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

A Deal-Maker’s Chance: Why Trump Should Engage North Korea

By Leon V. Sigal

US President Donald Trump was tiptoeing toward talks with North Korea until the brazen assassination on February 13 in Kuala Lumpur of Kim Jong Un’s half-brother, Kim Jong Nam. That turn of events relieved the beleaguered government of South Korean President Park Geun-hye, which assumed the assassins had killed the talks along with Kim. But Park was impeached in December and removed from office on March 10, and Trump may yet hold negotiations to probe Pyongyang’s willingness to halt its nuclear and missile programs, as that is the most realistic way to keep allied security from deteriorating further.

Under Park, Seoul had sought to focus on the evil and fragile nature of the Kim dynasty and compel regime change. In a crescendo of disinformation, it mischaracterized the spate of defections and purges of high officials as evidence of impending collapse. It trotted out a recent defector from North Korea’s London embassy to echo its dubious claims. It inflated Pyongyang’s nuclear and missile advances, implying it was too late to suspend the programs. The source of Park’s angst was Trump’s expressed interest in talks with Pyongyang.

Seoul had paid lip service to the Obama administration’s “strategic patience” stance: pressure without negotiations and insistence that North Korea commit to denuclearization first. Pyongyang was open to talks, but not on US terms. Trump campaigned on a clean break from Obama.

Trump the Deal-maker

Candidate Trump disparaged Kim Jong Un as a “total nut job” and a “madman playing around with nukes.” Yet he also expressed willingness to sit down and talk with him. “Who the hell cares? I’ll speak to anybody,” Trump said. “There’s a 10 percent or 20 percent chance I could talk him out of having his damn nukes, because who the hell wants him to have nukes?”

At times he showed an inclination to outsource the Kim problem to China. “I would get China to make that guy disappear, in one form or another, very quickly,” Trump told CBS on February 10, 2016. “China has absolute control of North Korea. They won’t say it, but they do, and they should make that problem disappear.”
The practitioner of “The Art of the Deal” first broached talking to Kim on Jan. 6, 2016, the very
day North Korea conducted its fourth test of a nuclear device. “You have this madman over there
who probably would use it, and nobody talks to him other than, of course, Dennis Rodman,” he
told “Fox and Friends.” “But nobody is talking to him whatsoever, and nobody is discussing it
with China.” In a May 17 interview with Reuters, he revealed his willingness to sit down with
Kim in person, saying, “I have no problem speaking to him.” In a campaign appearance in
California on June 6, he disparaged experts’ “qualms about bargaining with North Korea.”

Once in office, rhetoric became policy. His “America First Foreign Policy,” published on
Inauguration Day, declares: “[I]n pursuing a foreign policy based on American interests, we will
embrace diplomacy. The world must know that we do not go abroad in search of enemies, that
we are always happy when old enemies become friends, and when old friends become allies.”

Trump’s deeds backed up his words. In a subtle signal, on January 19, his last full day in office,
Obama had authorized a token amount of US aid for North Korea — the first in five years — for
flood relief, and the incoming Trump administration made that gesture public on Voice of
America on January 25. Distracted by a torrent of tweets and leaks, the news media paid no
attention, but Trump’s interest in talks did not pass unnoticed in Pyongyang. North Korean news
agency KCNA acknowledged the aid on Feb. 10. And Kim Jong Un reacted cautiously to Trump.
Whenever Washington and Beijing had threatened concerted pressure at the UN Security
an effort to drive them apart. Yet, after the Security Council imposed sanctions in November,
defying South Korean warnings that he would soon conduct a nuclear test, Kim held his fire — a
sign that he was waiting to see if Trump was ready to negotiate.

Kim also expressed interest in dialogue in his New Year’s Day address, and not just resuming
military-to-military talks with South Korea. Overlooked by most media reports, he said: “We
will continue to build up our self-defense capability, the pivot of which is the nuclear forces, and
the capability for a pre-emptive strike as long as the United States and its vassal forces keep on
nuclear threat and blackmail and as long as they do not stop the war games they stage at our
doorstep disguising them as annual events.” The implication, spelled out by North Korean
diplomats in informal contacts, was that Pyongyang was open to talks with Trump and could
suspend its weapons testing and build-up if Washington stopped issuing nuclear threats and
scaled down its military exercises with South Korea.

At the same time, Kim underscored what was at stake if there were no negotiations. North Korea
displayed two truck-mounted missiles that South Korea misleadingly identified as ICBMs. And
Kim warned in his New Year’s address, “We have reached the final stage in preparations to test-
launch an intercontinental ballistic rocket,” implying the ICBM was not yet ready. Trump’s
tweeted response, “Won’t happen,” was widely taken as a threat to attack the test.

Worst of all, Kim test-launched a solid-fueled KN-11 missile on Feb. 12. That may have been
motivated by more than Pyongyang’s usual tactic of launching offers on a sea of threats. The
launch came amid growing calls in Washington and Seoul to wage preventive war to end North
Korea’s arms program. As if to underscore that loose talk, on February 8, the US test-launched a
Minuteman III ICBM from Vandenberg Air Force Base and starting on February 14, two days
after the KN-11 launch, it test-launched three Trident long-range missiles from a submarine off the California coast. A 2+2 meeting with South Korean officials on December 20 last year pointedly drew attention to similar test-launches that had taken place in 2016: “The United States reiterated its iron-clad and unwavering commitment to draw on the full range of its military capabilities, including the nuclear umbrella, conventional strike, and missile defense, to provide extended deterrence for the RoK, and reaffirmed the longstanding US policy that any attack on the United States or its allies will be defeated, and any use of nuclear weapons will be met with an effective and overwhelming response.”

**Reality or ‘Head Fake’?**

Even after the KN-11 launch and the nerve-agent murder of Kim Jong Nam, the US State Department for the first time in five years issued visas for a North Korean delegation led by Choe Son Hui to attend a Track II meeting in New York. That decision was abruptly reversed shortly thereafter. Were the cancelled visas just another “head fake,” the White House’s buzzword for Trump’s tactic of misdirection? If so, to stave off trouble, the administration needs to reassure Pyongyang that it still wants talks.

The turnabout wrong-footed both Japan and China. Trump’s low-key response to the KN-11 launch had left Japanese Prime Minister Shinzo Abe with the impression that he might hold talks with Pyongyang, something Abe was already doing. After the launch, China had announced the suspension of coal imports from North Korea for a year, leading proponents of tighter sanctions to crow that China was finally on side. Yet Beijing, anticipating that talks could be in the offing, may have been positioning itself to claim credit for coaxing Pyongyang to the negotiating table. It had already imported its quota of North Korean coal allowed under UN sanctions and could continue to let coal trickle in through leaky borders, then resume imports if the talks made headway.

Instead, the public debate in Seoul and Washington is about new sanctions, even relisting North Korea as a state sponsor of terrorism. North Korea has warned that “as a nuclear power” it will then “take stronger measures for self-defense” — presumably missile or nuclear tests.

**No Time for Sanctions**

Sanctions have been tried for years with no discernible effect, but proponents say they take time to compel North Korea to the negotiating table on US terms. How long? Two years? Five years? Ten years? Never? In the meantime, how many nuclear and missile tests will North Korea carry out? How much fissile material will it make? How many ICBMs will it field?

Strategic impatience seems warranted by now. North Korea’s fifth nuclear test may have yielded a nuclear device that can be mounted on a missile, although it may need a few more tests to prove the device’s reliability. The 5MWe nuclear reactor at Yongbyon has resumed generating more spent fuel, a refurbished reprocessing facility has just turned some of that spent fuel into plutonium, a new reactor is nearing completion, and its uranium enrichment program has expanded. At its current pace, Pyongyang could have enough fissile material for more than 50 nuclear weapons by the end of Trump’s first term.
Pyongyang’s launch on Sept. 5, 2016, of three intermediate-range Nodong missiles and the March 6 launch of four extended-range SCUDs showed how a barrage attack could overwhelm America’s Terminal High-Altitude Area Defense (THAAD) anti-missile system now being deployed in South Korea. It is also test-launching new missiles, an intermediate-range Musudan and a solid-fueled KN-11 ballistic missile — based on the old Soviet RS-27 or SS-N-6 — that can be submarine- or mobile-launched to circumvent THAAD. An as yet untested KN-08 ballistic missile is assessed to be capable of reaching the US, but without testing, neither Washington nor Pyongyang can be sure of its range or reliability. Developing it could take three years or more. Cyberwarfare could at best delay the inevitable — if that.

Long before then, Trump will hear the siren song of preventive war. Heeding it would spark a crisis in the alliance.

A Sensible Approach

The only way out of this predicament is to resume talks with North Korea to probe whether it is willing to suspend its nuclear and missile programs.

That objective has been the focus of all three agreements that the US has made with North Korea: the 1994 Agreed Framework, the Six-Party joint statement of Sept. 19, 2005; and the 2012 Leap Day deal. Contrary to conventional wisdom, the first two accords did enjoy some success. The 1994 accord halted all fissile material production in North Korea for more than nine years, until the administration of US President George W. Bush scrapped it on the basis of US intelligence reports that Pyongyang was secretly acquiring the means to enrich uranium — without bothering to probe North Korea’s October 2002 offer to negotiate the issue. In addition, a halt to Pyongyang’s missile programs was agreed in principle by the administration of US President Bill Clinton in 2000, only for the Bush administration to refuse to negotiate further.

The 2005 accord was nearly stillborn when, two days before it was finalized, the US Treasury Department threatened to deny access to American financial institutions for all banks that did business with North Korea, starting with Banco Delta Asia in Macau. An ensuing run on that bank prompted Macau authorities to seize North Korean funds in the bank. Pyongyang demanded that the funds be repatriated before it would carry out the accord. Unrequited, it conducted its first nuclear test in October 2006. Within days, Washington agreed to discuss the return of the funds. Once that was done, Pyongyang ceased all fissile material production at Yongbyon as well as nuclear tests and missile test-launches — only to have the deal fall apart in 2009 after South Korea failed to deliver promised energy aid.

The Leap Day deal collapsed almost immediately when North Korea went ahead with a failed satellite launch in 2013, despite a US warning that such a move would be a deal-breaker.

Talking About Talks?

Given that history, trying for a suspension yet one more time would face formidable political opposition in Washington and Seoul. Opponents demand that no deal be sought unless Pyongyang first commits to denuclearization, which it insists it will not do. Delaying suspension
of North Korea’s programs while seeking such a commitment would sacrifice the practical on the altar of the theoretical. And trying for permanent dismantling of Pyongyang’s nuclear and missile programs would take much more substantial inducements and consume precious time. In short, without conceding the goal of denuclearization of the Korean Peninsula, negotiations have to start somewhere. Insisting on a commitment to denuclearization or a more comprehensive deal while North Korea’s programs proceed apace does not make much strategic sense.

Pyongyang seems open to talks about talks without preconditions. The subject would be a suspension of Pyongyang’s programs and the reciprocal steps that Washington would take to address its security concerns — on the principle of “action for action” set forth in the Sept. 19, 2005, joint statement. Pyongyang might be willing to suspend not only nuclear testing but also missile tests, and verifiably stop fissile material production. In return, Washington could scale back joint military exercises in South Korea; reaffirm its commitments in the October 2000 US-North Korea joint communique renouncing “hostile intent” and pledge to build “a new relationship free from past enmity;” commit to respect North Korean sovereignty and not interfere in its internal affairs; suspend the application of all sanctions that predate North Korea’s nuclear program; and, after consulting with Seoul, agree to commence a peace process for the Korean Peninsula.

The chances of persuading North Korea to go beyond a temporary freeze to dismantle its nuclear and missile programs are slim without firm commitments from Washington and Seoul to end enmity through political and economic normalization, a peace process to end the Korean War and negotiations on regional security arrangements, among them, a nuclear-weapon-free zone (NWFZ) that would provide a multilateral legal framework for denuclearization. Trump’s willingness to hold out the prospect of a summit meeting with Kim Jong Un would also be a significant inducement. Assuaging doubts about Trump’s enduring commitment to the alliance would reduce Seoul’s resistance to engaging in a peace process.

In conclusion, the assassination of Kim Jong Nam reveals little about the North Korean regime that was not already known. It would be a tragic mistake if it impeded Trump from finding out whether it is willing to stop arming.

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