

# North Korea Missile Launch: U.S. Should Strengthen Sanctions and Missile Defenses

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## KEY TAKEAWAYS

Ahead of North Korean anniversaries, the regime's recent intermediate-range ballistic missile test signals its willingness to go back up the escalatory ladder.

A weak U.S. response to violations of U.N. resolutions would encourage further provocations to pressure Washington for more favorable negotiating terms.

The U.S. should strongly implement measures against violations, enhance its strategic missile defense, and augment allied regional ballistic missile defense.

On January 29, North Korea launched its first intermediate-range ballistic missile (IRBM) since 2017, potentially moving the regime closer to carrying out its recent threat to resume nuclear or intercontinental ballistic missile (ICBM) testing. Doing so would significantly raise tensions on the Korean Peninsula, trigger calls for enhanced sanctions and allied security measures, and invigorate Japanese debate for acquiring enemy base strike capabilities. The Biden Administration recently sanctioned a handful of North Korean entities but should more strongly implement long-stalled U.S. measures against violators of U.S. laws and U.N. resolutions.

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This paper, in its entirety, can be found at <http://report.heritage.org/ib5249>

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## A History of Provocation

North Korea announced that the launch of a Hwasong-12 was to test the overall accuracy and effectiveness of the missile that has been produced and deployed.<sup>1</sup> The missile flew on a lofted trajectory to a range of 800 kilometers (km) after having reached an apogee of 2,000 km.<sup>2</sup> This is consistent with the lofted trajectory flight of a Hwasong-12 in May 2017 (787-km range with apogee of 2,111 km). North Korea has previously flown IRBMs and ICBMs on lofted trajectories so they do not fly over Japan.

The Hwasong-12 was revealed during a parade in April 2017 and launched six times in 2017. The first three were failures. In addition to the lofted trajectory flight in May, the missile successfully flew on regular parabolic trajectories to 2,700 km and 3,700 km in August and September 2017, respectively.

In April 2018, Kim Jong-un vowed not to conduct nuclear, ICBM, or IRBM tests because the programs had successfully been completed.<sup>3</sup> While some hailed Kim's pledge as a diplomatic gesture, it was meaningless, as 11 U.N. resolutions already precluded North Korea from conducting any nuclear tests or ballistic missile launches, regardless of range.

In December 2019, Kim Jong-un announced that he no longer felt bound by his promise to not conduct nuclear or ICBM tests. Despite repeated threats, North Korea has not conducted a nuclear or long-range missile test since 2017. Uncharacteristically, the regime did not do so during the first year of the Biden Administration as it had during the Bush, Obama, and Trump Administrations.

Since 2019, North Korea launched 50 short- and medium-range ballistic missiles, which typically cause a weaker international response than IRBM, ICBM, or nuclear tests do. The regime's 11 ballistic and cruise missile launches in January 2022 was the most ever in a month. The launches included a new hypersonic missile with maneuverable warhead, long-range cruise missiles, and previously tested short-range KN-23 and KN-24 missiles.

During a January 19, 2022, Politburo meeting attended by leader Kim Jong-un, North Korea vowed to reexamine its suspension of confidence-building measures, an indirect reference to Kim's April 2018 statement and an implicit threat to resume highly provocative nuclear and ICBM tests.

The statement also emphasized the importance of grandly celebrating the birthdays of previous leaders Kim Jong-il and Kim Il-sung (February 16 and April 15, respectively), suggesting the regime could conduct nuclear

or missile tests on those dates. The regime may conduct a single large combined celebration in April, thus avoiding actions during the Beijing Winter Olympics that could incur the wrath of its ally China.

## The Art of Brinksmanship

Pyongyang has raised brinksmanship to an art form by repeatedly escalating tensions to define negotiating parameters and extract maximum benefits. North Korea retains the initiative and controls the pace of the game, forcing the United States and others to respond. The regime could maximize its leverage by moving quickly to a nuclear test or launching the large, multi-warhead ICBM seen in the October 2020 parade. Doing so would confront Washington with a high-stakes crisis when it faces other foreign policy challenges.

But doing so could incur the wrath of Beijing—North Korea’s protector and benefactor. In the past, China has been willing to accept stronger U.N. resolutions after Pyongyang conducted nuclear and ICBM tests. A major provocation prior to South Korea’s March 9 presidential election might also undermine progressive candidate Lee Jae-myung, who intends to follow President Moon Jae-in’s efforts to reduce pressure and offer benefits to Pyongyang.

Alternatively, North Korea could drag out its efforts to pressure the United States by alternating between warnings of drastic action in increasingly dire tones and signals of a willingness to resume dialogue, though on highly conditional terms. In the past, the path to negotiations with North Korea often passed first through provocation or crisis.

## How the U.S. Should Respond

A weak U.S. response to North Korea’s escalating violations of U.N. resolutions would encourage the regime to engage in follow-on provocations to pressure Washington for more favorable negotiating terms.

The United States should:

- **Press the U.N. Security Council for stronger enforcement.** Chinese and Russian resistance constrain any effective U.N. response, but it is a necessary step, particularly after a major violation such as the Hwasong-12 launch. Washington should press Beijing and Moscow to cease blocking U.N. Panel of Experts findings of smuggling and other evasions of U.N. resolutions.

- **Rigorously enforce U.S. laws.** Successive U.S. Administrations have refrained from fully enforcing U.S. laws against foreign violators. The Biden Administration should:
  - Sanction the 300 North Korean entities that the United States announced in June 2018 that it would not take action against while diplomatic talks were underway.
  - Initiate targeted financial measures against the 12 Chinese banks identified by the U.S. Congress in 2017 as committing money-laundering crimes in the U.S. financial system.<sup>4</sup>
  - Impose sanctions against Chinese shipping companies violating U.N. restrictions on North Korean oil and secondary sanctions against ports aiding North Korean smuggling of goods prohibited by U.N. resolutions.
- **End timid incrementalism of U.S. law enforcement.** For years, the United States has held off on sanctioning North Korean entities for which evidence of violations exist until Pyongyang conducted its next provocation. Treating law enforcement as a diplomatic tool to be bargained away or held in abeyance undermined more effective execution of U.S. laws and diminished pressure against North Korea's nuclear and missile programs. Washington should move against all entities for which it has evidence of malfeasance rather than targeting a handful after another North Korean provocation.
- **Enhance strategic missile defense of the American homeland.** North Korea's growing ICBM force with potential multiple warheads poses problems for American homeland missile defenses. The United States currently has only 44 ground-based interceptors. The Biden Administration should maintain plans to augment the force to 64 interceptors by fielding the Next Generation Interceptor before the end of the decade.
- **Augment allied regional ballistic missile defense.** Pyongyang's expanding force of tactical missiles and submarine-launched ballistic missiles increases the threat to U.S. forces and allies in the Indo-Pacific region.<sup>5</sup> Washington should build an Aegis Ashore missile defense system on Guam to bolster the existing THAAD system. The

United States should coordinate with allies South Korea and Japan to ensure that their missile defenses are sufficient to counter increasing North Korean missile threats.

## Conclusion

After several years of refraining from longer-range missile tests, North Korea now seems willing to go back up the escalatory ladder. It remains uncertain whether Pyongyang will do so slowly or quickly. But having demonstrated its willingness to break one of its previous moratoriums, the United States and its allies will await the upcoming North Korean birthday anniversaries with greater trepidation to see if the regime dumps another foreign policy crisis into the lap of the Biden Administration.

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## Endnotes

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