting Myanmar have been on the rise. In November 2009 and May 2010, Kurt Campbell visited Myanmar twice and held talks with then Prime Minister of Myanmar General U Thein Sein, NLD leader Aung San Suu Kyi, and a number of ethnic minority military leaders. In December 2012 and May 2011, U.S. Department of State Deputy Assistant Secretary for East Asia and Pacific Affairs Joseph Yun visited Myanmar. The designation of Derek Mitchell as Special Representative and Policy Coordinator for Burma marked the establishment of a mechanism for engagement between the two countries. Mitchell has already paid five visits to Myanmar for dialogues with government and individuals of various circles. In early November 2011, Assistant Secretary for Democracy, Human Rights, and Labor Michael Posner and Special Representative and Policy Coordinator for Burma Derek Mitchell visited Myanmar together. On November 30, Secretary Clinton paid a visit to Myanmar, marking the first visit to Myanmar by a U.S. Secretary of State in the past 56 years. During her visit, Clinton met President U Thein Sein, Minister of Foreign Affairs U Wunna Maung Lwin, Speaker of Pyithu Hluttaw U Shwe Mann, Speaker of the House of Nationalities U Khin Aung Myint, Aung San Suu Kyi, and representatives of other NGOs. In January 2012, Ambassador at-Large to Monitor and Combat Human Trafficking Luis CdeBaca and Assistant Secretary for International Security and Nonproliferation Thomas Countryman visited Myanmar respectively.

Third, the United States eased visa restrictions against the governmental officials of Myanmar so that they could visit the United States and attend international conferences held in the United States. On September 18, 2009, then Myanmar Minister of Foreign Affairs U Nyan Win visited Washington, where he met with Senator Jim Webb. On September 26, Myanmar Prime

Minister U Thein Sein attended the General Assembly of the United Nations (UNGA), becoming the highest-level official of Myanmar to attend the UNGA in the past 14 years. On September 29, Campbell met Myanmar Science and Technology Minister U Thaung and the permanent representative of Myanmar to the UN to discuss improvements in the bilateral relations. In September 2011, the United States invited newly appointed Myanmar Minister of Foreign Affairs U Wunna Maung Lwin to visit the U.S. Department of State during his trip to the UNGA.

The U.S. Congress has also been active in contacting Myanmar. A number of congressmen have visited Myanmar and commented on its internal political situation. Many of them are highly influential figures or longtime hardliners against Myanmar. In August 2009, U.S. Senator Jim Webb visited Myanmar and met Senior General Than Shwe, head of the Myanmar military government, to hold a talk that lasted more than three hours. In his visit to Myanmar in June 2011, Senator John McCain met the Vice President, the Foreign Minister of Myanmar, and Aung San Suu Kyi arousing much interest from the international society. In January 2012, Representative Joseph Crowley and Senate Republican Leader Mitch McConnell, a key figure pushing for sanctions against Myanmar, along with a delegation of senators including McCain, Joseph Lieberman, Shelton Whitehouse, and Kelly Ayotte, all visited Myanmar successively. They urged Myanmar to further reform while also recognizing its progress thus far. Senator McConnell indicated that the United States might ease or lift the sanctions against Myanmar after the by-election to be scheduled for April, contingent on whether the Myanmar government accepted supervision of the election by international observers, ceased hostilities against ethnic minorities, and cut its military ties to the Democratic People's Republic of Korea (DPRK). After visiting Myanmar, McCain also suggested that if the election were free and fair, there would be

no problem ending the sanctions.

The political interactions between the Obama administration and Myanmar are escalating in importance, reflecting a commitment on the part of the United States to adjust its Myanmar policy. At the same time, U.S. visitors are contacting the various forces in Myanmar. Besides the president, minister of foreign affairs, and members of parliament of Myanmar, foreign visitors also called on or had talks with representatives of the opposition parties, including Aung San Suu Kyi, human rights and democracy activists, members of non-governmental organizations, and representatives of ethnic minority armed forces. Secretary Clinton even received the Myanmar civil society delegation in the U.S. Department of State on February 8, 2012. In the delegation was Zaganar, a comedian and recently released political prisoner, and Khin Than Myint, a National League for Democracy activist. They discussed a range of topics, including political prisoners, women's rights, and the situation of ethnic minorities in Myanmar. On top of this, visiting U.S. officials have begun to avoid using the colonially colored title of "Burma" to refer to Myanmar.

2. The United States has raised bilateral and multilateral aids to Myanmar.

The U.S. sanctions against Myanmar prohibit assistance to the country that is not earmarked for humanitarian, pro-democracy or human rights purposes. The international financial institutions are also prevented from providing aid to Myanmar. Therefore, the U.S. assistance to Myanmar is mainly directed to projects for humanitarianism, refugees, and the development of a strong civil society in Myanmar. Highlighting the role of overseas aid in its engagement policy, the Obama administration has lifted restrictions on multilateral aid to Myanmar, while increasing the volume of its own assistance.

In October 2011, an official of the Asia Bureau of the United

States Agency for International Development (USAID) visited Myanmar, proposing a five-year assistance plan to sectors that included marital and child health, food safety, and clean water. They proposed helping 2,500 villages of 24 counties obtain clean water through non-profit civil organizations. When visiting Myanmar in early November, the U.S. Special Representative and Policy Coordinator for Myanmar Derek Mitchell proposed an extension of the microfinance program of the USAID to the regions of ethnic minorities. During her visit to Myanmar, Clinton announced an assistance package worth US\$ 1.2 million for Myanmar to cover medical care and microfinance. Assistance for refugees along the Myanmar-Thailand border is another focal point of the U.S. assistance to Myanmar. In 2011, USAID carried out a resettlement program for 10,000 refugees in the border areas between Myanmar and Thailand.

To ease restrictions on aid to Myanmar, the Obama administration has tended to increase assistance to Myanmar through international organizations in which the United States maintains dominant or significant influence. In her visit to Myanmar, Clinton committed the endorsement and support of the U.S. in the IMF and the World Bank's assessment development needs of Myanmar. She also indicated that the U.S. supported relieving the restrictions on the United Nations Development Program (UNDP) projects in the area of health and microfinance. On February 7, 2012, Clinton signed a partial waiver of restrictions imposed on Myanmar under the Victims of Trafficking Violence Protection Act of 2000 and allowed assessment missions and limited technical assistance in Myanmar via international financial institutions such as the World Bank, the Asian Development Bank, and the IMF.

3. The United States has strengthened social and cultural exchanges and dialogues with Myanmar.

The United States has realized that during an era of potential

political paradigm shift, it is imperative to exert more influence on the country by beefing up their educational and cultural exchanges and nurturing a civil society. Therefore, in addition to political discourse and economic assistance, the Obama administration has made more efforts in social realms to engage Myanmar, increasing the number of visits and humanities exchanges. The U.S. has agreed to build on its pilot project of providing English teachers to Myanmar through the Fulbright English Teaching Assistantship Program. When visiting Myanmar, Clinton also indicated that the U.S. would carry out educational and training programs oriented to Myanmar. An official of the U.S. Department of State disclosed that in 2012 the United States would establish a mechanism with Myanmar to facilitate communications between governmental officials, scholars, and students. According to a report from the Voice of Myanmar on February 6, Bard College in upstate New York has talked with educational authorities in Myanmar about the possibility of opening a local branch – the school will reportedly enroll 2,000 students in Myanmar in 2013 if everything goes smoothly. U.S. think tanks are also increasing contact with Myanmar. In January 2012, the New York-based Asia Society held a second-track dialogue with the newly established Myanmar Development Resource Institute to open a channel of communication between experts of the two countries and explore opportunities to advance the two nations' bilateral relations during a period of transition in Myanmar. On top of this, U.S. democracy and human rights organizations are very active in Myanmar. The Open Society Foundation established by George Soros, the investment tycoon and philanthropist, provides US \$2 million every year to Myanmar for scholarship and educational programs. During his visit to Myanmar at the end of 2011, Soros met President U Thein Sein and Aung San Suu Kyi and decided to establish an official presence in

Myanmar for better use of the funds.

II. Reasons for the United States to Change Its Myanmar Policy

1. The former isolation policy alone was ineffective.

Myanmar assumes a certain economic capacity of resistance against western sanctions led by the United States. The economy of Myanmar is highly self-sufficient given that traditional agriculture serves as a pillar of the domestic economy. In recent years, Myanmar has further enhanced its capacity to withstand the western sanctions by strengthening cooperation with the Association of South East Asian Nations (ASEAN), China, India, Japan, and Russia. In terms of politics, because it scaled down its diplomatic ties with Myanmar to the level of Chargé d'Affaires in 1989, the United States has been virtually void of substantial contact with high level officials in Myanmar over the years. Consequently, the United States does not have much knowledge of the internal politics of Myanmar, and its ability to influence the reform process in Myanmar is limited. The prolonged policy of isolation and sanctions has neither changed the military government with a pro-west regime nor improved democracy and human rights inside Myanmar. Instead, it has only aggravated the Myanmar people's dissatisfaction with and resentment towards the United States. Because of this situation, insightful figures in the United States called on the government to stop sanctions as soon as possible, arguing that sanctions would neither change the regime nor encourage reform. Rather, these measures simply flare up the domestic propaganda of the Myanmar government, venting that the West is opposed to its government under all circumstances. In February 2009 when visiting Indonesia, Secretary Clinton admitted that the U.S. sanctions failed to exert influence in Myanmar.

2. Driven by economic interests, the United States wants to return to the Myanmar market.

Nicknamed the “richest bank of resources in Asia,” Myanmar boasts rich reserves of petroleum, natural gas, gold, silver, ore, and timber. With a population of 60 million, Myanmar has great prospects of economic development. Owing to the sanctions imposed by the United States, such companies as Coco Cola, Apple, and Pepsi retreated from the Myanmar market successively at the end of the last century. In recent years, capital from China, ASEAN, India, Japan, and other sources has been flowing into Myanmar to vie for market share, while American enterprises can do nothing but observe from afar. In January 2012, Myanmar granted licenses to explore oil and gas in ten land blocks to eight foreign companies, none of which were from the United States. Since the financial crisis, eager to expand the overseas market, U.S. enterprises have raised their voices to enter Myanmar.

3. The United States cannot circumvent the Myanmar issue in attempting to strengthen its relations with ASEAN.

After taking office, the Obama administration decided to “return to Asia,” focusing on the strategic presence of the United States in ASEAN. In this case, the Myanmar issue turned out to be an obstacle between the United States and ASEAN. The two sides disagreed with each other on the question of Myanmar, and the United States cannot shy away from this question if it is to strengthen relations with ASEAN. The United States and other western countries used to be strongly opposed to ASEAN’s adoption of Myanmar as a full member. In 2006, Myanmar was supposed to play the rotating host at the ASEAN meeting. However, the United States and the other western countries warned that they would boycott the relevant ASEAN meetings if Myanmar were to host. Finally, Myanmar had to give up the role of host. When the United States changes its isolationist policy

towards Myanmar, ASEAN's embarrassing position between the United States and Myanmar will somehow be relieved and given more space for cooperation. On the other hand, the United States may find it easier to realize its strategic goal of "returning to South East Asia." When talking about Myanmar, Campbell indicated that a stronger engagement with ASEAN has become an overriding strategic priority for the United States.

4. The United States plans to counterbalance the influence of China by improving relations with Myanmar.

Located between the South Asian subcontinent and the Indo-China Peninsula, standing between China and access to the Indian Ocean, Myanmar holds a strategic position of great significance. Over the years, Myanmar has enhanced relations with China in various aspects, including economics and politics, with the intent of buffering against the isolation and sanctions imposed by the United States and western countries. Some strategic analysts in the United States were even worried that Myanmar might become a Chinese vassal state. In a hearing on Myanmar policy, Howard Berman, former Chairman of the House Committee on Foreign Affairs, observed that the U.S. policy of isolation over the past two decades has resulted in China's growing political and commercial influence in Myanmar; and that the relationship between China and Myanmar, although historically precarious, has been strengthened in the absence of the United States. In the eyes of the United States, with increasing influence on Myanmar and especially with the building of the Myanmar-China oil and gas pipelines, China is determined to move towards the Indian Ocean via Myanmar. This will not only change the power structure of the region, but also carry implications on the global strategy of the United States. Therefore, the decision-making level of the Obama administration believes that it is imperative to relax its relations with Myanmar and provide the latter with a diversified set of options so as to

keep it from running completely into China's embrace.

5. Political changes in Myanmar provided the conditions for the United States to accelerate its policy adjustment in Myanmar.

Myanmar has been yearning for more international recognition, while the attitude of the United States has been very influential on the policies of other countries. Since taking power in March 2011, the new government of Myanmar has conducted a series of political and economic reforms, including releasing political prisoners, easing media control, allowing the establishment of trade unions and public peace rallies, establishing the human rights committee, and announcing the privatization of 90% of state-owned enterprises. These policies have all been attempts to change its isolated situation, expand diplomatic space, prompt the United States and other western countries to lift economic sanctions as early as possible, and at the same time mitigate internal tension and consolidate the regime. The most remarkable actions of the democratic reforms in Myanmar is the meeting between President U Thein Sein and Aung San Suu Kyi concluded in an initial reconciliation, whereby the opposition party led by Aung San Suu Kyi was allowed to stand by-election in the parliament. The Myanmar government also strived to realize a ceasefire with the armed forces of the ethnic minorities, concluding several successful agreements. Through its democratic reforms Myanmar has to some extent sent a signal of goodwill and relationship improvement to the United States and other western countries, providing the United States with more steam to improve its relations with Myanmar.

III. Potential Factors Influencing the U.S. Myanmar Policy

Judged by the recent developments, there is still great room to

improve the relations between the United States and Myanmar. U.S. investors have rushed to Myanmar for pre-investment studies in such sectors as oil and gas, telecommunication, and consumer goods. These investors will urge the U.S. government to end or ease sanctions against Myanmar. Once flowing into Myanmar, U.S. capital will promote the bilateral relations considerably. It is settled that Aung San Suu Kyi, as a banner and symbol of the democratic struggle in Myanmar, will run for parliamentary by-election in April and it is hopeful that she will return to state politics. This will help the Myanmar government display the sincerity of its democratic reform and make the United States consider seriously lifting the sanctions against Myanmar. Myanmar will act as the rotating host of the ASEAN meetings in 2014 and will take this opportunity to show the international society its democratic and open side. Therefore, in the near future, Myanmar will make more efforts to open to the outside world in political, economic, and social areas.

The above-mentioned factors present a good opportunity for the United States to deepen its engagement with Myanmar. However, the future development of the U.S.-Myanmar relations is still faced with serious uncertainties.

Firstly, there are voices of objection in the U.S. Congress in terms of the engagement with Myanmar. A lot of congressmen still believe that Myanmar's reform is but a "show" and request the Obama administration to exert more pressure on Myanmar, instead of practicing its engagement policy, of which they are highly critical. The U.S. Senate Women's Caucus on Burma wrote to Hillary Clinton to condemn the Myanmar troop's violence against women and urged her to establish an international Commission of Inquiry into crimes against humanity. On the eve of Clinton's visit to Myanmar, Ileana Ros-Lehtinen, Chairman of the U.S. House Foreign Affairs Committee, calling the Myanmar government "an outlaw regime whose DNA

remains fundamentally brutal,” criticized Clinton for sending wrong signals to the Myanmar government that superficial actions or flickers of progress were sufficient to win the U.S.’s engagement. Upon Clinton’s announcement of exchanging ambassadors with Myanmar, Ros-Lehtinen condemned her decision as grossly premature. Senator Dick Lugar also delivered a statement to request that the government pay attention to the nuclear plan of Myanmar. Representative Chris Smith told the Associated Press that while he was supportive of Aung San Suu Kyi, the United States should not be naive in its dealings with the government or “reward that which can be taken back in a heartbeat.” Senator John Kerry, Chairman of the U.S. Senate Foreign Relations Committee, acknowledged that changing the Congress’ long-held view over Myanmar could not happen overnight. In February 2012, Myanmar’s application to join the joint military exercise of Cobra Gold co-chaired by the United States and Thailand was declined owing to the objection of the U.S. Congress, despite the endorsement of other branches of the U.S. government. In the future, the U.S. government will still be confronted with constraints from Congress in developing relations with Myanmar, especially in terms of its ongoing sanctions.

Secondly, the future of the Myanmar’s reform is unclear and thus unlikely to meet the demands of the United States. The internal reform of Myanmar is a prerequisite for the United States to adjust its policy toward the country. Although Myanmar is presenting an active inclination towards reform, the current initiatives have not touched the deep-rooted institutional layer. International observers are yet to identify reform in Myanmar as a strategic option or a matter of expediency. The power of the new government of Myanmar is shared in a scattered way with the existence of disagreement between the reforming group headed by President U Thein Sein, who has limited power over

the armed forces, and the hardliners headed by Vice President U Thin Aung Myint Oo. According to one analysis, the former military government leader Than Shwe deliberately left a power vacuum for Thein Sein and Thin Aung Myint Oo to try to fill up. It is also reported that Than Shwe frequently holds meetings with members of parliament at his residence to manipulate the general parliamentary situation behind the scenes. Currently, the major power departments, including parliament, government, and the armed forces, are still under the control of the military group. In his 2012 address commemorating the independence of Myanmar, Thein Sein declared that military authority will still play a critical role in Myanmar. Western countries believe that Myanmar is still faced with challenges in its reform process as the reformers, still anxious to influence the conservatives, have to promote reforms cautiously. Setbacks and regression are not unlikely if the fundamental interests of conservatives are frustrated too severely.

The United States' preconditions for lifting sanctions are presently the complete release of political prisoners, assurance of free and fair election, reconciliation with ethnic minorities, and permanent suspension of military relations with the DPRK. Myanmar has difficulty meeting the demands of the United States in the short term. The issues of ethnic minorities are the thorniest. The most outstanding problem is the armed conflict between the governmental forces and the Kachin. The current fighting broke out in June 2011 and has caused tens of thousands of civilian people to become homeless. There are no signs of a ceasefire up to date. An official of the Myanmar government in charge of the peace talk coordination indicated that it would take around three years to realize a lasting peace area.

Thirdly, the United States has limited means to influence Myanmar. Over the years, the United States has rarely been

engaged with Myanmar. Thus, the United States is short on effective means to exert influence on Myanmar. In the preliminary period of democratic reform in Myanmar, the United States could not readily end its sanctions against Myanmar, lest dropping the most powerful card in its hand. However, the existence of sanctions will necessarily restrict the substantial improvement of the bilateral relations. Assistance remains a critical chip for the United States to encourage the reform process in Myanmar. However, with the weak economic recovery and a tight government budget, the U.S. capacity to provide overseas assistance has been clearly dampened. In her trip to Myanmar, Clinton only offered US \$1.2 million, in sharp contrast to the 185 million pounds (approximately US\$286 million) of assistance in health and education committed by the U.K. Foreign Secretary William Hague. As the Myanmar government presently takes economic development as the first priority, Japan, China, ASEAN, and the European Union are extending assistance to Myanmar the form of capital and other forms of economic help. In comparison, the U.S. assistance appears virtually negligible, upsetting to some extent its influence on the internal affairs and development direction of Myanmar.

Fourthly, Myanmar is wary of the United States, who is pressing Myanmar in terms of democracy and human rights and demanding that the Myanmar government pursue a western democratic path for the core purpose of transforming the regime peacefully. To this end, the United States constantly penetrates into Myanmar society through funding the non-governmental organizations and supporting the democratic forces to influence the public in various circles and nurture a civil society. Some congressmen requested that the Obama administration enhance engagement with civil society leaders and the people of Myanmar more than engagement with the Myanmar government. Constantly under the pressure and threat of the United States,

Myanmar understands that the United States will never give up on its attempts to change the regime. Therefore, the Myanmar government uses great caution in promoting democratic reforms, taking it as the precondition to ensure the continuation of its rule and its own fundamental interests. Besides, always sticking to the traditional “neutrality” and “non-alignment” foreign policy, Myanmar would not tie the fate of its own people to a country and subscribe to the requests of the United States only for the sake of improving that relationship.

In conclusion, despite all the challenges, it will be a long-term trend that the United States and Myanmar will improve their bilateral relations, particularly as Myanmar continues to promote reforms. How far and how fast the bilateral relationship will go depends mainly on the fulfillment of the internal reconciliation and democratic processes in Myanmar and the bilateral gaming. In terms of improving the bilateral relationship, Myanmar is appealing to the United States, who now has a relative upper hand. In order to realize its own objectives and solidify the reforms of Myanmar, the United States will continue applying various strict conditions to Myanmar and engage the country in an action-for-action way. Senator McConnell insisted that even if the parliamentary by-election went smoothly, the United States would still wait and see whether Myanmar should take any further actions to persuade the United States to release sanctions partially or completely. On the other hand, Myanmar is worried that the United States is only delivering lip service holding tightly holding the chips in hand. Bilateral relations will develop in trials and games. If Myanmar keeps moving ahead on a path towards democratic reform, it would be likely that U.S.-Myanmar relations will develop in a way similar to the normalization of the U.S.-Vietnam relations. 