A STRATEGY FOR DEALING WITH NORTH KOREA

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July 28, 2017

I. INTRODUCTION

In this essay, Leon V. Sigal argues that North Korea's unbounded weapons program "poses a clear and present danger to U.S. and allied security. That makes it a matter of great urgency to negotiate a suspension of its nuclear and missile testing and fissile material production even if the North is unwilling to recommit to complete denuclearization up front. Have no doubt about it: complete denuclearization remains the ultimate goal. But demanding that Pyongyang pledge that now will only delay a possible agreement, enabling it to add to its military wherewithal and bargaining leverage in the meantime."

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This essay is Leon V. Sigal's testimony before the Hearing of the Senate Foreign Relations Committee Subcommittee on East Asia, the Pacific and International Cybersecurity Policy, U.S. Congress, July 25, 2017 on "Assessing the Maximum Pressure and Engagement Policy Toward North Korea."

Testimony by the other panelists, Bruce Klinger of the Heritage Foundation, Susan Thornton, Acting Assistant Secretary, Bureau of East Asian and Pacific Affairs, U.S. Department of State and video of the entire hearing is found here.

Banner image: Committee Hearing, July 28, 2017 found here.

II. A STRATEGY FOR DEALING WITH NORTH KOREA

Leon V. Sigal

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Mr. Chairman, Ranking Member Markey, Members of the Subcommittee: Thank you for inviting me to appear before you today. I have been involved in the North Korean nuclear and missile issue for well over two decades and have participated in Track II meetings with senior North Korean officials, as well as with senior officials of the other six parties.

As you know, North Korea is on the verge of developing boosted energy nuclear weapons with higher yield-to-weight ratios. It has begun test-launching ICBMs and new mobile intermediate-range missiles to deliver them. It is churning out plutonium and highly enriched uranium at a rate of six or more bombs' worth a year.

Such an unbounded North Korean weapons program poses a clear and present danger to U.S. and allied security. That makes it a matter of great urgency to negotiate a suspension of its nuclear and missile testing and fissile material production even if the North is unwilling to recommit to complete denuclearization up front. Have no doubt about it: complete denuclearization remains the ultimate goal. But demanding that Pyongyang pledge that now will only delay a possible agreement, enabling it to add to its military wherewithal and bargaining leverage in the meantime.

Soon after taking office President Trump wisely resumed diplomatic engagement with Pyongyang. Those talks are now in abeyance. Restarting them is imperative. Pressure without negotiations has never worked in the past with Pyongyang and there is no reason to think it will work now. With that

in mind, legislation now under consideration should not immediately trigger sanctions, but provide for at least a three-month implementation period to allow time for talks to resume.

Washington is preoccupied with getting Beijing to put more pressure on Pyongyang. Yet it is worth recalling that on three occasions when China and the United States worked together in the U.N. Security to impose tougher sanctions – in 2006, 2009, and 2013, North Korea responded by conducting nuclear tests in an effort to drive them apart.

That did not happen after Washington and Beijing agreed on the much tougher Security Council sanctions last November. Instead, Kim Jong Un defied widespread expectations that he would soon conduct a sixth nuclear test - a signal of restraint in the expectation that President Trump would open talks.

The recent test-launch of an ICBM underscores how the prospect of tougher sanctions without talks prompts Pyongyang to step up arming. A policy of "maximum pressure and engagement" can only succeed if nuclear diplomacy is soon resumed and the North's security concerns are addressed.

We must not lose sight of the fact that it is North Korea that we need to persuade, not China. Insisting that China do more ignores North Korean strategy. During the Cold War, Kim Il Sung played China off against the Soviet Union to maintain his freedom of maneuver. In 1988, anticipating the collapse of the Soviet Union, he reached out to improve relations with the United States, South Korea and Japan in order to avoid overdependence on China. That has been the Kims' aim ever since.

From Pyongyang's vantage point, that aim was the basis of the 1994 Agreed Framework, which committed Washington to "move toward full normalization of political and economic relations," or, in plain English, end enmity. That was also the essence of the September 2005 Six-Party Joint Statement in which Washington and Pyongyang pledged to "respect each other's sovereignty, exist peacefully together, and take steps to normalize their relations subject to their respective bilateral policies" as well as to "negotiate a permanent peace regime on the Korean Peninsula."

For Washington, suspension of Pyongyang's nuclear and missile programs was the point of these agreements, which succeeded for a time in shuttering the North's production of fissile material and stopping the test-launches of medium and longer-range missiles. Both agreements collapsed, however, when Washington did little to implement its commitment to improve relations and Pyongyang reneged on denuclearization.

In the case of the 1994 Agreed Framework, when Washington was slow to live up to its obligations, the North Koreans began acquiring the means to enrich uranium. In the ill-fated October 2002 meeting with Assistant Secretary James Kelly, the North Koreans addressed uranium enrichment, but in Condoleezza Rice's words, "Because his instructions were so constraining, Jim couldn't fully explore what might have been an opening to put the program on the table."

Similarly, in the case of the September 2005 six-party joint statement, believing that North Korea's declaration of its nuclear program in 2007 was incomplete, the United States decided, in the words of Secretary of State Rice, to "move up issues that were to be taken up in phase three, like verification, like access to the reactor, in phase two." The North eventually agreed orally to key steps. When they refused to put them in writing, South Korea, in response, reneged on providing promised energy aid in 2008 and the North Koreans conducted a failed satellite launch.

That past is prologue. Now there are indications that a suspension of North Korean missile and nuclear testing and fissile material production may again prove negotiable. In return for suspension

of its production of plutonium and enriched uranium, the Trading with the Enemy Act sanctions imposed before the nuclear issue arose could be relaxed for a third time and energy assistance unilaterally halted by South Korea in 2008 could be resumed. An agreement will require addressing Pyongyang's security needs, including adjusting our joint exercises with South Korea, for instance by suspending flights of nuclear-capable B-52 bombers into Korean airspace. Those flights were only resumed to reassure allies in the aftermath of the North's nuclear tests. If those tests are suspended, the B-52 flights can be, too, without any sacrifice of deterrence. North Korea is well aware of the reach of U.S. ICBMs and SLBMs, which were recently test-launched.

The United States can also continue to bolster, rotate, and exercise forces in the region so conventional deterrence will remain robust. At the same time it would be prudent to tone down the saber-rattling rhetoric lest we stumble into a deadly clash we do not want. As Defense Secretary Jim Mattis has recently underscored, a war in Korea would be "more serious in terms of human suffering than anything we have seen since 1953."

The chances of persuading North Korea to go beyond another temporary suspension to dismantle its nuclear and missile programs are slim without firm commitments from Washington and Seoul to move toward political and economic normalization, engage in a peace process to end the Korean War, and negotiate regional security arrangements, among them a nuclear-weapon-free zone that would provide a multilateral legal framework for denuclearization. In that context, President Trump's willingness to hold out the prospect of a summit with Kim Jong Un would also be a significant inducement.

Although the September 2005 joint statement of Six Party Talks explicitly called for the parties "to negotiate a peace regime for Korea" and "to explore ways and means for promoting security cooperation in Northeast Asia," little planning has been undertaken in allied capitals to implement those commitments. Seoul could take the lead in mapping out ways to do so and coordinate them with Washington. I would ask the chair's permission to enter into the record my prepared statement along with a proposal for such a comprehensive security settlement that I recently co-authored with Morton Halperin, Thomas Pickering, Moon Chung-in, and Peter Hayes (appended and found here).

In closing, much about North Korea rightly repels us. Goose-stepping troops and gulags, a regime motivated by paranoia and insecurity to menace its neighbors, leaders who mistreat their people and assassinate or execute officials for not toeing the party line, a state that committed horrific acts like its 1950 aggression and the 2010 sinking of the Cheonan. It is one of our core beliefs that bad states cause most trouble in the world. North Korea, with its one-man rule, cult of personality, internal regimentation, and dogmatic devotion to juche ideology is a decidedly bad state. That's what Americans know about North Korea.

The wisest analyst I know once wrote, "Finding the truth about the North's nuclear program is an example of how what we 'know' sometimes leads us away from what we need to learn." The best way to learn is to enter into talks about talks and probe whether Pyongyang is willing to change course.

III. NAUTILUS INVITES YOUR RESPONSE

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