

BREAKING THE DEADLOCK. POLICY OPTIONS FOR DEALING WITH NORTH KOREA

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The ongoing crisis between the Democratic People's Republic of Korea (DPRK or North Korea) and the international community represents a textbook case of coercive diplomacy. The international community sought to coerce North Korea to give up its nuclear and missile programs. So far, all efforts failed. The election of Donald J. Trump as President of the United States has created a new and more dangerous dynamic. In contrast to his predecessors, Trump does not seek a multinational solution and has turned the crisis into a personal contest between him and the North Korean leader Kim Jong-un, while ignoring the interests of other powers. As President Trump has few, if any, options for breaking the stalemate, this Alert argues that personalizing the conflict is very risky. As a matter of fact, for the first time in history a tweet could trigger a major crisis. This Alert analyses the present standoff and explains how threats and harassments could escalate into war. It concludes by offering policy options for how to deal with North Korea.

A complete diplomatic failure

After North Korea announced its withdrawal from the Nuclear Non-Proliferation Treaty in 2003, South Korea, China, the United States, Japan, Russia and North Korea tried to find a peaceful way to terminate its nuclear program. The so-called Six-Party talks yielded few results until the fifth round of talks in November 2005 when the regime agreed to close its Yongbyon nuclear facility (including the reprocessing facility) and allowed personnel of the International Atomic Energy Agency (IAEA) to conduct monitoring and verification activities. In return, North Korea would receive 50.000 tons of heavy fuel oil and the parties would take steps towards normalizing their relations with Japan and the United States.

However, on October 6, 2006 North Korea tested its first nuclear device in response to 'hostile U.S. policy'.¹ From that date on, efforts were made to prevent the regime in Pyongyang from further developing an *operational* nuclear weapons capability. The test did not mark the end of the end of the Six Party Talks. The talks were aborted when on April 5, 2009 the regime tried to bring a

satellite into orbit. Despite the failure, President Obama pressed for counter measures. Consequently, on April 13, 2009 the United Nations Security Council issued a Presidential Statement condemning the satellite launch. Subsequently, North Korea declared that it would pull out the Six Party Talks and that it would restart its nuclear enrichment program. In addition, Pyongyang expelled all nuclear inspectors. On May 25, 2009 a new nuclear test was carried out. More nuclear tests followed in 2013, twice in 2016, and 2017. In January 2016 the regime claimed to have tested a hydrogen bomb.

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Despite initiatives to resume talks, nothing happened. Instead, in 2014, President Obama embarked on a secret cyber war.² Cyber-attacks were considered an alternative to the traditional Ballistic Missile Defense systems

(BMD) which were still too unreliable for protecting the United States and pursue an active denial policy (see below). The aim of the cyber-attacks was to sabotage test launches in the opening seconds of the boost phase. Experts however, were skeptical because North Korea managed to launch at least three ballistic missiles. Moreover, as soon as North Korea understood the nature of the cyber threat, it could easily take counter measures.

An operational nuclear weapons capability consists of bombs and delivery systems such as missiles and aircraft. But the international community could not prevent the development of delivery systems either. The North Korean test program started in 1976 with a Soviet Scud B missile and an Egyptian launcher. Despite a moratorium on long-range missile tests in 1999, the regime continued the development of medium range and later

intercontinental ballistic missiles. Breakthroughs included the launch of the Pukguksong-1, an intermediate range ballistic missile from a submarine in August 2016 (SLBM); the launch of a satellite into low Earth in 2016; the test-firing of the Pukguksong-2, a new land based intermediate-range ballistic missile (IRBM), over the Sea of Japan in February 2017; and the test-launch of the Hwasong-14, the first intercontinental ballistic missile (ICBM) on July 4. The latter landed in Japan's exclusive economic zone. Its operational range is estimated at 10,000 km meaning it could bring a 500 kg payload to targets in most of the contiguous United States. There is, however, little evidence that North Korea has developed the required guidance systems, the required miniaturization of nuclear warheads, or perfected the necessary re-entry technology to ensure a precision strike.

Table 1: North Korean Missile Types (CSIS Missile Defence Project, <https://missilethreat.csis.org>)

North Korean Missile Types

Missile	Range	Class	Status
BM-25 Musudan	2,500-4,000 km	IRBM	In Development
Hwasong-5	300 km	SRBM	Operational
Hwasong-6	500 km	SRBM	Operational
Hwasong-12	4,500 km	IRBM	In Development
Hwasong-14	10,000+ km	ICBM	In Development
KN-01	110-160 km	ASCM	Operational
KN-02	120-170 km	SRBM	Operational
KN-06	150 km	Surface-to-air	Operational
KN-08	5,500-11,500 km	ICBM	In Development
KN-09	190 km	MLRS	In Development
KN-11	1,200 km	SLBM	In Development
KN-14	8,000-10,000 km	ICBM	In Development
KN-15 (Pukkuksong-..	1,200-2,000	MRBM	In Development
KN-18 (MaRV Scud V..	450+ km	SRBM	In Development
Koksan M1978	40-60 km	Artillery	Operational
Kumsong-3	130-250 km	ASCM	Possibly Operational
M1985/M1991	40-60 km	MLRS	Operational
No-Dong	1,200-1,500 km	MRBM	Operational
Scud-ER	800-1,000 km	SRBM	Operational
Taepodong-1	2,000-5,000 km	IRBM	Obsolete
Taepodong-2	4,000-15,000 km	ICBM / SLV	Operational

How North Korea could develop nuclear weapons and their means of delivery with such dizzying speed remains a mystery. It is however certain that the former Soviet Union played an important role. In 1956 Soviet scientists started training their North Korea counterparts, giving them basic knowledge to start a nuclear program. In 1959 both countries signed a nuclear cooperation agreement, but the nuclear program was accelerated after 1989 with the end of the Cold War and the collapse of the Soviet Union, when Russian technicians left the country and started assisting their North Korean counterparts. Pakistan has also contributed to North Korea's nuclear program by providing it with nuclear enrichment technologies in the 1990s.³

Pakistan as well as the Soviet Union, and later Russia, also played an important role in the development of North Korea's ballistic missile capabilities. Almost all delivery vehicles are based on missiles from the days of the Soviet Union. Conventional wisdom suggests that North Korean technicians quickly reverse-engineered these missiles to build copies that could be used to build more advanced versions over the years. Soon after the collapse of the Soviet Union, new generations of ballistic missiles were developed. Michael Elleman, a senior fellow at IISS, observed that no other country has transitioned from a medium-range capability to an ICBM in such a short time. Only North Korea's acquisition of a high performance liquid-propellant engine (LPE) from a foreign source can explain this rapid transition. Elleman argued that available evidence indicates 'the new LNE is derived for the Soviet RD-250 family of engines, and has been modified to operate as the boosting force for the Hwagsong-12 and -14'. He observed that an unknown number of these LPE were probably acquired through 'illicit channels in Russia or Ukraine, or both.'⁴

In conclusion, it is safe to say that all efforts of the international community failed to prevent North Korea from developing an operational

nuclear weapons capability and its means of delivery, i.e. ballistic missiles. This brief summary also explains that North Korea's nuclear program could only succeed with outside help.

What North Korea wants

North Korea believes that an operational nuclear weapon capability is the best security guarantee against an external threat. As the regime uses the external threat to convince its people that they need protection, it is a powerful tool in domestic politics as well.

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The security guarantee has been a recurring theme during the Six-Party Talks and became a top priority when President Bush named North Korea as part of the 'Axis of Evil' and invaded Iraq in 2003 to stop Saddam Hussein's weapons of mass destruction program. Several reasons have been mentioned why North Korea wants nuclear weapons, most of them related to the security guarantee:

- The Korean war of the 1950 never officially ended. Since the armistice of 1954 went into effect, both countries continued to stay on a war footing. Nuclear weapons would effectively deter an invasion by South Korea and its main ally, the United States.
- A strong deterrence may prevent others from overthrowing the regime in Pyongyang by force or could even deter interference in its domestic affairs.

- A nuclear weapon, together with a ballistic missile capability, would enhance North Korea's credibility in its competition with vastly superior powers such as South Korea and the United States.
- A nuclear weapon could contribute to the reunification of the two Koreas on Pyongyang's terms. The leadership in Pyongyang may believe that a nuclear weapon will prevent the United States from getting involved.
- An intercontinental ballistic missile capable of reaching the United States would further enhance North Korea's deterrence capabilities and could decouple the U.S. from its allies in Asia.
- As an atypical Stalinist state, the leadership in Pyongyang may believe that a nuclear weapon is a powerful symbol that places itself in the same league as major powers.
- Pyongyang may believe that its foreign policy objectives of a security guarantee, normalized diplomatic and trade relations, the denuclearization of the entire Korean peninsula⁵, and the peaceful use of nuclear energy can only be achieved through coercive diplomacy. For a small and impoverished country, only a nuclear capability will provide sufficient bargaining power.

In short, the regime's nuclear program and the need for a security guarantee are intrinsically linked. Any strategy aimed reducing the impact of North Korea's nuclear weapons program should take this into account.

America's options

Despite mounting tensions, both North Korea's leader Kim Jong-un and President Trump refrained from taking military action. Instead, the opponents tried to influence each other's strategic calculus through harsh rhetoric, the threat to use force and an attempt to destroy each other's public credibility. But despite Kim Jong-un's

continuing nuclear tests and missile launches, and the President's warnings that he is seriously considering military action, large-scale visible preparations for war are absent. North Korea did not mobilize its armed forces and despite explicit threats President Trump has not yet directed large numbers of naval assets and bombers to the region. This indicates that the number of options to coerce Kim Jong-un is extremely limited and that the North Korean leader is fully aware of this. What are America's options?

Sanctions. The regime in Pyongyang was sanctioned on numerous occasions. UN Security Council resolutions 1718 demanded in 2006 the regime cease nuclear testing. A UN Security Council Sanction Committee was established. The 2006 sanctions were relatively mild and included military supplies and luxury goods. Over the years, new resolutions were passed and new sanctions were imposed, capping North Korea's coal exports and banning its exports of copper, nickel, zinc and silver. In August 2017 UN Resolution 2371 banned all exports of coal, iron, lead and seafood. A month later Resolution 2375 limited North Korean crude oil and refined petroleum imports, banned joint ventures, textile imports, natural gas condensate and liquid imports and banned North Koreans from working abroad. But the impoverished country is hardly affected by sanctions and is capable of circumventing them. Moreover, the sanctions did not slow down North Korea's nuclear and missile programs.

Tougher sanctions are unlikely to be successful. For example, a complete oil embargo is unlikely to have a crippling effect on the North Korean economy. It is true that North Korea produces nothing and is fully dependent on imports from China. Experts, however, assess that the regime possesses both the technology and the coal reserves to compensate the loss of oil imports by coal liquefaction. This is how South Africa survived the 1980s oil embargo.⁶ In conclusion, as an

instrument of coercion, sanctions will not work. In addition, sanctions can only be effective if the coercer is willing to back up sanctions with military force. As will be explained below, this is impossible.

“ CHINA IS NOT WILLING TO RUN THE RISK OF NORTH KOREA’S TOTAL COLLAPSE. ”

Second order coercion. Sanctions also played an important role in second order coercion. Second order coercion involves pressure on third countries to harm North Korea’s interests. In September 2017 President Trump issued an Executive Order to coerce foreign companies and financial institutions from doing business with North Korea. Secretary of the Treasury Steven Mnuchin warned that ‘Foreign financial institutions are now on notice that, going forward, they can choose between doing business with the United States or North Korea, but not both.’⁷ China has been a prime target for second order coercion. Referring to Resolution 2375 Secretary Mnuchin warned ‘If China doesn’t follow these sanctions, we will put additional sanctions on them and prevent them from accessing the U.S. and international dollar system, and that’s quite meaningful.’ It is however unlikely that the world’s second superpower can be coerced by the United States. This was made clear by President Xi during Trump’s visit to Asia early November 2017 when he urged the Chinese leader to send home North Koreans who work in China, to cut off oil shipments and to shut down North Korean bank accounts. Xi’s reply was mixed as best.⁸ As a matter of fact, China is not willing to run the risk of North Korea’s total collapse. Such an implosion could result in instability along its border as well as a refugee crisis. As second order coercion is

unlikely to have a decisive effect, they are unlikely to change Kim Jong-un strategic calculus.

Secret deployment of submarines. A plausible scenario is the secret deployment of submarines by both opponents. This would make sense either as a deterrent or as a forward deployed war fighting capability if deterrence fails. The Korean People’s Army Naval Force is believed to possess one of the largest submarine fleets in the world, one that includes 70 diesel electric submarines. A new development is the *Sinpo* or *Gorae* class ballistic missile submarine (SSB), capable of launching the Pukguksong-1 SLBM. This could provide the regime with a second-strike capability in case of a preventive or preemptive attack. In theory, the North Koreans could target American naval assets and may have a capability to hit targets in the United States. It is uncertain if America’s ballistic missile defenses and anti-submarine warfare capabilities could eliminate the threat completely. Consequently, for the time being a policy based on active denial is not credible.

Show of force and military exercises. A show of force, especially military exercises, is an important aspect of coercive diplomacy. The United States and South Korea hold annual exercises that always lead to sharp reactions by the North. Both the United States and South Korea say that the maneuvers are defensive in nature, but North Korea has long condemned the exercises as rehearsals for invasion. In 2015, both allies revised their war plans and consequently their drills to reflect the North’s recent developments in its nuclear capabilities. Drills are not without risks. During the exercises Pyongyang has often escalated its warlike rhetoric. In August 2017, in response to American B-1 bomber drills, the commander of the Strategic Force of North Korea observed that the ‘air pirates of Guam again appeared in the sky above South Korea to stage a madcap drill simulating an actual war.’⁹ During the drills of 2016 it tested the SLBM. During its 2017 drills, North Korea threatened to launch four ballistic missiles

into the waters near Guam. This would have caused a new cycle of escalation and could have triggered a preemptive attack if Guam or its territorial waters were hit. Instead, the regimes choose to launch two Hwasong-12 missiles over Japan and test a nuclear device in September causing a major international crisis. North Korea's response to the show of force indicates that the regime is fully aware of America's reluctance to start a full-scale war. Consequently, the coercive effect of drills is minimal.

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Visible military preparations and mobilization. In April 2017, President Trump claimed that an 'armada' was on its way to North Korea. The ships however, were sailing in the opposite direction to take part in military exercises with the Australian navy. Shortly after Trump's confusing claim, US Defense Secretary James Mattis said the USS Carl Vinson strike group was now sailing towards the Western Pacific. Later it appeared that the strike group was heading towards Indonesia. Air Force assets were also not directed in large numbers to the region. Late October 2016, it was announced that the U.S. would send a second aircraft carrier, the USS Theodore Roosevelt and F-13A fighter jets to the region. But both the US Navy and the US Air Force said that both deployments were long planned.¹⁰

The absence of visible offensive military preparations is an indication of the awareness that undesired escalation should be avoided at all costs. As a matter of fact, Pyongyang did not choose for visible military preparations either. Arguably, both sides are fully aware of the escalatory risks involved in a military confrontation.

The United States, however, did speed up the deployment of the THAAD defensive anti-ballistic missile system to a base in Seongju, in the border region between the two Koreas. Two launchers had been operational since May 2017 and in September the rollout was completed. China, Russia and peace protesters in South Korea criticized the THAAD deployments, fearing that this could weaken crisis stability. Indeed, the biggest danger of mobilization and other visible preparations is the weakening of crisis stability.

Preventive attack. Lt. Gen. H. R. McMaster, the chairman of the National Security Council, talked openly about a last resort option if diplomacy fails in August 2017. Such a war should prevent the regime of North Korea from threatening the United States with nuclear weapons. McMaster believed that North Korea couldn't be deterred the way the U.S. deterred the Soviet Union and China during the Cold War. What would a preventive attack look like? Conventional wisdom suggests that the first phase of such a war would involve conventional and cyber-attacks against the backbone of North Korea's armed forces. During this phase, the prime target would be the armed forces' and political headquarters, more specifically, the headquarters and related infrastructure for Command, Control Communications, Computers, Intelligence, Surveillance and Reconnaissance (C4ISR). Destruction of the C4ISR infrastructure would deprive the North Korean leadership of the option to retaliate. Supported by sea- and air-launched cruise missiles, Guam based B-1 bombers capable of delivering massive 30,000 pound bombs to hit underground targets are likely to carry out those attacks. The B-1 is selected because it is not able to carry nuclear weapons, thus signaling to North Korea, Russia and China that the U.S. is not willing to take the risk of escalating the situation further. In 2010, Secretary Gates revealed the existence of conventionally armed ICBMs, but it is unclear if elements of the so-called Prompt Global Strike system are fully operational.

As it is likely that North Korea uses hardened C4ISR facilities, the regime will most probably retain a limited capability for retaliation. Thus, the next phases will involve attacks on the means of delivery such as missiles, aircraft and artillery. As aircraft and mobile missile systems will be dispersed it is unlikely that all capabilities can be destroyed. The F-35 and F-22 would most likely be used to hunt down the mobile systems.

Finally, securing nuclear sites would require a ground war. In a letter to Congress, Rear Admiral Michel J. Dumont, the vice director of the Pentagon's Joint Staff, wrote that such a ground war would likely be spearheaded by U.S. Special Forces.¹¹

A complicating factor is the proximity of a metropolitan area of 25 million people in South Korea. Seoul, other cities and American troops deployed in the border region can be kept hostage by North Korea. The area is vulnerable to North Korean artillery, mobile short-range missiles, chemical and biological weapons, all of which cannot be destroyed completely.

“ SECURING NUCLEAR SITES WOULD REQUIRE A GROUND WAR. ”

In conclusion, a preventive attack may save the United States from nuclear attack, but it is highly unlikely that a devastating first strike by the United States can eliminate the danger of artillery and missile attacks on South Korea. Although most of North Korea's artillery cannot reach Seoul, such an attack will certainly result in a tremendous number of casualties in South Korea and will therefore be a powerful deterrent for American military adventurism. In addition, North Korea possesses a submarine capability that would represent a risk as submarines can sail outside

the range of BMD-systems. In conclusion, the military option is a non-option.

Preemptive attack. Preemption is an option when a North Korean missile launch is imminent. Thus, it is only the timing that distinguishes preemptive from preventive attack. It seems that the Pentagon is drafting plans for such an attack. Hours after the President said that North Korea would be met with 'fire and fury' if the regime makes more threats against the United States, the U.S. Air Force explicitly stated that it was 'ready to fight tonight' if so ordered.

But such a preemptive attack cannot stop the regime in Pyongyang from escalating. As a matter of fact, the military dynamics do not differ from the preventive attack scenario mentioned above. In case of a preemptive attack, North Korea will still have sufficient capabilities to retaliate against targets in South Korea. In conclusion, as this option does not deprive North Korea of the capacity to retaliate against South Korea, this scenario is a non-option as well.

Can coercive diplomacy be effective?

The lack of credible options explains the standoff between the two countries. In theory, this results in a relatively stable stalemate. This was recognized by former White House strategist Stephen K. Bannon who rightly declared in an interview with *The American Prospect*, that "there is no military solution here, forget it."¹² In sum, the standoff is a case of failed coercive diplomacy, defined as the attempt to change the strategic calculus of an opponent with the threat to use force or the limited use of force. Changing the calculus of the adversary requires credible and meaningful options for exercising pressure.

To understand the failure of coercive diplomacy, some basic knowledge of the art of coercion is necessary. The existing theories about coercion are primarily based on the classical studies by Thomas Schelling, Alexander George, and Robert Pape. To be

credible, coercion demands the setting of a deadline (Schelling) and the envisaging of a reward or incentives to comply with the demands (George), by which costs of compliance become less than the costs of resistance (Pape).¹³ As President Trump has neither credible military options and sanctions do not work, nor did he establish a deadline or ultimatum, or proposed incentives, the costs of resistance for North Korea are relatively low. As a result, North Korea is confronted with an empty threat.

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Knowing that all military options will result in the loss of many lives in South Korea, Kim Jong-un may assess that President Trump is not willing to pay the price. He may even assess that America knows that the costs of the regimes' resistance are lower than the costs of compliance. For North Korea, this makes non-compliance relatively risk free. As the coercive strategy is not well thought out, America's policy of coercive diplomacy is doomed to fail. If Kim Jong-un withstands American provocations he is likely to prevail.

However, there are signs that President Trump has managed to change the strategic calculus of Kim Jong-un. First, Trump's coercive power might be enhanced by America's defensive capability, which could render his country invulnerable to North Korean intercontinental missiles. If this capability is well developed, the U.S. could choose for an *active denial* policy. This would involve a declaration that the U.S. would never fire a missile first and that it would respond to any ICBM test by North Korea as to preclude the regime to fully operationalize its ICBM and SLBM capabilities. In response to the rapid development of North Korean ballistic missiles, President Bush decided in 2002 to

deploy BMD-systems in Alaska and California. Operational capabilities would include the Ground Based Interceptions based in the continental U.S.; THAAD systems deployed in Guam and South Korea; and the Navy's Standard Missile-3 Block IB, which is used by the Japanese navy as well. Although the status of those capabilities is difficult to verify without access to classified data, active denial could, in the future, constitute one of the very few credible responses to the missile threat.

Second, the regime's calculus could be affected by a number of events which could lead to the conclusion that protected by BMD-systems, President Trump is willing to use force:

- In April 2017, President Trump ordered a cruise missile attack on a Syrian airfield in response to Bashar al-Assad regime's use of chemical weapons.
- The same month, the US dropped the largest conventional bomb it has ever used in combat, destroying a complex of tunnels and bunkers used by Isis militants in Afghanistan and killing almost 100 militants.
- President Trump has frequently threatened the regime with force. During Trump's address to the U.N. General Assembly, he promised to 'totally destroy' North Korea if the U.S. is forced to defend itself or its allies. The day after Foreign Secretary Tillerson said that the U.S. had direct lines of communication with North Korea and tried to find a way out of the crisis, Trump tweeted that Tillerson should 'save his energy' as 'we'll do what has to be done'. Trump urged him not to waste his time negotiating 'with little rocket man'.¹⁴ The Trump-Tillerson discussion appeared to be a classic case of good cop – bad cop, where Trump threatened Kim Jong-un in person whilst Tillerson could urge China and North Korea to find a solution as to prevent his boss from starting a war. This approach seems to be an interesting new element of an emerging coercive strategy.

- Trump's new tough line was further revealed by his decision in October 2017 to "decertify" the nuclear deal with Iran. He stopped short of completely scrapping the agreement but was no longer willing to certify that Iran was fulfilling all obligations, which it has been doing. Most observers argued that this would send a bad signal to the regime in Pyongyang. Decertifying would send the message to the regime that Trump has no intention whatsoever to negotiate with North Korea, no matter what the regime does.¹⁵ Another explanation, one that is better in line with the President's coercive diplomacy so far, is that adversaries simply have to obey Trump. The use of military force in Syria and Afghanistan reinforces the message. A deal is possible, but only on Trump's conditions. The president did not say he was going to abandon the Iran deal altogether, but sought to amend it.
- During his visit to Asia in early November 2017 President Trump's tone was less provocative. But he was unlikely to reassure the North Korean leader when he told the DPRK that: "The weapons you are acquiring are not making you safer; they are putting your regime in grave danger," as "every step you take down this dark path increases the peril you face."¹⁶ In addition he announced that he was putting more pressure on North Korea by deploying three aircraft carrier groups for large-scale maneuvers in the Western Pacific. Moreover, in late November, Trump's designation of North Korea as a state sponsor of terrorism was perceived by Pyongyang as another provocative diplomatic move.¹⁷

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RESPONSES TO THE MISSILE THREAT.

The third reason why the American President could be changing the strategic calculus of Kim Jong-un is Trump's decision to personalize the conflict. Professor of Political Science Reinhart Wolf argues that Trump's foreign policy is status driven.¹⁸ Although the President seems to lack any clear sense of direction concerning the goals of his foreign policy, he is clear on what he wants to achieve in North Korea and how he wants to achieve it. Trump sees himself as a winner and toughness is the key to success. Winning and respect are two sides of the same coin. Trump believes that 'respect is about winning. We don't win anymore'.¹⁹ As a consequence, the U.S. suffers 'tons of humiliations'. Trump doesn't want to be humiliated but he wants to humiliate his opponents. His rhetoric and verbal attacks are regularly aimed at destroying the opponent's public image, a weakness of any public figure. By using the term 'rocket man' during his address to the UN General Assembly and 'little rocket man' in a subsequent tweet he humiliated Kim Jong-un and triggered his paranoia and animosity in an effective way. By introducing a new playbook, the North Korean leader felt obliged to defend himself in public and attack Trump in return. In a rare television statement Kim Jong-un replied that he would "surely and definitely tame the mentally deranged U.S. dotard with fire," and that Trump will "pay dearly for his speech."²⁰ But by attacking the 'dignity of the supreme leader', Trump clearly succeeded in bringing him off balance.

The risk of entrapment

An active denial policy, together with harsh warlike rhetoric, could change Kim Jong-un's calculus. He could come to the conclusion that Trump is willing to carry out an irrational strike and that he may have no other option but to strike first. This is the classical Cold War 'use them or lose them' dilemma, i.e. the need to use a small nuclear arsenal first as to

prevent its loss by an American strike. Thus, a tweet by Trump could trigger war. At the same time Trump may feel tempted to strike to prevent further humiliation. For that reason, Kim Jong-un's harassments are as risky as Trump's tweets. Harassment can be an effective way to demonstrate one's anger about the presented situation and to demonstrate that further escalation is imminent if the adversary wouldn't back down. For North Korea, harassment has been a good way to test American and South Korean resolve. The list of border incidents is endless. On some occasions, North Korea opened floodgates of a dam near the border with the South without warning. This caused the Imjin River to rise rapidly and dangerously high. In 2009, six South Korean fishermen were killed. More serious are military harassments; among the most dangerous encounters was the torpedo attack on the ROKS Cheonan, killing 46 sailors. North Korea denied involvement, but the UN Security Council delivered a Presidential statement condemning the attack without identifying the attacker. Knowing that both South Korea and the U.S. want to avoid war at all costs, North Korea's harassments were relatively risk free. As Trump is unlikely to accept many more humiliations, harassment has now become very risky.

In conclusion, despite Trump's less provocative voice during his visit to Asia early November 2017, both leaders pursue an extremely risky course that could lead to undesired escalation and war. This phenomenon is called *entrapment*. Entrapment is taking excessive risks so that one's credibility is at stake when the opponent does not capitulate. Kim Jong-un's and Trump's personalities make them especially prone to entrapment. In order to avoid humiliation, President Trump may come to believe that he has no alternative but to use military force, regardless of the consequences. As Trump has few to no realistic options for coercive diplomacy, failure can only be avoided if Kim Jong-un believes that Trump will use force and that

backing down is the only option to save his country. However, Kim Jong-un could also believe that further provocation and the use of force is a viable option because he, and the North Korean people, might choose to die instead of being enslaved and humiliated by the Americans. This is a powerful incentive to strike first or to carry out an irresponsible hydrogen bomb test over the Pacific. As such, a test could not only have important environmental consequences but is likely to trigger a military response by the U.S.

Closing remarks: policy options

Either the stalemate between the United States and North Korea will continue, or entrapment will force either Trump or Kim Jong-un to go to war. As the strategic calculus favors Kim Jong-un, it is highly unlikely that North Korea will be the first to attack. This will only happen if the North Korean leader is provoked by Trump and believes he has no other option but to use force.

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As the standoff between the U.S. and North Korea is the result of a clash between two competing egos, the stalemate can only be broken by outside mediation and secret diplomacy. However, in the North Korean crisis, the track record of outside mediation is unimpressive. The Six Party Talks led nowhere. NATO Secretary Stoltenberg's condemnation of the regime in Pyongyang, his call for the full implementation of sanctions, and his pledge to assist the U.S. with missile defenses did not have a measurable effect. NATO as a non-player was underscored by Stoltenberg's

statement that Article 5 of the NATO Treaty does not cover Japan or South Korea so that the Alliance is not planning any presence in that part of the world.²¹ The European Union's condemnations and its sanction regime which complement and reinforce the UN Security Council Sanctions had no effect on North Korea's position either.

Nevertheless, in September 2017, Secretary of State Tillerson was exploring whether North Korea was interested in dialogue and confirmed the existence of multiple channels of communication with the regime. 'We can talk to them. We do talk to them', Tillerson said.²² Secret diplomacy and backchannels are not new. The Obama administration established a backchannel running through New York, but it was closed when the president imposed new, targeted sanctions on Kim Jong-un. Other secret diplomatic channels run through Norway, probably Sweden and China. The release of Otto Warmbier, an American student with a passion for travelling who was detained in North Korea after being charged with a 'hostile act' was released after secret negotiations.²³

President Trump however said that this approach is a waste of time. Another problem is that China's role is crucial, but so far, its efforts to coerce North Korea have had limited results. This is because China is only interested in the status quo. First, as Beijing wants to avoid chaos at all costs it is not willing to coerce Kim Jong-un to the limit. Second, the Chinese leadership has rejected contingency talks suggested by the U.S. for more than a decade. China considers America presence in Asia as a threat to its interests and it rejects any discussion on regime change in Pyongyang. This stalemate is dangerous. Despite occasional lulls in the rhetoric between the U.S. and North Korea misperceptions and accidents could trigger a war that could have devastating consequences.

This opens an opportunity for the European Union to start crisis management talks and prepare the ground for a diplomatic solution.²⁴ A small but respected player, The Netherlands is well positioned to propose such an initiative.

As too much is at stake, the European Union should first make clear to both China and the U.S. that:

- The risk of escalation to all-out war is too high; all efforts should be aimed at a diplomatic solution;
- Both Trump and Kim Jong-un have no credible military options; and,
- The present stalemate can only be broken by a strategy based on incentives.

Agreed by the U.S. and China the European Union could open a new and separate channel of direct communications with the regime in Pyongyang for discussing the starting points for a new round of talks that includes the United States, China and Russia. Direct communications could initially take the form of discrete diplomacy. The initiative should be endorsed by South Korea and Japan.

The initiative should discuss the following starting points, which could form the basis for regular peace talks:

- The prospect of assurances for North Korea that the European Union will oppose any interference in its domestic affairs and that regime change is not an option.
- The prospect of assurances that the European Union will not accept that America's growing defensive missile capability will be used as part of an invasion capability.
- However, as the U.S. has the right to defend itself, America's active denial policy will be supported.
- The promise that (some) sanctions will be lifted:
 - If North Korea accepts a moratorium on the testing of nuclear weapons.

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- If North Korea agrees on a moratorium on testing ballistic missiles.
- If North Korea agrees with no-test zones for its ballistic missiles. This implies that North Korea should refrain from test launches over Japan, Guam and the Exclusive Economic Zones of countries in the region.
- The prospect of incentives, such as economic aid, if North Korea is willing to accept an indefinite moratorium on nuclear and missile testing.
- The prospect of a security guarantee if North Korea gives up its nuclear, ICBM and SLBM programs.

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Rapid changes in the international environment require constant monitoring to keep up to date with unfolding developments. These developments are analyzed in the context of broader patterns and trends that are identified in the Strategic Monitor, commissioned by the Ministry of Foreign Affairs and Ministry of Defense. Strategic Alerts are part of the Strategic Monitor and can either be directly triggered by real world incidents or crises, or prepared in advance but with their publication timed to

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