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The US Approach to North Korean Human Rights and the Prospects of US-North Korea Relations

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US President Donald Trump shed a light on North Korean human rights issues in a State of the Union address delivered on January 30 for the first time since his inauguration. In particular, Ji Seong-ho, a North Korean defector got the world's attention as he hoisted the wooden clutches to the thunderous applause at the State of the Union. And on February 2, eight North Korean defectors were invited to the White House to meet President Trump. Given a series of moves by the US, it will be worth thinking about how the US attempt to raise North Korean human rights issues should be interpreted and what kind of implications it will have on the future US-North Korea relations.

The Trump Administration's Approach to North Korean Human Rights

The Trump administration's approach to North Korean human rights issues can largely be analyzed in the following two ways. First, in the short-term, the Trump administration appears to use the highlighting of North Korean human rights issues as a way to show its resolve to firmly respond to North Korea's strategy of being strong on the outside world and being warm on the inside within the peninsula, a strategy deployed

thanks to the PyeongChang Winter Olympics. In fact, there exists a concern in Washington that the US demand for North Korea's denuclearization might be weakened by North Korea's participation in the Winter Olympics and by the subsequent detente mood unfolding between the two Koreas. The Trump administration seems poised to respond more aggressively to North Korea's changed strategy as the North changed the date of Army Foundation Day for the first time in 40 years so that it can hold a massive military parade right before the Olympics. Second, in the mid- to long-term, the Trump administration's approach could be seen as a naming and shaming strategy aimed to maximize the effect of sanctions against North Korea. This naming and shaming strategy is designed to explicitly criticize any government accused of continuous human rights violations to improve its human rights conditions. The US is trying to gain an upper hand in the US-North Korea relations by raising North Korean human rights issues, thereby increasing pressure on the North regime. This approach came out of the recognition that human rights violations in the DPRK are issues already well-known to the international community.

The message that Washington aims to deliver through its North Korea policy is clear: the US will not go for a policy that only relies on the good will of the DPRK; and the US finds it impossible to recognize North Korea as a nuclear state or have a negotiation for nuclear disarmament with Pyongyang on its own term. Vice President Mike Pence highlighted during his visit to Pyeongchang that the purpose of his visit is to put an end to policy of "strategic patience" of the Obama administration. During his visit, Vice President Pence has taken a series of steps to clearly show the US intention to connect North Korean human right issues with its pressure-oriented North Korea policy: he accompanied Otto Wambier's father, Fred, to the opening ceremony of the Winter Games, had a meeting with North Korean defectors, and visited Cheonan Memorial.

The US Strategy to Connect Pressure-oriented North Korea Policy with Human Rights Situation of the North

In fact, the recent US moves to highlight North Korean human rights violations and use it as a leverage for imposing pressure on North Korea is nothing new. The US already specified an interlink between Pyongyang's human rights abuses and its nuclear and missile development in H.R.757, the North Korea Sanctions Enforcement Act, passed on February 16 after the regime's fourth nuclear test in 2016. In 2017 alone, two more reports were additionally submitted after the first report was published on July 6, 2016. Three reports submitted by the US State Department after the passage of H.R.757 described a broad spectrum of subjects for sanctions - 29 individuals and 13 organizations, including Kim Jong-un and the core North Korean leadership.

The emphasis on North Korea's human rights situation as shown in the State of the Union address should be understood as follows: the main goal of the US pressure-focused North Korea policy goes beyond simply trying to change North Korea's behavior; the policy aims to 1) underscore the North's accountability for human rights abuses by putting a pressure on how the regime is structured and 2) to strengthen the driving force for sanctions against the DPRK toward a goal of denuclearization. Analyzing remarks of President Trump, Vice President Pence, and National Security Advisor H.R. McMaster will provide a barometer on the Trump administration's recognition of North Korea and the subsequent direction of related strategic discussions.

As the focus of US North Korea policy is likely to remain on pressure rather than dialogue and negotiation, the US is expected to continue to take issue with the DPRK on its human rights violations for the time being. In particular, the US move of raising North Korea's human rights issues will have a significant impact on the future prospects of US-North Korea relations as such move is being used as part of pressure-focused strategy in connection with the current sanctions regime against Pyongyang.

Prospects of US-North Korea Relations and the Role of South Korea

The US-North Korea relations are not likely to take on a path of direct dialogue or improvement at least for now if the US sticks to pressure North Korea for a considerable amount of time. It is mainly because Washington, with its emphasis on denuclearization and the need to improve North Korea's human rights, is engaged in a tug of war with Pyongyang, which declared to have completed the nuclear force. Against this backdrop, it is important to formulate a strategy to fully utilize the momentum of improved inter-Korean relations in building peace and promoting cooperation on the Korean Peninsula so that the ROK government's effort to seize the opportunity created by the Winter Olympics can be materialized into serving as a bridge between the US and North Korea. In addition, it is time to take one step further and expand the areas for inter-Korean exchange and cooperation and build trust in the military between the two Koreas.

North Korea's human rights violations should be fundamentally resolved within the frame of inter-Korean relations. And PyeongChang Paralympics scheduled to be held in March after the Winter Olympics could provide an opportunity to address human rights issues since it will be the North's first participation in the Paralympics and North Korea has been somewhat cooperative on improving human rights of the vulnerable population, including people with disabilities, women, and children.

The UN Special Rapporteur on the rights of persons with disabilities Catalina Devandas Aquilar pointed out in a report submitted to the 37th session of the Human Rights Council that the condition of facilities for people with special needs is poor in the North and that the North Korean regime has very little regard for the wellbeing of those with disabilities. The ROK government could plan various projects, such as joint projects for South and North Koreans with disabilities and an infrastructure project in North Korea and carry out those projects within a broader frame of inter-Korean exchange and cooperation. Pyongyang has taken a series of meaningful steps in terms of relevant policy that in 2016 it ratified the UN Convention on the Rights of Persons with Disabilities and in 2017 it allowed a visit of the UN Special

Rapporteur Catalina Devandas Aquilar to North Korea. Given the past track-record, the North is likely to respond positively to South Korea's suggestions for those projects.

It is important for the ROK government to identify areas that North Korea can find it easily accommodating so that South Korea can keep this current momentum going and take the lead in human rights issues of its northern neighbor. Although the strong advocacy for North Korean human rights issues mainly led by the US is a mainstream strategy, without engagement efforts the fundamental improvement of North Korea's human rights conditions will not be possible. To that end, the South Korean government is facing challenges of actively identifying and suggesting inter-Korean agendas that are negotiable and easily applicable. A series of measures recently taken by the Trump administration on North Korea's human rights situation raise a deeper question of how the South Korean government should formulate policy on North Korea. ©KINU 2018

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