

# ISSUE BRIEF

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## North Korean Missile Launch Challenges U.S. Foreign Policy

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North Korea announced on December 1 that, between December 10 and 22, it would again attempt to launch a “civilian satellite.” The Unha-3 launch vehicle is the same as the Taepo Dong-2 (TD-2) intercontinental ballistic missile that North Korea previously test launched in 2006, 2009, and 2012. North Korea bragged in October that its missiles could “strike the U.S. mainland.”<sup>1</sup> The U.S. intelligence community assessed that Pyongyang might be able to threaten the continental U.S. with a nuclear-armed TD-2 by 2015.

The U.S. should respond firmly to yet another North Korean defiance of United Nations resolutions. Washington should lead the charge for more comprehensive international sanctions against Pyongyang as well as the banks, businesses, and countries that facilitate North

Korean nuclear and missile proliferation. The U.S. should also work with its allies toward a comprehensive integrated missile defense network in Asia.

**Factors for Launch.** North Korea may be driven primarily by domestic factors to test the missile outside its usual warm weather launch pattern. The announced launch window encompasses the December 17 anniversary of the death of previous leader Kim Jong-il and ascension to power of new leader Kim Jong-un. The failed April launch was two days before the 100th anniversary of the birth of North Korean founder Kim Il-sung.

Kim Jong-un may also feel that a display of strength was necessary to consolidate his power during the ongoing leadership transition. Although no signs of resistance to the power transfer have been identified, Kim has purged hundreds of officials, including Minister of Defense Kim Jong-gak after only five months in office.

Pyongyang may also seek to preempt South Korea’s announced intention to launch its own satellite.

**Counterproductive Impact on Elections.** Nevertheless, the launch will have significant regional and international repercussions.

On December 16, Japan will hold national elections for the lower house of parliament, which will also determine the country’s next prime minister. The Japanese electorate has become increasingly concerned about national security amid growing Chinese aggressiveness and North Korean belligerence. The country has been snapped out of its usual post-war complacency and is now more willing to confront Chinese expansionism and beef up Japan’s military.

North Korea’s missile launch is likely to galvanize voter support for the conservative Liberal Democratic Party (LDP) and its leader Shinzo Abe to regain the prime ministership. The right-of-center Japan Restoration Party (JRP), led by Osaka Mayor Toru Hashimoto and former Tokyo Governor Shintaro Ishihara, will also benefit from North Korea’s behavior. Since the LDP is expected to gain a plurality but not a majority, Abe would be more inclined after the missile launch to form a coalition with the JRP rather than remnants of the ruling Democratic Party of Japan (DPJ).

The impact on South Korea’s December 19 presidential election will be more mixed, though it is still likely to bolster conservative

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candidate Park Geun-hye more than progressive candidate Moon Jae-in. Park, who currently holds a slight lead in the polls, advocates offering benefits to North Korea but conditional upon Pyongyang's behavior. Moon favors a return to the softer policy of unconditional engagement pursued by President Roh Moo-hyun.

**Diplomatic Outreach Ineffective.** Pyongyang is proceeding with the missile launch despite recent diplomatic entreaties from China and the U.S. North Korea has continued its decades-long quest for missiles and nuclear weapons despite several diplomatic agreements and numerous meetings and attempts at additional negotiation.

South Korea media reported in early December that a White House delegation made a secret trip to North Korea in August, possibly in an attempt to dissuade Pyongyang from conducting another provocation. This would be the second secret visit by U.S. officials to Pyongyang this year, following a previous one shortly before the April missile launch. North Korean officials also reportedly told U.S. negotiator Clifford Hart in September that Pyongyang would not resume its denuclearization commitments until the U.S. abandoned its "hostile policy."<sup>2</sup>

China has also been unable to prevent North Korea from conducting the launch. The day before North Korea's missile announcement, Kim Jong-un met with Li Jianguo, a member of the Communist Party of China's (CPC) Political Bureau, who

was carrying a private letter from Xi Jinping, the newly appointed General Secretary of the CPC.

**Regardless of Objective, It Is Still a Violation.** Pyongyang's previous missile launch attempt in April 2012 was "strongly condemned" by the U.N. Security Council (UNSC), which made clear that in its judgment "any launch that uses ballistic missile technology, even if characterized as a satellite launch or space launch vehicle, is a serious violation of Security Council resolutions 1718 (2006) and 1874 (2009)."<sup>3</sup>

If the launch occurs, the U.S. and its allies should press for another UNSC condemnatory statement that closes existing loopholes and imposes additional sanctions on North Korea. The UNSC Presidential Statement passed in response to North Korea's April 2012 launch affirmed the council's "determination to take action accordingly in the event of a further [North Korean] launch or nuclear test."<sup>4</sup>

The principal stumbling block at the U.N. is China, which has been unwilling to rein in its belligerent ally. Deliberations at the U.N. will be a test for U.S. Ambassador to the U.N. Susan Rice as well as the Obama Administration's China policy to convince the new Chinese leadership to allow steps for responding to North Korean violations. Beijing obstructed or diluted U.N. responses to North Korea's nuclear and missile tests in 2009 and two acts of war against South Korea in 2010. After the April 2012 North Korean missile launch,

the U.S. proposed that approximately 40 new entities be added to the sanctions list, but China vetoed all except three.

The Obama Administration should make clear that North Korea's defiance of U.N. resolutions will be yet another test of China's willingness to uphold international law. The Chinese foreign ministry's recent statement calling on "all sides" to avoid taking any action to "worsen the problem" is not an auspicious start.

**What the U.S. Should Do.** In response to a North Korean launch, the U.S. should take the following steps:

- **Submit a new U.N. Security Council resolution requiring more extensive sanctions on North Korea for yet another U.N. violation.** The resolution should invoke Chapter VII, Article 42, of the U.N. Charter, which allows for enforcement by military means. This would enable naval ships to intercept and board North Korean ships suspected of transporting precluded nuclear, missile, and conventional arms, components, or technology.
- **Demand that all U.N. member nations cooperate with U.N. sanctions on North Korea.** Specifically, member states should fully implement U.N. resolution requirements to prevent North Korea's procurement and proliferation of missile-related and

1. Jack Kim, "North Korea Says Its Rockets Can Hit U.S. Mainland," Reuters, October 9, 2012, <http://www.reuters.com/article/2012/10/09/us-korea-north-idUSBRE89819X20121009> (accessed December 6, 2012).  
2. Josh Rogin, "North Korea Rebuffs U.S. at Secret Meeting in China," *Foreign Policy*, October 15, 2012, [http://thecable.foreignpolicy.com/posts/2012/10/15/north\\_korea\\_rebuffs\\_us\\_at\\_secret\\_meeting\\_in\\_china](http://thecable.foreignpolicy.com/posts/2012/10/15/north_korea_rebuffs_us_at_secret_meeting_in_china) (accessed December 6, 2012).  
3. United Nations Security Council, "Security Council Condemns Democratic People's Republic of Korea's Satellite Launch as Breach of Resolutions Barring Country's Use of Ballistic Missile Technology," April 16, 2012, <http://www.un.org/News/Press/docs/2012/sc10610.doc.htm> (accessed December 6, 2012).  
4. Ibid.

WMD-related items and technology and freeze the financial assets of any involved North Korean or foreign person, company, or government entity. Any violating government, business, bank, or individual should be subject to sanctions. Washington and the U.N. have so far been reluctant to go after non-North Korean violators.

- **Lead an international effort against North Korean illegal activities, such as currency counterfeiting and drug smuggling.** U.S. law enforcement actions in 2005 against Pyongyang's accounts in Banco Delta Asia were effective, but they were later abandoned in acquiescence to North Korean demands to "improve the atmosphere" for nuclear negotiations.

- **Encourage South Korea to deploy a multilayered missile defense system.** This system should be interoperable with a U.S. regional missile network to provide for a more coherent and effective defense of allied military facilities and the South Korean populace. The U.S. should also encourage Seoul to engage in trilateral missile defense cooperation and exercises with the U.S. and Japan.
- **Urge South Korea to implement the General Security of Military Information Agreement with Japan.** Had Seoul signed the agreement as planned in June, the two countries would have been able to exchange and coordinate missile defense information by now.

**Not Helpful.** North Korea's latest provocation should put to rest nascent predictions that Kim Jong-un would pursue a less belligerent foreign policy than that of his father. During Jong-un's year in power, Pyongyang has continued to threaten its neighbors and affirm its unwillingness to abandon its nuclear weapons.

The attempted launch in April scuttled the U.S.–North Korean agreement trading food aid for a moratorium on missile and nuclear activities. This month's launch will further postpone any allied inclination to return to the negotiating table with North Korea.

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