The Honorable Gary Hart, Chairman Emeritus
Senator Hart served the State of Colorado in the U.S. Senate and was a member of the Committee on Armed Services during his tenure.

Governor Christine Todd Whitman, Chairperson
Christine Todd Whitman is the President of the Whitman Strategy Group, a consulting firm that specializes in energy and environmental issues.

Nelson W. Cunningham, President of ASP
Nelson Cunningham is President of McLarty Associates, the international strategic advisory firm headed by former White House Chief of Staff and Special Envoy for the Americas Thomas F. “Mack” McLarty, III.

Brigadier General Stephen A. Cheney, USMC (Ret.)
Brigadier General Cheney is the Chief Executive Officer of ASP.

Norman R. Augustine
Mr. Augustine was Chairman and Principal Officer of the American Red Cross for nine years and Chairman of the Council of the National Academy of Engineering.

Matthew Bergman
Matthew Bergman is an attorney, philanthropist and entrepreneur based in Seattle. He serves as a Trustee of Reed College on the Board of Visitors of Lewis & Clark Law School.

Ambassador Jeffrey Bleich
The Hon. Jeffery Bleich heads the Global Practice for Munger, Tolles & Olson. He served as the U.S. Ambassador to Australia from 2009 to 2013. He previously served in the Clinton Administration.

Alejandro Brito
Alejandro Brito is President of Brito Development Group (BDG), LLP. In the last twenty years, Mr. Brito has overseen the design, construction, development and management of over 1,500 luxury housing units in Puerto Rico.

The Honorable Donald Beyer
Congressman Donald Beyer is the former United States Ambassador to Switzerland and Liechtenstein, as well as a former Lieutenant Governor and President of the Senate of Virginia.

Lieutenant General Daniel Christman, USA (Ret.)
Lieutenant General Christman is Senior Vice President for International Affairs at the United States Chamber of Commerce.

Robert B. Crowe
Robert B. Crowe is a Partner of Nelson Mullins Riley & Scarborough in its Boston and Washington, DC offices. He is co-chair of the firm’s Government Relations practice.

Lee Cullum
Lee Cullum, at one time a commentator on the PBS NewsHour and “All Things Considered” on NPR, currently contributes to the Dallas Morning News and hosts “CEO.”

Nicholas Clark
Nicholas Clark is the former CEO and Executive Director of Alexium International. He is also co-founder and Managing Partner at Viaticus Capital.

Admiral William Fallon, USN (Ret.)
Admiral Fallon has led U.S. and Allied forces and played a leadership role in military and diplomatic matters at the highest levels of the U.S. government.

Scott Gilbert
Scott Gilbert is a Partner of Gilbert LLP and Managing Director of Reneo LLC.

Vice Admiral Lee Gunn, USN (Ret.)
Vice Admiral Gunn is the President of the Institute of Public Research at the CNA Corporation, a non-profit corporation in Virginia.

The Honorable Chuck Hagel
Chuck Hagel served as the 24th U.S. Secretary of Defense and served two terms in the United States Senate (1997-2009). Hagel was a senior member of the Senate Foreign Relations; Banking, Housing and Urban Affairs; and Intelligence Committees.

Lieutenant General Claudia Kennedy, USA (Ret.)
Lieutenant General Kennedy was the first woman to achieve the rank of three-star general in the United States Army.

The Honorable John F. Kerry
John Kerry is a distinguished fellow for global affairs at Yale University. In 2013, Kerry was sworn in as the 68th secretary of state of the United States. Kerry served for more than twenty-five years as a U.S. senator from Massachusetts.

General Lester L. Lyles, USAF (Ret.)
General Lyles retired from the United States Air Force after a distinguished 35 year career. He is presently Chairman of USAA, a member of the Defense Science Board, and a member of the President’s Intelligence Advisory Board.

Dennis Mehiel
Dennis Mehiel is the Principal Shareholder and Chairman of U.S. Corrugated, Inc.

Stuart Piltch
Stuart Piltch is the Co-Founder and Managing Director of Cambridge Advisory Group, an actuarial and benefits consulting firm based in Philadelphia.

Ed Reilly
Edward Reilly is Global Chief Executive Officer of the Strategic Communications practice of FTI Consulting.

LtGen Norman Seip, USAF (Ret.)
Lieutenant General Norman R. Seip, USAF (Ret.) served in the Air Force for 35 years. His last assignment was Commander of 12th Air Force.

David Wade
David Wade is a consultant helping global corporations and organizations with strategic advice, public affairs and thought leadership, crisis communications, political intelligence gathering, and federal and legislative strategy.
In this Report:

This report examines the United States’ negotiating strategy with North Korea and suggests key changes the US should make to reach a nuclear deal with North Korea. It argues that while the denuclearization of North Korea should remain a long-term goal, the US should first pursue a deal which partially rolls back the North Korean nuclear arsenal, freezes its ballistic missile program, and includes independent verification mechanisms. Predicating negotiations on the complete denuclearization of North Korea will imperil the talks, as North Korea views nuclear weapons as vital to its survival under the current security dynamics.

In Brief

- North Korea is rational and is pursing policies that ensure the survival of the regime.
- North Korea views nuclear weapons as a vital tool of state survival, and will not completely disarm under the current security dynamics.
- Prioritizing complete denuclearization will likely lead to the collapse of negotiations.
- The US should pursue a nuclear deal which partially rolls back the North Korean nuclear arsenal, freezes its ballistic missile program and allows international inspectors access to North Korean nuclear facilities and test sites.
- In exchange, the US should lift most if not all sanctions related to the North Korean nuclear and missile programs but should leave in place sanctions related to human rights abuses and cyber attacks.

About the Author

William Lucier graduated from Fordham University last May with a BA in International Studies. William wrote his senior thesis on North Korea. He argued that the North Korea’s actions are rational when viewed through the lens of realism; as its nuclear and ballistic missile programs, bellicose threats and limited economic reforms aim to maximize its security in order to ensure its own survival.

Interact:

Join our discussion on Twitter with the hashtag #ASPNorthKorea
Discuss the North Korean negotiations with the author @williamlucier11
Learn more about ASP at @amsecproject
Introduction

On June 11th, one day before the Trump-Kim summit, Secretary Pompeo outlined the US position on denuclearization during a press briefing, stating, “the ultimate objective we seek from diplomacy with North Korea has not changed. The complete and verifiable and irreversible denuclearization, of the Korean Peninsula is the only outcome that the United States will accept.” More recently, National Security Advisor John Bolton insinuated that sanctions relief is predicated on denuclearization, saying, “We’re going to continue to apply maximum pressure to North Korea until they denuclearize.”

Prioritizing denuclearization under the current security dynamics will likely doom negotiations. North Korea (DPRK) views nuclear weapons as vital to insuring the survival of the state, and therefore will not agree to denuclearization unless the security situation is significantly altered. However, if the regime believes that it has obtained enough nuclear weapons to deter a US and South Korean (ROK) attack, it could be open to a freeze and partial rollback in exchange for sanctions relief. Therefore, to achieve an agreement in the immediate future, the US should prioritize a nuclear deal which partially rolls back the North Korean nuclear program and freezes its missile program in exchange for sanctions relief.

North Korea’s Rational Pursuit of Nuclear Weapons

North Korea’s nuclear program is rationally grounded in the survival of the state. Pyongyang rationally views nuclear weapons as protection against foreign invasion. North Korea is surrounded by larger powers and has a military whose forces are technology inferior to that of the US and South Korea. The regime has built its nuclear program to compensate for the power imbalance that exists between its conventional forces and those of South Korea and the US. The regime is deeply suspicious of US intentions, and views US-ROK annual exercises as preparation for war. Due to their mistrust of US intentions, complete unilateral denuclearization would be viewed as tantamount to inviting a foreign invasion.

Admitting Reality

In past negotiations, such as the six-party talks, the US has called for the complete, verifiable, irreversible denuclearization (CVID) of the Korean peninsula. North Korea now occupies a much stronger bargaining position, as it now likely has the ability to hit the US with an intercontinental ballistic missile. CVID is no longer a viable immediate endgame to be negotiating towards. The US needs to recognize this reality and be open to a deal which allows the US to receive important concessions, even if North Korea’s nuclear program is not completely eliminated.
ROK-US Rift

While South Korea remains officially committed to denuclearization, the Moon government is prioritizing better relations with North Korea before denuclearization. South Korea is pushing ahead with engagement now to take advantage of the thaw in US-DPRK relations. In October, South Korean Foreign Minister Kang said that they were reviewing the possibility of lifting sanctions on the North. Although the South Korean Unification Minister later walked back the statement, the comments underscore a stark contrast in the US-ROK approach to negotiations.

South Korea’s desire to move negotiations ahead could be rooted in a belief that North Korea will never denuclearize, and that tensions are bound to rise once the US realizes this. Seoul could be looking to use the thaw in its relations with the North to extract as many concessions as possible before the negotiations collapse.

This US-ROK misalignment of priorities is undermining the negotiating leverage of both the US and South Korea on nuclear and ballistic missile issues, leaving both vulnerable to exploitation. However, if Washington were to privately convey to Seoul that it has altered its objective away from complete denuclearization, Seoul could be more likely to hold off on deeper engagement, as they would then view an agreement as achievable. If the US fails to bring South Korea back on board then the premature weakening of sanctions could leave both Washington and Seoul with little leverage to obtain a deal which advances their own security.

The Deal

Given the reality that North Korea’s nuclear weapons and missile programs present, the US will have to make tough compromises in order to reach a deal. But that is not to say that North Korea will not have to make tough compromises as well. While it is unrealistic to assume that a deal could be reached in which North Korea completely disarms, there is still room for one to be made which allows both the US and North Korea to achieve their strategic objectives and lower the chance of war. The final nuclear deal should include:

1. A ballistic missile development and testing freeze

A ballistic missile development and testing freeze is an essential component of any deal made with North Korea. Although North Korea voluntarily imposed a testing freeze on long-range missiles in the lead up to the Trump-Kim Summit, there is nothing stopping the country from resuming testing should the diplomatic opening collapse. The precariousness nature of Pyeongyang’s voluntary testing freeze was underscored by its threat to resume testing in a KCNA editorial last November.
2. A nuclear weapons rollback

A partial rollback of North Korea’s nuclear arsenal should be included in a final deal. A decrease in the North’s nuclear stockpile would insure that the US could sell the deal to both its domestic population and wary allies such as Japan. The Bulletin of Atomic Scientists estimates that North Korea has fissile material to build between 30 and 60 nuclear weapons and may have assembled 10 to 20. Both of these numbers could be reduced and still allow for North Korea to achieve minimal deterrence. Importantly, even though North Korea would retain a limited nuclear arsenal, there would not be official recognition of North Korea as a nuclear power.

3. International Inspectors

The deal should also allow for international inspectors to be granted access to North Korean nuclear and ballistic missile test sites, storage, and development facilities. This is needed to certify North Korean compliance. In order for this to occur, North Korea should produce a list of all of its facilities, preferably before the final deal is reached, as a confidence building measure. The inspectors should be affiliated with an international organization like the International Atomic Energy Agency to ensure their impartiality. They would then present their findings on a regular basis to certify North Korean compliance.

4. Sanctions relief

Sanctions relief should function as the main US concession to North Korea in a final agreement. All or most sanctions related to the North Korean nuclear and missile programs should be lifted once North Korea is in compliance with the agreement. However, sanctions related to other activities such as human rights abuses and cyber-attacks should remain unaffected.

5. Senate Ratification

To ensure that the agreement has legitimacy in the eyes of both the international community and the North Koreans, it is vital that the agreement gets ratified by the US Senate. This is especially pertinent now after the Trump Administration withdrew from the Iran Nuclear Deal as a consequence of the deal’s failure to be ratified by the Senate.

Ratification is more likely to be achieved under a Republican president, as Democrats tend to support arms control regardless of the president’s party, while Republicans tend to support arms control only when it is championed by a Republican president. Republicans such as George H.W and W. Bush have been able to achieve significant arms control reductions with the support of Democrats, while Democrats such as Clinton and Obama have had to settle for more modest arms control reductions after reciving tepid support from Republicans in Congress.
Why a Deal Would Be Beneficial for the US

Having a formal treaty would make it easier to rebuild the international sanctions regime if North Korea resumes nuclear and ballistic missile testing. If Pyongyang were to resume testing today, it is very unlikely that the international support needed to strengthen the sanctions regime could be mustered. A deal that provides a formal framework could be used to reinstate the international sanctions regime.

Constraining the North Korean nuclear and missile arsenal would also have significant strategic implications for US nuclear strategy. A limited North Korean nuclear arsenal would bolster the effectiveness of US counterforce targeting, thus increasing the effectiveness of a US second strike. Firm US knowledge of North Korean weapons, locations and capabilities would also decrease the strategic uncertainty felt by the US in the lead up to and during a conflict. This will in turn decrease the chance that miscalculation will lead to war, while also ensuring an effective response in the event of a war.

A Deal Would Place Strategic Limitations on North Korea’s Nuclear Arsenal

An EU Council on Foreign Relations report determined that the North Koreans have no preference for strikes against military targets versus strikes against civilian targets “as both are mentioned in official statements and media reports.” The report compiled a list of likely North Korean targets and equally divided them between civilian and military targets.

Significant constraints could be placed on Pyeongyang’s nuclear strategy if its nuclear arsenal is limited by a nuclear deal. North Korea will be incentivized to prioritize military targets, as a limited arsenal paired with North Korea’s technologically inferior conventional forces would leave it vulnerable to military attack. Thus, to increase the odds of the regime surviving a war, it would need to inflict maximum damage on enemy forces. It would not have the luxury of hitting large population centers with little military value, a move which would likely increase public resolve around the world to end the regime. The likelihood for a nuclear strike against enemy forces is compounded by the fact that “North Korea currently has no significant second-strike capability, and the government is concerned that a first strike could destroy it.” With no ability to launch a second-strike, North Korea needs to be certain that its first strike gives it the greatest chance to survive the war.

North Korea’s targeting of invading military forces rather than cities will spare US and allied population centers from complete nuclear devastation, potentially saving millions of lives. While nuclear devastation is never desirable, in a worst-case scenario, this is an outcome which the US should view as preferable to the North targeting both its forces and its population centers.

Why North Korea Would Accept the Deal

Under this deal, North Korea would be able retain a limited nuclear arsenal allowing it to deter a foreign attack, thus furthering its goal of survival. With a nuclear deterrent in place North Korea would be less concerned about a foreign invasion leading to regime change.
The sanctions relief would also allow the state to further its goal of economic development. As in April of 2018, Kim Jong un stated that he would abandon North Korea’s Byungjin policy which prioritized both the development of the economy and nuclear program in favor of one solely focused on the development of the economy.  

Once a deal is signed, North Korea could further its goal of developing the economy through economic integration with the South. Preliminary steps towards integration have already been taken by South Korea. In September Seoul announced that it was opening a liaison office inside North Korea. Then in November it obtained a UN sanctions waiver which would allow it to begin surveying railroad conditions in the North, in anticipation of an eventual rail linkage between the two nations. This integration would allow interpersonal and cultural exchange which could lower tensions between the two nations and foster a more stable security environment on the peninsula. 

In the years or decades following a nuclear agreement, if the security situation on the peninsula changes and North Korea no longer feels threatened, then it is conceivable that North Korea may be willing to take further steps towards denuclearization. A formal peace treaty, warmer relations with the South, and the increased benefits of economic cooperation can go a long way to decreasing the regime’s fears. 

**What Should not be in the Deal**

The deal should not formally recognize North Korea as a nuclear power. Formal recognition would set a dangerous precedent which would encourage other countries to illegally pursue a nuclear arsenal in the hopes of one day obtaining formal recognition. Nuclear non-proliferation is one of the international community’s most important norms, and therefore it is imperative that it is not jeopardized by language in the deal.

Additionally, the deal should not include the complete withdrawal of US troops from the Korean Peninsula. This would signal that the US is not fully committed to the defense of South Korea and decrease the effectiveness of the US’ conventional deterrence against North Korea. Likewise, the US-South Korean relationship should not be on the negotiating table. Negotiations with North Korea should have no effect on bilateral matters such as trade.

**Costs of Failure**

If the US fails to reach an agreement, the sanctions regime which was carefully crafted in response to the North Korean threat would be hard to maintain. This is because even if North Korea were to resume missile and nuclear weapon testing, the international perception of North Korea would be softened by its diplomatic engagement. This softening can already be seen in China’s relaxation of sanctions enforcement after Kim’s meeting with Trump. Furthermore, in November, China and Russia called for a Security Council meeting to consider adjusting the UN sanctions.
While the sanctions regime is already weakening, a US pullout from negotiations would make maintaining international sanctions near impossible. This effect would be magnified if the US is painted as the culprit behind the collapse of the negotiations. To see how this could play out, one needs to look no further than the aftermath of the US pull-out from the Joint Comprehensive Plan of Action. Although the US called for sanctions to be reinstated on Iran, even its close allies in Europe refused to do so, as the US was painted in a negative light following its pullout from the deal.

In lieu of a diplomatic agreement, the chance of miscalculation leading to a devastating war on the Korean peninsula would be significantly raised, as both the US and North Korea would likely return to the war footing that they were on previously. And of course, the failure of talks would result in the development of an even more advanced North Korean nuclear and ballistic missile program, further exacerbating the already tense security situation.

**Conclusion**

Following the recent improvements in relations on the Korean peninsula, the United States sits on the verge of addressing one of its most confounding national security issues. However, the diplomatic opening risks being squandered if the US remains committed to its rigid demand that North Korea must completely denuclearize in the short term. If a change in strategy is not made, negotiations will likely collapse. This will leave the chance of war greatly increased and risk millions of lives. One day the Korean Peninsula will hopefully be free of nuclear weapons—but in order to get there, the US must first make a more modest deal which reduces and constrains the North's arsenal.

**Endnotes**


15. Ibid.


17. Ibid.


19. Ibid.


The American Security Project (ASP) is a nonpartisan organization created to educate the American public and the world about the changing nature of national security in the 21st Century.

Gone are the days when a nation’s security could be measured by bombers and battleships. Security in this new era requires harnessing all of America’s strengths: the force of our diplomacy; the might of our military; the vigor and competitiveness of our economy; and the power of our ideals.

We believe that America must lead in the pursuit of our common goals and shared security. We must confront international challenges with our partners and with all the tools at our disposal and address emerging problems before they become security crises. And to do this we must forge a bipartisan consensus here at home.

ASP brings together prominent American business leaders, former members of Congress, retired military flag officers, and prominent former government officials. ASP conducts research on a broad range of issues and engages and empowers the American public by taking its findings directly to them via events, traditional & new media, meetings, and publications.

We live in a time when the threats to our security are as complex and diverse as terrorism, nuclear proliferation, climate change, energy challenges, and our economic wellbeing. Partisan bickering and age old solutions simply won’t solve our problems. America – and the world - needs an honest dialogue about security that is as robust as it is realistic.

ASP exists to promote that dialogue, to forge that consensus, and to spur constructive action so that America meets the challenges to its security while seizing the opportunities that abound.