DISMANTLING NORTH KOREA'S NUCLEAR WEAPONS PROGRAMS

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PREFACE

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This paper, by Colonel David Bishop, Class of 2004, examines the wide range of options available to the United States to counter North Korea's nuclear weapons programs.

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ABSTRACT

This paper examines the choices available to the United States for dismantling North Korea's nuclear weapons programs. The options range from doing nothing to executing policies of engagement, containment, or preemption. Each option has advantages and disadvantages, and there are numerous factors influencing the problem. The major factors include U.S. national interests, the role of China, the Republic of Korea (ROK)-U.S. alliance, the difficult nature of North Korea, and the U.S. war on terror. Engagement is less risky in the short term because it reduces the risks of miscalculation and escalation by preventing the conditions which support North Korea seeing war as a rational act. However, it is risky in the long term because it allows North Korean nuclear weapons development to proceed unchecked. This could lead to proliferation to terrorists and rogue states. Containment's main advantage is that it takes a direct path to solving the problem. Its major disadvantage is that it could cause North Korea, a failing state, to view war as a rational act. Containment is also not supported by friends and allies in the region. Preemption is the most direct method to ensure elimination of North Korea's nuclear weapons. However, the risks associated with this option could lead to catastrophic loss of life and devastation and ultimately to loss of U.S. influence in the region.

The optimal course of action is not one policy in particular, but a combination of engagement and containment. Furthermore, preemptive action will invite foreign policy disaster for the United States and should only be used as a last resort. Specific policy recommendations to improve implementation of a hybrid policy of engagement and containment include strengthening the ROK-U.S. alliance, supplementing multilateral talks with bilateral talks, offering a formal security guarantee to North Korea, broadening the Proliferation Security Initiative to include China, and improving national intelligence capabilities. If preemption must be used, national leaders must know what conditions would trigger that decision, and they must prepare in advance the necessary protocol for warning and informing friends, allies, and other concerned parties.

DISMANTLING NORTH KOREA'S NUCLEAR WEAPONS PROGRAMS

Americans walking the streets of Seoul can sense tension in the air. The likely culprit is North Korea, with its intimidating arsenal of weapons targeting Seoul from only 40 kilometers away. As polls show, however, the imposing North Korean threat is not the primary source of tension in South Korea—it is Americans themselves. South Koreans harbor more negative feelings toward their ally—the United States (53.7 percent), than their sworn enemy and attacker—North Korea (24.1 percent).[1] This irony has evoked emotionalism on both sides of the relationship. South Koreans frequently protest the perceived arrogant behavior of the United States, while American citizens call for a reduction in U.S. military presence in South Korea.[2] Unfortunately, it is against this tense backdrop that the United States faces one of its most difficult and threatening challenges—the North Korean nuclear weapons stand-off.

The purpose of this paper is to examine the choices available to the United States for addressing the threat of North Korea's nuclear weapons programs. The options range from doing nothing to executing policies of engagement, containment, or preemption. This paper will show that the optimal course of action is not one policy in particular, but a *combination* of engagement and containment. It will also show that preemptive military strikes will invite foreign policy disaster for the United States and therefore should only be used as a last resort.

After a brief summary of the events leading up to the current stand-off with North Korea, this paper will provide a cursory examination of the major factors influencing the problem. It will then describe the options and identify the advantages and disadvantages of each, leading to the optimal choice: a hybrid policy of engagement and containment. The paper will finish with specific policy recommendations for both the optimal course of action and the least preferred option. This paper differs from others in that it not only recommends an optimal course of action, but also provides specific policy recommendations for applying the *least preferred* option. This is important because policy changes are sometimes required in today's volatile, uncertain, complex, and ambiguous strategic environment.[3]

BACKGROUND ON THE STAND-OFF

In October 2002, Assistant Secretary of State James Kelly confronted North Korean officials about suspicions that they were continuing their nuclear weapons programs in violation of international agreements.[4] On October 16, 2002, the U.S. Government announced that North Korea had, in fact, admitted to having a uranium enrichment program for producing nuclear weapons. When they made this admission, the North Koreans effectively nullified the Agreed Framework they signed with the United States in 1994 which froze their nuclear weapons development.[5] In response, the Korean Peninsula Energy Development Organization (KEDO) stopped making the heavy fuel oil shipments to North Korea stipulated by the Agreed Framework.[6] Since then, North Korea ejected International Atomic Energy Agency (IAEA) inspectors from their country in December 2002 and withdrew from the Nuclear Non-proliferation Treaty (NPT) in January 2003. In April and August 2003 respectively, the United States and North Korea participated in both trilateral and Six-Party talks hosted by China.[7] Though the parties failed to make substantive progress in these talks, North Korea's agreement to meet again in the future and China's support for a multilateral approach were perhaps the greatest outcomes.[8]

MAJOR FACTORS INFLUENCING THE SITUATION

There are numerous factors influencing the U.S. strategy for resolving the North Korean nuclear stand-off. The *major* factors are U.S. national interests, the role of China, the Republic of Korea (ROK)-U.S. alliance, North Korea's difficult nature and the U.S. war on terror. Following is a brief summary of each major factor.[9]

U.S. National Interests in the Region.

To determine the optimum American course of action for dismantling North Korea's nuclear programs, U.S. national interests and objectives in the region must first be identified. The United States has three enduring national security interests and objectives: ensuring U.S. security and freedom of action; honoring international commitments; and contributing to global economic well-being through security, access, and productivity.[10] How

do these enduring national interests relate to the Korean peninsula, Northeast Asia, and the nuclear stand-off?

First, maintaining peace and stability in Northeast Asia is a vital U.S. interest because our way of life and economic well-being are connected to free trade with three of our top seven world-wide trading partners located in the region: Japan, China, and the ROK.[11] Second, the United States must visibly demonstrate commitment to our defense treaties in the region: the 1953 Mutual Defense Treaty with the ROK, the 1960 U.S.-Japan Mutual Defense Treaty, and the U.S. commitment to the ROK-U.S. and Japan-U.S. alliances.[12] Third, maintaining a nuclear-free Korean peninsula facilitates peace and stability in a potentially volatile region where the possibility exists for large-scale conventional and nuclear military competition. Such competition would affect the global economy and threaten the physical well-being of the United States and numerous friends and allies.[13] Finally, preventing North Korean weapons of mass destruction (WMD) proliferation protects not only our friends and allies in the region, but our friends in other regions and our homeland as well, by ensuring that WMD do not get into the hands of terrorists.[14] In light of these interests, one clear objective presents itself: the "prompt and verifiable dismantling of North Korea's nuclear weapons program."[15]

The Role of China.

China plays a pivotal role in resolving the North Korean nuclear crisis.[16] North Korea's self-imposed isolation is offset only by its alliance with China. Of North Korea's two land borders, the Democratic People's Republic of Korea (DPRK)-Chinese border is more porous than the heavily guarded Demilitarized Zone which stretches along the entire South Korean border.[17] Additionally, China is North Korea's biggest supporter, providing North Korea with 70 percent of its energy and almost half its food.[18] While North Korea is dependent upon China for economic and political survival, the two countries are on divergent paths. Beijing is reforming its economic and political structures and normalizing relations with former Cold War foes, including South Korea and the United States. This makes relations with troublesome Pyongyang difficult for Beijing as it attempts to maximize its role in the region.[19] China's two biggest North Korean concerns are conflict or collapse—neither of which are in Beijing's interests.[20] This is not lost on Pyongyang. North Korea historically uses its "power of the weak" to leverage China's support by playing on China's concerns about instability to its south. Additionally, Beijing's United Nations (UN) Security Council veto power and shared Confucian cultural roots enhance its influence in Korean affairs.[21] China's hosting of the recent trilateral and Six-Party talks reflects Beijing's desire to facilitate a peaceful resolution of the nuclear issue.[22]

The ROK-U.S. Alliance.

While the ROK-U.S. Alliance has been successful for over 50 years, it shows signs of strain. If the alliance is not strengthened, the United States could lose one of its long-term allies in the Northeast Asia region. This is not in the interests of the United States.[23] Furthermore, a strained ROK-U.S. alliance will hinder resolution of the nuclear stand-off.[24]

One indicator of strained relations between the ROK and the United States is the rise in anti-American sentiment among South Koreans. A Gallup Korea survey conducted in December 2002 shows South Korean perceptions of the U.S. relative to other nations (see Table 1).[25]

Feelings	United States	Japan	Russia	China	North Korea
Positive	37.2	30.3	36.7	55	47.4
Don't Know	9.1	11.1	11.8	21.4	39.2
Negative	53.7	58.6	61	23.6	24.1

Table 1. South Korean Perceptions of Other Nations.

The survey indicates that South Koreans view North Korea and China more favorably than their long-time ally, the United States. The percentage of South Koreans reporting a dislike for the United States rose 15 percent from a previous poll conducted in 1994, indicating a major change in attitude compared to the previous decade.[26]

According to Balbina Hwang of the Heritage Foundation, the most significant cause of strain in the ROK-U.S. alliance is the change in shared threat perception of North Korea by the two countries.[27] A growing sector of the South Korean population has no memory of the Korean War or the aid provided by the United States.[28] The Gallup survey referenced above validates this observation: only 26 percent of respondents over age 50 reported negative feelings toward the United States, as opposed to over 75 percent of those in their 20s.[29] Since over 60 percent of the South Korean population was born after the war, pro-U.S sentiments based on the War will continue to decline as the Korean population ages.[30] Furthermore, over half of South Koreans polled reported that North Korea's nuclear activities were a direct result of America's hard-line foreign policy, while only 25 percent reported that the nuclear stand-off was Pyongyang's fault.[31] Additionally, South Koreans are more apt to see North Koreans as poor, starving relatives who deserve pity, not fear.[32] After the death of Kim Il Sung, who presented a threatening image to South Koreans for so long, South Koreans now see the new, smiling North Korean leader, Kim Jong Il, in a more optimistic light. A final contributing factor to the delta in threat perception may be that South Koreans want to enjoy a peace dividend now that the Cold War is over.[33]

North Korea's Difficult Nature.

As one of the last communist dictatorships and an isolated state in a downward spiral, the unique characteristics of North Korea make it an enigmatic, difficult negotiating partner.[34] Some argue that North Korea's methods of doing business are a reflection of its unique communist-Confucian culture where self-determination (*Juche*) drives everything.[35] Others liken North Korea to an organized crime state, which uses brinksmanship and blackmail to achieve its objectives.[36] Regardless of which best explains Pyongyang's behavior, North Korea's difficult nature will present a major challenge to the United States in the foreseeable future and will severely hamper efforts to resolve the nuclear crisis.[37]

U.S. WAR ON TERROR

The war on terror and ongoing operations in Iraq present significant political and military challenges to the United States as it grapples with the North Korean nuclear issue. Politically, the United States has exhausted substantial reserves of what Joseph Nye calls "soft power" and foreign goodwill as a result of its invasion of Iraq.[38] Domestically, the Iraq war has been greatly politicized, making future military action politically risky for the current administration.[39] Also, due to the war on terror and operations in Iraq, the U.S. armed forces are committed to their maximum capability, making new U.S. military operations in Korea difficult.[40]

Analysis of the Options.

There is a range of options available to the United States for use in resolving the North Korean nuclear stand-off. The options range from doing nothing, pursuing policies of engagement or containment, and using preemptive military strikes.[41] For ease of analysis, the "do nothing" option will be addressed last.

Engagement. Engagement encourages North Korea to abandon its nuclear ambitions through dialogue and negotiations. A policy of engagement emphasizes the use of diplomatic and economic elements of power over military action, much like the "Sunshine Policy" of former ROK President Kim Dae Jung and the current "Peace and Prosperity" policy of the Roh administration.[42]

In an engagement-focused policy, we would expect to see vigorous but flexible bilateral and multilateral diplomacy with North Korea. This diplomacy may include a formal security guarantee offered to North Korea by the United States (either alone or multilaterally), stating that the United States and other signatory nations will not attack North Korea. In any diplomatic endeavors, close coordination with China and Russia would be necessary to be effective because both countries have strong geopolitical interests in Korean affairs and have historical political and trade relationships with North Korea.[43] Japan would continue to play an important role as well since Japan has strong interests in peace and stability at their doorstep. Additionally, the Association of Southeast Asian Nations (ASEAN) and Asia Pacific Economic Cooperation (APEC), with their diplomatic and economic leverage, can be valuable multilateral fora to influence North Korea to halt its nuclear weapons programs.[44] Similar efforts should be made through other venues like the UN, the North Atlantic Treaty Organization (NATO), and the European Union (EU).

Advantages and Disadvantages of Engagement. The primary advantage of an engagement policy is that compared to containment or preemption (which could provide North Korea a rational basis for going to war in the form of a threat to its survival), engagement presents the least *near-term risk* of triggering provocation from the Kim Jong Il regime, because engagement avoids the conditions that make war a rational act in the eyes of North Korean leadership.[45] It also directly addresses, through its security guarantee, one possible source of North Korea's motivation for obtaining nuclear weapons: securing regime survival. Properly addressing the Kim regime's core motivation for pursuing nuclear weapons may permanently halt the program instead of just delaying it.[46] However, if Kim Jong Il's primary motivation for obtaining nuclear weapons is to use them as leverage in achieving great power status, then engagement will fail, as Pyongyang will never relinquish its bargaining chip.[47] Also, U.S. diplomatic presence in Pyongyang could provide a window into the DPRK government, reducing uncertainty about North Korean intentions.[48] Finally, engagement is most acceptable to the international community, especially neighboring states such as the ROK, China, Russia, and Japan.[49]

The primary disadvantage of an engagement policy is that negotiations with the North Koreans would be arduous and drawn-out.[50] This is a status-quo option and doesn't bring about quick results. [51] While negotiations drag on, North Korea gains time to develop more nuclear weapons and perhaps export them to other parties.[52] This is a long-term risk that is significant in the aftermath of September 11, 2001 (9/11), because we are more aware of the consequences of WMD-armed terrorists. Furthermore, this drawn-out strategy would be viewed by many in the United States as a nondefinitive solution, especially when contrasted with Pyongyang's typical lack of reciprocity.[53] As already stated, engagement alone will not work if the prime motivation for North Korea's nuclear programs is to gain international leverage.

Containment. A second course of action is to pursue a policy of containment. One dictionary defines containment as "a policy of creating strategic alliances in order to check the expansion of a hostile power or ideology or to force it to negotiate peacefully."[54] Containment seeks to force North Korea to abandon its nuclear ambitions through a series of punitive actions. In other words, the DRPK would have to comply with internationally imposed conditions to avoid negative consequences of coercive diplomacy and economic sanctions. The goal of a containment policy would be to isolate North Korea to pressure the Kim government to comply with nuclear control regimes. A containment policy would emphasize the military element of power (short of preemption), along with coercive diplomacy and further economic sanctions. Because a credible threat is the engine of containment, this option precludes the offer of a security guarantee by the United States. Finally, a successful containment strategy requires multilateral solidarity (especially among key regional actors) in isolating North Korea.

Some example of containment concepts follow. Military actions could include aggressive interdiction of vessels inbound to and outbound from North Korean ports, with an option to upgrade to quarantine if WMD proliferation efforts are discovered.[55] Long-term deployment of an additional aircraft carrier battle group, surface combatants, and additional bomber aircraft to the Western Pacific should precede such actions to prepare for potential escalation of tensions.[56] Also, as part of a containment policy, the United States should take prudent defensive actions to protect its interests in Korea. To enhance deterrence, the United States could revert to its former policy of neither confirming nor denying the presence of nuclear weapons on the Korean Peninsula, to deter the Kim regime from taking escalatory action.[57] Relocation of all U.S. forces south of the Han River (and out of range of most of North Korea's threatening arsenal), and upgrade of air defense and nuclear, biological, and chemical protective measures would significantly reduce risks to U.S. forces in Korea.[58] Additionally, a UN Security Council Resolution against North Korea condemning its nuclear weapons program and a reprioritization of humanitarian food shipments to more deserving countries would help the long-term success of containment.[59] Reintroduction of IAEA inspections should be included in a containment strategy as well.

Finally, another tool in a containment strategy is to interdict the illicit activities of the Pyongyang regime. From 1995 to 2001, the North Korean gross national product fell from $22.3 billion to $15.7 billion. In 2001, legitimate businesses exports totaled only $650 million, compared to illegal income from drugs which was estimated somewhere between $500 million and $1 billion. Also, North Korea made over $560 million in profit from missile sales and sold over $100 million in counterfeit U.S. currency worldwide. By shutting down Kim Jong Il's illegal revenues from missiles, drugs, and counterfeiting, the United States could greatly hinder North Korea's ability to finance its nuclear weapons programs.[60] The U.S.-led Proliferation Security Initiative (PSI) is a promising program currently under development. The PSI program involves multilateral interdiction of

the transport or transfer of WMD and missile technology. Eleven nations currently participate, including the following Asian states: Australia, Japan, and Singapore (China is not a participant). Although the PSI has not successfully seized WMD, it has been successful in seizing illegal narcotics.[61]

Advantages and Disadvantages of Containment. The main advantage of containment is it directly addresses the risk presented by North Korea's nuclear weapons today as well as the risk of proliferation in the future through a direct path to resolving the issue.[62] However, this approach presents significant operational and political risks.

The greatest disadvantage of containment is that it may provoke North Korea into taking escalatory or preemptory action. The North Korean regime has mastered the art of brinksmanship and has threatened that a UN Security Council Resolution would be considered an act of war.[63] Like the South Korean saying, "a cornered rat will attack a cat," containment could provide the conditions for the Kim Jong Il regime to "calculate war as a rational course of action."[64]

Furthermore, a containment strategy may erode the ROK-U.S. alliance by heightening South Korean anxiety about provoking North Korea and the risks of war in their homeland.[65] A weakened alliance would undermine the effectiveness of our combined deterrence and military readiness, in turn threatening the core military capability of containment. In addition, Japanese participation in active containment may also destabilize the region by raising fears of renewed Japanese militarism.[66]

Another disadvantage to a containment policy is that its success is dependent upon China to close its land border with North Korea, as North Korea receives most of its aid from China.[67] China's support of a containment policy is unlikely due to its concerns about Pyongyang's reaction.[68] Without China's support, a containment strategy will fail.

Preemptive Action. The third course of action is preemptive action (or preemptive counterproliferation)—military strikes against North Korea's nuclear weapons facilities. Preemptive counterproliferation is not new. World War II, the Iran-Iraq War, Israeli preemptive attacks against Iraq, and Operation DESERT STORM, show that nuclear facilities historically have been targeted in hopes of preventing future nuclear threats from developing.[69] The United States officially adopted a policy of "Preemptive Counter Proliferation" in 1993 under the Clinton administration, with the caveat that military preemptive strikes be used only as a last resort.[70] In fact, the Clinton administration considered executing preemptive counterproliferation strikes in 1994 when the North Koreans pulled spent fuel from their Yongbyon reactor. Only Kim Il Sung's offer to negotiate and strong recommendations from the U.S. military turned President Clinton back to negotiations.[71] More recently, Operation IRAQI FREEDOM was a preemptive military operation, publicly linked to Saddam's WMD programs and his unwillingness to comply with enforcement regimes.[72] Regardless of their success or failure, these precedents validate military preemptive action as an available option for dealing with North Korea's nuclear weapons programs.[73]

Preemptive counterproliferation would include a surprise military attack against North Korea's nuclear weapons and related facilities.[74] Successful preemptive action would require locating all assets that could be used to make nuclear weapons; having the ability to destroy all targets; and preventing North Korea from retaliating against the United States or any of its neighbors with artillery, missiles, chemical or biological agents, a full-scale attack, or nuclear weapons in a manner that undermines regional will to eliminate North Korea's nuclear weapons.[75] Risk mitigation and diplomacy are important to preemptive action in Northeast Asia, perhaps more than in the previous cases involving Iraq and Iran.

Advantages and Disadvantages of Preemption. The main advantage of preemptive counterproliferation is that it potentially provides the most direct route to achieving the prompt and verifiable dismantling of North Korea's nuclear weapons programs. This, of course, assumes that any such preemptive action would be successful. Therein lies the main disadvantage—the extraordinary risks associated with this course of action.

Locating *all* North Korean nuclear weapons and facilities would be extremely difficult. The United States has precisely located the plutonium reprocessing facilities in Yongbyon, because it is an above-ground facility. Also, reactor operations present a distinct signature, which can be monitored using national technical means. North Korea's admission in October 2002, that it was pursuing a highly enriched uranium (HEU) program to make nuclear weapons, made the task more difficult. Although we have *possible* sites templated, North Korean HEU facilities are not precisely located because the preferred HEU processing method uses a centrifuge system that can be placed underground. Also, HEU processing gives off very little signature and is not easily detected via national technical means.[76] Finally, the North Koreans may have as many as 5 to 6 nuclear weapons already constructed.[77] These are likely hidden in deep bunkers, difficult to find, and even harder to destroy.[78]

Destroying all North Korean weapons facilities presents significant challenges. While the Yongbyon complex is not hardened and therefore easy to destroy from the air, the possibility exists that striking reactors may cause radioactive fallout over civilian population centers in North Korea, South Korea, China, Japan, and Taiwan.[79] Furthermore, the HEU sites are not precisely located and are probably dispersed and located in deeply hardened bunkers, along with any completed weapons. It would be extremely difficult to attack all targets with complete confidence that no nuclear capability would survive for retaliatory attacks at some time in the future.[80]

Preventing retaliation from North Korea would be a gamble because North Korea possesses substantial WMD, missiles, artillery, and special operations forces capable of retaliating against the ROK, Japan, or U.S. forces in the region. Successful protection of U.S. and allied forces, along with civilian populations, from retaliation will require significant upgrade of protective measures and relocation of forces south of North Korea's artillery fires—without undermining the ROK-U.S. alliance (a significant diplomatic challenge). Passive defensive measures such as relocation are currently the subject of a difficult debate between the United States and the ROK and may not even achieve the protective stand-off needed to fully protect U.S. forces from North Korean military actions.[81] Militarily, it is doubtful that North Korean retaliatory actions could be prevented due to the wide range of options available to the North. Significant damage would likely be inflicted on Seoul prior to North Korean artillery being rendered silent—and this would require significant participation by ROK military forces.[82]

The North Korean response to a preemptive strike could include a major conventional attack against South Korea or use of chemical or nuclear weapons against the ROK or Japan. Such retaliation could inflict 300,000-500,000 casualties if the fighting were to continue for 90 days.[83] Consequently, the United States must be fully prepared to enter into a relatively large scale and protracted conventional conflict to defeat any North Korean retaliatory efforts.

The political risks associated with a preemptive approach call for extreme caution. The President would likely face strong domestic political opposition to a high-risk preemptive action in Korea, especially on the heels of Operation IRAQI FREEDOM. Allegations of international law violations would be leveled at the United States from both domestic critics and from abroad.[84] In many ways, the United States could lose its moral high ground position in the world. As we have seen with Russia's recent announcement of its own preemptive doctrine and Israel's recent intent to exercise preemption against Iran, we can expect more "what's good for the goose is good for the gander" justification of preemptive doctrine from other nations.[85] Furthermore, because successful preemptive action requires complete surprise, the United States would probably act unilaterally and face significant condemnation from the international community.[86] Finally, unless South Korean perception of the North Korean threat changes, the U.S. alliance with the ROK would suffer significant damage following a preemptive strike against North Korea, regardless of outcome.[87] And as North Korea's major supporter, China remains in a powerful position of either helping or hindering U.S. actions against North Korea.[88] It is doubtful that China would endorse American preemptive action against North Korea.[89]

A final disadvantage of using preemption against North Korea is that the United States appears to lack the intelligence capability required to execute a preemptive policy successfully. Douglas Jehl and David Sanger of the New York Times published an article which lays out the gross intelligence failure of Operation IRAQI FREEDOM. The article shows that the quality and reliability of U.S. intelligence is poor, and the interaction between U.S. policymakers and intelligence agencies is flawed.[90] Former U.S. chief weapons inspector in Iraq David Kay stated that "If you cannot rely on good, accurate intelligence that is credible to the American people and to others abroad, you certainly can't have a policy of preemption."[91] The closed and isolated nature of North Korea would challenge U.S. intelligence capability at least as much as Iraq.

Do Nothing. The United States could opt to do nothing in this stand-off. This option comes in two forms: malign neglect and acceptance. Doing nothing is difficult to address because if pursued by the United States, it would not likely be labeled as a "do nothing policy," and would therefore be hard to identify. Furthermore, other policies ineffectively applied could be inaccurately labeled by critics as "do nothing policies." For the purposes of this paper, a "do nothing policy" represents a decision to reject the other three options of engagement, containment, and preemption.

According to a recent Yonsei University arms control presentation, malign neglect is an option favored by some neo-conservatives in the United States. According to this approach, North Korea would be allowed to become a nuclear power. This outcome would then justify harsher U.S. strategies including isolation, containment, and perhaps even regime change.[92] Malign neglect is essentially a set-up for another strategy.

The alternative to malign neglect is doing nothing and accepting the outcome of a nuclear North Korea. This course of action would be complicated in practice because other nations in the region would likely pursue alternative courses of action due to their commitment to a nuclear-free Korean peninsula.

Advantages and Disadvantages of Doing Nothing. The primary advantage of doing nothing is that if the United States were to adopt a policy of pursuing regime change in Pyongyang, malign neglect could enhance justification of pursuing that policy at a later time. However, the disadvantages of accepting a nuclear-armed North Korea outweigh this one advantage.

First, a nuclear-armed North Korea would encourage and aid nuclear proliferation in other areas of the world. This would directly undermine not only our security interests in Northeast Asia but in other regions and our homeland as well, given the risk of terrorists getting nuclear weapons. Second, gaining nuclear weapons would embolden a historically hostile North Korea. A likely increase in saber rattling by Pyongyang would upset Northeast Asian economies and our own. Third, if North Korea were armed with nuclear weapons, it would weaken the U.S.-ROK and U.S.-Japan alliances and the security structures which have successfully deterred North Korea for over 50 years. Weakening these alliances and security structures would have far-reaching negative effects on peace, prosperity, and stability in Northeast Asia. [93]

SUMMARY OF ANALYSIS

Of the range of options available to the United States for accomplishing the national security objective of dismantling North Korea's nuclear program, preemptive counterproliferation is the least preferred. Foremost, the President has issued statements that rule out preemption.[94] Having stated that the United States has no intent to attack North Korea reduces political viability of a preemptive option, while statements that the United States reserves its military options indicate that containment is the preferred policy. These statements recognize that the operational and political risks of preemption are too high, while the chances for success are too low.

Furthermore, while preemptive counterproliferation most directly addresses the threat of North Korean nuclear weapons, it does so at the peril of U.S. interests in the region. Preemptive action would likely lead to significant infrastructure damage and casualties in both North and South Korea and perhaps cause a nuclear fallout hazard throughout the region. Furthermore, the United States would be unable to prove definitively that it had destroyed all of North Korea's nuclear capabilities and would remain subject to retaliation, along with its allies in the region. Following a preemptive action, the United States would likely face strong international condemnation, weakened alliances with the ROK and Japan, and lose influence, freedom of action, and access in Northeast Asia. If used unnecessarily, the option of preemption will invite catastrophe for U.S. foreign policy and must remain a last resort to be used only when the threat of North Korea's nuclear weapons is imminent.

The option of doing nothing is not preferred because it allows North Korea to pursue nuclear arms unchecked. The only advantage to this option is the justification it may provide if it is used as a precursor to a harsher policy (malign neglect). At best, this policy would be disingenuous, undermining U.S. credibility within the international community. At worst, it could facilitate widespread proliferation and reduced stability in Northeast Asia.

Of the remaining courses of action, engagement and containment, a combination of the two is required to ensure U.S. interests in the region are protected. Pursuing engagement alone would cede too much initiative to North Korea, allowing North Korea to advance its nuclear weapons development and perhaps spread them to other rogue states and nonstate actors.[95] On the other hand, containment alone could drive North Korea to rationalize that the status quo is unacceptable and therefore take preemptive military action on its own.[96] Only the measured application of both engagement and containment, "the carrot and the stick," will ensure that North Korean nuclear weapons development is hindered and that our national interests in the region are secured.

POLICY RECOMMENDATIONS

The analysis shows that the optimal course of action for the United States to use in the North Korean nuclear stand-off is a hybrid policy of engagement and containment. Furthermore, the least preferred option, to be used only as a last resort, is preemptive counterproliferation. How can the United States most effectively implement a hybrid policy of engagement and containment? And what if the United States must change course and use preemption? The following policy recommendations will enhance success for both cases.

To ensure successful implementation of either policy, the United States must strengthen its alliance with South Korea. A healthy ROK-U.S. alliance is critical not only to achieving the objective of a nuclear-free Korean peninsula, but to achieving a long-term peace in Korea as well. A healthy ROK-U.S. alliance is critical to protecting U.S. national interests in the region even after a long-term peace has been achieved. Additionally, a strong ROK-U.S. alliance will better survive the political fallout in the event preemption is required.

The most effective way to improve the alliance is for the United States to close the gap between the ROK and the United States regarding North Korean threat perception. After all, it is South Korea that has the most to lose in a conflict on the peninsula; if South Koreans see North Korea as less threatening, and the American approach as hostile and undermining the alliance, then the United States should accommodate South Korean policy. This denies North Korea opportunities to drive wedges between the ROK and the United States and produces greater synergy between the two allies in dealing with North Korea issues.[97] By improving the alliance, we secure our national interests in Northeast Asia long after a peaceful reunification occurs.

Second, the United States must supplement its multilateral approach to North Korea with bilateral talks.[98] Like the Mafioso in *The Godfather II* who said, "Keep your friends close but your enemies closer," the United States must get close to North Korea.[99] Operation IRAQI FREEDOM offers a good example of what happens when the United States stiff-arms an opponent for 12 years—we get surprised by what we find (i.e., no WMD). The risks are even greater with North Korea, given the size of the population at risk and the likelihood for devastation. The only way to significantly increase our knowledge and understanding of North Korean capabilities and intentions is to conduct bilateral talks with them on a regular basis. The notion that this would signal American weakness or reinforce past North Korean misbehavior is baseless given that containment and multilateral talks would form a major part of the policy as well.

Third, the United States must offer a formal security guarantee to North Korea stating that it will not attack North Korea.[100] A security guarantee would not preclude the use of preemption if the United States was faced with an imminent threat from North Korea's nuclear weapons. Nor would a security guarantee deny the United States the option of pursuing a hybrid policy of engagement and containment. A security guarantee would reduce North Korean anxiety about regime survival, reduce risk of escalation, and deny North Korean justification for brinksmanship behavior. In this manner, it would promote peace and stability in Northeast Asia and strengthen the ROK-U.S. alliance.

Fourth, the United States should broaden participation in its PSI program to include China.[101] By including China, PSI will be more effective because North Korea's northern land border would be affected. Also, China's participation would increase the program's credibility with North Korea.

Finally, the United States must improve its intelligence collection and analysis capabilities. A hybrid policy of engagement and containment requires actionable intelligence which informs our national leaders of the risks associated with North Korea's nuclear arms. As Operation IRAQI FREEDOM has shown, accurate intelligence about North Korea's nuclear programs would be critical to successful preemption and avoidance of political fall-out following preemptive strikes.[102]

PREEMPTION AS A LAST RESORT—SOME CONSIDERATIONS

American leadership must know what conditions constitute a "last resort" situation prior to the use of preemption. Barry Schneider of the National Defense University published a study outlining considerations for deciding to execute preemptive strikes.[103] According to Schneider, the following questions should be answered in the affirmative prior to executing preemption.[104]

- Can the enemy be deterred? Does the enemy exhibit violent or risky behavior?
- Has the enemy passed the WMD threshold?
- Are vital U.S. interests threatened?
- Can we precisely locate and target key targets?
- Can we achieve surprise?
- Do we have a first strike capability?
- Can the enemy threaten the U.S. homeland with WMD?

- Are the United States and its allies safe from retaliation by third party WMD attacks?
- Have we exhausted all nonmilitary options?
- Do we have clear objectives, achievable by appropriate means?
- Are we committed to taking all necessary actions to achieve success?

These considerations do not constitute a laundry list to be followed rigidly. They do, however, provide our national leaders guidelines for use in a crisis situation.[105]

Additionally, the United States should have clear triggers for using preemption against North Korea, based on North Korean actions. The United States should not share these triggers with third parties, as preemption requires complete surprise for success and North Korea could use knowledge of U.S. triggers to further its brinksmanship agenda. Finally, the United States should continually refine procedures (timing and protocol) for warning and notification of third parties prior to taking any preemptive action. For example, when should national leaders of South Korea, Japan, China, Russia, and other parties be notified? Before launching an attack? After launching an attack? Who should make such notifications? The U.S. Government must know how these warnings will be executed prior to any crisis developing, when preemption may be the only option.

CONCLUSION

The North Korean nuclear weapons stand-off is one of the most dangerous challenges facing the United States today. In order to accomplish its objective of dismantling North Korea's nuclear weapons programs, the United States must pursue a combined policy of engagement and containment. Preemption, because it invites foreign policy disaster for the United States, must be reserved as a last resort.

ENDNOTES

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