A Northeast Asian Regional Security Framework: Does it Work?

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The short answer to the question posed in the title of this panel is: yes, it *could* work –but the bar will have to be high.

There is already considerable intellectual buy-in to the notion of a Northeast Asian Regional Security Framework. Foreign Minister Yohei Kono proposed this concept in around 1994 and the theme was repeated by Prime Minister Keizo Obuchi of Japan in 1997 as a logical outgrowth of the Four Party Talks (US,PRC, ROK, DPRK) that began in 1997. The original decision memorandum on the Six Party Talks prepared by the U.S. NSC in December 2002 noted that the talks could be transformed into a Northeast Asian security forum if progress were made on the nuclear issue. The September 2005 Joint Statement of the Six Party Talks established a working group on a Northeast Asian peace and security framework and Secretary of State Condoleezza Rice made the establishment of that forum a centerpiece of her diplomacy towards the region in 2007-2008. Her assumption was similar to the central contention in Mort Halperin's paper, that the North was unlikely to abandon nuclear weapons or would do so only at an unacceptably high price, but that there was merit in "broadening" the issue to avoid a complete impasse.

The problem has always been what to do about the North Korean nuclear issue. Past efforts to establish a regional peace framework have always faltered on North Korean provocations or nuclear break-out. That is the main reason that the Japanese government (and to some extent the ROK government) strongly opposed the proposal for a Northeast Asian peace and security forum when it was presented by Deputy Secretary of State John Negraponte in 2007.

Any Northeast Asia peace framework that leaves North Korea in possession of nuclear weapons and/or an active nuclear weapons program would pose an unacceptable moral and physical hazard and would put at risk the credibility of non-proliferation efforts globally and of U.S. security commitments in Northeast Asia.

A second challenge would be verification. The paper proposes a binding international treaty, but the DPRK record on implementing and honoring international agreements and treaties is so deficient that even a "binding" treaty would not be credible to the Congress or U.S. allies.

It is possible that there could be interim confidence-building steps on the way to a treaty. The paper contends that neither the United States nor North Korea is willing to sign on to an incomplete agreement. Yet the two sides could have achieved an agreement to remove spent fuel rods in exchange for some sanctions lifting or relief on energy supplies if the DPRK had not torpedoed the efforts of envoys Glyn Davies and Ford Hart by testing the Unha missile. Such an opportunity could emerge again.

A third challenge would be maintaining necessary international pressure and interdiction in the face of active DPRK nuclear weapons programs. The paper proposes a treaty that would lead to "termination of war." Sanctions are an act of war. Would UNSCR 1619 and 1874 remain in place? Or would the treaty prohibit interdiction measures that are necessary to slow an active

DPRK nuclear weapons program? The proposal that the treaty lead to a "termination of sanctions" is even more problematic. If the parties only reserve the right to "collectively" re-impose sanctions, then Russia and China will set the bar too high for effective action (or demand levels of detailed intelligence on proliferation activities that are not acceptable to the U.S. side). Without verifiable dismantlement of nuclear programs in the DPRK, sanctions should not be abandoned.

Other aspects of the proposal could be workable, but some of the assumptions should be examined carefully. For example, the focus of the diplomatic effort in the paper is on reassuring the DPRK about its external security environment so that nuclear weapons become less critical to regime survival. However, the central threat to DPRK regime survival may well be internal. In other words, the regime's lack of legitimacy is intimately linked to its pursuit of the world's most dangerous weapons. That is a problem that cannot be solved by U.S. confidence-building measures.

A mutual declaration of no hostile intent may have merit. However, the DPRK has defined U.S. "hostile intent" so elastically and comprehensively, that any such agreement would not likely hold for long. The DPRK has included U.S. forward military presence, nuclear umbrellas over Japan and Korea, and criticism of human rights as core elements of the United States' "hostile policy." No U.S. administration could meet the DPRK definition of a non-hostile policy. A mutual declaration of no hostile intent would also complicate any effort to implement UNSC sanctions necessitated by the current state of the DPRK's nuclear weapons programs. Nevertheless, there may be some utility in exploring mutual declaratory policies that would complement other agreements –perhaps incremental – on the nuclear weapons program or on avoidance of conventional military provocations, etc.

A Northeast Asia Nuclear Free Zone would face all of the same high bars, particularly given the impact of North Korean nuclear weapons development on the credibility of U.S. extended deterrence. Would a NEANFZ reinforce Japanese and ROK confidence in extended nuclear deterrence or weaken it? On balance, I suspect such a move would weaken confidence in the U.S. extended deterrent. However, it is worth considering options for a phased entry into force, as the paper attempts. Japanese and ROK conditional ratification with an option to withdraw is one interesting way to keep the pressure on the DPRK, but it could also prove counterproductive since an exit by either Japan or Korea would be viewed suspiciously by the other and would imply that the withdrawing state considers nuclear weapons to be back on the table. On the other hand, there would be clear advantage for China in an agreement that guarantees a nuclear-free Korean peninsula after unification. The question that would have to be asked is whether that is enough of an incentive to increase Chinese pressure on the DPRK, or whether a large diplomatic agreement would reduce pressure because it constrained U.S. action.

Ultimately, diplomacy is a means, not an end. Given the intractable North Korean pursuit of nuclear weapons capability, any new diplomatic approach must not come at the expense of coercive leverage, the credibility of extended U.S. deterrence, or the effectiveness of interdiction and other counterproliferation measures such as missile defense. That is a high bar, but one necessitated by a pattern of DPRK escalation.