

# U.S.-ROK-China Trilateral Report A Ticking Clock or a Golden Opportunity?

#### By Jonathan Corrado June 2019

On May 23, 2019, the Forum on Asia-Pacific Security (FAPS) of the National Committee on American Foreign Policy (NCAFP), in cooperation with the Korea Society, conducted a trilateral dialogue in New York City involving scholars and former officials from the United States, China, and the Republic of Korea, all acting in their personal capacities. Participants discussed the prospects for trilateral and broader multilateral cooperation in addressing Northeast Asian security challenges. The discussion, outlined in this report, was held under the Chatham House Rule.

Held annually, the trilateral conference provides a useful opportunity to evaluate the year's most significant geopolitical developments. Stark differences in the tone and content of this year's dialogue underscore the region's dynamism and strategic significance. Denuclearizing North Korea remains the major driver of concern. The prospect of conflict in 2017 gave way to cautious optimism in 2018. This year, conference participants explored the ramifications and likelihood of alternate futures, ranging from breakthrough to muddle through to breakdown. Participants also discussed the possibility of North Korean change from within, the opportunity for China to play a greater role in denuclearization talks, methods for preventing an arms race in Northeast Asia, and the future structure of the U.S.-ROK alliance.

Participants from all three countries shared the observation that worsening bilateral ties in the region—including deepening U.S.-China strategic rivalry—hinder multilateral cooperation on issues of mutual interest. Despite continued leader contact between President Donald Trump and Chairman Kim Jong Un, a no-deal conclusion at the U.S.-DPRK summit in Hanoi stoked doubts about the long-term viability of a process that has become beset by North Korea's resumption of short range ballistic missile testing, an end of year deadline by Kim, and seemingly intractable differences between Washington and Pyongyang's negotiating positions. With this context in mind, the discussants deliberated whether and how it might be possible to coordinate among the three stakeholders to sidestep risks and advance toward mutually favorable outcomes.

## The Hanoi Summit: Failure to Launch or Learning Opportunity?

Evaluations of the U.S.-DPRK summit meeting in Vietnam varied between and among participants from the different countries. Some suggested that the failure to reach a comprehensive accord points to unresolvable differences in security preferences while others believed Hanoi afforded a learning opportunity that can help put the process on surer footing. All agreed that the talks broke down when the U.S. and North Korea failed to agree on the brass tacks of a denuclearization sequence. President Trump pushed for a big deal, involving complete denuclearization for total sanctions removal, while Chairman Kim angled for a more limited approach—dismantlement of the Yongbyon nuclear facility in exchange for lifting the last five United Nations Security Council resolutions.

This marked an apparent departure from the approach depicted by U.S. Special Representative for North Korea Stephen Biegun at Stanford University: a parallel and synchronous, step-by-step process. The offer on the table from the U.S. included denuclearization, a transformative relationship between the U.S. and Korea, and a brighter future for the North through trade, aid, infrastructure, and development. While the other aspects were agreed upon, the two sides could not reach a shared vision or target for denuclearization.

An American participant characterized Hanoi as a successful failure—neither the U.S. nor North Korea got what they wanted, but each side now has a better understanding of the other. One participant noted that, despite media reports alluding to differences within the Cabinet, National Security Advisor John Bolton and Secretary of State Mike Pompeo agree on the goal and definition of denuclearization. Prior to the second summit, Chairman Kim might have expected President Trump to display more flexibility than his negotiators. Through the Hanoi summit, Chairman Kim learned that members of the Administration are on the same page when it comes to the definition of denuclearization and President Trump learned that this is a process that will take time. For the U.S. side, enthusiasm for a quick and smooth resolution was tempered by the reality of the situation's complexity.

Discussants pointed to the process itself as a constraint. Previous negotiating cycles with North Korea—notably the Agreed Framework and the Six-Party Talks—involved a traditional diplomatic sequence starting with the working group level ascending up the hierarchy towards leader summitry. Today, the hypothesis that a leader-led process could break the impasse is being tested. The drawbacks of this approach were evident in Hanoi. North Korea brought to Vietnam the same negotiating team—composed of high-level officials—who came to Washington in January, without the sort of technical and subject matter experts to hash out details. To compare, North Korea brought five experts while the U.S. brought sixteen. Further, North Korea's negotiators were given minimal flexibility and were not empowered to meaningfully discuss denuclearization.

Others said the more fundamental problem was that North Korea was unprepared, or unable, to discuss anything but the limited dismantlement proposal—Yongbyon for the five UNSCRs—and refused to discuss alternatives. An American participant added that North Korea isn't able to devise a roadmap to denuclearization and also does not trust any other party to do so on their behalf.

#### **Back to Fire and Fury?**

North Korea warned through state media it would respond to joint U.S.-ROK defense exercises with a "corresponding act." Then in May, it tested two short range ballistic missiles, hinting at a tactical recalibration in the wake of a no-deal summit. A Chinese participant said that North Korea has self-restraint and will not go beyond short-range missile tests, adding that Beijing regards short-range exercise as somewhat normal. The purpose of this provocation and a proper response were the subject of debate, with many possibilities mentioned. One participant said Pyongyang wants South Korea to nudge the U.S. to soften up—aiming for sanctions reduction in a mini-deal short of full denuclearization. The test launch also served as a reminder that the end-of-year deadline is approaching and North Korea has the ability to provoke. On the domestic level, missile testing could placate hardliners within the elite, and signals readiness to the domestic population. An evaluation of responses to future provocations can be found in the "Policy Recommendations" section below.

The U.S. responded to the test in a restrained manner, voicing that it is open to talks on a comprehensive denuclearization accord, but that sanctions will remain in place until a deal can be made. The pressure campaign involves close collaboration with allies like the Republic of Korea and Japan, and partners in the UN Security Council. Demonstrating this, a North Korean vessel, the *Wise Honest*, was impounded in Indonesia and brought to American Samoa for violating UN sanctions. The United States plans to continue mobilizing partner nations to track ships and interdict those in violation. As part of a larger effort to induce North Korea to change its strategic calculus, the U.S. also encouraged nations to enforce and implement unanimously adopted UNSC resolutions, including sectoral export bans and oil and gas import restrictions. The U.S. is prepared to respond to future provocations through ramping up sanctions or dialing up joint military exercises. These responses are reversible measures that can be quickly dialed down to reward positive progress. The importance of encouraging good behavior, not merely rewarding the absence of bad behavior, is a lesson to be learned from past interactions with the North.

The majority of participants predicted that there will not be a return to the "fire and fury" threats issued by President Trump in August 2017. But a Chinese participant argued that a lack of strategic trust—unless addressed and ameliorated—will continue to prevent successful cooperation between the U.S. and North Korea. Two reasons were given to play down the possibility that the lack of trust could spill over into conflict. First, war would be too expensive in the eyes of a U.S. president who has focused on cutting costs. Second, the president views this as an issue of major importance, expending time, prestige, and energy into the process.

#### **The Ticking Clock**

A number of factors suggest that the current opportunity for a breakthrough on the Korean Peninsula might not be everlasting. In an April speech, Chairman Kim gave a deadline for talks to "bear fruit," shifting the burden onto the U.S. to change its position. According to the provisions of UNSCR 2397 (2017), member states must repatriate overseas North Korean workers within their territories by the end of 2019—further restricting the North Korean government's access to foreign currency. American participants noted that North Korean weapons tests and provocations tend to correlate with U.S. and South Korean elections, and that there will likely be further tests by year's end.

The American presidential election—though far off—could affect progress toward a deal if it serves as a distraction. Deteriorating relations with Iran further reduces the amount of time the National Security Council has to invest. A Korean participant suggested that Kim Jong Un might try to take advantage of Trump's eagerness to make a deal within the politically viable time, and could resort to provocations to maintain his attention. A Chinese participant also mentioned the political factor, pointing to the North Korean media's criticism of Democratic candidate Joe Biden as proof that it pays close attention and spares no opportunity to influence President Trump. An American participant noted that the peaceful denuclearization of North Korea is a longstanding, bipartisan issue of greatest concern for all Americans, reducing chances that it will become politicized.

Korean politics also figure into the timing equation. National Assembly elections will be held in April 2020 and a new president will be voted into office in 2022 (South Korean presidents are limited to a single five-year term). While National Assembly elections tend to be past-performance evaluations, presidential elections are more future-oriented, according to a Korean participant. Surveys suggest voters prioritize economic improvement over inter-Korean reconciliation. A political transition would have ramifications for the negotiation process. While President Moon Jae-in's administration has played an active mediator role, a conservative administration may not favor engagement. For now, declining poll numbers put pressure on President Moon. Recognizing these factors, an American participant said that North Korea needs to give the U.S.-ROK Alliance a win to encourage future engagement.

#### **North Korean Change From Within?**

Participants debated the possibility of a North Korean transformation from the inside out. A Chinese participant characterized Kim Jong Un's current focus on economic development as the start to a wider shift towards openness and reform reminiscent of Deng Xiaoping's 1978 gǎigé kāifàng (改革开放) strategy. This participant argued that the increase in special economic zones designed to attract foreign investment is testament to the leadership's commitment to reform. The hurdle to such a transition, according to this view, is external (i.e. sanctions). Another Chinese participant said North Korea believes it can undertake serious reform and opening without jeopardizing its stability because they have a firm basis for control through the Communist Party, as China and Vietnam did.

This outlook was not shared by all. A Korean participant noted that China simultaneously pursued decentralization, de-idolization, marketization, and internationalization. In contrast, North Korea has only pursued some of these and in a very limited way. In addition, there were active public debates in China about how much change can be facilitated without threatening Communist Party control between 1978-81, whereas there are no such open debates in North Korea. An American participant agreed, pointing to Kim Jong Un's mention of "a new path" during his 2019 New Year's Address as a coping strategy designed to help North Korea diversify partners and ride out a no-deal scenario. A Chinese participant agreed that the "new path" is an insurance against failed engagement, adding that the strategy remains ambiguous because this will not be easy for North Korea. It will need to pursue economic development without the easy prospect of currying new foreign investors, increasing the urgency of self-reliance.

No consensus emerged among the American discussants on this issue. Some voiced suspicion that economic development could trigger wider behavior changes. One said that if North Korea is prioritizing economics, a rational decision would be to maintain nuclear weapons instead of expending the costs to maintain a 1.1 million man conventional army. At an April 2019 Worker's Party meeting, Kim Jong Un said that the DPRK bereft of its nuclear deterrent would be rendered a worm, a viper without its venom. Another American participant argued that North Korea's focus on economic development is enough of an inducement to bring them back to the table for denuclearization talks. The opportunity cost for nuclear weapons is political and economic. Kim Jong Un's pledge to provide for his people is not possible while sanctions are in place. North Korea will not be able to continue to run trade deficits without incurring widespread economic pain. Under this view, time is not on North Korea's side.

## The China Question: More Buy-In from Beijing on the Process?

An American participant noted that, aside from short term tactical issues, it is difficult to disconnect the U.S. position on Korea from wider U.S.-China strategic competition. Simmering tensions over stalled trade talks complicate efforts to collaborate in other areas. An American participant warned that deteriorating trade relations could precipitate a full scale Cold War leading to de-globalization, but added that China is becoming more integrated rather than balkanized into the financial global network, with an inclusion of Chinese bonds in international markets.

An American participant argued that limitations on U.S.-China cooperation on North Korea are not only a function of U.S. and North Korean policy, but also a reflection of bounded possibilities owing to a divergence of interests. The U.S. prioritizes final, fully verified denuclearization (FFVD). China feels less of a threat. It is concerned about nuclear accidents and about America's commitment to its allies. China therefore pursues a mini-max strategy—seeking to minimize their maximum commitment to solving the problem. Beijing tends to intervene to gain traction when diplomacy fails. It used both persuasion and economic sticks to bring North Korea to the table. But once the DPRK is in talks, China free rides, turning the diplomatic responsibility entirely to the U.S., according to this view. To give China a stake in the denuclearization accord, it should be

asked to contribute, the participant said. For instance, Beijing could provide energy substitutions in exchange for North Korea decommissioning elements of its civilian nuclear program.

A Chinese participant agreed that China depends on the U.S. for denuclearization, specifying that China will implement sanctions, but does not wish to make additional commitments. China does not have the resources to affect North Korea, said the discussant. China's long standing policy of maintaining close relations with North Korea stems from its desire to reduce the chance that North Korea could become a security threat. But Beijing believes that North Korea's nuclear weapons and missiles create instability in Northeast Asia that clash with Chinese interests. The two countries' mutual defense treaty from 1961 remains in effect, according to a discussant. The two are committed to defend the other if under attack. However, the treaty was not mentioned during the summit meetings between Chinese President Xi Jinping and Kim Jong Un. Further, there is no institutional arrangement, no troop exchange, nor joint exercises. For this reason, the discussant believes the treaty does not amount to a full military alliance, and is unlikely to become one.

#### The Golden Opportunity: Prospects for Denuclearization

Given Kim's refusal to agree to a "big deal"—every sanction for every weapon—an alternate approach could be an agreement in principle on the big deal, followed by a series of reciprocal intermediary steps. In his New Year's speech, Kim pledged not to transfer weapons and not to produce new material. An agreement in writing to these two commitments could kick start a larger, more comprehensive process.

The difficulty in moving forward lies in contrasting preferences for sequencing, made even more contentious by the chronic trust deficit. North Korea's preferences are demonstrated by the order of principles agreed to in the Singapore Joint Statement. It values new U.S.-North Korea relations first and foremost, followed by peace regime on the Peninsula, and lastly, complete denuclearization. Put more succinctly, North Korea wants normalization and a peace treaty before it surrenders its weapons. The U.S. prefers the reverse.

With this tension in mind, discussants strived through dialogue to understand the U.S. and North Korea's bargaining positions and minimum requirements to make a deal. A Chinese participant explained that North Korea wants to retain a minimum level of nuclear deterrent, and the U.S. seeks complete denuclearization. A compromise will thus be necessary to make progress. For North Korea, the opportunity cost of failing to secure a deal will increase over time as the sanctions continue to sting. Pyongyang's recent behavior demonstrates that it wants to increase pressure on the U.S., but it is also cautious about provocations and doesn't want to break the basic framework set by the Singapore Joint Statement.

North Korean media has refrained from criticizing President Trump, even while attacking NSA Bolton and Secretary Pompeo. American and Chinese participants agreed that President Trump and Chairman Kim's continued mention of a positive personal relationship implies coordination, and that, conversely, ad hominem criticism of President Trump—a return to calling him a "dotard" or the like—would be a bad sign.

Discussants deliberated how sanctions relief might be sequenced to incentivize denuclearization. One American participant said that a deal trading Yongbyon plus alpha in exchange for partial sanctions reduction could be possible. Another said that although North Korea's proposal—Yongbyon for all five UNSCRs—was inequitable, temporary sanctions suspension might be an option. A Chinese participant agreed, saying the extent of sanctions relief should reflect the magnitude of dismantlement: taking Yongbyon offline would result in X amount of sanctions relief, while Yongbyon plus alpha would result in X plus Y.

#### Preventing an Arms Race in Northeast Asia

The possibility for an arms race in Northeast Asia was a topic of concern. An American participant wondered whether the end of prohibitions prescribed by the recently scrapped Intermediate-Range Nuclear Forces (INF) Treaty could precipitate a destabilizing new arms race in Asia. The creation and deployment of new systems in the Pacific theater—such as in Guam, from where the flight time to Pyongyang is 20 minutes—could have destabilizing consequences.

A Korean discussant noted that failure to denuclearize North Korea would create pressure in the U.S. alliance system, as Japan and South Korea rely on the American nuclear umbrella. In such a circumstance, without near-term prospects for North Korea's denuclearization, Seoul or Tokyo could decide to breakout. This could lead to further regional proliferation, including Taiwan. An American participant emphasized the importance of the U.S. clearly articulating the costs of going nuclear to its allies.

As the U.S. acceptance of North Korea as a nuclear weapons state, *de facto* or *de jure*, could prompt South Korea and Japan to consider pursuing their own deterrent, the U.S. should refrain from doing so. An important difference should be noted between recognition and assessment. For instance, Department of Defense planning papers may assess North Korea has nuclear capabilities, but this is different from recognition. Given the potential for regional proliferation, it is therefore important for the U.S. to signal to its allies that Washington will never establish diplomatic relations with a nuclear-armed DPRK. In the current negotiations, the U.S. has communicated that normalization happens upon denuclearization.

# Security Guarantee and Future U.S.-ROK Alliance Posture

In the process of denuclearizing, North Korea could ask for a security guarantee to compensate for its perception of insecurity. Different arrangements were discussed, including the possibility for the U.S. and/or China to provide a negative security assurance and/or extended deterrence to North Korea. Discussants mulled options, evaluating whether it is possible to strike a mutually acceptable force posture in the region. An American participant said that if the U.S. wants to maintain leverage in Asia, then it could make sense for it to provide protection. Alternatively, China could extend its nuclear umbrella. A Korean participant argued that, given North Korea's prioritization of self-reliant national defense, it may not be possible to devise a system whereby the U.S. and China provide assurances.

American participants debated the utility of continually limiting joint U.S.-ROK military exercises. One asked whether doing so reduces readiness. Another responded that General (ret.) Vincent Brooks and General Robert Abrams, former and current Commanders of U.S. Forces Korea, United Nations Command, and Combined Forces Command, concluded that the alliance has mitigated any impact on readiness by adjusting the scope and scale of exercises. Both Generals testified on Capitol Hill about the strength of our deterrent despite modification of exercises. The U.S. has adjusted the exercises to give room for diplomacy and keep the atmosphere clear from North Korean rancor and hostility.

The status of the U.S.-ROK alliance and American troops was another topic of discussion. One American participant said that U.S. strong-arm negotiating tactics on trade and burden sharing with its ally South Korea are counterproductive to the pursuit of shared aims.

What will the alliance look like on a post-nuclear Peninsula? No consensus was reached here, with some participants arguing that U.S. troops could be a vehicle to provide the North with a security assurance and others suggesting the North will try to break up the alliance. A Chinese participant argued that North Korea's conception of "peace regime" does not entail U.S. troop withdrawal. North Korea quietly revised its constitution in 1992 by removing a paragraph calling for the withdrawal of U.S. troops from South Korea, and North Korean officials continue to indicate flexibility about this in discussions. A U.S. participant disagreed that North Korea would quietly accept a continued U.S. troop presence, citing 54 statements by North Korea's state media explicitly calling for their removal. In a 2016 statement, North Korea issued a statement indicating that the removal of those American troops with the authority to use nuclear weapons is a precondition for denuclearization. Another Chinese participant opined that this request is not a final position, but rather an attempt to create bargaining space. An American participant said that removal of troops is not on the table in inter-Korean discussions. In a 2018 speech, South Korean President Moon Jae-in said that the U.S.-ROK Alliance will remain in place to "uphold peace and stability" in Northeast Asia even after a peace treaty and denuclearization.

#### **Policy Recommendations**

- The U.S. should inject more substance into leader interactions and use personal letters to Chairman Kim to empower the working-level and propose a roadmap to outline a denuclearization deal. The U.S. could also articulate to North Korea that it is ready to talk, but that Pyongyang needs to initiate. This helps blunt the efficacy of North Korea's threat that a deal should be reached by the end of the year.
- Participants pointed to the need for clarity and identification of primary interests. An American participant argued that a common understanding of denuclearization needs to be established, saying that, if a roadmap goes from A to Z, we need to first agree on what Z looks like. A Korean participant agreed that it is essential to develop a timetable and a consensus view of denuclearization and corresponding measures. One suggestion to identify areas of overlap is the construction of a matrix outlining U.S. and North Korean minimum requirements.
- The U.S. should communicate clearly—but not necessarily publicly—to North Korea the repercussions for ramped up or continued testing. This would include responses to future short-range ballistic missile tests and condemning threats to allies clearly, consistently and publicly as violations of UN Security Council Resolutions. If provocations are grey zone, the responses can be grey zone as well, preserving the space for diplomatic engagement. One participant suggested that a middle ground reaction to further short-range ballistic missiles could be the U.S. and South Korea carrying out a joint strategic exercise without strategic assets.
- The U.S. should pursue a small package within the larger framework, said an American participant. Patience can sometimes provide space for the process to take hold, for trust to grow, for the inter-Korean process and to build U.S. capacity and coordinate among allies. Patience permits for an extended timeline, allowing for incrementalism and greater gains. Learning from the mistakes of the past, the majority of the denuclearization process should be concentrated in the first stage of a larger process, said a Korean participant. Core concessions need to be made in early stages to prevent North Korea from reneging.
- Noting the deterioration of ROK-Japan relations, an American participant said the U.S. should play a behind-the-scenes role to encourage ROK-Japan policy coordination. The first order of business is to prevent relations from getting worse by addressing two tracks of high tensions: forced labor and maritime issues. Multilateralizing these interactions could remove political pressure while retaining routine functionality.
- All concerned parties should work to collectively create opportunities for North Korea to engage with the international community, said an American participant. Right now, a lack of detailed exchanges hinders common understanding.

- One participant said it could be advisable for the U.S. president to remove restrictions and grant authorities for U.S. representatives at International Financial Institutions to condone or endorse fact-finding missions to North Korea to gather data. One such mission was initially conducted by the IMF in 1997, but subsequent plans for Fund staff to train North Korea's officials on statistical collection and digitization of records were cancelled by North Korea. This type of trip would be the initial step in a much larger process of reform and opening necessary for North Korea to join the international economic community, and would signal North Korea's desire to prioritize economic development over the nuclear program.
- An American participant recommended some discussion of human rights in dialogue with North Korea.
- A Korean participant recommended that South Korea should focus on denuclearization in order to achieve a balance between progress on the parallel tracks of disarmament and inter-Korean reconciliation.

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