Is it Still Possible to Engage North Korea After the Assassination of Kim Jong Nam?

By Leon V. Sigal

The assassination of Kim Jong Un’s half-brother reveals little about the North Korean regime that was not already known. It would be a tragic mistake if it impeded US President Donald Trump from finding out whether talks with North Korea to halt its nuclear weapons and ballistic missile programs are possible.

By Bruce Klingner

Everything being proposed today as the basis for future negotiations with North Korea has already been offered, tried and failed. It is a fool’s errand to resume Six-Party Talks as long as North Korea rejects the basic objectives of those negotiations, which is abandonment of its nuclear weapons and programs.
The Dangers of Premature Negotiation with North Korea
By Bruce Klingner

The Debate: Klingner

THE ADMINISTRATION of US President Donald Trump is looking at all potential options in its ongoing North Korea policy review. Some, such as a pre-emptive attack and returning US tactical nuclear weapons to South Korea, have already been set aside. Initial indications are that the administration will emphasize improving defense capabilities, particularly ballistic missile defense; augmenting pressure tactics on the regime; and seeking ways to get Beijing to fully enforce UN sanctions.

While the door will remain open for diplomatic engagement, it will likely only be a secondary objective due to North Korea’s recent provocative behavior and the international consensus to pressure the regime for its repeated violations of UN resolutions and international laws.

Advocates for engagement will insist that the only way to constrain Pyongyang’s growing nuclear arsenal is to rush back to nuclear talks without insisting on preconditions. But there is little utility to such negotiations as long as Pyongyang rejects their core premise, which is abandonment of its nuclear weapons and programs.

While reports by numerous media outlets and articles by pundits have mischaracterized sanctions and their utility, less has been written on the shortcomings and repeated failures of numerous attempts at diplomacy, engagement and negotiations with North Korea.

NINTH TIME THE CHARM?
Advocacy for another attempt at a negotiated settlement of the North Korean nuclear problem flies in the face of the collapse of Pyongyang’s previous pledges never to develop nuclear weapons or, once caught with their hand in the nuclear cookie jar, subsequent promises to abandon those weapons.

Pyongyang previously acceded to the 1992 North-South Denuclearization Agreement, the Non-Proliferation Treaty, the International Atomic Energy Agency (IAEA) safeguards, the Agreed Framework, three agreements under the Six-Party Talks and the Leap Day Agreement — all of which ultimately failed. A record of zero for eight does not instill a strong sense of confidence about any future attempts.

For more than 20 years, there have been official two-party talks, three-party talks, four-party talks and six-party talks to resolve the North Korean nuclear issue. On numerous occasions, the US dispatched government envoys for discussions with North Korean counterparts. The US and its allies offered economic benefits, developmental assistance, humanitarian assistance, diplomatic recognition, declaration of non-hostility, turning a blind eye to violations and non-implementation of US laws.

Seoul signed 240 inter-Korean agreements on a wide range of issues and participated in large joint economic ventures with North Korea at Kaeson and Kumgangsan. Successive South Korean administrations, including those of conservative Presidents Lee Myung-bak and Park Geun-hye, offered extensive economic and diplomatic inducements in return for Pyongyang agreeing to comply with its denuclearization pledges.

There have been extensive outreach efforts through visits by philharmonic orchestras, soccer teams, Olympic teams, cheerleading teams and so on. Yet, all of these official and unofficial initiatives failed to induce political and economic reform or moderate North Korea’s belligerent behavior.

It is also difficult to have a dialogue with a country that shuns it. North Korea closed the “New York channel” in July 2016, severing the last official communication link. North Korea walked away from senior-level meetings with South Korean counterparts in December 2015, precipitating the collapse of inter-Korean dialogue. In the Joint Security Area on the Demilitarized Zone (DMZ), North Korea refuses to even answer the phone or check its mailbox for messages from the US and South Korea.

HOPE SPRINGS ETERNAL
Pyongyang’s growing nuclear and missile prowess, coupled with a new US president who talked about the possibility of having a hamburger summit with Kim Jong Un, has led to renewed advocacy by some experts to negotiate a nuclear freeze.

While there are variances among proposals by experts, they all share a common theme in calling for yet more concessions by the US to encourage Pyongyang to come back to the negotiating table in return for a commitment by North Korea to undertake a portion what it is already obligated to do under numerous UN resolutions:

Been There, Done That. A nuclear freeze was already negotiated with the February 2012 Leap Day Agreement in which the US offered 240,000 tons of nutritional assistance and a written declaration of no hostile intent. In return, North Korea pledged to freeze nuclear reprocessing and enrichment activity at the Yongbyon nuclear facility, not to conduct any nuclear or missile tests and to allow the return of International Atomic Energy Association inspectors to Yongbyon.

Unfortunately, that agreement crashed and burned within weeks. Indeed, all eight denuclearization agreements with North Korea were variants on a nuclear freeze. Yet that does not seem to deter freeze proponents from advocating another try. Hope is a poor reason to ignore a consistent track record of failure.

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North Korea Not Interested in Denuclearization. Nuclear freeze proponents have provided no rationale for why yet another attempt at negotiations would be any more successful than previous failures. Nor have they provided any evidence indicating a North Korean policy shift away from its declared rejection of denuclearization.

Indeed, the strongest case against diplomacy can be found in the regime’s own words, in which the highest levels of the regime, including Kim Jong Un, have repeatedly and unambiguously made clear that Pyongyang will never abandon the “treasured sword” of its nuclear arsenal and that the Six-Party Talks are “null and void.”

Pyongyang has indicated that no level of economic benefits could address the security concerns that the regime cites as justification for its nuclear programs. As such, there is no utility in offering such assistance. Similarly, since North
Korean nuclear weapons are purported to be a response to the “hostile policy” of the US, then no South Korean offers of economic assistance or security measures could dissuade Pyongyang from its nuclear programs.

Too High a Price. What would the US and its allies have to offer in order to achieve a freeze? Those things that were previously offered to no effect? Or would Washington and others have to provide even greater concessions and benefits? The regime has an insatiable list of demands, which include:

- **Military demands:** The end of US-South Korean military exercises, removal of US troops from South Korea, abrogation of the bilateral defense alliance between the US and South Korea, canceling of the US extended deterrence guarantee, postponement or cancellation of the deployment of THAAD to South Korea and worldwide dismantlement of all US nuclear weapons;
- **Political demands:** Establishment of formal diplomatic relations with the US signing of a peace treaty to end the Korean War, and no action on the UN Commission of Inquiry report on North Korean human rights abuses;
- **Law enforcement demands:** Removal of all UN sanctions, US sanctions, EU sanctions and targeted financial measures; and
- **Social demands:** Against South Korea’s constitutionally protected freedom of speech (pamphlets, “insulting” articles by South Korean media, and anti–North Korean public demonstrations on the streets of Seoul).

**CONSEQUENCES OF A BAD AGREEMENT**

A freeze would be a *de facto* recognition and acceptance of North Korea as a nuclear weapons state. Doing so would undermine the Non-Proliferation Treaty and send the wrong signal to other nuclear aspirants that the path is open to nuclear weapons. Doing so would sacrifice one arms control agreement on the altar of expediency to get another.

A nuclear freeze agreement without verification would be worthless. North Korea’s grudging admission of its prohibited highly enriched uranium program made verification even more important and difficult. The more easily hidden components of a uranium program would require a more intrusive verification regime than the one that North Korea balked at in 2008.

A freeze would leave North Korea with its nuclear weapons, which already threaten South Korea and Japan. Such an agreement would trigger allied concerns about the US extended deterrence guarantee, including the nuclear umbrella, to South Korea and Japan. Allied anxiety over US reliability would increase advocacy within South Korea for an independent indigenous nuclear weapons program and greater reliance on preemption strategies.

**CONCLUSION**

Everything that is being proposed today as the basis for future negotiations with North Korea has already been offered, tried and failed. It is a fool’s errand to resume Six-Party Talks as long as North Korea rejects the basic objectives of those negotiations. Removing sanctions as a price to restart negotiations would abandon key leverage as well as be counter to US laws.

Pyongyang may be willing to talk — but not about the topic of paramount US concern: the denuclearization required by UN resolutions to which Pyongyang previously committed several times, but failed to fulfill.

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