

## **Can the New Nuclear Deal with North Korea Succeed?**

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The new nuclear deal hammered out in Beijing in mid-February 2007 is a very tentative and limited first step toward ending North Korea's nuclear ambitions. Unfortunately, it creates numerous new problems without solving any fundamental issues. Prospects for its eventual success could prove worrisome.

On the plus side, the accord is a step away from confrontation toward preserving peace and prosperity in Northeast Asia. The Bush Administration, after four years of exchanging heated rhetoric with Pyongyang and reliance on ineffective coercive tactics like economic sanctions, has finally decided to negotiate with Pyongyang. Frankly, this has always been the only way to achieve a "peaceful diplomatic solution" to the North Korean nuclear issue. Simply put, at long last negotiations have finally just begun.

But the accord's negative aspects outweigh its positive points. It is not a new "Agreed Framework." This is a tentative deal. If North Korea does not like the direction of future negotiations, it can pull out at anytime and restart its nuclear reactor. The Agreed Framework was not a tentative deal. It was a package deal – all or nothing. The 1994 accord "froze" all nuclear activities and put all North Korean nuclear facilities under International Atomic Energy Agency (IAEA) monitoring. The new deal says that the "DPRK will discuss with other parties" the scope of nuclear activities to be covered. Also the details IAEA monitoring are to be "agreed between IAEA and DPRK." The Agreed Framework resolved such issues prior to its finalization.

In other words, the new agreement reverses the process that led to the Agreed Framework. Numerous working level discussions were held in New York and elsewhere to resolve the details of implementation prior to the agreement's conclusion. Under this new deal, North Korea can control the entire process because it can threaten to unfreeze its nuclear activities anytime that it is unhappy with one or more of the working group negotiations.

Assistant Secretary of State Christopher Hill has incorrectly claimed that the new deal is better than the old one because it is "multilateral." He simply does not know his history. The Agreed Framework was multilateral. Prior to its finalization, the United States forged an international consensus supportive of the accord by consulting daily for eighteen months with Seoul, Tokyo, Beijing and Moscow, not to mention many other

governments. Also, the Agreed Framework was designed to support the multilateral IAEA, an agency of the United Nations. The Bush Administration has openly and repeatedly belittled the effectiveness of the IAEA and its director, even calling for his replacement.

The new accord's shortcomings suggest that the Bush Administration was desperate to continue the Six Party Talks at any price. Over extended militarily in the Middle East, the Bush Administration cannot afford instability on the Korean Peninsula. Thus it appears to have shifted abruptly from asserting an extremely hard line to becoming almost mushy on North Korea. This is certain to inflate Pyongyang's expectations of the concessions it can win in future negotiations. Also, the Bush Administration has lost the initiative in the Six Party Talks, and surrendered it to China and South Korea.

At the same time, North Korea has won affirmation of its basic stances: "simultaneous steps" and "action for action," concepts first defined in the 1993-94 US-DPRK bilateral negotiations and confirmed in China's statement after the first round of Six Party Talks ended in August 2003. Pyongyang has also won its long struggle for direct bilateral negotiations with the Bush Administration, as provided in the new accord's third article. In exchange, Pyongyang only has to shut down its twenty two year old nuclear reactor and allow the IAEA to return to North Korea. For this it will also receive approximately \$400 million to do nothing.

Finally, Japan gets nothing out of the deal. On the contrary, its leverage for negotiating with North Korea regarding the abduction issue has been undercut. Also, North Korea remains free to develop nuclear tipped ballistic missiles which it could eventually use to threaten Japan's national security.

Reaction understandably has been mixed. Paradoxically the strongest advocate appears to be President Bush, along with China and South Korea. Prime Minister Abe promptly voiced his displeasure. In Washington, both opponents and advocates of negotiations with North Korea have expressed substantial reservations. Even Pyongyang has emphasized publicly the agreement's tentative nature. Ultimately, the lack of political support in many capitals and the new accord's complexity and numerous areas of ambiguity will make successful implementation extremely difficult.