

# Comprehensive Security and Multilateral Cooperation in Northeast Asia Overcoming North Korea's Nuclear Breakout

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This essay argues that US policies toward the DPRK must be reformulated, and that the United States has many options to choose from in developing new geo-strategic framework for US security policy in Northeast Asia. These may have more traction with the problem presented by the DPRK than those employed since 1992. We argue that the United States is the only power able and potentially willing to exercise leadership to reshape the regional strategic environment in ways that require all local leaders to recalibrate their own calculi. In our view, it is time for states in the region to create institutional arrangements to manage the use of nuclear threat in inter-state relations. We outline an array of possible approaches, especially multilateral ones, for creating a new strategic framework in which to realize an enduring peace and to ensure the security of all states in the region — even that of the DPRK should it manage to survive its own domestic downward spiral and long run malaise.

**Key Words:** Multilateral, comprehensive security, peace regime, nuclear weapons-free zone, Trump

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### I. I. The Case for Strategic Activism

The purpose of this essay is to make one primary argument about US policies toward the DPRK; and then to provide a smorgasbord of possible approaches to developing new geo-strategic framework for US security policy in Northeast Asia, one that may have more traction with the problem presented by the DPRK than those employed since 1992.

Our major argument rests on a premise that except in response to an existential threat or imperative to retaliate for an attack posing an existential threat, waging war against the other is not a credible policy option for any of the powers in the region for the simple reason that modern war has catastrophic results far beyond any conceivable benefits. Moreover, the level of social, political, and economic interdependence is now so high between the United States and each country in the region (except for the DPRK and Russia), and within what South Koreans refer to as the CKJ or China-Korea-Japan bloc, as well as between the DPRK and China, that a war will impose costs on the aggressor so high as to be self-defeating, irrespective of the outcome on a battlefield, whether it is on land, sea, or in the air or in space, including cyberspace. This reality is the basis of what is known as the “long peace” in what may otherwise be characterized as an “anti-region,” that is, one defined by an absence of binding regional security institutions and characterized by divisive nationalism and vehement symbolic confrontations, but also one in which no interstate wars have occurred since the last shot was fired in the Korean War. However, this absence of hot war and maintenance of cold war is coming to a rapid end, and now it is necessary to construct a new foundation for regional security if the peace is to endure.

Here we argue that the United States is the only power able and potentially willing to exercise strategic leadership to reshape the regional strategic environment in ways that require all local leaders to recalibrate their own calculi, and that such leadership has been lacking since the decisive move made by President George H.W. Bush in 1991 to withdraw US forward-deployed tactical and theater nuclear

weapons, the “pivot” notwithstanding (Koch 2012). In making this move in 1991, the United States did not allow its allies to second-guess or determine its policies, although it did consult them extensively in this region, before and after the initiative was announced on September 27, 1991. Rather, the United States adjusted its strategic posture in a way that jolted adversaries, allies, third partners and “frenemies” alike to reconsider their own security posture in fundamental ways. This adjustment resulted in major breakthroughs in inter-Korean relations that were inconceivable at the end of the eighties and in fact, set the baseline for stability on the Korean Peninsula that preserved the peace until 2010, when the *Cheonan* was torpedoed.

However, this “shakeup” was not followed up in subsequent decades. In our view, it is time to complete the unfinished business set in motion by that move — and in particular, for states in the region to create institutional arrangements to manage the use of nuclear threat in inter-state relations. In the following sections of this essay, we outline an array of possible approaches to creating a new strategic framework in which to realize an enduring peace and to ensure the security of all states in the region — even that of the DPRK should it manage to survive its own domestic downward spiral and long run malaise.

Before proceeding, we wish to address the dismissal of our proposition as a “grand settlement” that is hopelessly idealistic or vacuous. This argument is based ultimately on the notion that power resources are what matters, especially military power, and in that arsenal, nuclear weapons most of all. In this view — one that many regional security analysts and political leaders adhere to — institutions, habits of dialogue, norms of behavior, codes, rules, and legally binding agreements — are epiphenomenal, and are simply meat that feeds the worst appetites of authoritarian or dictatorial regimes.

However, if the premise of our argument is correct — and any fair minded evaluation of the consequences of a major conventional or nuclear war in the region between any of the potential belligerents in the on-going conflicts (most importantly, the Taiwan Straits and the Korean conflicts) must conclude that such wars would lay waste to the states involved in the region — then a realist position based on

military power is hobbled when it comes to managing and resolving most of the security issues which actually affect the region, including the DPRK's nuclear breakout, territorial disputes, cyber vandalism and espionage, etc. In fact, the realist position actually turns out to be soft on North Korea (although not on its long-suffering people) because it provides a space at the intersection of great power interests in which the regime can dance to its own tune, develop and test nuclear weapons and rockets, and do so knowing that China will cover its back so long as it does not rock the boat in the region to the point that war erupts.

Thus, we suggest that it is time to move beyond incremental management of North Korea's nuclear program, and to focus instead on reshaping the strategic environment in ways that will enhance stability and manage the major security risks, especially those related to nuclear weapons, irrespective of North Korea. By starting at the comprehensive end of the spectrum of policy options rather than focusing on North Korea alone, the United States can not only reverse the unravelling of the old order based on bilateral alliances and primary reliance on military containment; it can construct institutions that serve broader strategic interests of all the parties in the region. As North Korea is the security issue on which US and Chinese interests overlap most directly, solving the North Korea problem can become a springboard for creating regional security institutions that serve much more important policy goals at a global and regional level than simply eliminating North Korea's nuclear threat. In short, we suggest that a comprehensive strategic framework is much more likely to be "tough" on the DPRK than wielding a one-bladed scissor made up of military power without the other blade—strategic engagement.

To repeat, a comprehensive security strategy led by the United States does not mean that muscular and coercive diplomacy is no longer necessary — just the opposite is the case. It means that strategic goals are negotiated that vest all states in a consistent, and evolving institutional status quo, one that results in increasingly predictable outcomes and reduction of security threats, especially those associated with nuclear weapons. And, as a co-benefit, a space is created that

allows North Korea to come into a regional security community should it decide to do so; but also creates a framework to deal with it and the consequences of it not doing so in a resolute and meaningful manner.

There are so many moving parts in any comprehensive settlement that it is easy to lose sight of the importance of connecting all the various elements in a coherent and mutually supportive manner. There are so many possible ways of connecting the dots, of joining together the moving parts, and sequencing the different possible actions, that the practitioner can ask fairly where to begin?

The answer is that it is easier to find out where you are heading if you have a good map, a good picture of where you are located in relation to all the possible pathways, than if you stand in one place and build a fortress. Likewise, developing a common vision of a regional security structure in Northeast Asia helps to demonstrate that initial implementing measures are part of a larger picture, one that builds coherence and consistency between the different elements. This paper lays out such a broad picture, showing the many pathways that might circumvent or surmount obstacles, but some of which are likely more promising than others because they connect or converge down the line whereas others lead to dead ends or to nowhere useful in the big picture.

The goal should be to build a "security community," defined as a group of nations for whom armed conflict is not considered a means of resolving differences and then deal with the institutional implications rather than improvising in the midst of conflict and crisis management. But to get there, many small steps taken across a broad front will be necessary to explore the vast terrain of security concerns and possible cooperative measures. Those steps should include measures that improve security in the classic military sense. In turn, these should be followed by measures of a more transnational, global character as the region coalesces into a more cooperative system of states. Which ones to take, and in what sequence, is a matter of overarching strategy combined with pragmatism, consultation and good judgement. Thus readers may consider what follows as describing a repertoire of

possible actions and strategies rather than advocacy of any particular pathway.

In the remainder of section 1, we illustrate the interconnectedness of some major elements of a broad settlement of outstanding issues in and around the Korean Peninsula, in particular, ending the Armistice, a peace regime, and a regional peace and security mechanism. After outlining each of these linked issues, in Section 2 we move onto more specific policy considerations for the next US administration and review two broad approaches to initiating a comprehensive security strategy, the first based on the European Organisation for Security and Cooperation or OSCE experience, and the second based on the lessons from the Iran Deal. In Section 3, we examine short and medium-term security concerns that might be addressed in a new security framework in Northeast Asia, beyond simply eliminating the North Korean nuclear program.

### *A. Replacing the Armistice Agreement*

Efforts to strengthen peace and security and to improve the human condition in Northeast Asia must take into account the fact that the Korean War was never legally ended. The war began in June 1950 when North Korean military forces drove deep into South Korea, at one point occupying most of the country. The Korean armistice agreement was finally signed in July 27, 1953 (Korean Armistice Agreement 1953). It referred in the preamble to “The undersigned, the Commander-in-Chief, United Nations Command, on the one hand, and the Supreme Commander of the Korean People’s Army and the Commander of the Chinese People’s Volunteers.” But only two generals actually signed it: the American, Lt. Gen. William K. Harrison, Jr., commander-in-chief of the United Nations Command; and Gen. Nam Il, who signed for both the North Korean People’s Army and for the Chinese People’s Volunteers. The South Korean government declined to sign. Ever since, diplomats have argued about whom the parties to a successor arrangement should be and how to finally end a war that began nearly six decades ago.

The legal issue actually is a relatively small part of the puzzle. The bigger issues are political. The absence of a final settlement of the Korean War means that the war, technically, lingers on and, as a practical matter, that situation has continued to create tensions, and sometimes roller-coaster rides in and out of crisis. The armistice signed in 1953 brought an end to the shooting but left a genuine peace to the wisdom of succeeding generations, who have not been equal to the task. This situation is not just another remnant of untidiness left over from past wars: it is directly relevant to the North Korean nuclear threat. Experience suggests that while negotiations focusing narrowly on nuclear weapons programs may yield transitory success, such agreements are not sustainable over the long run, and that a broader context will be necessary to buttress them. That broader context will have to include, earlier rather than later, a formal agreement to declare that the war is at an end, to disestablish the armistice arrangements, and in some cases, to replace those with new arrangements.

Ending the armistice system cannot be accomplished by a simple statement saying it is all over. To terminate the provisions of the Armistice Agreement, some kind of legal action or agreement accepted by the parties to the agreement is required. As Patrick Norton, formerly counsel at the US State Department, explains:

The classic approach of customary international law to the termination of a war was (1) an armistice signed by military commanders that ended the fighting, followed by (2) a peace treaty among the belligerent states. The Napoleonic Wars and World War I are perhaps the best examples. There is no reason why that should not be the case with Korea. Many of the interested parties have specifically spoken in terms of a "peace treaty." Form should not, however, dictate policy. There is no compelling reason why the Korean Armistice could not be superseded by an agreement or agreements not expressly entitled "treaty." The Armistice itself (para. 62) speaks only of "an appropriate agreement for a peaceful settlement at a political level between both sides." And the recent Statement of the President of the Security Council, speaks of a "peace mechanism." Under international law, moreover, any agreement between states, however denominated, constitutes a "treaty" in the sense of an agreement

legally binding the parties to its terms. Nor need the necessary actions be limited to agreements between states. The Security Council is empowered to determine, *inter alia*, “the existence of any threat to the peace” and to “make recommendations, or decide what measures shall be taken . . . to maintain or restore international peace and security. . . .” (Charter, art. 39). Further, the “Security Council may decide what measures not involving the use of armed force are to be employed to give effect to its decisions, and it may call upon the Members of the United Nations to apply such measures.” (Id., art. 41). All UN Members are bound to “accept and carry out the decisions of the Security Council. . . .” (Id., art. 25). Action by the Security Council in support of any political resolution of the Armistice by the interested governments would be especially appropriate in light of the Council’s (admittedly disputed) role in the Korean War itself. Because the Council’s decisions in this regard could be drafted so as to be binding on all U.N. Members, a Council resolution could effectively resolve any doubt as to whether one of the belligerent parties was bound by the resolution even if that party did not sign the operative agreements (Norton 1997).

Thus, there is considerable flexibility for the parties to the armistice and to the conflict as to how to end it. For example, that action need not include the United Nations, in whose name Gen. Harrison signed the agreement. But it certainly would have to include the United States, which has been among the three chief implementers of the Armistice Agreement, along with North and South Korea.

Should China also be a participant in ending the armistice arrangements? There may be aspects that directly affect China and it should be involved as a guaranteeing power. Other countries, especially Russia and UN Command allies, may have to be consulted about certain specialized questions. But in the major issues that affect relations between North and South Korea, the two parts of the divided Korean nation will have to be the primary negotiators, with the United States heavily engaged as the principal external actor in military terms.

Replacing the current machinery of the 1953 Armistice Agreement that ended the shooting in the Korean War could be done through a legal document along the lines of the treaty that surrendered quadri-



partite rights in Berlin and Germany as a whole in 1990. If in the form of a treaty, it would probably be called something like the Treaty on the Final Settlement of the Korean War, but as noted above, other less politically exacting forms of agreement are possible. At minimum, it must be signed by those nations still technically at war, that is, North and South Korea, with the United States adhering to those articles relating specifically to ending the state of war, and as a *de facto* principal belligerent, by China.

Its principal elements might include some or all of the following:

- Terminating the state of war,
- Terminating armistice arrangements,
- Establishing the border between the DPRK and the ROK, including maritime demarcation, using the already agreed language from the 1991 Basic Agreement — for example, “South-North demarcation line.” (Basic Agreement 1992),
- Renouncing the manufacture, possession, stationing, transiting, and control of weapons of mass destruction,
- Affirming the right to adhere to alliances and to accept the stationing of friendly forces on the territories of the DPRK or ROK, if requested by either of the Korean states,
- Renouncing the threat or use of force in relations among the signatories,
- Affirming the goal of unifying North and South Korea,
- Implementing the North-South Korean exchange of people, families, and ideas as envisioned in the already agreed 1991 Basic Agreement,
- Promoting economic relations between the DPRK and the ROK,
- Establishing a consultative organization (“peace mechanism”) that would include the DPRK and the ROK, and almost certainly the United States and China. It would likely have political, military and economic commissions needed to resolve differences in each of these domains. Other possible roles for such a peace mechanism are outlined below,
- The existing Military Armistice Commission would need to be disestablished and possibly reconstituted.

All this might be endorsed by a United Nations Security Council resolution, recognizing the UN’s role in the Korean War, and the importance of having all permanent members of the Security Council

support the settlement.

### *B. Peace Regime*

The idea of a “peace regime” was formally placed on the negotiating table in the Six-Party Talks. China, Russia, Japan, the United States, and North and South Korea agreed on September 19, 2005 that: “The directly related parties will negotiate a permanent peace regime on the Korean Peninsula at an appropriate separate forum” (Joint Statement 2005). This formula was repeated in the February 13, 2007 Six Party statement on Initial Actions for Implementation of the Joint Statement (Six Party Statement 2007).

What is meant by that notion? It implies that a true peace (or a stable peace) requires more than a legal document that ends a state of war. Peace is still conditional while distrust and mutual antagonism lingers on. Conceptually a peace regime includes an array of North-South understandings, some of which may involve other nations, designed to foster habits of cooperation. North and South Korea negotiated quite a good facsimile of a peace regime in the 1991-92 “Basic Agreement” which included most of the measures that a peace regime might be expected to contain — military cooperation; freer movement of people, information, and ideas; and economic cooperation. Its major defect was that it had no external guarantors and it was hostage to good North-South relations. Soon after the Basic Agreement went into effect, the first North Korean nuclear weapons crisis erupted and the agreement became a dead letter.

More specific agreements on military security between North and South Korea likely should be included in a peace regime than were included in the Basic Agreement. Some ideas advanced by South Korean officials during the time when the Basic Agreement was being negotiated and in the ROK-DPRK Military Commission talks afterwards are still relevant:

- Withdrawal of forward-deployed offensive arms and troops to rear areas;
- Reductions of heavy equipment;
- On-site monitoring to guarantee the implementation of the agreements,

and the establishment and operation of joint verification teams.

As noted earlier, the Basic Agreement also contained several provisions regarding the freer movement of people across borders and greater access to information beyond that provided by governments. True security, in the long run, will be based on “normalization” in those respects, not just on normalization of diplomatic relations. In fact, similar provisions should be included in the charter of a multi-lateral mechanism for security and cooperation in Northeast Asia.

### *C. A Regional Mechanism for Peace and Security*

If it is to be sustainable, the building of a peace regime on the Korean Peninsula must be supported by the international system, especially China, Japan, Russia, and the United States. The fundamental purpose of creating new multilateral arrangements in Northeast Asia is to enhance and, in some ways, to improve upon the means presently available to:

- Promote the peaceful resolution of disputes;
- Resolve misunderstandings and prevent miscalculations;
- Encourage transparency in the mutual relations of the member states;
- Enhance regional economic cooperation within the larger framework of the global economy;
- Raise the living standards of all the people living in the area to the levels of the most advanced nations;
- Promote the free movement of people, information, and ideas among their nations;
- Foster an improved mutual understanding of each other's histories and cultures, including the terrible shared histories from colonial and imperial eras, world war ii, and the Korean war itself.

No issue is more timely or more consequential for the long-term peace and security of the world than the creation of a new framework to promote regional stability in Northeast Asia. Except in Korea where it remains conceivable that war could erupt with little warning,

the likelihood of war in the region is very low but equally, peace is still conditional. Cold War structures live on and still serve important security needs, especially US bilateral alliances in the region. However, these are insufficient to meet all of today's challenges. Both liberal and conservative administrations in South Korea have pushed the idea of a multilateral framework to enhance peace and security in Northeast Asia, seeing it as a way of forestalling a repeat of the tragedies that have afflicted the nation in centuries past when Korea became the victim of its powerful neighbors. The dream has remained beyond their grasp.

A multilateral organization that supports a new strategic framework in Northeast Asia could be a much needed agent for change. Over time it could encourage a different pattern of relationships to evolve. The present pattern is clearly not sufficient to lead the nations of the region to a stable peace. Northeast Asia, in fact, is one of the few regions of the world where there is no multilateral organization dedicated to enhancing security and cooperation. The absence of a mechanism that makes cooperation a habit among nations is also one of the reasons why Northeast Asia remains infected by the poisonous legacies of the Cold War, and even of World War II.

The agenda of such a mechanism should include political and security issues, economic and scientific issues, and human dimension issues — respect for human rights, family reunification, freedom of information, and increased contact between people. Establishing multilateral ministerial meetings to focus on a broad range of issues, including the human dimension, could enhance progress in these areas and also the prospect for long-term stability on the Korean Peninsula and elsewhere in Northeast Asia. Already, about seventy such ministerial and senior official regional meetings occur each year, but these are disconnected and do not enhance each other in a coherent manner to create new habits of dialogue, and a propensity to seek cooperative and collaborative joint solutions beyond mere communication. In particular, an annual summit of regional heads of state is likely necessary to institute such a regional strategic framework to set in motion and reaffirm the agendas and work of a number of

mechanisms and entities that are needed.

A possible route to establishing such a strategic framework would be to borrow from the Southeast Asian example, and to create a Northeast Asian Treaty of Amity and Cooperation. Although the origins of and motivations for the Southeast Asian Treaty of Amity and Cooperation differ from those at work in Northeast Asia, it would provide a possible rubric under which a range of possible mechanisms and processes leading to peace and security might be conducted. Another possible agenda item expanding on the non-hostility and normalization theme that is so central to resolving the Korean conflict and ending the Armistice is for other states to negotiate bilateral peace treaties of their own to formally end their conflict in World War II.

## **II. Policies for a New US Administration**

For the United States, a critically important strategic goal is to ensure that North Korea dismantles its nuclear weapons program. Achieving this goal requires engaging Pyongyang. Only in that way can a “soft landing” from the present high level of tensions be achieved.

China, the other major power active in Korea, is focused more on avoiding a chaotic disaster that would follow from total breakdown of North Korean society as well as the catastrophic resumption of war between the two Koreas with all the costs that a war would impose on China and the risk it would run of colliding head-on with the United States. Thus, China puts a higher priority on maintaining stability in the Peninsula and within North Korea than it does on achieving immediate or even near-term nuclear dismantlement by the DPRK.

Can the American and Chinese views be reconciled? We believe so, but it will require direct, high-level negotiation with North Korea that the Obama administration has been reluctant to accept.

Rewarding North Korea for bad behavior, of course, is to be avoided, but the issue is more multifaceted than the simple “carrots and sticks” analogy suggests. Pyongyang’s pernicious behavior is

the fundamental reason for the failure to come to closure. But also important, successive US administrations have proven unable to maintain a high-level focus on managing the North Korea portfolio, and to pursue a coherent policy goal.

The Obama Administration seems content to let China take the lead in negotiating with the DPRK. Perhaps it had no better choice. Leadership, the President told us, sometimes consists of letting others get out in front. However, the administration was reticent on the subject of North Korea in its dialogue with the public, which probably reflected a similar reticence in private diplomatic talks. Aside from some general remarks about its preference for multilateral negotiations, its desire not to reward North Korea for bad behavior, and its demand that North Korea give up its nuclear weapons program, the administration said very little. "Strategic patience" is how it described its policy.

In the sense of demonstrating that Pyongyang will not get its way by making a lot of disagreeable noises, this approach might have been the right thing to do. But it also left a vacuum. There are at least four points that could be usefully addressed by the next President or the next Secretary of State in order to build support in the Congress, with the public, and with allies and friends abroad for future actions to reverse North Korea's nuclear breakout.

First, we need more clarity about our strategic objectives in Northeast Asia. Are we in favor of engagement with North Korea, and, if so, on what terms? Or will the present silence be extended, an indication that the next Administration has written off negotiations and expects the North Korean regime to collapse and is willing to pay the price, however high, of containing it until it does us this strategic favor?

Of course, US strategic objectives, at a minimum, should be to deter and, if possible, reduce the military threat that North Korea poses to its neighbors and to the United States, not to mention the threats to world peace that North Korea's potential nuclear and missile exports could generate. But the United States also should have an interest in transformative diplomacy in the region. How can we

induce change — societal change — in North Korea, including how its government treats its own citizens?

It may sound fanciful even to speak of this possibility in the context of North Korea, but the tides of history are running against governments like those in Pyongyang. Naturally enough, the regime in Pyongyang will resist reform, for their leaders fear loss of control and they fear the loss of being a society distinct from that of the South. They saw what happened to East Germany and Libya. But this should not deter us from pursuing policies that will induce change. Moreover, it may be an error to underestimate Kim Jong Un's strategic vision and control capacities for the long haul, and the threat that he can pose to regional peace and stability if the strategic context offers no exit ramps to his current course. Certainly there is as much evidence that his dual track policy of nuclear armament and economic recovery may be working as there is that it is failing. There is also little reason to expect sanctions, even unilateral financial sanctions, to either strangle the regime and cause it to collapse and disappear, or to force it to capitulate and abandon its nuclear program (Hayes and Cavazos 2016). Punishment alone is not enough to realize a constructive strategic outcome that serves American interests.

Second, the United States may need to improve the diplomatic process it uses to deal with North Korea. The issues in North Korea are as serious as they are in the Middle East and South Asia, where the administration has appointed high-level, politically well-connected envoys to spearhead diplomatic efforts. The Clinton administration organized the "Perry Process," led by former Secretary of Defense Bill Perry, to define and implement strategy with North Korea. Something like this is likely to be necessary in a future US administration, with presidential level commitment to ensuring that all the domestic and international players are orchestrated to achieve the strategic goal of reversing North Korea's nuclear program.

Third, we need a concept of what a peace system for the Korean peninsula would look like, even though the outlook for this is not very bright at the moment. Even if there were no prospect of negotiating even the first step with North Korea, the United States has to

take a constructive stand that is attractive to our allies, partners and, should hard military and economic power exercised against the regime prove to have bite, even to North Korea. That means something more concrete than the vague comments occasionally released in Washington. Such immediate policy measures are outlined below in the final section of this essay.

And fourth, as suggested above, we need a long-term US vision for the Korean Peninsula and Northeast Asia as a whole. Is it going to be more of the same, a kind of updated “hub and spoke” system, in which a dominant power maximizes its influence through a web of bilateral connections? Or should it be something that responds to present realities with an institutional innovation that includes all states in the region, even North Korea should it comply with its obligations under UN Security Council resolutions and its commitments in the Six Party Talks and previous inter-Korean agreements?

The potential for transformative diplomacy in Northeast Asia is enormous. A new architecture for security and cooperation in Northeast Asia may be possible precisely because the existing strategic framework falls so far short of meeting the demands for maintaining order and curtailing North Korean adventurism; and because US and Chinese vital strategic interests converge so strongly in resolving the North Korea issue. A new US administration may be in the perfect position to help create it.

There are at least two models on which to draw in designing a transformational diplomatic strategy for this region. These are first, those based on the European OCSE experience; and second, the lessons learned from the Iran Deal.

### *A. Europe's Organization for Security and Cooperation*

In most other regions, organizations exist that provide a forum for consultation and sometimes to make collective decisions regarding their regional inter-state relations. Several regional organizations already are active in East Asia but none deal specifically with security and cooperation in Northeast Asia.



The experience of the Organization for Security and Cooperation in Europe (OSCE) offers some insights as to what an agreed mandate for a permanent peace and security mechanism in Northeast Asia might look like if states began to seek solutions to disparate problems by encouraging trade-offs between divergent national interests, but without creating a full-blown multilateral organization at the outset.

The predecessor of the OSCE, the Conference on Security and Cooperation in Europe (CSCE) was a mechanism created in 1975 in Helsinki by 35 European and North American nations. These nations agreed on very little. After all, this was in the middle of the Cold War. But each saw advantages for themselves in a comprehensive charter called the Helsinki Final Act. The charter included security, economics, and the human dimension, inclusive of human rights, and it launched the process that helped to end the Cold War in Europe. The CSCE/OSCE obviously is not a blueprint for other regions to copy. But it should be noted that it was:

- An agreement successfully concluded despite very different motivations and interests among the major negotiating partners;
- A politically binding accord, not in treaty form, which nevertheless exercised a significant influence in Euro-Atlantic affairs for three decades;
- A process that required no permanent organizational support from 1975 to 1990;
- An accountability covenant that covered most of the activities in which governments engage but also upheld the rights of citizens of those governments;
- A multidimensional security arrangement relating to military confidence-building and economics, as well as the human dimension.

A Northeast Asia peace and security mechanism along these lines could be established by a decision of a ministerial meeting. In addition to setting forth principles which define the broad framework for cooperation in Northeast Asia, the mandate could include specific implementing steps by which progress in implementation can be measured. To illustrate this concept, the Final Act of the Conference on

Security and Cooperation in Europe adopted the following principle: "The participating States will respect human rights and fundamental freedoms, including the freedom of thought, conscience, religion or belief, for all without distinction as to race, sex, language or religion."

Examples of specific implementing steps could be drawn from the Final Act or, preferably, adapted from the South-North Korea Basic Agreement of 1992. The following illustrates this:

"The participating States shall implement freedom of travel and contact between their States and peoples; they shall permit free correspondence and meetings and visits between dispersed family members and other relatives, promote their voluntary reunion and take measures to resolve other humanitarian issues; they shall promote cooperation in journalism and the media as well as in literature and the arts."

Similar sets of principles and implementing steps would be taken in the security and economic areas. For example, a principle that requires States to refrain from the use or threat of force in their mutual relations would be accompanied by a series of military confidence and security-building measures. A principle advocating trade and commerce among the participating States could be accompanied by specific steps in the area of energy and transport.

Critical to the success of the mechanism for peace and security would be provisions in the mandate for follow-up. The Final Act included such a provision that encouraged bilateral meetings and multilateral meetings of experts. It required meetings among representatives of participating States at the level of representatives appointed by Ministers of Foreign Affairs. Periodic Review Meetings of this type are an essential component of a mechanism for peace and security.

Such Review Meetings, which would be held annually, are also the means through which specific steps of cooperation would steadily be enlarged. Particularly important are military confidence-building measures. Among the security provisions should be a range of military confidence building measures such as those negotiated in the CSCE framework:

- Information on organization, manpower, and weapons/equipment, including plans for deployments of weapons/equipment;
- Information on defense planning, including defense policy and doctrine and force plans;
- Consultation and cooperation as regards unusual military activities and hazardous incidents;
- Voluntary hosting of military visits;
- Military-to-military contacts;
- Joint military exercises and training to work on tasks of mutual interest;
- Prior notification and observation of certain military activities, including an annual calendar of such activities;
- Constraints on size and frequency of exercises and prohibition of any large unannounced exercises;
- Inspections and evaluations;
- Communications network;
- Annual implementation assessment meeting.

The founding document could contain both a set of principles and proposed implementing steps. The principles would define the scope of the regional framework for security and cooperation in Northeast Asia. Implementing steps, many of which could be negotiated later on, would provide the basis for measuring progress. As this implies, a critical part of the agreement would be periodic review conferences.

This generic approach is oblique with regard to the DPRK and nuclear issues and many have argued that while elements of the European approach may be applied usefully in the region, the overall approach is not apt, given the radically different a-symmetries of size, power capacities, alignments of interest, and history in Northeast Asia compared with the leading players in the European and OSCE context.

An alternative approach to realizing a comprehensive security strategy is one that remains focused on North Korea, and uses this shared challenge to establish a strategic framework that serves the broader strategic interests of the great and middle powers in the region, irrespective of the short and long-term future of North Korea.

In this regard, the lessons drawn from the Iran Deal may point the direction to a pathway to realize a comprehensive security settlement that includes North Korea, but reaches beyond it in ways that ameliorate or even resolve actual or potential conflicts between all states in the region.

### *B. Lessons from the Iran Deal for US Policy on North Korea*

Some have suggested that the strategy employed to bring Iran into serious negotiations could be employed to effect with regard to North Korea, thereby bringing about a freeze in the DPRK's nuclear and missile programs and negotiations that might lead to the denuclearization of the Korean Peninsula. In particular, they have argued that one lesson from the Iran Deal is that sanctions can be cranked up to provide strong pressure to begin negotiations (Rogin 2016, Haggard 2016). And indeed, Treasury took the first steps to impose sanctions aimed at crippling North Korea's access to international banking on June 1, 2016 (Sanger, Corkery, 2016).

However, the Iran and DPRK cases are different in many crucial respects. First, Iran had oil revenue to cut off; the DPRK has trade with China that is unlikely to be cut off, even with unilateral financial sanctions imposed by the United States. Iran has a substantial middle class that affects the leadership's calculus; the DPRK does not. The United States destroyed Iran's two major external adversaries, Iraq and the Taliban; there is no way to remove the DPRK's major external adversaries — they are US allies! Iran had no external security ally and has regional hegemonic aspirations; the DPRK has China covering its back, and recognizes, indeed celebrates its small power status. Finally, Iran coveted enrichment but did not have nuclear weapons or even a current nuclear weapons program in play; North Korea has credible nuclear weapons capacity of unknown reliability and reach already used in psychological warfare against the United States, the ROK, Japan, and even against China.

In spite of all these differences that make the DPRK a much harder nut to crack than even Iran, the United States demands that the DPRK

make and act on significant concessions before we begin negotiations, with no reciprocal concessions on our part. The negotiating strategy of unilateral concessions has not and will not yield any results. Indeed, American “strategic patience” had provided time for the DPRK to accelerate its nuclear and missile testing to the point that it now threatens the credibility of US assurances to South Korea, Japan, and other third parties that US extended deterrence is sufficient to offset North Korea’s nuclear and conventional threats.

In the case of Iran, Washington engaged in direct bilateral secret negotiations with Iran with the goal of agreeing on both interim steps, which both sides would take as the P-5 +1 negotiations began, and on the goal of the final negotiations. The United States offered two key concessions up-front on the final terms: first, that some enrichment of uranium by Iran would be permitted even if the United States would not concede that Iran had a legal right to enrich uranium; and second, that nuclear-related sanctions would be removed. As part of the interim agreement, the United States also agreed to some minimum sanctions relief in return for a freeze on the Iran nuclear program.

If the United States is to take a leaf out of its Iran deal negotiating book, then it would engage in secret direct bilateral negotiations, aimed at agreeing both on the reciprocal steps the two sides would implement to bring about resumption of Six-Party Talks and on the key elements of the final agreement.

Once agreement is reached, the interim steps would be announced and go into effect and then Six-Party negotiations would begin.

Should this approach be employed, what are some of the reciprocal interim and final concessions that might bring an end to the DPRK nuclear program?

The DPRK would need to halt immediately all nuclear and missile testing, including satellites launches, and a complete freeze its existing fissile material production and allow inspections at all known sites sufficient to assure compliance with the freeze.

For their part, the United States and the ROK, in parallel, would announce restraints on future joint military exercises like those undertaken in the past (specifically, Team Spirit), some limited sanctions

relief, a commitment to a peace process and an end to hostile intent. Track 2 discussions with senior DPRK officials over the past two years suggest that North Korea still may be receptive to such reciprocal steps leading to resumption of Six-Party Talks. This openness is also implicit in Kim Jong Un's reference at the May 2016 Party Congress to pursuing his *byungjin* strategy of "simultaneously pushing forward the economic construction and the building of nuclear force" under "the prevailing situation," that is, until the United States moves away from its "hostile policy," or as spelled out in the recent party congress decision document, "as long as the imperialists persist in their nuclear threat and arbitrary practices" (KCNA 2016a, 2016b).

The agreed goal of those negotiations, in contrast to the Iran deal, would need to include agreement on political arrangements at the outset as well as on the ending of DPRK nuclear weapons and missile programs. These arrangements would have to be embodied in binding international agreements among various parties. The key elements of the agreement, as envisioned in the September 2005 Six-Party Joint Statement, would be a denuclearized Korean peninsula accompanied by a peace treaty putting a formal end to the Korean War, political and economic normalization with the United States, South Korea, and Japan, and creation of a multilateral security structures such as a regional nuclear weapons-free zone.

Clearly, the world has changed since September 2005, however. The DPRK has adopted a nuclear constitution, created a Strategic Rocket Force, and Kim Jong Un has built his political persona around nuclear weapons in a way that was never the case for his father. If "nukes" were an abstract noun to Kim Jong Il, nukes are a verb to Kim Jong Un. Under these new conditions of nuclear armament, is there way whereby the DPRK might agree to these goals for the negotiations without using the term "denuclearization," but with a clear understanding that this is the intended and agreed meaning? This obstacle presents a similar issue to the United States as Iran's insistence that it had the "right" to enrichment — something that the United States was not willing to accept, but nonetheless, had to find a way to parse.

One way to achieve this linkage would be to agree that the goal of the negotiations would be to implement the September 2005 Joint Statement in full in binding international agreements, which includes “the verifiable denuclearization of the Korean Peninsula in a peaceful manner” and the DPRK’s commitment to “abandoning all nuclear weapons and existing nuclear programs and returning, at an early date, to the Treaty on the Nonproliferation of Nuclear Weapons and to IAEA safeguards.”

This approach is similar to the principle of “all is agreed or nothing is agreed at outset” that formed the basis of the Iran Deal, but would apply it to the different circumstances in Northeast Asia and the DPRK’s status. In the course of its negotiation, it might well be necessary to amp up unilateral sanctions — especially from China — to demonstrate to Kim Jong Un that the great powers are in motion and mean business unless he changes course from one of collision to one of survival on the sole off ramp kept open by the great powers. This is what is meant by coercive diplomacy — except the United States has pursued diplomacy without effective coercion for the last eight years because it could not enlist China in a common strategic framework. This above all, is what must change.

As suggested earlier, a peace process (referred to as a “peace regime” in the Six Party Talks) and related regional security arrangements, would be negotiated in parallel with gradual DPRK denuclearization. This too is very different to the Iran Deal model which avoided addressing these broader non-nuclear security and peace-building issues at all costs. These negotiations could take place within the Six Party working group on creation of a joint Northeast Asia peace and security mechanism, and, as noted above, in the September 2005 Joint Statement reaffirmed in 2007, “at an appropriate separate forum” on negotiating “a permanent peace regime on the Korean Peninsula.” The working group of the Six Party Talks has the advantage that it already exists and has Japan already as a member, which would be hard to achieve in a new forum given the state of relations between Beijing, Seoul, and Tokyo. A separate forum would be useful should only the direct belligerent parties to the Korean conflict need

to participate in certain discussions as against all six parties.

To work politically, realization of a peace regime (possibly in treaty format) would require normalization of relations and settlement of land and sea borders, whether those borders are held to be temporary, pending unification, or permanent. The Basic Agreement states that relations between the two Koreas are not interstate relations. Thus, the issue of the phrasing and legal implications of settling the demarcation lines between North and South Korean-controlled territory or coastal zones in a post-Armistice arrangement need to be framed very carefully. To be militarily meaningful, it would require changes in force postures and war plans that pose excessive risks of unintended war on each side of the demilitarized zone (DMZ) separating the two Koreas. That would mean, above all, redeployment of the North's forward-deployed artillery and short-range missiles to the rear, putting Seoul out of range.

One way to nurture a more conducive political environment for a treaty might be to initiate a peace process, using a series of interim peace agreements as stepping stones to a treaty. Such agreements, with South Korea and the United States as signatories, would constitute token acknowledgment of Pyongyang's sovereignty. In return, North Korea would have to take reciprocal steps by disabling and then dismantling its nuclear and missile production facilities. The DPRK would also accept that monitoring and verification of DPRK denuclearization may require not only restoration of IAEA safeguards and application of Additional Protocol, but an inter-Korean and possibly regional inspectorate, and a complete declaration of all prior nuclear activity, including full disclosure of enrichment activities verified by external inspection and covered by the dismantlement agreement.

A first step in this direction could be a "peace declaration." Signed by the DPRK, the ROK, and the United States and perhaps China, Japan, and Russia, such a document would declare an end to enmity with language similar to the October 12, 2000, U.S.-North Korean joint communiqué stating that "neither government would have hostile intent toward the other" and confirming "the commitment of both governments to make every effort in the future to build a new rela-



tionship free from past enmity" (Hayes 2015c). It could also commit the three primary parties to the current conflict, that is, the two Koreas and the United States, with or without China, to commence a peace process culminating in the signing of a peace treaty. The declaration could be issued at a meeting of the six foreign ministers.

A second step long sought by Pyongyang is the establishment of a "peace mechanism" to replace the Military Armistice Commission set up to monitor the cease-fire at the end of the Korean War. This peace mechanism could serve as a venue for resolving disputes such as the repatriation of the American pilot who survived the 1994 North Korea downing of a US reconnaissance helicopter that strayed across the DMZ into the DPRK, or the 1996 incursion by a North Korean spy submarine that ran aground in South Korean waters while dropping off agents. The peace mechanism would include the United States and the two Koreas and quite possibly China.

The peace mechanism also could serve as the venue for negotiating a series of specific confidence-building measures, whether between the North and South, between the North and the United States, or among all three parties. A joint fishing area in the West Sea, as agreed in principle in the October 2007 North-South summit meeting, is one. Naval confidence-building measures such as "rules of the road" and a navy-to-navy hotline are also worth pursuing.

The peace mechanism could also address political and military relations between North and South Korea, for example the post-Armistice status of the Demilitarized Zone (such as the Peace Park and World Heritage status advocated by many in South Korea) might be included. A North-South Korean agreement similar to the US-Soviet agreement of 1989 on "Prevention of Dangerous Military Activities" would be a suitable method of regulating military activities near the border. Other nations also could subscribe to it. A separate agreement related to military matters also might have to be negotiated that in some manner would include North and South Korea and the United States. For example, liaison offices might be established to replace the channels of communication set up by the 1953 Armistice Agreement. Armistice maintenance arrangements should be replaced by other

methods, as envisioned in Chapter 2 of the 1992 Basic Agreement. The scope of this entity, possibly a revised North-South Military Committee, would include confidence building steps on military units and military exercises, peaceful uses of the zone currently managed as the DMZ under the Armistice, exchanges of military personnel, phased reductions in armaments, and verification measures, including on-site inspections (likely including US facilities in the ROK, per Chapter 2, Basic Agreement, February 19, 1992).

A crucial element of this approach would be to establish a regional, not just Peninsular nuclear weapons-free zone treaty, which would make legally binding a DPRK commitment not to develop, manufacture, acquire, possess, or station nuclear weapons and tie it to parallel commitments by Japan and South Korea, and commitments by the United States, China, and Russia not to threaten or use nuclear weapons against the DPRK as well as the ROK and Japan nor to introduce nuclear weapons in Korean and Japanese territory or territorial waters. North Korea could thereby obtain legally binding guarantee that it would not be attacked with nuclear weapons, long one of its demands but always elusive given the caveats on US negative security assurances until the 2010 Nuclear Posture Review (NPR) and its revision of the “Warsaw Clause” aimed specifically at the DPRK, but unfortunately too late to affect its own nuclear posture.

Until then, any attempts North Korea would have made to achieve non-nuclear state compliance in order to gain a nuclear negative security assurance were hamstrung by what is known as the “Warsaw Pact Exclusion.” In effect, prior to the 2010 NPR, not only did North Korea have to abandon its nuclear weapons and open itself to inspection, it also had to rupture its primary security alliance with China in order to receive any assurances that the United States would not use nuclear weapons against it. The 2010 NPR removed this loophole and guaranteed that negative security assurances would apply to the DPRK in the event that it returned to the Non-Proliferation Treaty as a non-nuclear weapon state (Hayes and Lewis 2011).

The DPRK could join the zone as a full party at the outset, and come into compliance over time in a series of disarmament steps veri-

fied by the IAEA and/or a regional inspectorate, with related benefits such as incremental lifting of sanctions, energy and economic assistance, and even the zone's guarantee of non-use of nuclear weapons against it by Nuclear Weapons States, calibrated to the pace and degree to which this disarmament process is achieved. Such a zone could also include a review timeline for South Korea and Japan to opt out should judge progress towards full DPRK nuclear disarmament to be too slow or insufficient (Hayes 2015a, b).

An immediate first step would be for states, perhaps China and South Korea, to propose to all states in the region (the two Koreas, Japan, Russia, possibly Mongolia, and the United States) to request the United Nations to convene an expert meeting to examine the zone concept, and to report back to these states, the UNSC, and/or the UN General Assembly, similar to the "standard procedure" for establishing zones laid out in the 1999 UN Study on nuclear weapons-free zones. In doing so, they would be responding to UN Secretary General's call in July 2014 for "states in the region to consider appropriate action to establish a nuclear-weapon-free zone in North-East Asia, including by promoting a more active role for the regional forums in encouraging transparency and confidence-building among the countries of the region (United Nations 2013). Civil society organizations such as the Asia Pacific Leadership Network for Nuclear Non-Proliferation and Disarmament; and the recently established Eminent Persons Group for a Northeast Asia Nuclear Weapons Free Zone could conduct parallel efforts. For example, the Asia Pacific Leadership Network decided to "explore the prospects and feasibility of a nuclear weapon free zone, including North Korea, in North East Asia" in 2011 (APLN 2011) while the The Northeast Asia Nuclear Weapons-Free Zone eminent persons group was established in February 2016 at the Workshop for Panel on the Denuclearization of Northeast Asia, February 27-28, 2016, convened by the Research Center for the Abolition of Nuclear Weapons at Nagasaki University (RECNA 2016).

This zone might be part of a more comprehensive security treaty or agreement as outlined earlier which would also include mutual pledges of non-aggression or non-hostile intent by the DPRK, ROK,

Japan, the United States, China, and Russia; creation of a permanent regional security council to monitor and verify compliance and deal with violations; provision of nuclear and other energy assistance; and termination of sanctions. Such regional arrangements have the advantage that they may be desirable from a US strategic perspective even if the DPRK were no longer to exist; and provide a safety net to absorb dangerous residues of the DPRK in the unlikely event that it collapses.

### **III. Short-Term Diplomatic Options for the Next Administration**

#### *A. Five-Party Conversation*

After consulting closely with its allies on this strategy, the United States could propose that the five nations trying to negotiate with North Korea in the Six-Party Talks convene a meeting of their foreign ministers on regional security issues. North Korea's recently appointed Foreign Minister, Ri Yong Ho, a familiar face at the Six Party Talks, likely should be invited. A meeting like this would bring added diplomatic pressure on Pyongyang and could lead to a continuing conversation that would be useful in its own right.

What to consider in such a conversation? The five nations would have multiple important security concerns to discuss, but the most urgent item would be to introduce a version of the immediate steps outlined in the previous section to engage the DPRK, either in discussion of a constructive regional security framework; or to embark on a more specific negotiation expanding on the Iran Deal model, with concrete steps and pathways to realizing it laid out, even as sanctions and other pressure are increased.

#### *B. Organizing Diplomatic Campaigns*

In the long-term, a stable peace in Northeast Asia can be achieved,

but only within a framework that includes an unequivocal dismantling of all North Korean nuclear weapons activities. In fact, without that little else would be possible. Thus, the DPRK's nuclear weapons program has become the fulcrum around which regional security affairs, even those unrelated directly to the Peninsula, must turn.

However, the geo-strategic advantage of creating the framework and implementing the various elements outlined in this essay does not stop with North Korea, important as it has become. There are other urgent matters related to President Obama's call for "a world without nuclear weapons." For example, each of the six nations of the former Six-Party Talks could pledge that it intends to work to create the conditions for a world free of nuclear weapons. Each would declare the immediate steps that it might take, in coordination with others. These could include:

- Ratification of the Comprehensive Test Ban Treaty (CTBT),
- Cessation of production of fissile material for use in weapons,
- Consultative mechanisms would be devised, similar to these in place in the case of New START, Extension of the Open Skies agreement to Northeast Asia, including the DPRK,
- Universal participation of all states in implementing the UN Security Council's resolutions 1373 (2001) and 1624 (2005) on countering terrorism, and 1540 (2004) on controlling non-state actor proliferation of weapons of mass destruction.
- Regional nuclear fuel cycle cooperative measures such as enrichment consortia or spent fuel storage and disposal. Some such measures may necessitate the reactivation of a regional body along the lines of KEDO; but may also have a much broader brief related to inter-connection of a variety of regional networks for energy, mobility, and telecommunication currently blocked by the DPRK's isolated status.

### *C. Final Reflections*

Northeast Asia in the 21<sup>st</sup> century may not have much to learn from the experiences of other times and other places. History and geography and culture create unique circumstances within which

nations develop and act. But so long as nation-states are the basic building blocks of the international system the behavior of these units within that system is not likely to be radically dissimilar.

History suggests that autonomous behavior by powerful nations — behavior that ignores the interests of others — sooner or later leads to disaster. The corollary of this lesson is that some mechanism has to be found, be it implicit or explicit, to allow for policy accommodation and for self-imposed restraint within a system of nations. To fail to do so is to make a collision almost inevitable. This is a time for inclusiveness and engagement, rather than exclusiveness and detachment, if the nations are to gain some control over a rapidly changing system in an increasingly volatile region.

We hope that we have demonstrated to the reader that there is no shortage of options to address the North Korean issue via creation of comprehensive security strategies that engage all states in the region including the DPRK. Whether this is done by starting with the region as a whole, and then applying the principles and creating the structures entailed by such a regional security institution to the DPRK, or starting with the DPRK's nuclear issues, but creating the regional frameworks in which the specific challenges it presents can be overcome, doesn't much matter. Perhaps both must be attempted at the same time until they meld. After all, Americans know better than anyone else how to chew gum and walk at the same time. Having invented it, this is not surprising. The same should be the case in Northeast Asia today where America's past multilateral security strategies employed in Europe and Asia can be employed today, albeit tailored to the contemporary conditions.

In conclusion, doing the same, or more of the same that is being done now, is not an option in the face of North Korea's nuclear armament.

#### **IV. Epilogue: Implications of Trump Election**

As is well understood, until the Trump Administration occupies

the White House and completes its Cabinet appointments, it is not possible to say much meaningful about how Trump's contradictory campaign statements about burden sharing and nuclear proliferation by US allies such as the ROK and Japan, about the US trading relationship with China and trade agreements that underpin strategic relationships such as the TPP, about how to handle urgent security issues such as North Korea's nuclear armament or transnational terrorism, or about nuclear deterrence and nuclear weapons modernization by the United States and other nuclear weapons states such as Russia. At time of writing (late November 2016), all one can say with certainty is that Trump has already created immense uncertainty and unease at home and abroad with respect to all these and other foreign policy issues (Krepon 2016).

Rather than speculate about which paths he might take, therefore, we seek to identify a pathway whereby a Trump Administration, should it be so motivated, could achieve a strategic settlement with North Korea, China, and Russia that is desirable and plausible to all parties, while still allowing Trump to claim that he has reduced the burden on American forces, restrained proliferation impulses in Japan and South Korea, made common cause at a strategic level with China, and either frozen or reversed North Korea's nuclear armament.

In short, we suggest that the type of multilateral approach that we have outlined in this essay is consistent with at least some of Trump's campaign promises and policy orientations. A regional security settlement led by the United States and China and focused initially on resolving the Korean conflict would elevate the US-China strategic axis to greater weight in the great power triangle, and would enable the United States to offset recent moves by China and Russia to balance against US nuclear and conventional capacities in the region — most notably by Russian deployment of new short range mobile missiles in Siberia and the Far East (Russian Defense Policy 2016); basing of long-range bombers in the Far East (Jones 2016), and deployment of the second Borei ballistic missile firing submarine from its homeport in Kamchatka (Sharkov 2016); and by China's pending deployment of ballistic missile firing submarines from its southeastern coast-line

(Borger 2016).

Resolving the Korea conflict — at least ending the Korean War — would first necessitate the freezing and at least the commencement of the disarmament of North Koreans nuclear weapons. This in turn would require multilateral diplomacy and large-scale economic assistance to the DPRK as part of a comprehensive approach to addressing its security concerns. It would also require a legal framework in which negative security assurances, especially the guarantee by nuclear weapons that they will not use nuclear threat and weapons against non-nuclear weapons states, be created. Only a regional nuclear weapons-free zone offers all parties a consistent and equal treatment with regard to nuclear threat under international law. Thus, an early first step for a Trump Administration would be to review the efficacy of a nuclear weapons-free zone in its nuclear posture and Korea policy reviews. This legal framework would not only reduce the role played by nuclear threats in inter-state relations; it would also deepen the non-proliferation commitments of Japan and the ROK while restoring the DPRK's non-nuclear credentials over time.

Finally, reversing the DPRK nuclear breakout would also reduce security tension and hostility in the Peninsula and the region as a whole, and could make it possible for US forces in the ROK and Japan to play an increasingly regional role in conjunction with US conventional forces; or, if the Trump Administration so desired, even make it possible for the United States to withdraw ground forces safely for demobilization (at least from the ROK) thereby reaping a substantial budgetary savings needed badly to sustain other US military funding needs. Relocating US ground forces from Korea to the United States will cost far more than maintaining them in Korea; so if they are withdrawn, demobilization will be necessary if the intention is to reduce the cost of standing forces — which is contrary to Trump's promise to expand the US military, including ground forces.

The precedent for such moves is found in the Nixon era. Nixon withdrew an infantry division from Korea and the sky did not fall in the Peninsula. His "grand design" (Schurmann 1987) reordered global security and created a strategic triangle that stabilized the relation-



ships between the three great powers, especially between the United States and China, but also realized reassurance for both superpowers and their allies in the form of strategic arms control agreements with the Soviet Union (Smith 1980). Nixon also strongly endorsed the Latin American Nuclear Weapons-Free Zone when he sent it to the Senate on August 13, 1970 for ratification (Nixon 1970).

We don't know if Trump will emulate Nixon in a 21<sup>st</sup> century grand design in Northeast Asia under the modern conditions of globalized integration combined with nuclear weapons fielded by nine small, medium, and great powers. However, we can envision a pathway to such an outcome that would reduce the risk of nuclear war and reverse and restrain nuclear proliferation should he wish to take it.

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