

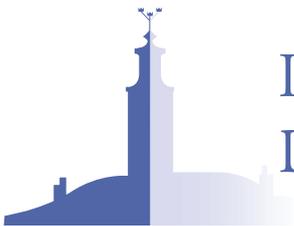
Rethinking North Korea's Denuclearization: Approaches and Strategies

Park Chang-kwoun



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Institute for Security and Development Policy
Västra Finnbodavägen 2, 131 30 Stockholm-Nacka, Sweden
www.isdp.eu

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Paul H. Nitze School of Advanced International Studies
1619 Massachusetts Ave. NW, Washington, D.C. 20036
Tel. +1-202-663-7723; Fax. +1-202-663-7785
E-mail: caci2@jhuadig.admin.jhu.edu

To order hard copies and for editorial correspondence contact Alec Forss at:
aforss@isdpeu

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Preface

The North Korean nuclear issue has become increasingly intractable. The Six Party Talks have stalled since December 2008, while North Korea's nuclear program has continued apace. On the one hand, the international community—led by the United States and South Korea—demands meaningful action on the part of North Korea to undertake denuclearization measures before Six Party Talks can resume; there is little appetite for resuming formal talks for the sake of talks. On the other hand, North Korea points to the need for security assurances and the cessation of the U.S. "hostile policy," which it claims is the main reason for its nuclear program. This Gordian Knot on the Korean Peninsula continues to vex policy makers and analysts alike. In a situation of deadlock, it is more necessary than ever to examine the issue with fresh thinking to try and understand why previous negotiations and agreements have failed to result in a sustainable resolution of the conflict on the Korean Peninsula—and which therefore underscores the need for new approaches and strategies.

ISDP has long sought to enhance research exchanges and cooperation with international think tanks and research institutes, with a focus on sharing perspectives on how to resolve the North Korea nuclear issue. Indeed, the dilemma of North Korea's nuclear program concerns not only the region of Northeast Asia but is an issue with significant implications for international security. Since September 2010, ISDP has cooperated with the Korea Institute for Defense Analyses (KIDA) through a number of joint research projects and activities. The author of this paper, Dr. Park Chang-kwoun, is Senior Research Fellow at KIDA and visited ISDP in Stockholm as a guest researcher in 2014.

Dr. Park's paper represents a South Korean attempt to address the issue and to tentatively outline a roadmap of sorts according to which North Korea's denuclearization can be achieved. He argues that it will be a complex and long-term endeavour whereby the international community must first create an "enabling environment" in which negotiations can more likely succeed. While underscoring the untenability of a nuclear-armed North Korea which, he argues, must be deterred and its provocations punished, he also recognizes that North Korea needs to be rewarded for sincere steps

towards denuclearization which range from economic and humanitarian aid to steps being undertaken toward reducing its security dilemma. This paper does not profess to have all the answers. Nevertheless, we hope that it will prove a valuable addition to the debate on how to realize the elusive goal of peace and stability on the Korean Peninsula.

Niklas Swanström

Director of ISDP

Introduction

North Korea's nuclear program not only constitutes the main source of instability on the Korean Peninsula and for the East Asian region as a whole, but it also raises the risk of nuclear proliferation. The Six Party Talks initiated in 2003, but moribund since 2008, have not been successful in thwarting North Korea's nuclear ambitions. Despite international pressure and United Nations sanctions, North Korea continues to strengthen its nuclear capabilities and has declared itself a nuclear state. It appears that more than 20 years of nuclear negotiation have done little to actually restrain North Korea's nuclear development, and have rather provided it with a means to circumvent more severe international pressure and buy time to continue to develop its weapons' programs. Considering the current situation, with North Korea having carried out three nuclear tests and officially adopted a nuclear state policy, it will likely prove ineffective to continue to pursue denuclearization negotiations in the same way as previously. Many experts and policy-makers in South Korea and the U.S. are now signaling that they believe that North Korea's nuclear problems cannot be resolved through negotiations alone. At present, it appears unlikely that the Six Party Talks will be resumed and lead to a successful outcome, even though all participants claim the importance of the dialogue and put forward many suggestions on how to restart talks. Nevertheless, it is too early for the international community to give up efforts to denuclearize North Korea, especially considering the negative consequences if North Korea's nuclear program is allowed to develop unchecked.

In light of the above, it is important to ask if there is still a chance for negotiations to succeed? If so, how should we utilize the opportunity? What is the most appropriate approach to deal with North Korea's denuclearization today? And what kind of roadmap to denuclearization can be drawn? This paper endeavors to answer these questions and provide some insight and ideas for future steps that the international community should consider for resolving the North Korean nuclear issue. Since the Six Party Talks came to a halt in 2008, many studies concerning overall strategy regarding North Korea's denuclearization have been conducted. These studies have mainly dealt with U.S. policy toward North Korea, North Korea's nuclear capability

and intentions, South Korea's North Korea policy, and the Six Party Talks. Fewer studies have actually attempted to outline practical steps which can be followed to achieve denuclearization.¹

This paper takes as a departure point the fact that North Korea's policy shows no sign of abandoning nuclear development nor signaling any change of attitude. Indeed, North Korea's continued nuclear tests narrow the room for continued negotiations and undermine the usefulness of those which have already taken place. In such a situation it is important to revisit and rethink the denuclearization issue on the basis of why previous negotiations have failed. In order to outline practical steps toward denuclearization, this paper first examines North Korea's nuclear capability, the relevant actors' positions on the denuclearization negotiations, and the lessons of previous denuclearization negotiations. These sections accordingly underpin the analysis for the second part of the paper which discusses a basic framework for North Korea's denuclearization, along with enablers and conditions necessary for successful denuclearization negotiations, before outlining a roadmap composed of different phases for implementing denuclearization measures.

¹ One study in this regard is "Toward a Roadmap for Peace and Stability on the Korean Peninsula: Steps and Perspectives," *Asia Paper* (Stockholm: Institute for Security and Development Policy, May 2014), <http://www.isdp.eu/publications/asia-papers.html?task=showbib&id=6381&return=>.

North Korea's Nuclear Program

Why does North Korea strongly adhere to its nuclear program instead of responding to international demands? And what stage is North Korea's nuclear capability currently at? This section explores the rationale and intentions behind North Korea's nuclear development along with examination of its current nuclear capability.

Rationale and Intentions

Nuclear capability has become the essential instrument of the North Korean regime for its survival, political and military prestige, exercising coercive diplomacy, and for achieving asymmetric military superiority over South Korea.² The Kim Jong-un regime has strongly reaffirmed its intentions to continue nuclear development rather than undertake denuclearization—as is evidenced by official statements, its nuclear policy, and in military parades and demonstrations. Indeed, in Kim Jong-un's 2015 New Year's Speech, statements of the National Defense Commission, as well as other official statements, it has been strongly emphasized that North Korea wishes to cement its role as a nuclear state and that it intends to further strengthen its nuclear deterrence capability. North Korean diplomats and media have also insisted that instead of continuing denuclearization negotiations, North Korea now wants to engage in arms control negotiations with the U.S. as a responsible nuclear state and that, as such, denuclearization negotiations are no longer useful.³ The Kim Jong-un regime announced its new future policy guidelines (known as Byungjin roson) in which it will aim to pursue

² It is also important to understand North Korea's economic rationale for nuclear weapons. Considering that the cost of military modernization, including the acquisition of sophisticated weapons and equipment, is extremely high and UN sanctions prohibit North Korea's arms exports and imports, North Korea would find it almost impossible to maintain and build up *conventional* military forces comparable to South Korea's, even if excluding the supporting capabilities of U.S. forces. As such, its nuclear program appears to be the best strategic choice at a "lower" economic cost for the regime to boost its military capability against South Korea.

³ 北대표 "우린 핵보유국... 핵군축 노력" (in Korean), *Yonhapnews*, March 15, 2011, <http://news.naver.com/main/tool/print.nhn?oid=001&aid=0004959993>; *Joongang Daily*, October 3, 2013, http://article.joins.com/news/article/article_print.asp?ctg=10&total_id=12754306.

economic development and enhanced nuclear capabilities simultaneously.⁴ In 2013, North Korea further enacted a law to consolidate its nuclear capabilities and committed to strengthening its nuclear arsenal, both in terms of quality and quantity. In addition, it directed the military to make nuclear forces a central pivot for war and military operations.⁵ North Korea's threat and intention should be taken seriously. It has already conducted three nuclear tests (in 2006, 2009, and 2013) and threatened to carry out a fourth with new types of nuclear devices. Furthermore, it frequently resorts to issuing nuclear threats in its foreign policy rhetoric, for example threatening to launch nuclear strikes targeted at Seoul and Washington.

The actions of the North Korean regime would appear to confirm that it does not intend to denuclearize. Kim Jong-un's regime is well-acquainted with the fate of other dictatorial regimes in Iraq and Libya, and sees Russia's invasion of Ukraine as rendering useless the 1994 Budapest Agreement, which guaranteed the territorial integrity and non-intervention in Ukraine by the U.S., UK, and Russia in return for denuclearization measures.⁶ These examples, together with the extant internal and external challenges to the regime, will reinforce Kim Jong-un's perception that maintaining a nuclear development policy is essential to regime survival. As a young leader pursuing the consolidation of his power, and attempting to build "legitimacy" for his regime, Kim Jong-un will want to show his strength rather than weakness in dealing with South Korea and the United States in all security issues, including any nuclear deal. In addition, Kim Jong-un holds power based on hereditary succession politics and regards the nuclear program as one of North Korea's greatest achievements and a crucial inheritance from his father Kim Jong-il. In fact, the North Korean constitution relates that the "great" leader Kim Jong-il propelled the country into becoming a nuclear state in spite of international pressure. Thus, it is also clear that Kim Jong-un attaches great importance to the nuclear program as an important com-

⁴ "Report on Plenary Meeting of WPK Central Committee," KCNA, March 31, 2013, <http://www.kcna.co.jp/index-e.htm>.

⁵ Ibid.

⁶ Steven Pifer, "The Trilateral Process: The United States, Ukraine, Russia, and Nuclear Weapons," *Brookings Arms Control Series Paper 6* 2011, <http://www.brookings.edu/research/papers/2011/05/trilateral-process-pifer>; Council on Foreign Relations, "Budapest Memorandums on Security Assurances, 1994," December 5, 1994, <http://www.cfr.org/nonproliferation-arms-control-and-disarmament/budapest-memorandum-security-assurances-1994/p32484>.

ponent of the legacy politics which placed him in power, and as such will likely adhere strongly to his position of upholding the nuclear program.

North Korea's Nuclear Capability

North Korea's nuclear capability must be evaluated in terms of nuclear materials, miniaturization capabilities, means of delivery, and strategic and operational preparedness for the use of nuclear weapons. These are considered in turn below.

Currently, in terms of nuclear materials, North Korea operates not only plutonium but also enriched uranium programs which will allow it to produce sufficient nuclear materials to build as many nuclear bombs as it sees fit. The South Korean government believes that North Korea already possesses more than 40kg of plutonium (PU), which is sufficient to build around ten nuclear bombs.⁷ Additionally, the 5 MWe nuclear reactor in Yongbyon which had been shut down since 2007 was restarted in September 2013, and will be capable of producing plutonium again after 2015. North Korea also operates enriched uranium facilities. According to Dr. Siegfried Hecker, an international expert in plutonium science and nuclear security, and who visited the enriched uranium facility in Yongbyon in November 2010, North Korea may have at least one other enriched uranium facility in a secret location, which may be capable of producing up to 40 kg of Highly Enriched Uranium (HEU) annually.⁸ Unlike the plutonium production facilities, HEU production facilities can be more easily hidden from international observers. As we currently do not have much information about North Korea's enriched nuclear program, it is hard to precisely assess the full scale of North Korea's production capabilities for nuclear materials. Nevertheless, it is possible to assert that North Korea is capable of producing HEU materials sufficient for enhancing its stockpiles of nuclear warheads, particularly given its operation of Yongbyon and other secret facilities.

North Korea's miniaturization capability has been closely examined for a long time by experts because it provides an indicator as to whether North Korea possesses the capability to mount nuclear bombs onto its missiles.

⁷ ROK Ministry of National Defense, *2014 Defense White Paper* (Seoul: Ministry of National Defense, December 2014), p. 28.

⁸ Siegfried S. Hecker, "What I Found in North Korea: Pyongyang's Plutonium Is No Longer the Only Option," *Foreign Affairs* (December 9, 2010): 4.

The commander of the U.S. armed forces in Korea, General Curtis Scaparrotti, has stated that North Korea does possess miniaturization capability and technology enabling it to deliver nuclear devices.⁹ South Korea also officially recognized North Korea's miniaturization capabilities in a 2014 Defense White Paper.¹⁰ North Korea has frequently conducted high explosive device tests since 1983. Furthermore, it maintained close nuclear cooperation with Pakistan's Khan network,¹¹ which provided access not only to HEU technology but also to other technologies including that of miniaturization. Most nuclear states take less than seven years to develop capabilities for the miniaturization of nuclear bombs, but North Korea has spent more time than other countries in pursuing these capabilities.¹² After the country's third nuclear test in February 2013, North Korea officially proclaimed that the test was conducted with a smaller, lighter bomb, and that its nuclear capabilities had become diversified.¹³ In addition, one should not disregard the possibility that other nuclear delivery means such as aircraft and submarines can also be effectively deployed. Thus, it is reasonable to believe that North Korea now has the capabilities which allow it, at least to some extent, to mount nuclear bombs on ballistic missiles or deliver nuclear bombs by other means.

North Korea's missile capabilities are another important component of nuclear capability: missiles are crucial given that they constitute the delivery systems for nuclear devices. North Korea possesses a large number of Scud, KN-02, Nodong, Musudan, Daepodong-2, and KN-08 missiles, which include short-, medium-, and long-range models. North Korea demonstrated long-range striking capabilities by successfully launching the Unha-3 ballistic missile in December 2012; this after three rounds of failed tests in 2006, 2009, and 2012. In 2014, furthermore, North Korea launched

⁹ Jon Harper, "USFK Chief: North Korea has made crucial advance toward nuclear missile," October 24, 2014, *Stars and Stripes*, <http://www.stripes.com/promotions/2.1066/usfk-chief-north-korea-has-made-crucial-advance-toward-nuclear-missile-1.310175>.

¹⁰ ROK Ministry of National Defense, *2014 Defense White Paper*.

¹¹ Abdul Qadeer Khan was Pakistan's top nuclear scientist up until his arrest in 2004 and had provided technology and expertise to North Korea among other countries.

¹² David Albright, "North Korean Miniaturization," 38 *North*, February 13, 2013, <http://38north.org/2013/02/albright021313/>.

¹³ "DPRK Will Defend Security and Sovereignty of Nation to Last: KCNA Commentary," KCNA, February 13, 2013, <http://www.kcna.co.jp/item/2013/201302/news13/20130213-25ee.html>.

a large number of short- and medium-range missiles which were intended to test and demonstrate its new capabilities to South Korea and the U.S. It also operationally deployed medium-range Musudan missiles, implying that its missile-range covers not only South Korea but also Japan and Guam. The U.S. believes that North Korea will be able to develop Intercontinental Ballistic Missile (ICBM) capabilities by 2024¹⁴ and is now reportedly building Submarine-launched Ballistic Missile (SLBM) capabilities.¹⁵ These missile capabilities raise great concern about the seemingly rapidly changing characteristics of North Korea's nuclear threat, and about its scope to have sufficient technology to guard against precision strikes by, for example, the U.S. against its nuclear capabilities. In particular, North Korea possesses sufficient mobile launcher systems to guarantee the survival of the nuclear arsenal, as well as making possible the swift launch of missiles. The survivability of a nuclear arsenal is important given that it increases the scope for massive retaliation in the event of hostilities.

Strategic and operational preparedness has also been enhanced. In 2014 North Korea renamed its Rocket Force Command to Strategic Forces and conferred upon it the status as the country's fourth military force, equal to the Army, the Air Force, and the Navy. The creation of this new military organization clearly signals North Korea's political prioritization of its nuclear program, and the regime declared that it would strengthen its nuclear-centered military strategy. The Strategic Force would take responsibility to turn the country's military strategy into a new nuclear-centered strategy and carry out the measures necessary to speed up the acquirement of all levels of operational nuclear arms. Kim Jong-un attended a tactical missile firing drill of the Strategic Forces in June 2014, and ordered it to maximize its deterrent strategic capabilities and maintain conditions of high alert. Furthermore, he declared a new missile production policy to increase the production of short- and medium-range missiles and to renovate and

¹⁴ U.S. Senate, Committee on Armed Services, "Department of Defense Authorization of Appropriations for Fiscal Year 2015 and the Future Years Defense Program," March 25, 2014, http://www.mcrmc.gov/public/docs/report/hb/DoD-Authorization-of-Appropriations-FY2015-and-Future-Years-Defense-Program_MAR2014.pdf.

¹⁵ Bill Gertz, "North Korea Building Missile Submarine," *The Washington Free Beacon*, August 26, 2014, <http://freebeacon.com/national-security/north-korea-building-missile-submarine/>.

upgrade the facilities and processes of a machine plant he visited in southern Pyongyang in January 2014.¹⁶

¹⁶ Armin Rosen, "North Korea' Nuclear Weapons Program is booming," *International Business Insider*, February 26, 2015, <http://uk.businessinsider.com/north-koreas-nuclear-weapons-program-is-booming-2015-2?r=US>.

The Positions of Major Actors on North Korea's Denuclearization

The unsuccessful results of the Six Party Talks and the consecutive nuclear tests carried out by North Korea make the international community understandably skeptical regarding North Korea's actual intentions for denuclearization. The U.S., South Korea, and Japan do not want to repeat the same pattern of dialogues and negotiations—which North Korea has essentially exploited to gain economic assistance from the international community and to “buy time” for further nuclear development, rather than undertaking any significant denuclearization measures. There is an increasing consensus among the international community that dialogue and negotiation allied with strong international pressure is the only option which can be pursued in dealing with rogue states like North Korea. However, the geopolitical situation regarding the Korean Peninsula greatly constrains the options available for regional states to apply pressure on North Korea. Representatives of the Six Party Talks have frequently met to exchange and consult on their positions in order to resume the multilateral talks. However, success has so far been precluded by the fact that the parties have different views on the conditions for the resumption of the talks. On the one hand, the U.S., South Korea, and Japan demand that North Korea carry out practical action towards denuclearization as a precondition for resuming the talks and demonstrating sincerity about denuclearization. On the other hand, China and North Korea advocate that the talks should be resumed immediately without conditions. With little evidence that the main parties are likely to alter their position and stated preconditions, the prospects of the denuclearization talks restarting seem to be remote.

Notwithstanding, an important question is whether or not a window of opportunity still exists for the eventual resumption of talks. All of the participants to the Six Party Talks basically concede that the talks are the only effective mechanism to resolve the North Korean nuclear issue. And yet, looking more closely at the positions of the participants to the Six Party Talks, it can be easily understood why the talks are still in deadlock and what preconditions need to be met to restart the talks. In order to understand the

prospects for the resumption of the Six Party Talks, therefore, it is necessary to give an overview of the four major actors' positions on the denuclearization issue: that is, the U.S., South Korea, China, and North Korea.¹⁷

United States

The U.S. currently holds to a dual-track approach which maintains openness for dialogues without conditions and constraints and at the same time puts strong pressure on North Korea. In fact, U.S. policy has vacillated between constructive engagement and taking a tougher position, as every incoming administration has attempted to adopt a new policy, or because North Korea's actions have necessitated a new approach. In particular, the Obama administration first endorsed diplomacy and engagement with North Korea but subsequently changed tack to applying pressure and "strategic patience" soon after North Korea had launched long-range missiles and undertook its 2009 nuclear test. The U.S. has also tried to mobilize like-minded states in enforcing bilateral and multilateral sanctions based on UN resolutions. It demands that North Korea come forward for "authentic and credible negotiations" and implement the September 19, 2005 Agreement which first requires sincere and practical actions on the part of North Korea for the resumption of the Six Party Talks. The U.S. repeatedly maintains that it will not accept North Korea as a nuclear state and resume talks for the sake of talks. North Korea's current nuclear development and the lessons of the previous nuclear negotiations with North Korea greatly limit the strategic options and maneuvering space for the U.S.¹⁸ As the U.S. sees little utility in repeating the same pattern of unsuccessful talks, it is highly likely that the dual-track approach will remain a guiding principle for U.S. policy toward North Korea, even under a new administration.

¹⁷ Japan and Russia have a lesser stake on North Korean issues compared to the other major actors and thus usually side with the U.S. and China respectively, without taking the initiative or taking on a critical role in the talks themselves.

¹⁸ U.S. Department of State, Testimony of Sung Kim before the House Foreign Affairs Committee, "The North Korean Threat: Nuclear, Missiles and Cyber," January 13, 2015, <http://www.state.gov/p/eap/rls/rm/2015/01/235888.htm> .

South Korea

South Korea has adopted a clear position and principles in negotiations whereby North Korea's nuclear program is considered unacceptable. Furthermore, the South Korean government's policy regarding the resumption of the talks follows the same line as the U.S. position. Nevertheless, South Korea, as the biggest stakeholder vis-à-vis North Korea's nuclear threat, tends to follow a more balanced and flexible approach because the issue of denuclearization is also closely intertwined with re-unification as well as conflict management policies on the Korean Peninsula. Whereas South Korea has actively participated in the four UNSC resolutions on North Korea's provocations and fully implements the UN sanctions, it nevertheless believes that it is necessary to also build a peaceful environment through contacts, exchanges, and cooperation with North Korea with the aim of promoting denuclearization. Thus, every South Korean government has made it clear that it will pursue reconciliation and engagement as a basic principle of its North Korean policy.

However, similar to the U.S., the core of South Korean policies has to some extent switched from engagement to a more hardline position. The so-called sunshine and conciliatory policy of the Kim Dae-jung and Ro Moo-hyun governments from 1998 to 2007 saw a "softer" approach toward North Korea. It was hoped that this would attenuate mutual distrust and military tensions on the peninsula, and thereby, contribute to advancing denuclearization. The failure to achieve such led to the conservative Lee Myung-bak government adopting the "Denuclearization-Openness-3000 Initiative," which tied the provision of economic aid to tangible denuclearization measures on the part of North Korea. The Lee government demanded unflinchingly that North Korea implement denuclearization actions first, and Lee closely cooperated with the U.S. to apply pressure on North Korea. Even so, the conservative government continued to pitch many proposals to North Korea for engagement and cooperation in various areas.

The current Park Geun-hye government has also laid out a comprehensive North Korea policy the cornerstone of which is "trust-politics." It emphasizes trust-building processes in which each side keeps its promises and respects the other. This policy does not emphasize denuclearization measures as a condition for engagement, and so which differs from the previous Lee Myung-bak government. Instead, it regards the current hostile

inter-Korean relations as counter-productive and sees the improvement of contacts and exchanges as measures which can create a positive influence on relations with North Korea, and thereby persuade it to question the rationale of its nuclear program. Through this trust-building process, the Park government is attempting to end the vicious cycle of hostile activities and build an environment for peaceful re-unification on the peninsula.¹⁹ Accordingly, the government has proposed many projects, including the internationalization of the Kaesong Industrial Complex and the creation of a DMZ "Peace Park." The president has emphasized that the two Koreas need to initiate and make progress in engagements with each other in socio-economic, cultural, and environmental projects which both sides can easily agree and carry out.²⁰ The government has also committed to the enhancement of humanitarian assistance to North Korea, regardless of political conditions. In sum, President Park Geun-hye has laid out relatively practical approaches to improve inter-Korean relations.²¹

Nevertheless, it is clear that the Park government will continue to strengthen pressure on North Korea to adopt denuclearization policies based on the underlying principle that inter-Korean relations can only be significantly improved if North Korea completes its denuclearization. In addition, South Korea has also attempted to alter China's strategic appreciation of the situation on the peninsula through taking measures to enhance mutual trust and persuading China to play a more active role in promoting North Korea's denuclearization. The South Korean government has also tried to attain China's support for the unification of the two Koreas.

China

In its role as a mediator of the Six Party Talks, China advocates North Korea's denuclearization as well as the resumption of the talks as soon as possible.

¹⁹ Ministry of Foreign Affairs, Republic of Korea, Yun Byung-se, "Park Geun-hye's Trust-politik: A New Framework for South Korea's Foreign Policy," September 30, 2013, <http://www.mofa.go.kr/webmodule/htsboard/template/read/engreadboard.jsp?typeID=12&boardid=14137&seqno=312848>.

²⁰ "Address by President Park Geun-hye on the 69th Anniversary of Liberation," *Korea.net*, August 18, 2014, <http://www.korea.net/Government/Briefing-Room/Presidential-Speeches/view?articleId=121366>.

²¹ "Full Text of Park's Speech on N. Korea," *Yonhap News*, March 28, 2014, <http://english.yonhapnews.co.kr/full/2014/03/28/40/1200000000AEN20140328008000315F.html>

Together with the U.S. and the international community, it shares the view that North Korea's nuclear program threatens to destabilize the regional order and the existence of the nonproliferation regime. Nevertheless, China's policy priority has been the stability of the North Korean regime, and it has prioritized this over denuclearization. It sees the North Korean issue in terms of its rivalry with the U.S., and regards North Korea as a strategic buffer zone important for its security. China is also concerned that instability in, or the collapse of, the North Korean regime may lead to a massive influx of refugees into China which may impact negatively its economy and security. China is also wary of developments which may allow for the U.S. to assert influence over the entire Korean Peninsula. In addition, the North Korean regime and the Chinese Communist Party fought together in the Liberation War in China and in the Korean War, a common legacy which has also served to underpin relations. This perception of the situation prevents China from taking a harder line towards North Korea, and leads it to put forward the following arguments elaborated below.

First, denuclearization should be pursued through dialogue and consultation, with China opposing strong sanctions and punishments which may cause instability in North Korea. Second that denuclearization negotiations should address the symptoms and root causes of the nuclear issue; that is, all of the relevant parties need to consider the security concerns of North Korea. Peace and stability on the peninsula is regarded as being closely interconnected with denuclearization. And thirdly, that the September 19, 2005 Joint Statement provides a guideline for the denuclearization talks which China stands by. This includes the stipulation that the Six Party Talks should be restarted without preconditions and should advance and actualize the goals and agreements of the Joint Statement. It emphasizes that the denuclearization process should be implemented in conjunction with peace building efforts.²²

In spite of this, China has more recently shown a slight change in its position after North Korea's third nuclear test in 2013: it supported stronger UN sanctions on North Korea and undertook some measures to implement them. China also announced embargo lists for dual-use items being sent to

²² Wang Yi, "Stay Committed to the Six-Party Talks for Lasting Peace," November 13, 2013, China Institute of International Studies, http://www.ciis.org.cn/english/2013-11/13/content_6455051.htm.

North Korea in September 2013,²³ and the Bank of China suspended financial business with North Korea's Foreign Trade Bank when it was accused of financing missile and nuclear programs.²⁴ Of further significance too is the fact that President Xi Jinping made a state visit to South Korea and held a summit meeting with President Park in July 2014, but as of yet has not shown any intention to meet with Kim Jong-un.

North Korea

North Korea advocates the immediate resumption of the Six Party Talks but opposes any attachment of preconditions for restarting the talks. The North Korean strategy has been to negotiate with the U.S. and South Korea from a position of strength. Thus, after the failure of negotiations, it has tended to undertake new provocations and accelerate its nuclear development, so bringing new issues to resumed negotiations. There are nonetheless five critical positions that can be delineated regarding its position on denuclearization.

First, denuclearization measures should be implemented not in North Korea but on the whole Korean Peninsula, a position which seeks to include South Korea as an object of denuclearization and thus makes the negotiations more complicated.²⁵ Second, the U.S. "hostile policy" should be stopped first in order to move forward with the denuclearization process. In North Korea's eyes, the hostile policy of the U.S. includes a long list of actions, including the stationing of U.S. forces in South Korea, U.S.-South Korea combined military exercises, demonstrations of U.S. strategic strength on or near the peninsula, and U.S. support and cooperation with the South Korean military and others. Third, international sanctions should be lifted before North Korea undertakes actual denuclearization measures. Fourth, nuclear arms control negotiations with the U.S. should be initiated

²³ "China announces embargo list for dual-use items to North Korea," *World ECR*, Issue 26, October 2013, <http://www.worldecr.com/archives/china-announces-embargo-list-for-dual-use-items-to-north-korea/>.

²⁴ "Bank of China cuts off N. Korea trade bank," *USA Today*, May 7, 2013, <http://www.usatoday.com/story/money/business/2013/05/07/bank-of-china-north-korea-trade-bank/2140893/>.

²⁵ This despite the fact that South Korea as a NPT member has no military nuclear programs and the U.S. forces stationed in South Korea withdrew their entire nuclear arsenal in 1991.

in a new negotiation framework because it has already become a nuclear state. And fifth, before any denuclearization measures are carried out, a peace treaty with the U.S. should be signed to terminate the state of war on the peninsula, and which would replace the armistice agreement. In this regard, North Korea insists that the U.S.-South Korea alliance should also cease after the peace treaty. Invoking peace as a negotiating tool is tricky to deal with as it is frequently employed to justify either disarming South Korea, or for justifying North Korean nuclear activities against the U.S.'s perceived hostile policy based on its alliance with South Korea.

The Lessons of Previous Denuclearization Negotiations

Nuclear negotiations with North Korea have been ongoing since the early 1990s but have failed to reach any significant achievement in terms of actual denuclearization. Nor have sanctions or “stick-and-carrot” approaches been successful in persuading North Korea to abandon its nuclear policy. As such, it is now time to re-evaluate whether the denuclearization goal is achievable at all, or whether there is a problem in the strategy pursued by the international community. The latter still favors dialogue to restart the Six Party Talks and to pressure North Korea through economic sanctions, diplomatic isolation, and political punishment such as the referral of Kim Jong-un and North Korean elites to the International Criminal Court as well as the imposition of travel bans. Nevertheless, the reality is that North Korea has instead fortified its position as a nuclear state and strengthened its nuclear capability. As previously examined, North Korea has conducted three nuclear tests, developed short-, medium-, and long-range rockets, and operated HEU as well as plutonium programs. North Korea publicly positions itself as a nuclear threat, not only to South Korea, but also to the U.S., and wields the prospect of a fourth nuclear test as coercive leverage. In order to break the stalemate and find a new momentum for the denuclearization negotiations, it is necessary to thoroughly review the lessons of previous negotiations and design a more practical approach for future negotiations.

Past Agreements

The 1994 Agreed Framework

The first nuclear negotiations between the U.S. and North Korea produced the 1994 Agreed Framework,²⁶ which listed a series of required actions to be

²⁶ South and North Korea had previously made a joint statement in 1992 in which the two sides agreed to give up nuclear programs and pursue denuclearization on the peninsula. But the 1992 joint statement was a simple declaration of willingness by both Koreas without setting any practical constraints. Thus, North Korea soon dispensed with the spirit of the agreement and conducted “nuclear provocations” against the South which caused a nuclear crisis in 1993-1994, in clear violation of the 1992 statement.

undertaken by the United States and North Korea according to an agreed upon sequence. Above all, the U.S. demanded that North Korea remain in the NPT regime and dismantle its plutonium program and related facilities. North Korea agreed to freeze the 5MW nuclear reactor at Yongbyon, extract fuel rods from the reactor, and remove them from its territory. In return, the U.S. agreed to provide North Korea with a Light-Water Reactor, deliver heavy oil, and improve diplomatic relations.²⁷ Both sides proceeded to implement their parts of the agreement but, from the late 1990s, the U.S. began to suspect that North Korea might clandestinely be developing an enriched uranium program. During a meeting in 2002 between then-Assistant Secretary for East Asian and Pacific Affairs James Kelly and First Vice Foreign Minister Kang Sukjoo, Kang indirectly revealed that North Korea possessed an enriched uranium program. While there is speculation around what Kang's statement actually meant and whether or not a misunderstanding and miscommunication had taken place, the revelation led to the end of the Agreed Framework.²⁸

Regardless of these questions, there were some inherent problems in the Agreed Framework which both sides did not consider thoroughly. Robert Gallucci, the head of the U.S. delegation for the nuclear negotiations with North Korea, admitted that the U.S. aimed rather at stopping North Korea's plutonium program than pursuing North Korea's denuclearization as a whole, and thus disregarded the issue of an enriched uranium program.²⁹ The U.S. later acknowledged the significance of North Korea's enriched uranium program. It is possible that the Clinton administration at the time may have engaged in wishful thinking about the collapse of the North Korean regime, and thus concentrated its nuclear negotiations on the immediate and visible issues. Moreover, the U.S. made a mistake in not recognizing the real intention behind North Korea's nuclear development. Indeed, North Korea had been developing nuclear technology and capabilities from the late 1950s. After the Cold War concluded, it witnessed the disintegration of

²⁷ Robert Carlin and John W. Lewis, *Negotiating with North Korea; 1992-2007*, Center for International Security and Cooperation, Freeman Spogli Institute for International Studies, Stanford University (2008), pp. 26-29.

²⁸ Mike Chinoy, *Meltdown: The Inside Story of The North Korean Nuclear Crisis* (New York: St. Martin's Press, 2008), pp. 119-26.

²⁹ "Interview with Robert Gallucci," *ABC Four Corners*, May 7, 2003, http://www.abc.net.au/4corners/content/2003/20030602_korea/int_gallucci.htm.

the Soviet Union and the collapse of many communist regimes around the world. The security concern of North Korea may also have been heightened by the preponderance of U.S. military power as demonstrated in the 1991 Gulf War. It is natural to see that in the new security environment, the North Korean regime, which held great fears about a possible collapse, hence looked for an instrument to guarantee its survival. That is, North Korea's nuclear program became an inherent interest for regime survival no matter what challenges it might encounter. The U.S. did not seriously recognize this intrinsic desire on the part of North Korea and failed to create a more comprehensive mechanism for denuclearization. On the other hand, North Korea underestimated the U.S. resolve on non-proliferation and its ability to detect North Korean nuclear activities.³⁰ Notwithstanding, North Korea pursued a secret enrichment program by circumventing the Agreed Framework while at the same time as trying to gain benefits.

Six-Party Talks and the September 19, 2005 Joint Statement

The Six Party Talks³¹ started in 2003 and produced the Joint Statement of September 19, 2005, which aimed to resolve the North Korean nuclear issue. In fact, the Joint Statement entailed a comprehensive approach not only to resolve North Korea's nuclear issues but also to build permanent peace on the peninsula based on the principle of commitment for commitment and action for action. In fact, the September 2005 Statement satisfied all the participants by reflecting most of their concerns. It included what the U.S. considered important issues in which the objective of the negotiations to fully denuclearize North Korea was underlined, and practical actions and inspections were to be carried out to this effect. Also, North Korea successfully incorporated into the statement its own goals, such as diplomatic normalization with the U.S. and other countries, packages of economic assistance, and the development of a peace structure on the peninsula. The parties moved forward by agreeing on the implementation plan in 2007 and North Korea carried out the agreement in part by freezing its nuclear activities and

³⁰The U.S. has tracked secret proliferation activities worldwide very closely and accorded them with high security priority. The U.S. has strongly punished and opposed any proliferative activities, regarding them as a direct threat to U.S. and international security.

³¹The multilateral negotiations brought together representatives from the United States, North Korea, South Korea, China, Japan, and Russia.

dismantling the 5 MW nuclear reactor.³² Nevertheless, both sides' differing perspectives on denuclearization and mutual distrust made it impossible to keep the process going long enough for the full implementation of the Joint Statement to be achieved. The process stalled in 2008 when North Korea rejected the scientific sampling of its nuclear sites for the verification of the decommissioning of its nuclear activities. While all of the Six Party participants ostensibly remain committed to the principals of the Six Party Talks, there is a lack of consensus on how to reconcile the inherent differences in each side's position and the preconditions for the resumption of the talks.

Leap-Day Agreement

After the death of Kim Jong-il, his son and North Korea's new leader Kim Jong-un pledged in the February 29, 2012 Agreement with the U.S. that North Korea would stop carrying out long-range missile launches as well as conducting nuclear tests and nuclear activities, including uranium enrichment. It was also agreed that International Atomic Energy Agency (IAEA) inspectors would return and monitor the moratorium. In return, the U.S. committed itself to providing 240,000 metric tons of nutrition assistance aid and improving relations generally.³³ However, the North Korean regime broke the agreement by launching a long-range missile less than two months later in April 2012 and resuming its nuclear provocations. While there had been an expectation that Kim Jong-un might be more amenable to nuclear negotiations than his father, such hopes were quickly dashed. Instead it was clear that the Kim Jong-un regime had elected a strategy of consolidating its de facto nuclear state status rather than sincerely pursuing a path of denuclearization.

Lessons

The experience of nuclear negotiations with North Korea holds many lessons for future denuclearization talks. First of all, it is clear that the Kim Jong-un regime will not abandon its nuclear program unless it recognizes that denuclearization is essential and urgent for its survival. North Korea

³² Robert Carlin and John W. Lewis, *Negotiating with North Korea; 1992-2007*, pp. 46-50.

³³ U.S. Department of State, "U.S.-DPRK Bilateral Discussions," February 29, 2012, <http://www.state.gov/r/pa/prs/ps/2012/02/184869.htm>.

perceives instead that the Libyan and Iraqi regimes of Muammar Gaddafi and Saddam Hussein were deposed because they did not possess nuclear deterrent capabilities. Furthermore, North Korea now observes Russian military intervention into Ukrainian territory, and these events strengthen its belief that nuclear capabilities will not only prevent foreign intervention but also effectively coerce the U.S. and South Korea to take a more compliant approach towards the regime. The North Korean regime itself claims that its nuclear forces represent the state's most important source of legitimacy and can never be abandoned.³⁴ Kim Jong-il set as a national goal the achievement of a strong country ideologically, politically, economically, and militarily, but the regime currently has little to demonstrate as successes in these regards, with the crucial exception of nuclear capabilities. For the regime, the prospect of internal stability is an ever-present threat due to economic difficulties, weakened legitimacy and the perceived possibility of foreign intervention. In addition, North Korea knows well the differences of the major parties' interests regarding their respective North Korea policies and the vulnerability of South Korea's security. Thus, North Korea could indeed have some confidence in being able to counter and contain international pressure for denuclearization by manipulating the prevailing security environment.

Second, unless there is a sudden change in North Korea's behavior, denuclearization measures will entail a lengthy and comprehensive process. The 1994 Agreed Framework took more than eight years from the start of the negotiations to its final, and unsuccessful, termination. Six years of the Six Party Talks produced only the September 2005 Agreement but still failed to stop and dismantle North Korea's nuclear program. North Korea has now added new leverages including its HEU program, mid- and long-range missile programs, and potential nuclear weapons, all of which make the negotiations increasingly complex. North Korea has long employed "salami tactics" in nuclear negotiations to maximize its leverage and to ensure a long, drawn-out process for denuclearization measures. If it is assumed that nuclear negotiations and agreed actions would be taken according to a step-by-step process, a considerable amount of time will be needed to complete the whole process from signing an agreement, implementing the promised actions, and verifying the denuclearization measures. In addition,

³⁴ "Report on Plenary Meeting of WPK Central Committee."

resolution by negotiation and dialogue will require the international community to consider the conditions and incentives for the denuclearization of North Korea. As mentioned before, these conditions include the signing of a peace treaty, the halting of the U.S. hostile policy, the guarantee of North Korean regime security, economic assistance, and diplomatic normalization. Notwithstanding the international community's positions on the issues, they clearly require a long period of time consuming efforts to deal with, especially if they all are regarded as interrelated in the eyes of the North Korean regime.

Third, the international community needs to develop a new approach towards negotiations. Not only have all previous nuclear negotiations been nullified in large part by North Korea's insincerity, but it has also managed to carry on and advance its nuclear program during the period of denuclearization negotiations. In other words, diplomacy based on punishment and incentives has not been effective at inducing change in North Korea's mindset and behavior. North Korea has clearly committed itself to not bargaining its nuclear programs for economic assistance. Another alternative, military options, cannot even be put on the table due to the vulnerable security environment existing on the Korean Peninsula. North Korea knows, furthermore, that it can constrain the U.S. and South Korea's actions by exploiting the U.S.-China rivalry and South Korea's security concerns. North Korea continues to apply a strategy of brinkmanship to coerce the U.S. and South Korea and to try and change the negotiation framework in a way which is favorable to its own interests. This coercive diplomacy and China's support to North Korea impedes the imposition of strong "sticks" and the maintenance of a consistently hardline denuclearization policy towards North Korea. For instance, the Bush administration at first adopted a tough position and rejected bilateral talks but later switched to engagement and accepted bilateral talks within the Six Party framework. For its part, South Korea adopted a benign policy to defuse North Korea's nuclear and military provocations and to try to ensure stability on the peninsula. Such shifts in policy produced little in the way of progress on the denuclearization issue. Thus, it is essential not to repeat the similar pattern of negotiations used to this point. In particular, any new approach should effectively counter North Korea's coercive diplomacy and prevent it from diplomatically exploiting its new nuclear capabilities.

Fourth, U.S. leadership and international coordination, and especially China's support, is instrumental to resolving the North Korea problem. All of the nuclear agreements with North Korea—the 1994 Agreed Framework, the September 19, 2005 Joint Statement, and the February 29, 2012 Agreement—have been achieved through the initiative of and major role played by the U.S. The U.S. leadership has made it possible not only to mobilize international support and assistance but also to impose costs on North Korea. North Korea also views the U.S. as its chief interlocutor. It insists that nuclear negotiations are a bilateral issue with the U.S. because the U.S. hostile policy is what has led to its nuclear development. Even though South Korea is the direct target of North Korea's nuclear threat, North Korea has not been willing to directly talk with South Korea on nuclear issues. The U.S. is the only country which possesses sufficient resources for nuclear negotiations, values nonproliferation as a key priority for its security, and maintains a strong engagement in support of its interests on the peninsula and in the wider region. Nevertheless, the U.S. has a great limitation in its leverage on North Korea because the latter is very isolated and disconnected from the international community and the global economy. Indeed, U.S. sanctions and pressure have not been effective at persuading North Korea to change its policies over the last 20 years. Thus, international coordination is essential to bring together "like-minded" countries so as to augment influence over North Korea's behavior and calculus. In particular, China wields the strongest leverage on North Korea given its position as a traditional ally and neighbor, and its role as North Korea's largest trading partner. Thus, it is essential to examine how China's policy towards North Korea can be changed in order to maximize leverage in future denuclearization negotiations.

Successful and Failed Nuclear Negotiations with Other International Proliferators

The non-proliferation regime and the international community has mostly successfully contained nuclear proliferation except in a few cases. International nuclear activities have been closely monitored and potential proliferators dissuaded through the varied employment of coercive leverage. Nevertheless, in looking at previous non-proliferation and nuclear negotiation cases, it is clear that the international community has failed to dissuade

those countries holding the strongest desire and motives for establishing a nuclear program from doing so. By comparison those countries which came to the negotiation table and surrendered their nuclear programs had relatively weak motives for developing nuclear weapons, or were subject to strong pressure which proved sufficiently disadvantageous to the regimes in question so as for them to abandon their programs.

Examples of failure in this regard include India and Pakistan, both of which achieved nuclearization. Israel too achieved nuclear capabilities by successfully avoiding international monitoring and exploiting the “apathetic” attitude of the United States. South Africa produced nuclear weapons through a secret program but later dismantled this by its own will. On the other hand, strong international pressure including close international monitoring and the indirect threat of military measures coerced Libya to completely give up its nuclear programs. Syria also failed to pursue its nuclear program because of international monitoring and preventive measures including Israel’s direct military attacks destroying its nuclear facilities. Myanmar also committed in public to not pursue nuclear programs after its secret nuclear corporation with North Korea was disclosed. Iraq agreed to dismantle its nuclear program under the supervision of international inspectors after the 1991 Gulf War, but its nuclear ambitions had arguably not been fully surrendered until the U.S. undertook military actions in 2003. Tough international sanctions including financial transaction bans has forced Iran to come to the negotiation table with the P5+1 (the U.S., UK, France, China, Russia plus Germany). While a Joint Comprehensive Plan of Action was agreed to in April 2015, at the time of writing a final deal has not yet been reached.

Successful and failed international efforts at denuclearization and nonproliferation hold many lessons and implications for the prospect of North Korea’s denuclearization and the path and processes to achieving such. Notwithstanding, it should be recognized that North Korea’s situation is quite different from most other cases. Like India and Pakistan, North Korea has already successfully conducted nuclear tests and possesses the full fuel cycle for the production of nuclear weapons. Conversely, all of the countries which gave up their nuclear programs through negotiations had never reached the same level of nuclear capability, and operated within a security context characterized by vulnerability to international pressure.

Nevertheless, these denuclearization efforts provide good insight into possible outcomes for the denuclearization negotiations with North Korea, as well as some strategic guidance on how to successfully manage and move forward with denuclearization processes.

It can thus be argued that there exist several factors which may determine the success of denuclearization and non-proliferation negotiations. These are explored below.

Regime Strategy

Above all, regime change or transition of government is likely to yield the biggest impact on existing nuclear programs, often being a catalyst for the implementation of denuclearization measures. For instance, South Africa secretly developed its nuclear programs from the 1970s onwards without exposure to international monitoring. It had mastered all the capabilities of the nuclear fuel cycle, built six gun-type HEU nuclear devices by 1989, and possessed fully-functioning HEU production facilities. However, the newly established liberal De Klerk government opted for nuclear disarmament in 1989 because it considered not only the high costs of the nuclear programs to be prohibitive, but also out of great concern for the future political situation of the country should the incoming African National Congress (ANC) government take over the nuclear capabilities.³⁵ Iran also changed its mind on its nuclear program and started nuclear negotiations in November 2013 with the P5+1 after the moderate Hassan Rouhani government replaced President Mahmoud Ahmadinejad's more hardline regime. These cases indicate that progress on achieving denuclearization can strongly depend on what political calculations and perceptions the government in question has of its own nuclear ambitions.

Tailored Punishments and Incentives

Well-tailored punishments and incentives to abandon nuclear weapons are essential in order to produce a significant impact on the cost-benefit calculations of aspiring nuclear states. Smartly targeted punishment can be

³⁵ Maria Babbage, "White Elephants: Why South Africa Gave Up the Bomb and the Implications for Nuclear Nonproliferation Policy," *Journal of Public and International Affairs* 15 (Spring 2004): 1-20; Peter Liberman, "The Rise and Fall of the South African Bomb," *International Security*, 26, no. 2 (2001): 45-86.

aimed directly at vulnerable areas in such states. Libya and Iran are cases in point of how important well-formulated international measures are. After Iran's nuclear program was discovered in 2002, the United Nations Security Council adopted six resolutions, including four which consisted of strong and extensive sanctions. Also, unilateral punishment has been imposed on Iran by the U.S. and EU. These sanctions prohibited much of the commercial trade and many financial transactions for materials, technology, and equipment related to the construction of missiles, the oil and gas industry, and dual-use goods. Additionally the West froze overseas bank accounts so that Iran could not use its ample oil revenues in foreign banks. These punishments induced significant costs on Iran's economy and had a negative impact on the lives of people in the country to the extent where debates about the merits of the nuclear program between moderates and hardliners within Iran became heated. In addition, ongoing nuclear negotiations made it possible for Iran and the international community to identify each other's concerns and enabled both parties to adjust their positions accordingly. In consequence, the new moderate government that came to power in 2013 changed its policy and decided to take part in nuclear negotiations and ostensibly commit (a final agreement is yet to be signed) to a nuclear program for peaceful purposes.³⁶

In the case of Libya, the U.S and the UN had imposed strong sanctions on Libya based on its support for terrorism since the early 1980s, and this crippled its oil-export based economy. Also, the U.S. and other partners closely traced and acquired evidence on Libya's efforts to create a secret nuclear program and successfully intercepted the German-registered ship *BBC China* during its passage to Tripoli, seizing a large number of centrifuge components in October 2003. The series of international measures and incentives proposed by the U.S. forced Muammar Gaddafi to surrender Libya's whole nuclear program and accept complete verification by international organizations.³⁷ Furthermore, it is important to recognize that Libya

³⁶ Kelsey Davenport, "UN Security Council Resolutions on Iran," Arms Control Association, August 2012, www.armscontrol.org/factsheets/Security_Council_Resolutions-on-Iran; Kelsey Davenport, "History of Official Proposals on the Iranian Nuclear Issue," Arms Control Association, January 2014, www.armscontrol.org/factsheets/Iran_Nuclear_Proposals; "Statement by H.E. Dr. Hassan Rouhani President of the Islamic Republic of Iran at the Sixth-eight Session of the United Nations General Assembly," September 25, 2013, http://gadebate.un.org/sites/default/files/gastatements/68/IR_en.pdf.

³⁷ Norman Cigar, *Libya's Nuclear Disarmament: Lessons and Implications for Nuclear*

and Iran were also strongly pressured by the possibility that direct military attacks on nuclear facilities, as often announced by Israel, would ensue were they not to soften their stances on their nuclear programs.

Limited Nuclear Resources

The limitations of available resources for nuclear development also have an important impact on the outcomes of nuclear development. International monitoring and coercive measures on secret nuclear programs were not particularly strong during the 1960s and 1970s compared to today. South Africa successfully completed its nuclear program without external exposure because it possessed indigenous resources of uranium ore, secretly conducted nuclear cooperation with Israel, and exploited advances made in its civilian nuclear program which was supported by Western countries.³⁸ The international community did not know the exact scope of South Africa's nuclear program until it made a voluntary disclosure. Israel also completed its own nuclear program in concert with advances made in civilian nuclear technology and via secret deals for the acquisition of nuclear materials from Argentina and South Africa.³⁹ Pakistan further exploited nuclear scientist Abdul Qadeer Khan's knowledge and technological materials acquired from the URENCO Group in the Netherlands, as well as through China's support for its nuclear development. These countries were able to exploit their own scientific and technological capabilities and international networks without much international oversight until they had already completed their nuclear programs. On the contrary, however, Iran and Libya had to import all the necessary resources, including nuclear materials and technology, in an environment of extensive international sanctions and monitoring. The U.S. and the international community were able to track all nuclear activi-

Proliferation (U.S. Marine Corps University, MEM Monographs, No. 2, January 2012); Paul Kerr, "News Analysis: Libya's Disarmament: A Model for U.S. Policy?," Arms Control Association, June 2004, http://www.armscontrol.org/act/2004_06/NewsAnalysis.

³⁸ Peter Liberman, "Israel and the South African Bomb," *The Nonproliferation Review* (Summer 2004), http://www.qc.edu/political_science/profmat/Israel%20and%20the%20South%20African%20bomb.pdf; "Israel and the South African Nuclear Bomb Documents," *The Nonproliferation Review* (Summer 2004), http://whatreallyhappened.com/WRHARTICLES/israel_south_african_nuclear_bomb_documents.html.

³⁹ William Burr and Avner Cohen, "Israel's Secret Uranium Buy: How Argentina fueled Ben-Gurion's nuclear program," *Foreign Policy*, July 2, 2013.

ties and moved to implement timely coercive punishments and place clear demands for denuclearization.

A Question of Survival

In addition to the above lessons of successful denuclearization, there are many lessons to be learned from failed nuclear negotiations. First of all, it is difficult to successfully coerce target states which consider their nuclear programs as a means of survival essential to counter existential threats. Existential threats can in turn be “exploited” as arguments to bolster national sentiment and internal political support for nuclear programs, which can prove durable even in the face of pressure and incentives. India’s nuclear program started when China undertook nuclear tests and became a nuclear power in spite of strong opposition. During its engagement in localized war with China as a result of territorial disputes, India came to fear China’s nuclear deterrent which drove New Delhi to recognize the need for its own nuclear capabilities; such was also viewed as an essential component for international power status akin to that of other nuclear powers.⁴⁰ Similarly, after Pakistan lost East Bangladesh in its 1971 war with India, and, in particular, after the latter’s nuclear test in 1974, Pakistan was propelled to develop nuclear deterrence capabilities against India. Thus, in spite of international sanctions both Pakistan and India declared themselves to be responsible nuclear states after successfully completing nuclear tests in 1998.⁴¹ Israel is also another case demonstrative of an existential threat motivating a nuclear program. Surrounded by Arab powers with larger conventional forces, Israel has experienced several wars with its neighbors. Thus, Israel strongly and systematically pursued a secret nuclear plan to acquire deterrence capabilities, based on arguments for guaranteeing its own survival.⁴² In sum, a lesson is that the other potential proliferators which surrendered their nuclear programs were not exposed to direct existential threats from

⁴⁰ Sharif, M Shuja, “India’s Nuclear Decision,” *Contemporary Review* (2002): 335-46.

⁴¹ William Burr, “China, Pakistan, and the Bomb: The Declassified File on U.S. Policy, 1977-1997,” The National Security Archive Electronic Briefing Book No. 114 (March 2004), <http://www2gwu.edu/nsarchiv/NSAEBB/NSAEBB14>; Carey Sublette, “Pakistan’s Nuclear Weapons Program, The Beginning,” January 2, 2002, <http://nuclearweaponarchive.org/Pakistan/PakOrigin.html>.

⁴² Avner Cohen, “Before the Beginning: The Early History of Israel’s Nuclear Project(1948-1954),” *Israel Studies* 3, no.1 (1998); Avner Cohen, “The Last Taboo: Israel’s bomb Revisited,” *Current History* 104, no. 681 (April 2005): 169-75

other powers at the time when they started their nuclear programs, even though indirect threats may have been perceived.

Inconsistency and Lack of Coordination

Furthermore, the inconsistency of U.S. policy and a lack of international coordination have made it hard for the international community to dissuade states with nuclear ambitions. The U.S. and other global powers have adopted to some extent what can be termed a discriminatory policy while displaying a more "tolerant" attitude towards the nuclear programs of allies and partners. As a longstanding ally of Israel, for example, the U.S. did not take strong punitive measures to stop its nuclear program, even though it detected Israel's nuclear program in its early stages.⁴³ By exploiting civilian nuclear programs, India continuously maintained and developed its nuclear program through the 1980s and the 1990s with relative impunity.⁴⁴ In fact, in October 2008 the Bush administration signed a nuclear cooperation agreement with India which implicitly recognized India's nuclear status. China meanwhile actually supported Pakistan's nuclear program thereby disregarding international efforts for non-proliferation. The U.S.'s own posture towards Pakistan has fluctuated since the Soviet invasion to Afghanistan in 1979, during which the U.S. imposed sanctions to deter Pakistan's nuclear program, but at the same time provided support for a secret war against the Soviet occupation forces. The Bush administration lifted its sanctions on India and Pakistan in 2001, which were imposed after their nuclear tests in 1998 because the U.S. needed the support of those countries for the war on terrorism in Afghanistan. In fact, the U.S. provided large-scale economic and political assistance to Pakistan despite the existence of its nuclear program.⁴⁵ China continues to oppose the imposition of more stringent sanctions and other measures on North Korea which may threaten the stability of the regime. Given North Korea's dependence on China, this weakens the effectiveness of international punitive measures. It is clear that any future denuclearization negotiations in North Korea will experience difficulty in

⁴³ Avner Cohen, "The Last Taboo: Israel's bomb Revisited."

⁴⁴ David Albright and Mark Hibbs, "India's Silent Bomb," *Bulletin of the Atomic Scientists* (1992): 27-30.

⁴⁵ Sharon Squassoni, "Closing Pandora's Box: Pakistan's Role in Nuclear Proliferation," *Arms Control Today* (April 2004): 8-13.

making headway unless international coordination and the consistency of non-proliferation policy can be assured.

It is likely to be hard to persuade target states by using coercive measures. Negotiation theory tells us that deterrence is easier than coercion. This principle also holds true in denuclearization negotiations. In examining the history of nuclear negotiations, there are no countries (with the exception of South Africa) which surrendered their nuclear capabilities through negotiations once they had succeeded in completing the development of nuclear weapons. International measures such as monitoring, sanctions, and interdictions are designed mainly to prevent nuclear development in the first place. Once target states actually succeed in developing nuclear weapons, international options for thwarting the continued progress of their nuclear programs become more limited. Having achieved nuclear status, a state will place more value on its nuclear status and integrate it with its own interests, making it hard to reverse *de facto* nuclearization. In particular, the option of military intervention is not available in dealing with most nuclear states. Israel, India, and Pakistan all started and completed their nuclear programs in the early age of the NPT regime before the international community had fully mobilized its coordination efforts to prevent and dissuade proliferation of nuclear weapons. Since its third nuclear test in February 2013, North Korea possesses a more enhanced nuclear capability. Whereas negotiations before this test were aimed at dissuading further development of its capability, the situation now necessitates that denuclearization negotiations focus on not simply dissuading but actually seeking to *reverse* North Korea's nuclear capability. This means that the context of the negotiations has changed to become more difficult and complex.

Towards a Framework for New Negotiations

In this second part of the paper, a basic framework for denuclearization negotiations with North Korea is outlined. In so doing, it is recognized that previous negotiations have failed to achieve their goal and there is a need for new thinking grounded in the reality that North Korea is highly unlikely to voluntarily abandon its nuclear program. What is proposed here does not intend to be a comprehensive roadmap, indeed many question marks and issues remain, but rather it sketches out the main principles and approaches that could be utilized.

The Starting Point for Renewed Negotiations

From where do we restart denuclearization negotiations with North Korea? Firstly, we must consider the question of whether or not the international community should implicitly or explicitly recognize the realities of North Korea's nuclear status. After its second nuclear test in 2009, North Korea has continued to strongly insist that it has become a de facto nuclear state and that future negotiations should be concerned with nuclear arms control and not denuclearization. In fact, the international community believes that North Korea sooner or later will achieve actual nuclear missile capabilities unless its nuclear program is constrained. North Korea argues that it would act as a responsible nuclear state, complying with international norms such as those India and Pakistan have committed to; indeed, it claims to want to pursue India and Pakistan's model where a legitimate nuclear status is recognized. However, the U.S. and the international community both make it clear that they will not accept North Korea as a nuclear state. They retain non-negotiable interests on non-proliferation which preclude them from recognizing North Korea's claims.

Moreover, there are other barriers to the restart of denuclearization negotiations with North Korea. In this regard, it is impossible to disregard the lessons of previous denuclearization negotiations and agreements with North Korea which were skillfully manipulated, and subsequently broken, by North Korea for its own objectives. It is thus highly likely that resumed denuclearization negotiations—if carried out as before—will only result

in North Korea stalling for more time as well as demanding concessions. Repeating such a scenario is therefore not viable for the negotiating parties—principally the U.S., South Korea, and Japan. Furthermore, considering North Korea's commitment to its nuclear policy, there is no great hope that future denuclearization negotiations will produce a high payoff in such a short timeframe that would stop North Korea from fully developing its nuclear weapons capability.

Thus, if denuclearization negotiations are to be restarted and guided in a more strategic direction, the status of a *de facto* nuclear state should not be implicitly conferred on North Korea, even though it is important to recognize the realities of North Korea's current nuclear capability. In order to prevent repeating previous mistakes, therefore, it is essential to enforce basic conditions for the denuclearization negotiations, which should ensure North Korea's sincere attitude and behavior before the parties reconvene at the negotiation table. If negotiations are started without the proper conditions, it will likely be impossible to achieve the desired objective of denuclearization. Enforcing a set of conditions carries risks, however, since waiting for North Korea to "implement" the conditions could increase the risk that the international community stands idly by while North Korean nuclearization is accelerated. The international community needs to avoid these dilemmas to the extent possible. Therefore it is necessary to lay down a set of preliminary conditions which can be strengthened as the negotiations move forward. As the course these negotiations will take will likely present considerable difficulties, the international community should do its utmost to mobilize the support of all like-minded states.

Liberal, Realist, and Constructivist Approaches to Negotiations

The international community has applied what can be described as liberal, constructive, and realist approaches together in a complex manner in order to work towards North Korea's denuclearization. This has been done in accordance with the demands of changing security situations. Each approach has revealed its own advantages and limitations during previous negotiations. As the North Korean nuclear situation becomes more complicated, the menu of policy options available becomes narrower. The success of future negotiations depends not only on what kind of conditions are set for negotiations but also how negotiations with North Korea are to further

proceed. More tailored and refined denuclearization approaches are essential. With this in mind, it is necessary here to evaluate the major characteristics (and limitations) of the above three approaches to engaging with North Korea and their implications for denuclearization negotiations.

The liberal approach emphasizes the importance of confidence-building measures and social and economic interactions with the aim of building trust. Accordingly, it is argued, a more “benign” policy of engagement can contribute positively towards denuclearization. In fact, two liberal South Korea governments from 1998 to 2008 adopted such a policy (the so-called sunshine and reconciliation policy) towards North Korea with the hope that it would relieve military tensions and distrust on the peninsula, and thus, contribute positively towards denuclearization. The Clinton administration in its second term also adopted a policy of engagement to assuage mutual distrust, making it possible for high-level officials to exchange visits in October 2000: then U.S. Secretary of State Madeleine Albright visited Pyongyang, and North Korea’s Director of the Korean People’s Army General Political Bureau Jo Myong-rok visited the White House. North Korea has faced great economic difficulties under international sanctions, with Kim Jong-un stressing that he is strongly committed to improving living conditions for North Koreans—a situation necessitating an easing of sanctions, provision of economic aid, and undertaking cooperative projects with other countries. Notwithstanding, pro-engagement policies with the provision of economic benefits in return for denuclearization measures have, in the end, proven unsuccessful. Rather Pyongyang has exploited such policies and further augmented its nuclear program. This is not to say that such an approach is redundant; indeed, building trust and interactions with North Korea will be essential if it is to complete denuclearization. However, it should not be wielded as a carrot before measures are undertaken.

Currently the international community prefers a realist approach and recognizes implicitly that North Korea will not give up its nuclear program and that without a fundamental change in North Korea’s calculations regarding its nuclear program, desired outcomes from negotiations cannot be achieved. After the third nuclear test in 2013, increased sanctions were imposed on North Korea in attempt to inflict economic damage on the regime. The only feasible strategy according to the realist approach is to employ coercive diplomacy to make North Korea rethink the costs of its

nuclear program. There are also limitations to this, however. First, China continues to provide an economic lifeline and political support for North Korea. Second, North Korea frequently exploits brinkmanship and a coercive strategy against South Korea and the U.S. through military and nuclear provocations which raise military tensions on the peninsula. Moreover, North Korea is more easily able to justify its nuclear program as countering a perceived hostile international environment.

The constructivist approach provides a middle ground to some extent between the realist and liberal approaches. It advocates a policy of fundamentally changing North Korea's perception, identity, and behavior related to its nuclear program through long-term interactions and reciprocal measures. Unlike the realist approach, it prefers multi-level engagement with North Korea. On the other hand, it opposes a "benign" policy in which North Korea may manipulate policies of engagement without undertaking any productive measures for denuclearization. Accordingly, engagement policies can help North Korea see the benefits of denuclearization and to understand the real intentions of South Korea and the U.S., allowing for these to be reappraised instead of being point blank dismissed as insidious. At the same time, punishment can be utilized to make North Korea reconsider its calculations on the benefits and costs of its nuclear program and of provocations. The constructivist approach does have limitations, however, and it does not specify how to translate its concepts into actual applied policy, nor does it detail what is a reasonable timeframe for the apparent change in North Korea's perceptions and behavior to take place. Because changes of perception, identity, and behavior demand long-term interactions, it is hard to tell when these will occur and whether or not we can be sure of the occurrence of change at all.

How should the different "theoretical" approaches to denuclearizing North Korea be applied in practice? Above all, it is necessary to adopt a more nuanced approach which combines the constructivist and the realist measures into a coherent negotiation strategy. Such an approach would ideally weigh up and navigate the advantages and limitations which the realist and the constructivist approaches entail. First and foremost, it is necessary to mainly focus on realist policies which strongly punish North Korea's "bad behavior" on the basis of its violation of the UNSC resolutions and to strengthen punitive measures whenever North Korea violates

the resolutions and undertakes nuclear provocations. This should underpin the whole process of denuclearization negotiations. In turn, “constructivist” policies need to supplement more punitive measures. Contacts and exchanges can help relieve the distrust and fear of the North Korean leadership and make them more aware of the advantages of denuclearization. Furthermore, it is especially important to manage peace and stability on the peninsula through the use of constructivist policies in order to reduce animosity and provocation. If North Korea successfully undertakes denuclearization measures and fully complies on the requirements of the NPT regime, the international community can initiate trust-building and peace-building processes more effectively within the framework laid out by the liberal approaches.

Aims and Objectives

Negotiations should aim for the complete and verifiable denuclearization of North Korea. Nevertheless, the international community needs to consider different options to achieve this objective. In order to pursue the denuclearization of North Korea in the short term, which is the most desirable objective, the structure of the negotiations should be such that they create a situation whereby North Korea must make a choice between regime survival and complete denuclearization. That is, the international community should mobilize sufficient leverage and pressure to enforce a change in North Korea's calculations. In this situation, North Korea can be led to the conclusion that there is no other option for regime survival except compliance with international demands. Notwithstanding, it is unrealistic that such leverage can be mobilized in the short term.

On the other hand, if the complete denuclearization of North Korea is viewed as a longer term objective, then more flexible approaches—ones more effectively combining sticks and carrots—can be considered.⁴⁶ Under this approach, two main options can be considered. First, the whole process of negotiation can be focused on from the start, something which implies that the conditions are set for a fundamental change in North Korean behavior before pressing for complete denuclearization. Nuclear negotiations can

⁴⁶ However, this approach has problems too, as well runs the risk that the international community may signal its “tolerance” of a nuclear North Korea in the short term.

then be pursued on the basis of strict principles in which reward for partial denuclearization measures can be limited and strong punishment continuously imposed unless fuller measures are adopted. This approach would require both strategic patience as well as the “construction” of a suitable environment for the denuclearization negotiations.

Second, the international community can undertake a step-by-step process. The first is achieving the objective of managing and reducing the threat posed by North Korea’s nuclear program and the risks therein. Denuclearization demands in this step would take the form of more “moderate” measures, including the freezing of nuclear programs, a moratorium on nuclear and missile tests, and the dismantling of its 5MW nuclear reactor and HEU facilities. Subsequently, complete denuclearization measures can be negotiated in a “phased-in” manner. This approach may satisfy North Korea’s demands to some extent and can thus facilitate agreement more easily. Because all of the denuclearization measures and incentives for the first step have been discussed and agreed in the previous negotiations, the new agreement can probably be signed within a short time. However, it also possesses an inherent problem because the negotiation repeats the same kind of deal with North Korea which has failed and North Korea exploited for its nuclear development. This is especially as it may create the perception and precedent that the international community “rewards” the provocative behavior of North Korea, such as the breach of bilateral and multilateral agreements, nuclear tests, and the violation of the UNSC resolutions. Furthermore, if the limited objective of “putting out the immediate fire first and then resolving the other issues later” is pursued, then the achievement of the ultimate objective of full denuclearization may become more uncertain. Indeed, North Korea may perceive this approach as demonstrating the weakness of the international community’s resolve and as vindicating the success of its own strategy based on aggressive provocations.

Considering the advantages and weaknesses of each option in the denuclearization negotiations, it would be best to adopt a strategy which pursues complete denuclearization in the long term, and which should be propelled by the efforts of strategic patience as well as strategic shaping through international coordination. Nevertheless, this approach needs to be combined with a phased approach in order to reduce its weakness. That is, even though perfect negotiation conditions are not present, the international community

can under certain conditions start negotiations with the principle of complete denuclearization and continue to strengthen these conditions during the negotiations. This complementary approach would provide flexibility for starting the negotiations earlier, allow for mobilizing available leverages in time, and enable reaching compromise more easily. However, it also carries with it the risk that too much focus will be placed on partial achievement, rather than complete denuclearization. Thus, clear objectives and a roadmap for full denuclearization based on international coordination and consensus is necessary to successfully conduct negotiations.

Building and Enabling Denuclearization Negotiations

Firm conditions for the denuclearization negotiations should first be imposed which can only be commenced when North Korea shows a sincere change in its attitude and actions. Accordingly, efforts should be focused on building the proper conditions, that is, an enabling environment for successful denuclearization negotiations to take place. Without these in place, resumed negotiations would be less likely to succeed. The key components for designing and enabling such negotiations are analyzed below.

China's North Korea Policy and International Coordination

As an ally and the most important trade partner of North Korea, China holds the greatest leverage among the relevant parties regarding the North Korean nuclear issue. Its economic clout over North Korea is substantial, with all North Korean oil and gas imports coming from China and more than 90 percent of North Korean exports going to China. Without China's support, international leverage cannot be effectively imposed. However, as previously examined, China is reluctant to wield this leverage concerned as it is by potential instability that may ensue from any regime collapse and the implications for the U.S.-China geo-strategic rivalry. As North Korea is well aware of China's position, it has little concern for the costs imposed by international sanctions. Thus, it is clear that unless China's position can be changed to bring more pressure to bear on North Korea, little headway towards denuclearization can be made.

There are two ways to circumvent this dilemma and change China's standpoint. First, the U.S. needs to make an implicit and explicit agreement with China on North Korean nuclear issues. The U.S. may coerce China by "threatening" to redeploy nuclear weapons in the region, strengthening the regional military alliance structure, and creating a regional missile defense architecture. On the other hand, the U.S. can assuage China's concerns about the expansion of its influence on the peninsula by making a commitment that it will not exploit North Korean territory for military purposes against China. Also, both the U.S. and China can agree on an international coordination system for handling North Korea problems properly and in

a timely manner if instability occurs. South Korea can also make efforts to address China's concerns and change its perception on the future of the Korean Peninsula. Indeed, China-South Korea relations are rapidly transforming to that of interdependent strategic partners. Furthermore, relations have matured enough for South Korea to be able to talk directly with China on North Korean issues and about future relations. Thus, through dialogues and interaction, South Korea should imprint a new perception that denuclearization measures would have a favorable impact on the interests of China.

In addition to China's support, there are other nations whose cooperation is required. Russia and Japan are key participants in the Six Party Talks and are important regional actors. The European Union also possesses an interest in North Korea's denuclearization as well as humanitarian issues in the country. North Korea is pursuing a strategy to diversify its own diplomacy away from reliance solely on China. In particular, it has been looking to enhance its cooperation with Russia and Japan as means to complement its China dependence and to try to assure China's continuing support by manipulating power competition among those countries. Such diplomacy runs the risk of dividing the international community. It is therefore necessary to improve international coordination by developing a common line among the main parties to ensure greater leverage and that denuclearization efforts are more effective.

Smart, Tailored Punishments and Incentives

How can we more effectively utilize punishment and incentives to induce changes in North Korean behavior? The UNSC has made four resolutions including Resolution 2094 in March 2013, according to which North Korea is required to abandon all nuclear activities and nuclear weapons, cease trading in conventional weapons and materials related to nuclear and missile programs, as well as undergo inspections of cargo in transit suspected of containing illicit materials.⁴⁷ Moreover, the U.S. unilaterally imposes punishment on entities which engage in WMD and missile programs, arms trafficking, and illicit activities such as counterfeiting and money laundering.⁴⁸

⁴⁷ United Nations Security Council, Security Council Committee established pursuant to resolution 1718 (2006), <http://www.un.org/sc/committees/1718/>.

⁴⁸ U.S. House of Representatives, "U.S. House Passes Sweeping North Korea Sanctions

In January 2015, President Obama imposed additional sanctions on North Korea because of its cyber-attack on Sony Pictures. After the Cheonan incident in 2010, in which a North Korean miniature submarine torpedoed a South Korean patrol ship, South Korea imposed not only the UNSC resolutions but also bans on all social contacts and trade with North Korea except for businesses in the Kaesong Industrial Complex. Japan too has imposed its own sanctions on North Korea on account of the latter's kidnapping of Japanese nationals, though some of these have been eased since discussions to resolve the issue were held last year. The United Nations General Assembly has also adopted a resolution on the abuse of human rights by the North Korean regime and the UNSC discussed the issue in spite of China and Russia's opposition. In addition, the U.S. and the international community closely monitor North Korea's WMD-related trade through proliferation security initiatives.

Although North Korea is a very isolated and closed society, UN sanctions and other punishments inflict considerable damage on North Korea's economic and diplomatic activities. As a result, North Korea's dependence on China has deepened and its economy faces serious difficulties. It cannot resolve chronic food shortages and many people go hungry. Nevertheless, its economy is now in relatively better shape compared with the past, and North Korean society has demonstrated great endurance in the face of sanctions. North Korea further exploits the loopholes in UN sanctions, for example such as registering its trade entities in foreign countries as well as through illicit border trade with China. Traditional allies and partners such as Russia, Iran, and other countries provide opportunities for North Korea to circumvent the sanctions and ensure the regime's survival. North Korea has furthermore designated many special economic zones and pursued a project to boost its tourism industry. At the same time, it wants to transform the main agenda of the North Korean problem from centering around nuclearization issues into development and peace issues. International punishment should eliminate the opportunities for North Korea to manipulate and make use of such loopholes. Also, it should continue to strengthen leverage to effectively threaten and frustrate the lifeline of the North Korean economy. In order to implement more effective punishment, it is essential

Bill," July 28, 2014, <http://connolly.house.gov/news/us-house-passes-sweeping-north-korea-sanctions-bill>.

to create smart and tailored measures based on international coordination which must include China.

Incentives are just as important as punishment. Thus, it is necessary to provide sufficient incentives to induce change. North Korea has spent a great amount of capital, energy, and human resources in pursuit of nuclear development in a context of international pressure. The North Korean regime consequently believes that steps towards dismantling its nuclear program need to be compensated by sufficient rewards as well assurances for the survival of the regime. The September 2005 Agreement entails many specific conditions and incentives for the denuclearization measures which North Korea demands. As mentioned in the agreement, commitment for commitment and action for action should be applied in terms of incentives. Nevertheless, if incentives are not properly managed, it would serve to weaken any punitive measures and delay denuclearization.

Contacts and Exchanges

Contacts and exchanges are the most important tools to try to influence North Korea's perceptions of its nuclear program. Social and economic engagement plays a critical role for the passage of information into North Korean society. The question is how the international community should pursue engagement with North Korea to promote desirable outcomes. North Korea accepts and allows contacts and exchanges with the outside world only to a limited extent. It strictly controls the inflow of information and limits personal contacts and exchanges as much as it can, even as it seeks foreign economic assistance and investment. South Korea and other international partners also face inherent difficulties in expanding engagement to North Korea. They are concerned that their assistance through engagement may weaken the impact of international sanctions and that any aid given can be diverted to financing nuclear development programs. Thus, even though engaging North Korea is important, it should be done in a way which does not conflict with UN sanctions.

There are three practical ways to pursue engagement with North Korea. First, a certain level of humanitarian assistance needs to be provided regardless of the political situation. In fact, international organizations and many countries provide humanitarian assistance in spite of North Korea's nuclear provocations and the existence of UN sanctions. The Park Geun-hye

government of South Korea has also announced this principle. Nevertheless, dangling the carrot of large-scale humanitarian assistance can be used as a negotiating tool to promote denuclearization. An example of this is when the U.S. committed to providing nutritional assistance in return for a moratorium on North Korea's nuclear and missile tests in February 2012. The resistance and objection of North Korea is likely to be less strong where humanitarian assistance is concerned because it provides for the immediate need and medical assistance for vulnerable people in society without attaching high political price tags.

Second, socioeconomic exchanges and cooperation should be pursued and expanded contingent upon progress made towards denuclearization. Japan has already initiated moves to restart contacts with North Korea in return for the resolution of the kidnapping issue. South Korea is attempting to open and expand social, cultural, and environmental engagement. In fact, there are many areas in which the international community can expand exchanges without political limitations. However, North Korea's nuclear development and provocations greatly hamper the enhancement of socioeconomic exchanges and cooperation. The UNSC resolutions ban trade and financial transactions with North Korean entities involved in nuclear and missile development. They also impose travel bans on key people related to the WMD program. Nevertheless, as a powerful ingredient for building trust, engagement should be maintained and enhanced because of its possible influence on changing North Korea's attitude and actions. It is important to start engagement in smaller, non-political areas where both sides can easily accept compromises before then expanding engagements incrementally.

Third, the South Korean government needs to find a way to actualize the many projects and initiatives it has promulgated and reviewed in order to improve inter-Korean relations. They include the expansion and internationalization of the Kaesong Industrial Complex, the expansion of Mount Kumgang tourism, the joint development of the Han River, the construction of a DMZ World Peace Park, and the connection of the TSR (Trans Siberian Railway) and the gas pipeline from Russia. Of course, there are many barriers and challenges in realizing these projects. Again, the UNSC sanctions prohibit certain projects and businesses, but many projects can be pursued if North Korea changes its attitude and policies. The South Korean government has announced a "Korea vision" to strengthen economic ties with

North Korea. As this functional approach advocates, the two Koreas can start mutually beneficial and acceptable projects.

Flexible but Tough Negotiations

Given North Korea's past violations, the international community should be more cautious and strategic in negotiations with North Korea. Thus, the international community needs a strategy which shows a willingness to have contact with North Korea but which maintains strong principles for the actual negotiations. Meetings and dialogues (both working and high level) are an essential means to deliver on intentions, to listen to North Korea's demands and claims, and to improve mutual understanding. On the other hand, there should not be any opportunity for North Korea to exploit dialogues for its own objectives. Real intentions should be clearly communicated so that North Korea understands what is expected of it in the negotiations and the punishment if it does not comply. Consistency of principles is a critical factor for tough negotiations, which should proceed upon the principle of commitment for commitment and action for action, as has previously been agreed.

Negotiations should be carried out under the three following conditions. First, it demands consensus and coordination among the major actors party to the negotiations. If an actor does not follow consensual actions and undertakes unilateral actions, North Korea will receive the wrong message and likely try to exploit the disunity for its own gain. Secondly, negotiations require consistent long-term efforts to change North Korea's perception and behavior. Moreover, applying coercion in the negotiations demands more time and tougher measures. Thirdly, tough negotiation requires playing a game of will. North Korea will perhaps undertake efforts to undermine the tough negotiation strategy by resorting to nuclear provocations and playing the China card. Thus, the U.S. and South Korea need to counter and nullify such a kind of strategy.

Strengthening Tailored Extended Deterrence Capabilities

Tailored extended deterrence is not only intended to protect the security of South Korea but also to change the perceptions of North Korea. The goal is to make North Korea realize that its nuclear capabilities and military

provocations cannot be used as an instrument for intimidation against South Korea and that doing so will rather strengthen the military capabilities and international security position of South Korea. Examples of its provocations include its threats to turn Seoul into “ashes of fire” and undertake nuclear strikes not only on South Korea but also the U.S.⁴⁹ Moreover, North Korean naval vessels frequently cross the maritime boundary line in the West Sea with ensuing naval clashes between the two Koreas. North Korea also made a torpedo attack on a South Korean patrol ship in South Korean waters and shelled Yeonpyeong Island which killed civilians as well as soldiers in 2010. In response, South Korea committed to retaliating to North Korean military provocations in 2010. South Korea and the U.S. furthermore agreed to a tailored extended deterrence strategy at the annual Security Consultative Meeting in October 2013. Tailored extended deterrence aims at dissuading both low-level and high-level North Korean military provocations. The U.S. has committed to providing denial and retaliation capabilities which include the nuclear umbrella, conventional strike capabilities, missile defense systems, and other military capabilities to guarantee the tailored extended deterrence strategy of South Korea. South Korea has also decided on its own military build-up plan to strengthen strike capabilities as well as its own missile defense system called Korea Air Missile Defense. These capabilities will help demonstrate to North Korea that its nuclear programs would not guarantee its regime survival but worsen the vulnerability of the regime militarily, diplomatically, and economically.

Nevertheless, there is a possibility that North Korea will negatively respond to this strategy. That is, in response to the tailored extended deterrence strategy, North Korea may try to accelerate the speed of its nuclear development and to justify its nuclear programs as counteracting the deterrence strategy. In order to reduce this negative impact, the allies should not only demonstrate strong resolve in their military commitments but also clearly deliver the real intention of the extended deterrence strategy.

⁴⁹ Choe Sang-hun, “North Korea Calls Hawaii and U.S. Mainland Targets,” *New York Times*, March 27, http://www.nytimes.com/2013/03/27/world/asia/north-korea-calls-hawaii-and-us-mainland-targets.html?_r=0

A Phased Roadmap for North Korea's Denuclearization

As the previous sections have demonstrated, the best approach for achieving North Korea's denuclearization is to negotiate with maximum leverage and "sticks" to try to fundamentally change North Korea's calculus regarding the nuclear program. In so doing, once negotiations are underway, providing certain "carrots" or incentives become important in return to relieve the concerns of the North Korean regime. Yet it is important to realize that achieving the objective of denuclearization in the short term is improbable barring a sudden and dramatic change in North Korea's policy and behavior regarding its nuclear program. If the international community instead adopts a long-term approach for denuclearization, options for more effective negotiation can be designed and pursued. As such, this section outlines a phased "roadmap" consisting of five different stages.

Table 1 below details the major areas that negotiations for denuclearization must address, and the incentives the international community need to provide. In so doing, there are three principles for the negotiations which should be upheld. First, all of the denuclearization measures should be implemented in complete, transparent, and irreversible ways. Second, as clearly indicated in the September 19, 2005 Joint Statement, commitment and actions should be undertaken reciprocally. Many of the incentives such as the relief of international sanctions and socioeconomic assistance consist of many items and packages which could be expanded incrementally in accordance with North Korea's fulfillment of denuclearization. That is, the incentives would be enacted in a reciprocal way, contingent on what North Korea itself undertakes. Third, considering North Korea's current nuclear situation and the time constraint for achieving denuclearization, the roadmap for denuclearization should be simplified and denuclearization measures should be accelerated so as to shorten the process to the extent possible. In this regard, the five stages of the denuclearization roadmap would be pursued according to a step-by-step process.

Table 1. Denuclearization Measures and Incentives

Denuclearization Measures	Incentives
1. A moratorium of nuclear and missile tests.	1. The relief of international sanctions (partial or complete).
2. The freezing of all nuclear programs.	2. Economic and social assistance, designing and signing a new "Marshall Plan" for North Korea.
3. Return of international inspectors to the nuclear sites and monitoring of all nuclear programs.	3. A recommitment to non-aggression.
4. The dismantling of the 5MW reactor.	4. Energy assistance.
5. The renouncement of the nuclear program and nuclear development policy.	5. The expansion of inter-Korean relations (the Kaesong Industrial Complex, tourism, TKR/TSR/TCR, a gas pipeline connection, the DMZ world peace park, joint development of the Han river, investment, trade, and socioeconomic and cultural exchanges).
6. The signing of a Joint Action Plan.	6. Provide assistance to assure North Korea's peaceful use of nuclear energy under full international monitoring and inspections
7. Disclosing information on all nuclear activities and programs including the HEU program.	7. Provide assistance in terms of technology, expertise, equipment, and money for the dismantlement of the nuclear program.
8. The dismantlement of all of the nuclear facilities and materials.	8. Provide assistance for the transition of nuclear-related personnel to other jobs.
9. The dismantlement of medium- and long-range missile programs.	9. Dialogues for the reduction of military tensions and implementation of confidence-building measures between the two Koreas.

10. The safe storage of already produced nuclear weapons under international monitoring.	10. Diplomatic normalization with the U.S. and other countries.
11. The verification of the complete dismantlement of nuclear facilities and missiles.	11. Altering the conduct of annual U.S.-South Korean military exercises.
12. Transitioning of nuclear-related personnel to other jobs.	12. The construction of a peace system on the peninsula and in the region and the signing of a peace agreement.
13. The destruction of nuclear weapons and long-range missiles.	
14. A return to the NPT.	

First Stage of Denuclearization Negotiations

The first stage of the denuclearization process is to restore credibility between North Korea and the international community. Thus the focus should be on the relief of mutual concerns and distrust and providing new hope to the deadlocked negotiations. In so doing, both sides need to recommit to their promises and to implement these in a proper and timely manner.

Table 2. Denuclearization Measures and Incentives for the First Stage of Negotiations

Denuclearization Measures	Incentives
A moratorium of nuclear and missile tests, along with the freezing of all the nuclear programs. International inspectors must return to the nuclear sites and guarantee the monitoring of all nuclear programs, including the disabling of the 5MW reactor. All military and nuclear provocations by North Korea should also cease.	Economic and social assistance, partial resumption of contacts and exchanges, the expansion of humanitarian assistance, and the incremental improvement of inter-Korean relations.

Table 2 above shows the initial denuclearization measures North Korea should commit to, and the incentives the international community should

provide. As the U.S. and North Korea already agreed to this in February 2012, both sides can easily reach an agreement on the moratorium of nuclear and missile tests and the return of IAEA inspectors. However, the freezing of nuclear programs would be a challenge for both sides because it includes not only the 5MW nuclear reactors restarted in 2013 but also the HEU program. In particular, the HEU program is a new aspect on which little information has been disclosed. North Korea may seek to exploit the HEU program as a new aspect of leverage. The international community should not provide a reward only for the commitment to the moratorium, something which North Korea abandoned in 2012. The moratorium's reinstatement would rather be an opening passage for the first stage of the denuclearization process. It is essential to create momentum for ascertaining practical progress on the negotiations right from the beginning. This would contribute to changing the pessimistic environment which prevails surrounding the denuclearization negotiations as they currently stand. In addition, in order to relieve tensions and enhance trust between the two Koreas, North Korea should stop its nuclear and military provocations such as threats of nuclear strikes, nuclear tests, and local military attacks.

In return for North Korea's positive actions, the international community should consider sufficient but limited incentives to push forward North Korea's actions. It would be hard to be assured of North Korea's real intentions at this stage. It is imperative that the experience of the Six Party Talks is not repeated. Thus, the incentives should be arranged more strategically and cautiously. The new security environment of the negotiations can facilitate the improvement and expansion of inter-Korean relations. For instance, socioeconomic and cultural contacts and exchanges can be expanded in various areas such as the reunion of separated families, exchanges of cultural and sports events, and the import of North Korean products. In addition, the South Korean government can consider the expansion of the Kaesong Industrial Complex and tourism. There are also many joint projects the two Koreas can start dialogues on, such as the DMZ World Peace Park and the joint Han River development project already proposed by the previous Lee Myung-bak administration. The models of the previous nuclear negotiations can be utilized for providing the incentives. Nevertheless, international sanctions still need to be strongly maintained at this initial stage because it

does not mean that North Korea will follow up on denuclearization and observe NPT norms.

Second Stage of Denuclearization Negotiations

Table 3 outlines denuclearization measures and incentives during the second stage of the negotiation process. At this stage, it is important to make detailed and comprehensive agreements on the complete denuclearization process and in return to design and sign a new “Marshall Plan” for North Korea. Both sides should clearly express their will to hold themselves to and implement these agreements through a strongly worded commitment. For its part, North Korea should make a sincere commitment to give up its nuclear development policy internally and externally, not in a rhetorical statement, but in an official policy document. The September 2005 Agreement can provide the basic principle on what measures each side should undertake and its reaffirmation and practical implementation would represent a good step. The joint action plan for denuclearization is also important to draw a comprehensive picture and timeline for denuclearization measure and incentives. This needs to include all of the denuclearization measures including nuclear weapons and the infrastructures for plutonium and HEU programs as well as mid- and long-range missiles.

Table 3. *Denuclearization Measures and Incentives for the Second Stage of Negotiations*

Denuclearization Measures	Incentives
The renouncement of the nuclear program and of nuclear development policy and a recommitment to the September 19, 2005 Joint Statement. North Korea should provide information on all nuclear activities and programs including the HEU program. A Joint Action Plan should be signed.	Continued assistance and engagement policy, the expansion of contacts and exchanges, designing and signing of a New Marshall Plan for North Korea, a recommitment to non-aggression, and dialogues on the reduction of military tension as well as confidence-building measures.

Incentives for this stage would be reciprocal commitments contingent on North Korea's denuclearization measures. As mentioned, incentives should be provided so that North Korea can be made aware of the benefits to its own security and economy which denuclearization will bring. Financing of aid measures for the reconstruction and development of an impoverished North Korea after its complete denuclearization should be drawn up. This approach would provide a great motivation to North Korea and allow it to identify alternative ways to ensure regime survival that do not include nuclear weapons. Nevertheless, most of the major incentives need to be subdivided for incremental implementation in parallel with North Korea's denuclearization actions. As frequently underlined in the September 2005 Agreement and other statements, the U.S. should also officially provide a commitment of non-aggression towards North Korea. The acceptability and availability of all of the incentives should be seriously discussed and reviewed by the relevant parties. Contacts, exchanges, and assistance started in the first stage should be continued and expanded in a limited manner. Additionally, the two Koreas should commence dialogues to reduce military tensions and build a more stable and peaceful security structure on the peninsula.

Third Stage of Denuclearization Negotiations

The third stage of the denuclearization negotiations would constitute the most important (and most likely the longest) period for achieving the full denuclearization of North Korea in practice. Table 4 outlines the denuclearization measures and incentives required. The actions in this process would demand more specified measures for implementation and verification agreed on by issue, including both the plutonium and HEU programs and missile programs. Unlike plutonium production facilities, HEU programs can be easily concealed from the investigation and monitoring of international inspectors. Past experience tells us the possibility that North Korea may try to maintain its secret nuclear programs by limiting the scope of disarmament, concealing some of its programs, and avoiding complete verification. The U.S. scrapped the 1994 Agreed Framework in 2002 after North Korea's secret HEU programs were disclosed. The Six Party talks became stalled in 2008 because North Korea objected to U.S. demands for scientific verification on the nuclear sites. Unless North Korea fully complies on the

details of the denuclearization measures, North Korea's denuclearization "efforts" would only provide an opportunity for the regime to manipulate and exploit the negotiations for its purposes.

Table 4. Denuclearization Measures and Incentives for the Third Stage of Negotiations

Denuclearization Measures	Incentives
<p>The dismantling of all nuclear facilities and materials, as well as medium- and long-range missile programs. Safe storage of nuclear weapons under international monitoring, and the verification of their complete disarmament.</p>	<p>Energy assistance, partial lifting of international sanctions, investment, assistance for dismantling, the expansion of inter-Korean relations (e.g. the Kaesong Industrial Complex, tourism, the TKR/TSR/TCR, gas pipeline connection, a DMZ world peace park, Han river joint development, investment, trade, and socio-economic and cultural exchanges). The improvement of diplomatic relations, accepting the peaceful use of nuclear energy, and undertaking dialogues regarding peace building and signing a peace agreement.</p>

The full packages of assistance and cooperation would flow into North Korea in this stage. The international community would apply Cooperative Threat Reduction measures to North Korea for effectively dismantling and diverting the nuclear-related industry to other business programs. In addition, various socioeconomic assistance packages could be designed and implemented. For instance, South Korea can greatly expand the existing contacts and exchanges and start a discussion on various projects which would be mutually beneficial. The international community will also need to find a proper way to assure itself of North Korea's continued albeit peaceful use of nuclear energy, in a similar way as provided to Iran. Light water reactors promised in the 1994 agreement might be an option which can be cautiously discussed, but with consideration of the fact that the nuclear energy industry can be diverted for nuclear weapons production. The lessons of the previous

negotiations tell us that North Korea has frequently used highly skillful negotiation tactics to gain concessions from the international community and to delay and deceive negotiators. Thus, incentives should be strategically arranged to curtail this. In addition, this process requires coordinated efforts as well as burden sharing among the relevant parties. Because there would be differences in national interests, international coordination and burden sharing may face many challenges. Finally, South Korea and other regional states would need to start talks on peace building measures on the peninsula, including signing a concrete peace agreement. This would also entail South Korea strengthening its efforts to relieve military tensions and build trust with North Korea.

Fourth Stage of Denuclearization Negotiations

The fourth stage would comprise the final efforts for denuclearization and peace-building measures which should assuage North Korea's security fears and concerns. Table 5 outlines the denuclearization measures and incentives for this stage. It will be hard for the international community to complete these denuclearization measures unless North Korea completely changes its attitude about its nuclear program. North Korea can conceal nuclear weapons as it did with its HEU programs. It can also reverse the denuclearization process at any time as we have seen in the past. Thus, this process requires North Korea's sincere cooperation towards complete verification of the denuclearization measures. That is, unless North Korea fully complies with transparent verification measures, complete denuclearization will be impossible to achieve. In addition, in order to prevent nuclear proliferation activities, the Cooperative Threat Reduction measures on nuclear-related personnel and material should be carefully and successfully implemented.

Incentives for this stage consist of not only economic but also political packages. Especially aid measures designed in the previous stage need to be partially implemented to reconstruct and develop North Korea. The terms of diplomatic normalization with the U.S. and other countries must be sincerely negotiated and pursued. The international community would recognize North Korea as a normal and equal partner, making it possible to provide large-scale assistance and expand engagements. South Korea can propel many projects to build an economic community with North Korea. A peace agreement should also be negotiated to replace the Armistice

Agreement. Regional states also need to support efforts for building and consolidating a peace structure on the peninsula. These incentives and efforts should assure North Korea that the benefits of the denuclearization far exceed those that nuclear capabilities can provide. Unlike socioeconomic assistance, political incentives such as normalization of diplomatic relations would take time because other conditions beyond nuclear issues can be reviewed. Nevertheless, it is important to take sincere measures to relieve North Korea's concerns.

Table 5. Denuclearization Measures and Incentives for the Fourth Stage of Negotiations

Denuclearization Measures	Incentives
Complete dismantling of all nuclear facilities and materials, the dismantling of medium- and long- range missile-related facilities, the destruction of nuclear weapons and missiles and the complete and transparent verification of these measures.	The complete lifting of international sanctions. Provision of assistance in terms of technology, expertise, equipment, and financing for the dismantling of the nuclear program; assistance for relocating nuclear-related personnel to other fields; improvement of diplomatic relations; the normalization and the negotiation of peace-building measures and peace agreement.

Fifth Stage of Denuclearization Negotiations

The fifth stage is to conclude a peace treaty,⁵⁰ which would constitute a cornerstone for confidence-building measures between the two Koreas, and to construct a stable and peaceful security structure on the peninsula and in

⁵⁰North Korea continues to insist that the Armistice Agreement should be replaced with a peace treaty. As North Korea completes its denuclearization measures, negotiations for a peace treaty would be propelled. However, North Korea puts many conditions on the peace treaty which imply greatly weakening the security of South Korea such as the withdrawal of U.S. forces on the peninsula and the abrogation of the U.S.-South Korea alliance. A peace treaty should be negotiated based on principles to create and guarantee a permanent peace in which Korean people no longer fear war on the peninsula. It should consider the geopolitical mechanisms of the two Korea's issues and the positive roles and responsibilities of the regional powers.

the region as a whole. The denuclearization process by itself will contribute to enhancing trust between North Korea and the U.S. and South Korea. Nevertheless, it will be not easy to fully eliminate the deeply embedded distrust between the two sides. North Korea may not be willing to cooperate with the international community on denuclearization measures if it cannot be assured of the sustainability of the security situation after denuclearization. Thus, under the newly developed circumstances of denuclearization, it would be essential to construct and strengthen comprehensive trust building measures both bilaterally and multilaterally. In particular, the two Koreas should agree upon and implement military confidence-building measures on the peninsula. For instance, they should resolve dispute issues on the boundary line (NLL) of the West Sea, make an agreement for the prevention of accidental military clashes and military provocations, and pursue arms control for the reduction of military distrust. It is also necessary to implement trust building measures between the U.S. and North Korea as North Korea insists that its nuclear program is rooted in the hostile policy of the U.S. In addition, as committed to in the September 19, 2005 Joint Statement, regional states need to develop a peace regime to guarantee the stability and peace on the peninsula. Such military confidence-building measures demand long-term efforts.

In return, incentives for this stage would be multiple. Aside from peace building on the peninsula, the international community can accelerate contacts, exchanges, and cooperation with North Korea. The two Koreas can deepen their relations in the political, economic, and social spheres and work to build an economic and social community. South Korea and the international community can also help North Korea rebuild its infrastructure. Many projects such as the TSR and gas pipeline connection from Russia would be facilitated, and efforts for diplomatic normalization would be completed.

Conclusion

The international community needs to first build the appropriate conditions to move forward with the denuclearization negotiations and to achieve their objective. Without such conditions in place, it would prove highly unlikely that North Korea would elect to denuclearize. It thus follows that the key enablers for constructing a suitable environment for resumed negotiations should be identified and utilized. Above all, a change in China's North Korea policy would be important so as to enhance international coordination to bring pressure to bear on North Korea. In this respect, strong, smart, and tailored punishments based on the UNSC resolutions and internationally coordinated would allow the international community to impose unbearable costs on the North Korean regime. Nevertheless, it is important to maintain contacts and exchanges with North Korea to the extent possible. Contacts and exchanges are a major instrument to help construct new perceptions, identities, and behaviors on the part of North Korea regarding its nuclear policy. In so doing, a degree of flexibility should be maintained so as to meet and talk with North Korea bilaterally and multilaterally. However, the denuclearization negotiations should be commenced from and proceed according to a hardline position supported by firm principles and consistency. Considering North Korea's current nuclear situation and its policy, the international community should be very cautious to not provide any loophole which North Korea could exploit in the negotiation process. In addition, the U.S. and South Korea need to imprint the perception on North Korea, through strengthening extended deterrence capabilities on the peninsula, that its nuclear program cannot threaten the security of South Korea.

The roadmap for North Korea's denuclearization should be pursued in a phased and reciprocal manner, as agreed in the September 19, 2005 agreement, and its process should be simplified and shortened as much as possible so as to prevent North Korea from becoming an actual nuclear state. While this is desirable, condition building, negotiations, and denuclearization measures will be time-consuming efforts, especially considering the seemingly intractable stances of the relevant parties, North Korea's nuclear policy, the lack of international leverage on North Korea, and the complexity of the issues of denuclearization. In particular, the roadmap indicates that it

is impossible to succeed in achieving denuclearization without guaranteeing sincerity and trust between the two sides. Thus, the first focus should be on containing North Korea's nuclear program and the nuclear threat as part of a long-term roadmap for denuclearization. Once this is achieved, sufficient conditions for negotiation can be built and with time denuclearization measures can be pursued. It is important to introduce new economic aid measures for North Korea as part of this, as well as Cooperative Threat Reduction. A division of roles and responsibilities among key players would be necessary to implement the negotiation strategy more effectively. For instance, the U.S. may carry out the major role of applying punitive measures on North Korea. While China and South Korea, in concert with the international community, should also maintain this leverage, they can to some extent also apply a more proactive engagement policy to persuade North Korea to denuclearize.

In sum, the international community needs to review how it can mobilize sufficient leverage and implement such effectively in the face of strong resistance from North Korea. Indeed, constraining North Korea's options so that it has no choice but to denuclearize should form the cornerstone of any renewed efforts to solve the nuclear issue. Such leverage should be applied until denuclearization measures are transparent, completely implemented, and satisfactorily verified.

About the Author

Park Chang-kwoun is Senior Research Fellow at the Korea Institute for Defense Analyses (KIDA). A retired Captain in the Korean Navy, he received his Ph.D. in political science from the University of Missouri-Columbia in the United States in 1995. He worked at the policy and strategy division of the Ministry of National Defense and Joint Chief of Staff for six years before joining KIDA in 2003, where he served as Director of the Center for Security and Strategy and also Director of Defense Strategy Studies. He has authored many papers including “Defense Policy 2014: Major Issues and Strategy” and “On Strengthening Extended Deterrence for the ROK-US alliance.” He was a Visiting Research Fellow at the Institute for Security and Development Policy in Stockholm in 2014.