

OFFICE OF THE DIRECTOR
NATIONAL SECURITY COUNCIL

THE WHITE HOUSE
WASHINGTON, D.C.

THE PRESIDENT

FROM: JAVIER SOLIS
DIRECTOR, NATIONAL SECURITY COUNCIL

DATE: 8 DECEMBER 2017

**SUBJ: POLICY RECOMMENDATION AND OPTIONS FOR NORTH
KOREA'S NUCLEAR PROGZ RAM**

DECISION REQUESTED OF THE PRESIDENT.

Our approach towards North Korea in the 21st century has failed and it is time we accept the bitter reality of a nuclear North Korea. However, we urge the president to continue to provide our allies with military and strategic support and also urge him to **contain** North Korea's nuclear ambitions by integrating it into the global market, using independent monitors to ensure compliance with international agreements, and also leveraging the credible threat of military force to deter bad behavior. This approach is the only approach that will allow a **gradual, verifiable, and peaceful** denuclearization of the Korean peninsula.

I. ISSUE/BACKGROUND

North Korea's nuclear program has been a bothersome thorn on America's side since they successfully tested their first nuclear weapon in 2009. Various multilateral attempts to solve this issue and curb North Korea's nuclear capabilities have failed, either through a lack of adequate enforcement or through North Korea's own deceptiveness. Under the leadership of Kim Jong-Un in recent years, North Korea's nuclear and military ambitions have grown rapidly. In particular, their missile programs have made some troubling progress. North Korea has tested various short range missiles that can easily strike South Korea and Japan as well as intermediate range missiles that could reach the Philippines (refer to figure one).

However, the North's ultimate ambition is developing and perfecting Intercontinental Ballistic Missiles (ICBMs) that can strike targets throughout the continental United States and Western Europe. Pyongyang conducted its first successful ICBM test on July 4 of this year—which coincided with our own Independence Day, as if by design. The missile they tested, the Hwasong-14, reached an altitude of 1,741 miles and landed 580 miles away in the Sea of Japan. Extrapolating this information using an optimum trajectory predicts a possible range of 4,200 miles, which would put both Hawaii and Alaska in its range.

The North conducted another test of the Hwasong-14 on July 28. This time it reached an apogee of 2,300 miles and distance of 620 miles. Extrapolating this information using an optimum trajectory predicts a possible range 6,200 miles. This could strike much of the western United States, perhaps even reaching as far as Chicago. The North then went on to test five more short- and medium-range ballistic missiles, four in late August and one in mid September. One of these test missiles exploded immediately after launch while another disintegrated midflight, though it is unclear if this was caused by shoddy engineering or sabotage.

On November 28, the North tested its most powerful ICBM to date, the Hwasong-15. During its 53 minute flight, the Hwasong-15 reached an apogee of 2,780 miles and distance of 950 miles. This places the missiles range at over 8,100 miles, enough to reach Washington DC and in fact, all of earth's continents excluding South America and the majority of Antarctica. Though officials previously believed the Hwasong-15 was merely a redressed version of the Hwasong-14, pictures and videos hint that it is a new missile that has both an increased payload and a faster deployment time.

Though the North's tests have sparked domestic fears that a nuclear strike is possible, a paper published in the August edition of the Bulletin of Atomic Scientists argues that the North's missiles do not pose an immediate threat to the United States. The paper has determined that North Korea still possesses neither the capabilities to miniaturize a nuclear weapon to fit in the missile's warhead nor the ability to develop warheads that can withstand reentry into earth's atmosphere. Furthermore, the paper concludes that the July 4 and 28 tests were merely "a carefully choreographed deception by North Korea to create a false impression" that their missiles could pose a direct threat to the United States. However, the authors warn that if North Korean missile testing continues *ceteris paribus*, they will conceivably be able to develop an ICBM capable of striking the United States in a matter of months.

The threat of a nuclear North Korea and the lack of progress in reigning them in has unnerved many of our regional allies. In Japan, there is a growing nationalist movement which aims to reassess the country's own military might and sovereignty. Many Japanese citizens and politicians have felt constrained by article nine of their constitution, which limits the usage of military force to self-defense only. Prime Minister Shinzo Abe's administration itself has carefully chosen its words in response to North Korean threats, making sure not to alarm the

public. But Abe has also helped support legislation that gave the Japanese military authority to conduct overseas combat missions alongside US troops for the sake of “collective self-defense”.

Following the successful detonation of North Korea’s first thermonuclear weapon (hydrogen bomb) on September 3 of this year, South Korean Defense Minister Song Young-moo met with Defense Secretary Mattis. Young-moo and Mattis discussed the possibility of bringing back “strategic assets” such as aircraft carriers, stealth jets and bombers, and nuclear submarines and even nuclear weapons and personnel into the country. South Korea President Moon Jae-in also signaled his country’s desire to build a nuclear submarine during a phone call with Mr. President. Furthermore, South Korean President Moon Jae-in deployed a Terminal High Altitude Area Defense (THAAD) system in August to protect against the North’s missiles. This initially sparked a diplomatic row with the Chinese, who claimed the move undermined “China’s legitimate national security interests” in the region. Economic fallout that resulted from this spat as well as a common goal to rein in North Korea prompted the two nations to improve relations however.

The Chinese, one of North Korea’s few allies and its largest trading partner, have taken a somewhat tepid approach in dealing with North Korean aggression. Beijing has promised they would stay neutral if the United States defended itself against North Korean aggression, but also made it clear that they would prevent the United States and South Koreans from overthrowing the Kim regime. They have urged calm in this situation and have stressed the need for diplomacy, but have subverted our efforts through their lax enforcement of international sanctions against North Korea. However, the missile and nuclear tests conducted by the North in the past year have increasingly irked Chinese leadership. Following the September 3 hydrogen bomb test, Beijing announced that it will begin enforcing the recent UN Security Council Resolution 2375, which bans exports of petroleum products to and imports of textiles from the North.

The main issues that need to be addressed are the regional and domestic threats posed by North Korea’s nuclear ambitions, whether to reign them in through diplomacy or military action, and also the domestic and international fallout of the chosen policy decision. We need to balance our national security and economic interests in Eastern Asia with the concerns of our regional allies and partners as well as the stubbornness and paranoia of the North Koreans. We cannot afford to either under reach or overreach in this situation; the former would signify humiliating defeat while the latter would signify calamitous success—both would likely result in destruction and deaths.

II. POLICY OPTIONS

The Obama administration underestimated the North Korean's resolve by believing that leaving them isolated from global affairs would inevitably lead to the regime's collapse. Therefore, it took a "strategic patience" approach when dealing with North Korea. Obama's administration used multilateral, UN-focused sanctions in an effort to punish North Korea for their aggression and try to reign them in. At best, this strategy simply didn't work; at worst, it actually emboldened the North Koreans to become more daring and ambitious. One need only look at the spike in nuclear and missile tests during the Obama administration as a sign of this failure (see figure two).

The current sanction regime against North Korea have not halted their aggression. This is partially because it has largely targeted the North Korean populace instead of its leadership. Aside from that, other countries have been lax in their enforcement of international sanctions against the North. A UN report released in February of this year found that the North continues to sell weapons, military training, and labor to various countries in Africa, including Sudan, Mozambique, and the Congo. Furthermore, North Korea has come up with ingenious ways to avoid the sting of the sanctions, including new money-making ventures and increased self-sustainability. For sanctions to work against North Korea, secondary sanctions must be imposed on their enablers.

Military options are varied in magnitude and purpose, but we felt it necessary to preface this option by saying that any direct usage of force would likely escalate into bigger, bloodier conflicts. It is clear that Pyongyang is itching for an opening to unleash its massive artillery and missile arsenal indiscriminately upon South Korea and Japan. Even so-called surgical or limited strikes would invite major retaliation by the North Koreans. Therefore, we cannot give them the slightest excuse to commit mass murder.

An indirect military option would be to engage in brinksmanship. Our top officials will continue to engage in saber rattling through their rhetoric. Yet in order for these threats to have credibility, we must back them up with the appropriate military maneuvers that indicate we are ready and willing to go on the attack. An increased military presence in the region, primarily in the form of stealth aircraft and fleets of naval vehicles, coupled with more joint military exercises with the Japanese and South Koreans would accomplish this. By rubbing North Korea's face in their own military inferiority, we would hopefully convince them that any conflict would result in their complete and total destruction and prompt them to back down.

Since China favors stability in the region above all else, increased military posturing will also cajole them into taking a tougher stance against North Korea. If China believes that there is a real chance of war and a real chance of Korean reunification under American guidance, they will be obliged to preserve stability by clamping down on North Korea. The specter of having a massive refugee crisis at its border will also encourage them to avert war. The issue is that brinksmanship and American aggression would feed into North Korean propaganda. The Kim regime's *raison d'être* is essentially to protect the people of North Korea from American imperialist aggression—without the this threat, they lose credibility in the eyes of their people.

A direct, limited military action we can take is developing a specialized ballistic missile defense that could shoot down North Korean ICBMs immediately after launch, before it breaches the atmosphere. This has basis in international law as the North is blatantly violating UN restrictions imposed on them by testing missiles. However, it is unknown how the North Koreans would react to getting their missile shot down. This might lead the North Koreans to develop even stronger weapons that can override these measures, or simply launch so many missiles and

artillery shells that it overwhelms the system and renders it useless. Furthermore, any missile defense system will require expensive, around-the-clock maintenance in order for it to be effective and could potentially lead to increased Chinese anxiety.

Additionally, we can increase our cybersabotage activities in North Korea to impede the progress of their missile testing and nuclear development. Our previous efforts have played a hand in the abnormally high failure rate of the North's missile tests. Sabotaging their missiles accomplishes two goals: exploded missiles prevent North Korean scientists from learning from their mistakes and it also introduces the element of insecurity and unsureness in the minds of North Korean leadership. Kim has already expressed his paranoia in regards to being deposed from power and/or killed by internal forces. To the best of our knowledge, seven high ranking political and military leaders have been purged from the regime thus far, including Kim's uncle and former Vice Chairman of the North's National Defense Commission Jang Song-thae. Increased sabotage might increase purges and create more instability in Kim's regime. This could either lead the governmental collapse, a coup which deposes Kim and installs a more reasonable regime, or an irrational military action that destabilizes the region.

We can also demand that regional allies and friends start pulling more of their weight around when it comes to dealing with North Korea. We want them to establish their own defense capabilities so that our military can operate alongside theirs, not in lieu of it. Mr. President has floated the idea of placing nuclear weapons and personnel to operate them in South Korea and Japan. Though we currently have the ability to strike and obliterate North Korea twenty minutes after the go-ahead, placing nuclear weapons in the region would cut response time to three minutes. This might seem insignificant, but our ability to neutralize North Korea targets more quickly will save thousands, if not, millions of lives.

Perhaps our most uncomfortable policy recommendation is the acceptance of North Korea as a nuclear power. North Korea is unlikely to give up its defensive nuclear capabilities so long as the country's leadership feels threatened by the United States. Therefore, denuclearization of North Korea is a negotiation non-starter. Rather, the United States should adopt a phased approach which sees the implementation of gradual steps to contain the expansion and threat of North Korea's nuclear program. The first step is to create channels of dialogue between the United States and North Korea. Following China's "suspension for suspension" rubric, the United States will halt their joint military exercises and North Korea will halt further missile and nuclear testing as preconditions to any further talks. International monitoring can help ensure that the nation-wide suspension of nuclear enrichment and missile testing is strictly adhered to while the creation of clear guidelines and multilateral punishments will help keep them in check. Military force will primarily serve as a credible deterrent and will only be used only as an absolute last resort and only after the North has attacked first or is showing clear, credible signs of gearing up for an attack. Increased communication between all parties in the region will reduce the likelihood of a slip-up that escalates into a full-blown military conflict. Any and all steps that are implemented must serve the ultimate goal of long-term denuclearization with the understanding that there is no concrete timeline on that goal.

III. RECOMMENDED OPTION

The Kim regime has one thing on its mind above everything else: regime survival. It sees nuclear weapons as *the* only surefire way to secure it. North Korea's nuclear weapons program is arguably far too developed and provides the Kim regime with far too much leverage for them to simply give it up, regardless of any punishment or reward. Therefore, our country and allies need to recognize the reality of the situation and adopt a more pragmatic approach towards North Korea that focuses on containment, deterrence, and crisis management, as it is simply too late for prevention. Just like President Nixon accepted China as a nuclear power in 1972, it is time to do the same with North Korea.

That's not to say that North Korea's status as a nuclear power is a permanent one. Containment of their nuclear ambitions is still within reach, but will require increased multilateral cooperation for it to be successful. Therefore, clear and open lines of communication between the United States, South Korea, Japan, and China must be established to ensure all parties are on the same page. An article published by the Carnegie Endowment for International Peace calls for the creation of effective crisis management mechanisms (CMMs) as well as confidence-building measures (CBMs) to gain the North Korean's trust. These measures will establish a quadripartite crisis management and intelligence sharing regime which would monitor nuclear weapon development and proliferation activity in the North and establish common procedures to prevent the transfer or development of nuclear technology.

There are a few CBMs we can take to assuage some of the North's fears. A simple yet important one would be the creation of a direct line of communications between American and North Korean leadership that reduces the possibility of miscommunication which could escalate into armed conflict. This was crucial in avoiding calamity with the Soviets during the Cold War and can still serve a purpose today. Furthermore, the North has made it clear that the massive presence of US troops stationed in South Korea is a major source of contention. Thus, the United States will have to drastically reduce our numbers in the region. Though critics bemoan this as an opportunity for the North to launch an attack or invasion of the South and or Japan, they forget that the North is neither suicidal nor irrational. The menace of massive retaliation by the quadripartite would be hopefully be enough to convince the North to comply.

International monitoring to ensure that the North's nuclear capabilities remain defensive and not offensive must be part of any deal that recognizes North Korea's nuclear power. Agents from the International Atomic Energy Agency (IAEA) will be allowed complete, total, and unrestricted access to all of North Korea's known nuclear and missile facilities. Seismologists stationed throughout Asia and indeed throughout the world can help detect covert nuclear bomb tests (see figure three) and alert the appropriate authorities immediately of any suspected detonations.

In order to punish the North for non-compliance, a series of escalatory disciplinary measures will be established. The first level will be the immediate return of any economic sanctions that were previously lifted. But as previously mentioned, economic sanctions against North Korea will and have had little to no effect because of the lax enforcement mechanisms which currently exist. Thorough inspections and investigations of cargo ships and financial transactions between North Korea and UN member nations will help single out sanction violators. This will allow the international community to impose secondary sanctions on violators and allow the US to freeze or delay aid to these nations, cajoling them to stop. Any new sanctions imposed should also be targeted at North Korean leadership rather than its populace. They should restrict the leadership's ability to generate income from offshore accounts and

ventures. The North Korean leadership cares little if its populace starves so long as it is able to ensure regime survival; cutting off their own lucrative revenue sources, however, is a different story.

Sanctions alone, no matter how well enforced they are, can only accomplish so much. The next level of escalation will involve the return of joint military exercises and maneuvers in the region that signify the North that we mean business. These efforts should be supported or at the very least condoned by the Chinese to grant them legitimacy. This action would also require communication and intelligence between the Chinese and the Americans that establishes a contingency plan in case of a potential Korean crisis. This contingency plan should make it clear to both sides that neither would seek to benefit from the situation at the expense of the other and also make it clear that full and proper communications will precede any action on either side. Though perhaps uncomfortable, a discussion about the Korean Peninsula's future security and political status must take place. This will help satiate China's concerns regarding a unified Korean government that is closely aligned with our interests and ensure that both sides are aiming for some common goal. However, it is clear that the level of comfort between Beijing and Washington is not yet at that stage, yet it is likely increased tension and uncertainty in the Korean Peninsula would prompt both sides to discard their inhibitions and work closer together.

Above all, we will ensure that our commitment to our allies is unwavering and crystal clear to both them and the North. We will constantly use diplomatic channels to do so. We can also provide our allies with assurances that nuclear weapons and military forces will not stray too far away in the case of North Korean transgressions. The North will be respected as a nuclear power, but will also be subjugated to the responsibilities and expectations that come with being one. Compliance to international guidelines will be monitored vigilantly and will be enforced through targeted sanctions, multilateral action, and through the credible threat of force. Increased communication and cooperation with China will help facilitate our efforts and help avoid a catastrophic misunderstanding. When implemented in tandem, these actions will provide the basis for the gradual, verifiable, and peaceful denuclearization of the Korean peninsula.

IV. CONSEQUENCES OF RECOMMENDATION

Our proposal to recognize North Korea as a nuclear power will have profound consequences both at home and abroad. The 190 signatories of the Non-Proliferation Treaty might see this as an affront to the global effort to halt the spread of nuclear weapons. Some might even see it as encouragement to defy the Treaty and pursue their own respective nuclear weapons program. If this action is done unilaterally without the consultation of our regional partners and allies, we also run the risk of alienating them and perhaps even fostering feelings of betrayal. Japan and South Korea might pursue their own nuclear weapons program or military buildup, thus triggering a regional arms race. Because of this, we must make the clear distinction that North Korea's status as a nuclear power will not be permanent and that the international community will continue to develop, maintain, and enhance a mainframe to deter and contain their nuclear capabilities.

To ensure Japanese and South Korean cooperation and acceptance of North Korea and also prevent their own respective military buildups, we have to use both carrots and sticks. Despite the reduction of troops in the region, we will assure them of their security by committing more strategic naval and air power. Reluctance to support our efforts by South Korea and Japan will result in the threat of reduced economic and military aid. Cooperation, on the other hand, will be rewarded. Though a multilateral approach is preferred, we should not hesitate to act unilaterally if it undermines our ability to adequately meet our end goals in North Korea.

Apart from accepting North Korea as a nuclear power, our efforts will also involve incorporating the hermit country into the fold of world affairs. Making them more interconnected with their neighbors and the global market as a whole would reduce the likelihood of attack by increasing the stakes of the conflict. (Economic interdependence between nations has long been hypothesized to reduce the rate of inter-state military conflict). A state of functioning stability in the region can allow us to shift some of our resources and attention away from the Korean Peninsula and into other emerging conflict zones that require our leadership.

This integration of North Korea into the global society would also undermine the Kim's regime's position and legitimacy. As mentioned previously, the perception of American aggression and tyranny fuels the North Korean propaganda machine. By being welcoming and stressing diplomacy over military action, we will take some wind out of the Kim regime's sails. Totalitarian regimes such as Kim's are often reliant on an external threat, either real or perceived, to keep them in power. Removing the external threat will potentially leave them more susceptible to internal pressures they have to answer to. Eventually, this could create an opening for a grassroots revolution which leads to the deposition of the Kim regime.

Plenty of critics at home will vehemently oppose such a move to recognize North Korea as a nuclear power. They will see this as a sign of weakness and defeatism. They might even beat the ominous drum of war and declare direct military conflict the only way to deal with this threat. Critics will try to rationalize the casualties that would result and perpetuate the myth that a limited war in North Korea is feasible or desirable. But these critics are living in a bygone era. They need to recognize the limits of American influence and capability. In order to convince the American people to support this policy of containment and show them we are still beholden to our international commitments, our administration will have to embark on an extensive, nationwide effort to educate citizens on why the previous policies have failed and why this one won't. This education effort should also be extended to our regional allies and tailored to show them how the policy addresses their specific concerns and questions. Regardless of public reaction to our proposal to accept North Korea as a nuclear power, we must remain steadfast in

our decision and recognize that it is the only viable option. Furthermore, it is important to reflect on the eloquent words of John F. Kennedy, who reminds us that “Domestic policy can only defeat us; foreign policy can kill us”.

Though the consequences of this recommended policy decision hardly seem optimistic, we must keep in mind the outcomes under- or over-reaching in this scenario would entail. Under-reaching would severely jeopardize the security of our allies, our own national security and economic interests, and also the stability of the region. It would allow North Korea to continue developing its nuclear program and using it to extort its neighbors to do its bidding. The lack of American leadership might encourage other rogue states or terrorist groups to do the same and develop their own nuclear weapons. Over-reaching, on the other hand, would undoubtedly escalate to conflict and bloodshed of untold proportions. Our 63,000 or so troops stationed in Japan and South Korea would be placed in direct danger, as would millions of civilians. The war may end as quickly as it started if the usage of nuclear weapons is introduced. Even the outbreak of conventional warfare alone would rain unspeakable death and destruction. Conventional artillery would obliterate Seoul in a matter of minutes while short and intermediate missiles would strike Japan with brief warning. Global markets would flutter in a tailspin in the wake of this uncertainty while Far Eastern relations would deteriorate. Simply put, both under- and over-reaching have serious consequences that we *must* and *can* avoid.

Decades of failed North Korea policy has culminated into the current, pernicious state of affairs. We are far passed the point of halting the North’s nuclear program; now, all we are able to do is contain the damage. We have to recognize the limits of our power by recognizing that we simply cannot coerce or cajole Pyongyang to abandon its nuclear program any time soon, if at all. This approach should not be mistaken for a naïve panacea, but rather recognized as a maneuver that makes the best out of a terrible situation. By having a North Korea policy that recognizes this sobering reality, we will be able to minimize the danger posed by the North’s nuclear program. If done properly, this approach will also assist in minimizing the potential for armed conflict in the region, which is arguably the ultimate goal for all parties in the region. In the long run, this approach can help establish the groundwork the eventual denuclearization of the Korean Peninsula, the replacement of the Kim regime with a more moderate one, and improved relations between all parties.

V. ATTACHMENTS

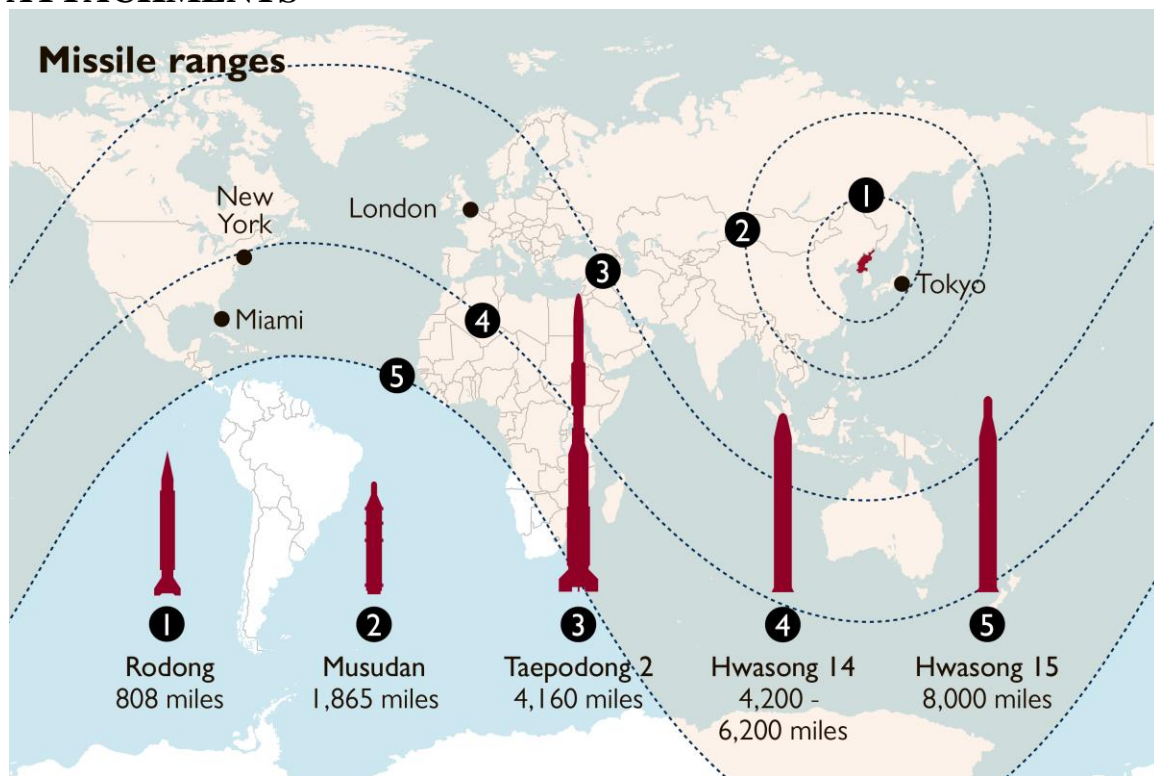


Figure 1

North Korea's nuclear and missile tests

Since 1984, North Korea has carried out **more than 150** missile and nuclear tests. **Over half have been since 2011**, when Kim **Jong-Un** came into power.

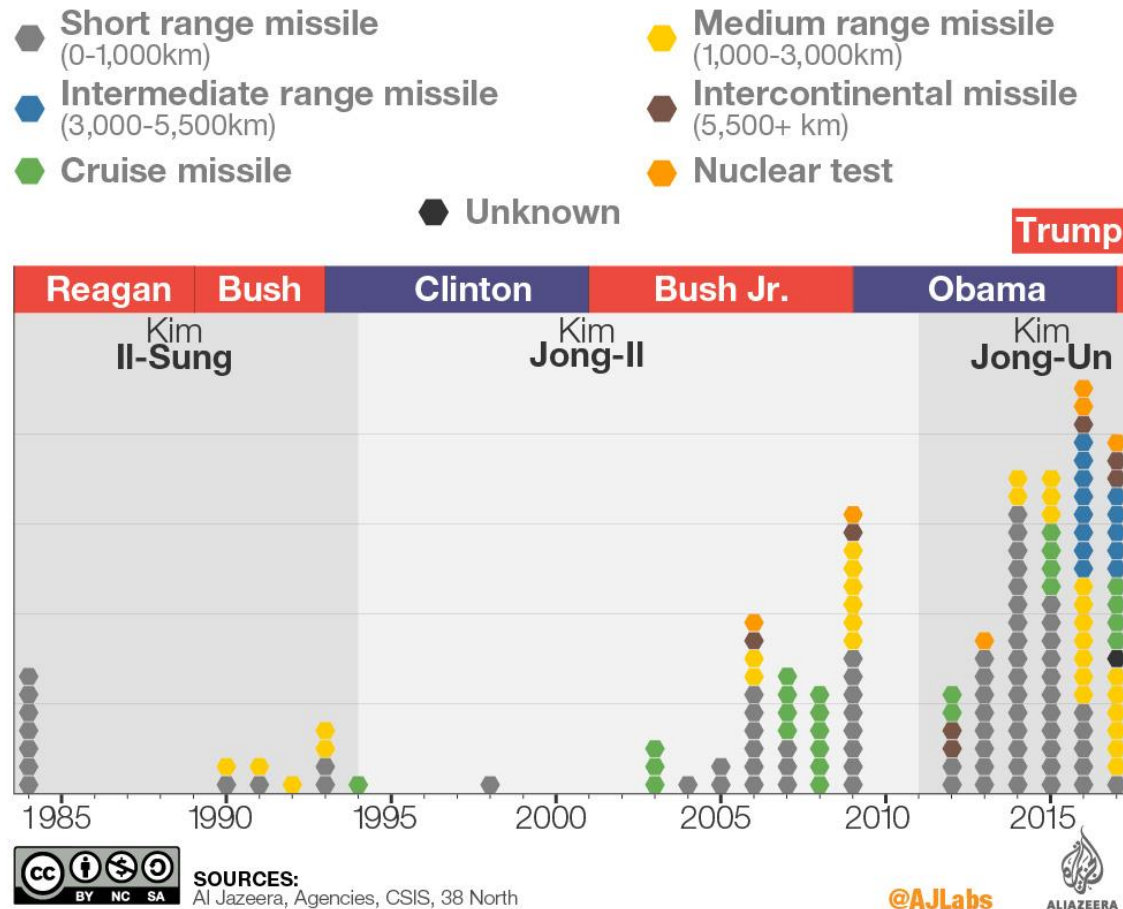


Figure 2

NORTH KOREA'S NUCLEAR TESTS



Magnitude: Body wave magnitude (mb) measures the size of a seismic event, such as an earthquake. It is one factor used to estimate the yield of a nuclear weapon after an underground detonation.

Yield: Measured in kilotons (kt), yield represents the amount of energy released when a nuclear device is detonated. One kiloton is equal to the explosive force of 1,000 tons of TNT.

Sources: Comprehensive Test Ban Treaty Organization (CTBTO), ROK Ministry of National Defense

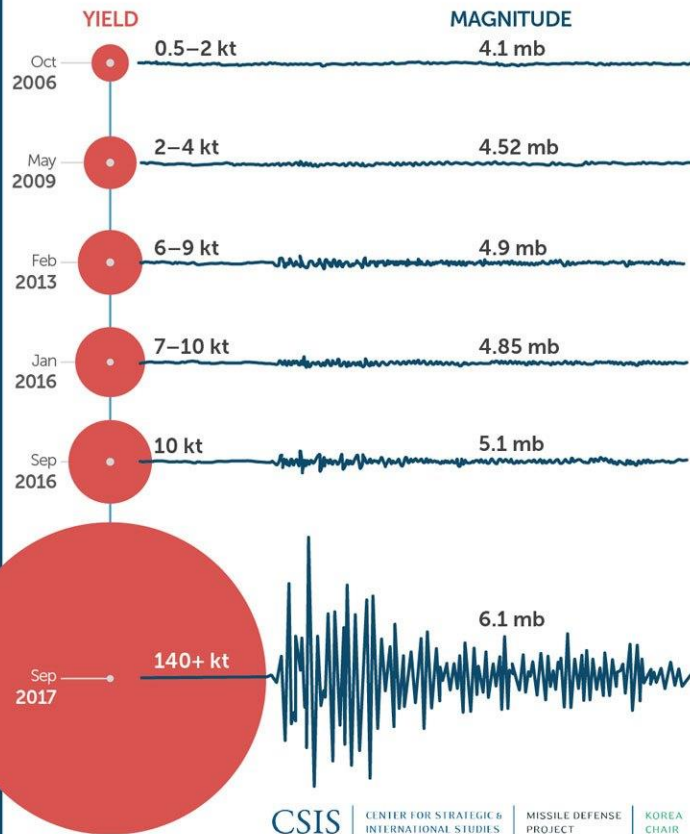


Figure 3