A Nuclear-armed North Korea: Accepting the ‘Unacceptable’?

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A stock character in children’s stories is the well-intentioned but guileless fellow, who, through a combination of naïveté, bad luck and poor decisions, finds himself in a dangerous situation from which he cannot easily extricate himself. At this point in the narrative, hopelessly outnumbered, surrounded and out of options, he typically turns to his trusty sidekick (for there is always a trusty sidekick) and confidently exclaims, ‘now we have them just where we want them’.

One cannot help but recall these stories, and this intrepid character, when reading recent analyses of North Korea’s behaviour, especially in the wake of its 4–5 July 2006 missile tests. A political and diplomatic disaster for Pyongyang, we are assured. North Korea has finally bitten the hand that feeds it, others announce. Kim Jong Il has miscalculated, we are confidently told. Compared to these assessments, the cock-eyed optimism of our fictional friend seems downright pessimistic.

To be sure, the immediate aftermath of the missile launches appeared to bear out these judgements. China and South Korea publicly condemned the missile tests. Beijing even voted in favour of UN Security Council Resolution 1695, which criticised the tests, demanded a suspension of all ballistic-missile activities, and called on all states to prevent any transfer of technology that could be used for the North’s missile or nuclear, biological and chemical weapons programmes; for China, this was an unprecedented public censure of the Kim Jong Il regime. Tokyo and Washington also publicly criticised Pyongyang. The tests no doubt pushed Japan and the United States closer together on security issues, further encouraging Japan’s ‘normalisation’ on military matters.
However, there is less to this response than meets the eye. Much of this short-term anger, certainly in the region, has already evaporated, and it is hard to see any long-term damage to core North Korean interests. It is not at all clear that the North has hurt itself. It may have even emerged ahead of the game.

The UN Security Council resolution was significant largely because of China’s public stance against the Kim Jong Il regime, but it was no secret that Beijing was opposed to the missile tests. Indeed, Chinese Premier Wen Jiabao confidently predicted a few days before the tests that they would not take place. The text of the resolution contained no enforcement mechanisms, did not invoke Chapter VII (the basis for the US military action against Iraq) and imposed no real penalties on Pyongyang; indeed, those were the only grounds on which China and Russia would sign up to it. Neither China nor South Korea had previously expressed interest in joining the Proliferation Security Initiative, which would ratchet up the pressure on Pyongyang. That stance did not change after the North’s missile tests. Countries or companies that traded in nuclear and ballistic-missile technology with North Korea before the tests will hardly be deterred after the tests because of this resolution.

More importantly, there is no indication that China and South Korea have turned off the spigot of energy, food and other assistance to North Korea. Despite announcing that it would not resume humanitarian aid shipments until the missile crisis had been resolved and the North had returned to the Six-Party Talks, Seoul resumed assistance in the aftermath of severe July floods in the North. South Korean President Roh Moo Hyun indicated his opposition to any further sanctions on North Korea. (This response highlighted South Korea’s fears that Chinese influence in the North had reached troubling levels – China is now the North’s leading trading partner – and about the subtle competition taking place between Seoul and Beijing to shape the future of North Korea.) And while Japan and the United States made common cause after the July tests, the threat from the North’s ballistic missiles was hardly a new one; the two countries were already working closely in the military and security arenas.

North Korea’s tests also exposed fissures among the other parties to the Six-Party Talks. Japanese Cabinet Secretary Shinzo Abe, the presumptive successor to Prime Minister Junichiro Koizumi, and others asserted Japan’s right to launch preemptive attacks; Abe later had to backtrack from these statements in the wake of international criticism, especially from South Korea. Remarkably, Seoul seemed to find Abe’s statements more threatening than the missile launches themselves, issuing a strong rebuke to Tokyo: ‘There is no reason to fuss over this from the break of dawn over Japan, but every reason to do the opposite.’3 And the missile tests also damaged the credibility of the US security umbrella;
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despite well over a $100 billion invested in ballistic-missile defence, doubts were expressed in both Tokyo and Washington about America’s ability to intercept the North’s missiles.

A fuller examination of the balance sheet of North Korean gains and losses thus arrives at a different tally than the initial analyses. On the plus side, the North was able to break out of its self-imposed missile moratorium and test three different types of rocket (Scuds with ranges of 500–900km, No-dongs with a range of 1,300km and the Taepo-dong 2, with a top range of 6,000km) for the first time since 1998. The test firings were also a demonstration for potential customers; some news reports alleged that Iranian officials witnessed the tests. It may have provided Pyongyang with an extra measure of psychic gratification to know that the multiple launches, at night, reportedly surprised foreign observers.

On the domestic front, the tests may have served multiple purposes simultaneously. A flexing of military muscle no doubt pleased the hardliners in the DPRK military, the Dear Leader’s most important constituency, by strengthening the country’s deterrence and defence capabilities consistent with its songun or ‘military first’ policy. Interestingly, it may also have satisfied those in the Foreign Ministry and elsewhere who wished to re-engage with the United States in the Six-Party Talks. According to this line of reasoning, only further ‘provocations’ would underscore the urgency of negotiating with Pyongyang and force the United States to adopt a more flexible posture at the negotiating table. Voices inside South Korea, as if on cue, responded to the tests by calling on the United States to redouble its efforts and accommodate the North in the Six-Party Talks.

While it may be impossible to divine the internal machinations of the Pyongyang regime, there is little question that the tests served as a means to rally domestic opinion more broadly behind the regime by once again playing the nationalist card and belligerently defying the outside world. In effect, the tests were juche (‘self-reliance’) with a vengeance. Perhaps most ominously, the missile launches served as a test run to gauge international reaction, and desensitise the international community and especially North Korea’s neighbours in the region, to future missile tests and even a possible nuclear-weapons test. (Pyongyang did subsequently test a nuclear device on 9 October 2006).

Regardless of how one evaluates North Korea’s gains and losses, it is clear that the other parties to the Six-Party Talks emerged as relative losers, if only because they expressly warned Pyongyang, for weeks in advance, against
taking these steps. Once again, North Korea not only ignored their entreaties, but engaged in precisely the behaviour it was instructed to avoid. Perhaps the least noted and most astonishing aspect of the entire diplomatic process involving North Korea during the past few years has been the almost complete inability of four of the world’s strongest military and economic powers — the United States, China, Russia and Japan — including three nuclear-weapons states and three members of the UN Security Council, to shape the strategic environment in Northeast Asia. They have proven thoroughly incapable of preventing an impoverished, dysfunctional country of only 23 million people from consistently endangering the peace and stability of the world’s most economically dynamic region. This has been nothing less than a collective failure.

**Washington’s woes**

North Korea’s gains have come at the expense, not least, of the United States. Washington has suffered setbacks to its major policy objectives in the region and globally. It has been unable to eliminate the North’s nuclear-weapons programme; in fact, the programme has expanded on the George W. Bush administration’s watch. During the past six years, the North’s nuclear stockpile has increased from enough material for an estimated one or two bombs to approximately six to 12 bombs, according to the open literature. The reactor at Yongbyon has been reactivated and now produces enough plutonium, when separated, to make one or two additional bombs per year. Neither America’s declared policy of seeking a diplomatic solution through the Six-Party Talks nor the preferred policy of some members of the administration to topple the Kim Jong Il regime has been able to secure this objective.

A second goal has been to manage American alliances, most notably with Japan and South Korea. North Korea has driven Japan and the United States closer, but Tokyo still has misgivings about whether Washington will protect all of its equities in the Six-Party Talks, especially those relating to abducted Japanese citizens. It has opened a separate channel to Pyongyang, with Koizumi even holding two summit meetings there, much to the dismay of hardliners in Washington. Relations between Seoul and Washington have declined in recent years, with many observers in both countries openly worrying about the long-term health of the alliance. And while much of this friction has to do with the generational torch being passed to a younger and more self-assured cohort of South Korean leaders, the fundamental difference lies in differing approaches to the North. As long as South Korea remains integral to maintaining the United States as a western Pacific power, Washington needs to work out a modus
vivendi with Seoul over how best to manage its competing approaches to the North.

A third goal is to preserve American status and standing in Asia and here, once again, the Bush administration has suffered some setbacks. Although sound reasons exist for the Six-Party Talks format, with China serving as host and mediator, the perception that Washington has delegated or outsourced its North Korea policy to Beijing has taken hold and diminished its stature while burnishing Beijing’s. More broadly, Washington’s inability (and, to some, its perceived unwillingness) to address competently a significant national security threat – recall that North Korea is a charter member of the original ‘axis of evil’ – has further tarnished American prestige in the region.

Finally, since the start of the nuclear age, the United States has been the foremost advocate of the global non-proliferation regime. Yet its efforts to halt the spread of nuclear weapons have suffered from Pyongyang’s expulsion of International Atomic Energy Agency inspectors and flouting of the Non-Proliferation Treaty, with little discernible price to be paid. Further, there increasingly appears to be a connection between North Korea and Iran that transcends a commercial relationship; it appears that Tehran is borrowing pages from the North’s playbook on how to manipulate the international system to evade UN Security Council sanctions and make a dash for a nuclear-weapons capability. At a time when the non-proliferation regime is under assault from a number of different quarters, Pyongyang’s continuing defiance signals that countries can violate international law and build a nuclear stockpile at little cost.

While a nuclear deal with North Korea would have promoted multiple US foreign-policy goals, the real failure of US diplomacy in the Six-Party Talks during the past few years has not been its inability to reach agreement with North Korea. The real failure has been Washington’s inability, after three years of on-again, off-again negotiations in Beijing, to learn whether North Korea is actually willing to surrender its nuclear-weapons programme, and if so, at what price. The United States has been unable to clarify North Korea’s intentions in the Six-Party Talks, which has handicapped its ability to realise America’s other policy goals in Northeast Asia and around the world.

Talking blues
This is not to gainsay the difficulty of dealing with North Korea. The regime is a very difficult target to penetrate; North Korea has often been called the longest-running intelligence failure in American history. While its intentions are almost always opaque, it is dispiriting to contemplate the extent of our ignorance about
the regime’s capabilities. The litany of questions we do not have answers for, or do not know as clearly as we would like, includes:

- How much plutonium does North Korea possess?
- Has it been able to use this material to assemble nuclear weapons, and if so, how many?
- Where is the plutonium or any nuclear weapons?
- How big are the weapons? Have they been miniaturised to fit on the ballistic missiles currently in the North’s arsenal? Or can they only be delivered across the Demilitarised Zone by ox-cart?
- What is the precise state of the uranium-enrichment programme?
- Has the North transferred any technical knowledge, fissile material or nuclear weapons to third parties? And would we know if it had?

None of these questions presents an insuperable obstacle to negotiating with Pyongyang, but they should provide some perspective concerning the magnitude of the negotiating challenge.

It is far from clear how much this challenge would be tempered if Washington would talk one-to-one with Pyongyang, as many of the Bush administration’s critics urge. There are a host of non-trivial issues, often overlooked, associated with bilateral talks. During the discussions between the United States and North Korea that led to the October 1994 Agreed Framework nuclear deal, Seoul and Tokyo quickly grew to resent their national security equities being negotiated by Washington without their presence and direct participation. Bilateral talks also made it easier for Pyongyang to exploit this asymmetry and pit the allies against the United States. And at various points in these talks, almost always when an impasse had been reached, South Korea and, from time to time, Japan, pressured the United States to make additional concessions to appease the North. These dynamics would certainly be present in any extended bilateral negotiations between the United States and North Korea. Moreover, Washington would face added pressures from China and Russia if they believed their interests were being compromised in bilateral US-DPRK negotiations.

For the United States, then, there is a potentially significant downside to any bilateral negotiations with the North. The upside is harder to see. Presumably, the main purpose of bilateral talks would be for the two parties to exchange positions and ideas directly, without the presence of the other parties. Yet there
is little, if anything, Washington would wish to share with Pyongyang that it had not already discussed with its allies, South Korea and Japan, and perhaps also with the Chinese and Russians. The same logic applies to North Korea. Are the North Koreans really going to share proposals with the Americans that they would withhold from the other parties, especially since any proposal that is discussed would eventually have to be shared with the others? Pyongyang’s demand for bilateral meetings clearly lies outside any traditional logic of negotiating an agreement. For North Korea, for whom status is all-important, the sight of it sitting across the bargaining table from the United States would represent a significant propaganda victory.

None of these arguments is reason enough for the United States not to negotiate directly with North Korea, but they should give pause to those who think that even a fundamental shift in Washington’s approach towards negotiating directly with Pyongyang would automatically yield agreement or not create its own problems.

So is there any chance for a breakthrough in the Six-Party Talks in the next few years?

**A change of style**

The process by which negotiations are conducted cannot guarantee success, but can either impede or facilitate it. The Six-Party Talks are currently plagued by numerous procedural shortcomings. Most obvious is the reluctance of North Korea to even come to the bargaining table, only emerging from its shell after many months of cajoling, flattery and outright bribery by some of the other parties. Sadly, given the duration and extent of these efforts, it sometimes seems as if the sole objective of the Six-Party Talks is to get Pyongyang to show up.

But even after North Korea takes its seat at the table, past practice does not inspire confidence that the parties will be able to conduct business. To date, the negotiations have been overly scripted and far too brief. Typically, the delegations parachute into Beijing for two or three days, where they recite formal talking points, then disappear for another six months or so before they repeat the process all over again. This format makes it impossible to even begin a serious negotiation. Candid, intensive and extended discussions are the only way to probe the other side’s intentions to learn if a deal is possible, and if so, at what cost.

Should these procedural difficulties be overcome, Washington would still need to assign a senior official expressly for these negotiations. An assistant secretary of state, no matter how experienced and talented, cannot devote himself full time to this issue and still fulfil his other responsibilities throughout Asia and
the Pacific. This matter of personnel is related to the larger question of whether the United States, distracted by events in the Middle East and elsewhere, has the requisite political willpower to invest the time, energy and resources to explore in a serious and sustained manner whether a nuclear deal can be reached in the next two years, before the second Bush term expires.

A change of substance
For North Korea, the threshold question is whether it is willing, at any price, to abandon its nuclear-weapons programme, return to the Non-Proliferation Treaty and permit wide-ranging international inspections. Does Kim Jong Il believe he can safeguard his regime – deter threats or coercion from outside actors – without nuclear arms? Expressed differently, does Kim Jong Il believe he stands a better chance of sustaining himself in power if he abandons nuclear weapons, receives external economic assistance and starts to integrate his country into the broader regional economy? Pyongyang has so far not needed to answer these questions; indeed, it may not yet know the answers.

For the United States, the threshold question is whether it can establish a clear hierarchy of policy preferences for North Korea. In other words, can it tolerate the perpetuation of the Kim Jong Il regime in return for a non-nuclear North Korea that nonetheless retains ballistic missiles and a large conventional military, and that continues to repress its own people?

The Bush administration’s declared policy is to negotiate at the Six-Party Talks a diplomatic deal that codifies a change in regime behaviour. Yet Pyongyang may be forgiven for wondering if the administration’s intentions are really regime change. Official documents such as the 2002 Nuclear Posture Review, which identified North Korea in its contingency war plans, and the 2002 National Security Strategy, which elevated the importance of preemption in US foreign policy, along with numerous presidential addresses, suggest a desire to eliminate the Kim Jong Il regime. These statements are bolstered by less scripted but perhaps more revealing comments, such as Bush’s admission to Bob Woodward that he ‘loathes’ Kim Jong Il, his comment that if his options in Korea ‘don’t work diplomatically, they’ll have to work militarily’, and Vice President Dick Cheney’s admonition that ‘we don’t negotiate with evil, we defeat it’. Given this ambivalence, can the Bush administration reassure Pyongyang that it is prepared to live with a non-nuclear North Korea? And if it can, would Pyongyang believe it?

In September 2005, it appeared as if these questions had been answered affirmatively and the contours of an agreement had been reached. On 19
September the six parties signed a joint statement reaffirming that the goal of the talks was the ‘verifiable denuclearization of the Korean peninsula in a peaceful manner’. The North Koreans pledged to return to the Non-Proliferation Treaty and allow International Atomic Energy Agency inspections. The United States stated that it had ‘no intention to attack or invade the DPRK’. Other provisions contained incentives for all the parties, but most especially North Korea, and covered economic cooperation; energy assistance, including nuclear energy; and normalising diplomatic ties.

In retrospect, the joint statement appears to have been initially oversold as a diplomatic breakthrough. Within 48 hours of its having been signed, both the United States and North Korea offered differing interpretations of the text, and even though a follow-on meeting took place two months later, the parties merely used that occasion to repeat previously held positions.

It appears that the parties to the talks rank differently the danger posed by a nuclear-armed North Korea. No doubt all of North Korea’s neighbours would prefer to see it without a nuclear-weapons programme. In fact, they have repeatedly stated that a North Korea with nuclear weapons is ‘unacceptable’. Yet, aside from the United States, the other parties appear willing to accept a nuclear-armed North Korea, at least as long as Pyongyang does not conduct a nuclear test (and perhaps even then).

These different assessments of the threat relate directly to the negotiating strategies the parties have been willing to employ. Ideally, a negotiating strategy contains both incentives for behaviour one wishes to encourage and penalties for behaviour one wishes to discourage; they should complement each other. Because the parties to the Beijing talks view the threat from North Korea differently, however, they differ in their willingness to offer incentives and impose penalties on Pyongyang.

Consequently, one lesson from these negotiations is that North Korea has paid virtually no price for its intransigence. The negotiations are all ‘carrot’ and no ‘stick’, to use the language of the Agreed Framework negotiations during the early 1990s. The absence of any tangible disincentives, or the prospect of any disincentives, for North Korea has handicapped the negotiations.

Specifically, if the top priority of the Kim Jong II regime is survival, any negotiating strategy must aim to influence that core objective. One way is to promote regime maintenance through the incentives offered in the 19 September 2005 joint declaration. But another is to threaten regime survival by reducing, even eliminating, energy and food assistance, and subjecting the regime to further isolation, if it refuses to negotiate seriously and resists a nuclear deal. Otherwise, why should North Korea change its ways? For Pyongyang, muddling through
is far preferable to undertaking the wrenching policy changes denuclearisation would entail.

Since China and South Korea have the greatest economic and diplomatic interaction with North Korea, they have an essential role to play in crafting a more robust approach. To date they have preferred an incentive-based approach, with transfers of energy, food and other assistance to the North Korean regime. Yet this seems to have bought Beijing and Seoul little influence, only massive ingratitude and continuing defiance. Still, they continue to provide assistance unconditionally; indeed, Roh earlier this year stated in what he believed to be an off-the-record comment that the South would continue to assist the North no matter how provocatively or unhelpfully Pyongyang might behave.

As suggested by the responses to the 4–5 July missile tests, there appear to be no circumstances under which Seoul and Beijing would reappraise their virtually unqualified engagement and adopt more coercive strategies against Pyongyang. Their behaviour reveals the ‘dirty little secret’ of Northeast Asian politics – no one in the region favours Korean reunification anytime soon. China and South Korea, and to a lesser extent Japan and Russia, have been reluctant to use their leverage in ways that might further stress the North Korean regime for fear it might cause the country to implode.

Notwithstanding the emotional attraction of a reunited Korea, South Korea knows that its extraordinarily high standard of living – the Organisation for Economic Cooperation and Development currently ranks it the tenth wealthiest country in the world – would be jeopardised were it to absorb 23m poor cousins from the North. It would set back South Korea at least a generation, maybe longer. China, Japan and Russia all believe their influence on the Korean Peninsula would decline after reunification or that a single Korean nation would pose a greater economic and military threat. They share a view similar to that of France towards Germany during the Cold War – we like Germany so much, Paris declared, that we’re glad there are two of them. All of these parties fear a collapsed North Korea more than one that is nuclear-armed.

North Korea, of course, has the most to lose. Reunification promises no bouquets; it would mean the end of the Kim Jong Il regime. Only the United States, the country most distant from the region, is willing to pressure Pyongyang through policies like the Proliferation Security Initiative, the Illicit Activities Initiative and economic sanctions, but these tools are insufficient to collapse the regime.

**Can a deal be reached?**

The odds favouring a diplomatic resolution of the North Korean nuclear programme remain long. The United States would need to resolve its policy
ambivalence and reassure Pyongyang of its willingness to live with a non-nuclear North Korea. North Korea would need to return to the negotiating table, decide it could abandon its nuclear ambitions and start to integrate itself into the larger regional community. China and South Korea would need to demonstrate a willingness to use, or threaten to use, sticks as well as carrots against North Korea. Other myriad procedural and policy objections would also need to be overcome.

Even if we were to make the heroic assumption that all these policy and procedural changes would take place, there would remain the thorny issue of implementing any deal. And no issue will be more complex and contentious in any final agreement than assuring the complete, verifiable dismantlement of the North’s nuclear programme.

Again, there are both procedural and substantive aspects to this issue. Procedurally, North Korea would want to structure any agreement so that it could delay, for as long as possible, having to relinquish its nuclear secrets. A precedent along these lines favourable to Pyongyang already exists under the terms of the 1994 Agreed Framework nuclear deal. Largely because of North Korea’s abrogation of that agreement, the United States would insist that Pyongyang produce its fissile material and any nuclear bombs and related technology up front, before it received any economic, energy or other benefits. In short, the issue here is how one structures the process to determine who goes first.

Substantively, how would the international community have confidence that the North’s entire nuclear-weapons programme had been fully captured? In broad terms there are two ways to construct a verification and compliance regime. The traditional way is for a country to make a ‘correct and complete’ declaration of its nuclear facilities and materials and then allow international access to these locations. This approach places a large responsibility on the inspection agency to locate the North’s nuclear inventory and ferret out any facilities or materials that North Korea did not disclose. This would be a daunting task in any society, but it is especially burdensome given the obsessive secrecy of North Korea, its propensity to dig tunnels and its past record of cheating on international agreements. It is unclear whether this approach would ensure success in uncovering the entire programme. The number of inspectors needed, estimated to be in the hundreds, and the amount of time required to comb North Korea would prove highly problematic for the International Atomic Energy Agency. The level of intrusiveness required is also likely to be a non-starter with North Korea.
An alternative approach would place the initial burden of responsibility on North Korea to produce not just a list of its nuclear facilities and materials, but also the actual materials and related technologies. In other words, Pyongyang would be obligated to deliver all of its fissile material, any nuclear weapons, and any plutonium or enrichment technology for inspection and auditing, before it was removed from the country. What North Korea provided would be assessed against intelligence estimates to account for any discrepancies. This approach would probably not eliminate all questions over the North’s nuclear arsenal, but it promises to capture at least the majority of the programme and reduce the scope of any subsequent disagreement. If the verification debate can be reduced to a few grammes worth of fissile material rather than three or four bombs’ worth, then confidence in any long-term compliance programme, which will be needed in any case, would be that much higher.

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We are a long way from having to worry about the details of a verification and compliance scheme for a denuclearised North Korea. Three years of Six-Party Talks have yielded little. The highpoint of this process was the 19 September 2005 joint statement, but the parties have been unable to build upon the pledges in that document. Most recently, North Korea refuses to return to Beijing unless and until the United States unfreezes accounts in a Macau bank that Washington claims Pyongyang has accumulated from illicit activities. Serious negotiations appear over, or at least in abeyance, for the time being.

The DPRK tested a nuclear device on 9 October as this article was going to press. As with the 4/5 July missile tests, competing strategic conceptions, timelines and visions of Northeast Asia’s future among the key players apply in the wake of the North’s nuclear detonation. Pyongyang’s latest provocation further underscores the urgency of addressing this challenge, but does not alter it.

Only the most myopic or naive observer could believe that we now have North Korea ‘right where we want it’. North Korea may have between six and 12 nuclear weapons and is producing enough plutonium for one or two additional bombs per year. It continues to advance its strategic position without paying an significant price. The strategic positions of the other parties to the Six-Party Talks, on the other hand, continue to erode. None is safer or better off today than it was a few years ago.

The challenge of reversing this slide and negotiating a nuclear deal with Pyongyang should not be underestimated. Even with goodwill and sincerity, enormous obstacles exist. Only when the other parties to the Six-Party Talks
undertake a fundamental reassessment of the costs and benefits of their current policies will there be a chance to rein in, never mind reverse, North Korea’s nuclear-weapons programme.

Notes