

THE WAY AHEAD

*North Korea Policy
Recommendations for the
Trump Administration*

**JOEL S. WIT
DECEMBER 2016**

US·KOREA
INSTITUTE AT SAIS

Joel S. Wit, concurrently a Senior Fellow at the US-Korea Institute (USKI) at the Johns Hopkins School of Advanced International Studies (SAIS) and an adjunct Senior Fellow at Columbia University's Weatherhead Institute for East Asia, is the co-founder of "38 North" (www.38north.org). An internationally recognized expert on Northeast Asian security issues and non-proliferation, Mr. Wit has 20 years of experience in the US State Department and the Washington think-tank arena. In 1993, he joined the staff of Ambassador Robert L. Gallucci and was an important player in reaching the 1994 US-North Korea Agreed Framework. From 1995-2000, Mr. Wit was the State Department Coordinator for implementation of that agreement, playing a key role in the formation of KEDO and its operations as well as working with North Korea on other aspects of the Agreed Framework. He has written numerous articles on North Korea and non-proliferation including, "US Strategy Towards North Korea: Rebuilding Dialogue and Engagement," published by Columbia University and the US-Korea Institute at SAIS. Mr. Wit is also the co-author of the book, *Going Critical: The First North Korean Nuclear Crisis*.

THE WAY AHEAD

*North Korea Policy
Recommendations for the
Trump Administration*

JOEL S. WIT
DECEMBER 2016

US·KOREA
INSTITUTE AT SAIS

Copyright © 2016 by the US-Korea Institute at SAIS
Printed in the United States of America
www.uskoreainstitute.org

All rights reserved, except that authorization is given herewith to academic institutions and educators to reproduce for academic use as long as appropriate credit is given to the author and to this publication.

The views expressed in this publication are of the author and do not necessarily represent the opinions of the US-Korea Institute at SAIS.

This publication was made possible in part by a grant from the Carnegie Corporation of New York and support from the John D. and Catherine T. MacArthur Foundation. The statements made and views expressed are solely the responsibility of the author.

The **US-Korea Institute (USKI)** at the Paul H. Nitze School of Advanced International Studies, Johns Hopkins University, works to increase information and understanding of Korea and Korean affairs. USKI's efforts combine innovative research with a repertoire of outreach activities and events that encourage the broadest possible debate and dialogue on the Korean peninsula among scholars, policymakers, students, NGO and business leaders, and the general public. USKI also sponsors the Korea Studies Program at SAIS, a growing policy studies program preparing the next generation of leaders in the field of Korean affairs. For more information, visit www.uskoreainstitute.org.

TABLE OF CONTENTS

THE WAY AHEAD: NORTH KOREA POLICY RECOMMENDATIONS FOR THE TRUMP ADMINISTRATION

Executive Summary	7
The Way Ahead: North Korea Policy Recommendations for the Trump Administration	9
Time to Call a New Play	11
A Strategy of Phased Coercion	15
What Would Success Look Like?	23
Final Word	24
Appendix: Notional Game Plan for the New Administration	25

EXECUTIVE SUMMARY

Current US policy toward North Korea has reached a dead end, and continued drift will pose a grave danger to the United States, South Korea and Japan. This paper evaluates three options for putting that policy on a better trajectory. Its main conclusions are summarized below.¹

- North Korea crossed the nuclear weapon threshold during the George W. Bush administration, and during the Obama administration continued its unabated development of more advanced nuclear weapons and ballistic missiles. These programs represent one of the most serious national security challenges facing the incoming Trump administration. The Obama administration's policy failed to halt and reverse this threat. Continuing that policy will guarantee that four years from now the situation will be much worse and the options available to the United States will be even narrower and more dangerous to implement.
- The potential stakes for the United States are immense. They include: 1) North Korean intercontinental ballistic missiles (ICBMs) that can reach the United States; 2) a growing threat to US allies and forces in Northeast Asia and to the cohesion of our alliances with South Korea and Japan; 3) an escalating crisis in US-Chinese relations over how to deal with Pyongyang; 4) a greater risk of preventive war and the escalation of a local incident into a wider conflict; 5) a growing danger that nuclear weapons, technology and know-how will leak from North Korea; 6) a weakening South Korean and Japanese commitment to the Nuclear Non-proliferation Treaty (NPT); and 7) an unabated human rights and humanitarian crisis in North Korea.
- The new administration will need to quickly assess the situation, formulate a policy and move forward within the first 100 days if it is to have any hope of dealing with this challenge, given the danger that actions by North Korea or others will significantly narrow its options. To get on this fast track, a top-down, White House-driven process with strong presidential leadership will be required. In formulating its approach, the new administration will need to consider what strategy can best advance US interests; whether the United States should continue to rely on China to solve this problem; the role of America's allies in policy formulation and implementation; and the price Washington is willing to pay to initially halt Pyongyang's programs, a first step on the road to denuclearization.
- The United States essentially has three options for a new strategy: 1) an Iran-style campaign to initially impose crippling sanctions on North Korea intended to persuade Pyongyang to return to negotiations and accept rapid denuclearization; 2) preventive military strikes to remove the North Korean ICBM threat before it menaces the United States; and 3) a strategy of coercive diplomacy that leads with serious diplomatic outreach to Pyongyang backed up by the threat of taking necessary actions to protect the United States and its allies from an impending ICBM threat and an expanding nuclear program.
- A campaign to impose crippling sanctions on the North is likely to fail, since it will be opposed by China. Any attempt to coerce Beijing will likely be met with a strong response, creating a rift that North Korea will exploit to continue to move forward with its weapons of mass destruction (WMD) programs. Pre-emptive military strikes will face severe operational

¹ The author would like to thank Robert Carlin, Joseph DeThomas, William McKinney and others who will remain anonymous for providing background papers, comments and assistance in writing this review.

difficulties and likely provoke a strong response from Pyongyang. It would also be opposed by South Korea and Japan and draw China into what may be an escalating regional conflict.

- A strategy of coercive diplomacy, focused initially on aggressive and sustained diplomacy to secure phased denuclearization, offers the best prospects for success. If this effort fails, Washington would significantly escalate pressure commensurate with the severity of North Korean actions, particularly the impending testing and deployment of an ICBM. The purpose would be to reassure allies, to mount sufficient pressure on China and the North to head off ICBM deployments, to persuade Pyongyang that dialogue may still serve its interests, and to establish a robust “containment” regime should the North move ahead in any case.
- This strategy will not only be difficult to implement (see the appendix for a notional game plan) but will also encounter criticism at home and abroad because of its focus on diplomacy first; however, the opposition should prove manageable. Moreover, it is the only option that stands a reasonable chance of halting and eventually reversing North Korea’s drive to become a major nuclear weapons state, achieving stable peace on the Korean peninsula and commanding support from South Korea, Japan and China.
- A successful policy could pay important dividends by the end of 2017. These include halting the development of the North Korean ICBM and hydrogen bomb; sending International Atomic Energy Agency (IAEA) inspectors back to Pyongyang’s main nuclear facility; restarting North-South military-to-military talks on reducing the dangers of confrontation on the peninsula; resuming serious talks on achieving further steps leading to a nuclear-free Korean peninsula; and engaging in discussions on North Korea’s human rights violations. In addition, enforcement of existing sanctions will have been tightened and alliance cohesion maintained.

Past US strategy toward North Korea has emphasized either diplomacy or confrontation but has never integrated the two tracks with significant incentives to secure US objectives and significant disincentives to punish Pyongyang if it rejects a serious and credible offer of negotiations. It is by no means certain that the United States can achieve its preferred outcomes with North Korea by adhering to this hybrid approach. There are risks to both action and inaction, but the dangers posed by North Korea are so great that the United States cannot afford to ignore the problem. In formulating this approach, the new administration must jettison flawed assumptions that have underpinned a failed US policy for the past eight years. A new policy that tries negotiations first, and then puts pressure on the North if its intransigence scuttles diplomacy, is still no guarantee of success, but is the most promising choice from a menu of very bad options.

THE WAY AHEAD: NORTH KOREA POLICY RECOMMENDATIONS FOR THE TRUMP ADMINISTRATION

North Korea's fifth nuclear weapons test in September 2016 and the more than 20 tests of ballistic missiles conducted over the past year highlight the failure of US policy to stop the growing security threat posed by a hostile Pyongyang. If the status quo continues, the Trump administration will face steadily worsening conditions on the Korean peninsula and in Northeast Asia when its first term ends four years from now. Specifically:

- ***Mounting danger to the continental United States:*** The North will pose a direct threat to the continental United States by testing a new North Korean road-mobile intercontinental ballistic missile (ICBM) or a new large space launch vehicle (SLV) early in the first term. North Korean ICBM tests will set off a political firestorm in the United States as well as in South Korea and Japan.
- ***Growing threat to US allies and forces in Northeast Asia:*** By 2020, Pyongyang will field a nuclear arsenal of as many as 100 nuclear weapons as well as new and more survivable missiles able to reach targets in Northeast Asia. These weapons will call into question current military plans to defend South Korea since the North could use nuclear weapons very early in a conflict to destroy key facilities, such as ports and airfields used by US forces flowing to the peninsula.
- ***Increasing challenge to key alliances:*** Failure to directly address the North Korean challenge will further undermine confidence among America's allies at a time when the rebalancing of US policy toward Asia is already in trouble. In the case of South Korea, a crisis could erupt as concerns increase about America's willingness to use nuclear weapons to protect its ally. Conversely, because of Washington's inability to deal with this growing challenge, a new South Korean government that replaces President Park may take steps on its own to reach out to North Korea to accommodate China's concern, creating tensions in the alliance.
- ***An escalating crisis in US-Chinese relations:*** A US-North Korea confrontation would provoke a crisis in Washington's relations with Beijing. Efforts to respond to the North Korean threat—such as the deployment of the Terminal High Altitude Area Defense (THAAD) system and further steps to expand missile defenses—will elicit strong responses from Beijing. Likewise, China's resistance to tougher international sanctions on the North will result in secondary US sanctions on Chinese companies, triggering further retaliation.
- ***Eroding stability on the Korean peninsula:*** In response to growing North Korean nuclear capabilities, South Korea and Japan will develop and deploy improved capabilities for pre-emptive strikes against North Korea's leadership and suspected WMD facilities. As these capabilities grow, North Korea will put its forces on a higher state of alert and "use or lose" pressures will increase, further undermining crisis stability on the peninsula.
- ***Mounting danger that local provocations will trigger a wider conflict:*** The danger that a local provocation could escalate to a peninsula-wide conflict will grow. A Pyongyang in possession of a growing nuclear arsenal may feel more secure in conducting provocations at will. A future incident could trigger retaliation that draws in the United States and

China. Moreover, war on the peninsula, always a horrific prospect, will be even more destructive given the distinct possibility that nuclear weapons could be used.

- ***Spreading of nuclear weapons technology:*** A North Korea with a growing nuclear weapons stockpile is more likely to explore the transfer of sensitive know-how and technology to non-state actors and state sponsors of terrorism to earn hard currency. The North may believe that the United States and the international community will be deterred from punishing a country awash with nuclear weapons.
- ***Weakening South Korean and Japanese commitment to the NPT:*** Seoul and Tokyo will both move toward a “hedging strategy” by building up their technological capabilities to rapidly field nuclear weapons if a decision is made to do so. A reconsideration of their commitment to non-nuclear status would unravel the NPT, reducing the security of countries in the region and around the world.
- ***Increasing dangers if North Korea becomes unstable:*** The loss of centralized control over a much larger nuclear and WMD stockpile and the possible leakage of these weapons, technology and know-how across the North’s borders will pose a serious threat to the international community. Moreover, the United States and South Korea will not possess the capacity to seize and secure these weapons in an increasingly chaotic security environment.
- ***Unabated human rights crisis:*** North Korea’s gross human rights violations will continue for four more years. More instances of crimes against humanity—including extermination, torture, rape, and political and religious persecution—will be publicized. International condemnation will continue but with little or no effect on Pyongyang’s practices.

The United States had the luxury of playing for time in the past, since Pyongyang’s nuclear and missile programs did not present an immediate security threat. But the rapid growth of these programs now poses an immediate danger to US security. As a result, Washington is rapidly running out of time to slow, stop or reverse these dangerous trends. The Trump administration will need to assess the situation, formulate a policy and move out quickly if it is to have any hope of dealing with this challenge.

TIME TO CALL A NEW PLAY

There is a broad consensus in Washington and abroad that US policy toward North Korea over the past eight years has failed: rather than containing the North Korean threat, the danger from Pyongyang's nuclear weapons and ballistic missiles has expanded to alarming proportions. Staying the course will fail because US policy has been based on four flawed assumptions: 1) China, which prioritizes strategic depth and stability over denuclearization, will carry our water on economic sanctions; 2) North Korea, which has proven remarkably resilient in the face of growing diplomatic, economic and other pressures, cannot survive without close ties to the international community; 3) time is on our side, even though the regime continues to defy predictions of its collapse and all signs indicate that Kim Jong Un is firmly in control; and 4) the North will renege on its commitments, despite the fact that it abandoned an advanced plutonium production program under the 1994 Agreed Framework.

By clinging to these assumptions for so long, the United States is now essentially mired in a policy “no-man’s-land” characterized by relatively weak sanctions that appear to have had little or no effect on the North’s nuclear and missile programs, little to no prospect of renewing dialogue to explore whether negotiations are possible, continuing divergences with China over the best policy in dealing with Pyongyang and a North Korea that has successfully withstood US pressures. Moreover, while the United States has taken steps to strengthen its alliances with South Korea and Japan, the sheer pace of Pyongyang’s nuclear and missile developments has created doubts about the future of those relationships and particularly extended deterrence.

As the North Korean challenge has mounted, several possible options have been advanced to deal with this threat. Any new policy will need to address four critical questions: 1) Does the proposed strategy advance objectives that serve US national interests? 2) How much should the United States depend on Chinese cooperation, and will it be possible or even desirable to coerce Beijing to adopt the US priority of denuclearization given other challenges in the bilateral relationship? 3) What role should America’s allies, particularly South Korea, play in policy formulation and implementation? 4) What price is the administration willing to pay to establish limits on the North’s nuclear and missile programs but not achieve complete and immediate denuclearization?

Three options a new administration might consider are as follows.

The Iran Model

Pursuing an Iran-like approach will require ramping up efforts to impose crippling sanctions on North Korea and expose its people to the outside world. The objective of this pressure would be to persuade Pyongyang that its interests are best served by a resumption of negotiations to reach nuclear agreements acceptable to the United States. Generating these pressures, however, will prove extremely difficult. China, unlike the European Union, will strongly resist and is likely to retaliate against the United States and its allies if Washington seeks to coerce Beijing through secondary sanctions. That could mean Beijing taking economic and diplomatic measures in direct response or steps that would severely stress the overall bilateral relationship, jeopardizing progress on everything from climate change to cyber security. Second, North Korea is much more impervious to economic pressure than Iran. Some of the measures used effectively against Iran—for example, driving it out of the global financial system—have already been taken against the

North with little effect. And in the unlikely event that crippling pressure could be mounted, it is just as likely that the North would tighten its belt or lash out rather than give in.

Other possible initiatives, such as mounting an information campaign intended to create internal dissension in the North, even if successful in the face of what are likely to be strong North Korean countermeasures, might not take hold for years or even generations. In short, the new administration would find itself stuck in an unsuccessful campaign to ratchet up pressure while, in the meantime, Pyongyang would use the running room created by a growing US-Chinese dispute to move forward with its WMD programs. After a year in office, the Trump administration would probably find itself trapped in the same policy no-man's-land occupied by the Obama administration.

Military Strikes

A second option, which assumes that an irrational Pyongyang would not be deterred from attacking the continental United States, would be to launch a preventive military strike against North Korea's ICBMs before they become a credible threat. Whether that basic assumption is correct or not is open to question. Contrary to the view that North Korea is irrational, the overwhelming weight of evidence suggests that Pyongyang would use nuclear weapons against the continental United States only in the most extreme circumstances, when it perceives its national survival is threatened. Nevertheless, such a strike would face a number of significant challenges. First, it could present operational challenges, particularly if it took place on short-notice or was conducted from location other than the above-ground launch pad at the Sohae Satellite Launching Station. Second, it would almost certainly trigger a North Korean military response against South Korea or Japan, neither of which is likely to support a strike because of the escalatory risks. Third, it would almost certainly draw China into what could be a rapidly spiraling regional crisis. Fourth, although the United States might attack other WMD and conventional targets to limit the North's ability to retaliate, the chances of success would still be minimal, while the risks of escalation and of igniting a regional conflict would be high.

Phased Coercive Diplomacy

A third option for the Trump administration would be to pursue a phased strategy of coercive diplomacy that recognizes the differences between Iran and North Korea as well as the serious consequences of a military strike. Rather than seek to escalate pressure on the North in preparation for launching a serious diplomatic initiative, this approach would initially focus on diplomacy to explore whether agreements that serve US interests are possible while at the same time laying the groundwork for increasing pressure. That would entail launching a new initiative to strengthen the enforcement of existing sanctions and moving forward with steps to enhance US alliances in Northeast Asia and extended deterrence. For example, the United States, in close consultation with South Korea and Japan, would begin formulating a long-term strategy to integrate military, political, economic and other tools to deter North Korea in case diplomacy fails.

If it becomes clear that Pyongyang is more interested in expanding its nuclear and missile arsenals than in finding a negotiated path forward, Washington would threaten significant responses to actions that present a direct threat to the United States, such as the impending testing and deployment of a North Korean ICBM. Those steps could include: 1) severe sanctions amounting to an energy and non-food trade embargo on the North—preferably with the

approval of the United Nations Security Council, but unilaterally if necessary—including secondary sanctions against Beijing if it opposes tough measures at the UN; 2) the rotational deployment of aircraft capable of carrying nuclear and conventional weapons (ranging from F-35 fighter-bombers to B-52/B-1 strategic bombers) as well as visits of US ballistic missile-carrying submarines to the Korean peninsula; 3) a reevaluation of the overall US military posture on the peninsula and in Northeast Asia triggered by the serious escalation of the North Korean threat; and 4) implementation of a long-term deterrence campaign. The purpose of this strategy would be to reassure allies, mount sufficient pressure on China and the North to head off ICBM deployments, persuade Pyongyang that dialogue may serve its interests, and establish a robust “containment” regime should the North move ahead in any case.

Such an approach would have a number of advantages. First, it would avoid the likely risk of an unsuccessful initial effort to significantly ramp up pressure on Pyongyang. Second, prioritizing a new diplomatic initiative to explore whether it would be possible to stem the growing North Korean WMD threat would provide the clarity necessary to chart a path forward while also addressing Beijing’s key objection to US policy—that Washington has not made a credible effort to restart dialogue with Pyongyang. If the new initiative succeeds, Washington and Beijing will have taken an important step toward rebuilding cooperation that could serve the United States well as it moves down the diplomatic track. And if it fails because of North Korean intransigence, a credible US effort to restart dialogue with North Korea would put it in a stronger position to push Beijing to support further international sanctions to increase pressure on Pyongyang. Finally, this approach would make it clear to both Beijing and Pyongyang that Washington would be prepared to face a crisis with China over North Korean behavior under certain plausible circumstances.

This option is not without potential downsides. A new policy initially focused on diplomacy will face serious domestic political opposition. Skeptics will express the common if erroneous perception that past talks with North Korea have uniformly failed, when in fact the record has been mixed. They will also argue that, while it may have been possible to halt North Korea’s nuclear program before weapons have been tested and stockpiled, Pyongyang’s program is much more advanced today, making denuclearization impossible.

These arguments, however, are overblown; the domestic challenge is likely to be more manageable for several reasons, including:

- The bipartisan consensus that current US policy is not working, combined with the absence of any consensus on what should be done, could create political space for considering other strategies.
- The intensity of domestic criticism may be more limited than in the case of the Iran deal, since there are no domestic political constituencies likely to speak out against such an effort beyond those who oppose dealing with rogue states in general.
- Much of the domestic criticism could be defused if the Trump administration makes the case publicly that the threat posed by North Korea is imminent, that the current policy has not worked, and that dealing with the North Korean threat is a top priority.

- Combining a new diplomatic initiative with stronger measures to bolster US security and extended deterrence and increase pressure on North Korea and China will help mitigate domestic political opposition.
- Finally, securing the support of South Korea and Japan should bolster the administration's case.

Furthermore, Pyongyang is grappling with broader political and economic considerations that could in fact lead to serious nuclear negotiations. The North is clearly uncomfortable with its close dependence on China. In addition, Pyongyang's nuclear program limits opportunities for attracting foreign investors, which are important for improving economic performance and reducing reliance on Beijing. Finally, North Korea may be facing the question that all emerging nuclear powers confront, namely "how much is enough?" The state of the external security environment—particularly relations with the United States—as well as the availability of economic and technological resources will be critical in trying to puzzle out an answer. In short, all of these factors may open diplomatic windows of opportunity.

These challenges may have been reflected in signals from the North. At least four times in the past three years, Pyongyang has suggested that it is willing to talk about a nuclear-free Korean peninsula. An authoritative government statement issued on July 6, 2016, appeared to open the possibility for dialogue by reintroducing conditions for talks, many of which had been accepted by Washington and Seoul during previous discussions. Of course, such statements may be efforts at deception, although that is highly unlikely given the level and type of the pronouncements. If this is a serious initiative, however, it was probably intended to provide greater cover for both Pyongyang and Washington to explore this possibility. While there is no guarantee that exploring this initiative will lead to successful denuclearization talks, it is impossible to know for sure without probing the offer face-to-face.

A STRATEGY OF PHASED COERCION

A strategy of phased coercion should be based on the following guidelines and components.

1. The United States, not China, is the indispensable nation in dealing with North Korea.

Rather than rely on China, the United States must recognize that it is the indispensable country in dealing with the North, and the only one with the diplomatic, military and economic clout to forge a strategy for managing and potentially resolving this problem. All the major actors on this stage—South Korea, Japan, China and North Korea—recognize and accept the need for strong American leadership.

2. Build cooperation with Beijing when possible but be willing to accept confrontation.

The United States should press ahead with whatever steps it feels are necessary to counter the growing North Korean threat, including those that China may oppose. But it should also seek opportunities to foster cooperation. Beijing will oppose military steps to protect the security of US allies and will resist placing draconian sanctions on Pyongyang, but it is almost certain to support renewed dialogue and diplomacy with the North. That support may be helpful in nudging Pyongyang to agree to new negotiations and to move down the road toward a peaceful resolution. Moreover, if diplomacy fails because of North Korean intransigence, Beijing might be willing to throw greater support behind efforts to increase pressure on Pyongyang.

3. Work closely with South Korea and Japan but do not give them veto power over US policy.

While the United States should be the linchpin of any effort to deal with the North Korean challenge, its resources are not unlimited. Thus, coalition building, particularly with allies, will remain important. Securing support, especially from South Korea, will be indispensable to ensure the new initiative's effectiveness abroad and to manage skepticism at home. Rather than allow Seoul to drive the policy agenda as it has in the past with very mixed results, Washington should seek to define a logical division of labor: the United States would take the lead on WMD issues, the two would work together in establishing a peace agreement and South Korea would take the lead in North-South dialogue. The United States should consult with Japan particularly on WMD issues, but Tokyo's role would be limited to a supporting actor.

4. Get inside the decision loop quickly.

The Trump administration is likely to be faced almost immediately with actions by North Korea and maneuvers by Seoul and Tokyo that will dramatically narrow its policy options and set the tone for the next four years. Joint US-ROK exercises already scheduled for February and March 2017 will inevitably sour the atmosphere and trigger North Korean responses that will make matters worse. Getting ahead of these potential developments will be critical if Washington hopes to preserve maneuvering room and drive the policy agenda. Under these circumstances, it may prove difficult to conduct a detailed and lengthy policy review. Rather, the administration will need to have a plan of action ready on day one. Two steps are:

- Communicate toughness and a willingness to take whatever steps are necessary to protect the United States and its allies, but also signal to the North, publicly and privately, a new openness to finding a peaceful resolution to the conflict. Washington

should reiterate key agreed principles in past joint US-DPRK documents and pass private messages directly to Pyongyang rather than through China. Given the seriousness of the situation, rather than take a low-level and incremental approach, Washington should seriously consider framing this signaling as a private high-level initiative aimed directly at Kim Jong Un.

- Reopen the “New York Channel” of government-to-government communication that was shut down by the North Koreans after the July US sanctions targeting Kim Jong Un. There must be a channel for official communication in order for any renewed diplomatic initiative to gain traction. The advent of a new US administration may provide the opportunity to wipe the slate clean and to resume government-to-government communication.

5. Jump-start dialogue.

If signaling proves successful, the next step will be to convene unconditional “talks about talks” to determine whether there is a basis for formal negotiations and, if there is, to choreograph their resumption. While these preliminary talks will be intended to allow both sides to discuss all issues of mutual concern, an essential objective if subsequent formal negotiations are to resume will be to secure guarantees that they will address the issue of a nuclear-free Korean peninsula. The United States should also seek steps by Pyongyang that help to further create a positive atmosphere for negotiations and have some tangible security benefits for Washington. A moratorium on the North’s nuclear and missile tests as well as a cessation of fissile material production at its Yongbyon nuclear facility would not only create political space for formal talks but also prevent the modernization of North Korea’s nuclear stockpile, constrain production of bomb-making material and halt the development of a new road-mobile ICBM and submarine-launched ballistic missile.

6. Be ready to meet North Korea halfway.

Pyongyang’s own requirements for confidence-building measures (CBMs) remain unclear. They may be limited, such as a US declaration that it has no nuclear weapons on the peninsula, or they may be more extensive. Pyongyang could demand that the United States suspend the recent sanction over human rights abuses that name Kim Jong Un. Or it could insist that the United States cancel, scale back or modify joint military exercises conducted with South Korea. If that proves to be the case, Washington will have to weigh the likely security benefits of a moratorium against the adverse impact on military readiness as well as the political impact of such controversial steps. On balance, modification or suspension of components of the exercises would be possible without an adverse military impact. Moreover, the political fallout could be contained if South Korea supported such a step and the North refrained from conducting any WMD tests during the transition period.

7. Focus on phased denuclearization and a move away from hostility.

Denuclearization should remain the central, clearly-stated objective of American diplomacy since it will be impossible for any US administration to accept North Korea as a nuclear weapons state. As long as that objective is clear, there is no basis for assertions that negotiations to limit

but not eliminate the North's nuclear weapons and programs, at least initially, would constitute acceptance of the North as a nuclear weapons state. A phased arrangement would start with a freeze on nuclear testing and fissile material production and a prohibition on nuclear exports, followed by rolling back the program and finally eliminating it, with Pyongyang rejoining the NPT. Achieving this end state will take years, if it can be achieved at all.

To address the North's fear that the United States is a threat to its security, negotiations will also need to deal with issues of war and peace. The starting point should be a declaration by the relevant parties that the Korean War is officially over and that negotiations would begin immediately to replace the temporary armistice with a peace agreement. (In the interim, the major provisions of the armistice would be observed.) In this context, Pyongyang could reiterate previous demands that US troops withdraw from the peninsula. But the North has also said in the past that American troops could remain as a stabilizing force and counterweight to China and Russia. Since the North Koreans understand that such a demand would effectively abort talks, whether they make it central to their position or not would be an important early indicator of their level of seriousness. Finally, given Kim Jong Un's priority of improving the living standards of the North Korean people, any future deal will also probably be transactional and include benefits that will help modernize the North's economy, such as lifting sanctions and providing humanitarian, development and energy assistance.

The Trump administration will also have to consider other issues related to dialogue with the North:

- Effective verification and compliance will be essential. In the near term, verifying a moratorium on nuclear and missile tests as well as suspension of activities at the Yongbyon nuclear facility will be fairly straightforward. However, a negotiated freeze that also covers all fissile material production facilities—the next step in a phased process—will be challenging since the number and location of uranium enrichment plants located outside of Yongbyon are unclear. Moreover, effective verification will require on-site measures that the North Koreans are likely to strongly resist. As a result, it may be necessary to devise a step-by-step process that leads to such a monitoring regime.
- Agreements should be carefully structured to move forward in phases with each side taking simultaneous steps, eventually ending with a peace agreement and a nuclear-free Korean peninsula. Proceeding in phases will allow each side to take incremental steps that will help build positive momentum for more far-reaching steps in subsequent phases. It will also allow for careful monitoring of performance to build confidence in North Korean compliance with provisions in subsequent phases. Likewise, a phased approach will allow for the process to be suspended or discontinued if provisions are violated.
- Rather than getting bogged down in insisting on the resumption of the Six Party Talks, the United States should establish a new tiered process designed to secure maximum progress while ensuring that relevant countries continue to play a role in negotiations, particularly on issues of direct concern to them. Initial discussions intended to set formal negotiations should be held between the United States and North Korea in consultation with its allies while keeping China closely informed. Other countries should be

subsequently folded into talks depending on the issues to be addressed. An overarching forum for all six parties—North Korea, South Korea, China, Japan, Russia and the United States—could serve as a venue for periodic consultation.

8. Do not forget ballistic missiles.

In addition to the North's nuclear weapons program, new agreements should cover the growing threat from its ballistic missiles, particularly the potential testing and deployment of a road-mobile ICBM. Pyongyang's strong commitment to developing a space launch vehicle (SLV) that could contribute technology to an ICBM program will complicate matters. While a near-term moratorium on SLV launches may be possible, a permanent ban is unlikely, as is agreeing that other countries would launch North Korean satellites, a solution that was seriously considered in the past. One possibility would be to combine a ban on ICBM testing with limits on the technology used in North Korean SLV launches. Such a regime, however, could pose political problems for the Trump administration since it would fall short of a complete test ban.

9. Deal with conventional forces.

If a war is going to start in Korea, it is likely to begin with a minor incident that escalates. While classic CBMs have fallen by the wayside in the past when political tensions have risen, Kim Jong Un, in his May 2016 speech to the 7th Workers' Party Congress, proposed military talks with South Korea to reduce tensions. Although the South rejected that offer out of hand, a joint US-ROK initiative to engage the North in talks about military CBMs is worth exploring early in a new US administration. Potentially, the most likely flash point between the two sides would be in the West Sea where a boundary dispute has festered for decades, occasionally exploding into sea battles. An escalating clash here—and both sides have steadily reinforced their military forces in the area—would be all the more dangerous because it could quickly lead to involvement by the United States and China. In his Party Congress speech, Kim specifically raised the West Sea as an area where the two sides should work to reduce tensions. Moreover, this might be one issue where Washington and Beijing could find common ground and work cooperatively to reduce tensions.

Limits on conventional arms would be another important ingredient for reducing tensions and the risk of conflict. For almost a decade, the North Koreans have been engaged in a quiet debate about the contributions (or lack thereof) their large defense budget has made to the development of Pyongyang's civilian economy. Recently, North Korean government officials have privately noted that a transformative negotiating process would also open the way for conventional arms reduction talks. From the perspective of civilians in Pyongyang, such negotiations could further lessen the defense burden shouldered by the North Korean economy and allow Pyongyang to devote greater resources to the civilian sector. Indeed, there is evidence to suggest that in the past, North Korea has studied the experiences of Russia and China in downsizing their military establishments, perhaps to discern useful lessons if Pyongyang ever engaged in such an effort.

10. Pursue a change agenda but recognize its limits.

Encouraging a process of positive change in North Korea—particularly in its human rights practices—and its greater integration with the international community, while a difficult proposition, could have important payoffs including the evolution of the North toward a more normal state. This initiative could be pursued either through an effort to increase pressure on the regime or as part of negotiations with Pyongyang. However, it is also important to understand that, contrary to some prognostications, the successful pursuit of a change agenda, even under the best of circumstances, may not be effective for years and possibly not for generations. Moreover, such an effort will need to be carefully calibrated; a forceful human rights policy may backfire by convincing Pyongyang that its real agenda is regime change, putting at risk the pursuit of more important US security objectives.

A change agenda will need to be embedded in a new US-North Korean dialogue on security issues whose purpose will also be to move away from a hostile political relationship. Washington should have a road map that starts with picking low-hanging fruit. For example, Pyongyang's willingness to consider suggestions in the latest Universal Periodic Review at the UN Human Rights Council should be probed and explored, as should its receptivity to concerns about the rights of the disabled, women and children. The United States might also propose a dialogue on overseas labor practices, given the North's reliance on forced labor abroad to earn hard currency, with an aim to push Pyongyang to adapt and conform to international standards as well as to join the International Labour Organization. Finally, a US-North Korean human rights dialogue will create a better atmosphere in which nongovernmental organizations (NGOs) can pursue humanitarian, development and technical assistance, educational and professional training programs, and other initiatives inside the North. To be sure, Pyongyang will resist efforts that it sees as a threat to the regime but past experience suggests that the North will allow programs that enhance the livelihood of its people.

Other measures are available to the United States. A wide variety of initiatives are possible to provide information to the North Korean people such as increasing the amount of radio broadcasting into the North and providing more portable storage devices with a mixture of entertainment, news and educational materials (such as e-books on business planning and management, finance, agricultural science and human rights). Human rights issues can be pursued in other forums outside US-North Korean dialogue. In the last Universal Review Period, North Korea supported nearly 80 suggestions made by other countries and partially accepted others. These states could be encouraged by Washington to follow up with concrete efforts with the North to implement those measures.

11. Reinforce US alliances and enhance extended deterrence.

America's alliance relationships and forward military presence in East Asia are the foundation of its North Korea strategy since they: 1) deter North Korean use of military force, including nuclear weapons; 2) minimize the potential escalation of any conflict that might arise; 3) strengthen US diplomatic efforts to apply disincentives and incentives to North Korea when appropriate; and 4) present a united approach to dealing with Pyongyang. It will be essential for the Trump administration to both reinforce US alliances and enhance extended deterrence in view of increasing doubts about the viability of the Obama administration's pivot to Asia as well as growing concerns about the stresses created by the North Korean nuclear threat.

Complex and evolving security challenges in the region call for new levels of cooperation. In the case of South Korea, ad hoc meetings of US and South Korean defense and foreign ministers (the so-called 2+2 process) as well as other bilateral contacts over the past seven years have resulted in significant advances in defense planning and coordination. The Trump administration should build on this progress by establishing a permanent 2+2 process. This initiative would signal a deepening of the US-ROK defense relationship by establishing a permanent architecture, with senior officials from both countries, to foster intergovernmental cooperation beyond defense ministries. The new administration should convene the inaugural meeting early in 2017. The group's top priority should be to directly address concerns about strategic decoupling—that the United States will no longer be willing to defend its allies with nuclear weapons if necessary—which could increase as the North's WMD capabilities grow and it fields weapons able to attack American cities. The group would start immediately to formulate a long-term deterrence and reassurance campaign integrating political, economic and security considerations in a joint strategy. The new 2+2 process could also serve as the basis for expanding the scope of consultations on plans and capabilities to reinforce extended deterrence beyond the current US-ROK Deterrence Strategy Committee.

The Trump administration should also encourage other steps designed to bolster deterrence and reassure US allies.

- In addition to the ongoing effort to bolster conventional strike capabilities, there is ample space to explore multi-tiered defenses beyond the THAAD deployment. One possibility would be deploying an Iron Dome system for Seoul that could defend against the omnipresent threat posed by North Korean short-range rockets and artillery.
- Another promising area would be to build a framework for comprehensive deterrence, including the North Korean cyber threat, which robs Pyongyang of the ability to take provocative asymmetric action in one sphere while constraining an alliance response elsewhere.
- The United States should use opportunities at the beginning of the new administration—such as the Nuclear Posture Review and the 2017 Ballistic Missile Defense Review—to take additional steps to deal with the North Korean threat and to highlight its efforts to bolster deterrence.
- Washington should also encourage more meaningful trilateral US-Japan-ROK cooperation by elevating the profile of the most important shared defense requirements and explaining more directly and publicly the national security benefits of cooperation. Over time, areas including missile defense, cyber, and space could be seen by the public as natural missions for trilateral cooperation that can be relatively insulated from intermittent diplomatic tensions. This would allow for greater investment in defense assets and training.

While all of these steps will be essential to buttress our alliances and extended deterrence, if pressure from Pyongyang's weapons development continues unabated, Washington will have to consider additional moves that would be taken if its strategy does not work. Whether Washington will be confronted with unpalatable demands, particularly from Seoul, for a greater say in how US nuclear weapons might be used in defending the South similar to nuclear consultation arrangements with NATO, for the redeployment of tactical nuclear weapons to the

Korean peninsula, or even with national decisions to move forward with indigenous nuclear weapons programs remains unclear.

12. Strengthen barriers to the transfer of nuclear technology.

Given Pyongyang's past behavior with Syria and Iran and its growing nuclear arsenal, the United States should privately be crystal clear with the North that any transfer of nuclear weapons technology, equipment or material to another government or entity would draw a prompt, potentially devastating response. (The message should be shared with the Chinese, South Koreans and Japanese as well.) Washington should also draw up plans for how to respond to a range of contingencies from the North's transfer of technology on a small scale to the transfer of fissile material and, in the worst case, of nuclear weapons.

Any renewed negotiations should include measures prohibiting the transfer of nuclear weapons technology abroad. One approach would be for the United States and North Korea to conclude a stand-alone joint declaration based in part on the 2000 Joint US-DPRK Statement on International Terrorism, which pledged both countries to oppose all terrorist acts including those "involving chemical, biological or nuclear devices or materials." A declaration might also include concrete steps intended to build confidence, including adherence by Pyongyang to the International Convention for the Suppression of Acts of Nuclear Terrorism and visits by representatives from the Nuclear Supplier Group and IAEA to help start a process of eventual adherence to the NPT and technology control regimes.

13. Pursue a deliberate and measured escalation of sanctions.

Attempting to impose Iran-like sanctions on North Korea is likely to hit a brick wall in Beijing, and secondary sanctions on China are almost certain to provoke retaliation rather than capitulation. Thus, the United States should calibrate an escalation of sanctions with the success or failure of new diplomatic initiatives and North Korean provocations. Initially, a new administration should seek to generate more consistent international enforcement of existing sanctions similar in size and scale to the global pressures exerted on Iran. A new "North Korean Sanctions Enforcement Initiative" would: 1) enhance direct diplomatic initiatives in Africa and Asia to cut trade in sanctioned defense goods and services and close North Korean front companies; 2) expand technical assistance programs to UN member states for preventing proliferation and ensuring more widespread, effective implementation of sanctions; and 3) press China to better enforce sanctions by closing loopholes used by firms to support North Korean WMD programs and to prosecute more companies.

If diplomacy fails, the United States should push for stronger multilateral sanctions at the United Nations as well as enact unilateral measures to expand the scope of restrictions, which now largely target North Korea's nuclear and missile programs. Expanding the scope to include broader areas of the North's economy could include controls on DPRK petroleum imports, exports of its coal, iron and other minerals, and the North's access to hard currency. In addition, the United States should consider wielding the threat of draconian sanctions in response to actions by North Korea that present a clear threat to US and international security. The new administration might consider outlining to interested parties a set of crippling sanctions (e.g., an energy and non-food trade embargo on the DPRK) that would be imposed if North Korea attempted to transfer nuclear weapons-grade material or nuclear devices abroad or tested and deployed ICBMs. Washington would make clear that should the UN Security Council block the

passage of such steps, the United States would unilaterally impose them along with secondary sanctions. This would send a message to both Beijing and Pyongyang that the United States would be prepared to face a serious crisis with China over North Korean behavior that could put the broader US-China relationship at risk.

14. Organize for success.

The past 20 years of US policy towards North Korea shows that Washington has been most successful in achieving its objectives when there is a full-time, senior-level special coordinator with direct access to the secretary of state and the president. This person would be responsible for interagency policy formulation, working with Congress, coordinating with South Korea and Japan, reaching out to China, and negotiating with North Korea. In addition, since expertise on North Korea has declined dramatically inside the US government and in the Washington think tank community since the 1990s, the new administration should form an advisory group consisting of former US government officials and staff from humanitarian assistance and other NGOs who have firsthand experience with the North.

WHAT WOULD SUCCESS LOOK LIKE?

If an approach based on phased coercion is successfully executed, the administration could achieve the following benefits by the end of 2017.

- 1.** North Korean nuclear, missile and SLV tests are suspended, effectively halting the development of new weapons, including a road-mobile North Korean ICBM, a submarine-launched ballistic missile and a hydrogen bomb.
- 2.** Production of plutonium and highly enriched uranium at the Yongbyon nuclear installation that can be used for additional nuclear weapons is suspended. Inspectors from the IAEA are at the facility verifying compliance with the moratorium.
- 3.** As a first step toward a nuclear-free Korean peninsula, there are formal negotiations to reach a freeze on North Korea's nuclear program that would include fissile material production facilities at locations other than Yongbyon. Discussions also focus on replacing the existing temporary armistice with a peace agreement, particularly the first step of issuing a multilateral declaration that the Korean War is officially over.
- 4.** The United States and DPRK begin discussions on other issues of concern to Washington, particularly the human rights situation in the North, focusing on initial steps such as the implementation of suggestions made by the UN Universal Periodic Review.
- 5.** Tensions on the Korean peninsula decline, opening political space for the resumption of North-South contacts, including military-to-military discussions to reduce the dangers of confrontation and the resumption of humanitarian assistance by South Korea. Initial talks are held on the West Sea issue.
- 6.** Washington and Pyongyang resume operations by US teams to recover and repatriate the remains of American soldiers killed or missing in action during the Korean War.
- 7.** The United States and North Korea resume diplomatic contacts on a day-to-day basis through the New York channel. In addition, there are regular exchanges of letters between officials in charge of renewed negotiations. Communications between the US president and the North Korean leader, while infrequent, play a role in moving negotiations forward.
- 8.** Significant progress is made in building an effective ballistic missile defense in South Korea, with the deployment of the first THAAD battery in 2017 as planned.
- 9.** The United States and South Korea move forward with an intensified and sustained effort to devise a long-term deterrence campaign. After a formal meeting of foreign and defense ministers early in the year, working groups meet regularly on the strategy.
- 10.** China remains adamantly opposed to THAAD but expresses support for the US diplomatic initiative and is nudging Pyongyang toward a negotiated solution.
- 11.** There is progress toward greater trilateral missile cooperation, including holding the first joint exercise in the region of AEGIS-equipped ships.

FINAL WORD

The United States is at a critical juncture in its policy toward North Korea. Every observer of North Korea would agree that the chances of dealing successfully with the emerging threat have diminished considerably over the past eight years. Many would argue that achieving results is no longer possible and therefore the new administration should focus on other foreign policy and national security challenges. Nonetheless, the dangers to the United States and its allies posed by developments in North Korea are so great that Washington cannot afford to ignore this problem. In formulating a policy, the Trump administration should not fall into the same traps as past administrations. It must recognize not only the myths and misconceptions that can lead to failed approaches, but also that the challenges posed by North Korea are unique and therefore do not readily lend themselves to the approach that worked with Iran. Given the difficulties posed by this challenge, the issue is not whether a policy will succeed but which one might have the best chance of success.

APPENDIX

NOTIONAL GAME PLAN FOR TRUMP ADMINISTRATION

December/Mid-January:

- The incoming secretaries of state and defense lay out the broad parameters of the Trump administration's North Korea policy in public statements and in confirmation hearings. They should emphasize a willingness to take whatever steps are necessary to protect US and allied security interests, but also to resume negotiations with Pyongyang. Their statements should integrate language from joint US-DPRK statements that the United States does not have hostile intent toward the North, that relations between the two should be based on principles of respect for each other's sovereignty and non-interference in internal affairs, and that the United States will work to remove mistrust, build mutual confidence and maintain an atmosphere in which the two countries can deal constructively with issues of central concern.
- The outgoing Obama administration should echo this message in private communications with China and directly with North Korea if possible. It should also seek other channels—countries that have maintained cordial relations with the North such as Indonesia, Egypt, Mongolia, Cambodia and India—to pass along the same message.

End of January:

- Presidential phone call to the South Korean president expressing a US intention to pursue a new initiative toward North Korea, followed up by a visit of an American delegation to Seoul to outline thinking about getting talks started and objectives of renewed negotiations as well as the ultimate objective of a nuclear-free Korean peninsula; make a private and public commitment to continue THAAD deployment; and begin consultations on holding a 2+2 meeting in the near term to kick off discussions of a long-term campaign to integrate security, political and economic measures to deter North Korea that will accelerate if Pyongyang is unprepared to resume talks.
- Presidential phone call to Japanese Prime Minister Shinzo Abe explaining a US intention to pursue a new policy initiative toward North Korea, followed by a visit of an American delegation to Tokyo to discuss details of the new diplomatic initiative plus plans to buttress extended deterrence if the new initiative fails to make progress.
- Presidential phone call to Chinese President Xi Jinping expressing US intent to pursue a new policy initiative toward North Korea including a resumed dialogue and the goal of a nuclear-free Korean peninsula. In Beijing, a US delegation would emphasize details of Washington's thinking on dialogue, the importance of China strictly enforcing existing sanctions, and the US intent not to seek new sanctions as long as the North suspends nuclear and missile flight tests. The delegation should also make clear that if the initiative fails, the United States will take whatever steps it feels are necessary to protect itself and its allies.

- An oral message from President Trump to Kim Jong Un drawing from principles expressed in past joint statements, proposing that representatives meet at the earliest possible date to review the current situation and to advance ideas for moving forward with talks and inviting a response. The message will be passed directly to the North rather than through Beijing.

Beginning of February:

- First US-DPRK “talks about talks” are held to review the current situation and to advance new ideas for resuming formal negotiations focused on near-term CBMs to be taken by both sides that will give added impetus to the negotiating track as well as create political space for those talks to move forward. Also included would be objectives of formal negotiations.

Mid-February:

- The United States announces that, in consultation with South Korea, a decision has been made to modify/scale back joint exercises as long as North Korea suspends its nuclear and missile tests. It also announces its willingness to enter into formal talks with Pyongyang on establishing peace and security on the peninsula focused on a nuclear-free Korean peninsula and establishing a permanent peace regime.
- North Korea announces a moratorium on nuclear tests and missile launches based on the US and ROK agreement to modify/scale back joint exercises as well as the freezing of operations at the Yongbyon nuclear facility. Pyongyang expresses willingness to enter into formal talks on achieving a nuclear-free Korean peninsula and establishing a permanent peace regime.

End of February:

- Second session of US-DPRK talks focusing on reaching agreement on CBMs to be taken by both sides in order to clear the way for formal resumption of negotiations.

Mid-March:

- Formal negotiations resume. A letter to Kim Jong Un from President Trump notes US and North Korean security concerns, the need for bold moves on both sides and North Korea’s efforts to improve the “people’s living standards.”
- American and South Korean foreign and defense ministers convene a 2+2 meeting to announce their intention to work closely in formulating a long-term deterrence campaign to deal with the threats posed by North Korea.

- Kim Jong Un responds noting his willingness to discuss all issues in formal negotiations based on the assumption that the US hostile policy towards Pyongyang will eventually end.
- IAEA inspectors return to the Yongbyon nuclear facility to monitor the suspension of activities.

April:

- A 2+2 meeting is held in Seoul to kick off discussions of a long-term campaign to integrate security, political and economic measures to deter North Korea that will accelerate if Pyongyang is unprepared to resume talks.
- Japanese Prime Minister Abe visits Washington. Support is evinced for the administration's new North Korea initiative.
- The new administration launches its "North Korea Sanctions Enforcement Initiative" intended to strengthen implementation of existing sanctions through enhanced direct diplomatic initiatives in Africa and Asia aimed at cutting relationships involving sanctioned defense goods and services as well as at closing North Korean front companies; expanding technical assistance programs to UN member states for preventing proliferation and ensuring effective implementation of sanctions; and pressing China to more effectively enforce sanctions already in place.

US·KOREA
INSTITUTE AT SAIS

US-Korea Institute at SAIS
Johns Hopkins University
1717 Massachusetts Avenue NW, 6th Fl
Washington, DC 20036
www.uskoreainstitute.org