

## **Is the Six Party Joint Statement a Viable Roadmap or a Road to Nowhere?**

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As of this writing in July 2006, North Korea is into the eight month of its second boycott of the Six Party nuclear talks. The first boycott lasted a year, from August 2004 to July 2005. In short, in the last 24 months of nuclear negotiations, North Korea has boycotted the negotiations for 19 of the 24 months. North Korea's missile tests in July 2006, added a new element to Pyongyang refusal to agree to new Six Party meetings. All the other governments in the talks profess a continued commitment to the negotiations. A realistic question, however, is whether this collective commitment is based on genuine expectations of substantial progress, or is it about maintaining a process, however unproductive, out of fear of unknown consequences if the talks collapse. The question is legitimate, given that the fact that most of the last two years, the diplomacy of these governments have descended to trying to influence the lowest level of North Korean diplomatic behavior: whether or not North Korea will "show up" for a meeting.

This question will become especially pertinent if, as I expect, North Korea ends the boycott at some point, and another Six Party meeting or series of meetings take place. The answer undoubtedly will be influenced by whether or not the talks advance the September 19, 2005, Six Party Statement toward a settlement agreement. The Statement will be the framework for any future negotiations. But is the Statement a viable roadmap to negotiate a settlement agreement? Some of the provisions point to a "Yes" answer. However, other provisions are more negative. The Statement is vague overall. Individual government issued differing interpretations of the provisions not only after the issuance of the Statement but even in the weeks preceding it. Most importantly, the Statement did not close the fundamental gap between the settlement proposals of North

Korea and the United States that was widening further even as the Statement was drafted and issued.

The initial reaction to the Statement was generally favorable. The optimism was based first on the mere accomplishment of the Six Party talks in producing such an agreement after several unsuccessful attempts, dating back to December 2003. Moreover, North Korea made several commitments in the agreement, which seemed to break new ground. It agreed to abandon "all nuclear weapons and existing nuclear programs." It also pledged to rejoin the Nuclear Non-Proliferation Treaty (NPT) and accept International Atomic Energy Agency (IAEA) safeguards "at an early date." The commitment to accept IAEA safeguards (disclosures of nuclear programs and weapons and allowance of IAEA inspections) was especially surprising in view of Pyongyang's long-expressed hostility toward the IAEA. North Korea also joined in reaffirming the 1992 North Korea-South Korea denuclearization agreement. North Korea also appeared to make two additional concessions: agreeing to negotiations of a Korean peace regime in a negotiation separate from the nuclear talks and agreeing to an implicit reference to the North Korean kidnapping of Japanese in a clause on North Korea-Japan relations.

North Korea's boycott, of course, has dashed the initial optimism. I would guess, however, that if North Korea ends the boycott and another Six Party meeting is held, the optimism will revive quickly in many quarters, based largely on the Six Party Statement. This will be due in part to a misreading of North Korea's motives for the boycott, too much of an acceptance of Pyongyang's stated justification based on the U.S. imposition of financial sanctions on the Banco Delta in Macao. It also will be due to a failure to recognize four factors that appeared in the diplomacy both immediately before and immediately after September 19—two that I believe are factual and two that I believe were hinted at and will appear in future Six Party meetings. The first fact is the clear, multiple signals from North Korea that, despite the Six Party Statement, it has not abandoned its fundamental positions in the Six Party negotiations prior to the September 19 Statement. This is especially so regarding the crucial issues of the timing of dismantlement of North Korea's

nuclear programs and weapons in a settlement process and the existence of North Korea's secret highly enriched uranium (HEU) program. The second fact has an even broader context. Beginning in the July-August 2005 session of the Six Party talks, North Korea has systematically rebuffed and blocked the initiatives of Assistant Secretary of State Christopher Hill, who had assumed the positions of lead negotiator and principal U.S. strategist in the Six Party talks. Hill had instituted a number of changes in what had been a sterile and ineffective Bush Administration diplomatic strategy. Hill's initiatives gave U.S. diplomacy greater flexibility, responded to some of the criticisms of the other Six Party governments, eroded the propaganda advantage that North Korea had gained in the talks, and ended the relatively isolated diplomatic position of the United States. Hill displayed the first U.S. willingness in the talks to engage in detailed negotiations with the North Koreans. He endorsed South Korea's July 2005 offer of electricity to North Korea and incorporated it into the Bush Administration's core proposal of June 2004 as a major, simultaneous benefit that North Korea would receive as it dismantled its nuclear programs. U.S. officials also hinted that North Korea could receive additional energy assistance beyond the South Korean electricity, including heavy oil. In November 2005, Hill offered North Korea an exchange of diplomatic liaison offices in the early stages of a nuclear settlement. With the backing of Secretary of State Condoleezza Rice, he agreed in the Six Party Statement to discuss with North Korea its demand for light water reactors after dismantlement—a concession that even South Korean Unification Minister Chung Dong-young praised.<sup>2</sup> He also agreed to negotiations over a Korean peace agreement simultaneous with the Six Party talks. These initiatives clearly offered North Korea issues that could be the basis for constructive negotiations. The record shows, however, that beginning with the July-August 2005 Six Party meeting, North Korea has either rebuffed these initiatives, particularly through its linkage of light water reactors and nuclear dismantlement and virtual rejection of the South Korean electricity offer, or it has ignored them. Pyongyang's objective appears to be to re-isolate

the United States in the talks as in the pre-Hill situation, and it appears to view its boycott as further that aim.

Within these factual contexts, the first of the likely developments is that North Korea will raise or re-raise demands for U.S. concessions and benefits not addressed in the Six Party Statement, such as elements of Pyongyang's "regional disarmament" agenda, removal from the U.S. list of terrorist-supporting countries, and an end to U.S. sanctions and legal and diplomatic moves against North Korea's criminal activities, such as counterfeiting, and missile sales. The second development that I believe is highly possible is that North Korea will use the Six Party Statement to make a new proposal for a quid pro quo: North Korea would rejoin the NPT and "accept" IAEA safeguards in exchange for a firm U.S. commitment to provide North Korea with light water reactors. Such a quid pro quo deliberately would not include dismantlement.

#### **Continued Marginalization of Dismantlement and the HEU Issue**

##### ***Creating a "Time Frame Gap" on Dismantlement.***

Throughout the Six Party talks, North Korea endorsed in general terms dismantlement and/or denuclearization; but North Korea also made clear that it did not envisage dismantlement taking place at an early or intermediate stage in a settlement process. Dismantlement would come only at the end of a process in which the United States and Japan had delivered a range of benefits and concessions to North Korea. Until then, the main feature of a nuclear settlement would be a "reward for freeze" arrangement in which North Korea would freeze its nuclear plutonium program while Washington and Tokyo delivered specified benefits. North Korea had called for removal from the U.S. list of terrorism-supporting countries, the lifting of economic and military sanctions and "blockade," the supply of heavy oil and electricity, U.S. security guarantees, and Japanese payments of "reparations" to North Korea.<sup>3</sup>

However, North Korean pronouncements varied the demands for benefits and concessions at various stages in the negotiations. Moreover, the reward for the freeze proposal did not lay out any specific time frame for the entire process of

freeze, delivery of benefits to North Korea, and North Korean dismantlement of nuclear programs. This changed in July 2005: Pyongyang specified that its core demand was light water reactors (LWRs) and that it would not dismantle its nuclear programs until the construction of LWRs was completed—in Pyongyang's words, a "physical guarantee." By demanding LWRs, North Korea specified that dismantlement would take place, at a minimum, ten years from the signing of a nuclear settlement and very likely in 15-20 years. According to nuclear experts, it usually takes nine years or more to construct a light water reactor in a normal country.<sup>4</sup> North Korea hardly fits the definition of a normal country. After eight years, construction of the two light water reactors agreed upon in the 1994 U.S.-North Korean Agreed Framework had reached only a level of 33 percent completion. Officials of the Korean Electric Power Corporation (KEPCO), the main contractor for the LWRs, stated in November 2005 that even if construction were resumed immediately on the two LWRs, construction could not be completed before 2015<sup>5</sup>—ten years to complete the remaining 66 percent.

In short, by specifying a prolonged time period before dismantlement, North Korea had widened the gap further between its position and the Bush Administration's core proposal as amended to include South Korea's offer of electricity. Bush Administration officials had estimated that the simultaneous processes of dismantlement and provision of South Korean electricity to North Korea would take about three years. Pyongyang thus has created a huge time frame gap between it and Washington over dismantlement. North Korea's promise in the Six Party Statement to abandon all nuclear weapons and nuclear programs was less ground breaking than many observers believed after September 19. This statement contained no reference to the timing of dismantlement and thus in no way altered the extreme time frame gap on dismantlement that North Korea had set forth in July 2005.

North Korea took maximum advantage of the condition that Secretary of State Condoleezza Rice laid down in granting U.S. acceptance of the Chinese draft that became the Six Party Statement: that each government could render its own

interpretation of the Statement and its individual clauses. The September 20 statements by North Korea's Foreign Ministry and chief negotiator Kim Kye-gwan asserted that North Korea must receive physically light water reactors from the United States and other governments before North Korea would dismantle its "nuclear deterrent." The Foreign Ministry stated: "The U.S. should not even dream of the issue of the DPRK's dismantlement of its nuclear deterrent before providing LWRs, a physical guarantee for confidence-building."

North Korea solidified and broadened the scope of that position during Deputy United Nations Ambassador Han Song-ryol's visit to Capitol Hill at the end of October 2005. In his presentation and in an interview with South Korea's Yonhap News Agency, Han firmly asserted: "To give up the graphite-moderated reactors, the light water reactor has to be completed." He hardened Pyongyang's stance further by stating that North Korea would disclose its nuclear facilities, materials and weapons "only after the provision of the light water reactor is completed."<sup>6</sup>

One element of this hardening was that Han's pronouncement appeared to negate the widely touted North Korean commitment in the Six Party Statement to return to the NPT and IAEA safeguards "at an early date." A "return" to IAEA safeguards would require North Korea to declare to the IAEA a complete inventory of nuclear facilities, materials, and weapons. Unless one tries to stretch the definition of "an early date" to include a 15-year time frame likely required to construct an LWR in North Korea, Han's pronouncement is completely contrary to Pyongyang's pledge in the Six Party Statement to return to the NPT and IAEA safeguards "at an early date." It seems that North Korea already has begun to amend its promise to return to IAEA safeguards.

Assistant Secretary of State Christopher Hill still expressed the view that Han's pronouncements were "off the cuff" and that Han knows that the demand for an LWR is not going to happen.<sup>7</sup> However, Han's statements came in two forums, the Capitol Hill presentation and the interview with Yonhap. Moreover, North Korean diplomats in Europe also reportedly delivered similar statements.<sup>8</sup> It has baffled me that the Bush Administration has

not made a major issue of Han's negation of a major clause of the Six Party Statement. In contrast, North Korea's propaganda constantly hammers away at the lack of U.S. commitment to the Six Party Statement. This may be another example of the Bush Administration and the State Department's "tone deafness" to the propaganda struggle within the Six Party talks—a struggle that North Korea won decisively at least prior to the July 4 missile launches.

At the same as Han's pronouncements, North Korea's official media were presenting a new argument for deferred, marginalized dismantlement. They called on the United States to end its "double standard" of supporting Israel as a nuclear weapons state outside the NPT, not by withdrawing support from Israel but by applying "to our country the same treatment and measures it applies to other countries that practically possess nuclear weapons outside the NPT." Further, "only when the United States abandons its unjust and prejudiced double standards to the nuclear issue as we demanded, will there be a prospect for a settlement of the issue."<sup>9</sup> Such a position, undoubtedly modeled after Iran's stand, is a "win-win" position for North Korea. Regardless of whether or not the United States treats North Korea as a de facto nuclear weapon state as it does with Israel, North Korea keeps nuclear weapons indefinitely if not permanently.

Besides reaffirming its position on deferred dismantlement after the Six Party Statement, North Korean officials also reaffirmed Pyongyang's denials of having a highly enriched uranium (HEU) program. Both Kim Kye-gwan and Han Song-ryol called for the United States to provide "credible information or evidence" and "forensic evidence" to support its claim that North Korea has an HEU program. U.S. officials have disclosed that Assistant Secretary of State Christopher Hill presented to the North Koreans at the July-August talks detailed U.S. evidence in the form of data on North Korean overseas procurement of materials that would be used in an HEU program. But Pyongyang shows no signs of admitting to the program. Moreover, despite Hill's assertion at the United States Institute of Peace on September 28, 2005, that the other Six Party governments agreed with the U.S. claim, China and Russia

remain unwilling to issue crucial public challenges to North Korea's denials. South Korea supports the U.S. claim, but there are indications that Seoul would prefer to defer negotiations on the HEU program and concentrate instead on the plutonium program.

### **Why Demand Light Water Reactors?**

North Korea's demand for LWRs is not new. Pyongyang had raised it first at the initial Six Party meeting in August 2003 but had not emphasized it at subsequent meetings. Then, it became the focal point of North Korea's negotiating position at the July-August 2005 meeting. Why did North Korea "switch on" the LWR demand? It seems to me that the answer begins with North Korea's reaction to the proposal of the Bush Administration, which U.S. negotiators presented at the June 2004 Six Party meeting as the first substantive U.S. proposal at the talks. North Korea's initial muffled, uncertain reaction to the proposal appears to have reflected concern over its impact on the negotiations, in which North Korea had secured a decided advantage over the United States by early 2004. After a month, North Korea's Foreign Ministry denounced the proposal as a "sham proposal" on July 24, 2005, and proceeded to boycott the talks. North Korea also began to alter its own agenda, proposals, and demands, I believe, to widen the gap between its agenda and the U.S. proposal. Pyongyang emphasized the demand that the United States end "hostile policies," an umbrella term that Pyongyang could define in any way. It demanded that the United States cease its emerging emphasis on human rights conditions in North Korea. In March 2005, it announced a "regional disarmament agenda" for the Six Party talks that demanded major military concessions by the United States regarding the size and functions of its military forces "in an around the Korean peninsula." It seems to me that North Korea decided in late 2004 to broaden its diplomatic objectives beyond undermining the Bush Administration's proposal into a strategic diplomatic goal of creating and perpetuating a diplomatic stalemate on the nuclear issue. It made this decision in part based on the support it perceived it was receiving from China, Russia, and South Korea regarding the U.S. proposal and the

absence of criticisms from these governments toward boycotting the negotiations. This appears to lay behind North Korea's statement of February 10, 2005, reaffirming the boycott of the Six Party talks and declaring the possession of nuclear weapons.

The stalemate strategy did not mean that North Korea would never attend another Six Party meeting. Its decision to end its first boycott and return to the negotiations in July 2005 probably resulted from a combination of Chinese assurances, Chinese pressure, Chinese money: the Chinese assurance of May 10, 2005, that China would not support sanctions against North Korea in connection with the Six Party talks, Chinese warnings and pressure resulting from the reports that North Korea was preparing a nuclear test, and a Chinese commitment of \$2 billion in aid in October 2005.

North Korea faced two new problems from the Bush Administration in the July-August 2005 talks. One was the tactical flexibility and assertive public diplomacy practiced by Christopher Hill. North Korea lost some of the propaganda advantage it had over the United States. Second, the Bush Administration amended its June 2004 proposal by including South Korea's offer of electricity, offering it as a parallel, simultaneous step to be taken with dismantlement—but still in the early stage of a settlement process. It seems to me that North Korea viewed this as a serious challenge. North Korea no longer could accuse the United States of demanding dismantlement before Washington would agree to any benefits to North Korea. The other Six Party governments might support the combination of U.S. proposal and the South Korean offer of electricity and thus change fundamentally the complexion of Six Party diplomacy to Pyongyang's disadvantage, especially jeopardizing the strategic stalemate strategy.

North Korea chose its demand for LWRs as the means to checkmate the Bush Administration's amended proposal. North Korea had three tactical objectives. First, the LWR demand would further widen the gap between North Korea's position on the timing of dismantlement and the Bush Administration's position, in part by adding more specificity to North Korea's demand for deferred dismantlement. Assistant Secretary Hill has estimated that it would take up to a decade to build a light water

reactor in North Korea.<sup>10</sup> It seems to me that this estimate is on the optimistic side; but it points up how dismantlement would be put off into the distant future under North Korea's demand. Second, it would neutralize South Korea's electricity proposal as the key measure of reciprocity in exchange for dismantlement. North Korean officials reportedly told South Korean counterparts early in the July-August talks that Seoul's offer of electricity could not be linked to dismantlement and that dismantlement would take place only after North Korea had received physically LWRs. Third, the LWR demand could neutralize potential Chinese and Russian support—and even South Korean support—for the amended U.S. proposal.

### **A New North Korean Proposal?**

By allowing the reference to LWRs in the Six Party Statement, North Korea can continue to pursue these tactical diplomatic objectives and continue to promote its stalemate strategy. It also seems to me that North Korea is preparing to use the Six Party Statement to make a new proposal that will support these goals more effectively. North Korea will offer to rejoin the NPT and IAEA safeguards at the same time it receives a firm commitment from the United States and other government for LWRs. Dismantlement would not be part of such a quid pro quo. The September 20 statements of the North Korean Foreign Ministry and Kim Kye-gwan have hinted at such a proposal. The Foreign Ministry's statement has described a process involving two stages of a commitment to provide LWRs to North Korea. The first would be the firm commitment—"the U.S. provision of LWRs"—undoubtedly a written commitment in an agreement, which would constitute "a basis of confidence-building to us." But a second stage would be required, the construction of LWRs as "a physical guarantee for confidence-building." The Foreign Ministry, as stated previously, placed dismantlement after this second stage. However, it offered a sweetener, which it said was contained in the Six Party Statement: "As clarified in the joint statement, we will return to the NPT and sign the Safeguards Agreement with the IAEA and comply with it immediately upon the U.S. provision of LWRs, a basis of confidence-building to us."<sup>11</sup>

An offer to rejoin the NPT is an easy concession for Pyongyang to make. Accepting IAEA safeguards would be a tougher challenge. As alluded to earlier, Han Song-ryol's statement in Washington negated any proposal to accept IAEA safeguards, and it may reflect a belief among North Korean officials that they could contain the IAEA with regard to both disclosures and inspections. North Korean concealment mechanisms to hide nuclear activities undoubtedly have been strengthened since 1994 when the IAEA last conducted inspections. North Korea also may be influenced by Iran's experience with the IAEA over the last few years.

The key objective of any such proposal would be to gain sympathy and/or support from China, Russia, and South Korea and thus push the Bush Administration back into a relatively isolated position in the talks; this would solidify the diplomatic stalemate. North Korean officials likely would not expect U.S. agreement to any such proposal. But that would not matter if other governments responded in positive ways.

In fact, there are signs that other governments may tilt toward such a North Korean position and/or not endorse the U.S. position. China, Russia, and South Korea have all emphasized the need for North Korea to rejoin the NPT. Russia already has begun to tilt with the statement from the Russian Ambassador to South Korea that the provision of light water reactors to North Korea and dismantlement take place simultaneously.<sup>12</sup> South Korean statements have been "all over the map" and indicate a fluidity in Seoul's position that should be worrisome to the United States. Some R.O.K. statements are in line with the Bush Administration's position that dismantlement must occur before any discussion of LWRs and that North Korea must present a declaration of its nuclear materials and facilities. However, the South Korean press, including the semi-official Yonhap News Agency, has reported that the Roh Moo-hyun Administration is considering a proposal under which negotiations over LWRs would begin before North Korea dismantled its nuclear programs.<sup>13</sup> President Roh and other officials have described South Korea's post-Six Party Statement role as mediating between North Korea and the United States and as a "guarantor" between Washington and Pyongyang. Perhaps most importantly,

South Korea's position is clouded further by what it no longer talks about. R.O.K. officials now say little about South Korea's offer of electricity even though the Six Party Statement does mention it. Unfortunately, the Six Party Statement does link the proposal to dismantlement, and R.O.K. officials appear to have forgotten their original linkage of the proposal with dismantlement when they issued the proposal in July 2005. Pyongyang has succeeded in least in the short run in marginalizing South Korea's proposal as a key element in a nuclear settlement. Nevertheless, the South Korean Government is proceeding with plans to nearly double R.O.K. aid to North Korea in 2006 to well over \$2 billion.

China's reaction to such a new North Korean proposal and to the LWR-dismantlement linkage will be crucial at the next Six Party meeting. On September 28, 2005, Assistant Secretary Hill spoke on the record at the United States Institute of Peace. I had the opportunity to ask him if China agrees with the Bush Administration on the sequencing of dismantlement, North Korean return to the NPT, and discussions over LWRs. I expected an evasive answer. Instead, he stated that China agrees with the United States that dismantlement must come first. Hill subsequently said that China has the responsibility to make the Six Party Statement "stick." Hill is correct on China's crucial role. If China does agree with the United States on the timing of dismantlement, the U.S. position in the talks will be strengthened considerably. If he is incorrect in his answer to my question, the Bush Administration will be in deep trouble.

Despite Hill's answer, there are worrisome signs. There is no indication that the Chinese have told North Korea the same thing that Hill claims they have told him regarding the timing of dismantlement. The Chinese government has issued no public statements indicating a pro-U.S. position on dismantlement. Public pronouncements are especially important in Six Party diplomacy. North Korea places considerably weight on the public statements of other governments; it views such statements and the absence of such statements as indicators of the commitment of governments to the positions they take in private. In the negotiations over the Chinese draft that became the Six Party Statement, the Chinese rejected a U.S. proposal that the

Statement specify that discussions of LWRs could take place only after North Korea had abandoned its nuclear programs.<sup>14</sup> The crucial issue thus is: Will China support that U.S. proposal in the next round of talks? China's reported heavy pressure on the Bush Administration to accept the draft could be another major problem if repeated without a major change of North Korea's position on dismantlement and other issues. The Chinese threatened Hill that China would denounce the United States publicly if it did not accept the draft with the reference to LWRs.<sup>15</sup> Also worrisome are the reports of Chinese President Hu Jin-tao's visit to North Korea at the end of October 2005. While President Hu emphasized the importance of economic reforms, the reported Chinese commitment of \$2 billion in aid to North Korea does not signal a Chinese intention to break with North Korea over the crucial issue of the timing of dismantlement.

### **Re-Raising Other Demands**

The signs of fluidity in the Chinese, Russian, and South Korean positions toward North Korea's position on LWRs—and thus the timing of dismantlement—indicate that the Bush Administration is in danger of being pushed into the isolated position in the Six Party talks that it was in before the July-August 2005 meeting. North Korea, too, has the option to re-raise other issues of its previous agenda in the talks: removal from the U.S. terrorism list, the regional disarmament proposals, the demand that the United States abandon the proliferation security initiative, and the demand that the United States back off from its emerging initiatives on human rights. I have heard reports that Pyongyang does plan to re-raise the demand to be removed from the U.S. list of terrorist-supporting countries, even though North Korea clearly understands that resolving the kidnapping issue with Japan is a fundamental condition for removal. North Korea already has indicated that it plans to demand that the United States abandon its recent diplomatic and legal initiatives against North Korean counterfeiting of U.S. currency.

Finally, the fundamentally-important issue of verification has yet to be addressed in detail at the Six Party talks. North

Korea's contradictory positions toward IAEA safeguards points to a particularly difficult negotiation on this issue if the six parties even get to that point.

The Six Party Statement has not altered the big advantage that North Korea has in advancing its strategic diplomatic stalemate strategy. To use a football analogy, North Korea only has to keep the football near the 50 yardline in order to maintain a diplomatic stalemate. The United States needs a diplomatic touchdown, it has only limited means to produce that touchdown. It has not gained the support of the other Six Party governments save Japan. It lacks sufficient instruments of pressure to apply on North Korea to reinforce diplomatic strategy. Moreover, the reality is that North Korea is not a high priority foreign policy issue to the Bush Administration, despite the Administration's often bellicose rhetoric. North Korea occupies a middle level position. Other issues receive higher priority, including the struggle with Islamic fascism, Iraq, and the Israel-Palestinian question. Even on the nuclear issue, it is apparent that the Administration considers the Iranian nuclear program a bigger threat to U.S. interests than the North Korean program.

### **Some Thoughts on Strategy**

With the issuance of the Six Party Statement containing general principles and commitments, it seems to me that the issue of the sequence and timing of dismantlement must be the direct object of negotiations at the next Six Party meetings. The parties must cross that bridge in order for the talks to proceed much further. If it turns out to be a bridge too far, the diplomatic stalemate that North Korea has created will be solidified.

It seems to me that the Bush Administration needs to solidify the linkage of the timing of dismantlement in its core proposal and South Korea's electricity offer. This will require the Bush Administration to press South Korea hard for a clear R.O.K. reaffirmation of its proposal and support for it as the chief reciprocal measure that North Korea would receive in parallel with dismantlement. The Bush Administration has been reluctant to confront the Roh Moo-hyun Administration when the Roh Administration has openly criticized U.S. proposals and

positions in the Six Party talks. However, the Administration's need for South Korean support may be essential in order to bring China and Russia to support the American position on the timing of dismantlement. Seoul's backing would give U.S. negotiators leverage in pressing China to take a clear position that dismantlement must come early in a settlement process. Without South Korean backing, it seems to me that the prospect of China's fulfilling Assistant Secretary of State Hill's belief in Chinese support will be considerably dimmed.

If the Bush Administration succeeds in gaining South Korean and Chinese support for its core proposal, plus the South Korean electricity offer, the Administration may be pressed to provide North Korea with LWRs. This would be a difficult decision, given the negative attitudes in both the Administration and Congress toward providing LWRs to North Korea. However, given the commitment in the Six Party Statement to eventual consideration of LWRs, the Administration may have to state at least that the United States would not oppose other countries providing LWRs to North Korea if North Korea dismantles first and fully accepts IAEA safeguards. Such a statement would coincide with the reality that the United States could do little to prevent another country—Russia for example—that wished to supply LWRs to Pyongyang.

There are, too, several “sweeteners” that, it seems to me, the Bush Administration could offer at the talks as incentives for South Korea, China, and Russia to support the Administration's proposal on dismantlement. One would be the inclusion of heavy oil shipments to North Korea, including U.S. financing, during the phase of dismantlement of North Korean nuclear programs and South Korea's construction of infrastructure to provide electricity. U.S. and R.O.K. officials have estimated that the process of dismantlement and the preparation of electricity infrastructure would both take about three years. Thus, it seems to me, that a provision of heavy oil to North Korea during this relatively brief period would be a worthwhile incentive despite the negative history of previous heavy oil shipments under the 1994 Agreed Framework.

Assistant Secretary of State Hill stated at the U.S. Institute of Peace on September 28 that he had discussed with Chinese officials the idea of reinstating the U.S. offer to exchange diplomatic liaison offices with North Korea. At the brief November Six Party meeting, he reportedly made a more specific proposal. Liaison offices were specified in the 1994 Agreed Framework, and the Clinton Administration was prepared to establish a U.S. liaison office in Pyongyang in 1997. North Korea, however, backed away from the deal, and the issue has languished. The Administration could press this proposal in future talks, specify the stage in a settlement process when liaison offices would be established (preferably during the latter part of the dismantlement stage), and seek support from other Six Party governments for liaison offices.

The use of full diplomatic relations as a U.S. reciprocal measure has been a controversial issue. China and South Korea have advocated for several years that the United States normalize diplomatic relations with North Korea. The Bush Administration has opposed offering North Korea diplomatic relations in return for a satisfactory settlement of the nuclear issue. The Administration has maintained that North Korea must settle other issues with the United States before relations could be normalized. The Administration has mentioned the missile issue, human rights, and conventional military forces. Nevertheless, an offer of diplomatic relations in exchange for complete nuclear dismantlement and acceptance of IAEA safeguards and possibly other verification mechanisms would serve as a strong incentive for China, South Korea, and Russia to back the U.S. proposal for early dismantlement linked to South Korean electricity. Unlike Pyongyang's demands for LWRs, removal from the U.S. terrorist list, U.S. military concessions, and an end to the proliferation security initiative, the establishment of diplomatic relations would give nothing of substance to North Korea. (I am not convinced that North Korea would accept diplomatic relations, given that its definition of “normalization of relations” with the United States seems to include the substantive concessions from the United States.) An offer of diplomatic relations likely would help dispel the suspicions of the Chinese throughout the Six Party talks that



Bush Administration policy seeks a collapse of the Kim Jong-il regime. It would not prevent the Bush Administration from developing an assertive human rights strategy and could help. There is the example of the Reagan Administration developing an assertive human rights diplomacy toward the Soviet Union and the role of the U.S. Ambassador in Moscow in pressuring the Soviet Government to release numerous dissidents.

U.S. special envoy Joseph DeTrani was correct in stating at the Cato Institute on November 1 that U.S. support for Japan on the kidnapping issue is vital to maintaining a strong U.S.-Japan alliance, and this entails keeping North Korea on the U.S. list of terrorist-supporting countries. However, there are a couple of initiatives which the Bush Administration could take that likely would appeal to the Chinese, South Koreans, and Russians. One would clarify for North Korea at the Six Party talks the specific measures North Korea must take in order to be removed from the terrorist list. This clarification also could include a description of the position which the United States would take in international financial institutions (IFIs) on future proposals for economic assistance to North Korea from the World Bank, the IMF, etc. (Current legislation bars the United States from supporting any economic aid from the IFIs to countries on the U.S. terrorist list.) This would have to include conditions specified by Congress, including the resolving of the status of the Reverend Kim Dong-shik. The Administration also could advise Japan to lay out a roadmap of specific North Korean measures to resolve the kidnapping issue and Japan's responses if North Korea adopts those measures. Japan so far has not done that, and this leaves the issue too open-ended with an endless array of obstacles to a final settlement.

Finally, the United States and South Korea could take an initiative on the issue of a Korean peace agreement in response to the clause in the Six Party Statement that calls for negotiations on this in a forum separate from the Six Party talks. Seoul and Washington could make a specific proposal for negotiations at a date certain. They could begin work to develop a joint agenda on the issues to be resolved in order for a Korean peace agreement to be concluded. Especially important, they could specify in a proposal and in a joint agenda that negotiations must

include conventional force reductions and would cover U.S. forces on the Korean peninsula. This would counter any future moves by North Korea to bring the issue of U.S. forces into the Six Party talks under the guide of its "regional disarmament" demands.

### **The Necessity of Correct Policies by the Other Six Party Governments.**

One final point: It is legitimate for the other Six Party governments to urge the United States to expand reciprocal benefits to North Korea, but the operating word is reciprocal. This means that the legitimacy of their proposed benefits depends on these governments supporting the U.S. position that dismantlement must come in an early stage of a settlement process. So far, that support has been woefully insufficient to thwart Pyongyang's tactics to rebuff the Hill initiatives. The Bush Administration avoids the reality of this insufficiency when it argues that it will negotiate with North Korea only in a Six Party forum. If support from Beijing, Seoul, and Moscow remains insufficient, the current diplomatic stalemate will become a permanent reality, and the Six Party Statement will be viewed by historians as a road to nowhere.

### **Endnotes**

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<sup>2</sup>"Rices's decision enables agreement at six-way nuclear talks: Chung," Yonhap News Agency, October 17, 2005.

<sup>3</sup>Statement by North Korea's Foreign Ministry, December 9, 2003. John Zarocostas, "N. Korea offers to give up nukes," *Washington Times*, November 14, 2003, p. A1.

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<sup>8</sup>Ibid.

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