

## The Elusive Vision of a Non-nuclear North Korea

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Any president at the start of a new term will survey international problems and find a few requiring urgent attention. Some will be new, perhaps even emerging after the 2012 political campaign, but others are like hardy perennials, returning year after year. In 2013, one of these problems is North Korea and its aspirations to be a nuclear weapons state. The longer the problem of North Korea's nuclear issue remains, the more the world becomes inured to it, and might become inclined to live with it. North Korea's ambition to develop nuclear weapons, however, is a threat to peace and security—especially in the region. If successful in developing a deliverable nuclear weapons system (i.e. miniaturized and integrated with a working missile), North Korea would make a mockery of the already struggling nuclear Non-proliferation Treaty (NPT), as well as invite a regional arms race.

Despite the February 2013 nuclear test and the unprecedented bluster that followed the UN Security Council action, the Obama administration continues to have little incentive to take the lead on the issue, nor does it appear interested in doing so. No one is blaming the United States for the current impasse in negotiations; it is North Korea who has not shown the slightest interest in participating in the Six-Party process or in standing by their commitments. The North has not indicated whether, at this point, there are any incentives that could spur dialogue on the basis of its denuclearization. Indeed, as past negotiations have shown, North Korea seems to want things until it suddenly doesn't, and acts as if it has plenty of time to acclimatize the world to its nuclear ambitions. Critics who

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have expressed the strongest invectives against North Korea and the least tolerance are also the ones who have conveyed the greatest skepticism that North Korea will ever give up its weapons. Such thinking ironically has abetted the North Koreans by convincing them that they need only to run out the clock and become the next country after Pakistan to get away with developing a nuclear weapon.

If the second-term Obama foreign policy team is to make progress on the issue of North Korean nuclear ambitions and return them to the negotiating table on the basis of denuclearization agreements already reached, it must first understand

**The U.S. must first understand and integrate the interests of South Korea and China more effectively.**

and integrate the interests more effectively of two of its key relationships in the region: South Korea and China. Both present very different challenges for U.S. policymakers: South Korea is a mid-sized country in the region, increasingly operating on a global platform with broad international interests that reinforce some domestic political pressures interested in cooling temperatures on the Korean peninsula. The Obama team will have to work closely with the new South

Korean administration, avoiding any public rifts that the hair trigger, volatile world of Korean public opinion will immediately magnify.

China, meanwhile, has become increasingly enmeshed in its own internal problems, and for a variety of complex reasons remains deeply divided on what to do in North Korea. The Obama administration must set some overdue priorities in the China relationship, develop personal ties within the new leadership there (without which there will be no progress), and finally, do what the Chinese have learned to do during outbreaks of China bashing in U.S. politics: learn to live with domestic Chinese events that we can neither understand nor much less control.

**The United States will have to play the missile defense card whether it wants to or not.**

The Obama administration has another card to play with these countries in the areas of technology and missile defense. And given North Korean bombast, the United States will have to play this card whether it wants to or not. There is the prospect that technological development, notably missile defense, could ultimately help harness the potential of these relationships in disarming and achieving a de-

fanged, albeit continually ill-tempered, North Korea. Missile defense, however, also needs to be better integrated into an overall strategy, focusing both on North Korea specifically and northeast Asian security more generally.

Pursuing North Korean denuclearization is best done in the context of working closely with South Korea and China, ensuring that both these countries are heavily incentivized to work with the United States. In the case of South Korea, this incentive could be a closer security relationship with the United States (i.e. closer missile defense cooperation). In China's case, worries over the prospect of closer U.S.–South Korean (and Japanese) defensive cooperation could spur China's own cooperation.

## **A Nuclear Quest**

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North Korea has long tried to incorporate nuclear weapons into its national identity. Nuclear weapons became a symbol of a unique development strategy, a shortcut to its aspirations for world power status or at least to be taken seriously. May Day parades and birthday parties for the “Great Leader” Kim Il Sung (1948–1994) and Kim Jong Il (1994–2011) always included the latest North Korean home-grown missile system, missiles most analysts believed capable of eventually carrying nuclear weapons.

North Korea's program started in the 1960's with a research reactor provided by the Soviet Union. In 2002, the program manufactured plutonium fuel, with Pyongyang testing two plutonium devices in 2006 and 2009. In addition, since 1999 North Korea has made purchases of highly specialized equipment and technology—entering into a clandestine relationship with the Pakistani nuclear scientist, A.Q. Khan—that led to the construction of thousands of internationally-designed centrifuges in Yongbyon, all with the expected capability of enriching uranium to weapons-grade levels. Although North Korea's highly-enriched uranium (HEU) capabilities are hard to estimate, in 2010 the country displayed a cascade of centrifuges (critical to enriching uranium) to American visitors.<sup>2</sup>

Various negotiation efforts over the years have attempted to halt, or even slow, North Korea's nuclear program. In 1994, the Clinton administration initiated a diplomatic process that eventually led to the “Agreed Framework”—an arrangement whereby North Korea agreed to halt construction surrounding the Yongbyon and other suspicious reactors in exchange for two light-water nuclear power plants that could eventually connect to North Korea's electrical grid. (Light-water reactors are more resistant to proliferation.) During construction of the reactors, North Korea would also receive shipments of heavy fuel oil. The goal included the eventual normalizing of relations between the United States and the DPRK.

Many critics hold up the Agreed Framework as an example of giving into nuclear blackmail. After all, North Korea's own reactor showed no signs of ever connecting to the grid, and to believe that Pyongyang was somehow foregoing

electrical energy from its Yongbyon reactor seemed disingenuous. Moreover, the Agreed Framework, as arms control processes have often done, gave the perception that the overall U.S.–DPRK relationship was improving—and therefore providing a lifeline to a regime that would otherwise collapse. For example, at the time of the Agreed Framework, North Korea was contending with historical drought and food shortages that resulted in mass starvation. The United States joined with other countries in trying to address the famine, but this effort was seen as rescuing the North Korean state just at a time when it would have gone under. Thus, many believed the Agreed Framework was simply a game played by a clever North Korean regime to manipulate and profit from the outside world.

Growing evidence that North Korea was continuing to explore HEU capabilities became the vehicle by which the George W. Bush administration ended the Agreed Framework process. The United States dispatched a senior delegation to Pyongyang in October 2002 to confront the North Koreans. The delegation met with the deputy foreign minister of North Korea, who on hearing the precise purpose of the U.S. delegation's visit famously exclaimed with words to the effect that, "So you have discovered our nuclear enrichment program. We have even greater weapons than that."<sup>3</sup> Kang's sarcastic and bombastic answer clearly sealed the fate of the Agreed Framework. North Korea expelled the international inspectors at Yongbyon, and quickly began running the reactor and producing plutonium. In 2003, it withdrew from the NPT completely.

The international community made further attempts at negotiation. In August 2003, six countries—the United States, China, Japan, Russia, South Korea, and North Korea—came together for a round of talks aimed at finding a peaceful resolution to the impasse. The first round did not accomplish much, other than to agree to hold further rounds. By the time President Bush and Chinese President Jiang Zemin met in the summer of 2004, North Korea had produced enough plutonium for several nuclear weapons.<sup>4</sup> President Bush emphasized privately and publicly the need for others in the region to take their share of responsibility in addressing the problem; the United States could not by itself achieve a resolution or even bring the North Koreans to the bargaining table.

Early U.S. positions at the Six-Party Talks came across as one-way diktats more in keeping with a surrender document than a negotiated end to the nuclear process. The public face of the policy was known by the acronym CVID: "Complete," because the United States clearly wanted a zero-option, not some residue of weapons; "Verifiable," because the United States would require mechanisms to check whether the North Koreans were indeed doing what they said they would; "Irreversible," because the United States didn't want the North Koreans to start building weapons again; and "Dismantlement," because the

United States wanted the program no longer to exist, rather than simply be frozen.

Unpacking CVID reveals an entirely reasonable policy, but taken together, it sounded like a grudging negotiating position, hardly able to achieve agreement. Indeed, the purpose was to serve contrary interests: it appealed those who wanted robust negotiations, and those who thought that negotiations—especially together with the Chinese and the left-of-center Rho Moo-Hyun government in South Korea—had no value except to buy North Korea more time.

The Bush administration's reluctance to negotiate with North Korea also took a heavy toll on the U.S. relationship with South Korea. By 2004, the U.S.–ROK alliance had begun to show its age, as a new Korean generation seemed uninterested in celebrating the liturgy of the alliance or reliving the Korean War. A June 13, 2002, traffic accident involving a U.S. tactical vehicle that resulted in the death of two schoolchildren had kicked off a wave of anti-Americanism sufficient to help sweep into power Rho Moo-Hyun, many of whose supporters had misgivings about a special U.S. relationship. This group also believed in recalibrating Korea away from Japan (its democratic rival in the region) to become more of a “balancer,” to use Rho Moo-Hyun's words from several 2005 speeches.<sup>5</sup>

South Korea's alliance with the United States had allowed it to punch above its weight and gain notice in the entire region. Yet, because of the growing gaps in perceptions between a right-leaning U.S. administration and a left-leaning ROK administration, the U.S.–ROK alliance looked unable to last another decade. Polls taken of the mood of the South Korean public were telling: an alarming number of South Koreans, ranging up to 53 percent in one poll, blamed the United States for the North Korean nuclear crisis.<sup>6</sup>

In 2005, the fourth round of Six-Party Talks began. Significantly, the return of the North Koreans to the talks was facilitated by President Bush and Secretary Condoleezza Rice agreeing to a meeting with the North Koreans in Beijing a few weeks before the Six-Party Talks. The Beijing meeting was widely covered in the East Asian press. In addition, the U.S. team worked together with the South Koreans on concrete proposals aimed at jumpstarting the session and ensuring progress. The overall effect of the meeting with the North Koreans and the consultation with other Six-Party members helped overcome the presumption that the United States was not interested in negotiation.

Furthermore, continued efforts to engage the South Korean government in the negotiations helped create an aura of partnership between the United States and South Korea (despite deteriorating ROK–Japanese relations). Soon, discussions of a U.S.–ROK visa-waiver program and Washington's new interest in a South Korean free-trade agreement (a longstanding ROK request) further

helped to propel the relationship. When the Six-Party Talks released the September 2005 Joint Statement, it was accurately seen in South Korea as a multilateral product that included the contributions of its own diplomats.

The Joint Statement represented a comprehensive effort to address the desiderata of all sides and to form the basis for future patterns of cooperation. It was ambitious and bold, but more out of necessity than any vanity on the part of its drafters. The Joint Statement had six articles: first, the six parties unanimously reaffirmed that the goal of the Six-Party Talks was the verifiable denuclearization of the Korean Peninsula in a peaceful manner. The DPRK committed to abandoning all nuclear weapons and programs, and also to returning to the NPT and to International Atomic Energy Agency (IAEA) safeguards. The United States affirmed that it has no nuclear weapons on the Korean Peninsula and does not intend to attack or invade the DPRK, while the ROK reaffirmed its commitment to the 1992 Joint Declaration of the Denuclearization of the Korean Peninsula, an agreement by the two Koreas to ban all nuclear weapons programs from the peninsula. The declaration, agreed by all six countries, noted that North Korea had asserted the right to peaceful uses of nuclear energy, and the other parties agreed to discuss the provision of light-water reactors.

Secondly, the six parties as a whole agreed to abide by both the UN Charter and recognized norms of international relations. The Six-Party Statement included specific obligations on the DPRK and the United States to respect each other's sovereignty and normalize relations, as well as similarly embedded bilateral assurances between the DPRK and Japan. Third, the six parties agreed to promote economic cooperation bilaterally and/or multilaterally in the fields of energy, trade, and investment. Fourth, the six parties committed to joint efforts for peace, stability, and security cooperation in Northeast Asia. Fifth, all parties agreed to take coordinated steps to implement the aforementioned consensus in a phased manner—in line with the principle of “commitment for commitment, action for action,” as noted in the document.<sup>7</sup> Finally, the six parties agreed to hold a fifth round of discussions.

In short, North Korea publicly obligated itself to abandoning all nuclear programs in return for security guarantees, economic and energy assistance, and a willingness to proceed with a peace treaty on the Korean peninsula. Importantly, the Joint Statement put down the marker that implementation was to be a phased and step-by-step process, the meaning of the term “action for action.” The purpose of including all the elements in one statement was to focus North Korea on what would become the subsequent rounds: the need to shift the negotiation from merely identifying elements of the agreement to sequencing those obligations and the rewards the North Koreans would receive for implementing them.

The North Koreans also insisted on a reference to light-water reactors, a contentious issue that was for many in the Bush administration what made the Agreed Framework so toxic. After considerable wordsmithing, the U.S. delegation agreed that the subject of a light-water reactor could be discussed at an appropriate time, defined as when the North Koreans had come into compliance with their obligations as a signatory to the Nonproliferation Treaty.

The Six-Party Process wound its way through the three remaining years of the Bush administration. During that time, multiple events interrupted the proceedings. Most seriously, on September 15, 2005, the United States announced the impending imposition of sanctions against Banco Delta Asia (BDA), an obscure Macao-based bank known (along with most other Macao-based banks) to harbor North Korean bank accounts. (The United States used Section 311 of the Patriot Act to justify this action, which gave it the right to take action against a foreign bank deemed to be a “primary money laundering concern.”)<sup>8</sup> As a result of the announcement, the Macau monetary authority froze a number of North Korean accounts and prepared for an audit. North Korea reacted angrily and pulled out of nuclear negotiations, suspending talks for almost eighteen months.

The U.S. announcement came just days before the September 2005 Joint Statement. Such timing highlighted international concern that the Bush administration was internally split over pursuing North Korean negotiations, and that one part of the government was undermining the activities of the other. Moreover, the use of Section 311 spurred debate about how this powerful new tool would be used: the extra-territoriality of the measure, specifically its ability to reach out and almost destroy banks in distant places, opened the door for renewed criticism of the United States as a hegemonic power acting unilaterally with impunity.

Ultimately, BDA became a sideshow to the ultimate fate of the Six-Party Process. North Korea in June 2008 made a long-awaited declaration of its nuclear assets, but failed to note any uranium enrichment. While U.S. negotiators were willing to live with an incomplete declaration, we refused to accept a verification protocol that did not permit the rest of the six parties to verify its completeness or accuracy. As the months wore on through the second half of 2008, with the North Koreans refusing to accept international standards for its declaration and for the verification protocol, the Bush administration pulled the plug on the process, a decision supported by virtually everyone in the Bush administration engaged in the issue.

The first term of the Obama administration made an early effort to rekindle the negotiations, but North Korean behavior grew only more egregious. The DPRK conducted a nuclear test in May 2009; sunk the South Korean warship *Cheonan* in March 2010 (and also lied about it); and finally in late 2010

partially and furtively unveiled a nuclear enrichment facility, a project which it said had only started in 2009 after the collapse of the Six-Party process, but in fact the Clinton and Bush administrations possessed information that suggested it started during the late 1990s. In essence, this was what North Korean Deputy Minister Kang Suk Ju meant in his meeting with Assistant Secretary Kelly.

## China Remains the Key

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During those three to four years, the final ones of the Hu Jintao presidency, the U.S. relationship with China suffered. A more assertive Chinese government, combined with a more nationalistic Chinese public, had combined to confound the already complex relationship with the United States. China's own bout with economic restructuring and slower growth has also loosened the social compact between a tired government and a restive public, making China a more inwardly-focused, risk-averse partner for the United States.

China's approach to North Korea has never traveled along a single axis. As a neighboring country, North Korea has presented several challenges to China's strategic thinking, challenges that have become even more complex as Beijing's own domestic problems have accelerated. One challenge often discussed—and often used to explain China's reluctance to move against North Korea's nuclear ambitions—is China's concern about a potential flood of North Korean refugees. China's northeast region is estimated to have some 2.3 million persons of Korean origin, who in turn are part of a patchwork quilt of other nationalities in the region. So far, it is estimated that some 100,000 North Koreans have crossed over the border.<sup>9</sup> But if several million North Koreans were to flow over the Yalu and Tumen Rivers, their potential presence in cities such as Shenyang and Dandong in Liaoning Province could, so the argument goes, in addition to the humanitarian burden, have a measurable impact on the demographics of the region.

Yet this explanation seems woefully inadequate as a prime driver of Chinese thinking. Presumably, North Koreans would emigrate to China in order to secure basic humanitarian needs or to escape conflict between, say, warring factions in the Korean Peoples' Army. However, given a North Korean implosion (whatever shape that amorphous concept would take), it is far from clear that North Koreans would all trudge northward to very uncertain futures in China. Even if China were truly concerned about these unwanted guests, it would not be impossible to establish a cordon of camps along the border which could



temporarily house and feed people. Indeed, it is likely, though unconfirmed, that the Chinese already have plans to manage such a flow at the border.

In reality, Chinese thinking on North Korea goes much deeper than concern about refugees. Indeed, China and North Korea have much in common. For one thing, they share some history. Attitudes in China about the “Chinese People’s Volunteer Army,” the name of the force that fiercely entered the Korean War in the late fall of 1950, remain positive to this day. It was, after all, an army that suffered enormously during its engagements; estimates of Chinese casualties range up to some 400,000, with over 100,000 killed in action, including Mao’s son, Anying. The People’s Volunteer Army was also the first Chinese army in a century to successfully engage Western forces, removing them from the border of China and fighting to a standstill along the 38th parallel before an armistice was reached. To be sure, the North Koreans have all but ignored the Chinese contribution to their history, but this has not undermined China’s own sense of accomplishment. As such, backing away from North Korea would cede this legacy of resistance against Western powers.

North Korea, as a fellow Marxist–Leninist state, is also a brother in communism. Such ideology seems quaint, even completely dated in 2013, yet it still lies close to the heart of China’s internal existential discussions. If North Korea were to fail, that could ultimately play a pivotal role in China’s internal debate about itself, especially during the coming decade which promises some effort at political transformation, perhaps as soon as the Xi Jinping era. For the globalized business community in Shanghai, this type of issue may seem remote, but it is not so far-fetched for the International Division of the Chinese Communist Party.

Finally, in addition to history and ideology, China is not so anxious to see a situation develop where the world views North Korea’s demise as a U.S. victory and a Chinese strategic defeat. One should not confuse Chinese thinking on North Korea with a kind of latter-day Brezhnev Doctrine—which would make one communist country’s coercion into capitalism the duty of all communist countries to resist—but rearrangements on the Korean peninsula which would

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favor a U.S. ally at the expense of a Chinese ally would be seen as a defeat for Beijing, and the possible unraveling of the regional order in China's eyes.

These conflicting impulses have been reinforced by the PLA's growing role in Chinese foreign affairs and security policy, where concern about the United States as a long-term rival is strongest. Moreover, the PLA reportedly has its own military-to-military contacts with the Korean People's Army (KPA), ties that could, in turn, reinforce troubling relationships. An April 15, 2012, a military parade in Pyongyang featuring several apparently new North Korean missile designs sparked questions about the origin of the missiles. The fact that a Chinese-made missile transporter, well known to Western analysts, also appeared in the parade heightened these concerns. The Chinese reaction was rather chaotic, with a foreign ministry seemingly taken by surprise and issuing a generic statement reaffirming China's opposition to proliferation. The statement, however, did little to alleviate concern in the United States and elsewhere that the Chinese military, through its links to the PLA, may be increasingly responsible for China's policy not to place more pressure on the regime. Indeed, as the Obama administration begins its second term, there is reason to worry that, across a broad range of activity, China may be shifting to focusing more on defending "core interests" as opposed to an earlier focus on U.S. cooperation and supporting "mutual interests."

China's apparent struggle between its pursuit of core or mutual interests is part of a broader internal political competition whose outcome cannot be accurately

predicted. How President Xi Jinping manages North Korea policy will provide an important clue to how it will handle the United States, and also give a picture for how China may change and mature. As North Korea continues to act with indifference to the concerns of the region and of the United States, it is increasingly clear that the United States regards the North Korean issue as a test of its own relationship with China.<sup>10</sup>

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### **The Crucial Partner in Seoul**

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As historically, ideologically, politically, and economically complex as North Korea is to the Chinese, it is more so to the South Koreans. North Korea policy is a wedge in South Korean politics, one that domestic politics in the ROK, Japan, and the United States must all handle carefully. A combination of factors since 2004 has made softness on North Korea a political liability in Seoul. North Korea's failure to accept offers on the table in the Six-Party Talks, its refusal to come clean

on its nuclear enrichment program, the unveiling of that program to Western experts, its sinking of the *Cheonan* and shelling of Yeonpyeong Island, and its tests of long-range, multi-stage missiles have all acted to solidify South Korean political opinion against the North. Similarly, the emergence of the next generation of the Kim Il Sung dynasty in the rather rotund and hedonistic, albeit publicity savvy Kim Jong Un has done little to revive any pro-North Korean feeling among the ROK left.

Nonetheless, fondest hopes die hard. For some, Kim Jong Un's more open style and an apparent flirting (thought it does not appear to have gone much further than that) with economic reforms encouraged a few on South Korea's left to believe that, if only the West can somehow reach out to the new leadership, better things can happen. Even prior to Kim Jong Il's death, South Korean president Lee Myong Bak (2008–2013) took a transactional approach to the North Koreans in the form of a "grand bargain," a comprehensive strategy that he unveiled in his September 2009 UN General Assembly speech and that mirrored the one used in the September 2005 Joint Statement. The North Koreans didn't bite or even nibble at this approach, and showed little indication that they sought a new relationship with the South. However, one must consider that Lee's efforts effectively came from out of the blue at the beginning of his administration—he offered no confidence-building measures or other signs that the South really wanted a new relationship. Thus, some on the ROK left remain convinced that a renewed effort with the North Koreans, against any evidence, might still offer some chance at improvement.

The North Korean testing of a nuclear weapon in February 2013—followed by some of the most bombastic language used in decades against the South, including against the just-inaugurated President Park Geun-hye—has for the time being put much of that sentiment in remission. But if history is a guide, it never completely goes away. The United States needs to continue to follow trends in the ROK carefully, because they give clues to the texture and tone of the relationship with Seoul. Thus, the Obama administration's willingness to continue to pursue dialogue and negotiation with the North Koreans (even in the absence of any meaningful reciprocity from Pyongyang) should also keep in mind a complex ROK political equation. Were the United States to return to policies in the early 2000's, perceived in the ROK as more hard-line than their own at the time, a perception could again emerge that the United States engages in policies aimed at keeping the Korean people apart. This would create fertile ground for a return of sustained negative public attitudes toward the United States.

## The Future

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North Korea's nuclear ambitions can finally be checked only through a combination of three elements:

1. A China that overcomes its mistrust of U.S. aspirations and concludes that, on balance, North Korea is somehow bad for business;
2. Close coordination with South Korea which prevents the reemergence of anti-American activities; and
3. The introduction and deployment of a missile-defense cooperation program between the United States and its South Korean and Japanese allies.

The last of these issues, missile defense, could ultimately become the game-changer toward North Korea. It holds the promise of attracting the interest of the attention-disordered China, who fear the impact of missile defense on their own strategic systems; of sealing cooperation with South Korea across a broad area of military and technological fields, the latter of which enjoys broad public support; and of keeping a skeptical and potentially problematic Japan on board with the overall process. The more that various actors discuss missile defense as an element of regional security, the higher the likelihood that North Korea will realize its own systems are obsolete.

Whether or not missile defense does emerge as a central element of strategy with China and South Korea, maintaining these bilateral ties remains more important to the United States in the broader context of its strategic and enduring relationships in the Pacific. Many understand the U.S. “pivot,” as it unfortunately became known (despite subsequent rebranding efforts), as replacing U.S. intervention in conflicts in the Middle East with U.S. confrontation in Asia, coupled with an increasingly unmoored China. Those in Washington who find some kind of inspiration from re-reading the Peloponnesian Wars should think again about whether historical parallels truly exist between the emerging city-state of ancient Sparta and 21st-century China. North Korea may provide a critical point for the United States and China to cooperate on, but it is not the only one.

As difficult, and some would argue impossible, as the task of disarming North Korea is, the United States should not give up on the effort. Already in the spring of 2013, North Korea has used its crude stock of devices and its missile program to threaten others, including the United States. North Korean behavior has also stimulated a nascent discussion within South Korea on whether the South should have a weapons program of its own. This kind of loose talk should provide a useful reminder that the United States needs to stay engaged on the issue and make sure no one in South Korea doubts the continued validity of the alliance. In the long-term, strategic relationships with Beijing and Seoul are valuable in their own right, but the North Korean challenge makes them essential. If we are to make progress with the North Koreans, whether through regime change or a process of negotiation, it will be through Beijing and Seoul.

## Notes

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10. For an example of this, see Allison Stanger, *One Nation Under Contract: The Outsourcing of American Power and the Future of Foreign Policy*, (Allison Stanger: 2009).