



# The Biden Administration's North Korea Policy Review: Old Wine in New Wineskins?

By Mason Richey | 5 July 2021

## Key Issues

- The Biden administration has finished its North Korea policy review. Given the failure of prior approaches to North Korean denuclearisation, the review calls for a “calibrated, practical” approach avoiding both “grand bargains” and “strategic patience.” Yet with details of the policy review scant, and the Biden-Moon summit casting little extra light, there are questions about how the policy review translates into strategy.
- Biden administration statements indicate that the US will continue to make the same basic negotiation offer as prior administrations. This bodes poorly for enticing North Korea to negotiate, especially as the country is focused on domestic problems.
- At the same time North Korea continues to build out its nuclear program and arsenal, undermining the nonproliferation regime.
- Europe will likely take little action, although there are steps it could take to attempt to catalyse North Korea-related diplomacy. At the least, the EU could execute its own North Korea policy review, write a country strategy, and name a special representative.

It was common knowledge among US foreign policy analysts that the Biden administration would carry out a North Korea policy review. If any country demands one, it is North Korea. This is due first, and most proximately, to Donald Trump's unorthodox approach to Pyongyang, which, for all its faults, was in important ways different from the stratagems of Barack Obama, George W. Bush, and Bill Clinton. Trump's policy missteps—but also the glimmers of unrealised progress—require analysis. Second, the fact that the policies of Obama, Bush, and Clinton were ineffective in preventing North Korea from becoming a nuclear-armed state is a testament to a US foreign policy failure so profound that it made Trump's photo-op diplomatic circus with Kim Jong Un seem worthwhile. The failures of Trump's predecessors thus also require analysis.

The policy review is now ostensibly finished, and the publicly revealed conclusion is: both “strategic patience” (Obama) and attempts at “grand bargains” (Trump) were mistakes. Ergo, something different is in order! According to the Biden White House, the appropriate position between those two policy directions is thus a “calibrated, practical, measured” approach. Such a “flexible” approach maintains pressure on Pyongyang while holding open engagement, insists on ultimate denuclearisation yet accepts the possibility of interim deals, incorporates alliance partners, and conditions leader-level summitry on significant official-level progress.

This is clear as a set of basic principles, but as analysts have pointed out, the public rollout of the Biden administration's North Korea policy review has been

short on details. Of course, it is likely the US has communicated privately in more detail with both North Korea and allies.

Details per se are not the issue, however, but rather that the public rollout of the policy review has offered little hint of the reasoning behind the conclusions. Did Trump's "go big" strategy—leader-to-leader contact cashing out in summits focused on an "everything for everything" grand bargain—fail because the strategy per se was unworkable, or because of the persons(s) executing it: Trump and Kim? Idem for Obama's strategic patience. Was the offer of "nothing for nothing" just an expression of Victor Cha's quip that "we were patient because we had no strategy"? As Van Jackson has put it: was strategic patience "too patient," and thus ought the US under Obama have moved more aggressively; or was strategic patience "not patient enough," such that the minimal, tentative efforts at engagement during Obama's presidency broadcast weakness to Pyongyang?

Has anything—from peaceful engagement to military threats by Clinton and Trump—worked in past dealings with North Korea, and, if so, what is still relevant? What has changed with respect to the connection of military deterrence and diplomacy, given the advancement of North Korea's nuclear weapons capabilities? How does one incentivise North Korea to come to the negotiation table in the first place? How have changes in US presidential administrations (Clinton, Bush II, Obama, Trump) helped or hurt Washington's policy toward Pyongyang? What has a history of negotiation with North Korea shown the Kim regime wants, and is any of it fundamentally compatible with what the US wants? The Biden administration's public comments on the North Korea policy review give little insight into these questions.

Perhaps the biggest unsolved puzzle of the policy review is a theory of success. If the Biden administration has uncovered a systematic pattern of failures, the understanding of which now allows a conceptualisation of a pathway to a denuclearised and normalised North Korea, it is holding that secret tightly. Given the intractability of the underlying issue, Occam's razor tells us such a vision is improbable. And indeed, the Biden administration's

broad discussion of North Korea policy—both before and after the policy review—indicates that its offer to Pyongyang is basically the same as what the US has offered in various formulae over the last 20 years: North Korean denuclearisation in exchange for economic incentives, peace on the Korean peninsula, and diplomatic normalisation. North Korea has consistently rejected this offer, and indeed with greater emphasis as its nuclear program and arsenal have grown in size and sophistication.

The US position—including that of the Biden administration—closest to a theory of success seems to be that North Korea eventually will find the difficulties and risks of facing deterrence, sanctions, and other pressure intolerable, and thus finally concede in the diplomatic standoff. This is not impossible, especially given the added economic stress of COVID-19 border closures, but it is still unlikely: North Korea has proven a huge capacity to absorb punishment, and moreover this attritional approach aims at the wrong target. That is, this theory of success is a version of the oft-heard phrase "we've got to show North Korea that its security is better assured without nuclear weapons than with them." The fact is that national security is not the Kim regime's *summum bonum*, but rather regime security. As a matter of national security, North Korea—which is isolated and economically shambolic—may be better off without nuclear weapons, but given the path-dependent domestic legitimacy nuclear weapons provide to the brittle and massively repressive regime, they have become a *sine qua non* for the Kim regime to remain in power.

It should be remarked that North Korea has a mirror-image theory of success. Just as the US does, it continues to make the same basic offer: retained de facto nuclear weapon-state status, presumably with some restraints on vertical proliferation, in exchange for total (or near total) sanctions rollback. Predictably, North Korea has found the US unreceptive to this offer. And, just like Washington, Pyongyang seems to be betting that extended resolve will eventually win out, and that its continued survival and modest nuclear arsenal development will break the will of the US and the international community, which will duly concede on sanctions. So far there is little evidence to support this belief.

**What's in a name? A review is not a strategy**

No one should expect the Biden administration's North Korea policy review rollout to include details on bargaining positions or negotiating tactics, or even the question of how an acceptable arms-control agreement might look, or what a doubled-down deterrence posture would entail. That sort of information is held close to the vest. But a policy review—although inherently backward-looking—should contain elements that meaningfully inform forward-looking strategy, the dynamic alignment of means to ends through which an objective can be attained vis-à-vis an adversary deploying its own adaptive counter-strategy. The

It is hard to avoid the conclusion that the strategic element of the policy review is that it makes the Biden administration appear engaged on North Korea while in fact placing the onus on Pyongyang. Washington is surely aware that this is currently unlikely, given the regime's inward turn due to COVID-19 and economic problems. Putting the ball in Pyongyang's court draws out an issue with little upside, especially as the US has other priorities (COVID-19 vaccines, domestic politics, China, Iran). The naming of Sung Kim as a part-time US special representative for North Korea hardly dispels the suspicion that the Biden administration's current North Korea approach is strategic patience 2.0—notwithstanding the claims of the policy review or

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emergence of the Perry Process from the 1999 Perry Review is an example. Only an inveterate optimist could divine something similar from the sparsely discussed Biden administration policy review, or the follow-on summit between Biden and his South Korean alliance-partner counterpart Moon Jae-in. The [summit reiterated](#) the policy review conclusions and voiced support for the 2018 Trump-Kim Singapore Statement and 2018 Moon-Kim Panmunjom Declaration, but the latter two documents do not say much about forward-looking strategy. Moreover, if anything, they seemingly contradict the conclusions of the policy review. On the one hand, some of the content of the two documents is a replay of prior agreements from the 2000s, which failed to halt North Korean proliferation; on the other hand, in both content and spirit there is much in the two agreements that is a product of the “grand bargain” mentality that the Biden administration ostensibly rejects.

Ambassador Sung's recent trip to Seoul to reiterate the US position that it is open for dialogue.

Perhaps this is the least bad option. But one must be clear-eyed about the fact that North Korea continues producing new nuclear devices and delivery vehicles, and is both a vertical and horizontal nuclear proliferation risk. This raises the cost of any future deal for North Korean (partial or complete) denuclearisation, and is ultimately destabilising for security in Northeast Asia (and beyond), including the prospect of the falling of South Korea, Japan, Taiwan, and other regional/global nuclear proliferation dominoes.

Considering that the US under Biden seems intent on proffering the same basic offer for the moment, any expected change in North Korea's response heretofore would most likely be predicated on that offer being received in a different context. At

base, this means either (a) a harsher sanctions and military/diplomatic/political pressure environment for the Kim regime, and thus a gamble that increased coercion will be both effective and non-destabilising; or (b) a softening approach diplomatically/militarily/politically, which gambles that hinting at rapprochement will incentivise North Korea to come to the nuclear negotiating table and not simply respond positively rhetorically but with no follow-through action. It is an open question whether either of these gambles for changing the context in which North Korea receives the same basic US offer is better than the status quo.

### Does something beat nothing?

Europe must also face this question, for it, too, has both a role to play and an interest in the strategic stability of the Korean peninsula and Northeast Asia. Indeed, Europe—both the EU and member states—is already involved. Most prominently, the EU supports, and is a driver of, international sanctions on North Korea, in addition to having its own sanctions on the country. For its part, France has a special role to play in the sanctions regime, as it is a permanent member of the UN Security Council whose sectoral sanctions on North Korea are wide-ranging. The EU maintains a deep, dynamic strategic partnership with South Korea, and thus has an interest in inter-Korean relations, which are inherently connected to the combined disposition of the US-South Korea military alliance vis-à-vis North Korea. As a part of maintaining its normative leadership and values-based diplomatic outlook, the EU co-sponsors annual UN resolutions pressuring North Korea on human rights. In March the [EU sanctioned North Korean individuals](#) for human rights abuses for the first time, using the EU’s Global Human Rights Sanctions Regime.

Sweden is a member of the Neutral Nations Supervisory Commission monitoring the armistice on the inter-Korean border, and plays an occasional facilitator role in Washington-Pyongyang relations. The EU and its member states are major proponents of the complex international regime aimed at preventing and countering proliferation of weapons of mass destruction, notably in the nuclear domain. Consequently, Europe is an integral part of critical regional and global non-/counter-proliferation

efforts targeting (inter alia) North Korea, including the Proliferation Security Initiative. And, finally, Europe must consider the fact that it is now targetable by North Korean nuclear weapons. Indeed, NATO Secretary-General Jens Stoltenberg has argued that “Europe has also entered the North Korean missile range, and NATO member states are already in danger.” The likelihood of Europe coming under imminent threat from North Korean ICBMs is far-fetched, but a lot of previously “far-fetched” events have occurred recently: from Hong Kong, Xinjiang, and the South China Sea to Crimea, Donbass, and riotous insurrections at the US Capitol.

Despite European activity on and toward the Korean peninsula—almost all of it in consultation with the US—North Korea has still managed to develop nuclear weapons. So, what, if anything, ought Europe do differently? On the one hand, in the current situation, the EU and member states could decide that US policy on North Korea is too sticky for Europe to alter; Europe has too many other challenges with higher priority; and that in any event the status quo promises the best expected utility. This would entail more of the same from the EU, and thus essentially an inertial posture waiting for the US to become proactive. This is the most likely scenario.

On the other hand, Europe might look down the road and see that there is soon no more road down which the North Korean nuclear can can be kicked without dangerous instability and proliferation challenges that undermine vital European interests in East Asian peace and the international nonproliferation regime. Moreover, Europe may see a leadership vacuum on the issue—with respect to both Washington and Beijing—and attempt to fill some of that vacuum, even if only to catalyse the US into activity. After all, something beats nothing. The EU Commission claims it wants to be geopolitical—here is a chance.

This chance is unlikely to be seized, but if it is, then some preliminary steps are in order. In the first place, the EU should also perform its own North Korea policy review. From the KEDO period of positive engagement (1995-2002) to the approach of “critical engagement” (2002-2016) to current active pressure (2016-present), Europe’s policies toward North Korea have been no more successful than those of the US. This evolving failure demands

analysis. Second, following from the policy review, the EU should craft a new country strategy for North Korea. The last EU country strategy paper for North Korea lapsed in 2004, two years before Pyongyang tested its first of six nuclear devices.

Third, the EU should name a special representative for North Korea, matching counterparts from South Korea, China, Japan, and the US. This idea has been mooted before, without success, but the time is ripe, given the EU's greatly increased interest in the Indo-Pacific. There are qualified candidates. One could imagine Kent Härstedt (Swedish special envoy for North Korea) being promoted to the job, or former EU High Representative Federica Mogherini being called back from her leadership of the College of Europe. Retired German Foreign Minister Sigmar Gabriel could fit the bill. To begin with—and especially as presently there is not much North Korea-related diplomatic action—the EU special representative could lead the North Korea policy review and country strategy processes. The EU special representative could facilitate US-North Korea talks (as Härstedt has done), and once diplomacy restarts s/he could speak with one voice for Europe regarding North Korean issues, and represent the EU if and when any negotiations with North Korea were to take place in which the EU would be included.

Beyond those steps, the EU's viable field of action vis-à-vis North Korea shrinks, but if the concept is to shake things up in order to catalyse renewed international diplomacy with North Korea, there are options. Europe could call for multilateral talks with Pyongyang in a new formula—for example, Seven-Party Talks with Europe at the table. As Eisenhower famously said: "Whenever I run into a problem I can't solve, I always make it bigger. I can never solve it by trying to make it smaller, but if I can make it big enough, I can begin to see the outlines of a solution."

At the very least, the shock of a proposed Seven-Party Talks format might jolt the Northeast Asian regional states out of their complacency.

In terms of concrete action, Europe could take a harder line on Pyongyang, ramping up diplomatic pressure and sanctions to change the context in which North Korea calculates its response to Washington's denuclearisation offer. For instance, Europe could sanction countries allowing North Korean ships to fly flags-of-convenience used in sanctions evasion. Also on the sanctions evasion front, Europe could send naval vessels to increase interdiction of North Korea's illegal ship-to-ship transfers. The EU could also institute secondary financial sanctions on countries/businesses providing financial services to North Korea, or that operate cryptocurrency platforms that Pyongyang uses as an intermediary between licit and illicit financial activities. Of course, all of these steps might provoke North Korea into destabilising counter-action. On the softer side, Europe could signal support for arms control rather than full denuclearisation ([See CSDS Policy Brief no. 8](#)), step up cooperation offers in non-sanctioned areas (education, environment, public health), or indicate the softening of unilateral sanctions. These items might positively spur Pyongyang, but risk a rift with the US.

Ultimately the risks of more proactive European engagement with North Korea probably outweigh the benefits. And of course, the EU already has a lot on its plate: COVID-19, Russia, China, domestic issues, etc. But there is presently stasis in North Korea-related diplomacy—neither provocations nor progress—and thus this is precisely the moment to become engaged. Make hay while the sun shines. The right time to fix the roof is when it's not raining. *Audentes fortuna juvat.*



## ABOUT THE AUTHOR

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