Between Iraq and a Hard Place:
A U.S. Strategy for Achieving a Nuclear-Free North Korea

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> Our…goal is to prevent regimes that sponsor terror from threatening America or our friends and allies with weapons of mass destruction…. North Korea is a regime arming with missiles and weapons of mass destruction, while starving its citizens…. States like these, and their terrorist allies, constitute an axis of evil, arming to threaten the peace of the world. By seeking weapons of mass destruction, these regimes pose a grave and growing danger. They could provide these arms to terrorists, giving them the means to match their hatred. They could attack our allies or attempt to blackmail the United States. In any of these cases, the price of indifference would be catastrophic.[1]

Introduction

When President Bush uttered the preceding words as part of his State of the Union address in January 2002, he served notice to North Korea that they were on a short list of countries being scrutinized by the United States as potential nexuses between terrorists and weapons of mass destruction. Nine months later during a visit to North Korea, U.S. Assistant Secretary of State for East Asian and Pacific Affairs James A. Kelly confronted North Korean officials with evidence that they were engaged in a clandestine program to produce highly enriched uranium that could be used to make nuclear weapons. That program was a flagrant violation of the 1994 Agreed Framework under which North Korea agreed to freeze its nuclear weapons program in exchange for improved political relations, 500,000 gallons of fuel oil each year, two light-water nuclear reactors, and U.S. assurances not to use nuclear weapons against North Korea.[2]

Although the North Koreans initially denied the U.S. accusations, they soon acknowledged that the allegations were true and asserted that bilateral discussions with the United States were necessary to address the issue. The United States refused to negotiate, and, in November 2002, the United States and Japan halted shipments of fuel oil to North Korea. The North Koreans then began a series of escalatory events designed to force the United States to the negotiating table. In December 2002, North Korea announced it was going to restart its nuclear facilities at Yongbyon, removed seals and monitoring cameras from a nuclear reactor and spent fuel rods,

and expelled inspectors of the International Atomic Energy Agency. Moreover, in January 2003, North Korea announced it was withdrawing from the Non-Proliferation Treaty (NPT), and in February it restarted the reactor at Yongbyon. In April, during exploratory discussions sponsored by China, the North Koreans announced they had begun reprocessing the spent fuel rods to extract weapons-grade plutonium. They also claimed to already possess nuclear weapons they were willing to test or use depending on U.S. actions.[3]

The United States responded to North Korea's efforts at brinkmanship by maintaining that discussions of North Korea's nuclear weapons should be held in a multilateral forum and that negotiations of any agreements would be conducted only after North Korea dismantled its nuclear weapons program. North Korea, on the other hand, insisted on bilateral talks with the United States and adamantly asserted that it would dismantle its nuclear weapons program only in exchange for security and economic guarantees.[4] The two sides appeared to be in a stalemate that threatened to bring them to the brink of war, with President Bush announcing in May that a nuclear-armed North Korea would "not be tolerated"[5] and North Korea announcing in June that it was close to completing the reprocessing of the spent fuel rods.[6] In August, however, the North Koreans opened the door to a negotiated settlement of the crisis by agreeing to discuss the issue in a multilateral forum that includes South Korea, China, Japan, and Russia, in addition to the United States and North Korea.[7]

Given the alternatives of a nuclear-armed North Korea or military action to eliminate North Korea's nuclear weapons, a negotiated settlement is the best strategy to achieve the U.S. national security objective of denying enemies the ability to threaten the United States with weapons of mass destruction.

North Korean Nuclear Weapons Objectives and Strategy

In developing a U.S. strategy for dealing with North Korea's nuclear weapons program, it is important to try to understand the objectives behind its program. The best means for determining North Korea's primary objectives for acquiring nuclear arms is to look at what it is seeking in return for giving up its nuclear weapons program. North Korea's stated goals for negotiations regarding the country's nuclear weapons are "a U.S.-North Korean non-aggression treaty, U.S. respect for North Korea's sovereignty, and U.S. willingness not to obstruct the North's economic relations with other countries and relevant international financial institutions."[8] In addition, North Korea's ambassador to China has stated, "If the U.S. legally assures us of security by concluding a non-aggression treaty, the nuclear issue on the Korean Peninsula will be easily settled."[9] Those stated goals indicate that regime survival is at the core of North Korea's drive to possess nuclear weapons. In other words, Kim Jong Il feels he needs nuclear weapons to deter U.S. aggression aimed at removing him from power, and the only way he will give up those weapons is if the United States signs a pact forswearing attacks against his regime.

From North Korea's perspective, it is easy to understand why Kim Jong Il feels threatened by the United States. The U.S. National Security Strategy released in 2002 established a policy for preemptive action against states that pose a threat to the United States,[10] and President Bush's inclusion of North Korea in the "axis of evil"[11] has identified it as a potential target of that policy. With its invasion of Iraq, the United States demonstrated that it has the will to back up its words. It is also clear why Kim Jong Il believes he needs nuclear weapons to counter the U.S. threat. Since the end of the Cold War, North Korea has witnessed a growing gap between its conventional military capabilities and those of the United States and South Korea. North Korea acknowledged the disparity when it stated it would treat any new U.S. deployment of high-

tech weapons in South Korea as tactical nuclear weapons to which it would respond in kind.[12] In other words, without a nonaggression pact, North Korea perceives it needs nuclear weapons to compensate for its conventional weakness vis-à-vis the U.S.-South Korea alliance.[13]

North Korea's concerted campaign to force the United States to the negotiating table suggests that the country's leaders feel they have a window of opportunity to achieve a nonaggression pact with the United States. The North Korean regime knows that U.S. military options and resources are limited as long as the United States is preoccupied with Iraq. The North Koreans may also believe the Bush administration will not risk an unpopular military strike against them before the U.S. presidential elections in 2004.[14] The North Koreans' determined effort to show they are proceeding apace with their nuclear weapons program is probably an attempt to convince the United States that the longer it waits to negotiate, the greater the threat it will face. While some may view that as nuclear blackmail, it also demonstrates that North Korea is eager to make a deal, presenting the United States a similar window of opportunity to strike an agreement.

Strategies for Resolving the North Korea Nuclear Crisis

Containment of a Nuclear-Armed North Korea

When President Bush stated that a nuclear North Korea would not be tolerated, he had good cause for doing so, since there are a number of reasons a nuclear-armed North Korea would make the world a more dangerous place. One is that it could lead to the breakdown of the NPT, which has successfully limited the number of nuclear states since the treaty took effect in 1970. If North Korea were to bring its nuclear facilities on line, including the 50 MWe and 200 MWe reactors currently under construction, it would be capable of producing enough plutonium each year for 40-50 warheads.[15] Such a proliferation of nuclear weapons in North Korea would likely

motivate South Korea and Japan to acquire nuclear arms as well. Taiwan and Australia might also be induced to build nuclear weapons. The withdrawal of those countries from the NPT could cause the treaty to collapse, triggering an Asian or even global "domino effect"[16] as other countries scrambled to join the nuclear weapons club. Another concern related to North Korea's producing so much plutonium is that it might sell nuclear weapons or fissile material to terrorists or other nonnuclear countries. While that may not be probable, since Kim Jong Il must realize that if it were discovered it would mean the destruction of his regime, it is still a risk the United States and international community cannot afford to take.

In spite of the above dangers associated with a nuclear-armed North Korea, some argue that the risks could be mitigated by "containing" North Korea's capability to spread nuclear weapons or the technology to build them. The typical containment proposal combines economic sanctions with an air and sea quarantine designed to intercept fissile material, weapons, and missile exports, in addition to cutting off money that North Korea gains from exporting drugs and counterfeit money.[17] The crux of the scheme is to isolate North Korea and apply pressure to the regime of Kim Jong Il until it collapses. While such a plan may appeal to those who do not want to negotiate or go to war with a belligerent North Korea, there are several arguments against containment as a desirable strategy.

The primary reason containment is not a good option is that it is highly unlikely to succeed. For one thing, North Korea is already one of the most isolated countries on earth. Kim Jong Il's regime has continued to survive despite "famine, floods, economic collapse, nuclear crises, the loss of two major patrons in Russia and China, and U.S. pressure."[18] In addition, economic sanctions have historically proven ineffective. As stated by Alon Ben-Meir, Middle East Project director at the World Policy Institute, "They [sanctions] did not work against Iran; they

achieved mixed results against Iraq; and in the over 30 nations that are the target of some form of U.S. economic sanctions, including Cuba, they have not caused a change of either policy or regime."[19]

Another reason containment would be an ineffective strategy is that it would be difficult to gain and sustain multilateral support for such a policy. A containment strategy would need at least to have the backing of the key players in the region: South Korea, Japan, and China. South Korean support would be unlikely, since a sudden collapse of the North Korean regime and the resultant "forced" reunification of the peninsula would exact an enormous economic cost.[20] Japanese support would also be doubtful, since Japan has expressed its preference for a diplomatic solution to the crisis.[21] For its part, China would be wary of a containment strategy, since economic sanctions against North Korea could result in an increased flow of refugees into China.[22] In addition, attempts to contain North Korea's proliferation efforts would draw significant attention to China's own proliferation activities. Finally, even if the strategy were to receive broad support initially, the longer it continued without achieving its desired goal, the harder it would be to maintain as an international priority. Over time, some countries might decide they could live with a nuclear-armed North Korea, especially if economic sanctions were to produce a greater humanitarian crisis.

A further limitation of a containment strategy is that it could provoke North Korea into initiating war if Kim Jong Il felt that represented the last hope for the survival of his regime. The mere potential of North Korea's starting a war would necessitate the deployment of a significantly greater number of U.S. troops to the region, creating a severe drain on U.S. military resources that are already stretched thin and producing a negative impact on the morale of U.S. troops, who are already subject to an extremely high operations tempo.

In addition, adopting a strategy of containment would exacerbate the very situation it was supposed to counteract. Economic hardship could force North Korea into a position where it felt it was necessary to sell plutonium to bring currency into the country. Even though the containment strategy is designed to prevent the export of fissile materials, the amount of plutonium needed to produce a nuclear weapon is smaller than a basketball and does not emit a strong radioactive signature, making it difficult to prevent its being smuggled out of the country.[23] Finally, as North Korea's ability to maintain its conventional forces diminished as a result of economic sanctions, its desire to possess a nuclear arsenal would grow even stronger. If the containment policy failed, the United States would likely face a much more menacing North Korea than today, leaving U.S. policy makers the extremely challenging task of determining a viable follow-on strategy.

Eliminating North Korea's Nuclear Weapons Capability by Force

Another option for resolving the nuclear crisis with North Korea is a preemptive military attack. There are two scenarios for a preemptive attack: a surgical strike to eliminate North Korea's existing nuclear facilities, weapons, and fissile material or an attack designed to produce regime change. A surgical strike can be ruled out, since it would not ensure the elimination of North Korea's nuclear weapons program. The reasons are threefold: (1) a surgical strike would leave Kim Jong Il's regime and his desire for nuclear weapons intact; (2) the United States would not be able to destroy all of North Korea's nuclear facilities, since the locations of some of the facilities are unknown; and (3) any plutonium North Korea has processed thus far has probably been dispersed to multiple secret locations. This leaves the option of a preemptive attack to bring about a change in the North Korean regime.

While there may be those in the Bush Administration who favor a preemptive attack on Kim Jong Il's regime,[24] there are several reasons why it would be a poor strategy option. The most obvious argument against a preemptive military attack is the devastation that would result from a war on the Korean Peninsula. With its conventional weapons alone, North Korea could unleash overwhelming destruction on South Korea. According to Dr. Phillip C. Saunders, Director of the East Asia Nonproliferation Program at the Monterey Institute of International Studies,

> North Korea has between 500 and 600 SCUD missiles that could strike targets throughout South Korea with conventional warheads or chemical weapons. North Korea could hit Japan with its 100 NO DONG missiles. Seventy percent of North Korean army ground units are located within 100 miles of the demilitarized zone separating North and South Korea, positioned to undertake offensive ground operations. These units could fire up to 500,000 artillery rounds per hour against South Korean defenses for several hours.[25]

Moreover, former Commander of U.S. Forces Korea, General Gary Luck, has been cited as estimating that the impact of a war with North Korea would be "$1 trillion in economic damage and…1 million casualties, including 52,000 U.S. military casualties."[26]

Because of the destruction that would result from a military attack on North Korea, it would be nearly impossible to garner multilateral backing for such an action. South Korea would not support an attack, since it would be the one to bear the brunt of North Korea's retaliation. Japan likewise would not support an attack since it would pay a high economic price, even if it weren't directly involved in the conflict. China would also oppose a military strike because "a military confrontation that leads to the demise of the North Korean regime would mean a loss of a strategic buffer that now exists with China, and they could suddenly end up [with] the United States, with all of its power…right there on its doorstep."[27]

It would also be difficult to rally domestic support for military action against North Korea. With large numbers of U.S. troops engaged in operations in Iraq, the initiation of another conflict would likely be very unpopular with the U.S. public, especially since additional Reserve and National Guard forces would have to be called up, because 20 of the Army's 33 combat brigades are already committed to other operations.[28] The economic costs of conducting a war with North Korea and rebuilding it afterwards would also prove a tough sell to Americans, who are already pouring billions of dollars into Iraq each month. All these factors would make a military attack on North Korea a political liability for the Bush Administration, and with elections coming up next year, make this option for dealing with the crisis even more unfeasible.

A Negotiated Settlement to Rid North Korea of Nuclear Weapons

North Korea's agreement to discuss the issue of its nuclear weapons program in a multilateral forum has given hope to the prospect of defusing the situation via negotiations rather than conflict. South Korea, Japan, China, and Russia have all expressed their desire for a diplomatic solution of the crisis.[29] Nevertheless, for a negotiated settlement to succeed, certain factors have to be addressed before discussions begin. One is that the United States and other participants in the negotiations need to reach a consensus on the roadmap for the deliberations. All must agree that the only acceptable outcome of the discussions is the complete and verifiable dismantlement of North Korea's nuclear weapons program. Agreement on that objective should not be difficult, since the countries involved have made it their position that the Korean peninsula must be free of nuclear weapons.[30] Another point on which agreement is necessary is that all options, including a military one, need to be left on the table in case North Korea refuses to cooperate during the discussions. It is imperative that North Korea understand that multilateral negotiations are the last chance for a peaceful resolution of the crisis. Finally, the deliberations must be limited, at

least in the initial stages, to negotiations on the dismantlement of North Korea's nuclear weapons program. Including too many issues up front would complicate the negotiations and could cause them to stall or break down.

In addition to agreeing on the ground rules for the discussions with North Korea, the United States and the other countries involved must also have a clear roadmap of how the negotiations should proceed. The format should consist of four stages. The first stage would call for North Korea to freeze its nuclear weapons program in exchange for a promise of a nonaggression pact with the United Staytes and economic aid from the United States and the other countries involved in the discussions. By giving a promise only of future benefits, the countries negotiating with North Korea would not reward bad behavior but would provide a "carrot" for future good behavior. Both the nonaggression pact and economic aid would be explicitly tied to specific actions the North Koreans would have to complete before they received any benefits. While some may argue that North Korea should not be rewarded with a nonaggression pact after violating previous agreements, the United States would only be putting on paper what has been unofficial U.S. policy since the Korean armistice was concluded. The primary issue that has threatened to renew hostilities between the two belligerents is North Korea's attempts to acquire nuclear weapons. If the United States can remove the threat of a nuclear-armed North Korea by simply making official an already implicit policy, it will not only make the Korean Peninsula a safer place but will also open the door to discussions of other issues important to the region.

To conclude the first stage of negotiations, the North Koreans would freeze all activities related to their nuclear weapons program. Plutonium production activities at Yongbyon would be halted, including the shutdown of the 5 MWe reactor and the spent fuel reprocessing plant. The North Koreans would also stop any high explosives tests related to the design of nuclear

weapon components. In addition, all activities related to the clandestine uranium enrichment program would be frozen. According to Fred McGoldrick, those activities would include the following:

- All procurement of all enrichment materials, equipment, and technology from abroad, as well as the purchase of so-called dual-use items
- All research, development, and testing related to the DPRK enrichment program
- Facilities for manufacturing or assembling enrichment equipment
- Facilities for the conversion of uranium oxide to uranium hexafluoride
- Any enrichment facilities
- Preparation of any feed material for an enrichment facility
- Testing or operation of an enrichment facility
- Production of enriched uranium
- Conversion of enriched uranium to metal[31]

Once North Korea completed freezing its nuclear weapons program, the second stage of the negotiations would begin. That stage would consist of a full declaration by North Korea documenting the extent of its nuclear program and allowing its verification. The declaration would include North Korea's previously documented plutonium program as well as its uranium enrichment program, which, according to McGoldrick, should include the following:

- Records, locations, and disposition of all imports of enrichment materials, equipment, and technology that have been produced or manufactured in North Korea
- Records, locations, and disposition of all enrichment materials, equipment, and technology
- Foreign sources of procurement of enrichment materials, equipment, and technology
- All research and development and test facilities and their operating records
- Manufacturing and assembly facilities and their operating records
- Facilities for the conversion of uranium oxide to uranium hexafluoride
- Enrichment facilities—including feed, product, and tails, as well as the operating records
- Facilities for the conversion of an HEU product to metallic uranium.[32]

Following the full declaration, verification of North Korea's weapons program would be carried out by a multilateral inspection team that would include members from the United States,

Japan, China, and Russia. (The United States and Japan are already discussing the formation of such a team.[33]) Also during the second stage, a nonaggression pact with the United States would be negotiated, but it would not be signed at that point. In addition, an economic package would be crafted to go into effect during the third stage of negotiations.

The third stage of negotiations would begin with the development of a timetable for dismantling North Korea's nuclear weapons program. The North Koreans, with the assistance of the members of the multilateral forum, would dismantlement the facilities at Yongbyon, including the 5 MWe reactor, the 50 MWe and 200 MWe reactors that are under construction, the spent fuel reprocessing plant, and any other Yongbyon facilities associated with the design or fabrication of nuclear weapons. They would also dismantle all facilities associated with their uranium enrichment program. In addition, the spent fuel rods at Yongbyon and any processed plutonium or highly enriched uranium that could be used to produce nuclear weapons would be shipped to the United States or China. The economic aid package agreed upon during stage two of the negotiations would be implemented during the dismantlement process, with portions of aid being allocated as North Korea met the milestones established in the dismantlement timeline. Once dismantlement was completed and verified by the multilateral inspection team, the nonaggression pact with the United States would be signed. The pact would include an escape clause that would nullify the agreement if it were later determined that North Korea had not been forthright in the declaration of its nuclear weapons program, or if it attempted to renew its efforts to acquire nuclear arms.

The purpose of stage four of the negotiations would be to set the foundation for future talks that would include normalizing relations with North Korea in exchange for addressing other issues of regional and international import. Those issues could include chemical and biological

weapons, missiles, conventional forces, human rights, drug smuggling, counterfeiting, abduction of Japanese citizens, and the reunification of the Korean Peninsula. Agreeing to such talks and establishing a timetable to hold them would provide further incentive for North Korea to alter its national objectives toward becoming a more responsible member of the region and the international community.

Concerns About a Negotiated Settlement

Some might question why Kim Il Jong's regime should be trusted to honor a negotiated settlement of the nuclear weapons crisis. After all, North Korea twice violated the NPT and also cheated on the 1994 Agreed Framework. However, North Korea's violations of the NPT make sense when viewed from Kim Jong Il's perspective that, minus a nonaggression pact with the United States, nuclear weapons are vital to the survival of his regime. North Korea's cheating on the Agreed Framework is also understandable given that the agreement left room for distrust on both sides by failing to offer Kim's regime any security guarantees and by only freezing the North Korean nuclear weapons program instead of dismantling it. Any new negotiated settlement would have to address both those issues.

Ultimately, the only way to determine whether or not Kim Jong Il and his regime can be trusted is to test them. The North Koreans have stated that they will exchange their nuclear weapons program for security guarantees, and their willingness to participate in multilateral discussions shows they are ready to move toward that objective. It is imperative that the participants in the discussion make it clear to Kim Jong Il and his regime that the price of failing to honor any new agreement will be high. Not only will North Korea face the condemnation of the international community, but it will also be much easier for the United States to justify using military force to remove the North Korean regime. The best way to ensure the trustworthiness of

North Korea is to make sure Kim Jong Il unmistakably understands he is better off without nuclear weapons than with them.

There are also some who may think that negotiating with North Korea to end its nuclear weapons program sets a bad precedent for dealing with other countries trying to acquire nuclear arms. Of particular concern is that a negotiated settlement with North Korea might affect future efforts to deal with Iran's alleged nuclear weapons program by encouraging it to acquire nuclear weapons quickly to dissuade U.S. aggression or to extract concessions from the international community. Nonetheless, the situations in the two countries are dissimilar enough to argue that the strategy for dealing with Iran would probably be quite different from the one used with North Korea. For example, Iran cannot directly threaten U.S. and allied forces in the same way that North Korea can. A surgical military strike against Iran's nuclear facilities is a much more realistic option and provides a means for applying pressure on Iran's regime that is not available in the North Korean case. In addition, a multilaterally negotiated settlement with North Korea would send a clear signal to Iran and other countries that the issue of nuclear weapons proliferation is an international one, and any country that pursues nuclear arms is likely to face a united multinational front.

Conclusion

A negotiated settlement that offers Kim Jong Il's regime a nonaggression pact and economic aid in exchange for dismantlement of its nuclear weapons program offers the best hope for a long-term solution to the nuclear standoff with North Korea. A preemptive military attack, while it might represent a more permanent solution to the crisis, is not a desirable option because of the strategy's high cost in economic devastation and human suffering. A containment strategy is also unattractive because it is not only unlikely to succeed, but it could also backfire by forcing

North Korea to go to war or by leaving Kim Jong Il's regime heavily armed with nuclear weapons.

A negotiated end to the standoff with North Korea would allow Kim Jong Il and his regime to demonstrate to the world that they can be trusted to honor their international commitments. If North Korea failed to live up to their agreements, the United States would generate much greater international support for using military force by having exhausted diplomatic efforts first. In the words of Senator John F. Kerry, "Negotiations may not succeed in resolving this crisis, but history would never forgive us if we failed to try…. It signals our allies that we are prepared to go the last mile to resolve this crisis peacefully, and should our efforts fail, it strengthens our hand—and our creditability in the eyes of the world—to undertake a military option."[34] War on the Korean peninsula should be the option of last resort, not one the United States rushes into. By attempting to negotiate a settlement of the nuclear crisis with North Korea, the United States would place the onus on Kim Jong Il and his regime to choose whether there will be war or peace.

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