

The Park Geun-hye Government's Role in a Needed New Strategy toward North Korea

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This paper places President Park Geun-hye's policy of building trust with North Korea in the difficult context of North Korea's threats against South Korea and the United States, and the prospect that North Korea soon will produce nuclear warheads for its Nodong missiles. Nuclear warheads on the Nodongs will give North Korea a new instrument to pursue provocative acts against South Korea. It signifies the death of denuclearization as a credible policy priority for South Korea and the United States. The paper contends that a new strategy is needed to replace denuclearization. South Korea must take the leading role in developing new issues in its diplomacy toward Pyongyang. President Park could propose multiple negotiations over at least six South-North issues that could yield outcomes favorable to South Korea. The paper also suggests ways for the Park Government to coordinate with the United States over strengthening deterrence against a North Korea with nuclear warheads.

Key Words: threats, warheads, death, lead, multiple

The Reality that President Park Faces

President Park Geun-hye has taken office facing a difficult situation in moving forward her stated intention of building trust between South Korea and North Korea. Allied diplomacy toward North Korea is frozen. North Korea acted with hostility toward President Lee Myung-bak's strategy of tying diplomatic initiatives toward North Korea with North Korean concessions on the nuclear weapons issue. Pyongyang suspended South-North talks and demanded that President Lee reaffirm the financial commitments and promises of food aid made by his predecessor, President Roh Moo-hyun. Then, in 2010,

North Korea sank a South Korean naval vessel, *Cheonan*, and shelled a South Korean island, Yeonpyeong. U.S. denuclearization diplomacy toward North Korea is equally stalemated. The collapse of the February 29, 2012 U.S.-North Korea Agreement is the latest U.S. diplomatic failure.¹

With diplomacy stalemated, North Korea moved both its missile and nuclear weapons programs forward with a relatively successful test of a long-range missile in December 2012 and an apparently successful test of a nuclear device in February 2013, on the eve of President Park's inauguration. In addition to the apparent success of the tests themselves, there are two particularly disturbing signs. One is the numerous reports of Iranian involvement in both the missile test and the nuclear test.² This indicates a growing Iranian stake in these North Korean programs and thus incentives (including financial incentives) for Pyongyang to move these programs forward as rapidly as possible.

Iran's reported priority interest in the February nuclear test also suggests that the tested warhead was a uranium warhead for North Korea's intermediate range Nodong missile (and thus potentially for Iran's Shahab 3 missile, which is a twin of the Nodong). If the *London Sunday Times* report is correct that Mohsen Fakhrizadeh-Mahabadi traveled to North Korea to observe the test, it then becomes certain that the test was indeed a uranium test and the warhead was probably designed for the Nodong. Dr. Mohsen reportedly heads Iran's program to develop a uranium warhead for the Shahab-3.

My article on North Korea's development of nuclear warheads, published by South Korea's Institute of National Security Strategy in

1. See my paper, "The Collapse of the February 29 Agreement: Is Denuclearization of North Korea Still a Credible Policy Objective?" Published by the Institute for Corean-American Studies, May 2012.

2. "N.Korea's nuke test 'funded by Iran'," *Chosun Ilbo*, February 20, 2013; "Iran 'paid millions for ringside seat at N.Korean Nuke test'," *Kyodo News*, February 15, 2013. The *Chosun Ilbo* report cited the report in the *London Sunday Times*, quoting western intelligence sources, that "Iran's leading nuclear scientist, Mohsen Fakhrizadeh-Mahabadi, is believed to have traveled to North Korea to observe its third nuclear test."

December 2011, detailed North Korea's intimate involvement with Pakistan's A.Q. Khan, in providing Nodong missiles to Khan that were re-named Ghauri, observing and receiving data from Khan's 1998 tests of uranium warheads, and having North Korean scientists in Khan's laboratory in the subsequent development of warheads for Ghauri missile.³ My article also described North Korea allowing U.S. nuclear scientist, Sigfried Hecker, to view what he described as a modern, sophisticated plant to enrich uranium in November 2010.

This was the background for the reports in 2013, stating that North Korea is developing nuclear warheads for its Nodong missile. Richard Engel, long time national security correspondent for NBC News, reported on April 3, 2013, that U.S. officials believe that North Korea has nuclear warheads on its missiles but only on missiles with a range of 1,000 miles.⁴ 1,000 miles is the range of Nodong. Dr. Ham Hyung-pil of the Korean Institute for Defense Analysis said three weeks later that North Korea may be able to place a nuclear warhead on the Nodong.⁵ In Washington, the knowledgeable *Nelson Report* stated that among U.S. Government officials, the likelihood that North Korea has nuclear warheads for its Nodongs "seems far more certain behind closed doors than in public."⁶ All of these warnings came amidst the intelligence report of the U.S. Defense Intelligence Agency, assessing "with moderate confidence, the North currently has nuclear weapons capable of delivery by ballistic missiles."⁷

North Korea's nuclear test was followed by an eruption of North Korea's threats against South Korea and the United States: threats to launch nuclear weapons against the United States and U.S. bases in the Western Pacific and declaration of a "state of war" against South

3. Larry Nicksch, "When North Korea Mounts Nuclear Warheads on Its Missiles," *The Journal of East Asian Affairs*, Vol. 25, No. 2, Fall/Winter 2011.

4. NBC Nightly News broadcast, April 3, 2013.

5. "North Korea can make nuke-tipped missile able to hit South: expert," *Korea Herald*, April 24, 2013.

6. *The Nelson Report*, May 2, 2013.

7. Dion Nissenbaum and Jay Solomon, "Korean nuclear worries raised," *Wall Street Journal*, April 12, 2013.

Korea, the closing of the Kaesong industrial zone, and rejection of future negotiations on the nuclear issue.

The implications of this situation for the new Park administration contain few positive elements. First, denuclearization of North Korea as a total policy priority has lost its credibility. U.S. diplomacy has gained nothing in the last five years. The failed February 29, 2012, Agreement is the latest of several U.S.-North Korean negotiations in which North Korean negotiators out-negotiated and out-maneuvered the U.S. negotiators. North Korea's apparent progress toward producing weapons-grade uranium and nuclear warheads, and its successful long-range missile test make any scenario impossible in which the current government in Pyongyang would give these programs up. These programs are too close to achieving the fundamental North Korean military-strategic goals for the North Korean government to abandon.

Second, neither President Lee's policy of conditioning South Korea's initiatives on North Korea's denuclearization progress nor the earlier Sunshine Policy of providing unconditional food and financial aid to North Korea have changed North Korea's behavior toward either nuclear weapons development or toward provocations against South Korea.

Third, North Korea's new leader, Kim Jong-un, does not appear to be committed to changing the fundamental elements of North Korea policies as developed by his father. Reports of his decision to proceed with the nuclear test in February 2013 suggest that he is influenced heavily by the rigid North Korean military leadership.⁸

Fourth and most important, the new Park government faces the likely prospect that North Korea will mount nuclear warheads on its intermediate range Nodong missile in 2013. It seems to me that North Korea's threats to attack the United States with nuclear weapons have been a classic propaganda disinformation strategy to distract the United States, South Korea, and Japan from the immediate goal of

8. Chang Se-jeong and Kim Hee-jin, "Discord in Pyongyang over third nuclear test," *Joongang Daily*, March 15, 2013.

Pyongyang's nuclear program: nuclear warheads for Nodong. The Park government thus almost certainly will face a North Korean nuclear warhead with the capability to target sites throughout South Korea.⁹

This military reality also confronts President Park and her advisers with the likelihood of divergent diplomatic goals between South Korea and the United States in any future nuclear negotiations. The current Obama Administration's agenda, set forth in the failed February 29, 2012, Agreement with North Korea and in subsequent statements by current and former U.S. officials, emphasizes negotiating North Korean moratoriums on the testing of nuclear weapons and long-range missiles. Those objectives would serve the U.S. interest in containing North Korea's progress over the next several years in developing long-range missiles and nuclear warheads for those missiles that could reach Alaska, Hawaii, and the U.S. West coast. But this U.S. agenda would have little benefit to South Korea (and Japan) as they face the current reality of nuclear warheads on the Nodong missiles.

Needed: A New ROK-Led Strategy

Thus, it seems that President Park's goal of building a more stable North-South relationship will require the development of a new strategy toward North Korea to replace the near total priority to denuclearization diplomacy of recent years, and to address the new situation facing South Korea regarding nuclear warheads on North Korea's Nodong missiles. She will have to separate some elements of ROK policy from the U.S. denuclearization policy and develop a strategy to deal with a more direct nuclear threat to South Korea. She

9. North Korea may not publicize immediately its warheading of Nodongs. Since Sigfried Hecker's visit to the North Korean uranium enrichment plant in November 2010, Iran reportedly has urged North Korea to keep secret its nuclear programs that have Iranian involvement. Thus, Iran may urge North Korea not to disclose nuclear warheads on the Nodongs until Iran is assured of acquiring these warheads for the Shahab-3 missile.

should not return to the Sunshine Policy, providing unconditional food and financial aid to the North Korean regime. She should coordinate a new strategy with the Obama administration in terms of gaining U.S. understanding that some new initiatives should not be conditional on the denuclearization issue. During her visit to Washington in May 2013, she apparently gained President Obama's support for her "trust building" policy.

It seems to me that a new strategy should have three elements: One is to develop and raise new issues in South Korea's diplomacy toward North Korea, ending the exclusive focus on denuclearization. The second element should strengthen deterrence against the heightened North Korea threats when North Korea develops nuclear warheads for its Nodong missiles. In the wake of Pyongyang's heightened threat rhetoric in 2013, strengthening deterrence has already begun. The third element is the need to establish a better means of communication with North Korea to deal with future "nuclear crises" that Pyongyang may instigate through provocations against South Korea.

Proposing Multiple Issues for South-North Negotiations

It is in the first element of the new strategy, developing and raising new issues in South Korea's diplomacy toward the North, that the Park Geun-hye government should have the lead role. Most of the issues that create tensions on the Korean Peninsula are issues between Seoul and Pyongyang. Even the issues that have a more multilateral nature are important to South Korea, and thus need South Korea's leadership role.

For President Park, a middle course between priority to denuclearization and the Sunshine Policy would be to propose to North Korea a series of negotiations on several issues. Challenge Kim Jong-un by proposing negotiations on multiple issues. State to Kim Jong-un that he could choose any of these issues on which he would be prepared to negotiate. By proposing talks on several issues, President Park would complicate the North Korean government's decision-making process.

Even the hard-liners in Pyongyang would find it more difficult to reject multiple proposals for negotiations than if they only had to reject a single proposal for negotiations.

An opportunity to influence the North Korean government's decision-making process is especially relevant in the view of recent reports of divisions within the North Korean leadership over conducting the February 2013 nuclear test and closing down the Kaesong industrial complex in April 2013. According to these reports, hard-line military leaders, who advocated these measures, were opposed by civilian leaders, including Jang Song-taek, Kim Jong-un's uncle and probably the most powerful official of the Korean Workers (Communist) Party.¹⁰ The military won these reported debates. However, one cannot discount the possibility that the views of these civilian officials influenced the receding of North Korea's campaign of threats and tirades and North Korean proposals about re-opening Kaesong. It seems to me that a multiple negotiations proposal from President Park likely would cause these divisions to resurface.

There also are several measures that South Korea and the United States could take to pressure the North Korean government into giving serious consideration toward South Korea's proposal for multiple negotiations. The most important of these would be for Seoul and Washington to set out a detailed agenda of requirements for the conclusion of a Korean Peace Treaty. This has not happened since the 1980s despite constant pressure from North Korea on the United States to accept Pyongyang's proposal for a bilateral North Korea-U.S. negotiation of a peace treaty. The ROK-U.S. counter-proposal would emphasize that settling issues between Seoul and Pyongyang constitutes a firm requirement for the negotiation of a peace treaty and that

10. "Discord in Pyongyang over third nuclear test," *Joongang Daily*, March 15, 2013; "North at odds over Kaesong: source," *Joongang Daily*, April 5, 2013; "N.K. replaces hawkish defense chief with younger, little-known General," *Korea Herald*, May 13, 2013. The *Korea Herald* cited a report in the Japanese newspaper, *Sankei Shimbun*, quoted "unnamed sources" that some Workers Party officials and senior party and cabinet officials opposed the closure of Kaesong.

South Korea must be a full participant in any peace treaty negotiations (See more discussions of the peace treaty issue).

Other tactics to pressure North Korea could include the U.S. position of withholding food and financial aid until North Korea shows a “positive response” to President Park’s proposal for negotiations. South Korea could signal that in the absence of a positive North Korean response, the ROK government would take an aggressive role in the forthcoming United Nations Commission of Inquiry into North Korean human rights abuses.

The issues that President Park could propose should be issues that would likely yield outcomes that are favorable to South Korea. The negotiated settlements of such issues would make a direct contribution to North-South reconciliation — a point that President Park could make when proposing multiple negotiations and advertising her proposal.

Advertising such a proposal would be important because President Park’s diplomacy toward North Korea should be intended to influence not only the North Korean leadership but also three other audiences. One is the South Korean public. President Park will need strong public support for her diplomacy and will need to neutralize expected criticism from advocates of the Sunshine Policy. The second audience is the U.S., — the Obama administration, the U.S. Congress, and informed U.S. experts and the public opinion. The third, with growing importance, are Chinese moderates, who favor China reducing its current support for North Korea. Since the December 2012 missile test and the February 2013 nuclear test, a number of prominent academics and other Chinese professionals have openly criticized North Korea. In the *Washington Post* on January 19, 2013, Professor Zhang Liangui of the Party School of the Chinese Communist Party Central Committee was quoted that Chinese opinion on how to handle North Korea was divided. The Chinese Internet has been full of commentaries criticizing North Korea. There have been protests outside North Korean diplomatic missions.¹¹ Any ROK or U.S. strategy

11. Steven Mufson, “Chinese express scorn for longtime ally,” *Washington Post*,

should aim at influencing and strengthening the views of these Chinese critics of North Korea and adding to their numbers. Even the Chinese government's recent diplomatic coolness toward North Korea appears to reflect this shift in Chinese public opinion. Jang Song-taek's reported opposition to the February 2013 nuclear test was based on his fear that the test would alienate China from North Korea to a dangerous degree.

Thus, even if North Korea rejected President Park's proposal for multiple negotiations, her influence over these other audiences would be enhanced. North Korea would suffer a defeat in its constant propaganda campaign to turn South Korean and Chinese public opinion against the ROK and U.S. policies. Pyongyang would be isolated further, which is an important factor in the long term. As Evans Revere, former State Department official in charge of Korean affairs, stated at the Korean Economic Institute on May 13, 2013, creative diplomacy is sometimes needed to "remind people of North Korean intransigence."

In considering a strategy of proposing multiple negotiations, President Park and her advisers undoubtedly would discuss the timing of issuing proposals — the best time period to issue the proposal that would have the best results for South Korea. The shutting down of the Kaesong industrial complex complicates the decision on timing. There is no doubt that there is a strong view in South Korea that North Korea's actions to close down Kaesong would make new negotiating proposals by South Korea impractical. That view is justifiable. South Korea undoubtedly will make the restoration of Kaesong central to any diplomatic proposals. Nevertheless, the context for the proposal of multiple negotiations is a strategy for the long term — for President Park to appeal to multiple audiences, for President Park to create an agenda that she could utilize throughout her term of office, and for President Park or her successor to act upon if the Pyongyang regime should decide on a "yes" response to some of the issues that Park proposes. Restoring Kaesong will have to be one of those issues, but

April 14, 2013; Jenny Jun, "Dealing with a sore lip: Parsing China's 'recalculation' of North Korea policy, 38 North (internet)," March 29, 2013.

in the present circumstances and based on long term goals, it does not have to be the only issue.

Moreover, Pyongyang's recent feelers and semi-proposals for a "celebration" of the June 15, 2000 South-North Summit, allowing South Korean businessmen back into Kaesong, and accepting China's proposal to renew Six-Party Talks, are clearly intended to put President Park on the defensive and portray her as being inflexible. One should expect more "proposals" from North Korea with this motive. I have been negatively impressed by the optimism expressed by some people here, including the U.S. media, whenever North Korea makes negotiating proposals that contain past demands and clichés; these people usually view these North Korean proposals as a sign that the Pyongyang regime has moderated policies and seeks a genuine détente with the United States. President Park has an opportunity to neutralize this kind of reaction to North Korea's proposals with concrete proposals for substantive negotiations over real issues in inter-Korean relations.

What are the issues best suited for such a proposal? It seems to me that the following issues would be most conducive for South Korea's proposal of multiple South-North negotiations:

Negotiating a West Sea Boundary: North Korea's military provocations against South Korea could take place in the form of attacks on the South Korean islands in the West Sea, near the North Korean mainland. South Korea would be in a strong negotiating position that a negotiated North-South boundary would have to militarily separate the ROK islands from the North Korean mainland. Any such negotiated boundary would have to be identical to or close to the Northern Limit Line (NLL) proclaimed by the United Nations Command in 1953. There could no other outcome, given the geographical reality of the islands location in relation to the North Korean mainland. President Park could add "related maritime issues," such as fishing rights to such a proposal as an incentive to North Korea. Proposing the negotiation of a North-South maritime boundary would complicate North Korea's decision-making over launching future military provocations against the South Korean islands. It thus would reinforce deterrence.

The Obama administration and the U.S. State Department would have to support such an ROK proposal (even if the reports of the State Department's reluctance to deal with the NLL issue diplomatically are correct). The Chinese government has constantly expressed on record to favor South-North negotiations. Such a proposal from President Park would gain strong support from Chinese moderates.¹²

Mutual Missile Constraints: Now that South Korea has announced a plan to remove its missiles from the limits on range set by the Missile Control Technology Regime (MCTR), President Park could propose that South and North Korea negotiate an agreement to place all missiles on the Korean Peninsula under the MCTR, subject to thorough inspections and verification. President Park could add that during negotiations, neither side would test missiles. This proposal is likely to draw a rejection from Pyongyang but such a rejection would leave a negative impression on the other audiences addressed by President Park's diplomacy. President Park would have added justification for proceeding with the plan to expand the range of ROK missiles. China and Japan would have less justification for their reported opposition to South Korea's missile range expansion. If North Korea accepted the offer to negotiate, South Korea should present a plan for an active and challenging inspection mechanism. South Korea also should put its long-standing agreement with the MCTR forward as the model for both Koreas. If North Korea shows signs of using the negotiations to stall and delay South Korea's plan to extend the missile ranges, President Park should proceed with implementing the plan.

Divided Family Reunions: President Park could recast this long-standing issue in a proposal to negotiate a detailed schedule for family reunions that sets the dates, locations, and numbers of divided family members to be involved. The proposed location could be the Kaesong special economic zone where North Korean family members would gain exposure to South Korea. President Park ought to make any proposal for family reunions public, including an announcement over

12. Larry Niksch, "An agenda for North-South military talks: North Korean recognition of the Northern Limit Line," *Segye Times*, February 19, 2011.

television with South Korean divided family members seated behind President Park.

Food Aid Linked to North Korean Agricultural Reforms: President Park already has hinted that an offer of food aid to North Korea would be part of a three-stage trust-building strategy toward North Korea. ROK officials have described the first stage of this strategy as an offer of “humanitarian assistance” to North Korea. Humanitarian assistance could have several components, but given its recent history, her offer could undoubtedly include renewed food aid. According to these ROK officials, an offer of humanitarian assistance would be linked to a call for North Korea to promise to keep South-North agreements.¹³

However, I would critique such an offer on two accounts. First, it seems to me that any initial offer of food aid should be limited to specialized food for infants, small children, and possibly pregnant women. There should be no offer of bulk rice or corn. This is the Obama administration’s current policy. The North Korean government, over many years, has diverted sizeable portions of the bulk of rice and corn from the truly needy to the military and the communist elites in Pyongyang.¹⁴ Or, the regime has used donated rice and corn as a cushion to enable it to confiscate higher portions of rice and corn produced by the collective farms.

Second, the United States and South Korea already have tried to link food aid to North Korea adopting positive policies toward nuclear and North-South issues, including keeping previous agreements. Any successes have been short-lived, and all have collapsed when the North Korean government chose to renounce agreements or reinterpret them radically or when Pyongyang believed that slight increases in domestic food production gave it an option to restrict or terminate foreign food aid. After nearly twenty years of this stagnant cycle, it is time for a new approach that would aim to internally change North Korea — to condition large-scale food aid (bulk rice and corn) to a clear

13. The Nelson Report, March 28, 2013.

14. Victor Cha, *The Impossible State* (New York: HarperCollins Publishers, 2012), pp. 125-126.

North Korean commitment to adopt “Chinese-style” agricultural reforms that would include dismantlement of collective farms, legal ownership or leaseholds of land by farm families, legal standing for private food-selling markets, and specified production and import targets for tractors and other modern agricultural equipment. The first installment of large-scale food aid would follow North Korea’s commitment to agricultural reforms. The second installment would follow the conclusion of a negotiated plan for the implementation of reforms. Subsequent installments would follow each stage of the implementation of reforms.

In her interview with the *Washington Post* during her May 2013 trip to the United States, President Park stressed that China’s economic successes “through reform and opening . . . offers a very good model for [North] Korea to follow.”¹⁵ After 18 years of food aid, a ROK-U.S. agenda for agricultural reforms is overdue. This proposal from President Park would test the new North Korean leader and challenge him to consider a fundamental change in the agricultural policies of his father and grandfather. If there are proponents of such reforms in the North Korean leadership, such a proposal might embolden them. Chinese moderates, who are critical of North Korea, would be attracted to President Park’s call for “Chinese-style, Deng Xiao-style agricultural reforms.” They likely would question why their government has not conditioned Chinese food aid on Chinese-style agricultural reforms. At a minimum, it would embarrass Chinese leaders that a South Korean leader, instead of themselves, was extolling Chinese-style agricultural reforms in diplomacy toward North Korea.

Other Aid Proposals: Proposals for South Korean aid to the North should have the objective of increasing access of South Korean technicians and other experts into North Korea and direct contact with North Koreans working on aid projects. One such proposal could be South Korea’s assistance to the reforestation of denuded North Korean hillsides — a major cause of the constant floods in North Korea. This

15. “The right path for North Korea: interview with President Park Geun-hye,” *Washington Post*, May 8, 2013.

proposal could be made in conjunction with a proposal of food aid. The *Korea Herald* reported on February 18, 2010, that the ROK government had developed plans for reforestation aid. The report quoted officials from the Ministry of Unification that South Korea would discuss reforestation with North Korea “under the right circumstances.” Another such proposal could be South Korea’s revitalization of North Korean hospitals and training of North Korean medical personnel. Both of these projects would involve the entrance of South Korean forestry experts, equipment operators, medical technicians and doctors and nurses into North Korea. South Korea’s aid proposals should emphasize this kind of South-North people-to-people contact in projects that would benefit the North Korean people.

In the context of North Korea’s closing of the Kaesong special economic zone, any new South Korean aid proposals would have to be conditional on Pyongyang withdrawing restrictions on Kaesong and the establishment of stronger guarantees that such restrictions will not be imposed again in the future.

“*Citizens Security*”: In her May 8, 2013, interview with the *Washington Post*, President Park stated that “North Korean human rights is a very important issue that we need to take up, that we cannot turn a blind eye to.” The idea of proposing negotiations on “citizens’ security” in reality would constitute an initiative to improve human rights. It would seek to take advantage of an element in the Korean human rights situation that is usually overlooked — that North Korea has its own “human rights” agenda of constant demands that the ROK government abolish the National Security Law, end restrictions on the South Korean political left, cease blocking pro-North Korean computer websites, stop prosecuting South Korean citizens from illegally visiting North Korea, and relax restrictions on left-leaning labor unions. President Park could offer to negotiate on these North Korean demands, but she would specify that negotiations would have to include North Korea’s concentration camp system, political prisoners, kidnapped South Koreans, restrictions on the practice of religion, electronic blocking of South Korean and foreign radio broadcasts into North Korea, and opening the Internet for North Korean citizens to

learn about the outside world.

Such a negotiation would enable the ROK government to exercise a strategy toward North Korea that puts greater emphasis on the issue of human rights. However, the proposal would place the issue as one of negotiating quid pro quos and tradeoffs between South Korea and North Korea. This would be a useful second initiative in relation to the special commission that the United Nations Human Rights Commission has set up to investigate North Korea, and would increase pressure on North Korea over its human rights status. North Korean leaders would be especially sensitive and concerned over responding to such a proposal from President Park. The quid pro quo nature of the Park proposal would educate many South Korean citizens about the human rights conditions in North Korea and prove attractive to the South Korean public. It would help end the division within South Korean society over whether the ROK government should pursue a human rights agenda with North Korea.

The Korean Peace Treaty: North Korea's proposal for a bilateral North Korea-U.S. bilateral peace treaty ending the Korean War has bedeviled the U.S. and ROK policy-makers since Pyongyang first proposed it in 1974. Since 2008, the North Korean government has pressed the issue when meeting with prominent Americans like Steve Bosworth, Jimmy Carter, and Bill Richardson. North Korean media organs constantly assert that real North Korea-U.S. negotiations will have to be over a peace treaty. Most recently, the North Korean National Defense Commission's rejection of any future denuclearization talks with the United States stipulated that future Pyongyang-Washington negotiations will have to be about "negotiations on ensuring peace" on the Korean Peninsula.¹⁶

Since 2008, the U.S. and ROK reactions to this North Korean pressure have been, for the most part, silence. The Obama administration does not want to dilute the long-standing U.S. commitment to denuclearization, and it does not wish to negotiate with North Korea over Pyongyang's position that a peace treaty must include the with-

16. Korea Central News Agency, January 24, 2013.

drawal of U.S. troops from South Korea. The ROK government has the same negative reaction to the demand for the withdrawal of U.S. troops but, more fundamentally, they fear that a negotiation of a peace treaty would be a bilateral U.S.-North Korea affair that would exclude South Korea.

These are legitimate concerns. However, the silence of the ROK and the U.S. gives North Korea the initiative on this issue. The silence may even encourage North Korea to believe that continued pressure on the United States will eventually weaken the United States' will to resist the bilateral peace treaty proposal.

It seems to me that there would be several advantages if Washington and Seoul ended their silence and put forth a detailed statement of their requirements for a Korean Peace Treaty. The ROK-U.S. requirements should have four components. First, a negotiation of a Korean Peace Treaty will not be bilateral. South Korea must be a full participant in the negotiation. Second, with regard to China's participation (as a signatory of the 1953 armistice), South Korea and the United States take no position on it. China's participation must be determined between North Korea and China. (Pyongyang opposes China's participation almost as much as it opposes South Korea's participation. Why not create a divisive issue between them?) Third, any Korean Peace Treaty must resolve major South-North issues and normalize the relationship between South Korea and North Korea. These would include the issues I have proposed in this paper for South Korea's negotiation proposals. Fourth, any negotiation over U.S. military forces in South Korea must include talks over North Korea's artillery on the demilitarized zone that threatens Seoul, and North Korean missiles that threaten South Korea.

A strong counter-proposal on the peace treaty issue would accomplish several things. Seoul and Washington would put Pyongyang on notice that South-North issues must be resolved before any peace treaty could be concluded. It would reinforce any initiative by President Park in proposing issues, like those discussed above, for negotiations with North Korea. And again, by taking a neutral position on Chinese participation in peace treaty negotiations, South Korea and the United

States are likely to create divisive issues between Pyongyang and Beijing, which would not necessarily be a bad outcome.

In my view, a counter-proposal of requirements for a peace treaty could be a tactic held in reserve while President Park makes her proposal for multiple South-North negotiations. If North Korea rejects her proposed negotiations, South Korea and the United States could issue the counter-proposal in response to Pyongyang's rejection, again to reinforce the U.S.-ROK demand that South-North issues must be resolved. If North Korea accepts some of President Park's negotiation proposals, Seoul and Washington should stipulate that a successful negotiation of these issues and other South-North issues would ultimately lead to a Korean Peace Treaty conference.

As laid out above, the advantages of South Korea taking the lead in formulating a new diplomatic agenda toward North Korea are clear. Proposing multiple negotiations would create an arsenal of diplomatic proposals that President Park could repeat throughout her term. It seems to me that Kim Jong-un could not indefinitely reject all of these proposals and, out of them, new forms of South-North talks would eventually be held. Even if North Korea rejects all the issues set forth by President Park, her proposal would no doubt be supported by the South Korean public. Current disagreements in South Korea over its North Korea policy would be narrowed. The growing number of Chinese critics of North Korea would also be attracted to the Park proposal and their calls for their own government to change its supportive policy toward North Korea would likely grow. The U.S. reaction would be positive, especially in the media and Congress; the Obama administration would have to support Park's initiative.

The advantages to the United States are also evident. Such an agenda put forth by President Park would inevitably draw the Obama administration away from the long-standing, total U.S. priority to denuclearization. A new priority to South-North issues would refocus the strategy to change North Korea from denuclearization to changing the North Korean government's internal policies. After 20 years of

futile denuclearization efforts, the target of our efforts needs to shift toward internal North Korea.

President Park's Role in Enhancing Deterrence

President Park's proposal for multiple South-North negotiations would not be a substitute for South Korea's role in enhancing deterrence against North Korea. Instead, it would complement this second element of a new strategy toward Pyongyang. For South Korea, enhancing deterrence is becoming even more important in the view of North Korea's development of nuclear warheads for its Nodong missiles, and the negative impact this will have on South Korea's interests in any future nuclear negotiations.

South Korea and the United States have been working on enhancing deterrence against North Korea since North Korea's provocations in 2010. What is deterrence? It is the creation of unacceptable consequences to an adversary if the adversary commits or contemplates committing aggressive acts against you. In the case of North Korea and South Korea, deterrence relates to three types of aggressive actions that North Korea has demonstrated that it is capable of carrying out. The first is an all-out North Korean invasion of South Korea — a repetition of 1950. The second is military provocation acts of a limited nature against the South Korean military and/or the U.S. military along the demilitarized zone or the Northern Limit Line. The third is terrorist acts against South Korea — for example, the murder of President Park's mother in 1974, the bombing of the South Korean delegation to Burma in 1983, and the blowing up of the South Korean airliner in 1987.

Deterrence has worked well in dissuading North Korea from launching a new invasion of South Korea. The prospects of a full-scale North Korean invasion in the future appear dim. The continued deterioration of North Korean conventional forces over more than 20 years, since the collapse of the Soviet Union, limits North Korea more each year. Nevertheless, Seoul, with its millions of people, is only 25 miles away from the demilitarized zone and is within the range of thousands

of North Korean artillery pieces and multiple rocket launchers. Detering North Korea from this geographical-strategic temptation has necessitated maintaining powerful ROK and U.S. military forces in and around the Korean Peninsula. It has depended on the U.S. capability to introduce military forces into Korea from outside in response to North Korea's attack. It also has required close coordination of ROK and U.S. military commands.

I would make two observations on the challenge for the future. One is that the role and visibility of U.S. airpower in deterrence will be even more important in the future than it has been in the past. Future U.S. defense budgets will likely make significant cuts in the size of the U.S. Army and Marine Corps. The availability of U.S. ground forces for a full-scale Korean conflict could be lessened. Thus, the U.S. airpower will no doubt be the paramount U.S. contribution to enhanced deterrence.

The second challenge is the scheduled change in the relationship between the ROK and U.S. military commands. The current 35-year Combined Forces Command is supposed to be split into separate U.S. and ROK commands in 2015. That year represents a three-year postponement from the original planned date of 2012. There has been much criticism of dividing the commands both in South Korea and the United States. However, I do not believe that another postponement will occur in 2015. I believe Secretary of Defense Hagel will want to proceed. I recommend that the Park government should not resist changing the command structure in 2015; however, that would require President Park to skillfully explain to skeptics why the status quo should not be retained.

It seems apparent, however, that there are two options for changing the command structure. One is to proceed with the plan to separate the commands. With the careful planning that has proceeded since 2009, a separation of commands should work. The second option would be to retain the Combined Forces Command (CFC) but with a rotation of CFC commanders between a South Korean and American General. That would change the current situation in which the commander of U.S. forces in South Korea permanently commands the CFC. In each

rotation, the deputy commander position would be held by the other side. South Korea would gain equality of command, and the long-effective, ROK-U.S. integrated CFC structure would remain in tact. Retaining the CFC structure would no doubt be a positive element in deterrence against future North Korean military threats to South Korea, including a direct nuclear threat. This second option is reportedly being explored between South Korea and the United States. President Park's judgment on the merits of these plans will be one of the most important decisions of her presidential term.

While deterrence has worked well in preventing North Korea's invasion, it has worked less well in dissuading Pyongyang from launching limited military provocations and terrorist attacks. This problem will remain and could grow. Four reasons explain this. One is that, from 1968 to November 2010, North Korea carried out numerous military provocations and terrorist acts against South Korea and the United States without suffering military retaliation from Seoul and Washington. No doubt North Korean leaders believed that they had a "free ride" in committing such acts.

Second, the deterioration of North Korea's conventional military forces and thus Pyongyang's decreasing prospects of launching a full-scale invasion mean that North Korean leaders are increasingly dependent on military provocations and terrorism. These have been the remaining tactics to inflict pain on South Korea.

Third, intimidation has been North Korea's chief tactic to gain food aid and financial benefits from South Korea, the United States, and even China. Military provocations, terrorist acts, and threatening rhetoric have been principle manifestations of North Korea's intimidation diplomacy.

Fourth, North Korea's acquisition of nuclear warheads on Nodong missiles will give North Korea a powerful and threatening instrument to pursue military provocations and terrorism. The danger is that North Korean leaders will view nuclear warheads as giving them a total guarantee that South Korea and the United States will not militarily retaliate. Imagine a provocation like the shelling of Yeonpyeong island, but after this provocation, North Korea threatened to use nuclear

weapons against South Korea if South Korea retaliated.

South Korea and the United States have recognized the need to enhance deterrence against these kinds of North Korean acts. Joint planning exercises reportedly have been conducted under the scenario of a North Korean nuclear threat to South Korea. In December 2010, President Lee Myung-bak's government adopted a policy of military retaliation if North Korea carried out another provocation like the shelling of Yeonpyeong Island. The Obama administration supported South Korea.¹⁷ The retaliation policy was formalized in a Counter-Provocation Agreement signed by South Korea and the United States in March 2013. The Agreement reportedly laid out anticipated North Korean military provocations, the targets and scope of South Korean military retaliation, and the timing of U.S. military forces entering the retaliation scenarios.¹⁸

The Counter-Provocation Agreement seems to recognize that deterrence will have two tasks in dealing with this kind of North Korean challenge. The first will be to deter the initial military provocation. The Counter-Provocation Agreement, itself, is a key to this first task. It signals North Korean leaders that their "free ride" to commit military provocations is over. If this element of deterrence fails and Pyongyang carries out another provocation, the second task will be to deter the North Koreans from escalating their military actions after South Korea retaliates. The entrance of U.S. forces into the provocation scenarios relates to this second task.

I have five observations regarding the Counter-Provocation Agreement and policy. One is that a major element of North Korea's recent threats is Pyongyang's recognition that the counter-provocation policy challenges the "free ride" situation it has enjoyed since the 1968 com-

17. Larry Niksch, "If South Korea Retaliates," *Asia Pacific Bulletin* (East-West Center), December 23, 2010; Chico Harlan, "Island attack toughened S. Korea's will," *Washington Post*, April 15, 2013.

18. Choe Sang-hun, "South Korea and U.S. make plans for defense," *New York Times*, March 25, 2013; David Sanger and Thom Shanker, "U.S. designs a Korea response proportional to the provocation," *New York Times*, April 7, 2013.

mando attack on the South Korean presidential residence and the seizure of the USS Pueblo. North Korea seeks through threats, to weaken ROK and the U.S. resolve to carry out the Counter-Provocation Agreement. As more information about planning under the Counter-Provocation Agreement becomes public, we can expect more outbursts of threats from North Korea. These threats are unnerving, but they show us that this element of deterrence is making an impression on North Korean leaders.

The second observation is that the display of military measures by both South Korea and the United States will be necessary to deter North Korea from thoughts of escalating military conflict beyond the initial provocation-retaliation scenario. Measures such as expanding the range of South Korean missiles, improving the strike capabilities of the ROK Air Force, and strengthening anti-missile defenses in South Korea would contribute to this.

But I contend that the United States' heavy bombers will need to be the central element in military measures to enhance deterrence, not only in the scenario of an invasion but also to successfully implement a counter-provocation response to the North's provocation. The U.S. commitment of several B-52 and B-2 bombers in the February-March 2013 ROK-U.S. military exercises drew an emotional tirade from North Korea. This is because North Korea is aware of the destructive power of heavy bombers. In the 1970s and 1980s, North Korea reacted with extreme emotion and outbursts of rhetoric when the U.S. Air Force exercised B-52s based in Guam near the Korean Peninsula. I remember reading the intense North Korean commentary concerning the B-52 exercises. I concluded then that nothing impressed North Koreans more about U.S. military power in the Western Pacific than the B-52s in Guam. In short, the B-52s were the apex of U.S. deterrence.

Nothing would impress North Korean leaders more about the United States' resolve to bring U.S. forces into a provocation-retaliation scenario than the visibility of the U.S. heavy bombers regularly in exercises over and near the Korean Peninsula. North Korean tirades of threats in March-April 2013 upon on seeing B-52s and B-2 bombers suggest their potential importance in both tasks of deterrence in

counter-provocation scenarios. It also seems to me that the display of heavy bombers influenced North Korean leaders in April to soften their threats. I would argue that the role of the U.S. heavy bombers will be even more necessary when North Korea mounts nuclear warheads on its Nodong missiles and can turn military provocations into nuclear threat crises.

The ROK government under President Park reportedly suggested to U.S. officials that the United States deploy heavy bombers to South Korea as a response to North Korea's threatening rhetoric in 2013.¹⁹ The affirmative U.S. reaction to the suggestion shows the utility of South Korea playing a high role in developing measures to heighten deterrence even when the measures mainly involve U.S. military forces. South Korea has a heightened interest in an expanded role for U.S. heavy bombers in deterrence. President Park and her military leaders should remind U.S. officials of the importance of heavy bombers in planning under the Counter-Provocation Agreement. I hope that such suggestions from either Seoul or Washington would include the stationing a squadron of heavy bombers permanently in Guam and run them up regularly to the Korean Peninsula for exercises. The B-52 squadron in Guam was withdrawn in 1991. Heavy bombers need to return.

Third, planning of South Korean military retaliation needs to stress the speed of South Korean action against known North Korean provocations. One reason is that delays in reacting could result in ROK and/or U.S. indecision, vacillation, and loss of resolve to act. In short, Seoul and Washington would find themselves back in the situation of 1968-2010. North Korea would be emboldened. The second reason is that a quick retaliation would give North Korea less time to consider further escalation in reaction to South Korea's retaliation. The swiftness of South Korea's action requires detailed ROK-U.S. planning. Hopefully, President Park will stress this in her policies toward the United States.

19. Jay Solomon and Julian E. Barnes, "North Korea warned," *Wall Street Journal*, March 29, 2013.

Fourth, the ROK-U.S. planning will have to give attention to the proportionality of South Korea's responses to provocations. ROK retaliation should inflict real damage on North Korea, but the scope should not exceed, by a huge degree, the North Korean action.

Fifth, there may be more questions and problems in applying the counter-provocation policy to North Korea's terrorist acts. The identity of perpetrators of terrorist acts is often hidden, at least initially. Even when the victim and its allies recognize the identity of the terrorist, they may need to show proof. This necessitates even more time. Thus, unlike an open North Korean military provocation, a quick South Korean military retaliation may not be possible. The sinking of *Cheonan*, though it was a military provocation, proved difficult for South Korea and the allies to assemble evidence, proving that North Korea carried out the attack.

In short, South Korean and American military planners of counter-provocation will have the difficult task of planning responses to North Korean terrorist acts, and even to certain kinds of military provocations, which have a somewhat delayed nature. This makes deterrence against the initial act of terrorism or military provocations even more important.

The message of deterrence to an adversary also involves the spoken word. This especially is important in the case of North Korea. Kim Jong-il gave special emphasis to propaganda in North Korean policies toward the other governments and their publics involved in the Six Party Talks (he was trained in the Agitation and Propaganda Department of the North Korean Workers' Party). My view that North Korean nuclear threats against the United States in early 2013 were a propaganda disinformation campaign is further evidence of the importance to Pyongyang of spoken, public words. It seems to mean that the spoken, public words of U.S. and South Korean officials have an important impact on the effectiveness of deterrence on North Korea. North Korea must understand the ROK and U.S. intentions in specific situations. North Korean leaders must also fully recognize the consequences if they commit provocations and aggressive acts and carry them too far.

Stating these consequences to North Korea will periodically require

publically stated tough and pointed warnings to North Korea. Thus, the recent pointed warnings by President Park and ROK Defense Minister Kim Kwan-jin about South Korea's retaliation seem appropriate in the face of North Korea's threats. It seems that North Korea's coming nuclear warhead capability will necessitate U.S. officials to reinforce deterrence with stronger pointed warnings to North Korea than they have issued in recent years. North Korea's nuclear warheads would make appropriate a new invocation of the Eisenhower administration's doctrine of "massive retaliation" against the states that used nuclear weapons against the United States or its allies. One model could be President Bill Clinton's warning that if North Korea used nuclear weapons against the United States or U.S. allies, it "would mean the end of the country as they knew it."²⁰

President Park appears committed to the Counter-Provocation Agreement and successfully implementing it if North Korea commits a major provocation. This will require detailed ROK-U.S. military planning. But with equal importance, it will require political resolve from President Park and Obama if Pyongyang decides on a full military test of that resolve.

Managing Future Nuclear Crises Created by North Korea

Stating intentions and deterrence messages to North Korea is also an issue of communication. This issue will no doubt be more important and dangerous when North Korea has nuclear warheads and can couple military provocations or terrorist acts with warnings of nuclear attack, if South Korea or the United States retaliates. Frankly, the current mechanisms used by the United States to communicate with North Korea are indirect and possibly unreliable. These are the so-called "New York channel" to North Korea's diplomats at the United Nations and passing messages to North Korea through China. North Korea's U.N. diplomats probably do not have a direct line to

20. Cha, *The Impossible State: North Korea, Past and Future*, p. 218.

North Korea's top leaders. Can the United States trust Chinese officials to pass unaltered U.S. messages to Pyongyang?

A more direct channel may require a permanent U.S. diplomatic mission in Pyongyang. This would be a difficult step for the Obama administration, which has continued the warnings of the Bush administration against "rewarding bad behavior." Clearly, Kim Jong-un would boast that U.S. diplomatic "recognition" signified recognition of North Korea as a nuclear weapons power. Thus, opposition from Congress and the U.S. media likely would delay a U.S. offer of diplomatic relations for several years. However, the creation of one or two nuclear threat crises by North Korea may strengthen advocacy of some forms of diplomatic relations. Moreover, North Korean propaganda gains from U.S. "recognition" would be short-lived when North Korean leaders realize that having a U.S. representative in Pyongyang would not necessarily be followed by material benefits from the United States.

The ROK government's attitude toward this question would have an important influence on U.S. opinion. Its view can also be affected by the existence or absence of North Korea's nuclear threat crises. When North Korea crosses the threshold of mounting nuclear warheads on missiles, President Park and her advisers will need to think carefully about the utility of a more direct diplomatic relationship between the United States and North Korea. The Obama administration will face the same problem. This should be a central issue in the U.S.-ROK planning for implementation of the Counter-Provocation Agreement and in high level discussions between South Korea and the United States.

Conclusion

The U.S.-led strategy of giving total priority to denuclearization has lasted over 20 years. It has had little success. Now North Korea is poised to cross the threshold of having nuclear warheads mounted on missiles. The realizable goals of denuclearization policy are narrowing

to protect only the United States, and the prospects of realizing even this goal are small. A new ROK strategy based on President Park's principle of trust-building should be the spearhead of a broader change of direction from total concentration on denuclearization.

The ideas presented here for elements of a new strategy are based on a belief that these ideas could further or even accomplish several objectives, the achievement of which will be necessary to change North Korea and to ultimately solve the nuclear issue. I believe these ideas would complicate the decision-making of North Korean leaders and might stimulate divisions and debate within it. The thrusts of many of the recommendations for negotiation proposals aim at influencing and changing North Korea's internal system toward reform and opening. They also aim at influencing and attracting key audiences with potential impacts on North Korea; the key audience is the growing body of critics of North Korea in China — within the Chinese government and within the broader public. The discussion of enhanced deterrence and managing future nuclear crises seeks to present ideas of how the United States can provide reassurance to South Korea and Japan as they deal with a more direct nuclear threat from North Korea.

The Obama administration and, possibly, its successor will no doubt continue to proclaim the denuclearization of North Korea as the supreme policy objective. But that should not preclude South Korea — and even Japan — from attempting new strategies and tactics to change North Korea in other ways. That is the opportunity available to President Park.

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