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POLICY IN CONTEXT

Negotiating with North Korea: 1992–2007

January 2008

by Robert Carlin and John W. Lewis

FREEMAN SPOGLI INSTITUTE
FOR INTERNATIONAL STUDIES

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I. Summary and Introduction

Over the past seven years, public debate and political commentary on North Korea's nuclear program have pitted one mode of negotiations (bilateral) against another (multilateral). That debate obscured important lessons from the past and impeded diplomatic progress. The purpose of this paper is not to revisit the debate between the various approaches but rather to analyze the diplomacy as it has actually unfolded.

An important strength of bilateral negotiations with the North is operational simplicity. There is much to be said for being able to focus the discussions and control the message in order to shape the outcome. Multilateral talks, by contrast, dilute the focus and complicate the task of delivering a single, unambiguous policy position. Yet, multilateral diplomacy has certain strengths that are well worth exploiting. Indeed, having come so far down the multilateral road on the North Korean issue, there may be no turning back now without doing considerable damage to the prospects for longer term security cooperation in Northeast Asia.

In truth, there are many approaches that can work on the North Korean nuclear issue and probably many different policies as well. To make them effective requires not pursuing a particular form of diplomatic engagement, but fitting the diplomatic approach to the geopolitical realities of the moment. Equally important, there must be U.S. leadership. Without that, the weaknesses of multilateral diplomacy are magnified; common purpose becomes swamped by domestic politics and narrowly defined national priorities.

The evidence suggests that what has worked in the past and will continue to work best in regard to North Korea is a combination of the bilateral and multilateral approaches. This is not simply a "golden mean" solution. In dealing with the North Korean nuclear issue, bilateral—and most especially, U.S.–DPRK bilateral—diplomacy is not only crucial, it is a *sine qua non*, probably for the foreseeable future. Without it, obstacles in negotiations become virtually insurmountable. At the same time, a strictly bilateral track cannot possibly cope with all of the parts that will eventually have to be included in steps that bind and might finally resolve the question of North Korea's nuclear weapons. Only multilateral diplomacy can transform into broadly based, sustainable implementation, whatever progress is achieved in bilateral negotiations. Only multilateral efforts can eventually shape the necessary regional environment without which lasting progress on the North Korean nuclear challenge will remain a political chimera.

II. The Productive Years for Diplomacy

On June 2, 1993, a U.S. negotiating team assembled at the U.S. United Nations Mission in New York to open negotiations meant to resolve a crisis caused by North Korea's announcement of its withdrawal from the nuclear Non-Proliferation Treaty (NPT). The principal members of the U.S. team had never met a North Korean before and knew little about the North's history, culture, economy, or political system. Yet, sitting behind the front table were several American officials who did have such knowledge and experience, some of whom had dealt with the North in quiet contacts over a number of years. As the talks began, the crisis seemed about to go over the edge. Instead, after nine roller-coaster days, on June 11, the United States and the Democratic People's Republic of Korea (DPRK) reached their first-ever joint statement, beginning eight years of steadily expanding negotiations and diplomatic accomplishments.¹

The experience gained from dealing with North Korea over that eight-year period (1993–2000) has now largely vanished into a thicket of misapprehension and myth. Considerable attention has been focused on the Agreed Framework of October 21, 1994, but the negotiating experience gained is broader—and the lessons much deeper—than simply the 1993–1994 talks, which culminated in that document.²

From 1993 through 2000, the United States and North Korea logged thousands of hours of face-to-face contact in formal and informal settings. The simultaneous inability of most observers to remember, much less utilize, the legacy of these contacts is perhaps one of the central reasons for the largely sterile nature of the diplomacy—and the shallowness of the public discussions on the issue—for much of the last seven years. When progress finally came, it was only after old lessons were relearned, and then, unfortunately, only after the problem became significantly more difficult to solve. The inability of the North Koreans to forget the legacy of earlier U.S.–DPRK engagement compounded their lingering suspicions about the new U.S. approach, which explicitly rejected the achievements of the past even as a basis for forging new agreements. Continuing efforts by a number of current and former U.S. officials to distance the recent accomplishments from those of the past might be comic if they were not so painful to watch.

“You can't deal with them.” The underlying conventional wisdom remains, at least in the United States, much of what it has always been: that it is impossible—or at best, nearly so—to deal with North Korea. Forgotten is the reality that from 1993 to 2000, the U.S. Government had twenty or more different issues under discussion with the DPRK in a wide variety of settings. A large percentage of those talks ended in agreements or made substantial progress. We list these discussions and other results in Appendix A to this paper. Almost all of those agreements went beyond

¹ The full text of this statement and many of the other documents referred to can be found in Appendix B to this paper.

² A version of this discussion of the 1993–2001 bilateral U.S.–DPRK contacts appears in Rudiger Frank, James Hoare, Patrick Kollner, and Susan Pares, eds., *Korea Yearbook 2007* (Leiden: Koninklijke Brill NV, 2007). Reprinted with permission by the publisher.

simple declaratory documents and entailed concrete, complex implementation. For quite some time after the Agreed Framework was signed, most of the talks were linked to that document. The range of subjects expanded, however, and eventually culminated in the U.S.–DPRK Joint Communiqué of October 12, 2000 (Document 7, Appendix B), laying a foundation for new progress in many areas. The ascent to this point was not smooth or steady. Mistakes were made by both sides. Nevertheless, lessons were learned and the experience garnered was put to good use.

It was never entirely clear to Washington what considerations weighed most heavily in Pyongyang’s decision to move into serious discussions on any given subject. What did become clear was that once the North’s leadership had made such a decision, the general pattern was for the talks to move steadily towards resolution. The most time-consuming part of the process often involved getting to the talks themselves. The Agreed Framework negotiations stretched from June 1993 to October 1994, but the largest chunk of that period (August 1993–June 1994) was spent in discussions about how to get back to talks, which were suspended (by Washington) after the second round in July 1993.

Underlying the North’s specific calculations for each set of talks was a basic, strategic decision by Kim Il Sung in the early 1990s to press for engagement with the United States and even accept a continuing U.S. military presence on the Peninsula as a hedge against expanded, potentially hostile, Chinese or Russian influence.

Pyongyang, somewhat clumsily, signaled this new position to Washington as early as January 1992 in high-level talks in New York between Undersecretary of State Arnold Kanter and Korean Worker’s Party Secretary Kim Yong Sun. The North repeated that position numerous times thereafter to outsiders willing to pay attention. Certainly it was a point made at the highest level during Secretary of State Madeleine Albright’s visit to Pyongyang in October 2000. At a less lofty level, in virtually every trip that the authors have undertaken to the DPRK over the past twelve years, we have been reminded of that decision by North Korean officials. In August 2003, one official said:

The basic strategic fact for us is rooted in history. We have been victimized by all our neighbors from Qing times on. This is why we want closer relations with the U.S. Do you know the Chinese saying, “Keep those far away close, and those close to you keep at a distance”? This is our strategic reality, and this is why we want closer relations with the U.S. It is time for us to become friends. We have learned a lot about each other in the last fifteen years, and we have come to know each other. For over a century, the countries around us have competed to control us for their own strategic security and economic reasons, and we became their battlefield. You must look at the strategic picture—the big picture—as we have to in order to survive.

Kim Il Sung’s new policy line did not, of course, prevent the North from threatening to withdraw from the NPT in March 1993, but it did serve to bring Pyongyang back to the negotiating track only a few months later. The full import of Kim’s decision to seek engagement with the United States as a hedge against his

continental neighbors was only dimly perceived in Washington for many years and now has been largely forgotten. This lapse in Washington's understanding probably prevented the United States from moving more quickly to resolve the nuclear problem and then to broaden the discussions to a wider range of issues. It was much the same sort of mistake the United States made decades earlier in Vietnam in not fully recognizing the antipathy between the Chinese and Vietnamese.

Overall pace. Talks with the North are usually characterized as painful, lengthy, and arduous. The talks that took place from 1993 to 2000 were never simple, but, in fact, most of the negotiations that ended in agreements were concluded quickly. Altogether, the Agreed Framework negotiations took only five sessions. Occurring over the space of less than 90 days (August–October 1994), the final three sessions were the most productive. Other critical negotiations, though they often felt complicated and difficult to those on the scene, were equally rapid. The agreement on the Kumchang-ri underground inspections took just five months (November 1998–April 1999). Talks leading to the October 2000 statement on terrorism were concluded successfully after three relatively short sessions spread out over about a year. The North's missile moratorium took from July to September 1999 to work out. Talks on the three main protocols between the North and the Korean Peninsula Energy Development Organization (KEDO) took about a year, a relatively short time considering how detailed those documents were.

Working-level talks—such as those concerning the canning of spent nuclear fuel, monitoring of heavy fuel oil (HFO), and MIA remains recovery—generally were barometers of the broader state of play in relations. Canning took longer than expected, partly due to technical problems and partly because the North was determined to use the pace of progress on canning as negotiating leverage over the United States elsewhere. Tactical considerations aside, overall, in each of these working-level talks, the trend was towards rather than away from agreement.

Role of the Agreed Framework. The Agreed Framework talks started near the beginning of the Clinton administration. This was a learning period for both sides, following the collapsed effort at rapprochement between the two Koreas and the year-long tensions between Pyongyang and the International Atomic Energy Agency (IAEA). Just weeks after the new administration took office, the North announced its intention to withdraw from the NPT according to the treaty's withdrawal provision (calling for 90-day notification), and for the next few months the Korean nuclear issue appeared headed for a calamitous crisis.

By June however, the United States had appointed its lead negotiator, Assistant Secretary of State Robert Gallucci, and channels had opened between Washington and North Korea's UN mission. The early talks, especially those in July 2003 in Geneva, have generally received scant attention from observers, who have focused most on the dangerous episode that came close to war in June 1994. Few remember that as early as the second round of talks, on July 16, 2003, the North's chief negotiator disclosed what he termed Pyongyang's "bold, new instructions" to trade the existing, gas-graphite nuclear program for new light-water reactors.³ Despite the

³ Joel S. Wit, Daniel B. Poneman, and Robert Gallucci, *Going Critical: The First North Korean Nuclear Crisis* (Washington DC, Brookings, 2004), p. 71.

ups and downs of the next fifteen months, that proposal became the basis of the core bargain in the Agreed Framework (October 21, 1994).

One of the most serious, pernicious misunderstandings of the Agreed Framework is that it was, at heart, a nonproliferation agreement. It was not. The engine of the framework was always its political provisions (section II). These called for both sides to “move toward full normalization of political and economic relations,” including:

- “Within three months [of October 21] to reduce barriers to trade and investment.” (*Done*)
- To “open a liaison office in the other’s capital.” (*Not done*)
- To “upgrade bilateral relations to the ambassadorial level” as “progress [was] made on issues of concern to each side.” (*Not done*)

In addition, the U.S. obligations were to provide the DPRK:

- “Formal assurances, against the threat or use of nuclear weapons.” (*Not done*)
- Alternative energy “in the form of heavy oil for heating and electricity production.” (*Done*)
- “An LWR [light-water reactor] project with a total generating capability of approximately 2,000 MWe [megawatt (electric)] by a target date of 2003.” (*Under construction but never completed*)

For its part, North Korea agreed to:

- Freeze and eventually dismantle its graphite-moderated reactors in operation or under construction and other related facilities. (*Freeze done; dismantlement stage never reached*)
- Accept IAEA monitoring. (*Done*)
- Cooperate to “store safely the spent fuel” from their 5 MWe experimental reactor. (*Done*)
- Remain a party to the NPT, and “take steps to implement” the North–South Joint Declaration on the Denuclearization of the Korean Peninsula. (*Not done*)

The negotiations themselves were stuck until the United States recognized the agreement would have to go beyond nonproliferation. Later, implementation of the framework was progressively hobbled as the United States fell back into treating any implementation primarily as a nonproliferation tool. For Pyongyang, even the U.S. obligation to supply light-water reactors had as much a political as an economic rationale. The North Koreans saw the LWR construction process as a means of ensuring U.S. involvement with the DPRK over a long period, thus improving—so they hoped—the chances of normalizing political relations.

In broadest terms, the framework provided a floor, a structure, and cohesiveness to all of the U.S.–DPRK talks that followed. Any negotiations that did not fit that

structure (whether or not they were specifically prescribed in the framework) did not move forward. The framework's centrality to U.S.–DPRK talks may have been due, in part, to internal North Korean dynamics, discussed below. Much more than words on a piece of paper, the Agreed Framework began a process of interaction in Northeast Asia, which helped the parties establish new norms for interaction and cooperation.

Falling short. The Four-Party Talks (1997–1999) and bilateral U.S.–DPRK missile talks (1996–2000) were the notable exceptions to the overall trend toward reaching agreements. Pyongyang did not want to have either of these negotiations. It eventually took part in them after much cajoling from Washington, not because it sought progress in these particular areas, but because of a calculation that refusal to accept Washington's proposals for talks risked souring the atmosphere for progress in political relations with the United States, a key DPRK goal throughout this period.

In particular, the Four-Party Talks (China, North Korea, South Korea, and the United States), announced by President Bill Clinton in April 1996, struck the North Koreans as a distraction from the Agreed Framework just as that agreement was beginning to get traction. In effect, the Four-Party Talks appeared to be a dilution of U.S. focus on its framework obligations. Moreover, Pyongyang opposed the four-party setting because, by involving the Chinese, it went counter to a basic Pyongyang policy goal, i.e., to limit Chinese influence by improving U.S.–DPRK relations. One of the most telling questions the North Koreans asked in the preparatory phase of the talks was, “Why are the Chinese involved?”

The Four-Party Talks proved difficult to organize, awkward to run, and ultimately, impossible to sustain. The effort was not wasted, however. It did put North and South Korean diplomats together during a low point in inter-Korean relations. The meetings provided an opportunity to pursue U.S.–North Korean talks on other issues, and they proved to be a training ground for the Chinese Foreign Ministry's later efforts, in 2003, to avoid a crisis over the North Korean nuclear issue.

The bilateral missile talks went nowhere until 2000, because Washington was unable to make Pyongyang concentrate seriously on U.S. concerns about the North's ballistic missile program. By the end of the first meeting in Berlin, in April 1996, DPRK negotiators had scant doubt that the United States had come to the table with little more than declaratory positions. The U.S. failure to press for these talks on anything more than a leisurely schedule (about once a year) convinced Pyongyang that this also was not an issue that demanded priority attention, let alone serious negotiations.

The weight of the Agreed Framework in the North's calculations on the missile issue is illustrated by two events, which were barely two years apart. In the autumn of 1996, Washington appears to have successfully prevented a North Korean missile test at a time when the Agreed Framework still appeared to hold promise and Pyongyang was reluctant to risk damaging the framework's prospects. By contrast, in the summer of 1998, when the Agreed Framework appeared moribund, Pyongyang went ahead with the Taepodong missile launch despite U.S. warnings.

The missile talks finally got traction in July 2000, when Kim Jong Il signaled that Pyongyang had reformulated the issue in a way that would address the concerns of both sides. This formulation posited new, positive linkage—progress on concerns by both sides would be a key to improving U.S.–DPRK relations, and improvement in relations would lead to a breakthrough on the missile issue.

Mechanics. Apart from substantive concerns, there were always operational moving parts in negotiations with the North. The particulars included the level of the talks, the context, the sequence—all of which together made up what might be termed the operational plateau. Sometimes talks bogged down because of the North’s need to make tactical decisions over which the United States had only minimal influence. One such set of decisions involved pacing. Pacing is an important psychological tool for the North Koreans, something they often use well and to excruciating effect. At other times, however, problems with pacing seemed to revolve around other—seemingly more central—concerns in the North Korean leadership. These problems were not immediately apparent to outsiders and needed concerted probing before certain problems with pacing could be understood, much less addressed.

The impact of these internal concerns on the negotiations was more often than not missed or misunderstood by U.S. officials. By treating North Korea so exclusively through its own lens, as a nonproliferation concern, the United States ignored Pyongyang’s strategic concerns and the domestic priorities that drove much of its external actions. Not surprisingly, this problem persisted and was magnified after 2001. In a telling moment a few years ago with the authors, an exasperated North Korean official repeated a point he had often made in the past:

You don’t deal with us directly or as an equal or even as a negotiating partner.... This is intolerable. This means you don’t understand even Asian culture, where prestige and face are so important. Your government really doesn’t have any respect for us, so why should we respect you? This is what I meant earlier when I said you deal only with trivial matters and not with the basic relationship. We wanted to have a fundamental relationship with you, but you didn’t want that.

Getting to talks. Except in one instance (the Four-Party Talks), the United States and the DPRK were not hampered by the so-called shape-of-the-table problems. American negotiators rarely had procedural issues to worry over, especially once they had established the patterns and standard logistical arrangements for meetings. The two sides developed a routine for calling and agreeing to the meeting time and place. As the broader process of engagement developed, moreover, it started to generate its own momentum. Instead of having only a single basis for progress on a specific set of talks, there were multiple talks occurring, each of which could feed into the others. Taken together, the range of talks continuously elevated the “operational plateau,” an increasing level of confidence and familiarity between the two sides—especially between the negotiators—that allowed them to put operational questions to one side and focus on substance.

In some cases, the United States faced perplexing DPRK demands or delays, which were often connected to turf battles within the DPRK. For issues on which the DPRK Foreign Ministry had the lead—and that meant virtually anything directly connected with the Agreed Framework—the Americans could usually arrange meetings with minimal difficulty. Issues outside the clear purview of the Agreed Framework, by contrast, raised problems because they engaged competing bureaucracies within the DPRK hierarchy.

As noted above, the missile talks were difficult for many years because the Foreign Ministry could not make a convincing case that this subject was a significant foreign policy issue for the ministry rather than purely (or mostly) a subject that fell to those elements in the Workers Party and the military involved with the production and sale of missiles. In this instance, moreover, the Foreign Ministry had an even more difficult case to make, not least because the United States did not act if it were seriously concerned about the issue, and which it did not begin to do until 1999. Before that, the talks never had a chance to develop a momentum of their own or move beyond mere repetition of the U.S. position. Repetition of talking points, not surprisingly, was never sufficient to put the message through to the right places in the DPRK leadership on a priority basis.

At the talks. No two sets of talks were exactly alike, but once meetings became routine, most tended to follow similar patterns of development. There would be an initial period in which the two sides would state principled, highly general opening positions. These would be followed by sessions devoted to defining the problem, then an exploration of the mechanics for solving the problem, and finally bargaining on the details and sequence of the resolution.

Defining the problem had to go beyond simply a statement of what the United States was concerned about, objected to, or demanded from Pyongyang. Instead, before the North would move on, there had to be an agreement (if only implicit) that this was a shared problem, one whose solution needed joint efforts and whose positive outcome would meet the interests of both sides. Over time during the late 1990s, the growing understanding between the two sides and their principal negotiators would attune them to possible ways to formulate and refine the shared problem.

In many cases, different sets of talks were conducted by the same delegations on both sides, sometimes even at the same venue. For example, in 1998, the U.S. delegation to the Four-Party Talks met separately with the DPRK delegation to discuss the U.S. concerns that the North Koreans had built a clandestine nuclear facility at Kumchang-ri. At other times, meetings on separate issues took place in different venues but as part of a sequence of talks—such as when U.S.–DPRK negotiations on broader questions took place in Berlin, then the two delegations flew to Geneva to take part in Four-Party Talks.

The North Korean Foreign Ministry had a core group of officials involved in virtually all negotiations. They were almost always led by Vice Foreign Minister Kim Kye Gwan. In more technical talks, additional DPRK officials sometimes took part. The United States, by contrast, tended to have separate teams with little

overlap. Thus, the North Korean delegations had a good sense of the overall engagement process, while each U.S. team tended to be more narrowly focused.

Multilateral aspects. Although the negotiations themselves were, for the most part, carried out bilaterally—between United States and DPRK negotiating teams—they were actually the operational tip of a long and sometimes complicated process of multilateral coordination. Both Japan and the Republic of Korea (ROK) sent teams of diplomats to Geneva during the 1993–94 Agreement Framework talks for the purpose of coordinating with the U.S. negotiators. Later, the Perry process (1999–2000) established a U.S.–ROK–Japan trilateral coordination group (TCOG) to ensure that the three capitals understood and followed an agreed strategy toward Pyongyang.

KEDO represented a plunge into the multilateral diplomacy in the most complete sense. The organization (1995–2006) was funded and staffed by the United States, South Korea, and Japan and later joined by the European Union. Decisions on KEDO’s policies and operations were reached by consensus among the four parties; likewise, KEDO negotiating teams dealing with the North Koreans were composed of personnel from all four. At first, the North insisted that every negotiating team be led by an American if only nominally, but that requirement eventually fell away.

After the talks. The most difficult, and in some ways least successful part of the negotiating process was the follow-up. At some point, negotiators on both sides had to hand over implementation of agreements to parts of their bureaucracies or official institutions (such as the Congress in the American case) that were less familiar with, and in some cases less well disposed towards, the process and goals of the talks.

At that juncture, a new dynamic emerged. For one thing, performance in implementing established agreements became important to support progress in other, as yet unfinished negotiations. Mechanisms not already established had to evolve for dealing with complaints from both sides. Slowly, it became obvious that prior planning and preparations on implementation would be crucial not only for carrying out existing agreements but also for reaching new ones.

Performance related issues, moreover, defined the battleground in each capital. Some wanted to treat every performance failure as fatal and as a matter of principle, with no sense of perspective. On the North’s part, problems in implementation were used to highlight the two sides’ mutual and in some cases linked obligations (as, in fact, some of them were) or as a way of testing Washington’s commitment to full compliance. Gradually, U.S. negotiators came to an important realization: failure by the North Koreans to implement fully a particular set of obligations was not necessarily a sign of irresponsible behavior but was often a function of Pyongyang’s perception of and response to U.S. performance. To the North, which viewed itself as weak and disadvantaged, implementation was seen not simply as an obligation but as leverage to insure better U.S. compliance

Obsession with “cheating.” The long, involved, and largely successful eight-year effort to engage the North is now forgotten, a victim of the U.S. fixation on the notion that the North “cheated” on the Agreed Framework. As is clear from our earlier summary of its terms, the Agreed Framework was designed as a political

document that set down on paper mutually reinforcing obligations by the two sides, some tied to specific timetables and some set out as eventual goals. The explicit understanding by both parties was that no side was legally compelled to follow through on any or all of its obligations, but if it reneged or only carried out partial steps, the other would be equally free to stop or cut back its own performance. In addition, the North Koreans were warned that although some things were left vague in the document, they should clearly understand that certain types of activity on their part would cause “political” problems in Washington that would sink the deal. For the United States, verification was a key ingredient for making the framework work, and Washington therefore decided that nothing would be included (such as a ban on uranium enrichment) that could not be verified.

The argument is sometimes made that the reference in the Agreed Framework to the North–South Joint Declaration on Denuclearization (January 1992) was implicitly a reference to the North’s pledge not to “possess uranium enrichment facilities” and thus an obligation the North was reaffirming. Such an indirect reference would, at best, have been a weak reed on which to rest so crucial an obligation. In any case, the negotiating record would not support even that interpretation. The two sides did not focus on references to the inter-Korean agreements until virtually the end of the negotiations over the final draft, and then very much as an afterthought at the insistence of the ROK, which was not concerned so much with the details as with the symbolic imperative of having a reference to its own role. The North Koreans strongly objected to bringing North–South agreements into the Agreed Framework. This was obviously a difficult subject for the DPRK Foreign Ministry to touch for internal reasons. Numerous attempts were made to find the language that would satisfy both Seoul and Pyongyang; no one really intended that the reference to the North–South agreements would constitute one of the core DPRK obligations under the Agreed Framework or imagined that it was a good way to cover uranium enrichment or any other similar technology or material not specifically mentioned in the Agreed Framework.

Developing an enrichment program can be seen as truly bad political judgment on Pyongyang’s part, but whether or not it is “cheating” is at best an open (and probably feckless) question. In 1999 and 2000, it did not come as a surprise to learn that the North might be exploring the enrichment option, and there were discussions in Washington about how to confront the North Koreans diplomatically at the proper time and in the proper way to get them to stop. In June 2000, U.S. negotiators obliquely raised the possibility of the need for additional Kumchang-ri–like inspections. The U.S.–DPRK Joint Communiqué (October 12, 2000) explicitly endorsed “the desirability of greater transparency in carrying out [the] respective obligations under the Agreed Framework.” In this regard, it continued, the two sides “noted the value of the access which removed U.S. concerns about the underground site at Kumchang-ri.” This language had no purpose other than to look ahead to negotiations on inspections that would address additional U.S. concerns about the North’s nuclear program—a point that Pyongyang could not have missed. Together, the visits of Vice Marshal Jo Myong Nok (to Washington) and Secretary Madeleine Albright (to Pyongyang) in October 2000 transformed the atmosphere sufficiently to provide the basis for dealing with the uranium enrichment issue such as the Kumchang-ri issue had been dealt with successfully in 1999.

Even today, we do not know the factors that went into the DPRK decision to begin exploring a uranium enrichment program (UEP) or what would have happened if the United States had dealt with the enrichment issue within the context of the Agreed Framework, rather than arguing as it did in 2002 that the North's enrichment program was a fatal blow to the Agreed Framework. In the good-versus-evil constructs that governed U.S. approaches to Korea after 2001, the accusation that the North had cheated needed no proof and brooked no response other than an admission of guilt and total capitulation.

The destruction of the Agreed Framework did not just happen or begin in October 2002. Key members of the Bush administration came to office intent on killing it. That intent was specific and public. The administration deemed it fatally flawed and said so repeatedly. Some at senior policy levels might have thought otherwise; none of them was prepared seriously either to defend the agreement or even to argue for ways to improve it. The existence of the UEP program was already being used by early 2002—that is, before the UEP issue surfaced in the Pyongyang meeting that October—as an excuse to withhold and/or undermine funding for promised HFO shipments under the Agreed Framework and as a step toward dismantling the Agreed Framework. The argument for “presumptive breach,” made by some officials in the administration, was also a sign of the times. A legal concept that had nothing to do with the negotiating record for the Agreed Framework, presumptive breach was applied in a rather tortured way:

- The Agreed Framework had called for the North to be in compliance with its NPT obligations by the time that key components for the promised LWRs shipped.
- The IAEA claimed it would take several years to answer crucial questions about the history of the North's nuclear program. Putting the two schedules for LWR construction and IAEA verification side by side made it apparent that the former would occur considerably in advance of the latter.
- Thus, it was asserted, the North could have been seen to be in breach of its obligations.

If one had wanted the North Koreans to accept inspections earlier and more extensively than laid out in the Agreed Framework, there were ways to try to achieve this. Indeed, American negotiators began planning along those lines in 2000. Instead, the Bush administration thought up a new obligation for the North and then declared Pyongyang in violation.

It is true, of course, that many issues were still on the table on January 20, 2001, when the new administration took office. Yet, there was a strong feeling in both capitals that the elements were definitely in place for positive developments. Pyongyang had already made clear, in an important article published in the party newspaper *Nodong Sinmun* just before the U.S. elections, that it would continue to abide by both the Agreed Framework and the October 2000 Joint Communiqué, no matter who would become the next U.S. president. Thus, the incoming administration was handed the best possible situation and on a number of occasions was made fully aware of the extraordinary opportunity for continued progress.

Certainly, the new administration could have modified the Agreed Framework, which was something that needed to happen and which Pyongyang was probably prepared to accept. Washington could have explored how far the North was prepared to go on a missile deal. It could have pressed ahead with cooperation to support and encourage international efforts against terrorism (as laid out in the Joint Statement issued by the two sides on October 6, 2000.) It did none of these things. Worst of all, it forgot (or rather, never tried to learn) the real lessons of the preceding eight years. Once that basic understanding slipped away and the problem was reduced to its nonproliferation essence as seen by Washington, the fundamental basis for productive negotiations was also lost.

North Korea as a nuclear weapons state. Any ambiguity that may have existed about the North's nuclear status disappeared with its test of a nuclear device on October 9, 2006. We are now confronted with the reality of the DPRK as a nuclear weapons state. Whatever its legal status before finally withdrawing from the NPT in January 2003, the DPRK cannot re-adhere to the treaty without the total elimination of its nuclear arsenal. Under the treaty's Article III, to rejoin the NPT, the North must once again accept "safeguards, as set forth in an agreement to be negotiated and concluded" with the IAEA. The chances of this sort of early successful return to the status quo ante appear close to zero.

Although Pyongyang says that it is committed to the denuclearization of the Korean Peninsula, as laid out in the Joint Statement of September 19, 2005 issued by the Six-Party Talks (and to be discussed later), that goal is unlikely to be achieved any time soon. Such delay may itself complicate the problem. The more time that passes, the more convinced the North will become that it need not give up its small nuclear arsenal. The more the North becomes accustomed to possessing nuclear weapons, the more difficult it will be for pragmatic officials in the leadership—in the Foreign Ministry and elsewhere—to make the case for negotiating away those weapons. The question will be asked in Pyongyang: Why should the DPRK be the first declared nuclear weapons state to relinquish its status? Even if that possibility still exists, the price of eliminating a declared arsenal is likely to be far higher than the price would have been for dealing with the North's pre-2002 still small number, still undeclared, and still untested nuclear weapons.

Within months of the Bush administration's assuming office in 2001, Pyongyang appears to have concluded that, the rhetoric of the State Department notwithstanding, Washington as a matter of high policy had moved away from coexistence. Pyongyang took Washington's refusal to acknowledge the continuing applicability of the October 2000 Joint Communiqué as a powerful symbol of the extent to which past progress had been erased. Even so, through late 2001 and into 2002, Pyongyang held out hope that improving relations with the United States remained possible.

In part, that hope may have been borne of necessity. In the autumn of 2001, Kim Jong Il put his power and prestige behind achieving substantial economic reform policies that needed an easing of sanctions and external tensions. The North's bureaucracy was ordered to achieve results across the board with South Korea, Japan, and the European Union. Most of all, Kim needed a change for the better with Washington if the reforms were to succeed. In the summer of 2002,

Pyongyang signaled that it was prepared to deal on all U.S. security concerns—with the implication that “all” included the uranium enrichment question.

Thus, in October 2002, when Assistant Secretary of State James Kelly’s delegation left for Pyongyang—the first high-level visit since the start of the Bush administration—the North approached the long-awaited exchanges with great optimism and significant preparation. Missing from the historical record is much detail on Kelly’s first-day encounter with the North Korean Vice Foreign Minister Kim Kye Gwan. No mention is made that Kim apparently came to the meeting with sweeping proposals for reengagement and rapprochement, and that Kelly made no effort to listen or engage. Instead, the Foreign Ministry was caught badly off guard when Kelly swept aside the discussion of all other topics to focus solely on the uranium enrichment issue. No context would be given to the issue, no evidence would be provided, no discussion would be permitted, and no proposal would be offered to resolve it. When North Korean First Vice Foreign Minister Kang Sok Ju made an ambiguous statement that the U.S. delegation interpreted as an admission of a clandestine enrichment program, the American side asked no questions for clarification and attempted no follow-up. In these circumstances, failure was the only possible outcome. A badly conceived, poorly executed mission could have achieved nothing more.

Soon after the October meeting, the United States rammed through a decision by KEDO to cancel delivery of HFO as promised under the Agreed Framework. In short order, this action resulted in the final collapse of the 1994 agreement, the ending of the light-water reactor project at Kumho, and the gutting of KEDO. The North ejected the IAEA inspectors, withdrew from the NPT, and resumed its plutonium production program at Yongbyon, including reprocessing spent fuel that had been stored and monitored in canisters for a number of years.

III. From Bilateral to Multilateral Talks: The Bush Years from the Chinese Perspective

With this brief history in mind, we now turn to the Chinese perspective on the diplomacy of the Six-Party Talks, which began in Beijing in August 2003. We contrast that perspective on the lead-up and carrying out of five rounds of multilateral talks to the period of bilateral negotiations covered above.

The search for a multilateral solution: Chinese engagement. Chinese characterize the period from 2003 to 2007 as a transition from bilateral U.S.–DPRK negotiations that ultimately failed to Six-Party Talks that reached agreement on initial actions toward denuclearization and normalization. They do so with some pride, because the decision to engage in the diplomatic process on Korea and to host those talks came after months of internal debate and difficult efforts to persuade Pyongyang to accept multilateral diplomacy. That debate, though changing over time, continued throughout the four-year period, and must be fully understood in order to appreciate China’s reluctant decision to enter the diplomatic fray.

China’s internal debate. Beijing did not view North Korea’s nuclear programs as an imminent threat to its national security until early 2003, when the Agreed Framework collapsed and the North withdrew from the NPT and restarted its 5 MWe reactor at Yongbyon. The People’s Republic of China (PRC) feared that the DPRK would accelerate its nuclear weapons program without NPT constraints and that the renewed confrontation between the North and the United States, triggered by the uranium enrichment issue, could result in hostilities in a region located directly on China’s border. The emerging crisis, Beijing believed, could easily and quickly spin out of control.

The principal dilemma plaguing Beijing’s leadership was: Should China keep a low profile during the erupting crisis and continue its “indirect involvement” as it had been doing from 1994 to 2002, or should it directly engage and work to solve the issue in a multilateral way? The debate subsided, but never quite ended, when in early 2003 the leadership chose the direct approach for two primary reasons: 1) it would be impossible to solve the nuclear issue peacefully without the introduction of a third party, and 2) an escalation of U.S.–DPRK tensions could trigger a war or, at the very least, a U.S. military strike against the DPRK. Either outcome could disrupt or derail China’s priority of rapid and sustained economic development, a goal critical to national stability and Communist rule.

In March 2003, China sent its then preeminent diplomat, former Vice Premier Qian Qichen, to Pyongyang, for secret but apparently highly contentious discussions with North Korean leader Kim Jong Il. By the end of the visit, Kim accepted Beijing’s proposal to hold a trilateral meeting in Beijing to “solve the nuclear issue through dialogue,” but with the precondition that a bilateral U.S.–DPRK dialogue must be held within the trilateral setting. After Qian’s trip to Pyongyang, Beijing sent a diplomatic delegation headed by Vice Foreign Minister Wang Yi to Washington with the twin goals of winning the Bush administration’s acceptance of early trilateral-bilateral meetings in Beijing and ensuring Washington’s commitment to a reconstituted diplomatic track. The United States accepted the Chinese initiative

for a trilateral meeting but rejected Pyongyang's precondition on simultaneous bilateral discussions.

Faced with this half-success, Beijing shifted from resolving the nuclear issue to easing the U.S.–DPRK confrontation on the nature of the talks. Yet, both the issue and the diplomatic approach remained linked, and Beijing packaged its approach with the slogan *qi he huan an quan*, or “exchange denuclearization for security.” Nevertheless, the Chinese failed to invest much energy into moving beyond slogan to substance, let alone convincing Pyongyang that China and the DPRK stood together against the ever more hostile U.S. administration. Thus, while over time Beijing did persuade the United States and North Korea to engage both substantively and bilaterally in the six-party framework, it failed to persuade Pyongyang of the *qi he huan an quan* proposition.

That failure led to another internal debate since China had to weigh competing domestic priorities requiring external peace and stability against its national security interests that hinged on a nuclear-free Korean Peninsula. In the ensuing debate, three positions or “schools” emerged on the question of how to deal with the North Korean nuclear issue. These schools came to be illustrated using the image of a coin:

1. *Two equal sides of the coin.* This school held that China needed to balance both peace and stability *and* denuclearization. “All coins,” it was said, “need both sides equally.” This school commanded a majority and is apparently still supported by the highest levels in Beijing.
2. *The dominance of the stability-and-peace side of the coin.* This school held that no power could destroy the Pyongyang regime or force it to abandon its nuclear program. Thus, any realistic policy had to give priority to stability and peace and to accept the North's nuclear status.
3. *The dominance of the denuclearization side of the coin.* This school held that a nuclear North Korea would always challenge stability and constitute a threat to the peace. Thus, the DPRK must be denuclearized no matter what the short-term cost (chaos on the peninsula, refugees into China, or U.S. intervention), in order to preserve stability and peace over the long term. The North's expressed commitment to denuclearize through phased dismantlement, this school held, would be designed to exact compensation and buy time for refurbishing and rebuilding its nuclear facilities.

The main differences in the debate revolved around this question: Could both lasting peace and stability *and* denuclearization be achieved (as the first school of thought hoped) or could only one of the goals be met (as those who favor one “side” or the other of the diplomatic coin believed)? If the answer were the latter, then the debate would turn on a question of priorities—whether to give more weight to peace and stability or to denuclearization.

Following the North Korean actions of early 2003, Beijing decided the priority would be denuclearization in order to end the threat of the North's nuclear weapons program. Although the decision seemed to align Beijing and Washington, there was one important difference. China began to attach much greater importance than the

Bush administration did to the 1992 North–South denuclearization declaration, which stated that the two sides “shall not test, manufacture, produce, receive, possess, store, deploy, or use nuclear weapons,” and that they “shall not possess nuclear reprocessing and uranium enrichment facilities.” In 1992, procedures for inter-Korean inspection were being negotiated and a North–South Joint Nuclear Control Commission was mandated to verify the denuclearization of the peninsula. Although the declaration and these measures were quickly buried by the mounting dispute between Pyongyang and the IAEA, the basic historical commitment to denuclearization gave the dominant Chinese school a solid basis for Beijing’s involvement.

China begins to engage. Although the April 2003 trilateral meeting in Beijing marked the start of the Chinese-sponsored and mediated multilateral diplomacy, Pyongyang resolutely insisted that “only the bilateral way” held out promise for a solution and continued to define the nuclear issue as a “North Korean–American nuclear issue.” Within the trilateral process, therefore, Washington and Pyongyang were moving in opposite directions, with the U.S. insistence on a “multilateral only” approach and the North demanding acceptance of its “bilateral only” position. In the end, Chinese pressure was sufficient to hold the three-party talks, but only so long as a bilateral channel was kept open. When Washington held firm to its stance of “no bilateral contact at all” and no meaningful bilateral contacts proved possible, the trilateral approach collapsed. Yet, the momentum toward a multilateral dialogue was mounting, and the Chinese efforts, though stymied when Beijing’s suggestion for a second trilateral meeting was rejected, led to a counterproposal for talks with six parties, adding Japan, South Korea, and Russia.

Six-Party Talks begin. For two years after their start in Beijing in August 2003, the Six-Party Talks made minimal headway, as Pyongyang continued to press for serious bilateral talks with the Americans. No measurable progress occurred until the completion of the Joint Statement of principles of September 19, 2005, and the eventual statement on parallel implementing actions, or Initial Actions Statement of February 13, 2007.⁴ At the beginning of these multilateral talks, no real dialogue took place either in the plenaries or on the sidelines, and the meetings among the six merely provided a forum for declarations of each delegation’s position. For the U.S. and the DPRK, the talks were simply a platform for parallel monologues and rhetorical sallies. In the long hiatus between the first two phases of Round 5 (November 2005 until December 2006), moreover, the entire six-party process seemed doomed when the North Koreans launched a volley of seven ballistic missiles and exploded a small nuclear device. The missile test prompted the U.N. Security Council to issue Resolution 1695 (July 15, 2006), and the nuclear test led to Resolution 1718 (October 14, 2006), the only times in this entire process that the United Nations became directly involved in the North Korean nuclear crisis. By autumn 2006, many commentators and even many of the official participants gave

⁴ The dates of the Six-Party meetings are: Round 1, August 27–29, 2003; Round 2, February 25–28, 2004; Round 3, June 23–25, 2004; Round 4.1, July 26–August 7, 2005; Round 4.2, September 13–19, 2005; Round 5.1, November 9–11, 2005; Round 5.2, December 18–22, 2006; Round 5.3, February 8–13, 2007; Round 6.1, March 19–22, 2007, and Round 6.2, September 27–30, 2007. In addition, a heads of delegation meeting of the Sixth Round of the Six-Party Talks was held in Beijing, July 18–20, 2007.

the talks little chance of success. Most assumed that subsequent encounters would be reduced to a necessary ritual to express repeated condemnations of Pyongyang's actions.

Limited progress in rounds 1–3. From April to August 2003, the six parties, with China in the lead, parried behind the scenes to get the first meeting off the ground. Throughout these months, Pyongyang made clear its hostility to the forthcoming talks and told both official and unofficial visitors what actions it expected the chief U.S. delegate, James Kelly, to take if there were to be any chance of convening the talks. When the United States refused to engage the North bilaterally and did not meet the North's expectations at the first round in August 2003, the DPRK's chief delegate, Vice Foreign Minister Kim Yong Il, bitterly declared his government's "three no's": "no progress, no use to the talks, and no intention to attend the talks any more."

Nevertheless, limited substantive discussions were held among some of the parties during the second (February 2004) and third (June 2004) rounds. In these discussions, the Chinese stepped up pressure on both the North and the United States which the Chinese claimed brought about small adjustments in Washington's "no bilateral" policy. In those rounds no consensus—not even overlapping points of view—developed sufficiently to draft joint documents. The Chinese chief delegate refused to admit that the talks had failed and, exercising the chairman's prerogative, issued a formal "chairman's statement" at the conclusion of each of these early rounds. By adopting this tactic the Chinese intended to establish the fiction of a minimum consensus. Since no public objections were allowed, there was at least the appearance that all parties had endorsed the ideas included in the statements.

As part of these statements, the Chinese were able to record in a general way that critical off-the-record agreements had been reached in rounds 2 and 3. The chairman's statement for the second round referred to the agreed "commitment to a nuclear-weapons-free Korean Peninsula" as well as agreement "to take coordinated steps to address the nuclear issue and address the related concerns." In his statement for the next round, the chairman recorded that "the parties stressed the need for a step-by-step process of "words for words" and "action for action" in search of a peaceful solution to the nuclear issue." From then on, all discussions proceeded on the tacit agreement that the principle of "words for words, action for action" was to be included in any future settlement. That principle became enshrined in the September 2005 Joint Statement and the Initial Actions Statement of February 2007.

Under intense pressure, the United States reluctantly accepted the concept of "first steps" as the starting point toward the complete denuclearization of North Korea, a more realistic position than the one the United States was pursuing and one long opposed by the Bush administration as tantamount to accepting the repudiated 1994 Agreed Framework's so-called piecemeal approach. The first steps, according to Chinese sources, actually contained two categories of actions—first, from the DPRK and second from the other five parties as a whole. First steps for the North were interpreted to mean "halting" rather than "freezing" (the latter a tainted word in the U.S. lexicon) all of its nuclear activities, while the other five would be required to take "corresponding measures." In practice, those measures were to be energy and economic assistance but could not be called "compensation," again a term

considered taboo by the U.S. administration. Thus, by the end of Round 3, all parties had accepted the concept of “halting for corresponding measures” as the “first steps.”

Although “action for action” and first steps were quietly understood to be the major achievements of the second and third rounds, the United States and the DPRK failed to reach agreement on the principle of Pyongyang’s accepting CVID—“complete, verifiable, irreversible dismantlement” of the North nuclear weapons programs—in exchange for Washington’s abandoning its alleged “hostile policy.” Originally, according to the Chinese, North Korea did not strongly oppose the idea of CVID in exchange for an American “no hostility” policy, and even sought a deal expressing the idea. During substantive discussions in the plenary sessions of Round 2, for example, the chief North Korean delegate, Vice Minister Kim Kye Gwan (who replaced Kim Yong Il), twice asked Kelly: “If the DPRK accepts CVID, will the United States give up its hostile policy toward the DPRK?” Kelly, apparently under instructions, failed to answer this question “directly and clearly.” The DPRK then changed its position on CVID. Thereafter, Kim declared, “CVID is a term for a defeated state, and we are not a defeated state. CVID is a humiliation to the DPRK. We won’t accept this at all.” In the end, rounds 2 and 3 achieved two important understandings—action for action and first steps—but without their formalization and without the acceptance of CVID as the definition of denuclearization.

Significant steps in rounds 4–5. The most significant progress occurred in the next rounds of talks. Round 4 set a milestone for the multilateral engagement process by formulating the Joint Statement of principles, which made denuclearization of the peninsula the ultimate common goal of the parties, enunciated commitments and principles for denuclearization and normalizing the relations between North Korea and the United States and Japan, and addressed broader security concerns in the Northeast Asian region. Round 5, which took place in three phases, took an additional step by defining, in a joint document on February 13, 2007, the initial actions to implement nuclear dismantlement, achieve normalization, provide economic and energy assistance to the North, and prepare for regional peace and security. Obviously, should that joint document be fully implemented, a historic model for transforming a declared nuclear state back into a non-nuclear state would be achieved.

Characteristics of six-party diplomacy. In the Chinese view, four major lessons have emerged from the Six-Party Talks.

First, North Korea has controlled and will continue to control the pace of the talks, including implementation of the February 2007 document. As Beijing officials put it, the North controls the “buttons” of the process, and this fact, they believe, puts the talks on an unpredictable on-again, off-again track. One manifestation of this phenomenon is that throughout the five rounds, there has been no regularizing of the schedule for Six-Party Talks. Thirteen months elapsed between the third and fourth rounds, and another thirteen months between the first and second sessions of Round 5. Each time, when the other five parties strongly suggested that the timetable for the talks be regularized, North Korea strongly resisted. The first time it committed to a definite date for a subsequent round was in the Initial Actions Statement at the end of Round 5. By keeping the date of future

meetings uncertain at other sessions, the North apparently believed it has gained some advantage in dealing with Washington. (See the discussion of “pacing” in section II above.) For example, when President Bush called Kim Jong Il a “tyrant,” Pyongyang demonstrated its indignation by discontinuing the talks and declaring that the “grounds for their continuation” had evaporated. Over time, the United States softened its tone, with the president addressing Kim Jong Il with the title “Mr.,” and Secretary of State Condoleezza Rice calling the DPRK “a sovereign state.” With each softening, the North declared increased readiness to resume the negotiations.

Second, the talks have been seriously burdened by profound hostility, especially between the United States and the DPRK but also between other parties as well. There is more going on here than tactical game-playing. When the progress made in U.S.–DPRK relations from 1993 to 2000 was reversed beginning in late 2002, mutual suspicion reverted to a level equaling that of the worst days of the Cold War. Most important for the current talks, the United States and Japan strongly suspect that the current North Korean regime has no intention of abandoning its nuclear arsenal. In turn, this suspicion reinforces Pyongyang’s conviction that what Washington really wants is regime change. Such a deeply held belief, with its origins in the Korean War and years of military confrontation, has compelled the North to pursue its policy of “nuclear deterrence” and the buildup of a nuclear arsenal.

Third, the reciprocal suspicions and hostile actions lead to a maddening inability to nail down what the United States or North Korea would commit to. Beijing blames both North Korea and the United States for continually shifting tactics in ways that strengthen, rather than reduce, mutual suspicions. To Washington’s dismay, this attitude has led the Chinese to be deliberately cautious and patient, with particular focus on what concerns the North Koreans.

Fourth, unlike almost all other multilateral conferences, the Six-Party Talks have developed a unique format that could well become a successful model for combining multilateral and bilateral engagement. During virtually all rounds, and especially in the fourth and fifth, numerous bilateral discussions were held and solved a number of substantive differences. During the fourth round, for example, the United States and DPRK delegations had more than ten bilateral meetings, including one-on-one sessions between their chief negotiators.

IV. Beyond the Initial Actions Joint Document: Toward a Complete Understanding of the Korean Negotiations

To end an analysis of the fifteen years of bilateral and multilateral negotiations, we must look beyond recent events and re-examine a number of assumptions. Public debate and political commentary have pitted one mode (bilateral) against the other (multilateral). In the North Korean case, this has only served to obscure important lessons and impede progress. An important strength of bilateral negotiations with the North lies with their operational simplicity. There is much to be said for being able to focus the discussions, control the message, and shape the outcome. Multilateral talks dilute the focus and add to the complexity of delivering a single, unambiguous message. Although in theory it should be possible for four or five parties—united in purpose—to carry out such a task, in fact the parties involved in the North Korean case have significantly different interests. The result is that a “solution” at any one point in time tends to be the lowest common denominator, with pending issues pushed down the road in favor of partial solutions in order to be able to declare “success.” Moreover, negotiations with North Korea have to tread sensitive ground in more ways than one. For internal reasons, DPRK diplomats may not be able to agree publicly to certain ideas or formulations, but can do so in confidential, side agreements. The Agreed Framework had a “Confidential Minute” that contained a number of key provisions that the DPRK could accept only if they were not released as part of the public document. Confidentiality is considerably easier to maintain in bilateral talks; it is much more difficult—approaching near impossibility—when multiple parties are involved.

Obviously, there is no single key to the United States making diplomacy effective in the North Korean case. In fact, many approaches can work, and probably many policies as well. Two elements are essential: fitting the diplomatic approach to geopolitical realities and exercising leadership. Without leadership, the weaknesses of multilateral diplomacy are magnified—common purpose becomes swamped by domestic politics and narrowly defined national priorities. The longest-running, most successful multilateral effort with North Korea to date—KEDO—fell to bickering and eventual paralysis when U.S. leadership of the organization waned and eventually disappeared.

In contrast, the most significant positive turn in the current diplomatic situation, the February 2007 Initial Actions Statement, can be credited in large measure to the right combination of approach and American leadership. Without a strategic decision by the president to allow direct, sustained bilateral engagement with the North Koreans and to authorize his chief negotiator to pursue actively the initial steps in an implementation agreement, no form of engagement—bilateral or multilateral—would have produced results.

For the previous six years, focus on the format of the talks had taken priority over pragmatic consideration of a solution’s elements. Observers confused North Korea’s short-term tactical goals with its broader strategic focus. Officials and specialists drew up list after list of things that they thought might appeal to Pyongyang on the assumption that these would constitute a “leveraged buyout” and finally achieve the U.S. goal: the total, irreversible denuclearization of North Korea.

But these lists of “carrots” (energy, food, the lifting of sanctions) did not include the core of what the North thought it absolutely must have.

Over the years, North Korea fed misperceptions by bargaining so hard over details and raising its initial demands so high. In both China and the West, there was a tendency to be taken in by journalists’ repetition of stock phrases about the DPRK being “one of the poorest nations,” “one of the most isolated,” “one living on handouts.” Accurate or not, these factors were irrelevant to Pyongyang’s strategic calculations.

Those who realized that North Korea do not have visions of grand rewards sometimes moved the focus to political steps that many see as key to a solution. These included replacing the 1953 armistice with a peace treaty, giving the North security guarantees, or discussing plans for an exchange of diplomats. But these, like the economic carrots, were only shimmering, imperfect reflections of the relationship with the United States that Pyongyang has pursued steadily since 1991.

The U.S.–DPRK meeting in Berlin in January 2007 helped highlight what North Korea really wants. Its desire for a long-term, strategic relationship with the United States has nothing to do with ideology or political philosophy. It is a cold, hard calculation based on history and the realities of geopolitics as perceived in Pyongyang. The North Koreans believe in their gut that they must buffer the heavy influence their neighbors already have, or could soon gain, over their small, weak country.

This is hard for Americans to understand, having read or heard nothing from North Korea except its propaganda, which for years appeared to call for weakening, not maintaining, the U.S. presence on the Korean Peninsula. However, in reality an American departure is the last thing the North Koreans want. Because of their pride and fear of appearing weak, however, explicitly requesting that the United States stay is one of the most difficult things for them to do.

If the United States has leverage, it is not in its ability to supply fuel oil, or grain, or paper promises of nonhostility. The leverage rests in Washington’s ability to convince Pyongyang of its commitment to coexist with the Democratic People’s Republic of Korea, accept its system and leadership, and make room for the DPRK in an American vision of the future of Northeast Asia. Quite simply, the North Koreans believe they could be useful to the United States in a longer, larger balance-of-power game against China and Japan. The Chinese know the North Koreans’ calculus and say so in private.

The fundamental problem for North Korea is that the Six-Party Talks are a microcosm of the strategic world it most fears. Three historic foes—China, Japan, and Russia—sit in judgment, apply pressure and (to Pyongyang’s mind) insist on the North’s permanent weakness.

Denuclearization, if at all achievable, can come only when North Korea sees its strategic problem solved. That, in its view, can happen only when relations with the United States improve in the most fundamental sense. Removal from the so-called terrorist list is important not in and of itself but, in Pyongyang’s view, because of what it would demonstrate about Washington’s political will. To take that step, the

Bush administration would have to adjust its standard for U.S.–DPRK normalization from the one set forth during its first term.⁵ The basic idea of the September 2005 Joint Statement was that denuclearization would be fully realized at the point when normalization between the DPRK and the United States had occurred. From that perspective, rather than ignoring the many other U.S. concerns (e.g., proliferation, missiles, conventional forces, illegal activities, and human rights), the achievement of normal relations would provide the foundation and more channels for Washington to address these concerns with Pyongyang.

Each negotiation has its own individual quality, and the diplomatic quest on the Korean Peninsula is no exception. While the temptation is to reason by analogy and to assert, for example, that the Libyan model should work for Korea or that a Korean solution would influence negotiations on Iran, the reality is each of these cases has developed in a context, which, though superficially similar, has its own dynamics. Full understanding of the diplomatic history we have been discussing would have to incorporate or come to terms with these underlying contextual dynamics:

1. The artificial division of Korea in 1945 and the tragedy of the Korean War provide a bitter memory that drives Korean nationalism and the universal longing among all Koreans for reunification on the peninsula.
2. The collapse of the Soviet Union and the fundamental redirection of China under Deng Xiaoping ended North Korea's dependency relationships and the institutions and priorities they had created;
3. These developments transformed the North's political and social systems, leaving it ill-prepared to cope with the crises of the mid-1990s and the staggering loss of North Koreans through starvation and disease;
4. These external changes also transformed and aggravated traditional regional rivalries and the saliency of Cold War alliances, spurring the rise of nationalism in all six countries and the ongoing reformulation of bilateral cooperation;
5. The challenges to the nuclear nonproliferation regime caused by the emergence of India, Pakistan, and the DPRK as nuclear weapons states exposed the fragility of that regime, including the NPT and the IAEA, and the power of the norms on which it is based;
6. The war in Iraq once again highlighted the limits of military power and seriously threatened U.S. influence; and
7. The transformation of China and its rise in the international system brought onto the global scene a highly experienced new power that was expanding its influence, even as U.S. influence and prestige were receding.

⁵ At the end of the fourth round of the talks (September 19, 2005), the chief U.S. delegate declared that U.S.–DPRK normalization could only be accomplished if the North solved 1) the nuclear issue; 2) all missile and chemical weapons issues; 3) the reduction of its conventional military forces, especially the forward deployed forces along the DMZ; and 4) the human rights issue. More recently, one more issue has been added; that is, illegal activities, including counterfeiting and drug smuggling.

Thus, when we speak of the importance of the U.S.–China strategic relationship and the potential for what the Joint Statement calls “lasting peace and stability in Northeast Asia” and “a permanent peace regime on the Korean Peninsula,” we must place the diplomacy needed to produce these outcomes within the volatile context of these seven dynamics.

Looking to the future. If one can ignore the bullets of political sniping whizzing overhead, perhaps a few words are in order in praise of the six-party agreement on Korea released in Beijing on February 13, 2007, along with the progress made in the following summer and fall. Such progress was in itself noteworthy, especially given everything that was said and done in the preceding five years.

No agreement is perfect, and certainly what has emerged from the six-party process is not. For a city full of lawyers like Washington, it may be distasteful to realize that agreements of this type, at this moment, are more than the sum of their words. They represent a glimmer of political will on both sides that can make a crucial difference, opening the door for progress on a broad spectrum of U.S. nonproliferation and other security priorities. The terms of the 2007 agreement produced surprises in its details concerning parallel action and outlined a future that could help restore U.S. leadership and influence in Asia.

Diplomats strive to put down words that all of them can swallow and that they hope their superiors can stomach. Written agreements are difficult to reach. Pain often results not so much in dealing with the other side but from dealing with your own. Unless one is dictating terms to a defeated enemy, there must be compromise on something, probably several somethings that will make many people unhappy. This was done for the February 2007 agreement, and there is no shame to it.

A key to keeping the agreement on track and viable is to recognize that implementation is never a simple act of translating words into action. Rather, implementation is a tricky choreography transitioning from theory to reality. The process is not only complicated but perilous. Yet, it creates opportunities to build momentum and trust—two essential ingredients that transcend the literal terms of the agreement. Diplomacy can change reality as it moves; in turn, the momentum of implementation often provides the speed necessary to propel events over barriers that exist in the minds of nation. When they have to, the North Koreans certainly know how to move quickly in order to generate momentum. Momentum, however, creates its own problems. Expectations raised too high can only fall back to earth.

Hoping for the best case, the parties should be prepared for the hard fact that implementation of the agreement will necessarily be uneven and much less precise than the words on the paper would suppose. Unanticipated technical realities will challenge the uninitiated diplomat. New problems will emerge, as yet unforeseen forces will impinge, schedules will slip, small mistakes will be made and could cascade, and signals will get crossed. Especially in the early days, when eagle-eyed critics are watching for problems, there will be a tendency to imagine molehills are mountains. The word “cheating” will be whispered until it becomes a thundering, pulpit-pounding roar.

In the myriad decisions that lie ahead, the need to make difficult judgments will repeatedly challenge the entire implementation process. Yet, for the first time in

many years the goal of a nuclear-free Korean Peninsula and more stable, peaceful relations in the Asian-Pacific may be still within reach.

APPENDIX A: List of Major Negotiations 1993–2000

Agreed Framework 1993–1994—agreement
LWR model 1994–1995—agreement
Helicopter incident 1994—agreement
Liaison offices 1994–1998—no agreement
KEDO Supply agreement 1995—agreement
Canning 1995—agreement
KEDO protocols 1995–2000—agreement
HFO monitoring —agreement
Missiles 1996–2000—no agreement
Submarine apology 1996—agreement
Terrorism 1996–2000—agreement
Korean War remains—agreement
Four Party talks 1997–1999—no agreement
Food monitoring—Some progress
Kumchang-ri accusations 1998–1999—agreement
Perry visit 1999—agreement
Missile moratorium—1999 agreement
U.S. persons held in North Korea (consular)—agreements
Nuclear preparations for expanded inspections (preliminary stages)
General Officer’s talks—under discussion
Joint communiqué (visit preparations) 1999–2000 agreement
Secretary of State visit preparations and visit 2000—agreement

APPENDIX B: Texts of Major Documents

Document 1: North–South Joint Declaration on the Denuclearization of the Korean Peninsula, January 1992 (Entry into force on February 19, 1992)

South and North Korea,

In order to eliminate the danger of nuclear war through the denuclearization of the Korean peninsula, to create conditions and an environment favourable to peace and the peaceful unification of Korea, and thus to contribute to the peace and security of Asia and the world,

Declare as follows;

1. South and North Korea shall not test, manufacture, produce, receive, possess, store, deploy or use nuclear weapons.
2. South and North Korea shall use nuclear energy solely for peaceful purposes.
3. South and North Korea shall not possess nuclear reprocessing and uranium enrichment facilities.
4. In order to verify the denuclearization of the Korean peninsula, South and North Korea shall conduct inspections of particular subjects chosen by the other side and agreed upon between the two sides, in accordance with the procedures and methods to be determined by the South–North Joint Nuclear Control Commission.
5. In order to implement this joint declaration, South and North Korea shall establish and operate a South–North Joint Nuclear Control Commission within one month of the entry into force of this joint declaration;
6. This joint declaration shall enter into force from the date the South and the North exchange the appropriate instruments following the completion of their respective procedures for bringing it into effect.

Chung Won-shik

Chief Delegate of the South delegation to the South–North High-Level Negotiations
Prime Minister of the
Republic of Korea

Yon Hyong Muk

Head of the North delegation to the South–North High-Level Negotiations
Premier of the Administration Council of the
Democratic People’s Republic of Korea

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Document 2: U.S.–DPRK Joint Statement, Geneva, June 11, 1993

The Democratic People’s Republic of Korea and the United States of America held government-level talks in New York from the 2nd through the 11th of June, 1993. Present at the talks were the delegation of the Democratic People’s Republic of Korea headed by First Vice Minister of Foreign Affairs Kang Sok Ju and the

delegation of the United States of America led by Assistant Secretary of State Robert L. Gallucci, both representing their respective Governments. At the talks, both sides discussed policy matters with a view to a fundamental solution of the nuclear issue on the Korean Peninsula. Both sides expressed support for the North–South Joint Declaration on the Denuclearization of the Korean Peninsula in the interest of nuclear nonproliferation goals. The Democratic People’s Republic of Korea and the United States have agreed to principles of:

- assurances against the threat and use of force, including nuclear weapons;
- peace and security in a nuclear-free Korean Peninsula, including impartial application of full-scope safe-guards, mutual respect for each other’s sovereignty, and non-interference in each other’s internal affairs; and
- support for the peaceful reunification of Korea.

In this context, the two Governments have agreed to continue dialogue on an equal and unprejudiced basis. In this respect, the Government of the Democratic People’s Republic of Korea has decided unilaterally to suspend as long as it considers necessary the effectuation of its withdrawal from the Treaty on the Non-Proliferation of Nuclear Weapons.



Document 3: Agreed Framework between the Democratic People’s Republic of Korea and the United States of America, Geneva, October 21, 1994

Delegations of the governments of the Democratic People’s Republic of Korea (DPRK) and the United States of America (U.S.) held talks in Geneva from September 23 to October 21, 1994, to negotiate an overall resolution of the nuclear issue on the Korean Peninsula.

Both sides reaffirmed the importance of attaining the objectives contained in the August 12, 1994 agreed statement between the DPRK and the U.S. and upholding the principles of the June 11, 1993 joint statement of the DPRK and the U.S. to achieve peace and security on a nuclear-free Korean Peninsula. The DPRK and the U.S. decided to take the following actions for the resolution of the nuclear issue:

I. Both sides will cooperate to replace the DPRK’s graphite-moderated reactors and related facilities with light-water reactor (LWR) power plants.

1) In accordance with the October 20, 1994 letter of assurance from the U.S. President, the U.S. will undertake to make arrangements for the provision to the DPRK of a LWR project with a total generating capacity of approximately 2,000 MW (e) by a target date of 2003.

- The U.S. will organize under its leadership an international consortium to finance and supply the LWR project to be provided to the DPRK. The U.S., representing the international consortium, will serve as the principal point of contact with the DPRK for the LWR project.

- The U.S., representing the consortium, will make best efforts to secure the conclusion of a supply contract with the DPRK within six months of the date of this document for the provision of the LWR project. Contract talks will begin as soon as possible after the date of this document.
- As necessary, the DPRK and the U.S. will conclude a bilateral agreement, for cooperation in the field of peaceful uses of nuclear energy.

2) In accordance with the October 20, 1994 letter of assurance from the U.S. President, the U.S., representing the consortium, will make arrangements to offset the energy forgone due to the freeze of the DPRK's graphite-moderated reactors and related facilities, pending completion of the first LWR unit.

- Alternative energy will be provided in the form of heavy oil for heating and electricity production.
- Deliveries of heavy oil will begin within three months of the date of this document and will reach a rate of 500,000 tons annually, in accordance with an agreed schedule of deliveries.

3) Upon receipt of U.S. assurances for the provision of LWRs and for arrangements for interim energy alternatives, the DPRK will freeze its graphite-moderated reactors and related facilities and will eventually dismantle these reactors and related facilities.

- The freeze on the DPRK's graphite-moderated reactors and related facilities will be fully implemented within one month of the date of this document. During this one-month period, and throughout the freeze, the International Atomic Energy Agency (IAEA) will be allowed to monitor this freeze, and the DPRK will provide full cooperation to the IAEA for this purpose.
- Dismantlement of the DPRK's graphite-moderated reactors and related facilities will be completed when the LWR project is completed.
- The DPRK and the U.S. will cooperate in finding a method to store safely the spent fuel from the 5 MW (e) experimental reactor during the construction of the LWR project, and to dispose of the fuel in a safe manner that does not involve reprocessing in the DPRK.

4) As soon as possible after the date of this document. DPRK and U.S. experts will hold two sets of experts' talks.

- At one set of talks, experts will discuss issues related to alternative energy and the replacement of the graphite-moderated reactor program with the LWR project.
- At the other set of talks, experts will discuss specific arrangements for spent fuel storage and ultimate disposition.

II. The two sides will move toward full normalization of political and economic relations.

- 1) Within three months of the date of this document, both sides will reduce barriers to trade and investment, including restrictions on telecommunications services and financial transactions.
- 2) Each side will open a liaison office in the other's capital following resolution of consular and other technical issues through expert-level discussions.
- 3) As progress is made on issues of concern to each side, the DPRK and the U.S. will upgrade bilateral relations to the ambassadorial level.

III. Both sides will work together for peace and security on a nuclear-free Korean Peninsula.

- 1) The U.S. will provide formal assurances to the DPRK against the threat or use of nuclear weapons by the U.S.
- 2) The DPRK will consistently take steps to implement the North-South Joint Declaration on the Denuclearization of the Korean Peninsula.
- 3) The DPRK will engage in north-south dialogue, as this agreed framework will help create an atmosphere that promotes such dialogue.

IV. Both sides will work together to strengthen the international nuclear non-proliferation regime.

- 1) The DPRK will remain a party to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) and will allow implementation of its safeguards agreement under the treaty.
- 2) Upon conclusion of the supply contract for the provision of the LWR project, ad hoc and routine inspections will resume under the DPRK's safeguards agreement with the IAEA with respect to the facilities not subject to the freeze. Pending conclusion of the supply contract, inspections required by the IAEA for the continuity of safeguards will continue at the facilities not subject to the freeze.
- 3) When a significant portion of the LWR project is completed, but before delivery of key nuclear components, the DPRK will come into full compliance with its safeguards agreement with the IAEA (INFCIRC/403), including taking all steps that may be deemed necessary by the IAEA, following consultations with the agency with regard to verifying the accuracy and completeness of the DPRK's initial report on all nuclear material in the DPRK.

Kang Sok Ju

Head of the Delegation of the Democratic People's Republic of Korea, First Vice-Minister of Foreign Affairs of the Democratic People's Republic of Korea

Robert L. Gallucci

Head of the Delegation of the United States of America, Ambassador at Large of the United States of America

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Document 4: U.S.-DPRK Joint Press Statement on Kumchang-ri Issue, March 16, 1999

Delegations from the United States and the Democratic People's Republic of Korea met in New York from February 27 through March 15, 1999. The delegations led respectively by U.S. Special Envoy Charles Kartman and DPRK Vice Foreign Minister Kim Kye Gwan, continued discussions the two sides had held in Pyongyang, Washington, New York, and Geneva since November 1998.

The two sides reaffirmed their commitment to the Agreed Framework of October 21, 1994, in its entirety, as well as to the principles of their bilateral relations expressed in the U.S.-DPRK Joint Statement of June 11, 1993.

The U.S. and the DPRK, believing that successful cooperation to remove U.S. concerns about an underground site at Kumchang-ri will contribute to improved relations between the two countries, agreed as follows:

- The DPRK has decided to provide the United States satisfactory access to the site at Kumchang-ri by inviting a U.S. delegation for an initial visit in May 1999, and allowing additional visits to remove U.S. concerns about the site's future use.
- The United States has decided to take a step to improve political and economic relations between the two countries.



Document 5: Review of United States Policy Toward North Korea: Findings and Recommendations; Unclassified Report by Dr. William J. Perry, U.S. North Korea Policy Coordinator and Special Advisor to the President and the Secretary of State, Washington, DC, October 12, 1999

A North Korea policy review team, led by Dr. William J. Perry and working with an interagency group headed by the Counselor of the Department of State Ambassador Wendy R. Sherman, was tasked in November 1998 by President Clinton and his national security advisors to conduct an extensive review of U.S. policy toward the DPRK. This review of U.S. policy lasted approximately eight months, and was supported by a number of senior officials from the U.S. government and by Dr. Ashton B. Carter of Harvard University. The policy review team was also very fortunate to have received regular and extensive guidance from the Secretary of State, the Secretary of Defense, the National Security Advisor and senior policy advisors.

Throughout the review the team consulted with experts, both in and out of the U.S. government. Dr. Perry made a special point to travel to the Capitol to give regular status reports to Members of Congress on the progress of this review, and he

benefited from comments received from Members on concepts being developed by the North Korea policy review team. The team also exchanged views with officials from many countries with interests in Northeast Asia and the Korean Peninsula, including our allies, the ROK and Japan. The team also met with prominent members of the humanitarian aid community and received a wealth of written material, solicited and unsolicited. Members of the policy review team met with many other individuals and organizations as well. In addition, the team traveled to North Korea this past May, led by Dr. Perry as President Clinton's Special Envoy, to obtain a first-hand understanding of the views of the DPRK Government.

The findings and recommendations of the North Korea Policy Review set forth below reflect the consensus that emerged from the team's countless hours of work and study.

The Need for a Fundamental Review of U.S. Policy

The policy review team determined that a fundamental review of U.S. policy was indeed needed, since much has changed in the security situation on the Korean Peninsula since the 1994 crisis.

Most important—and the focus of this North Korea policy review – are developments in the DPRK's nuclear and long-range missile activities.

The Agreed Framework of 1994 succeeded in verifiably freezing North Korean plutonium production at Yongbyon—it stopped plutonium production at that facility so that North Korea currently has at most a small amount of fissile material it may have secreted away from operations prior to 1994; without the Agreed Framework, North Korea could have produced enough additional plutonium by now for a significant number of nuclear weapons. Yet, despite the critical achievement of a verified freeze on plutonium production at Yongbyon under the Agreed Framework, the policy review team has serious concerns about possible continuing nuclear weapons-related work in the DPRK. Some of these concerns have been addressed through our access and visit to Kumchang-ri.

The years since 1994 have also witnessed development, testing, deployment, and export by the DPRK of ballistic missiles of increasing range, including those potentially capable of reaching the territory of the United States.

There have been other significant changes as well. Since the negotiations over the Agreed Framework began in the summer of 1994, formal leadership of the DPRK has passed from President Kim Il Sung to his son, General Kim Jong Il, and General Kim has gradually assumed supreme authority in title as well as fact. North Korea is thus governed by a different leadership from that with which we embarked on the Agreed Framework. During this same period, the DPRK economy has deteriorated significantly, with industrial and food production sinking to a fraction of their 1994 levels. The result is a humanitarian tragedy, which, while not the focus of the review, both compels the sympathy of the American people and doubtless affects some of the actions of the North Korean regime.

An unrelated change has come to the government of the Republic of Korea (ROK) with the Presidency of Kim Dae Jung. President Kim has embarked upon a policy of engagement with the North. As a leader of great international authority, as our ally,

and as the host to 37,000 American troops, the views and insights of President Kim are central to accomplishing U.S. security objectives on the Korean Peninsula. No U.S. policy can succeed unless it is coordinated with the ROK's policy. Today's ROK policy of engagement creates conditions and opportunities for U.S. policy very different from those in 1994.

Another close U.S. ally in the region, Japan, has become more concerned about North Korea in recent years. This concern was heightened by the launch, in August 1998, of a Taepodong missile over Japanese territory. Although the Diet has passed funding for the Light Water Reactor project being undertaken by the Korean Peninsula Energy Development Organization (KEDO) pursuant to the Agreed Framework, and the government wants to preserve the Agreed Framework, a second missile launch is likely to have a serious impact on domestic political support for the Agreed Framework and have wider ramifications within Japan about its security policy.

Finally, while the U.S. relationship with China sometimes reflects different perspectives on security policy in the region, the policy review team learned through extensive dialogue between the U.S. and the PRC, including President Clinton's meetings with President Jiang Zemin, that China understands many of the U.S. concerns about the deleterious effects that North Korea's nuclear weapons and missile activities could have for regional and global security.

All these factors combine to create a profoundly different landscape than existed in 1994. The review team concurred strongly with President Clinton's judgment that these changed circumstances required a comprehensive review such as the one that the President and his team of national security advisors asked the team to conduct. The policy review team also recognized the concerns of Members of Congress that a clear path be charted for dealing with North Korea, and that there be closer cooperation between the executive and legislative branches on this issue of great importance to our security. The review team shared these concerns and has tried hard to be responsive to them.

Assessment of the Security Situation on the Korean Peninsula

In the course of the review, the policy team conferred with U.S. military leaders and allies, and concluded that, as in 1994, U.S. forces and alliances in the region are strong and ready. Indeed, since 1994, the U.S. has strengthened both its own forces and its plans and procedures for combining forces with allies. We are confident that allied forces could and would successfully defend ROK territory. We believe the DPRK's military leaders know this and thus are deterred from launching an attack.

However, in sharp contrast to the Desert Storm campaign in Kuwait and Iraq, war on the Korean Peninsula would take place in densely populated areas. Considering the million-man DPRK army arrayed near the DMZ, the intensity of combat in another war on the Peninsula would be unparalleled in U.S. experience since the Korean War of 1950-53. It is likely that hundreds of thousands of persons – U.S., ROK, and DPRK – military and civilian – would perish, and millions of refugees would be created. While the U.S. and ROK of course have no intention of provoking war, there are those in the DPRK who believe the opposite is true. But even they must

know that the prospect of such a destructive war is a powerful deterrent to precipitous U.S. or allied action.

Under present circumstances, therefore, deterrence of war on the Korean Peninsula is stable on both sides, in military terms. While always subject to miscalculation by the isolated North Korean government, there is no military calculus that would suggest to the North Koreans anything but catastrophe from armed conflict. This relative stability, if it is not disturbed, can provide the time and conditions for all sides to pursue a permanent peace on the Peninsula, ending at last the Korean War and perhaps ultimately leading to the peaceful reunification of the Korean people. This is the lasting goal of U.S. policy.

However, acquisition by the DPRK of nuclear weapons or long-range missiles, and especially the combination of the two (a nuclear weapons device mounted on a long-range missile), could undermine this relative stability. Such weapons in the hands of the DPRK military might weaken deterrence as well as increase the damage if deterrence failed. Their effect would, therefore, be to undermine the conditions for pursuing a relaxation of tensions, improved relations, and lasting peace. Acquisition of such weapons by North Korea could also spark an arms race in the region and would surely do grave damage to the global nonproliferation regimes covering nuclear weapons and ballistic missiles. A continuation of the DPRK's pattern of selling its missiles for hard currency could also spread destabilizing effects to other regions, such as the Middle East.

The review team, therefore, concluded that the urgent focus of U.S. policy toward the DPRK must be to end its nuclear weapons and long-range missile-related activities. This focus does not signal a narrow preoccupation with nonproliferation over other dimensions of the problem of security on the Korean Peninsula, but rather reflects the fact that control of weapons of mass destruction is essential to the pursuit of a wider form of security so badly needed in that region.

As the United States faces the task of ending these weapons activities, any U.S. policy toward North Korea must be formulated within three constraining facts:

First, while logic would suggest that the DPRK's evident problems would ultimately lead its regime to change, there is no evidence that change is imminent. United States policy must, therefore, deal with the North Korean government as it is, not as we might wish it to be.

Second, the risk of a destructive war to the 37,000 American service personnel in Korea and the many more that would reinforce them, to the inhabitants of the Korean Peninsula both South and North, and to U.S. allies and friends in the region dictate that the United States pursue its objectives with prudence and patience.

Third, while the Agreed Framework has critics in the United States, the ROK, and Japan—and indeed in the DPRK—the framework has verifiably frozen plutonium production at Yongbyon. It also served as the basis for successful discussions we had with the North earlier this year on an underground site at Kumchang-ri—one that the U.S. feared might have been designed as a substitute plutonium production facility. Unfreezing Yongbyon remains the North's quickest and surest path to nuclear

weapons. U.S. security objectives may therefore require the U.S. to supplement the Agreed Framework, but we must not undermine or supplant it.

Perspectives of Countries in the Region

The policy review team consulted extensively with people outside of the Administration to better understand the perspectives of countries in the region. These perspectives are summarized below.

Republic of Korea. The ROK's interests are not identical to those of the U.S., but they overlap in significant ways. While the ROK is not a global power like the United States and, therefore, is less active in promoting nonproliferation worldwide, the ROK recognizes that nuclear weapons in the DPRK would destabilize deterrence on the Peninsula. And while South Koreans have long lived within range of North Korean SCUD ballistic missiles, they recognize that North Korea's new, longer-range ballistic missiles present a new type of threat to the United States and Japan. The ROK thus shares U.S. goals with respect to DPRK nuclear weapons and ballistic missiles. The South also has concerns, such as the reunion of families separated by the Korean War and implementation of the North-South Basic Agreement (including reactivation of North-South Joint Committees). The U.S. strongly supports these concerns.

President Kim Dae Jung's North Korea policy, known as the "engagement" policy, marked a fundamental shift toward the North. Under the Kim formulation, the ROK has forsworn any intent to undermine or absorb the North and has pursued increased official and unofficial North-South contact. The ROK supports the Agreed Framework and the ROK's role in KEDO, but the ROK National Assembly, like our Congress, is carefully scrutinizing DPRK behavior as it considers funding for KEDO.

Japan. Like the ROK, Japan's interests are not identical to those of the U.S., but they overlap strongly. The DPRK's August 1998 Taepodong missile launch over the Japanese islands abruptly increased the already high priority Japan attaches to the North Korea issue. The Japanese regard DPRK missile activities as a direct threat. In bilateral talks with Japan, the DPRK representatives exacerbate historic animosities by repeatedly referring to Japan's occupation of Korea earlier in this century. For these reasons, support for Japan's role in KEDO is at risk in the Diet. The government's ability to sustain the Agreed Framework in the face of further DPRK missile launches is not assured, even though a collapse of the Agreed Framework could lead to nuclear warheads on DPRK missiles, dramatically increasing the threat they pose. Japan also has deep-seated concerns, such as the fate of missing persons suspected of being abducted by the DPRK. The U.S. strongly supports these concerns.

China. China has a strong interest in peace and stability on the Korean Peninsula and is aware of the implications of increased tension on the peninsula. China also realizes that DPRK ballistic missiles are an important impetus to U.S. national missile defense and theater missile defenses, neither of which is desired by China. Finally, China realizes that DPRK nuclear weapons could provoke an arms race in the region and undermine the nonproliferation regime, which Beijing, as a nuclear power, has an interest in preserving. For all these reasons the PRC concerns with

North Korean nuclear weapons and ballistic missile programs are in many ways comparable to U.S. concerns. While China will not coordinate its policies with the U.S., ROK, and Japan, it is in China's interest to use its own channels of communication to discourage the DPRK from pursuing these programs.

The DPRK. Based on extensive consultation with the intelligence community and experts around the world, a review of recent DPRK conduct, and our discussions with North Korean leaders, the policy review team formed some views of this enigmatic country. But in many ways the unknowns continue to outweigh the knowns. Therefore, we want to emphasize here that no U.S. policy should be based solely on conjectures about the perceptions and future behavior of the DPRK.

Wrapped in an overriding sense of vulnerability, the DPRK regime has promoted an intense devotion to self-sufficiency, sovereignty, and self-defense as the touchstones for all rhetoric and policy. The DPRK views efforts by outsiders to promote democratic and market reforms in its country as an attempt to undermine the regime. It strongly controls foreign influence and contact, even when they offer relief from the regime's severe economic problems. The DPRK appears to value improved relations with U.S., especially including relief from the extensive economic sanctions the U.S. has long imposed.

Key Findings

The policy review team made the following key findings, which have formed the basis for our recommendations:

1. DPRK acquisition of nuclear weapons and continued development, testing, deployment, and export of long-range missiles would undermine the relative stability of deterrence on the Korean Peninsula, a precondition for ending the Cold War and pursuing a lasting peace in the longer run. These activities by the DPRK also have serious regional and global consequences adverse to vital U.S. interests. The United States must, therefore, have as its objective ending these activities.
2. The United States and its allies would swiftly and surely win a second war on the Korean Peninsula, but the destruction of life and property would far surpass anything in recent American experience. The U.S. must pursue its objectives with respect to nuclear weapons and ballistic missiles in the DPRK without taking actions that would weaken deterrence or increase the probability of DPRK miscalculation.
3. If stability can be preserved through the cooperative ending of DPRK nuclear weapons- and long-range missile-related activities, the U.S. should be prepared to establish more normal diplomatic relations with the DPRK and join in the ROK's policy of engagement and peaceful coexistence.
4. Unfreezing Yongbyon is North Korea's quickest and surest path to acquisition of nuclear weapons. The Agreed Framework, therefore, should be preserved and implemented by the United States and its allies. With the Agreed Framework, the DPRK's ability to produce plutonium at Yongbyon is verifiably frozen. Without the Agreed Framework, however, it is estimated that the North could reprocess enough plutonium to produce a significant number of nuclear weapons per year. The Agreed Framework's limitations, such as the fact that it does not verifiably freeze all nuclear

weapons-related activities and does not cover ballistic missiles, are best addressed by supplementing rather than replacing the Agreed Framework.

5. No U.S. policy toward the DPRK will succeed if the ROK and Japan do not actively support it and cooperate in its implementation. Securing such trilateral coordination should be possible, since the interests of the three parties, while not identical, overlap in significant and definable ways.

6. Considering the risks inherent in the situation and the isolation, suspicion, and negotiating style of the DPRK, a successful U.S. policy will require steadiness and persistence even in the face of provocations. The approach adopted now must be sustained into the future, beyond the term of this Administration. It is, therefore, essential that the policy and its ongoing implementation have the broadest possible support and the continuing involvement of the Congress.

Alternative Policies Considered and Rejected

In the course of the review, the policy team received a great deal of valuable advice, including a variety of proposals for alternative strategies with respect to the security problems presented by the DPRK. The principal alternatives considered by the review team, and the team's reasons for rejecting them in favor of the recommended approach, are set forth below.

Status Quo. A number of policy experts outside the Administration counseled continuation of the approach the U.S. had taken to the DPRK over the past decade: strong deterrence through ready forces and solid alliances and limited engagement with the DPRK beyond existing negotiations on missiles, POW/MIA, and implementation of the nuclear-related provisions of the Agreed Framework. These experts counseled that with the Agreed Framework being verifiably implemented at Yongbyon, North Korea could be kept years away from obtaining additional fissile material for nuclear weapons. Without nuclear weapons, the DPRK's missile program could safely be addressed within the existing (albeit to date inconclusive) bilateral missile talks. Thus, as this argument ran, core U.S. security objectives were being pursued on a timetable appropriate to the development of the threat, and no change in U.S. policy was required.

While there are advantages to continuing the status quo—since to this point it has served U.S. security interests—the policy review team rejected the status quo. It was rejected not because it has been unacceptable from the point of view of U.S. security interests, but rather because the policy team feared it was not sustainable. Aside from a failure to address U.S. concerns directly, it is easy to imagine circumstances that would bring the status quo rapidly to a crisis. For example, a DPRK long-range missile launch, whether or not in the form of an attempt to place a satellite in orbit, would have an impact on political support for the Agreed Framework in the United States, Japan, and even in the ROK. In this circumstance, the DPRK could suspend its own compliance with the Agreed Framework, unfreezing Yongbyon and plunging the Peninsula into a nuclear crisis like that in 1994. Such a scenario illustrates the instability of the status quo. Thus, the U.S. may not be able to maintain the status quo, even if we wanted to.

Undermining the DPRK. Others recommend a policy of undermining the DPRK, seeking to hasten the demise of the regime of Kim Jong Il. The policy review team likewise studied this possibility carefully and, in the end, rejected it for several reasons. Given the strict controls on its society imposed by the North Korean regime and the apparent absence of any organized internal resistance to the regime, such a strategy would at best require a long time to realize, even assuming it could succeed. The timescale of this strategy is, therefore, inconsistent with the timescale on which the DPRK could proceed with nuclear weapons and ballistic missile programs. In addition, such a policy would risk destructive war and would not win the support of U.S. allies in the region upon whom success in deterring such a war would depend. Finally, a policy of pressure might harm the people of North Korea more than its government.

Reforming the DPRK. Many other analysts suggest that the United States should promote the accelerated political and economic reform of the DPRK along the lines of established international practice, hastening the advent of democracy and market reform that will better the lot of the North's people and provide the basis for the DPRK's integration into the international community in a peaceful fashion. However much we might wish such an outcome, success of the policy clearly would require DPRK cooperation. But, the policy team believed that the North Korean regime would strongly resist such reform, viewing it as indistinguishable from a policy of undermining. A policy of reforming, like a policy of undermining, would also take time—more time than it would take the DPRK to proceed with its nuclear weapons and ballistic missile programs.

“Buying” Our Objectives. In its current circumstance of industrial and agricultural decline, the DPRK has on occasion indicated a willingness to “trade” addressing U.S. concerns about its nuclear weapons activities and ballistic missile exports for hard currency. For example, the DPRK offered to cease its missile exports if the U.S. agreed to compensate it for the foregone earnings from missile exports. The policy review team firmly believed that such a policy of trading material compensation for security would only encourage the DPRK to further blackmail, and would encourage proliferators worldwide to engage in similar blackmail. Such a strategy would not, and should not, be supported by the Congress, which controls the U.S. government's purse strings.

A Comprehensive and Integrated Approach: A Two-Path Strategy

A better alternative, and the one the review has recommended, is a two-path strategy focused on our priority concerns over the DPRK's nuclear weapons- and missile-related activities. We have devised this strategy in close consultation with the governments of the ROK and Japan, and it has their full support. Indeed, it is a joint strategy in which all three of our countries play coordinated and mutually reinforcing roles in pursuit of the same objectives. Both paths aim to protect our key security interests; the first path is clearly preferable for the United States and its allies and, we firmly believe, for the DPRK.

The first path involves a new, comprehensive and integrated approach to our negotiations with the DPRK. We would seek complete and verifiable assurances that the DPRK does not have a nuclear weapons program. We would also seek the

complete and verifiable cessation of testing, production and deployment of missiles exceeding the parameters of the Missile Technology Control Regime, and the complete cessation of export sales of such missiles and the equipment and technology associated with them. By negotiating the complete cessation of the DPRK's destabilizing nuclear weapons and long-range missile programs, this path would lead to a stable security situation on the Korean Peninsula, creating the conditions for a more durable and lasting peace in the long run and ending the Cold War in East Asia.

On this path the United States and its allies would, in a step-by-step and reciprocal fashion, move to reduce pressures on the DPRK that it perceives as threatening. The reduction of perceived threat would in turn give the DPRK regime the confidence that it could coexist peacefully with us and its neighbors and pursue its own economic and social development. If the DPRK moved to eliminate its nuclear and long-range missile threats, the United States would normalize relations with the DPRK, relax sanctions that have long constrained trade with the DPRK and take other positive steps that would provide opportunities for the DPRK.

If the DPRK were prepared to move down this path, the ROK and Japan have indicated that they would also be prepared, in coordinated but parallel tracks, to improve relations with the DPRK.

It is important that all sides make contributions to creating an environment conducive to success in such far-ranging talks. The most important step by the DPRK is to give assurances that it will refrain from further test firings of long-range missiles as we undertake negotiations on the first path. In the context of the DPRK suspending such tests, the review team recommended that the United States ease, in a reversible manner, Presidentially-mandated trade embargo measures against the DPRK. The ROK and Japan have also indicated a willingness to take positive steps in these circumstances.

When the review team, led by Dr. Perry as a Presidential Envoy, visited Pyongyang in May, the team had discussions with DPRK officials and listened to their views. We also discussed these initial steps that would create a favorable environment for conducting comprehensive and integrated negotiations. Based on talks between with Ambassador Charles Kartman and DPRK Vice Foreign Minister Kim Kye Gwan in early September, the U.S. understood and expected that the DPRK would suspend long-range missile testing – to include both No Dong and Taepodong missiles—for as long as U.S.–DPRK discussions to improve relations continued. The DPRK subsequently announced a unilateral suspension of such tests while talks between the two countries continued. Accordingly, the Administration has taken steps to ease sanctions. This fall a senior DPRK official will likely visit Washington to reciprocate the Perry visit and continue discussions on improving relations. Both sides have taken a bold and meaningful step along the first path. While it is only an initial step, and both sides can easily reverse this first step, we are hopeful that it begins to take us down the long but important path to reducing threat on the Korean Peninsula.

While the first path devised by the review holds great promise for U.S. security and for stability in East Asia, and while the initial steps taken in recent weeks give us

great hope, the first path depends on the willingness of the DPRK to traverse it with us. The review team is hopeful it will agree to do so, but on the basis of discussions to date we cannot be sure the DPRK will. Prudence therefore dictated that we devise a second path, once again in consultation with our allies and with their full support. On the second path, we would need to act to contain the threat that we have been unable to eliminate through negotiation. By incorporating two paths, the strategy devised in the review avoids any dependence on conjectures regarding DPRK intentions or behavior and neither seeks, nor depends upon for its success, a transformation of the DPRK's internal system.

If North Korea rejects the first path, it will not be possible for the United States to pursue a new relationship with the DPRK. In that case, the United States and its allies would have to take other steps to assure their security and contain the threat. The U.S. and allied steps should seek to keep the Agreed Framework intact and avoid, if possible, direct conflict. But they would also have to take firm but measured steps to persuade the DPRK that it should return to the first path and avoid destabilizing the security situation in the region.

Our recommended strategy does not immediately address a number of issues outside the scope of direct U.S.–DPRK negotiations, such as ROK family reunification, implementation of the North-South Basic Agreement (including reactivation of North–South Joint Committees) and Japanese kidnapping cases, as well as other key issues of concern, including drug trafficking. However, the policy review team believed that all of these issues should be, and would be, seriously addressed as relations between the DPRK and the U.S. improve.

Similarly, the review team believed the issue of chemical and biological weapons is best addressed multilaterally. Many recommendations have also been made with respect to Korean unification; but, ultimately, the question of unification is something for the Korean people to decide. Finally, the policy review team strongly believed that the U.S. must not withdraw any of its forces from Korea—a withdrawal would not contribute to peace and stability, but rather undermine the strong deterrence currently in place.

Advantages of the Proposed Strategy

The proposed strategy has the following advantages:

1. Has the full support of our allies. No U.S. policy can be successful if it does not enjoy the support of our allies in the region. The overall approach builds upon the South's policy of engagement with North Korea, as the ROK leadership suggested to Dr. Perry directly and to the President. It also puts the U.S. effort to end the DPRK missile program on the same footing with U.S. efforts to end its nuclear weapons program, as the Government of Japan recommended.
2. Draws on U.S. negotiating strengths. Pursuant to the recommended approach, the United States will be offering the DPRK a comprehensive relaxation of political and economic pressures which the DPRK perceives as threatening to it and which are applied, in its view, principally by the United States. This approach complements the positive steps the ROK and Japan are prepared to take. On the other hand, the United States will not offer the DPRK tangible "rewards" for appropriate security behavior;

doing so would both transgress principles that the United States values and open us up to further blackmail.

3. Leaves stable deterrence of war unchanged. No changes are recommended in our strong deterrent posture on the Korean Peninsula, and the U.S. should not put its force posture on the negotiating table. Deterrence is strong in both directions on the Korean Peninsula today. It is the North's nuclear weapons- and long-range missile-related activities that threaten stability. Likewise, the approach recommended by the review will not constrain U.S. Theater Missile Defense programs or the opportunities of the ROK and Japan to share in these programs; indeed, we explicitly recommended that no such linkage should be made.

4. Builds on the Agreed Framework. The approach recommended seeks more than the Agreed Framework provides. Specifically, under the recommended approach the U.S. will seek a total and verifiable end to all nuclear weapons-related activities in the DPRK, and the U.S. will be addressing the DPRK's long-range missile programs, which are not covered by the Agreed Framework. In addition, the U.S. will seek to traverse the broader path to peaceful relations foreseen by both the U.S. and the DPRK in the Agreed Framework, and incorporated in its text.

5. Aligns U.S. and allied near-term objectives with respect to the DPRK's nuclear and missile activities with our long-term objectives for lasting peace on the Korean Peninsula. The recommended approach focuses on the near-term dangers to stability posed by the DPRK's nuclear weapons- and missile-related activities, but it aims to create the conditions for lasting peace on the Korean Peninsula in the longer run, as the U.S. seeks through the Four Party Talks. As noted above, the recommended approach also seeks to realize the long-term objectives of the Agreed Framework, which are to move beyond cooperation in the nuclear field to broader, more normal U.S.–DPRK relations.

6. Does not depend on specific North Korean behavior or intent. The proposed strategy is flexible and avoids any dependence on conjectures or assumptions regarding DPRK intentions or behavior—benign or provocative. Again, it neither seeks, nor depends upon, either such intentions or a transformation of the DPRK's internal system for success. Appropriate contingencies are built into the recommended framework.

Key Policy Recommendations

In the context of the recommendations above, the review team offered the following five key policy recommendations:

1. Adopt a comprehensive and integrated approach to the DPRK's nuclear weapons- and ballistic missile-related programs, as recommended by the review team and supported by our allies in the region. Specifically, initiate negotiations with the DPRK based on the concept of mutually reducing threat; if the DPRK is not receptive, we will need to take appropriate measures to protect our security and those of our allies.

2. Create a strengthened mechanism within the U.S. Government for carrying out North Korea policy. Operating under the direction of the Principals Committee and Deputies Committee, a small, senior-level interagency North Korea working group

should be maintained, chaired by a senior official of ambassadorial rank, located in the Department of State, to coordinate policy with respect to North Korea.

3. Continue the new mechanism established last March to ensure close coordination with the ROK and Japan. The Trilateral Coordination and Oversight Group (TCOG)—established during this policy review and consisting of senior officials of the three governments—is charged with managing policy toward the DPRK. This group should meet regularly to coordinate negotiating strategy and overall policy toward the DPRK and to prepare frequent consultations on this issue between the President and the ROK President and Japanese Prime Minister. The U.S. delegation should be headed by the senior official coordinating North Korea policy.

4. Take steps to create a sustainable, bipartisan, long-term outlook toward the problem of North Korea. The President should explore with the majority and minority leaders of both houses of Congress ways for the Hill, on a bipartisan basis, to consult on this and future Administrations' policy toward the DPRK. Just as no policy toward the DPRK can succeed unless it is a combined strategy of the United States and its allies, the policy review team believes no strategy can be sustained over time without the input and support of Congress.

5. Approve a plan of action prepared for dealing with the contingency of DPRK provocations in the near term, including the launch of a long-range missile. The policy review team notes that its proposed responses to negative DPRK actions could have profound consequences for the Peninsula, the U.S. and our allies. These responses should make it clear to the DPRK that provocative actions carry a heavy penalty. Unless the DPRK's acts transgress provisions of the Agreed Framework, however, U.S. and allied actions should not themselves undermine the Agreed Framework. To do so would put the U.S. in the position of violating the Agreed Framework, opening the path for the DPRK to unfreeze Yongbyon and return us to the crisis of the summer of 1994.

Concluding Thoughts

The team's recommended approach is based on a realistic view of the DPRK, a hardheaded understanding of military realities and a firm determination to protect U.S. interests and those of our allies.

We should recognize that North Korea may send mixed signals concerning its response to our recommended proposal for a comprehensive framework and that many aspects of its behavior will remain reprehensible to us even if we embark on this negotiating process. We therefore should prepare for provocative contingencies but stay the policy course with measured actions pursuant to the overall framework recommended. The North needs to understand that there are certain forms of provocative behavior that represent a direct threat to the U.S. and its allies and that we will respond appropriately.

In this regard, it is with mixed feelings that we recognize certain provocative behavior of the DPRK may force the U.S. to reevaluate current aid levels.

Finally, and to close this review, we need to point out that a confluence of events this past year has opened what we strongly feel is a unique window of opportunity for the U.S. with respect to North Korea. There is a clear and common understanding

among Seoul, Tokyo, and Washington on how to deal with Pyongyang. The PRC's strategic goals—especially on the issue of North Korean nuclear weapons and related missile delivery systems—overlap with those of the U.S. Pyongyang appears committed to the Agreed Framework and for the time being is convinced of the value of improving relations with the U.S. However, there are always pressures on these positive elements. Underlying tensions and suspicions have led to intermittent armed clashes and incidents and affect the political environment. Efforts to establish the diplomatic momentum necessary to withstand decades of hostility become increasingly difficult and eventually stall. Nevertheless, the year 1999 may represent, historically, one of our best opportunities to deal with key U.S. security concerns on the Korean Peninsula for some time to come.



Document 6: Joint U.S.–DPRK Statement on International Terrorism, Washington, DC, October 6, 2000

The United States and the Democratic People's Republic of Korea held a series of talks in March, August, and October 2000, at which the two sides expressed their views on the issue of international terrorism.

At the talks, the two sides agreed that international terrorism poses an unacceptable threat to global security and peace, and that terrorism should be opposed in all its forms, including terrorist acts involving chemical, biological, or nuclear devices or materials.

During the talks, the DPRK side affirmed that, as a matter of official policy and as its government has stated previously, it opposes all forms of terrorism against any country or individual. The DPRK noted that it was the responsibility of every UN member state to refrain from organizing, instigating, facilitating, financing, encouraging, or tolerating terrorist activities.

On the basis of their common concerns about the threat of terrorism to international peace and stability, the two sides underscored their commitment to support the international legal regime combating international terrorism and to cooperate with each other in taking effective measures to fight against terrorism. The sides shared the view that such measures included not providing material support or resources, including safe haven, to terrorists and terrorist groups, bringing terrorists to justice, and fighting terrorist acts against the safety of civil aviation and maritime navigation. The two sides joined in encouraging all UN member states to sign and become a party to all twelve UN counterterrorism conventions.

As a demonstration of their cooperation in the fight against international terrorism, the U.S. and the DPRK intend to exchange information regarding international terrorism and to resolve outstanding issues in this regard between the two sides. Taking account of the DPRK's opposition to international terrorism, the U.S. side noted that, as the DPRK satisfactorily addresses the requirements of U.S. law, the U.S. will work in cooperation with the DPRK with the aim of removing the DPRK from the list of state sponsors of terrorism.



Document 7: Joint Communiqué between DPRK and the United States of America, Washington, DC, October 12, 2000

As the special envoy of Chairman Kim Jong Il of the DPRK National Defense Commission, the First Vice Chairman, Vice Marshal Jo Myong Nok, visited the United States of America from October 9–12, 2000.

During his visit, Special Envoy Jo Myong Nok delivered a letter from National Defense Commission Chairman Kim Jong Il, as well as his views on U.S.-DPRK relations, directly to U.S. President William Clinton. Special Envoy Jo Myong Nok and his party also met with senior officials of the Clinton Administration, including his host Secretary of State Madeleine Albright and Secretary of Defense William Cohen, for an extensive exchange of views on issues of common concern. They reviewed in depth the new opportunities that have opened up for improving the full range of relations between the United States of America and the Democratic People's Republic of Korea. The meetings proceeded in a serious, constructive, and businesslike atmosphere, allowing each side to gain a better understanding of the other's concerns.

Recognizing the changed circumstances on the Korean Peninsula created by the historic [June 2000] inter-Korean summit, the United States and the Democratic People's Republic of Korea have decided to take steps to fundamentally improve their bilateral relations in the interests of enhancing peace and security in the Asia-Pacific region. In this regard, the two sides agreed there are a variety of available means, including Four Party talks, to reduce tension on the Korean Peninsula and formally end the Korean War by replacing the 1953 Armistice Agreement with permanent peace arrangements.

Recognizing that improving ties is a natural goal in relations among states and that better relations would benefit both nations in the 21st century while helping ensure peace and security on the Korean Peninsula and in the Asia-Pacific region, the U.S. and the DPRK sides stated that they are prepared to undertake a new direction in their relations. As a crucial first step, the two sides stated that neither government would have hostile intent toward the other and confirmed the commitment of both governments to make every effort in the future to build a new relationship free from past enmity.

Building on the principles laid out in the June 11, 1993, U.S.–DPRK Joint Statement and reaffirmed in the October 21, 1994, Agreed Framework, the two sides agreed to work to remove mistrust, build mutual confidence, and maintain an atmosphere in which they can deal constructively with issues of central concern. In this regard, the two sides reaffirmed that their relations should be based on the principles of respect for each other's sovereignty and non-interference in each other's internal affairs, and noted the value of regular diplomatic contacts, bilaterally and in broader fora.

The two sides agreed to work together to develop mutually beneficial economic cooperation and exchanges. To explore the possibilities for trade and commerce that

will benefit the peoples of both countries and contribute to an environment conducive to greater economic cooperation throughout Northeast Asia, the two sides discussed an exchange of visits by economic and trade experts at an early date.

The two sides agreed that resolution of the missile issue would make an essential contribution to a fundamentally improved relationship between them and to peace and security in the Asia-Pacific region. To further the efforts to build new relations, the DPRK informed the U.S. that it will not launch long-range missiles of any kind while talks on the missile issue continue.

Pledging to redouble their commitment and their efforts to fulfill their respective obligations in their entirety under the Agreed Framework, the U.S. and the DPRK strongly affirmed its importance to achieving peace and security on a nuclear weapons free Korean Peninsula. To this end, the two sides agreed on the desirability of greater transparency in carrying out their respective obligations under the Agreed Framework. In this regard, they noted the value of the access which removed U.S. concerns about the underground site at Kumchang-ri.

The two sides noted that in recent years they have begun to work cooperatively in areas of common humanitarian concern. The DPRK side expressed appreciation for significant U.S. contributions to its humanitarian needs in areas of food and medical assistance. The U.S. side expressed appreciation for DPRK cooperation in recovering the remains of U.S. servicemen still missing from the Korean War, and both sides agreed to work for rapid progress for the fullest possible accounting. The two sides will continue to meet to discuss these and other humanitarian issues.

As set forth in their Joint Statement of October 6, 2000, the two sides agreed to support and encourage international efforts against terrorism.

Special Envoy Jo Myong Nok explained to the U.S. side developments in the inter-Korean dialogue in recent months, including the results of the historic North–South summit. The U.S. side expressed its firm commitment to assist in all appropriate ways the continued progress and success of ongoing North–South dialogue and initiatives for reconciliation and greater cooperation, including increased security dialogue.

Special Envoy Jo Myong Nok expressed his appreciation to President Clinton and the American people for their warm hospitality during the visit.

It was agreed that Secretary of State Madeleine Albright will visit the D.P.R.K. in the near future to convey the views of U.S. President William Clinton directly to Chairman Kim Jong Il of the DPRK National Defense Commission and to prepare for a possible visit by the President of the United States.



Document 8: Chairman's Statement for the Second Round of Six-Party Talks, February 28, 2004

1. The second round of Six-Party Talks was held in Beijing among the People's Republic of China, the Democratic People's Republic of Korea, Japan, the Republic

of Korea, the Russian Federation, and the United States of America from 25th to 28th of February, 2004.

2. The heads of delegations were Mr. Wang Yi, vice minister, Ministry of Foreign Affairs of PRC; Mr. Kim Kye Gwan, vice minister, Ministry of Foreign Affairs of DPRK; Ambassador Mitoji Yabunaka, director-general for the Asian and Oceanian Affairs, Ministry of Foreign Affairs of Japan; Ambassador Lee Soo-Hyuck, deputy minister, Ministry of Foreign Affairs and Trade of the ROK; Ambassador Alexander Losyukov, vice minister, Ministry of Foreign Affairs of Russia; Mr. James Kelly, assistant secretary of State for East Asian and Pacific Affairs, United States Department of State.

3. The Parties agreed that the second round of the Six-Party Talks had launched the discussion on substantive issues, which was beneficial and positive, and that the attitudes of all parties were serious in the discussion. Through the talks, while differences remained, the Parties enhanced their understanding of each other's positions.

4. The Parties expressed their commitment to a nuclear-weapon-free Korean Peninsula, and to resolving the nuclear issue peacefully through dialogue in a spirit of mutual respect and consultations on an equal basis, so as to maintain peace and stability on the Korean Peninsula and the region at large.

5. The Parties expressed their willingness to coexist peacefully. They agreed to take coordinated steps to address the nuclear issue and address the related concerns.

6. The Parties agreed to continue the process of the talks and agreed in principle to hold the third round of the Six-Party Talks in Beijing no later than the end of the second quarter of 2004. They agreed to set up a working group in preparation for the plenary. The terms of reference of the working group will be established through diplomatic channels.

7. The delegations of the DPRK, Japan, the ROK, Russia and the USA have expressed their appreciation to the Chinese side for the efforts aimed at the successful staging of the two rounds of the Six-Party Talks.



Document 9: Text of Chairman's Statement on Third Round of Six-Party Talks, June 26, 2004

1. The third round of the Six-Party Talks was held in Beijing among the People's Republic of China (PRC), the Democratic People's Republic of Korea (DPRK), Japan, the Republic of Korea (ROK), the Russian Federation (Russia) and the United States of America (USA) from June 23 to 26, 2004.

2. The heads of delegations were Mr. Wang Yi, vice-foreign minister of China; Mr. Kim Kye Gwan, vice-foreign minister of DPRK; Ambassador Mitoji Yabunaka, director-general for Asian and Oceanian Affairs of Ministry of Foreign Affairs of Japan; Ambassador Lee Soo-Hyuck, deputy minister of Foreign Affairs and Trade of

ROK; Ambassador Alexander Alekseyev, special envoy of the Ministry of Foreign Affairs of Russia; Mr. James A. Kelly, assistant secretary of State for East Asian and Pacific Affairs, United States Department of State.

3. In preparation of the third round of the Six-Party Talks, two sessions of the Working Group were held in Beijing from May 12 to 15 and from June 21 to 22, 2004. The parties approved the Concept Paper on the Working Group in the plenary.

4. During the third round of the talks, the parties had constructive, pragmatic and substantive discussions. Based on the consensus reached at the second round of the talks, as reflected in its Chairman's Statement, they reaffirmed their commitments to the goal of denuclearization of the Korean Peninsula and stressed the need to take first steps toward that goal as soon as possible.

5. The parties stressed the need for a step-by-step process of "words for words" and "action for action" in search for a peaceful solution to the nuclear issue.

6. In this context, proposals, suggestions and recommendations were put forward by all parties. The parties welcomed the submission of those proposals, suggestions and recommendations, and noted some common elements, which would provide a useful basis for future work, while differences among the parties remained. The parties believed that further discussions were needed to expand their common ground and reduce existing differences.

7. The parties agreed in principle to hold the fourth round of the Six-Party Talks in Beijing by the end of Sept. 2004, at a date to be decided through diplomatic channels with due consideration to the proceedings of the working group. The parties authorized the working group to convene at the earliest possible date to define the scope, duration and verification as well as corresponding measures for first steps for denuclearization, and as appropriate, make recommendations to the fourth round of the talks.

8. The delegations of the DPRK, Japan, the ROK, Russia and the USA expressed their appreciation to the Chinese side for its efforts for the success of the third round of the Six-Party Talks.



Document 10: Joint Statement Issued at the Fourth Round of the Six-Party Talks, Beijing, September 19, 2005

The Fourth Round of the Six-Party Talks was held in Beijing, China, among the People's Republic of China, the Democratic People's Republic of Korea, Japan, the Republic of Korea, the Russian Federation, and the United States of America from July 26 to August 7, and from September 13 to 19, 2005.

Mr. Wu Dawei, Vice Minister of Foreign Affairs of the PRC; Mr. Kim Kye Gwan, Vice Minister of Foreign Affairs of the DPRK; Mr. Kenichiro Sasae, Director-General for Asian and Oceanian Affairs, Ministry of Foreign Affairs of Japan; Mr. Song Min-soon, Deputy Minister of Foreign Affairs and Trade of the ROK; Mr.

Alexandr Alekseyev, Deputy Minister of Foreign Affairs of the Russian Federation; and Mr. Christopher Hill, Assistant Secretary of State for East Asian and Pacific Affairs of the United States attended the talks as heads of their respective delegations.

Vice Foreign Minister Wu Dawei chaired the talks.

For the cause of peace and stability on the Korean Peninsula and in Northeast Asia at large, the Six Parties held, in a spirit of mutual respect and equality, serious and practical talks concerning the denuclearization of the Korean Peninsula on the basis of the common understanding of the previous three rounds of talks, and agreed, in this context, to the following:

1. The Six Parties unanimously reaffirmed that the goal of the Six-Party Talks is the verifiable denuclearization of the Korean Peninsula in a peaceful manner.

The DPRK committed to abandoning all nuclear weapons and existing nuclear programs and returning, at an early date, to the Treaty on the Non-Proliferation of Nuclear Weapons and to IAEA safeguards.

The United States affirmed that it has no nuclear weapons on the Korean Peninsula and has no intention to attack or invade the DPRK with nuclear or conventional weapons.

The ROK reaffirmed its commitment not to receive or deploy nuclear weapons in accordance with the 1992 Joint Declaration of the Denuclearization of the Korean Peninsula, while affirming that there exist no nuclear weapons within its territory.

The 1992 Joint Declaration of the Denuclearization of the Korean Peninsula should be observed and implemented.

The DPRK stated that it has the right to peaceful uses of nuclear energy.

The other parties expressed their respect and agreed to discuss, at an appropriate time, the subject of the provision of light water reactor to the DPRK.

2. The Six Parties undertook, in their relations, to abide by the purposes and principles of the Charter of the United Nations and recognized norms of international relations.

The DPRK and the United States undertook to respect each other's sovereignty, exist peacefully together, and take steps to normalize their relations subject to their respective bilateral policies.

The DPRK and Japan undertook to take steps to normalize their relations in accordance with the Pyongyang Declaration, on the basis of the settlement of unfortunate past and the outstanding issues of concern.

3. The Six Parties undertook to promote economic cooperation in the fields of energy, trade and investment, bilaterally and/or multilaterally.

China, Japan, ROK, Russia and the U.S. stated their willingness to provide energy assistance to the DPRK.

The ROK reaffirmed its proposal of July 12, 2005, concerning the provision of 2 million kilowatts of electric power to the DPRK.

4. The Six Parties committed to joint efforts for lasting peace and stability in Northeast Asia.

The directly related parties will negotiate a permanent peace regime on the Korean Peninsula at an appropriate separate forum.

The Six Parties agreed to explore ways and means for promoting security cooperation in Northeast Asia.

5. The Six Parties agreed to take coordinated steps to implement the aforementioned consensus in a phased manner in line with the principle of “commitment for commitment, action for action.”

6. The Six Parties agreed to hold the Fifth Round of the Six-Party Talks in Beijing in early November 2005 at a date to be determined through consultations.



Document 11: Initial Actions for the Implementation of the Joint Statement [September 19, 2005], Issued at the Third Session of the Fifth Round of the Six-Party Talks, February 13, 2007

The Third Session of the Fifth Round of the Six-Party Talks was held in Beijing among the People’s Republic of China, the Democratic People’s Republic of Korea, Japan, the Republic of Korea, the Russian Federation and the United States of America from 8 to 13 February 2007.

Mr. Wu Dawei, Vice Minister of Foreign Affairs of the PRC, Mr. Kim Kye Gwan, Vice Minister of Foreign Affairs of the DPRK; Mr. Kenichiro Sasae, Director-General for Asian and Oceanian Affairs, Ministry of Foreign Affairs of Japan; Mr. Chun Yung-woo, Special Representative for Korean Peninsula Peace and Security Affairs of the ROK Ministry of Foreign Affairs and Trade; Mr. Alexander Losyukov, Deputy Minister of Foreign Affairs of the Russian Federation; and Mr. Christopher Hill, Assistant Secretary for East Asian and Pacific Affairs of the Department of State of the United States attended the talks as heads of their respective delegations.

Vice Foreign Minister Wu Dawei chaired the talks.

I. The Parties held serious and productive discussions on the actions each party will take in the initial phase for the implementation of the Joint Statement of 19 September 2005. The Parties reaffirmed their common goal and will to achieve early denuclearization of the Korean Peninsula in a peaceful manner and reiterated that they would earnestly fulfill their commitments in the Joint Statement. The Parties agreed to take coordinated steps to implement the Joint Statement in a phased manner in line with the principle of “action for action.”

II. The Parties agreed to take the following actions in parallel in the initial phase:

1. The DPRK will shut down and seal for the purpose of eventual abandonment the Yongbyon nuclear facility, including the reprocessing facility and invite back IAEA personnel to conduct all necessary monitoring and verifications as agreed between IAEA and the DPRK.
2. The DPRK will discuss with other parties a list of all its nuclear programs as described in the Joint Statement, including plutonium extracted from used fuel rods, that would be abandoned pursuant to the Joint Statement.
3. The DPRK and the U.S. will start bilateral talks aimed at resolving pending bilateral issues and moving toward full diplomatic relations. The U.S. will begin the process of removing the designation of the DPRK as a state-sponsor of terrorism and advance the process of terminating the application of the Trading with the Enemy Act with respect to the DPRK.
4. The DPRK and Japan will start bilateral talks aimed at taking steps to normalize their relations in accordance with the Pyongyang Declaration, on the basis of the settlement of unfortunate past and the outstanding issues of concern.
5. Recalling Section 1 and 3 of the Joint Statement of 19 September 2005, the Parties agreed to cooperate in economic, energy and humanitarian assistance to the DPRK. In this regard, the Parties agreed to the provision of emergency energy assistance to the DPRK in the initial phase. The initial shipment of emergency energy assistance equivalent to 50,000 tons of heavy fuel oil (HFO) will commence within next 60 days.

The Parties agreed that the above-mentioned initial actions will be implemented within next 60 days and that they will take coordinated steps toward this goal.

III. The Parties agreed on the establishment of the following Working Groups (WG) in order to carry out the initial actions and for the purpose of full implementation of the Joint Statement:

1. Denuclearization of the Korean Peninsula
2. Normalization of DPRK-US relations
3. Normalization of DPRK-Japan relations
4. Economy and Energy Cooperation
5. Northeast Asia Peace and Security Mechanism

The WGs will discuss and formulate specific plans for the implementation of the Joint Statement in their respective areas. The WGs shall report to the Six-Party Heads of Delegation Meeting on the progress of their work. In principle, progress in one WG shall not affect progress in other WGs. Plans made by the five WGs will be implemented as a whole in a coordinated manner.

The Parties agreed that all WGs will meet within next 30 days.

IV. During the period of the Initial Actions phase and the next phase—which includes provision by the DPRK of a complete declaration of all nuclear programs

and disablement of all existing nuclear facilities, including graphite-moderated reactors and reprocessing plant—economic, energy and humanitarian assistance up to the equivalent of 1 million tons of heavy fuel oil (HFO), including the initial shipment equivalent to 50,000 tons of HFO, will be provided to the DPRK.

The detailed modalities of the said assistance will be determined through consultations and appropriate assessments in the Working Group on Economic and Energy Cooperation.

V. Once the initial actions are implemented, the Six Parties will promptly hold a ministerial meeting to confirm implementation of the Joint Statement and explore ways and means for promoting security cooperation in Northeast Asia.

VI. The Parties reaffirmed that they will take positive steps to increase mutual trust, and will make joint efforts for lasting peace and stability in Northeast Asia. The directly related parties will negotiate a permanent peace regime on the Korean Peninsula at an appropriate separate forum.

VII. The Parties agreed to hold the Sixth Round of the Six-Party Talks on 19 March 2007 to hear reports of WGs and discuss on actions for the next phase.



Document 12: Second-Phase Actions for the Implementation of the Joint Statement [of September 19, 2005], October 3, 2007

The second session of the sixth round of the six-party talks was held in Beijing among the People's Republic of China, the Democratic People's Republic of Korea, Japan, the Republic of Korea, the Russian Federation and the United States of America from 27 to 30 September 2007.

Mr. Wu Dawei, vice minister of foreign affairs of the PRC, Mr. Kim Kye Gwan, vice minister of foreign affairs of the DPRK, Mr. Kenichiro Sasae, director general for Asian and Oceanian Affairs, Ministry of Foreign Affairs of Japan, Mr. Chun Yung Woo, special representative for Korean Peninsula peace and security affairs of the ROK Ministry of Foreign Affairs and Trade, Mr. Alexander Losyukov, deputy minister of foreign affairs of the Russian Federation, and Mr. Christopher Hill, assistant secretary for East Asian and Pacific affairs of the Department of State of the United States, attended the talks as heads of their respective delegations.

Vice Foreign Minister Wu Dawei chaired the talks.

The parties listened to and endorsed the reports of the five working groups, confirmed the implementation of the initial actions provided for in the February 13 agreement, agreed to push forward the six-party talks process in accordance with the consensus reached at the meetings of the working groups and reached agreement on second-phase actions for the implementation of the joint statement of 19 September 2005, the goal of which is the verifiable denuclearization of the Korean Peninsula in a peaceful manner.

I. On Denuclearization of the Korean Peninsula

1. The DPRK agreed to disable all existing nuclear facilities subject to abandonment under the September 2005 Joint Statement and the February 13 agreement.

The disablement of the 5 megawatt Experimental Reactor at Yongbyon, the Reprocessing Plant (Radiochemical Laboratory) at Yongbyon and the Nuclear Fuel Rod Fabrication Facility at Yongbyon will be completed by 31 December 2007. Specific measures recommended by the expert group will be adopted by heads of delegation in line with the principles of being acceptable to all parties, scientific, safe, verifiable, and consistent with international standards. At the request of the other parties, the United States will lead disablement activities and provide the initial funding for those activities. As a first step, the U.S. side will lead the expert group to the DPRK within the next two weeks to prepare for disablement.

2. The DPRK agreed to provide a complete and correct declaration of all its nuclear programs in accordance with the February 13 agreement by 31 December 2007.

3. The DPRK reaffirmed its commitment not to transfer nuclear materials, technology, or know-how.

II. On Normalization of Relations between Relevant Countries

1. The DPRK and the United States remain committed to improving their bilateral relations and moving towards a full diplomatic relationship. The two sides will increase bilateral exchanges and enhance mutual trust. Recalling the commitments to begin the process of removing the designation of the DPRK as a state sponsor of terrorism and advance the process of terminating the application of the Trading with the Enemy Act with respect to the DPRK, the United States will fulfill its commitments to the DPRK in parallel with the DPRK's actions based on consensus reached at the meetings of the working group on normalization of DPRK-U.S. relations.

2. The DPRK and Japan will make sincere efforts to normalize their relations expeditiously in accordance with the Pyongyang Declaration, on the basis of the settlement of the unfortunate past and the outstanding issues of concern. The DPRK and Japan committed themselves to taking specific actions toward this end through intensive consultations between them.

III. On Economic and Energy Assistance to the DPRK

In accordance with the February 13 agreement, economic, energy and humanitarian assistance up to the equivalent of one million tons of HFO (inclusive of the 100,000 tons of HFO already delivered) will be provided to the DPRK. Specific modalities will be finalized through discussion by the working group on economy and energy cooperation.

IV. On the Six-Party Ministerial Meeting

The parties reiterated that the six-party ministerial meeting will be held in Beijing at an appropriate time.

The parties agreed to hold a heads of delegation meeting prior to the ministerial meeting to discuss the agenda for the meeting.