

THE BROOKINGS INSTITUTION
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FACING THE FACTS:
TOWARDS A NEW U.S. NORTH KOREA POLICY

Evans J.R. Revere
Nonresident Senior Fellow
Center for Northeast Asian Policy Studies
The Brookings Institution

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THE BROOKINGS INSTITUTION
1775 Massachusetts Avenue, NW
Washington D.C. 20036-2188
Tel: (202)797-6000 Fax: (202)797-2485
<http://www.brookings.edu>

Facing the Facts: Towards a New U.S. North Korea Policy

by Evans J.R. Revere*

Summary

For two decades, the United States has sought to end North Korea's nuclear weapons program. Occasional success in freezing elements of that program, together with pledges by Pyongyang to end it, inspired hope that denuclearization could actually be achieved. Hope also grew from the belief that there existed a collection of incentives, including diplomatic normalization, security guarantees, and food assistance, which would convince Pyongyang to abandon its nuclear ambitions. These hopes have been dashed. U.S. policy has failed to achieve its objective.

Important lessons have been learned from years of negotiating with Pyongyang. Among them is that North Korea probably was never serious about ending its nuclear and missile programs. We have learned that even the most robust package of inducements was insufficient to stop Pyongyang's nuclear pursuit. North Korea has shown itself willing to endure tough sanctions to preserve its nuclear and missile assets. We have seen nuclear weapons and ballistic missiles become twin pillars of the regime's survival plan. And Pyongyang has enshrined its nuclear status in its constitution and declared that it will not give up its nuclear weapons under any circumstances.

Today, North Korea is advancing its nuclear and ballistic missile programs, which it calls its "strategic deterrent." Pyongyang knows that the international community will never recognize it as a nuclear weapons state, but believes it can secure the world's grudging acceptance of its nuclear status.

Meanwhile, China hopes to reconvene the Six-Party denuclearization talks that collapsed in 2008. Experience tells us that such negotiations, if they were to resume, will not end Pyongyang's determined pursuit of nuclear weapons. Occasional North Korean declarations claiming interest in denuclearization notwithstanding, Pyongyang is embarked on the development of a nuclear strike capability that will soon threaten Northeast Asia, including U.S. allies and American bases in the region.

Faced with these facts, U.S. policy must change to meet the stark new reality of a North Korea that possesses nuclear weapons and has threatened to use them, including against the United States.

The United States should recognize that the current North Korean regime has no intention to denuclearize. Nevertheless, denuclearization should remain the goal of U.S. policy, and the United States should remain open to negotiations if talks offer a serious prospect of achieving that goal. We should also recognize that only direct dialogue with North

Korea's leaders has any chance of changing DPRK policy – although the odds are slim that even this will succeed.

While leaving the door open to credible negotiations, Washington should expand and intensify current sanctions, thereby greatly raising the economic and political cost to Pyongyang of its nuclear weapons program. The United States should adopt stronger deterrence and counter-proliferation measures and impress on North Korea that its nuclear ambitions will not only prevent the regime from achieving its economic development goals, but could lead to instability. In short, U.S. policy should present North Korea with a stark choice between nuclear weapons and economic survival.

We must understand and accept that the problem we face is the nature of the North Korean regime itself. Intensifying economic pressure, highlighting the regime's dismal human rights record, and increasing the flow of information to the North Korean people could hasten the transformation of the regime's thinking. So, too, could targeted sanctions and other measures designed to shake the confidence of the elites on which the regime depends. But all of these measures could also contribute to the regime's demise, even if the goal of U.S. policy is not regime change. Accordingly, Washington should intensify discussions with Seoul and Tokyo (and Beijing, if it is willing) on how to respond to the collapse of the North Korean regime.

U.S. policymakers should continue to urge China to convince Pyongyang to give up its nuclear program. China has grown tired of North Korea's provocations and brinksmanship, but Beijing's goals and priorities for North Korea are not identical to ours. Beijing fears instability more than it does Pyongyang's nuclear weapons, and China's go-slow approach to denuclearization would leave the DPRK's nuclear program, and its growing threat, in place for a long time to come. China must be convinced that North Korea's continued possession of nuclear weapons risks creating the chaos that the PRC fears and that it detracts from China's own security. Encouraging a greater sense of urgency in China's assessment of North Korea should be a major focus of U.S. policy.

Past evolutions of U.S. policy used a variety of approaches to achieve the U.S. denuclearization goal, all without success. To preserve peace and stability in Northeast Asia, U.S. policy must now evolve again – this time to meet an ominous new challenge. The cost of another failure will be steep.

Introduction

For almost two decades since the conclusion of the U.S.-DPRK Agreed Framework in 1994, U.S. policy towards North Korea has had a consistent purpose and a single, overarching goal: elimination of North Korea's nuclear weapons program. Tactics have varied, leadership has changed, enthusiasm for direct dialogue with Pyongyang has

waxed and waned, and the ideological underpinnings of U.S. policy have taken sharp turns. But each American administration has sought the same goal: denuclearization.

Yet each U.S. administration has found this goal elusive. No less elusive has been the collateral aim of ending North Korea's development of medium- and long-range ballistic missiles. Over the years, the best that several U.S. administrations have been able to achieve has been a temporary freeze of the North's production of fissile material for nuclear weapons, destruction or disablement of replaceable elements of Pyongyang's nuclear infrastructure, and a temporary moratorium on missile testing. The United States has also elicited North Korean promises, ultimately unfulfilled, to do more, including end its nuclear weapons program forever.

Through various means, the United States has sought to hold North Korea to its denuclearization commitments. These efforts, like U.S. policy, have failed. As a result, the United States today faces a DPRK that has become a de facto nuclear weapons state and has vowed never to give up its nuclear weapons and missile capabilities.

It is not clear whether a new approach could be adopted that would be any more successful than previous efforts, but the threat posed by North Korea's growing nuclear and missile capabilities requires that further efforts be made. Before describing the nature of the nuclear and missile challenges the United States and the international community face, and prior to describing what a new approach to dealing with North Korea might look like, it is worth reviewing briefly the record of efforts that have sought to avoid the situation we confront today.

Evolution of U.S. Policy¹

The Clinton Administration

The October 1994 Agreed Framework successfully froze the *known* elements of Pyongyang's nuclear weapons program (the discovery of North Korea's surreptitious uranium enrichment operation was still some years away). At the time, that agreement, carefully coordinated with a skeptical but understanding South Korean ally, seemed to put the United States on course to achieve the eventual elimination of the DPRK's fissile material production program.

As a result of the Agreed Framework, International Atomic Energy Agency (IAEA) monitors were allowed back into the Yongbyon nuclear complex to oversee the freeze. In return for that step and for the North's commitment to dismantle its nuclear program,

¹ Much of this section is based on the author's personal notes and recollections. Probably the two best books on the evolution of U.S. policy are:

Mike Chinoy, *Meltdown: The Inside Story of the North Korean Nuclear Crisis*, (New York: St. Martin's Press, 2008), and Charles L. Pritchard, *Failed Diplomacy: The Tragic Story of How North Korea Got the Bomb*, (Washington, D.C.: Brookings Institution Press, 2007).

the United States and its South Korean, Japanese, and (eventually) EU partners began construction of two proliferation-resistant, light water reactors to replace the North's plutonium-production reactor and provide the DPRK with electricity.

Other elements of the Agreed Framework included U.S. assurances that it would not use or threaten to use nuclear weapons against North Korea and a commitment to improve relations as Pyongyang ended its nuclear program. The agreement also called for the eventual elimination of most economic sanctions on North Korea, establishment of diplomatic liaison offices in Washington and Pyongyang, and eventual normalization of diplomatic relations between the United States and the DPRK.

The effectiveness of the Agreed Framework in shutting down the Yongbyon complex under international monitoring, together with the path to improved U.S.-DPRK relations described in the agreement, gave birth to optimism in the United States that a satisfactory resolution of the nuclear issue might be possible. It raised hopes among Clinton Administration officials that talks with North Korea could yield solid, practical results.

Building on the foundation of the Agreed Framework, U.S. policy towards North Korea was based on a commitment to engagement with North Korea and a willingness to deal with the Pyongyang regime as it was, rather than how the U.S. might wish it to be. U.S. policy was also driven by the belief that the prospect of improved relations, sanctions removal, provision of energy and other assistance, and assurances that the U.S. harbored no hostile intent towards the regime would convince North Korea to give up its nuclear ambitions. Indeed, some version of this belief has underpinned almost every U.S. negotiating effort with Pyongyang over the years.

U.S. policy during this period had the support of South Korea and Japan, whose initial caution turned to enthusiasm when the United States adopted former Secretary of Defense William J. Perry's recommendation to make trilateral coordination with our two allies a central element of the U.S. approach. South Korean support was particularly strong during Kim Dae-jung's presidency. The U.S. approach meshed well with President Kim's "Sunshine Policy" aimed at improving North-South ties through the gradual transformation of North Korea.

However, even as the United States was adopting Secretary Perry's recommendations for improving relations with Pyongyang, there were signs that North Korea had a different agenda.

In 1998, North Korea used its pique over the slow implementation of the Agreed Framework to threaten to remove and reprocess fuel rods from its 5-megawatt reactor at Yongbyon. As U.S.-DPRK talks on this issue were under way, North Korea tested a long-range Taepodong rocket under the guise of a satellite launch. During this period, U.S. and ROK intelligence experts also discovered that North Korea was building a secret underground facility that seemed connected to its nuclear program.

At the same time, U.S. intelligence agencies discovered that North Korea was securing technology and materials for use in uranium enrichment. This last development was particularly disturbing since, if true, it would give the DPRK a second path to the development of fissile material for nuclear weapons.

These developments cast a cloud of suspicion over North Korea's intentions, but the Clinton Administration persisted in a dialogue-and-engagement approach that seemed on track to yield progress. That approach eventually enabled U.S. inspectors to gain access to the North's secret underground facility at Kumchang-ni (which proved to be an empty cave complex). The U.S. and North Korea also agreed on a long- and medium-range ballistic missile testing moratorium, which froze North Korean missile flight-testing from 1999 until 2006. North Korea also ceased its threats to reprocess fuel rods at Yongbyon.

Progress on these issues and the new diplomatic approach called for by Secretary Perry eventually brought about the visit to North Korea by Secretary of State Madeleine K. Albright – the highest-level official contact ever between the United States and North Korea. Beyond its symbolic importance as a harbinger of improved ties, the November 2000 Albright visit also raised hopes that a permanent missile deal might be possible and that a U.S. presidential visit to North Korea could occur.

However, as the Clinton Administration's tenure neared its close, time to adequately prepare such a visit grew short. Meanwhile, North Korean missile negotiators in Kuala Lumpur, meeting with American officials after the Albright visit, backed away from the willingness to consider limiting missile development that was broached during the Albright trip. Instead, the North Koreans insisted that a missile agreement could only be reached if the U.S. president travelled to Pyongyang. In the end, the United States decided against risking a presidential visit.

The Clinton Administration left office with a record of tangible but limited progress towards the goal of ending the North's nuclear and missile programs. But hopes for further progress were already being tempered by lingering suspicions that North Korea might be developing a uranium path to nuclear weapons development that would supplement or replace the ageing plutonium facility at Yongbyon.

In retrospect, the essence of the Clinton Administration's approach was a constant testing of the hypothesis that there existed a package of incentives and rewards that would ultimately convince Pyongyang to give up its nuclear and missile programs. The task of U.S. diplomacy was to craft the contents of that package and "sell" it to North Korea. It was left to a new administration to put such a package together.

The Bush Administration

The negotiating process, together with lingering U.S. concerns and suspicions, was handed off to the Bush Administration in January 2001 with the expectation that the incoming government would, as some Bush transition team officials had indicated, pick

up where the Clinton team had left off. But it quickly became clear that the Bush Administration had a very different idea about how to deal with North Korea.

During its tenure, the Bush Administration pursued two very different, even contradictory, North Korea policies. The first was characterized by tough talk, an unwillingness to engage with North Korea, and an overriding hostility to the regime. The second policy, launched during the administration's second term, stressed engagement, diplomatic give-and-take, and deal making.

Throughout its eight-year tenure, the administration's North Korea policy process was highly contentious and greatly influenced by the ideological leanings of key administration figures. Infighting between pragmatists and neo-conservatives and between those arguing for engagement with North Korea and those advocating regime change made it appear at times as if the administration was pursuing conflicting North Korea policies simultaneously.

At its outset, the Bush Administration was generally disinclined to test the incentives-for-denuclearization hypothesis that the Clinton team had explored. There was deep skepticism about the value of engagement with Pyongyang. Many in the new administration were convinced that North Korea had no intention of giving up its nuclear program at any price. Many were also opposed in principle to providing incentives or "rewards" to North Korea, a regime they detested, even if this might yield some progress.

The policy review conducted at the outset of the Bush Administration actually supported the principle of diplomatic re-engagement with Pyongyang. Despite this, there was strong resistance to talks inside the new administration. There was also keen opposition to the light-water reactor program and to the Agreed Framework.

The general aversion to dialogue with Pyongyang deepened after the attacks of September 11, 2001, and after President Bush described North Korea as being part of an "axis of evil" in his January 2002 State of the Union Address.² Inside the administration, there was a growing view among some senior officials that the very act of talking to North Korea was a "reward" and therefore unacceptable. There was little inclination to listen to those advocating re-engagement with Pyongyang. The antipathy towards dialogue with states like North Korea was captured in a statement attributed to Vice President Dick Cheney, who reportedly declared that "we don't negotiate with evil; we defeat it."³

² "President Delivers State of the Union Address," The White House, January 29, 2002, at: <http://georgewbush-whitehouse.archives.gov/news/releases/2002/01/20020129-11.html>

³ Glenn Kessler, "Impact from the Shadows: Cheney Wields Power With Few Fingerprints," Washington Post, October 5, 2004, available at: <http://www.washingtonpost.com/wp-dyn/articles/A7036-2004Oct4.html>

Meanwhile, the U.S. intelligence community confirmed that North Korea had acquired technology and materials connected with uranium enrichment. U.S. officials confronted their North Korean counterparts Pyongyang with this information at a bilateral meeting in Pyongyang in October 2002. The U.S. team came away from that meeting convinced that North Korean officials had acknowledged American suspicions.

The collapse of the Agreed Framework was quick in coming, a development welcomed by those who had long criticized the agreement. For North Korea, the end of the Agreed Framework meant the loss of the light-water reactor project and the heavy fuel oil that was being supplied to meet its energy needs. It also ended any prospect for improved relations with the United States.

The United States and the international community also paid a price. Before the end of 2002, North Korea removed the seals on the 5-megawatt reactor and other facilities at Yongbyon, evicted IAEA monitors, and began the process of restarting its nuclear weapons program.

A period of rising tension ensued, marked both by U.S. consideration of military options to deal with North Korea and by Pyongyang's first-ever confirmation to U.S. officials that it had indeed been developing nuclear weapons and already possessed them. In response to the urgings of newly elected ROK President Roh Moo-hyun, who opposed the Bush Administration's tough approach on North Korea, and to China, which was deeply concerned about escalating tensions, Six-Party Talks involving the U.S., South and North Korea, China, Japan, and Russia were launched in 2003 with the goal of resolving the nuclear and other issues with North Korea.

For the Bush Administration, the Six-Party multilateral process provided useful "cover" for the U.S. and the DPRK to engage bilaterally – a de facto reversal of the administration's earlier opposition to dialogue. The collapse of the Agreed Framework had enabled North Korea to restart all elements of its nuclear weapons program, and this strengthened the hand of those in the administration arguing that engagement with Pyongyang might yield better results than the policy pursued during the first years of the Bush Administration.

In September 2005 the Six-Party Talks produced a North Korean commitment to abandon its nuclear program, another U.S. assurance against an attack, renewed promises of eventual normalization of relations, and a mechanism to discuss the replacement of the Korean War armistice with a permanent peace agreement.

With the exception of the reference to the Armistice Agreement, the September 19, 2005 agreement bore a striking resemblance to the commitments contained in the Clinton Administration's much-maligned Agreed Framework. But this time the multilateral agreement did not include an actual freeze on the DPRK's nuclear program. Negotiation of a freeze was left to a later round of multilateral talks.

Reflecting the dualistic nature of Bush Administration policy, no sooner had the September 19 agreement been announced than the United States applied sanctions on North Korean trading entities and on North Korean funds handled by the Macau-based Banco Delta Asia. The move enraged North Korea and led to a breakdown in dialogue.

Pyongyang retaliated against the freezing of its funds by conducting another Taepodong rocket test in July 2006, followed by its first nuclear test in October 2006. Although the launch failed, it ended the missile flight-testing moratorium that had been in effect since 1999. The combination of this and Pyongyang's dramatic first-ever nuclear test brought the United States back to the Six-Party negotiating table.

A freeze on the North's plutonium production program was agreed in February 2007 and in subsequent weeks the United States and the DPRK resolved the Banco Delta Asia issue. In June 2008 North Korea destroyed the Yongbyon reactor's cooling tower, as it had promised to do. This was an important but reversible move, since the tower could be rebuilt, a secondary cooling facility could be brought back on line, and other nuclear facilities at Yongbyon remained intact, although subject to IAEA monitoring. Nevertheless, it proved to be the symbolic high point of the Bush Administration's negotiating approach.

As 2008 came to a close, the Six-Party agreements were already unraveling, largely because of North Korean opposition to U.S. demands for an intrusive verification regime to examine Pyongyang's declarations of its nuclear-related activities. North Korea's declared holdings of fissile material were well short of U.S. estimates, and U.S. experts had discovered traces of uranium on North Korean documents. At the same time, the DPRK began to slow the freezing and dismantling of its nuclear facilities, complaining that deliveries of promised energy assistance were slow. Meanwhile, the U.S. decision to defer talks with North Korea on its uranium enrichment program and Pyongyang's construction of a nuclear reactor in Syria were raising questions among critics of the Bush Administration's approach.

The Bush Administration ended with growing signs that North Korea was pivoting away from the commitments it made in September 2005 and February 2007. North Korea had already demonstrated a crude nuclear weapons capability in 2006 and North Korean officials began to tell their American interlocutors privately that the new U.S. administration would have to deal with the DPRK as a "nuclear state" – a line that became more prominent in Pyongyang's rhetoric early in the Obama Administration.⁴

The Obama Administration

Unlike the Clinton-to-Bush transition, the inauguration of the Obama Administration brought into office a president who had expressed willingness to engage North Korea in dialogue and to "extend a hand" to erstwhile adversaries. After reviewing the precedents

⁴ Private conversation between author and DPRK official, November 2008.

of the Clinton and Bush policies, the new U.S. president opted to follow the Clinton approach of engagement and diplomacy.

North Korea's response to the new administration's overtures came quickly. In April 2009 the DPRK conducted a Taepodong-2 long-range rocket test, once again under the guise of a satellite launch. While the launch failed, it represented a major challenge to a new administration that had presumed that dialogue, diplomacy, and implementation of the Six-Party commitments could serve as the basis for engagement with Pyongyang.

The launch also signaled North Korea's intention to deal with Washington from a position of strength. As if to dramatically underscore this point, North Korea conducted its second (and more successful) underground nuclear test in May 2009. Meanwhile, North Korea allowed a group of U.S. experts to visit its state-of-the-art uranium enrichment facility in November 2010 – dramatically confirming long-held U.S. suspicions and sending a signal to the international community about its nuclear capabilities.

Responding to the North's actions, the Obama Administration adopted a more aggressive approach. The United States moved unilaterally and multilaterally through the United Nations to impose tough sanctions and other measures on North Korea. If the Bush Administration's policy was characterized by toughness that eventually turned into a concessionary approach, the Obama Administration followed the opposite course in the face of North Korean intransigence.

Nevertheless, the United States eventually resumed bilateral talks with Pyongyang and on February 12, 2012 these talks produced the so-called "Leap Day Agreement." As part of the agreement, in an echo of previous U.S. administrations' rhetoric, the Obama Administration declared that it had "no hostile intent" towards North Korea and promised to provide food assistance. Pyongyang agreed to freeze its nuclear weapons and ballistic missile programs. Once again, rewards and incentives in return for significant DPRK actions represented the core architecture of the deal.

The agreement quickly fell apart as North Korea insisted that "satellite launches" were not covered by an agreed prohibition on missile testing. To make its point, Pyongyang carried out another Taepodong-2 test in April 2012. As with previous tests, this launch failed, but North Korea's action destroyed the Leap Day Agreement and ended the Obama Administration's denuclearization dialogue with Pyongyang.

Since then, the Obama Administration has mobilized the international community to increase pressure on the North Korean regime through sanctions and isolation. The United States has pursued this approach in the belief that it would eventually compel the North Korean regime to change course. The United States has also emphasized closer security cooperation with its ROK and Japanese allies to deal with Pyongyang's growing nuclear and missile capabilities, as well as its conventional provocations. Simultaneously, the United Nations Security Council has used its sanctions powers in an

effort to constrain the North's nuclear and missile programs, and has now added the DPRK's human rights situation to its list of concerns.

North Korea's response to international condemnation and sanctions over its missile and nuclear programs and to the U.S. "strategic patience" approach has been to double down. A Taepodong-3 rocket finally succeeded in putting a North Korean satellite into orbit in December 2012, defying UN Security Council resolutions prohibiting such launches. Pyongyang followed this with its third and most successful underground nuclear test in February 2013. And in the spring of 2013 North Korea engaged in an unprecedented outburst of belligerent rhetoric directed against the United States, South Korea and Japan, including threats to use its nuclear weapons against targets in the United States.

Lessons Learned

The efforts of several U.S. administrations over almost two decades have brought us no closer to the goal of ending North Korea's nuclear and missile challenges. Indeed, by any objective measure, those programs now pose a greater current and potential threat than ever. The breakdown of the Six-Party Talk and the collapse of U.S.-DPRK bilateral efforts means there is no diplomatic mechanism in place today that offers any prospect for slowing or stopping the North's WMD programs. The road to further development of these programs by North Korea is now wide open, and Pyongyang is taking it.

The United States has pursued engagement and disengagement; dialogue and confrontation; diplomacy and pressure; threats and concessions; and soft and hard lines. Nothing has worked.

There may be room to criticize the way U.S. administrations have pursued the goal of ending the North's nuclear and missile programs. But in retrospect, the U.S. inability to attain that goal owes much more to North Korea's dogged determination to possess nuclear weapons than to any other factor.

Since the mid-1990s, U.S. administrations have followed several distinct approaches in dealing with North Korea. The Clinton Administration relied on dialogue and engagement. The Bush Administration pursued two different policies: a confrontational approach in its first term, and then a course reversal to pursue intensive diplomatic engagement with Pyongyang. Finally, the Obama Administration began with an emphasis on engagement and diplomacy which has evolved into what the administration once called "strategic patience," but which critics have occasionally called "malign neglect."⁵

⁵ See, for example, John Feffer, "North Korea and Malign Neglect," *Foreign Policy in Focus*, May 22, 2009, available at: http://fpif.org/north_korea_and_malign_neglect/

Today, the Obama Administration expresses its willingness to resume multilateral dialogue with North Korea, and appears to have no taste for strictly bilateral deals after the failure of the Leap Day accord. But Washington insists that Pyongyang must first demonstrate concretely that it will abide by its past denuclearization commitments before new multilateral talks can be held. However, North Korea has declared those commitments and the agreements on which they were based null and void.

As suggested earlier, U.S. policy has often sought to test the hypothesis that there is a price that North Korea is willing to accept to end its nuclear and missile programs. North Korea has proven that this hypothesis is almost certainly wrong.

Today, it is hard to conceive of what the United States could offer to induce Pyongyang to end its nuclear program. Dialogue, engagement, sanctions removal, security guarantees, removal of the terrorist-state label, food aid, energy assistance, the prospect of normalization, membership in international financial institutions, a formal end to the Korean War Armistice Agreement, a peace treaty, and much more have all been on offer at one time or another during bilateral and multilateral negotiations. If these inducements have collectively been insufficient, then it is hard to avoid the conclusion that there is no package of incentives that would work.

U.S. diplomatic engagement with North Korea has been driven by the desire to test North Korean sincerity and commitment to the idea of denuclearization. North Korea has failed this test. Events have shown that, if North Korea was ever interested in a deal to end its pursuit of nuclear weapons, that interest has now evaporated. Many, if not most, long-time U.S. advocates of dialogue with North Korea have now concluded that North Korea never intended to give up its nuclear and missile programs.⁶

North Korea has declared itself a nuclear weapons state, and this principle is now enshrined in the DPRK constitution. Senior North Korean officials have insisted that the United States and North Korea now deal with each other as one nuclear state to another.⁷ North Korea has said it will never give up its nuclear weapons “even in a dream.” Pyongyang now regularly refers to its “strategic deterrent” and describes nuclear weapons as the regime’s “treasured sword.”

This history suggests that the United States is more than justified in reacting with deep skepticism to recent North Korean statements professing support for denuclearization.⁸

⁶ Probably the best study of North Korea’s long-standing commitment to nuclear weapons is: Jonathan D. Pollack, *No Exit: North Korea, Nuclear Weapons and International Security*, (London: International Institute for Strategic Studies, 2011)

⁷ “North Korea Demands it is Recognized as Nuclear State,” Reuters, April 23, 2013, report in The Telegraph, available at: <http://www.telegraph.co.uk/news/worldnews/asia/northkorea/10011861/North-Korea-demands-it-is-recognised-as-nuclear-weapons-state.html>

⁸ “North Korea nuclear envoy seeks talks ‘without preconditions’,” South China Morning Post/Agence France-Presse, September 18, 2013, at:

Dealing with North Korea: The New Reality

Nuclear weapons have become a core ingredient of North Korea's recipe for regime preservation as Pyongyang contends with what it regards as a "hostile" international environment. With the North Korean regime placing the highest priority on the preservation of its system, nuclear weapons are now seen by the regime as the best guarantor of that system's survival.

Nuclear weapons and ballistic missiles have also become important symbols of the regime's power and prestige as Pyongyang has tried to gain the respect and attention of the international community. These symbols seem particularly important to the regime's young new leader, who succeeded to power with a compelling need to demonstrate to both internal and external audiences that he was up to the task of running North Korea after his father's death. Kim Jong Un's youth, inexperience, and need to project strength, particularly to his military establishment, has probably made him more dependent on the nuclear card than his father was.

The fundamental importance of nuclear weapons to North Korea is particularly evident in its relations with the United States. From Pyongyang's perspective, the United States represents the main threat to the viability of the regime. Nuclear weapons therefore are the best guarantee against American military action.

In private conversations, North Korean officials have often stated that they do not intend to become "another Iraq" or "another Libya" – countries that, in the North Korean view, succumbed to the United States because they did **not** have a "nuclear deterrent." North Korean officials dismiss the idea that their country has probably become *more* of a potential target for U.S. nuclear forces as a result of the DPRK's nuclear program, insisting instead that nuclear arms strengthen their hand in dealing with Washington.

Some experts have argued that an improving economy, a desire to better the lives of its people, and the need to pursue economic modernization would compel North Korea to pursue more cooperative relations with its neighbors and the United States. They claim that this would convince Pyongyang to pursue denuclearization.

The reality is that under Kim Jong Un's leadership, the DPRK is now following a new policy, the so-called "*byungjin* line"⁹, that emphasizes the simultaneous development of the economy **and** nuclear weapons. This policy's existence suggests that international efforts to pursue enhanced economic and trade cooperation with the DPRK could actually contribute to the regime's ability to strengthen its nuclear capabilities.

<http://www.scmp.com/news/asia/article/1312243/north-korea-nuclear-envoy-seeks-talks-without-preconditions>

⁹ Kim So Yeoul, "Byungjin Lives as Kim Seeks Guns and Butter," Daily NK, April 1, 2013, at: <http://www.dailynk.com/english/read.php?cataId=nk01700&num=10453>

North Korea's attacks on South Korea in 2010 (the sinking of the ROK warship *Cheonan* and the shelling of the South's Yeonpyeong Island) were disturbing reminders of the risk North Korea is willing to take in its effort to intimidate South Korea. There is reason to believe that Pyongyang's possession of a credible nuclear deterrent could increase its willingness to engage in such risky behavior in the future.

In 2013, Pyongyang engaged in an outburst of martial rhetoric that suggested it was prepared to take its actions of 2010 to a new level. North Korea threatened to attack South Korea, Japan, U.S. military bases in the East Asia region, and even the continental United States -- including with nuclear weapons.

While North Korea's conventional military capabilities are well documented and dangerous, Pyongyang does not yet appear to have the ability to carry out nuclear strikes using ballistic missiles. But developing such a capability is clearly its goal. The successful Taepodong-3 launch in December 2012 shows that the regime is making progress in developing a rocket that eventually could serve as a delivery vehicle for a nuclear weapon. Some U.S. experts believe that Pyongyang may already have the ability to hit targets in Japan, including U.S. bases, with missile-borne nuclear weapons.¹⁰

North Korea's statement that it intends to carry out such strikes demand serious attention. So does its threat to strike the United States. Then-Secretary of Defense Gates stated in early 2011 that the DPRK was "within five years of being able to strike the continental United States with an intercontinental ballistic missile."¹¹

North Korea's proliferation threat is of equal concern. Panama's recent interception of the North Korean vessel *Chong Chon Gang* is a reminder that the DPRK remains determined to evade international sanctions and engage in illicit arms trade.¹²

But it is the nuclear dimension of North Korea's proliferation potential that is the area of greatest international concern. Pyongyang's past construction of a nuclear reactor in Syria and its earlier nuclear cooperation with Pakistan and Libya highlight the regime's track record in this regard.

¹⁰ See, David Albright and Andrea Stricker, "ISIS Statement on North Korea Nuclear Test, February 12, 2013, available at:

[http://isis-online.org/uploads/isis-](http://isis-online.org/uploads/isis-reports/documents/ISIS_Statement_on_North_Korean_Nuclear_Test_12Feb2013.pdf)

[reports/documents/ISIS_Statement_on_North_Korean_Nuclear_Test_12Feb2013.pdf](http://isis-online.org/uploads/isis-reports/documents/ISIS_Statement_on_North_Korean_Nuclear_Test_12Feb2013.pdf)

See also, David Albright, "North Korean Miniaturization," *38 North*, February 13, 2013, at:

<http://38north.org/2013/02/albright021313/>

¹¹ Elisabeth Bumiller and David E. Sanger, "Gates Warns of North Korea Missile Threat to U.S.," *New York Times*, January 11, 2011, available at:

<http://www.nytimes.com/2011/01/12/world/asia/12military.html>

¹² Rick Gladstone and David E. Sanger, "Panama Seizes Korean Ship, and Sugar-Coated Arms Parts," *The New York Times*, July 16, 2013, at:

http://www.nytimes.com/2013/07/17/world/americas/panama-seizes-north-korea-flagged-ship-for-weapons.html?pagewanted=all&_r=0

Meanwhile, North Korea continues to develop its fissile material production capacity. Recent reports indicate that Pyongyang may be doubling the size of its uranium enrichment facility at Yongbyon.¹³ Construction also continues on an indigenous light-water reactor at Yongbyon, and there have been credible reports that the regime is making progress in bringing the 5-megawatt plutonium production reactor back on line at Yongbyon.¹⁴

Finally, despite the best efforts of the United States and the international community, North Korea shows an impressive capacity for survival in the face of tough sanctions. Credible anecdotal reporting by visitors to Pyongyang tell of a city where new construction abounds, more vehicles are on the streets, restaurants are opening (as well as shopping malls and new recreational facilities), and the number of cellphones is rising rapidly.

The picture is not one of a regime tottering on the brink because of international sanctions. Rather, it is one of a system that is managing to survive and, at least in Pyongyang, thrive in the face of international isolation. Pyongyang's improved situation could be coming at the expense of the rest of the country, which recent visitors continue to describe as poor, backward, and populated with malnourished millions. But in Pyongyang, at least, the regime's "base" – the two million members of the elite who reside in the city – have access to luxury goods and foreign currency stores.

It is nevertheless true that U.S. policy and international sanctions have compelled the regime to act even more creatively than in the past to circumvent growing pressure. And a strong U.S. and international reaction to North Korea's provocative behavior in early 2013 probably forced Pyongyang to moderate its behavior recently, including by working with Seoul to restart dialogues on the Kaesong Industrial Complex, family reunification, and the Mt. Kumgang tourism project. Also, U.S. policy today is better coordinated than ever, both bilaterally and trilaterally, with that of its South Korean and Japanese allies, which puts additional pressure on North Korea.

A shift in China's approach has also helped. North Korean provocations, frustration with Pyongyang's rejection of the Chinese-hosted Six-Party Talks, the DPRK's refusal of Chinese requests not to conduct nuclear and missile tests, and intense lobbying by the United States have prompted Beijing to rethink its traditional approach on North Korea.

¹³ Rick Gladstone and Gerry Mullany, "Study Suggests North Korea is Doubling Area Devoted to Uranium Enrichment," *New York Times*, August 7, 2013, at:

http://www.nytimes.com/2013/08/08/world/asia/north-korea-uranium-enrichment.html?_r=0

¹⁴ Analysis by Jeffrey Lewis and Nick Hansen, "Update on Yongbyon: Restart of Plutonium Production Reactor Nears Completion; Work Continues on the Experimental Light Water Reactor, 38 North, June 3, 2013, at: <http://38north.org/2013/06/yongbyon060313/>

Beijing today no longer automatically supports North Korea in international fora, where in the past it often watered down efforts to censure Pyongyang. Nor does it provide diplomatic cover for the regime, as it did in the aftermath of the *Cheonan* sinking in 2010. China has recalibrated its North Korea policy, enhanced its consultations with the United States and the ROK on peninsular issues, and made efforts to increase enforcement of UN Security Council sanctions on North Korea, an area where it has fallen seriously short in the past.

Recently, Beijing manifested its growing concern over the status of North Korea's nuclear and missile programs by issuing a 236-page list of equipment and materials that it was banning from export to the DPRK.¹⁵ The list was the highest-profile step that China has taken to restrict the flow of sensitive materials to North Korea. If China's actually enforces this new export-control measure, it could have a significant impact on Pyongyang's WMD capabilities.

As of October 2013, North Korean attempts to arrange a visit to Beijing by Kim Jong Un have been politely rebuffed, even though China warmly welcomed newly elected ROK President Park Geun-hye in June 2013. And many PRC experts and scholars are calling for a fundamental change in PRC policy towards North Korea. Some Chinese experts have even suggested terminating the PRC's alliance relationship with the DPRK.¹⁶

North Korea's twin attacks on South Korea in 2010, its recent missile and nuclear tests, and its belligerent outburst in early 2013 clearly unnerved Beijing and prompted China to show a tougher face towards its DPRK ally. So did the fact that North Korean actions were raising tensions along China's border, justifying regional enhancements in U.S. military capabilities, and generating calls in Japan and South Korea for stronger missile defenses. With North Korea increasingly seen by some in the PRC as a liability to China, it made sense for Beijing to convey its displeasure to North Korea by modifying its heretofore-supportive posture.

It is true that old ideological ties between the two have frayed as China dismantled its rural communes, reformed its economy, and opened itself to the world, while North Korea opted to retain its centrally planned system. However, there are good reasons to believe that China will continue to "tilt" towards the DPRK and ample basis to judge that China's shift on North Korea is more tactical than strategic.¹⁷

¹⁵ "China Export Ban Hints at North Korea Nuclear Status: Experts," NTI/Global Security Newswire, September 30, 2013, at: <http://www.nti.org/gsn/article/china-export-ban-list-sheds-light-north-koreas-wmd-progress-experts/>

¹⁶ Deng Yuwen, "China Should Abandon North Korea," Financial Times, February 27, 2013, at: <http://www.ft.com/cms/s/0/9e2f68b2-7c5c-11e2-99f0-00144feabdc0.html - axzz2cioPJESZ>

¹⁷ For an excellent, comprehensive assessment of China's reasons for continuing to support North Korea, including why a de facto nuclear North Korea might even be acceptable to the PRC, see Stephanie Kleine-Ahlbrandt, "China's North Korea Policy: Backtracking from Sunnylands?", 38 North, July 2, 2013, available at: <http://38north.org/2013/07/skahlbrandt070213/>

Beijing remains worried about the prospect of a reunified Korean Peninsula under the aegis of Seoul, a U.S. treaty ally that might wish to retain an American military presence in a united peninsula. The possibility that a reunited Korea might also possess nuclear weapons and have a significant offensive military capability is also a concern. In this sense, the notion of North Korea as a “buffer” still has some validity for China.

China also fears that the process of reunification, which might come about as a result of the collapse of the DPRK or civil war, would cause a military conflict, generate large refugee flows, or even cause nuclear weapons to fall into the wrong hands.

And we should not underestimate the degree to which the legacy of the Korean War still forms a bond between Beijing and Pyongyang. Recent Chinese-DPRK commemorations of the Korean War serve as a reminder of the considerable blood and treasure expended by the PRC in keeping North Korea afloat half a century ago. Those with long memories in China, particularly inside the PLA, are protective of this legacy of solidarity with North Korea and of the sacrifices made by Chinese troops on Pyongyang’s behalf.¹⁸ Some in the PLA may also find value in the fact that North Korea’s military capabilities and Pyongyang’s unpredictability complicate U.S. military planning in Northeast Asia.

But perhaps the main element linking the PRC with North Korea today is the lingering hope in Beijing that economic reform and restructuring will change Pyongyang’s policies, moderate its behavior, and end North Korea’s obsession with nuclear weapons. This vision has driven Chinese policy towards Pyongyang for some time, and has also been behind efforts by China to foster more progressive views towards trade and investment in North Korea.¹⁹

Despite repeated disappointment in pressing this modernization agenda on Pyongyang, China believes the DPRK cannot forever avoid implementing “Chinese style” economic reforms that will lead to a fundamental transformation of North Korean society. Reform and opening, the idea goes, changed China, and they will change North Korea.

This view fails to grasp the extent to which Pyongyang fears that the societal changes that accompanied reform and opening in China will damage or even destroy the unique North Korean system and end its Kim-family-centered politics and totalitarian control. Even those in North Korea supportive of economic modernization and increased foreign investment have been careful to keep such changes walled off from the broader economy in special zones lest they infect the broader society.

¹⁸ Ministry of Foreign Affairs of the People’s Republic of China, “Kim Jong Un meets with Vice President Li Yuanchao, July 26, 2013, available at: <http://www.fmprc.gov.cn/eng/zxxx/t1062374.shtml>

¹⁹ Jeremy Page, “China Builds Up Its Links to North Korea,” Wall Street Journal, June 6, 2013, available at: <http://online.wsj.com/article/SB10001424127887324069104578527080945326710.html>

But even if there is a chance that the Chinese hope for a transformed North Korea might be realized, the process of change will take years, perhaps decades. Meanwhile, North Korea's development of offensive nuclear and missile capabilities proceeds apace. It bears repeating that Pyongyang has threatened to use these capabilities – the only country today that has made such a threat.

Elements of an Evolving U.S. Policy

At some point, and possibly in the not-too-distant future, North Korea will demonstrate its ability to deliver a nuclear weapon using a medium- or long-range ballistic missile. When that occurs, it will dramatically mark the failure of years of efforts to end the North Korean WMD program.

It will send a shock wave through the Asia-Pacific region, raise concerns among U.S. allies about their vulnerability to the North's nuclear weapons, spark questions about the reliability of the U.S. nuclear umbrella, and prompt some in Japan and South Korea to call for developing their own nuclear deterrent. It will also complicate the strategic calculus in Northeast Asia and create a new challenge for U.S. defense planners. To deal with this new reality, U.S. policy will have to change.

To a degree, a policy evolution has already begun. The Obama Administration came into office calling for engagement with America's adversaries, including North Korea. There was every hope and expectation that a U.S. administration willing and able to engage positively with North Korea could make progress in ending Pyongyang's nuclear program. But faced with North Korean intransigence and the regime's decision to expand and make permanent its nuclear and missile programs, the Obama Administration was compelled to respond with a range of robust sanctions and military measures.

As U.S. policy continues to evolve, past experience with North Korea and the lessons learned from previous engagement with Pyongyang suggest a number of principles, priorities, and guidelines that could provide a valuable foundation for policy development:

- 1) Denuclearization No Longer in the Cards.** The central goal of past U.S. policy – denuclearization – may now be unachievable. While denuclearization should remain the stated goal of U.S. policy, as a practical matter the United States should shift away from a day-to-day approach primarily driven by pursuit of that goal. Instead, the main focus of U.S. efforts should be on other priorities, including increasing North Korea's sense of vulnerability.

Previous U.S. administrations have achieved some limited success in slowing or temporarily freezing the North's nuclear program. However, the total elimination of that program now seems impossible. Therefore, U.S. efforts should intensify

pressure on the regime, weaken its foundations, strengthen deterrence and the capacity to respond to provocations, and plan how to respond if Pyongyang attempts to employ its nuclear weapons.

This is not to argue that the United States should reject dialogue if North Korea agrees to put denuclearization back on the agenda, and Washington should be prepared to describe a roadmap to better relations with the DPRK if Pyongyang is prepared to pursue a serious denuclearization dialogue. But skepticism about such talks is in order. The record shows that the regime's commitment to the permanent possession of nuclear weapons is firm.

This also does not mean that the United States should avoid negotiations that might slow or freeze the North's nuclear and missile programs. Retarding development of the North's WMD programs is a useful interim step that helps bound the problem, even if it does not eliminate the threat. The increased pressure of international sanctions and other measures may even make Pyongyang more amenable to the idea of a negotiated freeze on its program in exchange for certain inducements, and of course a freeze would leave North Korea with some nuclear weapons capability while talks to end its program completely continue. But a freeze is no substitute for denuclearization, and accepting a freeze could create a false sense of security because of the new verification challenges the United States faces (see below).

- 2) **Enrichment Creates a New Challenge.** Even if the United States and North Korea are able to participate in renewed multilateral denuclearization talks, a major new challenge looms. North Korea's development of a readily concealed uranium enrichment capability makes it difficult, if not impossible, to verify any freeze on this element of its nuclear program. The United States and the international community were unaware of the construction of the uranium enrichment complex at Yongbyon until North Korea opened it to a team of U.S. experts in 2010. With this in mind, it is to be expected that Pyongyang has constructed similar facilities at other locations.

Another challenge arises in preventing North Korea from proliferating nuclear materials and technology. The regime has a demonstrated track record of proliferation and past efforts by the United States have been unsuccessful in preventing nuclear cooperation between North Korea and others. Accordingly, future agreements that might be based on North Korean commitments not to build more or better nuclear weapons or on the regime's promise to refrain from proliferation would be of highly questionable value. Such agreements should only be considered if the United States decides that it cannot persuade North Korea to give up its nuclear program, but such an approach would be fraught with danger (see below).

- 3) **Accepting North Korea's Nuclear Weapons Not An Option.** Pyongyang is seeking acceptance of its nuclear weapons status by the United States and the international community, even if it knows that the United States will never formally recognize it as a nuclear weapons state.

The United States must avoid taking any step that would suggest it accepts the permanence of the North's nuclear arsenal. Doing so would reverse long-standing U.S. policy, rattle the confidence of our South Korean and Japanese allies in us, undermine the international non-proliferation regime, and accept the path of duplicity that North Korea has taken to develop its nuclear capability.

- 4) **The Problem is the Regime.** The tortured history of negotiations with the DPRK suggests strongly that unless and until a way can be found to transform the nature of the North Korean regime and its priorities, denuclearization of the DPRK is unlikely. The regime in Pyongyang shows no sign of serious interest in denuclearization, and in fact has declared its intention to strengthen its nuclear capabilities.

The collapse of the current regime and the onset of new leadership would open up prospects for a new relationship between North Korea and the international community and bring with it the possibility of a denuclearized North Korea. But a U.S. policy of forcible regime change is both dangerous and unlikely. The U.S. track record in seeking regime change is not a good one, and America's South Korean ally is unlikely to concur in a policy that would risk chaos on the Korean Peninsula.

But if the problem is the regime, the current array of sanctions and other pressures is unlikely to alter the regime's course in the near or medium term. And the ongoing development of the North's nuclear weapons and missile capabilities suggests that the serious threat posed by these capabilities will become a reality during this same timeframe. Time is not on our side.

Of particular concern is the ability of the North Korean regime to evade or reduce the impact of current sanctions. This suggests the need to do a better job enforcing and strengthening the current sanctions regime. A particular goal should be to undermine the relationship between the regime and its "base"—the elites who are largely resident in Pyongyang. To an important degree, the regime's stability depends on its ability to maintain elite support. Thus far, the regime has managed to keep the flow of goods and privileges flowing to this group. Staunching that flow should be an even greater priority for the current sanctions regime.

New mechanisms should be explored to increase and fine-tune pressure on North Korea. The DPRK's banking system remains an important target, and additional steps by the international community to sanction North Korean banks and

business entities would threaten the regime's viability, sending an important message to the leadership in Pyongyang. The United States has by no means exhausted the array of sanctions-related tools that could be used to increase pressure on Pyongyang, including measures that have been used to good effect on Iran.²⁰ The DPRK's continued refusal to give up its nuclear program, its future success in developing that program, and the fears that this success will generate among its neighbors and the international community are likely to ease the United States' task in building support for such new measures. The goal of U.S. sanctions-related policy should be to present North Korea with a stark choice between nuclear weapons and economic survival, with the hope that Pyongyang will choose the latter.

Consideration should also be given to imposing restrictions on certain shipping and air cargoes entering and leaving the DPRK. The *Chong Chon Gang* incident suggests that a more vigorous approach to dealing with illicit with arms transfer and proliferation would yield positive results. The UN Security Council should consider enhanced methods to interdict suspect cargoes, but the United States and like-minded partners should be prepared to act independently if UNSC action becomes impossible. A blanket embargo or quarantine may be a bridge too far at this juncture, but a targeted effort to interdict suspect shipments should be considered.

A particularly important vulnerability of the North Korean regime is its human rights record. The ongoing investigation being conducted by the Commission of Inquiry of the UN's Human Rights Council (UNHRC) is raising international awareness of the horrific treatment that the people of North Korea endure. Ultimately, outrage over the DPRK's human rights record, and the possibility that the regime may be charged with crimes against humanity, could become one of the most valuable tools for mobilizing international public opinion against the current regime. The strong North Korean reaction to the current UNHRC action and to other efforts to examine its record suggests that, unlike in the past, Pyongyang is sensitive to the implications of such investigations.

Also useful would be an increased effort to increase the flow of information about the outside world to the North Korean people. The regime is increasingly unable to wall off its people from the effects of foreign DVDs, including South Korean soap operas, all of which describe an outside world quite different from the one portrayed in North Korean propaganda. Such information also underscores for the North Korean people the degree to which their economy lags behind all of its neighbors. Increased exposure of the North Korean people, including via cultural

²⁰ See for example, a forthcoming paper by Bruce Klingner for the Heritage Foundation, "Time to Go Iran on North Korea."

and academic exchanges, to the reality of the outside world can be a valuable tool.²¹

- 5) A New Negotiating Paradigm.** It is important to leave the door open to dialogue with North Korea as a way of reducing tension, conveying warnings and concerns, and dealing with routine matters. But experience has shown that U.S. interlocutors in North Korea's Foreign Ministry have little or no ability to affect their leadership's decisions or priorities on vital matters of national security. The Foreign Ministry has almost certainly never been empowered to negotiate away the twin pillars of the DPRK's "strategic deterrent."

If the goal is to convince North Korea to implement its denuclearization commitments, nothing short of a dialogue with the North's leader and/or his inner circle is likely to achieve this. Only the top-most echelon of the DPRK has the power to alter the country's determined pursuit of nuclear weapons. If Washington wishes important decisions made, it must deal with the decision makers. If Washington decides to renew dialogue on denuclearization with North Korea, then it must talk to those who have the power to give the United States what it seeks.

Establishing a direct channel to the leadership in Pyongyang would facilitate authoritative communication with those who count, unimpeded by the "filters" of lower levels of the North Korean system. It would enable the United States to explore new approaches to long-standing problems and understand the bottom line of the North Korean leader.

A dialogue with North Korea's leadership may fail. In fact, if North Korea is as serious about its nuclear weapons as it says it is, then it is likely to fail. But failure would place the onus on North Korea, and Pyongyang's intransigence will help the United States rally a broader international coalition for stronger action against Pyongyang.

The possibility of failure has probably made Washington hesitant to pursue such a course. Past failure has left the Obama Administration burned by reality. But U.S. policy to date has brought things no closer to the goal of denuclearization. Trying the one channel that Washington has thus far avoided would underscore to the international community that the United States has gone the extra mile in trying to convince the North Korean regime to follow a different course. And it

²¹ See, for example, Andrei Lankov, "North Korea's war threats may be aimed at stifling domestic discontent," *The Guardian*, April 16, 2013, at: <http://www.theguardian.com/world/2013/apr/16/north-korea-threats-domestic-discontent>

would make clear to Pyongyang that the United States is making its last, best effort.²²

- 6) China and the U.S: Same bed, different nightmares.** Excessive reliance on China to convince Pyongyang to denuclearize cannot be the foundation of U.S. policy. China's interests and priorities with respect to North Korea may overlap with those of the United States, but they are not identical.

China's first priority in dealing with North Korea remains stability, not denuclearization. Beijing's current eagerness to restart Six-Party Talks may be driven more by a desire to manage Pyongyang's behavior than by a belief that talks will lead to denuclearization. Pyongyang understands this, and is likely to mollify Beijing, at least for now, by avoiding provocations, showing a more cooperative face, and even expressing willingness to "discuss" denuclearization.

But Beijing's frustration with its neighbor is at a historically high point, and North Korean behavior is prompting increasing numbers of Chinese to reassess the nature of the PRC-DPRK relationship. Accordingly, a core element of U.S. policy should be to convince China that North Korea's continued possession of nuclear weapons contributes directly to the very chaos the PRC fears and undermines China's security. The United States should encourage a greater sense of urgency in Beijing, including making the point that China's go-slow approach amounts to a long-term acceptance of a nuclear-armed North Korea and of an increased risk of regional conflict.

The United States should also continue its current quiet dialogue with China to explore whether North Korea is prepared to take the substantial steps towards denuclearization necessary to allow multilateral talks to resume. But Washington should be prepared for Beijing to try to set a lower threshold for the resumption of talks than that of the United States, and for Beijing to suggest, as it has in recent months, that the DPRK's behavior has changed sufficiently to warrant a fresh start by Washington.

The United States should also urge China to show greater willingness to accept and accommodate North Korean refugees. China's reversal of its practice of returning escapees would send a powerful message of hope to the North Korean people and an equally potent message to the Pyongyang regime.²³ The United States should also be clear with China that, absent real progress towards

²² The author has described elsewhere how such a dialogue could take place, what it might seek to achieve, and other important factors. See, for example, Evans J.R. Revere, "Re-Engaging North Korea After Kim Jong-il's Death: Last, Best Hope or Dialogue to Nowhere," Policy Paper Number 29, January 2012, The Brookings Institution, especially pages 18-21. Available at: <http://www.brookings.edu/research/papers/2012/01/11-north-korea-revere>

²³ Stephanie Kleine-Ahlbrandt, *op.cit.*

denuclearization, the United States is determined to take all necessary measures to defend itself, its allies, and its interests from the growing DPRK nuclear threat and to adopt new approaches, including seeking the collapse of the North Korean regime, if Pyongyang does not denuclearize.

- 7) Intensify Coordination with Seoul and Tokyo.** North Korea's nuclear weapons and missiles are unlikely ever to pose an existential threat to the United States. Such is not the case with America's two Northeast Asian allies who live in Pyongyang's shadow.

As Pyongyang continues to develop its nuclear and missile arsenal, the United States can expect growing unease in Seoul and Tokyo. Earlier this year, North Korea threatened to use its nuclear weapons against its neighbors. The demonstration of a credible capability to deliver nuclear weapons could raise concerns that Pyongyang's threats are not mere bluster. With this in mind, the United States should use its bilateral and trilateral consultations with Seoul and Tokyo to reassure its allies of its preparedness to defend them, including through the use of the U.S. strategic arsenal. In this connection, the recent U.S.-ROK agreement on "tailored deterrence" and the strong messages about North Korean provocations conveyed at the U.S.-Japan "2+2" Ministerial meeting in Tokyo set the right tone.²⁴

As U.S. policy evolves, these consultations will help ensure that South Korean and Japanese priorities and concerns are taken into account in any future U.S. policy approach. Consultations with Seoul and Tokyo can also serve as an avenue to urge the two U.S. allies to mend their problematic relations with each other and bridge their ongoing differences over history, territory, and other matters. Such differences, if not resolved, could greatly complicate the three countries' collective ability to deal with the North Korean threat.

Another U.S. priority is ensuring that U.S. policy towards North Korea remains in sync with that of Seoul. The ROK can be expected, for domestic political and strategic reasons, to continue to pursue a distinctive policy mix that combines engagement and deterrence in the pursuit of South-North reconciliation. U.S. policy should continue to allow room for Seoul to maneuver.

- 8) Prepare for the Endgame.** A tougher U.S. policy approach, enhanced unilateral and multilateral sanctions, efforts to undermine North Korean elite support for the

²⁴ See Kwanwoo Jun, "U.S., South Korea Sign Pact on Deterrence against North," Wall Street Journal, October 2, 2013, at: <http://online.wsj.com/article/SB10001424052702304906704579110891808197868.html>, and Jennifer Steinhauer and Martin Hackler, "U.S. and Japan Agree to Broaden Military Alliance," New York Times, October 3, 2013, at: http://www.nytimes.com/2013/10/04/world/asia/japan-and-us-agree-to-broaden-military-alliance.html?_r=0

regime, and increased pressure from the UN Security Council and the international community will take a severe toll on North Korea, and could undermine its stability. So, too, could the increasing contradiction between the regime's dogged pursuit of nuclear weapons and its unwillingness to improve the lives of its people.

Meanwhile, a more robust international approach to dealing with the regime and the regime's growing isolation will place new strains on the North Korean system. As a result, it is not too early for the United States and its Northeast Asian allies to actively explore the consequences of a collapse of the North Korean regime. China has a major stake in this subject and should be invited to participate in such discussions, although it has heretofore been reluctant to engage in any official dialogue on this admittedly delicate subject.

No Room for Failure

Two decades of pursuing the denuclearization of North Korea has left the United States no closer to the achievement of that goal. North Korea itself has closed the door to denuclearization. Now, North Korea is on the verge of transforming its crude nuclear weapons capability into the potential to pose a serious, credible threat to Northeast Asia, to U.S. allies, to U.S. interests, and even to U.S. bases in the region. And North Korea has said it intends to use that capability. Past evolutions of U.S. policy have explored various means to end the North's nuclear ambitions. They have failed. The cost of another failure will be high.

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*Evans J.R. Revere is a Nonresident Senior Fellow with the Center for Northeast Asian Policy Studies at Brookings. He is also Senior Director at the Albright Stonebridge Group. In 2007, Mr. Revere retired after a long and distinguished career of government service, most of that as an American diplomat and one of the U.S. Department of State's leading Asia specialists. His career included an assignment as Principal Deputy Assistant Secretary of State for East Asian and Pacific Affairs. He also served as the deputy head of the U.S. negotiating team with North Korea from 1998 to 2000.