

CHAPTER IV UNITED STATES' POLICY POST – SIX-PARTY TALKS

In the case of North Korea Nuclear and Missile Crisis, it is crucial to address both the US and DPRK into the Typology table. The United States of America is addressed as State A, and DPRK as State B, in which the US will examine their capability in military, political, and economy, and examine the stance of DPRK towards them to later determine a proper measure taken for handling the Crisis.

		State B		View on Opponents' Strategy	
				Threatening	Supporting
State A				Confrontation	Leadership
State's Strength	Strong			Accommodation	Concordance ¹
	Weak				

The United States of America is the current's world superpower after the fall of the USSR after the Cold War, and that status remains until today. Considering their power level as a superpower, the US is a **strong** state to begin with as their military strength ranks the first, followed by Russia and PR China². The US is also one of the economically strongest in the world despite being in a race with PR China regarding economic growth with the Gross Domestic Product (GDP) reaching US\$ 19.417.144³. In terms of political power, being one of the major international donors have given the US

¹ John P. Lovell, *Foreign Policy in Perspective* (Mochtar Mas' oed, Ilmu Hubungan Internasional: Disiplin dan Metodologi, LPP3ES, 1990).

² GlobalFirePower.com. 2017 Military Strength Ranking, <https://www.globalfirepower.com/countries-listing.asp>.

³ StatisticTimes.com, *List of Countries by Projected GDP*, <http://statisticstimes.com/economy/countries-by-projected-gdp.php> (April 23rd, 2017)

influence across the globe as the US donated US\$ 32.7 billion in financial assistance⁴. To add, the US is one of the permanent members of the United Nations Security Council (UNSC) or usually referred as the “Big 5” and one of approved nuclear state in the NPT.

At the same moment, the US viewed DPRK, along with their nuclear and missile development, as a main threat towards them and their allies, who unfortunately happened to be DPRK’s neighbors: Japan and ROK. It had indeed started decades prior, but the change of government in internal DPRK (Kim Jong-Un’s presidential term) brought the issue to another level as DPRK had become more aggressive than ever in developing their Weapons of Mass Destruction (WMDs) and causing tension in the region.

Handling such **threatening** stance from DPRK, the US decided to choose **confrontation** actions towards DPRK as the US could not take any chance of letting DPRK develop nuclear weapons that could threaten the international community. Despite so, the US could not deliberately launch a preemptive attack on DPRK for several reasons, such as the fear of immediate retaliation towards ROK and Japan, which could damage the US’ importance in the region. Therefore, using their hard power capability to act as a *deterrent* looked more favorable for the US.

President Barack H. Obama since 2009 led The United States of America, replacing former President George W. Bush. In this period, the US showed a change of view towards North Korea Nuclear and Missile Crisis as President Obama had a considerably different approach in handling conflicts: combining diplomatic discussions with hard-power pressure simultaneously. In this case, Obama administration was willing to take military actions to ensure the achievement of the US’s

⁴ Ian Bremmer, *These Are the 5 Reasons Why the U.S. Remains the World’s Only Superpower*, <http://time.com/3899972/us-superpower-status-military/> (May 28th, 2015)

interests instead of merely depending on diplomatic talks; like what happened with Iran and Afghanistan⁵. The strategy introduced by Obama administration purposed to confront DPRK is known as “strategic patience”: to wait for DPRK to admit their mistakes and later to engage them in a diplomatic discussion. However, the US did not merely sit and wait for DPRK’s next move, but rather taking several measures to put pressure on DPRK at the same moment. Those measures or policies included in the “strategic patience” can be categorized into three parts: **Monitoring & Threatening Statements**, **Economic Sanctions**, and **Military Activities**.

However, President Donald J. Trump, the new US President who took office since January 20th, 2017, has been known to be a controversial person as his style of government is more aggressive compared to his predecessor, President Obama. He is also known to have a “hot-headed” personality, making several people worry that his decision could lead to war, including former Mexican President, Vicente Fox⁶. To add, he issued an executive order to issue a travel ban for refugees and travelers from Iran, Iraq, Syria, Libya, Sudan, Yemen, and Somalia for certain amount of time (excluding diplomats and UN visas). The travel ban caused international-scale confusion

⁵ Ramon Pacheco Pardo, op. cit.

During Obama administration, they handled the Iran nuclear crisis by combining dialogue and pressure for the sake of tackling Tehran’s nuclear program. On Afghanistan, Obama announced a troop surge, in which the US troops would be sent quickly as well as being brought home.

⁶ John Bowden, *Vicente Fox: Trump’s ‘hot-headed’ personality could lead to war*, <http://thehill.com/latino/340385-vicente-fox-warns-trump-hot-headed-personality-could-lead-to-war> (July 1st, 2017)

President Trump is known to be very antagonistic against Mexico since his presidential campaign as he promised to build a “wall” to prevent more illegal Mexican immigrants to enter the US and made Mexico pay for the construction. He sees Mexico as a source of problems in the US, such as stealing American jobs and smuggling drugs to the US.

as the media reported Trump's order as "Muslim Ban"⁷. In facing DPRK, he viewed Obama's "strategic patience" strategy as an ineffective way to solve the North Korea crisis as the US failed to stop DPRK's aggressive nuclear and missile development program, calling the "end of the era of strategic patience"⁸.

A. Monitoring & Threatening Statements

The United States of America had put their eyes on DPRK ever since DPRK started causing tension and conducting provocations towards their opponents: ROK, Japan, and the US (around the late 1960s), and the US began to concern more as DPRK managed to develop nuclear and missile technology. During the Obama administration, the US started focusing on the intelligence gathering capability of ROK and Japan, and thus with both, signed a treaty on intelligence sharing regarding DPRK's nuclear and missile program. This treaty was brought into table following the cyber-attack on Sony Pictures Entertainment in the US, in which the US accused DPRK's associates was the one behind the attack. However, the treaty faced a challenge as Japan and ROK had not managed to relieve the World War II sentiment. In this case, both states later asked the US to be the intermediary for intelligence sharing, for regional security considered a primary concern⁹.

⁷ BBC, *Trump's executive order: Who does travel ban affect?*, <http://www.bbc.com/news/world-us-canada-38781302> (February 10th, 2017)

President Trump denied the accusation of the travel ban as "Muslim Ban" by saying, "This is not about religion – this is about terror and keeping our country safe. There are over 40 different countries worldwide that are majority Muslim that are not affected by this order."

⁸ Kevin Liptak and Jeremy Diamond, *Trump says 'era of strategic patience is over' for North Korea*, <https://edition.cnn.com/2017/11/06/politics/president-donald-trump-north-korea-japan/index.html> (November 6th, 2017)

⁹ Ankit Panda, *US, South Korea, Japan Start Sharing Intelligence on North Korea*, <https://thediplomat.com/2014/12/us-south-korea-japan-start-sharing-intelligence-on-north-korea/> (December 30th, 2014)

Another action taken by the US was done following DPRK's SLBM launch test on April 23rd, 2016. After the launch, President Barack Obama, during a talk with CBS News, warned Kim Jong-Un that the US can destroy DPRK with the US's arsenal alone and demanded him not to get "irresponsible and erratic". Despite saying that the US can do so, Obama also stated that aside of humanitarian costs from the "destruction", the US's primary concern is that DPRK is the next – door neighbor to ROK, the US's vital ally¹⁰.

Even before his presidential term, President Trump had begun insulting Kim Jong-Un and DPRK in many occasions, and his insults and warnings got more intense as President Trump took office in 2017. Around one year after NBA Star Dennis Rodman visited DPRK and watched a basketball exhibition with Kim Jong-Un, Donald Trump tweeted through his personal Twitter account, saying that DPRK is "The last place on Earth I want to go to." During his campaign, he insulted Kim Jong-Un several times more; for instance, he stated in a Republican presidential debate that somebody better start having concern on DPRK and "the maniac sitting there". He also stated in an interview at CBS This Morning that "China must make this guy disappear in one form of another... this guy's a bad dude – and don't underestimate him"¹¹.

The exchange of insults got more intense as following the inauguration of President Trump, Kim Jong-Un began to

Until recently, anti – Japanese sentiment in ROK which is caused by the Japanese occupation of Korea in WWII is still around, and Japan has a different view towards any history related to WWII. One of Japan–ROK major sentiment is the view on "comfort women".

¹⁰ David Blair, op. cit.

Sitting next-door with DPRK, both ROK and Japan are DPRK's most vulnerable target for retaliation. Meanwhile, ROK is the US's vital ally, and the US agreed to protect Japan according to Japanese Constitution's Article 9.

¹¹ Matt Stevens, *Trump and Kim Jong-un, and the Names They've Called Each Other*, <https://www.nytimes.com/2018/03/09/world/asia/trump-kim-jong-un.html> (March 9th, 2018)

reply President Trump's insults with another insult. Following the July 4th missile test, Trump tweeted that "Does this guy have anything better to do with his life?", and during an interview at his golf club, he stated that he will unleash "Fire and Fury the world has never seen before" if DPRK made more threats to the US. Following Kim Jong-Un's decision not to fire missile at Guam, President Trump appreciated this decision by tweeting that Kim Jong-Un made a "Very wise and well-reasoned decision". The most iconic insults exchange between the two leaders was during United Nations General Assembly, as President Trump referred Kim Jong-Un by saying "Rocket Man is on a suicide mission for himself and for his regime," and this insult was replied by Kim Jong-Un during his remark speech by stating "I will surely tame the mentally deranged U.S. dotard with fire." Just hours after this exchange of insults, President Trump tweeted that Kim Jong-Un, "who is obviously a madman who doesn't mind starving or killing his people, will be tested like never before¹²."

B. Economic Sanctions

The US had imposed sanctions towards DPRK's commercial activities for a while, and the sanctions were getting tight as the time goes. Several reasons why the US and several other states, respectively, gave sanctions towards DPRK are human right abuses, money laundering, cyber-attacks, development of Weapon of Mass Destruction (WMD), etc. Despite the US promising that they would lift the sanctions one after another if DPRK were to stop developing nuclear and missile system and willing to engage in diplomatic discussion, DPRK stood their ground.

One of the major sanctions given by the US was following the Cheonan Incident. President Obama in August 2010 announced the widening of embargo and the freezing of the US's assets belonging to DPRK's individuals, firms, and

¹² Ibid.

other entities involved in the trade in armaments, luxurious goods, money laundering, drugs smuggling, and other illegal activities. Several individuals affected the sanction were Kim Yong Chol, Ri Hong-Sop, Ri Je-Son, Yun Ho-Jin, and the affected firms were Green Pine Associated Corporation, Office 39, the Reconnaissance General Bureau, Korean Heungjin Trading Company, Korea Taesong Trading Company, Munitions Industry Department, Second Academy of Natural Sciences and Second Economic Committee¹³. The sanction was given towards those entities as the US suspected that the money gained from the illegal economic activities would be used to fund DPRK's already-condemned nuclear and missile program. Another major sanction given was following the cyber-attack on Sony Pictures Entertainment. President Obama signed an executive order to deny several individuals from using the US's financial assets and order the Treasury Secretary, after consulting with the Secretary of State, to impose sanctions on DPRK's government and the Workers' Party of Korea, along with anyone acting on their support. Entities affected by the sanction were the Reconnaissance General Bureau (DPRK's intelligence agency), Korea Mining Development Trading Corp. (DPRK's primary arms dealer as described by the US' Treasury Department), and Korea Tangun Trading Corp. (DPRK's provider of commodities and technology for DPRK's defense and development programs). The affected individuals were Kil Jong Hun, Kim Kwang Yon, Jang Song Chol, Yu Kwang Ho, Kim Yong Chol, Jang Yong Son, Kim Kyu, Ryu Jin, Kang Ryong, and Kim Kwang Chun. These individuals worked for the two sanctioned companies, but not a part of DPRK's top officials¹⁴. On February 18th, 2016, the US's National

¹³ Arshad Mohammed, *Obama widens U.S. sanctions on North Korea*, <https://www.reuters.com/article/us-korea-north-usa-sanctions/obama-widens-u-s-sanctions-on-north-korea-idUSTRE67T3BX20100830> (August 30th, 2010)

¹⁴ Julia Edwards and Jason Lange, *U.S. slaps more sanctions on North Korea after Sony hack*, <https://www.reuters.com/article/us-northkorea-cyberattack-sanctions/u-s-slaps-more-sanctions-on-north-korea-after-sony-hack-idUSKBN0KB16U20150104> (January 4th, 2015)

Committee on North Korea (NCNK) released the first statute regarding sanctions on DPRK following the January nuclear test. The content of the statute includes:

- A requirement for the President to sanction entities found to have contributed to North Korea's WMD program, arms trade, human rights abuses, or other illicit activities (Sanctioned entities may face civil or criminal penalties, as well as loss of access to the U.S. financial system)
- Mandatory sanctions for entities that are involved in North Korea's mineral or metal trade, which contribute to a large component of the country's foreign export earnings.
- Discretionary authority for the President to sanction entities that provide support to persons sanctioned by the UN Security Council.
- A requirement that the Treasury Department determine whether North Korea should be listed as "a jurisdiction of primary money laundering concern," which would entail the application of new financial restrictions
- The blocking of any property belonging to the North Korean government, the Korean Workers' Party, or a person acting on their behalf, if it comes under U.S. jurisdiction.
- New sanctions towards authorities related to North Korean human rights abuses and violations of cybersecurity.
- Authorization for the President to waive sanctions contained in the Act to facilitate humanitarian activities in North Korea. Certain activities including operations related to POW/MIA remains recovery missions are exempt from sanctions, and the President may also

The US suspected DPRK to be behind the cyberattack on Sony Pictures Entertainment as the production house was about to release the movie "The Interview", the comedy centered on the assassination plan on Kim Jong – Un.

waive the application of sanctions contained in the Act on a case – by – case basis for national security or other reasons¹⁵.

During President Trump’s administration, economic sanctions became tenser as sanctions in his period applied not only to individuals and entities in internal DPRK, but also everyone in the international community who traded with DPRK. For instance, the death of the US’ student, Otto Warmbier, after being arrested for “hostile act” and supposedly tortured by DPRK during his visit to DPRK was responded by the US with the passing of Otto Warmbier North Korea Nuclear Sanction Act in October 2017. The sanction banned any foreign entity that conducted business or cooperated with DPRK from trading with the US¹⁶. Before the passing of the Act, the US government authorized the “Geographical Travel Restriction” which banned US’ citizen from travelling to DPRK for the risk of “long-term detention” as tourists. As for people with “certain limited humanitarian or other purposes”, they could apply for special passports to visit DPRK¹⁷.

On November 20th, 2017, President Trump issued the re-enlisting of DPRK into the US’ state sponsor of terrorism. The sanction was meant to allow the US to impose sanction towards DPRK’s nuclear and missile development. During his speech following his return from the twelve-days trip in Asia, President Trump stated that “North Korea has repeatedly supported acts of international terrorism, including

¹⁵ The National Committee on North Korea, *Summary of the North Korea Sanctions and Policy Enhancement Act of 2016*, https://www.ncnk.org/sites/default/files/content/resources/publications/HR757_Summary_Final.pdf (February 18th, 2016)

¹⁶ Andy Barr, *The House Passes Barr’s North Korea Sanctions Bill*, <https://barr.house.gov/media-center/press-releases/the-house-passes-barr-s-north-korea-sanctions-bill> (October 24th, 2017)

¹⁷ Yeganeh Torbati and Se Young Lee, *U.S. State Department to clamp ban on travel to North Korea*, <https://www.reuters.com/article/us-northkorea-usa-tours/u-s-state-department-to-clamp-ban-on-travel-to-north-korea-idUSKBN1A60SE> (July 21st, 2017)

assassinations on foreign soil,” and “This designation will impose further sanctions and penalties on North Korea and related persons and supports our maximum pressure campaign to isolate the murderous regime¹⁸.” One of the assassinations referred by President Trump was the assassination of Kim Jong-Un’s half-brother, Kim Jong-Nam, in Kuala Lumpur International Airport (KLIA), Sepang, Malaysia, in February 2017¹⁹.

The re-enlisting of DPRK into state sponsor of terrorism gave the US broader chance to impose sanctions on DPRK months later as the US’ government gave sanctions towards one individual, 13 companies, and 20 vessels engaged in trade with DPRK which worth hundreds of millions of dollars in November 2017. One of the sanctioned companies was the Chinese Dandong Dongyuan Industrial which exported more than US\$ 28 million in motor vehicles, electrical machinery and other equipment associated with DPRK’s nuclear reactors. Other three Chinese trading companies exported around US\$ 650 million and imported more than US\$100 million in notebook computers, coal, and iron²⁰. One month after the previous sanction, the US banned two DPRK individuals (Kim Jong Sik and Ri Pyong Chol) from making any transaction with US’ individuals and business²¹.

¹⁸ Jeff Mason and David Brunnstrom, *Trump declares North Korea state sponsor of terrorism, triggers sanctions*, <https://www.reuters.com/article/us-northkorea-missiles-usa/trump-declares-north-korea-state-sponsor-of-terrorism-triggers-sanctions-idUSKBN1DK223> (November 21st, 2017)

¹⁹ BBC, *Kim Jong-nam: Main players in mysterious killing*, <http://www.bbc.com/news/world-asia-39048796> (October 2nd, 2017)

²⁰ Donna Borak, *Trump administration slaps more sanctions on North Korea*, <http://money.cnn.com/2017/11/21/news/economy/treasury-north-korea-sanctions/index.html> (November 22nd, 2017)

²¹ Donna Borak, *Treasury escalates pressure on North Korea with more sanctions*, <http://money.cnn.com/2017/12/26/news/economy/trump-north-korea-sanctions/index.html> (December 26th, 2017)

D. Military Activities

Increased provocations committed by DPRK had made the US considering the “display of military might” within the region with expectations that DPRK would eventually not go any further with their provocations. This “display” is initially an increase of the US’ military’s presence and activity, and the fortifying of the US’s allies in Korean Peninsula.

Following the Cheonan Incident, the US and ROK conducted joint military exercises codenamed “Invincible Spirit” on July 25th, 2010, and said to be attended by 8,000 military personnel, 20 ships and submarines, and 200 aircraft, and the exercise was focused on anti-submarine training. Despite critics and warnings from DPRK, the “Invincible Spirit” still started anyway at 06.30 a.m.²². Series of military exercises did not stop there as just a few weeks after the mentioned exercise, the US–ROK annual military exercise was conducted on August 16th, 2010 and it was done for 11 days²³. The US also conducted military exercises with both ROK and Japan off the Hawaiian coasts on June 29th, 2016 focused on the operating system of Aegis anti-missile system. This anti-missile exercise was conducted following the recent medium-range ballistic missile test by Kim Jong-Un’s DPRK. This exercise was also done to strengthen the alliance of three states and diplomatic relations between ROK and Japan, which was frozen due to certain issues, against DPRK and their dangerous nuclear and missile program²⁴. To add, the US’ Navy Pacific Command

²² Barbara Starr, Kyung Lah and, Eve Bower, *U.S., South Korea begin military exercises*,

<http://edition.cnn.com/2010/WORLD/asiapcf/07/25/south.korea.drills/index.html> (July 25th, 2010)

²³ CNN Wire Staff, *U.S., South Korea begin joint military exercises*,

<http://edition.cnn.com/2010/WORLD/asiapcf/08/16/south.korea.u.s.exercise/s/index.html> (August 16th, 2010)

²⁴ The Business Times, *US, South Korea, Japan hold first anti-North Korea missile drill*, <http://www.businesstimes.com.sg/government-economy/us-south-korea-japan-hold-first-anti-north-korea-missile-drill> (June 29th, 2016)

held another massive naval exercise on September 12th–23rd, 2016, off Guam’s coast, and was attended by 18.000 personnel, 180 aircraft, and around a dozen warships in the entire Pacific territory. This every–two–years training was codenamed “Valiant Shield” which consisted of amphibious assault, anti–submarine warfare, air defense operation, and maritime security²⁵. As for Trump administration, the US and ROK conducted an annual military exercise, the Foal Eagle, on March 1st, 2017, with 31.600 US’ military service members participating in the exercise until April 30th. The exercise focused on joint (ground, naval, air) field exercises, and was purposed to increase the readiness to defend ROK, to protect the region, and to maintain stability on the Peninsula²⁶.

Another military action done by the US was the plan of the US Navy to have a port visit to Hong Kong back in 2016 but was called off due to the refusal of PR China’s government to let the US’ Navy ships entering their territory²⁷. Despite so, just five months after the rejection, two US’ Navy ships, Wasp–class amphibious assault ship USS *Bonhomme Richard* and San Antonio–class amphibious transport dock USS *Green Bay*, made a port visit on September 29th, 2016, after the Valiant Shield exercise²⁸. However, the most prominent military action

Despite having anti – missile training, there was no actual missile fired as the training was focused on the use of technology of the Aegis system (data collecting, operational, communication, and capabilities for assignments).

²⁵ Franz – Stefan Gady, *US Navy to Hold Massive Naval Drill in Western Pacific*, <https://thediplomat.com/2016/09/us-navy-to-hold-massive-naval-drill-in-western-pacific/> (September 8th, 2016)

²⁶ Terri Moon Cronk, *U.S., South Korea Launch Annual Foal Eagle Exercise*, <https://www.defense.gov/News/Article/Article/1102331/us-south-korea-launch-annual-foal-eagle-exercise/> (March 3rd, 2017)

²⁷ Main causes of the rejection by PR China’s government towards any of US Navy’s activity near their sea was the tension caused by South China Sea territorial dispute between the US and PR China as the US sought for the right of “freedom of navigation” in the region.

²⁸ Franz – Stefan Gady, *2 US Warships Make Port Call in Hong Kong*, <https://thediplomat.com/2016/10/2-us-warships-make-port-call-in-hong-kong/> (October 1st, 2016)

of the US during this period is the US–ROK agreement on the installation of Terminal High–Altitude Area Defense (THAAD) anti–ballistic missile defense system which would be installed in Seongju, ROK. The agreement was signed under Obama administration of the US and Park Geun–Hye of the ROK on July 7th, 2016, as both states initially saw the importance of this defense system to face DPRK’s series of missile tests. Based on the US’ and ROK’s joint statement made on July 8th, 2016, the purpose of THAAD was purposed as a “defensive measure to ensure the security of ROK people, and to protect alliance military forces from DPRK’s weapons of mass destruction and ballistic missile threats”. Despite having signed in July 2016, it was not until May 2017 that the first THAAD battery became operational which was under Trump administration²⁹.

²⁹ Institute for Security & Development Policy, *THAAD on the Korean Peninsula*, <http://isdip.eu/publication/korea-thaad/> (October 2017)

THAAD is an anti–ballistic missile system developed by Lockheed Martin, a US aerospace, security, defense, and advanced technology company based in Bethesda, Maryland. THAAD system consists of five parts: launchers; missiles; fire control; radar; and support equipment. The reason why this system is favored by the US and ROK is its ability to intercept ballistic missiles being 200 km away and 150 km high, and the radar can identify up 1.000 km missile threats.