

# Trapped in No-Man's-Land: The Future of US Policy Toward North Korea

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JUNE 2016



NORTH KOREA'S  
NUCLEAR FUTURES SERIES

US-KOREA INSTITUTE AT SAIS

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*This publication results from research supported by the Naval Postgraduate School's Project on Advanced Systems and Concepts for Countering Weapons of Mass Destruction (PASCC) via Assistance Grant/Agreement No. N00244-14-1-0024 awarded by the NAVSUP Fleet Logistics Center San Diego (NAVSUP FLC San Diego). The views expressed in written materials or publications, and/or made by speakers, moderators, and presenters, do not necessarily reflect the official policies of the Naval Postgraduate School nor does mention of trade names, commercial practices, or organizations imply endorsement by the US Government.*

*This North Korea's Nuclear Futures Series was also made possible by support from the John D. and Catherine T. MacArthur Foundation.*

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## TRAPPED IN NO-MAN'S-LAND: THE FUTURE OF US POLICY TOWARD NORTH KOREA

### Background

US policy toward North Korea has reached a dead end. Built upon a foundation of dubious assumptions, the Obama administration's approach—whether called “strategic patience” or by some other name—has failed to achieve any progress toward US objectives in the region and no longer serves US foreign policy and national security interests. During the administration's time in office, the North's nuclear and missile threat has expanded, the danger of periodic tensions and unintended escalation on the peninsula has grown and little or nothing has been accomplished in terms of effectively dealing with non-security challenges such as Pyongyang's human rights violations. Moreover, the North has managed to improve its economy while at the same time moving forward with its nuclear and missile programs. In fact, by adopting a policy that in effect stands back from the fray, the United States has diminished its status as the arbiter of peace and security issues on the peninsula.

While most experts in Washington agree that the current US policy has failed, there is little or no agreement on alternative approaches. Moreover, there appears to be scant chance that the Obama administration will alter course with less than a year left in office. Admittedly, dealing with Pyongyang is difficult under the best of circumstances, and the past seven years have proved particularly challenging. Developments since the leadership transition in Pyongyang and uncertainties about the North's future, continuing nuclear and missile efforts (nuclear tests in 2009, 2013 and 2016 and space launches in 2009, 2012 and 2016) and the failure of the 2012 “leap day” deal all complicated matters. It is also true, if former campaign and other officials are to be believed, that, once briefed on the realities of the North Korean nuclear program, the incoming administration made a conscious decision even before these events that attempting to reach a diplomatic solution with the North would be politically unwise given the risks of failure. Add to this witches' brew the donnybrook in Washington over the Iran nuclear deal, and any renewed effort to formulate a new initiative toward the North seems more than unlikely.

As a result, the Obama administration has settled into an approach characterized by limited sanctions that have not forced the North to choose between economic development or the development of nuclear weapons and missiles. Nor have its sanctions significantly affected the development of weapons of mass destruction (WMD). Limited sanctions are accompanied by limited diplomacy; insisting that Pyongyang meet preconditions before the Six Party Talks can resume has also produced no results. Meanwhile, these two tracks are supplemented by

justifiable security measures intended to selectively bolster defenses on the Korean peninsula and the continental United States against potential North Korea threats. Finally, little has been accomplished in building a coalition of key states in opposition to Pyongyang's efforts. Despite periodic pronouncements by the administration and others that China's views are moving closer to those of Washington, Beijing's policy toward the North has little in common aside from public statements that the peninsula should be nuclear-free. In short, the Obama administration is trapped in a policy no-man's-land, stuck with a halfhearted approach that has proved ineffective.

This reality is reflected in the administration's public statements on its North Korea policy that emphasize the shared goal with other key players of a nuclear-free Korean peninsula, that the United States will never accept a nuclear North Korea, that the North will not be able to build a nuclear arsenal and develop its economy at the same time and that Pyongyang needs to choose between a prosperous future integrated with the international community and isolation and collapse. These statements bear little resemblance to reality. Even Secretary of State John Kerry seemed to recognize this disconnect when he candidly admitted in September of 2015 that a key component of the administration's policy, sanctions against Pyongyang, seemed to be having little effect.<sup>1</sup>

While it may be true that the United States and others will never accept North Korea as a nuclear state, the international community's approach is trending toward tacit acceptance. That is certainly the case for other key countries in the Six Party process as well as many in the international community. For example, Russia recently proclaimed that it will not accept North Korea as a nuclear state.<sup>2</sup> That may be true as a political statement. But in reality, Russian policy, which seeks to build economic ties with Pyongyang, has the opposite effect. The same argument can be made for China with its deep economic and other ties with the North. And a number of other countries in the international community also have economic interaction with Pyongyang. Still others—India, for example—may in the future build such relations. The overall trend plays into Pyongyang's ultimate fantasy: to be a second Pakistan, accepted as a nuclear weapons state while having normal relations with the international community.

North Korea is, of course, exploiting this situation in hopes of achieving its maximal policy objective by avoiding the resumption of the Six Party Talks, building up its nuclear arsenal and seeking to establish better ties with countries other than the United States. Indeed, an argument can be made that Pyongyang is well on the way to achieving that objective and that it will make even further significant progress over the next five years down that road if its nuclear program expands as predicted. And all of this is enabled by a US policy that has not seriously sought to push the North to make difficult choices, allowing Pyongyang plenty of running room. Under these circumstances, it is hard to imagine the North adopting any approach other than the one it is now pursuing.

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<sup>1</sup> "Press Availability With South African Foreign Minister Maite Nkoana-Mashabane," US Department of State, September 15, 2015, accessed May 31, 2016, <http://www.state.gov/secretary/remarks/2015/09/246978.htm>.

<sup>2</sup> "Russia won't recognize N. Korea as nuclear power: Russian deputy FM," Yonhap News Agency, October 4, 2015, accessed May 31, 2016, <http://english.yonhapnews.co.kr/news/2015/10/04/0200000000AEN20151004001100315.html?679e50e8>.



Whether the upcoming presidential election in the United States and a new administration will result in a different approach toward North Korea remains unclear. Certainly, there is likely to be, at the very least, a review of the Obama administration's policy and a consideration of the wide range of options. Such a review will have to take into account a number of important realities. First, contrary to widespread wishful thinking in the United States and South Korea, Kim Jong Un's regime is unlikely to collapse and reunification is unlikely to take place during the few months remaining in Obama's final term in office. Second, the nuclear and missile threat from North Korea may be poised to grow significantly under a new US administration, particularly if the North's efforts to produce highly enriched uranium are gathering momentum. Third, the other challenges cited above—ranging from instability to human rights violations—are unlikely to diminish. Finally, devising a policy to effectively deal with these problems will be difficult, if only because the chances of success are low and the danger of domestic political criticism are high.

### **So What?**

What are the threats and challenges posed by North Korea? That is a logical first question in order to start building a policy. While the answers are very clear, one characteristic of being stuck in a policy no-man's-land is a growing weariness when it comes to addressing the dangers presented by a nuclear-armed North Korea. The North's threats are discounted, ignored or papered over, because of Pyongyang's overblown rhetoric and the fact that nothing ever comes of it or the logic that the North is smart enough to know that it would only be committing suicide if it challenges the United States militarily. There is also an underlying hope that these threats receive little public attention given the failure of the current policy approach. The North's human rights violations, which do receive a great deal of attention because of the work of the UN Commission of Inquiry's findings and the endless stream of North Korean defectors telling their stories, are the one exception to the rule. But the focus on this problem distorts the reality that North Korea is a serious security threat to the United States and its allies. Overall, this situation serves North Korea's purposes; weariness can lead to tacit acceptance.

Still, the challenges are clear and straightforward.

First, an incident on the peninsula or North Korean provocation could trigger a significant military or naval engagement that would lead to a larger conflict and a tragic loss of lives on both sides. With an increasing North Korean nuclear stockpile, there is also a threat that those weapons could be used in such a conflict. South Korean retaliation in response to DPRK provocation could also draw in the United States and China on opposite sides, putting a major strain on US-PRC relations. It has not happened yet, but the dangers of escalation after the North's 2010 artillery attack on the South's Yeonpyeong Island seem to have been a real cause for concern. If and when it does happen, the crisis will be real and the consequences enormous.

Second, the North could transfer sensitive nuclear weapons technology to a terrorist group or to a state sponsor of terrorism. Pyongyang transferred a plutonium-production reactor to Syria in the mid-2000s only to have the facility destroyed by an Israeli air strike. A DPRK with a small stockpile of plutonium and a handful of crude nuclear devices and unsophisticated ballistic missiles may not pose a big proliferation challenge. As its nuclear weapons stockpile and arsenal

of sophisticated ballistic missiles grow, however, the DPRK could become more of a WMD export threat, believing that the United States and the international community would be deterred from punishing a country awash with nuclear weapons.

Third, short of war, there is a threat that the North's growing nuclear weapons and ballistic missile programs could spur Japan and South Korea to reconsider their commitment to non-nuclear status, which would unravel the Nuclear Non-proliferation Treaty and reduce the security of countries in the region and around the world. The downsides to going nuclear would be significant for both countries, but that option has increasingly become part of respectable policy discourse in both countries.

Fourth, a DPRK bristling with nuclear weapons could put greater pressure on the ROK and Japan to develop conventional capabilities for preemptive strikes. Indeed, there is growing talk in both Tokyo and Seoul of developing these capabilities. Improvements in South Korean, Japanese and US military capabilities in the region, especially improved missile defenses and conventional preemption capabilities, would trigger a negative Chinese reaction. The combination of an arms race and conventional and nuclear forces on higher alert rates is a recipe for instability on the peninsula and possibly a North-South conflict.

Fifth, according to some estimates, if the North Korean WMD threat is not contained over the next decade, it could acquire up to 100 operational nuclear warheads and the means to deliver these weapons throughout the region and possibly against the United States. If the North were to acquire even the semblance of an operational intercontinental delivery system, it would represent an entirely new security threat to the United States.

Sixth, given the possible growth of Pyongyang's nuclear arsenal, the United States and its allies would confront even graver dangers if North Korea becomes highly unstable in the future, given the loss of centralized control over a much larger nuclear and WMD stockpile and the possible leakage of these weapons across North Korean borders. That is the reality since there is little likelihood of seizing and securing these weapons in an unsure security environment, one that will almost certainly be characterized by a large-scale North Korean insurgency against invading forces.

Finally, as was mentioned above, while US policy has always included an agenda of encouraging gradual change inside North Korea, that agenda, particularly North Korea's human rights record, has come in for greater attention over the past decade. As a result, that issue has now moved into a more prominent place on the US policy agenda and will need to be addressed in the future.

### **Think Again**

Despite the clear dangers and challenges, the Obama administration's policy toward North Korea has rested on a number of dubious assumptions that have proved wrong over the past seven years.

***The North needs us more than we need them.*** The assumption has been, particularly in the wake of Kim Jong Il's stroke and death and the subsequent leadership transition, that a politically

and economically weak North Korea needed the United States. That has proved to be false. In theory, North Korea has been interested in better relations with the United States. But over time the importance of an improved relationship has diminished. Today, there may be some burning embers left but better relations with Washington are not nearly as important to the current regime as they were to its predecessors. In fact, the DPRK believes it can afford to wait to return to any negotiations (or not return at all) given its current political and economic situation. Moreover, if the North does return at some point it will be in a stronger negotiating position given the expansion of its nuclear and missile programs.

***North Korea is isolated and broke.*** Despite the media drumbeat of poor China-DPRK political relations, the North's economic ties with China are expanding and other countries are increasing foreign aid and investment. Industrial and agricultural production is growing, and more foreign firms are operating in North Korea. In short, like any developing country, North Korea has serious economic and social problems. Its economy is by no means healthy, but it has been improving. Moreover, this is happening at the same time that the North is moving forward with its nuclear program. In effect, from a North Korean perspective, Pyongyang has proven it can have its cake and eat it too.

***Time is on our side.*** Contrary to the past few years of wishful thinking in the United States and the renewed fixation in South Korea on reunification, all signs point to Kim Jong Un remaining firmly in control. The regime has successfully withstood limited pressure, sanctions and isolation and is arguably stronger today than it was in 2009. The view that the United States can ignore North Korea because it will collapse sooner or later is like whistling past the graveyard. Moreover, Kim's perspective may be that he has decades left in power before he departs the scene, time enough to build a DPRK that is a nuclear weapons state with an improving economy through a gradual process of building ties with segments of the international community other than the United States and its close allies.

***China will carry our water.*** How much more evidence does Washington need that China is not going to fix the North Korean problem by putting so much pressure on Pyongyang that it might cause instability? That hope has been present in every administration dating back to Richard Nixon. For a time—from the Clinton administration through part of the Bush administration—US-Chinese cooperation in dealing with the North was fairly good. But today when the United States beseeches China to squeeze the North, Washington is urged to exercise restraint to prevent escalation and reduce tensions and to resume dialogue with the North. The only outcome PRC leaders fear more than a nuclear DPRK is a highly unstable nuclear North Korea. In short, China is not going to save America's hide but Beijing might prove more cooperative if the United States tried to take its concerns into account rather than conducting a dialogue of the deaf.

***The North will renege on any agreements it signs.*** The lack of understanding of the history of US-DPRK relations distorts the policy discussion in Washington. Contrary to the prevailing view, the DPRK is able to reach agreements that could have dramatic effects on its nuclear weapons program. Under the 1994 Agreed Framework, the DPRK ended a multibillion-dollar plutonium program that could have produced as many as 100 nuclear warheads by 2000 because of an agreement it kept with Washington. The North has backtracked in the past from commitments it has made to the United States, and there are no guarantees that it will abide by future agreements.

However, Washington can help deter violations and mitigate their consequences by building provisions into agreements that serve US interests, enforce compliance, and provide early warning of noncompliance.

### **Realism Versus Magical Thinking**

There appears to be a consensus among most experts on all sides of the issue that if the United States stays on its current path, the challenges posed by the North will only grow. But there is no consensus on an alternative policy. Some advocate a strategy of strong containment based on more punitive sanctions, more aggressive military measures and other efforts to pressure, isolate and even force the North to collapse; others argue for a policy of strong diplomacy focused on engaging North Korea in direct negotiations, normalizing US-DPRK relations, reducing the North Korean nuclear and missile threats and seeking gradual changes in the North's internal practices. Others argue that South Korea should take the lead in resolving the challenges posed by North Korea, including by its nuclear and missile programs. Still others look forward to reunification as the path to ending the North Korean challenge. And others point at their reading of the past 20 years of failed efforts to solve this problem and see North Korea as an unsolvable problem, a challenge that the United States will have to learn to live with.

Parsing this wide range of options is difficult for even the most experienced analyst of Korean affairs and is particularly daunting for decision makers. Leaving aside political calculations, they must wade through misperceptions, misconceptions, uncertain information and poor analysis. Overall, the task is clear, however, to separate out pragmatic policy prescriptions based on realistic objectives and the means to achieve them from “magical thinking” characterized by unrealistic goals and the absence of the tools to achieve them.

### **Magical Thinking: Part 1—Regime Demise and Reunification**

The recurring view that the North is on the verge of collapse, and indeed, that US policy should seek to bring about its demise, accompanied by the South Korean government's current fixation on reunification, is a clear case of magical thinking. The logic train is as follows: The North Korean regime is poised on the brink of collapse. Its demise would bring about a transformation of the situation on the peninsula that would solve the security challenges posed by North Korea, stop the human rights violations committed by the current regime, free the North Korean people and open the way to reunification along the lines envisioned by ROK President Park Gyun-hye and her “reunification bonanza.” True, there might be some problems along the way; an uncertain security situation in the North in the wake of the government's collapse, problems with a China unlikely to just step aside and let the South (and the United States) determine the future course of the peninsula, and enormous economic costs. But these difficulties all appear to be manageable if the proper preparations are taken.

Moreover, a number of experts believe the United States can and should formulate a policy designed to hasten the end of the North Korean regime, whether through adopting much stronger sanctions, stepping up efforts to get information to the North Korean people about the realities of their plight or finding ways to shove China into a much more proactive policy designed to engineer regime change. Still others say now is the time to support a North Korean resistance

force that would provide an existing organization when the regime no longer exists. It would consist of “potential actors” inside the North who would assume leadership roles in the resistance and “the right Koreans and in particular those Koreans who have escaped from the north and they in turn can infiltrate to assist in the organization, training and operation of a resistance.”<sup>3</sup>

Why is this line of thought magical thinking? First, Pyongyang has proved surprisingly resilient in the 25 years since speculation about collapse began, and there is no reason to assume that current speculation is any different from past prognostications. Even under the worst possible circumstances for the Pyongyang regime—for example, a humanitarian crisis created by significant food shortages as in the 1990s—China would almost certainly step in to prop up the North Korean regime given its concerns about instability. Second, formulating a realistic policy designed to achieve the objective of regime demise is near impossible. It is certainly magical thinking to assume that stepped-up information flows into North Korea will counteract half a century of continuing indoctrination of that country’s population. It may have a gradual impact, but that will take place over generations, not overnight. And finally, the idea of establishing a North Korean resistance force ready to take over, and perhaps assist in the regime’s demise, is probably the height of magical thinking. There are a multitude of potential problems with this approach, not the least of which is finding the manpower for such a movement.

Even more disturbing, those who talk about collapse, demise, reunification and “bonanzas” in the DPRK seem to have learned nothing from the failed American policies of regime change elsewhere in the world over the past decade or more. In theory, achieving an end to the North Korean regime is a very attractive option. In practice, advocates forget (or ignore) the law of unintended consequences seen so clearly in Iraq and Libya, where regime change has produced very negative results and unleashed new and potentially more threatening forces. All the rosy predications about the outcome of regime change in both cases have proved totally wrong.

In the case of North Korea, even if the regime collapses—and that in and of itself constitutes wishful thinking—the assumption that the peninsula will then be on a glide path to reunification is a dangerous misconception. It is very easy to visualize collapse leading to an interminable insurgency in the North conducted by fanatical elements of the army, supported by seven million North Koreans who have received paramilitary training to conduct guerrilla warfare, armed with weapons that have been distributed throughout the country and motivated by 60 years of political doctrine emphasizing the myth of anti-Japanese partisan warfare and hostility toward any foreign intervention. Fighting such an insurgency would require hundreds of thousands of troops—mainly South Koreans—many of whom would be killed or wounded. In addition to fighting a large-scale insurgency, the United States and South Korea would have to secure North Korea’s large WMD arsenal. According to a recent RAND study, such a mission will require 150,000 more troops than the US Army has dedicated to achieving it.

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<sup>3</sup> David S. Maxwell, “Support to Korean Resistance: Has the Time Come?” *Small Wars Journal*, August 5, 2015, accessed May 31, 2016, <http://smallwarsjournal.com/jrnl/art/support-to-korean-resistance-has-the-time-come>.

## **Magical Thinking: Part 2—Change over Time Equals an End to Security Threats**

At the opposite extreme, another school of thought argues that a frontal assault on North Korea's nuclear and missile programs is hopeless because they have become too advanced. The alternative is a "change agenda" policy in North Korea, focusing not on security challenges but mainly on building political, economic, social and other ties. That presumably would include a panoply of government and nongovernment programs such as economic interactions, people-to-people contacts and cultural exchanges. The theory is that building those ties between the North and the outside world will alter Pyongyang's threat perceptions, gradually undermine its determination to keep its WMD programs and create the basis for peace and stability on the peninsula. In short, an end run around the current security roadblocks will result in eventually ending those challenges.

This approach also represents magical thinking for a number of reasons. First, while it is worth noting that political, social and economic change has been under way in the North since the 1990s, any additional efforts through a more concerted effort to build ties with the international community, even if successful, will take place over generations, not overnight, and will be shaped to suit the regime's agenda. During that long time period, the security challenges posed by the North could easily grow. Second, it is naive to assume this approach will persuade the regime to transform its external policy to the point where security challenges will diminish and disappear. It is just as likely that the North will use such an approach to forward an alternative agenda—namely to secure tacit and maybe explicit acceptance by the international community of its status as a nuclear power. Third, because of that distinct possibility this approach may lead to a situation that is even more politically untenable than past efforts to engage the North, namely one where there are ongoing efforts to push a change agenda while the North continues to build more nuclear weapons and develop more ballistic missiles to deliver them. (Indeed, this is the challenge facing South Korea as it tries to improve inter-Korean ties through seeking non-security confidence-building measures.)

## **More Magical Thinking or Realism: Mutual Threat Reduction**

Policies at the extremes may be magical thinking, but that leaves the question as to whether a resurrection of coercive diplomacy—a combination of carrots and sticks—also would constitute magical thinking. Leaving aside domestic considerations for a moment, many experts would point to the past 20 years of history of US-North Korean relations as one continuously failed effort to stop Pyongyang's nuclear and missile programs. That conclusion is incorrect, and a strong case can be made that in fact the period from 1994 until 2002 was successful in derailing a nuclear program that was expected to build as many as 100 nuclear weapons by 2000. When the 1994 Agreed Framework collapsed, the North had only enough material for less than five weapons and only today is about to embark on a significant expansion. The North's shift was the result of a basic political decision that building better ties with the United States was the most important foreign policy priority for Pyongyang.

Certainly, there are significant differences between the situation in the 1990s and today. First, there is the common failed experience of the Agreed Framework and subsequent efforts to improve relations. While the United States has its own historical narrative about that failed

experience, so do the North Koreans, who see the failure as a result of a Washington that reneged on its promises and was more interested in engineering regime change than better relations. Second, based on that experience, interest in achieving better relations is now at a low point, not just in Washington but also in Pyongyang. Third, North Korea sees its efforts at developing and producing nuclear weapons and ballistic missiles as finally paying off, particularly in the nuclear area where its stockpile is probably expanding. Fourth, overall, contrary to the public perception, the North Koreans probably see themselves in a stronger position today to deal with external threats and to promote domestic economic modernization under their new leader than almost anytime in the past. In short, the predominant stream of policy thinking not just in Washington but also in North Korea is not one that would support a resurrection of the “golden years” of the 1990s.

Still, at least as late as 2013 into 2014, there appears to have existed in the North an alternative, albeit a minority, view that is willing to explore a resurrection of efforts to improve relations with the United States. That view, naturally held by the North Korean Foreign Ministry, whose authority had also diminished significantly since the 1990s, still focused on finding a diplomatic path forward that could lead to reducing the threat posed by each side to the other. The approach would basically consist of a phased effort at mutual threat reduction with the United States and North Korea at the center of the process that would entail political, nuclear, missile, economic and other measures taken by both sides. The end point would be a peace treaty finally officially ending the Korean War, normalization of relations between the various countries—including the United States and North Korea—and denuclearization of the Korean peninsula. Of course, such an effort would be enormously complicated and difficult to negotiate. That means not only the substance involving a wide range of difficult legal, political and technical issues but also the process itself. A Six Party forum would be entirely inadequate for the task.

Nevertheless, the North Korean view may at least hold the possibility of finding a way forward if it were to be shaped according to US interests. For example, one approach would be for the United States to propose beginning immediate talks to reach a peace treaty ending the Korean War. This, of course, would represent a shift from the current American position emphasizing progress toward denuclearization before peace talks could begin. But as part of this proposal and signifying a willingness to address a fundamental North Korean concern about Washington’s “hostile policy,” the United States would demand a willingness of Pyongyang to address North Korea’s “hostile policy” toward the United States and its allies, largely represented by the North’s nuclear and missile programs. While this demand would seem to require a shift in Pyongyang’s policy that appears to emphasize reaching a peace treaty first and then denuclearization, at least privately the North Koreans seem open to such a possibility. In effect, the new approach, if accepted by the North Koreans, would set up a simultaneous negotiated phase-by-phase movement toward a peace treaty accompanied by denuclearization.

Such a process would, of course, be enormously complicated and might never reach the end point. Moreover, it could involve significant risks. The most obvious danger lies in defining the end of the nuclear threat on the Korean peninsula. That could well mean, from the North Korean perspective, that the US-ROK alliance must also end and that US troops would have to be withdrawn from the peninsula. Of course, such an outcome would be unacceptable to the

United States as part of any negotiated arrangement with Pyongyang. Indeed, how this issue plays out from the beginning of talks would be a litmus test for whether or not North Korea is serious about negotiations. At least privately, once again, the North Koreans have expressed a willingness to finesse this issue, arguing that at the end of this process, US troops can remain on the peninsula to help reassure both South Korea and Pyongyang.

### **Escaping No-Man's-Land**

While national interest may dictate that the United States escape the policy no-man's-land, the political and other constraints on Washington are real. That reality raises an important question: What developments might facilitate a shift in policy out of the current morass? The election of a new US administration that recognizes the dangers and is willing to take the risk in order to formulate a more proactive policy would certainly solve this problem. But right now that seems unlikely given the field of Democratic and Republican candidates.

Looking ahead, there are other possible developments, either individually or in combination, that may help persuade a new administration to adopt a new approach.

***Implementation of Iran Deal:*** Speculation focusing on whether North Korea is next on the diplomatic docket has been misplaced at least for the rest of this administration. But the success or failure of the Iran deal in the next few years could have an impact on Washington's future willingness to test the diplomatic proposition with North Korea. Success—constraints on Iran's nuclear program are in place, implementation is going well and overall relations between Washington and Tehran are thawing—could weaken the political position of opponents to a more vigorous diplomatic effort with North Korea and embolden a new administration that recognizes the serious downsides of letting the problem fester. Conversely, failure of the Iran deal—for example, through poor implementation or discovery of significant cheating—would make it even more unlikely that an administration might undertake a new initiative toward Pyongyang.

***South Korean Election:*** The election of President Park in 2012 caused speculation that she might nudge the Obama administration away from its current approach to a more proactive policy that included a sustained diplomatic effort. That has not been the case. Her approach to the North has been characterized by what appears to be indecision and inconsistency as well as a desire not to create waves in Washington while attempting to prompt China to become more supportive. With the next South Korean election over the horizon in 2017, one possible outcome would be the election of an opposition candidate closely associated with former President Roh Moo-hyun or others who are firmly in favor of greater engagement with Pyongyang. A new ROK approach along those lines could create pressures for Washington to reconsider a policy based largely on containment. That shift may even be the case if a ruling party candidate is elected given frustration underneath the surface in Seoul with Washington's hands-off approach.

***Tensions on the Korean Peninsula:*** The Obama administration's tenure in office has been characterized by significant periodic tensions, but they appear to have had little impact on its overall policy. However, a new administration may not be as sanguine about the prospects for these tensions to escalate out of control on the peninsula. And if it were to experience an incident that seriously threatened to escalate, that event might contribute to a reformulation of US policy



to be more proactive in dealing with the dangers posed by Pyongyang, whether entailing strong sanctions, more energetic diplomacy or military countermeasures.

***Public Manifestations of the DPRK WMD Threat:*** Much of the development of North Korea's WMD programs has happened out of public view, with the obvious exception of its four nuclear and space-launch vehicle tests, the last ones just a few months ago. Part of the reason is probably just the nature of the process of developing these weapons, part a calibrated effort by the North to slowly reveal its capabilities and part the North's secretive nature. As these programs move forward, there is the distinct possibility that their progress will become more obvious to the international community, triggering greater concerns about the potential threat. That may mean more nuclear tests, tests of new long-range missiles and other steps by Pyongyang. Any of these developments, by highlighting the growing danger and the failure of US policy, may jar a new administration into a different policy.

***US-PRC-DPRK Relations:*** Chinese policy could shift away from its continuing support of the DPRK and toward a position more in line with the United States and South Korea. Such a shift would reflect recognition that Pyongyang is becoming a burden and even a threat to Chinese security and could be triggered by the North pressing ahead with more nuclear and long-range missile tests or further conventional provocations. Pyongyang's actions could result in serious instability on the peninsula, US and allied military countermeasures (such as a stepped-up ballistic missile defense effort) or strong sanctions against the North that adversely affect Chinese banks and businesses. While the policy shift may have limits (it is unlikely Beijing would actively seek an end to the North Korean regime), China could become willing to apply greater political and economic pressure.

***2016 US Presidential/Congressional Elections:*** The Iran debate clearly demonstrates a strong domestic political constituency that opposes diplomacy with "rogue states." Moreover, the history of US-North Korean relations depicting a long effort by Washington to stop the North's nuclear weapons program and to improve relations that has failed because of Pyongyang's duplicity—accurate or not—is a factor that feeds this opposition. Whether the upcoming election will diminish or enhance the strength of that constituency—for reasons that have nothing to do with North Korea—remain unclear at this point. The election of a Democratic president along with substantial Democratic gains in Congress will not result in support for a new North Korea policy. But it would help diminish active opposition to an administration interested in shifting toward a more proactive stance.

***Developments in DPRK Policy:*** While Pyongyang's views on denuclearization have not been as hard and fast as most experts believe, the trend has clearly been in the wrong direction over the past eight years for a number of reasons ranging from the leadership transition to the growth of the North's nuclear arsenal. There still appears to be some interest in engagement on the part of the North with the United States, South Korea and Japan, although the impetus behind that interest is weak. Putting aside the erroneous view that the North Korean regime's domestic legitimacy is now intertwined with its nuclear status that if true would make diplomacy hopeless, how that might change is a matter for speculation. A change in Pyongyang's external environment might result in a shift in the North's policy, the obvious example being a much tougher Chinese policy that would result in the North's seeking to counterbalance Beijing. A

stronger international effort—perhaps joined by China—to put pressure on the North might force tough choices in Pyongyang between the nuclear program and economic developments. Conversely, a shift in American policy signifying a willingness to address the North's security concerns in return for nuclear and missile constraints might have a similar effect.

That failure is reflected in three things: 1) North Korea's continued progress in developing nuclear weapons and missiles to deliver them, progress that could have a big payoff in the next five years if expectations that its nuclear stockpile is poised to rapidly expand; 2) continued periodic tensions on the Korean peninsula that threaten to escalate into large-scale conflict, particularly in the event of miscalculation; and 3) the danger that a North Korea armed with a growing stockpile will not only pose a regional security threat but also undermine the international nonproliferation regime if it seeks to export WMD technology growing international concerns

In the wake of the DPRK's recent missile and nuclear tests and Pyongyang's pronouncement that it is no longer committed to denuclearization, the US administration has set the auto-pilot button on a course to further isolate and pressure North Korea, which will only lead to more DPRK provocations, a greater risk of conflict and instability on the Korean peninsula, the continued growth of the North's nuclear and missile arsenal, and even new overseas sales and cooperation, particularly with Iran.

The recent DPRK missile and nuclear tests, coupled with statements from Pyongyang that it has abandoned denuclearization, offer further evidence that US policy toward North Korea no longer serves US foreign policy and national security objectives in North Korea or Northeast Asia more broadly.

To address these threats, the US government needs to ratchet up pressure on the DPRK. At the same time, it should make clear to the North and China that Washington is prepared to engage in comprehensive negotiations with the DPRK on a peace treaty to replace the armistice, linked to limiting, reducing and eventually eliminating the threat from North Korea's weapons of mass destruction and normalizing US-DPRK relations. If the DPRK rejects this offer or returns to the negotiating table but is recalcitrant or negotiates in bad faith, the United States should seek ROK and Japanese support for, and Chinese acquiescence in, additional steps to isolate, pressure and contain North Korea through more aggressive military measures.



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