2017: Year of Decision on the Korean Peninsula

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**This paper was presented at the 5th Korea Research Institute for National Strategy-Brookings Institution Joint Conference on "The Trump Administration in the United States and the Future of East Asia and the Korean Peninsula" on February 8, 2017.

Summary

2017 will be a decisive year for the Korean Peninsula and for the U.S.-ROK alliance. North Korea's leader has promised to test an ICBM that could hit the United States with a nuclear weapon. He intends to use such threats to compel the Trump Administration to accept Pyongyang's nuclear status, conclude a peace treaty, and achieve North Korea's goals of ending the U.S.-ROK alliance and reunifying the peninsula under the North's rule.

President Trump will soon respond to North Korea's nuclear and missile threats. As he prepares to do so, the legacy of years of U.S. policy failure and North Korean perfidy looms large. Nothing his predecessors tried was able to stop Pyongyang's nuclear program, and the threat is now growing quickly. During President Trump's term, North Korea's nuclear weapons will threaten the American homeland. Mr. Trump says, "It won't happen." Kim Jong Un suggests it surely will. President Trump's options are few, unsatisfactory, and even dangerous, especially now that it is seems certain that the North Korean regime will not give up its nuclear weapons.

It is time for a new approach to deal with Pyongyang's challenge, one that will threaten the only thing that North Korea holds more dear than its nuclear weapons: the stability and continued existence of its regime. Only immediate and overwhelming measures to cut off the regime's economic lifeblood, starve it of foreign exchange, prosecute its human rights abuses, threaten it militarily, isolate it diplomatically, and sow dissent internally can force Pyongyang to choose between nuclear weapons and survival. Only when North Korean leader Kim Jong Un believes his regime's existence is threatened will he reconsider the path he has chosen. This admittedly risky approach may work. If it does not, it will nonetheless lay the foundation for another approach that would resolve the nuclear issue: bringing about the end of the North Korean regime.

Meanwhile, the unraveling of Park Geun-hye's presidency has opened the way for an opposition victory in the next ROK presidential election. If this happens, we cannot rule out that the next government in Seoul could be at loggerheads with Washington on several issues, including how to deal with North Korea, as well as policies on Japan, China, and the bilateral alliance. To avoid misunderstanding and keep relations on track, Washington and Seoul must enhance consultation, increase transparency, and understand each other's concerns, sensitivities, and bottom lines. The alliance has endured difficult times before, and will no doubt do so again. The patience, leadership, and wisdom that have traditionally characterized the alliance will continue to serve it well, particularly as the United States and the Republic of Korea face the common danger posed by North Korea.

Kim Jong Un's "Gift": Clarity of Intentions

As inauguration presents go, North Korean leader Kim Jong Un's gift to president-elect Donald Trump came early and unconventionally, wrapped in the package of Kim's annual New Year's Day address. Although the gift was ominous, the man who is now the American president nonetheless owes Kim a debt of gratitude.

Kim's speech provided Mr. Trump with a blunt statement of North Korea's nuclear and missile goals, just as the new American president was beginning to grapple with the question that has bedeviled each of his four predecessors: What to do what about North Korea's nuclear weapons and their threat to America and its allies? The timeliness and clarity of Kim's message provided President Trump with the clearest possible picture of the threat as tries his hand at answering this question.

Early in his New Year's speech, Kim Jong Un declared that North Korea had "...entered the final stage of preparation for the test launch of (an) intercontinental ballistic missile..." Kim reminded the world that his regime had "...achieved the status of a nuclear power...", and he went on to affirm that the North would continue to build up its capabilities, "...the pivot of which is the nuclear forces, and the capability for preemptive strikes..."¹

Kim's message, reinforced by North Korea's media, provided leadership-level affirmation of Pyongyang's intent to threaten the United States itself with nuclear attack, and to do so soon. Kim Jong Un's declaration that the threat to the United States will take on a new dimension posed a blunt challenge to the Trump Administration. With the nuclear gauntlet now thrown down, an urgent and effective response is now a critical priority for the new American president.

North Korean threats to build and test ICBMs, expand and enhance its nuclear weapons program, and conduct preemptive strikes against the United States are not new. But Kim Jong Un's personal reiteration of his regime's game plan so soon before the American presidential inauguration signalled that he has made up his mind about how he intends to deal with an inexperienced new U.S. president.

The 2009 Precedent

Kim Jong Un's approach is not very different from the one taken by his father before the inauguration of President Obama in 2009. As we now know, in the run-up to the January 2009 inaugural, North Korea was already making preparations for nuclear and missile tests that would occur early in Obama's tenure. In late 2008, Pyongyang was also quietly communicating that it had no interest in dealing positively with the new U.S. president.²

We recall that President Obama used his inaugural address to reach out to erstwhile adversaries like North Korea. Pyongyang's response to Obama's outstretched hand came in the spring of 2009 in the form of a long-range missile test followed by its second nuclear test.

This time around, North Korea's message to a new U.S. administration has come sooner and more publicly. Kim Jong Un's remarks were designed to warn President Trump that a more dangerous set of nuclear and missile developments than those President Obama faced await him in the coming months. In the weeks before the January 1st speech, North Korea had been quiet in response to Mr. Trump's election. The North Korean regime seemed uncertain how to deal with Trump's unexpected triumph.

Pyongyang may have needed time to digest Trump's remarks on the campaign trail, where he criticized ROK defense burden-sharing, attacked the Korea-U.S. Free Trade Agreement, suggested Seoul and Tokyo arm themselves with nuclear weapons, and conveyed his interest in having a hamburger with the North Korean leader.³ Such statements surely puzzled the North Koreans, who were used to hearing more upbeat statements from American leaders about South Korea. Pyongyang probably hoped Trump's remarks might create exploitable fissures in the U.S.-ROK alliance.

Meanwhile, the North was seeking to better understand the outcome of political upheaval in Seoul, where the presidency of Park Geun-hye was dissolving in the wake of a major political scandal and growing popular protest. Pyongyang surely saw advantages to be gained from South Korea's political paralysis, the possible removal of Park from office, and from a new presidential election in which a party supporting a more conciliatory policy towards North Korea might come to power.

Kim Jong Un Decides the Course

As 2017 began, the impeachment of President Park was underway and Kim Jong Un sought to take advantage of the situation by using his New Year's speech to attack Park and the U.S.-ROK alliance. He also appealed to sympathetic elements in the ROK, probably with an eye to influencing politics in the run-up to a presidential election to replace Park.

Meanwhile, any lingering North Korean uncertainty about how to deal with the new U.S. administration appears to have dissipated. Kim's New Year's message was designed to make a new U.S. administration think carefully about the rising capabilities of North Korea's nuclear and missile arsenals. The North Korean regime mobilized its media resources to reinforce this message and underscore the link between the new message and long-standing North Korean demands.

An editorial in the pro-Pyongyang *Choson Sinbo* the day after the New Year's speech called for the United States to accept the DPRK as a nuclear power.

The editorial also called for an end to U.S.-ROK military exercises – another familiar demand. Pyongyang has repeatedly declared such exercises, the U.S.-South Korea alliance, and the presence of U.S. troops in Korea as manifestations of U.S. "hostility." ⁴

The demand for the United States to end its "anachronistic hostile policy" was also the theme of a January 14, 2017 Korea Central News Agency (KCNA) report cited in the Pyongyang-based *Minju Choson* newspaper. The report described North Korea's nuclear weapons and ballistic missile programs as necessary responses to U.S. hostility. North Korea called for Washington to adopt a "new way of thinking" in dealing with the DPRK.⁵ Pyongyang reminded the new American president that its *byungjin* policy of simultaneous nuclear weapons and economic development would continue, and also reiterated its preparedness to test-launch an ICBM, again justifying its plans as necessary for its self-defense.⁶

These pronouncements reminded the new U.S. administration that it would begin its term dealing with a DPRK that not only intended to remain a nuclearweapon power, but one that would also expand its nuclear and long-range missile arsenals. In this context, Pyongyang's call for the United States to adopt a "new way of thinking" put the new U.S. president on notice that is was time to accept and live with this new reality.

Kim's Agenda

With a new year having arrived and a new U.S. president in office, North Korean leader Kim Jong Un has sought to steal the initiative and dictate the terms of a new relationship with the United States. The basis of that new relationship would be U.S. agreement to live with the North's nuclear weapons.

North Korea hopes to convince the United States to accept Pyongyang's nuclear status as a fait accompli. The North hopes to use the threat of adding new elements to its weapons program – specifically, nuclear-armed ICBMs aimed at the United States – to compel the United States to accept this new paradigm and to offer concessions to slow or stop it. Such concessions would come in the form of U.S. willingness to freeze or end U.S.-ROK joint exercises, perhaps in exchange for Pyongyang's agreement to "cap" or "freeze" its nuclear program. Pyongyang has actively promoted this idea, which has

China's support. North Korea hopes this "freeze for freeze" tradeoff will appeal to a new U.S. president interested in making "deals."

Another priority for Pyongyang is a peace treaty to replace the 1953 Korean War Armistice Agreement. North Korea wants to conclude such a treaty exclusively with the United States. Excluding the Republic of Korea from the negotiations would undermine the South's legitimacy and reinforce the North's charge that the South is a U.S. puppet. The new U.S. administration should expect Pyongyang to make such a treaty a major focus of its diplomacy in the coming months.

North Korea argues that formally ending the Korean War will require the United States to end its "hostile policy," which Pyongyang says is manifested by the U.S. military alliance with South Korea. In Pyongyang's view, to end "hostility" the United States would have to terminate that alliance, withdraw its forces from the peninsula, and end its nuclear deterrence commitment to South Korea. Convincing the United States to do this would then open the way for Pyongyang to achieve its ultimate goal: the reunification of the Korean Peninsula on its terms.⁷

One important item is missing from North Korea's ambitious: denuclearization. This is no accident. In North Korea's view, denuclearization is no longer a topic for discussion with the United States, especially since North Korea now regards itself as a de facto nuclear-weapon state.⁸ Nuclear weapons, in fact, have become the key tool by which the North Korean regime plans to achieve its goals vis-à-vis the United States and South Korea. So it is no surprise that North Korea's rhetoric today contains no mention of its past denuclearization commitments.

In the not-too-distant past, U.S.-DPRK relations centered on diplomacy and dialogue aimed at achieving North Korea's denuclearization. Such dialogue produced agreements in 1994, 2005, and 2007 to halt, freeze, and eventually dismantle Pyongyang's nuclear weapons program under international supervision. Now, in North Korea's view, the focus of bilateral dialogue has permanently shifted. The new goal, as Pyongyang sees it, is to discuss the terms under which the United States will accept and live with a nuclear-armed North Korea and agree to end "hostility." That, Pyongyang has made clear, is the only basis for stable relations between Pyongyang and Washington.

Trump: The Burden of Decision

Mr. Trump, meet Mr. Kim

President Trump has inherited from his predecessors an increasingly capable and more dangerous North Korea. The Pyongyang regime has conducted multiple successful nuclear weapon tests, developed miniaturized warheads that can be carried on some of its ballistic missiles, threatened to attack the United States and its allies with nuclear weapons, and declared that it is in the final stages of preparing to test an ICBM capable of hitting the continental United States.

And now, on President Trump's watch, the DPRK has successfully tested a mobile, solid-fueled, medium-range ballistic missile that increases the danger to U.S. allies and U.S. regional bases by reducing the warning time before launch, increasing the difficulty of detecting the missile before launch, and enhancing the survivability of the North's missile arsenal. Once this missile is armed with a nuclear weapon, it will pose a formidable new challenge, including by giving North Korea a credible second-strike capability.⁹

The new president has also inherited the legacy of failure by his four predecessors to end North Korea's nuclear weapons and missile programs. Today those programs endanger U.S. allies the Republic of Korea and Japan, as well as American bases in those countries and in the Western Pacific. And if we believe North Korea's assertions, those programs will soon pose a credible danger to the American homeland. That development will also take place on President Trump's watch. Trump has declared, "It won't happen." Kim Jong Un suggests that it surely will.

As President Trump begins his term, the North Korean leader has tried to put the American leader off balance by setting an aggressive agenda, using the threat of an ICBM test and demanding that Washington engage with Pyongyang in a new way. Kim Jong Un has also appealed to President Trump's deal-making instincts, hoping to engage the American president in a fashion that Trump's predecessors found unacceptable. It remains to be seen whether President Trump will take the bait. However, as he mulls his options, the new American president faces a North Korean challenge that is more dangerous and more intractable than that faced by his predecessors, a set of options that is narrower and riskier than ever, a China with a divergent agenda, and potential trouble on the horizon with America's South Korean ally.

The End of Denuclearization?

One of the most fundamental challenges President Trump faces is that there is now almost no prospect that diplomacy, dialogue, and conventional pressure can convince North Korea to end its nuclear weapons program. With one possible exception (to be discussed below), the range of approaches that might have convinced Pyongyang to denuclearize have been tried; all have failed. As a result, the faint hopes optimists once harbored that North Korea could be persuaded through diplomacy and dialogue to give up its nuclear weapons have all but evaporated.

Bilateral, trilateral, quadrilateral and six-party dialogues have all come to naught. UN Security Council resolutions, incremental up-ticks in economic and diplomatic sanctions, and even redlines have not worked. Neither has the provision of economic, agricultural, and energy assistance – including supplying the North with light-water nuclear reactors. Cultural exchanges and assurances of a better life for the North Korean people have left Pyongyang unimpressed. Promises of diplomatic and economic normalization and offers to give the DPRK membership in international financial institutions and to bring it into the community of nations have fallen on deaf ears. Declarations of non-hostility and promises of high-level summitry have done nothing to move North Korea's leadership. And multiple security assurances by U.S. presidents and promises to accept the legitimacy of the North Korean regime have failed.

Instead, Pyongyang has slammed the door on denuclearization and made the pursuit of nuclear weapons a formal part both of its constitution and its national development plan. Nuclear weapons and the missiles to deliver them are now part of North Korea's national identity. These weapons are, in the mind of the North Korean leader, the tools by which the regime will be preserved and by which it will defeat attempts to overthrow it. North Korea has decided it will not go the way of Iraq or Libya or, for that matter, Syria. North Korea believes its nuclear weapons can "deter" the United States.¹⁰ And with the regime's successful testing of nuclear weapons and missiles, and its plan to test weapons that directly threaten the United States, North Korea now believes it has the capacity to compel the United States to enter a dialogue of Pyongyang's choosing.¹¹

The "Freeze" Illusion

President Trump's challenge is made all the more complicated by the arguments being made by some, mainly in the United States, to accept the fact of and live with a nuclear-armed North Korea. Many of these arguments are couched as proposals to "cap" or "freeze" the regime's nuclear program, either as a way to prevent the program from expanding further, or in the hope that a "freeze" might eventually lead to denuclearization at some future date.

Such arguments ignore the fact that North Korea is determined as a matter of national policy to remain a de facto nuclear-weapon state. Also overlooked is that North Korea has made clear it will not accept international verification or inspection. This means the regime could continue surreptitiously to produce fissile material for nuclear weapons, build new weapons, and improve its existing weapons, even under a so-called "freeze." An unverified or unverifiable "freeze" means that we have accepted a nuclear-armed North Korea.

Those advocating a freeze forget that the three major denuclearization agreements reached with North Korea in 1994, 2005, and 2007 were all premised on a "freeze" of the nuclear program, as well as on Pyongyang's commitment to dismantle it. As we now know, despite these "freezes," North Korea managed to develop a covert fissile material production capability and to ensure that its existing nuclear weapons program could be easily reconstituted. And as we discovered, even under the more favorable diplomatic and political circumstances that existed then, "freezes" proved to be inadequate, illusory, and merely a cover for the continued development of North Korea's nuclear program.

Others have tried to avoid the trap of pursuing fanciful caps or freezes by seeking more modest goals. Former Secretary of Defense William J. Perry

recently suggested that North Korea agree not to export nuclear technology, not to conduct further nuclear tests, and to conduct no further ICBM testing.¹²

The last two of those commitments could be verified externally, using national technical means and with no need for Pyongyang's cooperation. But in the past North Korea has engaged in extensive nuclear proliferation activities with Pakistan, Syria, and Libya under the nose of the international community. As a result there is no basis for thinking we could prevent North Korea from sharing its nuclear know-how, technology, or materials.

Importantly, Dr. Perry's proposal would not affect North Korea's existing nuclear weapons and would do nothing to prevent the North from producing fissile material, building additional uranium enrichment and reprocessing facilities, expanding its nuclear weapons stockpile, and deploying additional nuclear-armed missiles. As he frankly acknowledges in his proposal, it is based on the judgment that we are now dealing with a nuclear-armed North Korea and that the best we can do is to try to limit the danger of its arsenal. For the United States and its allies, coming to such a conclusion would be a radical departure from long-standing policy and a stunning admission of defeat in terms of the denuclearization goal they have long pursued.

Accepting the permanence of a nuclear-armed North Korea seems highly unlikely to appeal to the Trump Administration for many reasons, not the least of which is that it will leave our allies and our overseas bases vulnerable to nuclear attack or nuclear blackmail. It would undermine the Nuclear Nonproliferation Treaty (NPT) and signal other potential nuclear-weapon states that the door is now open for them to pursue their nuclear ambitions.

Leaving North Korea's nuclear weapons and missiles in place and relying on containment and deterrence to deal with the North's nuclear challenge is also deeply problematic. North Korea has a demonstrated track record of nuclear proliferation. A nuclear North Korea could sell or transfer nuclear material or technology to those who might be prepared to use it against the United States. At the same time, a nuclear-armed DPRK that harbors profound grievances against the United States, that has threatened to use its nuclear weapons against the United States, and that hopes to use its nuclear capabilities to blackmail its neighbors or the United States presents an unacceptable threat to America's security.

Charting the Options

President Trump's will soon decide the U.S. response to North Korea's challenge. North Korea's recent threats and announced plans argue that he must do so quickly. This makes 2017 a critical year of decision for Trump, and for the Korean Peninsula. As he begins to consider his options, he will quickly discover, as his immediate predecessor did, that they are few and unappealing:¹³

1. Accept a nuclear-armed North Korea. The flaws and dangers of this approach have been discussed above. Whether done explicitly or under the guise of a "freeze" or a "cap," allowing North Korea to continue its nuclear-weapons activities would leave in place a capability that poses an existential threat to our allies and a direct threat to U.S. forces, bases, and resident Americans in the Asia-Pacific region and, soon, to the American homeland.

America's South Korean and Japanese allies are likely to reject this option. Their fears about the lingering North Korean threat could prompt them to develop their own nuclear weapons. A U.S. approach that concedes the continued existence of an active North Korean nuclear program would undermine the security and confidence of our regional allies and put the NPT, and the United States itself, at risk. It would send the worst possible signal to Iran.

2. Take military action. Some have argued that the urgency of the threat argues for taking military action, either to eliminate the DPRK's nuclear weapons and missile programs or, alternatively, to adopt an even bolder approach that would end the North Korean regime by force.

Few would doubt the ability of America's military forces to destroy the bulk of North Korea's nuclear and missile infrastructure in a narrowly focused campaign. In a broader conflict aimed at toppling the regime, the United States and its ROK ally would surely prevail. But whether in a limited action or a major war, it is unlikely that all of Pyongyang's nuclear and missile assets would be eliminated before North Korea was able to launch a limited retaliation against the ROK, Japan, U.S. bases in the region, or even the United States itself. An attack on the North's nuclear and missile infrastructure would likely precipitate a full-scale peninsular war. Even under the most optimistic scenario the North's conventional forces would still inflict massive damage on South Korea. Pyongyang would also be tempted to use its chemical, biological, and remaining nuclear capabilities in such a conflict, and might well choose to strike first if it felt that an attack was imminent.

Military action is a dangerous option that would undermine regional stability, risk conflict with China, create peninsula-wide chaos, and cause major damage to our ROK ally.

3. A "peace" treaty. Some have argued that it is time to accept North Korea's proposal to replace the Korean War Armistice Agreement with a peace treaty. They argue that doing so would reduce tensions and create a framework for permanent peace. This option raises profound concerns, not the least of which is that North Korea is highly unlikely to end its nuclear-weapons and ballistic missile programs, even in return for such a treaty.

Should the United States negotiate a formal end to the Korean War that leaves in place a nuclear-armed North Korea? Is it realistic to hope that the act of signing a treaty would convince North Korea to denuclearize? Is the United States prepared to accept North Korea's demand that South Korea be excluded from treaty negotiations? The answers to all of these questions are almost certainly negative.

There is also the problem posed by North Korea's strategic goal. Pyongyang's ambitions extend beyond replacing the Armistice Agreement. The North wants to end U.S. "hostility" as the North defines it – meaning the end of the U.S.-ROK alliance. And North Korea's ultimate goal is to pave the way for the reunification of the peninsula on its terms. A peace treaty that allows North Korea to retain its nuclear weapons is the vehicle that would make this possible.

4. "Nukes for everybody." During the presidential campaign Candidate Trump argued that, in the face of North Korea's nuclear threat, South Korea and Japan should arm themselves with nuclear weapons. Were they to do so, would the U.S. extended deterrent commitment be withdrawn, since a nuclear-armed ROK and Japan would now be able to defend themselves? In the absence of that deterrent commitment there would probably be calls in both countries, and in the United States, to end the alliances, leaving the United States without strategic partners in a region of crucial importance to American interests.

Beyond this, the acquisition of nuclear weapons by South Korea or Japan would further erode the NPT and justify Pyongyang's continuing possession of nuclear weapons. And the proliferation of nuclear-armed states in the region would increase the chance of nuclear war.

5. Count on China? Relying on the PRC to resolve the North Korea challenge appeals to some, despite the overwhelming evidence that Beijing has no intention of doing so. Those who claim China can "solve" the North Korea problem fail to understand Beijing's complex relationship with North Korea and its different priorities. While some believe Beijing is the solution to the North Korea nuclear challenge, the reality is that China is part of the problem.

Beijing is North Korea's sole treaty ally, its major trading partner, and, increasingly, the regime's lifeline. China's withdrawal of support for North Korea or a massive cutback in assistance would precipitate a crisis that could probably compel the Pyongyang regime to alter its policies lest it risk collapse. Yet China has scrupulously avoided taking drastic action against the North.

Beijing holds that maintaining the stability of the North Korean regime is in China's strategic interest. China argues that the collapse of the North Korean regime would bring chaos to China's northeast border, including the possibility of a civil war or peninsular conflict. Such a conflict could spill over into China, lead to the use of nuclear weapons on China's periphery, cause the North to lose control of its weapons of mass destruction, create massive refugee flows, and more. Faced with this nightmare, China's preference is for the status quo, even if this means tolerating North Korea's nuclear ambitions.

To be fair, China is uncomfortable with North Korea's pursuit of nuclear weapons, its threatening rhetoric, its provocative behavior, and the potential for North Korea to destabilize the region. Nevertheless, faced with a choice between tolerating an erratic, dangerous, and nuclear-armed neighbor on the one hand, and using its leverage and unique relationship with the regime to apply overwhelming pressure to compel it to denuclearize on the other, Beijing's preference is for the former. For China's leaders, it is better to keep a troublesome North Korean ally afloat and persuade it to change than to risk chaos by pressing the regime too hard and too quickly.

Beyond prioritizing stability over denuclearization, China also sees value in North Korea's role as a "buffer," keeping the United States and its capitalist, democratic Korean ally at a safe distance. For a China that fears "encirclement" by a potentially hostile United States, North Korea's massive military and its antagonistic relationship with the United States actually serve Beijing's interests by complicating America's security calculus in Northeast Asia. China shares Pyongyang's hope to see an end to the U.S.-ROK alliance. And with Beijing hoping to supplant the United States as the dominant regional power, China's leaders these days are increasingly inclined to see North Korea as an asset, albeit a flawed one.

For these and other reasons, Chinese cooperation in imposing sanctions and other pressures on North Korea has been carefully calibrated and limited in scope. It was no accident that negotiations to approve a new and tougher UN Security Council resolution after Pyongyang's fifth nuclear test in September 2016 were difficult and succeeded only after 82 days of wrangling and delay. And a closer look at Beijing's recent decision to end coal imports from the DPRK for the remainder of 2017 finds that there was less to this step than meets the eye.¹⁴

Meanwhile, the context in which China views the North Korea problem is changing. China's position on North Korea is increasingly driven by geopolitical factors, especially Beijing's strategic rivalry with the United States. The U.S. and the PRC are at loggerheads over freedom of navigation in the South China Sea, and the PLA is challenging America's Japanese ally in the East China Sea. China's is pressuring South Korea to halt Terminal High-Altitude Area Defense (THAAD) missile deployment. Taiwan has now resurfaced as a contentious issue and possible flashpoint in U.S.-PRC relations. And Beijing has not forgotten that the Trump Administration had signaled it might reverse the longstanding U.S. position on "one China" and hinted at a possible trade war with Beijing.

China is today a cautious, frequently reluctant, partner in working with the United States to pressure North Korea. Should there be a significant downturn in U.S.-PRC relations during the Trump Administration, we should expect that additional Chinese cooperation on North Korea will not only not be forthcoming, but Beijing could begin to "tilt" towards North Korea in ways reminiscent of an earlier era.

Even if the new U.S. administration succeeds in establishing a dialogue with China to explore additional cooperation against North Korea, a more selfconfident and militarily capable China is unlikely to want to do more without a clear quid pro quo. The new U.S. administration should expect China to press the United States to make concessions in areas of concern to Beijing, including Taiwan, the South China Sea, the East China Sea, and U.S. military operations on China's periphery. The price for a "deal" with China on North Korea could be high.

Accordingly, the logic of outsourcing the North Korea problem to China is flawed and dangerous. North Korea is America's problem more than it is China's, and America disregards that at its peril. Today, Pyongyang's nuclear weapons are aimed at U.S. bases and U.S. allies in the Asia-Pacific region. Soon enough, they will target the United States itself. For that reason alone, subcontracting America's security to a Beijing that is increasingly inclined to sympathize with Pyongyang would be a grave mistake.

6. Time for a different approach. Past efforts to denuclearize North Korea have all failed, and the options listed above also are destined to fail. Accordingly, it is time to try something different. And if the threat posed by North Korea is more immediate than ever, then a new approach must reflect a much greater sense of urgency.

The new U.S. administration should consider making another major effort to convince, indeed compel, North Korea to return to the negotiating table to resume implementing its denuclearization comments. A diplomatic solution may not be possible, but it is worth trying once again to achieve one.

To do this, the United States should adopt an approach it has not tried before. It is time for the United States, in cooperation with its allies and partners, to put at risk the one thing that North Korea regards as more precious than its nuclear weapons—the existence of its regime—in order to convince Pyongyang to end its pursuit of nuclear weapons. North Korean officials tell us their goal is to maintain their regime; they say nuclear weapons will guarantee the regime's survival. The United States must convince Pyongyang otherwise. Beyond convincing North Korea that it will never be accepted as a nuclearweapon state, the United States must make Pyongyang believe that its pursuit of nuclear weapons will lead to the regime's demise. North Korea must be made to choose between nuclear weapons and survival. Only when North Korea's leader is convinced that he is risking the end of his regime by pursuing nuclear weapons will he reconsider the path he has chosen.

This should be done by rapidly (over a period of months) increasing the scope and intensity of economic, trade, financial, political, diplomatic, and other measures designed to starve the Pyongyang regime of hard currency, disrupt its commerce, expel it from the international banking system, hamstring its ability to violate international sanctions, punish its human rights violations, and generally impose unbearable costs on the regime for its pursuit of nuclear weapons.

Sanctions on North Korea should be intensified to the level once applied on Iran. Pressure should be brought to bear on firms, including travel and tourism companies, doing business with Pyongyang. There should be an intense focus on cutting off the regime's income streams.

North Korean assets should be seized if they are linked to illicit activities or violation of U.N. sanctions. Overseas DPRK trading offices should be shut down when they violate sanctions. The United States should urge the international community to stop trading with North Korea and be prepared to exclude from the U.S. market firms that do business with North Korea.

The international community should intensify inspection and interdiction of suspect vessels and aircraft trading with the DPRK. The U.S. could consider imposing a naval quarantine to prevent North Korea from violating existing U.N. sanctions and, more importantly, as a measure to prevent nuclear proliferation.

U.S.-ROK military exercises should be expanded in scope and frequency, including exercises that involve the frequent deployment of nuclear-capable or dual-use aircraft to and around the Korean Peninsula. The United States should accelerate deployment of the THAAD missile system to South Korea.

Secondary sanctions should be applied on third-country entities, including Chinese firms, doing business with suspect North Korean entities. China will still likely maintain its lifeline to Pyongyang, but the international opprobrium that will be visited on Beijing could pressure China to take actions that it has thus far been reluctant to take and to strictly limit its support for the regime.

These steps will complicate U.S.-China relations, but this must not be allowed to prevent the United States and its allies from defending themselves. Chinese cooperation would make the measures proposed above even more effective, but we should not underestimate the degree to which these measures will have a major impact on North Korea even without Beijing's support.

The United States and South Korea should encourage overseas representatives of the DPRK to defect and to cooperate with international law enforcement to stop illicit activities. A bilateral U.S.-ROK team should develop covert steps designed to exploit vulnerabilities in North Korea's communications, banking, nuclear, and financial infrastructure. A major information effort should be launched to flood North Korea with accurate news about the outside world. A key focus of such a campaign should be North Korea's elites, whom defectors tell us are beginning to waver.

These measures should be implemented quickly to achieve maximum effect. The gradualism of past approaches has allowed Pyongyang the time and space to find a way around sanctions.

The above recommendations carry some risk. But allowing North Korea to increase its nuclear threat is much riskier. No country knows the risks better than the Republic of Korea, and that is why the closest possible coordination between Washington and Seoul will be more important than ever if this approach is adopted.

The initial goal of this approach should be to make North Korea's leader realize that his continued pursuit of nuclear weapons and the means to deliver them will affect the stability and survivability of his regime. The United States should then make clear that Washington's preference is to resume meaningful dialogue with Pyongyang, and that the United States stands by past agreements to eventually normalize relations with a *non-nuclear* DPRK.

The United States has never reneged on its commitment to improve relations with Pyongyang and provide the North with economic and other assistance as part of a denuclearization agreement. This point should be underscored with the North Korean leader if he shows interest in a serious new dialogue. Washington should assure Kim Jong Un that it is prepared to engage with him at the highest levels to address the full range of his concerns, including a peace treaty, *if and only if* Pyongyang is prepared to reopen a serious denuclearization dialogue.

This approach has not been tried before, and so it is hard to know whether it will work. But, unlike previous approaches, it offers an opportunity to compel the Pyongyang regime to make an urgent strategic choice to pursue denuclearization or risk a dismal future.

Importantly, if this approach does *not* succeed, the severe measures it imposes will nonetheless have a major effect on the stability of the North Korean regime. In doing so, it will have lain the foundation for what may be the only other means of achieving the denuclearization of North Korea – bringing about the end of the North Korean regime.

There is a view among many experts that the current North Korean regime will never give up its nuclear weapons under any circumstances.¹⁵ If that is true, and it may be, then the growing danger posed by Pyongyang's nuclear weapons could soon prompt U.S. policymakers to look at other, starker options, including ways to end the current regime.

Pursuing regime change is fraught with challenges and dangers. The American track record in this area is not good. Trying to end the North Korean regime through military action would lead to a major peninsular war, doing horrific damage to our ROK ally and undermining stability in the region. The United States could also seek regime change by non-military action, using sanctions, pressure, isolation, and other means designed to put overwhelming pressure on the North. The U.S. could work over time to exploit internal contradictions in the North, using information warfare and other techniques to transform society and eventually create a North Korea with which it can cooperate.

The first of these options, military action, is probably unacceptable; the second, overwhelming pressure, may work; and the third, gradual change,

seems unlikely to achieve its goal in an acceptable time frame, in light of the immediacy of the threat to the United States. Each of these options deserves careful scrutiny as a new U.S. administration explores how to contend with the rising danger posed by North Korea.

A Year of Decision for the ROK

North Korea entered 2017 showing how it intends to deal with the new American president. Soon, the Trump Administration will respond. But in the midst of these developments, political developments in South Korea have raised uncertainties about Seoul's course.

In recent years, Seoul and Washington achieved an unprecedented level of policy coordination in dealing with North Korea. However, the dramatic unraveling of Park Geun-hye's presidency has prompted questions about the direction of ROK policy towards North Korea and other issues.

Despite the Seoul government's best efforts, the absence of presidential leadership has begun to take its toll on policymaking and implementation. For example, a hard-won agreement between Korea and Japan on the comfort women issue may be fraying as opposition parliamentarians attack the pact and local officials and interest groups take actions to undermine it.

Meanwhile, the conservative ruling party's brand has been severely damaged by the unfolding political scandal, including evidence that the incumbent government pressured major corporations to make illegal contributions and maintained blacklists of artists who did not support the government. As a result, the center-left political opposition is poised to do well in the next presidential election; and it may win.

Candidates of the left have expressed their profound dislike for the current government's North Korea policy. Comments by opposition presidential candidates have suggested that an opposition victory in next presidential election could lead to a reversal of THAAD deployment, the end of the ROK-Japan comfort women agreement, a reconsideration of a ROK-Japan agreement on intelligence sharing, a shift away from a U.S.-centric security policy, a "tilt" towards China, a rejection of U.S. burden-sharing proposals, and a return to a North Korea policy that emphasizes incentives and concessions. An opposition victory in the next presidential election is not assured. But if it occurs, it is not impossible to imagine ways in which the next South Korean government could be at odds with the Trump Administration on a range of issues, including our respective approaches on North Korea, Japan, China, alliance management, and trade. This of course could occur as the U.S. administration is trying to deal with a North Korea that is about to demonstrate its ability to attack the American homeland with nuclear weapons, and as U.S.-China relations enter a possibly contentious period.

To deal with these challenges going forward, alliance managers in Washington and Seoul will have to redouble their efforts to coordinate, consult, and avoid surprises. Washington policymakers will have to listen particularly carefully to South Korean concerns and sensitivities, and understand fully the meaning and implications of political developments in the ROK.

With a new U.S. administration now in place, regardless of the outcome of the next ROK presidential election, it will be incumbent upon Seoul to have the clearest possible understanding of the changes occurring in the United States. These include the new U.S. administration's focus on an "America-first" agenda, as well as the likely psychological impact on popular thinking when North Korea finally demonstrates its ability to threaten the American homeland with a nuclear weapon.

The U.S.-ROK alliance has endured complicated politics and difficult times in the past, and there is every reason to believe that it will do so again. Meanwhile, the United States can take confidence that the patience, transparency, leadership, and wisdom that have always characterized the relationship in the past will continue to serve the alliance well, particularly as it contends with the common danger posed by North Korea to both the United States and the Republic of Korea.

¹ Speech text available at: <u>http://www.ncnk.org/resources/news-items/kim-jong-uns-speeches-and-public-statements-1/kim-jong-uns-2017-new-years-address</u>

² Conversation between author and senior DPRK official, November 5, 2008.

³ See, for example, Stephanie Condon, "Donald Trump: Japan, South Korea might need nuclear weapons," CBS News, March 29, 2016, available at:

http://www.cbsnews.com/news/donald-trump-japan-south-korea-might-need-nuclearweapons/; Stephen Evans, "How might, Donald Trump deal with North Korea's Kim Jong Un?," BBC News, November 11, 2016, available at: http://www.bbc.com/news/world-asia-37932923

⁴ Dagyeum Ji, "Trump should recognize North Korea as a nuclear power: Choson Sinbo," NK News January 2, 2017, see: <u>https://www.nknews.org/2017/01/trump-should-recognise-pyongyang-as-a-nuclear-power-choson-sinbo/</u>

⁵ "North Korea calls on U.S. to end 'hostile' policy," Yonhap, January 14, 2017, available at: <u>http://english.yonhapnews.co.kr/northkorea/2017/01/14/51/0401000000AEN2017011</u> <u>4002700315F.html;</u> see also Jack Kim and Tony Munroe, "North Korea says can test launch ICBM at any time - KCNA," Reuters, January 8, 2017, available at:

http://www.reuters.com/article/northkorea-missiles-idUSL4N1EY06G

⁶ "N.K. vows dual pursuit of nukes, economy ahead of Trump's inauguration," Yonhap via NK News, January 17, 2017, available at:

http://english.yonhapnews.co.kr/northkorea/2017/01/17/0401000000AEN2017011701 0400315.html; see also "N.Korea repeats threat to launch ICBM as Trump is set to take office this week," Yonhap News, January 18, 2017, available at:

http://www.koreatimes.co.kr/www/news/nation/2017/01/103 222303.html

⁷ For analysis of Pyongyang's goals, game plan, and tactics, see Evans J.R. Revere, "Dealing with a nuclear-armed North Korea: Rising danger, narrowing options, hard choices," Brookings, October 4, 2016, available at: <u>https://www.brookings.edu/research/dealing-with-a-nuclear-armed-north-korea/</u>

⁸ Ibid.

⁹ Anna Fifield, "North Korea fires ballistic missile, first since Trump elected in U.S.," Washington Post, February 11, 2017, available at:

https://www.washingtonpost.com/world/north-korea-fires-ballistic-missile-first-since-trump-elected-in-us/2017/02/11/42d6cb57-d187-4b2a-bafb-

<u>6834c97799b0 story.html?utm term=.894222f334a9</u>, and Hilary Clarke, "North Korea's missile launch points to advances, U.S. officials say," CNN, February 13, 2017, available at: <u>http://www.cnn.com/2017/02/13/asia/north-korea-missile-differences/</u>

¹⁰ For analysis of Pyongyang's goals, game plan, and tactics, see Evans J.R. Revere, "Dealing with a nuclear-armed North Korea: Rising danger, narrowing options, hard choices," Brookings, October 4, 2016, available at: <u>https://www.brookings.edu/research/dealing-with-a-nuclear-armed-north-korea/</u>

¹¹ For an excellent overview of North Korea's strategic goals, see David Straub, "North Korea Policy: Recommendations for the Trump Administration," Korea Economic Institute of America, Academic Paper Series, December 7, 2016, available at:

http://www.ncnk.org/resources/publications/KEI APS Straub Trump.pdf

¹² William J. Perry, "To confront North Korea, talk first, get tough later," The Washington Post, January 6, 2017, available at: <u>https://www.washingtonpost.com/opinions/to-</u> <u>confront-north-korea-talk-first-and-get-tough-later/2017/01/06/9334aee4-d451-11e6-</u> <u>9cb0-54ab630851e8 story.html?utm term=.17879f3cb2ff</u>

¹³ A discussion of options can be found in Revere, op. cit.

Straub, op. cit., also provides and excellent review of U.S. options.

¹⁵Andrei Lankov, "A bit of (realistic) pessimism," The Korea Times, January 22, 2017, available at: <u>http://koreatimes.co.kr/www/news/opinon/2017/01/137_222555.html</u>

¹⁴ Benjamin Katzeff Silberstein, "Is China Serious About Banning North Korean Coal?" The Diplomat, February 21, 2017, available at: <u>http://thediplomat.com/2017/02/is-china-serious-about-banning-north-korean-coal/</u>