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# **Priority-Based Approach to the North Korean Nuclear Issue— An Enlightened Dose of Self-Centeredness**

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Taisuke Mibae



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Priority-Based Approach to the North Korean Nuclear Issue—  
An Enlightened Dose of Self-Centeredness

## Executive Summary

From the time Chairman Kim Jong-Un started his “charm offensive” early last year until the fallout of the second summit meeting between Kim and President Donald Trump in Hanoi in February of this year, officials and experts have debated whether North Korea is ready for denuclearization on the terms of the United States and its allies, and this will continue to be a subject of debate. That being said, all views on this subject are based on assumptions about Kim Jong-Un’s “intentions,” which have proven extremely difficult to verify and can change even overnight.

Therefore, a foundation of unverifiable assumptions is not very useful when considering policies. Rather, the United States and its allies in Northeast Asia (Japan and South Korea) need to start by asking themselves about their own priorities. For this purpose, they should focus on some critical questions and sub-questions that reveal dilemmas and trade-offs that could arise and potentially present obstacles, and prepare answers based on solid criteria that allows them to distinguish what is negotiable and what is not.

The critical questions and sub-questions mentioned above are as follows.

1. What do the United States and its allies want from North Korea (and how do they prioritize what they want)? [Q1]
  - ◇ What do they need to see to judge that North Korea is ready for denuclearization on their terms? [Q1-1 (SQ1)]
  - ◇ Are they willing to allow North Korea to continue its civil use of nuclear energy? [Q1-2 (SQ2)]
  - ◇ How much do they want to see a declaration ending the Korean War and the armistice turning into a peace treaty? (What should be the terms and conditions of the declaration?) [Q1-3 (SQ3)]
2. What are the United States and its allies prepared to give North Korea in exchange for what they want? (Will they link what North Korea wants with what they want from North Korea? If so, how?) [Q2]
  - ◇ How can they mitigate and minimize possible damages in case North Korea does

not act as expected, despite having already been rewarded? (What “damages” are assumed in such a case?) [Q2-1 (SQ4)]

- ◇ What will be the possible impact of what North Korea receives? [Q2-2 (SQ5)]
  - ◇ How should they prove that the proposition that North Korea is not recognized as a nuclear weapon state is maintained? [Q2-3 (SQ6)]
  - ◇ How can they provide rewards to North Korea piecemeal? [Q2-4 (SQ7)]
  - ◇ How can they ensure North Korea’s acceptance of challenge (random and surprise) inspections? (Should the reward be given to North Korea as a part of a broad arrangement in which North Korea accepts such inspections, or with individual access requests?) [Q2-5 (SQ8)]
  - ◇ How do they assure an “interim” arrangement with North Korea is actually interim? (How do they persuade North Korea that, even with this interim arrangement, it still has a lot to do to fulfill its commitment to complete denuclearization? What are they ready to give North Korea in exchange for capping of its nuclear and missile production in a manner to assure that the solution is interim?) [Q2-6 (SQ9)]
3. How will they react when they cannot get what they want? (What are the bottom lines or deal breakers where they need to freeze negotiations?) [Q3]
    - ◇ Whose side is time on? (What does it technically mean to have no additional nuclear tests and missile launches by North Korea? What is the marginal utility of increased fissile materials, nuclear weapons, and ballistic missiles in terms of North Korea’s threat against the United States and its allies? How long can North Korea economically bear the “frozen” situation?) [Q3-1 (SQ10)]
    - ◇ How can they involve China and Russia (and South Korea) in a situation where the negotiation is frozen? [Q3-2 (SQ11)]

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- ◇ What's next if “maximum pressure” does not quickly change North Korea's course again? [Q3-3 (SQ12)]
- ◇ Is Kim Jong-Un suicidal enough to launch an attack, knowing his regime will end if he does so? [Q3-4 (SQ13)]
- ◇ Would the United States be discouraged from protecting its allies if North Korea were to threaten the US mainland with its nuclear missiles? [Q3-5 (SQ14)]

SQ5, SQ10, and SQ13 are not asking about priorities but are related to critical assumptions that determine policies in considering what the United States and its allies can give North Korea and how they act when negotiations are frozen or the situation regresses. Although having perfect answers to these questions is impossible, efforts to make more accurate assumptions will help a lot.

### Assumption vs priority

“No deal was better than a bad deal” is probably the standard response to the outcome of the second summit meeting between US President Trump and Kim Jong-Un, the chairman of the Worker's Party of North Korea (or Democratic People's Republic of Korea (DPRK)) in Hanoi, Vietnam, on February 27 and 28.<sup>1</sup> While Senate Majority Leader Mitch McConnell commended President Trump for “walking away when it became clear insufficient progress had been made on denuclearization,” Representative Eliot L. Engel, chairman of the House Committee on Foreign Affairs,

criticized him, saying that “the White House rushed prematurely into another presidential summit.”<sup>2</sup>

President Trump said he had “a very productive time” with Chairman Kim and that their relationship “is very strong.”<sup>3</sup> Secretary of State Mike Pompeo said, “I hope our teams [US and North Korea] will get together in the days and weeks ahead and work (something) out” and “nuclear negotiations with North Korea will resume quickly.”<sup>4</sup> North Korea's message is more or less mixed. Korean Central News Agency, a mouthpiece of the North Korean authority, reported that President Trump and Chairman Kim “agreed to keep in close touch with each other for the denuclearization of the Korean Peninsula and the radical development of bilateral relations in the future, too, and continue productive dialogues for settling issues discussed at the Hanoi summit.”<sup>5</sup> However, at a snap evening press conference on February 28, North Korean Vice Foreign Minister Choe Son-Hui “suggested Kim ‘had lost the will to engage in dealmaking,’” and the United States “was missing a ‘once-in-a-lifetime opportunity.”<sup>6</sup> Foreign Minister Ri Yong-Ho stated, “Our principal stance will remain invariable and our proposal will never be changed, even though the US proposes negotiation again in the future.”<sup>7</sup> On March 15, at a meeting with diplomats and foreign media in Pyongyang, Vice Minister Choe again said North Korea had no intention of compromising or continuing talks unless the United States changes its political calculation and takes measures commensurate with those North Korea has taken.<sup>8</sup> In a speech he delivered to the first session of the fourteenth Supreme People's Assembly, Kim Jong-Un stated, “It is needed above all for the United States to approach us with a new way of calculation after putting aside the current one.”<sup>9</sup> While in the same speech he also said that he still maintained good personal relations

1 Bruce Klingner of the Heritage Foundation, quoted in Phillip Rucker, Simon Denyer, and David Nakamura, “North Korea's Foreign Minister Says Country Seeks Only Partial Sanctions Relief,” *Washington Post*, February 28, 2019, [https://www.washingtonpost.com/politics/trump-and-kim-downplay-expectations-as-key-summit-talks-begin/2019/02/28/d77d752c-3ac5-11e9-aaaa-69364b2ed137\\_story.html?utm\\_term=.a91fe9038afe](https://www.washingtonpost.com/politics/trump-and-kim-downplay-expectations-as-key-summit-talks-begin/2019/02/28/d77d752c-3ac5-11e9-aaaa-69364b2ed137_story.html?utm_term=.a91fe9038afe).

2 Shashank Bengali, Eli Stokols, and Victoria Kim, “Trump Says He Still Trusts Kim, but Needed to ‘Walk Away’ from a Bad Nuclear Deal,” *Los Angeles Times*, February 28, 2019, <https://www.latimes.com/world/la-fg-trump-kim-vietnam-summit-20190228-story.html>; “Engel Statement on North Korea Summit,” press release, US House of Representatives Committee on Foreign Affairs, February 28, 2019, <https://foreignaffairs.house.gov/2019/2/engel-statement-on-north-korea-summit>.

3 Alex Ward, “Read the Full Transcript of Trump's North Korea Summit Press Conference,” *Vox*, February 28, 2019, <https://www.vox.com/2019/2/28/18241334/trump-north-korea-press-conference-full-text>.

4 “Pompeo Says Talks with North Korea Will Resume,” *Associated Press*, February 28, 2019, <https://komonews.com/news/nation-world/pompeo-says-talks-with-north-korea-will-resume>.

5 “N. Korea Rejects Trump's Claim on Sanctions-Lifting Request,” *Kyodo News*, March 1, 2019, <https://english.kyodonews.net/news/2019/03/243495a85d68-update1-n-korea-rejects-trumps-claim-on-sanctions-lifting-request.html>.

6 Philip Rucker, Simon Denyer, and David Nakamura, “North Korea's Foreign Minister Says Country Seeks Only Partial Sanctions Relief, Contradicting Trump,” *Washington Post*, March 1, 2019, <https://www.msn.com/en-us/news/world/trump-and-kim-abruptly-cut-short-summit-after-failing-to-reach-nuclear-deal/ar-BBUbQrx>.

7 Ibid.

8 Eric Talmadge, “North Korean Official: Kim Rethinking US Talks, Launch Moratorium,” *Associated Press*, March 15, 2019, <https://apnews.com/5e747986f9204bd88ed0b38ab314c22a>.

9 “On Socialist Construction and the Internal and External Policies of the Government of the Republic at the Present Stage,” National Committee of North Korea, April 12, 2019, [https://www.ncnk.org/resources/publications/kju\\_april2019\\_policy\\_speech.pdf/file\\_view](https://www.ncnk.org/resources/publications/kju_april2019_policy_speech.pdf/file_view).



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with President Trump and sent a “beautiful” letter to his US counterpart, it is unlikely that the world will see a resumption of US-DPRK talks anytime soon.<sup>10</sup>

With the fallout of this second Trump-Kim summit, debates are likely to recur among experts, more so than officials, regarding whether North Korea is ready for denuclearization on the terms of the United States and its allies in the region (Japan and South Korea).<sup>11</sup> Actually, throughout Kim Jong-Un’s series of “charm offensives” last year—including his New Year’s address, dispatch of a high-profile delegation to the Winter Olympic Games in South Korea, three meetings with his South Korean counterpart, and the historic meeting with President Trump in Singapore—one of the major focuses of debate has been if Chairman Kim has made a strategic decision to denuclearize. Many experts in Washington believe the answer is “no,” although the policy conclusions about what to do if that is true vary from person to person.

Others argue “yes,” that Kim has made a strategic decision. In particular, the Moon Jae-In administration of the Republic of Korea (ROK) advocates this opinion. Officials and experts who share this view maintain that Kim Jong-Un needs positive gestures from the United States, such as a lifting of sanctions and a declaration ending the Korean War to persuade domestic hard-liners, particularly the military. Those who disagree insist this is merely a cover for Kim’s nuclear ambitions and Kim is firmly in control of the regime, while citing the fact that he has purged many senior officials, including the execution of his uncle.

The correct answer is probably “we don’t know.” There is no crystal ball that can help the United States and its allies understand exactly what Kim Jong-Un is thinking. All views surrounding this question are assumptions, rather than facts, and verifying assumptions about North Korea’s opaque regime is extremely difficult. In addition, these assumptions are related to Kim Jong-Un’s “intentions,” which can change overnight.

As with other diplomatic negotiations, a perfect assumption about Kim Jong-Un’s intentions is not a

prerequisite for considering what to do, although it would definitely be advantageous. The United States cannot, and should not, place all its bets on one scenario. All predictions are meaningful only in the context of putting together a response. What matter here are US and allied intentions—in another word, priorities.

For a figurative exercise, consider a weather forecast predicting a 50-percent chance of rain tomorrow. Do you take an umbrella when you leave your home? In order to make a decision, you need to ask yourself which scenario you hate more: getting wet in rain without an umbrella, or carrying it without rain. The answer is a priority, which varies from person to person.

It should be stressed that, in most cases, there is no *right* priority.<sup>12</sup> The priority is exactly what politics decides, and why politics matter. Facing a future filled with uncertainties, tradeoffs, and dilemmas, a political leader decides priorities by mobilizing his or her values, experience, knowledge, available information, wisdom, and advice. In a democratic system, they ask the public for its support, and take responsibility for the result. That decision will ultimately be judged only by the voters and, in the longer run, by history.

Applying the weather exercise above to nuclear negotiations with North Korea, the question comes down to which the United States and its allies hate more: rewarding North Korea, even though it has no intention to denuclearize, or missing an opportunity by not rewarding a North Korea that has already determined to denuclearize, but needs their advance payment to be convinced that they are serious in dealing with it. Which would cause greater damage?

When the question is posed like this, many people, including those who assume North Korea is ready for denuclearization, would prefer to avoid rewarding North Korea, because a reward could be used for military expansion if North Korea were to become hostile. On the other hand, there is no telling what could come from a missed opportunity. Therefore, some—including the South Korean administration—insist that there is an extremely low chance of Kim Jong-Un deceiving the United States and its allies,

10 David Jackson and John Fritze, “Donald Trump Says He Got Another ‘Beautiful’ Letter from North Korea’s Kim Jong Un,” USA Today, June 11, 2019, <https://www.usatoday.com/story/news/politics/2019/06/11/trump-says-he-got-beautiful-letter-north-koreas-kim-jong-un/1419412001/>.

11 For example, in an interview with CNBC on February 28, 2019, Evans Revere, a senior advisor at Albright Stonebridge Group, said, “What I have been arguing...for about last 3 or 4 months that they [North Korea] have made a decision and it is a decision to keep their nuclear weapons, and I think the President got a full dose of that yesterday.” “Incentives Do Not Work with North Korea, Says Former Diplomat,” CNBC, February 28, 2019, <https://www.cnbc.com/video/2019/02/28/incentives-do-not-work-with-north-korea-says-former-diplomat.html>.

12 In the current international community, for example, it would be unacceptable for conquering the world to be a state’s priority. However, whether they could achieve it or not, some states may have made this as a priority at one stage in their history.

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and they should not miss this opportunity. Indeed, if a plane crashes, the damage is massive and people will most likely be killed, but many people still use planes, because the chance of their plane crashing is extremely low.

Many of North Korea's words and deeds, however, suggest the chances of it refusing to denuclearize are higher than those of a plane crashing. For example, in his 2019 New Year's address, Kim Jong-Un stated, "The Third Plenary meeting of the Seventh Party Central Committee held in April last year constituted an occasion of pivotal significance in...continuing to speed up the advance of socialism on the basis of the great victory of the line of promoting the two fronts simultaneously."<sup>13</sup> This suggests North Korea will maintain the fruit of "the great victory of the line of promoting the two fronts (of nuclear build-up and economic development)"—namely, existing nuclear weapons. Kim also mentioned, "It is...my firm will to establish a new bilateral relationship that meets the demand of the new era as clarified in the June 12 DPRK-US Joint Statement, build a lasting and durable peace regime and advance toward complete denuclearization." This implies "complete denuclearization" will only be in sight after North Korea gets all it wants.

To be fair, those who argue both for and against the view that North Korea is ready for denuclearization tend to cherry-pick assumptions that suit their conclusions. People who believe in Kim Jong-Un's readiness for denuclearization might dismiss the aforementioned points in his New Year's address and, instead, quote the part, "I...will make efforts to obtain...results which can be welcomed by the international community" as an indicator of his good will.

After all, it is not very useful to consider policies based on unverifiable assumptions. People could draw totally different policy conclusions from the assumption that Kim is not ready to denuclearize: some might insist that talking with North Korea is meaningless, while others might argue that this is why concessions should be made for the national security of the United States.<sup>14</sup> This difference of opinions comes from differing priorities. The first view might place a higher priority on maintaining the norm of international nuclear nonproliferation, maintaining the credibility of alliances, or just avoiding making Kim Jong-Un happy. The second view might prioritize avoiding a war at any cost, or unconditional reconciliation between North Korea and the United States, which they believe would make the world safer.

Therefore, the United States and its allies need to start by asking themselves about their own priorities. The most important thing here is an enlightened dose of self-centeredness. Rather than focusing on Kim Jong-Un's intentions (which cannot be known anyway), they should focus on **(Q1) what they want, (Q2) what they are prepared to give North Korea in exchange for what they want, and (Q3) how to react if they cannot get what they want.** This study aims at presenting **some questions and sub-questions** that should be answered for negotiating with North Korea, and some elements to be taken into account when deciding on those answers. Although it is still unclear if and how US-North Korea denuclearization talks will reset and resume, this exercise should be a valuable measure for stepping back and viewing this frozen situation.

13 "Kim Jong-Un's 2019 New Year Address," National Committee of North Korea, January 1, 2019, [https://www.ncnk.org/resources/publications/kimjongun\\_2019\\_newyearaddress.pdf/file\\_view](https://www.ncnk.org/resources/publications/kimjongun_2019_newyearaddress.pdf/file_view).

14 This opinion is shared by people on both edges of the political spectrum, although what concessions are appropriate differs from person to person. Some who view themselves as "liberal" insist that the United States should give up attempting to denuclearize North Korea and instead tolerate its possession of nuclear weapons, mostly in the context of arguing against military options. See Susan E. Rice, "It's Not Too Late on North Korea," *New York Times*, August 10, 2017, <https://www.nytimes.com/2017/08/10/opinion/susan-rice-trump-north-korea.html>; Mira Rapp-Hooper, "America Is Not Going to Denuclearize North Korea," *Atlantic*, November 30, 2017, <https://www.theatlantic.com/international/archive/2017/11/north-korea-icbm-kim-trump-nuclear/547040/>. Some who belong to the libertarian "conservative" camp stress terminating the US-ROK alliance and withdrawing US forces from the peninsula, on the premise that it is the alliance and the extended deterrence that put the American public at risk. See Doug Bandow, "Why Not a South Korean Nuke?" *National Interest*, February 18, 2016, <https://nationalinterest.org/blog/the-skeptics/why-not-south-korean-nuke-15245>. Although the most worrisome thing about these views is that they are quite indifferent to the strategic consequences for US allies, Northeast Asia, the Asia-Pacific region, and the rest of the world, including the international nuclear-nonproliferation regime. Their priorities are almost solely based on the interests of US citizens; therefore, they believe they are the most "realistic" or "pragmatic."

# What do the United States and its allies want?

Regarding weapons of mass destruction (WMDs) and their delivery means, answering this question is relatively easy. On the nuclear front, in accordance with the series of relevant United Nations Security Council resolutions (UNSCRs) and previous agreements such as the Joint Declaration of the Denuclearization of the Korean Peninsula (1992), Agreed Framework (1994), and the Joint Statement of the Six-Party Talks (2005), this could include, but is not limited to, the following elements.<sup>15</sup>

- ◆ North Korea to suspend nuclear tests, production of nuclear materials and weapons, and operation of nuclear facilities, and to accept inspection of the suspension by relevant parties of the international community.
  - ◆ North Korea to declare all nuclear weapons, materials, and facilities it possesses.
  - ◆ The relevant parties of the international community to verify the completeness and correctness of North Korea's declaration.
  - ◆ The declared weapons, materials, and facilities to be dismantled and/or transferred outside of North Korea's territory.
- ◆ The relevant parties of the international community to ensure that North Korea does not produce or possess nuclear weapons in the future.
  - ◆ North Korea to return to, or to declare its status as a member of, the Treaty of Non-Proliferation of Nuclear Weapons (NPT).

These elements could be further broken down into smaller stages and pieces.<sup>16</sup> Elements for other WMDs, such as chemical and biological weapons and missiles, could also be considered in a similar manner.

While listing what the United States and its allies want, they also need their own definition regarding **(Q1-1) what they need to see to judge that North Korea is ready for denuclearization (on their terms)**. Some might answer with North Korea's declaration of nuclear-weapons stockpiles and acceptance of their dismantlement or transfer outside of its territory. Others might insist North Korea declare and scrap nuclear facilities whose existence they have not yet acknowledged.<sup>17</sup> One key criterion could be North Korea's acceptance of, and cooperation with, challenge (random and surprise) inspections. Even if North Korea presents some declarations of its nuclear weapons, materials, and

15 A news report states that, at one point in the summit meeting in Hanoi, President Trump "presented Mr. Kim with a document laying out his definition of denuclearization." David E. Sanger and Edward Wong, "How the Trump-Kim Summit Failed: Big Threats, Big Egos, Bad Bets," *New York Times*, March 2, 2019, <https://www.nytimes.com/2019/03/02/world/asia/trump-kim-jong-un-summit.html>. In an interview on ABC News on March 10, 2019, National Security Advisor John Bolton said, "We define denuclearization as meaning the elimination of their [North Korea's] nuclear weapons program, their uranium enrichment capability, their plutonium reprocessing capability...From the beginning we've also included chemical and biological weapons in the elimination of their weapons of mass destruction...And of course we want their ballistic missile program ended as well. [T]he president handed Kim Jong-Un...two pieces of paper, one in English, one in Korean, that laid it out," while avoiding explaining the content of the paper "word for word." "'This Week' Transcript 3-10-19: White House National Security Adviser John Bolton," ABC News, March 10, 2019, <https://abcnews.go.com/Politics/week-transcript-10-19-white-house-national-security/story?id=61588173>. This report implies that the United States has already defined what it wants and has presented that to North Korea. Reuters reported that the paper called for "the transfer of Pyongyang's nuclear weapons and bomb fuel to the United States" and "fully dismantling North Korea's nuclear infrastructure, chemical and biological warfare program and related dual-use capabilities; and ballistic missiles, launchers, and associated facilities," and "called on North Korea to provide a comprehensive declaration of its nuclear program and full access to U.S. and international inspectors; to halt all related activities and construction of any new facilities; to eliminate all nuclear infrastructure; and transition all nuclear program scientists and technicians to commercial activities." Lesley Wroughton and David Brunnstorm, "Exclusive: With a Piece of Paper, Trump Called on Kim to Hand Over Nuclear Weapons," Reuters, March 29, 2019, <https://www.reuters.com/article/us-northkorea-usa-document-exclusive/exclusive-with-a-piece-of-paper-trump-called-on-kim-to-hand-over-nuclear-weapons-idUSKCN1RA2NR>.

16 Siegfried S. Hecker, Robert L. Carlin, and Elliot A. Serbin, "A Comprehensive History of North Korea's Nuclear Program," Center for International Security and Cooperation, Stanford University, May 28, 2018, <https://cisac.fsi.stanford.edu/content/cisac-north-korea>.

17 At the press conference in Hanoi, President Trump implied that the United States had demanded that North Korea address (at least) one nuclear facility outside of Yongbyon (where all nuclear facilities, except for weapons-related ones, acknowledged by North Korea are located) by stating, "We know every inch of that country, and we have to get what we have to get" and "I think they were surprised we knew." North Korean Foreign Minister Ri Yong-Ho stated at the press conference, "the United States insisted that we should take one more step besides the dismantlement of nuclear facilities in the Yongbyon area," without specifying that extra step. Amy Held, "In Rare News Conference, North Korea Offers Its Own Vision Of Summit Collapse," National Public Radio, February 28, 2019, <https://www.npr.org/2019/02/28/699006894/in-rare-news-conference-north-korea-offers-its-own-version-of-summit-collapse>. Some news media

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facilities, verification of their completeness and correctness depends on having such inspections.<sup>18</sup> This process would require North Korea's full acceptance of random and short-notice access to all related facilities, materials, documents, and personnel. One possible way to confirm North Korea's non-production and non-possession of nuclear weapons would be that, as many non-nuclear states do, it concludes a comprehensive safeguard agreement and an additional protocol with the International Atomic Energy Agency (IAEA).<sup>19</sup> In this case, the IAEA would also need to complete certain inspections and evaluations to provide a broader conclusion that all nuclear materials in North Korea are consistent with peaceful activities. Connected to this is the need to decide **(Q1-2) whether they are willing to allow North Korea to continue its civil use of nuclear energy, which has heretofore been inconsequential for the country's energy supply.**

To ensure better security, the United States and its allies may also want to see a reduction of conventional weapons. For this, they would need to consider **(Q1-3) how much do they want to see a declaration ending the Korean War and the armistice turning into a peace treaty.** Obviously, the South Korean government wants the above, as they are major deliverables called for in the Panmunjeon Declaration of April 2018. As for the end-of-war declaration, South Korean officials and experts often demand flexibility from the United States, insisting that the declaration is just a political document and not legally binding, and that it can be withdrawn if North Korea does not comply with its commitment. However, as US Ambassador to South Korea Harry Harris reportedly stated, the declaration would be irrevocable, as withdrawing it would mean resumption of a state of war.<sup>20</sup> After all, the end-of-the-Korean-War

declaration is meaningful as long as it contributes to greater peace and security on the Korean Peninsula, in Northeast Asia, and around the world. The key here is **(Q1-3a) what the terms and conditions of the declaration should be** for this purpose. When this subject becomes a serious agenda with North Korea, the United States and its allies should take the initiative to discuss and decide terms and conditions that are also beneficial for them. The same principle should be applied to turning the armistice into a peace treaty, although that stage remains far away.

In a broader security context, maintaining and enhancing the international nuclear-nonproliferation regime might be one of the goals of the United States and its allies in dealing with the North Korean nuclear issue. While successful negotiations with North Korea would greatly contribute to this objective, their failure could diminish the situation by encouraging other potential nuclear powers.

Aside from security-related issues, the United States and its allies are interested in improving and resolving North Korean human-rights issues, which have been widely known internationally, especially since the United Nations Commission of Inquiry on Human Rights in the DPRK (COI) report's release in 2014.<sup>21</sup> The report found that "systematic, widespread and gross human rights violations have been and are being committed" by North Korea.

Furthering inter-Korean reconciliation is obviously a great priority for the South Korean government, including human exchanges such as family reunification, tourism, cultural and sport interactions, joint economic projects, tension reduction, and confidence building.

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suggest that the covert facility could be a clandestine uranium-enrichment facility in Kangson, just outside of Pyongyang. "Explainer: North Korea's Yongbyon Nuclear Complex Takes Center Stage in Stalled Talks," Reuters, March 1, 2019, <https://www.usnews.com/news/world/articles/2019-03-01/explainer-north-korea-yongbyon-nuclear-complex-takes-center-stage-in-stalled-talks>. Another news report speculates that covert, underground, highly enriched uranium facilities are located at Bundang, just a few kilometers from Yongbyon. Jeong Yong-Soo, Baek Min-Jeong, and Shim Kyu-Seok, "Secret Enrichment Plant is Right Next to Yongbyon: Sources," *Korea JoongAng Daily*, March 6, 2019, <http://koreajoongangdaily.joins.com/news/article/article.aspx?aid=3060178>.

18 It would be useful to consider a scenario in which North Korea provides a declaration including what it states is the number of nuclear weapons it possesses, but that number does not coincide with external assessments based on the time and ability North Korea could have used to produce fissile materials. Unless North Korea accepts and cooperates with measures to verify the completeness and correctness of its declaration, the United States and its allies would continue to suspect that North Korea could still possess a certain number of nuclear weapons. Although many people assume that North Korea pursues an "India model" or "Pakistan model" with regard to its nuclear weapons, this "Israel model" could also be an option.

19 At a conference held by the Carnegie Endowment for International Peace, Stephen Biegun, special representative for North Korea of the Department of State, stated, "We very much [want to] see [a] part of the complete process of denuclearization to include the return for the nonproliferation treaty and the protocols and towards that end. IAEA has an important monitoring role in order to ensure that certain practices continue to be observed to international standards." "Nuclear Policy and U.S. North Korea Relations, Stephen Biegun Remarks," C-SPAN, March 11, 2019, <https://www.c-span.org/video/?458691-2/nuclear-policy-us-north-korea-relations-stephen-biegun-remarks>.

20 Noh Ji-Won, "US Ambassador Mentions Complete List of Nuclear Facilities Before End-of-War Declaration," *Hankyoreh*, August 3, 2018, [http://english.hani.co.kr/arti/english\\_edition/e\\_northkorea/856159.html](http://english.hani.co.kr/arti/english_edition/e_northkorea/856159.html).

21 "Report of the Commission of Inquiry on Human Rights in the Democratic People's Republic of Korea," United Nations Human Rights Council, February 7, 2014, <https://www.ohchr.org/en/hrbodies/hrc/coidprk/pages/reportofthecommissionofinquirydprk.aspx>.

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Moreover, the South Korean government hopes the fourth inter-Korean summit meeting between President Moon and Chairman Kim is held, as was promised when President Moon visited North Korea in September 2018. Although this particular South Korean priority is sometimes criticized as an indicator of the Moon

Jae-In administration's dismissiveness toward security-related issues, it would be fair to argue that these reconciliatory measures themselves have the potential to contribute to improved security conditions, as long as North Korea does not receive material benefit that could be used for military expansion.

# What are they ready to give North Korea in exchange for what they want?

## What does North Korea want?

In order to answer the question, “What are they ready to give North Korea in exchange for what they want?” the United States and its allies first need to consider, “What does North Korea want?” It is meaningless to try giving North Korea something it does not want. This exercise is also relatively easy, as a series of North Korean statements makes it possible to assume a list of items North Korea presumably demands.<sup>22</sup> Some of these could be related to what North Korea deems the “hostile policy” of the United States.<sup>23</sup> These demands could include, but are not limited to, status, security, and the economy.

### ◆ Status

- ◆ Removal from the US list of State Sponsors of Terrorism
- ◆ Diplomatic normalization with the United States (and Japan)
- ◆ Recognition as a nuclear-weapon state

### ◆ Security

- ◆ Withdrawal/scale-down of US forces in South Korea (and Japan)
- ◆ Withdrawal of nuclear umbrella extended by the United States to South Korea (and Japan)

- ◆ US commitment to no first use of nuclear weapons
- ◆ Abandonment/scale-down/relocation of US-ROK joint military exercises
- ◆ Withdrawal of Terminal High Altitude Area Defense (THAAD) missile-defense system
- ◆ An end-of-the-Korean-War declaration (particularly with the United States)
- ◆ Turning the armistice into a peace treaty (particularly with the United States)

### ◆ Economy

- ◆ Lifting/relaxing of (UNSCR/unilateral) sanctions (including exemption of sanctions for inter-Korean projects)
- ◆ Humanitarian aid (food, medical, etc.)
- ◆ Heavy fuel oil and other non-nuclear energy assistance
- ◆ Assistance for civil use of nuclear energy (light-water reactor)
- ◆ Economic aid
- ◆ Financial aid (including loans from international financial institutions)

22 North Korea's Foreign Minister Ri Yong-Ho said at a press conference in Hanoi that North Korea sought relief from five United Nations sanctions imposed in 2016 and 2017 that hurt the country's economy, out of a total of eleven, in exchange for disabling its main nuclear complex. Amy Held, “In Rare News Conference, North Korea Offers Its Own Version Of Summit Collapse,” National Public Radio, February 28, 2019, <https://www.npr.org/2019/02/28/699006894/in-rare-news-conference-north-korea-offers-its-own-version-of-summit-collapse>. In his New Year's address, Kim Jong-Un stated, “For the present, we are willing to resume the Kaesong Industrial Park and Mt. Kumgang tourism without any precondition and in return for nothing, in consideration of the hard conditions of businesspersons of the south side who had advanced into Kaesong Industrial Park and the desire of southern compatriots who are eager to visit the nation's celebrated mountain.”

23 North Korean media and officials have repeatedly mentioned that the reason for North Korea to possess nuclear weapons is the United States' “hostile policy” against North Korea, but have never officially defined what abandoning it would actually mean. If what President Trump showed Chairman Kim in writing in Hanoi was a comprehensive US demand, and if North Korea is to seriously respond by communicating its own demand, North Korea will need to come up with an official stance on what abandoning a “hostile policy” means.



## How to link what they want from North Korea to what North Korea wants?

The toughest part of this question is **(Q2a) if and how they can link these items above with what they want from North Korea**. In other words, how to put a price on North Korea's actions (and, from North Korea's perspective, vice versa). In this exercise, it is not enough to consider only what the United States and its allies want. They need to also consider **"(Q1a) how they prioritize what they want."** This is the priority politics must decide.

One way to avoid this tough question is to employ the "Libya model." This would mean giving North Korea what it wants only after receiving all (or most) of what the United States and its allies want. For those who believe that the history of the North Korean nuclear crisis involves North Korea unilaterally and constantly "cheating," any commitment by North Korea is not to be trusted until it completes specific and substantive steps to achieve denuclearization. North Korea, which is very unlikely to voluntarily defer to this "Libya model," must be cornered into accepting it through a campaign of "maximum pressure." If feasible, this model would be the most desirable.

However, this model presents some possible challenges that should be taken into account. As North Korea has been refraining from additional major provocations (nuclear tests and missile launches), it would be difficult to obtain support and cooperation from China, Russia, and South Korea.<sup>24</sup> Because North Korea can exercise extreme resilience by shifting the maximum burden onto its own people, it could take a significant amount of time before North Korea surrenders. And,

North Korea could continue to increase and improve its nuclear and missile capabilities in the meantime. On top of all that, it is unclear whether the United States has even adopted this approach.<sup>25</sup>

If the United States is not committed to the "Libya model," what other options does it have? Its choices do not necessarily need to be "all or nothing." Returning to the figurative exercise of the prospect of rain and the umbrella, taking a folding umbrella represents a way to mitigate or minimize the damage when a prediction is not accurate. In addition, while one cannot control the weather, the United States and its allies may work on and change their counterpart's intentions. This is what the South Korean government and some experts insist upon, and argue for the potential positive impact of inter-Korean reconciliation and some "good gestures" by the rest of the world, such as relaxing sanctions. Although this possibility is not plausible under current circumstances, it cannot be categorically ruled out.

To consider **(Q2-1) how can they mitigate and minimize possible damages**, it would be useful to see **(Q2-1a) what "damages" are assumed when North Korea does not act as expected, despite having already being rewarded**. Damages could include but are not limited to

- ◆ losing leverage to press North Korea toward complete denuclearization (on US terms);
- ◆ materially/substantively helping North Korea's military maintenance and/or expansion; and

24 North Korea's reason for conducting nuclear and missile tests is unknown. It could be to confirm the credibility of the weapons; if so, referring to these actions as "provocations" may not be accurate. For convenience, however, this paper uses "provocations" or "provocative actions" to mean North Korea's nuclear tests and ballistic/long-range missile (including satellite) launches.

25 During his remarks at Stanford University on January 31, 2019, Biegun stated, "For our part, we have communicated to our North Korean counterparts that we are prepared to pursue—simultaneously and in parallel—all of the commitments our two leaders made in their joint statement at Singapore last summer, along with planning for a bright future for the Korean people and the new opportunities that will open when sanctions are lifted and the Korean Peninsula is at peace, provided that North Korea likewise fulfills its commitment to final, fully verified denuclearization." Stephen Biegun, "Remarks on DPRK at Stanford University," US State Department, January 31, 2019, <https://www.state.gov/p/eap/rls/rm/2019/01/288702.htm>. On the other hand, during his remarks at Carnegie Endowment for International Peace on March 11, Biegun stated, "We are not going to do it incrementally." "Nuclear Policy and U.S. North Korea Relations, Stephen Biegun Remarks," CSPAN, March 11, 2019, <https://www.c-span.org/video/?458691-2/nuclear-policy-us-north-korea-relations-stephen-biegun-remarks>. Transcript on the website of Carnegie Endowment for International Peace shows this part to be, "We are not going to do denuclearization incrementally." "Keynote with Special Representative Stephen Biegun," Carnegie International Nuclear Policy Conference, March 11, 2019, <https://carnegieendowment.org/2019/03/11/keynote-with-special-representative-stephen-biegun-pub-78882>. Some news reports stated that Biegun "seemed to completely change course." Alex Ward, "A Top US Diplomat Just Laid Out the New Approach to North Korea. It's Doomed," Vox, March 11, 2019, <https://www.vox.com/world/2019/3/11/18260024/north-korea-stephen-biegun-nuclear-trump-kim-bolton>. In the same remarks, Biegun said, "Nothing can be agreed until everything is agreed...It's not to say that we can't take steps to build confidence between the two countries, but the foundation is denuclearization."

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- ◆ teaching North Korea that its negative actions can be tolerated and even rewarded (including implying that the United States or the international community recognize North Korea as a nuclear-weapons state).

As part of this exercise, the United States and its allies can come up with a possible set of criteria to consider what they are (most, more, less, and least) ready to provide North Korea in return for certain actions, which could include, but are not limited to, the following.

- ◆ Reversibility and irreversibility: One reason for the strong notion that North Korea has cheated is that, in most cases, North Korea pursued deals in which it received a solid commitment in exchange for something that it could take back. When North Korea breached an agreement by rebuilding nuclear facilities and resuming their operations, it already possessed the required heavy fuel oil, other energy assistance, or cash in a Banco Delta Asia account. Some might argue that lifting part of the sanctions is a reversible measure, but some points must be taken into account. Both lifting and reimposing sanctions, even partially, requires a new UNSCR over which the permanent members have veto power. If North Korea does not act as desired once sanctions are lifted, China and Russia would likely veto reimposing those, at least unless North Korea conducts further nuclear tests and missile launches. Lifting some sanctions could invite quick flow of certain goods (e.g., heavy fuel oil) or cash into North Korea (in exchange for exported goods), which gives “irreversible” benefit to North Korea. One option could be to “exempt” transfer of certain goods for specific projects in North Korea, as has been done in the case of some inter-Korean projects. Some countries’ unilateral sanctions, which are not based on the related UNSCRs, could be more flexibly reimposed after being lifted. Also, some personnel and entities designated as sanctions targets do not have tangible transactions with the rest of the world, so

delisting them might not give North Korea any substantive benefit.

- ◆ No lifting of sanctions or providing assistance that materially supports North Korea’s military expansion. This applies not only to goods and technologies that North Korea can use directly for military purposes, but also dual-use goods that could be used for military expansion. In this regard, humanitarian assistance, such as food and medicine, might be an option. Some would argue that even humanitarian aid could substantively help North Korea, and the economic profits created as a result of the aid could be diverted to military expansion. However, compared to other possibilities, it is at least “less harmful.”<sup>26</sup> In addition, it is quite unlikely that the North Korean authorities would provide the same level of care to their own citizens unless they are given humanitarian assistance. Of course, systematic and thorough monitoring needs to be implemented to ensure that aid goes to those truly in need.
- ◆ Financial and nuclear assistance: Cash can be converted into everything. Nuclear assistance as part of denuclearization complicates the process, and may even legitimize North Korea’s nuclear program. These rewards should be considered only after complete denuclearization is verified.<sup>27</sup>
- ◆ Assessment of the impact of rewards given to North Korea: There might be a moment when North Korea demands, for example, energy assistance in exchange for what the United States and its allies really want. One option may be to refuse the offer and walk away from negotiations, but the situation—including the political leadership’s willingness—might require negotiations to move ahead. If the priority is to avoid substantively helping North Korea’s military expansion, they should have their own assessment of **(Q2-2) the possible impact of what is given to North Korea** in this regard. If the

26 During his aforementioned remarks at Stanford University, Biegun stated, “the United States...eased rules on the delivery of legitimate humanitarian assistance to the people of North Korea. We are now making quick progress, clearing a backlog of approvals that had accumulated at the United Nations sanctions review committee.” Cheol-Hee Park also states, “...in terms of conditional reciprocation, we can think of soft compensation before we get into hard compensation. Low-cost, easy-to-implement measures to breed trust can precede before sanction lifting or massive economic aid. Humanitarian aid within the parameter of UN sanction resolutions can be expanded.” See Cheol-Hee Park, “Beyond Optimism and Skepticism about North Korean Denuclearization: A Case for Conditional Engagement,” *Journal of International and Area Studies* 25, 2 (2018), <http://s-space.snu.ac.kr/handle/10371/145229>.

27 The 2005 Joint Statement of the Six-Party Talks provides, “The other parties (than North Korea)...agreed to discuss, at an appropriate time, the subject of the provision of light water reactor to the DPRK,” but, right after the Joint Statement was concluded and issued, parties mentioned different views regarding when is the “appropriate time.” “September 19, 2005 Joint Statement of the Six Party Talks,” National Committee on North Korea, September 19, 2005, <https://tinyurl.com/y57swzxf>.



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assessment indicates that certain assistance could increase North Korea's military ability to an unacceptable degree, that assistance should not be given at all. However, this is not necessarily a black-and-white choice. Further negotiations may be required to adjust the quantity and quality of the assistance, to keep the effects within an acceptable scope. Although this assessment would be quite difficult given North Korea's extremely opaque regime, it would be an indispensable exercise in securing US and allied interests.

- ◆ What North Korea should not be given at any price:
  - ◇ Some would argue that “alliance”-related items—such as the presence of US forces in South Korea and Japan, and extended deterrence (provision of the nuclear umbrella to the allies)—should not be part of a nuclear deal with North Korea. This is a fair argument, as the alliance existed long before the emergence of the North Korea nuclear issue. Even without nuclear weapons, North Korea poses a formidable threat to South Korea, which the alliance with the United States helps to deter.<sup>28</sup> At the same time, it should be remembered that on the occasion of previous deals (including a very recent one), US-ROK joint military exercises were suspended and no first use of nuclear weapons by the United States was implied.<sup>29</sup> A special national security and foreign-affairs adviser to the South Korean president claimed that

a peace treaty with North Korea would make it “difficult to justify their [US forces’] continuing presence in South Korea.”<sup>30</sup>

- ◇ There would probably be a mostly unanimous consensus among officials and experts that not recognizing North Korea as a nuclear-weapon state should be non-negotiable. This is also fair, but the question faced here is **(Q2-3) how the United States and its allies should prove this proposition is maintained**. No one has clearly defined what it means not to recognize North Korea as a nuclear-weapon state, and precluding some of the possible rewards for North Korea as a violation of this proposition could only serve to narrow the options. However, this proposition should be a constraint on North Korea, not on the United States and its allies.<sup>31</sup> Actually, North Korea has never officially demanded a status of a nuclear-weapon state, and has even reiterated that it has already been one.<sup>32</sup> It cannot be presumed that North Korea would even include this item on its list of demands.

In consideration of North Korea's possible “salami-slicing tactics,” if the United States and its allies adopt an “action for action” formula to implement a deal made with North Korea, they might need to be prepared to break the rewards down into pieces.<sup>33</sup> When North Korea “slices salami,” the allies might need to do so, too. In listing what they are ready to provide, they also need to explore **(Q2-4) how can they provide rewards to North Korea piecemeal**.

28 Ralph A. Cossa, “North Korea: Can Hope Triumph Over Experience?” *PacNet* 37, May 30, 2018, <https://www.pacforum.org/analysis/pacnet-37-north-korea-can-hope-triumph-over-experience>.

29 “The US will provide formal assurances to the DPRK, against the threat or use of nuclear weapons by the US.” See “Agreed Framework between the United States of America and the Democratic People's Republic of Korea,” US Department of State, October 21, 1994, <https://2001-2009.state.gov/t/ac/rls/or/2004/31009.htm>.

30 Chung-In Moon, “A Real Path to Peace on the Korean Peninsula,” *Foreign Affairs*, April 30, 2018, <https://www.foreignaffairs.com/articles/north-korea/2018-04-30/real-path-peace-korean-peninsula>; Choi He-Suk, “Moon Chung-In's ‘Personal Views’ Once Again Lands Him in Hot Water,” *Korea Herald*, May 2, 2018, [http://www.koreaherald.com/view.php?ud=20180502000919&ACE\\_SEARCH=1](http://www.koreaherald.com/view.php?ud=20180502000919&ACE_SEARCH=1).

31 One possibility is to argue that as long as the relevant UNSCRs impose sanctions on North Korea, North Korea is not recognized as a nuclear-weapon state by the international community, but this definition would also require further careful elaboration. UNSCR 1172 (1998), which was adopted in response to India and Pakistan's nuclear tests, also “recalls that in accordance with the [NPT] India or Pakistan cannot have the status of a nuclear weapon State, like relevant UNSCRs on North Korea. At the same time, UNSCR 1172 only “encourages all States to prevent the export of equipment, materials or technology that could in any way assist programmes in India or Pakistan for nuclear weapons or for ballistic missiles capable of delivering such weapons,” which is much weaker than the sanctions imposed on North Korea. “Resolution 1172,” United Nations Security Council, June 6, 1998, <http://unscr.com/en/resolutions/doc/1172>.

32 The Socialist Constitution of the DPRK, amended in 2012, provides in its preamble that, “In the midst of the collapse of world socialism and the wicked attacks of the imperialist alliance,” the most notable phrase declares, “Kim Jong-Il gloriously defended the noble socialist inheritance of comrade Kim Il-Sung with military-first politics, turning our nation into an invincible political ideological state, nuclear-armed state and undefeatable militarily strong state, and paving the glorious way to the construction of the strong and prosperous state.” Chris Green, “North Enshrines Kim's Nuclear ‘Achievement,’” *Daily NK*, May 31, 2012, <https://www.dailynk.com/english/north-enshrines-kims-nuclear-achie/>.

33 Some news reports described what President Trump presented to Kim Jong-Un in Hanoi as a “grand bargain.” (e.g., Sanger and Wong, “How the Trump-Kim Summit Failed: Big Threats, Big Egos, Bad Bets.”) Theoretically speaking, deciding to conclude a “grand bargain/big deal” and its implementation are two very different things.

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At some point in the future, the United States and its allies might also need to explore **(Q2-5) how to ensure North Korea's acceptance of challenge (random and surprise) inspections**. As discussed above, this could be a tricky but critical element in confirming North Korea's "sincerity" toward denuclearization. The United States may walk away when North Korea balks at this, but there are some other options worth considering. One is to ensure "reciprocity" with South Korea. Since the 2005 Joint Statement of the Six-Party Talks reaffirmed that the goal of the talks is "the verifiable denuclearization of the Korean Peninsula in a peaceful manner," "denuclearization" has been defined as applicable to the entire Korean Peninsula, and all parties, including the ROK and the United States, assumed it would also apply to South Korea.<sup>34</sup> It might not be an easy decision to hand random access to North Korean personnel. But, if South Korea accepts this condition, it would deprive North Korea of an excuse to refuse it, while leaving the issue of other weapons of mass destruction and ballistic missiles aside. The other option is to give North Korea some reward in exchange for its acceptance of random inspections. This is also not without certain discomfort, but it should not be categorically ruled out. If this arrangement is decided on, it is important that it be non-monetary. It is tricky **(Q2-5a) if the reward should be given as part of a broad arrangement in which North Korea accepts such inspections, or with individual access requests**. If the former is chosen, a reward might have to be given before North Korea actually allows specific inspections. In the latter case, it could be a long-lasting payment continuing until all parties are satisfied with the completeness and correctness of North Korea's declaration.

Obviously, these exercises require serious and sufficient discussion and coordination between the United States and its allies. This is not only to share negotiation tactics vis-à-vis North Korea, but also to confirm and share

respective priorities. If they do not have sufficient coordination in advance regarding what items could be linked with what action by North Korea, something could be wrongly handed over to North Korea under the influence of a sudden political decision.

Connected to this, many experts point out the possibility that the United States might make a deal with North Korea to give up intercontinental ballistic missiles (ICBMs) that can reach the US mainland, as well as part of its nuclear arsenal. This is a traditional "decoupling" situation that would probably be unacceptable for both South Korea and Japan.<sup>35</sup> It is difficult to imagine that the United States would make a deal like this as the "final outcome" with North Korea. But, what if the United States set this deal as an "interim" arrangement? The true question here is **(Q2-6) how they assure that this arrangement is interim, and how do they persuade North Korea that it still has a lot to do to fulfill its commitment to complete denuclearization**. After all, this should be assured by the insufficiency of what North Korea receives in return in this arrangement. What North Korea receives should be "sufficiently insufficient" to make it want more.

A similar question could be raised in relation to the "capping" solution frequently advocated by some nuclear experts. They argue that demanding North Korea dismantle nuclear weapons and missiles all at once is unrealistic, and the United States and its allies should first aim to (verifiably) cap the production of these weapons and their delivery means, so that their numbers do not increase further. These experts insist this is not the final goal, but an interim step toward complete denuclearization.<sup>36</sup> Fair enough, but again, the true question is **(Q2-6a) what are they ready to give North Korea in exchange for the "capping" in a manner to assure that this solution is "interim."**

34 At the same time, the joint statement announced, "The DPRK committed 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." Since Kim Jong-Un became the top leader of the DPRK, North Korea has not officially confirmed this commitment.

35 Some South Korean experts predict that the Moon Jae-In administration could accept such a deal between the United States and North Korea on the premise that President Moon prioritizes inter-Korean reconciliation over national security, and achievement of such a deal would create a favorable environment to invite Kim Jong-Un to Seoul. Based on the author's interviews with some experts in Seoul, December 2018.

36 Toby Dalton and Ariel (Eli) Levite, "Benchmarking the Second Trump-Kim Summit," Carnegie Endowment for International Peace, February 19, 2019, <https://carnegieendowment.org/2019/02/19/benchmarking-second-trump-kim-summit-pub-78407>. In their commentary, Dalton and Levite state, "It is too early to reach a detailed agreement on all the elements of what will necessarily be a very complicated nuclear end-state on the Korean Peninsula, but immediate and intermediate stages can and should be mapped. Most importantly for now, this needs to include an interim objective of a comprehensive, verifiable cap on North Korea's nuclear arsenal, including its delivery capabilities," while insisting "...the United States needs to avoid temptations to demand things that no state like North Korea can agree upon at this stage. Neither Kim nor North Korean military will provide a full and complete denuclearization of the country's holdings yet...To realistically test North Korea's intentions, and for them to test the United States' confidence, must be built through step-by-step progress."

## How to proceed with the negotiation?

The second US-North Korea summit in Hanoi, and some preceding working-level talks, could be interpreted as the first serious attempt by both sides to match up what they want from each other. Although the outcome remains to be seen, if both sides decide to conclude a “grand bargain/big deal” and implement it with some agreed phases and sequence, a serious negotiation to create a “roadmap” could be initiated.<sup>37</sup>

The current US negotiators have already engaged in a series of talks with their North Korean counterparts since early 2018, including the two summit talks. In this time, they presumably accumulated knowledge of what it is like to negotiate with North Korea. Nevertheless, it would be worth noting some important characteristics before entering into negotiation on a roadmap.

North Korea’s major characteristics that arise when discussing external relations are extreme distrust, an inferiority complex, and a victim mentality. These characteristics have been shaped throughout the course of the country’s history. North Korea struggled with the Soviet Union and China from the late 1950s through the 1970s, experienced the US-China and Japan-China reconciliations in the 1970s, felt isolated from the 1988 Olympic Games in Seoul, and felt betrayed by South Korea’s diplomatic normalizations with the Soviet Union in 1990 and with China in 1992.<sup>38</sup> Amidst these international developments North Korea developed distrust, a feeling of inferiority, and a victim mentality in its dealings with the rest of the world, particularly the major powers and Western countries. This mentality has consequently shaped a pattern of North Korean behavior.

- ◆ Heavy emphasis on equality and reciprocity, amid a sense of being handicapped: North

Korea prioritizes being treated equally, and sitting at the table as an equal counterpart. The sequence of actions needs to be reciprocal, which is represented by the phrases “commitment for commitment” and “action for action,” which North Korean officials often use when discussing the situation. Equality with the United States is particularly important.<sup>39</sup> At the same time, while insisting on equality and reciprocity, North Koreans’ strong victim mentality justifies their view that they are handicapped in all games they need to play, and that North Korea deserves some sort of special treatment.

- ◆ Materialism and dismissal of commitment: Strong distrust prevents North Koreans from believing in a long-term commitment based on trust. They do not trust in words; they trust only in goods, money, and weapons. The fairness and credibility of a deal must be proved promptly and materially. North Korea often requires an advance as proof of its counterpart’s sincerity and attempts to get something irreversible in exchange for something reversible.
- ◆ Extreme caution and risk hedging: At the same time, North Koreans are quite skeptical and afraid of being cheated or betrayed. They have their own confirmation bias—any small discrepancy between what they agreed to and what they actually see can be interpreted as “cheating.” To hedge against being cheated, they not only craft the agreement very carefully to ensure interpretation in their favor, but also prepare themselves well so that they can respond quickly when they judge themselves to have been cheated.<sup>40</sup>

37 During his aforementioned remarks at Stanford University, Biegun stated, “We expect to hold working-level negotiations with our North Korean counterparts in advance of the summit, with the intention of achieving a set of concrete deliverables...a roadmap of negotiations and declarations going forward, and a shared understanding of the desired outcomes of our joint efforts.”

38 On the other hand, so-called “cross recognition,” in which the United States and Japan normalize their diplomatic relations with the DPRK, has not yet become a reality, although North Korea is eager for this to happen.

39 This is why one often sees many excited statements related to the nuclear issue, which are rarely made or observed in the case of other states that possessed nuclear weapons outside of the NPT. The possession of nuclear weapons has given North Koreans a sense of equality with the United States for the first time in their history, and also a sense of control over their own destiny. Only time will tell if having summit meetings with President Trump has also given Kim Jong-Un a sense of equality that could substitute for the sense of equality gained by possessing nuclear weapons.

40 When North Koreans were discovered to be proceeding with procurement activities for highly enriched uranium in the early 2000s, they most likely did not think they were violating the 1994 Agreed Framework. Regarding uranium enrichment, the Agreed Framework did not include direct reference, but provided, “The DPRK will consistently take steps to implement the North-South Joint Declaration on the Denuclearization of the Korean Peninsula,” and the Joint Declaration stated, “South and North shall not possess nuclear reprocessing and uranium enrichment facilities.” At the stage of “procuring” uranium-enrichment-related goods, it is plausible that North Korea did not consider itself in violation of the North-South Joint Declaration and the Agreed Framework. At the same time, considering the prompt actions it took when the United States, Japan, and the ROK decided in November 2002 to stop the provision

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Given these features of North Korea's mindset, some principles can be laid out for how negotiators should deal with North Korea.

- ◆ Put all items on the table from the beginning: Because of their deep distrust and skepticism, North Koreans are susceptible to feeling cheated, and insist their counterpart has moved the goalpost when they see new items or conditions added later (although they frequently add such conditions). This may be an excuse to feign indignation, walk away, or add their own new items or conditions. Therefore, US negotiators should not be hesitant to put all items on the table when they start talking about the roadmap out of a concern that it might provoke the North Korean side. If North Korean negotiators walk away, it is because they have already received instructions from Pyongyang to do so, not because they were provoked.
- ◆ Avoid ambiguity as much as possible by including all specific details in the agreement: Ambiguity is unavoidable when it comes to concluding an international agreement. The parties often overcome it with a “one bed, two dreams” approach. However, this works only when all parties share a common interest but need to clear national principles or explanations. At this time, North Korea has yet to prove that it shares this common interest. At the same time, North Koreans' interpretation of language is often more precise and literal than Americans'; they do not care about the “spirit” in which an agreement is made. What is literally written in the agreement is everything, and they interpret ambiguous parts in their favor. When their interpretation is not accepted,

they insist that the counterpart breached the agreement and justify their own violation, or even withdrawal. When negotiators insist that these details should be put in the document, North Koreans might argue that it is too time consuming or arduous, but negotiators should not give in, and should be ready to walk away if such an argument continues. Eventually, they might need to compromise somewhat, but they should expect North Korea to take advantage of the ambiguity.

- ◆ Don't promise what cannot or will not be done: Making a promise that cannot be kept is much more sinful than not making a promise. Even if the other parties do not break the promise deliberately, North Korea will believe it was cheated and use that to justify a subsequent breach on its part.

In addition to the aforementioned points, if serious talks to create a roadmap toward denuclearization begin, it might be worth suggesting that the final agreement should include a mechanism to deal with possible discrepancy of interpretation, or suspected breaches. As an international agreement is a product of compromise, these issues are unavoidable. Previous agreements with North Korea lacked such a dispute-resolution mechanism. Although nobody knows the parties that would be involved in a possible final agreement, the Six-Party Talks framework might be advantageous, as it featured multiple witnesses and guarantors. In fact, the most important utility of the Six-Party Talks framework should be that the five members (other than North Korea), including China and Russia, are able to agree on what to do if North Korea violates or withdraws from the agreement.<sup>41</sup>

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of heavy oil based on the Agreed Framework—including the announcement of resuming operation and construction of nuclear facilities, the deportation of inspectors of the IAEA, and the declaration of withdrawal from the NPT—it may be assumed that North Korea had already decided how to respond if the US side violated the Agreed Framework. “Joint Declaration of South and North Korea on the Denuclearization of the Korean Peninsula,” February 19, 1992, [https://media.nti.org/documents/korea\\_denuclearization.pdf](https://media.nti.org/documents/korea_denuclearization.pdf).

41 In the UNSCR 2231, a resolution that lifted sanctions imposed on Iran in response to the Joint Comprehensive Plan of Action (JCPOA), a so-called “snapback provision” was included to set out a mechanism to reimpose sanctions in the case of Iran's “significant non-performance of commitments under the JCPOA.” “Resolution 2231,” United Nations Security Council, July 20, 2015, <http://unscr.com/en/resolutions/doc/2231>. In preceding negotiations in Vienna, this mechanism was designed so that even the five permanent members of the United Nations Security Council (P5) did not have veto power. Mark Leon Goldberg, “Why the Snap Back Provisions is the Most Brilliant Part of the Iran Deal,” *UN Dispatch*, July 14, 2015, <https://www.undispatch.com/why-the-snap-back-provision-is-the-most-brilliant-part-of-the-iran-deal/>. Some news reports said that North Korea's Vice Foreign Minister Choe Son-Hui stated at a briefing on March 15, 2019, “When we made a practical proposal in the talks, President Trump adopted the flexible position that an agreement would be possible if a clause was added stating that the sanctions could be reinstated if North Korea resumed nuclear activities after the sanctions were lifted.” See, for example, Kim Ji-Eun, “Trump Responded Positively to Relaxing Sanctions with ‘Snapback Clause’ During Hanoi Summit,” *Hankyoreh*, March 27, 2019, [http://english.hani.co.kr/arti/english\\_edition/e\\_northkorea/887650.html](http://english.hani.co.kr/arti/english_edition/e_northkorea/887650.html). At the same time, it should be noted that the mechanism for the Iranian case required a majority (five) among the eight members of P5, Germany, the European Union, and Iran to find Iran to have violated the agreement, which means the United States, the UK, France, Germany, and the European Union could constitute a majority. It also should be remembered that, as discussed in this paper, one of the reasons to be hesitant about lifting sanctions against North Korea is that it could materially and substantively help North Korea's military maintenance and/or expansion.



# What to do when the United States and its allies cannot get what they want?

## Options and the bottom line

There are two scenarios in which the United States and its allies cannot get what they want from North Korea. One involves North Korea categorically ruling out something they definitely want. And the other is North Korea demanding something they cannot give in exchange for what they definitely want.

In either of these situations, there are three options: to enter pricing negotiation, freeze the talks, or withdraw from the talks. In the pricing negotiation, the United States and its allies might first adamantly insist that they cannot move even an inch from their position, but may eventually need to adjust their own priorities. They might tentatively give up what they want, or give North Korea something they did not originally want to give. This implies that they might tentatively need to be satisfied with the second-best, or even third-best, alternative. This is not unusual in diplomatic settlements. This is exactly why there need to be shared priorities among the United States and its allies with regard to how they rank potential outcomes. If they freeze a negotiation, with or without making clear what they want and what they are ready to exchange for it, they will wait until the counterpart adjusts its priorities. If they decide to withdraw from a negotiation, they must declare withdrawal and return to a maximum-pressure campaign by employing all possible measures to press North Korea to act the way they want.

In reality, being able to withdraw without prompting additional North Korean provocations is unlikely.<sup>42</sup> At the same time, entering pricing negotiations comes with the risk of making a less-than-desirable concession. Therefore, the United States and its allies need to share not only priorities, but also **(Q3-1) the bottom line or deal breakers that mean they need to freeze the negotiation to wait for Kim Jong-Un's change of mind**. This exercise is essential to keeping cool heads. There could be a moment when the negotiators need to walk away, or at least freeze the talks, if they cannot come to an agreement with North Korea on a matter critical to ensuring denuclearization. This might have been exactly what people saw in Hanoi. However,

freezing talks should come from being unable to find a common ground where all parties' conditions are satisfied, not as a result of being "cheated." This approach helps to prevent rushing into something that could turn out to be against US and allied interests—for example, a military strike—when it is necessary to walk away from the table. In addition, having a clear understanding of deal breakers is useful, so as to not make the process maintenance an objective itself. This is particularly true when a process is initiated by a top leader, as is currently happening. The leader could hold excessive ownership of the process and, out of concern for being criticized for having failed, he cannot break up or suspend the talks even when necessary. This, in turn, may weaken his negotiating position.

## Points to be taken into account when considering walking away

Freezing a negotiation is not an easy option, and some accompanying risks and costs need to be taken into account. There are two key questions for ascertaining these risks and costs: **(Q3-1-1) Whose side is time on? (Q3-1-2) How to involve China and Russia (and South Korea)?**

- ◆ Whose side is time on?
  - ◇ Even if North Korea has dismantled all nuclear (fissile materials and weapons) and missile-production facilities, the United States and its allies know that when they walk away, North Korea might continue producing these weapons and their delivery means at covert facilities. It could also rebuild facilities it once scrapped, although this would create an environment that would make it easier to return to an international pressure campaign. The reason many people were seriously concerned about the United States' possible military attack against North Korea in 2017 was that they assumed North Korea might have achieved nuclear capabilities that could reach the US

<sup>42</sup> At the press conference in Hanoi, President Trump said, "Chairman Kim promised me last night...he's not going to do testing of rockets and nuclear."

mainland. Before deciding to freeze talks with North Korea, the United States and its allies will need to seriously calculate North Korea's potential nuclear and missile capabilities, in case the standstill continues for months, or even years. The most probable situation would be that North Korea keeps its commitment to denuclearization "of the Korean Peninsula," and refrains from conducting further nuclear tests and missile launches, but continues secretly producing fissile materials, nuclear weapons, and missiles, and secretly adds technical adjustments and improvements to its military capabilities.<sup>43</sup> **(Q3-1-1a) What does it technically mean to have no additional nuclear tests and missile launches?**<sup>44</sup> **(Q3-1-1b) What is the marginal utility of increased fissile materials, nuclear weapons, and ballistic missiles in terms of North Korea's threat against them?** Although these are tough assumptions to make given limited information and North Korea's extremely secretive system, all available intelligence and technical analyses need to be mobilized in order to gain a better understanding of the pros and cons of freezing negotiations.

- ◇ North Korea's internal economic situation is another element that could impact the question of who has time on their side. Regardless of how sincere Kim Jong-Un is about denuclearization, improving North Korea's domestic economy is thought to be a major motivator in changing his approach to the United States, South Korea, and the rest of the world. There is an almost-unanimous consensus in this regard, even among experts who do not believe North Korea will ever denuclearize itself. In other words, as-

sessing **(Q3-1-1c) how (long) North Korea can economically bear the "frozen" situation** is indispensable for having a better understanding regarding whose side time is on. In conjunction with this, it should be noted that North Korean society is currently experiencing significant and rapid changes, caused by the spread of a *de facto* market economy. As the state can no longer take care of people's livelihood through systemic supply, it has no choice but to let people make their own living through freer economic activities. Under these circumstances, those with business savvy and those who have good connections with the regime or foreign countries have been successful, and have emerged as the "new riches." Money worship is prevalent in every corner of North Korean society, and the power of ideology is increasingly weakening. What people expect of Kim Jong-Un is not that he makes North Korea great, but that he does not disturb their economic activities. Of course, such a situation creates a certain level of anxiety among the leadership and elites; North Korea's media repeatedly warns against an influx of "rotten capitalist thoughts." At the same time, however, the leadership and elites understand they can no longer reverse the course.<sup>45</sup> Although North Korea is an extremely resilient regime that can shift maximum burden on its own people, these changes are likely to have a significant impact on North Korean society, and may have the potential to bring about both opportunity and risk for the world.<sup>46</sup>

- ◇ Actually, for Kim Jong-Un, the most serious time constraint might be the term of

43 Until its fourth nuclear test in January 2016, North Korea did not conduct a nuclear test for almost three years. Long-range missile (including what North Korea calls "satellite") launches that led to a UNSCR were also not conducted for more than three years, from December 2012 to February 2016. During this time, however, North Korea steadily developed its nuclear and missile capabilities.

44 The major reason to demand North Korea stop nuclear tests and missile launches is not because these actions are provocative, but because they improve the credibility of North Korea's nuclear and missile capabilities. In other words, having North Korea refrain from conducting these actions has its own military and technical significance. In this sense, it would be fair to say that engagement with North Korea at the highest level by the United States, the ROK, China and Russia has at least worked to lock Kim Jong-Un in a situation where he is unable to easily conduct additional tests and launches.

45 The currency reform in November and December of 2009 was an attempt "to transfer wealth from those engaged in 'illegal' market activity and from households that had saved to the political and military elite," but it turned out to be a miserable failure; the government not only had to withdraw it quickly, but also laid the blame on certain officials as responsible for the failure. See Dick K. Nanto, "The North Korean Economy After the 2009 Currency Reform: Problems and Prospects," *International Journal of Korean Studies* XV, 2 (2011), [http://icks.org/n/bbs/content.php?co\\_id=FALL\\_WINTER\\_2011](http://icks.org/n/bbs/content.php?co_id=FALL_WINTER_2011).

46 Taking a close look at what is going on in North Korea might mean establishing a liaison office in North Korea when the United States and its allies have a legitimate opportunity to do so. Though this does not assure quick and meaningful collection of intelligence, conducting fixed-point observation would significantly increase the quality and quantity of information regarding the on-the-ground North Korea situation in the longer term.

President Trump. No president before or after Trump would say that he or she “fell in love” with Kim Jong-Un.<sup>47</sup> A series of North Korean messages, including Kim’s personal letters to his US counterpart, strongly suggest Kim would like to make a deal with the current president of the United States while he is in office. It is questionable whether this is because Kim believes Trump is trustworthy or convenient, but this situation is still not bad for the United States, in that it implies time is on its side, although Kim’s views toward his US counterpart might have been negatively affected by the bitter aftertaste of the summit meeting in Hanoi.

- ◆ How to involve China and Russia (and South Korea)?
  - ◇ It should be remembered that all previous UNSCRs were triggered by North Korea’s major provocations. It will be extremely difficult to pressure China and Russia, which have veto power at the United Nations Security Council, to support additional UN sanctions simply because North Korea does not take actions that the United States and its allies want—including those required by the UNSCRs—in a situation where North Korea does not take any provocative actions and continues to engage with South Korea and other parts of the world, including China and Russia. The United States, Japan, and other likeminded countries might need to consider an array of effective unilateral sanctions, although it would be difficult for these measures to be effective to the extent that they change Kim Jong-Un’s calculus, because transactions between North Korea and these countries have already been sufficiently small. South Korea, which places high priority on inter-Korean reconciliation and does not want to see a return of tension with North Korea, is also likely hesitant to go back to

a pressure campaign solely on the grounds of North Korea’s inaction.

- ◇ Therefore, for the United States’ potential walk-away strategy to be effective, the key would be how to impress the legitimacy of doing so to the rest of the world, particularly China, Russia, and South Korea. After all, again, what is important is to have shared priorities. As for how to link what the United States and its allies want from North Korea and what they are ready to give—in other words, pricing North Korea’s actions—China and Russia, and even South Korea, tend to insist that North Korea can, and should, be offered a higher price for certain actions, or that certain measures should be sold less expensively. Having the possibility of needing to freeze negotiations in sight might suggest that it is in the US and allied interest to set a multilateral mechanism at a point in the near future—not only among the United States, Japan, and the ROK, but also by involving China and Russia—through which these stakeholders discuss and share perspectives about the reasonable pricing of North Korea’s actions before talking to North Korea. This mechanism would also be effective to control what China and Russia give to North Korea as part of any reward. China desperately wants to see continuity of talks between the United States and North Korea for its own interests.<sup>48</sup> Although China is now engaged in exchanges with North Korea independently from the US-DPRK and inter-Korean talks, if the United States urges China to coordinate its approach to North Korea, China has good reason to accept it, even partially and reluctantly.<sup>49</sup>

### The worst scenario: North Korea’s regression

Although it is highly unlikely at this time, it might be meaningful brainstorming to consider a scenario where

47 Philip Rucker and Josh Dawsey, “‘We Fell in Love’: Trump and Kim Shower Praise, Stroke Egos on Path to Nuclear Negotiations,” *Washington Post*, February 25, 2019, [https://www.washingtonpost.com/politics/we-fell-in-love-trump-and-kim-shower-praise-stroke-egos-on-path-to-nuclear-negotiations/2019/02/24/46875188-3777-11e9-854a-7a14d7fec96a\\_story.html?utm\\_term=.a3b5f0db97d4](https://www.washingtonpost.com/politics/we-fell-in-love-trump-and-kim-shower-praise-stroke-egos-on-path-to-nuclear-negotiations/2019/02/24/46875188-3777-11e9-854a-7a14d7fec96a_story.html?utm_term=.a3b5f0db97d4).

48 Taisuke Mibae, *The United States and Its Allies Need to Understand China’s North Korea Policy*, *Atlantic Council*, December 17, 2018, <https://tinyurl.com/y4eu8npy>.

49 Some experts discuss application of the Iranian nuclear deal to the North Korean nuclear issue, but many more experts dismiss it, saying that the two cases are totally different. One thing that might be applicable from the Iranian case is the negotiation formula, in which the P5 and Germany first coordinated their positions and then talked to Iran. This was not observed in the Six-Party Talks, and North Korea was consequently given room to manipulate talks among the member states.

## Priority-Based Approach to the North Korean Nuclear Issue— An Enlightened Dose of Self-Centeredness

North Korea demonstrates total regression by declaring withdrawal of its denuclearization commitment, declaring full-scale production of fissile materials, nuclear weapons, and ballistic missiles, and even conducting further major provocations.<sup>50</sup> In short, a return to the situation of two years ago.

Responding to North Korea's provocations is not necessarily difficult, unless there is a need to decide whether to respond with military action, including a "preventive" or "preemptive" strike. There is no reason to hesitate to implement tougher measures, including a new UNSCR. China and Russia's cooperation is not guaranteed, but in light of their attitude to previous provocations by North Korea, it should be relatively easier to involve them in a new maximum-pressure campaign.

Then **(Q3-2) what's next if "maximum pressure" does not take quick effect in changing North Korea's course again?** It should be remembered that, in the course of North Korea's series of nuclear tests and missile launches in 2017, people argued a lot about a hard choice between a long game, such as a cold war or co-existence with a nuclear North Korea—by using deterrence, containment, pressure (e.g., sanctions), and engagement (when possible)—and physical elimination of North Korea's capabilities with military action against North Korea, with a risk of military retaliation that would involve massive casualties.

At the height of tension in 2017, there were serious debates among experts over the validity and feasibility of the military options. Many nongovernmental experts rejected the military option for the following reasons.

- ◆ North Korea is deterrable and Kim Jong-Un is rational: The United States fought a Cold War with the Soviet Union, which possessed a tremendous number of nuclear missiles capable of reaching the US mainland. Even now, Russia and China have such capabilities. Why does the United States have to believe it cannot deter and contain North Korea as it did with the Soviet Union?
- ◆ Massive casualties will occur in South Korea and Japan, as well as the United States: They argue when the United States conducts a "preventive" or "preemptive" attack, Kim Jong-Un has no choice but to retaliate militarily, which

will cause massive casualties in South Korea and Japan, both of which are already within the range of North Korea's missiles. US citizens and forces on the peninsula will also be involved. North Korea might even launch a nuclear warhead at the US mainland.

- ◆ The United States and its allies lack sufficient knowledge about the whereabouts of North Korea's nuclear weapons and missiles: That means they cannot completely eliminate North Korea's capabilities with a first strike, and North Korea is able to retaliate.
- ◆ China's response is unclear: China is still party to a security treaty with North Korea that ensures one party is obligated to provide military aid and other assistance when the other is attacked. It is said that China recently changed its interpretation of the relevant provision, so that it will not help if North Korea launches an attack, but how China might respond if North Korea is attacked first is unknown. China's military involvement with the United States would create significant complexities.
- ◆ South Korea could leave the United States: Whether conservative or progressive, the South Korean people and government are completely opposed to any military option against North Korea. If the United States conducts a first strike against North Korea despite strong opposition from the South Korean government and its citizens, it would mean the end of the US-ROK alliance, which would likely bring South Korea much closer to China and change the strategic landscape in Northeast Asia.

However, military options were supported by some people who argued the following points.

- ◆ North Korea is not deterrable and Kim Jong-Un is crazy: One can point to a number of North Korea's actions and performances that can be interpreted as irrational, including the terrorist attack against the Blue House, the terrorism against South Korean senior officials in Myanmar and against a Korea Air passenger jet, abduction of South Korean and foreign citizens, the Cheonan ship sinking, the bombardment of Yeonpyeong Island, the execution of

50 Many news media reported about North Korea's missile-related activities following the summit meeting in Hanoi. See, for example, David Brunnstrom and Hyonhee Shin, "Movement at North Korea ICBM Plant Viewed as Missile-Related, South Says," Reuters, March 7, 2019, <https://tinyurl.com/yxv93nv8>.



Kim's uncle, the assassination of Kim's brother-in-law, etc.

- ◆ Taking initiative provides an advantage: Above all, a “long-game” option is mostly a waiting strategy, dependent on what one cannot necessarily control, filled with risks and uncertainties that stem from the irrational actions of North Korea.
- ◆ Risking today's casualties (mostly among North Korea's neighbors) would prevent much greater future casualties (which would definitely include US casualties): North Korea's intention to possess nuclear missiles could not, and probably will not, be just about deterring the United States. By discouraging US intervention with nuclear missiles capable of reaching the US mainland, North Korea will pursue reunification of the Korean Peninsula on its own terms. It will be too late when North Korea's intentions square with its actions; sooner is better than later.
- ◆ The United States and its allies will eventually win: Considering the huge difference in military capabilities between North Korea on one side and the United States and its allies on the other, the latter side would ultimately prevail. There would be death and destruction, but the United States and its allies will eventually win, North Korea will be destroyed and eliminated from the map, and a better world will follow.

While struggling over how to avoid facing such unappealing choices, the critical questions people asked were if Kim Jong-Un was rational and if North Korea was deterrable. In other words, if the United States and its allies could treat nuclearized North Korea like other nuclear-armed countries, such as Russia and China, which the United States countered with nuclear deterrence, rather than by physically taking out their nuclear capabilities.

Another critical question was if North Korea's objective to possess nuclear weapons and missiles was only to deter the United States and its allies, or also to pursue reunification of the Korean Peninsula on its own terms, by discouraging the United States' intervention via its nuclear capability to reach the US mainland.

Opinions are divided on this topic. Some argue that North Korea's goal in possessing nuclear missiles is a coercive strategy, mentioning the following points: Since initiating the Korean War, North Korea has conducted a series of attacks and harassment against the South; North Korea repeatedly advocated reunification as its ultimate goal, and expressed its readiness to use force with the expectation of fomenting revolution in South Korea; and North Korea is still actively exerting influence on South Korean society. Other people argue: North Korea's proposal of Democratic Confederal Republic of Koryo in the early 1980s was a compromise in which the south was superior to the north economically and militarily; particularly after the 1990s, North Korea's attitude toward reunification was quite defensive, and it repeatedly expressed opposition to “reunification by absorption”; and, it is unrealistic that communist North Korea govern the southern part of the peninsula, a liberal-democratic and capitalist regime, particularly after being destroyed by military means.<sup>51</sup>

After all, these are questions pertaining to Kim Jong-Un's intentions and, as discussed in the beginning of this report, nobody knows the right answer. Also, those intentions can change overnight.

These questions could probably be boiled down into one, more fundamental question: **(Q3-2-1) if Kim Jong-Un is suicidal.** No matter how many casualties are caused on the other side, North Korea engaging in a major war with the United States and its allies would definitely lead to the end of Kim's regime, if not necessarily the end of the Democratic People's Republic of Korea. At the very least, it would be extremely difficult for Kim to even imagine a scenario in which he defeats the United States and its allies and survives.

Although answering these questions requires understanding North Korea's rationale for a series of risky actions that significantly increased tensions in the past few decades—causing the United States and/or the ROK to seriously consider, and even prepare, retaliation—considering North Korea's mindset and behaviors over the course of history, there is good reason to assume that North Korea is not suicidal. The driving force behind its behavior is self-preservation, not self-destruction. A rough sketch of this course of history could be summed up as follows.<sup>52</sup>

51 On February 28, 2018, North Korea's *Rodong Sinmun* (Workers' Newspaper) carried a comment criticizing US officials' statements addressing the idea that North Korea's nuclear weapons are to reunite the peninsula under a communist regime as “absurd.” Of course, it is reasonable not to trust that comment, and careful reading does not show a direct denial.

52 Based on Narushige Michishita, “Kita-Chosen Setogiwa Gaikou no Rekishi,” (North Korea: Its History of Brinkmanship Diplomacy), *Minerva Shobo*, June 2013, <http://www.cdjapan.co.jp/product/NEOBK-486386>.

## Priority-Based Approach to the North Korean Nuclear Issue— An Enlightened Dose of Self-Centeredness

- ◆ From the late 1960s through the early 1970s, North Korea's series of attacks around the Demilitarized Zone (DMZ) were ambitious and aggressive. At that time, North Korea assumed that: its military power was superior to that of South Korea; it was protected by the Soviet Union and China, with whom it concluded mutual-defense treaties in 1961; the United States was preoccupied with the Vietnam War and did not want another war; the United States would not let South Korea take actions that could develop into a major war; and the anti-military-dictatorship and democratization movement in South Korea was anti-war, and would work in North Korea's favor.
- ◆ In other words, one can reasonably assume that when North Korea sensed some of these advantages were no longer present, it adjusted its actions. From the early 1970s through the early 1980s, North Korea's military actions became less intensive, but were still well coordinated with diplomacy. In facing the US-China reconciliation and the steady growth of South Korea's economy, North Korea had to adjust the intensity of its actions to leave room to deal diplomatically with the United States. China and the Soviet Union's attitudes were also important. By promising protection with the mutual-defense treaties, they obtained leverage to control Kim Il-Sung and keep him from involving them in a war with the United States. Although North Vietnam's success encouraged Kim Il-Sung to think that North Korea could win if war broke out on the Korean Peninsula, China held him back.<sup>53</sup>
- ◆ Above all, however, the most important lesson North Korea learned throughout these two decades of direct confrontation with the United States was that the United States does not want war (and will not let the South go to war). Despite the high level of tension, the United States did not retaliate militarily. It is highly plausible that these experiences constituted

the foundation of North Korea's thoughts on establishing the extent to which it can provoke the United States (and the ROK). This caused a lower psychological threshold, leading North Korea to resorting to terrorism in the 1980s and nuclear weapons in the 1990s.

Those who insisted on a "bloody nose" surgical strike against a limited number of North Korea's nuclear facilities could employ this conclusion to assert that North Korea is rational enough to refrain from retaliating because Kim Jong-Un understands it would be suicidal for his regime. However, no one knows how Kim Jong-Un would react in such a situation; North Korea's response to a unilateral military attack from the United States (or the ROK) has never been tested. Kim might respond with a "targeted" or "measured" military retaliation, but by what criteria should the United States judge whether it is targeted or measured, and whether further escalation is unnecessary?<sup>54</sup>

Some experts argue that too much pressure could make North Korea fatalistic and drive it to take desperate measures and act suicidal. This claim is often made by those who believe in engagement with North Korea, those who usually argue against military options and insist that North Korea is deterrable.<sup>55</sup> If Kim Jong-Un is rational, how can he be provoked into taking suicidal actions? At the very least, one needs to develop a persuasive argument about where the "red line" is that absolutely cannot be crossed without provoking a suicidal response from North Korea. Throughout its history, North Korea has not committed a single act that can be seen as done out of desperation.

Bizarrely, the most frequent precedent cited by people who insist on this theory of "a cornered mouse bites the cat" is Pearl Harbor. However, the Japanese leadership at that time did not conduct the attack out of desperation; they believed they had a well-calculated strategy in which a "bloody nose" would bring about a better settlement with the United States. If one is to apply the lessons of Pearl Harbor to North Korea, it is not desperation that should be avoided, but miscalculation and escalation. Particular attention should be

53 Shen Zhihua, "Saigo no Tencho," (The Last Chinese Imperial Court), Iwanami Shoten, September 2016.

54 Victor Cha argued, "If we believe that Kim is undeterrable without such a strike, how can we also believe that a strike will deter him from responding in kind? And if Kim is unpredictable, impulsive and bordering on irrational, how can we control the escalation ladder, which is premised on an adversary's rational understanding of signals and deterrence?" Victor Cha, "Giving North Korea a 'Bloody Nose' Carries a Huge Risk to Americans," *Washington Post*, January 30, 2018, [https://www.washingtonpost.com/opinions/victor-cha-giving-north-korea-a-bloody-nose-carries-a-huge-risk-to-americans/2018/01/30/43981c94-05f7-11e8-8777-2a059f168dd2\\_story.html?utm\\_term=.5c0b423463e6](https://www.washingtonpost.com/opinions/victor-cha-giving-north-korea-a-bloody-nose-carries-a-huge-risk-to-americans/2018/01/30/43981c94-05f7-11e8-8777-2a059f168dd2_story.html?utm_term=.5c0b423463e6).

55 Many Chinese experts utilize a similar argument, but they are mostly worried about "implosion," not "explosion." They insist that too much pressure would influence North Korea's ordinary citizens to be refugees and flow across the border into China. This worry is often reflected in China's attitude when negotiating a UNSCR. Like the "engagement-school" people, they are also not successful in showing a persuasive line that would make North Korea implode.

paid to the fact that one of North Korea's major justifications for its nuclear expansion is that nuclear weapons are less expensive than conventional weapons. Whether this calculation is correct or not, it implies that North Korea may have a vastly different calculus regarding the "escalation ladder," where the threshold for use of nuclear weapons is much lower, as North Korea is not sufficiently equipped to fight a war with conventional weapons. That North Korea is not suicidal does not necessarily mean it would not attempt to bring its opponents down with it when it faces destruction, including a case of "implosion," where the regime assumes it could be overthrown by its own people. It is a well-known story that when asked by Kim Il-Sung if North Korea could fully fight against the United States if attacked, Kim Jong-Il answered, "We cannot win, but then I would destroy the globe; if the DPRK cannot exist, there should be no globe."

Some experts argue that the most serious possibilities that require attention are a nuclear accident or natural disaster. North Korea's management of fissile materials is not trustworthy.<sup>56</sup> After the sixth nuclear test in September 2017, some natural earthquakes were detected around the nuclear test site. However, providing North Korea with any technical assistance would be extremely difficult in relation to the proposition not to recognize it as a nuclear-weapon state. This could be a reason to make the best use of the current opportunity to place North Korea's fissile materials under control.

Therefore, on the premise that North Korea is not suicidal, the actual question is: **(Q3-2-2) Would the United States be discouraged to protect its allies if North Korea were to threaten the US mainland with its nuclear missiles?** The answer makes a critical difference. As long as North Korea is not suicidal, and if the United States can convey that it maintains its commitment of extended deterrence—even at the risk of sacrificing its own cities and citizens—then North Korea can be deterred regardless of Kim Jong-Un's intentions. Here, the player who decides the terms of the game is not North Korea, but the United States. When seeing North Korea's regression, the president of the United States needs to continue to state, "If [the United States] is forced to defend itself or its allies, we will have no choice but to totally destroy North Korea."<sup>57</sup>

One would think that those who insist on "preemptive strike" or "preemptive war" simply do not have the confidence to answer "no" to this question. Insistence on detaching South Korea from the sphere of US defense responsibility, which was seen at the height of tension in 2017, also comes from the same diffidence. These two opinions are actually two sides of the same coin. Insistence on "capping" North Korea's nuclear and missile capabilities is also based on the premise that a situation where "North Korea can threaten unacceptable damage against the United States" poses "a very difficult challenge to the credibility of the United States' commitment to defend South Korea and Japan in a future conflict with North Korea."<sup>58</sup> At the same time, US allies need to be fully aware that preferring a "no-war" or "long-game" approach effectively puts the United States in a difficult situation. Alliance is an instrument that can be maintained only by constant commitment, deliberate endeavors, and firm trust among all parties concerned, not something automatically given when necessary.

Will the United States and its allies then choose a "long game" with North Korea, with deterrence, containment, and pressure? Among many points to consider in pursuing this strategy, the most critical one is that they cannot declare that they choose the long game. Such a declaration would embolden North Korea to proceed with nuclear and missile programs, without hesitation. Therefore, the US president needs to maintain his statement that, "All options are on the table." The reality is that this strategy, even if chosen, is the least likely to be explicitly adopted through an institutionalized decision-making process; instead, it becomes a tacit, mutual understanding among policymakers. The question of whether this strategy is compatible with the decision not to recognize North Korea as a nuclear-weapon state should also be raised. When North Korea sees this strategy, it may proudly advertise that this serves as recognition by the United States of North Korea's nuclear status. This would not only embolden Kim Jong-Un, but also inflict serious damage on the NPT regime. North Korea is the first case where an NPT signatory announced its withdrawal and developed nuclear weapons. Other "rogue states" might be emboldened by North Korea's example.

56 See, for example, Michael Auslin, "Trump Should Help North Korea Keep Its Nukes Safe," *Atlantic*, November 5, 2017, <https://www.theatlantic.com/international/archive/2017/11/trump-help-nuclear-north-korea/544664/>.

57 "Remarks by President Trump to the 72nd Session of the United Nations General Assembly," White House, September 19, 2017, <https://www.whitehouse.gov/briefings-statements/remarks-president-trump-72nd-session-united-nations-general-assembly/>.

58 Toby Dalton, Ariel (Eli) Levite, and George Perkovich, "Key Issues for US-North Korea Negotiations," Carnegie Endowment for International Peace, June 4, 2018, <https://carnegieendowment.org/2018/06/04/key-issues-for-u.s.-north-korea-negotiations-pub-76485>.

## Conclusion

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The ultimate resolution to hard diplomatic issues is not always related to direct efforts to resolve them. The resolution often comes down more to an “Act of God” than anything else. This could be a change in leadership, a natural disaster, a terrorist attack, etc. These occurrences could provide the stakeholders with a good reason to restructure their priorities.

Many experts doubt that the charm offensive Kim Jong-Un started early last year belongs to this category, but it would at least be fair to assume that he is serious this time. First, he initiated the process early in the presidential terms of President Moon and President Trump, which means he would like to strike a deal with these leaders. Second, he said and did many unprecedented things, some of which even run counter to North Korea’s previous declarations. Maybe Kim Jong-Un sees Trump’s presidency as an “Act of God.”

One can also assume, however, that Chairman Kim is serious about cheating the United States. He is obviously trying to achieve something, but there is no guarantee that what he and the United States and its allies want is identical. What is clear is that the United States and its allies do not know what Kim Jong-Un thinks. All things that are mentioned about his intentions are nothing but speculation. Even what he actually says may not reflect his true intention. He might be serious about denuclearization, or he might not be.

The current situation surrounding the North Korean nuclear issue is obviously different from the one present up to the end of 2017. At least some of the major stakeholders have had opportunities to directly interact with the leader of such a closed regime. There is no reason not to assume that this might be an opportunity, and not to explore ways to take advantage of this opportunity, while also preparing for a scenario in which it is not actually such an opportunity.

This is why the upcoming process is for the United States and its allies to test Kim Jong-Un. They need to prepare questions and a scoring criteria, and consider what to do if he passes, or if he fails. The exercises discussed in this paper are exactly in line with this proposition.

Because of North Korea’s extremely closed and opaque regime, and the decades of history in which

denuclearization of North Korea failed, there is good reason to be worried about the way forward. However, policy professionals are not employed to worry and complain. It is the basics of policymaking to make a distinction between what one can control and what one cannot, and concentrate on the former. It is important to be on the offensive. Predicting possible future scenarios in relation to North Korea is not the same as predicting the outcome of a horse race. It is necessary to predict multiple possible developments, and consider responses to each of them. What is particularly important is to understand what dilemmas or tradeoffs could become obstacles, and to consider what is negotiable and what is not, with some solid criteria to distinguish them.

At the same time, efforts to make more accurate assumptions regarding a state or regime will help a lot. Certainly, making assumptions regarding North Korea is extremely difficult, due to the opacity of the regime and its lack of communication with the rest of the world. What is particularly difficult when it comes to North Korea is that assumptions are easily politicized and turned into partisan issues.<sup>59</sup> People on both sides of the political spectrum often cherry-pick assumptions to suit their own opinions. However, this should, by nature, be a value-neutral work where working-level people and experts play central roles for information gathering and analysis, using all available resources: history, facts, data, logic, experiences, insights, and studies. Regardless of one’s priorities or political preferences, having a more informed assumption that is closer to reality is essential for making optimal choices.

After the fallout from the summit meeting in Hanoi, the way forward is still unclear. Regardless, whichever course is taken, the United States and its allies will face many tough tradeoffs and choices. As discussed throughout this paper, all scenarios require them to consider, discuss, consult, prepare, and decide many things, individually and collectively. Since President Barack Obama’s “strategic patience” was seen and criticized as neglect or inaction, the word “patience” has taken on a negative connotation when discussing policies toward North Korea. However, in preparing, waiting for policies to take effect, and talking with North Koreans, extraordinary patience is required. The United States and its allies need to be ready.

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59 Cheol-Hee Park argues: “Both optimists and skeptics take an extremely rigid position regarding North Korea’s denuclearization. They act as if they know what will happen in the future. Many of their claims are based on ideological belief or repetition of stereo-typed biases.” Park, “Beyond Optimism and Skepticism about North Korean Denuclearization: A Case for Conditional Engagement.”

Priority-Based Approach to the North Korean Nuclear Issue—  
An Enlightened Dose of Self-Centeredness

## About the Author

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