

# Peace Regime of the Korean Peninsula and North Korean Policy

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Peace Regime of the Korean Peninsula and  
North Korean Policy

# **1. Denuclearization Environment and Political Landscape**



Since Kim Jong-un assumed power, the state of affairs on the Korean Peninsula has been more tense than ever before. Despite strong sanctions and pressure of the international community, the level and frequency of North Korea's provocations have unprecedentedly increased. As provocations have continued, North Korea's nuclear capacity has also become more sophisticated. As presumed, North Korea is now entering the final stage in its nuclear sophistication, creating various and profound ripple effects. First, North Korea's nuclear sophistication is entering the final stage. Second, with rising threats, strategic interests of neighboring countries including the Republic of Korea are damaged. Third, interests and views of major countries on the method to resolve North Korea's nuclear issues are conflicting. Fourth, because of the continued strong provocations and nuclear sophistication process of North Korea, regional state of affairs has been structured and prolonged with the strengthened pressure and sanctions. Fifth, as North Korea strongly resists against sanctions and pressure and sticks to uncompromising strategies, the vicious cycle of "the toughening of sanctions and continuous resistance and provocations" has continued. Sixth, as the relations between North Korea and the U.S. have gotten worse over time, the possibility to reach a mutual agreement has been on the decline.

First, one of the most important characteristics of recent North Korean nuclear issues is that its nuclear program is entering the final stage in its sophistication. After Kim Jong-un took power, North Korea carried out four times of nuclear tests in a short period. Each of the nuclear tests took place to supplement the weak point revealed during the prior tests or to confirm its technological advancement. During the fourth nuclear test in

February 2013, North Korea boasted about its capacity of utilizing high enriched uranium (HEU). The North's fifth nuclear test in January 2016 also showed their capacity of using nuclear fusion, claiming that they have completed a hydrogen bomb test. In the fifth nuclear test in September of the same year, North Korea succeeded in testing more powerful detonation of standard atomic bomb. This test was to dispel worries on its technical capacity for nuclear ignition caused by weak detonating power shown in the previous nuclear tests. When carrying out the sixth nuclear test in September 2017, North Korea succeeded in boosted fission weapons test. Its explosive power was assumed to be between 50 to 200kt, and it was evaluated that its nuclear fusion technological capacity saw much progress compared to the fourth nuclear test. North Korea argued that such success was equivalent to the completion of hydrogen bomb. It is also presumed that North Korea will soon complete the sophistication of missile carrier along with nuclear detonation. With a series of intensive tests since 2016, North Korea built a diverse types of missile system based on multiple advanced technology including high power engine, stage separation technology, practical use of solid fuel, the strengthening of stability and maneuverability, and concealment of mobile launcher. The missile sophistication will be completed when supplementing technological parts of several fields such as reentry, guidance, and controlling capacity of warhead. Considering this pace, the year when North Korea is expected to complete its nuclear sophistication has rapidly moved up from 2022 to 2020 and now to 2018.<sup>1)</sup>

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1) Sung-Yoon Chung, "North Korea's Sixth Nuclear Test: Evaluation and Future Outlooks," (KINU Online series CO 17-26, Korea Institute for National Unification, Seoul, 2017), p. 4.

Second, due to rapid progress in its nuclear sophistication, neighboring countries are more likely to suffer from strategic dilemma. Amongst of all, the United States continuously compels China with a focus on strategic interests such as trade issues. The U.S. is also expected to demand South Korea to participate in putting firm pressure on North Korea such as joining the secondary boycott. During the process, the U.S. and South Korea could probably experience decoupling. In addition, if North Korea continues a high level of provocations onward, there is a higher chance that the U.S. policy towards North Korea would also go extreme to either end of ‘accepting North Korea’s demand’ or ‘carrying out military response.’ Then, South Korea could face either weakened leadership or military collision. It will also put North Korea in different dilemmas depending on the condition of the U.S.-China cooperation system. If cooperation gets stronger, China will put stronger sanctions on North Korea, tolerate (limited) coercion of the U.S., and promote “forced denuclearization” based on the agreement with the U.S. If cooperation between the U.S. and China is damaged or gets worse, the U.S. is likely to actively consider the possibility of unilateral military attack. China then faces dilemma depending on its choice to cooperate with the coercive measures from the U.S. When it chooses to cooperate with the U.S., it has to make additional burdensome choices on the level, scope, and method of cooperation and keep in check of Russia’s possible activities to expand its influence on North Korea. If decided not to cooperate with the U.S., it has to expose its vulnerability when the U.S. finally enforces the pressure on China. In addition, China also faces dilemma to simultaneously cope with the military cooperation among the U.S., South Korea, and Japan,

which naturally gets stronger in response to North Korea's provocations.

Third, each country shows conflicting interests and stances in resolving North Korea's nuclear issue as well as in the phase of sanctions and thus reaching an agreement is very unlikely in the short term. After the fourth nuclear test in 2016, the U.S., South Korea, and Japan have held on to the stance that unless North Korea preemptively announces a suspension of nuclear tests and missile provocations, it is impossible to resume any meaningful conversation with North Korea and strong sanctions against North Korea are inevitable. China and Russia labeled denuclearization of North Korea as the final goal just as the U.S., South Korea, and Japan did. However, when it comes to detailed methodology, Russia shows a huge difference with that of the U.S., South Korea, and Japan. Especially, China suggested a solution through "peace treaty and denuclearization" in February 2016, and came up with synchronous progress (to seek denuclearization of North Korea and a peace treaty between the U.S. and North Korea, synchronously) in 2017. China also presented the double freeze (suspension of North Korea's nuclear provocations in return for the halt of ROK-U.S. joint military exercises) as a detailed method for resuming a conversation on denuclearization. However, although North Korea shows a relatively positive response to the double freeze, it strongly opposes to synchronous progress. North Korea's stance is that it will not consider coming back to any negotiation table if denuclearization is a prerequisite. At the 7th Congress of the Central Committee of the Workers' Party of Korea (WPK) in May, 2016, North Korea asserted that as a nuclear state, it will make

efforts for denuclearization of the world. That is, North Korea does not have an intention to give up its nuclear capacity and will choose ‘nuclear disarmament’ as the main strategy in the nuclear diplomacy. Accordingly, since 2017 with regard to North Korea’s nuclear issue, there have been contrast and mixed frames: North Korea’s ‘peace treaty and disarmament’ frame vs. U.S., South Korea, and Japan’s ‘denuclearization and coercion and pressure’ frame vs. China’s ‘denuclearization and peace treaty’ frame.<sup>2)</sup>

Fourth, strategic discords on resolving North Korea’s nuclear issue by regional powers imply that prolonged sanctions are inevitable. North Korea keeps the attitude that strongly resists strengthened sanctions imposed by the UN Security Council and the U.S. Particularly, since the adoption of the Resolution 2371, North Korea has increased the level of resistance with provocation of a missile launch targeting areas near Guam. Although the U.S. has recently lowered the prerequisite for resuming a conversation with the North from complete denuclearization to moratorium on nuclear and missile provocations, North Korea does not seem to be satisfied as it believes that the U.S. did not suggest incentives in an active manner. North Korea sets forth prerequisites for resuming talks as lifting hostile policies against North Korea (to withdraw sanctions,

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2) A framework for North Korean denuclearization is becoming more complicated. North Korea’s nuclear issue was addressed bilaterally between the U.S. and North Korea in the first North Korean nuclear crisis in the early 1990s, and multilaterally through the six-party talks in the initial phase of its second nuclear crisis in the mid 2000s. However, at the present time, much of diplomatic efforts and time are required to start a negotiation regarding a framework for denuclearization among stakeholders as the U.S.-South Korea-Japan, China, and North Korea stick to three different non-negotiable frameworks.

suspend the ROK-U.S. joint military exercise, and seek a peace treaty). However, the possibility of the U.S. accepting such requests in return for North Korea's moratorium on provocations is significantly low. Accordingly, a conversation can be resumed only when the U.S. suggests incentives that North Korea desires, or when North Korea reduces the level of requests to the U.S. Considering such circumstances, it seems unlikely to experience a rapid change of resuming talks for the time being.

This means that the state of affairs is likely to unfold in the form of continued conflict due to additional sanctions and pressure from the U.S. and resistance from North Korea, rather than a compromise for possible agreement to terminate sanctions. In addition, Resolution 2270, 2321, 2371, and 2375 as well as unilateral sanctions imposed by individual countries will also be automatically continued if North Korea makes no progress in its denuclearization or powerful states show no strategic compromise or tolerance over North Korea's denuclearization. Accordingly, this implies that sanctions would continue for some time unless the U.S., which leads the sanctions, and North Korea that resists the sanctions both withdraw their requests or accept much of the requests from their counterparts. In the end, "cost environment" is being formulated in a way favorable for North Korea to buy time for sophisticating its nuclear capacity.

Fifth, another characteristic of current political landscape is continuously rising frequency and intensity of North Korea's nuclear provocations despite strengthened sanctions. After taking office, Kim Jong-un has completed the domestic institutionalization



regarding its position as a nuclear power in the Constitution (2012) and Workers' Party Rules and Regulations (2016). Also since 2016, Kim Jong-un has taken bold and active steps such as making direct orders for nuclear test, watching nuclear and missile tests, and visiting relevant facilities as well as announcing the will to hold onto nuclear power. This means that North Korea has completely disposed its 'strategy to maintain ambiguity on nuclear issues' maintained during the Kim Jong-il regime.<sup>3)</sup> In addition, considering Kim Jong-un's improvising and provocative decision-making tendency and conspicuous performances to secure the foothold for the regime and build a strong internal bond, it is expected that risks of nuclear provocations will further be escalated. Especially, Resolution 2371 limits one third of North Korea's foreign trade, and Resolution 2375 completely cuts off its textile exports, major means of bringing in foreign currency, cuts the export of oil products in half, and imposes a ban on dispatching new workers overseas. If such resolutions continue, it is inevitable that North Korea's dual policy of nuclear and economic development will get a blow. In such case, the Kim Jong-un regime will offset economic deficit with political security, not by strategic choice on denuclearization but by frequent nuclear demonstrations and provocations. In short, the vicious cycle of strengthened sanctions and pressure on North Korea, blow on its economy, increased need of demonstrating its nuclear capacity, its continued provocations, and strengthened sanctions will remain in

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3) The nuclear strategy adopted by the Kim Jong-un regime is much more explicit and aggressive than the Kim Jong-il era. The recent research explaining such tendency in theory is: Vipin Narang, "Nuclear Strategies of Emerging Nuclear Powers: North Korea and Iran," *The Washington Quarterly*, vol. 38, no. 1 (Spring 2015), pp. 71-83.

place for a while.

Sixth, another major characteristic is that the North Korea-U.S. relationship has unprecedentedly deteriorated. During the first year of the Trump administration and Moon Jae-in government, North Korea chose provocation and pressure instead of an improved relationship through dialogue and negotiation. The U.S. came up with the so-called 'Four Nos' principle (no attempts to change the North Korean regime, no attempts for regime change, no efforts to accelerate Korean reunification, and no attempts of invasion to the north of 38th parallel), which was also reaffirmed by President Moon Jae-in in his Berlin Declaration. Regardless of such efforts, North Korea pushed forward provocations with the *Hwasong 14* ICBM test and the sixth nuclear test. The reason to choose the provocations is that North Korea still believes that the pain from sanctions would only create costs that are tolerable for the short term. In other words, North Korea sticks to the calculation that the short-term loss caused by sanctions can be easily overshadowed by benefits from the long-term strategy of nuclear and missile sophistication. Therefore, with regard to denuclearization, North Korea is likely to demand excessive conditions that cannot be acceptable by the U.S. or request high price that the U.S. has no reason to accept risking immediate loss that it might create. A good example should be 'disarmament' and 'nuclear freeze-peace treaty.'

However, under the circumstance where the U.S. is full of distrust toward North Korea and North Korea has no capacity to launch a second strike to the U.S., the U.S. is not likely to feel the strategic necessity for nuclear freeze and urgency, not to mention the need

for nuclear armament.<sup>4)</sup> According to such logic, the Trump administration has set “maximum pressure and engagement” as the policy direction toward North Korea. This is a strategy to secure a control over North Korea’s nuclear issues by leveraging the superiority of power and putting strong pressure on North Korea. Especially, in terms of trade, the U.S. will continue to put pressure on China to expand China’s engagement in North Korea.<sup>5)</sup> In short, the U.S. will simultaneously put pressure on China and North Korea for some time to change North Korea’s will and decision on its nuclear capacity and policy, then to invite North Korea to the negotiation table for denuclearization.<sup>6)</sup>

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4) Dong Sun Lee, “Implications in the International Dimension,” in *Implications of North Korea’s Nuclear Advancement and Responsive Measures*, ed. Sung-Yoon Chung et al. (Seoul: KINU, 2016), pp. 83-88.

5) Since the U.S.-China Summit in April 2017, the U.S. has been forcing China for more active sanctions and pressure against North Korea by actively linking U.S.-China trade issues with North Korean nuclear issues and increasing credibility of using a military option against North Korea. Sung-Yoon Chung, “Characteristics of North Korea’s Nuclear Affairs and Our Response Strategies,” (keynote presentation, Second KINU Peace Forum, August 7, 2017), p. 2.

6) Sung-Yoon Chung, “Evaluation on North Korea’s IRBM Test Launch and Prospects for U.S.-North Korea Relations,” (KINU Online Series CO 17-06, Korea Institute for National Unification, Seoul, 2017), pp. 4-5.



## **2. Basic Initiative of Negative Peace Regime and Tasks for Implementation**



## A. Basic Initiative and Tasks for Implementation

### 1) *Evaluation on Environment for Implementation*

In 2017, the new governments were sworn in both for the U.S. and the Republic of Korea. Even before the inauguration, the Trump administration has labeled the Obama administration's strategic patience on North Korea as a failure and regularly expressed its stance for launching a possible preemptive strike on North Korea when needed. Three months after the inauguration, the Trump administration stressed the 'maximum pressure-engagement' frame to resolve North Korea's nuclear issue and announced policies towards North Korea as follows. First, North Korea is not recognized as a nuclear state. Second, all the possible sanctions and pressures are to be imposed on North Korea. Third, a regime change in North Korea is not pursued. Finally, the end means to resolve the issue is a dialogue.<sup>7)</sup>

Meanwhile, the Moon Jae-in government stressed the dual frame of 'sanction and conversation' as a solution to North Korea's nuclear issues and also announced the Berlin Initiative on July 6 as a comprehensive plan to advance inter-Korean relationship and to settle peace on the Korean Peninsula. The policy direction of the Berlin Initiative laid out by President Moon Jae-in are as follows. First, it reconfirms that the Moon Jae-in government only pursues

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7) "U.S. Confirmed its North Korean Policy Containing Four Major Bases... 'Issues to Ultimately be Resolved by Talks'," *Yonhap News(Seoul)*, May 26, 2017, <<http://www.yonhapnews.co.kr/bulletin/2017/05/26/0200000000AKR20170526006252071.HTML?input=1195m>> (date accessed June 2, 2017).

peace. Second, it promises to pursue the denuclearization on the Korea Peninsula while guaranteeing the safety of North Korean regime. If North Korea suspends nuclear provocations and comes back to the negotiation table for denuclearization, South Korea will alleviate economic and security concerns and resolve current issues including the improvement of relations with the U.S. and Japan. Third, it should establish a permanent peace on the Korean Peninsula to end current uncertainty under the armistice status maintained since 1953. To this end, South Korea should promote complete denuclearization and peace treaty as a comprehensive resolution for nuclear issue and peace regime. Fourth, it should draw a new economic map where the North and the South separated by the military demarcation line can be reconnected by an economic belt. Fifth, non-political projects for exchange and cooperation should be consistently pursued regardless of military and political situations.

However, unlike such policy direction of the U.S. and South Korea, the Kim Jong-un regime, in 2017 New Year's speech, stressed the spirit of self-reliance to build up nuclear capacity, thereby being recognized as a nuclear power and standing up against strong sanctions from the international community. In particular, North Korea successfully completed two times of flight tests of *Hwasong 14* ICBM on July 4 and 28. With the success of such flight tests, North Korea was assessed to be capable of attacking the U.S. mainland. As a response to the flight testing of *Hwasong 14*, the international community including the U.S. and China adopted Resolution 2371, which completely blocks North Korea's coal export. Because of this, the U.S. and North Korea exchanged



extreme verbal attacks to each other such as a threat of blowing the waters around Guam, preventive war against North Korea, and preemptive strikes. The tensions between the North and the U.S. have extremely deepened the crisis on the Korean Peninsula.

Currently, the situation is too severe to discuss a negative peace regime on the Korean Peninsula (hereinafter referred to as “negative peace regime”), which leads to suspension of North Korea’s nuclear capacity sophistication and declaration and verification of its nuclear programs. Even if the extreme words exchanged between the U.S. and North Korea are just ‘word to word,’ there is a possibility where an extreme confrontation caused by the security situation on the Korean Peninsula could result in ‘action to action’ between the two states. In addition, such extreme verbal exchanges limit the policy room for the Moon administration to implement its Berlin Initiative. Then, the South Korean government can be left with no other choice but to be on the side of the U.S.-led frame on North Korea’s nuclear program, maximum pressure.

In such context, this article aims to draw a roadmap which is an action plan to achieve a negative peace regime under the premise that the dialogue and negotiation for denuclearization on the Korean Peninsula and the denuclearization process should properly proceed. To establish a negative peace regime, the denuclearization process on the Korean Peninsula (hereinafter referred to as “denuclearization process”), which is directly linked to North Korea’s nuclear issues, and the two Korea’s peace process (hereinafter referred to as “peace process”) for developing inter-Korean

relationship should function “together and separately” depending on situations. This article will focus on the denuclearization process rather than peace process when elaborating on the overview of the roadmap. What should be considered is that this negative peace regime is the middle phase to boost a positive peace regime on the Korean Peninsula which will be pursued in later phases.

## *2) Basic Initiative and Direction for Implementation*

The negative peace regime maintains and manages a stable peace on the Korean Peninsula through suspension, freeze, declaration, and verification of North Korea’s nuclear sophistication. At the same time, it firmly establishes an environment to move on to the positive peace regime that achieves disablement and complete abolishment of North Korea’s nuclear capacity. Accordingly, the negative peace regime is an interim phase in the process of establishing a peace regime on the Korean Peninsula that takes place before signing a peace treaty in the phase of positive peace regime.

To sustain a stable and peaceful state in the Korean Peninsula, a peace regime and security regime must work interactively in a virtuous cycle. Accordingly, a negative peace regime requires the corresponding new security regime on the Korean Peninsula. Thus, in the process of pursuing a negative peace regime, a new security regime, which changes or replaces the major components of current armistice regime, is required. This phase is where provisional

actions such as the end of war declaration or declaration of peace are required that can revise or discard the armistice agreement. Such provisional actions can secure the foothold to establish peace on the Korean Peninsula and create a virtuous cycle together with the security regime and negative peace regime, thereby alleviating the tension between the two Koreas, developing the habit of reconciliation and cooperation, and establishing a stable environment where the generalized principle for actions can be expanded and further strengthened. Provided, the issue of peace treaty needs to be off the table when establishing a negative peace regime as the peace treaty is proper to be discussed at the time of complete nuclear disablement and abolishment.

To realize such basic initiative, the roadmap for negative peace regime should pursue the followings. First, the establishment of negative peace regime should deploy a comprehensive approach. The comprehensive approach means that both denuclearization process regarding North Korea's nuclear pursuit and peace process directly connected with North Korean issues should work "together and separately" depending on the circumstances. As President Moon Jae-in laid out in the Berlin Initiative, it is essential that worsened relationships—legacy of the Korean War—improve between the two Koreas and between the U.S. and the North in order to establish a peace regime on the Korean Peninsula. In the process, rebuilding trust between the two Koreas should also be pursued. Accordingly, for a negative peace regime, suspension of North Korea's nuclear capacity sophistication as well as negotiations between interested parties for changing the current armistice regime on the Korean Peninsula need to take place

simultaneously. However, it is required to avoid linking a negative peace regime with Northeast Asia peace regime. It is more realistic to deal with a linkage between a negative peace regime and Northeast Asia peace regime during the discussions on creating a positive peace regime after establishing the former.

Second, pursuing a negative peace regime needs a gradual and phased approach, which goes hand-in-hand with denuclearization process. A negative peace regime needs to be pursued by connecting with three stages: 1) suspension of North Korea's nuclear capacity sophistication; 2) talks between the U.S. and North Korea, between the two Koreas, and among the U.S., the two Koreas, and China to fully execute denuclearization process; and 3) declaration and verification of North Korea's nuclear program. During the process, it is necessary to derive a provisional agreement or measures to discuss and establish a new security regime on the Korean Peninsula from interested countries. In short, the establishment of negative peace regime should be pursued in the direction of initially issuing a joint statement through negotiation, preparing measures for the implementation of joint statement, and finally setting a negative peace regime.

Third, the pursued direction of negative peace regime should clearly demonstrate that denuclearization of the Korean Peninsula should not just end in the phase of declaration and verification of North Korea's nuclear capacity. Instead, seeking such regime should be part of execution process for complete disablement and abandonment of North Korea's nuclear capacity. Also, a negative peace regime should be pursued not as a foundation of peaceful

and permanent division of the two Koreas, but toward a direction that can induce enhanced reunification-oriented relationship between the two Koreas and the creation of virtuous cycle. This—deemed the most important—should be approached strategically in pursuing a negative peace regime. It is because a negative peace regime can be possible not by signing a provisional agreement but by securing the safety on the Korean Peninsula through the actual advancement of inter-Korean relations.

Accordingly, in this process, it is required to relieve worries of the international community on North Korea's nuclear capacity, ease tensions on the Korean Peninsula through building military confidence between the two Koreas, and make a breakthrough in arms control. Moreover, as the ultimate goal for negative peace regime is establishing an environment and securing power for positive peace regime, risk factors for fixation of peaceful division should be eliminated. Accordingly, in pursuing a negative peace regime, reunification-oriented peace process should be sought, which will be followed by the strengthened lead by the two Koreas on the issues of the Korean Peninsula. Measures to induce a virtuous cycle should be actively devised—a cycle where an improvement in the relationship of the two Koreas leads advancement not only in denuclearization of the Korean Peninsula but also in other various fields—considering the hardship of establishing a negative peace regime without the advancement of inter-Korean relations even though denuclearization is sought for.

## **B. Implementation Tasks and Controversial Issues**

### *1) Implementation Tasks of Denuclearization Process*

#### **(1) Organizing Peace Regime Forum**

If North Korea's sophistication of nuclear capacity is suspended, and an environment is created to execute a denuclearization process between the U.S. and North Korea and between the U.S. and the two Koreas and among the U.S., the two Koreas, and China, a journey to establish a negative peace regime will begin. In order for the smooth functioning of denuclearization process and the securing of consistent drivers, it is important to organize and institutionalize namely the Korean Peninsula peace regime forum (hereinafter referred to as "peace regime forum").<sup>8)</sup>

The peace regime should be composed of regular session and working group session with the participation of the U.S., the two Koreas, and China. Japan and Russia are not needed to join peace regime forum since they are neither directly involved parties of the Korean War nor relevant countries of the armistice agreement. However, to induce cooperation from Japan and Russia, providing adequate information with regard to the process of peace regime talks is essential. This is also necessary because the participation of Japan and Russia is crucial in advancing Northeast Asia peace

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8) Soo Hyung Lee, "Scenario B1: Emergence of Insurgents x Progress in Establishing a Peace Regime," in *2030 North Korean Change Scenario*, ed. Kap-Sik Kim et al. (Seoul: Korea Institute for National Unification [KINU], 2016), p. 143.

regime, which will be proceeded when establishing a positive peace regime in the future.

In institutionalizing the denuclearization process to establish a negative peace regime, the reasons of giving more importance to four-party talks rather than existing six-party talks are as follows. The existing six-party talks consider not only the peace regime on the Korean Peninsula but also the Northeast Asia peace regime, thus Japan and Russia are included. However, for a negative peace regime, through four-party talks among the U.S., the two Koreas, and China, which have direct interests with regard to the Korean War, it is essential to focus on setting a new security regime by changing the current armistice regime of the Korean Peninsula. Considering the political characteristics of two major powers, the U.S. and China, having Northeast Asia-related issues on the table at the peace regime forum seems too extreme in terms of the number of agendas. In addition, the discussion on a negative peace regime can be intertwined depending on the changes of the U.S.-China relations.

To increase the efficiency of the talks and to promote trust among the parties, it is essential to set up the permanent secretariat for the forum and make the states take turns to be the chair of the forum. In addition, the chairman of the working committee should be selected in the vice-ministerial level so that the chair can report the outcome of discussions to the ministerial level to make a final decision. Also, it can be proper to review the possibility of organizing regular and working-level sessions in a bilateral or trilateral manner depending on the agenda. However, what should

be noted is to make the four-party talks not to be reduced to 2+2 talks (the U.S. and the North as the main player while the South and China become the mediator).

## **(2) Adoption of Joint Peace Statement**

If a peace regime forum is organized and a negative peace regime is in smooth process, the next step will be to adopt a joint statement for establishing a peace regime on the Korean Peninsula (hereinafter referred to as “the joint statement”). Adoption of joint statement has similar characteristics to Joint Statement of the Fourth Round of the Six-Party Talks (hereinafter referred to as “the Joint Statement of 19 September 2005”), to suggest a goal, principles, and operating direction for the smooth operation of peace regime forum.

The four concerned parties—the U.S., the two Koreas, and China—will join as equivalent and qualified parties of the forum and the main contents are as follows. First is to reaffirm that the goal of the peace regime forum is verifiable denuclearization of the Korean Peninsula. North Korea should pledge the suspension of sophisticating its nuclear capacity, declaration of all nuclear programs, and compliance with the IAEA safety standards. The U.S. should reaffirm no will to attack or invade North Korea. North Korea’s right for the peaceful use of nuclear program should be respected. The necessity of implementing and complying with denuclearization of the Korean Peninsula and the joint statement should be upheld. Second, relevant countries should respect the system and sovereignty of each country, suspend hostile actions and slanders, be committed to non-aggression, non-invasion, and non-intervention



in domestic affairs, and respect and comply with the peaceful resolution for conflicts. Third is to reach an agreement to transfer from the current armistice status to a peace management regime in order to solidify peace on the Korean Peninsula while the two Koreas (and the U.S.) set up a namely peace managing mechanism within 90 days to establish a new security regime on the Korean Peninsula.

The operational direction should concur with the principle that the discussion should start with an agenda, whose agreement and implementation are easier than others. Lastly, the four countries agree on thorough execution of the process in a phased manner under the principle of ‘pledge to pledge’ and ‘action to action.’ Apart from the forum, the two Koreas should activate a peace process to seek building military confidence and means to promote arms control negotiation, respecting the previously agreed Inter-Korean Basic Agreement. The two should also hold inter Korean defense ministerial talks to agree on principles for building military confidence and easing tension. Ultimately, the two Koreas should adopt an Inter-Korean Basic Agreement for promoting peace on the Korean Peninsula (hereinafter referred to as “the Basic Agreement”) through the peace process and register the Basic Agreement to the United Nations.

### **(3) Conflicting Issues in Executing Agreement**

After the establishment of a peace regime forum and smooth adoption of a joint statement by involved parties, the crucial and conflicting issues among concerned actors for establishing a negative peace regime are how to agree on execution measures, and

how to faithfully execute the arrangements agreed by parties. Execution measures aim to implement the joint statement, which is a kind of political declaration, and to sign a provisional agreement. Thus it should be promoted in a way to have a legally-binding effect equivalent to international law.

The important point in executing the agreement is that the current state of affairs is fundamentally different from the agreement of implementation of the Joint Statement of 19 September 2005 and Initial Actions for the Implementation of the Joint Statement on February 13, 2007 (hereinafter referred to as “the Joint Statement of 13 February 2007”). In short, previous denuclearization processes mostly took the approach of security vs. economy, but the current and future denuclearization process will mainly focus on security vs. security while economic support for North Korea becomes a supplementary issue. This means that in the security vs. security approach, the involved countries will proceed denuclearization process under the principle of ‘pledge to pledge’ and ‘action to action.’ However, the pledge and action methods of the structure of security vs. security are the ones where the interests of involved parties, including North Korea, are intensely intertwined. Therefore, there can be numerous variables and obstacles in symmetrical exchange of security vs. security framework. Thus, this paper suggests the major security issues, which will come up in the denuclearization process in the future, and focuses on analyzing the hidden meaning.

First is the issue of declaration of the end of the Korean War. Declaration of the end of war would mean changing the security

condition on the Korean Peninsula, which is to change from the current status of technically being at war under the international laws to de facto armistice state, or legal and institutional armistice state. To do so, the political declaration or announcement of a separate treaty by the U.S. and the two Koreas (and China) is required. However, signing a separate treaty will usually take long. Therefore, other options can be considered. For example, the warring sides can publicly declare a gentleman's agreement or political declaration. In such case, the declaration of the end of war is not legally binding, but can have a legal effect if signed in the form of provisional agreement and ratified by the National Assembly. If the declaration of the end of war is made, military conflicts between the two Koreas and hostile relationship between the U.S. and North Korea can be of the thing in the past, which will bring a new chapter for the Korean Peninsula in pursuit of peace. Therefore, a positive effect can be expected in the future.

However, the declaration of the end of war should be approached cautiously as it has the potential to amplify the conflicts between the two Koreas and within South Korea due to the issues of setting the maritime military demarcation line and dismantling the United Nations Command (UNC), presence of the U.S. Armed Forces in Korea, and abolishment of National Security Act. Especially when the declaration of the end of war is made, the legal status of armistice agreement becomes vague so until it is replaced by a separate agreement, the security condition can be unstable such as the possibility of accidental collision in the demilitarized zone. Accordingly, in establishing a negative peace regime, the declaration of the end of war should be approached with caution

after fully reviewing the situation and conditions. If needed, under the premises of retaining the armistice agreement, the end of war declaration can take the approach of a peace declaration with loose form and contents.

Second issue in point is dismantling the United Nations Command (UNC). The UNC was established by the UN Security Resolution (July 7, 1950, S/1588) as a UN supplementary agency and thus cannot be automatically dismantled by the abolishment of armistice agreement. However, if a provisional agreement is signed in the process of establishing a negative peace regime, the justification to retain the UNC will increasingly lose its ground. The mission of the UNC is to “retain peace on the Korean Peninsula and to manage the armistice agreement,” so the abolishment of armistice agreement will not be a reason for its dismantlement. The U.S. will also prefer retaining the agency under the justification that a prompt engagement with the UN soldiers will be hard if a war breaks out again. If the UNC gets dismantled in the early stage, there will be lesser ground for the justification of prompt intervention of the UN in case of emergency on the Korean Peninsula. It will also weaken the justification of the U.S. and South Korea’s intervention in North Korea in case that the sudden changes take place in the North. Problems can also occur as the legal justification for UNC-Rear in Japan can no longer valid in accordance with the Status of Forces Agreement (SOFA). Though it is desirable to retain the UNC until a firm peace regime is established on the Korean Peninsula, depending on circumstances and conditions, a gradual adjustment on roles and functions of the UNC and progressive dismantlement

of the UNC can be reviewed after signing a provisional agreement in the process of establishing a negative peace regime.

Third issue is about United States Forces Korea (USFK). The USFK is stationed in South Korea on the basis of Mutual Defense Treaty between the Republic of Korea and the United States of America, so its presence on the peninsula cannot become an agenda to negotiate between the two Koreas or between the U.S. and North Korea. Especially the issue of USFK should not lead to the weakened deterrence against North Korea. It should be negotiated and resolved between the U.S. and South Korea as part of future-oriented development process for the ROK-U.S. alliance. If North Korea asks for the withdrawal of USFK as a premise for signing a provisional agreement, it is important to maintain the basic stance that establishing a peace regime on the Korean Peninsula and the presence of USFK are separate issues. However, when the smooth execution of denuclearization process and practical progression on a negative peace regime take place, issues of the UNC and the USFK can be discussed between the U.S. and South Korea. Under that situation, there can be an advanced opinion that a consultative group of trilateral countries of the U.S. and the two Koreas can be established if the U.S. agrees.

What is important—intermingled with aforementioned issues in the process of executing agreements for establishing a negative peace regime—is how to turn the current security regime on the Korean Peninsula to a peace regime and a virtuous cycle. In other words, in the process of establishing a negative peace regime, the armistice management system of the Korean Peninsula can be

turned to a peace management system by provisional actions. This should become the essence of execution. In short, while retaining the armistice agreement, a de facto declaration of the end of war can be pursued. And as a provisional action, the armistice management mechanism between the UNC and North Korea can be turned into “peace management mechanism” between the two Koreas. The two Koreas should take the lead in managing and guaranteeing peace under the armistice system, and thus the peace management mechanism should also rightly be led by the two Koreas. Depending on North Korea’s stance, a viable option of participation of three countries—the U.S. and the two Koreas—can be considered. A peace management mechanism combines the functions of military forces in the armistice agreement and a joint military committee in Inter-Korean Basic Agreement, which aims to negotiate and execute the DMZ management, peaceful management of conflicts, and measures to reduce mutual threats. Also, the UNC can be maintained with a simple adjustment of functions and roles to entrust the missions of practical armistice management to the Republic of Korea Joint Chiefs of Staff. In case of emergency, the UNC can execute only limited functions such as providing a surge or logistical support. It is desirable for the two Koreas to undertake the role of the DMZ zone management and peaceful management of conflicts while actions to reduce mutual threats are negotiated and led by the U.S. and the two Koreas.

## *2) Tasks for Implementation of Peace Process*

In order to establish a negative peace regime, the peace process of

the two Koreas is as important as the denuclearization process regarding North Korea's nuclear issue. One of the best scenarios would probably be that the denuclearization process and peace process form a virtuous cycle, being progressed in parallel. However, considering the current and future outlooks, such synchronous and virtuous progress of the two processes is deemed very difficult. In spite of the difficulties, the peace process needs to gain its own momentum maintaining certain distance from the denuclearization process. That is, rather than defining what should come first with the denuclearization, we should consider carrying out the two processes either independently or synchronously depending on circumstance and conditions.

What is critical in the operation of the peace process is to recover the consultative channel in the areas of politics and military. Due to a series of nuclear tests in North Korea back in 2016 and their repercussions, almost all of the official channels between the two Koreas have been closed including political, military, and social arenas (i.e., the shutdown of the Kaesong Industrial Complex [KIC]). Therefore, in order to operate the peace process in the areas of politics and military, we should reopen the dialogue and consultative channels in humanitarian area, which is not directly related to the sanctions imposed on North Korea but crucial enough with consideration for the prospects of full recovery of the two-Korea relations. It is necessary to create an environment as soon as possible to build and improve trust by suggesting and holding the Red Cross dialogue for the two Koreas.

Once the political and military peace process is in operation, the

two Koreas need to seek a low level of cooperation first by holding the working-level and senior-level dialogues. Based on it, the both sides can gradually recover trust and go further to a higher level of the peace process. The main agenda of the peace process should be centering on issues that the two Koreas are able to resolve by themselves, rather than sticking to the denuclearization issue. The socioeconomic peace process for exchange and cooperation can also be operated along with the political and military peace process.

The peace process, operated separately from the denuclearization process, should be implemented synchronously with the latter after a while in the future. It is mainly because the peace process requires a provisional agreement in order to achieve effective peace and stability on the Korean Peninsula. The provisional agreement, the basic protocol that can be signed through the peace process, can be interpreted as a completion of the negative peace regime and from that point it has to be synchronized with the pace of the denuclearization process. In addition, the New Economic Map Initiative promoted by the Moon administration is linked with the sanctions that the international community imposes on North Korea and thus, it would inevitably be closely related with the process of the denuclearization in the end.



**<Table 2-1> Type of Provisional Agreement and Background for Suggestions/Adoption**

	Provisional Agreement	Suggestion/ Agreement	Background for the Suggestions/Adoption
I	Provisional Agreement on the Basic Inter-Korean Relation	Suggested by the South (1982)	<ul style="list-style-type: none"> <li>• Exclusion of the UN engagement and strengthening of our own decision-making power</li> <li>• Necessity of governing the inter-Korean relations before signing a peace treaty</li> </ul>
II	Inter-Korean Basic Agreement	Inter-Korean Agreement (1992)	<ul style="list-style-type: none"> <li>• Temporary suspension of the issues such as maritime military demarcation line and foreign troops</li> </ul>
III	Provisional Agreement	Suggested by the North (1996)	<ul style="list-style-type: none"> <li>• Establishment of peace management mechanism</li> <li>• Replacement of the armistice agreement (To circumvent the issues of maritime military demarcation line and foreign troops)</li> </ul>
IV	Declaration of End of War (North-South Declaration of 4 October 2007)	Inter-Korean Agreement (2007)	<ul style="list-style-type: none"> <li>• Promotion of the nuclear abandonment of North Korea and normalization of its relation with the U.S.</li> </ul>

Source: Song-ryeul Cho, *Vision of New Korean Peninsula: Road for Denuclearization and Unification* (Seoul: Baeksan Seodang, 2012), p. 198.

As fully stressed above, a negative peace regime is an interim course to move on to a positive peace regime and yet does not mean a complete establishment of peace and stabilization on the peninsula. That is why it has to be a firm stepping stone to lead to a positive peace regime and stabilized peace on the peninsula. A provisional agreement for the two Koreas is what guarantees practical peace on the Korean Peninsula. By the time a negative peace regime is completed, a basic agreement should be newly established by including not only the contents of the existing provisional agreement but also those that can guarantee the path to the positive peace regime, fully reflecting the current status.



## **3. Roadmap for Negative Peace Regime**



The diplomatic tension surrounding the Korean Peninsula is on the path of escalation due to North Korea's 6th nuclear test conducted on September 3, 2017, along with a series of tests to proceed its ballistics missile program. In the face of such aggression, the Moon Jae-in administration was left with no choice but to tighten the level of sanctions and pressure on North Korea through mutual coordination of South Korea-U.S.-Japan. The international community, under the U.S. leadership, has also agreed upon enforcing maximum pressure on North Korea by adopting tougher sanctions (Resolution 2375) through the United Nations Security Council.<sup>9)</sup> With North Korea opposing the abovementioned sanctions, however, it is estimated that there might be a chance of additional provocations of the North in the near future, following the same patterns of the last decades.<sup>10)</sup> Considering China and

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9) The resolution represents the toughest sanctions ever, which limits the oil supply to North Korea for the first time unlike the nine previous resolutions against North Korea—although it does not fully ban the supply of all oil and natural gas as the U.S. suggested in its draft resolution. It only limits the import of refined petroleum products to 2 million barrels per year (55% decrease) and bans the supply of natural gas, and does not include sanctions against Kim Jong-un. Besides, due to a ban on North Korean textile exports and tighter regulation on its overseas workers, it is estimated that this resolution could decrease North Korea's foreign currency revenue by a billion USD. "U.S. 'does not want a war'...North Korea did not yet cross the line' determined to resolve by diplomacy," *Kyunghyang Shinmun(Seoul)*, September 13, 2017.

10) On 11 through its foreign ministry statement, North Korea threatened that "we will make the U.S. pay for a 'due price' if the U.S. manipulates a UN Security Council resolution with harsher 'unlawful' sanctions to be adopted." North Korea has responded with nuclear and missile provocation when additional international sanctions are imposed on the country. North Korean ambassador in Geneva said that "U.S. will face the greatest pain and suffering," *Hankyoreh Shinmun(Seoul)*, September 13, 2017.; After the adoption of Resolution 2375, North Korea, fully rejecting the resolution, announced a statement saying that "this will only reinforce our determination

Russia's stance on this matter which prioritizes negotiation whilst denouncing the North Korean nuclear program, it seems that mere reliance on sanctions and pressures of diverse nature is hardly the solution to address this situation. Thus, efforts to create an atmosphere suitable for reopening conversations should be promoted alongside adequate sanctions and diplomatic pressures.

There are three possible options currently available for the U.S. to resolve the North Korean nuclear crisis: first, a military option such as a preemptive surgical strike on North Korean nuclear and ballistic missile facilities; second, an option to tighten the current sanctions imposed on North Korea with aims to drag them into the negotiating table for denuclearization; third, an option to negotiate with North Korea under the condition of freezing their nuclear and ballistics missile program. The first option, however, is hardly an alternative, since it is very likely to escalate the current situation into a full-scale war, which would cause devastating and long-term impact on the U.S. allies such as South Korea and Japan. The second option would require close cooperation from China and Russia; still, it can also be difficult to be implemented under the current dynamics. Pursuing the third option would be a considerable burden to the U.S. because it requires changes on their non-proliferation policy. Hence, it could be said that the U.S. continues to implement its policy that escalates military tension in

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that we should hasten the path we have taken till the end.” “North Korea Fully Rejects the Resolution...We will Hasten Our Pace till the End,” *Yonhap News(Seoul)*, September 13, 2017, <<http://www.yonhapnews.co.kr/bulletin/2017/09/13/0200000000AKR20170913018700014.HTML?input=1195m>> (date accessed September 15, 2017).

the region whilst reinforcing the current sanctions.<sup>11)</sup>

The problem is, however, that North Korea has a clear objective of completing their nuclear and ballistics missile program until it can secure the stability of their regime in response to the military and political threats from the U.S. and sanctions from the international community. In addition, imposing tougher sanctions will create even more difficulties due to China and Russia's response to protect their national interests. For South Korea, North Korean nuclear crisis is a threat to the existence of the ROK, not to mention a diplomatic issue between North Korea and the U.S.; despite the magnitude of the situation, the South Korean government's scope of influence over the state of affairs is strictly limited, overshadowed by that of the U.S., China, and North Korea. In consideration of the abovementioned factors, a roadmap capable of flexibly coping with changing circumstances will not only become a valid option, but also serve as the foundation for more realistic policies, rather than a traditional, goal-driven roadmap. Therefore, this study aims to construct a roadmap capable of predicting and responding to four types of changing circumstances composed of combination of diverse factors (the U.S.-China relations and North Korea's ability to resist sanctions). Of these four types of expected possibilities, the study proposes two roadmaps—one for two courses of events with progress in denuclearization talks, and the other for two courses of events with difficulties in denuclearization.

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11) Jung-Yeop Woo, "U.S. Policy towards North Korea Following the North Korea's Sixth Nuclear Test," (Sejong Commentary, No. 2017-36, The Sejong Institute, Gyeonggi, 2017).

## **A. Roadmap for Negative Peace Regime with Progress in Denuclearization**

As for the reopening of talks over denuclearization, one could assume a situation where North Korea steps out to the negotiating table due to the enhanced U.S.-China cooperation when North Korea can no longer withstand the tightened international sanctions. This situation could be one of the most favorable scenarios for establishing a peace regime on the Korean Peninsula. Secondly, we could also predict the possibility for the significantly reduced capability of the North to resist international sanctions due to the U.S.-led maximum pressure campaign. Under this scenario, as Beijing resists Washington in response to the U.S. toughening of pressure on China and the implementation of its denuclearization methodology, their relation centering on the denuclearization of North Korea deteriorates. Still, North Korea will be forced to join in the denuclearization talks when their ability to resist the sanctions is weakened as China refuses to withdraw existing sanctions, and the U.S. elevates the level of economic and diplomatic pressure. In this case, a lack of the U.S.-China cooperation may hinder the establishment of a denuclearization process, during which North Korea is likely to continue to enhance their nuclear program even if the negotiations are underway.

In the abovementioned cases, it is anticipated that North Korea would discuss denuclearization in order to overcome difficulties caused by sanctions. However, one could also assume that North Korea would participate in negotiations to secure the foundation



for the so-called ‘construction of economic powerhouse’ backed up by their newly attained status as a ‘nuclear power,’ rather than as a defensive and cornered position. Hence, North Korea would take an offensive stance; it is likely that North Korea would coordinate preconditions for denuclearization negotiation when proposing to discuss the matter to the U.S. and China.<sup>12)</sup>

In any case, when resuming the talks over denuclearization, the South Korean government should seek to expand its influence over the entire situation in order to achieve denuclearization and establish a permanent peace regime on the Korean Peninsula, which are two of the main goals of the current Moon Jae-in administration. South Korea should strive to prevent the North Korean crisis, not only by tightening sanctions and strengthening coordination with the U.S., but also by enhancing cooperation with China and Russia. In other words, South Korea should play a leading role in putting in place countermeasures against the escalation of crisis on the Korean Peninsula whilst building up an adequate environment to reopen negotiation for denuclearization. This is where maintaining cooperative relations with China becomes vital. Regarding the deployment of THAAD (Terminal High Altitude Area Defense) on the Korean territory, which is one of the main sources of fracture in Korea-China relations, the South Korean government should convince the Chinese leadership of the inevitability of such deployment, and at the same time clearly mention the possibilities of its withdrawal once North Korea agrees to sit on the negotiating table and denuclearization process is back on track. That is, in

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12) Moochul Lee, “Scenario B1: Emergence of Insurgents × Progress in Establishing a Peace Regime,” in *2030 North Korean Change Scenario*, ed. Gap-sik Kim et al. (Seoul: KINU, 2016), pp. 135-136.

order for North Korea to reopen a discussion on denuclearization, South Korea will need to induce China to actively take part, implying that our efforts in overcoming North Korean crisis requires enhanced South Korea-China cooperation instead of solely relying on trilateral coordination (South Korea-U.S.-Japan). The current South Korean administration will have to act as a mediator between the U.S. and China in order for them to coordinate their strategies and seek the most favorable solutions.

*1) Goal: Progress in Denuclearization Process and Establishment of Negative Peace Regime*

Moon Jae-in's speech in Berlin clearly dictates that his administration aims for denuclearization of the Korean Peninsula and the establishment of permanent peace regime. Based on such doctrine, he suggested reconciliation and cooperation of the two Koreas and denuclearization of the Korean Peninsula as national agenda and project with five tasks for implementation: 1) the conception of New Economic Map of the Korean Peninsula and realization of economic unification, 2) a conclusion of Inter-Korean Basic Agreement and reestablishment of inter-Korean relations, 3) improvement of human rights in North Korea and resolution of humanitarian issues including separated families, 4) improvement of inter-Korean relations via inter-Korean cooperation, and 5) expansion of social consensus for unification and promotion of national agreement for unification.<sup>13)</sup>

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13) South Korea, Ministry of Unification. <<http://www.unikorea.go.kr/unikorea/policy/project/task/precisionmap/>> (date accessed September 11, 2017).

Hence, in the current state of affairs, the abovementioned government projects and implementation tasks can be operated hand-in-hand with North Korean denuclearization process. As discussed above, however, the South Korean government is not in a position to actively lead the situation as it desires. Therefore, the current administration shall strive to make a suitable environment for realization of denuclearization of the Korean Peninsula and the establishment of permanent peace regime, whilst aiming to create a negative peace regime linked with denuclearization process of the Korean Peninsula before the end of its term. Discussions on the establishment of a regional peace regime should be linked with the declaration and verification stage of the North's nuclear freeze in denuclearization process.

It is necessary that the peace regime on the Korean Peninsula and the security regime formulate a virtuous cycle in order to maintain peace and stability of the Korean Peninsula. Thus, the process for the establishment of negative peace regime should accompany changes in main components of the current Korean armistice regime or establish a new security regime of the Korean Peninsula that could replace the former. This would require a provisional measure, such as the declaration of the end of war or the declaration of peace that can either revise or nullify the armistice agreement. Such provisional measures will allow us to acquire the basis for settling peace on the Korean Peninsula and formulate a virtuous cycle between a security regime of the Korean Peninsula and a negative peace regime, which will provide a stable footing for the thawing of inter-Korean relations, making inter-Korean exchange and cooperation a regular event, and maintaining

normalized standard of behavior. An announcement of peace on the Korean Peninsula, however, should be made at the point of complete and irreversible disposal of North Korean nuclear arsenal. Therefore, concluding a peace treaty should be treated separately from the efforts to establish a negative peace regime, and leave it for the next administration to deal with.<sup>14)</sup>

The Moon Jae-in administration must clearly state that their effort for a negative peace regime goes further than declaration and verification of North Korean nuclear capacity and does constitute a part of its eventual goal of complete and irreversible disposal. Also, it should be emphasized that a negative peace regime does not imply in any ways the maintaining of permanent state of division, and that it is part of the process to create a structure of virtuous cycle and promote the improvement of inter-Korean relations towards unification. This is the most crucial part in the process for establishing a negative peace regime, which requires a strategic and careful approach; because a negative peace regime is only attained by securing stability on the Korean Peninsula with real and considerable improvement of inter-Korean relations, rather than by conclusion of provisional agreement alone.

In the current state of affairs, it is necessary that we seek a detente of the Korean Peninsula by means of settling the concerning voices of the international community towards North Korean nuclear capacity, building trust between militaries of the two Koreas, and attaining significant improvement in arms control. In addition, the

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14) Although there is a possibility that a permanent peace regime would be established during the Moon Jae-in administration, we need to first focus on establishing a negative peace regime under the current circumstances.

Moon Jae-in administration should aim to eliminate any possibilities of the permanent state of peaceful division. It is because the ultimate goal of establishment of a negative peace regime lies in creating atmosphere and securing a drive to establish a positive peace regime. Thus, a peace process towards unification with joint efforts of the two Koreas should be initiated during the process of establishing a negative peace regime, in order to gain leverage on events surrounding the Korean Peninsula. Even if the denuclearization process of the Korean Peninsula is carried out without obstacles, the establishment of a negative peace regime is hardly imaginable without the actual improvement in inter-Korean relations. Hence, we should actively engage in seeking methods for the improvement of inter-Korean relations to induce a virtuous cycle that leads not only denuclearization of the Korean Peninsula, but also the progress of other sectors.

**(1) Short-term Goal: Formulation of Consultative Group for Denuclearization and Peace Regime Discussion**

With the circumstantial changes discussed above under consideration, once a dialogue begins under the precondition of freezing North Korean nuclear programs, the South Korean government should be able to mediate among the U.S., China, and North Korea in order for the conversation to remain productive. Therefore, the South Korean government should set the foundation and institutionalization of the tentatively named ‘peace regime forum for the Korean Peninsula’ as a short-term goal with the U.S., China, and the two Koreas as the participants. It is to ensure flawless operation of denuclearization process and to gain

continuous momentum. The current administration is required to convince North Korea, the U.S., and China that it is the most practical method to continue the talks over denuclearization of the Korean Peninsula and a peace regime in a synchronous manner that there is a need to institutionalize such forum as the basic platform for discussion and negotiation.

The main reason behind creating another consultative group instead of the existing six-party talks, is due to the difficulties in discussing altogether the peace in Northeast Asia, a peace regime in the Korean Peninsula, and its denuclearization within the said platform, considering the current U.S.-China relations in the region. Therefore, focusing on denuclearization and establishment of peace regime with parties directly involved on the Korean War (both Koreas, the U.S., and China) could be more efficient.

A discussion on a peace regime in the Korean Peninsula can also be proceeded in sync with the implementation stage of denuclearization process, which is carried out via the six-party talks. Though this remains a valid option, so far a four-party consultative group seems ideal for intensive discussions on denuclearization and peace regime on the Korean Peninsula. Regarding talks over denuclearization, adequate information such as the process of discussion could be provided to Russia and Japan to induce their cooperation; however, efforts will have to be made so that this four-party talks would not evolve into a deformed 2+2 party talks, with North Korea and the U.S. being the contracting parties while Korea and China playing the role of mediators.

## **(2) Medium and Long-term Goal: Joint Denuclearization Statement and Conclusion of Basic Agreement Between the Two Koreas**

Once North Korea's efforts to advance their nuclear program are halted and denuclearization process commences its operation through the peace regime forum for the Korean Peninsula, the medium and long-term goals have to be set in place, such as declaration and verification of North Korean nuclear program to the forum, a discussion of peace regime in accordance with the level of verification, lifting of sanctions against North Korea, the advancement of denuclearization process via discussions on assistance and cooperation for North Korea, change of security regime of the Korean Peninsula, and reestablishment and development of inter-Korean relations.

First and foremost, should the talks over denuclearization be smoothly carried out under the newly founded peace regime forum, the South Korean government should set adopting a 'joint statement for denuclearization and establishment of peace regime of the Korean Peninsula' as its goal through this forum; this statement will contain similar characteristics from the Joint Statement of 19 September 2005, stipulating the goals and principle of the forum, its directions, and the mutually-agreed terms and methods of implementation for efficient and effective operation of the peace regime forum.

This joint statement shall solidify the existing peace status of the Korean Peninsula and allow the implementation of measures for denuclearization. There should be an agreement on turning the current armistice system into a peace management system in order

to further the abovementioned agenda. The South Korean government will have to focus on organizing a new security regime, which will be the transitional phase between the current armistice system and a peace regime. In other words, provisional measures should be induced such as revising the armistice agreement or abolishing it by announcing a declaration of the end of war or peace. Thus, for the two Koreas, their common goal should be set as adoption and execution of basic agreement on inter-Korean relations to promote peace on the Korean Peninsula, through which they will attain the foundation for proceeding a permanent peace regime by concluding a peace treaty in the future.

## *2) Challenges*

It is expected that there will be a tug of war between North Korea and the U.S. for some time over the general framework of negotiations and specific agenda, even after stepping into the negotiating table with the freezing of North Korean nuclear program as precondition. North Korea, being firm on the recognition of its status as a nuclear power, would attempt to discuss nuclear disarmament and the conclusion of peace treaty through direct negotiation with the U.S. On the other hand, the U.S. will demand that North Korea take the initial measures for denuclearization, whilst maintaining the negotiation under the framework of existing six-party talks, or to do so with the presence of China and South Korea rather than taking part in direct negotiation; China is likely to step in as a mediator, suggesting that talks over denuclearization and conclusion of peace treaty be



simultaneously carried out.

The circumstance explained above will inevitably influence the duration of power game between North Korea and the U.S., a framework of negotiation, and its agenda. In case that North Korea is forced to step into the negotiating table due to harsh international sanctions under the enhanced U.S.-China cooperation, it is foreseeable that the framework of negotiation and agenda can be set by the U.S.-Chinese joint efforts to compel and persuade North Korea.

On the contrary, should the discussion be reopened when North Korea shows only weak resistance to sanctions and the level of U.S.-Chinese cooperation remains the same or worsens, the situation will persist where clear disaccord between the U.S. and China exists on the level and method of sanctions while South Korea, Japan, the U.S., China, and Russia basically agree with the principles of denuclearization and their participation in sanctions against North Korea. In such circumstances, North Korea may strongly demand from the initial stage that the international community ease or lift sanctions for freezing their nuclear program, during which the operation of denuclearization process could be met with considerable delay.

Whatever the case might be, it will be only a matter of time that the discussion on denuclearization and the signing of peace treaty is simultaneously resumed under Chinese mediation. In the former case, the negotiation on denuclearization shall be carried out under the U.S.-Chinese leverage. On the latter case, however, it is likely that North Korea will gain significant advantage. Regardless of the

case, South Korea will have to overcome various obstacles in order to play a leading role during the entire course of events.

First, a channel of communications with North Korea must be restored not only to successfully mediate among the U.S., China, and North Korea, but also to enhance the cooperative relations with China. It is because that the existence of channel of communications with North Korea is essential for putting in place any kind of measures for compromise between the U.S. and North Korea. This, of course, will require the ROK to fully deliver its intention and standpoint to the U.S. and coordinate prior arrangements. Therefore, South Korea will have to make utmost efforts to initiate a four-party (the U.S., China, and the two Koreas) peace regime forum for the Korean Peninsula capable of focusing on denuclearization and peace regime on the Korean Peninsula, considering the likelihood of fracture between the U.S. and China regarding Northeast Asian security under the framework of the existing six-party talks. To attain this goal, the South Korean government should not neglect the importance of the efforts to resume conversations with North Korea even in the face of sanctions.<sup>15)</sup>

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15) When the increased tension on the Korean Peninsula caused by the North Korea's sixth nuclear test is somewhat relieved, South Korea needs to consider various ways such as dispatching a special envoy, announcing its plan to implement the Inter-Korean Basic Agreement, the June 15 Joint Declaration in 2000 and Declaration on the Advancement of South-North Korean Relations, Peace and Prosperity on October 4, 2007 (hereinafter referred to as "the North-South Declaration of 4 October 2007") or suggesting talks to resume inter-Korean exchange and cooperation.

Secondly, it is estimated that there would be a considerable clash of opinions and drawbacks surrounding the issues of rewards to North Korea for each level of denuclearization process and the method of its implementation. What should be noted, however, is that the current state of affair is fundamentally different from that of the Joint Statement of 19 September 2005 and the Joint Statement of 13 February 2007. Whilst those former denuclearization processes primarily focused on exchange of security vs. economy, the current process focuses on exchange of security vs. security, with economic assistance holding a secondary importance. Therefore, following this approach, the parties involved are expected to carry out the denuclearization process under the principle such as ‘policy to policy’ and ‘measures to measures.’ However, the ‘security vs. security’ framework and related behaviors are complexly intertwined between North Korea and other involved parties. Hence, there will be diverse factors and obstacles in symmetrical exchange of ‘security vs. security’ framework .

North Korea will suggest a peace treaty between North Korea and the U.S., and withdrawal of the USFK, should they implement measures for denuclearization. These issues, however, are unlikely to be easily agreed upon, with an influence of numerous security related issues. North Korea will also demand the easing and lifting of sanctions imposed by the international community and economic aid corresponding to the level of declaration and verification of their nuclear arsenal and facilities. Thus, it could be said that presenting adequate rewards for North Korea’s denuclearization measures, its agreement, and execution shall bring significant challenges as well.

Thirdly, there are various obstacles for talks over establishing a peace regime on the Korean Peninsula related to denuclearization process. Basically, a discussion on the negative peace regime for the Korean Peninsula could begin from changing the current armistice system, which would require a declaration of the end of war. A declaration of the end of war, however, would entail the potential for further fractures and conflicts between the North and South and within the South, with controversial issues such as resetting the maritime border, dissolution of the UNC, presence of the USFK, and the abolishment of National Security Law, which should be thoughtfully dealt with. Dissolution of the UNC itself is a difficult task to handle: the UNC is an auxiliary organization of the UN established by the UN mandate (July 7, 1950, S/1588) and is not automatically terminated following the end of the armistice agreement. In case that a provisional treaty is signed in the course of establishing a negative peace regime, however, the rationale behind its existence will surely be weakened. The UNC's primary function is to maintain the peace on the Korean Peninsula and management of armistice treaty. Therefore, the termination of armistice agreement itself will not sufficiently justify its dissolution. Also, the U.S. is likely to prefer the existence of the UNC on the peninsula since the immediate deployment of UN forces to the Korean Peninsula would be difficult in case that a war breaks out again. It is because an early dissolution of the UNC would cause a diverse range of issues: it will weaken the rationale of immediate UN intervention on the Korean Peninsula in case of war; it will weaken the rationale of the U.S. and South Korea's intervention in case of drastic turn of events in North Korea; and it will also terminate the legal basis for the presence of the United Nations Command-Rear stationed in Japan in accordance with the Status of Forces

Agreement (SOFA) in February 1954.

The presence of USFK is also based on Mutual Defense Treaty between the Republic of Korea and the United States of America, which thus cannot be a subject for negotiation neither between the two Koreas nor between North Korea and the U.S. Especially, the matters surrounding the USFK cannot in any means lead to the weakening deterrence against North Korea, and can only be discussed as part of future-oriented development of the ROK-U.S. alliance. Even if North Korea demands the withdrawal of the USFK as a prerequisite for signing a provisional treaty, it should be made clear that the presence of the USFK and the establishment of peace regime on the Korean Peninsula should be regarded separately. However, South Korea should persuade North Korea by mentioning that the nature of the USFK and the future of the UNC can be brought to the table, and that a three-party consultative body may be realized with the U.S. consensus for smooth operation of denuclearization process and actual progress in negative peace regime that it entails.

Fourth, it should be considered if domestic social consensus for negative peace regime could be attained followed by progress of denuclearization. With enhancements of North Korean nuclear program, deployment of tactical nuclear weapons and nuclear armaments for the balance of terror are gaining popularity in public opinion. In such circumstances, talks of negative peace regime following the freeze, declaration, and verification of nuclear programs instead of full-nuclear disarmament could bring severe social-political backlash. Therefore, one of the main tasks for the

Moon Jae-in administration in implementation of the abovementioned plans and programs should be acquiring the public support for negative peace regime within its term in office. The current administration should convince the public of the importance of changing the relations between security regime and peace regime into a virtuous cycle, and of the decision to gradually reach denuclearization starting from non-proliferation, under the basis that complete disarmament of North Korean nuclear arsenal is not plausible in the current status. In other words, the current South Korean government should actively promote the necessity of forming and managing the security and peace regime led by the two Koreas through the establishment of negative peace regime.

**<Table 3-1> Procedure for Negative Peace Regime Process with Progress in North Korea's Denuclearization**

	NK's Denuclearization Measures	Denuclearization Process	Peace Regime Process (NK-SK relations)
Step 1	Declaration of freezing NK's nuclear program & participation in talks	<ul style="list-style-type: none"> <li>- Downsizing or temporary ceasing of ROK-U.S. joint military exercise</li> <li>- Foundation of peace regime forum on the Korean Peninsula</li> </ul>	Discussion on conforming & executing Inter-Korean Basic Agreement, the June 15 Joint Declaration in 2000, and the North-South Declaration of 4 October 2007
Step 2	Declaration of nuclear arsenal & facilities	<ul style="list-style-type: none"> <li>- Adoption of joint statement for peace regime forum on the Korean Peninsula</li> <li>- Improvement of the U.S.-NK relations &amp; negotiation of establishing diplomatic relations</li> <li>- Agreement for easing sanctions against NK</li> </ul>	<ul style="list-style-type: none"> <li>- Open discussions on negative peace regime</li> <li>- Reopening of Kaesong industrial complex</li> </ul>
Step 3	Verification complete	<ul style="list-style-type: none"> <li>- Easing NK sanctions from international community</li> <li>- Conclusion of NK-U.S. non-aggression pact</li> </ul>	<ul style="list-style-type: none"> <li>- Signing of Inter-Korean Basic Agreement</li> <li>- Resuming of Mt. Kungang tourism &amp; inter-Korean economic cooperation agreement</li> </ul>

## **B. Roadmap for Negative Peace Regime with Difficulties in Denuclearization**

Efforts for establishing a peace regime on the Korean Peninsula is deemed to be linked with the denuclearization process. With North Korea's determination to maintain their nuclear arsenal, however, it is possible that the Kim Jong-un regime would not take the path of denuclearization despite the severity of sanctions imposed by the international community, which will not only hinder denuclearization process, but also put the establishment of a peace regime in the Korean Peninsula to a halt in the initial phase. As discussed in earlier scenarios, there are two main situations where the denuclearization process would be met with heavy opposition. First is a case where North Korea simply rejects denuclearization. Second is that even though talks over denuclearization are carried out, no negotiation for the actual denuclearization process takes place. In the former scenario, the peace process for Northeast Asia could not be carried out at all. In the second scenario, the peace process for the Korean Peninsula may be initially conducted due to rising expectation during negotiations or tactical maneuver by North Korea. However, the stage of freezing North Korean nuclear program shall not be put into action due to North Korea's refusal to implement the provisionally agreed agendas, or to negotiate over the ultimate and actual denuclearization process.

Should the course of events follow such scenarios, the virtuous cycle of denuclearization process, peace process for the Korean Peninsula, and peace process for Northeast Asia would not

function well. During this process, however, it is likely that various repercussions may take place on the security regime of the Korean Peninsula and Northeast Asia. As suggested already by previous scenarios, difficulties in the denuclearization process could induce strategic decisions by superpowers such as the U.S. and China. First, should North Korea enhance its resistance capacity and continue building up their nuclear arsenal whilst the U.S. and China both share a common goal of denuclearization, the U.S. and China will impose tougher sanctions on North Korea meaning that the U.S. and China may agree upon strong pressure with hard-line policies that were missing in the current resolution such as the reduction or halt of crude oil supply to North Korea, or a regulation on overseas North Korean workers. In other words, the actual embargo on North Korea by the U.S.-Chinese cooperation may be adopted. Secondly, at one point China could strongly refuse the U.S. policy of putting indirect pressure on China, which would lead to a fracture on the U.S.-Chinese coalition. The U.S. will try to enhance the level of sanctions against North Korea with its overwhelmingly superior power. In this case, the U.S. may explore and partially bring back military options that they have prepared just in case. In addition, the U.S. will continue the indirect economic and diplomatic pressure on China in an attempt to prevent the restoration of North Korean-Chinese relations.

Whatever the case might be, the main focus of the U.S. policy against North Korea would be to compel the North to step into the negotiating table through means of tough sanctions and diplomatic pressure. If North Korea chooses to resist, there will be tightened and extensive pressure in short intervals in order to gain leverage



and to disallow them to buy enough time to respond. This scenario would prove to be detrimental for establishing a peace process for the Korean Peninsula through inter-Korean relations.

Among others, it would be highly unlikely that North Korea would choose to overcome their given situation through inter-Korean cooperation, since the North Korean leadership would regard the South Korean government negligible—being neither beneficial nor a hinderance—in pursuing their strategic goal and value. In other words, the North would perceive that the South has either little or no strategic value in their implementation of national projects with priority. For North Korea, it is vital that they are given the means to compensate for the effects of international sanctions or to circumvent them in order to create a stable environment to continue the advancement of their nuclear program. At this point, North Korea may judge that South Korea will remain in the U.S.-led sanctions, instead of responding to the needs and demands of North Korea. It implies that the Kim Jong-un regime may consider the South Korean government subordinated to the U.S. in measures against North Korea and ‘trivial’ in their pursuit of strategic goals.

In such scenario, South Korea’s strategic stance on the peace process and denuclearization process of the Korean Peninsula could become even narrower. In any case, the U.S. will demand that South Korea actively participate in imposing strong sanctions and pressure on North Korea, and will strongly oppose to the peace process on the Korean Peninsula when it is unilaterally promoted by South Korea for the purpose of the denuclearization

process. It will be extremely difficult for any South Korean administration to engage in a peace process separately from the U.S., risking political and diplomatic loss. That would cause a fracture of the ROK-U.S. alliance when South Korea has little deterrence against North Korea amidst the intensifying North Korea's nuclear threat with time. That is, the conditions for simultaneous implementation of denuclearization process and peace process for the Korean Peninsula are worsening due to the risks of U.S. entrapment and abandonment. In this case, the independent variable that would decide an entry into a negative peace regime would be the U.S. sanctions against North Korea, which would have a completely different roadmap than the one discussed above that assumes the progress in denuclearization. In other words, when the simultaneous progress of both peace and denuclearization process is impossible, South Korea has no other choice but to focus all their strategic efforts on the denuclearization process through coercion and sanctions. We cannot, however, neglect the possibility that North Korea would decide to negotiate as part of their tactical options. Therefore, it would be preferable for South Korea to prepare a plan to react to such maneuver, even if the North's intention to buy time seems obvious.

*1) Goal: Securing the Effectiveness of Pressure on North Korea and Progress in the Denuclearization Process*

**(1) Short-term Goal: Establishment of Small-sized Diplomatic and Security Consultative Body, Led by South Korea**

A negative peace regime is composed of the denuclearization process, peace process on the Korean Peninsula, and peace process of Northeast Asia, with the nuclear issue of North Korea as a common ground. The North's nuclear issue is a linkage and starting point for security and peace. The resolution of the nuclear issue, however, only remains elusive due to North Korea's series of intense provocations and unabated will to possess nuclear weapons. Especially at a time when the completion of advanced nuclear technology is just around the corner, there is little chance to expect the North Korean leadership spontaneously gives up a virtual perfection of the nuclear power. Rather, the leadership is more likely to believe that such completion of technology would be of a great help to overcome the sanctions and pressure phase that it is currently confronted with. Therefore, it would probably choose to conduct the remaining tasks for the nuclear build-up in a swift manner. Ironically, however, the North's remaining tasks for the complete advancement of nuclear program severely breach the strategic interests of the U.S.—the completion of ICBM and SLBM and their actual deployment in the field. Therefore, any additional provocation ensued by North Korea would only make the current confrontation more severe. Especially the Trump administration will consider the necessity of implementation of military options more seriously, making the chance of war on the Korean Peninsula

unprecedentedly high.

Considering such short-term landscape, the priority in the short-term goal of negative peace process should be “deterrence against additional provocation of North Korea.” An additional provocation, in most cases, is closely related with the last puzzle to complete the advancement of nuclear weapons in North Korea. Any deterrence against the possible provocation of nuclear missile means that the completion of nuclear power can be delayed and nuclear threats can be properly managed. In other words, the security environment will be improved to the point where a peace process is safely operable. What is urgent is to reinforce the diplomatic security cooperation between Korea, the U.S., and Japan as additional provocation from North Korea would harm the security interests of Japan as well as the U.S. The necessity of security response of three countries is higher than ever before. A ministerial consultative body in the area of diplomacy and national defense for Korea, the U.S., and Japan needs to be formed. Although consultations have been held frequently between Korea and the U.S. as well as the U.S. and Japan, now is the time to elevate them to a small-sized multilateral level.

If North Korea launches ICBM or SLBM as it did with the *Hwasong-12* last July to approach the Japanese Islands across the North Pacific, Japan and the U.S. can make an initial military action by intercepting the missile in midair. If North Korea conducts another nuclear test, the two countries would consider a possible strong military option against North Korea. As such military option is expected to bring about huge damage, South

Korea needs to take a clear stance on such military option in advance in order to intervene in relevant discussions between Japan and the U.S. if deemed necessary. Not only that, in order to deter possible provocations of North Korea, the three countries need to come up with effective high level sanctions and measures to put pressure on North Korea by closely adjusting and arranging the information and measures at hands. South Korea needs to consider suggesting the composition of a diplomatic security consultative body in order to achieve the security and diplomatic goals in an effective manner.

The establishment of small-sized multilateral consultative body is an urgent issue to make progress in the denuclearization and peace process. The sanctions currently imposed on North Korea need to remain solid in order to effectively deter and respond to their possible provocations. The more its leadership believes that such sanctions will remain strong for a long time, the less room North Korea will have in terms of strategic consideration. We cannot blindly believe that the current level of cooperation between the U.S. and China will be maintained forever. Therefore, our political goal should be set in a way to reinforce their cooperation framework and prevent possible cracks. A trilateral cooperation can be effectively operated when composing a senior level consultative body.

As for the composition of trilateral consultative body among South Korea, the U.S., and Japan, we can consider a regular consultation between those representatives for six-party talks and then go much further to use 2+2+2 approach by inviting those at the deputy

minister-level in the area of diplomacy and national defense. With this consultative body, we can discuss the common goal for denuclearization, methods, and systematic structures for promotion. Especially when North Korea chooses to maintain intense provocations, it can serve as a preliminary body for consultation to draw an agreement for sanctions adopted as a resolution in the U.N. Security Council. That is, by enabling a swift response and compromise of the international community upon North Korea's provocation, this consultation body can be a starting point to build a peace process on the Korean Peninsula and Northeast Asia. To this end, a sustainable cooperation system between the U.S. and China is essential, for which it would be helpful to carry out a constructive review on the dual-track approach that South Korea and the U.S. suggested to China.

It would be ideal that South Korea takes the initiative to lead these two tracks of small-sized multilateral body in order to make it a starting point for the denuclearization-peace process. However, it would be unrealistic if we promote the composition of a four-party consultative body (the two Koreas, the U.S., and China) or a peace regime forum over the course of reinforcing the multilateral cooperation. As long as North Korea leaves a room for provocation, the U.S. would primarily focus on sanctions and pressures to induce a change of North Korea's attitude. In addition, North Korea would remain negative to any negotiation proposal regarding denuclearization until it determines that the level of nuclear weapons is advanced enough to be perceived as having a strong strategic value. Also, the trilateral cooperation, whether it be among South Korea, the U.S., and China or among South Korea,

the U.S., and Japan, can be recognized as a kind of security and diplomatic blockage or the formation of a union against North Korea, which would lead to a strong resistance of the North. Therefore, it would be realistic to compose a consultative body that includes North Korea after the North comes back on the negotiating table for denuclearization.

## **(2) Mid-term Goal: Launch of the Peace Regime Forum on the Korean Peninsula and the Initiation of Nuclear Freeze**

It will take an ample amount of time and efforts to persuade North Korea to give up its stubborn obsession to nuclear weapons and come back to the negotiation table for denuclearization. Even if we successfully compose and activate small-sized minilateralism as discussed above, it will still be significantly difficult to make North Korea change its position and decide to start a negotiation for denuclearization. However, a rigorous operation of the consultative body can accelerate the diplomatic and economic isolation of North Korea in a short amount of time. In addition, a completion of advancement in nuclear technology does not necessarily lead to a massive production of nuclear weapons due to the lack of resource and diplomatic pressure. Possession of small amount of nuclear weapons does not guarantee an achievement of its goal unless it builds up weapons to a level that satisfies its nuclear strategy. In the course of such process, we have to set a goal for the mid-term denuclearization and peace process to make the North Korean leadership reconsider its strategic benefits with the possession of nuclear weapons.

In order to establish a negative peace regime with North Korea

maintaining an offensive and uncompromising position, it is inevitable, in the short-term, to craft the initiative of security benefits through a deterrence of additional provocation. Currently the North Korean leadership strongly resists to ever intensified international sanctions. However, such strategy can be reviewed and modified by the DPRK when the North can no longer take the initiative to control the nuclear landscape and it becomes uncertain to achieve its security strategic goals. When it finally admits that a strong sense of resistance against sanctions alone can not overcome the difficulties created by dwindling resources for the state-wide governance, it would proactively come forward to avoid the sanctions phase through negotiations with the international community. That is when we can operate the denuclearization and peace process in earnest by implementing a solid engagement strategy on North Korea.

In this case, we can expand the scope and role of small multilateral consultative body in operation to initiate a peace regime forum on the Korean Peninsula. The forum can start with four major parties –the two Koreas, the U.S., and China by opening an investigative dialogue on general nuclear issues on North Korea. It is desirable to utilize the peace regime forum as a venue for the long-term four-party negotiations to realize peace and stability on the Korean Peninsula. Issues that can be dealt with in the forum may include the denuclearization, peace treaty, armistice agreement on the Peninsula, the role of the USFK after denuclearization, and other issues regarding the security framework on the Korean Peninsula. Depending on the forum’s decision, the denuclearization process can be discussed as a separate track in the existing six-party talks.



## 2) Challenges

In the height of resistance of North Korea against sanctions, the parameters to be developed as challenges in the middle of denuclearization and peace process will depend on the following two scenarios: 1) when the U.S.-China cooperation prolongs as it does now, and 2) when such cooperation is fractured.

The first and foremost case is where the U.S.-China cooperative relations are maintained at a higher level than it is now. In this case, there is necessity to look at the conditions and circumstances under which the challenges could occur. Chinese attempts to gain hegemony are met by the persistence of differences in power between the U.S. and China. While China's struggle for hegemony seems unlikely to come to fruition, the stability in East Asia will be augmented if the two countries continue their strategic cooperation and competition in a way that does not infringe on vital national interests of each other.<sup>16)</sup> As North Korea, too, maintains the political stability in spite of the existence of sanctions, major nations in Northeast Asia strengthen their strategic cooperation to prevent further instability in relation to the Spratly Islands and North Korean nuclear issues. Against this backdrop, if the following conditions were to take place, it is highly likely that the sanctions against North Korea will proceed considerably in the long term. And if North Korea maintains an uncompromising position over nuclear issues, the level of pressure will gradually increase eventually leading to the actual blockage of North Korea.

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16) Sung-han Kim, "G-2 in the Asia Pacific Region: Assessing U.S.-China Cooperation and Competition," *Strategic Studies*, vol. 60 (2013), pp. 119-121.

The conditions are as follows.

First, the U.S. and China maintain common goals with regards to North Korean nuclear issues. This implies that the U.S. and China agree to sanctions on delaying North Korea's nuclear capability enhancement and to intensify the level of pain imposed on the North through sanctions to induce it to have denuclearization talks. In the case of the U.S., this means that it will not adopt a strategy aimed for a change of the Kim Jong-un regime by using military means such as preemptive strikes. Also in the case of China, it can concentrate on the establishment of dialogue framework that can lead to the actual denuclearization measures of North Korea, while strengthening the sanctions of North Korea including the control of China-North Korea trade. In this process, the U.S. pays a close attention to the implementation of all-inclusive secondary boycott that could lead to the U.S.-China economic conflicts so that Washington can drive Beijing's constructive cooperation. China also intends to strengthen the ongoing crackdown and control on illegal activities of its private companies and financial institutions through bilateral consultations (the U.S. and China) before the secondary boycott.

Second, North Korea continues to strengthen its nuclear capabilities to refuse a compromise and to be recognized as a nuclear state. Despite the strengthening of sanctions against North Korea, North Korea does not give up its nuclear weapons and sticks to its existing strict requirements regarding the denuclearization conditions. In this scenario, North Korea views that the external conditions for stabilization of the regime and

nuclear development have deteriorated due to the strategic compromise between the U.S. and China. To that end, the North attempts to change China's attitude by reinforcing its own strategic value through frequent nuclear demonstrations and military provocations as opposed to compromise with major powers. If such efforts are deemed not feasible, the North will maintain an intense level of uncompromising attitude towards China. This scenario will also include North Korea demonstrating its nuclear arsenal deployments and ICBM capabilities aimed at the U.S., regardless of actual nuclear capabilities. However, in the process, Pyongyang would continue to insist on resolving the nuclear issues through 'the disarmament–peace treaty framework' to emphasize the legitimacy of their nuclear arsenal.

Third, South Korea and Japan do not possess their own nuclear weapons but are committed to implementing the denuclearization strategy on the North through international sanctions. In the future, North Korea will continue to possess its missile capability and SLBM capability, including Scud ERs and *Nodong* missile, which will amplify security concerns in South Korea and Japan. However, in the face of the U.S. opposition, the two nations are not pushing for the possession of their own nuclear weapons, with the strengthening of the U.S. extended deterrence. Nevertheless, due to continued provocations of North Korea, the Republic of Korea and Japan continue to insist on the deployment of tactical nuclear weapons and the presence of the U.S. forces both in South Korea and Japan. During this process, China continues to gradually increase the intensity of sanctions against North Korea to block the import of nuclear weapons from South Korea and Japan. It also

acknowledges the additional deployment of the THAAD to Korea and Japan to lower the level of threats perceived by those two countries posed by North Korean provocations.

Fourth, the internal stability of North Korea will persist to sustain its nuclear development. In particular, as loyalty to Kim Jong-un is maintained, North Korea continues to take tough internal and external measures based on confidence in its stability. In order to overcome the damages in the civil sector caused by prolonged sanctions on North Korea, a new economic reform policy will be implemented. Thanks to the positive effects of such policy, the sanctions on North Korea create no impact or reach the manageable level of control. In addition, the North would claim that they undergo pain because of the unjust sanctions of the international community, such as the U.S. stressing the so-called rally effect. Consequently, North Korean residents' willingness to resist sanctions increases and the short-term achievements in economic mobilization appear. However, North Korea's economy is expected to deteriorate rapidly in the mid- to long-term due to the mobilization of insufficient and distorted internal resources and the strengthening of economic sanctions.

If such environment is established, the challenges that South Korea could face will vary. If the relationship between the U.S. and China, being on a track of strategic rivalry and cooperation, avoid major conflicts, the main challenge for South Korea is that the possibility of the U.S.-China strategic cooperation regarding North Korean nuclear issues will heighten. North Korea, despite the economic hardships and diplomatic losses caused by prolonged

sanctions, will stick to a strategy to upgrade its short-term nuclear capabilities by intensively investing resources in the construction of nuclear armed forces. As the North Korean nuclear issue gets more advanced, the level of threats posed to the U.S. mainland will gradually increase, and China's strategic dilemma on resolving North Korean nuclear issue will deepen. Therefore, it is increasingly likely that the U.S. and China would agree to a resolution of North Korean nuclear issues by at least stopping the nuclear advancement.

When such a situation unfolds, the challenges that South Korea could face is as follows. First, the political rifts in the ROK-U.S. alliance are likely to arise in relation to North Korean nuclear resolution. South Korea lacks confidence in freezing North Korea's nuclear program. If the U.S. turns its position to freeze rather than complete dismantlement of North Korean nuclear weapons, it will be perceived as a lack of confidence in the U.S. security pledge on the Korean Peninsula. In such case, more people in South Korea would raise their voice on developing unilateral nuclear weapons in order to secure independent deterrence on the nuclear issue of North Korea. In this case, the demands for tactical nuclear weapons of the USFK will be relatively less due to declining confidence of the ROK-U.S. alliance.

Second, various conflicts in South Korea encompassing North Korean issues can be mixed, and the political conflicts on North Korean nuclear issue can be amplified. Groups still in support of full denuclearization of North Korea will insist that the sanctions and coercion be continued until the complete denuclearization of

North Korea is secured and that the inter-Korean relations also be linked to the impacts of sanctions. Another argument might be followed that: 1) the advancement of nuclear development is primarily put to an end through freeze, 2) the inter-Korean relations improve making the Korean Peninsula stabilized to some extent, and 3) North Korean nuclear disarmament will be proceeded later through negotiations. However, if North Korea refuses to fully denuclearize and delay the time in any case, especially if it breaks off the consensus and steadily develops nuclear weapons like it did in the past, the inter-Korean relations will likely to return to the days before 1991 when denuclearization of the Korean Peninsula was declared. The decisive factor in this situation is likely to be South Korea's own declaration of possessing nuclear weapons or the USFK's decision to redeploy its tactical nuclear weapons.

Third, South Korea, by relying too heavily on the U.S. extended deterrence in the short-term, will have to devote enormous resources to the management of the alliance. This is because South Korea is vulnerable to North Korea's missile system and SLBM capability that are capable of directly targeting South Korea. In addition, it will be inevitable to depend on the information capabilities of the U.S. and Japan in order to obtain the information on North Korea's capability for nuclear development or to identify North Korea's provocations more quickly.

Fourth, there is a high possibility that the 2nd THAAD problem might occur. If North Korea's missile capability is further developed or South Korea's construction of its own missile

interceptor system is delayed, the demand for additional THAAD system may be amplified. In addition, it seems that the ROK should actively demand additional requirements on the operational range of U.S. nuclear submarines to secure its anti-submarine capabilities. In either case, there will be opposition from China, which can cause diplomatic side effects and the worsening of relations.

Fifth, the domestic political fatigue due to prolonged sanctions on North Korea will be intensified. There is a high possibility that South-South conflict related to North Korean policy might occur again with the suspicion over the effectiveness of sanctions and a theory of sanctions. In particular, if China participates in sanctions only in a limited manner, consequently the sanctions do not have visible impacts on North Korea's economy for quite a long time, and North Korea expresses its strong resistance to sanctions in a variety of ways, then more people in South Korea will become skeptical of sanctions. Under that scenario, if South Korea seeks its own solution through the improvement of inter-Korean relations, such as the unilateral lifting of sanctions against North Korea, the international sanctions regime is likely to be damaged. If the North continues on provocations, the overall sanctions will be evolved and strengthened into comprehensive sanctions. In this case, if North Korea tries to raise a voice regarding the suffering of North Korean people to the international community, there will arise controversies over the legitimacy of sanctions in the international community as a whole.

When North Korea's determination and ability for resistance to

sanctions are maintained at a high level, South Korea could face various challenges if the U.S.-China relations deteriorate or their cooperation on North Korean nuclear issue is broken. First of all, the followings are some of the conditions that can cause the challenges that South Korea may face.

South Korea and the U.S. exclude China judging that it is no longer willing to provide a constructive help to denuclearize North Korea. The two countries continue to coerce North Korea through trilateral cooperation (South Korea, the U.S., and Japan). If the following three conditions are established in the process, it is likely that South Korea and the U.S. will deploy a strategy by setting a goal of regime change.

First, there are the full-operation or the strengthening of all the conditions applied in the creation of a new Cold War system in Northeast Asia and China's scenario to tolerate North Korea's nuclear weapons. In other words, the U.S.-China conflict is worsened to the extent that its cooperation is no longer expected in the region and on the Korean Peninsula. In this process, China is confronted with strategic losses such as the imbalance of military power in the region. In addition, with an active cooperation of the international community on sanctions against North Korea, including Europe, China is facing a situation where its international reputation is degraded due to its non-cooperation on sanctions. In this process, the political leadership between the U.S. and China adopts an offensive strategy based on strong nationalistic tendency toward each other. In particular, institutional mechanisms that can resolve conflicts between the two countries do not function as well due to



a lack of strategic bilateral dialogue. And that is true regardless of whether the impact of sanctions on North Korea is positive or negative, therefore, there will be no direct causal relations. South Korea and the U.S. can consider a situation where due to the positive impact of the sanctions on North Korea, North Korean residents heighten their dissatisfaction on the Kim Jong-un regime and start to organize insurgent forces that could not be seen in the past. Then, this scenario can presume a possibility of the post Kim Jong-un regime and we can develop a strategy accordingly. Conversely, even if South Korea and the U.S. judge that economic pressures based on multilateral sanctions cannot break off North Korea's will to hold onto nuclear weapons, the direction of North Korean policies can be changed with a goal of regime change. In this case, the denuclearization strategy does not assume any dialogue or compromise at all. Rather it will be proceeded in a way of the long-term blockade or forced denuclearization by military means.

Second, the level of North Korean nuclear sophistication is so severe that it seriously threatens the security of the U.S. mainland. An increase in North Korea's threat to the U.S. mainland will be confirmed in three ways. The intercontinental ballistic missile (ICBM) capability is growing rapidly. North Korea's test of missile launches in the future will be a testament to securing the technology of reentry to the atmosphere. In addition, improvements in North Korea's SLBM capabilities are directly related to the level of threats posed to the U.S. mainland. Recently, North Korea has repeated the test launch of its SLBM called *Pukkuksong*. It has secured a missile range and the precision-guiding ability and declares its plan

to build and deploy nuclear-powered submarine between 2020 and 2030, which will be a serious threat to the U.S. mainland as well as the navy forces residing in West Pacific. Finally, North Korea can mount a nuclear warhead on a medium-range missile such as *Musudan* missile and KN-08, and can increase its quantity sharply. This would be a serious threat to the U.S. in that it could directly target the U.S. forces of Guam and Hawaii across the Pacific Ocean, including some U.S. troops stationed in Japan. North Korea can feel overconfident of its nuclear capabilities during the nuclear sophistication process and increase its demand for denuclearization talks to the extent that the U.S. cannot accept under any circumstances. Then the U.S. strategic changes in North Korea can be encouraged. This means that there is no more expectation left for a denuclearization dialogue between North Korea and the U.S., due to a halt on the discussion on a peace treaty between North Korea and the U.S. without much progress made.

Third is a case where the instability of the Kim Jong-un regime significantly increases. North Korea is increasingly facing economic hardships due to long-term sanctions imposed against North Korea. In this process, a corruption is rampant, and North Koreans have become more dependent on market functions, such as *Jangmadang*. During the process, external ideologies could radically flow in and liberalize the perception of people in North Korea. In response to this, there will be the reign of terror deployed by the North Korean Security Agency in everyday life. If such situation persists, the inequality of income and division of class and polarization will be aggravated, giving rise to the radical growth of the insurgencies with anti-regime and resistance sentiment. The

North Korean regime can perform economic reform measures to make such movement die down, but due to the long fixation of the limited resource and the disproportionate and distorted distribution structure, the complaints of residents will be unabated. If a natural disaster such as a famine, flood, or earthquake hits the nation, the damage on North Korea with vulnerable social safety net, could be worse than that of 'Arduous March' in the mid 90s. If the instability of North Korea increases, both South Korea and the U.S. can judge that the environment inside North Korea is ready to commence a regime change.

Under these circumstances, the diplomatic and security challenges that South Korea can face are as follows. If the conflict between the U.S. and China escalates, the most destructive challenge that South Korea can face would be China's tacit tolerance on nuclear program of North Korea. A rise of the organizations with anti-Kim Jong-un sentiment in North Korea means that the possibility of internal confusion and collapse is relatively high. In other words, the instability of the Korean Peninsula can be intensified caused by the internal political changes in North Korea, not by external factors. This implies that there is a serious strategic instability factor from the viewpoint of China, which prioritizes the stability of the Korean Peninsula as its foremost national interests. In other words, it means that a strategic space is formed where China can change its long-held national strategy to secure regional stability by maintaining peace and stability of the Korean Peninsula. On the other hand, the meaning of increasing conflicts between the U.S. and China is that the U.S. and China are more likely to reject the strategic compromise on the Korean Peninsula issues. This indicates

that the U.S. and China can face a mutually non-compliant (zero-sum) game on the Korean Peninsula issue. When this situation unfolds, the two countries will completely refuse to compromise on alternatives in order to expand their influence on the Korean Peninsula, and at least try to maintain their influence at the current level.

Given this situation, an increase in instability in North Korea and an escalation in the number of conflicts in the U.S. will allow China to carefully consider the following three dimensions of strategic perceptions and choices. First, the stability of the Kim Jong-un regime is important. Second, there is a high possibility that the strategy of eliminating the Kim Jong-un regime will be realized by taking advantage of unstable situation in the North. Third, the Kim Jong-un regime's possession of nuclear weapons may have political diplomatic and military importance in order to reject the U.S. and South Korea's aggressive strategy on North Korea. In other words, the Chinese leadership will worry if the U.S. and South Korea acknowledge the existence of internal instability in North Korea and recognize it as a prime time to remove its nuclear program and pursue South Korea-led unification. Then, the U.S. and South Korea would adopt a proactive strategy of engagement and pressure on North Korea. This would result in China being left with a weakened leverage on North Korea. With this in mind, China cannot rule out the possibility of reaching a kind of agreement with North Korea regarding Kim Jong-un's ability to build and control nuclear capability and its strategy for implementation. For example, the principle of 'non-preemptive use of nuclear weapons' is to align the nuclear strategy of China with

North Korea, and it can strengthen military cooperation that reinforces North Korea's military deterrence against the U.S. extended deterrence by providing North Korea with capability to build nuclear-powered submarines and air defense capabilities.

When this situation unfolds, South Korea will face the following important challenges. First, the relations between North and South Korea and between the South and the U.S. will deteriorate considerably and military tensions will increase. South Korea and the U.S. will continue to intensify their existing economic sanctions by recognizing the growing instability of the North Korean regime and the willingness to hold nuclear power as an opportunity for North Korean change. However, if China's lukewarm sanctions have little impact, or if China wants to break away from sanctions to stabilize the North Korean regime, the level of sanctions will be significantly increased by the ROK and the U.S. at the political, diplomatic, economic, and military level that does not require China's cooperation. In this process, Pyongyang can actively take political and military provocations which will lead to a conflict between China and South Korea-the U.S. so that North Korea can increase its strategic value and actively pursue China's cooperation. In other words, North Korea will continue its provocations just as seen in the sinking of the South Korean warship *Cheonan* and the Yeonpyeong island attacks on the West Sea, and China will strengthen joint military exercises in the sensitive area of west coast to press the North for military purposes. If strengthened, China will strongly resist to South Korea and the U.S. in a similar way to the decision to deploy the THAAD (high-altitude missile defense system). In this process, China will respond to the U.S.

diplomatically, but South Korea can face a serious deterioration in South Korea-China relations because of the direct coercion such as economic retaliation.

If such a situation develops, the demand for resolving North Korean issues through the improvement of inter-Korean relations and North Korea-the U.S. relations can be reduced in both countries. There is a high likelihood of a nationalist reaction to China in both countries, and there will be more allegations of strengthening the ROK-U.S. alliance in public relations as well as North Korea. This means that the possibility of mitigating tensions on the Korean Peninsula is significantly lowered through the power of arbitration or dialogue frames of superpowers from a structural point of view. Rather, the mobilization of frequent military forces among the U.S-China, South-North Korea, and North Korea-U.S. and the exchange of belligerent languages will raise awareness on mutual threats and increase the possibility of misunderstandings. In this case, the most dangerous scenarios are likely to be North Korea's local provocation. In this process, China can reaffirm its military alliance with North Korea and declare that it has no choice but to intervene in military affairs to protect the North Korean regime in the event of crisis on the Korean Peninsula.

## **4. South Korea's Response**





In order to play the leading role in driving a peace regime attained through practical denuclearization, the South Korean government should take the five levels of strategic considerations into account: 1) a strategy for managing sanctions against North Korea, 2) a strategy for preparing for changes in the U.S. and China's strategies, 3) a strategy for tactical intervention of North Korea, 4) evaluation of threats from North Korean nuclear arsenal and response, and 5) a strategy to promote entry into the peace process. These considerations should be taken into account not only during the initial phase of talks over denuclearization, which is the entry phase of establishment of a negative peace regime, but also during the phase of practical establishment of a peace regime after denuclearization process.

### **A. Sanctions and Pressures against North Korea**

First and foremost, it is essential that South Korea, the U.S., and China share an understanding on a specific goal of sanctions against North Korea, for which South Korea should carefully and thoughtfully select the goal of the sanctions. A goal plays a tremendous influence over selection of mechanism to be implemented and its operation. Generally, higher sanction goals lead to lower possibilities of attaining the said goal by merely relying on the sanction itself. The concerned parties should be aware that should North Korea recognize the ultimate goal of sanctions to be a regime change, intense resistance of North Korea and the subsequent obstacles are expected, which will hinder them from attaining the set goal. Also, sanctions goals should be set in

consideration of interests of the U.S. and China, for they possess the greatest capacity to resolve the North Korean nuclear crisis. Therefore, the goal of the sanction should be to induce North Korea to step up to the negotiating tables to attain practical measures for denuclearization, which should reflect the interests of South Korea and ensure North Korean efforts for denuclearization measures. Thus, though the conditions for conversations could be flexibly adjusted, the conditions to start the conversations should at least contain North Korea's determination to delay additional nuclear and ballistic missile test and their willingness for denuclearization, since we should prioritize reducing the level of crisis on the Korean Peninsula caused by North Korean provocations, and denying the North of abilities to enhance their nuclear program.

Only then could we move on to restrict North Korea through tight regulations and sanctions. If our goal is to lure North Korea to the negotiating table and induce them to agree on measures for practical denuclearization, we will be confronted with the need for strategic standards and decisions for the following: when and with which compensation, sanctions should be lifted; and which dialogue framework should be established. It should be noted, however, that easing or lifting of sanctions should not be the precondition for commencing a conversation, in order to force North Korea to implement the agreed measures and prepare ourselves against their deceptive behavior. In other words, though the talk over denuclearization is underway, its process and content should be linked with their efforts for denuclearization, to which we should apply strict standards. We should, therefore, utilize

tough sanctions that would expose their weakness in order to gain leverage in the negotiation. Consequently, we should actively tap into sanctions as our strategic resources, since the sanctions goal lies in securing denuclearization measures rather than opening denuclearization negotiation itself.

North Korea will not easily abandon their nuclear capacity even if the denuclearization talks are resumed. Should North Korea decide to employ strategies to delay the negotiation process to continue their nuclear program, and keep provoking to demonstrate their strategic value, the U.S. and China may choose to employ an even more aggressive strategies for denuclearization. In this case, change in the U.S. and China's attitude is the core factor. Therefore, South Korea should reinforce its cooperation with the U.S. and China to respect their national interests, and at the same time construct a framework of sanctions-denuclearization-peace regime that would allow us to gain leverage in the sanctions phase. An attempt to attain separate driver for denuclearization through a premature enhancement of inter-Korean relations during this phase, however, should be cautiously decided, since inter-Korean relations are dictated by sanctions mechanism against North Korea by the international community. Thus, measures such as resuming the Kaesong Industrial Complex (KIC) could damage the momentum of sanctions against North Korea. In addition, formulating the framework of sanction-denuclearization-peace regime should ultimately be attained by negotiations. Hence, it is essential that the establishment of peace regime and denuclearization would not be regarded by the North Korean leadership as the end of their regime. Should we overemphasize the punitive purpose of sanctions,

or our proposal for the establishment of peace regime be under the suspension as an attempt to seek unification through absorption, the entire efforts could backfire due to anticipated resistance from North Korea.

### **B. Preparations for Change in the U.S. and China's Strategy against North Korea**

We should also pay close attention to North Korean-U.S. relations, because even though the chances are slim, there is a possibility that North Korea and the U.S. may resume communications. In case where North Korea's ability to resist is severely damaged due to the increased U.S. pressure actively backed by China, North Korea may hope to reopen talks by yielding to issues with less strategic value, such as limited investigation of their nuclear facilities or declaration of nuclear moratorium. Also, we could not rule out the possibility that the U.S. may actively engage in talks with North Korea in return for Chinese active participation in sanctions efforts.

Whatever the case might be, North Korea's top priorities would be to evade sanctions and to secure an environment to continue their nuclear program. In this case, though North Korea's willingness for denuclearization is doubtful at best, South Korea needs not to be too vigilant about North Korea and the U.S. possibly resuming communications. North Korean nuclear crisis should ultimately be resolved through conversation, and South Korea's excessive concern on conversation between North Korea and the U.S. may cause side effects such as giving the impression that South Korea

refuses conversations, or that there is a fracture in the ROK-U.S. alliance. The most important task for South Korea is to urgently establish a sanctions management mechanism of ‘inducing North Korea to talks over denuclearization → establishing mechanism to sustain conversation → leading changes in policies of North Korea.’ Most of all, we should not neglect the fact that tough sanctions on North Korea is the only way to increase the chance of resuming conversation with North Korea in the current state of affairs.

Especially, we should pay close attention to the possibility of a ‘big deal’ between the U.S. and China over the Korean Peninsula. The chances for such big deal is slim at best; on the contrary, it is more likely that the U.S.-Chinese competition would be intensified surrounding issues on the Korean Peninsula including North Korean nuclear arsenal. Therefore, our strategic direction for the Korean Peninsula crisis should emphasize the importance of managing ROK-U.S. alliance, for if we fail to do so, not only would it damage the South Korean-Chinese relations, but it would also greatly hinder inter-Korean peace process. The influence that the U.S.-Chinese-Russian strategic triangular relations would have over strategic structure of Northeast Asia is that the security structure in the region will continue to be in an extremely unstable and flexible state for the time being. Hence, most of the countries in this region should enhance their adaptabilities which will allow them to adequately respond to flexible change of diplomatic situations according to their respective national interests, rather than maintaining a fixed position for specific countries. It is in this aspect that South Korea should employ limited hedging strategy as

their strategy for national security, in order to actively respond to uncertainties and flexibilities of regional security environment caused by the U.S.-Chinese-Russian strategic triangular relations.

In the midst of Northeast Asian security environment full of uncertainties caused by such strategic triangular relations, South Korea should consistently pursue determination and strategic intentions for minimizing the negative effects from policies of superpowers, and create a firm foundation for peace and prosperity of the Korean Peninsula. Considering the current state of affairs and the expected future, South Korea should maintain an attitude that grants us the diplomatic capacity to flexibly overcome the encountered difficulties and to create a diplomatic environment that is favorable to us, rather than submissively and passively reacting to changing circumstances. This is a strategic direction, with which we would be able to maximize our national interest in Northeast Asian security environment full of uncertainties and contingencies, and ultimately to create a suitable environment for peaceful unification of the two Koreas.

### **C. Tactical Intervention of North Korean Leadership**

Initiating a conversation with North Korea could be difficult, regardless of our determination and efforts. Furthermore, it is possible that we might encounter other difficulties when it comes to gaining actual results even with drastic progress in talks over denuclearization. In such scenario, it is highly likely that we will be stuck in a vicious cycle of additional North Korean provocation

and tightening of sanctions that would follow. Therefore, a short-term goal for sanctions should continue to remain as resuming talks over denuclearization. At the same time, in the face of strong determination of the international community for sanctions on North Korea, a sanctions mechanism should also be considered, with which we could fracture North Korea's internal system with continued sanctions and pressures in the mid- to long-term. Elevating the level of sanctions imposed and its long term enforcement, however, do not ultimately bring about the effects. Thus, the success of a sanction depends not only on its content, level, and the duration, but also on its strategic mechanism. In order to attain this goal, South Korea should actively engage in North Korea's tactical maneuver in their response to the imposed sanctions. In addition, crafting such strategy should begin with efforts to deter the five expectations that North Korea could have set as constant variables in drawing up their aforementioned strategy.

Considering words and behaviors of the North Korean leadership, it is certain that they have set their national strategy based on the following expectations and assumptions: 1) time is on our side, and we will be recognized as a nuclear power once our nuclear program is completed, 2) the U.S. will never dare to launch a nuclear attack on our soil once we are equipped with capacity to launch a nuclear missile on the U.S. mainland, 3) China may pressure us, but they will never abandon us, 4) South Korea holds little importance to us at the moment, though they could be utilized as a means to overcome difficulties should the situation aggravate, and 5) the people of North Korea shall, under no

circumstances, not be disloyal to the Kim Jong-un regime.

In order to change or disrupt their calculations, we will have to make sure that sanctions and pressure for denuclearization shall continue regardless of the level of their nuclear sophistication. Also, the ROK will have to greatly increase the level of uncertainty when it comes to possibilities of the U.S. and Chinese strategic decision for denuclearization. Furthermore, we will have to clearly demonstrate that South Korea is willing to use other options should a conversation seem impossible, and that the long-term sanctions could amplify anti-regime movements in North Korea, including possible fractures in their elite control system. It is also vital to notice that we consider a more comprehensive approach that could deliver a devastating blow to the North Korean economy in general with minimal effect on its people's minimal standard of living, since the Kim Jong-un regime has attempted to compromise the effects of sanctions through redistribution of resources and exploitation of its people, even though strong smart sanctions are currently underway.

#### **D. Careful Strategic Approach to Threat from North Korea's Nuclear Missile**

Underestimating a threat should be avoided when dealing with North Korean nuclear crisis. But at the same time, overreaction or an ambiguous response should also be avoided. Development or procurement of nuclear-powered submarines, tactical nuclear warhead, or nuclear armament require a more thoughtful approach,



since all of these options entail risks of fueling conflicts not only between the U.S.-China, South Korea-U.S., and South Korea-China, but also within South Korea, with no promise of deterrence against North Korea. Therefore, we should learn from the lessons of the THAAD; this is, a careful and strategic decision should be made according to five criteria: 1) the strategic necessity of the adoption of weapons, 2) the anticipated effect, 3) possibilities of force integration, 4) political and diplomatic backlash and side effects, and 5) possible alternatives.

Especially, issues on nuclear armament or re-deployment of tactical nuclear warheads would require more attention than others due to the magnitude of impact that could follow. Arguments surrounding the introduction of tactical nuclear weapons itself could bring about a limited security, political, and diplomatic effects in terms of providing a higher level of the U.S. extended deterrence and China's leading role in sanctions against North Korea. Such weapons system is strictly for military and security purposes in nature. Therefore, one should first conduct a thorough analysis and evaluation. The ROK should consider the following factors. First, we should ask ourselves if it would enhance our deterrent capacities. In order for South Korea to maximize deterrence against North Korea when introducing nuclear sharing system such as NATO, South Korea should announce its principles of not launching a preemptive nuclear strike or of nuclear retaliation to the North Korean leadership. In other words, the credibility of deterrence and communications of each party's intention should be met as a prerequisite, though it is doubtful that any South Korean administration, be it progressive or conservative, would choose to

employ such nuclear strategy. In addition, it should be considered that the high-end conventional weapons system would suffice as an alternative if the goal of introducing tactical nuclear warhead lies in denial of North Korean forces in our territories.

Furthermore, even if deterrence against North Korea is assured, we will still have to deal with the 'balance of terror.' And we could inquire ourselves as to whether if this will create a more stable and peaceful atmosphere in the Korean Peninsula. This idea leads up to the question if mutual deterrence between the U.S. and U.S.S.R. during the Cold War era could be equally applied to situation in the Korean Peninsula. When South Korea introduces and adds tactical nuclear weapons to its arsenal, North Korea will naturally try to reinforce their deterrence capacity. In this case, it is predictable that North Korea would abandon all their efforts in creating a defence system which usually requires far more resources and time to complete, and instead focus all their efforts on offensive nuclear weapons, with which they will assume a more aggressive stance against South Korea and the U.S., thereby accelerating arms race in the Korean Peninsula. Of course, in the long-run, such arms race might prove to be strategically advantageous by luring North Korea's already dwindling resources to be used inefficiently, from which we could also expect a synergy effect with economic sanctions against North Korea.

We should also consider the possibilities of complete denuclearization of the Korean Peninsula in the future through mutual disarmament between the two Koreas. It would be possible that a mutual disarmament procedure is conducted on tactical nuclear weapons

and North Korean nuclear arsenals. As the U.S.-U.S.S.R mutual disarmament of 1974 had demonstrated, however, disarmament implies not only mutual reduction and disposal of offensive nuclear weapons, but also intends to seek the adequate balance of missile defense system. Therefore, even if a negotiation for disarmament begins, we could not exclude the possibilities of North Korea demanding the full dismantlement of missile defense system, the withdrawal of USFK, and the signing of North Korea-U.S. peace treaty. In this case, we might have to confront a situation where the ROK will have to yield even more than what North Korea currently demands; note how, even after 20 years of attaining the balance of terror, India and Pakistan are still far from reaching an agreement on mutual disarmament of their nuclear arsenals.

Lastly, the ROK should take into consideration the possible changes in denuclearization environment of Northeast Asia that the introduction of tactical nuclear weapons would bring. Should the U.S. introduce any type of tactical nuclear weapons in Korea, Japan will demand the same. It is because Japan sees a need to possess the MRBM mounted with nuclear warheads and additional missile defense system since North Korea's initial targets for nuclear strike include a direct nuclear attack on the U.S. military bases in Japan in order to prevent a military surge from the ROK allies. Considering the integrity of the U.S.-Japan alliance and the U.S. strategy for Northeast Asia, there is a high chance that if the U.S. deploys one of their tactical nuclear warheads in Korea, it will do the same on Japan as well. China will protest judging that the collapse of nuclear balance in Northeast Asia began with the introduction of

THAAD, and ended with the deployment of tactical nuclear warheads in both Korea and Japan. In this case, the worst possible scenario could be realized: where China tacitly approves North Korea's status as a nuclear power in order to restore nuclear balance in the region. Such scenario would imply the advent of a new Cold War in Northeast Asia, and the ultimate failure of international cooperation system for denuclearization of the Korean Peninsula.

### **E. Strategy for the Synchronous Implementation of Denuclearization and Peace Regime**

Considering the current state of affairs, the U.S. has three options regarding denuclearization of the Korean Peninsula. Firstly, the U.S. could rely on military option and launch a preemptive strike on North Korea. Secondly, the U.S. could continue a high-level of sanctions against North Korea. Thirdly, the U.S. could attempt to ease or eliminate North Korean threats to its mainland by negotiating with North Korea before they are equipped with capacity to launch a nuclear attack on the U.S. mainland.

Of these three options, it is most plausible that the U.S. chooses the second option, which is to maintain a high level of sanctions against North Korea in regard to denuclearization of the Korean Peninsula. This circumstance is posing a great difficulty in our government's efforts to establish a negative peace regime in the Korean Peninsula, since it is hard for South Korea to lift sanctions alone, which will lead to normalization or perpetuation of

sanctions against North Korea should the U.S.-led sanctions against North Korea persist. Despite such harsh circumstances, the ROK government should launch an inter-Korean peace process in order to establish a negative peace regime in the Korean Peninsula, through which the concerns for the outbreaking of another Korean War in our time would be alleviated.

In order to operate a peace process for the Korean Peninsula in the phase of sanctions, it is vital that the ROK create momentum for commencing preparatory talks with North Korea. Openly suggesting humanitarian aid to North Korea or holding talks with the North might require excessive policy costs because South Korea can be viewed as trying to lift the sanctions alone. In order to supplement such drawbacks whilst successfully putting inter-Korean peace process in operation, a proper atmosphere for talks between the two Koreas should be created in advance. The upcoming Pyeongchang Winter Olympics could be the starting point, since it will be the perfect chance for the ROK to send a special envoy to North Korea during the preparation phase of the Olympic games. Special envoy can start off asking North Korea about the participation of this global sporting event during the preparation phase and thus exchange a wide variety of opinions regarding peace and stability of the Korean Peninsula. From this point, by restoring channels of communications between the two governments, the ROK should not only resume operation of the Kaesong Industrial Complex (KIC), but also make efforts to create momentum for comprehensive and gradual cooperation and exchange between the two Koreas that would even persist through the sanctions phase against North Korea.



