BEYOND THE SECOND TRUMP-KIM SUMMIT: TIME FOR REALISTIC NEXT STEPS



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I. INTRODUCTION

In this essay, the authors conclude: "Although a U.S.-DPRK alliance is certainly not likely or even desirable, we have a chance to explore a US-DPRK security partnership if these overtures have substance; and if they do, we can then address the underlying concerns--a need for greater security--and to explore if there is an alternative relationship that would mitigate the consequences of a radical geopolitical realignment, improve everyone's security in the region, and facilitate the denuclearization of the Korean Peninsula…President Trump needs to seize the moment and find out."

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II. NAPSNET SPECIAL REPORT BY MORTON HALPERIN, PETER HAYES, CHUNG-IN MOON, THOMAS PICKERING, LEON SIGAL, PHILIP YUN

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Among the range of possible outcomes, the second Trump-Kim summit meeting is most likely to yield a suspension of much of North Korea's fissile material and missile production and gradual declaration of some weapons facilities, as a useful starting point for complete denuclearization. In return the United States likely will take steps to meet the obligations it undertook at the historic June 12 Singapore summit "to establish new U.S.-DPRK relations" and "to build a lasting and stable and peace regime on the Korean Peninsula" by committing to a declaration to end the Korean War and exemptions from some sanctions. When judged from where we were eighteen months ago, we are now in a safer place and moving in the right direction. Both sides need to keep moving forward and hammer out a common understanding about how to fulfill the agreed Singapore goals.

The question now is what to do next?

The Trump administration rightly wants to go beyond a temporary suspension of the North's

weapons programs to dismantle its nuclear and missile facilities. But it is clear to us that accomplishing this in any meaningful fashion will require what Pyongyang perceives as the U.S. nuclear "threat" to it to recede.

The United States acknowledged as much in previous written agreements with the DPRK. In the 1994 Agreed Framework, Washington pledged "to provide written assurances against the threat or use of nuclear weapons by the United States." In the October 12, 2000 joint statement, the U.S. and the D.P.R.K. sides "stated that they are prepared to undertake a new direction in their relations. As a crucial first step, the two sides stated that neither government would have hostile intent toward the other and confirmed the commitment of both governments to make every effort in the future to build a new relationship free from past enmity."[1] The September 19, 2005 Six-Party Joint Statement. Went further: "The United States affirmed that it has no nuclear weapons on the Korean Peninsula and has no intention to attack or invade the DPRK with nuclear or conventional weapons." Renunciation of the U.S. nuclear threat against North Korea would not preclude a deterrent threat against China.[2]

The way for the U.S. nuclear threat to recede, this paper argues, is for Washington

to move to end enmity and reconcile with Pyongyang. An end to enmity will require a peace process involving military confidence-building measures and culminating in a formal peace treaty to end the Korean War, progress by Washington and Seoul toward political and economic normalization with Pyongyang, and regional security arrangements.

This approach embraces what is a defining feature of President Trump's North Korea diplomacy – that U.S. policy toward the DPRK has failed and therefore if we are to have any chance to get a different result, the problem of the North's nuclear weapons and missiles must be reframed and old assumptions must be questioned.

Removing the U.S. "Nuclear Threat"

How does Pyongyang define what it calls "the U.S. nuclear threat?" A December 20, 2018 commentary in KCNA occasioned speculation that it was escalating its demand to eliminate U.S. weapons in Northeast Asia and beyond. The KCNA headline invites that speculation: "Korea's Denuclearization Requires Removal of 'All' Nuclear Threats." A close reading of the document does not support that interpretation, but it does suggest a need to probe what the North has in mind in subsequent negotiations.

The commentary was likely a belated reaction to Secretary of State Mike Pompeo's comment on November 20, "We have made clear to the Republic of Korea that we do want to make sure that peace on the peninsula and the *denuclearization of North Korea* aren't lagging behind the increase in the amount of inter-relationship between the two Koreas."[3]

The commentary begins with a standard DPRK formulation, "It was the U.S. misguided understanding of the denuclearization of the Korean peninsula. In other words, the U.S. regards the big concept of the denuclearization of the Korean peninsula as the same as the partial concept of the 'denuclearization of north Korea.'" It goes on to hint at an expansive view of the geographic scope of the nuclear threat: "When we refer to the Korean peninsula, they include both the area of the DPRK and the area of south Korea where aggression troops including the nuclear weapons of the U.S. are deployed. When we refer to the denuclearization of the Korean peninsula, it, therefore, means removing *all elements of nuclear threats from the areas of both the north and the south of Korea and also from surrounding areas from where the Korean peninsula is targeted*."[4]

In the past, Pyongyang has defined the threat as coming from any U.S. assets that ever carried or housed nuclear weapons, including bases on South Korea soil, nuclear-powered aircraft carriers and submarines that plied Korean waters, and bombers and fighter-bombers that crossed into Korea air space. The December 20 commentary in KCNA seems consistent with an authoritative July 6, 2016 DPRK Government spokesman's statement, "We clearly state that the denuclearization we call for is the denuclearization of the entire Korean Peninsula. This includes the South's nuclear abolition and the denuclearization of the areas around South Korea." The statement went on to elaborate that message by listing five points. "First, all nuclear weapons of the United States, which it has neither confirmed nor denied after bringing them into South Korea, must be publicly disclosed. Second, all nuclear weapons and their bases in South Korea must be abolished, and their abolition verified before the world. Third, a guarantee must be made that the United States will never again introduce the means of nuclear strike to the Korean Peninsula *and its surrounding areas, where it has frequently deployed them*. Fourth, a firm commitment must be made to not threaten or blackmail us with nuclear weapons or through acts of war that mobilize nuclear weapons, and to not use nuclear weapons against our Republic under any circumstances. Fifth, the withdrawal of the U.S. forces, *which hold the right to use nuclear weapons*, from South Korea must be declared."[5] Since the United States no longer based nuclear weapons in Korea, all but the third point could easily be satisfied.

If "surrounding areas" extends beyond Korean soil and territorial waters, however, it could encompass aircraft based in Guam and Japan or even farther afield, or planes flying in international airspace in East Asia, including around Korea. Yet such an expansive view would contradict another longstanding North Korean position: an end to enmity would mean it no longer feels threatened, whether by allied conventional or nuclear forces. It would also run counter to the North's long expressed desire for an alliance or security partnership with the United States.

A critical question to be resolved is how far offshore from territorial boundaries the DPRK intends to exclude U.S. nuclear-capable delivery platforms; which platforms; what constitutes stationing versus transit, how transit would be treated; how the arrangement would be monitored and verified; and whether it would apply to all nuclear weapons states or only to the United States. Such questions are standard in the design and implementation of regional nuclear weapons-free zones which we suggest below is an alternative to an alliance and an appropriate way to create a spatial delimitation of reciprocal commitments on all parties to cease us nuclear threats with respect to the Korean Peninsula.

A new opportunity to finally test an old hypothesis — a desire for a security partnership?

Conventional wisdom in Washington holds that Kim Jong Un seeks to dominate the Korean Peninsula and that, to accomplish this, he is singularly focused on the removal of U.S. troops. Supporters of this view point to Pyongyang's oft-repeated propaganda statements calling for their withdrawal.

Yet, as odd as it may seem to most Americans, DPRK diplomats have long spoken of an alliance with Washington in informal contacts with Americans.[6] North Korean military representatives even hinted at that possibility in the early 1990s in military-to-military talks at Panmunjom. And Kim Yong Sun broached the subject with Undersecretary of State Arnold Kanter at the first high-level talks between the two nations in January 1992. An alliance like one the United States has with South Korea., moreover, would be backed by a U.S. troop presence on Korean soil, which North Korean leaders have told Presidents Kim Dae-jung and Moon Jae-in was permissible once the United States ended enmity. Such an alliance might also mean putting all of Korea under the U.S. nuclear umbrella.

But what about Kim Jong Un? The good news is that for the first time in years we have the

opportunity to talk with Kim Jong Un — and to do on a sustained basis — to discern intent. And to the Trump's credit, it appears this is what the U.S. is doing. Indeed, there seems to be an Administration aware of Pyongyang's interest in an alliance with Washington. In a June 7 interview with NHK, Secretary of State Mike Pompeo hinted at a willingness to do just that: "We want to achieve a fundamentally different strategic relationship between our two countries."[7]

What better way, Kim Jong Un may be asking himself, for North Korea to be secure against its powerful near neighbor than to ally with a distant United States? Understanding why Kim might be thinking along such lines is critical to identifying how the DPRK's strategic interest may align with that of the United States, irrespective of President Trump's idiosyncratic approach to negotiations or skeptical views towards alliances such as that between the United States and the ROK.

An alliance would certainly address the DPRK's desire for security and a hedge against Chinese overreach and Japanese resurgence. It would unambiguously spell an end to what Pyongyang calls U.S. "hostile policy." Holding out the prospect of an alliance would constitute the most compelling inducement for Pyongyang to undertake truly "complete denuclearization."

Yet a reversal of alliances by North Korea, especially if U.S. troops remain as guarantor on the peninsula, would shift the tectonic plates of regional security. Indeed, it is our firm belief that an alliance between the US and North Korea is virtually impossible for a variety of reasons

To head off possible objections in South Korea, high level North Koreans have said privately (to some of the authors, among others) that the United States can have two allies in Korea at the same time. Of course, conservatives in South Korea are not likely to regard that prospect with equanimity. Nor is Prime Minister Abe Shinzo, who until recently was resisting negotiations by anyone with North Korea. Opposition in Seoul and Tokyo may prove difficult for the Trump administration to overcome even if it should desire going down such a path with the DPRK, given lukewarm enthusiasm in Congress, which would have to approve any such treaty arrangement. A strong critic of alliances, Trump himself might baulk at the prospect of allying with the DPRK. Such a realignment is also likely to arouse suspicion, if not outright antagonism in China, which would not enhance security for anyone in the region. Xi Jinping's repeated meetings with Kim Jong Un likely underscored China's concerns about such a radical shift. Russia is also likely resent being left out of any solution.

Kim needs continuity with the past, specifically with the stances taken by his father and grandfather on fundamental and foundational orientations of his regime. But he's also his own man, determined to create a "Kim Jong Un" era, and he's evidently savvy to the ways of the modern world. Thus, although purely realist logic might suggest that it remains in the DPRK's strategic interest to detach itself from close orbit around China, he may be ready and willing to settle for less: a diversification of the DPRK's dependence on China and realignment to become a security partner with the United States rather than an ally. Such a stance might stress the DPRK's alliance with China, but would not rupture it; and would enable the United States to become a pivot deterrent force in Korea that would ensure that the ROK, with its much larger economy and population, and its far superior military force, would not overwhelm the DPRK.

Another alternative — a comprehensive security approach

Given the downside risks of a U.S-DPRK alliance, is there a better way to accommodate the concerns of other regional players and enhance the security of all?

One possibility is a comprehensive security approach that would necessarily involve all the regional players in parallel negotiations at an appropriate time and assure that their security concerns are

addressed.

What would a comprehensive settlement look like? As set out in an earlier Nautilus Institute special report,[8] it has six inter-locking essential elements:

1. Begin a three- or four-party peace process to replace the Korean Armistice with a peace declaration, committing to negotiate a peace treaty or to establish what the September 2005 Joint Statement refers to as a "peace regime."
2. Declare non-hostility and move to normalize political and economic relations.
3. Gradually relax sanctions over time.
4. Provide humanitarian assistance to the DPRK and economic and energy aid, especially aid which benefits the whole region by completing many types of energy, telecom, logistics, transport, mobility, trading, financial networks that link the land-bridge from Eurasia to the ROK and Japan via North Korea.
5. Set up a Six Party Northeast Asia Security Council.
6. Establish a nuclear weapons free-zone (NWFZ) in which to re-establish DPRK's non-nuclear commitment in a legally binding manner that provides a framework to dismantle its nuclear facilities and weapons and to manage the nuclear threat in the region in a manner that treats all parties, including North Korea, on an equal basis.

The first five elements have long embodied the end of enmity for the DPRK, all of which were agreed in the September 2005 Six-Party Joint Statement but never carried out. If, as suspected, the lack of progress in implementing these steps jeopardized progress toward denuclearization in the past, it is difficult to imagine that denuclearization will make much headway now without parallel efforts to satisfy its objectives.

The sixth element, a nuclear weapons-free zone (NWFZ), could provide a credible alternative a U.S.-DPRK alliance. Although this vehicle may be surprising to some and certainly unconventional to others, it is in fact a now standard institutional framework in many regions of the world. The other five parties might establish a legally binding NWFZ to create a path for the DPRK's eventual acceptance and entry in lockstep with specific actions to eliminate its nuclear weapons. North Koreans starting with Kim Il Sung in 1980 have expressed interest from time to time in such an arrangement.[9]

Advantages of a NWFZ as a platform for addressing U.S.-DPRK enmity

A NWFZ agreement has important advantages over a bilateral alliance and denuclearization deal. First, while both are legally binding, to the extent that a NWFZ brings in other parties it would strengthen the legal and political bonds and thereby help enhance the DPRK's perception of the durability of any proposed deal. Second, it may also be more enduring because it affects how the nuclear weapons states use nuclear threats against all the non-nuclear weapons states party to the treaty, and thereby against each other. Third, it could entail security commitments beyond those in the Non-Proliferation Treaty. Finally, a NWFZ can serve as an effective substitute for a security alliance by providing the DPRK, once it is certified as nuclear weapons-free, with a guarantee that the United States will not make it the subject of nuclear threat or attack and will defend it against attacks by another nuclear weapons state or ally of such a state.

Although the two Koreas have been reluctant to sign treaties with one another because that might affect their competing claims to sovereignty over the entire peninsula, a NWFZ treaty is a standard

U.N. multilateral convention that both Koreas have had no problem signing in the past. Moreover, the other four parties may be skeptical as to the durability of a Korea-only denuclearization agreement and prefer the multilateral rather than unilateral guarantees provided by the Nuclear Weapons States to under the Non-Proliferation Treaty. A U.N. NWFZ with the two Koreas as founding non-nuclear weapons states would be made open to signature at the outset or later by other non-nuclear weapons states in the region such as Japan or Mongolia.

In this approach, the U.S.-DPRK relationship would change from enemies to security partners, that is, the DPRK would be neither an enemy nor an ally, but something in-between. A security partner is a state that is not a full-fledged ally and may in some instances still have serious security conflicts with the United States or its allies, as is the case with U.S. ties to Saudi Arabia or Pakistan. And such a partnership might yield more leverage than we have had in the past for dealing with other issues, such as human rights.

Under such conditions, a security partnership involving U.S. forces and the Korean People's Army of the DPRK would not end of the U.S.-ROK Combined Forces Command, with wartime U.S. operational control of ROK forces. Deterrence would remain in play until military tensions ease to point where war is no longer a plausible option for either Korea, which may take decades. In short, a security partnership with the KPA is compatible with U.S. extended deterrence to its allies.

Carpe Diem

In past overtures, Americans have ignored or rebuffed what many dismissed as absurd or unserious North Korean suggestions that it might become an American ally. Although a U.S.-DPRK alliance is certainly not likely or even desirable, we have a chance to explore a US-DPRK security partnership if these overtures have substance; and if they do, we can then address the underlying concerns--a need for greater security--and to explore if there is an alternative relationship that would mitigate the consequences of a radical geopolitical realignment, improve everyone's security in the region, and facilitate the denuclearization of the Korean Peninsula.

For too long, American and allied academics and policy makers alike have been making assumptions about North Korea's strategic intent and arguing among themselves as to what is real and not real. We now have the chance to talk on a sustained basis to Kim Jong Un, the only person who really matters in North Korea. We have the chance to probe and test what he wants as we have never before. President Trump needs to seize the moment and find out.

III. ENDNOTES

[1] See R. Carlin, J. Lewis, *Negotiating with North Korea: 1992–2007,* Center for International Security and Cooperation, Stanford University, January 2008 at: https://cisac.fsi.stanford.edu/news/negotiating_with_north_korea_19922007_20080226

[2] Morton Halperin, Peter Hayes, Leon Sigal, "A KOREAN NUCLEAR WEAPONS-FREE ZONE TREATY AND NUCLEAR EXTENDED DETERRENCE: OPTIONS FOR DENUCLEARIZING THE KOREAN PENINSULA", NAPSNet Special Reports, April 12, 2018, https://nautilus.org/napsnet/napsnet-special-reports/a-korean-nuc-ear-weapons-free-zone-treaty-and-nuclear-extended-deterrenc--options-for-denuclearizing-the-korean-peninsula/

[3] Secretary of State Mike Pompeo, Remarks to the Press, Press Briefing Room, November 20, 2018. (Emphasis added.), at: https://www.state.gov/secretary/remarks/2018/11/287487.htm

[4] KCNA, “Korea’s Denuclearization Requires Removal of ‘All’ Nuclear Threats,” December 20, 2018. (Emphasis added.)

[5] KCNA, “DPRK Government Denounces U.S., S. Korea’s Sophism about ‘Denuclearization of the Korean Peninsula,” July 6, 2016.

[6] Morton Halperin, Peter Hayes, Thomas Pickering, Leon Sigal, and Philip Yun "From Enemies to Security Partners: Pathways to Denuclearization in Korea,” NAPSNet Policy Forum, July 06, 2018, https://nautilus.org/napsnet/napsnet-policy-forum/from-enemies-to-security-partners-pathways-to-denuclearization-in-korea/

[7] U.S., Department of State, Secretary State Mike Pompeo, Interview with Yui Hideki of NHK, June 7, 2018 at: https://www.state.gov/secretary/remarks/2018/06/283080.htm

[8] Halperin, Hayes, Pickering, Sigal, and Yun "From Enemies to Security Partners: Pathways to Denuclearization in Korea,” op. cit.

[9] Nautilus Institute, “The DPRK’s Possible Interests in a Comprehensive Security Settlement and a Northeast Asian Nuclear Weapons-Free Zone,” November 30, 2013, here in English, and here in Korean.

IV. NAUTILUS INVITES YOUR RESPONSE

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