

The Troubling New Changes to North Korea's Nuclear Doctrine

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KEY TAKEAWAYS

Pyongyang's growing nuclear and missile arsenal suggests a shift to warfighting strategy that includes potential pre-emptive use of tactical nuclear weapons.

Pyongyang has rejected repeated U.S. and South Korean entreaties to address the North Korean nuclear threat through negotiations.

South Korea, Japan, and the United States must continue to augment their defensive and offensive measures and enhance efforts to coordinate trilateral responses.

On September 8, 2022, Pyongyang passed a new law that codifies long-standing nuclear doctrine, though with some alarming refinements. Many Western media reports interpreted the law, as well as statements by Kim Jong-un earlier this year, as signaling a dramatic shift toward a new offensive nuclear doctrine that now includes pre-emptive nuclear attack. But there is greater continuity than change from existing nuclear strategy since Pyongyang has threatened pre-emptive nuclear attacks for the past decade.

Pyongyang disturbingly lowered the threshold for its use of nuclear weapons in some scenarios described in the legislation. In response, the United States and its allies will need to incorporate these doctrinal changes, as well as Pyongyang's advancing nuclear and missile

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capabilities, into forthcoming strategy documents, including updated combined U.S.–South Korean military plans for responding to North Korean attacks.

More Continuity Than Change

The 2022 law on the State Policy on the Nuclear Forces¹ was predominantly an affirmation of existing North Korean nuclear doctrine rather than a major change. The law updated the regime’s 2013 law on Consolidating Position of Nuclear Weapons State in describing the missions, command and control structure, and conditions for use of nuclear weapons.

The 2022 law affirms that the main mission of North Korean nuclear forces is to deter a war or to repulse hostile force aggression as “the last means” and achieve a decisive victory if deterrence fails. This is consistent with the 2013 law, which stipulated that nuclear weapons were for “detering and repelling the aggression and attack of the enemy [and] dealing deadly retaliatory blows at the strongholds of aggression.”²

The new legislation builds on recent regime statements that more clearly articulate the offensive component of North Korea’s nuclear doctrine. In April 2022, Kim stated that the nuclear arsenal’s fundamental mission was to deter war, but that if an opponent violated North Korea’s “fundamental interests” the regime’s nuclear forces would also “decisively accomplish its unexpected second mission,”³ an allusion to retaliatory nuclear strikes.

The dichotomy of missions for North Korean nuclear weapons in the new law is consistent with a decade of North Korean statements that highlighted both the defensive nature of its nuclear arsenal while concurrently threatening pre-emptive nuclear attacks on the United States and its allies in response to even perceived preparations for an attack. Pyongyang has long-described its nuclear arsenal as both a “trusted shield”⁴ and “treasured sword”⁵ for deterrence and attack.

Highlighting Pre-emptive Nuclear Attack Option

The new law includes a declaration of intent to initiate pre-emptive nuclear attacks that were not included in the 2013 law but had been part of numerous leadership statements for the past decade. However, the 2022 law describes in greater detail the scenarios that could trigger North Korean pre-emptive attacks. The new law indicates that nuclear weapons would be used in response to, or *perceived preparations* for, a nuclear or *non-nuclear* attack on regime leadership, nuclear command structure, or important strategic targets.

Since at least 2013, the regime has threatened pre-emptive nuclear attacks against the United States and its allies. In 2013, North Korea declared it would “exercise the right to a preemptive nuclear attack to destroy the strongholds of the aggressors,”⁶ and in 2016 warned it would conduct a “preemptive and offensive nuclear strike” if it believed the U.S. or South Korea was about to conduct a decapitation strike or military operations to “bring down its social system.”⁷

In 2016, the General Staff of the Korean Peoples’ Army declared that frontline North Korean forces would carry out “the operation for preemptive retaliatory strike...with an ultra-precision blitzkrieg strike of the Korean style.”⁸ During that time, Kim Jong-un oversaw missile exercises simulating pre-emptive nuclear air bursts against South Korean and Japanese targets. Other North Korean entities issued similar statements.

In January 2021, Kim Jong-un declared a goal of attaining an “advanced capability for making a pre-emptive and retaliatory nuclear strike,” including attacks on the United States.⁹ A month later, Pyongyang vowed that it would “preemptively mobilize the most powerful offensive force to thoroughly punish [enemies] outside the territory of our republic if hostile forces provoke us even just a little bit.”¹⁰

Retained Control or Delegation of Nuclear Authority

The 2022 nuclear law affirms that North Korea’s nuclear weapons are under the “monolithic command” of Kim Jong-un who retains “all decisive powers” regarding their use. This is consistent with the 2013 law, which stated that the nuclear weapons could only be deployed by a final order of the Supreme Commander of the Korean People’s Army (Kim Jong-un).

Kim serves as *suryong* (supreme leader) of North Korea with absolute control over the state, military, and Korean Workers’ Party. Kim has not designated a successor nor is there any constitutional procedure for political succession nor passing of nuclear launch authority if Kim were incapacitated. Given his frequent purges of leadership elites, he appears loathe to designate an heir or delegate nuclear authority lest doing so creates a potential rival.

Kim retaining sole authority for nuclear weapons would be a vulnerability during a crisis, potentially enabling allied forces to neutralize North Korean nuclear forces by removing Kim. To prevent incapacitation by decapitation, Kim might decide to delegate some degree of nuclear weapons control during a crisis. He could retain restrictive control of strategic nuclear weapons on intercontinental ballistic missiles (ICBMs) and

delegate some authority for tactical nuclear weapons deployed with front line conventional forces along the demilitarized zone (DMZ) with South Korea as well as missile-carrying submarines.

In 2012, Kim Jong-un established the Strategic Rocket Command (later renamed the Strategic Force) as an independent military force that reported directly to him.¹¹ North Korea's Hwasong-series ICBMs that were flight tested in 2017 and 2022 would be subordinate to this command. However, dual-capable (conventional and nuclear warhead) short-range and medium-range missiles would likely be controlled by commanders of units deployed along the DMZ. Nuclear warheads may remain under the separate authority of Strategic Command or North Korean security services.

“Automatic” Nuclear Strikes

The 2022 nuclear law ominously indicates that, if the command and control over nuclear weapons is in danger from hostile forces, a nuclear strike “shall be launched *automatically and immediately* to destroy the hostile forces including the starting point of provocation and the command according to the operation plan decided in advance.” (Emphasis added.)

Reference to an “automatic” nuclear response raises the specter of the Soviet Perimeter (“dead hand”) automatic control system for a retaliatory nuclear strike. Once activated, the system would have launched nuclear ICBMs against the United States even if all the Soviet leadership had been killed.¹²

A senior North Korean defector told this author that, after studying U.S. military operations, including early targeting of enemy leadership, Pyongyang adopted an automatic military response policy. If front line commanders were unable to contact Pyongyang, they would assume that the U.S. had severed North Korean communications systems and would execute pre-defined conventional attack orders against South Korea.

Whether Pyongyang is considering such a system for strategic and tactical nuclear weapons is unknown. The scope, reliability, and redundancy of North Korean nuclear command, control, and communications capabilities is also undetermined.

New Tactical Nuclear Weapons Complicate Allied Military Plans

The U.S. and its allies have assessed for a decade that North Korea has nuclear weapons for short-range and medium-range Scud and No-dong missiles that could target South Korea and Japan. In January 2021, Kim

Jong-un declared that the regime had created “ultra-modern tactical nuclear weapons including new-type tactical rockets.”¹³ Since March 2022, the United States and South Korea have assessed that North Korea had completed preparations for its seventh nuclear test. It is expected that the test will be of a new generation of smaller, low-yield tactical nuclear weapon.

In recent years, Pyongyang developed and tested advanced mobile missiles that are more accurate, more difficult to detect and target, and have an enhanced ability to evade allied missile defenses. Pyongyang has launched these missiles to a higher altitude and shorter range which could allow a warhead to arrive at a steeper angle of attack and faster speed that could exceed ballistic missile defense (BMD) interception capabilities.

While not all North Korean missiles would have nuclear warheads, Pyongyang could saturate missile defenses with large numbers of conventionally armed missiles. North Korea has demonstrated the ability to fire a salvo of several missiles at once, which could overwhelm allied BMD systems. The regime also has deployed more capable, longer-range artillery and multiple rocket launchers to augment missile attacks.

In April 2022, North Korea announced that it had tested a new missile which would “drastically improve the firepower of the frontline long-range artillery units and enhance the efficiency in the operation of tactical nukes.”¹⁴ In June 2022, Kim Jong-un and senior leaders discussed enhancing capabilities and revising operational plans for “frontline units,”¹⁵ likely an indirect reference to deploying tactical nuclear weapons.

Tactical nuclear weapons could be used in a first strike against leadership, hardened command and control, or high-value military targets, as well as a retaliatory second strike and battlefield counter-force attacks. These weapons could target U.S. forces arriving on the Korean Peninsula and allied forces preparing a counteroffensive advance into North Korea, hold allied and U.S. cities at risk, and potentially provide the means for Pyongyang to reunify the peninsula on its terms.

Lowering the Threshold for Nuclear Use

The proximity of forward-deployed North Korean tactical nuclear weapons to allied forces across the DMZ could lead to a greater regime sense of “use it or lose it” of its vulnerable nuclear arsenal during the early stages of a conflict or even if Pyongyang’s perceived conflict was imminent.

Given its poor intelligence and reconnaissance capabilities, Pyongyang might misconstrue allied actions, such as routine military exercises or response to a North Korean provocation, as a prelude to an actual

attack. Pyongyang might assume the worst and rush to pre-empt the perceived pre-emption, raising the risk of inadvertently stumbling into a nuclear conflict.

Kim Jong-un blamed the Yoon Suk Yeol administration's renewed emphasis on South Korea's pre-emptive Kill Chain military strategy, improved strike capabilities, and resumption of combined military exercises with the United States as driving the Korean Peninsula to the "brink of war."¹⁶ Kim justified expanding North Korea's nuclear and missile arsenal as a response to the South Korean actions and the U.S. extended deterrence strategy.¹⁷

South Korea has developed independent pre-emptive attack plans and acquired weapons capable of attacking North Korean weapons of mass destruction. Seoul's three-axis strategy consists of (1) the Kill Chain detection and pre-emptive attack system to target North Korean missiles prior to launch, (2) the Korea Air and Missile Defense System, and (3) the Korea Massive Punishment and Retaliation.

While previous South Korean leader Moon Jae-in downplayed the system,¹⁸ President Yoon called for increased funding for accelerated development of reconnaissance satellites and strike weapons. The South Korean Ministry of Defense announced plans to increase the number of "land, sea, and air-based high-powered, ultra-precise missiles that can target the entire North Korean region and further strengthen the penetration and strike capabilities of special operations forces."¹⁹ Seoul announced in July that it would establish a strategic command by 2024 to oversee the strategy and the army, air force, and naval components.²⁰

Pyongyang's articulation that even South Korean *non-nuclear* attacks on regime leadership could trigger a nuclear response may have been an attempt to undermine South Korean public support for Seoul's policy and recently resumed U.S.–South Korean military exercises.

New Capabilities Have Dangerous Ramifications

North Korea's growing nuclear and missile arsenal suggests that Pyongyang is shifting away from a doctrine of strategic nuclear deterrence to a warfighting strategy, including potential pre-emptive use of tactical nuclear weapons.

Greater North Korean nuclear capabilities could undermine the effectiveness of existing allied military plans. Washington and Seoul could be deterred from implementing all phases of Operations Plan 5015, the comprehensive combined force plan for responding to large-scale hostilities with North Korea. The strategy includes options for pre-emptive attacks on

North Korean leadership, nuclear and missile targets, as well as follow-on phases in which allied forces would enter North Korea after rebuffing initial regime attacks.

North Korea could threaten South Korea with a nuclear attack to coerce Seoul to surrender or abandon a counteroffensive attack on North Korea. Pyongyang could threaten nuclear attacks to intimidate Tokyo into rejecting the use of Japanese ports, airfields, and bases for U.S. and U.N. Command operations against North Korea.

Pyongyang might also assume that conditions for military action had become favorable if it believed that the U.S. extended deterrence guarantee had been undermined. North Korea could feel emboldened to use nuclear threats to coerce Seoul into accepting regime demands and deter the United States from responding.

Recommendations

Pyongyang has rejected repeated U.S. and South Korean entreaties to address the North Korean nuclear threat through negotiations. The regime continues to defy 11 U.N. Security Council resolutions requiring the regime to abandon its weapons of mass destruction programs.

As such, South Korea, Japan, and the United States must continue to augment their defensive and offensive measures as well as enhance efforts to coordinate trilateral responses to the common North Korean threat.

This is particularly important as South Korea creates its first Indo-Pacific strategy; Japan revises by year's end its National Security Strategy, the National Defense Program Guidelines, and Medium-Term Defense Program; and the United States and South Korea update Operations Plan 5015, the combined military strategy for responding to a North Korea attack.

The United States should:

- **Improve missile defense of the American homeland.** Pyongyang's newly identified ability to indigenously produce ICBM transporters and multiple-warhead ICBMs risks overwhelming U.S. strategic missile defense. The U.S. 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 (NGI) before the end of the decade. In addition to a necessary interceptor capacity increase, the NGI will have advanced capabilities that can address North Korea's advanced missiles more effectively.

- **Augment U.S. regional ballistic missile defense.** Pyongyang's expanding force of tactical missiles and submarine-launched ballistic missiles (SLBMs) increases the threat to U.S. forces in the Indo-Pacific region that are critical for responding to contingencies on the Korean Peninsula. Washington should assess necessary upgrades to defend U.S. forces, including augmenting the existing Terminal High Altitude Area Defense (THAAD) system on Guam, a critical node in U.S. regional military plans. The United States should deploy an Aegis Ashore system on Guam while simultaneously initiating an effort to improve the system incrementally with additional sensors and shooters.
- **Complete modernization programs for U.S. nuclear forces.** The United States and its allies must have the capacity not only to defend themselves against incoming North Korean missiles, but also to reduce the number of missiles that North Korea is able to launch. Doing so requires comprehensive systems to monitor, identify, track, and target North Korean missiles, including mobile land-based and submarine-based versions. Ensuring that these modernization programs remain on track is essential for assuring allies of the U.S. commitment to extended deterrence.
- **Affirm America's commitment to defend its allies.** South Korea and Japan have expressed growing concern over the viability of the United States as an ally. Washington should repeatedly affirm its commitment to the defense of its allies and must maintain current levels of U.S. forces in the region until North Korean nuclear, missile, and conventional force threats have been sufficiently reduced.
- **Uphold the U.S. extended deterrence guarantee.** The resumption of the bilateral U.S. –South Korea Extended Deterrence Strategy and Consultation Group after a four-year hiatus is a good step toward affirming and updating the U.S. pledge to use nuclear, missile, defense, and conventional forces to protect U.S. allies. Washington should push back on growing South Korean advocacy for an indigenous nuclear weapons program or return of U.S. tactical nuclear weapons to the Korean Peninsula.²¹ But the U.S. should be open to discussion of a nuclear-sharing agreement similar to that with European allies.

- **Recommend instituting a 2+2+2 meeting of U.S., South Korean, and Japanese foreign and defense ministers.** The U.S. and its allies face common security threats of China and North Korea but have been constrained in trilateral military planning and exercises due to strained South Korean–Japanese relations. The U.S. should advocate periodic trilateral meetings to facilitate greater coordination on foreign and security policies.
- **Resume extensive combined military exercises with South Korea.** The U.S. decision in 2018 to cancel or constrain combined exercises led to four years of degradation of allied deterrence and defense capabilities. South Korea and the U.S. should resume pre-2018 levels of military training and rotational deployments of strategic assets to the Korean Peninsula, including strategic bombers, dual-capable aircraft, and carrier strike groups.

South Korea should:

- **Continue deployments of its medium-range surface-to-air missile (M-SAM) and development of its long-range surface-to-air missile (L-SAM) programs** to augment existing land-based missile defenses. While President Yoon previously advocated for deployment of a second U.S. THAAD battery to South Korea, none are available for several years, which necessitates augmenting South Korean indigenous missile defenses.
- **Procure the Standard Missile-6 (SM-6) ship-based system** to intercept North Korean submarine-launched ballistic missiles. Seoul should carry through on plans announced in April 2022 to deploy SM-6 missiles on its Aegis-equipped KDX-III destroyers. Currently, South Korean naval ships can only defend against anti-ship missiles but not against ballistic missiles launched from the West Sea or Sea of Japan.
- **Integrate its Korea Air and Missile Defense (KAMD) program into the comprehensive allied BMD system** incorporating Japanese and U.S. sensors and interceptors. Seoul has refused to do this because of bilateral tensions with Japan arising from sensitive historic issues. Integrating the KAMD would enable quicker, more efficient allied tracking, targeting, and intercepting of North Korean ballistic missiles.

- **Strengthen its offensive capabilities.** President Yoon pledged to further strengthen South Korea's ability to respond to a range of North Korean provocations. Seoul should maintain ongoing efforts to procure additional advanced attack aircraft and develop missiles with larger payloads and ranges. In May 2021, the United States removed previous restrictions to enable Seoul to develop ballistic missiles with ranges beyond the Korean Peninsula. Seoul subsequently announced it would develop a missile with a three-ton warhead for hardened North Korean targets.²²
- **Affirm the importance of security cooperation with Japan.** President Yoon and Japanese Prime Minister Fumio Kishida have pledged to improve bilateral relations strained by contentious historic issues and recent flare-ups. Seoul did not carry through on 2019 threats to withdraw from a bilateral intelligence-sharing agreement, but military cooperation has ebbed in recent years. Even absent resolution of historic issues, South Korea should expand military coordination with Japan to enable more effective responses to the Chinese and North Korean military threats. This can take place in the context of both countries' alliances with the United States as well as increased South Korean participation in regional military training and exercises with Australia, Japan, and other security partners.

Conclusion

North Korea's relentless pursuit of nuclear weapons and missiles poses an increasing risk to South Korea, Japan, and the United States. Pyongyang could use its ability to target the entire continental United States with nuclear weapons to deter Washington from coming to the aid of its allies. The regime's development of a dozen or more new capable tactical missile systems and announced intent to deploy improved tactical nuclear weapons for battlefield use further raises the specter of nuclear war on the Korean Peninsula.

Pyongyang continues to reject all allied requests for negotiations on denuclearization, arms control, tension reduction, or confidence-building measures. As such, South Korea, Japan, and the United States must take appropriate measures to protect their national security by augmenting and improving their deterrence and defense capabilities.

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