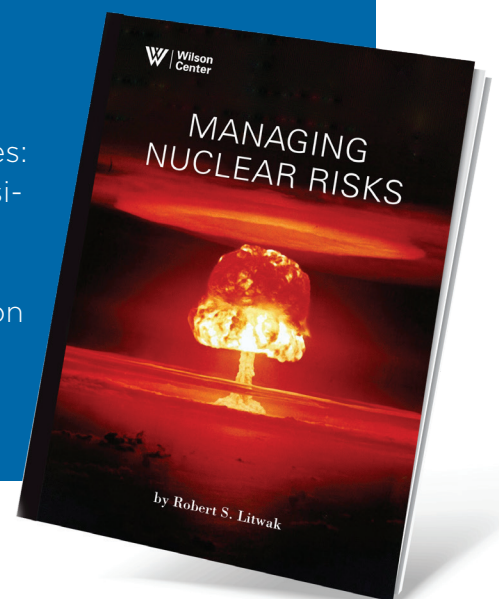




# REBOOTING NUCLEAR DIPLOMACY WITH NORTH KOREA AND IRAN: From Transformational to Transactional

Robert S. Litwak | February 2021

In his new e-book, *Managing Nuclear Risk*, Dr. Robert Litwak, the Wilson Center's Senior Vice President, critically assesses the heightened risks across the three major nuclear categories: relations among the existing nuclear-weapon states, the possible proliferation of nuclear weapons to additional states, and nuclear terrorism. Extending that analysis in this policy brief, Litwak explores the challenges facing the Biden administration in reviving nuclear diplomacy with North Korea and Iran.



President Biden’s strategy of “leading with diplomacy” by “engaging our adversaries” will be put to the test by the twin nuclear crises of Iran and North Korea. The new administration inherits nuclear threats that became more acute during the Trump years. After the Trump administration withdrew from the Iran nuclear agreement, the Tehran regime responded by breaching the deal’s negotiated constraints on nuclear activities and has now shortened Iran’s “breakout” time to acquiring a weapon. With North Korea, three summit meetings between Trump and Kim Jong-un failed to slow the growth of its arsenal and left the Pyongyang regime closer to acquiring the game-changing capability to target the U.S. homeland with a nuclear-tipped missile.

As the Biden administration reboots diplomacy, it must contend with the policy divide that has long roiled the U.S. debate: whether the objective toward “rogue” states should be to change their regimes’ behavior or to change the regimes themselves. Should nuclear diplomacy be transactional, focusing on the discrete nuclear challenge, or transformational, comprehensively addressing these regimes’ objectionable behavior? Proponents of transformational diplomacy argue that transactional nuclear diplomacy, such as that which yielded the 2015 Joint Comprehensive Plan of Action (JCPOA) between Iran and the world’s major powers, is inadequate because it fails to address the root cause of the threat—the character of the “rogue” regime. Rhetorically, with both North Korea and Iran, the Trump administration opted for the transformational over the transactional.

When Trump was inaugurated, North Korea was on the verge of a strategic breakout—both quantitatively (by ramping up its warhead numbers)

and qualitatively (through mastery of warhead miniaturization and long-range ballistic missiles)—that directly threatened the U.S. homeland. North Korea crossed the nuclear weapons threshold in 2006 and posed a direct threat to South Korea and Japan. The new factor, which precipitated the current crisis with North Korea, is U.S. vulnerability to nuclear attack. President Trump tweeted, “It won’t happen,” signaling that the United States would not permit North Korea to acquire weapons that could reach across the Pacific.

The three summit meetings between Trump and Kim Jong-un changed the psychology of the nuclear crisis with North Korea and pushed off consideration of a U.S. military option. Though Kim regime pledged its commitment to “denuclearization” of the Korean peninsula, North



An underwater test-firing of a strategic submarine ballistic missile is seen in this undated photo released by North Korea’s Korean Central News Agency (KCNA) on April 24, 2016  
Source: Reuters

Korea and the United States have contending definitions of denuclearization. For Pyongyang, denuclearization would essentially require the end of the U.S. nuclear umbrella for South Korea and Japan, as well as the end of the bilateral security agreement between Washington and Seoul. For Washington, it entails the transformational goal of “CVID—complete, verifiable, irreversible denuclearization” and is to precede meaningful U.S. economic sanctions relief. But the U.S. intelligence community’s assessment is that North Korea is not going to give up nuclear capabilities viewed as essential to regime survival. For Pyongyang, nuclear capabilities serve three functions—a deterrent to external attack, a symbol of regime legitimacy for the Kim family, and a perennial bargaining chip to leverage food and other economic aid. But after the U.S.-led wars of regime change in Iraq in 2003 and Libya in 2011, zero nuclear warheads will simply not be on the table as long as the Kim family rules in Pyongyang.

With Iran, the Trump administration’s eschewal of the transactional in favor of the transformational precipitated its withdrawal from the Iran nuclear agreement, which Trump often called “the worst deal ever.” The JCPOA constrained Iran’s nuclear aspirations by blocking its access to weapons-usable fissile materials. The goal was to keep Iran’s latent capability latent (albeit for a limited period, which has been a focal point of criticism). The JCPOA was quintessentially transactional—a deal focused exclusively on Iran’s nuclear challenge. For U.S. opponents calling for a “better deal,” the crux of their criticism was that the transactional JCPOA was not transformational—that it constrained but did not eliminate Iran’s nuclear infrastructure and failed to address Iran’s malign behavior outside the four corners of the deal. When withdrawing from the JCPOA, the Trump administration embraced

an agenda for immediate transformational change by laying out a dozen requirements for a new agreement with Iran that ranged from the dismantling of its uranium enrichment program and a cessation of missile tests to the withdrawal of Iran’s Revolutionary Guards from Syria and the ending of the regime’s longstanding support for Hezbollah.

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Though the Trump administration denied that its objective was regime change, meeting those comprehensive demands would essentially require a change of regime in Tehran. Its strategy of “maximum pressure” was linked to maximalist demands. By breaching the JCPOA’s limits on uranium enrichment and employing an asymmetrical strategy to threaten shipping in the Persian Gulf, the Tehran regime met the Trump administration’s “maximum pressure” with its own pressure. The attendant risks of conflict and inadvertent military escalation spiked.

President Biden assumed office when the limits and risks of the Trump administration’s transformational strategy were evident. The new administration has made clear its readiness to pivot from the transformational back to the transactional.

With North Korea, a transactional approach would focus on interim agreements to constrain the Kim regime’s nuclear capabilities in tandem with graduated U.S. sanctions relief. The near-term



North Korean leader Kim Jong-un at the launch of a new ballistic missile in this undated photo released by North Korea's Korean Central News Agency (KCNA) on March 4, 2016. Source: Reuters/KCNA

diplomatic objective should be to prevent North Korea's quantitative and qualitative breakout—the ability to target the United States—by negotiating a freeze on North Korea's nuclear and missile programs, as well as on the production of weapons-usable fissile material for additional weapons. A freeze on missile and nuclear tests, which can be most readily verified, would preclude the additional testing that North Korea probably still needs to master the complex set of integrated technologies—warhead miniaturization, reliable long-range missiles, and warhead reentry and guidance—to target the U.S. homeland. An interim freeze agreement would optimize the interests among all the major parties: it would forestall a North Korean nuclear breakout (the urgent U.S. interest), while preventing the collapse of the North Korean regime and the loss of a buffer state (the Chinese interest) and leaving the Kim family regime in power with a minimum nuclear deterrent (the paramount North Korean interest). Korea,

whose autarkic economy is struggling during the pandemic, may be receptive to negotiated restraints in return for economic sanctions relief. This transactional strategy is more arms control than disarmament. Though the American narrative would be that a freeze agreement would be an interim step toward the long-term goal of denuclearization, such a transactional agreement constitutes *de facto* recognition of North Korea as a nuclear-weapon state. This points to probably the most significant consequence of Trump's summitry with North Korea—it changed the psychology of the crisis by countering the perception of North Korea as essentially a crazy undeterrable “rogue” state. Normalizing the Kim family regime has led to an important, tacit shift—that the United States is prepared to rely on deterrence to meet the North Korean nuclear threat.

In opting for transactional diplomacy as an interim measure, one must acknowledge the downsides.

First, U.S. allies in the region—South Korea and Japan—would still face a formidable North Korean nuclear and ballistic missile threat, which would require serious investment in alliance management and extended deterrent guarantees to mitigate. Second, limitations on North Korea’s production of weapons-usable materials and arsenal size would pose a daunting verification challenge in the absence of intrusive inspections, which the Kim regime is likely to reject. And third, transactional diplomacy, which would entail reciprocal sanctions relief in tandem with negotiated limits on North Korean capabilities, carries the moral hazard of propping up an odious regime.

With Iran, the Biden administration has declared that the United States is prepared to rejoin the JCPOA and abide by its terms if Iran will come back into compliance with the constraints on its nuclear program under the agreement. Secretary of State Antony Blinken described that as “a necessary first step, but also an insufficient one,” adding that the administration aspired to “an agreement that’s longer and stronger than the original one.”

Transactional diplomacy would require establishing priorities among the comprehensive set of demands that the Trump administration had set. Some, such as the complete cessation of uranium enrichment, for which the George W. Bush administration unsuccessfully pushed without international support, will not plausibly be accepted by the Tehran regime. But others could conceivably be integrated into a new, broader deal—a JCPOA 2.0, so to speak. Indeed, the negotiators of the Iran nuclear deal never envisioned it as a stand-alone agreement but rather a precedent leading to follow-on negotiations on other discrete issues. For example, the Iranians were once open to

negotiated range limits on ballistic missiles, which would deny them an intercontinental capability. Another issue to be explored through negotiations is the extension of the JCPOA’s constraints on Iran’s ability to produce weapons-usable fissile materials. The JCPOA 2.0 negotiating agenda could also focus on measures to reduce the risk

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of regional conflict. For example, limitations on missile and military infrastructure in Lebanon and Syria could avert war between Israel and Iran. In addition, the United States and Iran could discuss maritime procedures to prevent inadvertent escalation and conflict in the Persian Gulf.

The prospects for the Biden administration’s rebooting of diplomacy are uncertain. At home, the administration’s transactional approach will be castigated for not being transformational. And after the whipsawing of policy between Obama, Trump, and Biden, some degree of buy-in from Congress is going to be necessary to assure the engaged adversaries that a transactional deal struck with this administration will stick over time. Iran, whose nuclear negotiators have been criticized by the Supreme Leader, has good reason to question that. But the economic imperatives that brought them to the negotiating table in the first place still hold,

and that could create political space for diplomacy. The North Korean situation, which is actually much graver because of its advanced nuclear-weapon capabilities, is analogous.

For good reason Einstein famously said that “politics is more difficult than physics.” The Biden administration’s pivot from the transformational

to the transactional is a pragmatic recognition that diplomacy is an optimizing rather than a maximizing function—that achieving limited agreements to prevent bad situations from getting worse is better than none at all.

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The opinions expressed in this article are those solely of the author.







Iran’s uranium enrichment facility at Natanz (aerial view)  
Source: space imaging Middle East 9/20/02, Maxar Technologies



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