



ANALYSIS

NATIONAL STRATEGY FOR COUNTERING NORTH KOREA*

Robert Joseph, the principal author, chaired the group of experts that developed the strategy outlined in this document. The other members of the group included Robert Collins, Joseph DeTrani, Nicholas Eberstadt, Olivia Enos, David Maxwell, and Greg Scarlatoiu. All members of the group provided inputs and share in its authorship. Brief biographies are at the end of this analysis.

Since the emergence of the nuclear threat from North Korea in the early 1990s, the primary objective of U.S. policy has been to convince Pyongyang to abandon its nuclear weapons program. While successive administrations have adopted different combinations of incentives and disincentives to achieve this end, all have pursued denuclearization through diplomacy and negotiations as the signature component of their North Korea policy. All have failed. Kim Jong-un’s New Year’s Eve call for an “exponential increase” in the North’s nuclear arsenal only underscores the need for a fundamental shift in U.S. policy.¹

The North’s nuclear program has expanded from small-scale plutonium reprocessing, to enriched uranium, to six nuclear tests, to an estimated arsenal of 40-60 weapons and is rapidly growing. The expansion of its weapons stockpile has been accompanied by an equally aggressive expansion of its ballistic missile force, which now includes several generations of short, medium, and long-range missiles, including the ability to hold all American cities hostage to attack.

While denuclearization remains central to U.S. national security interests, it is necessary to undertake a reassessment of the means to achieve this and other goals in the context of the full spectrum of threats from the North. This includes the potential for further proliferation, both from the North selling nuclear materials, and perhaps nuclear weapons, to other rogue states, as well as from threatened regional states deciding that they must have a national nuclear capability to counter North Korea.

To meet this growing security challenge, it is imperative to design and implement a new, comprehensive strategy that incorporates all available tools of statecraft—diplomacy, economic, information and intelligence, military and others. Most important, the strategy must be grounded in a pragmatic understanding of the North’s determination to continue its nuclear weapons program which it sees as essential to the survival of the Kim regime. This is not to concede that North Korea is a legitimate nuclear weapon state as doing so would unleash a panoply of unintended consequences inimical to U.S. interests. Rather, it is to

* This article is a reprint of Robert Joseph et al., *National Strategy for Countering North Korea, Information Series*, No. 545 (Fairfax, VA: National Institute Press, January 23, 2023), available at https://nipp.org/information_series/robert-joseph-robert-collins-joseph-detrani-nicholas-eberstadt-olivia-enos-david-maxwell-and-greg-scarlatoiu-national-strategy-for-countering-north-korea-no-545-january-23-2023/.

¹ Brad Lendon and Gawon Bae, “Kim Jong Un Calls for Exponential Increase in North Korea’s Nuclear Arsenal Amid Threats from South, US,” *CNN World*, January 1, 2023.



accept that three decades of U.S. policy under both Democratic and Republican presidents have failed and that a different approach is necessary for U.S. national security.

The new strategy is described below. Although retaining elements of the current strategy—such as alliance relationships, defense and deterrence, containment, and economic sanctions—the new strategy represents a structural shift in the narrative of the past thirty years. It requires a different way of thinking about the complex problem of North Korea. While diplomacy to achieve denuclearization will be encouraged, the central feature of the new strategy will not be negotiations with the North over its nuclear program but rather the promotion of the rights and freedoms of the North Korean people in the broader context of unification with South Korea. This is the envisioned pathway to achieving long-standing U.S. policy and security goals, including denuclearization.

Six Strategic Propositions

- (1) **A fundamental shift in policy toward North Korea is essential to meet U.S. national security requirements. As long as the Kim regime remains in power, Pyongyang will not abandon its nuclear weapons program and will persist with efforts to get the United States to accept the North as a nuclear weapons state.** Its nuclear weapons arsenal will continue to expand in both numbers and sophistication, representing a central threat to U.S. forces and homeland, to our allies, and to the nonproliferation regime. The near certainty that North Korea will sell nuclear technology, likely including weapons, to other rogue states and terrorist entities makes evident the need to adopt a new strategy to achieve U.S. security objectives.
- (2) **The Kim regime's greatest vulnerability is from within, from the alienation of its own people who suffer under totalitarian repression. While insisting on complete and verifiable denuclearization, the foundation of U.S. strategy should be a human rights upfront approach, a comprehensive information and influence campaign, and the advancement of the strategic aim of a free and unified Korea.** This is not the promotion of human rights solely for the sake of human rights. This is the most effective means to achieve U.S. national security imperatives. Only in this way will the nuclear threat, as well as crimes against humanity perpetrated by the Kim regime, be ended. The policy myths that have long asserted that the promotion of human rights conflicts with the goal of denuclearization should be replaced by facts. (See Annex A.) The promotion of human rights is the primary means to achieve denuclearization.
- (3) **U.S. strategy must be based on active containment of the North, including prevention of proliferation, as well as effective deterrence based on both offensive retaliation and credible missile defenses to protect South Korea, regional allies, and the U.S. homeland.** If deterrence fails, and North Korea initiates

a large-scale attack, the United States and its allies will ensure the end of the regime as the strategic end state of the defense plan.

- (4) **U.S. strategy for countering the North Korean threat requires the integration of all tools of statecraft.** Diplomacy is needed for any potential interaction with North Korea and essential to secure support from South Korea, Japan, and other regional and global allies, as well as to counter any resistance from China and Russia. Given the prominence of human rights in the strategy, diplomacy should also be focused on gaining support from the European Union, the European Parliament, and other states supportive of human rights. Economic sanctions and financial tools will be vital to contain North Korea and interdict its illicit proliferation activities. Information and intelligence tools will be essential to empower the people of North Korea and to counter the North's activities abroad. Defense and deterrence capabilities, including defensive and offensive cyber, will be essential for the success of the strategy.
- (5) **The preemptive use of military force by the United States and South Korea should be considered only when there is high confidence that a large-scale attack by the North is imminent, especially if that attack is assessed to include weapons of mass destruction. While not taking the military option off the table, the preemptive use of force to achieve regime change is not a viable option.** South Korea continues to live under the threat of the sheer mass and proximity of the North's military. The costs in lives, civilian and military, and treasure would far outweigh the gains. Although the United States and South Korea must be fully prepared to repel any military provocation or attack from the North, initiating an armed confrontation to end the regime is neither necessary nor acceptable.
- (6) **Placing the promotion of human rights with North Korea at the center of U.S. strategy will be vehemently opposed by Pyongyang, as it was by the Moscow when President Reagan insisted that human rights be a core element of U.S. policy with the Soviet Union. But continuing the current course will result in even greater threats to the U.S. and allies.** A course change in U.S. strategy that facilitates the people of North Korea determining their own future provides the most viable alternative to the failed policies of the past.

Flawed Premise of U.S. Policy

Although each U.S. administration has crafted its own approach to achieve the denuclearization of North Korea, all shared a common flaw: their policies were designed to engage North Korea as they wished it to be, not as it truly is.

The North Korean regime is a heavily ideologized hereditary dictatorship, a deeply revisionist state fundamentally at odds with the existing international order. It shares few interests with the United States and its allies. Its highly racialized official doctrine upholds

the non-negotiable imperative of an unconditional reunification of the Korean peninsula under the absolute rule of Pyongyang.

The regime sees nuclear weapons as critical to survival, and essential for breaking the U.S.-ROK alliance and coercing the democratic South into submission. For these reasons, the North's leadership has never agreed to bargain away its nuclear program; indeed, doing so would be tantamount to treason. Past statements, and even formal commitments, to pursue denuclearization have been made as expedient tactical, and reversible, moves to achieve political and economic concessions. None were made in good faith, and all have been violated. Future commitments, if made, will follow the same pattern.

Despite all evidence to the contrary, Washington has consistently entertained the illusion that nuclear diplomacy with North Korea could work. One administration after another convinced itself that Pyongyang had some reason to agree to come to the table and make the decisions that the United States and the international community wished of it. The reality is that North Korea's leaders have always believed that their own security would be undermined by denuclearization. The DPRK regards its contest with the United States as a zero-sum game. Since the founding of the North Korean state in 1948, Pyongyang's interest has been in challenging U.S. security arrangements on the Korean peninsula and beyond, and there is no reason to expect change.

History of Negotiations

For over 30 years, through bilateral and multilateral negotiations, the United States and Seoul have sought unsuccessfully to convince North Korea to end its nuclear program. Most recently, the "audacious initiative" announced by President Yoon Suk-yeol to provide massive economic assistance in exchange for steps toward denuclearization has been adamantly rejected by the North.²

The pattern of North Korea's negotiating behavior is clear. First, the North creates a perception of a crisis which, in turn, creates urgency on the part of the United States and its allies to provide concessions in exchange for restarting negotiations. Negotiations either lead to no agreement or to agreements—such as the 1994 Agreed Framework, the September 2005 Joint Statement, the 2012 Leap Day agreement, and the 2018 Singapore Joint Statement—that are violated by the North with little consequence, usually resulting in yet another crisis followed by concessions and the resumption of negotiations. At times, the North has been rewarded for just sitting at the table.

By any standard, negotiations have failed. North Korea has employed negotiations as a tactical means to a strategic end. It has skillfully used negotiations to buy time to expand its nuclear program. Even when agreements were reached, the North's program moved forward. Whether the United States and South Korea are talking to the regime or not, the program has continued to advance.

² Reuters, "North Korea Rejects South's Audacious Economic Aid Plan," *The Economic Times*, August 19, 2022.

By contrast, the United States has allowed negotiations to substitute for an effective strategy. This does not mean that, under the proposed new strategy, diplomacy no longer plays a central role. It does. But it is essential to reject the argument that the choice is between war and negotiations. That false dichotomy has only led to a greater threat from the North.

History of North Korea's Nuclear Program

Pyongyang's interest in initiating a nuclear weapons program can be traced to the mid-1950s when the Soviet Union began to train North Korean scientists and engineers on the basics of a nuclear "energy" program. The program moved from "knowledge" to practice with the opening of a research reactor in 1962. By the mid-1980s, the program had expanded to uranium mining, yellowcake production, and the construction of a reprocessing facility to separate plutonium from spent fuel. With the completion of its 5 Mwe reactor in 1986, the North was ready to pursue a national-level nuclear weapons program and, with the fall of the Soviet Union in 1989, Pyongyang had both the means and motive to acquire a nuclear arsenal to ensure, in its view, the survival of the Kim regime.

The nuclear weapons program has consistently moved forward from the early 1990s to the present. The "freeze" of operations at the Yongbyon reactor and reprocessing facility, negotiated in the Agreed Framework, was accompanied by a large-scale covert uranium enrichment program, a material breach of the agreement. When that program was uncovered by U.S. intelligence in 2002, the North moved openly to expand its weapons stockpile, initially with plutonium weapons followed by enriched uranium designs. The first nuclear test took place in October 2006 and was followed by five subsequent tests that have demonstrated continued improvements in yield, including what Pyongyang has described as a thermonuclear weapon. The last test took place in 2017 but the North is reportedly preparing for another test at the Punggye-ri site.

The North has declared itself to be a "nuclear weapons state" and had repeatedly stated that it will never abandon its nuclear weapons. The size of the stockpile has advanced at an ever-increasing pace. In 2020, General John Hyden, then Vice Chairman of the Joint Chiefs, stated that North Korea is "building new missiles, new capabilities, new weapons as fast as anybody on the planet."³ Most recently, the North enacted a new law stating that there will be "no bargaining over our nuclear power" and establishing as official policy the preemptive use of nuclear weapons ("automatically and immediately") if the Kim leadership is put in danger. This law follows Kim Jung-un's directive to expand the nuclear arsenal "at the fastest possible speed."⁴

³ Cited by Barbara Star: @barbarastarcnn. "North Korea is building new missiles, new capabilities, new weapons as fast as anybody on the planet." (Tweet) – via Twitter.

⁴ Mia Jankowicz, "Kim Jung Un vows to develop North Korea's nukes at the "fastest possible speed" and suggests he would use them if provoked," *Business Insider*, April 26, 2022.

If the United States continues the policies of the past, the result will be a greatly increased nuclear threat with North Korea expanding its arsenal to hundreds of weapons for tactical and strategic employment. The likelihood the North will sell nuclear weapons to other rogue states and non-state actors will increase as its stockpile grows.

Figure 3.1
Projecting the North Korean Nuclear Weapon Inventory

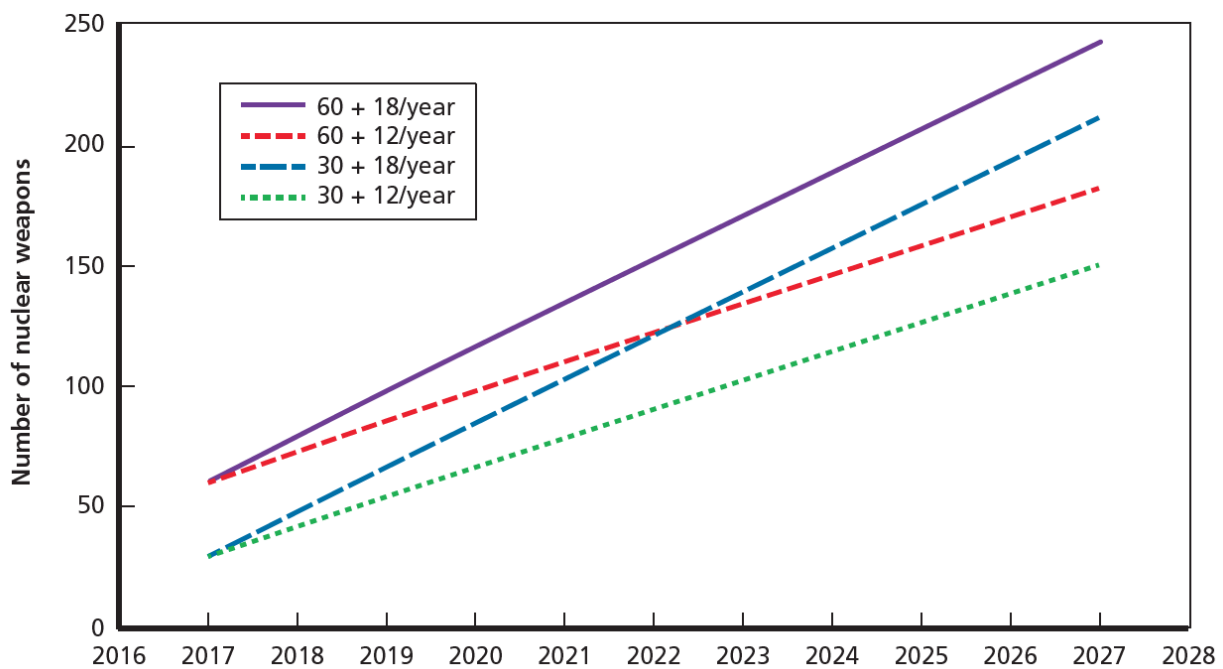


Figure 3.1 from Bruce Bennett et al., *Countering the Risks of North Korean Nuclear Weapons* (RAND, 2021), 37.

Promotion of Human Rights in North Korea

The survival of the Kim regime is grounded in its nuclear weapons and ballistic missile arsenal, in maintaining the Korean People's Army, and in keeping its key elites content through access to luxury goods and hard currency procured from the outside world, generally through illicit means and in violation of applicable UN, U.S. and EU sanctions. Under the loyalty-based songbun system, by which all North Koreans are assigned a class background to facilitate internal social control, the regime oppresses its people at home and abroad. Most of the 25 million people of North Korea are victims of the Kim family regime's policy of human rights denial. (See Annex B.)

A strategy promoting human rights in North Korea must involve the United States and like-minded democracies, the private sector, in particular IT companies, and international civil society, including U.S. civil society organizations that can generate content, information, and analysis essential to understanding and influencing North Korea's human rights and

information environment. The infusion of information into the country is key to forcing internal change.

Information Campaigns: The “Three Stories”: The regime perpetuates itself through overwhelming coercion, surveillance, and strict information control. The principal agent of change in North Korea is its people. Information from the outside world is needed to empower them to enact such change. A coherent information campaign should focus on telling the North Korean people three stories: their abysmal human rights situation; the corruption of their leadership, in particular the inner core of the Kim family; and the truth about the outside world, especially democratic, prosperous South Korea.⁵

Tailoring the Message: Messaging should be tailored to all categories and subcategories of *songbun*. The people of North Korea experience various degrees of oppression, from the prisoners held at political prison camps, often together with up to three generations of their families, to the elites experiencing a vicious cycle of privilege and human rights denial. Messaging to the victims of human rights denial should focus on the “three stories.” Messaging to those who are both victims and perpetrators (the three fundamental building blocks that preserve the regime—party, military, and security agencies) should also be told the three stories and emphasize the irreconcilable rift between the regime’s own constitution and its international obligations on the one hand, and its regime ideology on the other, in particular Kimilsungism, the Ten Principles of Monolithic Ideology, and *juche* self-reliance thought.

Selecting the Information Delivery Vehicles: Selecting information delivery vehicles will have to be based on an understanding of North Korea’s evolving information environment. Delivery vehicles evolved from VHS tapes to CD-ROMs to DVDs to micro-SD cards. In the near-term, a GSM network deployed on the same satellites as StarLink internet will be at the top of the list. In theory, GSM would work with any phone, including “official” North Korean mobile phones. North Korean open markets, peasant markets and black markets, and the informal supply lines established along such markets will continue to provide a platform for information surreptitiously inserted into the country.

Spearheading International Diplomacy: Advancing human rights through multilateral and international diplomacy is another pillar of the human rights upfront approach. The United States must retake leadership and the high ground it once held on North Korean human rights at the United Nations. The United States should revitalize the “coalition of the like-minded” including the EU, South Korea, Japan, Australia, and other UN member states. The United States should also pressure UN member states that have solid U.S. ties, but who continue to protect North Korea at the UN, for example Vietnam and South Africa. Stronger UNGA and HRC resolutions are needed. The North Korean human rights issue should be placed back on the agenda of the UN Security Council. The United States should spearhead

⁵ Greg Scarlatoiu, “The Power of Information: Telling Three Stories to the North Korean People,” *HRNK Insider*, August 13, 2022. Last accessed December 18, 2022. <https://www.hrnkinsider.org/2022/08/the-power-of-information-telling-three.html>.

new efforts to seek accountability, ideally a special international prosecutorial mechanism, despite opposition by China, Russia and their allies.

Exposing the Connection between the Nuclear Program and Human Rights: To procure the hard currency needed to develop its ballistic missile and nuclear programs, North Korea exploits its own people. According to the Korea Institute for Defense Analyses (KIDA), North Korea has spent up to \$1.6 billion developing nuclear weapons since the 1970s.⁶ Those funds would have sufficed to buy up to 2.05 million tons of rice or 4.1 million tons of corn, the equivalent of four years of food for the entire North Korean population.

For thirty years, U.S. North Korea policy have sacrificed human rights for the sake of addressing nuclear weapons. Both the North Korean nuclear and missile programs have thrived. Sidelineing human rights to appease the North Korean regime is not the answer, but a fundamental flaw in U.S. policy.

Challenges to Change

Overcoming bureaucratic interagency inertia and status quo complacency will require skill and determination. Fundamental shifts in policy are always difficult to achieve, even when established policy has been proven to fail. This will require convincing U.S. executive and congressional leadership and non-government opinion shapers of the need for change and the need for promoting human rights as a central component of a new strategy. While advancing human rights has been a consistent talking point for every administration, it is most often given little actual weight in policy formulation and implementation.

U.S. adversaries will seek to undercut the above human rights upfront approach. As its economic and political relationships with North Korea expand, Russia likely favors a continuation of the failed U.S. approach to North Korea. In its thinking, a greater North Korea threat to U.S. security interests is seen as a win for Moscow. More importantly, China will oppose the promotion of human rights in North Korea as a threat to its own internal legitimacy. Beijing will also oppose Korean unification with a dominant South Korea allied to the United States.

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Annex A: Myths and Facts

Myths—not facts—about the efficacy of incorporating human rights into negotiations inform past and current U.S. policy. This has impeded progress in denuclearizing North Korea, as well as alleviating the suffering of the North Korean people. To make progress, these falsehoods must be exposed and corrected with an accurate understanding of the role human rights can play in dealings with the Kim regime.

⁶ Associated Press, “Explainer: How impoverished N. Korea finances testing spree,” November 4, 2022.

Myth #1: Raising U.S. concerns with North Korea over the Kim regime's human rights violations will prevent negotiations over its nuclear program.

Fact: Human rights have rarely been raised with North Korea during negotiations. This approach results in human rights concerns being raised, if at all, in the lead-up to negotiations (most recently by the Trump administration before the Singapore summit) and then dropped during negotiations. There has never been an effort to tie improvements on human rights to U.S. willingness to negotiate. The premise that adversaries will refuse to negotiate if concerns over human rights are raised is inconsistent with past U.S. policy. Despite Moscow's objections, President Reagan insisted on including human rights in the diplomatic agenda with the Soviet Union—a process that led to successful arms control agreements including the INF and START treaties.

Myth #2: The United States should resolve security challenges with North Korea before any progress can be made on human rights.

Fact: Putting security concerns first has been tried repeatedly in negotiations with North Korea and has never resulted in denuclearization or progress on human rights. Future negotiators should raise national security considerations in tandem with concerns over human rights violations. The decision to make human rights an afterthought in negotiations with rogue regimes sends the message that the United States does not view progress on these issues as a top priority. Failure to incorporate human rights into negotiations with North Korea also reveals a lack of understanding about the premium the regime places on violating human rights in its strategy for survival.

Myth #3: Undermining the North Korean people's human rights is not an essential part of the Kim regime's plan to maintain power.

Fact: The Kim regime sees its weapons programs and human rights violations as two essential pillars of the regime and strongly believes that it needs both to maintain its grip on power. The regime's human rights violations ensure its power domestically, while the weapons program ensures its survival in the international community.

Myth #4: North Korea is too closed for international actors to effectuate meaningful change in alleviating the plight of the North Korean people.

Fact: The United States and the international community have many tools to combat the Kim regime's human rights violations. Sanctions, refugee resettlement and other forms of humanitarian relief, information access efforts, atrocity determinations, and diplomatic coordination are just a few of the available tools. Many of these are already used by the U.S. national security community to address the threat from North Korea's

nuclear program, but efforts to counter North Korea's human rights violations are further behind. Better cooperation between the United States and South Korea to address North Korea's human rights violations are much needed.

Annex B: Promoting Human Rights in North Korea

A "human rights up front" approach would demand international access to North Korean political prison camps and other detention facilities; transparency and the ability to conduct unimpeded in-country fact-finding human rights and humanitarian missions; and providing humanitarian assistance to the most vulnerable groups, in particular children, women, the elderly, and people in detention.⁷

North Korea joined the UN in 1991 and assumed certain international obligations as a member state, including observing the Universal Declaration of Human Rights. North Korea acceded to the two human rights covenants in 1982: the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social, and Cultural Rights. It has also joined the Convention on the Elimination of All Forms of Discrimination Against Women, the Convention on the Rights of Children, and the Convention on the Rights of People with Disabilities. North Korea's own Constitution includes protection of fundamental human rights. And yet, every conceivable human right is violated in North Korea.⁸

The Department of State's latest country report on human rights practices in North Korea notes that there continue to be "significant human rights abuses" under an authoritarian regime, including "unlawful or arbitrary killings by the government; forced disappearances by the government; [and] torture and cruel, inhuman, and degrading treatment and punishment by government authorities." There is no evidence to suggest that the situation has improved since the UN Commission of Inquiry (COI) on North Korean human rights found in 2014 that "systematic, widespread and gross human rights violations have been and are being committed," and that "crimes against humanity have been committed...pursuant to policies established at the highest level of the State." The COI noted in its report that an estimated 80,000 to 120,000 North Koreans were being held in political prison camps, and recent satellite imagery reports by HRNK indicate that these detention facilities are still operational.

Under Kim Jong-un, the North Korean regime has also intensified its crackdown on the inflow of outside information into the country. The regime has not only revised the Criminal Code's provisions regarding the consumption and distribution of foreign media, but it has

⁷ Greg Scarlatoiu, "Long Overdue Paradigm Shift: A Human Rights up Front Approach toward North Korea," *HRNK Insider*, November 2, 2022. Last accessed December 18, 2022. https://www.hrnkinsider.org/2022/11/long-overdue-paradigm-shift-human.html?_ga=2.207244817.342912562.1671362954-601215942.1649336599.

⁸ Greg Scarlatoiu, "The Power of Information: Telling Three Stories to the North Korean People," *HRNK Insider*, August 13, 2022. Last accessed December 18, 2022. <https://www.hrnkinsider.org/2022/08/the-power-of-information-telling-three.html>.

also deployed technological means to restrict access of unauthorized content on electronic devices. Recognizing that younger North Koreans have been widely exposed to foreign media, the Supreme People's Assembly adopted in September 2021 a law specifically aimed at tightening ideological control over North Korea's youth. There have also been reports of a targeted crackdown on the use of Chinese-made cellphones along North Korea's border. These devices have been and continue to be an important conduit for information to flow into and out of North Korea.

To empower the people of North Korea, it is essential to step up efforts to provide them with information from the outside world, information telling them the "three stories" noted earlier: their abysmal human rights situation, the corruption of their leadership, and the reality of the outside world, especially democratic, prosperous South Korea. Information campaigns must also enable North Koreans to understand that there is a deep rift between their Constitution and the regime's ideology and practice. The DPRK Constitution and its other laws claim to protect rights such as the freedom of religion and freedom of assembly. None of these rights are observed in practice.⁹

Many North Koreans know today much more about the outside world, including South Korea, than they did 10 or 20 years ago. K-pop, K-drama, and anything "K-" are powerful drivers of interest in South Korea's success. The North Korean people need to understand that South Korea is a viable alternative to the Kim family regime. They need to understand that the formula for Korean success is not the preservation of the totalitarian dictatorship, but unification under the Republic of Korea.

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⁹ Greg Scarlatoiu, "The Power of Information: Telling Three Stories to the North Korean People," *HRNK Insider*, August 13, 2022. Last accessed December 18, 2022. <https://www.hrnkinsider.org/2022/08/the-power-of-information-telling-three.html>.

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