The Debate

Testing Intentions: Two Viewpoints on US Strategy Toward North Korea

By Robert Carlin

The US position on conditions for resuming nuclear weapons negotiations with North Korea have failed repeatedly to break the deadlock in the Six-Party Talks. But there are precedents for reading offers by North Korea to restart talks. In Pyongyang’s latest offer, the US failed to properly read the signals North Korea was sending.

By Bruce Klingner

The US should treat with great caution North Korean offers to resume negotiations over its nuclear weapons program, because the country often offers concessions that it’s not actually entitled to offer, given the position the United Nations Security Council has taken. So, the concessions are essentially empty.
The Meaning of a Missed Opportunity to Talk

By Robert Carlin

IT MAY SEEM like hubris to suggest the US government should have done something differently with North Korea a couple of months ago. After all, the Democratic People's Republic of Korea is easy to dismiss as an outlaw operating outside the legitimate world order. And there are virtually no limits when it comes to condemning or satirizing the North Korean regime. As a result, creative thinking about policy toward Pyongyang is not easy to find.

For the next 1,000 words, let's examine what the US might have done differently, and why. The issue before us here is — or was for a few hours on January 9th — how Washington should have responded to North Korea's proposal to suspend nuclear tests if the US suspended this year's scheduled joint military exercises on the Peninsula.

It took Washington somewhat less than 24 hours to reject North Korea's proposal. Publicly, the rationale for that decision was three-fold:

- Linking military exercises with nuclear tests was inappropriate and an implicit threat;
- North Korea is already banned by UN Security Council resolutions from testing, so these aren't something North Korea can offer to suspend;
- Our joint exercises are defensive and have been held regularly for roughly 40 years.

From the outset, let's agree it was out of the question to accept North Korea's offer was certainly the easiest, and is what Washington quickly selected.

Whether the US seriously considered a second option must be left for someone in the administration to reveal. Given how fast the rejection came, however, it is hard to imagine a second option received much thought.

And what was the second option? It was to probe to determine what the North Koreans actually had in mind. ("Probe" avoids the dirty "E" word — engage.)

Based on my 10 years of direct experience in negotiations with Pyongyang, I'm confident that this second option — probing — made sense precisely because North Korea never expected the US to accept the proposal as first presented. Instead, the proposal was almost certainly meant as an opening bid. Such an interpretation is reinforced by the wording of North Korea's proposal itself — "...if the US needs dialogue as regards this issue, the former is ready to sit with the US anytime." A North Korean diplomat at the UN reinforced that message a few days later.

The frame of North Korea's proposal was the well-established practice of parallel, initial steps designed to create an atmosphere for subsequent, more substantive talks. The two sides had taken that route before with a positive outcome, notably in September 1999.

In other words, the idea of parallel action to create space for broader talks did not drop from the sky in January 2015. Moreover, this particular idea — a US move on exercises linked to a North Korean move on the nuclear issue — had been kicking around for many months. North Korean diplomats — who come to talks fully prepared — would have used this intervening time to refine their fallback positions.

In its January proposal, Pyongyang was hearkening back to a deal in 1992, in which the South Korea and the US suspended the joint military exercise "Team Spirit" in return for something we considered an important step by North Korea on the nuclear issue, i.e. ratifying its International Atomic Energy Agency safeguards agreement.

The similarities are striking, important, and hardly accidental. In this case, by pointing to this precedent, North Korea was signaling that the nuclear issue was, indeed, on the table (as Pyongyang has been saying since a high-level statement in June 2013). Mentioning nuclear tests was not an implicit threat but rather a gesture calculated to signal that Pyongyang would be willing to entertain additional trade-offs on the nuclear issue. Which ones, how much, and at what pace, of course, would remain for subsequent discussions. The proposal was thus couched in terms the North Koreans felt sure Washington would consider as moving in the right direction. They obviously misjudged.

The objection will be heard (and was) that our exercises can't be part of a trade-off. History suggests otherwise. As noted above, Washington and Seoul suspended Team Spirit in 1992, and there were plans to suspend it again in 1994 under the right circumstances. Military exercises, let us be clear, are not sacred rituals. They have both a symbolic and a substantive purpose. If they can be refined, trimmed, rescheduled, or redirected in ways that will advance US foreign policy goals without jeopardizing either our national security or South Korea's, then it seems incredible that we would not do so.

North Korea may well have figured (another miscalculation) that both Seoul and Washington——
ton would see that its proposal, though to the US, was linked to dialogue with South Korea, i.e. that some sort of gesture on the exercises this year would create the conditions mentioned by Kim Jong Un in his New Year’s address for an inter-Korean summit.

The idea that we can’t accept a proposal by the North Koreans to suspend nuclear tests because these are already banned under UN Security Council resolutions is specious. The US accepted a test moratorium as part of the Feb. 29, 2012 deal with Pyongyang. If this was acceptable then, why the objection now?

Let’s imagine that instead of rejecting North Korea’s proposal in less than 24 hours, Washington had urgently raised the question with Seoul, and the two capitals had agreed that the answers to five questions made it worthwhile and feasible to probe to see where North Korea’s offer might lead.

**What is there to talk about?** *Answer:* The talks could serve as a starter engine, exploring and hopefully agreeing on parallel, initial steps opening the way to negotiations on the range of issues — including North Korea’s nuclear weapons program — of concern to all sides.

**Why move to exploratory talks?** *Answer:* North Korea appears capable every three months of making enough fissile material for several — upwards of four — nuclear weapons. Not talking to Pyongyang doesn’t slow expansion of its stockpiles. Maybe talks won’t do that either, but given what is at stake (potentially, a North Korean arsenal of at least 30 nuclear weapons by the time this administration leaves office) there would seem to be a good reason to explore what is possible.

This is not, as many in Washington appear to believe, a feckless exercise. A close reading of North Korean policy over the past several years suggests that Kim Jong Un is quite serious about improving the North Korean economy. That raises the possibility that his two-line (*byungjin*) policy does not really put equal weight on nuclear and economic development. It is worth testing the proposition that under the right circumstances, Kim would lean toward action favoring the economic side.

**How to conduct these initial talks,** in other words at what level? *Answer:* Ambassador Sung Kim and Ambassador Ri Yong Ho are the appropriate officials.

**Where to hold talks?** *Answer:* Anywhere that both the US and North Korea have secure communications.

**When to meet?** *Answer:* They should have started Jan. 23. That would have given talks at least five weeks to run before the start of the US-South Korean joint exercises. Even if they couldn’t reach full agreement, these contacts could have at least provided a basis for returning to talks once the joint exercises ended in late April. They might even limit the uptick in tensions that is often a part of the exercise period.

Robert Carlin is a Visiting Fellow at Stanford University’s Center for International Security and Co-operation. He has been following the North Korean issue since 1974.