

A Standoff Turned Standstill: Solving the North Korea conflict requires new thinking and a different tool kit

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After North Korea's repeated missile launches and its sixth nuclear test in early September, tensions with the US have reached a new level. Despite noisy proclamations on both sides, however, the conflicting parties are now facing a non-zero-sum game: Neither the US nor North Korea would benefit from a military escalation. Meanwhile, Pyongyang is gradually shifting the balance in the conflict as it pursues its goals of deterrence and establishing a level playing field for future talks. Finding a diplomatic solution requires some introspection in Washington, and a wider tool kit. This includes recognizing that a new status quo has emerged, changing the narrative that frames the conflict for further negotiations, and encouraging international support for mediated conflict resolution involving a third party. Rushed diplomatic moves would do more harm than any good at this stage.

Since mid 2017, the conflict between the US and North Korea has reached an unprecedented level. However, the confrontation has also exposed what most observers have known all along: Both parties are caught in a standoff in which the US has run out of options, while North Korea keeps pushing its own agenda. Up until now, the US has applied a standard repertoire of responses. President Donald Trump is reacting with increasing levels of verbal condemnation, including downright threats of attack at the United Nations General Assembly this week. From Pyongyang's perspective, however, his pronouncements have so far remained empty threats.

The cycle of conflict unmasks the US's lack of alternative options in dealing with the Korean Peninsula. Continuing to apply the same strategic patterns or recombine existing tactical options would neither offer a solution

nor do justice to the changing situation on the peninsula. In particular, the pattern of increasing levels of threat, resumption of talks, sanctions, and strategic patience has not yielded any concessions from Pyongyang, and it is unlikely to do so in the future. In order to gain leeway for new options, Washington would need to review past negotiations and lessons learned. It should also recognize that a new status quo has emerged in the complex scenario of US-North Korean relations.

The Current Situation

The recent flare-up between Washington and Pyongyang has followed a pattern of escalation which started when the Six-Party talks between the Koreans, the US, China, Japan, and Russia ended in 2009. In 2017, North Korea stepped up its tests of new long-range missile technologies and eventually conducted its sixth nuclear test, in which it claims to have used a hydrogen bomb for the second time. President Trump's administration initially responded with unusually strong language but then proceeded to follow well-established patterns, which included renewed sanctions, joint military exercises with South Korea, and calls on China to use its influence on the Pyongyang leadership. In the follow-up, neither the US nor North Korea made any moves toward either hot conflict or reconciliatory talks.

Despite the increasing pressure on Pyongyang, the standoff is in fact a standstill. It also shows that the previous responses have failed to address the key causes in this conflict. What they highlight symptomatically, however, is that the parameters determining the status quo among the conflict parties have changed. On the one hand, the 1953 Korean Armistice Agreement has been exceeded by subsequent political and social developments on the peninsula, and in particular, by the military technology now at stake in the conflict. On the other hand, North Korea has been cementing a new status quo to create a level playing field for future negotiations and to guarantee its own national and regime security.

The View from Pyongyang

To understand Pyongyang's agenda, it is vital first to understand its perspective. Seen from Pyongyang, its demands have been ignored throughout the conflict and, as a result, it has been weakened in its ability to secure its own defense. The status quo following the Korean War was originally based on the 1953 Armistice Agreement that regulated conduct on both sides of the 38th Parallel. The subsequent weapons systems, however, exceeded the terms covered by this agreement. It was further eroded when the US stationed nuclear arms in South Korea between 1957 and 1991. For more than a decade now, North Korea has been seeking both negotiations on an equal footing and binding security guarantees from the US. The situation finally deadlocked in 2014 when Pyongyang realized that its demands would not be met. With prior talks and steps to facilitate new talks not showing any effect, North Korea's main goal now turned to establish-

ing a new status quo based on nuclear deterrence. From Pyongyang's perspective, the only viable alternative was now a binding peace treaty including a range of mutual security provisions. Lacking confidence in North Korea's motives, the US did not favor this option.

Given this scenario, Washington's latest moves to step up threat levels have largely played into Pyongyang's hands. North Korea finally appeared – at least *prima facie* – as a serious opponent in a possible military conflict. Pyongyang reacted with calculated brinkmanship in order to demonstrate resolve and keep the international community alert. While the increasingly heated rhetoric on both sides failed to bring the opposing parties back to the negotiation table, it did underpin the evolving new status quo based on deterrence. The ongoing conflict and the lack of meaningful cooperation among the great powers involved – including the US, China, and Russia – will inevitably lead to a Cold-War type situation. Given Pyongyang's strategic goal to stand on equal footing with the US, this is the best it could ask for.

Failed Options

The scenario of a preventive strike or an even a larger theater of war has been looming over the debate ever since conflict cycles escalated this year. Key options have failed to bring about a change of course:

Chinese involvement: The US has repeatedly tried to involve China and put the North Korea issue into Beijing's court. Beyond agreeing with UN sanctions on North Korea, China has, however, so far decided not to get involved, leaving the ball squarely in the US's court.

"Double moratorium": China's initiative to push for a *double suspension* – a moratorium on nuclear tests in North Korea in return for a moratorium on military exercises by the US and South Korea – was discussed in informal meetings up to 2015. However, it failed to remain an option as both sides lacked confidence and couldn't agree on terms. In fact, one may wonder whether China's initiative was little more than a move again to play the ball back into Washington's court.

South Korean peace initiative: South Korea's June 2017 initiative offering a bilateral peace treaty with North Korea holds little promise, as the US and North Korea have now taken center stage in the conflict. The move does, however, highlight Seoul's dilemma as it fears it has turned into a bargaining chip between Washington and Pyongyang.

Frozen Conflict and War Scenarios

With no change of track, the current impasse could continue in two non-military ways, if it does not devolve into armed conflict.

Scenario I: Although China and the US have cooperated to prevent North Korea from acquiring and developing its nuclear technology, Beijing's commitment to this process only extends so far. China wants to safeguard stability, yet it also competes with the US as a strategic player in the region. Beijing would certainly not accept a war at its doorstep if the US were to consider military options against North Korea. The current standoff could therefore turn into a frozen conflict between the US and China.

Scenario II: The experience of the Cold War has shown that a scenario of mutual nuclear deterrence needs to be managed to alleviate misunderstandings which could trigger a war. Even a Cold-War scenario therefore requires communication and rules of conduct. North Korea and the US will need to develop a *modus vivendi* even if the standoff remains unsolved.

Scenario III: With no solution in sight and facing growing nuclear threats even to its own homeland, the US weighs possible military options.

Diplomatic Pitfalls

In recent weeks, calls for possible third-party mediation have become more vocal, and the European Union and countries such as Switzerland and Germany have considered possible roles. This approach is certainly most promising, yet it requires caution. Instant diplomacy might do more harm than good if it repeats crucial mistakes of the past. Such mistakes included:

- Making absolute demands on both sides
- Failing to take into account different perceptions of and misunderstandings about agreements and arrangements
- Failing to implement existing agreements on both sides
- Failing to develop long-term perspectives and a structured roadmap for sequencing any agreed actions

A rushed return to the negotiation table would carry the risk of repeating such mistakes, further undermining mutual confidence and the prospect of reaching a sustainable solution accepted by all parties involved. To avoid this, the US needs to rethink its position in the conflict fundamentally. Above all, the conflict should be reframed to allow new approaches toward reaching mutual agreement.

Reframing the issue: A new approach to conflict resolution

Whereas past narratives about the conflict – focusing on “regime change,” “broken agreements,” and “provocations” – have undermined trust on all sides, a new narrative is required particularly in Washington to shift the focus toward conflict resolution. Reframing the approach to resolution should highlight the possible mutual wins on both sides. Three steps are vital to achieve progress.

1. *Accept the Status Quo.* North Korea has shifted the balance among the conflict parties by establishing a deterrence-based status quo in its relations with the US. As such, it has also rewritten the rules of the game when it comes to resolving the conflict. Washington's acceptance of a new *de facto* deterrence-based status quo could lay the basis for renewed talks at eye-level and eventually help normalize diplomatic relations. At the same time, the risk of creating a precedent for other countries who might seek to follow North Korea's example needs to be avoided. In order to maintain the global regime of Non-Proliferation, Pyongyang should therefore accept that it cannot expect a *de jure* recognition as a nuclear power.
2. *Change the narrative.* In its current discourse about the conflict, the US has been reiterating that North Korea has not followed up on agreements and has instead used its nuclear program to bargain for food aid and economic assistance. Pointing fingers at North Korea for alleged failings – such as its 2012 satellite launches – and an ongoing public condemnation on the international stage (“the axis of evil”) have added to this discourse of recrimination. However, this US narrative is not supported by actual events. Both parties have been slow to implement the agreements of the Six-Party Talks. The US has also frustrated the North Korean government by refraining from any bilateral security guarantees that require legislative agreement. Instead of reiterating the narrative of recrimination, the US should demonstrate its commitment to dialogue. By refocusing the public political discourse toward conflict resolution and mutual gains, it is more likely to open the door for any future dialogue.
3. *Move beyond the spiral of conflict.* Accepting that conflict cycles are more likely to be broken with the help of external parties would move the parties out of the spiral of mutual recrimination. A shift toward an approach focusing on conflict resolution opens the door in turn for a whole range of new options. Any moves in such a direction would need to go beyond the standard tool kits of security cooperation such as confidence-building measures. A third-party mediation

that goes beyond China's previous involvement as a facilitator would help bring diverging interests into the open.

Outlook

The standoff between North Korea and US has become a standstill despite the increasing rhetoric of condemnation and confrontation on both sides. A new approach to conflict resolution is required to open new alleyways for de-escalation and talks leading toward a regional peace process.

Any conflict resolution will have to start by accepting the changed parameters of the conflict, as North Korea has *de facto* cemented a new status quo based on nuclear deterrence in the region. Given this shift in parameters, a quick fix to the conflict is unlikely. For the US, reframing the conflict narrative toward more conciliatory tones

and potential wins on both sides can help also overcome internal resistance to re-engaging in talks.

In the short-term, the US needs to make visible moves in order to facilitate renewed talks. Consultations with the Six Parties, the EU, and other countries are advisable in order to pursue third-party mediation efforts toward a long-term resolution of the conflict. Any third-party mediator will then need to engage in consultations to facilitate the development of a comprehensive, well-sequenced and integrated roadmap for rapprochement and an eventual peace process. This is necessary in order to include all demands, pursue possible alternative solutions, and consider potential spoilers. On this basis, a diplomatic option can point to a way out of the long-lasting conflict.

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