

U.S. Foreign Policy Towards North Korea

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Abstract

The U.S. relations to Democratic People's Republic of Korea (DPRK) are since the end of the Cold War revolving around achieving a state of nuclear free Korean peninsula. As non-proliferation is a long term of American foreign policy, relations to North Korea could be categorized primarily under this umbrella. However, the issue of North Korean political system also plays role as it belongs to the other important, more normative category of U.S. foreign policy which is the protection of human rights and spreading of democracy and liberal values. In addition, the North Korean issue influences U.S. relations and interests in broader region of Northeast Asia, its bilateral alliances with South Korea (Republic of Korea, ROK) and Japan as well as sensitive and complex relations to People's Republic of China.

As the current administration of president Donald J. Trump published its National security strategy and was fully occupied with the situation on Korean peninsula in its first year, the aim of the paper is to analyse the changes in evolution of U.S. North Korean policy under last three administrations, look at the different strategies adopted in order to achieve the same aim, the denuclearization. The paper does not provide a thorough analysis, neither looks at all documents adopted and presented in the U.S. or within the U.N. It more focuses on the general principles of particular strategies, most significant events in mutual relations as recorded by involved governmental officials and also weaknesses of these strategies as none has achieved desirable result. In conclusion, several options for current administration are drawn, however all of them require significant compromises and could be accompanied with series of setbacks dangerous for regional stability and U.S. position in the region.

Keywords: North Korea, nuclear program, missile program, U.S. foreign policy objectives, non-proliferation regime, sanctions.

Introduction

In 2017 the world has witnessed a fierce rhetoric exchange between North Korean official media or leader Kim Jong-eun on one side and President of the U.S. Donald Trump who has communicated through his twitter account, interviews or remarks in front of journalists on the other. Within last year president Trump called Kim Jong Eun “smart cookie”¹ later he started to call him a “rocket man”². In one interview in August he said the US was ready to unleash “fire, fury and power the world has never seen,” in the U.N. address president vowed to “destroy North Korea.” As a reaction North Korean media has called president Trump to be “stupid,” “old lunatic.” Kim Jong Eun addressing nation in late September called president Trump “mentally deranged U.S. dotard.” In addition, to these rather personal insults, president Trump has said at few occasions that the U.S. will take care about North Korea, while not specifying whether there is any specific U.S. strategy.

Even if this level of rhetorical exchange is not so common in mutual relations, it is not a new phenomenon. Especially, the North Korean propaganda often uses pejorative names for representatives of other countries in particular South Korea or Japan. Previous U.S. presidents often did not react, or if they did, namely G.W. Bush the words used were somehow more neutral, when he called Kim Jong Il “tyrant who starves his own people.” Therefore, the new factor brought into the U.S. – North Korea relations in 2017 is the unpredictability of its current president.

However, these media exchanges cannot be considered an official foreign policy strategy from any of the related sides. Therefore, aim of this paper is to look at the recently announced American National Security Strategy and analyse it in accordance with the strategies that have been in place towards North Korea since the end of Cold War, as different U.S. administration have tried to achieve the same goal applying at the beginning different set of policies, although ending up with similar modes of behaviour that have brought the same results.

Additionally, the paper will provide for a realist explanation of the North Korean nuclear and missile programs and explain a connection between the sensitivity of decisions adopted within this to programs in relation to U.S. foreign policy in general.

Overview of U.S. Foreign Policy Towards North Korea

To begin with the U.S. and DPRK have never established official diplomatic relations. In last almost 30 years the relations oscillated between phases of no contact at all and rather intense bilateral or multilateral talks. In the phase when the talks

¹ It was on CBS: Face the nation interview in April 2017.

² Firstly, it appeared on his twitter feed on September 17, 2017, later he used it during his address to U.N. General Assembly on September 19.

were taking place, three channels were used, the Swedish embassy in Pyongyang which officially represents the U.S. interests, the so called New York or U.N. channel and direct contacts that ranged from meetings of high level officials (secretary Albright – Kim Jong Il, marshal Jo Myong Rok – Clinton), talks between former presidents and North Korean leaders (Carter – Kim Il-song, Clinton – Kim Jong Il), direct talks of governmental officials (Galluci – Kim, Kelly – Kim Kye Gwan, Hill – Kim Kye Gwan), visits of special envoys of president (Bosworth, Davies) visits of different congressmen conveying messages from presidents, or having an independent agenda. The other important channel is the Track 2.0 or Track 1.5 diplomacy, or meeting of North Korean officials with former U.S. governmental employees, scholars and academics.

Regardless of the party affiliation of U.S. administrations since the end of the Cold War, the U.S. policy towards North Korea remains influenced by several factors. Firstly, the experience of Korean war remains present in the way the U.S., mainly its military perceives the whole Korean peninsula. The agenda of the very first talks that took place in late 1970s was the destiny and exchange of POWs as well as return of bodies of deceased soldiers. Secondly, the security alliance with South Korea is an important pillar of American security policy in East Asia and mutual consultations related to North Korea were important part of policy of both allies. Thirdly, the political system of North Korea and its antagonistic features towards the U.S. and its role to spreading liberal values and democracy. Fourthly, nuclear and missile programs that are developed regardless of lasting sanction regime the U.N. SC has adopted, which in addition threatens the non-proliferation ambitions of the U.S. In addition, the existence of North Korea servers as a strong argument for preserving U.S. troops deployed in South Korea and Japan.

When looking at the evolution of relations between the U.S. and North Korea since the end of the Cold War we can conclude that none of the American administration has introduced a strategy or policy initiative that would provide for solutions to the situation in Korean Peninsula. The U.S. North Korean policy was more reactive then pro-active. Many factors have influenced the situation, the partisanship within the U.S., the preoccupation of the U.S. in different regions, relations and interests of its regional allies, position of China, etc.

Nevertheless, every one of the post-Cold war presidents had to deal with North Korea in the first year of his administration, including current president Trump. In this case we can observe certain pattern in North Korean behaviour towards the U.S., as it was the North Korea who has acted in a way so the U.S. will have to respond. Even if the final reactions of different administrations were considered significantly different, they do bear quite few similarities. At the end, every administration had comparable list of options varying from military intervention as the most radical one to diplomacy and negotiations with hardly predictable results.

In following sections, we will look at three administrations and their reactions to North Korean behaviour, in conclusion we will emphasize the similarities in adopted policies and evaluate the latest steps undertaken by current U.S. administration. However, short introduction into situation in early post-Cold war years is necessary as the years of administration of president Bush sr. were crucial in forming later U.S. strategies.

Early 1990s

Concerning the North Korea, the information about nuclear activities, such as construction of nuclear reactor, were obtained in the late 1980s. In the spirit of de-escalation of tensions between members of two blocks and in accordance with South Korean “Nordpolitik”³ the Reagan administrations has instructed its diplomats to “hold substantive discussions” with their North Korean counterparts. (U.S. Review of Relation with DPRK)⁴ Following the official State Department statement the U.S. have started talks with North Korea in December 1988 opening the so called Beijing talks or channel.

The following Bush’s administration has continued in these talks, renewing them in November 1989 and adopting the strategy of “comprehensive engagement” introduced in February 1991 in the National Security Review 28 (Wit, Poneman, Galluci, 7). The main aim was to continuously support North-South dialogue and prevent North Korea from acquiring enrichment and reprocessing technologies that could be used to weaponised its emerging nuclear program.

As part of this strategy, president Bush has announced (September 1991) with drawal of all tactical nuclear weapons from Korean peninsula that has encouraged North Korea to finally agree to sign the IAEA Safeguard Agreements, which happened in 1992 after the announcement of cancellation of annual US – ROK military exercise Team Spirit. Moreover, the North and South Korean representatives have signed the North-South Denuclearization Declaration.

After 3 years of continuing Beijing talks, the first meeting of high level governmental officials from both sides have taken place in New York, in January 1992 between Under Secretary of State for Political Affairs Arnold Kanter and Korean Worker’s Party Secretary for international affairs Kim Yong Sun. However, the meeting did not bring any step forward in mutual relations and did not provide North Koreans with enough guarantees that would lead them to implement

³ “Nordpolitik” or North policy of South Korean president Ro Tae woo was inspired by W. Brandt’s “Ostpolitik” and was focused on establishing relations with the allies of North Korea in the post 1988 Olympics period.

⁴ Department of State Buletin, January 1989, 18. U.S. Review of Relations with the Democratic People’s Republic Korea, Department Statement, October 31, 1988, <https://babel.hathitrust.org/cgi/pt?id=uiug.30112006355736;view=1up;seq=25>

the denuclearization agreement.⁵ What was of a greatest significance was the admitting by North Korea representatives that the U.S. troops could remain in Peninsula even after unification (Wit, Ponnema, Galluci, 13). Additionally, the meeting probably did not bring any tangible results also due to a lack of agreement among different American departments involved in discussion on what incentives should have been offered to North Korea. Today we can conclude, that the belief of majority of American officials that liberalization of economy, trade with the U.S. and different aid packages would be a strong incentive for North Korea was naive. Moreover, the inability of different governmental agencies to coordinate their positions and expectations from North Korea are a present factor influencing the U.S. policy and relations with this state until today.

In the following months the situation concerning North Korea particularly its compliance with the NPT has changed and evolved into a 1st nuclear crisis. In May 1992 North Korea has submitted a declaration to the IAEA required by the Safeguard Agreements regarding state of its nuclear program and facilities. The declaration admitted the existence of reprocessing plant and extraction of 90 grams of plutonium for “scientific experiment” (Wit, Galluci, Ponneman, 14). However, the on the spot inspections in July and September revealed several discrepancies between real state of facilities and the declaration. The IAEA director Hans Blix asked for further sanctions which North Korea declined. In addition, in 1992 the Team Spirit has been renewed and proposal for further bilateral talks with the U.S. in format Kanter-Kim was rejected. In this situation presidential election taken place in the U.S. in which Democratic Party candidate has been elected.

Clinton Administration

In general, the foreign policy strategy of Clinton administration has been influenced by the end of Cold War as well as the end of Millennium. The liberal momentum, in other words a believe that liberal democracy has won over its competitors and it will be spreading all over the world influenced the expectations related to North Korea. After the liberalisation and democratization of former Eastern Bloc countries, North Korea was expected to take the same direction. Although, it did not and the regime proved to be more stable, rigid and change and transformation resistant than any other in the world.

Not even two months to Clinton presidency the North Korean situation has significantly changed when North Korea announced its intention to withdraw from

⁵ The North Korea has witnessed the unification of Germany, collapse of European socialist countries that have introduced liberal principles and values which has been seen as potential threat to the existence of regime. Today we know, that the transformation of former communist countries has prevented with introducing an economic reform in North Korea even before the famine has stricken the country in mid 1990s.

the NPT. Based on the provisions of Article X of the Treaty a three months' period started on March 12. (Non Proliferation Treaty). Several issues have led to this situation, firstly the announcement confirming the Team Spirit will take place as scheduled and first ever request for special inspections in North Korean facilities issued by Hans Blix. After series of discussions on different levels within the administration, with partners in Japan and South Korea as well as in China the U.S. send message to North Korea about their willingness to re-open the Beijing talks. Weeks before the North Korean media have informed about the only possibility to solve the issue which was dialogue. The talks on higher level, between Robert Galluci (Assistant secretary of state for political-military affairs) and Kang Sok Ju (First vice minister of foreign affairs in North Korea) have resumed in June and July 1993 (Han). The first meeting brought statement in which both sides assured each other that they will refrain from threat and use of force, that both support peace and security in a nuclear-free peninsula and both support peaceful unification of Korea. (Lee, 162). In addition, Kang has assured Galluci that North Korea suspends its withdrawal from NPT. The July meeting in Geneva resulted in an acknowledgement that North Korea should replace its existing nuclear reactors with Light water reactors (LWRs) which fuel rods are more difficult to produce weapon grade plutonium.

In the upcoming months the situation deteriorated as IAEA confirmed that the fuel rods have been removed from the Yongbyon facility and North Korea has started with their reprocessing (Galluci). This was the period when military solution of nuclear issue has been discussed for the first time since the end of the Cold War. The crisis has been averted after former U.S. president Jimmy Carter who has travelled to Pyongyang to meet with Kim Il Sung. During the meeting both statesmen reassured the other that none of the sides is interested in military escalation, to the contrary. President Carter has assured Kim Il sung that the U.S. has no strategic nuclear forces deployed in South Korea and has no intention to attack North Korea. Kim has admitted he will not demand total withdrawal of the U.S. troops from peninsula and announced willingness to reduce the amount of troops in the vicinity of DMZ to 50% of existing troops (Carter).

Following this meeting the Geneva talks have been renewed, resulting in the Agreed Framework an agreement that have guided the relations between the U.S. and North Korea as well as other actors until the early 2000s. The Framework had four basic principles. First one concerns multilateral cooperation aimed at substituting North Korean graphite reactors with LWRs. Under supervision of the U.S. an international consortium was designed in order to finance this project and provide North Korea with alternative energy resources in a form of regular, annual supplies of 500 thousand ton of crude oil. Both countries have agreed to sign a declaration on production of nuclear energy for peaceful purposes. North Korea has agreed to freeze all activities in nuclear facilities in Yongbyon and Taechon.

Additionally, it has taken back the announcement on withdrawal from NPT and agreed to complement with the provisions of Nuclear Free Peninsula Declaration. The following part of agreement focuses on the need to normalize economic and political relations between North Korea and the U.S., opening of liaison offices in Pyongyang and Washington. The last provisions concern the need to cooperate for securing peace on peninsula and support of both for the non-proliferation regime (Agreed Framework).

When looking at further events it is clear that not all of the provision included in the agreement have been implemented. From those realised the most significant was the creation of Korean Energy Development Organization (KEDO) in 1995 by the U.S., South Korea and Japan. The aim was to build two LWRs with capacity of 1000MW(e) and provide North Korea with an energy supply during the process of construction. The project was planned to be finalised in 2003. Despite problems in the US – North Korea relations that have regularly emerged and also regardless of the 2nd nuclear crisis that started in late 2002, KEDO does not ceased its operations until May 2006. The organization was a unique project bringing together states from different regions⁶ whose aim was to bring North Korea to cancel its nuclear program and support the global non-proliferation regime.

The part of the Framework focusing on normalisation of the U.S. – North Korea relations as well as plan to conclude peace treaty that would end the Korean war were not implemented. The relations through the rest of Clinton's administration were changing, from talks and progress in action to worsening and disruptions of talks. The relations were influenced by the ongoing discussion in the U.S. among governmental branches on the real impact of the Agreed Framework, which was criticized by Republicans since the beginning. The other influential factor was the death of Kim Il Sung and leadership transition in North Korea accompanied by a change in the main policy principle in 1997 the so called *songun* policy or Military First. The practical presentation of the policy came in 1998 when North Korea tested its first ever intercontinental ballistic missile, the Taepodong-1 that has flown over Japanese islands in August. In addition, in 1999 the intelligence agencies reported an activity in North Korean nuclear facility in Kumchangri⁷ (Nikisch). All these issues have led to a need to re-evaluate the U.S. North Korean policy. In the course of 1999 two reports have been produced, with recommendations for the future administrations.⁸

⁶ Different countries have participated in KEDO: New Zealand, Australia, Kanada, Indonesia, Chile, Argentina, EU, Poland, Czech Republic, Uzbekistan.

⁷ The facility is located in the underground cave, 40 km from Yongbyon.

⁸ In 1999 two reports have been published evaluating the U.S. policy towards North Korea since the end of Cold War. The first was prepared under leadership of Richard Armitage former Deputy secretary of Defence department, the other was coordinated by William Perry former Secretary of Defence and Clinton's coordinator of North Korean policy in the second term.

Towards the end of second Clinton's presidency the administration focused on implementing the Agreed Framework provisions and discussing the moratorium for missile testing. In addition, high ranking visits have been exchanged between both countries. North Korean Vice marshal Jo Myun Rok has visited Washington, which was a signal that army will play a significant role in any decision taken by North Korea (Albright). The visit was repaid by Secretary Albright traveling to Pyongyang for a meeting with Kim Jong Il who has shown willingness to cease the missile program, as he said: "missiles are unimportant" (Albright) as long as South Korea will not acquire missiles with a 500 km range. Reportedly he also agreed to cancel the missile trade with Syria and Iran if the North is adequately compensated. He also mentioned the stabilizing effect of U.S. troops deployed in South Korea. However, he has declined discussion on introducing Chinese style economic reforms in the country (Albright).

Overall the Clinton administration's policy towards North Korea resulted into the freeze of nuclear facilities for a certain period, the North Korean leadership agreed with a moratorium for missile test that has been in force until

Regardless of the fact that the reports have been elaborated by groups with different party affiliations and foreign policy expectations there are certain similarities present. Both reports emphasize the necessity to continue in diplomatic negotiations with North Korea. Armitage's report stresses the need to combine diplomacy with deterrence. Based on his recommendations the government should constantly remind to its counterpart its military power and presence across its border. In one part the report calls for continuing cooperation with regional allies, namely Japan and South Korea and declares U.S. support for inter-Korean reconciliation. Concerning the recommendations for future negotiations with North Korea six areas are pointed out. Firstly, the reaffirmation of North Korea that the U.S. supports the Agreed Framework. Secondly, the missile program needs to be addressed together with recently conducted tests. Thirdly, the reduction of forces on both sides of DMZ needs to be discussed in future. Concerning the economic and food aid, North Korea needs to provide for transparency in distribution of these which the U.S. will repaid by supporting DPRK membership in different institutions. Fifth are concerns the need to cooperate on regional level in order to solve security problems – an effort to create some kind of regular security mechanism/institution. The last point concerns the normalization of relations when the threat is minimized (Armitage). The final part of report suggest that should the diplomacy failed the U.S. has two options. Either to accept nuclear North Korea or pre-emptive attack.

The Perry reports also emphasizes the need to continue in diplomatic efforts in order to denuclearize North Korea. The report at several places emphasizes the need to preserve balance between diplomacy and deterrence mechanisms deployed in the peninsula (Perry). The report calls for cooperation with Japan and South Korea. The conclusion of the report provides for two-direction strategy for the future. The first direction includes new, complex and unified approach towards negotiations with North Korea and close coordination with allies. The U.S. have to demand complex and irreversible denuclearization as well as cancelation of missile program and tests. They offer the reduction of tensions and normalization of relations after the first condition is met. The second direction would follow the first and will look at reacting to those issues that were not solved diplomatically. The future of relations depends on actions of North Korea.

2003. Regardless of the scepticism and negative perception of Agreed Framework when looking at further evolution of North Korean nuclear and missile program, the period of 1990s was the most successful in terms of creating conditions for denuclearization.

After the election of George W. Bush, candidate of the Republican party, it was expected that the criticised Agreed Framework will be evaluated and the overall policy will undergo a revision. However, most of the scholars did not expected significant diversion from course originally set by the administration of Georg Bush sr. In addition, two reports produced in 1999 arrived to very similar conclusions and recommendations. As one was conducted by the republican representative's certain consistency has been foreseen. The reality of post 9/11 U.S. foreign policy however changed everything.

G.W. Bush North Korea Policy

The first statements of members of new administration suggested, that they had very limited knowledge about the situation in North Korea and complexity of a state of relations with this state. Nevertheless, the speech of Colin Powell in Seoul in July and president's Bush in October 2001 suggested that the administration plans to continue in the process of talks, which was confirmed also in the results of revision report that has been conducted since the first days of administration. The revision report has confirmed the aims set by two previous administrations, next to the denuclearization and non-proliferation were stated the implementation of Agreed Framework, reduction of conventional weapons, cooperation of DPRK with UN in fight against terrorism, allow the access of humanitarian organization on its territory and continuously work on improving the living conditions of citizens and human rights (Quinones 2003). The administration representatives were instructed to discuss with North Korean counterparts three main points. The improvement in the implementation of Agreed Framework was the first one, constrains in the missile program and ban for the further testing⁹ was the second, and reduction of conventional forces and weapons was third. As an incentive president has offered extended help to the people, easing of sanctions and further, not specified "political steps" (Bush 2001).

The administration has adopted a policy of *strict reciprocity* which meant that the U.S. will be addressing North Korean requests only in the case the regime will agree with monitoring of its nuclear activities. The first official meeting took place in New York in June 2001 where North Korean ambassador to the U.N. Ri Hyong

⁹ The administration asked for a renewal of the so called "issile talk" that were under way between 1996 and 2000. The US have demanded not only cancellation of the testing but also minimalization of missile and components trade. In addition, the North Korea should have become party to Missile Technology Control Regime (MTCR).

Chul demanded compensations for loss the North Korea has suffered after abandoning its missile trade. In addition, he asked for withdrawal of American troops from Korean peninsula. This first meeting has set the pattern of mutual relations during Bush administration. Both sides have stated their demands and subjected the further steps by the action of the other side. In addition, the relations have worsened after January 29, 2002 when president Bush included North Korea with Iraq and Iran to the so called axis of evil threatening world peace. North Korea was characterized as a regime “arming with missiles and weapons of mass destruction while starving its own citizens” (Bush 2002).

Regardless of this criticism, the meeting of Colin Powel with North Korean Minister of Foreign affairs Pak Nam-sun during the ASEAN Regional Forum confirmed the aim to resume talks. The following bilateral meeting took place in October 2002 when Deputy Secretary of state for East Asia James Kelly travelled to Pyongyang. Kelly has presented suspicions and pictures suggesting that North Korea continues in development of nuclear program which is against the provision of Agreed Framework. The representative of North Korean Foreign ministry stated that Kelly was accepted, heard but he did not have enough proofs. Two weeks after the meeting the U.S. State department released statement claiming that the representatives of DPRK have admitted clandestine nuclear program which has annulled the Agreed Framework. Additionally, the DPRK was asked to fulfil its obligations under the provisions of NPT. These events are considered as a beginning of Second nuclear crisis.

In the following months the U.S. representatives have dismissed any possibility for resumption of bilateral talks unless North Korea does not stop with all its nuclear activities. The North Korea has argued that it would be only possible if the U.S. provide for a security guarantees in a form of Non-Aggression Treaty. Towards the end of 2002 the North Korea announced to the IAEA that it resumes the operation of nuclear facilities and asked for the withdrawal of all its inspectors. In addition, in January 2003 the North has announced its withdrawal from the NPT.

North Korea's decision to withdraw from NPT mobilized the regional players who all called for diplomatic solution to the issue. Chinese president Jiang Zemin confirmed Chinese interest for preserving the Korean Peninsula free of nuclear weapons. Also president Bush stated American interest to cooperate on the issue multilaterally at several occasions. One example was joint press conference with Polish president Alexander Kwasniewski (Remarks by President). These statements, together with recommendations from the previously mentioned reports and experiences from KEDO have led to creation of multilateral mechanism with the aim to denuclearise North Korea. In this period the Beijing channel proved important again. In addition, the Chinese leadership itself became active when it organized trilateral meeting in Beijing in April 2003 which were later, based on requests from Japan and South Korea and interest of Russia enlarged to meetings of six countries

which have become known as Six Party Talks. From August 2003 until December 2008 the talks have been interrupted for shorter or longer periods. They have brought some progress especially when North Korea allowed inspections in its facilities and submitted the declaration of all facilities and equipment related to nuclear program, however there were few setbacks especially when North Korean in October 2006 conducted its first nuclear test and continued in missile testing. What is important for U.S. North Korea bilateral relations, the Bush's administration¹⁰ have decided to use the Six Party Talks as the only platform for communication with the North Korean representatives, however no bilateral meeting has taken place even on the side-line. Bilateral talks have been resume only after first nuclear test.

The second term of Bush's administration started with a heightened crisis when North Korean ministry of foreign affairs announced in February 2005 ways how ill the country deal with American hostile policy. It cancelled its participation at Six Party Talks indefinitely, or until conditions are created which would bring positive results. This announcement could be put in direct connection to the rhetoric Bush's second administration has used vis-à-vis North Korea, when it was dubbed "base of tyranny" by Condoleeza Rice¹¹ and Kim Jong-il was named as "dangerous man" and "tyrant" by president Bush. The partners from Six Party Talks have condemned this statement.

A slight change has come in second half of 2005 when new nuclear negotiator at Six Party Talks has been named in the U.S., former ambassador to Seoul, Christopher Hill. Short bilateral meeting took place in July on the side of ongoing multilateral talks in Beijing, followed by signing an unprecedented declaration during the September round of talks which was seen as a significant step towards denuclearization. At the same time however, the U.S. have pressured bank in Macau, Banco Delta Asia, to freeze North Korean accounts as there was suspicion that they are used for money laundering. After this the Talks have been interrupted for another year.

After the missile test of July 2006 the U.N. SC adopted resolution 1718 that has started more than a decade lasting sanction regime against North Korean nuclear and missile program and related technology.¹² Nevertheless, the test was followed

¹⁰ Besides of Six Party talks the Bush's administration has adopted several laws which have significantly determined its policy towards DPRK. The Proliferation Security Initiative was launched in May 2003 it represents a global initiative to close international trade with the WMD. The North Korea Human Rights Act of 2004 is aimed to support respect and preservation of human rights, monitor the transparency in the area of aid providing and support for peaceful unification of peninsula (North Korean Human Rights Act, 2004).

¹¹ See Opening Statement by Dr. Condoleeza Rice.

¹² Since 2006 9 resolutions were adopted all strengthening the sanctions regime. The last three adopted since summer 2017 introduced sanctions which will influence citizens of North Korea as they affect non-military industries as fisheries, textile production, etc.

by direct talks between ambassador Hill and North Korean nuclear negotiator Kim Kye Gwan in Berlin. The Six Party Talks renewed in February have ended with another significant declaration, the so called Denuclearization action plan. North Korea has handed over the complete declaration of its nuclear facilities, and allowed partial inspections. As a reward North Korea has been taken off the list of countries supporting terrorism.¹³

When looking at the Bush's administration North Korean policy it can be summarized into these features. Firstly, it was influenced by the military interventions in Afghanistan and Iraq that have mainly occupied the administration and the North Korean issue has been sort of side-lined. Secondly, the policy was strongly influenced by the hawkish approach of some members of the administration as well as by the lack of coordination between different state bodies and agencies. In addition, the Mid-term election in the second term led to the loss of majority by Republican party in both houses of Congress. Thirdly, the administration has lacked any specific strategy, except of the CVID¹⁴ no other option has been accepted. The most criticized was the decision of administration avoid any direct, bilateral talks with North Korean representatives that has been reversed after the first nuclear test. Critics claim, that this has shower North Korea that it can rewarded for a bad behaviour.

Obama's lack of strategy

The Obama administration was originally planning to continue in talks with North Korea, since the beginning they have supported the Six Party Talks which renewal was expected to happen in the first year of administration. However, April/May 2009 was the date of second nuclear test and several missile tests, that has stalled any talks possibilities. The reason why did North Korea conducted these tests will be addressed in the following section.

Regardless of that, president Obama has named a special envoy for North Korea, former ambassador to South Korea, who had been Secretary of KEDO, so with a significant experience in dealing with North Koreans. Ambassador Bosworth has travelled to North Korea at the end of 2009 as the highest ranking representative of new American administration. The aim of the visit was to determine whether DPRK has any plan to return to Six Party Talks, even though it had declared in Spring that it will never return. (Crail) In addition, the issue of implementing the 2005 agreement was on the agenda. The meeting did not bring any significant result or change in mutual relations.

¹³ North Korea was on the list since 1988 when it was confirmed that its agents have been involved in bombing Korean Air flight 757.

¹⁴ CVID stands for Complete, Verifiable, Irreversible Denuclearization.

In late 2010 American scientists have been invited to North Korea where they have been showed a new uranium enrichment facility equipped by new centrifuges. One of the scientists' present was Siegfried Hecker who has written about what he has seen as well as about his expectations claiming that he program is advancing.

In July 2011 S. Bosworth and Kim Kye Gwan met in New York to discuss the re-start of multilateral talks. In October round of talks in Geneva took place, with Glyn Davies taking the position of US Special representative for North Korean Policy.

In 2012 a sign of hope – the Leap Day Declaration of February 29, 2012 was negotiated. Based on the results of negotiations, North Korea agreed to suspend operations in Yongbyon enrichment plant, allow IAEA inspections and impose moratorium on missile tests in exchange for 240 000 metric ton of food aid under strict control. (Fitzpatrick) The agreement has failed after North Korea announced its intention to launch a satellite in March and eventually realized its announcement in April.

After this failure and missile and nuclear test that North Korea has been conducting since the change of leader the U.S. have focused on sanction regime though the U.N. SC. The diplomacy has secured support from partners together with China and Russia and imposed also bilateral sanctions. The only contacts the U.S. has with North Korea in Obama's second term were unofficial meetings between North Korean officials and American scholars or former governmental employees known as Track 2.0 or Track 1.5 diplomacy. Originally, this channel is not a substitution for official talks, it should be complementary to them as it provides more freedom to discuss sensitive issues, or serves as a back channel for exchanging messages.

Obama's policy towards North Korea was called "strategic patience" however it did not bring any tangible result. When compared to its predecessors, they have achieved at least some temporary results, as was the closedown of Yongbyon, moratorium on missile tests, or submission of nuclear declaration. The foreign policy of Obama administration is not evaluated as successful in more areas than just North Korea. Looking at the state of nuclear and missile program we can conclude it was the biggest failure so far. However, Obama's administration is not the only to be blamed as North Korea was undergoing leadership transition. The new leader has been more assertive in its foreign policy as he declared the development of nuclear program as one of the crucial policies of his rule.

Trump's administration confusing approach

The Trump presidency is one year old. Within this year the North Korea with its nuclear and missile program gained a lot of attention from president, vice-president, secretary of state, secretary of defence or ambassador to the U.N.

As in the case of all previous administration, in the first months of Trump's presidency North Korea has conducted series of missile tests, when missiles with different range and of different type has been tested. As was mentioned in the introduction, the reaction from president were often emotional and assertive, lacking deeper premeditation of what options keeps the president for his diplomats open when talking about how the US will take care of North Korea.

The differences among governmental bodies have been shown again, when president's personal statement have contradicted to those made by his vice-president or secretary of state. These were not only related to North Korea itself, but also to other involved players, such as China or South Korea. While Secretary Tillerson has several times offered talks to North Korea, president Trump kept his aggressive rhetoric mainly on his Twitter account.

When looking at certain policy of proposed strategy, except of declaring that the era of strategic patience is over no other option was presented. The diplomats are working fiercely on gaining support within the U.N. for one of the strictest sanction regimes ever adopted, but that is not so different from what Obama's administration was doing in last years. Reading through the recently released National Security Strategy North Korea is mentioned several times as a rouge state or regime, as a country that starves its own people and ruthless dictatorship. No real proposal of what to do and how to treat North Korea is provided.

Summary of policies

For over 26 years the U.S. administrations have designed their policy towards North Korea with the aim to prevent the country to acquire nuclear capability. In early 2018, after six nuclear test, when each next test was more powerful than the preceding one we can conclude that this aim was not reached and the policies have failed.

As mentioned in the introduction and in particular chapters, the policy has been influenced by partisanship in Congress, and by power and influence competition among governmental bodies – National Security Council, Department of Defence and State Department – primarily. In addition, the intelligence services reports have been often underestimated and not taken into account. Furthermore, the US have been often occupied by other issues in global affairs and never focused mainly on North Korea.

Another set of factors is not connected to the U.S., this group could be described through the interests of allied partners and interest of other powers in North Korean issue. Even if the US has played an important role in the unsuccessful process of denuclearization, there were other influences. One of them would be the alliance with South Korea and the approach of different South Korean governments to its

northern neighbour. As is the case in the U.S. the South Korean North Korea policy has been changing since the end of Cold War not only due to the behaviour of North Korea but also under influence of internal political situation. The sunshine policy of the late 1990s and early 2000s has been replaced by more hawkish approach, under which all inter-Korean contacts have been conditioned by the steps towards denuclearization, to be again, since last year replaced by more carrot offering strategy of current administration. What is interesting is, that the changes in South Korean strategy run completely opposite to the American, with few years of complementarity. So the Clintons and Kim Dae Jung's policies complemented each other until early 2001, while the Bush's policy and Ro Moo Hyon's were in contradiction. When Lee Myong Bak became president his policy of conditionality was much more assertive when compared with Obama's strategic patience, so it was with Lee's successor president Park. Currently, Moon Jae-in's policy of engagement faces a lot of challenges from president Trump's North Korea not really formed policy presented through strong words on solving the problem. Even if the aim of both allies is complementary and coordination is underway, the differences remain.

The other important player in the game is China, often mentioned by current American administration as the key to bring North Korea to abandoning its nuclear program. But how real Chinese influence is and how it interacts with American policy towards North Korea? Looking at Chinese actions since the end of Cold War, up until early 2000s China was a silent observer to the North Korean situation. However, the influence China had on North Korea back at that time was much more significant and direct. Through different levels of contacts and interactions China has tried to make North Korea adopt liberal market reforms, supported the creation of special economic zones open for foreign investment. In addition, it provided ground for North Korean businesses of different size that have operated on its territory. Nevertheless, its influence and direct contact has faded with the health of Kim Jong-il and the ongoing development of North Korean nuclear and missile program. Even though China took the role of organizer of the Six Party Talks and the so called Beijing channel played important role the denuclearization effort has failed. Realizing that, China is a supporter of sanction regime, even if the implementation of sanctions is not so profound. However, in the last year China has started to implement and control the implementation more thoroughly. There are two aspects to Chinese policy to North Korea. First, China sees and always seen North Korea as a buffer zone between its borders and U.S. troops deployed in South Korea. Second aspect is the stability of China in case of heightening the tensions and possible military conflict, especially the bordering provinces and migrant are of Chinese concern. However, China is reluctant to acknowledge officially North Korea as a nuclear power and always stresses the denuclearization as a goal, even though it does not seem realist anymore. Chinese interests do not

directly contradict the American in this regard. With the implementation of sanctions China seems to be showing to North Korea that its support has limits, especially when Chinese interests are at stake.

When looking at Japan and Russia, their policies and actions did not directly intervene into the American North Korea policy. Even though Japan as an American ally has had turbulent relations with North Korea and it is still perceived by North Korea as its second worst enemy of the state. As for Russia, it has firstly abandoned North Korea after the Cold War, later it became a potential investor in special economic zones and a supporter of inter-Korean reconciliation in the early 2000s. Recently it seems Russia is trying to reintroduce its role in the issue, however it does not support the denuclearization and renewal of multilateral talks, as repeatedly stressed by its main representatives.

North Korea Rational

The last player to mention is North Korea. The reason why North Korea pursues nuclear and missile programs is very rational and realistic. The end of the Cold War and bipolar confrontation left North Korea without strong allies and without the cloak of legitimacy the ideological confrontation has been providing since the late 1940s. In addition, the first war in Iraq, the Desert Storm, which has proved that the U.S. has no balancer to their power and policy projection left the country fearing its survival. In this situation, when the biggest enemy is the world dominant and incontestable power who in addition tends to use this power against those who are considered enemies, the need to try to acquire the most reliable deterrent is crucial. The nuclear deterrence as a strategy that has worked during the Cold War period is the strong North Korean rationale for its nuclear program. Even though, it appears that since the end of the Cold War there were periods when North Korea was willing to trade this aim for normalization of relations and a peace treaty with the U.S. the change in North Korean leadership in early 2012 and the initial fragility of the new leader ended this chance. Some observers claim, that even during the Clinton administration and when Six Party Talks were underway, and North Korea agreed on freezing its program, its intention was never sincere. Especially, when the U.S. have intervened in Iraq a second time based on evidence of a nuclear program, when Libya was attacked after it has given up its existing program, and also Ukraine, a country which has given up nuclear weapons, had to face Russian intervention. All these events show the unpredictability and insincerity of world powers as proved to the North Koreans that they cannot rely on anyone and have to seek self-help. This final statement seems like carved out of the IR theory book, but looking at the strategy the North Korea has applied in the last three decades it has clearly followed one objective – preserving and guaranteeing its own survival under any circumstances.

Today, North Korea is nuclear power, it has nuclear warheads, it is testing intercontinental ballistic missiles together with submarine-to-air missiles and these are the three pillars of nuclear triad. It will not give up its programs, not only from external reasons but also internal, related to regime stability. In addition, there is a card North Korea is counting on and that is the existence of non-official nuclear powers that are outside of any international supervision.

Conclusion – Options for the U.S.

In a situation when North Korea tests intercontinental ballistic missiles and its program is clearly advancing and at the same time nuclear tests are ongoing with strengthening power of explosions, the U.S. government has several options to consider. Most of them have been discussed for years, some were partially realised with higher or lower level of success. However not of these options is ideal, some require significant adjustment in long stated U.S. policy goals vis-à-vis North Korea but also non-proliferation regime, some risk the potential of destruction of South Korea with an unimaginable impact on global economy in case also China would get involved.

The options could be summarized in five categories:

1. Recognize North Korea as nuclear power. Under this option North Korea would receive what it demands for few years already. It may open a channel for direct talks, possible peace treaty and normalization of relations. From the negative aspects however, it can give North Korea a satisfaction and lead to even more assertive policy especially vis-à-vis South Korea and Japan. In addition, the recognition would undermine the efforts and existing non-proliferation regime, regardless of case of three non-official nuclear powers. Moreover, the case of Iran could be seriously affected.
2. More sanctions and pressure to abandon nuclear program. Currently it is difficult to say where further can the sanction regime go, and what other areas can be sanctioned. However, if North Korea continues in provocations the U.S. will have support among members of Security Council, that was shown in last year several times. Although the sanction regime did not bring the results it was expected and North Korea still develops both of its programs. The other factor is the unwillingness of North Korea even to discuss abandonment of its nuclear program as was several times reiterated by its representatives.
3. Regime change. Coordinated strategy aimed at providing North Korean population with information about the real world, support for all the NGO's that are involved in North Korea, etc. However, regime instability could lead to potential power struggle which could lead to internal conflict on one hand, or on the other to the strengthening the regime's grip on power.

4. Military solution. In this option there are few variants of military action the administration can choose from. First would be the possibility of air strikes directed to missile bases, as has been suggested several times. The other will be military intervention deploying not only air force but also the marines with the aim to overthrow the regime. However, any military campaign would lead not only to destruction of North Korea, as it will retaliate and attack South Korea and possibly also Japan and American bases in the region. In addition, the economic consequences are difficult to predict as we talk about conflict in region that is vital for global economy. Another aspect would be reaction of China and state of its involvement in possible conflict.
5. Diplomacy. Propose to North Korea multilateral as well as bilateral talks not conditioned by the state of nuclear program. In a way current administration has offered talks few times in addresses of Secretary of State R. Tillerson, to which North Korea did not respond. After New Year's speech delivered by Kim Jong Eun when it seems North Korea is willing to talk the offer could be repeated. The risk however is that the talks will fail on the similar issues as in the past – the lack of coordination among U.S. governmental agencies on the acceptable incentives, partisanship in the U.S. but also in South Korea and lack of coordination with other partners mainly China.

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