

When Trump Meets Kim



April 2018

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The long-simmering crisis between North Korea and the United States has reached a new, consequential phase. President Trump's decision to meet with North Korean leader Kim Jong-un will be a decisive moment in a struggle that has lasted since the United States first suspected North Korea of harboring nuclear ambitions in the 1980s. Regardless of how the summit may transpire, one thing is clear: this challenge, and the geopolitics of East Asia, will never be the same again.

The stakes of this summit could not be higher. Presumably, if diplomacy does not work the same conditions that inspired President Trump's "fire and fury" bromides hold true. How the Trump administration approaches this summit will be critical to its success or failure. The following analysis will review the issues and challenges that the summit will entail and recommend a pragmatic way to approach this summit and what may come next.

The Stakes of the Summit

Trump and Kim will enter into this summit after decades that have seen several diplomatic initiatives collapse in disappointment and recrimination, military attacks that brought the region to the brink of conflict, and rhetoric that made a summit like this seem impossible. Yet the persistence of tension and the lack of diplomatic success has not been due to a lack of imagination or energy of past diplomats and leaders—it is due to the intractability and incompatibility of Pyongyang's and Washington's positions on the former's stated desire to develop and acquire nuclear weapons' capabilities.

While there is always a degree of inference when assessing North Korean motivations, its nuclear ambitions are generally believed to be driven by a belief that such a capability is necessary to deter attack and invasion from hostile external forces, and to build North Korea's prestige and secure Kim Jong-un's legitimacy. Pyongyang has developed this capability for decades, and has had the ability to strike South Korea and Japan with nuclear weapons for years. The latest

development—which is proven most problematic for the Trump administration—has been the remarkable progress North Korea has made in developing a ballistic missile that can strike the continental United States. Contrary to public commentary, every test—successful or not—provides North Korea with critical intelligence and data that is used to improve its capabilities. While Pyongyang demonstrated such a capability in November 2017, then-CIA Director Mike Pompeo has publicly assessed that additional technical challenges mean that North Korea is “a handful of months” away from being able to actually strike the United States with nuclear weapons.

Beyond its nuclear ambitions, North Korea has also presented a host of other demands and ambitions. Pyongyang likely seeks recognition as a nuclear power, an end to its economic isolation, a peace treaty to formally end the Korean War, and normalized relations with the United States. In the past, North Korea has also sought an end to the U.S.-ROK Alliance and the withdrawal of U.S. forces from the Korean peninsula. While Kim Jong-un is not known to have specifically expressed such ambitions, it is likely that they remain in play.

Indeed, after South Korean representatives met with Kim Jong-un at a four-hour dinner in Pyongyang on March 2018, they reported that Kim stated that North Korea would “denuclearize the Korean peninsula...if military threats against the North are resolved and the security of its system guaranteed, it has no reason to possess nuclear weapons”—a likely reference to these objectives.¹ Furthermore, one senior South Korean government official has privately reported that Kim Jong Un stated that his late father’s wishes were for North Korea to denuclearize. Finally, Chinese media has reported that Kim stated “the issue of denuclearization of the Korean Peninsula can be resolved, if [S]outh Korea and the United States respond to our efforts with goodwill, create an atmosphere of peace and stability while taking progressive and synchronous measures for the realization of peace.”² These all suggest that North Korea’s stated interest in denuclearization includes several significant caveats and preconditions.

Since it first learned of North Korea’s burgeoning nuclear ambitions, the United States has been clear and consistent in its approach. From administration to administration,

Washington has said that it would never accept North Korea as a nuclear state, that it seeks the complete, verifiable, and irreversible denuclearization (CVID) of North Korea, and that it would find a North Korean capability to strike the United States with nuclear weapons to be intolerable. While Washington has considered military options against North Korea at various points in the conflict, concerns about the devastating ramifications of an armed confrontation—combined with hope of either a diplomatic breakthrough or Pyongyang’s political collapse—have to date prevented an American attack.

Yet North Korea’s nuclear status remains the crux of this issue. And on this, Washington and Pyongyang could not be at greater odds. North Korea has sought to be a recognized nuclear power with the ability to strike the United States. The United States is rightfully unwilling to accept this reality.

The Risks of Failure

If Trump and Kim are to successfully achieve a diplomatic breakthrough, one side will need to accept a position that it has traditionally opposed. Either the United States will (explicitly or implicitly) accept North Korea as a nuclear state, or North Korea will agree to CVID in exchange for a host of concessions—as it had during previous diplomatic initiatives. Considering the stakes and the history of this crisis, it is reasonable to be concerned that such a breakthrough is unlikely, and—if achieved at all—sure to be short-lived.

The danger of a make-or-break summit is that it may, indeed, break. This may convince either or both leaders that diplomacy is doomed to fail. Failure in itself involves significant risk of escalating the crisis, especially considering that President Trump has already expressed significant skepticism about the utility of diplomacy with North Korea,³ and in the event of a failed summit may conclude that diplomatic options have come to an end. If the leaders on the two sides cannot come to an agreement, and lower-level diplomats have similarly failed at this endeavor for decades—one may conclude that diplomatic options have been exhausted.

If the summit were to fail, Trump or Kim may believe they must choose between two stark options: accept failure and

find a way to live with it, or attempt a military resolution. President Trump—maintaining consistency with President’s Bush and Obama’s policy orientation—has clearly and stated his unwillingness to tolerate a North Korea that can strike the United States with nuclear weapons. Should he determine that diplomacy has failed and that allowing North Korea to continue on its current path is intolerable, President Trump has already indicated an inclination toward a military option, saying that “if the sanctions don’t work, we’ll have to go Phase 2. Phase 2 may be a very rough thing—may be very, very unfortunate for the world.”⁴

Such terrible outcomes only highlight the necessity for a diplomatic success if and when President Trump meets Kim Jong-un. If an ideal diplomatic agreement cannot be reached, it would behoove strategists in Washington to consider other options that, far from ideal, could at least improve the situation with North Korea while also keeping open the possibility that conflict may be avoided.

Approaching the Summit

Summits between national leaders are rarely the setting for major negotiations. Rather, they are traditionally the setting where negotiations that have occurred at lower levels over a period of months or even years have reached escape velocity and consequentially require political-level engagement to conclude a fundamental deal. Yet tradition has, in this case, been flipped on its head—Trump agreed to a meeting with Kim without any similar amount of preparation and certainly minimal to zero prior consultation with key allies like Japan. Broadly speaking, the Trump administration can approach this summit in one of three ways.

Option One: Issue an Ultimatum

As he has done in his business career, President Trump may decide to enter negotiations with a set of non-negotiable demands—likely that Kim agree to CVID and improve its human rights record. He may also declare that the United States would not accede to any North Korean demands—financial assistance, an end to sanctions, diplomatic normalization—until North Korea’s compliance with U.S. demands have been completed and verified. Such an ultimatum would be accompanied by a threat—a rejection

of these conditions, or a failure to fully implement them, would make North Korea subject to regime change and/or possible military attack.

This approach would involve significant risks. Most obviously, North Korea is unlikely to accept such an approach. The military dynamics on the Korean peninsula has not changed, and Pyongyang is likely to be fully aware that the United States would prefer to avoid a potentially devastating military conflict. Indeed, North Korea may believe that the United States has already been deterred from retaliation from past aggression (such as the sinking of the *Cheonan* and the shelling of Yeonpyeong Island) because of its already extant conventional, asymmetric, and strategic capabilities. Why would a nuclear North Korea believe that deterrence would fail when deterrence without as robust a nuclear capability has succeeded?

Option Two: Strike a Deal

When the summit occurs, President Trump may seek to strike a deal with Kim Jong-un and conclusively solve the North Korea nuclear issue. For a President who has styled himself a great dealmaker, this option may be especially attractive. This is especially the case if the President believes that traditional diplomatic tools have proven to be unsuccessful, and he cannot trust anyone else to address this issue.

While the combination of demands and concessions that President Trump may offer are innumerable, the key question for the Trump administration to consider is if he will be willing to recognize North Korea’s status as a nuclear power—either explicitly as part of the agreement, or implicitly by allowing North Korea to retain some degree of a nuclear capacity. The latter may be most likely to lead to successfully concluding an agreement, primarily because it would allow Kim to save face with his domestic audience while at the same time allowing Trump to secure (presumably) important concessions.

President Trump may feel constrained by the precedent that he has established with his vociferous objections to the Joint Comprehensive Plan of Action (JCPOA—more commonly known as the Iran Deal).⁵ At heart, President Trump’s fundamental objection to the Iran Deal has been its limited scope: it was solely focused on Iran’s nuclear

program, and failed to address other issues the United States has with Iran, such as Tehran's ballistic missile program, its support to terrorist organizations, and the original agreement's time horizon. This presumably sets a high bar for Trump's negotiations with Kim, unless he is willing to accept such an inconsistency.

Attempting to strike a deal at the summit would also involve significant risks and uncertainties. The primary risk would be that, even if the two leaders come to an agreement, there will be very little trust on either side that they will follow through on their commitments. North Korean diplomats routinely cite the fates of Saddam Hussein and Muammar Gaddafi examples of what happens to leaders who make agreements with the United States to denuclearize. More immediately, Pyongyang is likely to be closely monitoring President Trump's efforts to roll back the Iran nuclear deal—fearful of the uncertainty and potential limitations of a "agreement" with President Trump—yet alone, a more emboldened and active Congress in terms of foreign and national security policy. Moreover, North Korea has a long history of cheating on similar agreements.

This points to the critical issue of verification. As it was with the Soviet Union and Iran, verifying compliance will be a critical aspect of this negotiation. Yet verification will be even more difficult in North Korea, which has already developed an unknown number of nuclear weapons and ballistic missiles and has never permitted the kind of intrusive inspections that would be required to verify the agreement. Such inspections will be incredibly complex and technical, as would negotiating them. This is why President Obama utilized dozens of technical experts to inform the Iran negotiations, including his Secretary of Energy Ernest Moniz, an actual nuclear physicist. Yet President Trump will not have nearly this kind of expertise at his disposal when sitting across the negotiating table with Kim Jong-un, thus severely complicating any effort to strike a lasting and effective deal at this upcoming summit.

Option Three: Initiate a Process

The Trump administration may also decide that the upcoming summit with Kim Jong-un would not be the ideal venue to solve this intractable issue for all time in one fell swoop. Rather, it may decide to use the summit to make

some practical progress while also establishing a common foundation for future diplomacy and negotiation. By coming to a shared vision for a way ahead, the two leaders have an opportunity to find a break-through that has stymied diplomatic efforts for decades. Yet the current outreach should certainly be grounded in realistic assumptions about what is possible, and the implications of failure.

The summit would therefore focus on finalizing an agreement on immediate successes aligned with a set of incentive-backed time-constrained milestones to prevent an open-ended process that allows North Korea to leverage its historic strength in cheating and manipulating U.S.-backed efforts. Simultaneously, such an agreement can demonstrate the success of the summit while putting future negotiations on a constructive path. North Korea should release all U.S. prisoners from North Korean custody (a concession Washington may consider making a precondition for the summit itself), immediately freeze the production of any additional nuclear weapons or ballistic missiles, destroy with international verification all intercontinental-range ballistic missiles, disclose all nuclear weapons facilities and sites to the International Atomic Energy Agency (IAEA) and forswear any additional provocative acts against South Korea, Japan, and the United States. In exchange, the United States could offer short-term financial assistance and forswear the use of force against North Korea so long as these agreements are upheld.

President Trump and Kim Jong-un would also lay out a series of negotiations that the two sides would pursue at the conclusion of the summit. First, negotiators should be tasked with immediately determining how international inspectors will be allowed into North Korea to verify compliance with its previous agreements. Additional financial incentives could be attached to such verification, and President Trump could declare that a failure to verify North Korean compliance would make it subject to additional financial sanctions and possible military attack. A key part of the enforcement should entail continued cooperation and engagement between Washington and Beijing to ensure that China is taking steps to use its economic leverage to compel North Korea to adhere to the terms of the agreement.

Second, negotiators would establish a mechanism to address the future of North Korea's nuclear program itself. In this, the United States could offer much of what North Korea has long sought—an end to sanctions, a peace treaty, and normalized relations—in an exchange for CVID. This would undoubtedly be a long process and the prospects for success would be dubious, at best. Yet a direction from the president and the leader to enter into such negotiations, and to imbed it within a broader process of engagement, would forestall the coming crisis the two sides have been driving towards.

While engaging in this process, President Trump could lay out a set of principles that will help preserve the security of the United States, allay anxiety and uncertainty in Tokyo and Seoul, and guide U.S. negotiators throughout the rest of the process. The following principles should be the foundational U.S. preconditions that guide Washington's diplomatic approach:

- **Benefits After Tangible Progress.** Sanctions relief should be enacted incrementally, commensurate with the verified disclosure and irreversible destruction of nuclear, chemical, biological, and missile capabilities and facilities in North Korea;
- **Distrust but Verify.** The United States will only make concessions that are permanent and irreversible after North Korea has been verified to have done likewise.
- **Backload Key Concessions.** Normalization or conclusion of a peace treaty will only be possible after the verified closure of North Korean labor and prison camps and other state-backed organs of repression; the disclosure and, if possible, repatriation of any individuals abducted by North Korea from Japan or elsewhere; the complete, irreversible, and verified abandonment of all weapons of mass destruction and related facilities—as well as ballistic missiles and related facilities—by North Korea, and their successful return to the Treaty on the Nonproliferation of Nuclear Weapons and to IAEA safeguards;
- **Maintain Alliances.** There will be no dissolution of the U.S.-ROK Alliance or removal of U.S.

military forces from the Korean peninsula under any circumstances, and the United States will not enter into any agreements without the prior consultation with U.S. allies in Seoul and Tokyo;

- **Peace Through Strength.** The United States will maintain a military capability on the Korean peninsula and in East Asia to ensure its ability to deter and defeat any North Korean attack. This will mean that joint U.S.-ROK military exercises will continue, but may be adjusted so long as readiness and deterrence are preserved;
- **Keep Them Honest.** Any test of a nuclear device or a ballistic missile (including space-launch vehicles), or act of aggression, would lead to the termination of all negotiations and the initiation of additional pressure initiatives.
- **Maintain High Standards.** Any failure by North Korea to fulfill its obligations would lead to the immediate restoration of all pressure initiatives and render North Korea subject to attack by the United States.
- **Keep the Clock Ticking.** The United States will not tolerate an open-ended diplomatic process that would create conditions for North Korea to continue to develop their nuclear and ballistic missile programs, or that undermine U.S. and ROK operational readiness.

The key question in this negotiation is if Kim will accept the premise of CVID as the shared objective of this negotiation, and how the two leaders will agree to achieve that objective. Historically, Pyongyang has stated that it would be willing to denuclearize only after the military threat to North Korea (e.g., U.S. military presence on the Korean peninsula and the U.S.-ROK Alliance) have been removed—a clear non-starter for Washington and Seoul. President Trump will likely be unable to agree to any proposal that does not include CVID, yet to do so would require Kim to abandon the ambitions of his father and grandfather, a key source of his own legitimacy, and what North Koreans have previously described as the only deterrent against invasion. Yet the United States should test Kim's more recent indications (as expressed by

Seoul) that denuclearization may be possible by proposing CVID be the ultimate objective of the negotiation, but allow Pyongyang to retain an increasingly limited nuclear capability until the end of the process. This would allow President Trump to claim a diplomatic victory while allowing North Korea to retain a limited nuclear capability until the process had been completed. Certainly not an ideal outcome for the United States, but Pyongyang may not agree to anything less.

This strategy has many advantages. Most importantly, this strategy removes the “make or break” onus of the summit itself, and places the two sides into a process that could make significant progress on the critical issues that drive them apart. It also front-loads key U.S. objectives—especially those related to North Korea’s long-range missiles. It retains U.S. freedom of action, while simultaneously putting the onus on North Korea to make additional progress on key issues. It also lays out a specific path for Pyongyang to get what it wants, while at the same time limiting its ability to delay or obfuscate without cost.

Yet this approach also entails significant challenges. Most immediately, it falls short of the Trump administration’s central objective: immediate CVID. North Korea would retain a fairly significant nuclear capability, at least for a time, though the immediate removal of North Korea’s ICBM capabilities may remove the immediacy of this crisis for Washington. Moreover, the verification process would entail a long time horizon that could give space for Pyongyang to cheat and further advance its nuclear and ballistic missile capabilities.

Regardless of how President Trump’s meeting with Kim Jong-un may transpire, it is clear that this is not the end of this long-festering crisis. At best, it may be the beginning of the end. While it is impossible to predict what may happen when the two leaders sit down with one another, it is clear that risks abound. Yet beyond those risks is an opportunity for President Trump and Kim Jong-un to solve a seemingly intractable problem. It will require both leaders to demonstrate courage and vision, but they have an opportunity to show themselves to be what few else see: statesmen.

ENDNOTES

- 1 38 North, Twitter post, March 6, 2018, 11:10 a.m., <https://twitter.com/38NorthNK/status/971055349854859264>
- 2 Xiang Bo, “Xi Jinping, Kim Jong Un hold talks in Beijing,” Xinhua, March 28, 2018, http://www.xinhuanet.com/english/2018-03/28/c_137070598.htm
- 3 Donald J. Trump, Twitter post, October 1, 2017, 10:30 a.m., <https://twitter.com/realdonaldtrump/status/914497877543735296>
- 4 “Trump Threatens ‘Phase 2’ if North Korea Sanctions Fail” *New York Times*, <https://www.nytimes.com/video/us/politics/100000005761633/trump-threatens-phase-2-if-north-korea-sanctions-fail.html>
- 5 “Statement by the President on the Iran Nuclear Deal,” The White House, January 12, 2018, <https://www.whitehouse.gov/briefings-statements/statement-president-iran-nuclear-deal/>

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